



Town of Newmarket  
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## **Application for Draft Plan of Condominium (19CDMN-2019-002) Staff Report to Council**

Report Number: 2020-01

Department(s): Planning and Building Services

Author(s): L. Traviss, Senior Planner, Development

Meeting Date: January 13, 2020

### **Recommendations**

1. That the report entitled Application for Draft Plan of Condominium (19CDMN-2019-002) dated January 13, 2020 be received; and,
2. That approval be given to Draft Plan of Condominium 19CDMN-2019-002) subject to the Schedule of Conditions attached hereto and forming part of this report; and,
3. That Kerigan Kelly, Groundswell Urban Planners Inc., 95 Mural Street, Suite 402, RICHMOND HILL ON L4B 3G2 be notified of this action.

### **Purpose**

The purpose of this report is to recommend Council approve the attached Draft Plan of Condominium for Blocks 121 and 122 within the Marianneville Draft Plan of Subdivision.

### **Background**

An application for draft plan of condominium has been submitted by Marianneville Developments Limited. The applicant received site plan approval and has subsequently entered into a site plan agreement dated January 15, 2019 for the development of 26 detached residential dwellings on the subject lands. The detached dwellings are now under construction and it is appropriate to approve the draft plan of condominium.

### **Discussion**

Draft Plan of Condominium 19CDMN-2019-002 relates to a development containing 26

Application for Draft Plan of Condominium (19CDMN-2019-002)

detached residential dwellings – 10 within Block 121 and 16 within Block 122. The subject lands are located to the east and south of Mitchell Place and are shown on the attached Location Map. A copy of the draft plan of condominium, as recommended for approval, is also attached.

The subject lands are being developed by parcels of tied land whereby the only common elements are the private roads and associated boulevard areas. The remainder of the lands will be subdivided through the Part Lot Control Exemption process under the Planning Act and would have a freehold tenancy on the private roads. As noted above, the applicant has received site plan approval and has entered into a site plan agreement dated January 15, 2019 for the development of the detached dwellings on the subject lands. The dwellings are now under construction and it is appropriate to approve the draft plan of condominium.

### **Planning Considerations**

This application for Draft Plan of Condominium proposes to identify and create the common elements for the condominium corporation which includes the roads and the boulevard areas which are to be maintained by the condominium corporation. The proposed Draft Plan of Condominium is appended to this report.

Application for site plan approval for the 26 detached dwellings on condominium roads was approved in principle by Council on April 24, 2017. The site plan agreement dated January 15, 2019 has been executed by the Town and all payments and securities required by the site plan agreement have been submitted.

The subject property is designated Emerging Residential in the Town's Official Plan. The Emerging Residential designation was put in place by the Ontario Municipal Board through its Order dated November 18, 2014. Detached dwellings are a permitted use in the Emerging Residential designation and the proposed Draft Plan of Condominium application conforms to the purpose and intent of the Official Plan.

The subject property is currently zoned R1-D-122 by the Ontario Municipal Board through its Order dated November 18, 2014, which permits the detached dwellings as approved through the site plan approval process. Council removed the holding provision from the zoning by-law as it relates to this development through By-law Number 2019-27 dated May 6, 2019.

### **Conclusion**

Draft Plan of Condominium 19CDMN-2019-002 is recommended for approval subject to the conditions set out in the Schedule of Conditions attached to and forming part of this Report.

### **Business Plan and Strategic Plan Linkages**

This application has linkages to the Community Strategic Plan as follows:  
Application for Draft Plan of Condominium (19CDMN-2019-002)

Well-equipped and Managed: by providing opportunities for varied housing types, affordability and densities.

## **Consultation**

N/A

## **Human Resource Considerations**

N/A

## **Budget Impact**

Operating Budget (Current and Future)

The appropriate planning application fees have been received for the draft plan of condominium. The Town has also received income from development charges and will receive assessment revenue through the development of this subdivision.

Capital Budget

There is no direct capital budget impact as a result of this report.

## **Attachments**

- 1 – Schedule of Conditions
- 2 – Location Map
- 3 – Proposed Draft Plan of Condominium

## **Approval**

Peter Noehammer, Commissioner, Development and Infrastructure Services

Jason Unger, Acting Director, Planning and Building Services

Adrian Cammaert, Acting Manager, Planning Services

## **Contact**

Linda Traviss, Senior Planner - Development