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## **Urban Centres Secondary Plan and Zoning By-law Technical Amendments - Final Recommendations Staff Report to Council**

Report Number: 2020-75

Department(s): Planning and Building Services

Author(s): Phoebe Chow, Senior Planner - Policy

Meeting Date: October 26, 2020

### **Recommendations**

1. That the report entitled Urban Centres Secondary Plan and Zoning By-law Technical Amendments - Final Recommendations dated October 26, 2020 be received; and,
2. That the attached Official Plan Amendment No. 25 be adopted; and,
3. That Staff be directed to forward the attached Official Plan Amendment No. 25 to the Regional Municipality of York for approval; and,
4. That upon Regional approval of Official Plan Amendment No. 25, Staff be directed to bring the attached Zoning By-law Amendment to a future Council meeting for approval; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### **Executive Summary**

The Urban Centres Secondary Plan and Zoning By-law came into effect in 2015 and 2019, respectively. The proposed technical amendments are necessary to provide clarity and to correct inconsistencies between and within these documents.

The proposed changes were circulated to internal departments and external agencies for review. The draft amendments were also presented at a Statutory Public Meeting on

Urban Centres Secondary Plan and Zoning By-law Technical Amendments – Final Recommendations

July 27, 2020. All comments received have been addressed in this report and/or in the attached Official Plan Amendment and Zoning By-law Amendment.

## **Purpose**

The purpose of this report is to recommend adoption of the attached Official Plan Amendment (OPA No. 25) and to seek Council's direction to forward the same to York Region for approval. In addition, this report also seeks direction from Council that upon the approval of OPA No. 25, staff be directed to bring the attached Zoning By-law Amendment to a future Council meeting for approval.

## **Background**

The Urban Centres Secondary Plan (Secondary Plan) came into effect on April 30, 2015. Subsequently, the Town prepared a zoning by-law for the secondary plan area and Zoning By-law 2019-06 came into effect on June 10, 2019. When applying these policies and zoning provisions to development proposals in the Urban Centres, staff have identified a number of technical amendments that are necessary to implement the vision and intent of the Secondary Plan and Zoning By-law 2019-06. The majority of the proposed changes were outlined in [staff report 2019-85](#). A statutory public meeting was held on July 27, 2020.

## **Discussion**

The proposed Official Plan Amendment and Zoning By-law Amendment are attached to this report as Attachments 1 and 2. The following subsections summarize the proposed amendments.

### **Proposed Official Plan Amendment**

The proposed changes to the Official Plan (Urban Centres Secondary Plan) are described in Part A - Preamble of OPA No. 25 in Attachment 1. Generally, the proposed changes can be summarized as follows:

- Revise language to align with Provincial and Regional planning documents or to clarify intent of policies;
- Revise designations of certain properties to clarify intended development permissions in supporting the goal of the Secondary Plan;
- Add new policy to permit temporary stand-alone surface parking lots within the Regional Healthcare Centre, subject to the following:
  - Obtaining Council's approval for a temporary zoning by-law;
  - Providing a Built Out Demonstration Plan to show how the development will not preclude full built-out in accordance with the Secondary Plan in the future; and,

- Provide adequate screening from the public street;
- Update schedules to reflect current Lake Simcoe Region Conservation Authority's Floodplain mapping; and,
- Refine land use designations and density permissions for a limited number of identified properties.

## Proposed Zoning By-law Amendment

The proposed Zoning By-law Amendment (see Attachment 2) can be summarized in Table 1 below:

*Table 1 Summary of Proposed Zoning Changes*

<b>Clerical</b>
<ul style="list-style-type: none"> <li>● Correct the effective date and by-law number of other by-laws referenced in Section 1.9 Transition Clause and Section 1.10 Repeal of Former By-law sections.</li> </ul>
<b>Update definitions and diagrams to clarify terms in the by-law</b>
<ul style="list-style-type: none"> <li>● Update the definition of Floor Space Index to align with the proposed definition of “Land Area” in OPA No. 25, and</li> <li>● Update the diagram that describes the definition of Daylighting Triangle to provide clarity.</li> </ul>
<b>Clarify permitted uses, minimum setbacks and parking requirements</b>
<p><u>Permitted Uses</u></p> <ul style="list-style-type: none"> <li>● Add “Place of Assembly” and “Medical Office” as permitted uses in Mixed Use Zone, and</li> <li>● Remove “Convenience Store” as permitted use in Institutional Zone.</li> </ul> <p><u>Parking</u></p> <ul style="list-style-type: none"> <li>● Clarify the number of required carpooling parking spaces for non-residential uses;</li> <li>● Add parking requirements for Retirement Residence, and</li> <li>● Clarify that parking spaces can only be permitted in side yard or rear yard for lots front onto Davis Drive or Yonge Street.</li> </ul> <p><u>Podium Height</u></p> <ul style="list-style-type: none"> <li>● Clarify podium height requirements based on the overall height of the particular building.</li> </ul> <p><u>Setbacks</u></p> <ul style="list-style-type: none"> <li>● Clarify setback requirements from Yonge Street or Davis Drive and in corner lot situation, setback from the other public street, and</li> <li>● Replace and add diagrams to clarify setback requirements.</li> </ul>

## **Revise zoning to conform with the Secondary Plan**

### 22 and 23 Bolton Avenue and 27 Lundy's Lane

- Rezone all three properties from “Mixed Use 1 (MU-1) Zone” to “Mixed Use 2 (MU-2) Zone” to be in conformity with the density permission in OPA No. 25.

### 460 Davis Drive

- Rezone the northern half of the property from “Mixed Use 1 (MU-1)” to “Open Space 2 (OS-2). The southern half of the property will remain as MU-1 Zone. The proposed zoning will be in conformity with OPA No. 25.

### 200 Lancaster Avenue

- Rezone the entire property from “Site-Specific (1) (SS(1)) Zone” to “Mixed Use 1 (MU-1) Zone” to be in conformity with the Mixed Use designation in the Secondary Plan.

## **Holding Zones**

- Remove Holding (H) Zone from lands that have been identified in the Secondary Plan in the locations of future private road/laneways.

## **Update Schedules/Maps**

- Reflect current Lake Simcoe Region Conservation Floodplain mapping;
- Align zoning and height permissions with Secondary Plan Land Use and Density permissions, and
- Remove holding provisions on lands that have identified to provide future private street/laneways.

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## **Conclusion**

The proposed amendments to the Urban Centres Secondary Plan and Zoning By-law 2019-06 address a number of technical issues that have been identified since these documents came into effect. The amendments are intended to provide greater clarity and consistency to guide development in the Urban Centres.

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

- Extraordinary Places and Space
- Vibrancy on Yonge, Davis and Mulock

## **Consultation**

- The proposed draft amendments were circulated to commenting agencies for review.

- The statutory public meeting was held on July 27, 2020.
- Staff met with various landowners and interested parties and gathered their input on the proposed amendments. All comments received to date and staff's recommendations have been summarized in the following subsections.
- As per Council's direction, supplementary information packages were sent to local councillors where the proposed amendments may be of increased interest.

## Public Comments

Comments received from members of the public and how they have been addressed are summarized in Table 2 below.

*Table 2 Comment Matrix - Public Comments*

<b>Comment received</b>	<b>Staff's Recommendation</b>
Do not refine the Natural Heritage Systems (NHS) designation on the Criterion north site (north of Mulock Estate)	The proposed refinement to the NHS designation is to align the designation with the existing zoning. The existing Open Space (OS-3) Zone boundary on the property was based on a Natural Heritage Assessment that determined the limits of the woodland, which was reviewed by the Lake Simcoe Region Conservation Authority. The Natural Heritage Assessment also recommended an additional 3m buffer to be protected. The proposed NHS designation boundary will include the woodland and the 3m buffer.
Revise OPA No. 25 to require new development to <u>address</u> recommendations from the Community Energy Plan in a Sustainability Development Report, instead of requiring new development to <u>implement</u> recommendation from the Community Energy Plan	Staff have no objection to this comment and revision has been made to OPA No. 25.
Provide additional language to clarify uses permitted by the zoning-by are permitted prior to the removal of Holding (H) zone	Staff have no objection to this comment and revision has been made to the draft Zoning By-law Amendment.

<b>Comment received</b>	<b>Staff's Recommendation</b>
Private Street/Laneway policy is overly prescriptive in that it requires new private access to provide connectivity within the Urban Centres	Staff acknowledge that not all private laneways/streets will provide connectivity to adjacent properties. The intent of this policy applies to the private streets/laneways as shown on Schedule 5. Revision has been made to OPA No. 25 to clarify the intent.
Carpooling parking space requirement is overly prescriptive for uses that are smaller in nature. Staff should consider a threshold under which carpooling parking space requirement would not be applicable	Uses that are required to provide carpooling spaces include: financial institution, hospital, library, medical clinic, medical office building, medical/dental laboratory, office, elementary school, secondary school, or post-secondary school. Given the size of these facilities and the parking that would be required, staff is of the opinion that the existing carpooling requirement (minimum of 2 carpooling spaces) can be achieved.

## Regional Comments

Regional staff are generally supportive of the proposed OPA. Table 3 below outlines the Region's comments and how they have been addressed.

*Table 3 Comment Matrix - Regional Comments*

<b>Region's Comment</b>	<b>Staff's Recommendation</b>
Incorporate parking management policies and standards	Parking management policies already existing in the Secondary Plan. No further amendments are required.
Make reference to the Region's Financial Incentives for Complete Communities to promote rental housing	Section 6.4.4 Rental Housing has been amended by adding reference to the Region's incentive program.
Clarify the proposed designations for 432 and 439 Davis Drive	Staff have clarified the proposed designations and Regional staff have no further comments.
Language should be added with respect to Major Transit Station Areas (MTSA)	While staff agrees that MTSA's are important parts of the Urban Centres, it would be more appropriate to include MTSA boundaries and policies after the

Region's Comment	Staff's Recommendation
	Regional Official Plan identifies the MTSA boundaries and policies.

## Human Resource Considerations

None

## Budget Impact

None

## Attachments

Attachment 1 – Proposed Official Plan Amendment No. 25

Attachment 2 – Proposed Zoning By-law Amendment

## Submitted by

Phoebe Chow, Senior Planner – Policy

## Approved for Submission

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