



DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES

Town of Newmarket

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August 20, 2015

DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2015-34

TO: Committee of the Whole

**SUBJECT: Application for Draft Plan of Condominium – Phase 2 (19CDMN-2015 001)
Part Lots 87 and 88, Concession 1, Part Block 88, Plan 65M-3087,
Part Block 88, Plan 65M-3087, Part Block 50 and Block 70, Plan 65M-3129
804 Shadrach Drive
Daniels LR Corporation
File Number: D07-NP 15 05**

ORIGIN: Planning Division

RECOMMENDATIONS

THAT Development & Infrastructure Services /Planning & Building Services Report 2015-34 dated August 20, 2015 regarding application for Draft Plan of Condominium be received and the following recommendation(s) be adopted:

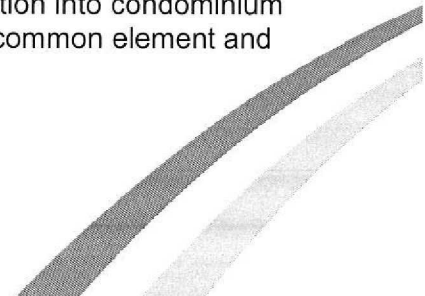
- 1. THAT approval be given to Draft Plan of Condominium 19CDMN-2015 001 subject to the Schedule of Conditions attached and forming part of Development & Infrastructure Services/Planning & Building Services Report 2015-34;**
- 2. AND THAT Daniels LR Corporation, (c/o Remo Agostino), 20 Queen Street West, Suite 3400, TORONTO ON M5H 3R3 be notified of this action by the Clerk.**

COMMENTS

Draft plan of condominium 19CDMN-2015 001 (Phase 2) relates to a development that will contain 52 residential townhouse units on a private road. The balance of the lands which contain 49 townhouse units was subject to a previous condominium application. The subject land is located on the south side of Shadrach Drive west of Bayview Avenue and is shown on the attached Key Map. A copy of the draft plan of condominium, as recommended for approval, is also attached.

Proposal

An application for draft plan of condominium has been submitted by Daniels LR Corporation. The developer is intending to convert the 52 townhouse units currently under construction into condominium units. The parking and landscaped areas surrounding the buildings will form the common element and each of the units may be individually sold.



Planning Considerations

Draft Plan of Condominium

This application for draft plan of condominium is to create the common elements for the condominium corporation which includes the parking and landscaped areas outside of the dwellings. Areas outside of the dwellings will be maintained by the condominium corporation. Future owners will own a stake in the condominium corporation along with their own individual units.

Site Plan

Development of this site is subject to the site plan approval process which included a detailed review and analysis of the technical requirements, specifically grading, drainage, parking and landscaping. The owner of the subject land entered into a Site Plan Agreement with the Town dated July 22, 2008 and an Amending Site Plan Agreement dated May 29, 2013 and provided all payments and securities required by the Agreement. Building permits have been issued for all of the 101 townhouse units. Engineering Services staff is currently monitoring this site as part of the site plan agreement process.

Official Plan

The subject property is designated Stable Residential in the Town's Official Plan. This designation permits single-detached and semi-detached dwellings. The Plan also provides that the Stable Residential designation currently has a mix of housing forms including rowhouses, townhouses, duplexes, fourplexes, apartments and other multi-unit buildings and that the predominant use of land in the Stable Residential Areas shall reflect the residential built forms that are existing as of the adoption of the Plan by Council. The proposed draft plan of condominium conforms to the purpose and intent of the Official Plan.

Zoning By-law Consideration

The subject property is zoned Residential Townhouse Dwelling 3 Exception Zone (R4-R-82) and Private Open Space Exception Zone (OS-2-82) by By-law Number 2010-40, as amended by Minor Variance Application Number A3-2011 and approved by the Ontario Municipal Board which permits townhouse dwellings as approved through the site plan approval process.

Provincial Policy Statement Considerations

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Decisions affecting planning matters "shall be consistent" with this policy statement. The Provincial Policy Statement is intended to be read in its entirety and the relevant policies are to be applied to each situation.

The sections on *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns*, *Settlement Areas*, and *Housing* are relevant for the subject application. These sections require efficient development and land use patterns, promoting intensification and redevelopment opportunities while taking into account existing building stock, and providing for an appropriate range of housing types and densities that reduce the cost of housing and facilitate compact form. Accommodating an appropriate range and mix of residential housing is an important component of successful communities to provide appropriate housing for future residents.

Servicing Allocation

Council has previously granted servicing allocation in the amount of 101 units for this development.

Conclusion

The proposed draft plan of condominium is recommended for approval subject to the conditions set out in the Schedule of Conditions attached to and forming part of this Report.

BUDGET IMPACT

Operating Budget (Current and Future)

The appropriate planning fees, development charges and other permit and administration fees have already been received through the site plan approval process. The Town will also receive assessment revenue through the development of this site.

Capital Budget

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

CONTACT

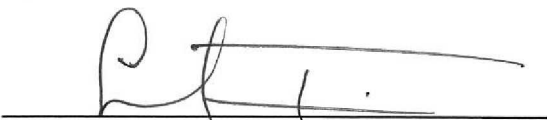
For more information on this report, contact Linda Traviss, Senior Planner - Development at 905-953-5300, Extension 2457 or via email at ltraviss@newmarket.ca.



Commissioner, Development &
Infrastructure Services



Director of Planning & Building Services



Senior Planner – Development

Attachments

- 1 - Conditions of Draft Approval
- 2 - Proposed Draft Plan of Condominium (Phase 2)
- 3 - Location Map

SCHEDULE OF CONDITIONS
DRAFT PLAN OF CONDOMINIUM 19CDMN-2015 001
DANIELS LR CORPORATION

Approval shall relate to the draft plan of condominium prepared by KRCMAR, Job No. 05-041, dated January 9, 2015.

1. The Owner shall provide confirmation from the Director of Engineering Services that the Owner has fulfilled all of its obligations under the Site Plan Agreement dated July 22, 2008 and Amending Site Plan Agreement dated May 29, 2013, as amended from time to time, or in the alternative, that the Owner has provided sufficient financial security and appropriate completion schedules to ensure that the Site Plan Agreement will be complied with in a timely manner.
2. Prior to registration, the Owner shall obtain any required minor variances to recognize any zoning deficiencies, if required.
3. Prior to final approval, the Owner shall submit a survey substantially in conformity with the plan set out in Condition Number 1 and in conformity with the requirements of the Condominium Act.
4. Prior to final approval, the Owner agrees to consult with Canada Post to determine suitable conditions for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
5. Prior to final approval, the Owner shall agree to grant to Bell Canada any easements that may be required for telecommunication services.
6. Prior to final approval, the Owner agrees to provide to Bell Canada one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.
7. Prior to final approval, the Owner agrees to conduct and submit a Source Water Impact and Assessment Mitigation Plan (SWIAMP), to the satisfaction of the Region of York, to identify and address any potential water quality and water quantity threats to the municipal groundwater supplies. The SWIAMP shall be prepared by a qualified professional, to the satisfaction of Regional Environmental Services staff in the Water Resources group. The SWIAMP must follow the York Region document Guidance for Proposed Developments in Wellhead Protection Areas In York Region (May 2013). A SWIAMP is required for any of the activities listed below if they will occur on the site for the storage or manufacture of:
 - a) petroleum-based fuels and/or solvents;
 - b) pesticides, herbicides, fungicides or fertilizers;
 - c) construction equipment;
 - d) inorganic chemicals;
 - e) road salt and contaminants as identified by the Province;
 - f) the generation and storage of hazardous waste or liquid industrial waste, and waste disposal sites and facilities;

- g) organic soil conditioning sites and the storage and application of agricultural and non-agricultural source organic materials; and,
- h) snow storage and disposal facilities.

