

January 18, 2021

Town of Newmarket
Clerk's Department
395 Mulock Drive
PO Box 328 - Station Main
Newmarket, ON L3Y 4X7

Attention: Ms. Lisa Lyons, Town Clerk

Dear Ms. Lyons:

**Re: Application for Official Plan Amendment
16250, 16356 & 16450 Yonge Street
2512606 Ontario Inc. (Shining Hill Estates)
Town File No.: DogNP2012**

Macaulay Shiomi Howson Ltd. (MSH), has been retained by Mr. Mark Iacovetta, owner and resident of property municipally known as 16160 Yonge Street (subject site), as it pertains to the above referenced application (Shining Hill).

The subject site is located on the west side of Yonge Street, just north of St. John Sideroad. It has an area of approximately 3.18 ha (7.86 acres) and straddles the municipal boundary between the Towns of Aurora and Newmarket (Figure attached). The site is irregular in shape with a small frontage on Yonge Street which contains a driveway access to the balance of the site. It is occupied by a single detached dwelling, garage, swimming pool and accessory structures.

A preliminary environmental review has been completed for the subject site which determined that a developable area of land, without environmental features or constraints, exists on the property.

The site abuts Shining Hill lands subject of the referenced application along a portion of its west property line. It also abuts other Shining Hill landholdings along the north, west and south property lines.

We object to the proposed Official Plan amendment for the following reasons:

1. Shining Hill has incrementally obtained approvals for lands abutting or near the lands subject of the current application for a number of years. To date no comprehensive concept plan for the development of surrounding or adjacent lands has been provided, specifically the subject site.

Shining Hill should be required to conceptually demonstrate how the subject site will not be adversely affected by any further development surrounding it; and, to

ensure that the developable portion of the subject site is not left landlocked with no connections.

As noted on the various schedules provided, the subject site has not been identified or acknowledged.

2. In 2018, approvals for OPA, ZBA and Draft Plan of Subdivision were given to lands abutting the subject site to the north. At that time, assurances were given with respect to appropriate natural heritage system blocks and restoration areas. This provided Mr. Iacovetta with some assurances there would be adequate buffers which would allow him to continue to reside in and enjoy his property.

Figure ES-1: Subject Lands contained within the Planning Opinion Report for the current Shining Hill application, identifies these previously approved lands as “Phase 1; and, as “Shining Hill Newmarket Midrise”. This is further described in Section 1.1 Overview, of the report which indicates an intent to develop these lands for approximately 1,000 units in “four mid-rise buildings”.

These are lands that were subject to detailed analysis including an environmental impact study; and, were reviewed and approved by the LSRCA as natural heritage system. It is not clear if this earlier analysis included the subject site.

This is further identified in Section 2.1 Development Summary, of the Planning Opinion Report, where the previously noted “midrise” block is shown, as “High Density”, with its coloured Land Use area demarcation.

A “Planned/Proposed Trail System” is also shown bisecting the subject site from the west out to Yonge Street.

Although not part of this current application, it is clear that Shining Hill is purchasing and/or developing lands in an incremental fashion without an overall conceptual plan, obtaining approvals, and subsequently using that as justification that the “remaining” lands warrant development.

3. There has been no regard for previous commitments made to date. Mr. Iacovetta has based decisions to remain on his property on the basis of these previous approvals and that there would be environmentally protected lands buffering his property from adjacent development.

Shining Hill now intends to redesignate lands that are within the Oak Ridges Moraine Conservation Area; and, through the Ontario Municipal Board, have already been determined as not being appropriate for development.

It is acknowledged that Provincial policies have changed since that time; however, the Town, through that OMB process, provided a level of assurance to its residents that the Shining Hill lands would be protected and preserved.

4. The development of the Shining Hill lands, along with the systematic development of lands surrounding the subject site, without illustrating how the subject site may be integrated into the overall development scheme, will result in a landlocked parcel which will no longer be suitable or desirable for the continuation of a single detached dwelling.

In summary:

- Shining Hill is proposing the significant development of lands which Mr. Iacovetta, like other Newmarket residents, believed would be protected as a result of the previous OMB Decision. The development of these lands has a direct impact on the subject site.
- There is ambiguity as to approvals previously received by Shining Hill; and, what is now indirectly proposed, through its current Planning Opinion Report. This raises questions and concerns with respect to the proposed OPA and the impact on the subject site.
- There does not appear to be one overall, comprehensive natural heritage evaluation, that identifies all of the affected Shining Hill lands, significant features; and, how these are to be protected. These reports appear to have been done on a case-by-case basis and have not taken into account potential impacts on adjacent lands, specifically when uses (proposed trail system) are proposed through lands owned by others.
- It is unreasonable to expect Mr. Iacovetta to make significant decisions with respect to his property, based on approvals issued by the Town for adjacent lands, only to have those approvals further revised by the applicant, creating uncertainty and resulting in unnecessary costs.

The issues raised in this letter are directly and indirectly related to the application before Council; however, they are all inter-related and need to be considered in a comprehensive manner.

I trust you will find this information satisfactory; however, should you have any questions or require additional information regarding the above-referenced matter, please do not hesitate to call.

Sincerely,

MACAULAY SHIOMI HOWSON LTD.



Angela Sciberras, MCIP, RPP
Principal
Encls.

Cc: Mr. Mark Iacovetta
Jason Unger

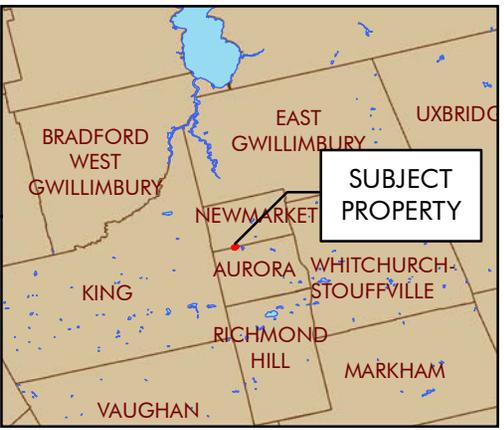
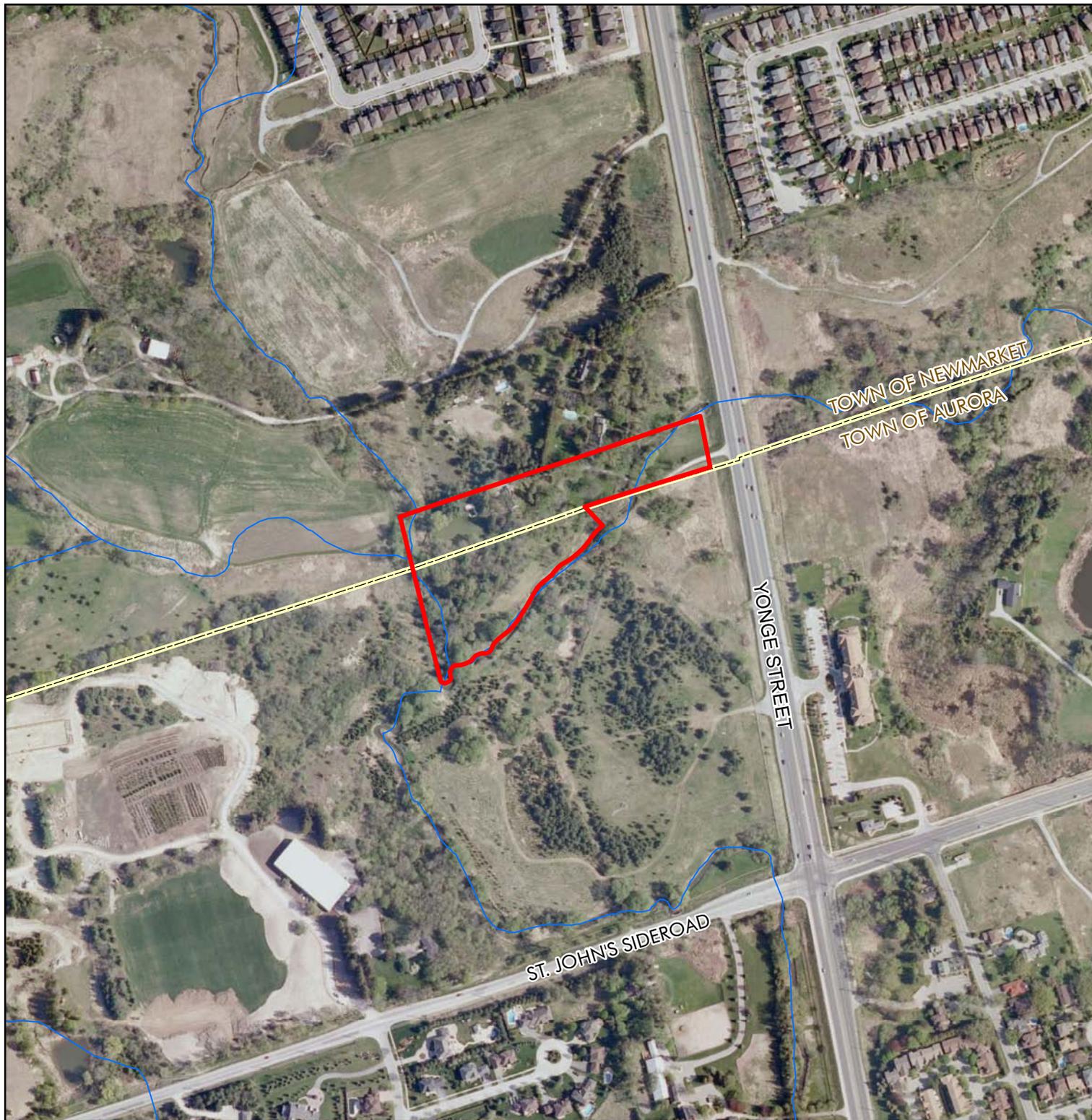


Figure 1

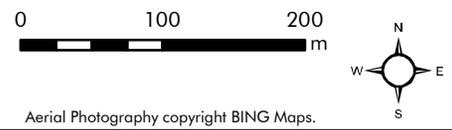
LOCATION MAP

16160 Yonge Street

Part of Lot 86, Concession 1
 Geographic Township of King
 Town of Aurora
 &
 Part of Lot 87, Concession 1
 Geographic Township of King
 Town of Newmarket

REGIONAL MUNICIPALITY OF YORK

-  Site Boundary
-  Municipal Boundary



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Prepared January 2021 by:
 land use planning consultants

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