

**Amendment No. 29
to the
Town of Newmarket Official Plan**

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PART A THE PREAMBLE

The Preamble provides an explanation of the amendment, including the location and purpose of the proposed amendment, basis of the amendment and a summary of the changes to the Town of Newmarket Official Plan, but does not form part of this amendment.

1. Purpose of the Amendment

The purpose of this amendment is to amend policies and schedules of the Town of Newmarket Official Plan to:

- Reflect changes in residential development that have occurred since the Official Plan was adopted;
- Remove references to Stable and Emerging Residential Areas and instead include policies that recognize the built form patterns of each neighbourhood while acknowledging the value of diverse housing types throughout all residential neighbourhoods;
- Implement a neighbourhood-level framework delineating Residential Areas within four Residential Character Areas: Historic Core Character Area, Traditional Suburban Character Area, Contemporary Suburban Character Area, and Estate Character Area; and,
- Propose a defined list of predominant characteristics for each, requiring development in Residential Areas to be compatible with existing built form and public realm standards.

2. Location

The proposed amendments are made to the text and schedules of the Official Plan and are applied to the residential area of the Official Plan as described in the text and indicated on the Schedules.

3. Basis

In January 2019, the Council of the Town of Newmarket directed staff to undertake a study on development and change in established residential areas, while adopting an Interim Control By-law pursuant to section 38 of the *Planning Act*. Since then, staff have researched best practices in regulating growth and change in established areas, reviewed applicable Regional and Provincial planning policy documents, and consulted with the public.

PART B THE AMENDMENT

1. Format of the Amendment

PART B – THE AMENDMENT describes the additions, deletions and/or modifications to the Town of Newmarket Official Plan and constitutes Official Plan Amendment Number 29.

Official Plan Amendment Number 29 consists of the following proposed modifications to the text and Schedules to the Newmarket Official Plan. Sections and Schedules of the Newmarket Official Plan proposed for modifications are identified as “**Items**”.

2. Details of the Amendment

Item 1 Section 2.0 Urban Structure

Delete the description of Residential Areas under the second paragraph and replace with the following:

“Encompassing the majority of lands throughout the Town of Newmarket, Residential Areas are predominantly low-rise residential neighbourhoods which accommodate a range of housing and tenure types, interspersed with ancillary convenience commercial and institutional uses.”

Item 2 Section 2.1 Managing Growth

Delete the first paragraph of Section 2.1 Managing Growth and replace it with the following:

A key principle reinforced throughout this Plan is the commitment to protect and strengthen existing neighbourhoods. Residential Areas are intended to remain stable. However, they may accommodate contextually-sensitive infill development and intensification, provided it contributes towards the establishment of a desirable urban structure, optimizes the use of existing municipal services and infrastructure, and is compatible with and complementary to the surrounding neighbourhood.

Item 3 Section 3.0: Residential Areas

Delete Section 3.0: Residential Areas and replace with the following:

3.0 Residential Areas

As the supply of greenfield lands becomes exhausted, residential development trends in Newmarket are shifting from suburban growth to urban intensification and redevelopment of existing built-up areas to accommodate current and projected population growth.

While the majority of this growth is directed to the Urban Centres, a limited amount of development that is compatible with the character of existing residential neighbourhoods is anticipated to occur throughout Residential Areas as shown on Schedule A: Land Use.

Development in Residential Areas must be undertaken in a manner which acknowledges, respects, and is compatible with the existing physical neighbourhood character.

Item 4 Section 3.1: General Residential Areas Policies

- a. Delete Policies 1 and 2 under Section 3.1 General Residential Area Policies.
- b. Rename the title “Section 3.1: General Residential Area Policies” to “Section 3.1: Residential Areas Policies”.
- c. Add the following sections and policies after Section 3.1 Residential Areas Policies:

3.1.1 Objectives

- a. Provide for a range of residential accommodation by housing type, tenure, size and location to help satisfy the Town of Newmarket’s housing needs in a context sensitive manner.
- b. Maintain the stability of Residential Areas by establishing zoning standards that acknowledge and respect the existing physical character of the surrounding neighbourhood.
- c. Recognize the desirability of gradual ongoing change by allowing for contextually-sensitive development through *Planning Act* applications, to permit development which contributes to a desirable urban structure, diversifies housing stock, optimizes the use of existing municipal services and infrastructure, and is compatible with and complementary to the surrounding neighbourhood.

- d. Encourage a range of innovative and affordable housing types, zoning standards and subdivision designs where it can be demonstrated that the existing physical character of the Residential Area will be maintained.

3.1.2 Permitted Uses

Policies

- 1 The predominant use of land in Residential Areas shall be residential in the form of single-detached and semi-detached dwellings.
- 2 Rowhouses, townhouses, duplex, triplex, and quadruplex are also permitted provided that the applicant can demonstrate to the satisfaction of the Town, how the proposed development is compatible with the existing character of the neighbourhood through a Compatibility Analysis Study.
 - 2.1 For the purpose of Policy 3.1.2.2, a Compatibility Analysis Study, which may form part of a Planning Justification Report, shall at a minimum, address policies of Section 12.4 Compatibility.
- 3 Secondary and/or complementary permitted uses include local institutional uses serving the immediate area such as elementary schools, group homes and special needs housing. In addition, home occupations, accessory dwelling units in single-detached and semi-detached dwellings, and convenience commercial uses are permitted. Conservation uses, parks and open space areas are also permitted in the Residential Areas (OPA #4).
- 4 Townhouse units on a Private Road shall be a permitted use in the Residential Area for the lands subject to Official Plan Amendment No. 12. (OPA #12) (955 & 995 Mulock Drive).
- 5 Within Residential Areas located on Davis Drive, immediately west of the Bus Terminal, permitted uses shall also include 4 to 6 storey apartment buildings and mixed use “live-work” units (OPA #16).

3.1.3 Development Criteria

Policies

1. Development in the Residential Areas shall be compatible with the existing physical character of the surrounding neighbourhood, with consideration for the following:

- Lot dimensions;
 - Lot frontage;
 - Front, side and rear yard setbacks;
 - Siting and orientation;
 - Lot coverage;
 - Building entrance location;
 - Private landscaping;
 - Building height, massing, and depth; and,
 - Ground floor height.
2. Development in Residential Areas shall acknowledge and respect the existing physical character of the surrounding properties, particularly those properties with frontage along the same street segment, subject to the Urban Design and Compatibility policies of Section 12.
 3. When considering development proposals in Residential Areas, the Town will:
 - a. Assess the compatibility of the proposed development as it relates to the existing built form so that it enhances and builds upon desirable established patterns of built form and open spaces, and
 - b. Consider its contribution to the maintenance and achievement of a balance of housing types and tenures to provide a full range of housing for a variety of demographic profiles.
 4. All Residential Areas shall be developed or maintained on full municipal sanitary sewer, water supply and storm sewer services, with the exception of the existing Kingdale Road, Old Bathurst Estates and Premier Place Estate Neighbourhoods.

Item 5 Section 3.2: Residential Character Areas

- a. Delete Section 3.2: Stable Residential Areas and Section 3.3: Emerging Residential Areas.
- b. Add the follow sections and policies under the new Section 3.2: Residential Character Areas and renumber subsequent sections accordingly.

Section 3.2 Residential Character Areas

3.2.1 Objective

The Residential Character Area boundaries are illustrated in Schedule I: Residential Character Areas. It is the objective of the Residential Area policies to maintain the stability and unique quality of Residential Character Areas, while allowing for contextually-sensitive development, which demonstrates compatibility with the prevailing built form and public realm features of the surrounding neighbourhood.

3.2.2 Policies

1. Development in Residential Character Area as identified on Schedule I: Residential Character Areas shall acknowledge and respect the predominant physical characteristics of the applicable Residential Character Area, while responding to unique site and contextual conditions, and demonstrating compatibility with the existing neighbourhood.

3.2.3 Historic Core Character Area

Newmarket's Historic Core Character Area was developed prior to the 1940's, and the advent of subdivision-based planning. The Historic Core Character Area is situated within and surrounding the historic core of the Town of Newmarket, and is generally bounded by properties fronting Davis Drive to the north, Leslie Street to the east, Gorham Street and Eagle Street to the south, and properties fronting onto Yonge Street to the west.

Newmarket's Historic Core Character Area is generally characterized by:

- Traditional street grid patterns;
- Short blocks with many intersections;
- Landscaped boulevards and an extensive canopy of established mature trees;
- Continuous sidewalks on one or both sides of the street;
- Building heights of 1 to 2-storeys;
- A range of architectural expressions and styles, with a significant focus on Victorian-era Architecture; and,
- A significant concentration of Listed and Designated Heritage Properties.

Policy

1. The area identified as "Old Main Street Tertiary Plan" on Schedule A Land Use shall be subject to the policies of The Old Main Street Tertiary Plan.

3.2.4 Traditional Suburban Character Area

Newmarket's Traditional Suburban Character Area was developed between the 1940's and 1990's, following the advent of subdivision-based planning. The Traditional Suburban Character Area is generally situated between the historic core of the Town of Newmarket, and the Contemporary Suburban Character Area, which traverse the periphery of the Town.

Newmarket's Traditional Suburban Character Area is generally characterized by:

- Curvilinear street patterns, including crescent streets and cul-de-sacs;
- Long blocks with few intersections;
- Landscaped boulevards and a moderate and evolving canopy of maturing street trees;
- Discontinuous sidewalks on one side of the street, with the exception of cul-de-sacs, many of which are absent of sidewalks,
- Rectangular and pie-shaped lots, with consistent dimensions, of a moderate to significant size;
- Consistent front and side yard setbacks;
- Building heights between 1 and 2-storeys; and
- A limited range of architectural expressions and styles.

3.2.5 Contemporary Suburban Character Area

Newmarket's Contemporary Suburban Character Area was developed following the 1990's, and is generally situated at the periphery of the Town, beyond the Traditional Suburban Character Area, and adjacent to the Estate Character Area.

Newmarket's Contemporary Suburban Character Area is generally characterized by:

- Modified street grid patterns;
- Short blocks with many intersections;
- Landscaped boulevards and a minimal canopy of newly established street trees;
- Continuous sidewalks on one or both sides of the street
- Rectangular and pie-shaped lots, with consistent dimensions, of a small to moderate size;
- Consistent front and side yard setbacks, of a shallow to moderate depth;
- Consistent building heights of 2-storeys; and

- A limited range of architectural expressions and styles.

3.2.6 Estate Character Area

Newmarket's Estate Character Areas were developed between the 1940's and 1990's, and are scattered throughout Newmarket, but are generally situated at the periphery of the Town, beyond the Traditional Suburban Character Area, and adjacent to the Contemporary Suburban Character Area.

Newmarket's Estate Character Area is generally characterized by:

- Curvilinear street patterns, including crescent streets and cul-de-sacs;
- Long and often undefined discontinuous blocks;
- Landscaped boulevards with paved or gravel shoulders, swales and moderate and evolving canopy of maturing street trees;
- No sidewalks;
- Rectangular and pie-shaped lots, with consistent dimensions, or a significant size;
- Consistent front yard setbacks, of a significant depth;
- Consistent side yard setbacks, of a moderate to significant depth;
- Building heights between 1 and 2-storeys; and
- Significant range of architectural expressions and styles.

Policies

1. Within Estate Character Area, no new residential lot shall be created through consent until such time as municipal services are provided throughout the neighbourhood.
2. Nothing in this Plan shall prevent the Kingdale Road, Old Bathurst Estates and Premier Place Estate Residential subdivisions from being provided with full municipal services, if deemed appropriate and/or necessary, by the Region of York or the Town of Newmarket.

Item 6 Section 3.9 Intensification

- a. Renumber Section 3.9: Intensification to Section 3.8: Intensification.
- b. Replace Policy 1 with the following:
 1. Throughout Residential Areas, intensification is permitted through the introduction of the following:

- A range of building and unit types including accessory dwelling units, single-detached dwellings and semi-detached dwellings.
 - A range of building and units types including townhouses and rowhouses on a site-specific basis.
 - Infill development through the construction of new residential dwellings and buildings on vacant land, additions and structural alterations to existing dwellings, and the demolition and redevelopment of existing dwellings.
 - The consent of lands resulting in the introduction of additional residential dwellings, where appropriate and subject to other policies of this Plan.
- c. Add the following policies after Policy 1:
2. Standards for accessory dwelling units will be established in the Zoning By-law and shall be consistent with Section 3.6, Accessory Dwelling Units.
 3. Limited intensification through consents will be permitted subject to the zoning by-law and compatibility with the scale of the surrounding neighbourhood, the physical suitability of the site to accommodate the proposed infill or intensification, availability of services and road access requirements.

Item 7 Section 12.4: Compatibility

- a. Number the first paragraph as Policy 1, delete the list following the second sentence in paragraph 1 and replace the list with the following:
 - The existing character of the area;
 - The policies of the Residential Character Area, if applicable;
 - The nature of fenestration and sun reflection impacts;
 - The nature of shadow impacts; and,
 - The existing and emerging built-form elements such as height, massing, setbacks, materials and finishes that are incorporated into surrounding buildings.
- b. Add the following policies to Section 12.4 Compatibility after Policy 1:
 2. Development will be required to demonstrate how its design fits with the existing character of the surrounding area in the context of:
 - Setbacks, heights and transition;
 - Façade and roofline articulation;

- Colours and materials;
 - Architectural elements, including windows, doors and projections;
 - Pre- and post-construction grades on site; and
 - Incorporating elements and details of common characteristics of the area.
- c. Delete the second paragraph and replace it with the following as Policy 3:
3. Building heights of mid-rise and high-rise buildings immediately adjacent to a Residential Area should provide an appropriate transition and achieve suitable visual angular planes. Where a building height greater than the existing adjacent context, or where a building is proposed adjacent to a public open space, the development shall demonstrate that an effective transition in height and massing, such as a stepping down or variation in building form has been incorporated into the design.
- d. Number the third paragraph as Policy 4.

Item 8 Section 16.0 Implementation

Add the following section and policies as **Section 16.6 Transition**

Section 16.6 Transition

Policy

1. Notwithstanding the policies of OPA No. 29, applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision or Condominium approval or Site Plan approval which were deemed complete and still in process prior to approval of OPA No. 29, or which were approved by the Town or the Local Planning Appeal Tribunal, are required to conform only with the policies in force at the time of the complete application or approval until the date OPA No. 29 is approved.
2. Where an application for Official Plan Amendment or Zoning By-law Amendment referenced in Policy 16.6.1 was approved by Council before or after OPA 29 comes into effect, any further applications required under the Planning Act or the Condominium Act, 1998 to implement the approved Official Plan Amendment or Zoning By-law Amendment referenced in Policy 16.6.1 are not subject to OPA 29.

Item 9 Schedule A: Land Use

Schedule A: Land Use is revised by removing “Stable Residential” and “Emerging Residential” Land Use Designations, combining those lands previously designated as “Stable Residential” and “Emerging Residential” and replacing them with a single “Residential” Land Use Designation as shown on Schedule 1 attached.

Item 10 Schedule I: Residential Character Areas

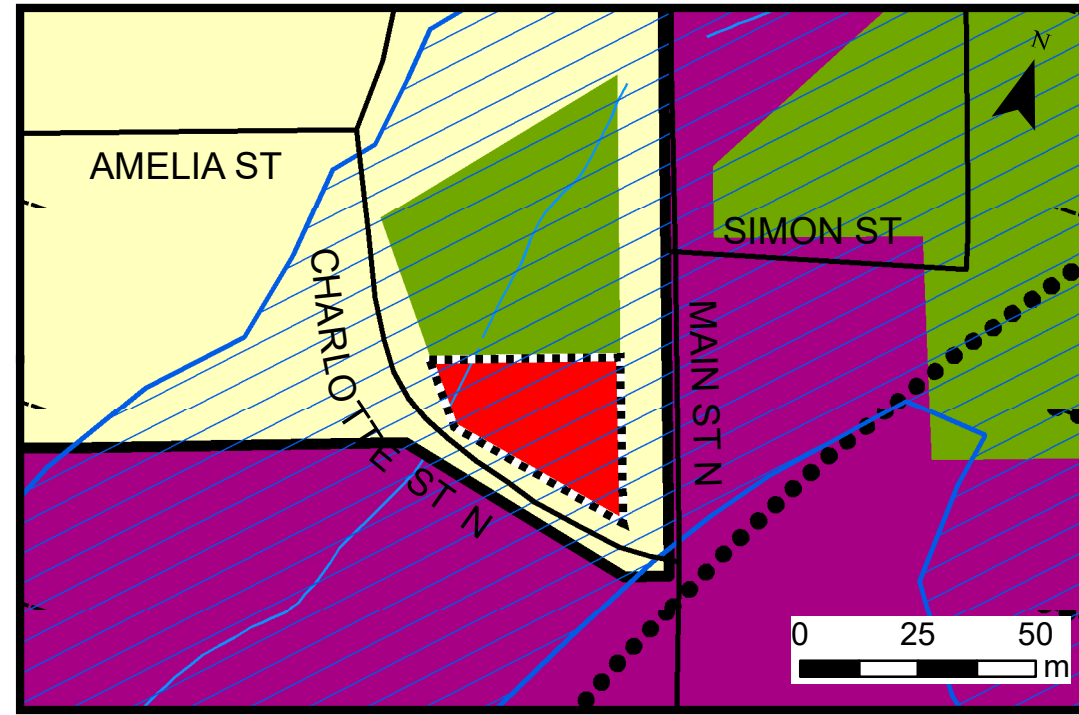
Add the attached Schedule 2 as Schedule I: Residential Character Areas to the Newmarket Official Plan.

3. Schedules

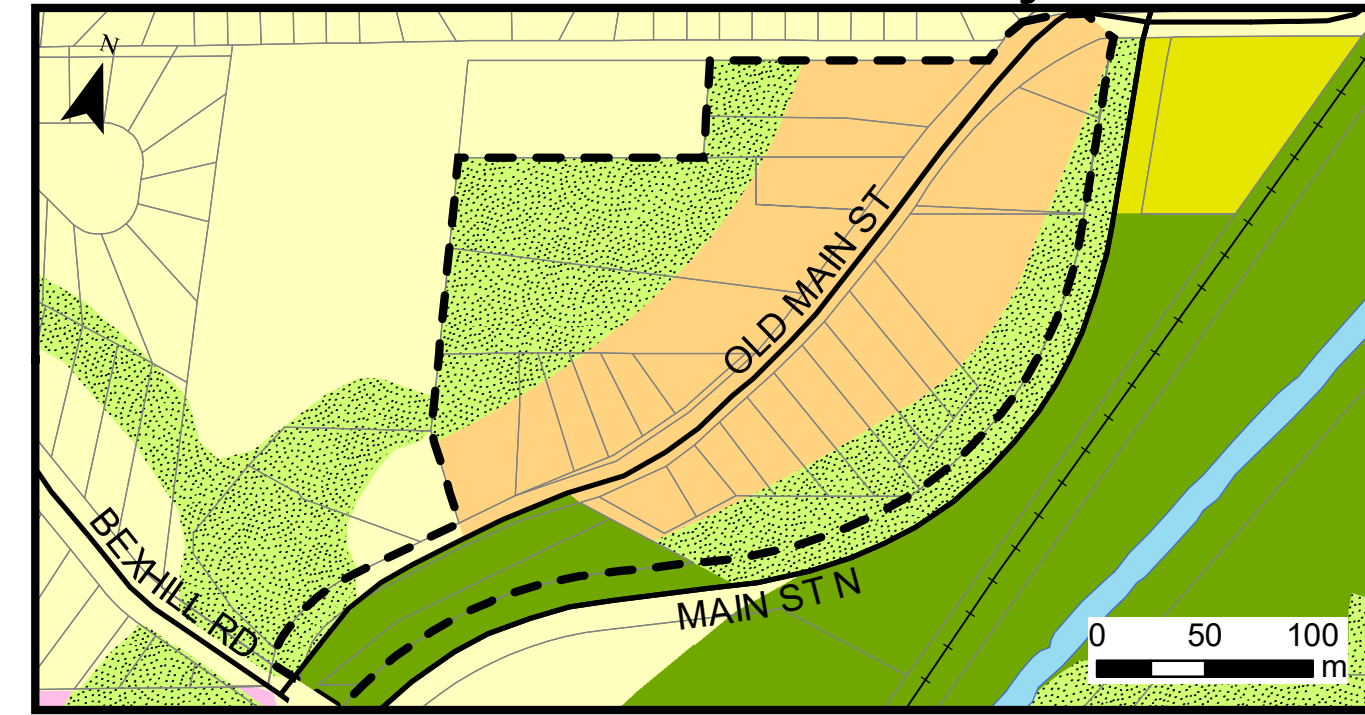
Schedule 1 – Schedule A: Land Use

Schedule 2 – Schedule I: Residential Character Areas

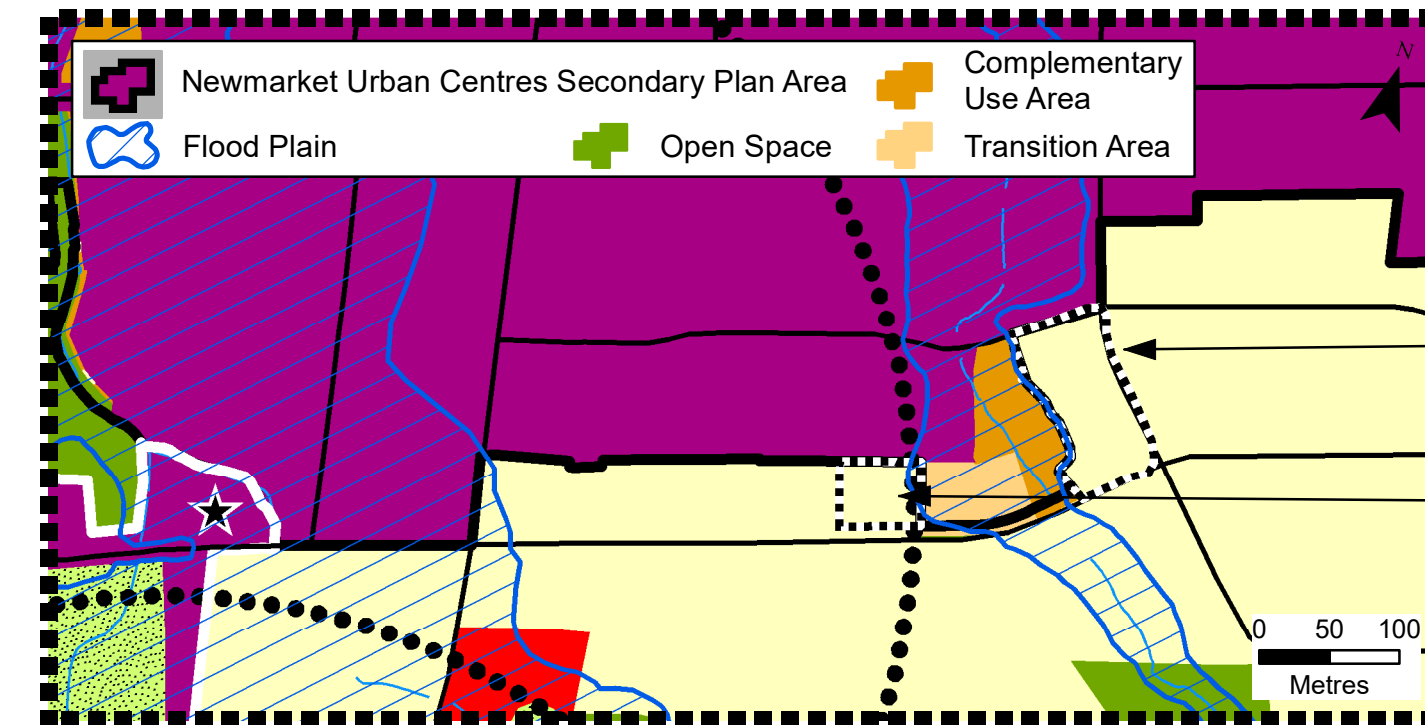
OPA # 4 - 22 and 28 Main St N



OPA # 22 - Old Main Street Tertiary Plan



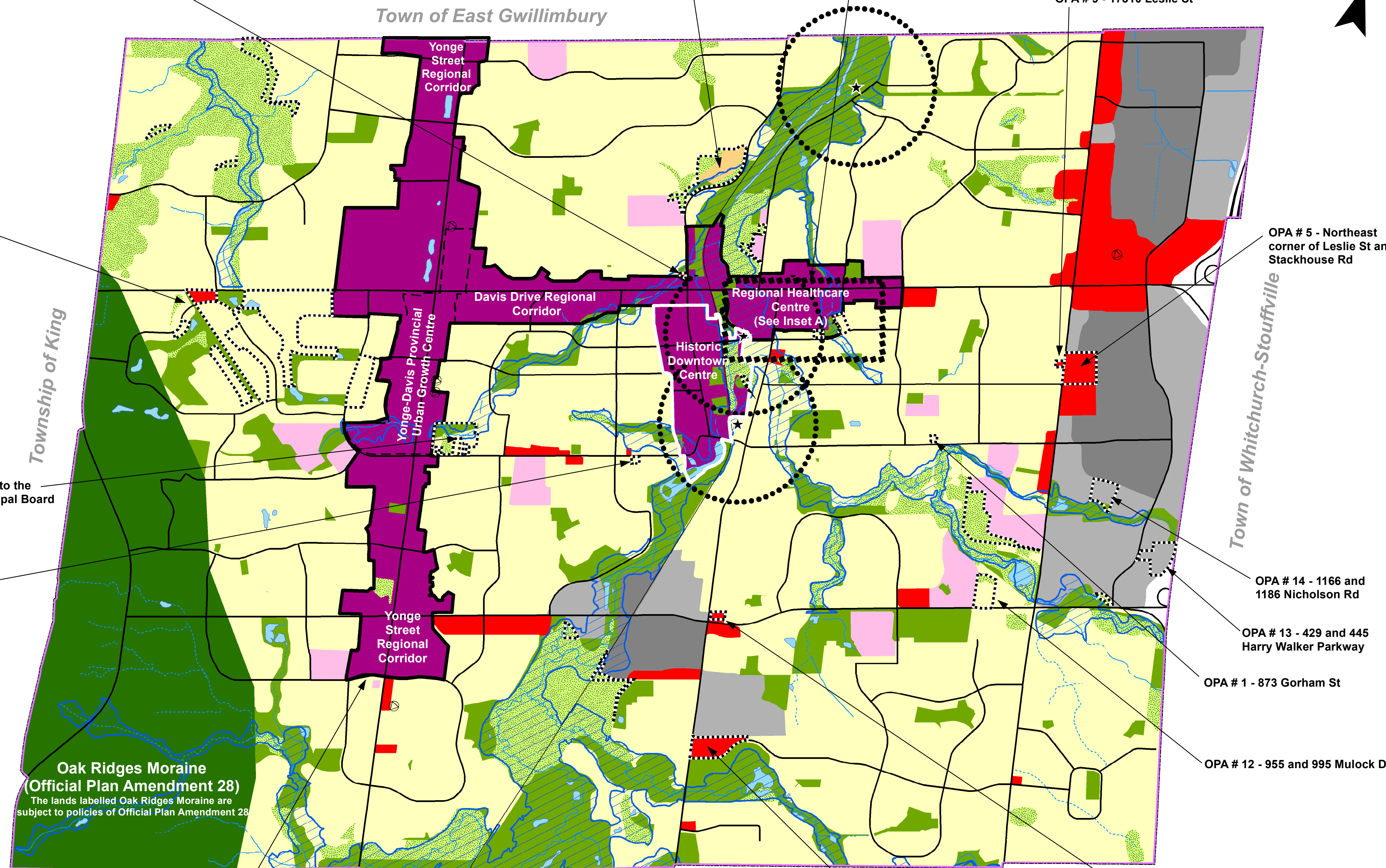
Inset A: Complementary Use Area & Transitional Area



Schedule 1 to OPA 29

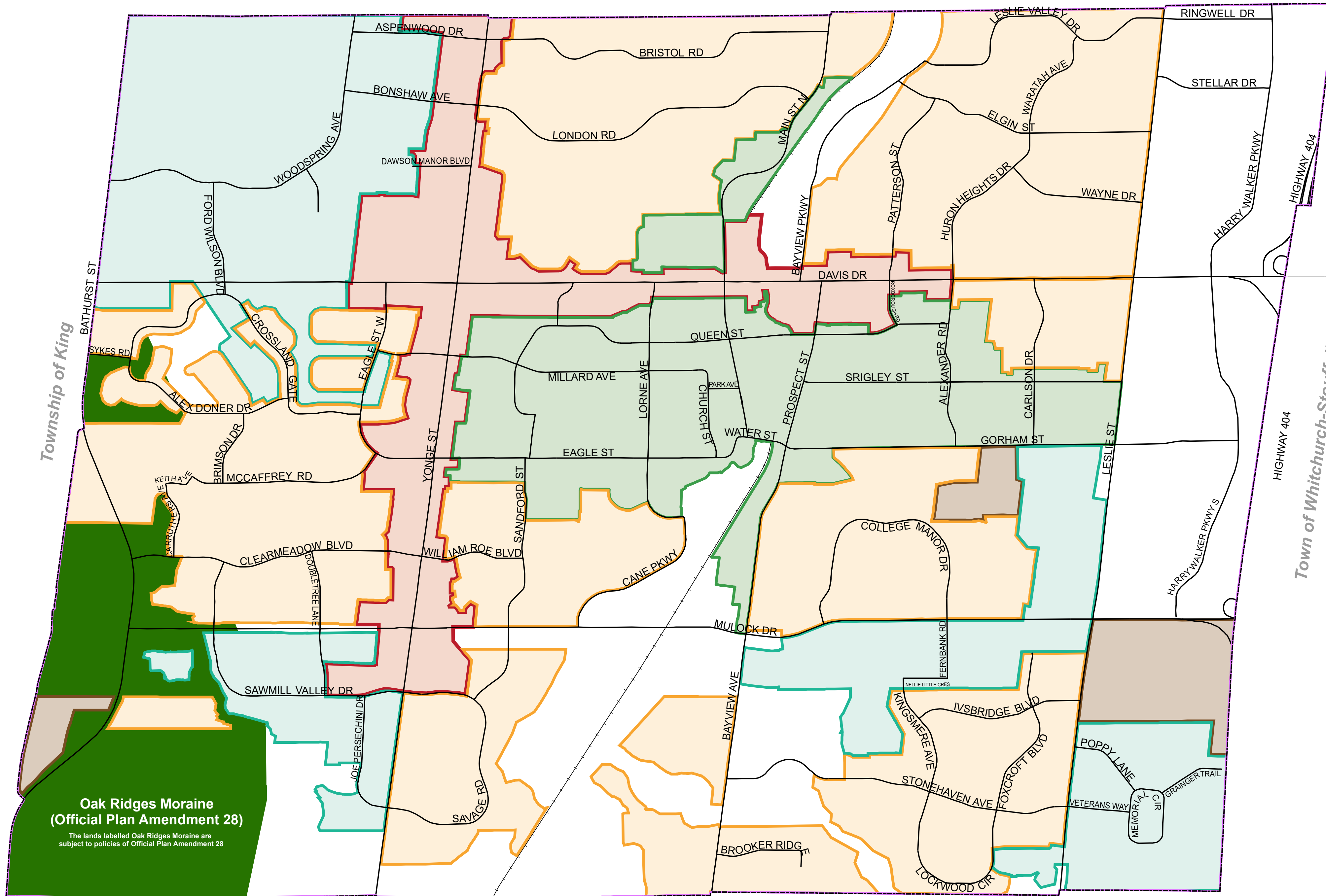
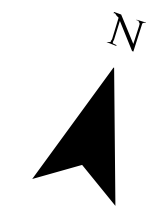
Schedule A Land Use Town of Newmarket

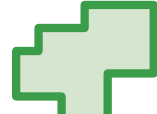


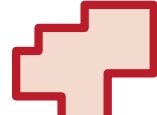



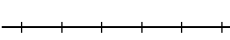
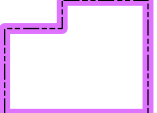
- Residential Area
- Residential Area - Old Main Street Tertiary Plan
- Major Institutional
- Business Park - General Employment
- Business Park - Mixed Employment
- Commercial
- Urban Centres & Corridors
- Historic Downtown Centre
- Newmarket Urban Centres Secondary Plan Area
- Parks & Open Space
- Natural Heritage System
- Oak Ridges Moraine Area
The lands labelled Oak Ridges Moraine are subject to policies of Official Plan Amendment 28
- Flood Plain
Floodplain limits are shown for screening purposes only and may not reflect the most up-to-date data. The LSRCA should be contacted to confirm the actual floodplain limits & to obtain the most up-to-date data. A topographic survey may be required in order to determine the limit of predicted flooding at a specific site.
- Waterbodies
- Watercourse
- Watercourse - Intermittent
- Waste Disposal Assessment Area
- 500m Waste Disposal Area of Influence
- Inset A: Complementary Use & Transitional Areas
- Site Specific Amendments/OMB Referrals
- Yonge-Davis Provincial Urban Growth Centre Boundary
- Regional Water Wells
- Municipal Boundary
- Railway
- Roads



Schedule I Residential Character Areas Town of Newmarket

Town of East Gwillimbury



-  Historic Core Character Area
-  Traditional Suburban Character Area
-  Contemporary Suburban Character Area
-  Urban Centres
-  Estate Character Area
-  Oak Ridges Moraine Area
The lands labelled Oak Ridges Moraine are subject to policies outside of this Official Plan
-  Roads
-  Railway
-  Municipal Boundary

Oak Ridges Moraine
(Official Plan Amendment 28)
The lands labelled Oak Ridges Moraine are subject to policies of Official Plan Amendment 28

Town of Aurora

Scale 1:15,000

