

Presentation to Newmarket Town Council
Electronic Public Meeting
January 18, 2021

David Ross

Re: Shining Hill
Proposed Official Plan Amendment

2008: Ontario Municipal Board Decision

- Took a “Systems Approach” to Moraine land covered by OPA 28
- Viewed it as single, ecological system
- Did not allow development on this land – including open pasture habitat and agricultural lands

OMB Trusted Research by North-South Environmental

Highly credible Environmental Consulting firm - partial client list includes:

- Environmental/Natural Heritage Planning
- Bird Friendly Building Guidelines (City of Markham)
- Regional Municipalities of York and Peel Official Plan Amendments
- Sustainable Halton Natural Heritage System
- City of Mississauga Natural Heritage & Urban Forest Strategy
- Provincial Natural Heritage Reference Manual
- Rockfort Quarry Peer Review (Town of Caledon)
- Impacts of Cellular Towers on Birds (Ontario)
- Rouge Park Trails Master Plan
- Yonge Street South Secondary Plan (Town of Aurora)
- City of Toronto Environmentally Significant Areas Study
- Nichol Drain Sub-watershed Study (Township of Centre Wellington)
- Victoria Road North Secondary Plan Environmental Impact Study (City of Guelph)
- Eastview Environmental Impact Study (City of Guelph)

OMB Trusted Research by North-South Environmental

- **Cityview Drive Environmental Impact Study (City of Guelph)**
- **YMCA Natural Heritage Evaluation and Impact Assessment (King Township)**
- **Natural Heritage Evaluations (Oak Ridges Moraine)**
- **Pottersburg Creek Realignment (City of London)**
- **Windsor-Essex Parkway EA Species-At-Risk Study (City of Windsor)**
- **Eco-Park Environmental Impact Study and Natural Heritage Evaluation (Town of Aurora)**
- **Grand Bend Wind Farm Renewable Energy Application**
- **Cell Tower Environmental Impact Studies (Southern Ontario)**
- **Proposed Solar Energy Site Assessment (Smiths Falls, Arnprior)**
- **Niagara-on-the-Lake Sewage Treatment Plant EA**
- **Atomic Energy of Canada Limited Wetland Evaluations and Ecological Effects Assessment**
- **Environmental Impact Study Guidelines (Regions of Halton and Niagara)**
- **Supervision of Species at Risk, Former Army Base, Ipperwash, Ontario**

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- **Parks and Natural Area Planning and Management**
- **Mississauga Natural Areas System (NAS)**
- **Seaton Natural Heritage System Management Plan (Pickering, Ontario)**
- **Rouge Park Trails Master Plan**
- **City of Mississauga Natural Heritage & Urban Forest Strategy**
- **Zone 1 & Environmentally Sensitive Site Designation, Point Pelee National Park**
- **Point Pelee Forest Bird and Marsh Monitoring Study**
- **Point Pelee Vegetation Management Objectives**
- **Massasauga Rattlesnake Habitat and Branched Bartonina Mapping and Assessment, O'Donnell Point Nature Reserve**
- **Killarney Provincial Park Signature Site Natural Science Study**
- **Glen Stewart Ravine Park Management Plan (Toronto)**
- **Peggy's Wood Management Plan (Towns of Newmarket and East Gwillimbury)**
- **Hungry Hollow Management Plan (Halton Hills)**
- **City of Toronto ESA, ANSI and Provincially Significant Wetland Studies**
- **Vegetation Management Plan - Georgian Bay Islands National Park**

Shining Hill

- Proposing to develop open pasture habitat and agricultural lands covered by OPA 28.
 1. Want to overturn “systems approach” for Subject Lands as endorsed by OMB in ‘08 and destroy linkages with neighbouring Natural Heritage features
 2. Shining Hill proposal violates environmental regulations, ignores public policies and presents traffic safety concerns

1. Minimum Vegetation Protection Zone

- Oak Ridges Moraine Act specifies 30 metre Minimum Vegetation Protection Zone for Wetlands and Significant Woodlots
- Shining Hill proposes a Development limit of “dripline or edge of wetland through most of this site.”

Tree roots will be cut and trees will die.

Streams and wetlands will be contaminated and aquatic life will die.

2. Inadequate Environmental Assessment

On 205 acre site, Shining Hill conducted:

- only **three 5 hour site visits within 2 weeks** in 1 season to study Birds and Wildlife
- only **one visit on one day** to study aquatic life in the wetlands and streams, even though water levels change throughout the year.

This clearly seems insufficient and demonstrates a gross lack of concern for the environment.

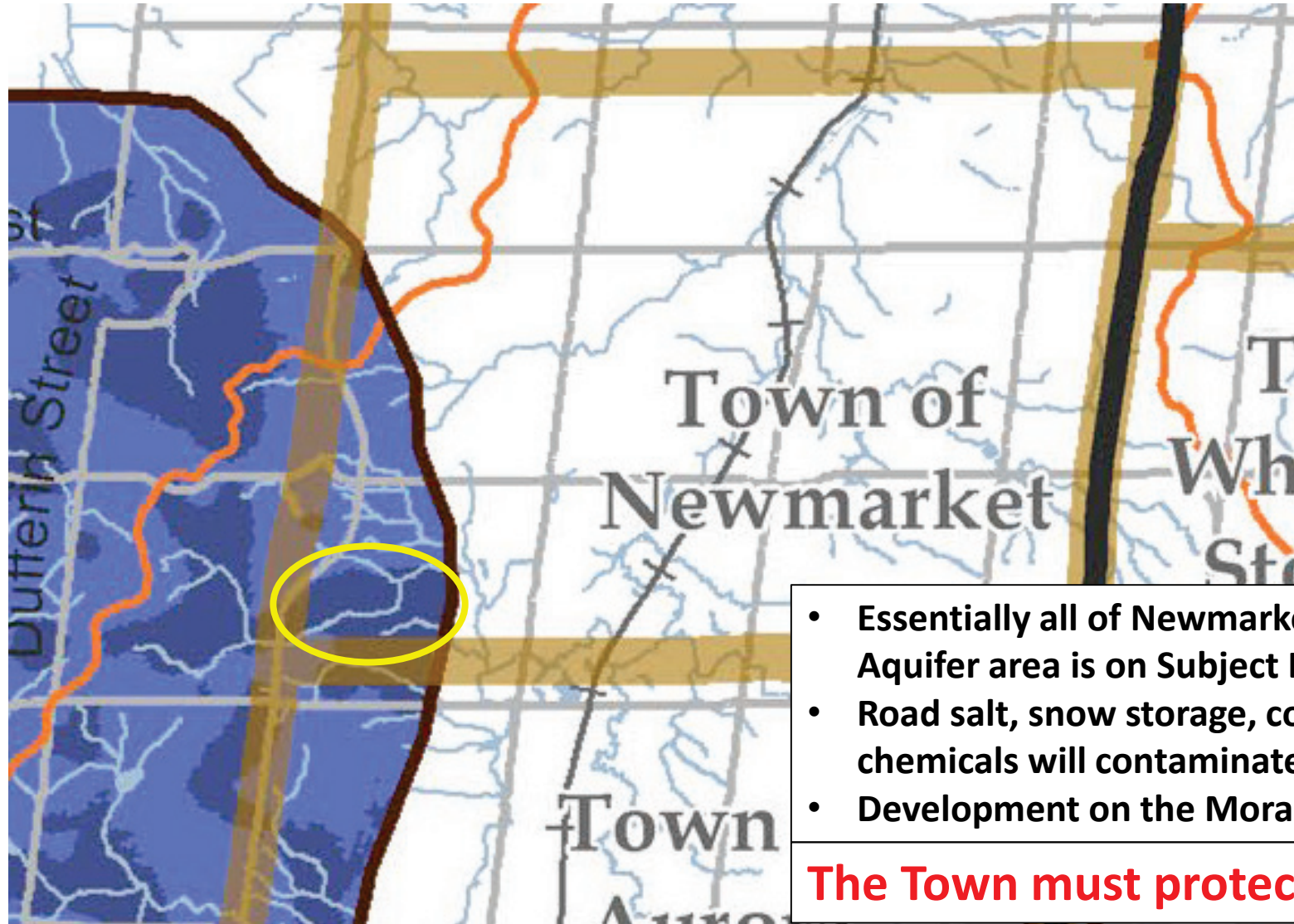
Town needs to continue to protect:

- **habitat** for animals – including those who nest and live in open lands
- **conduits** animals use to travel between the woodlots and watercourses

Allowing development will destroy these habitats and conduits forever.

3. Highly Vulnerable Aquifer

York Region Official Plan 2010 Map 07 - Aquifer Vulnerability Areas



MAP 7

OAK RIDGES MORaine AQUIFER VULNERABILITY AREAS and WATERSHED BOUNDARIES

Oak Ridges Moraine Conservation Plan (ORMCP)

- Area of High Aquifer Vulnerability
- Area of Low Aquifer Vulnerability
- ORMCP Boundary

- Essentially all of Newmarket's Moraine High Vulnerability Aquifer area is on Subject Lands.
- Road salt, snow storage, commercial fertilizers and other chemicals will contaminate the aquifer.
- Development on the Moraine will place the aquifer at risk.

The Town must protect the Aquifer.

7 storey high-rise & medium density = 80%+ of total units proposed for the Subject Lands; located > 500 m from Yonge St.



LAND USE AREAS		Area	
		Hectares	Acres
Low Density		13.13	32.44
Low Medium Lane		2.43	6.00
Medium Density		5.85	14.46
High Density		3.69	9.12
Service Commercial		0.45	1.11
School		2.73	6.00
Neighbourhood Park		3.81	9.41
SWM		3.16	7.81
Visla's		0.71	1.75
Restoration/Trial		1.39	3.43
NHS		30.63	75.06
Road		15.25	37.88
Property Ownership		82.93	204.92

RESIDENTIAL		
By Frontage	Frontage	Approx. Units
Low Density	3,780m (12,400')	315 ¹
Lane Townhomes	700m (2,297')	115 ²

RESIDENTIAL		
By Area	Area	Approx. Units
Medium Density	5.65ha (14.46ac)	205 ³
High Density	3.69ha (9.12ac)	370 ⁴

1. Based on average unit footage of 2.0 m (35')
2. Based on average unit footage of 6.1 m (20')
3. Based on 35 inch
4. Based on 100 inch

TRAIL SYSTEM

- Existing Paved Trail
- Existing Mixed Surface Trail
- Planned / Proposed Trail System
- Potential Trail Linkages through Site
- Potential Wildlife Corridor
- Oak Ridges Moraine Boundary

Load depths are 30.0 m
Deformed surface and primary

Date June 28, 2022
Prepared for
SHINING HILL ESTATE COLLECTION INC.

- Most units closer to Bathurst St.
- No Mass Transit on Bathurst – it is on Yonge
- No Multi Storey buildings on Bathurst until Promenade Mall
- **Residents will have to use cars – not green**
- Would degrade views, vistas and privacy
- 7 storey buildings never in plan for Newmarket in this part of Town
- Hi-rise buildings belong on Yonge St. – should have put them in Phase 1

5. Potentially Dangerous Intersection on Bathurst St.

Proposed intersection on Bathurst Street has a strong likelihood of threatening public safety:

1. **On a hill** : no visibility past top of hill to the south
 2. **Curve at top of the hill**: no visibility around curve
 3. **Fast traffic**: Bathurst speed limit is 70 but many northbound cars drive faster because going down hill
 4. **Huge proposed traffic volume**: estimated 1000+ units using Bathurst St. for entry/exit from one intersection on a hill (comparison: Summerhill South 1000 units has 4 flat intersections)
 5. **Proposed intersection location not clear and all 3 variations either violate Oak Ridges Moraine Act or appear to compromise safe Sight Distance**
- Safety Objective:
Intersection as far from these as possible

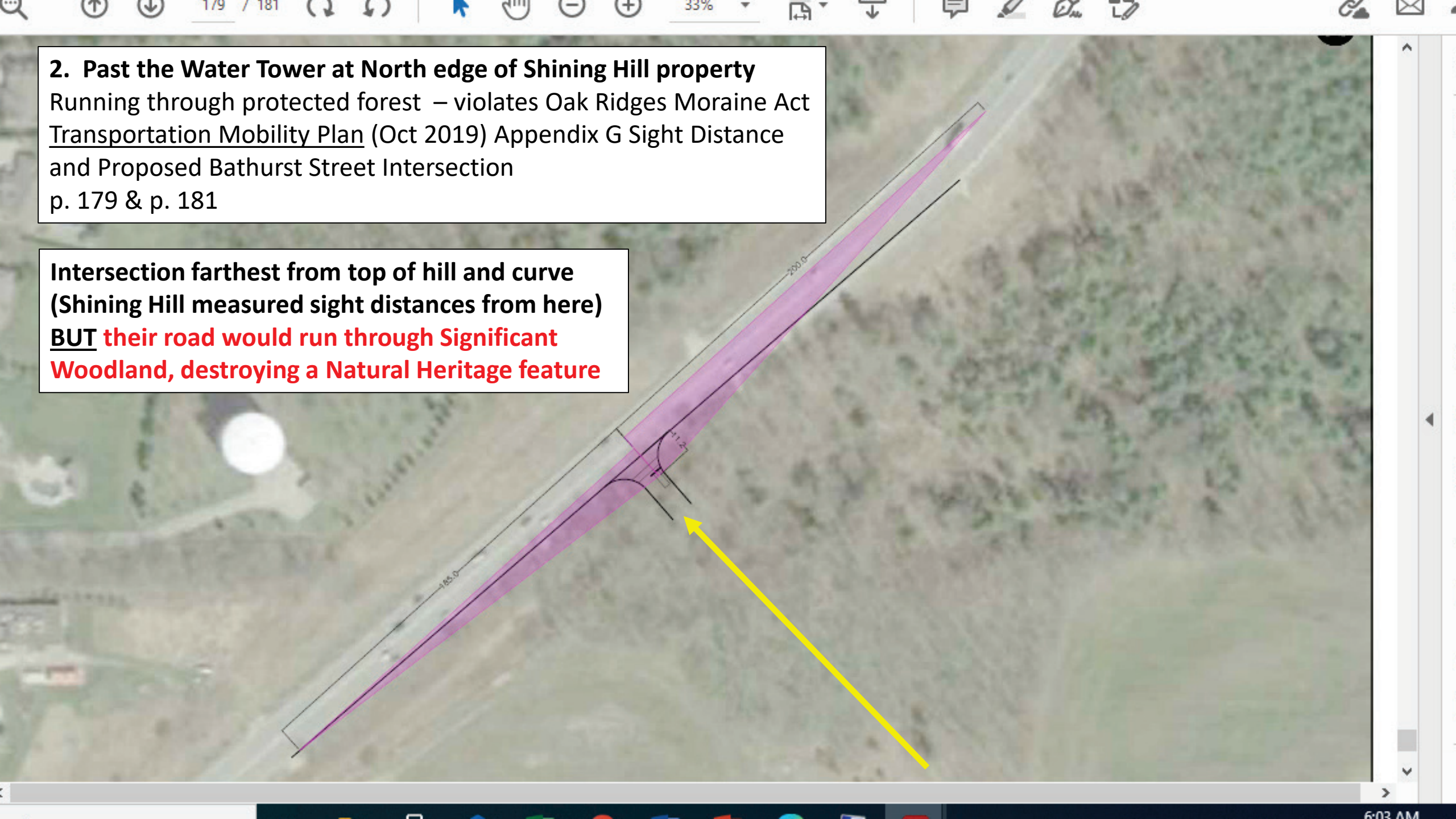
Shining Hill has three conflicting proposals regarding Bathurst intersection location.

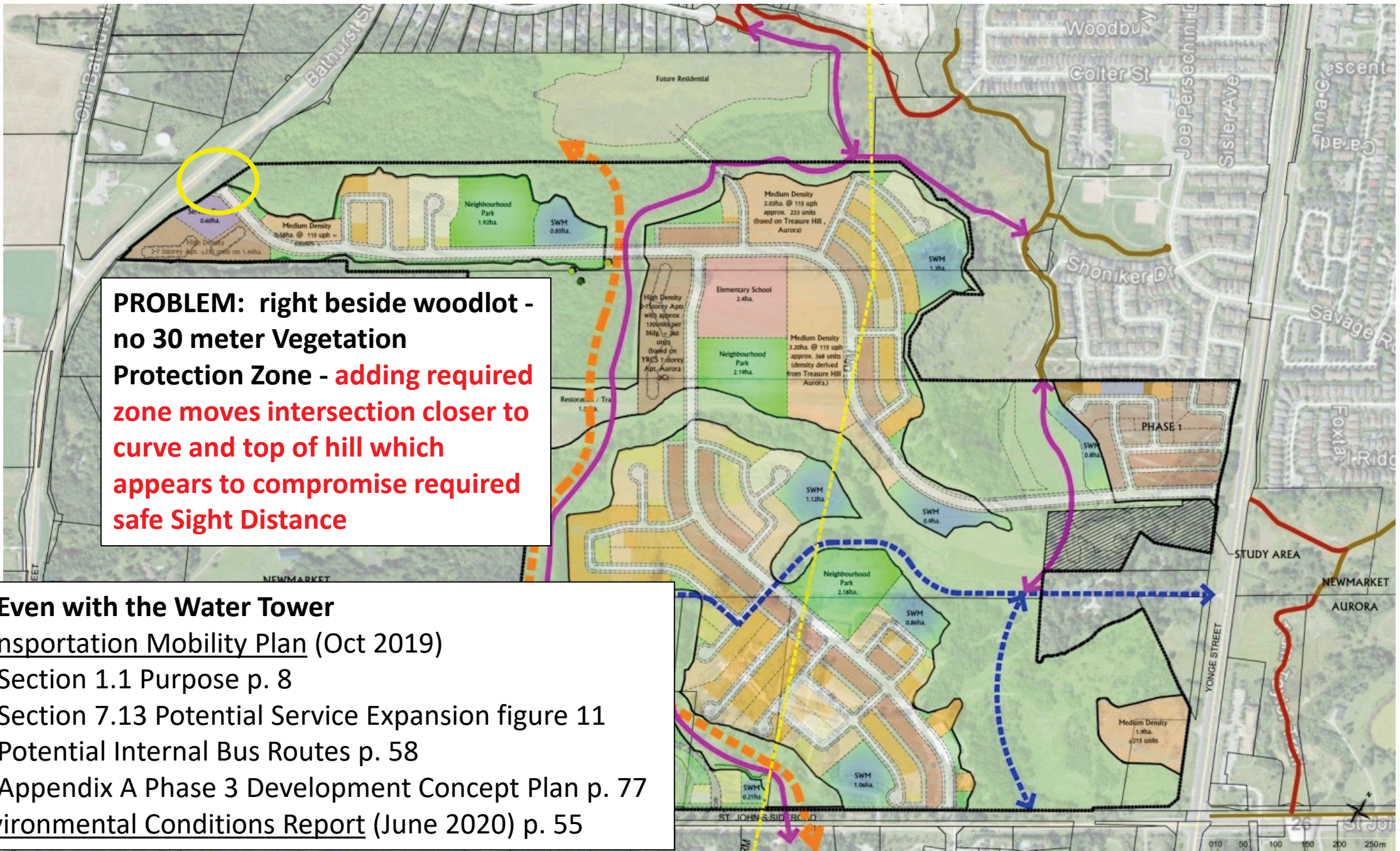


2. Past the Water Tower at North edge of Shining Hill property

Running through protected forest – violates Oak Ridges Moraine Act
Transportation Mobility Plan (Oct 2019) Appendix G Sight Distance
and Proposed Bathurst Street Intersection
p. 179 & p. 181

Intersection farthest from top of hill and curve
(Shining Hill measured sight distances from here)
**BUT their road would run through Significant
Woodland, destroying a Natural Heritage feature**





PROBLEM: right beside woodlot -
no 30 meter Vegetation
Protection Zone - **adding required
zone moves intersection closer to
curve and top of hill which
appears to compromise required
safe Sight Distance**

3. Even with the Water Tower

Transportation Mobility Plan (Oct 2019)

- Section 1.1 Purpose p. 8
- Section 7.13 Potential Service Expansion figure 11 Potential Internal Bus Routes p. 58
- Appendix A Phase 3 Development Concept Plan p. 77

Environmental Conditions Report (June 2020) p. 55

Summary

OPA 28, signed by Mayor Tom Taylor, protected this Moraine land.

The Ontario Municipal Board agreed with the Town's "Systems Approach" and protected this Moraine land.

Shining Hill proposal completely contrary to Town's wishes and OMB ruling.

Plus, their proposal violates the Oak Ridges Moraine Act, ignores green policy, and raises traffic safety concerns.

Conclusion and Recommendation

- Continue to protect this portion of the Oak Ridges Moraine.
- Reject the application for development on the Moraine portion of the Subject Lands.
- Put new housing elsewhere – not on Moraine.
- Preserve this priceless piece of property for current and future generations of Newmarket citizens.