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Recommendation Report Glenway West OPA ZBA DPS Staff Report to Council

Report Number: 2022-29

Department(s): Planning & Building Services

Author(s): Meghan White

Meeting Date: May 2, 2022

Recommendations

1. That the report entitled Recommendation Report Glenway West OPA ZBA DPS dated May 2, 2022 be received; and,
2. That the Official Plan Amendment be adopted; and,
3. That the Zoning By-law Amendment and Draft Plan of Subdivision 19TN-2019 001 be approved, subject to Regional approval of the Official Plan Amendment; and,
4. That following Regional approval of the Official Plan Amendment that the by-law for the zoning by-law amendment be brought to Council for approval; and,
5. That the approval of the Draft Plan of Subdivision 19TN-2019 001 is also subject to the schedule of conditions set out in Appendix "1" attached to and forming part of this report; and,
6. That the approval for Draft Plan of Subdivision 19TN-2019-001 shall only be issued upon the execution of a "No Pre-Sales Agreement" by the Owner of the said Draft Plan with the Town of Newmarket; and,
7. That Groundswell Planning c/o Kerigan Kelly be notified of this action; and,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

Staff are recommending approval of the submitted applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for a

redevelopment proposal of 189 dwelling units, stormwater management facilities, trails, and open space. The applications have been reviewed by internal departments and external agencies providing comments and draft plan conditions as appropriate. As servicing has not been allocated to this proposal, the proposed zoning by-law amendment includes the Holding Provision to ensure allocation is provided prior to final approval for registration. As required, the Conditions of Draft Plan Approval are attached to this report identifying the standard conditions along with those specific to this development which are discussed in the body of the report.

Purpose

The purpose of this report is to recommend approval of the Official Plan Amendment, rezoning and Draft Plan of Subdivision to permit the redevelopment of the former golf course lands in the Glenway subdivision.

Background

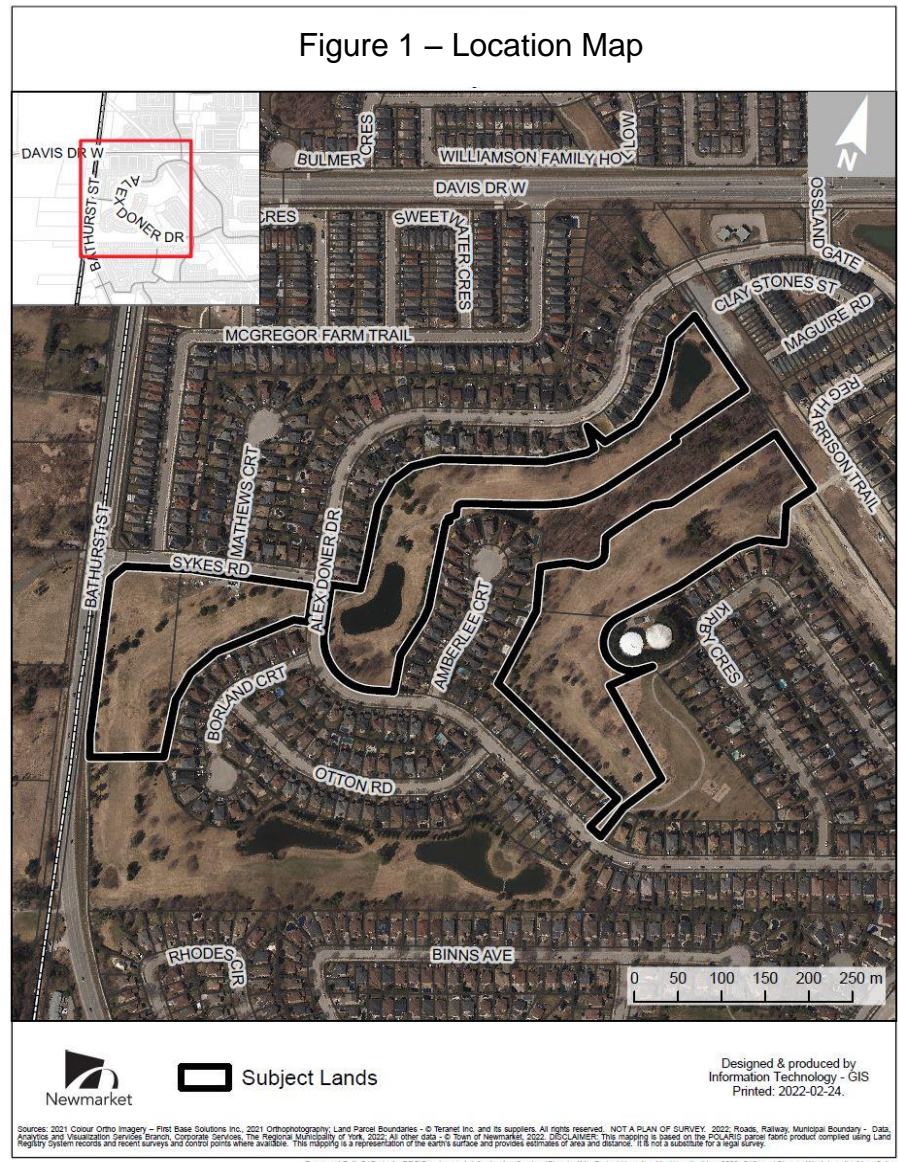
The subject lands are the western portion of the former Glenway Golf course, located in the area south of Davis Drive West, east of Bathurst Street and west of the Hydro One Corridor (see Figure 1). The subject lands have an area of approximately 12.5 ha (30.8 ac).

Surrounding land uses

The lands are located within an existing residential community, known as the Glenway Community, which consists predominantly of single detached dwellings.

North and East –
generally low density residential.

South - Open Space lands/existing low density residential



West – Township of King – rural land

The subject lands were originally developed more than 30 years ago as a golf course for members of the Glenway Community. The lands were acquired by Marianneville in 2009 and the golf course ceased operation in October 2011.

In 2014, the easterly portion of the former golf course (east of the hydro corridor) received OMB approval and construction of new residential uses on those lands is nearing completion.

The Proposal

The redevelopment of a portion of the subject lands with singles and towns. The proposal is illustrated by the Concept Plan in Figure 2.



Official Plan & Zoning By-law Amendments

A portion of the lands are located within the Oak Ridges Moraine Conservation Plan (ORMCP), and are therefore still subject to OPA 28 of the 1996 Official Plan and Zoning By-law 2003-121. OPA 28 and ZBL 2003-121 implement the policies of the ORMCP. The remainder of the subject lands are subject to the current 2006 Official Plan and Zoning By-law 2010-40. The proposed Official Plan and Zoning By-law Amendments propose to amend all four documents.

The amendments would change the land use designations applying to a portion of the lands from “Parks and Open Space” and “Natural Heritage System” designations to the “Residential” designation, to allow for new lot creation. Lands proposed for parkland and open space/stormwater management are to remain in the “Parks and Open Space” designation. On lands subject to OPA 28 the amendment would change the designation of lands from “Open Space (Oak Ridges Moraine)” and “Neighbourhood Park (Oak Ridges Moraine)” to “Low Density Residential (Oak Ridges Moraine)” “Medium Density Residential (Oak Ridges Moraine)” and “Park (Oak Ridges Moraine)”.

The Zoning By-law amendments will implement the above noted new designations with site specific zone standards for the residential lots. The site specific residential standards are intended to be largely the same as the standards for the previous Glenway redevelopment.

Draft Plan of Subdivision

The proposed draft plan of subdivision applies to 12.5 ha (30.8 ac) of land. It provides for single detached dwellings in vacant land condominium ownership, conventional single detached dwellings on existing roads, and medium density townhouse units, as well as parkland and open space/stormwater management areas. The three residential blocks (Blocks 11, 12 and 13) would be further designed through Site Plan and Condominium applications in the future. The full sized copy of the Draft Plan is included in Appendix 2 for reference.

Approximately 9.7 ha (24 ac) of the subject lands are proposed to support new residential infill development, with a total of 189 dwelling units.

The new residential infill development includes:

- 10 single detached dwellings: five on the south side of Sykes Road (Lots 1-5) and five on the east side of Alex Doner Drive (Lots 6-10).
- 87 single detached vacant land condominium units on two private roads (Blocks 11 & 12).
- 92 medium density residential townhouse units, located east of Bathurst Street and south of Sykes Road (Block 13). Block 13 has an area of 2.4 ha (5.9 ac).

The subdivision also includes three parkland blocks totaling 0.94 ha (2.33 ac). These are located: west of Borland Court and including a recreational trail and buffer (Block 14); north of Amberlee Court (Block 15); and an expansion to Kirby Park (Block 16).

Blocks 14 and 15 provide linkages in the open space system and will accommodate recreational trails to connect through the neighbourhood. Also proposed are two open space / stormwater management blocks (Blocks 18 and 19) totaling 2.02 ha (5.0 ac). Blocks 17 and 18 currently contain existing stormwater ponds which will be retrofitted and upgraded. These blocks will also provide for passive recreation use, and will have connections to other open space, parkland and trails.

Medium Density Townhouses (Block 13)

Block 13 will be subject to a future site plan application, followed by an application to create a condominium. While the final design of the complex is yet to be determined, the applicant has proposed that the site specific zone allow for three storeys (11m) townhouses. All vehicle entrances are envisioned to be from the internal road and not Bathurst Street. Through the site plan approval process, the townhouse design will be subject to the Town's Urban Design Guidelines.

Discussion

The following sections outline the relevant Planning Policy Context and the Development Considerations that have been analyzed during the review process. The comments from the various Commenting Agencies are also outlined. The Draft Plan Conditions are summarized and finally the effect of the public consultation process is discussed.

Planning Policy Context

Planning decisions must be reviewed in terms of the relevant planning policies and legislation.

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the PPS sets the policy foundation for regulating the development and use of land.

The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. Planning decisions must be consistent with the Provincial Policy Statement.

The PPS requires that municipalities shall provide for a range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area. This is to be accomplished by establishing affordable housing rates (set for Newmarket by the Region), permitting and facilitating all housing options and intensification, directing development to locations with

existing infrastructure, promoting transit supportive densities and facilitate a compact urban form.

The proposed Official Plan and Zoning By-law Amendments and the Draft Plan of Subdivision are consistent with the PPS by providing a mix of housing types within the settlement area of the Town of Newmarket, allowing for an efficient use of existing infrastructure.

Oak Ridges Moraine Conservation Plan

The westerly part of the subject lands is located within the “Settlement Area” of the Oak Ridges Moraine Conservation Plan. For Settlement Areas, the Plan focuses on minimizing encroachment and the impacts of development on the ecological functions and hydrological features of the Plan Area; encouraging the development of communities that provide their residents with convenient access to an appropriate mix of employment, transportation options and local services and a full range of housing and public service facilities; accommodating a trail system through the Plan Area and trail connections to it; promoting strong communities, a strong economy and a healthy environment (Section 18). Section 18(3) states that “With respect to land in Settlement Areas, all uses permitted by the applicable official plan are permitted, subject to the provisions of this Plan that are listed in subsections 19(3) and 31(4).” Section 18(4) states that “New lots may be created in Settlement Areas, subject to the provisions of this Plan that are listed in subsections 19(3) and 31(4).” Sections 19(3) and 31(4) generally speak to protecting ecological and hydrological integrity in the settlement areas of the Oak Ridges Moraine.

The submitted technical reports did not indicate the presence of any significant natural heritage features (including Key Natural Heritage Features or Key Hydrological Features) on the subject lands. These reports have been reviewed and found acceptable by Engineering Services, the LSRCA, and the Region.

As the Settlement Area designation permits the creation of new lots where it has been demonstrated that there are no negative impacts and this has been found to the case through technical study, the proposal meets the intent of the Oak Ridges Moraine Conservation Plan.

Places to Grow: Growth Plan for the Greater Golden Horseshoe

The 2017 Places to Grow: Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) provides guidance for decisions and a growth management policy direction for the Greater Golden Horseshoe. The Growth Plan contains policies directing municipalities to create complete communities; reduce the dependence on private automobile through mixed-use and transit-supportive development; provide for high quality public spaces; support transit, walking, and cycling; implement minimum affordable housing targets; and achieve an appropriate transition of built form to adjacent uses.

The proposed development helps fulfill the direction of the Growth Plan. The subject site is identified as “Built-Up Area” by the Growth Plan, which must accommodate a minimum of 50% of all residential development occurring annually. Consistent with the Growth Plan, the proposal provides for growth through intensification within the existing built-up area of Newmarket using infill and redevelopment. The proposed development includes some densities that are higher than the existing neighbourhood, but in a manner that is sensitive to existing dwellings, through location, access and separation.

Region of York Official Plan

According to Map 1 (Regional Structure), the subject lands are included within the Region’s “Urban Area”. The proposed redevelopment is in the vicinity of a Regional Centre, which includes a bus rapid transit system, and is adjacent to a major arterial roadway. York Region Transit operates along Alex Doner Drive, Sykes Road and Bathurst Street and connects to the bus terminal.

The York Region Official Plan, 2010 (YROP) designates the property as part of the Region’s “Urban Area”, which is the primary designation for accommodating growth within the Region. A minimum of 40% of all residential development in York Region is to occur within the built-up area, which includes the subject lands. In addition, the proposal generally supports the YROP policies related to intensification.

The lands to be redeveloped are planned to achieve an appropriate transition of built form from the adjacent existing residential development. The proposal achieves an appropriate range of housing types, consistent with the scale and intensity of the existing community. Parkland and open space is proposed to supplement the range of existing and planned recreational opportunities, both active and passive, in the area.

Official Plan 2006

Portions of the subject lands are designated Parks and Open Space and Natural Heritage System on Schedule “A” Land Use Plan in the 2006 Official Plan. The applicant is proposing to amend these designations to “Residential” to support the development application. An amendment to Schedule B is also required to change some of the Natural Heritage System - Woodlot designation to Residential. No amendment is required for the proposed park and open space blocks located outside of the ORM area.

Residential Policies

The objectives of the Official Plan Residential policies (recently amended by the Established Neighbourhood Study process) are to provide for a range of residential accommodation while maintaining the stability of Residential Areas by establishing zoning standards that acknowledge and respect the existing physical character of the surrounding neighbourhood. The Residential policies also recognize the desirability of gradual ongoing change by allowing for contextually sensitive 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.

Single detached and semi-detached dwellings are permitted in the Residential designation. Townhouses are also permitted, where it can be demonstrated they are compatible. As discussed later in this report, the submitted Compatibility Interface Plan has made provisions for ensuring compatibility.

The proposal meets the intent of the Residential policies.

Through this OPA, the subject lands will be added to the Contemporary Suburban Character Area (Schedule I of the 2006 Official Plan). These policies define neighbourhoods as developed after the 1990's, situated at the periphery of Town and in between the Traditional Suburban and Estate Character Areas. This Character Area is an appropriate fit to the proposed development. Also, the recently completed Glenway East redevelopment was placed in the same Character Area.

Natural Heritage Policies

The proposal to re-designate a portion of the Natural Heritage System - Woodlot to Residential has been reviewed by the LSRCA. It is noted that the LSRCA have staked the limits of the woodlot which resulted in the reduced boundary shown on the plans. The LSRCA have indicated that any buffer improvements as well as offsetting measures will result in an ecological net gain. The LSRCA has no objection to the approval of these applications and will continue to work with the applicant through Detailed Design.

Compatibility Policies

The Newmarket Official Plan emphasizes the desire to achieve compatibility between new development and abutting existing homes in Residential Areas, as mentioned above. The proposed Plan of Subdivision and Zoning By-law Amendment ensure that the medium density townhouses are separated from existing dwellings by parkland, trails and/or road allowances. Where new residences are proposed to abut existing dwellings, the Plan of Subdivision and the proposed Zoning By-law maintain the general density, lot sizes and maximum building heights prevalent in the area. The minimum rear yard setbacks have been slightly increased to ensure adequate separation. Moreover, a Compatibility Interface Plan has been prepared to provide for compatibility at a detailed interface level.

It has been determined that the proposed development is compatible with the surrounding uses. How the compatibility is achieved is further discussed in this report.

Official Plan 1996 Amendment Number 28

Official Plan Amendment 28 (OPA 28) to the 1996 Official Plan was adopted September 23, 2003, and implemented the Oak Ridges Moraine Conservation Plan. Schedule 1 of OPA 28 designates the portion of the subject lands that are within the boundaries of the Oak Ridges Moraine as "Open Space-Oak Ridges Moraine" (OS-ORM), and identifies

them as being within the “Urban Area-Oak Ridges Moraine”. The proposal is to re-designate them into the Low Density Residential – Oak Ridges Moraine and Medium Density Residential – Oak Ridges Moraine designations. The two park blocks in this portion of the subject lands will remain OS-ORM. Section 6.7.6.9 of OPA 28 outlines that new lot creation is permitted where natural features are protected. The environmental reports submitted with this application have been reviewed by the LSRCA and have been found acceptable in their conclusions that the proposal will not result in any negative impacts on environmental features within the Oak Ridges Moraine.

As stated above, it has been determined that there are no significant natural heritage features (including no Key Natural Heritage Features and no Key Hydrological Features) on the subject lands, the hydrogeological integrity of the subject lands and the related part of the Oak Ridges Moraine will be maintained and groundwater quality and quantity will be protected.

Therefore, the re-designation and rezoning of the portions of the subject lands which are within the ORMCP to allow for residential uses are supportable.

Zoning By-law

The portion of the subject lands outside of the ORM are subject to the Zoning By-law 2010-40 (currently zoned Open Space Exception 32 (OS-2-32)) and the portion of the subject lands within the ORM are subject to Zoning By-law 2003-121.

Zoning By-law 2010-40

The site specific OS-2-32 zone was created to recognize the previous private golf course use and also includes permission for banquet facilities. Through the amendment, if approved, the residential lands will be placed into site specific residential zones, recognizing the different residential built forms (singles and townhouses). The intent of the site specific zones are to match the existing zones to the greatest extent possible; changes to the zone standards were kept to a minimum. Maintaining similar zone standards ensures the proposed built form will be compatible with the existing zoning permissions. The mitigation measures proposed in the Compatibility Interface Plan have been incorporated into the site specific zones.

Zoning By-law 2003-121

The southwesterly portion of the subject lands is within lands designated Oak Ridges Moraine, these lands are subject to By-law 2003-121. They are zoned “Open Space and Conservation (ORM) Zone (O/S)”. This zone is intended to hold urban land out of development until a Natural Heritage Evaluation (NHE) and/or Hydrological Evaluation (HE) has been conducted. Subject to the results of the evaluation, the lands may be rezoned for urban uses. The submitted EIS and Natural Heritage Evaluation demonstrate no negative impact on the integrity of the Moraine, and therefore rezoning them to allow for residential uses is appropriate.

Official Plan Policy for ZBL Amendments

Section 16.1.1, policy 3 in the Town's Official Plan sets out the criteria for considering Zoning By-law Amendments. In considering such amendments, Council shall be satisfied that:

a) the proposed change is in conformity with this Plan;

If the requested Official Plan Amendment is approved, the rezoning will be in conformity with the Official Plan.

b) the proposed use is compatible with adjacent uses, and where necessary, buffering is provided to ensure visual separation and compatibility between uses;

Generally residential uses adjacent to residential uses are compatible. The submitted Compatibility Interface Plan demonstrates how the new lots will provide buffering through increased rear yards, limiting the height of the new dwellings to 1 or 1.5 storeys and preserving trees where possible to provide visual separation.

c) potential nuisance effects upon adjacent uses are mitigated;

Appropriate fencing and landscape planting will mitigate nuisance effects between residential uses.

d) adequate municipal services are available;

The submitted reports have demonstrated that the development can achieve adequate servicing infrastructure. A holding provision will be used conditional upon servicing allocation being granted by Council.

e) the size of the lot is appropriate for the proposed use;

The proposed lot sizes are appropriate for residential dwellings.

f) the site has adequate road access and the boundary roads can accommodate the traffic generated;

The submitted traffic studies have been found to be acceptable.

g) the on-site parking, loading and circulation facilities are adequate; and,

The proposal provides for sufficient parking as the standards of the zoning by-law have been met. The applicant is not seeking a reduction in parking.

h) public notice has been given in accordance with the Planning Act."

Public notice has been provided in accordance with the Planning Act for the Statutory Public Meeting and for the notice of complete application.

The criteria for considering and approving a zoning by-law amendment have been met.

Holding Provision

In accordance with Section 36 of the *Planning Act*, Council may impose holding provisions ("H") on a Zoning By-law to limit the use of lands until the conditions of the provision have been met. The amending Zoning By-law would include a holding provision that requires certain items be dealt with prior to lifting of the hold. These items include but are not limited to:

- Servicing allocation granted by Council,
- Record of Site Condition provided,
- Execution of a Site Plan Agreement, and,
- A Noise and Vibration Study completed.

Draft Plan of Subdivision

Section 51(24) of the Planning Act requires that, in considering a draft plan of subdivision, regard shall be had to a number of matters set out in that section:

(a) the effect of development of the proposed subdivision on matters of provincial interest

This proposed subdivision is consistent with policies relating to matters of provincial interest, and also assists in implementing those policies, as described in this report.

(b) whether the proposed subdivision is premature or in the public interest.

The proposed subdivision is timely, and is in the public interest. The Province, the Region, and the Municipality all give priority to intensification over greenfield development for accommodating growth. It is in the public interest to redevelop these lands as the proposal makes efficient use of existing infrastructure, and provides support for existing transit and other established services.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any.

The proposed plan maintains the intent of both the Regional Official Plan and the Town Official Plan, if amended, as described above. The design is compatible with plans of subdivision on adjacent lands.

(d) the suitability of the land for the purposes for which it is to be subdivided.

The land is well-suited to the proposed range of residential and open space uses. Dwelling types have been selected which are appropriate to the site characteristics. Lands that are to be used for public park and open space areas are suitable for park expansion, trail connections and stormwater management facilities for which they are proposed.

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them.

The Transportation Report submitted in support of this proposal demonstrates the adequacy of the proposed private roads. According to the Transportation Mobility Plan, the proposed development is expected to have a negligible impact on the surrounding road network.

(f) the dimensions and shapes of the proposed lots.

The lot shapes and dimensions as shown on the draft plan are regular or reverse pie-shaped, with variations reflecting the geometry of the abutting roads. The lots are generally consistent in scale with existing residential lots in the adjacent area and with the applicable zoning standards.

The condo residential (single detached) blocks are designed to accommodate Parcels of Tied Land (POTLs) which are also intended to be consistent with the zone standards for lots in the area.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any on adjoining land.

The proposed zoning standards are generally consistent with zoning for existing and approved development in the area.

(h) conservation of natural resources and flood control.

The existing stormwater management ponds in Blocks 17 and 18 are to be retrofitted and upgraded to current Town, LSRCA and MOE standards.

(i) the adequacy of utilities and municipal services.

Engineering Services has advised that the proposed development is readily serviceable through existing and proposed water, stormwater and sanitary infrastructure; the pipes in the ground are adequate. A holding provision will be in place until servicing allocation is granted.

(j) the adequacy of school sites.

The School Boards have commented no issue with the proposal.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes.

Blocks 14, 15 and 16 are proposed to be dedicated for public park purposes. Blocks 17 and 18, the proposed open space/stormwater management blocks, contain existing ponds which will be retrofitted before conveyance to the municipality.

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy.

The proposed development of the subject lands optimizes efficient use of energy by intensifying residential density in an area already full serviced.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located

within a site plan control area designated under subsection 41(2) of this Act or subsection 114(2) of the City of Toronto Act, 2006. 1994, c23, s.30; 2001, c.32, s.31(2); 2006, c.23, s.22(3, 4).

The conceptual design of residential Blocks 11, 12 and 13 has been shown in Figure 2 above. The details of site design will be considered at the site plan approval stage for each of these blocks.

The scale and locations of the proposed single detached dwellings in Blocks 11 and 12 will be compatible with the adjacent existing single detached dwellings in the area. Medium Density Block 13 has been designed to ensure that a townhouse development can be laid out in accordance with the proposed zoning, including dual front units facing Bathurst Street and Sykes Road, and standard site plan requirements.

All the conditions and considerations of the Planning Act for Draft Plan of Subdivisions have been addressed.

Future Applications

The applicant will be required to make future site plan applications for the condominiums on Blocks 11, 12 and 13. Once the draft plan conditions for the subdivision have been cleared and the plan is registered, the site plan applications will follow. Once Site Plan Approval is granted, the applicant will create the lots through removal of Part Lot Control and a condominium plan. Application(s) to remove the Holding Provision will also be required.

Development Considerations

During the review and processing of this application, these items have been highlighted and considered. How they have been incorporated or mitigated, as appropriate, is discussed below.

Compatibility Interface Plan

Policy 3.1.3.1 of the Official Plan identifies a set of principles which are to be used by Council in assessing applications for redevelopment, infill and intensification within the Residential areas. Specifically, 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.

Development in Residential Areas shall acknowledge and respect the existing physical character of the surrounding properties, and 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.

In order to address the policy objectives quoted above and achieve compatibility with the existing neighbourhood, the submitted Community Interface Plan (CIP) recommends the following:

- Utilize lower profile bungalow and “bungaloft” (maximum 1 ½ storeys) designs where new dwellings back onto existing single detached dwellings are to be “walk outs” or otherwise sited at an elevation higher than the abutting dwellings. This seeks to mitigate impacts of the grade differences and potential ‘overlook’.
- Increase the minimum rear yard setback to 8.0 m for all new single detached dwellings, and to 15 m in special cases where new development will be significantly elevated due to topography.
- Match existing grades at interface property lines.
- Retain existing fencing in most situations to protect existing landscaping vegetation close to property lines.
- Preserve existing trees in rear yards of new lots where possible and plant new trees to provide screening from the existing dwellings.
- Decks are limited to a height of 2.0m and encroachment of 3.6m into the rear yard when the new lots are at a higher elevation than the existing lots.

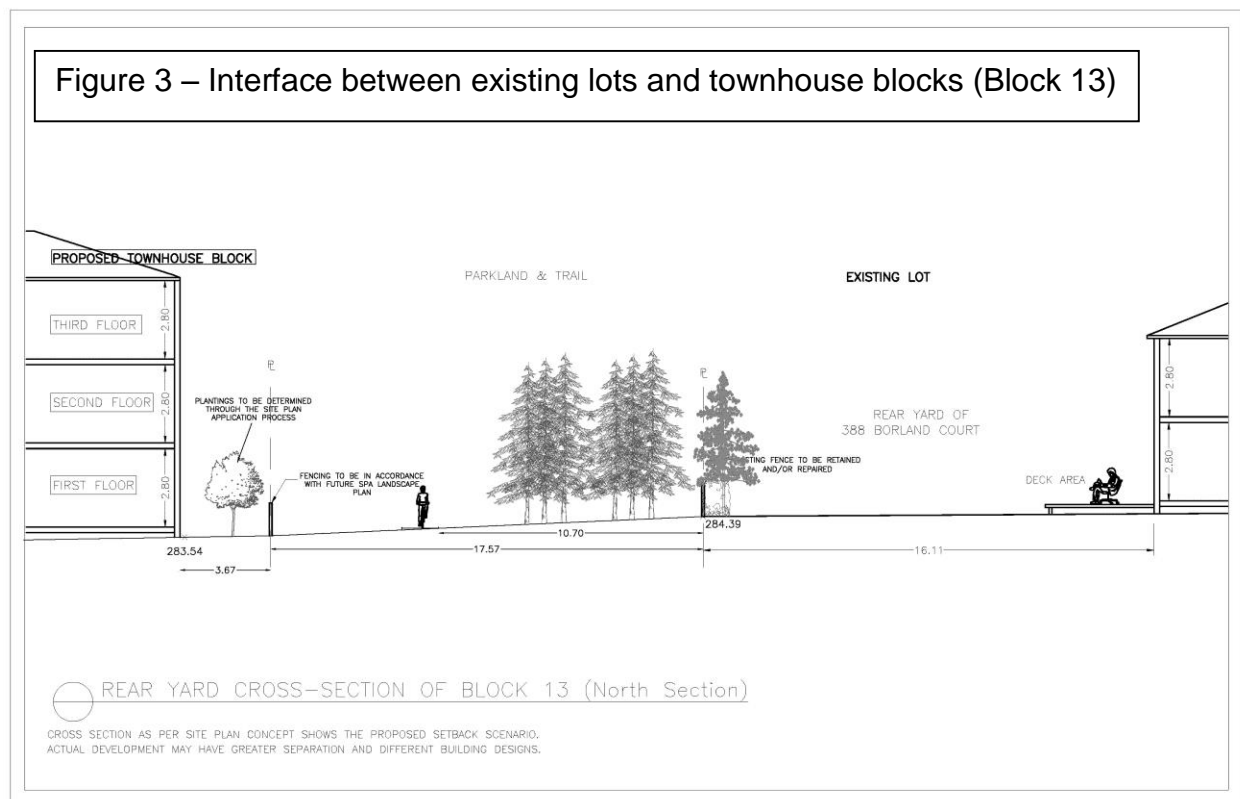
These mitigating measures are found to be acceptable to staff and will be enshrined in the proposed zoning by-law.

There are two interface points to highlight as they put residential dwellings directly adjacent to new private roads. The new private road connections to Alex Doner Drive are being proposed adjacent to existing homes. The Compatibility Interface Plan outlines the measures that will be implemented to mitigate the impact of these new road connections. Specifically, land will be added to 463 Alex Doner Drive to preserve the garden that has encroached onto private property and provide for further separation from the new private road. A new 1.8m high privacy fence is proposed. Landscaping is proposed for both sides of the private road where space permits.

319 Alex Doner is separated from the proposed adjacent private road by the existing walkway/trail entrance to Kirby Park. The new private road is approximately 6m wide, which is no wider than a typical residential driveway in this subdivision. From the public roads, the new private road is designed to feel more like a driveway entrance than a new road.

Another interface point which has required specific attention is the new Lot 10 which abuts the rear lot lines of 362 and 364 Amberlee Court. In this instance, although the new Lot would generally be considered an interior lot it has been designed to have an exterior side yard, which means an increased sideyard setback. Instead of the standard 1.2 or 1.8m side yard, this lot has been designed to accommodate a 7.5m side yard which is more typical for a rear yard. This allows for additional separation from the existing homes and the new dwelling.

With respect to Block 13, the medium density townhouse block, does not directly abut the lots on Borland Court, there is a park block containing a proposed trail that is in between the existing lots and the townhouse block. The proposed by-law requires a minimum 3m setback from the westerly limit of the Park Block 14 for the new dwellings. Because of the varying width of Block 14, this results in a minimum building separation of from 11m to over 20m from the rear lot line of houses on Borland Court. As a result of the proposed site layout for the townhouse Block 13, this minimum separation will be substantially exceeded along this interface, effectively creating separations more in the order of 20 to 30m. This is illustrated in the Compatibility Interface Plan (Figure 3 below).



The CIP has demonstrated staff's and the applicant's desire to minimize the impact of the new development on existing residents through increased separation, buffers, fencing, tree plantings, tree preservation and limited heights wherever possible.

Trees

An arborist report has been submitted in support of the application. Of the 643 trees inventoried, it was determined that 502 trees require removal to accommodate the proposed development. Compensation in the form of cash-in-lieu and tree planting will offset these removals.

Of these 502 trees, 362 trees are subject to the Town's Tree Preservation, Protection and Enhancement Policy, because they are over 20cm dbh. The report indicates that the compensation required for their removal is 1,322 new 6cm caliper trees or a total cash value of \$528,000.00.

The arborist report and tree protection plan recommend the landscape planning for this development should explore various locations to provide new tree planting on the site that will, in time, establish a sustainable tree canopy for the new development. Locations such as rear yard tree planting, buffer planting, street tree planting and enhanced SWM pond planting are proposed.

The submitted arborist report and tree protection plan have been reviewed by the Town's peer review arborist, the LSRCA and the Town's Engineering consultant and have been found to be acceptable.

The Compatibility Interface Plan, arborist report, and tree protection plan outline a number trees which are to be preserved where feasible. At the Detailed Design stage it will be required that all trees to be preserved be plotted on the Engineering Lot Grading Plans with base elevations noted and accurate tree canopies plotted.

It should be recognized that the final lot grading design will make every attempt to preserve those trees identified as desirable for preservation but some of these trees may need to be removed in order to provide proper drainage for the lots.

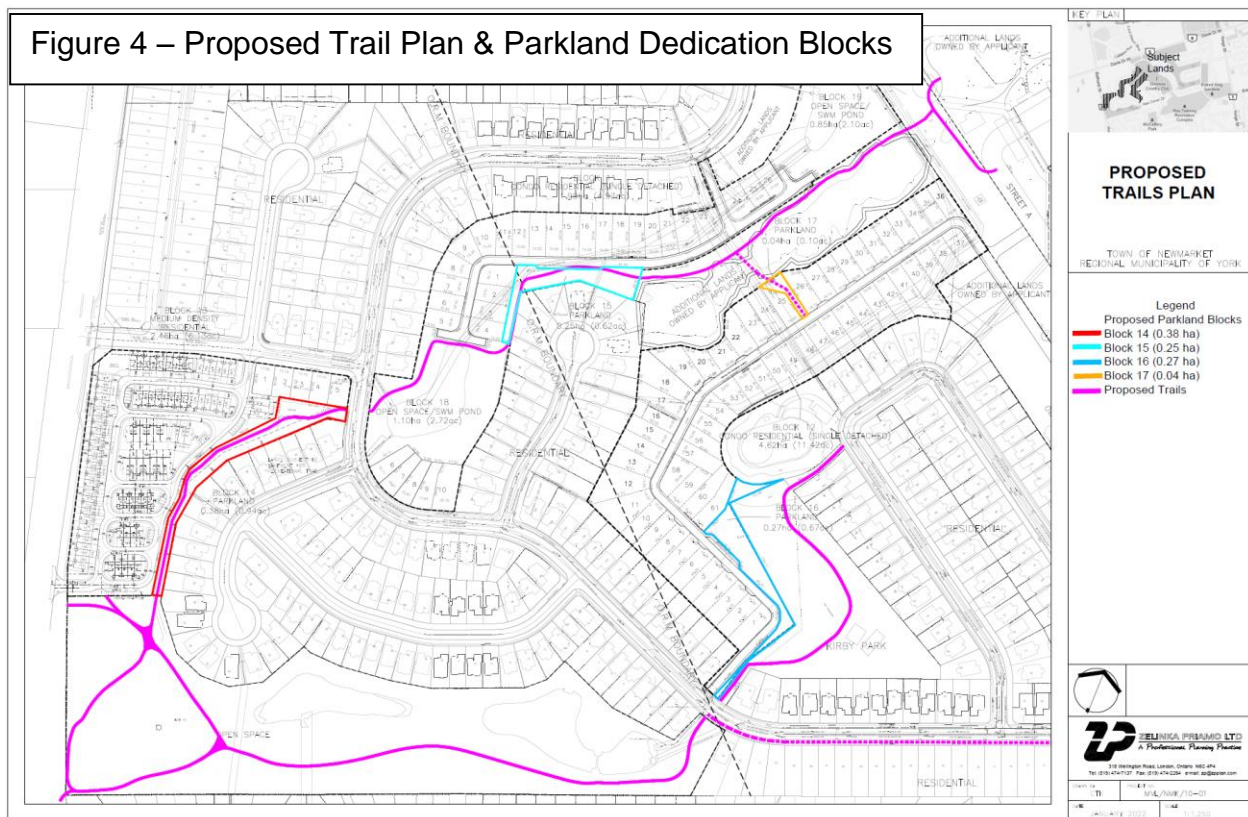
The current landscape drawings show 321 new trees proposed in buffer areas, as well as 360 and 255 in the two pond blocks respectively. The total trees proposed to be planted are 936, of which only 120 are 6cm trees, and therefore there will be some cash-in-lieu payment required. The number of new 6cm trees may be increased during Detailed Design review as efforts will be made to include as many new trees as possible.

Parkland & Trail System

Consistent with the Town's Parkland Dedication By-law, land dedication for park purposes is required for this application. Specifically, in this context, Parkland Dedication By-law 2017-56 requires 1 hectare per 300 dwelling units, or 5% of the land area proposed for development or redevelopment, whichever is greater, In this case, 5% is

greater and has been applied as the requirement. As shown on Figure 4 below, parkland dedications have been proposed as follows:

- **Block 14** (0.38 ha): Lands for a recreational trail west of Borland Court, creating a buffer between the residents on Borland Court and the proposed townhouse condominium.
- **Block 15** (0.25 ha): Land north of the lots fronting onto Amberlee Court will provide a connection between the open space surrounding the reconfigured stormwater management pond in Block 18 and the retained woodland.
- **Block 16** (0.27 ha): An addition to the west of the existing Kirby Park.
- **Block 17** (0.04 ha): a trail connection from the new private street in Block 12 to the retained woodlot.



These proposed land dedications total 0.94 ha which exceeds the 5% required by the Parkland Dedication By-law and the Planning Act, which is 0.63 hectares.

In addition, the developer has offered the Town the remnant piece of land between Blocks 11 and 12 containing the woodlot. During Detailed Design staff will review the acquisition of the land to ensure there is adequate access for maintenance purposes.

The parkland dedications and open space areas are designed to contain an integrated trail system that will provide amenity, exercise and active transportation options to the residents, while connecting the residential development to adjacent public parks and community facilities.

Roads and Traffic

Bathurst Street is a Regional Road under the jurisdiction of the York Region. The Region provided comments in regards to transportation planning and have indicated no objection to the proposed Official Plan Amendment. The Region has indicated that access from the proposed Townhouse Block to Bathurst Street is proposed to be a right in/right out for emergency vehicles only and that the access will be further reviewed by the Region at the site plan approval stage in the event these applications are approved.

Engineering Services have provided comments on the submitted Transportation Mobility Plan. The report is generally acceptable to support approval of the proposed Draft Plan, with any outstanding matters to be addressed at the Detailed Design stage.

Sanitary and Water Servicing and Allocation

New sanitary sewers discharging to the existing sanitary sewer network on Sykes Road, Alex Doner Drive and Reg Harrison Trail will be constructed to service the new units. The Town's sanitary consultant has reviewed the capacity of the downstream sanitary sewer system and has advised that adequate capacity is available to accommodate flows from this development.

Servicing allocation has not yet been provided to the development. Allocation is typically granted through the bi-annual servicing allocation reports. The next such report is currently scheduled for Q4, 2022. A holding provision is proposed through the rezoning conditional on allocation being granted.

Stormwater Management & Grading

Storm flows from the proposed development will discharge to three existing stormwater management ponds. Each of these ponds currently accepts drainage from municipal storm sewers and private lands which formed part of the previous Glenway Subdivision. Ponds 1 and 2 will be re constructed to provide quantity and quality controls in accordance with current MECP and LSRCA Guidelines. The re-constructed ponds will be conveyed to the Town. Pond 3 is currently owned by the Town and no work is proposed in this pond. A small portion of Street B will discharge to this pond. A privately owned and maintained superpipe and oil/grit separator will be constructed to provide quantity and quality controls for the flow prior to discharging to this pond. Generally speaking the proposed stormwater management concept is satisfactory. There are some items which will be addressed at the Detailed Design stage.

The overall lot and road grading design outlined in the Functional Servicing Report has demonstrated that a design meeting the Town's Engineering Design Guidelines can be achieved. It should be noted that special consideration has been made for split draining

or walk out type lots which abut existing homes. In these cases, rear yard swales will be constructed to convey drainage from the major 100 year storm to rear yard catchbasins which will direct the major flows to the new storm sewer. This will result in less drainage being directed to the existing lots than in the predevelopment condition.

Noise and Vibration

The submitted Noise and Vibration Reports do not identify any significant noise issues. These reports recommend that forced air ventilation systems with ductwork sized for future installation of central air conditioning be installed in units with exposure to Bathurst Street. Standard warning clauses are also recommended.

A Vibration Area of Influence Study will be required as part of the Detailed Design stage along with a Construction Management Plan.

Parking

Consistent with the requirements of Zoning By-law 2010-40, all single detached dwellings on both public and private roads will be designed to have two outdoor parking spaces (located on the driveway). The private roads for the single detached dwellings are designed with layby visitor parking. No exceptions or changes to the zoning by-law parking standards are requested.

The final layout and parking design for the townhouse block (Block 13) will be determined through a future site plan process. The current proposed concept has been designed as follows:

- Block 13 shows a total of 92 condo townhouse units. The Zoning By-law requirement for townhouse blocks is 1.5 parking spaces per unit plus 0.25 visitor space per unit. The site concept plan has a combination of unit styles – some with a one-car garage, and others with a 2-car garage; some with a single car driveway and others with a double-wide driveway for 2 cars.
- The By-law requires 161 parking spaces (calculated at: $(92 \times 1.5 \text{ plus } 92 \times 0.25) = 138 + 23 \text{ visitor}$).
- In total the townhouse development is designed to provide 166 parking spaces (142 + 24 visitor). These 166 parking spaces would be on driveways or on the common element lands, and exceed the standard by-law requirement. In addition, another 142 potential parking spaces would be provided within residential garages.
- Some townhouses are currently designed to have two parking spaces on a driveway, whereas some have one driveway parking space. The zoning by-law requires 1.5 spaces are provided per unit; the 0.5 spaces that cannot be accommodated on a driveway, plus the 0.25 visitor parking spaces, are provided in laybys or in common areas scattered throughout the Block to provide opportunities for the second car or visitor parking to be nearby.

Agency Comments

This application was circulated to internal and external review partners for comment, below are the comments received and ultimate outcome of their review.

Lake Simcoe Region Conservation Authority

The Lake Simcoe Region Conservation Authority are satisfied with the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision. They are satisfied with the functional review of this application. They will continue to review and provide comments through the Detailed Design process. They have provided a number of conditions to be addressed prior to final approval of the plan for registration. The conditions of draft plan approval are appended to this report.

York Region

York Region has no objections to the proposed OPA, ZBA and draft plan of subdivision subject to the provided conditions of draft plan approval. The Region also requires an agreement to be entered into committing the owner to not enter into any agreements of purchase and sale with end users for the subject lands until such time as servicing allocation has been confirmed

Other commenting agencies

Canada Post, Enbridge, Newmarket Tay Power, Hydro One and the School Boards have no objection to the redevelopment proposal, subject to their submitted conditions of draft approval. All requested Draft Plan Conditions have been included in the Conditions attached as Appendix 1 to this report.

Conclusion

Staff are recommending Council approve the applications for Draft Plan of Subdivision approval, Official Plan Amendment and Zoning By-law amendment for the subject lands. The proposed development and its associated draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment are consistent with provincial policy and are in conformity with the York Region Official Plan and the intent of the Town of Newmarket Official Plan.

The proposal constitutes good land use planning, and is in the public interest.

Business Plan and Strategic Plan Linkages

The development of this parcel of land has linkages to the Strategic Pillars and Priorities as follows:

- Long Term Financial Stability through the collection of fees and charges along with Development Charges if this application is approved.

- Safe Transportation by providing off street linkages through the proposed development and existing community
- Environmental Stewardship through the preservation of a woodlot.

Consultation

The statutory Public Meeting was held on February 3rd, 2020. A developer led Public Information Centre was held on May 13, 2019 where the applicant and their consultants provided information to the community and answered general questions. A Ward 7 meeting was held on June 19, 2019 where Town staff provided a presentation of the planning process as it relates the subject proposal and answered general questions regarding the process and plan.

Effect of Public Consultation

The public meeting was held February 3rd, 2020. The follow section outlines the broad categories of the public comments and how they have been addressed.

- Compatibility with the existing neighbourhood,

As discussed above the compatibility Interface Plan has demonstrated how through distance, fences and plantings the impact of new neighbours has been mitigated. The zoning by-law will also limit the new dwellings when they are sited at an elevation higher than the abutting dwellings and the height of rear decks.

- Loss of Green Space

The lands have always been in private ownership, and through this redevelopment process portions of the subject lands will come into public ownership which will allow for more formal and programmed green spaces, with accessible trails and a formalized trail loop.

- Loss of Significant Trees

All efforts will be made to maintain the existing trees, however where trees cannot be maintained the application will provide compensation through replantings and cash-in-lieu contributions.

- Trail Loop

A trail loop utilizing the Region's property was thoroughly investigated by Town and Region staff. It was determined that due to the slope of the land, the grading required to create an accessible trail, the proximity of the neighbour and the security requirements of the Region for their water tower property, access from Kirby Crescent would not be safe, feasible or desirable location for a trail connection. A separate connection from the new private road to the preserved woodlot is proposed (Block 17). This creates a connection from the private road to the existing informal paths that have been created in the woodlot.

- Privacy Issues and Grading Concerns

As discussed above the Compatibility Interface Plan has provided for enhance rear yard setbacks and limited heights where privacy issues may arise. The preliminary grading has been found to be acceptable through the Engineering Review. Additional review and design is required through Detailed Design.

- Parking

Visitor parking has been planned for all residential blocks served by private roads. This parking for this development meets the Zoning By-law requirements.

- Density of Townhouses

The arterial (Bathurst Street) entry into the Glenway community is an appropriate location to achieve a higher intensity housing mix for the new subdivision. The application is intended to accommodate three storey townhouses with height permission up to 11.0m. This is the standard height permitted in the R4-N zone, which is typically applied to townhomes. In response to comments at the Public Meeting, the builder has revised the design and reduced the height and massing of the proposed townhouses. The builder has simplified this “transitional” building design by removing of traditional cornices and window framing and removing the large gable features on the front façade. This also changes the appearance of these buildings from heavier, more substantial urban structures, to a more suburban look appropriate to this setting (see Figure 5 below). These changes serve to reduce the visual presence of the buildings while maintaining a building form and housing type which is well suited to this location at the arterial interface of the community. The townhouse site design has also been modified to increase separation distances. Through a future site plan application the townhouse design will be subject to the Town’s Urban Design Guidelines.

Figure 5 – Concept Townhouse Elevations



Human Resource Considerations

None.

Budget Impact

The appropriate planning application fees have been received for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision. The Town will also receive revenue from development charges and assessment revenue with the development of this subdivision.

Attachments

Appendix 1 – Draft Plan Conditions

Appendix 2 – Full Sized Draft Plan

Appendix 3 – Draft Official Plan Amendment

Submitted by

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Approved for Submission

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Peter Noehammer, Commissioner, Development & Infrastructure Services

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