



Town of Newmarket
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Community Benefit Report - Gault Grove Staff Report to Council

Report Number: 2022-27

Department(s): Planning and Building Services

Author(s): Janany Nagulan

Meeting Date: May 2, 2022

Recommendations

1. That the report entitled Community Benefit Report - Gault Grove dated May 2nd, 2022 be received; and,
2. That proposed Community Benefit be approved; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to request approval from Council for the proposed Community Benefit for the Gault Grove Development. The Owner of the proposed development, which consists of 28 Townhouse Units, will be using part of Town land for the development. The application was subject to an Ontario Municipal Board (OMB) decision which required the Owner to provide the Town with a community benefit to facilitate the development's engineering design.

Background

The Gault Grove Development is proposed west of the present terminus of Silken Laumann Drive, between the Metrolinx Rail Corridor and the existing Hydro Corridor. The subject property is approximately 1.5 hectares in area and is currently vacant. The original applications were submitted in 2013. The applications included an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Draft Plan of Condominium to permit a common element condominium consisting of 28 at grade townhomes on the subject property. The public meeting was held in February 2014.

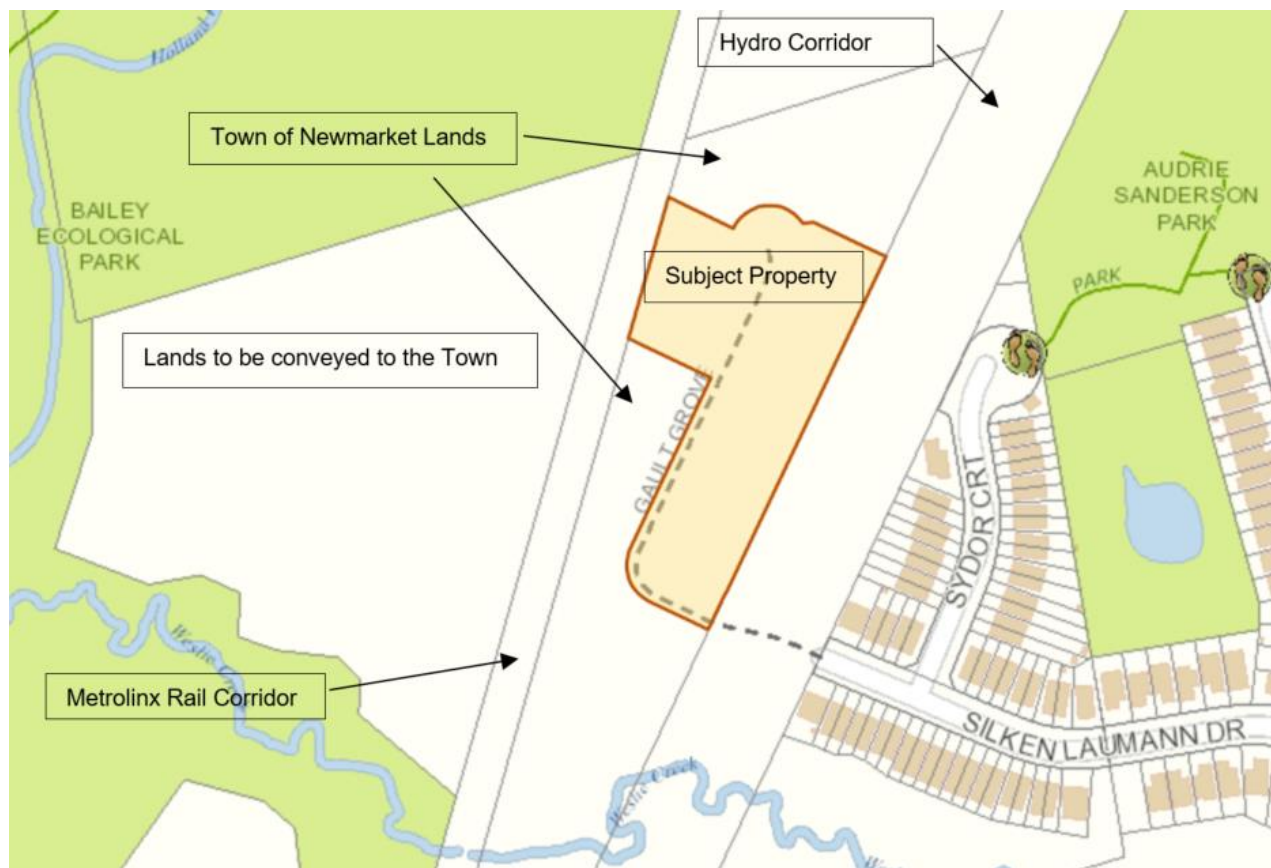


Figure 1: Map of subject property and surrounding lands

As per Section 22(7) of the Planning Act, decisions regarding the Zoning Bylaw Amendment are to be made within a specified time-frame after the application is deemed complete based on the legislation at that time. As the Town failed to make the decision within that time-frame, the application was appealed to the OMB at the time. The OMB approved the Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Draft Plan of Condominium. As a result of the approval, one of the Conditions of Draft Approval is for Council to be satisfied with the Community Benefit in exchange for the use of Town land; the exact wording of the condition is as follows:

- (52) The Owner shall make the required engineering design without the use of Town owned land, unless the Owner agrees to provide the Town with a significant community benefit, including, but not limited to a transfer of land equal to or greater in value than the Town land required by the Owner to facilitate its' engineering design and/or such other community benefits as may be agreed upon by Council.

Staff have worked with the applicant on a community benefit and are now requesting Council's approval of the proposed Community Benefit to meet the Condition of Draft Approval.

Discussion

Why is Town Land Being Used?

The Owner has discovered through the Engineering Design of the Development that Town-owned lands will be required for grading. The lands to be used are located just north of the property. Condition 52 of Draft Plan Approval, approved by the OMB at the time, allowed for Town Lands to be used for Engineering purposes if a community benefit was provided. Through their review, the Owner has indicated that Town land will be necessary for grading to ensure that the Town's Standards can be met.

Proposed Community Benefit

After discussions with Town staff, the Owner has agreed to a community benefit consisting of three elements:

- 1) The conveyance of approximately 4.9 hectares of land located west of the Metrolinx Corridor to the Town.
- 2) The provision of a cash contribution of \$6,000 per unit for a total of \$168,000 towards trail improvements and trail connections in the vicinity of the development, as shown on Attachment 3.
- 3) The provision of EV charging stations in each garage and rough-in for roof top solar panels.

The agreed upon community benefit will be outlined in the subdivision agreement and/or site plan agreement as appropriate. In addition to the trails identified on the Active Transportation Plan (Attachment 3), staff will explore other opportunities to use the funds for trail/walkway connections in the vicinity of the development.

Conclusion

To meet the Conditions of Draft Approval, the Owner has agreed to provide a community benefit, consisting of i) land conveyance, ii) cash contributions and iii) various green technologies for each unit. Staff feels the proposed community benefit is appropriate for the Town lands to be used for the development.

Business Plan and Strategic Plan Linkages

The proposed community benefit has linkages to the Council Strategic Priorities as follows:

- Extraordinary Places and Spaces
- Environmental Stewardship

Consultation

N/A

Human Resource Considerations

N/A

Budget Impact

The additional cash contribution will assist with the creation and maintenance of the trails in the area.

Attachments

1. Letter from Applicant
2. Survey of lands to be conveyed
3. Town of Newmarket - Active Transportation Implementation Plan

Approval

Adrian Cammaert, Planning Services, Planning and Building Services

Jason Unger, Director of Planning and Building Services

Peter Noehammer, Commissioner of Development and Infrastructure Services

Submitted By

Janany Nagulan, Planner, Planning Services

Contact

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