



PLANNING AND BUILDING SERVICES

Town of Newmarket

395 Mulock Drive

P.O. Box 328, STN Main

Newmarket, ON L3Y 4X7

www.newmarket.ca

planning@newmarket.ca

T: 905.953.5321

F: 905.953.5140

Planning Report

TO: Committee of Adjustment

FROM: Janany Nagulan
Planner, Development

DATE: August 20, 2021

RE: Application for Minor Variance **D13-A26-2021**
200 Deerfield Road
Town of Newmarket
Made by: Deerfield 3 GP Inc.

1. Recommendations:

That Minor Variance Application D13-A26-2021 be approved, subject to the following conditions:

1. That the variance pertains only to the request as submitted with the application; and,
2. That the development be substantially in accordance with the information submitted with the application.
3. That the owner is to enter into an agreement with the Town amending an agreement dated August 16, 2019 pursuant to Section of 37 of the *Planning Act* to permit a 10 storey building per the approval conditions of the development, if applicable.
4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

2. Application:

An application for a minor variance has been submitted by the above-noted owner to request relief from Zoning By-law 2010-40 as amended, to facilitate the construction of a new residential 10 storey building. The requested variance is listed below.

Relief	By-law	Section	Requirement	Proposed
1	2010-40	Exception 144	A maximum building height of 32.0m	A maximum building height of 33.5m

The above-described property (herein referred to as the “subject property”) is located within the Town’s Urban Centres. It is located east of Parkside Drive and south of Davis Drive. The subject property was rezoned in September 2018 and is referred to as Parcel B within the amending By-law 2018-49. The additional height is needed to accommodate a number of structural transfer slabs and mechanical transfers which results in a height increase.

The property is currently going through the site plan approval process. This proposal is part of the third phase of the development and phase 1 and 2 are currently under construction.

3. Planning considerations:

The purpose of this minor variance application is to permit a height increase to a proposed 10 storey building on the subject property from 32m to 33.5m. The proposed increase in height will not create any additional stories. The owner is proposing a 60cm increase to the ground floor, 30 cm increase to both 4th and 5th floors. This additional height is required to accommodate a number of structural transfer slabs and mechanical transfers which results in a height increase.

In order to authorize a variance, Committee must be satisfied that the requested variance passes the four tests required by the *Planning Act*. In this regard, staff offer the following comments:

Conformity with the general intent of the Official Plan

The subject lands are also located within the Urban Centres Secondary Plan (UCSP), and designated with a range of applicable policy categories of the UCSP. This includes the following:

- The Subject property is located in the Davis Drive Regional Corridor (Schedule 1)
- The Subject property is located in the Dais Drive character area (Schedule 2)
- The Subject property is designed as Mixed Use (Schedule 3)
- The Subject property is within the Medium Density Area (Schedule 4)

The subject property is within the “Medium Density Area” within the Urban Centre Secondary Plan (UCSP). Within the area, the permitted maximum height is 8 storeys however the secondary plan permits a maximum height with bonusing of 10 storeys. A condition of approval for this development is that the owner is required to enter into an agreement with the Town pursuant to Section 37 of the *Planning Act*.

The proposed variance will not change the number of storeys proposed (which will remain at 10 storeys), only the height of the building will increase for technical and mechanical purposes. The increase in height is to support the function of the building and will not impact adjacent properties. This test is met.

Conformity with the general intent of the Zoning By-law

The subject property is zoned Holding Regional Urban Centre Exception 144 ((H) UC-R-144) Zone by Zoning By-law 2010-40, as amended by By-law 2018-49.

The amending Zoning By-law 2018-49 sets out zoning provisions for the subject property, referred to as Parcel B in the By-law, and adjacent properties to the north. The maximum height permitted on the subject property with bonusing is 32m and the requested variance is to permit a maximum building height of 33.5m due to revised floor heights, transfer slabs, and mechanical transfers of the building.

The general intent of the amending Zoning By-law is to regulate the built form, external design, character, and use of the proposed buildings on the subject property. The proposed increase in height will not create any additional stories beyond what is permitted with the amending Zoning By-law and

Urban Centres Secondary Plan. The requested variance can be considered minor and is keeping with the development approved by Council through the amending zoning by-law. This test is met.

Desirable for the appropriate development of the land

It is generally desirable to allow a property owner to refine the development for technical purposes subject to the limits of the zoning by-law and impacts on neighbouring properties. It is also desirable to facilitate the development of this lot in a manner that achieves the aims of the objectives of the Urban Centres Secondary Plan. The proposed variance continues the intent of the previously approved site-specific zoning applied to the site and will not create any additional stories beyond what is permitted. This test is met.

Minor nature of the variance

The variance is minor in nature as they continue the built form approved by Council and will achieve a development that meets the Town's requirements. This test is met.

In consideration of the above, the proposed variance meets the four tests under the *Planning Act*.

4. Other comments:

Heritage

The property is not designated under the Ontario Heritage Act or on the municipal list of non-designated properties.

Commenting agencies and departments

The Chief Building Official has no objection to this application.

Engineering services has no objections to this application.

York Region has no comments with regards to this application

Comments from Lake Simcoe Region Conservation Authority were not available as of the date of this report.

Effect of Public Input

No public input was received as of the date of writing this report.

5. Conclusions:

The relief as requested:

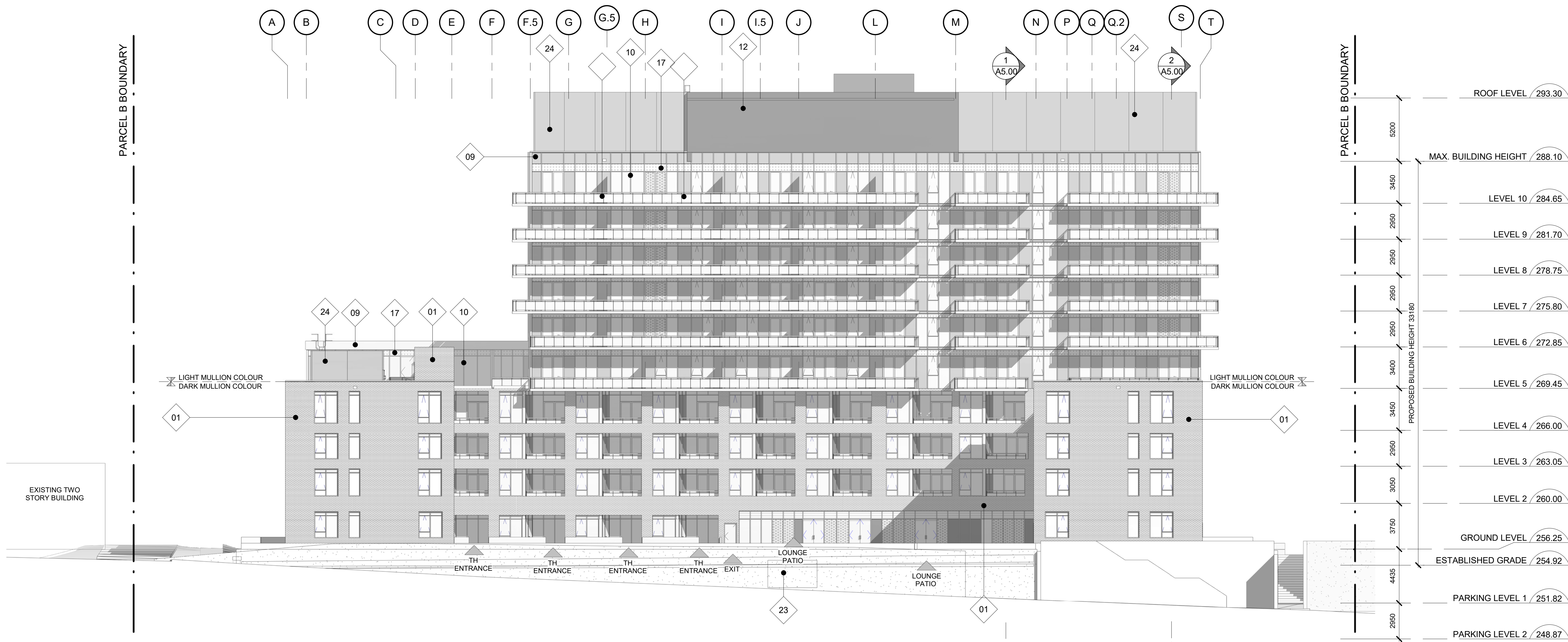
- (1) is minor in nature;
- (2) conforms to the general intent and purpose of the Official Plan and Zoning By-law; and

(3) is considered desirable for the appropriate development of the lot.

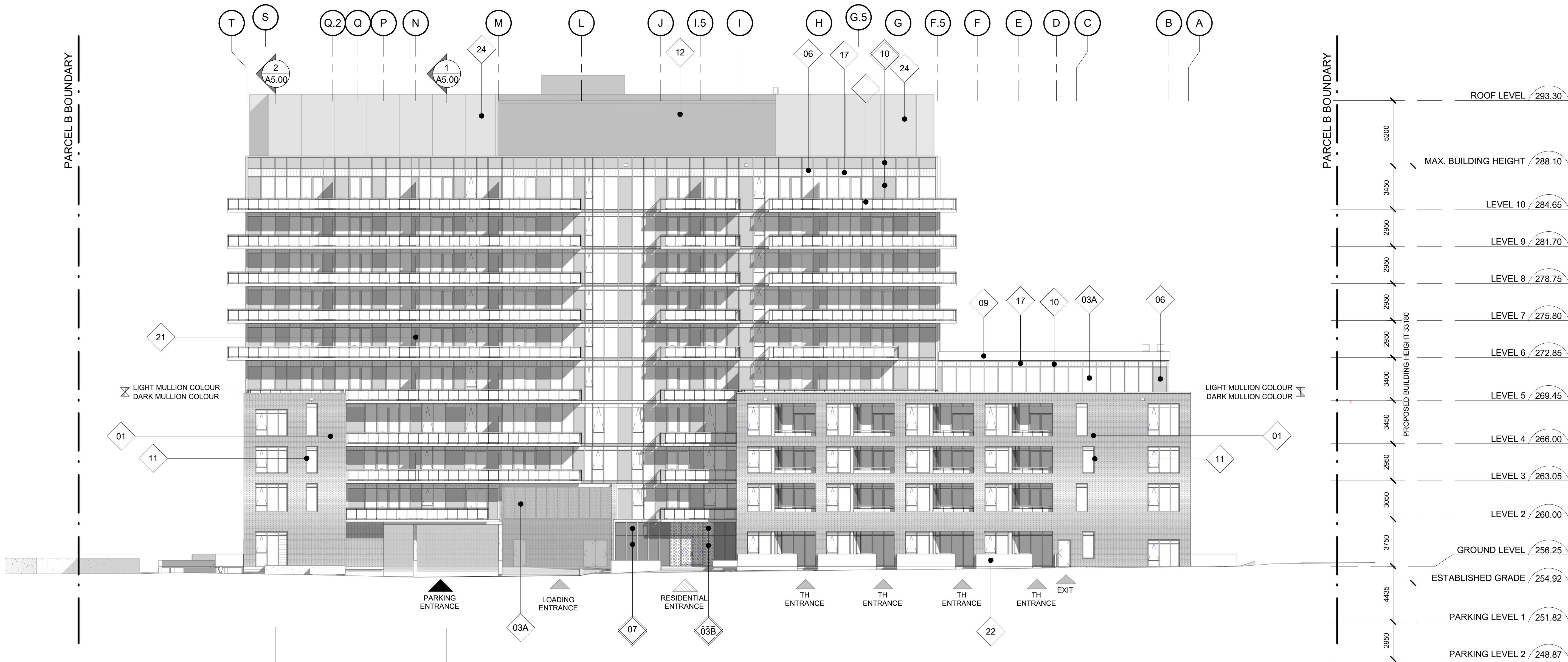
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Janany', with a stylized flourish at the end.

Janany Nagulan
Planner, Development



2 SOUTH ELEVATION
A4.00 1:200

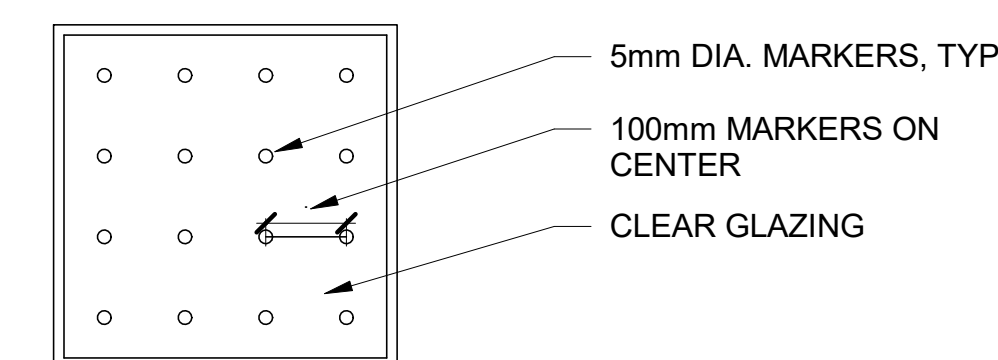


1 NORTH ELEVATION
A4.00 1:200

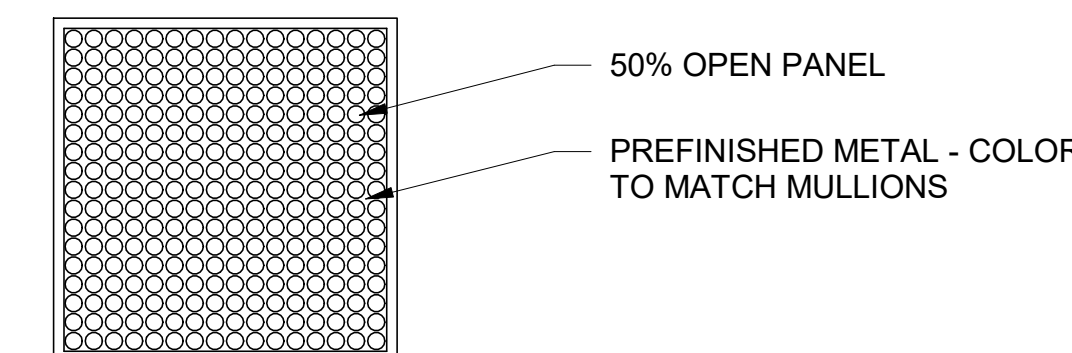
ELEVATION LEGEND

- # WALL / MATERIAL TYPE, SEE SCHEDULE
- X--- MATERIAL COLOR TRANSITION
- ▲ VEHICULAR EXIT/ENTRANCE
- ▲ PEDESTRIAN EXIT/ENTRANCE
- ▲ PRIMARY RES ENTRANCE
- BIRD FRIENDLY GLAZING (REFER TO DETAIL 01)

01 BIRD COLLISION DETERRENCE DETAIL



02 PERFORATED PANEL DETAIL



MATERIAL SCHEDULE

TAG	DESCRIPTION
01	BRICK
03A	WINDOW WALL - CLEAR GLAZING
03B	WINDOW WALL - BIRD FRIENDLY GLAZING (REFER TO DETAIL 01)
06	WINDOW WALL - GLAZED SPANDRAL PANEL TO MATCH WINDOW FRAME, LIGHT COLOR
07	WINDOW WALL - GLAZED SPANDRAL PANEL TO MATCH WINDOW FRAME, DARK COLOR
09	PRE-FINISHED ALUMINIUM COMPOSITE PANEL - CLEAR ANODIZED
10	ALUMINUM WINDOW FRAME - LIGHT COLOR
11	ALUMINUM WINDOW FRAME - DARK COLOR
12	PREFINISHED ALUMINUM SIDING - CLEAR ANODIZED VERTICALLY INSTALLED
17	PREFINISHED PERFORATED METAL PANEL - COLOR TO MATCH MULLIONS (REFER TO DETAIL 02)
21	BALCONY / TERRACE DIVIDER - FROSTED GLAZING
22	PREFINISHED METAL GUARD - DARK COLOR
23	MECHANICAL LOUVER - DARK COLOR
24	MECHANICAL SCREEN

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ISSUE RECORD
07/10/2020 SPA SUBMITTAL #1
05/10/2021 SPA SUBMITTAL #2
07/26/2021 MINOR VARIANCE - BUILDING HEIGHT

REVISION RECORD
NO. DATE DESCRIPTION

North

RAW

405-317 ADELAIDE STREET
WEST
TORONTO CANADA M5V 1P9
+1 416 599 3720
WWW.RAWDESIGN.CA

16039

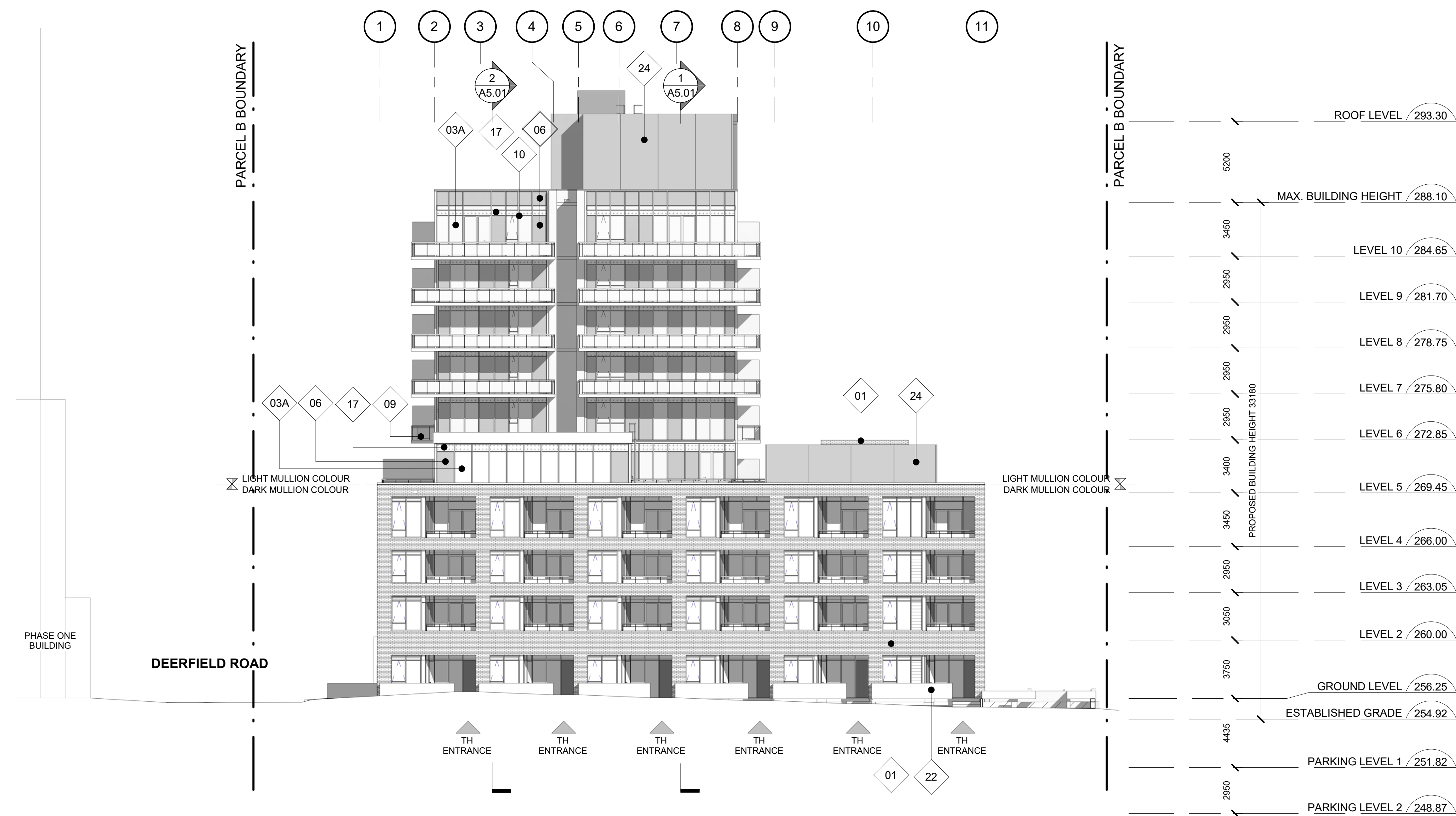
175 Deerfield, Phase 3

175 Deerfield GP 2 Inc.

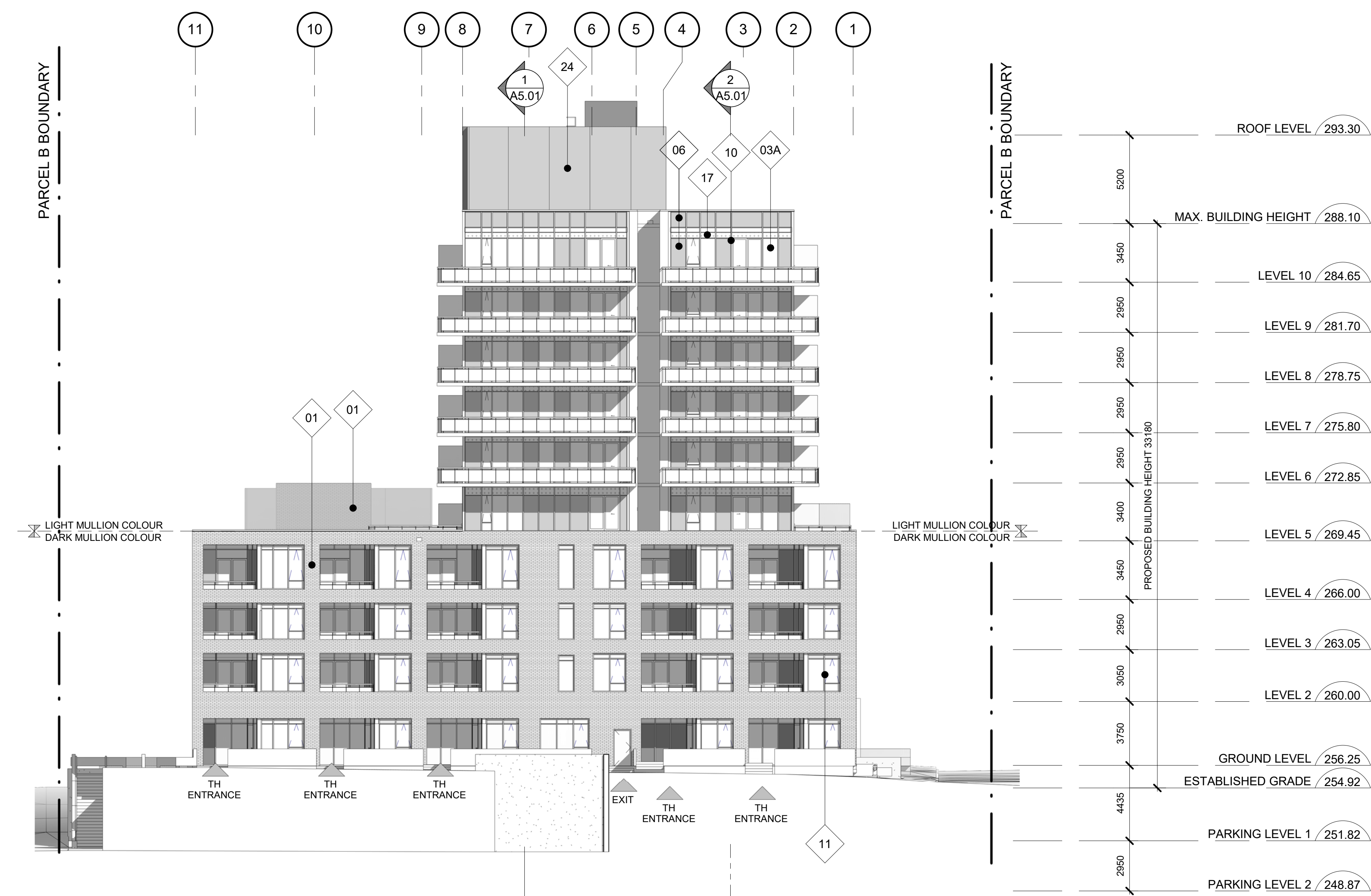
NORTH & SOUTH
BUILDING ELEVATION

As indicated

A4.00



2 WEST ELEVATION
A4.01/ 1:200

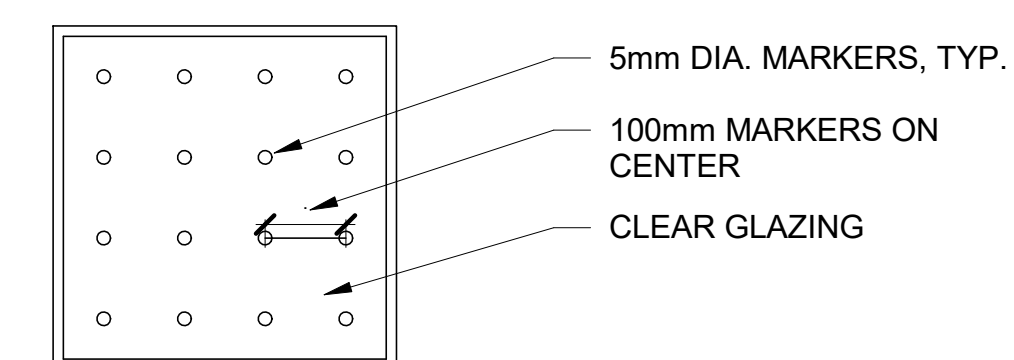


1 EAST ELEVATION
A4.01/ 1:200

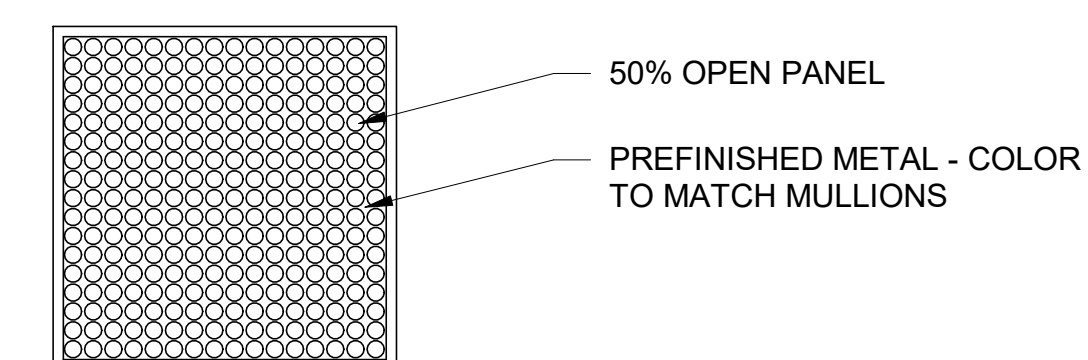
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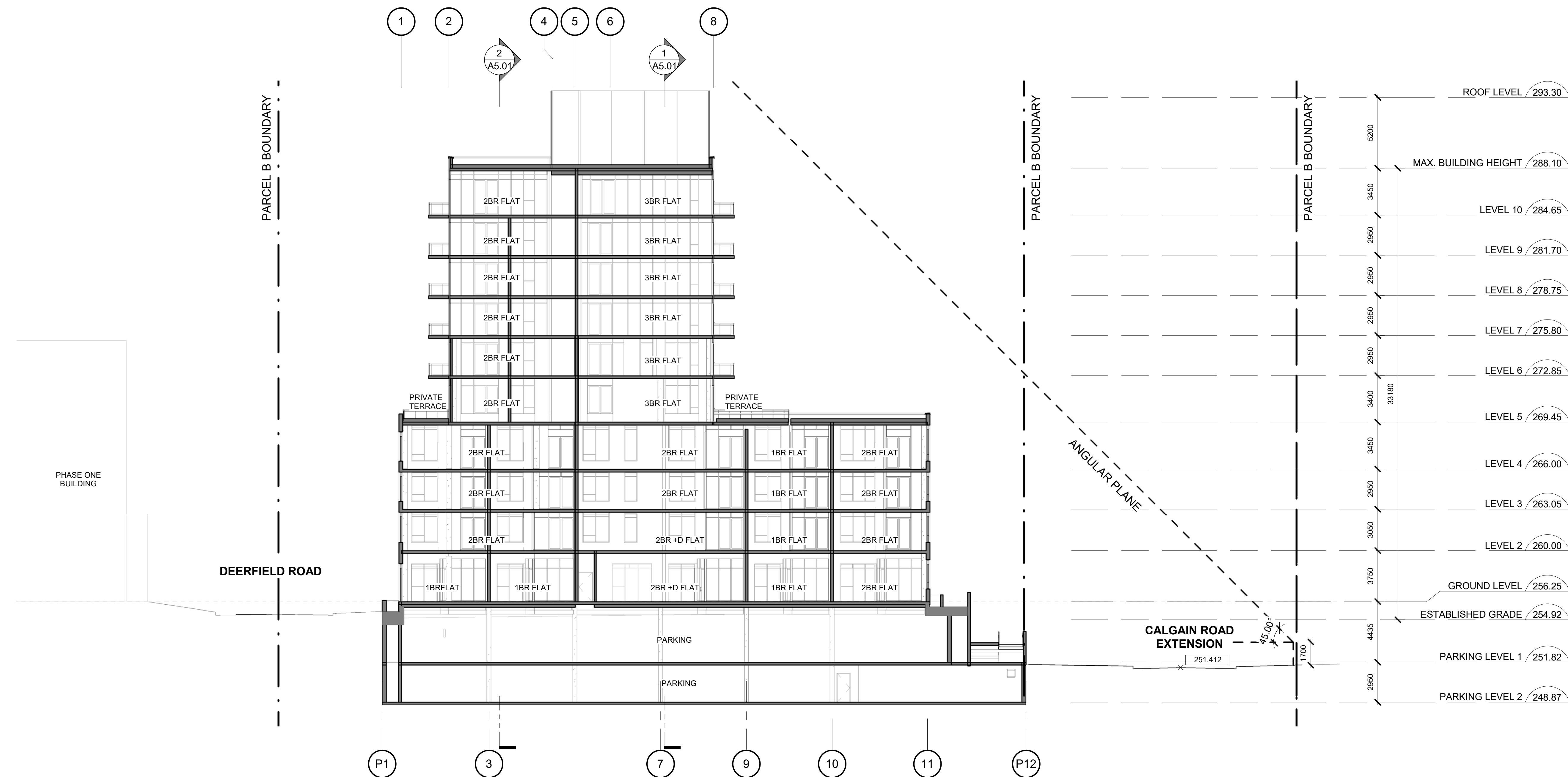
175 Deerfield, Phase 3

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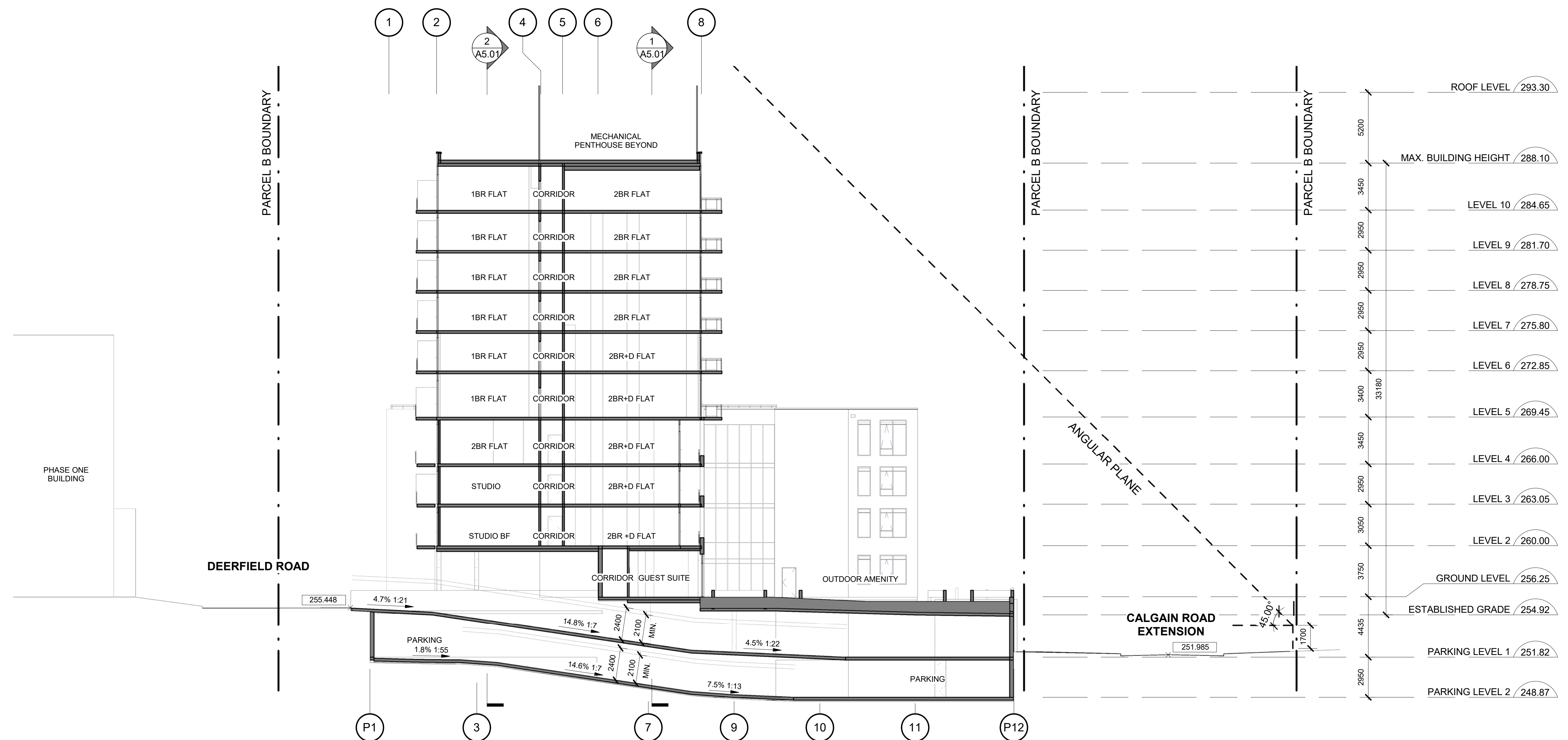
EAST & WEST
BUILDING ELEVATION

As indicated

A4.01



2 NORTH-SOUTH SECTION 2
A5.00 / 1:200



1 NORTH-SOUTH SECTION 1
A5.00 / 1:200

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BUILDING SECTIONS
- NORTH SOUTH

1 : 200

A5.00



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BUILDING SECTIONS
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1 : 200

A5.01