



DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES
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March 6, 2014

DEVELOPMENT & INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES REPORT 2014-13

TO: Committee of the Whole

SUBJECT: Application for Draft Plan of Condominium – Phase 1 (19CDMN-2013 003)
Part Lots 87 and 88, Concession 1, Part Block 88, Plan 65M-3087,
Part Block 88, Plan 65M-3087, Part Block 50 and Block 70, Plan 65M-3129
804 Shadrach Drive
Daniels LR Corporation
File Number: D07-NP 13 27

ORIGIN: Planning Division

RECOMMENDATIONS

THAT Development & Infrastructure Services /Planning & Building Services Report 2014-13 dated March 6, 2014 regarding application for Draft Plan of Condominium be received and the following recommendation(s) be adopted:

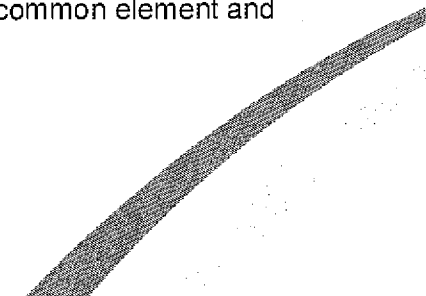
1. THAT approval be given to Draft Plan of Condominium 19CDMN-2013 003 subject to the Schedule of Conditions attached and forming part of Development & Infrastructure Services/Planning & Building Services Report 2014-13;
2. AND THAT Daniels LR Corporation, (c/o Remo Agostino), 20 Queen Street West, Suite 3400, TORONTO ON M5H 3R3 be notified of this action.

COMMENTS

Draft plan of condominium 19CDMN-2013 003 (Phase 1) relates to a development that will contain 49 residential townhouse units on a private road. The balance of the lands which will contain 52 townhouse units will be subject to a further condominium application. The subject land is located on the south side of Shadrach Drive west of Bayview Avenue and is shown on the attached Key Map. A copy of the draft plan of condominium, as recommended for approval, is also attached.

Proposal

An application for draft plan of condominium has been submitted by Daniels LR Corporation. The developer is intending to convert the 49 townhouse units currently under construction into condominium units. The parking and landscaped areas surrounding the buildings will form the common element and each of the units may be individually sold.



Planning Considerations

Draft Plan of Condominium

This application for draft plan of condominium is to create the common elements for the condominium corporation which includes the parking and landscaped areas outside of the dwellings. Areas outside of the dwellings will be maintained by the condominium corporation. Future owners will own a stake in the condominium corporation along with their own individual units.

Site Plan

Development of this site is subject to the site plan approval process which included a detailed review and analysis of the technical requirements, specifically grading, drainage, parking and landscaping. The owner of the subject land entered into a Site Plan Agreement with the Town dated July 22, 2008 and an Amending Site Plan Agreement dated May 29, 2013 and provided all payments and securities required by the Agreement. Building permits have been issued for 60 of the 101 townhouse units. It is anticipated that applications for building permits for the remaining 41 townhouses will be issued by the Town in the near future. Engineering Services staff is currently monitoring this site as part of the site plan agreement process.

As a condition of site plan approval, the Owner of the lands agreed to provide an easement in favour of the Town for a future east/west trail connection through the private stormwater management pond lands subject to matters associated with cost, maintenance and liability being addressed to the satisfaction of York Region Condominium Corporations 952 and 971 and the Owner by November 5, 2014. During 2013, the Town facilitated meetings with representatives from the condominium corporations and with representatives from the residents association. A further meeting will be held within the next few months to which all stakeholders in this matter will be invited to attend.

Official Plan

The subject property is designated Stable Residential in the Town's Official Plan. This designation permits single-detached and semi-detached dwellings. The Plan also provides that the Stable Residential designation currently has a mix of housing forms including rowhouses, townhouses, duplexes, fourplexes, apartments and other multi-unit buildings and that the predominant use of land in the Stable Residential Areas shall reflect the residential built forms that are existing as of the adoption of the Plan by Council. The proposed draft plan of condominium conforms to the purpose and intent of the Official Plan.

Zoning By-law Consideration

The subject property is zoned Residential Townhouse Dwelling 3 Exception Zone (R4-R-82) and Private Open Space Exception Zone (OS-2-82) by By-law Number 2010-40, as amended by Minor Variance Application Number A3-2011 and approved by the Ontario Municipal Board which permits townhouse dwellings as approved through the site plan approval process.

Provincial Policy Statement Considerations

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Decisions affecting planning matters "shall be consistent" with this policy statement. The Provincial Policy Statement is intended to be read in its entirety and the relevant policies are to be applied to each situation.

The sections on *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas, and Housing* are relevant for the subject application. These sections require efficient development and land use patterns, promoting intensification and redevelopment opportunities while taking into account existing building stock, and providing for an appropriate range of housing types and densities that reduce the cost of housing and facilitate compact form. Accommodating an appropriate range and mix of residential housing is an important component of successful communities to provide appropriate housing for future residents.

Servicing Allocation

Council has previously granted servicing allocation in the amount of 101 units for this development.

Conclusion

The proposed draft plan of condominium is recommended for approval subject to the conditions set out in the Schedule of Conditions attached to and forming part of this Report.

BUDGET IMPACT

Operating Budget (Current and Future)

The appropriate planning fees, development charges and other permit and administration fees have already been received through the site plan approval process. The Town will also receive assessment revenue through the development of this site.

Capital Budget

There is no direct capital budget impact as a result of this report.

CONTACT

For more information on this report, contact Linda Traviss, Senior Planner - Development at 905-953-5300, Extension 2457 or via email at ltraviss@newmarket.ca.



Commissioner, Development &
Infrastructure Services



Director of Planning & Building Services



Senior Planner – Development

Attachments

- 1 - Conditions of Draft Approval
- 2 - Proposed Draft Plan of Condominium
- 3 - Location Map

SCHEDULE OF CONDITIONS
DRAFT PLAN OF CONDOMINIUM 19CDMN-2013 003
DANIELS LR CORPORATION

1. Approval shall relate to the draft plan of condominium prepared by KRCMAR, Job No. 05-041, dated November 28, 2013.
2. The Owner shall provide confirmation from the Director of Engineering Services that the Owner has fulfilled all of its obligations under the Site Plan Agreement dated July 22, 2008 and Amending Site Plan Agreement dated May 29, 2013, as amended from time to time, or in the alternative, that the Owner has provided sufficient financial security and appropriate completion schedules to ensure that the Site Plan Agreement will be complied with in a timely manner.
3. Prior to registration, the Owner shall obtain any required minor variances to recognize any zoning deficiencies, if required.
4. Prior to final approval, the Owner shall submit a survey substantially in conformity with the plan set out in Condition Number 1 and in conformity with the requirements of the Condominium Act.
5. Prior to final approval, the Owner agrees to consult with Canada Post to determine suitable conditions for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.

