



Town of Newmarket
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285 Harry Walker Parkway South Zoning By-law Amendment Application Update Staff Report

Report Number: 2018-39

Department(s): Planning and Building Services

Author(s): Matthew Peverini

Meeting Date: June 18, 2018

Recommendations

1. That the report entitled 285 Harry Walker Parkway South Zoning By-law Amendment Application Update dated June 18, 2018 be received;
2. That Council amend Zoning By-law 2010-40 for the lands at 285 Harry Walker Parkway South to be substantially in accordance with the draft Zoning By-law Amendment appended as Attachment 2 Planning and Building Services Report Number 2018-33;
3. That Diron Developments Limited, c/o Diego Toneguzzo, 221 Hanlan Road, Unit 9, Woodbridge, ON L4L 3R7, be notified of this action; and
4. That Weston Consulting Inc., c/o Sandra Patano, 201 Millway Avenue, Suite 19, Vaughan, ON L4K 5K8, be notified of this action.

Purpose

Further to Council's deferral of this matter at the May 28, 2018 Council Meeting, the purposes of this Report are to outline the options investigated by the applicant in relation to the proposed Zoning By-law Amendment application at 285 Harry Walker Parkway South, and to recommend approval of the proposed Zoning By-law Amendment as submitted by Diron Developments Limited.

Background

Concurrent applications have been submitted for a Zoning By-law Amendment and Site Plan Approval at 285 Harry Walker Parkway South (herein referred to as the 'subject land'). The applicant is proposing to rezone the subject lands from General Employment Exception 12 (EG-12) Zone to General Employment Exception XX (EG-XX) Zone, to permit a stand-alone overflow parking lot for the York Region District School Board

(YRDSB) offices at 300 Harry Walker Parkway South and 1260 Gorham Street. The proposed parking lot consists of a maximum of 148 parking spaces.

Planning and Building Services Staff Report 2018-33 (Attachment 1) was placed before Committee of the Whole on May 22, 2018. This Report provided the rationale for recommending approval of the proposed Zoning By-law Amendment. Committee voted to deny the application, citing concerns for pedestrian safety (jaywalking) and the proposed land use in an Employment Zone.

Following the Committee of the Whole meeting, the applicant's representatives deputed before Council on May 28, 2018. Council moved to defer the matter to an upcoming Committee of the Whole or Council meeting and expressed that the applicant consult with Town Staff and explore options to curb pedestrian jaywalking.

Discussion

In lieu of the deferral, the applicant has explored the following options:

Option 1: Original Proposal

The applicant's proposal is outlined in the "Proposal" section of Planning and Building Services Report Number 2018-33 (see Attachment 1). This concept intends to curb unsafe pedestrian activity by providing a sidewalk along the eastern leg of Harry Walker Parkway South from the Subject Land to the signalized intersection to the north of the site. It also includes directional signage to encourage users to use the signalized crossing at Harry Walker Parkway South and Gorham Street.

Transportation Services have reviewed the concept and advise that they are satisfied with the proposed sidewalk connection to the signalized intersection. Therefore Engineering Services have no objection at this time. Subject to Council's approval, the pedestrian walkway will be further refined through the ongoing site plan approval process.

Option 2: Tiered Parking Structure

The applicant has assessed the feasibility of installing a pre-fabricated modular tiered parking structure at 300 Harry Walker Parkway South.

Through this assessment, the applicant has determined that this option would not be feasible. This option would result in a marginal cost savings when compared to constructing a traditional tiered parking structure. Further, the cost would be derived from the School Board's operating budget rather than its capital budget.

Option 3: Pedestrian Crosswalk

The applicant has investigated installing a signalized pedestrian crosswalk from the subject land 300 Harry Walker Parkway South. This option would negate the

need for a pedestrian walkway to the signalized intersection, and therefore would be removed from the proposal.

The applicant, his representatives, staff from the YRDSB, and the applicant's Traffic Consultant met with Town Planning and Engineering staff to discuss this option. Engineering Services has advised that they are unable to support this option for the following reasons:

- In accordance to Ontario Traffic Manual (OTM) Book 12, there is insufficient vehicular and pedestrian traffic volumes to warrant a signalized pedestrian-only intersection on Harry Walker Parkway South, 99m south of Gorham Street;
- The distance between the proposed signalization and the Harry Walker Parkway/Gorham Street intersection is insufficient in accordance to Book 12 requirements and will impose traffic movement restrictions; and
- The proposed signalization would introduce new risk for the Town.

Option 4: Secure Parking Lot for YRDSB Maintenance Vehicles

The applicant has investigated modifying the proposed Zoning By-law Amendment to develop a secure parking lot with restricted access to YRDSB maintenance staff. This concept would include fewer proposed parking spaces.

This in effect would result in the freeing up of parking spaces at the YRDBS offices and compensate for the "overflow parking" component of this application. The concern for jaywalking would be alleviated, as YRDSB Maintenance Staff would be parking their personal vehicles at the subject lands, and leaving the site in the maintenance vehicles that would also be parked in this lot.

Through discussion and consultation with Town Staff, representatives for the applicant have provided Options that 1 and 4 are feasible.

Should Council be content with Option 4, Town Staff are of the opinion that the pedestrian walkway along the eastern leg of Harry Walker Parkway South should remain as part of the development concept. It would provide an alternative and safe option for YRDSB Maintenance Staff to access the offices across the street, and it aligns with Table 2: Road Classifications in the Town's Official Plan – whereby the Official Plan envisions sidewalks be provided along a Primary Collector Road.

Regarding concerns around the proposed land use in an Employment Zone, the Discussion section of Planning and Building Services Report 2018-33 outlines the proposal's conformity with Planning documents. The Regional Municipality of York has no objection to the proposed Zoning By-law Amendment application. Section 6.2 of the Town's Official Plan states that "uses incidental to the primary permitted uses are allowed in all Business Park designations". Further, the proposed parking lot development does not preclude redevelopment of the subject land at a future time.

Consultation

The applicant, representatives, staff from the YRDSB, and the applicant's Traffic Consultant met with Town Planning and Engineering staff on Friday, June 8, 2018 to discuss the options outlined in the "Discussion" Section of this Report.

Conclusion

It is recommended that Council approve the proposed Zoning By-law Amendment application, as the project is consistent with the Provincial Policy Statement and conforms to relevant Planning documents.

Business Plan and Strategic Plan Linkages

Well Planned and Connected: Reviewing Zoning By-law Amendment applications with respect to the Town's Official Plan.

Human Resource Considerations

Not applicable to this report.

Budget Impact

Not applicable to this report.

Attachments

Attachment 1 – Planning and Building Services Report Number 2018-33

Approval



Matthew Peverini, BURPI, B.Sc.
Planner



Rick Nethery, MCIP, RPP
Director of Planning & Building Services



Peter Noehammer, P. Eng.
Commissioner Development and Infrastructure
Services

Contact

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Attachment 1 – Planning and Building Services Report Number 2018-33



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Zoning By-law Amendment Application 285 Harry Walker Parkway South Staff Report

Report Number: 2018-33

Department(s): Planning and Building Services

Author(s): Matthew Peverini, BURPI, B.Sc.

Meeting Date: May 22, 2018

Recommendations

1. That the report entitled Zoning By-law Amendment Application – 285 Harry Walker Parkway South, dated May 7, 2018 be received;
2. That Council amend Zoning By-law 2010-40 for the lands at 285 Harry Walker Parkway South to be substantially in accordance with the draft Zoning By-law Amendment appended as Attachment 3 to this report;
3. That Diron Developments Limited, c/o Diego Toneguzzo, 221 Hanlan Road, Unit 9, Woodbridge, ON L4L 3R7, be notified of this action; and
4. That Weston Consulting Inc., c/o Sandra Patano, 201 Millway Avenue, Suite 19, Vaughan, ON L4K 5K8, be notified of this action.

Purpose

The purpose of this report is to provide Council with the rationale for recommending approval of the proposed Zoning By-law Amendment application at 285 Harry Walker Parkway South, as submitted by Diron Developments Limited.

Background

Location

The subject lands are located on the east side of Harry Walker Parkway South, south of Gorham Street and west of Highway 404 (see Attachment 1 for Location Map), being Plan 65M2558, Part Lot 13, Plan RS65R20749, Parts 4, 8 and 9. The nearest signalized intersection is located approximately 120 metres north of the subject lands at Gorham Street and Harry Walker Parkway South. The lands are municipally recognized as 285 Harry Walker Parkway South.

The subject lands are currently vacant, having an approximate area of 6,945 square metres, with a lot frontage of approximately 53.75 metres on Harry Walker Parkway South. Surrounding land uses include:

North:	Cintas Uniform Services and associated parking
South:	Toronto North (Newmarket) "O" Division Detachment of the Royal Canadian Mounted Police, and associated surface parking
East:	Highway 404
West:	York Region District School Board offices and associated parking

Proposal

Concurrent applications have been submitted for a Zoning By-law Amendment and Site Plan Approval. The applicant is proposing to rezone the subject lands from the existing General Employment Exception 12 (EG-12) Zone to a General Employment Exception XX (EG-XX) Zone to permit the proposed development as outlined below.

The proposed development is a stand-alone overflow parking lot intended to provide parking for the York Region District School Board (YRDSB) offices located across the street at 300 Harry Walker Parkway South and 1260 Gorham Street. As per the submitted Planning Justification Letter, the registered property owner has both undertaken discussions and entered into a lease agreement with the YRDSB for the exclusive use of the proposed parking lot.

The proposed parking lot consists of a maximum of 148 parking spaces oriented in four east-west rows. Of which, 95 parking spaces are to be contained within a fenced portion at the east end of the site, while the remaining 53 parking spaces are to be located in the remaining unsecured portion of the property. These spaces will be the overflow parking for the YRDSB site, while also providing for parking of YRDSB maintenance vehicles.

The development proposes vehicular access via two driveways along Harry Walker Parkway South; 6.0 metre drive aisles interior to the site; and a pedestrian walkway that will extend from the subject lands to the signalized intersection of Gorham Street and Harry Walker Parkway South.

A Conceptual Site Plan is appended to this report as Attachment 2.

Discussion

Provincial Policy Statement and Provincial Plans

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 the PPS.

Section 1.3 of the PPS encourages planning authorities to promote economic development and competitiveness by providing opportunities for a diversified economic

base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. The proposed application intends to provide ancillary parking to account for needs of the existing YRDSB offices across the street at 300 Harry Walker Parkway South and 1260 Gorham Street.

Section 1.6.2 of the PPS encourages Planning authorities to promote the implementation of green infrastructure to complement other infrastructure. The proposed development consists of low-impact development (LID) features in the form of bio-swales located within curbed islands, and a dry stormwater management pond.

The Growth Plan for the Greater Golden Horseshoe (The Growth Plan) provides a framework for managing growth in the Greater Golden Horseshoe including: direction on how and where to grow, the provision of infrastructure to support growth, and protecting valuable heritage systems. The proposed development is located within an existing built-up area, and makes use of vacant lands to support the growing needs of an employment use.

Through the analysis provided above, staff is of the opinion that the proposed development is consistent with the PPS and conforms to the Growth Plan.

York Region Official Plan

The York Region Official Plan (YROP) provides objectives to encourage and accommodate economic activity that diversifies and strengthens the Region's economic base, employment opportunities for residents and competitive advantages for its businesses. Map 1: Urban Structure of the YROP identifies the subject lands to be located within the "Urban Area".

The YROP provides in Subsection 4.3.1 that employment forecasts in Table 1: York Region Population and Employment Forecast by Local Municipality, of the Plan be used as the basis for planning employment lands. The property is currently vacant and the proposal makes use of this underutilized site, while at the same time does not preclude the subject lands from being redeveloped at a later date.

Section 4.3 of the YROP allows for limited ancillary uses on employment lands, provided that the proposed uses are intended to primarily service businesses in the employment lands. Further, this section encourages that the development of employment lands be designed to be walkable and transit-accessible where possible.

The proposal intends to serve as an ancillary use to the YRDSB offices west of the subject lands. The applicant is proposing to construct a walkway through the site and within the municipal right-of-way along Harry Walker Parkway South to provide a connection to the signalized intersection at Harry Walker Parkway South and Gorham Street. The walkway will ensure the site and surrounding employment lands are designed to be walkable and accessible where possible.

Planning Staff have circulated the application to the Regional Municipality of York. The Region has advised that they have no concerns or additional submission requirements, and signed off on the proposal. Through the analysis provided above, staff is satisfied that the proposed development is in conformity with the YROP.

Town of Newmarket Official Plan

The Town of Newmarket Official Plan (OP) provides land use policies to guide land use and development in accordance with provincial and regional plans.

The subject lands are designated “Business Park – Mixed Employment” in the Town’s OP, and is located along a Primary Collector Road. The Business Park designation strives to sufficiently provide for employment needs of the community.

Section 6.2 of the OP states that “uses incidental to the primary permitted uses are allowed in all Business Park designations”. The proposed development is intended to be an accessory use to the existing YRDSB offices, and will provide the necessary infrastructure to sustain and encourage the current and continued employment use of the YRDSB facilities.

Section 6.3.2 of the OP requires a high standard of site design and landscaping for lands located within the Business Park – Mixed Employment designation. The applicant has submitted plans that propose to implement areas of landscaping and LID features. Further, a sidewalk on Harry Walker Parkway South and associated signage has been included at the request of the Town. This will provide a safe pedestrian access route for patrons to walk to the signalized intersection at Harry Walker Parkway South and Gorham Street in order to access the YRDSB facilities. This sidewalk along Harry Walker Parkway South is characteristic of what the OP envisions for a Primary Collector Road.

The Planning Department has considered the development to be in accordance with the intent of the Official Plan, therefore not requiring an application for Official Plan Amendment.

Town of Newmarket Zoning By-law 2010-40

The subject lands are currently zoned General Employment Exception 12 (EG-12) by Zoning By-law 2010-40. The applicant is proposing to rezone the subject lands to a General Employment Exception XX (EG-XX) Zone with site-specific provisions reflecting the proposed development.

A draft amendment to the Zoning By-law is appended to this report as Attachment 3. Changes to the proposed zone standards include:

- Addition of a permitted use on the property to allow for a standalone overflow parking lot with 148 parking spaces for exclusive use by the York Region District School Board; and

- A minimum drive aisle width of 6.0 metres, as opposed to the By-law requirement of 6.7 metres.

Staff have reviewed Section 16.1.1, Policy 3, in the OP with regards to the proposed Zoning By-law Amendment and found all requirements are met as outlined below. In considering an amendment to the Zoning By-law, Council shall be satisfied that:

- a) the proposed change is in conformity with the Official Plan

The proposal intends to add a permitted use that is accessory to the existing YRDSB offices at 300 Harry Walker Parkway South and 1260 Gorham Street. The OP specifically outlines that “uses incidental to the primary permitted uses are allowed in all Business Park designations”. With this said, staff have considered the development to be in accordance with the intent of the Official Plan, therefore not requiring an application for an Official Plan Amendment.

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

Figure 1 depicts the land uses immediately adjacent the subject lands. To the immediate north and south of are parking lots that serve the main building on the abutting parcels and to the west are the YRDSB offices. Therefore, the proposed use is generally compatible with adjacent uses. Buffering will be provided in accordance with the Town’s Zoning By-law.



Figure 1: Surrounding land-use context

- c) potential nuisance effects upon adjacent uses are mitigated;

Nuisance effects typically refer to impact of noise and airborne particles on occupiers of neighbouring properties, usually from employment uses. It is not anticipated that this development will cause any nuisance effects with the exception of construction activities which will be addressed in a construction management plan considered through the site plan approval process.

- d) adequate municipal services are available;

As the proposed development is a parking lot, no servicing of the lot is required.

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

The proposed development can be appropriately accommodated on these lands, while also providing required buffering, low-impact development features, and a pedestrian walkway.

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

This proposal accesses Harry Walker Parkway South, a primary collector road, via 2 points of entrance/egress. Primary collector roads are designed to carry medium volumes of traffic between Arterial, Minor Collector and Local Roads.

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

The proposed overflow parking lot is adequate for the use of the YRDSB offices at 300 Harry Walker Parkway South and 1260 Gorham Street. No loading spaces are proposed or required. Engineering services has no objection with the proposed circulation on-site.

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

Appropriate notice has been given in accordance with the Planning Act through the posting of Notice of Application on the property and the mailing of Notice of Application to all property owners within a 120 metre radius of the subject lands. The Statutory Public Meeting was held on March 19, 2018.

Site Plan Application

The applicant has applied for Site Plan Approval, which is being processed concurrently with this Zoning By-law Amendment application. The Town is currently anticipating

receipt of the second technical site plan submission. The conceptual site plan is appended as Attachment 2 to this report. Staff continues to work with commenting agencies and the applicant to address site plan issues.

Consultation

Community Consultation

A Statutory Public Meeting was held on March 19, 2018 at 7:00 PM in accordance with the requirements of the Planning Act. In attendance were members of Committee of the Whole, Planning Staff, the Applicant, and representatives of the applicant. No members of the public spoke to the application.

There were concerns noted in the Statutory Public Meeting that the proposed development would yield jay-walking from the subject lands to the YRDSB offices across the street. The applicant is proposing an internal pedestrian walkway through the site, and will be constructing a pedestrian walkway along the east side of Harry Walker Parkway South to Gorham Street in an effort to provide safe pedestrian access to the YRDSB site. Engineering Services have reviewed the concept and advise they have no objection at this time. The pedestrian walkway will be further refined through the ongoing site plan approval process.

Agency Circulation

The application was circulated to all the appropriate agencies and Town Departments. These comments were considered by staff in the development of this report's recommendations.

Comments

Newmarket Accessibility Advisory Committee

Upon circulation of the application to the Advisory Committee, the Committee raised concern that there were no barrier-free parking spaces proposed on site. The YRDSB has agreed to provide additional barrier-free parking spaces on their site at 300 Harry Walker Parkway South to address these concerns.

Economic Development

There had been initial concerns that developable industrial lands being purposed for parking, as lands positioned immediately adjacent to Highway 404 are especially valuable for employment development. Upon further discussion with Economic Development, there is no objection to the proposed Zoning By-law Amendment.

Conclusion

It is recommended that Council approve the proposed Zoning By-law Amendment application, as the project is consistent with the PPS and conforms to relevant Planning documents.

Business Plan and Strategic Plan Linkages

Well Planned and Connected: Reviewing Zoning By-law Amendment applications with respect to the Town's Official Plan.

Human Resource Considerations

Not applicable to this report.

Budget Impact

Not applicable to this report.

Attachments

Attachment 1 – Location Map

Attachment 2 – Conceptual Site Plan

Attachment 3 – Draft Zoning By-law Amendment

Approval



Matthew Peverini, BURPI, B.Sc.
Planner



Rick Nethery, MCIP, RPP
Director of Planning & Building Services

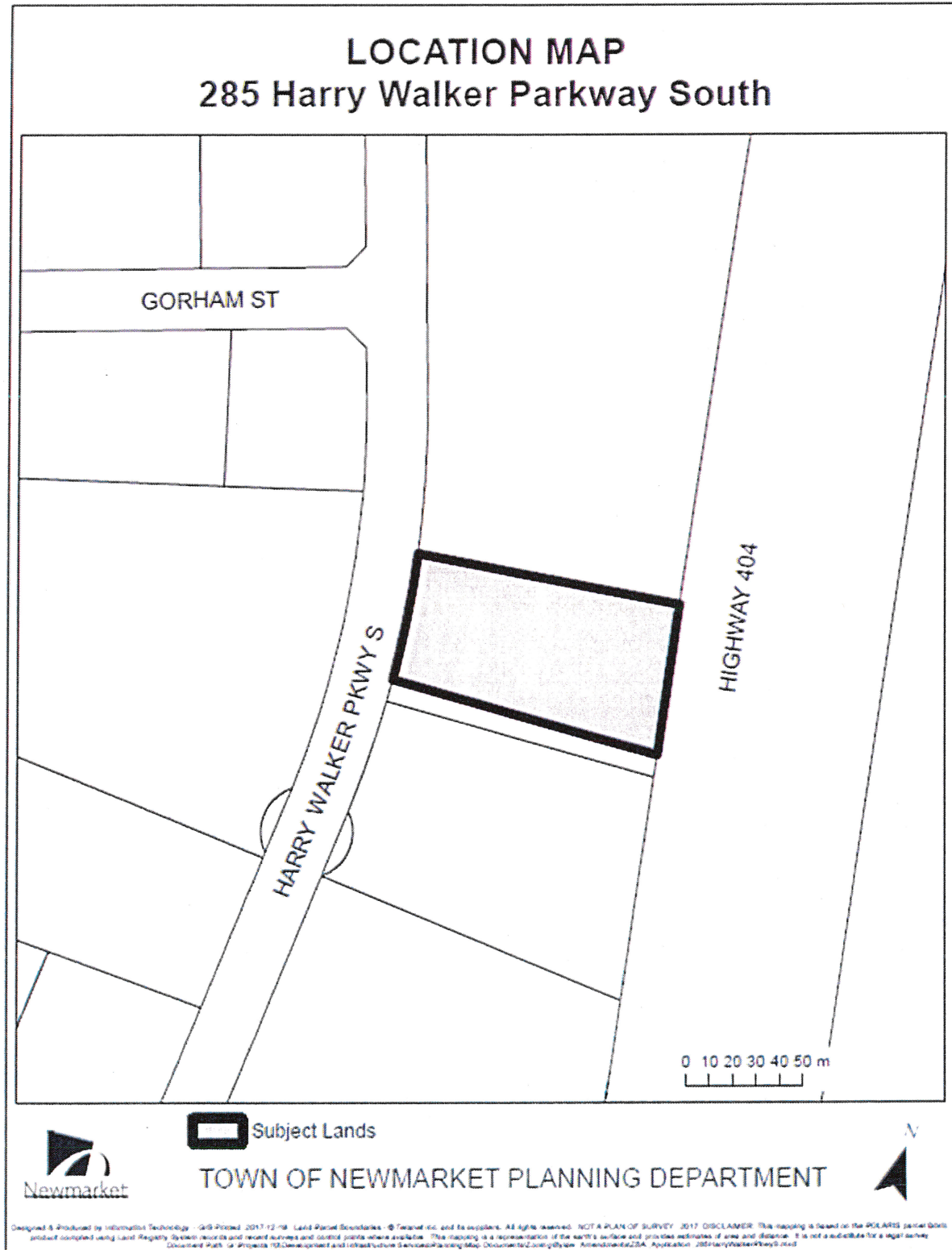


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Attachment 1 – Location Map



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Attachment 3 – Draft Zoning By-law Amendment

Exception XX	Zoning EG-XX	Map 15	By-Law Reference 2018-XX	File Reference D14-NP-17-25
i)	Location:	285 Harry Walker Parkway South		
ii)	Legal Description:	Plan 65M2558, Part Lot 13, Plan RS65R20749, Parts 4, 8 and 9		
iii)	Development Standards:	(a) Building <i>Height</i> (maximum): 15 m		
iv)	Uses:	<p>A stand-alone overflow <i>Parking Lot</i> with a maximum of 148 parking stalls for the exclusive use by the York Region District School Board offices located at 300 Harry Walker Parkway South and 1260 Gorham Street shall also be permitted.</p> <p>(a) Only in conjunction with the above additional permitted use, a Drive Aisle Width (minimum) of 6 m shall be permitted.</p>		