



Town of Newmarket
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175 Deerfield Road – Zoning By-law Amendment Application Staff Report

Report Number: 2018-52

Department(s): Planning and Building Services

Author(s): Ted Horton, Planner

Meeting Date: August 27, 2018

Recommendations

1. That the report entitled 175 Deerfield Road – Zoning By-law Amendment Application dated August 27, 2018 be received;
2. That the application for Zoning By-law amendment for lands municipally known as 175 Deerfield Road be approved and that staff be directed to prepare the necessary Zoning By-law amendments, including the necessary Holding provisions;
3. That Council direct the Director of Planning and the Municipal Solicitor, or her designate, to enter into one or more agreements on behalf of the Town pursuant to Section 37 of the Planning Act to secure community benefits and any matters required as a legal convenience;
4. That per Section 45(1.4) of the Planning Act, Council resolve that minor variances shall be authorized for the subject lands;
5. That Council determine that based on the information in this report and in accordance with Section 34(17) of the Planning Act, adequate public notice has been provided;
6. That staff be directed to do all things necessary to give effect to the recommendations in this report;
7. That Daniel Berholz, of The Rose Corporation, 156 Duncan Mill Road, Unit 12, Toronto, ON, M3B 3N2 be notified of this action; and
8. That David McKay, MHBC Planning Limited, of 7050 Weston Road, Suite 230, Vaughan, ON L4L 8G7 be notified of this action.

Executive Summary

The Town has received an application to amend Zoning By-law 2010-40 to permit the redevelopment of the lands known municipally as 175 Deerfield Road. This was

presented to Committee of the Whole in Planning Services Report 2018-17, dated March 19, 2018. A statutory public meeting was held on April 9, 2018 as required by the Planning Act.

This report provides (1) the context of the site, (2) the details of the proposal and how it has changed from its initial submission, (3) a discussion of the relevant planning policies and how the application addresses them, (4) an outline of feedback received, and (5) next steps in the development process.

If Committee adopts the recommendations of this report, a subsequent report will be presented to the September Committee of the Whole discussing requested incentives for the application. Subject to Committee's decision on these two reports, an amending zoning by-law will be presented to Council in September.

Purpose

This report serves to provide recommendations to Committee of the Whole on the application for zoning by-law amendment for 175 Deerfield Road (the "subject lands") under Section 34 of the Planning Act.

This report discusses the application as it has been revised based on comments from staff from the Town and its development review partners along with feedback provided by members of Council and the public. The recommendations of the report, if adopted, would amend the Zoning By-law to permit the proposed development, apply necessary holding provisions to secure requirements, and authorize staff to enter into agreements under Section 37 of the Planning Act to secure obligations of the applicant.

Background

Context

The subject lands are currently occupied by a vacant three-storey industrial building.

The subject lands are located on Deerfield Road, with a small frontage on the south side of Parkside Drive. The lands are approximately 1.84 hectares in size, with approximately 63 metres of frontage onto Deerfield Road and 4 metres of frontage onto Parkside Drive. As is discussed later in this report, it is proposed that the lands occupied by Deerfield Road be consolidated with this site. The surrounding context is as follows, and is illustrated in Figure 1 as provided by the applicant:

- North: 200 Davis Drive, Two-storey commercial condominium including a range of retail and service uses on the ground floor with upper-floor offices
- East: 212 Davis Drive, fifteen-storey multi-unit residential rental building
- South: Single detached residential dwellings fronting onto Queen Street
- South and West: Low-rise buildings including motor vehicle repair facilities, professional offices, and a day care
- West: Parkside Drive and the Newmarket Plaza commercial centre



Figure 1: Subject Lands Context

The subject lands are located in the Urban Centres Secondary Plan (UCSP) area, and designated with a range of applicable policy categories of the UCSP. These include:

- Located in the Davis Drive Regional Corridor (Schedule 1)
- Located in the Davis Drive character area (Schedule 2)
- Designated as Mixed Use (Schedule 3)
- The north portion of the site is within the Medium-High Density area and the south portion of the site is within the Medium Density area (Schedule 4)
- The site is planned to host the extension of Calgain Road along the south edge of the subject lands, a future private road/lanes connecting the Calgain Road extension north to Davis Drive, and Deerfield Road becoming a private road/lane and being extended east (Schedule 5)

The Urban Centres Secondary Plan (UCSP) was adopted by Council on June 23, 2014 and by the Regional Municipality of York on March 26, 2015. Planning Services is continuing work on a zoning by-law that will implement the policies of the UCSP. In advance of the adoption of this general zoning by-law amendment, the applicant has submitted this application to permit site-specific standards to implement the UCSP policies on the subject lands as an amendment to Zoning By-law 2010-40.

Proposal

This section of the report will present a general outline of the proposal from the applicant. The conformity of the proposal with Town policies will not be provided in this section, but rather is laid out in the following Discussion section.

Built form

The applicant is seeking to amend Zoning By-law 2010-40 to permit three multi-unit residential buildings, being two 15-storey towers and one 10-storey building. The three buildings can be seen in Attachment 2 and are referred to throughout this report as Building 1 (the northeast building), Building 2 (the northwest building), and Building 3 (the south building). The general built form for each building is similar in its fundamental design; each building begins with a podium or base and a narrower tower above. The overall statistics for the buildings are presented in the table below.

	Building 1	Building 2	Building 3
Storeys	15	15	10
Residential gross floor area (m²)	19,919	16,501	14,238
Floor Space Index	2.87	2.87	2.48
Studio and One-bedroom units	69	84	46
Two-bedroom units	104	87	71
Three-bedroom units	13	1	12
Total units	186	172	129
Parking Spaces	224	208	164
Barrier-free parking spaces	5	4	3
Bicycle parking spaces	50	54	36

Open Space

The proposal includes two open space areas. One is proposed to be located at the north edge of the subject lands toward the centre of the site between Buildings 1 and 2, indicated as POPS1 on Figure 2. This open space area is proposed to be a POPS (Privately-Owned Public Space) and a pedestrian mews. A POPS is a space that is

owned by a private landowner, developed in a manner approved by the Town, and open for use by the public.

A second open space area is proposed at the southern edge of the subject lands in a landscaped area that is encircled on three sides by Building 3, indicated as POPS 2 on Figure 2. This open space would abut the future extension of Calgain Road, with access via a ramp to the east and at grade to the west due to the significant change in grade between the open space and the future Calgain extension. The applicant has proposed this open space as a strata park, which would be divided in ownership from the underground parking beneath with the open space being conveyed to the Town. These two proposed areas are indicated in Figure 2 below.

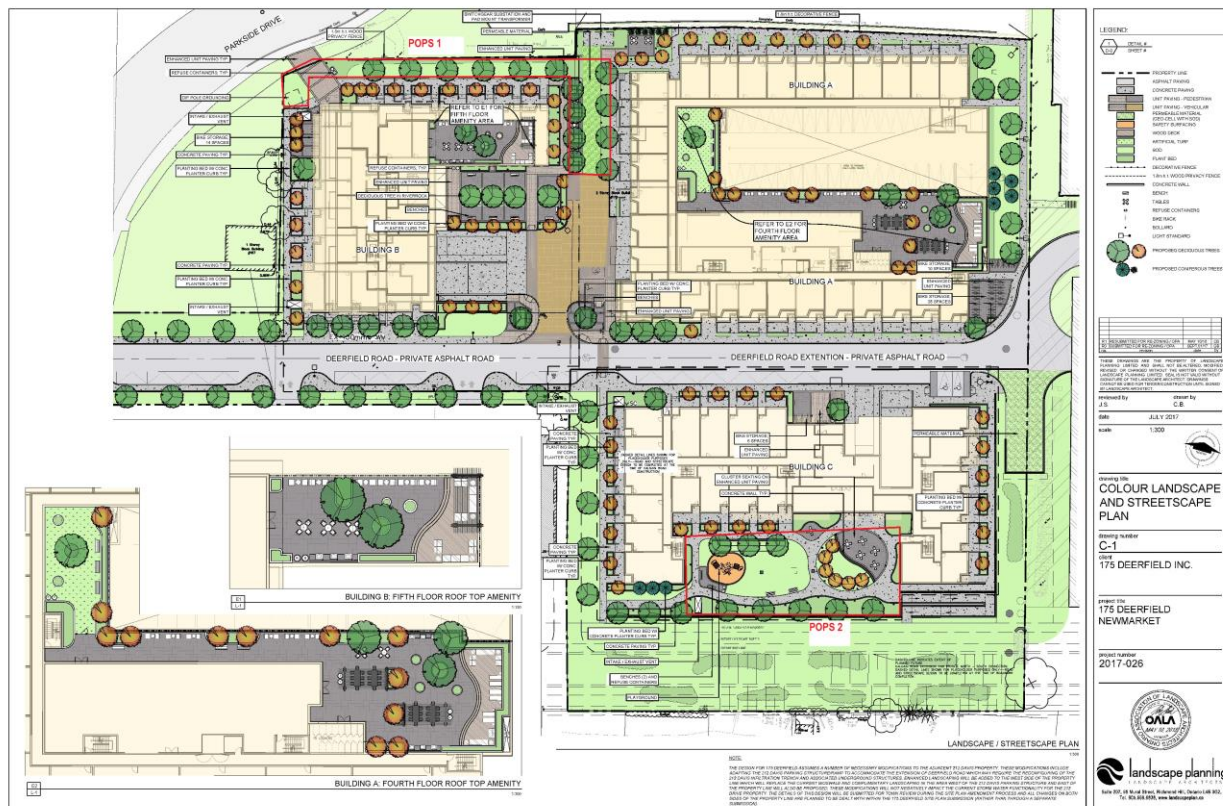


Figure 2: Open Space Locations

Each of these open spaces is proposed as a partial contribution toward the parkland dedication as required by Section 42 of the Planning Act and enacted in Newmarket by By-law 2017-56.

A discussion of the desirability of each space as public open space in light of the Town's policies and best practices in park design is presented in the discussion section later in this report. These areas have changed in design from the initial version presented; these changes are discussed later in this report.

Road Network

Schedule 5 of the Urban Centres Secondary Plan (UCSP) indicates the future transportation network in the UCSP Area. As mentioned in the context section above, the subject lands are planned to be the site of part of the future transportation network. These planned roads can be seen in Figure 3.

First, the extension of Calgain Road along the south edge of the the subject lands is planned (see Figure 3 in light blue), building on the lands that were secured along the south edge of 212 and 230 Davis Drive. Second, a future north/south private road is planned to connect the Calgain Road extension north to Deerfield Road, and a connection from Deerfield Road to Davis Drive is also planned. Finally, the UCSP designates that Deerfield Road will become a private road and be extended east to meet the aforementioned north-south private road (see Figure 3 in dark blue).

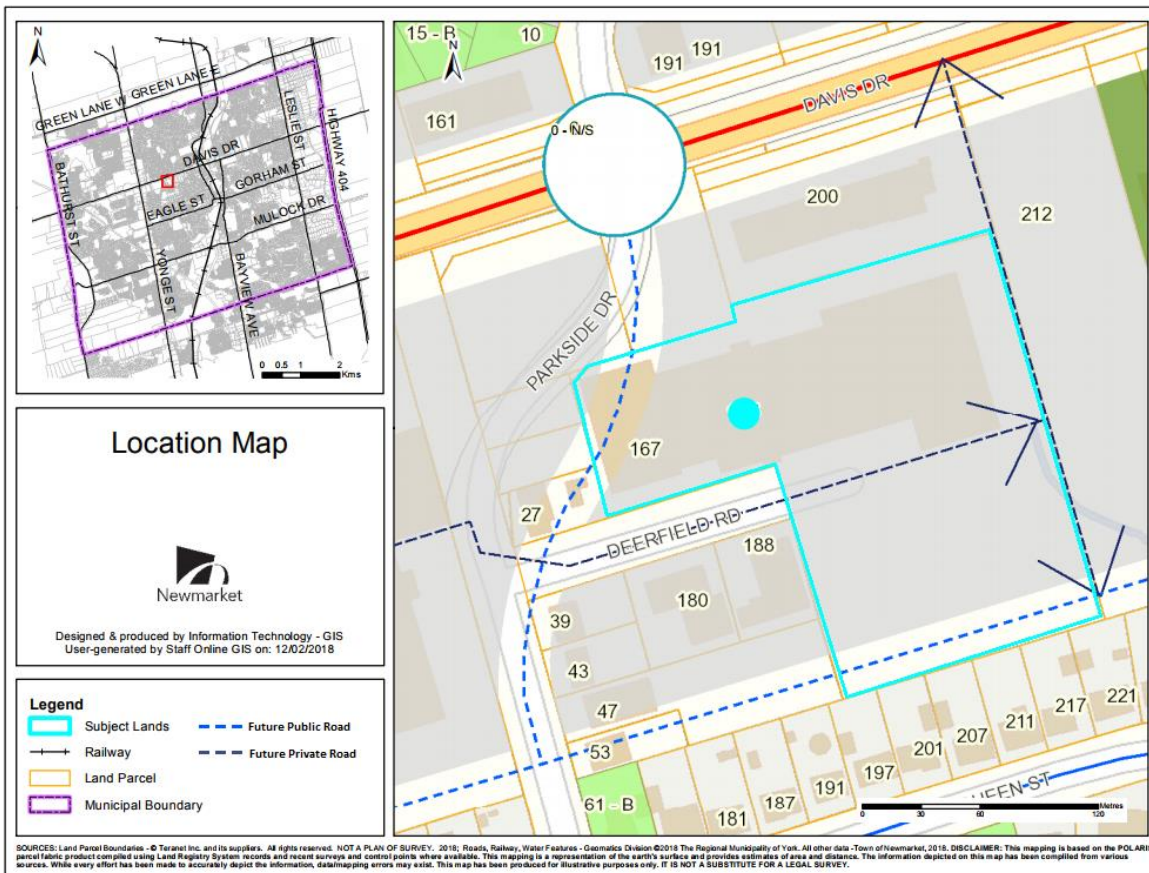


Figure 3: Future Street Network

A discussion of the design of this planned road network and how it aligns with applicable policies is presented in the discussion section later in this report and the individual proposed segments of the network are illustrated in Figure 6 within that section.

Tenure

The applicant has indicated in their Planning Justification report that the intended tenure for Building 1 (the northeast building) is rental, Building 2 (the northwest building) is condominium, and Building 3 (the south building) has not yet been determined. As Council will be aware, while an application may indicate a proposed tenure the Town has limited ability to control the tenure of a development.

The applicant has noted that rental housing is a community benefit that assists in the diversification of the housing stock, and that they are willing to guarantee that all units built as market rental units remain as such for a period of not less than 20 years. This may be eligible as a community benefit in pursuit of height and density bonusing, which may be secured through a Section 37 Agreement under the Planning Act.

Affordable Housing

The applicant has indicated in their Planning Justification report that they intend to meet the affordable housing targets of the UCSP if the Town and Region provide certain incentives. These incentives and the role of government incentives in providing affordable housing are presented in some detail in the discussion section below, and will be discussed in greater detail in a report to Committee of the Whole in September.

Discussion

The Planning Act requires that a decision of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the policy statements issued under subsection (1) of the Act, and shall conform with provincial plans in effect on that date, or shall not conflict with them. The policy statement is the Provincial Policy Statement 2014 (the “PPS”). The provincial plans comprise the Growth Plan for the Greater Golden Horseshoe 2017 (the “Growth Plan”), the Oak Ridges Moraine Conservation Plan 2017 (the “Oak Ridges Plan”), the Greenbelt Plan 2017 (the “Greenbelt Plan”), and the Niagara Escarpment Plan 2017.

Applicable policies and how they are addressed by this application are discussed below. In certain sections comments are provided regarding how the application will be processed through the development review process to ensure conformity with these policies.

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. It also supports the provincial goal to enhance the quality of life for the citizens of Ontario.

Planning decisions shall be consistent with the Provincial Policy Statement. 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.

The Provincial Policy Statement is intended to be read in its entirety and the relevant policies are to be applied to each situation.

The first section of the PPS (Policy 1.0) relates to building strong communities. The preamble to this policy provides “Ontario’s long-term prosperity, environmental and social well-being depend on wisely managing change and promoting efficient land use and development patterns”.

The policies set out how healthy, liveable and safe communities are to be sustained. This includes promoting efficient development and land use patterns which sustain financial well-being of the Province and municipalities over the long term and accommodating an appropriate range and mix of residential, employment, recreation, park and open space and other uses to meet long term goals.

The PPS supports and promotes intensification in designated growth areas taking advantage of existing and planned infrastructure. The proposed development is consistent with the PPS by providing a mix of housing types within the settlement area of the Town of Newmarket that has been identified in the Official Plan/UCSP for intensification and redevelopment. The proposal provides for a compact form allowing for the efficient use of land and infrastructure.

Growth Plan

The Growth Plan directs growth to built-up areas designated within municipal official plans. The Urban Centres Secondary Plan (UCSP) will allow the Town to meet its intensification requirements under the Growth Plan. The UCSP directs the majority of the Town’s future growth to the Yonge Street and Davis Drive corridors, where this development application is located.

The Growth Plan contains policies directing that municipalities 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 in accordance with the PPS; and achieve an appropriate transition of built form to adjacent uses.

This development aligns with the objectives of the Growth Plan and provincial policy by:

- being located in an intensification area;
- being located along the Davis Drive corridor within a major transit station area;
- contribute to a mix of built forms and public open spaces;
- seeking to meet affordable housing targets;

- providing a range of size and types of dwelling units;
- supporting transportation demand management through limited parking; and
- redeveloping a former industrial site.

The Growth Plan requires that Urban Growth Centres be planned to achieve a minimum gross density target of 160 residents and jobs for major transit station areas on priority transit corridors served by Bus Rapid Transit (BRT) such as the Viva BRT on Davis Drive. The proposal provides approximately 589 people per hectare, which will exceed the Town's density target. While the figure of 589 may seem large compared to the minimum target of 160, it is important to note that the target of 160 is across all major transit station areas on priority transit corridors served by BRT, and other sites within this area will not achieve this density and so it is necessary to permit a range of densities to achieve the overall objective.

The Growth Plan contains policies directing that municipalities create complete communities, reduce the dependence on private automobiles through mixed-use, transit-supportive development. This proposal would improve the diversity of housing stock in Newmarket, provide additional dwelling units close to transit and retail options, and provide a parking supply that supports reduced dependence on private automobile use.

The Growth Plan also directs the implementation of minimum affordable housing targets. This proposal would meet the minimum affordable housing targets of the UCSP, subject to certain financial incentives that are discussed briefly in this report and will be the subject of greater discussion in a report to Committee of the Whole in September.

Decisions with respect to planning matters are required to conform to the provisions of the Growth Plan.

York Region Official Plan

Decisions with respect to planning matters are required to conform to the York Region Official Plan (YROP). The YROP designates this site as part of the "Urban Area". Davis Drive is one of the Regional Corridors, which are planned to serve as the primary locations for the most intensive and greatest mix of development. The policy requirements of the YROP have been integrated into the Urban Centres Secondary Plan (UCSP).

Town of Newmarket Official Plan

The subject lands are located in the UCSP area, as is discussed in the Background Context section above.

Use

The subject lands are designated "Mixed Use". The mixed-use area permits a range of uses including commercial, office, residential, employment, recreational and institutional

uses. Apartment buildings are permitted in the Mixed Use designation. While the UCSP does not specifically require each site to provide for a mix of uses, and the site is not within a priority commercial area where commercial uses would be mandatory across the street frontage, UCSP policies address an intent to promote a fine-grained mix of uses to bring activity to the street and provide for resident's daily needs.

These policies include setting an overall target for retail/commercial space per person at the build-out of the area, and setting approximate gross floor area (GFA) proportion targets for each character area by residential and employment uses. For example, the Davis Drive character area in which the subject lands are located is planned to be approximately 70% residential and 30% commercial in the total GFA, for a final build-out of approximately 4,200 residents at 2,000 jobs. The proposed development would add approximately 942 new residents, and is not proposed to add any commercial space.

Staff have noted in feedback to the applicant that the development would be improved through the inclusion of some amount of commercial GFA, as this assists in placing the daily needs of residents within walking distance and maintaining street-level activity throughout different hours of the day. This question of the degree of land-use mix is an important element of reviewing each development in order to create a complete community. A fine grain of land use mixes that include commercial areas in close proximity to or on the same site as residential uses meets the objectives of the UCSP of achieving walkability and livability.

Having daily needs and walkable destinations in close proximity to where residents live increases the proportion of daily trips being made on foot and provides jobs close to where residents live. Conversely, limited land-use mix limits economic development and access to goods and services and increases the costs – be they increased time, transportation costs, or reduced exercise – for residents to access services. The inclusion of additional commercial space also helps to support the economic development of the Town as an increased supply of commercial GFA can help to balance the commercial leasing market and provide space for a range of sizes and types of businesses.

The base of apartments are well-suited locations for commercial uses such as grocery stores, and small-scale retail, and service uses such as clinics, gyms, and daycares. Such uses assist residents to achieve their daily needs close to home while supporting vibrant neighbourhoods through all-day street-level activity. An additional method to integrate a mix of uses into the area beyond the commercial uses that are typically seen in the base of high-density residential buildings in other municipalities may also be to permit and encourage the use of ground-floor residential units for a mix of small-scale commercial uses such as offices and service-related uses, sometimes referred to as 'live-work units'.

The applicant has refused to include commercial areas within the building, arguing that ground-floor retail space in apartment podiums has proven difficult to lease and the location of the site on Deerfield Road rather than Davis Drive would lead to a lack of

visibility and thus viability for retailers. They also note that service commercial uses such as a daycare or dry cleaning is unlikely to match the expected clientele of the building which is expected to be seniors and 'move-down renters'. Further, the applicant has noted that the Townhouse units surrounding the podiums may serve as 'live-work units' that allow the residents to both inhabit the unit and use it as a small-scale commercial unit. Such units are common in dense urban areas and function well for uses such as a small office, hairdresser, or other service commercial uses.

Staff continue to emphasize the need for a fine-grained mix of uses including commercial floor units of a range of sizes but on balance recognize that this may not be achieved on all sites.

Tenure

The applicant has indicated in their Planning Justification report that the intended tenure for Building 1 is rental, Building 2 is condominium, and Building 3 has not yet been determined. It is a positive element of this application that it proposes rental units, as this will assist the Town in achieving its policy objectives of providing for a range and mix of unit types and tenures. This section will present an overview of the Town's housing stock in order to provide context of why the tenure of the development is an important consideration.

The UCSP states that the Town will promote new rental development and encourage the retention of existing rental stock. This recognizes that a complete community and a healthy housing market provide a range of housing options, which is important for residents at all stages of life to be able to find housing that suits their needs. Rental housing is a critical element of a balanced housing market.

Beginning in 2014, York Region and its local municipalities began work to address the deficiency of rental units. Grouped under the name "Make Rental Happen" and led by the Human Services Planning Board, the campaign worked to develop tools for incentivizing rental construction and to create awareness among property developers that Newmarket and York Region were supportive of new rental development.



The Town worked with the proponent of 212 Davis Drive to offer a suite of incentives to the project, which resulted in the construction of 225 new rental units, the first purpose-built market rental apartment in York Region in at least 20 years. This project's success has led the applicant to propose similar and expanded partnerships to deliver the proposed development, which would include a mix of rental, condominium, and affordable units.

Ownership tenure housing in Newmarket continues to be the dominant form over rental housing. This is true in the existing housing stock, proposed developments, and

developments under construction. Newmarket continues to experience very low rental vacancy rates, which poses challenges for residents to find housing that suits the needs of their families.



Rental vacancy rates in the past two decades have hovered between 0.7% in 2001 to 1.6% in 2012 and 1.3% in 2017, far short of the 3% vacancy rate that is generally accepted as a marker of a healthy rental market.¹

The stock and growth of ownership housing units has continued to outpace rental by a significant margin. While there have been high-profile developments that have either entertained the prospect of rental tenure, or proposed rental tenure, the underlying trends continue to show that ownership is the dominant tenure in Newmarket. Without a significant change, rental vacancy rates will continue to be low and Newmarket residents will find it challenging to find rental housing.

The data clearly shows that (1) the majority of homes in Newmarket are owned, (2) the majority of homes being built in Newmarket will be owned, and (3) the majority of homes proposed in Newmarket will be owned. Figure 4 below illustrates developments by the number of dwelling units based on the status of their development applications as follows:

- Approved – Zoning By-law amendment approved
- Proposed – Zoning By-law amendment under review
- Under Technical Review - Zoning By-law amendment approved, site plan/subdivision application under review

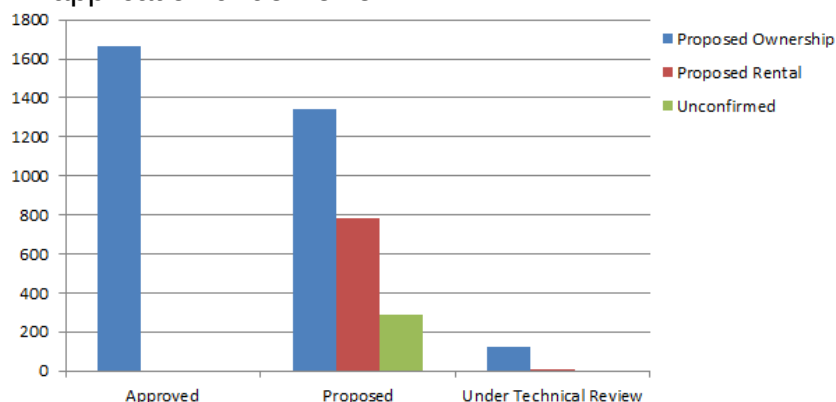


Figure 4: Residential Development Applications in Progress, by Tenure

This matches broader trends across Ontario, in which the growth of condominium apartments has far outstripped rental apartments.

¹ CMHC, Rental Market Reports

Newmarket has some 5,875 renter households, compared to 22,795 ownership households. Much of Newmarket's rental stock is provided by small-scale private rentals. These include renting an entire home, an accessory dwelling unit (ADU), a unit within a low-rise development such as a duplex or triplex, or a room within a home. The Town's registry of ADUs includes 1,340 units.

Higher-density residential developments provide a relatively small number of units. Located principally on Lorne Avenue, Huron Heights, and Crossland Gate, Newmarket's larger purpose-built rental buildings provide approximately 500 dwelling units.

Conversely, Newmarket has more high-density condominiums than it does high-density rental units. Of a similar age to rental buildings, condominiums in Newmarket are concentrated on Davis Drive and William Roe Boulevard. There are approximately 600 condominium units in these developments.

While ADUs and small-scale private rentals provide an important supply of rental housing, this housing stock is inherently less stable than purpose-built rentals.² Tenancy legislation in Ontario permits landlords to require a tenant to vacate a unit for the landlord's own use, which is more common in private rentals such as ADUs or home rentals. York Region does not include condominium units that are rented towards any affordable housing targets, as these units can be removed from the rental market at any time. Purpose-built rental buildings tend to offer greater security of tenure and stability for tenants.

Affordable Housing

This section will present an overview of housing affordability in Newmarket and how this application addresses housing affordability policies.

The UCSP indicates that a minimum of 25% of new housing units outside of the Yonge & Davis Provincial Urban Growth Centre shall be affordable to low and moderate income households. While this 25% is not intended to be achieved on each individual application, but rather within the UCSP area as a whole, Committee should consider how these targets will be achieved if development applications proceed without

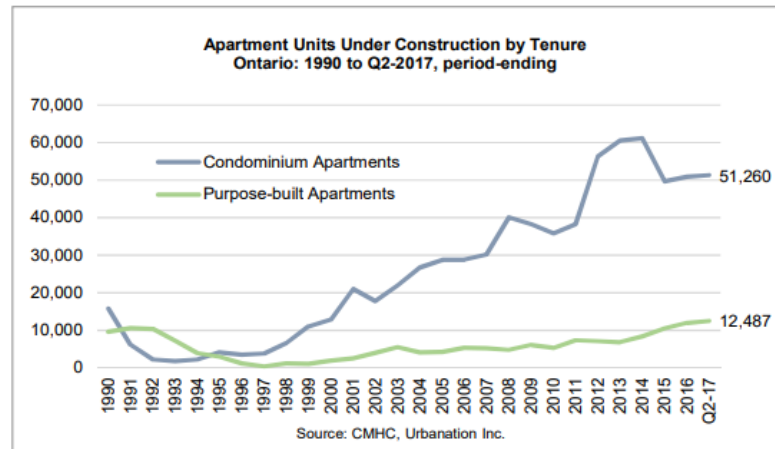


Figure 5: Apartment construction rates 1990-2017

² Ryerson City Building Institute: Getting to 8,000

supplying any affordable units. Any development that is approved without any affordable units renders the challenge of meeting this target greater.

Units are deemed to be affordable if they are rented or sold at a price that meets the Region's annual thresholds. Regional Council recently endorsed changes to the threshold that would redefine affordability from 125% of the Average Market Rent (AMR), to 125% of the AMR by unit type based on the number of bedrooms.

The current thresholds are indicated in the right hand column below.

	Average Market Rent	125% of AMR
Bachelor	\$892	\$1115
1 Bedroom	\$1170	\$1463
2 Bedroom	\$1346	\$1683
3+ Bedroom	\$1526	\$1908

To date, the Town has had limited success in achieving affordable housing units. Data from 2016 indicates across the Region that 28% of homeowners and 52% of renters spend more than 30% of their household income on housing costs, an amount that is recognized as unaffordable. The financial incentives that are sought by the applicant as a condition of providing affordable housing units are discussed briefly in this report and will be the subject of greater discussion in a report to Committee of the Whole in September.

Urban design

The UCSP has a number of urban design objectives to ensure a high quality of design that is sensitive to the surrounding land uses and create the distinct, livable and vibrant urban place that Newmarket is seeking to achieve.

The proposed built form of the building generally conforms to the urban design policies of the UCSP. Each building provides a podium with setbacks to a tower that rises above it, a transition in scale from adjacent stable residential areas to the south toward Davis Drive, and articulated facades with a range of complementary material types. The angular plane analysis submitted with the application demonstrates that the proposed development will meet the angular plane urban design policies of the UCSP.

Staff have noted to the applicant that further detail regarding the material selection for the elevation plans will be required, along with sustainability requirements and bird-friendly design elements at the site plan application stage. Staff have further noted that minor revisions may be required at the site plan application stage if Council should deem to approve the application, including:

- Implementation of features from Urban Design and Landscape Plan such as street furniture, seating, and the design of amenity areas

- Confirming the design meets requirements of the Integrated Accessibility Standards Regulation of the Accessibility for Ontarians with Disabilities Act

Shadow and Wind Impact

The submitted shadow study indicates that the proposed development has been oriented to minimize shadow and wind impacts. The UCSP prioritizes ensuring that sunlight penetration continues to reach streets, parks, squares and plazas, surrounding neighbourhoods, and shadow-sensitive areas such as schoolyards and amenity areas for seniors. The UCSP does not require that no shadow impact occur on adjacent properties, only that increased shadow impact on certain sensitive land uses and public spaces be minimized. The submitted shadow study indicates that these policies would be met.

The UCSP further directs that new development should minimize wind impact on adjacent properties and public spaces. The wind report submitted with the application indicates that downwashing winds can be expected in immediate proximity to the buildings, but that the impact is generally acceptable. The report notes several pedestrian-level areas such as sidewalks within the subject lands and proposed private amenity areas that may experience uncomfortable levels of wind in the winter. The report continues by recommending wind control measures such as coniferous landscaping, semi-porous wind screens, and minor adjustments to entryways, and appropriate screening for rooftop terraces and amenity areas. These features will be reviewed for implementation through the site plan approval process, if Council should deem to approve this application.

Sustainability

The UCSP requires the incorporation of certain sustainability measures. Section 7.3.7 (i) of the Plan provides that all development be encouraged to strive for a LEED Gold or higher rating or equivalent standard. The provided Sustainable Development Report provides a list of features that the applicant has indicated they will endeavour to provide. These include high-efficiency heating and cooling systems such as heat pumps, window design that will reduce energy consumption, and various Transportation Demand Management (TDM) elements.

If Council should deem to approve this application certain of these elements may be secured at the site plan approval stage, with holding provisions, and through agreements as appropriate. These include physical common-area TDM elements, exterior window design, bicycle parking, a three-stream waste system, and external design features.

In summary of the aspects of the application related to sustainability, the application meets many of the requirements of the UCSP although the sustainability features may need to be secured through appropriate agreements.

Communication Technology

The UCSP requires that all multi-unit residential buildings will be designed to facilitate advanced telecommunication. The submission indicates that the applicant will ensure that conduits will be provided from the right-of-way to each building and unit such that the buildings are prepared for “fibre to suite” requirements of telecommunication provides. The applicant has indicated they will enter into agreement(s) with a telecommunications company to install such fibre optic infrastructure throughout the buildings. The application appears to meet the policies of the UCSP related to communication technology.

Transportation

The subject of transportation as it relates to this application can be considered as being made up of five elements: (1) the planned road network, (2) minor variances that may be required, (3) required easements, (4) existing public roads to become private roads, and (5) parking.

The integration of land use and transportation planning is a critical element of the UCSP and of good planning in general. The transportation policies of the UCSP encourage a shift away from single occupant vehicles in favor of more active, efficient, and sustainable transportation modes. The UCSP policies prioritize the use of public transit and active transportation, and direct the establishment of a new road network throughout the UCSP area to provide accessibility and permeability.

Figure 6 generally illustrates the **planned road network**. The applicant proposes to meet the street network policies of the UCSP. The conveyance of lands at the south of the subject lands for the future extension of Calgain Road is in line with the Town’s expectations (indicated as 1 on Figure 6). Note that only the portion of the future Calgain extension within the subject lands is to be conveyed and existing private property exists to the west that has not been acquired by the Town.

Deerfield is planned to be extended to the east as a road that is privately-owned but publicly-accessible (indicated as 2 on Figure 6). A north-south private road between the Calgain extension and the Deerfield extension is planned between the subject lands and 212 Davis Drive to the east (indicated as 3 on Figure 6). These streets are also planned to connect to Davis Drive through easements over 212 Davis Drive and 230 Davis Drive (indicated as 4 on Figure 6). These have not yet been secured, although staff have indicated to the applicant that they are necessary in order to fulfill the UCSP policies.

This report recommends **authorizing applications for minor variance** for the subject land in order to achieve the future road network policies of the UCSP. The Province made changes to the Planning Act through Bill 73 that received Proclamation on July 1, 2016. This new change provides that once a Zoning By-law amendment is approved by Council, no site-specific zoning by-law amendments (Section 34) or minor variance applications (Section 45) can be submitted to the Town for a period of two (2) years, unless Council passes a resolution permitting such an application.

Staff have identified one matter that was not addressed in the initial application that may require an application for a minor variance, and given the complexity of the application it is probable that others may arise. In particular, staff have identified that a minor variance application may be required for the lands currently occupied by Deerfield Road. These lands were not part of the initial application made by the proponent, but rather were included within the application through the review process as staff recommended in order to comply with Schedule 5 of the UCSP.

As the lands occupied by the road were not part of the initial application, no public notice was provided for them and the Town is unable to amend the zoning by-law to allow for the encroaching structures including the parking garage that is proposed to extend under the future private road. As Section 8.3.4 of the UCSP provides that parking structures will be permitted below private streets, and Schedule 5 directs that the street become private, staff recommend authorizing minor variances to address the required built form permissions to allow the proposed changes to the Deerfield Road parcel, and to address any other minor relief that is required as identified during the site plan application process.

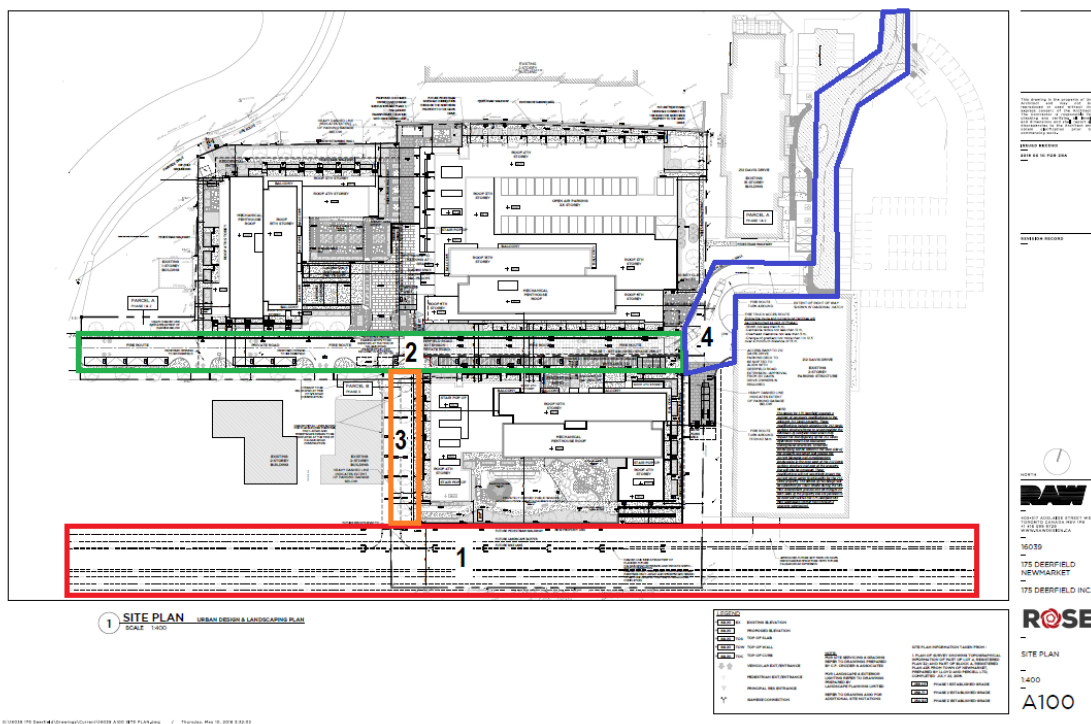


Figure 6: Future Road Network Segments

The layout of the proposed road network has altered from the original submission based on review by staff. The initially-proposed north-south road that would connect the Calgain extension to Deerfield was initially proposed to straddle the property line between 212 Davis Drive and 175 Deerfield Road. Grading and civil engineering review indicated this would lead to significant impact on the abutting single detached residential properties to the south on Queen Street due to the required retaining walls. To minimize

this impact the road has been shifted west to straddle the property line on the west side of Building 3.

The applicant has not to date secured the **required easements** over 212 Davis Drive and 230 Davis Drive to provide the required connection from the site to the east and north to Davis Drive (indicated as 4 on Figure 6). The applicant has engaged in conversations with the church who occupies 230 Davis Drive but no agreement has been reached. The church has indicated they may be comfortable with providing an easement provided that traffic access only be permitted once the Calgain Road extension is completed in order to provide a more balanced road network. In order to move forward with the application, the Town can, as a condition of zoning approval, require:

- The registration of agreements on title to each of the three properties
- The construction of the connection between 175 Deerfield Road and 212 Davis Drive
- Limit movements at the property line between 175 Deerfield Road and 212 Davis Drive to westbound-only traffic
- That eastbound traffic between 175 Deerfield Road and 212 Davis Drive be permitted once the Calgain Road extension and the north-south connection between Deerfield Road and Calgain Road are constructed

This approach would ensure that the Secondary Plan road network policies are achieved, while minimizing impact on the church property until such time as the Town undertakes its own construction and the road network begins to take shape. The effect of this would be that traffic from 212 Davis Drive would be able to exit westbound over 175 Deerfield Road, but that traffic from 175 Deerfield Road would not be permitted to move eastbound to Davis Drive over the 212 and 230 Davis Drive lands until Buildings 1 and 2 and the Calgain Road extension are completed.

As is discussed in the Road Network section above and illustrated in Figure 4, the UCSP plans for certain new public roads such as the Calgain extension and new private roads such as Deerfield Road. Where new private roads are to be located the Town will secure an easement over the lands to ensure that the right of all members of the public to use the road in the same manner as a public road is maintained and that appropriate controls for maintenance, operations, and liability are put in place.

The UCSP also directs that certain **existing public roads become private roads**, such as is the case with the existing Deerfield Road. In order to fulfill this UCSP policy while ensuring the ability of other residents and adjacent property owners to use the road, this necessitates that staff effect the easements in favor of the Town over the road to ensure future public access, and approve the design of the road through the site plan approval process. This process is recommended to be initiated through the adoption of the recommendations of this report.

In short, the Town would treat the newly-private road the same as the future private extension through securing an easement over the property in favor of the Town so that all members of the public have the same access over the road. The Town would also ensure access during construction through the construction management plan, not unlike the process to ensure ongoing access during a reconstruction of a road managed by the Town. No change to the rights of the property owners abutting the newly-private road would take place vis-à-vis their ability to redevelop their properties, as the zoning by-law permits redevelopment on such lots, as will continue to be permitted in the Urban Centres Secondary Plan Zoning By-law. In the case of future development of these properties where construction impacts to the private road are required, the Town will secure in site plan agreements the ability for these properties to do so subject to restoration of the road to its original state.

While securing public access over private roads is a first for the Town, it will become more common in future developments due to the number of private roads that are planned in the UCSP area. Beyond fulfilling UCSP policy, transferring Deerfield Road to private ownership and securing public access over future private extensions of the road have several benefits. First, it allows the Town to provide a more permeable street network without taking on the burden of owning and maintaining these roads. Second, it allows for a consistent and efficient street design - the provided plans with the initial application included a large cul-de-sac where the current Deerfield Road would terminate and meet the future private extension. If the Town were to maintain ownership of Deerfield Road this design would be necessary for operations and maintenance such as snow clearing, while if this were transferred a more consistent design without the cul-de-sac may be possible, as is encouraged by the UCSP. Third, transferring the road to private ownership may allow for a more efficient design including using lands under Deerfield Road for underground parking. Finally, securing public access over a privately-owned road that can be designed in a manner that best suits the local site may allow for a more innovative and attractive urban design than a standard asphalt-and-curb road. These designs will be reviewed through the site plan approval process.

Council has directed through the UCSP that Deerfield Road become a private road. The Sale of Land policy exempts this transfer of land from the need for Council approval as it is undertaken through the site plan approval process and it is a case where land is exchanged for land of equal or greater value. As the Town will receive the Calgain Road right-of-way lands and dispose of the Deerfield Road right-of-way lands to the abutting owner (the applicant), these requirements are satisfied.

In terms of **parking**, the application proposes to provide a number of parking spaces that are within the parking requirements for the UCSP area. The number of parking spaces has been increased from the original application based on feedback from members of the public and Council, and now exceeds the rate of parking provided at 212 Davis Drive by approximately 15 to 20%. The proposal includes the following amounts of vehicular parking:

Building	Number of units	Minimum requirement	Maximum requirement	Number of spaces provided
1	186	204	241	224
2	172	182	216	208
3	129	144	169	164

Bicycle parking has been provided on-site, and the applicant has proposed secure bicycle parking for Buildings 2 and 3. Staff believe it is important that secure bicycle parking is available for all buildings and will continue to work with the applicant to enhance bicycle parking opportunities such as providing a secure bicycle parking structure over the exterior bicycle parking for Building 1. The proposal includes the following amounts of bicycle parking:

- Building 1 – 50 spaces (entirely external)
- Building 2 – 54 spaces (40 internal, 14 external)
- Building 3 – 36 parking spaces (30 internal, 6 external)

The applicant has also noted that while no car share service is currently operating in Newmarket that they would be happy to offer spots for such services in the future if one begins operations in Newmarket. This may be secured through the site plan agreement.

In summary of the aspects of the application related to transportation, the application meets many of the requirements of the UCSP although the roads, easements, and TDM features may need to be secured through appropriate agreements.

Parkland and Open Space

There are two interrelated elements of open space that should be considered by Council. These are (1) parkland dedication and (2) amenity space.

Parkland Dedication in accordance with Parkland Dedication By-law 2017-56 is required. The By-law requires certain minimum amounts of dedication of land and provides for a calculation of cash in lieu of remaining requirements. While the By-law generally allows for either land or cash to be provided, in the case of large sites of residential development in the UCSP area it requires a minimum amount of physical land to be provided, being:

- Land in the amount of not less than 7.5% of developable site area; and/or
- An urban square or plaza with a minimum street frontage of 7.5 metres and a minimum area of 75 square metres; and/or
- A pedestrian mews of a minimum width of 6m.

The by-law then allows the remainder of the amount to be made up through off-site land dedication, cash-in-lieu, or a combination of both. The parkland dedication proposal included with the application does not appear to meet the requirements of the by-law. This may be addressed in one of three ways:

- The applicant paying cash-in-lieu of parkland at the rate required by the by-law
- The applicant purchasing additional nearby land and conveying it to the Town
- A combination of the above two options

In particular, staff have encouraged the applicant to explore purchasing adjacent land on the west edge of the property that belongs to York Region and is a remnant of the realignment of Parkside Drive. An additional property at the northeast corner of Deerfield Road and Parkside Drive is in private individual ownership and the applicant has noted that they have begun discussions to acquire both properties. It appears that some combination of these lands would satisfy the requirements of the By-law. Adequate lands and cash-in-lieu of lands to satisfy the requirements of the Parkland Dedication By-law will be obtained as part of the site plan approval process.

As is discussed in the Proposal – Open Space section above, the application includes two public open space areas. The first is a proposed Privately Owned Public Space (POPS) in the north of the subject lands between Buildings 1 and 2, and the second a strata park located on top of underground parking on the south edge of Phase 3. These are indicated in Figure 3. If the Town consents to accept these areas, the POPS would continue to be owned by the applicant but be publicly accessible as an urban square and the strata park would be conveyed to the Town through a plan of condominium in which the Town would own the park and the applicant would own the land underneath. Each of these would provide a partial credit for the parkland dedication requirements for the development, reducing the overall cash-in-lieu obligations.

Staff are of the opinion that the northerly POPS not be accepted, but that the southerly open space area may be acceptable as a POPS rather than a strata park. The northerly POPS is not desirable as a public open space, as Town's Parkland Policy Development Manual states that urban squares and plazas such as this should be located along main pedestrian routes with high visual exposure and street frontage.

The applicant has revised the plans based on feedback provided by staff, the public, review partners, and Council. The applicant argues that the POPS would be desirable as a pedestrian mews as it meets the definition of one under the Parkland Dedication By-law. Staff note that the proposed mews offers no additional pedestrian connection as an equally convenient path exists via Parkside Drive and Deerfield, and that the proposed mews terminates in a vehicular access area. The decision to accept land as parkland, or as a POPS in partial fulfillment of parkland dedication requirements, rests with the Town. Staff continue to believe that it is more appropriate to receive land or cash-in-lieu of land rather than this POPS pedestrian mews.

Staff further recommend that the southerly area be accepted as a POPS rather than a strata park. While this would reduce the amount of credit that the area would provide toward the parkland dedication requirements of the applicant, providing the space as a POPS rather than a strata park would maintain the ownership as part of the overall proposed development, eliminating the need for long-term Town maintenance. In addition, a strata park over an underground parking area poses additional legal and maintenance uncertainties that the Town has not yet experienced nor prepared for. Staff continue to work with peers in more densely urbanized municipalities to prepare for accepting and maintaining strata parks as this will provide greater flexibility of design in the future, but believe a POPS is the most appropriate form of parkland in this case. While strata parks may be appropriate and useful forms of parks in the UCSP area, in this case a POPS may accomplish the same function with less complexity.

The proposal also includes **amenity space** for the residents of the proposed development. Amenity space is area that is communal to one or more of the buildings, inaccessible to the general public, and provides space for activities, relaxation, and movement outside of a dwelling unit. Where this might take place on a deck or backyard in ground-related residential development, higher-density residential developments must provide this in more creative ways. In many urban municipalities there are standards in the zoning by-law to set how much amenity space is required for each dwelling unit and the format (e.g. balcony, rooftop space, at-grade space) it must take.

Newmarket has no such standard to date, although one may be implemented by the Urban Centres Secondary Plan Zoning By-law. The amount of amenity space proposed in this development is argued by the applicant to be in excess of requirements of comparable municipalities, and has increased this area in the revised submission. This development proposes rooftop amenity space for Buildings 1 and 2, at-grade private amenity space for Building 2, along with rooftop patios for the upper-level townhouse units on Buildings 1 and 3. In addition there is interior amenity space adjacent to the rooftop spaces in Buildings 1 and 2, and adjacent to the southerly POPS in Building 3.

Servicing

The proposed development will require servicing allocation in the amounts of:

- Building 1 – 186 units – 362 people
- Building 2 – 172 units – 335 people
- Building 3 – 129 units – 251 people

As Council directed as part of the most recent review of the Servicing Allocation Policy, 300 units of servicing allocation capacity has been set aside for the first condominium development in the urban centres. The applicant has indicated that they wish to access this allocation and construct Buildings 1 and 2 simultaneously with one as a rental and one as a condominium. In addition to meeting Council's aim of achieving a new condominium development, this would reduce construction costs by consolidating the

work period and reduce the construction disruption timeline by reducing the phasing of the development from three phases to two.

This report recommends a holding provision be employed to require that servicing allocation be granted before any development occurs. It is anticipated that servicing allocation would be granted for Building 1 from the Urban Centres Reserve as part of a standard annual allocation report, and for Building 2 from the Strategic Condominium Reserve. Per Section 5 of the Servicing Allocation Policy, any allocation is deemed to be rescinded one year after the date of allocation if no development has taken place. Staff will work with the applicant to proceed with the Site Plan Approval application and rescind allocation as necessary if development does not occur in a timely manner.

In addition, the applicant has noted that they are in discussions with York Region to be the first building to participate in the “Sustainable Development through LEED” program through which constructing the building to LEED Silver standards would provide the Town with a refund of 30% of the servicing allocation required for the building.

Height and Density Bonusing

The application as proposed would require height and density bonusing under Section 37 of the Planning Act. The UCSP has a maximum Floor Space Index (FSI) of 2.5 for Parcel A and 2.0 for Parcel B as shown on Figure 2. The application is seeking an increase of 0.5 FSI for each parcel, to 3.0 and 2.5 FSI, respectively, which comprises an increase of three stories on Parcel A and two storeys on Parcel B.

Section 37 of the Planning Act authorizes municipalities to permit increases in height and density in exchange for certain community benefits or cash-in-lieu of the same. The benefits that are eligible for such bonusing are set out in Section 14.2.9 of the UCSP. In order to permit such an increase in height and/or density, the UCSP states that the applicant shall demonstrate that the development:

- a) represents good planning;
- b) is consistent with the objectives of this Plan;
- c) meets the applicable urban design and built form policies of this Plan;
- d) represents appropriate development in the context of the surrounding character;
- e) can be accommodated by existing or improved infrastructure; and
- f) will not adversely impact the transportation network or, where cumulative impacts are identified, such impacts are accommodated through road and transit improvements which are to be provided prior to the time of development.

The applicant has provided a rationale in their Planning Justification Report (PJR) that explains how the application meets these requirements. As particular community benefits to justify the increase in height and density the applicant has proposed that one of the three buildings will be guaranteed to be rental in tenure for a period of not less than 20 years. The applicant has also proposed that 25% of the proposed dwelling units will meet the affordability threshold, subject to the incentives that are discussed briefly in

this report and will be the subject of greater discussion in a report to Committee of the Whole in September.

It should be noted that height and density bonusing is generally regarded as a means for municipalities to extract benefits that capture the lift in land values that occur when increased height and density is permitted. However, in the case where a municipality is seeking a benefit that exceeds the value of the additional height and density offered, such as may be the case with securing affordable housing units, it may be that height and density bonusing is only one of several necessary incentives. In some cases, as is advanced by the applicant in this proposal, a combination of height and density bonusing, and other incentives, may be required to achieve both the community benefit sought by the municipality and to ensure that a desirable development project is viable.

A Section 37 agreement may be the appropriate tool to secure a range of matters for the development such as the conveyances of roads and easements, the provision of sustainable development features, the supply of any affordable housing units, securing tenure of units, and other matters for legal convenience.

If Committee adopts the recommendations of this report and approves this application, a subsequent report will be presented to the September meeting of Committee of the Whole. Such subsequent reports will discuss the incentives sought by the applicant, in exchange for which community benefits will be secured. This phased approach is necessary in order that the benefits to be secured can be enumerated in the amending Zoning By-law, as is required by Section 37 of the Planning Act. If Committee approves the requested incentives, the benefits will be included in the amending Zoning By-law presented to Council on September 24th.

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 provision is removed. The amending zoning by-law will include holding provisions that are typical for zoning by-law amendments for residential developments such as the requirement to enter into a site plan agreement, file a Record of Site Condition (RSC) and to obtain servicing allocation. The amending zoning by-law will also include holding provisions that are required to secure matters required by the Urban Centres Secondary Plan such as the new road network.

As obtaining an RSC will require demolition of the structure and other site works, it is staff’s intent to exclude remediation and below-grade work from the holding provisions in order to facilitate efficient remediation and development.

Comments

Staff circulate zoning by-law amendment applications to the public and the Town's review partners. Many of the comments provided are outlined in the Discussion section above. Additional comments are presented below for greater context.

York Region

Staff from the Regional Municipality of York have provided comments on the application. They note that they have no objections to the zoning by-law amendment, and that they have preliminary comments regarding a future site plan application. These comments generally address:

- Requirements of Section 59 of the Clean Water Act
- Servicing allocation from the Town, and the eligibility of the application for the Region's 'Sustainable Development Through LEED Incentive Program', which offers additional servicing allocation capacity to the Town for developments that meet the program's requirements
- The proposed street network is consistent with the Regional Official Plan
- A Transportation Demand Management Study/Plan will be required as part of the site plan application to support efforts to reduce single-occupant vehicle use

Comments from York Region will be addressed through the appropriate planning tools.

Engineering Services

Staff from Engineering Services have provided comments on the application. They note that they believe that the issues they have raised can be satisfactorily addressed through holding provisions in the amending zoning by-law and during the site plan approval process. The comments from Engineering Services generally address:

- Transportation – The need for reconstruction of Deerfield Road, and the need for connections through 212 Davis Drive and to the future Calgain extension
- Traffic – Deerfield Road is to serve as the sole access to the development in the short term. The supporting traffic studies indicate that the existing road network can adequately accommodate the traffic generated from this development with some localized improvements. In the future, secondary accesses will be provided by way of private road connections to an extended Calgain Road and through private roads/driveways over 212 and 230 Davis Drive.
- Stormwater management – Generally satisfactory, with additional design detail to be reviewed as part of a site plan application
- Servicing – Satisfied that an adequate watermain design can be implemented to provide adequate flow and pressure. Detailed design work remains to be completed for sanitary servicing but staff are satisfied that this can be addressed through a holding provision (H) on the amending zoning by-law.
- Environmental – A Phase Two Environmental Site Assessment should be conducted prior to a Record of Site Condition (RSC) being filed with the Ministry

of the Environment, Conservation, and Parks (MOECP). Staff recognize that demolition of the existing buildings on-site will be necessary to complete the work required to prepare an RSC. Staff are satisfied that this can be addressed through a holding provision (H) on the amending zoning by-law

Town Arborist

The Town's Consulting Arborist, Urban Forest Innovations Inc., has reviewed the application. The Consulting Arborist is generally satisfied with the arborist report submitted by the applicant.

If Council deems to approve the application, staff will ensure compliance with the Tree Preservation, Protection, Replacement, and Enhancement Policy through the future site plan application.

Lake Simcoe Region Conservation Authority

The Lake Simcoe Region Conservation Authority (LSRCA) has reviewed the application in accordance with the Natural Heritage and Natural Hazard policies of the Provincial Policy Statement (PPS), the Greenbelt Plan, the Lake Simcoe Protection Plan (LSPP), and Ontario Regulation 179/06 under the *Conservation Authorities Act*.

The LSRCA is satisfied that, from a watershed management perspective, that the application is consistent with the applicable policies. Consequently, the LSRCA has no objection to the application. They further note that more detailed comments will be provided at the site plan application stage in order to ensure compliance with applicable policies related to stormwater management and hydrogeology.

Other Review Partners

- Building Services has indicated they have no comments at this time.
- Central York Fire Services has reviewed the application and they have provided general comments on the site layout and plan detail to ensure appropriate access for emergency vehicles.
- The York Region District School Board has been advised of the application and they have noted that they have no need of a school site within the proposed development application.
- Canada Post has been advised of the application and they have noted their requirements to ensure orderly mail delivery to the development in the event that Council approves the application.
- The Southlake Regional Health Centre has been advised of the application and they have noted the ongoing need for capital investment and public support to meet the needs of the region's growing population.
- Enbridge Gas has indicated no objection to the application.
- The Heritage Newmarket Advisory Committee expressed concern that "that the development at 175 Deerfield Road represents an excessive intensification of the area, interferes with the streetscape of the neighbourhood and severely limits the privacy of the owners of the properties abutting the development."

- Rogers Communications has been advised of the application and they have noted no comment.

Effect of Public Input

Comments were received from the public at the statutory public meeting, by written correspondence, and in person. The effect of this input, or the way in which the matters raised by the public were otherwise addressed, are discussed below. These comments centered on several themes:

- Provision of affordable housing should be required
- Insufficient bicycle parking
- Insufficient vehicle parking
- Impact on adjacent properties during construction
- Poor current state of Deerfield Road and need for intersection controls
- Impact of future Calgain Road extension
- Need for additional amenity space and facilities for children
- Environmental site conditions
- Shadows and angular plane (overlook) on adjacent properties

Staff concur that **affordable housing** is of critical importance to Newmarket. Rising housing prices and a lack of diverse housing options pose challenges to residents of a range of demographics – seniors looking to downsize or who are on fixed incomes, young professionals looking for rental accommodations or to enter the housing market. The Town has four options related to securing the affordable housing targets set out in the Secondary Plan:

- (1) provide such incentives as would entice developers to voluntarily provide the affordable units,
- (2) refuse to approve an application that does not provide the affordable units,
- (3) approve applications lacking affordable units in the belief that they will be voluntarily provided by other applicants in the future, or
- (4) implement inclusionary zoning to require the affordable units from all developments.

As is discussed earlier in this report, a further report with recommendations related to the requested financial incentives is intended to be presented to Committee of the Whole at its next meeting. It is important to note that the Planning Act requires Council to make a decision on this application on the planning merits of the application – namely, the matters laid out in Section 2 of the Planning Act, the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, and the applicable regional and local official plans. The question of incentives may be considered as a way to secure additional objectives that are beyond what can be legislated through the zoning by-law (i.e. securing rental tenure and affordable housing), but financial

incentives are not grounds on which Council may approve or reject the zoning by-law amendment application.

Staff concur that providing sufficient **bicycle parking** is an important way to facilitate active transportation. Zoning By-law 2010-40 has parking rates that do not require the level of secure, convenient bicycle parking that will encourage residents in apartments to cycle. Based on a review of requirements of other municipalities in urban areas that are seeking to promote active transportation, an increased rate of bicycle parking spaces is common in other jurisdictions, and is also being proposed in the ongoing Zoning By-law Review. Staff have indicated to the applicant that additional supports for active transportation are desirable including additional bicycle parking spaces and weather protection for exterior spaces. These will be required through the amending zoning by-law and design improvements sought through the site plan approval process.

The amount of **vehicular parking** has been increased by the applicant and is within the number of spaces required by Zoning By-law 2010-40, as recently amended. No request for a reduction in required parking has been proposed, and the applicant can provide the proposed amount of parking by right.

The **impact on adjacent properties** and businesses will be addressed through the site plan approval process through the requirement of a Construction Management Plan (CMP). The CMP will be required to address matters such as scheduling, dust, truck movement, erosion during construction, and other matters to the satisfaction of the Director of Engineering Services.

Staff concur that the **state of Deerfield Road** is such that it is in need of reconstruction to support the proposed development. As a condition of site plan approval, the applicant will be required to fully reconstruct and urbanize the road. As is recommended in this report, the applicant is also to accept ownership and long-term maintenance of the road to the Town's satisfaction. Engineering staff have reviewed and concur that intersection controls are not warranted at Deerfield Road and Parkside Drive.

Calgain Road's extension was approved through the adoption of the UCSP. Its detailed design remains to be completed. This application does not propose to construct the extension of Calgain Road, rather it will convey land to the Town that will form a part of the road in the future. Any public consultation on the design and timing of the extension will be the Town's role in the future.

Staff concur that **amenity space** is desirable. As is discussed above, Zoning By-law 2010-40 does not currently have a standard for an amount of amenity space that is required. Based on public feedback the applicant has increased the amount of amenity space. The applicant will also be required to provide parkland dedication, which is a separate but related element of the proposal that is discussed in greater detail earlier in the report. The proposal has also been amended to provide play facilities for children in the proposed southern POPS.

To address any issues related to **environmental site conditions** a Phase One Environmental Site Assessment (ESA) has been provided with the application and reviewed by Engineering Services. A Phase Two ESA and Record of Site Condition will be required before development commences on the property. This may require excavation or remediation, which will be addressed by the proposed holding provisions.

The applicant has provided analyses of the **angular plane and shadow** impacts of the proposed buildings. These have been reviewed by staff and found to meet the requirements of the UCSP.

Conclusion

The application acceptably meets the policies of the Urban Centres Secondary Plan, conforms to or does not conflict with the York Region Official Plan, Growth Plan for the Greater Golden Horseshoe, and Provincial Policy Statement.

The application has been sufficiently improved from the initial submission that staff recommend its approval, subject to certain holding provisions. Further refinement of the application will take place as part of the site plan approval application.

Business Plan and Strategic Plan Linkages

Living Well

- Traffic and growth management strategies

Well Balanced

- Meeting the needs of all life-cycle stages

Well-equipped & managed

- Efficient management of capital assets and municipal services to meet existing and future operational demands
- Varied housing types, affordability and densities

Well planned & connected

- Long-term strategy matched with a short-term action plan
- Improving interconnectivity and interaction amongst neighbours and neighbourhoods

Consultation

The zoning by-law amendment application has been provided to the Town's review partners per standard practice. Notice has been provided to persons and bodies as required by Ontario Regulation 545/06 of the Planning Act.

A statutory public meeting was held in April of 2018. Following this meeting a revised submission was provided to the Town in May of 2018, which was also circulated for

review and provided for comment to members of the public who had provided comments.

Human Resource Considerations

Not applicable.

Budget Impact

The appropriate planning application fees have been received for the zoning bylaw amendment application. The Town will also receive revenue from development charges and property tax assessment revenue with the development of this proposal in the event the applications are approved. Further discussion of budget impact related to incentives will be presented in a report to Committee of the Whole in September.

Attachments

- Location Map
- Proposed Site Plan

Approval

Ted Horton, Planner

Richard Nethery, Director, Planning and Building Services

Peter Noehammer, Commissioner, Development and Infrastructure Services

Contact

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