

**RECOMMENDED FOR ADOPTION**  
**NEWMARKET URBAN CENTRES**  
**SECONDARY PLAN**

**Summary of Comments Received**  
**in**  
**Response to the Revised Draft Secondary Plan**  
**(March 24, 2014)**  
**and**  
**Planning Rationale and Recommended Changes**

Town of Newmarket

June 2014

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Summary of Comments Received in Response to the Revised Draft Secondary Plan (March 24, 2014), Planning Rationale and Recommended Changes<sup>1</sup>

No.	Name	Comment	Planning Rationale	Recommended Change
	Agencies			
1.	Metrolinx	<p>Commends the Town for a plan that focusses intensification around existing and planned regional rapid transit infrastructure, prioritizes active transportation and transit and manages transportation demand.</p> <p>The Revised Draft Plan aligns with The Big Move by responding to the key initiatives of the 15-Year plan, e.g., increase to two way all day rail service and the two mobility hubs.</p> <p>The transportation and mobility policies correspond to the principles of the Metrolinx Mobility Hub Guidelines.</p> <p>Recommend that the definition of transportation Demand Management (TDM) be refined to align with that contained in The Big Move.</p> <p>“A program of incentives which influence whether, when, where and how people travel, and encourage them to make more efficient use of the transportation system.”</p> <p>The Schedules should identify a conceptual Mobility Hub Area Plan Study Area for the Anchor Hub at the intersection of Yonge and Davis.</p>	<p>No comment.</p> <p>Concur</p> <p>The Secondary Plan plans for increased intensification at three quadrants of the intersection and a study area on the Upper Canada Mall and Sears property.</p>	<p>No recommended change.</p> <p>Definition for TDM modified to align with the definition in The Big Move.</p> <p><b>A program of incentives which influence whether, when, where and how people travel, and encourage them to make more efficient use of the transportation system, in particular transit and active transportation.</b></p> <p>See modifications as incorporated in response to Upper Canada Mall comments</p>

<sup>1</sup> Any discrepancies between the recommended change in this document and the Recommended For Adoption Newmarket Urban Centres Secondary Plan – The Secondary Plan should be relied upon.

No.	Name	Comment	Planning Rationale	Recommended Change
	<b>Metrolinx (cont'd)</b>		The study area on the Regional Shopping Centre should be elaborated upon to address Mobility Hub requirements and the need to work in cooperation with Metrolinx and the Region.	below.
<b>2.</b>	<b>Region of York</b>	Section 2.1 - Should be updated to reflect the new Provincial Policy Statement, 2014 (PPS 2014), since it comes into effect on April 30 <sup>th</sup> 2014.	Concur	Updated to 2014
		Section 2.4 - The last 2 bullet points related to the FSI requirement and the affordable housing requirement are different from what is in the <i>York Region Official Plan – 2010</i> (ROP). The text should be changed to match the ROP policies.	The Policy wording should be refined to include the Regional Centre which is the same area as the provincial Urban Growth Centre and intensification areas changed to key development areas. The Town has not identified key development areas within the Secondary Plan.	Refined as follows <ul style="list-style-type: none"> <li>an affordable housing target of 35% of new housing within the <b>Regional Centre</b>/Provincial Urban Growth Centre and in intensification <del>areas</del> <b>key development areas identified by municipalities</b>, and 25% throughout the remainder of the Town.</li> </ul>
		Policy 4.0 - Suggest including improvements to green space within the Vision. Recommended wording in the 3 <sup>rd</sup> paragraph:  “Development will be designed to be sustainable by incorporating a full range of sustainability measures that will serve to reduce energy consumption and heat island effects, <b>improve green space</b> , implement innovative stormwater management and waste management practices and reduce water use.”	The sustainability policies or objectives do not address green spaces. Green spaces are addressed in the Parks, Open Space and Natural Heritage Section.	No change.
		Policy 5.3 - The term “employment” was deleted from Section 5.3.1 but also needs to be deleted in Section 5.2 and also in any other sections with a similar policy reference. (In order to remove any apparent confusion with employment areas as defined by the PPS.)	The term “employment” is used throughout the Plan to address the mixed use approach within the Urban Centres and is not intended to refer to “employment areas” as defined in the PPS.	Where the term employment “area” has been used it has been replaced with alternative terms such as “focus” or “node” in order to remove any confusion with the definition of “employment area” in the Official Plan.



No.	Name	Comment	Planning Rationale	Recommended Change
	<b>Region of York (cont'd)</b>	<p>Policy 6.4.7 and Schedule 4</p> <p>We recognize that this Revised Plan (Schedule 4) has reduced heights and densities since the last circulation of the Draft Secondary Plan (September 27, 2013), which effects all designations across the study area. This is a concern, particularly along Davis Drive as the Regional Corridor may not achieve the planned function as an "urban mainstreet" and "intensification area" served by rapid transit.</p>	<p>The revised density provisions although they provide for more certainty with respect to the permitted range of height and density, in many instances the density and heights are:</p> <ul style="list-style-type: none"> <li>• Less than the current zoning permissions,</li> <li>• Less than recent planning permissions, and</li> <li>• Less than the height of existing historic development.</li> </ul> <p>To address this concern, the following is recommended:</p> <ul style="list-style-type: none"> <li>• Increase the maximum height and density of the Low Density designations to be consistent generally with the current Zoning by-law height provision (6 storeys) and increase the bonusing provision to 7 storeys;</li> <li>• Refine the designations on Schedule 4; and</li> <li>• Increase the depth of the Secondary Plan to ensure that intensification can occur along the bus rapid transit on Yonge and Davis while providing space to transition to the adjacent residential neighbourhood.</li> </ul> <p>(See Response to YRRTC below)</p>	<ol style="list-style-type: none"> <li>1. Low Density - <ul style="list-style-type: none"> <li>• The Permitted Max. Height be increased from 4 storeys to 6 storeys.</li> <li>• That the bonusing provisions be limited to 7 storeys.</li> </ul> </li> <li>2. The designations on Schedule 4 Height and Density be revised as illustrated on Attached Schedule 4 – Height and Density.</li> <li>3. Increase the depth of development blocks south of Penn Avenue west of Hill Street and south of Walter Avenue between Barbara Road and Ray Crescent.</li> </ol>
		<p>Policy 6.4.8.ii.a) identifies that interim development cannot increase total gross ground floor area by 10. What isn't identified is what metric 10 is referring to – this should be clarified (m and/or %)</p>	<p>The symbol %was missing.</p>	<p>Editorial: The symbol % has been added.</p>
		<p>7.2 Objectives</p> <p>We are pleased to see that climate resilient infrastructure has been addressed; however, we suggest review of the policy wording (i.e. enduring buildings?). Recommended wording for "f)":</p> <p>"f) ensure high quality urban design is implemented including enduring buildings, and buildings and associated infrastructure that are resilient to external factors, such as climate change."</p>	<p>The recommended rewording was incorporated in the March 24, 2014 Revised Draft</p>	<p>Incorporated into revised Draft Secondary Plan. No change necessary.</p>

No.	Name	Comment	Planning Rationale	Recommended Change
	<b>Region of York (cont'd)</b>	<p>7.3.3 Transitional and Angular Plan Policies</p> <p>These new policies attempt to address development adjacent to existing low-rise residential development outside the Urban Centres. In doing so, there is potential that while applying these angular planes, in addition to the height and density restrictions for these designations, some of these land parcels may actually have less development potential in this Revised Secondary Plan than what is currently permitted. Suggest that the specificity of angular planes be identified through Zoning by-laws, if appropriate.</p>	<p>The aim of the angular plane policies is to create an appropriate and sensitive transition between the existing residential area and the planned intensification within the Urban Centres.</p> <p>The following modifications are proposed to address the is concern and to ensure the application of the policy is clear:</p> <ul style="list-style-type: none"> <li>• Add the term of “generally” to the policy so that an OPA would not be necessary for minor adjustments to the application of the angular plane policies;</li> <li>• Change the maximum height adjacent to a residential area or parkland from 2 to 3 storeys;</li> <li>• Clarify that the angular plane applies only within the development block and where a development block is bisected by a private road, up to the private road.</li> <li>• (See detailed policies under YRRTC comments below).</li> </ul>	<p>The following modifications are recommended:</p> <ul style="list-style-type: none"> <li>• Add the term of “generally” to the policy so that an OPA would not be necessary for minor adjustments to the application of the angular plane policies;</li> <li>• Change the maximum height adjacent to a residential area or parkland from 2 to 3 storeys;</li> <li>• Clarify that the angular plane applies only within the development block, and where a development block is bisected by a private road, the angular plane provisions apply only up to the private road.</li> </ul>
		<p>Furthermore, Regional Official Plan Policy 3.5.23 specifically “prohibits the approval of local municipal official plan amendments and zoning by-law amendments that would have the effect of reducing of a site in areas that have been approved for medium or high density development, unless the need is determined through a municipal comprehensive review.”</p>	<p>The proposed density is not intended to be significantly reduced through the angular plane policies. The recommended minimum density of 1.5 FSI in the Low Density exceeds the density permitted by the current official plan and zoning bylaw within the Urban Centres (1.0-1.5 FSI)</p> <p>Policy 6.4.7 General Building Height and Density, addresses this potential issue, e.g., where the permitted density is reduced within a density designation due to the angular plane policy, the density lost in one portion of the designation may be transferred within the density designation.</p>	<p>No change recommended.</p>

No.	Name	Comment	Planning Rationale	Recommended Change
	Region of York (cont'd)		<p>Furthermore, official plans are intended to be read in their entirety and one policy is not intended to usurp other equally important policy.</p> <p>Specifically, Policy 5.4.30 requires that when establishing boundaries for Regional Corridors municipalities are to address "compatibility with and transition to adjacent and/or adjoining lands." The angular plane policy aims to address the compatibility and transitioning to adjacent residential neighbourhoods in conformity with the above cited provisions of Policy 5.4.30 of the Regional Official Plan.</p>	
		Under 7.3.3.2 - Figures 1 and 2 should be clearly identified as examples and not be included in the operative portion of the Secondary Plan.	Concur.	Figures 1 and 2 revised to be identified as "conceptual illustrations" of the angular plane policies.
		<p>Under 7.3.6. iv. - Suggest specifying shade protection to complement wording as in Policy 7.3.6.iii</p> <p>"h) promote pedestrian comfort, weather <b>and shade</b> protection, and safety, including street trees and bicycle parking, particularly at transit stops; and"</p>	Concur.	<p>Modify Policy 7.3.6 iii as follows:</p> <p>"h) promote pedestrian comfort, weather <b>and shade</b> protection, and safety, including street trees and bicycle parking, particularly at transit stops; and"</p>
		<p>Under Section 7.3.6.v. - The following policies were removed in the most recent draft. As we do not see that these policies have been moved, and a rationale was not provided, we suggest they be included once again within the policy.</p> <p>"The design of minor collector roads and local roads will:</p> <p>a) promote pedestrian amenity, comfort,</p>	Concur.	<p>Following policies re-established under Policy 7.3.6.v.</p> <p><b>a) promote pedestrian amenity, comfort, convenience and safety;</b></p> <p><b>b) ensure accessibility;</b></p>

No.	Name	Comment	Planning Rationale	Recommended Change
	<b>Region of York (cont'd)</b>	convenience and safety; b) ensure accessibility;"		
		<p>Policy 7.3.7 xi. encourages consideration of district energy and design features that would enable future district energy. How is this going to be achieved at the building scale? Feasibility for district energy systems need to be determined at the secondary plan stage. If this is not going to be addressed in the Secondary Plan, then perhaps a reference in the Parent Official Plan under 4.3.2 (District Plans) be added to include: "Community Energy Plan"</p>	<p>The Regional Plan policy requires that Community Energy Plans be developed for Regional Centres (Policy 5.4.21) and encourages their development Town wide( Policy 5.2.13)</p> <p>The Town has initiated the development of a Municipal Energy Plan and it would be premature to address the feasibility within the Secondary Plan in absence of the Community Energy Plan. The policy aims to encourage the future consideration of design features so as to not to preclude the future connection to a community energy system, if established.</p> <p>The parent Official Plan Policy 4.3.2 is proposed to be deleted and replace by this Secondary Plan therefore the recommendation for inclusion of reference to the Community Energy Plan in the parent OP is inappropriate.</p> <p>Policy 13.3.4 Energy and Underground Utilities contains the policy that the Town will develop a Community Energy Plan that will include the Urban Centres.</p>	No Change. The Town is developing a Town wide Community Energy Plan to address the concern raised.
		<p>Policy 7.3.7.xii.e. - Suggest clarifying that the Sustainable Development Reports address indoor air quality enhancement.</p> <p>"xii. Applications for development in the Urban Centres will be required to include a Sustainable Development Report that describes how the proposed development supports environmental sustainability. Sustainable Development Reports shall address at a minimum the following: e) <b>indoor</b> air quality enhancement"</p>	Concur	Concur - editorial comment incorporated

No.	Name	Comment	Planning Rationale	Recommended Change
	Region of York (cont'd)	<p>Policy 8.3.2</p> <p>We initially noted that the Region was adopting a proactive and holistic approach to Regional street design, using the <b>Context Sensitive Solutions</b> (CSS) approach. This is an important method to street design that is being used within our Rapidways, along other Regional Streets as well as in other Regions to help integrate land use planning and transportation solutions to support active transportation. There is no mention of the Context Sensitive approach to Regional street design within the Secondary Plan. The Secondary Plan would be further <b>supportive</b> of integrating land use and transportation design and active transportation should the CSS approach be mentioned.</p>	<p>Context Sensitive Solutions have been embraced in a holistic manner by the Secondary Plan in conjunction with the Amendment # 11 Active Transportation Network.</p> <p>An important component of the Context Sensitive Solutions is the accommodation of active transportation.</p> <p>The Town has taken a collaborative and comprehensive approach to address the components and principles of Context Sensitive Solutions as adopted by the Region (June 2013) E.g., by planning to address the cycling facility on Davis Drive identified in The Regional Official Plan (Map 10 Regional Cycling Network – see Apendix 2) through the expanded boulevards proposed to address underground hydro in the future. A wider Boulevard will also provide the opportunity for wider sidewalks to accommodate accessibility(Mobility devices) and a friendlier pedestrian streetscape (the current Viva Cross-section provide for only 1.8 m sidewalks on Davis Drive for much of the length which is generally out of character with the Regional policy direction for Urban Centres).</p> <p>The aim is to achieve the CSS principles in the future through the holistic approach addressed above.</p>	<p>No change – the concept of context sensitive solutions has been embedded throughout the Secondary Plan Policies.</p>

No.	Name	Comment	Planning Rationale	Recommended Change
	Region of York (cont'd)	<p>Policy 9.0 Transportation and Mobility</p> <p>We initially requested Section 9 (Transportation and Mobility) to include wording to ensure that the design of the network, specifically the Active Transportation Network, would comply with the <b>Integrated Accessibility Standards Regulation of AODA</b>. Regional streets and active transportation networks should be free of barriers and universally accessible. Including language that is supportive of the Accessibility for Ontarians with Disability Act would ensure that all planning within the Secondary Plan Area would have regard for accessibility for all users. Although AODA supportive language does appear as a broad statement under Section 7.3.1 ii., including language that specifically relates to the Road and Active transportation network would be more beneficial.</p>	<p>Concur. Enhanced accessibility objectives and policies are proposed within the streetscape and Transportation and Mobility policies.</p>	<p>Revise objective and policies to ensure accessibility in accordance with the AODA and incorporate reference to the AODA.</p> <p><a href="#">7.0 Urban Design</a> <a href="#">7.3 Policies</a></p> <p><a href="#">7.3.1 General Urban Design</a></p> <p>ii. All development, <b>streetscapes and boulevards</b> shall be designed to be accessible to people with disabilities in accordance with the Accessibility for Ontarians with Disabilities Act (AODA) and the Ontario Building Code.</p> <p><a href="#">7.3.6 Streetscapes and Boulevards</a></p> <p>iv. ... The design of the Yonge Street and Davis Drive boulevards will:</p> <p>c) <b>provide for wide sidewalks that promote an attractive and inviting pedestrian realm and ensures comfortable space for pedestrians and for mobility devices for persons with disabilities;</b></p> <p><a href="#">9.0 Transportation and Mobility</a> <a href="#">9.2 Objectives</a></p>

No.	Name	Comment	Planning Rationale	Recommended Change
	Region of York (cont'd)			<p>Add the following new Objective:</p> <p><b>g) to be accessible to people with disabilities in accordance with the Accessibility for Ontarians with Disabilities Act.</b></p> <p>9.3.1 General</p> <p>Revise Policy 9.3.1 i. as follows:</p> <p><i>i.</i> The transportation system in the Urban Centres will be planned and designed <b>to be barrier free in order to be accessible to people with disabilities in accordance with the Accessibility for Ontarians with Disabilities Act (AODA).</b></p>
		<p>Policy 9.3.4.i.</p> <p>Under Section 9.3.4.i. - Suggest include climate change mitigation as an outcome of modal shift.</p> <p>"Transportation Demand Management aims to encourage modal shift away from the private automobile, thereby reducing congestion and emissions, <b>mitigating climate change</b>, improving air quality, and promoting physical activity and healthier lifestyles."</p>	Concur	Editorial recommendation incorporated.
		Under Section 9.3.5.ii. - Suggest considering infrastructure for recharging electric vehicles at	The provision for recharging electric vehicles is currently addressed under Policy 7.3.12.vi for	No change recommended.

No.	Name	Comment	Planning Rationale	Recommended Change
	<b>Region of York (cont'd)</b>	parking facilities.	parking structures as follows: e) priority parking for accessibility (vehicular and scooters), car share and electric or hybrid vehicles, and including electrical charging stations;	
		<p>Policy 13.1 This last statement regarding the one well outside the boundary needs to be corrected. There are actually two wells immediately outside the southern-most boundary (Newmarket Wells No. 13 and No. 16) whose wellhead protection areas (WHPA-B, C and D) extend into the Secondary Plan boundary. As such these wellhead protection areas will impact proposed activities within the Secondary Plan area. The current wording suggests that the wells and not wellhead protection areas or the activities within them will be subject to Source Protection Plans.</p> <p><b>Recommended wording:</b> (Please note that the plans are called Source Protection Plans not Source WATER Protection Plans. Please remove "WATER" from the name.)</p> <p>There are three municipal wells and their associated wellhead protection areas located within the Urban Centres boundary. Within the Urban Centres boundary there are additional wellhead protection areas that extend from the two municipal wells which are located outside of the Urban Centres boundary. Lands within all of these wellhead protection areas will be subject to Regional Official Plan wellhead protection policies and the South Georgian Bay Lake Simcoe Source Protection Plan.</p>	Concur.	<p>The following modifications to 13.1 are recommended:</p> <p>There are three <b>wells and their associated wellhead protection areas</b> within the Urban Centres <b>and additional wellhead protection areas that extend from two wells located outside the Urban Centres boundary. Lands within all of these wellhead protection areas will be subject to Regional Official Plan Wellhead Protection Area Policies and the Source Protection Plans.</b></p>



No.	Name	Comment	Planning Rationale	Recommended Change
	<b>Region of York (cont'd)</b>	<p>Policy 13.3.4 vi. Requires up to an additional 5 metres of boulevard width as a parallel right-of-way adjacent to the Regional right-of-way be dedicated to the Town at the time of development or redevelopment in accordance with Policy 14.2.4.</p> <p>There is concern about the implementation mechanism of a land conveyance for the purposes of undergrounding hydro, outside of the road right-of-way, within the current legislative planning framework.</p>	<p>The implementation mechanism is similar to that proposed in the Vaughn Metropolitan Centre Draft Secondary Plan<sup>2</sup> and proposes a transparent mechanism to secure not only the space required for the future undergrounding of hydro but also other public facilities: parks, pedestrian mews and/or public facilities.</p> <p>The mechanism may be why way of dedication or easement.</p>	<p>The legal advice is that the proposed Secondary Plan policy respecting a discrete hydro utility corridor abutting the Regional road allowances of Yonge Street and Davis Drive:</p> <p>(i) conforms with and implements the York Region OP;</p> <p>(ii) is within the Town's jurisdiction to adopt; and</p> <p>(iii) can be implemented and achieved through the Town's utilization of sections 41(Site Plan), 51(Subdivision) &amp; 53(Consent) of the <i>Planning Act</i>.</p>

<sup>2</sup> **10.3 Plans of Subdivision**

10.3.1 To secure the related infrastructure improvements and community facilities required, all new development in the VMC that requires the conveyance of land for roads, parks and/or other public facilities, as part of its initial development application process, shall proceed by way of the subdivision approval process. The City shall implement the planned network of minor collector and local roads through this process.

10.3.2 Plans of subdivision shall include the full extent of property ownership or other appropriate planning unit as agreed upon between the applicant and the City. Plan of subdivision applications shall include a Development Concept Report and Phasing Plan, as described in Policy 10.6.1, prepared to the City's satisfaction. The City shall approve only plans of subdivision/condominium that:

- conform with the policies and designations of this Secondary Plan;
- can be provided with adequate services and facilities as required by this Plan; and,
- are not premature and are in the best interest of the municipality.

No.	Name	Comment	Planning Rationale	Recommended Change
				In order to provide flexibility for the Town to receive lands through either dedication or easement, Policy 13.3.4 has been revised to include the provision for either an easement or a dedication through the planning process.
	Region of York (cont'd)		<p>The mechanism implements the following provisions of the Regional Plan and the PPS:</p> <p><b><i>7.5.4 To require local official plans to identify and protect infrastructure corridors for long term servicing needs, including and in compliance with corridors identified in Provincial Plans.</i></b></p> <p><b><i>7.5.6 To require underground installation of utilities, where feasible, in new community areas and Regional Centres and Corridors, and to encourage buried utilities in the balance of</i></b></p>	

No.	Name	Comment	Planning Rationale	Recommended Change
			<p><b><i>the Region.</i></b></p> <p>The proposed approach of securing the necessary right of way as development proceeds to accommodate the future undergrounding of hydro at a time when the assets will be closer to their life cycle implements and is consistent with the following provisions of the PPS:</p> <p><b><i>Section 1.6.1 Planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and integrated with land use planning so that they are:</i></b></p> <p><b><i>a) financially viable over their life cycle, which may be demonstrated through asset management planning;...</i></b></p>	
	<b>Region of York (cont'd)</b>	<p>Schedule 4</p> <p>Given the reduction in heights and densities across the entire study area, consideration should be given to how some of these low density designations, particularly along Davis Drive, are going to be able to achieve the vision of intensification that was identified at the outset of this secondary plan process.</p>	<p>See Planning Analysis under response to York Region Rapid Transit below under Height and Density</p>	<p>The following modifications are recommended to Schedule 4</p> <ol style="list-style-type: none"> <li>1. Low Density - <ul style="list-style-type: none"> <li>• The Permitted Max. Height be increased from 4 storeys to 6 storeys.</li> <li>• That the bonusing provisions be limited to 7 storeys.</li> </ul> </li> <li>2. The designations on Schedule 4 Height and Density be revised as illustrated on Attached Schedule 4 – Height and Density.</li> <li>3. Increase the depth of</li> </ol>

No.	Name	Comment	Planning Rationale	Recommended Change
				development blocks south of Penn Avenue west of Hill Street and south of Walter Avenue between Barbara Road and Ray Crescent.
		Item 2 Under Item 2, 4.1 d. (Objectives) – Is this objective referring to the “Yonge Street Regional Centre” or the Corridor? Needs to be clear.	Concur.	Refine Objective 4.1 as follows:  d. provide support for the further development and intensification of the <del>Yonge Street Regional Centre</del> <b>Newmarket Urban Centres Secondary Plan Area</b> as a major retail and service commercial, office, institutional, entertainment, cultural and higher density residential area for the Town;
	<b>Region of York (cont’d)</b>	Item 3 Under Section 2.0, Urban Structure b) population should be 97,100 by 2031 which is the <i>York Region Official Plan - 2010</i> Table 1 forecast for Newmarket.	No change is proposed to the population as contained in the <b>approved Official Plan</b> . Any modification to the parent Official Plan population should await the Regional and Provincial Review of the population and employment forecasts contained in the Growth Plan.	No change recommended.
		Item 3 Under Section 14.0 Servicing – should delete the entire section 14.2.1 – Cannot put population numbers beyond 2031 in the Parent Official, as would not conform to the York Region Official Plan.	The population projections are required to meet demonstrate that the Regional and Provincial plan provisions are met.	No Change
		Item 3 Under 16.1.6 a) - Add “Plan” after “Newmarket Urban Centres Secondary”	Concur	Editorial modification

No.	Name	Comment	Planning Rationale	Recommended Change
	Region of York (cont'd)	<p>The Revised Draft Secondary Plan does not currently address the importance of siting sensitive uses away from significant emissions sources such as major traffic corridors and the requirement for cumulative air studies, as recognized in the following York Region Official Plan (ROP) policies:</p> <ul style="list-style-type: none"><li>3.2.1.5 To require health, environmental and cumulative air quality impact studies that assess the impact on human health for development with significant known or potential air emission levels near sensitive uses such as schools, daycares and seniors' facilities.</li><li>3.2.1.6 That sensitive uses such as schools, daycares and seniors' facilities not be located near significant known air emissions sources such as controlled access provincial 400-series highways.</li></ul> <p>Within the Revised Draft Secondary Plan, "separation distances" are used in the context of minimizing impacts to residents when considering places of entertainment. It is equally important to address separation distances in the context of minimizing impacts to residents from sources of air pollutants. We suggest that language could be added to support these ROP policies in Section 6.3 General Policies, Section 7.3 Policies or wherever deemed most appropriate. The requirement for cumulative air studies could be incorporated as part of Traffic Impact Studies.</p>		<p>Add the following new provisions:</p> <p>9.2 Objectives h) improve air quality.</p> <p>9.3.4 Transportation Demand Management</p> <p>ii. An Air Quality Impact Study will be required to assess impacts to human health adjacent to Yonge Street and Davis Drive and adjacent to sensitive uses such as schools, daycares and seniors facilities.</p>

No.	Name	Comment	Planning Rationale	Recommended Change
3.	York Region Rapid Transit Corporation (YRRTC)	<p><b>Height and Density</b></p> <p>1. General concern that reduction in the minimum and maximum height and density contained in the Revised Draft Secondary Plan does not provide and acceptable level of flexibility along Davis Drive.</p> <p>The proposed reduction is often below the current permissions for height in the Zoning By-law (e.g., Max Height of 4 Storeys is less than current 6 storeys in the (UC-R) and 8 storeys(UC-P)</p> <p>That the reduced densities do not implement the objective to encourage transit supportive densities adjacent to a planned VIVAnext BRT Stations.</p>	<p>1. The reduced height and densities, particularly with the Low Density designation, has resulted in densities and height permissions that are less than the current provisions of the Zoning By-law, recently approved development (Slessor) and existing built forms (e.g., apt. on Calgain).</p> <p>A moderate increase in height of the Low Density designation in conjunction with a re-evaluation of the location of the existing designations is proposed to address these concerns.</p> <p>2. It is recommended that Schedule 4 - Height and Density be revised to address modifications to the density and height provisions to ensure appropriate densities and height along the rapid transit corridor, and to ensure consistency with current zoning permissions and existing uses (e.g., Slessor, Criterion, Regional properties, apartments on south side of Davis Drive on Calgain, etc.)</p> <p>Flexibility is provided through increasing the depth of the Secondary Plan Area where the original boundary was narrow and posed significant limitations to meaningful intensification without unacceptable impacts to the adjacent residential areas. Increased depth has been previously added at Davis Drive and Simcoe Street, Davis Drive to Irwin Crescent (Hollingsworth Area), Walter Ave. West of Longford Drive.</p> <p>As indicated in the Mapping Section below, additional depth is currently being recommended at Walter Ave. between Barbara Road and Rye Crescent and at Penn Ave west of Hill Street. Increased depth provides more flexibility for both</p>	<p>1. Low Density -</p> <ul style="list-style-type: none"> <li>The Permitted Max. Height be increased from 4 storeys to 6 storeys.</li> <li>That the bonusing provisions be limited to 7 storeys.</li> </ul> <p>2. The designations on Schedule 4 Height and Density be revised as illustrated on Attached Schedule 4 – Height and Density.</p> <p>3. Increase the depth of development blocks south of Penn Avenue west of Hill Street and south of Walter Avenue between Barbara Road and Ray Crescent.</p>
	YRRTC (cont'd)			

No.	Name	Comment	Planning Rationale	Recommended Change
			density and height, provides a road separator between the Urban Centre and the adjacent residential neighbourhood outside the Urban Centres and provides for the opportunity to sensitively transition to the adjacent residential neighbourhood.	
		2. That the Secondary Plan be extended north at Hillview Dr. to accommodate future land assemble	The area north of 299 Davis Drive and area contains relatively new homes (approx.. 10 -12 years old) and expansion of the Secondary Plan boundary is not recommended.	No change.
		3. Consider lower minimum density (FSI) to allow flexibility to achieve a reasonable built form.	The current policy includes provision for higher densities than the permitted densities (Policy 6.4.7 Xiii). It is recommended that flexibility be included to allow for minor decreases in density without an amendment to the Secondary Plan where densities cannot be achieved due to other policies including angular plane, shadow or heritage provisions.	<p>The following policy is recommended to recognize that minor reductions in the permitted density may be permitted.</p> <p><b>Policy 6.4.7</b>  <b>Minor reductions to the permitted minimum density identified on Schedule 4 may be permitted without an amendment to the Official Plan:</b>  a) for development involving conservation of heritage structures;</p>

No.	Name	Comment	Planning Rationale	Recommended Change
	YRRTC (cont'd)			<p><b>and</b></p> <p><b>b) in order to meet the Transitional and Angular Plane Policies of Policy 7.3.3 and the shadow provisions of Policy 7.3.9.</b></p> <p><b>Such consideration shall require demonstration, to the satisfaction of the Town, that the minimum density of the <i>density designation</i> will generally be achieved.</b></p>
		<p><b>Density Transfer</b></p> <p>4. Concern that Policy 6.4.7 xiii a) potentially creates a scenario that restricts development on an adjacent property within the same density designation without appropriate notice and/or support of the property owner.</p>	<p>It is anticipated through the implementation of the policy that landowner agreements would be necessary. The following recommended policy provisions would make this anticipated process more transparent.</p>	<p>Policy 6.4.7 xiii be amended to include the following additional provisions.</p> <p><b>d) appropriate agreement(s) have been struck between the Town and the affected landowners of the donor and recipient properties within the applicable <i>density designation</i>.</b></p>



No.	Name	Comment	Planning Rationale	Recommended Change
	YRRTC (cont'd)	<p><b>Angular Plane</b></p> <p>5. The maximum 2 storey height provision for podiums adjacent to existing residential development and parkland is too restrictive along Davis Drive.</p> <p>Recommend:</p> <ul style="list-style-type: none"> <li>• A maximum three (3) storeys podium height;</li> <li>• Remove the 22 degree Angular plane</li> <li>• Adjust the 45 degree Angular Plane</li> </ul>	<p>The recommendation that the maximum height of the podium adjacent to residential development be increased from 2 storeys to 3 storeys is reasonable. Existing residential development can vary between 1-3 storeys and an increase to 3 storeys would not be out of character with either a 1 or 2 storey typical residential dwelling.</p> <p>This increase is recommended to apply to the angular plane policies 7.3.3.1 and 7.3.3.2.</p> <p>Changes to the angular planes policies (22 degree and 45 degree) are not recommended and staff maintain that these policies strike an appropriate balance between intensification and protection of existing residential neighbourhoods and provide an transition to the adjacent Residential designations.</p> <p>However, two modifications are proposed to both the 22 and 45 degree angular plane policies to allow for some flexibility in the application, e.g.:</p> <ul style="list-style-type: none"> <li>• Add the term of "generally" so that an OPA would not be necessary for minor adjustments to the application of the angular plane policies;</li> <li>• Clarify that the angular plane applies only within the development block, and where a development block is bisected by a private road, only to the private road.</li> </ul>	<p>Revise Policy 7.3.3.1 and Policy 7.3.3.2 to increase the height of the podium adjacent to low rise residential development and parkland (7.3.3.1) and where development is fronting on the public street shared with low rise residential development (7.3.3.2) as follows:</p> <p>Amend Policies 7.3.3.1 and 7.3.3.2 as follows:</p> <p>Policy 7.3.3.1</p> <p><b>a)</b> limit the maximum height, including mechanical units, balconies, railings, overhangs and other projections, to <b>generally</b> not exceed an angular plane of 45 degrees measured from the property line of the adjacent residential or parkland property;</p> <p><b>b)</b> <b>the application of angular plane shall not extend beyond the applicable development block or where the development block is bisected by a private road, beyond the private road; and</b></p>

No.	Name	Comment	Planning Rationale	Recommended Change
	YRRTC (cont'd)			<div><div>c) generally implement a maximum 2 <b>3</b> storey built form/podium at the ground level adjacent to the existing residential development, unless the adjacent development is taller than <b>3</b> 2 storeys, then the podium of the new development should not exceed the height of the adjacent development. (Figure 1)</div><div>Policy 7.3.3.2</div><div><div>a) limit the maximum height of any building, including mechanical units, balconies, railings, overhangs and other projections, to <b>generally</b> not exceed an angular plane of 22 degrees measured from the property line of the adjacent property, at a height of 1.7 m (approximately “eye level”);</div><div><b>b) the application of angular plane shall not extend beyond the applicable development block</b></div></div></div>

No.	Name	Comment	Planning Rationale	Recommended Change
	YRRTC (cont'd)			<p><b>or where the development block is bisected by a private road, beyond the private road;</b></p> <p>d) generally implement a maximum <b>3 2</b> storey built form/podium along the frontage, unless the adjacent existing development is taller than <b>3 2</b> storeys, then the podium of the new development should not exceed the height of the existing fronting development; and...</p>
		<p><b>Underground Hydro</b></p> <p>6. Is there a legal authority for the Town to obtain the 3-5 m space for undergrounding hydro?</p> <p>7. The long term provisions for undergrounding Hydro on Davis Drive should be reviewed in conjunction with the new PPS provisions regarding the coordination of planning and infrastructure.</p>	<p>The longer term planning for burying of overhead hydro lines implements and is in conformity with the following provisions of the Region of York Official Plan:</p> <p><b>7.5.4 To require local official plans to identify and protect infrastructure corridors for long term servicing needs, including and in compliance with corridors identified in Provincial Plans.</b></p> <p><b>7.5.6 To require underground installation of</b></p>	<p>Implements and is consistent and in conformity with the Region of York OP and is consistent with the PPS.</p> <p>The legal advice is that the proposed Secondary Plan policy respecting a discrete hydro utility corridor abutting the Regional road allowances of Yonge Street and Davis Drive:</p>

No.	Name	Comment	Planning Rationale	Recommended Change
	YRRTC (cont'd)		<p><b><i>utilities, where feasible, in new community areas and Regional Centres and Corridors, and to encourage buried utilities in the balance of the Region.</i></b></p> <p>The proposed approach of securing the necessary right of way as development proceeds to accommodate the future undergrounding of hydro at a time when the assets will be closer to their life cycle implements and is consistent with the following provisions of the PPS:</p> <p><b><i>Section 1.6.1 Planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and integrated with land use planning so that they are:</i></b>  <b><i>a) financially viable over their life cycle, which may be demonstrated through asset management planning;...</i></b></p> <p>If the space is not protected through the Secondary Plan, and development occurs, the opportunity and feasibility will be lost or at best may only be achieved at significantly higher public costs.</p>	<p>(i) conforms with and implements the York Region OP;</p> <p>(ii) is within the Town's jurisdiction to adopt; and</p> <p>(iii) can be implemented and achieved through the Town's utilization of sections 41(Site Plan), 51(Subdivision) &amp; 53(Consent) of the <i>Planning Act</i>.</p> <p>In order to provide flexibility for the Town to receive lands through either dedication or easement, the policy 13.3.4 has been revised to include the provision for both an easement and a dedication through the planning process.</p>

No.	Name	Comment	Planning Rationale	Recommended Change
	YRRTC (cont'd)	8. The setback reduces the ability of parcels along Davis Drive to achieve the desirable built form	<p>The setback for development by 3-5 metres is comparable to the required 8.3 m Hydro safety setback from the centre line of the existing new hydro poles on Davis Drive and therefore will not be measurably different from the required setbacks along Davis Drive, e.g. approximately 10 m boulevard. (See attached Appendix 1.)</p> <p>Policy 13.3.4 vi, vii, viii and ix provide a number of incentives that aim to balance the costs and benefits related to protecting for future undergrounding of hydro, including:</p> <ul style="list-style-type: none"><li>• Zero setback from the 3-5 m dedication;</li><li>• Provision for encroachment agreements to permit private uses within the 3-5 m e.g., patio;</li><li>• continued use of the space for parking in phased development situations;</li><li>• possible contribution to parkland dedication as provided for in the Town's parkland dedication By-law (to be prepared);</li><li>• provides for the area dedicated to be included in the land area calculation for the purpose of calculating density(FSI).</li></ul> <p>The definition of "land area" for the purposes of calculating the FSI allows for the area for undergrounding hydro to be included for the purpose of calculating FSI.</p> <p>The increased setback also implements and is conformity with the Region of York Official Plan Regional Cycling Network which identified a cycling facility on Davis Drive. (Map 10 Regional Cycling Network)</p>	Built form will not be affected. The setback proposed is comparable to that required from the above ground hydro lines that are necessary to address safety standards.

No.	Name	Comment	Planning Rationale	Recommended Change
	<b>YRRTC (cont'd)</b>			
		<b>Parks and Open Space</b>  9. That the park at the corner of Main and Davis be reconsidered.	This is a key gateway to the historic downtown. The scale of the park is intended to be determined through the development application process.  The modifications to the height of the podium (to 3 storeys) adjacent to parkland addresses this concern in part	No change – see angular plane policies above related to development adjacent to parkland.
		10. Funding for parkland acquisition should be reviewed.	The Town has incorporated the necessary policy direction into its official plan through OPA #7 to develop an alternative parkland dedication By-law. The background for the development of the Parkland Dedication By-law has been commenced.	No change.
		<b>Street Network (Hillview)</b>  11. Extension of Hillview Drive was not incorporated into the Davis BRT EA and no justification has been provided, therefore recommend that this extension be removed.	The direct or indirect impacts on local intersections were generally not considered through the EA.  The Town's Official Plan and the Regional Plan directs that a fine grain grid be developed through the secondary plan process. The GHD Phase 2 Transportation Study justifies this extension to provide a full movement intersection at the BRT station at Lorne/Hillview and Davis Drive.  Engineering Services has confirmed that the extension is feasible.	No change.
<b>4.</b>	<b>Conseil scolaire Viamonde</b>	Requests a 4 <sup>th</sup> elementary school site as a separate and or partner site with another school board.	Add a 4 <sup>th</sup> School site in the area of S3 on Schedule 3.	Schedule 3 modified by adding a 4 <sup>th</sup> School site S4.

No.	Name	Comment	Planning Rationale	Recommended Change
5.	<b>York Region District School Board</b>	Supports school sites on Schedule 3	No Comment	No change necessary.
6.	<b>Lake Simcoe Region Conservation Authority</b>	The Secondary Plan has incorporated previous recommendations, therefore no further comments	No Comment	No change necessary.
	<b>TOWN COMMITTEES</b>			
7.	<b>NEAC</b>	General support and recommend enhanced policy for seniors and electric vehicles	Policies related to accessibility have been enhanced as identified above in response to the Region and charging stations for electric vehicles are in including in the parking provisions.	See accessibility modifications under the Response to Regional comments.
8.	<b>Heritage Newmarket</b>          <b>Heritage Newmarket (cont'd)</b>	That the Mulock Estate – Neighbourhood Park 3 be considered a candidate for a pioneer village should the Town obtain the property.  Advantages to the Town include: a) This would welcome visitors to the Town as a Gateway from the Past to the Future of our town. b) This would encourage public use of the valuable green space/park. c) Would give the Town a location to relocate valuable heritage assets which will inevitably be displaced as the Town moves forward into the future. d) Would bring the Town into line with surrounding areas (Pickering, Georgina, Whitchurch, etc.) in preserving the town's built heritage for future generations. e) May provide for the expansion of the museum in the future. F Will display to all visitors and new residents alike the glorious place Newmarket has held in the history of not only the Province but also the Nation.		Refine the descriptor for Neighbourhood Park 3 Mulock Farm to include the following reference: Consideration may be given to cultural heritage and civic uses including, but not limited, to a pioneer village.

[illegible]



No.	Name	Comment	Planning Rationale	Recommended Change
				the general public or will be purchased by the Town. If proposals to develop any such lands that are in private ownership are made and the municipality does not wish to acquire such lands in order to maintain the open space, then an application for the re-designation of such land for other purposes will be given due consideration by the Town, insofar as such re-designation is consistent with the policies of this Plan.
11.	<b>Oxford Properties - Upper Canada Mall (UCM)</b>	Include the Regional Shopping Centre Study Area identified on Schedule 3 on Schedule 4-Height and Density and on Schedule 5 – Street Network	Concur - By adding the Special Study Area as an overlay will provide the opportunity for the UCM, in conjunction with the Town, the Region and Metrolinx, to complete the detailed planning and provide the policy context that the underlying designations may be modified with the development of the detailed planning for the study area and subsequent amendment to the Secondary Plan.	That Schedule 4 and Schedule 5 include the Regional Shopping Centre Study Area as an overlay designation.
		Remove the higher density designations (High and Medium High) from Schedule 4 and replace with Low Density until the appropriate densities are determined through the detailed master planning and subsequent amendment to the Secondary Plan.	<p>The Upper Canada Mall site is a large complex site with significant development potential. Recognizing that the UCM and Town have initiated a detailed master planning process, Schedules 4 and 5 will be refined to include the overlay designation. The Policies have been refined to:</p> <ul style="list-style-type: none"> <li>indicate that the underlay designations do not apply and instead are provided to identify optimal densities for the subject property given its location adjacent to transit stations(s);</li> </ul>	<p>i. The Regional Shopping Centre Study Area identified on Schedules <b>3, 4 and 5</b> recognizes this area as a key economic driver within the Town. It is anticipated that this area will evolve over the long<b>er</b> term into a mixed use area while maintaining its <b>key</b> function as a significant retail centre.</p>

No.	Name	Comment	Planning Rationale	Recommended Change
	Upper Canada Mall (cont'd)		<ul style="list-style-type: none"><li>allow for the ultimate establishment of min. and max. building heights and block densities upon completion of the master plan through an amendment to the Secondary Plan.</li></ul> <p>This allows additional time for the Upper Canada Mall and the Town to complete the detailed master planning. The results of the detailed planning will be incorporated into the Secondary Plan through a subsequent amendment.</p>	<p>ii. <b>A Master Plan for the Regional Shopping Centre Study Area as identified on Schedules 3, 4 and 5 will prepared by the landowner(s) in cooperation with the Town, York Region, Metrolinx and other relevant partners to</b> address, as a minimum, the following:</p> <p>a) the manner in which future development will achieve the <b>objectives</b> of this Plan, including the urban design policies;</p> <p><b>b) establish</b> minimum and maximum building heights and block densities, and demonstrate how these are in keeping with the objectives of this Plan and the various policies and targets for the Yonge and Davis <i>Character Area</i> <b>and planned intensification in proximity to a planned regional mobility hub;</b></p> <p>c) the detailed design for an iconic park space in conjunction with the private stormwater management ponds at</p>

No.	Name	Comment	Planning Rationale	Recommended Change
	Upper Canada Mall (cont'd)			<div>the south-east corner of the area <b>to Town standards;</b></div> <div>d) the incorporation of a gateway feature(s);</div> <div>e) <b>mobility hub study considerations including, but not limited to,</b> integration of transit into the site and/<b>or</b> between <b>this</b> site and the Yonge-Davis Rapidway, <b>the GO-bus terminal and GO-train Station in accordance with the Metrolinx Mobility Hub Guidelines;</b></div> <div>f) a Traffic Impact Report including a detailed Transportation Demand Management strategy consistent with Policy 9.3.4;</div> <div>g) how development will minimize the need for <b>surface</b> parking on the site, and maximize the integration of required parking into above or below-ground parking structures;</div> <div>h) the phased integration of non-commercial uses into the site;</div> <div>i) the phasing of development, including</div>

No.	Name	Comment	Planning Rationale	Recommended Change
	Upper Canada Mall (cont'd)			<p>the location and design of any single storey and/or single use buildings, and how these <b>may</b> be redeveloped over time to achieve the <b>longer term</b> vision for the area;</p> <p>j) the final location and design of both public and private roads and how these will achieve the <b>intended</b> circulation and connectivity of the Street Network <b>conceptually</b> identified on Schedule 5; and</p> <p>k) the required elements of a Concept Site Plan and Streetscape and Landscape Plan in accordance with Policy 14.2.8(i).</p> <p>iii. Upon completion of a Master Plan in accordance with Policy 5.3.4(ii), <b>an amendment to this Plan will be initiated</b> to incorporate the applicable elements of the Master Plan <b>into this Plan.</b></p> <p>iv. <b>Until and the applicable amendment to this Plan has been approved in accordance with Policy 5.3.4 iii, the underlying</b></p>

No.	Name	Comment	Planning Rationale	Recommended Change
	Upper Canada Mall (cont'd)			<p><b>Height and Density designations on Schedule 4 will not apply and are provided to illustrate the optimal height and density for the subject property.</b></p> <p><b>v. Until the amendment to this Plan has been approved, new development will be assessed in accordance with Policy 5.3.4.1, Regional Shopping Centre Study Area Interim Development Policies.</b></p>
		Delete Policy 5.3.4.1 Regional Shopping Centre Study Area Interim Development Policies and allow mall to develop in accordance with the current Zoning By-law provisions until the master planning is complete and the Secondary Plan subsequently amended.	<p>Concur -The current Zoning By-law permits a floor space index of 1.0 (FSI) and a maximum Height of 18 m (6 storeys) and no minimum height.</p> <p>Since the master planning has been initiated, it would be appropriate to allow, in the short term, development to be permitted in accordance with the current Zoning By-law provisions.</p>	<p>5.3.4.1 Regional Shopping Centre Study Area Interim Development Policies</p> <p><b>i. Prior to the development of a detailed Master Plan and incorporation of the applicable elements of the Master Plan into this Secondary Plan, interim development and redevelopment may be permitted in the Regional Shopping Centre Study Area either as additions to the existing building or as stand-alone building(s) in accordance with the Zoning by-law.</b></p>

No.	Name	Comment	Planning Rationale	Recommended Change
	<b>Agent's Comments</b>			
12.	Angela Sciberras, MSH on behalf of Mr. Douglas Toombs - 615, Davis Drive, 29 and 39 Bolton Avenue	<ul style="list-style-type: none"> <li>Proposed roads should be identified as such on all Schedules.</li> <li>Opposed to reduced height and density – angular plane is adequate to deal with height.</li> <li>Opposed to reduced height at 615 Davis Bolton and Davis Drive (NE corner).</li> <li>Opposed to 2 storey limit adjacent to existing residential.</li> <li>Prepare detailed guidelines rather than policy in OP to deal with urban design.</li> <li>Street network policy edits to require traffic report to determine if new road is required.</li> <li>Private road widths are excessive.</li> </ul>	<ul style="list-style-type: none"> <li>Concur.</li> <li>Addressed through modifications to designations in response to the Region.</li> <li>Addressed through modifications to designations in response to the Region.</li> <li>Addressed through modifications to designations in response to the Region.</li> <li>Policies on Urban design provide direction for implementation which generally cannot be adequately addressed through a traditional zoning by-law.</li> <li>Addressed through Policy 8.3.2. ix.</li> <li>New public roads have been justified through the GHD Report.</li> <li>Some flexibility is provided in the policy to allow a public road to become or remain a private road if justified to the satisfaction of the Town.</li> </ul>	<ul style="list-style-type: none"> <li>Schedules to be refined</li> <li>Addressed through modifications to designations in response to the Region.</li> <li>Addressed through modifications to designations in response to the Region.</li> <li>Addressed through modifications to designations in response to the Region.</li> <li>No change.</li> <li>No change.</li> </ul> <p>Revise Policy 8.3.4 as follows:</p> <p>i. Private roads/lanes identified <b>on Schedule 5</b> will <b>generally</b> be designed with minimum <i>mid</i>-block rights-of-way of approximately 16 metres. <b>Any reductions in the planned width would require demonstration, to</b></p>

No.	Name	Comment	Planning Rationale	Recommended Change
	Angela Sciberras (cont'd)	<ul style="list-style-type: none"> <li>Opposed to proposed public road north of Davis Drive.</li> </ul>	<ul style="list-style-type: none"> <li>This road has been justified through the in-depth analysis of the GHD report.</li> </ul>	<p><b>the satisfaction of the Town, that the planned function of the private street for vehicular and pedestrian access will be achieved.</b></p> <ul style="list-style-type: none"> <li>No Change.</li> </ul>
13.	Angela Sciberras, MSH on behalf of Crossland Church – 47 Millard Ave West	<ul style="list-style-type: none"> <li>Proposed roads should be identified as such on all Schedules.</li> <li>Opposed to Minor Collector through the subject property.</li> <li>Opposed to reduced height and density.</li> <li>Prepare detailed guidelines rather than policy in OP to deal with urban design.</li> <li>Street network policy edits to require traffic report to determine if new road is required.</li> </ul>	<ul style="list-style-type: none"> <li>Concur.</li> <li>The collector is part of the fine grain grid required by the Regional Plan and justified through the GHD Report.</li> <li>Addressed through modifications to designations in response to the Region.</li> <li>Policies on Urban design provide direction for implementation which generally cannot be adequately addressed through a traditional zoning by-law.</li> <li>Addressed through Policy 8.3.2. ix.</li> </ul>	<ul style="list-style-type: none"> <li>Schedules to be refined to ensure streets are consistently shown.</li> <li>No change.</li> </ul>
14.	Brad Rogers, Groundswell Urban Planners on behalf of 76 Mulock Dr.	Include or exclude 57 Mulock Drive 100 % from the Boundary of the Secondary Plan. Does not support partial inclusion.	A small corner of the property was included only for the purpose of the proposed signalized intersection at the Hydro Corridor. Since the final location of the intersection and the need any land is undetermined the property should be deleted.	Delete the small corner of 76 Mulock from the Secondary Plan boundary.
15.	James Harbell on behalf of Yonge-Kingston Cetre Inc. 17725 Yonge Street	The Interim Development Policies that permit a 10 % increase in the total gross floor area are unduly prescriptive and do not provide sufficient flexibility to commercial properties to remain viable until such time that there is sufficient market demand for redevelopment.	The policy increase to 10% continues to be recommend and would provide sufficient intensification in the shorter term in advance of redevelopment.	No Change recommended.

No.	Name	Comment	Planning Rationale	Recommended Change
	James Harbell (cont'd)	Support the change in the Height and Density from Medium to High on a portion of the property identified in the landowner notice of June 2, 2014.		
16.	MHBC Planning Urban Design & Landscape Architecture 17555 Yonge Street, 39 Davis Drive, 22 George	Requests that existing development "entitlements" be maintained, in particular the current zoning by-law provisions for 65 m 20 -21 storeys and 10.25 FSI on 39 Davis Drive (based on that parcel alone).	<p>The subject properties are within the High Density designation which permits up to 53m (17 storeys), and a FSI of 3.5 and up to 62 m (20 storeys) and a FSI of 4.0.</p> <p>Within the Secondary Plan, the density is not intended to be calculated on the individual parcel basis and instead is intended to be calculated on the basis of the designation block.</p> <p>The application of 10.25 FSI on a site specific basis would not be appropriate and instead the density should be comprehensively considered through a development concept for the subject sites. The height permitted in the Zoning bylaw amendment approved in 2009 is 65m and exceeds the permitted and bonusing height.</p> <p>A site specific exception is recommended to address this relatively recent zoning permission. This approach is also recommended for the zoning bylaw amendment approved by the OMB for the Slessor property at 17645 Yonge Street in 2013, which was approved for a maximum of 64m &amp; 58m, respectively.</p>	<p>No Change regarding density.</p> <p>Recognize the maximum height of 65 m as an exception to the Secondary Plan for 39 Davis Drive.</p> <p>Similar exception has been included for the front portion of the Slessor zoning application.</p>
17.	Roslyn Houser, Goodmans on Behalf of Criterion Development Corporation	<p>The height and density on the property located on the south-west corner of Yonge and Mulock should be consistent with the other three quadrants.</p> <p>Objects to the decrease in height and density generally as they do not recognize intensification potential adjacent to the VIVA station.</p>	<p>Concur.</p> <p>The recommended adjustments to Height and Density addressed in response to the Region addresses this comment.</p>	<p>Designation recommended to be revised to High Density</p> <p>Designations on Schedule 4 revised in response to Regional comment.</p>



No.	Name	Comment	Planning Rationale	Recommended Change
	Roslyn Houser (cont'd)	<p>The proposed Height on the R5 -T Zone is less than the currently permitted 8 storeys.</p> <p>Objects to the Park designation on the Black Walnut grove on the subject property.</p> <p>Notwithstanding the vacant nature of the property, requests that the Interim Development Policies (6.4.8) that would permit limited 1 and 2 storey development apply to the subject property.</p> <p>Concern with respect to the level of detail of the Urban Design policies.</p>	<p>Revise designation on the subject property to medium density.</p> <p>The park designation at this location is one of key and strategic parks identified to address the Town's longer term need to provide park space for the additional 34,000 population projected for the Urban Centres.</p> <p>This park is in the north west quadrant where over 17 ha is projected as required to meet the Town's parkland standard for Neighbourhood Parks and urban squares(0.7 ha per 1000 residents)</p> <p>The park also protects the existing mature Black Walnut trees on the property which contributes to not only the tree canopy target of 12% but also to green space and air quality in what will be a high density area.</p> <p>The subject property is vacant and the application of the interim development policies which would allow limited low density development is not consistent or compatible with the policy direction to intensify along the Yonge Street corridor. This request is also inconsistent with the request to provide for high density development on all four quadrants of the Yonge/Mulock node at a key transit stop.</p> <p>See Response to Angela Sciberras.</p>	<p>Designation recommended to be changed to High Density.</p> <p>No change recommended.</p> <p>No change recommended.</p> <p>No change recommended.</p>

No.	Name	Comment	Planning Rationale	Recommended Change
18.	Weston Consulting	That the density transfer Policies 6.4.7 regarding density be clarified and ensure that all affected landowners are notified.	Concur.	<p>The following modifications are recommended:</p> <p><b>6.4.7</b></p> <p><b>Density</b></p> <p>xiii.<b>It is recognized that it may be appropriate to permit the transfer of density between abutting or proximate properties within the same <i>density designation</i> where density cannot be achieved on the donor property due to other provisions of this Plan. Therefore,</b> on an individual property basis, the Town may consider an <i>FSI</i> that is higher than the Permitted Maximum <i>FSI</i> for the <i>density designation</i> in which the recipient property is located, where it can be demonstrated to the satisfaction of the Town that:</p> <p>a) the Permitted Maximum <i>FSI</i> for the overall <i>density designation</i> within which the application applies will not be exceeded, <b>except as may be permitted through the bonusing provisions of Policy 14.2.9;</b> as a result of reduced densities <del>on other portions</del> of the property <del>(ies)</del> within the same <del>density designation, such as,</del> through the conservation of heritage</p>

No.	Name	Comment	Planning Rationale	Recommended Change
	Weston Consulting (cont'd)			<p>buildings or the application of the Transitional and Angular Plane policies in proximity to low-rise residential areas;</p> <p>b) the <b>proposed development on the recipient and donor property meets the</b> applicable urban design and built form <b>policies of this Plan</b>;</p> <p>c) the location and characteristics of the individual <b>recipient</b> property make it appropriate to accommodate a greater share of the density, relative to <b>other portions of the property or other</b> properties within the same <i>density designation</i>; and</p> <p><b>d) appropriate agreement(s) have been struck between the Town and the affected landowners of the donor and recipient properties within the applicable density designation.</b></p>
	<b>Individuals</b>			
19.	Ali Abbaskhah	A grade separation for the Go-train at Davis Drive will address both the queuing of impacts on Davis Drive and reduce the need for the train whistle which creates noise pollution.	This issue will be addressed through the Mobility Hub Station Area Study.	No change recommended.
		Town should control design and architecture of new developments along Yonge Street and Davis Drive	The Urban Design provisions and the provision of Policy 14.2.7, which identifies that the Town may establish a design review panel addresses this comment.	No change necessary.
		There are too many wires on poles on Davis Drive.	The Plan contains provisions for securing space (3-5	No change recommended.

No.	Name	Comment	Planning Rationale	Recommended Change
	Ali Abbaskhah (cont'd)		m) on both sides of Yonge Street and Davis Drive to provide for the future opportunity for undergrounding hydro lines and associated utilities to be dedicated to the Town.	
20.	Brian Greiner	Concern that the secondary plan does not appropriately address future parking and that reduced parking will negatively impact businesses within the corridor and not adequately serve the hospital district.	Private and public parking is permitted in all designations and is not intended to be eliminated.  Transportation Demand Management Plans are required for each application to address parking needs and to encourage a shift to other modes of transportation including transit and active transportation.	No change recommended.
		Insufficient attention has been given to planning for future libraries and cultural facilities to accommodate the existing and future population.	Community facilities are a permitted use in all designations and will subject to consideration separate from the Secondary Plan process.	No change recommended.
21.	Dave Sovran	Clarification and comments related to the Active Transportation Network.  Numerous signalized intersections between Bathurst and Yonge is a "painful" way to enter the Town.  There is a dearth of cultural facilities and support for the opportunity for library and other cultural facilities provided for.  What is the shortfall in the North west quadrant for parkland. There is a lack of park space, particularly in the NW quadrant. How will this shortfall be addressed and when?	These are addressed in OPA # 11 Active Transportation Network staff report.  The entire Town will be Urbanized and the signalized intersections are required to address traffic function.  No comment.  The shortfall in the NW Quadrant is approximately 15.4 ha based on the revised population as proposed in the recommended Plan for adoption and a total population of 33,000.  Strategic properties for parkland have been identified in the Secondary Plan as "Parks and Open Space" (See Schedule 6). In addition, the Secondary Plan policy requires parkland dedication as applications proceed.	No change recommended.  No change recommended.  No change recommended.  The Parkland shortfall has been recalculated for each of the quadrants based on the refined designations as follows: North West Quadrant 15.4 ha North East Quadrant 0.8 ha Southwest Quadrant 7 ha  Total 23.4 ha

No.	Name	Comment	Planning Rationale	Recommended Change
	Dave Sovran (cont'd)	<p>Support the provisions for public art.</p> <p>Opposed to bonusing if it goes beyond the permitted heights.</p> <p>Is there an opportunity to augment open space or walkway connected to the Main Street Heritage District and River Walk commons.</p>	<p>The Town is undertaking the development of an alternative parkland dedication By-law to address the future requirements in keeping with the provisions of Section 42 (3) of the <i>Planning Act</i>.</p> <p>No comment.</p> <p>No comment.</p> <p>There is a small park proposed at the Main Street Gateway (See Schedule 6.) Also, The existing parks and one new proposed park identified as (OS g) on Schedule 6 create connectivity with the historic downtown along the Holland River and the Tom Tayler Trail. The Tom Taylor Trail is located on the east side of the river to Water Street and on the west side of the river north of Queen Street to Davis Drive. A new trail is proposed on the east side of the river between Queen Street and Davis Drive.</p>	
22.	Jeff Mark Brown	Process Concerns.	Not applicable to policy.	No Change to Secondary Plan recommended.
23.	Jim Muenzenberger	Process Concerns.	Not applicable to policy.	No Change to Secondary Plan recommended.
24.	Patricia Montgomery-Rundle	General Comments – many of which were in support of policy approach and editorial policy wording suggestions.	Considered a minor edit.	Minor edits included where appropriate.
25.	Shane MacDonald	Support the expansion to include lots on the South side of Walter Ave. and recommend that additional lot fabric west of Barbara Road (47,49 and 51 Walter Ave.) be included to provide for appropriate lot depth to achieve the desired density on Davis Drive.	Increased depth along Davis Drive provides for more flexible development blocks. In addition, a road separation between the stable residential area and the development clock provides for a more sensitive transition to the stable residential area, particularly in view of the application of the 22 degree angular	<p>Add the following two additional areas to the Secondary Plan Area:</p> <p>a) The south side of Walter Ave. between Barbara and Rye Crescent as Medium Density; and</p>

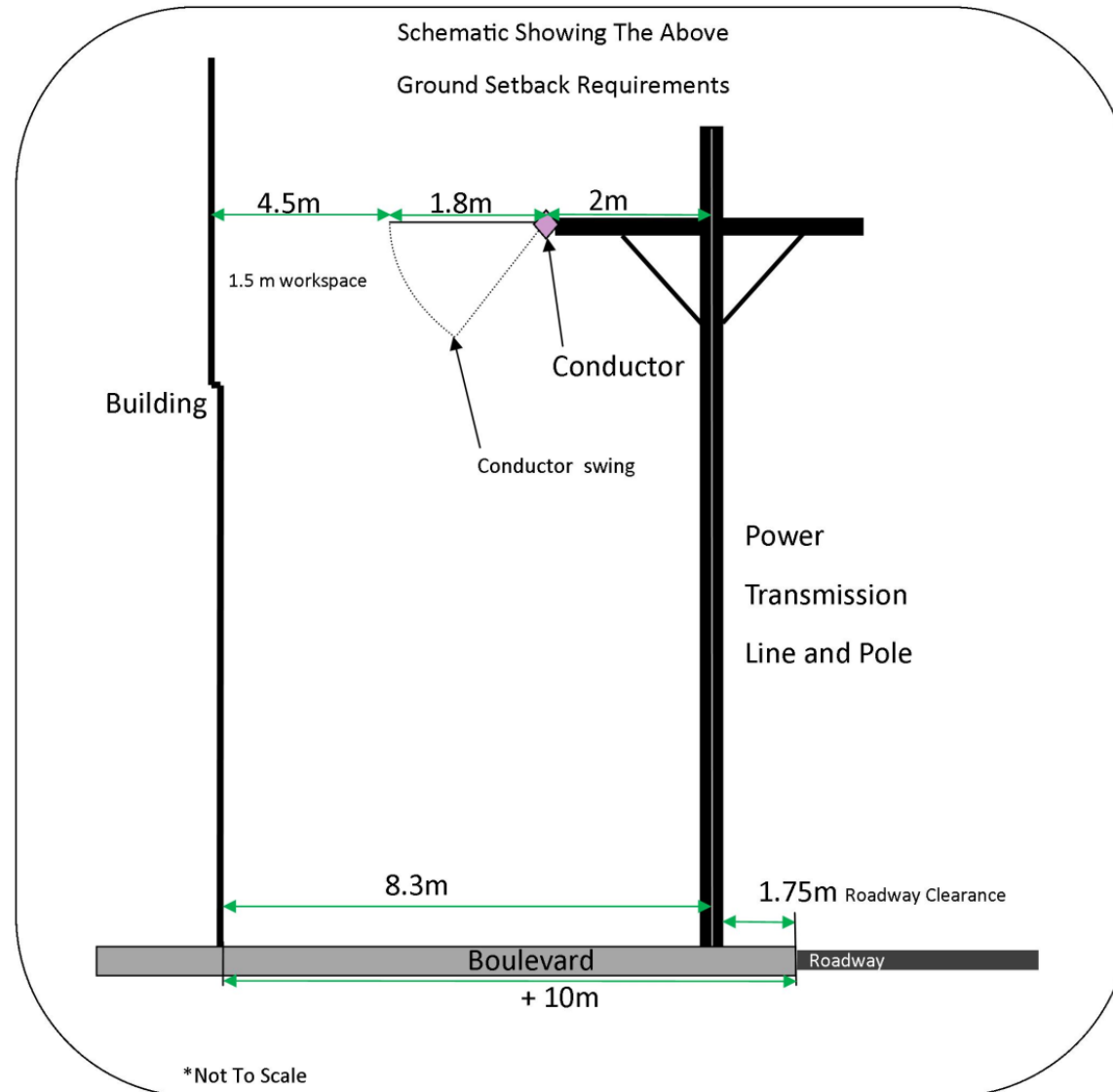
No.	Name	Comment	Planning Rationale	Recommended Change
	Shane MacDonald (cont'd)		<p>plane provisions.</p> <p>Based on this, an analysis has been undertaken to determine if there are additional areas along Davis Drive that may be expanded to provide for more appropriately sized developable blocks, where the development block is separated from the stable residential area by a public street in order to provide a sensitive transition.</p> <p>Two additional areas were identified for inclusion in the Secondary Plan Area:</p> <p>a) The south side of Walter Ave. between Barbara and Rye Crescent; and b) South side of Penn Ave. west of Hill Street.</p>	<p>b) South side of Penn Ave. west of Hill Street as Low Density.</p> <p>c) North of Aspenwood, west of Yonge Street include the Urban Centre - Regional Zone in the Secondary Plan Boundary.</p>
26.	Suzanne Theroux	<p>Ensure that the transitional policies are sensitive to the existing residents and enforceable.</p> <p>Concern with impact of traffic on Savage Road.</p>	<p>The angular plane policy is designed to address impacts on adjacent residential neighbourhoods.</p> <p>Traffic Impact analysis is required with all applications.</p>	Minor Changes to the Angular Plane policy are proposed as addressed under the response to YYRTC.
27.	Wendy Kwan	Opposed to Bolton Ave./Watson Ave Road connection and traffic concerns.	As indicated in the GHD Report this connection at the planned traffic light at the hospital is important to provide alternatives to Davis Drive and connectivity north of Davis Drive.	No Change.
	<b>Editorial to text</b>	Policy 10.3.4 Clarify the wording regarding the role of Public Spaces relative to parkland dedication.	Editorial.	<p>Revised Policy 10.3.4 as follows:</p> <p>In addition to the Neighbourhood Parks and Urban Squares and Plazas, the Urban Centres will include a number of Open Spaces. Open Spaces are intended to be passive in nature, respecting their location within the floodplain and/or <b>role as</b> stormwater <b>management</b></p>

No.	Name	Comment	Planning Rationale	Recommended Change
	Editorial to text (cont'd)			<b>facilities and their linkage to natural heritage functions. These Open Spaces will be secured by the Town in accordance with Policy 10.3.1.1 vii.</b> The Urban Centres will include, but not be limited to the following Open Spaces:
		Policy 14.2.9 Bonusing	<p>It is at the applicants discretion to elect to implement Bonusing and Council must also be satisfied that the bonusing is in the public interest and represents good planning in the context of the Secondary Plan.</p> <p>Editorial modification required to reflect this intent.</p>	<p>Revise Policy 14.2.9 as follows:</p> <p><b>II.      The applicant may elect to request</b> <del>Town, at its sole discretion, may allow</del> increases in the Permitted Maximum Heights and/or Permitted Maximum FSIs up to, but not exceeding the Discretionary Maximum Heights or Discretionary Maximum FSIs With Bonusing, without an amendment to this Plan in exchange for one or more of the following public benefits, or cash in lieu of such benefits. The following public benefits are beyond what would otherwise be required by this Plan, the <i>Planning Act</i>, the <i>Development Charges Act</i> or any other</p>

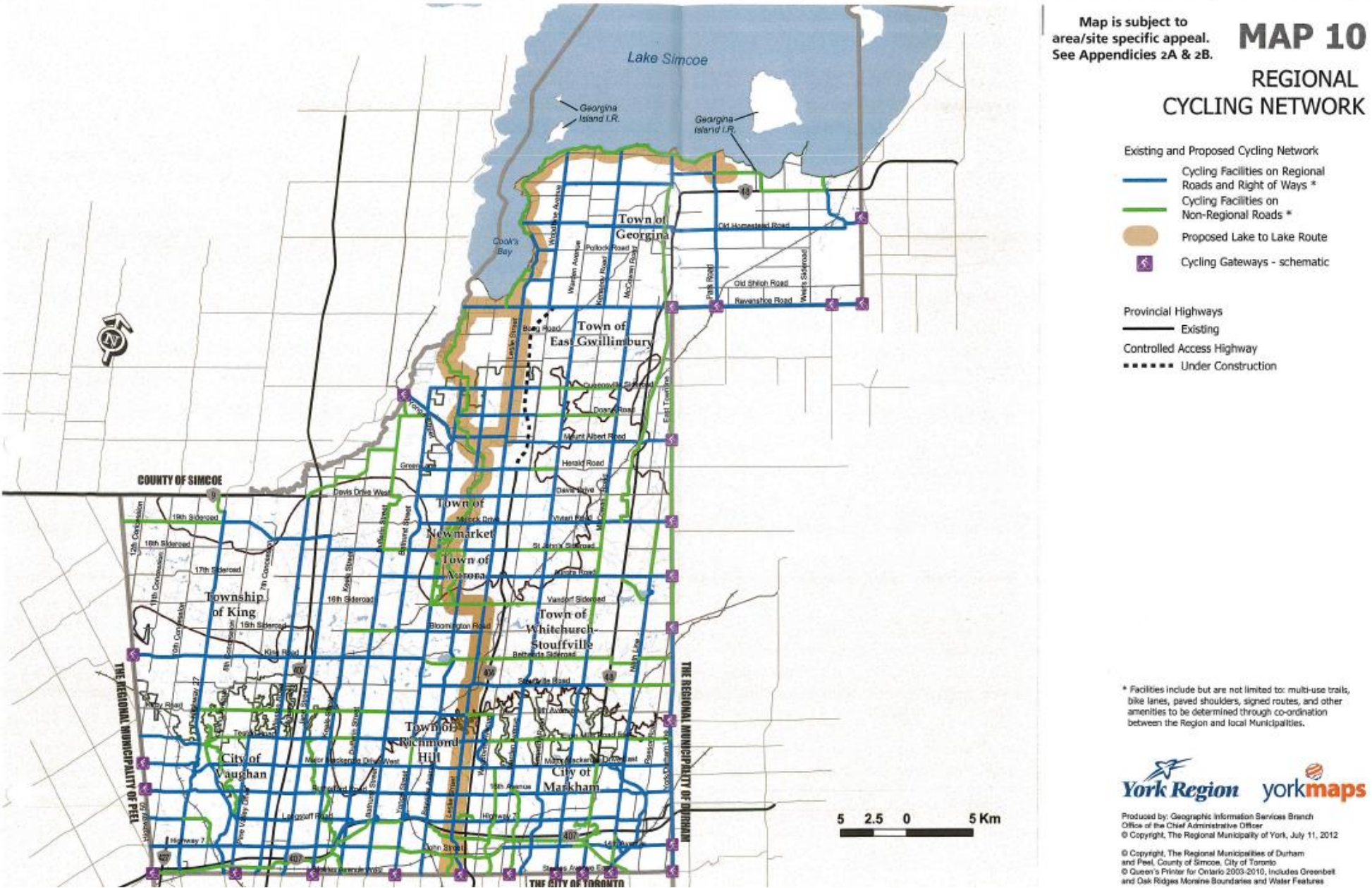
No.	Name	Comment	Planning Rationale	Recommended Change
				requirement.
	Mapping Corrections	All Schedules should be updated to include the UC-R Zone North of Aspenwood (north-west quadrant) in accordance with Zoning By-law 2010 -40 as amended. (See Appendix 3 Schedule A Map 1 to By-law 2010-40).	Correction	All Schedules updated to include the UC-R Zone North of Aspenwood (north-west quadrant) in accordance with Zoning By-law 2010 -40 as amended. (See Schedule A Map 1 to By-law 2010-40).
		All schedules should be updated to accurately include only the CC zone at Dawson Manor Blvd and Alfred Smith Way (Any appearance to include existing development on the east side of Mathew Boyd Crescent to be corrected. (See Schedule A Map 2 to By-law 2010-40).		All schedules updated to accurately include only the CC zone at Dawson Manor Blvd and Alfred Smith Way (Any appearance to include existing residential development on the east side of Mathew Boyd Crescent to be corrected. (See Schedule A Map 2 to By-law 2010-40).



# Appendix 1



# Appendix 2





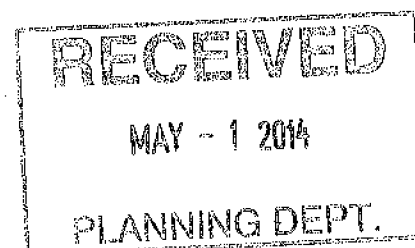



**METROLINX**

An agency of the Government of Ontario  
Une agence du gouvernement de l'Ontario

April 28, 2014

Marion Plaunt  
Senior Planner, Policy  
Newmarket Town Hall  
P.O. Box 328  
Newmarket, Ontario, L3Y 4X7



Dear Ms. Plaunt,

**Re: Revised Draft Newmarket Urban Centres Secondary Plan**

Thank you for the opportunity to provide comment on the Revised Draft Newmarket Urban Centres Secondary Plan.

We commend the Town of Newmarket for producing a plan which focuses on intensifying development around existing and planned regional rapid transit infrastructure, prioritizing active transportation and transit, and managing transport demand.

The draft plan aligns with *The Big Move*, identifying and responding to the key initiatives of The 15-Year Plan. This includes plans for the GO Barrie Line serving Newmarket to increase to a full-day, two-way regional rail service and the definition of two Mobility Hubs in Newmarket, including an Anchor Hub within the Urban Growth Centre at the intersection of Yonge Street and Davis Drive, and a Gateway Hub at the existing Newmarket GO train station.

We further commend the Town for developing transportation and mobility policies that correspond with the principles of the Metrolinx Mobility Hub Guidelines released in September 2011.

Metrolinx is generally supportive of the Revised Draft Newmarket Urban Centres Secondary Plan and respectfully submits the following comments for consideration:

**Section 15 – Glossary**


1. The definitions contained within the glossary are generally consistent with *The Big Move* with the exception of Transport Demand Management (TDM). It is recommended the definition for TDM be amended to the following:
  - a. "A program of incentives which influence whether, when, where and how people travel, and encourage them to make more efficient use of the transportation system"

Schedules 3, 4, 5 & 6

2. The four plans in Schedules 3, 4, 5 & 6 identify the two Mobility Hubs within the Newmarket Urban Centres and the conceptual Mobility Hub Station Area Plan Study Area for the Newmarket GO train station. It is recommended the conceptual Mobility Hub Area Plan Study Area for the Anchor Hub at the intersection of Yonge Street and Davis Drive be detailed on the Schedules.

Should you wish to discuss the above comments further please contact Martin Keen, Advisor - Hub and Station Planning on 416-202-5673 or [martin.keen@metrolinx.com](mailto:martin.keen@metrolinx.com).

Sincerely,



Joshua Engel-Yan  
Manager - Hub and Station Planning

**Detailed Regional Comments**  
**Official Plan Amendment #10**  
**REVISED DRAFT Newmarket Urban Centres Secondary Plan - March 24, 2014**

Section	Sub-Section	Commenter	Regional Comments
<b>Part A – The Preamble</b>			
2.0 Planning Context	2.1 Provincial Policy Statement (2005)	Long Range Planning	Section 2.1 - Should be updated to reflect the new Provincial Policy Statement, 2014 (PPS 2014), since it comes into effect on April 30 <sup>th</sup> 2014.
	2.4 York Region Official Plan (2010)	Long Range Planning	The last 2 bullet points related to the FSI requirement and the affordable housing requirement are different from what is in the <i>York Region Official Plan – 2010</i> (ROP). The text should be changed to match the ROP policies.
<b>Part B – The Amendment</b>			
4.0 Vision		Public Health	Suggest including improvements to green space within the Vision. Recommended wording in the 3 <sup>rd</sup> paragraph:  “Development will be designed to be sustainable by incorporating a full range of sustainability measures that will serve to reduce energy consumption and heat island effects, <b>improve green space</b> , implement innovative stormwater management and waste management practices and reduce water use.”
	5.2 Objectives	Long Range Planning	The term “employment” was deleted from Section 5.3.1 but also needs to be deleted in Section 5.2 and also in any other sections with a similar policy reference.
6.0 Character Areas, Permitted Uses, Density, Height and Built Form	6.4.7 General Building Height and Density	Community Planning	We recognize that this Revised Plan (Schedule 4) has reduced heights and densities since the last circulation of the Draft Secondary Plan (September 27, 2013), which effects all designations across the study area. This is a concern, particularly along Davis Drive as the Regional Corridor may not achieve the planned function as an “urban mainstreet” and “intensification area” served by rapid transit.
	6.4.8 Interim Development Policies	Long Range Planning	Policy 6.4.8.ii.a) identifies that interim development cannot increase total gross ground floor area by 10. What isn’t identified is what metric 10 is referring to – this should be clarified (m and/or %)

7.0 Urban Design and Sustainability	7.2 Objectives	Public Health	<p>We are pleased to see that climate resilient infrastructure has been addressed; however, we suggest review of the policy wording (i.e. enduring buildings?). Recommended wording for "f)":</p> <p>"f) ensure high quality urban design is implemented including enduring buildings, and buildings and associated infrastructure that are resilient to external factors, such as climate change"</p>
	7.3.3 Transitional and Angular Plan Policies	Community Planning	<p>These new policies attempt to address development adjacent to existing low-rise residential development outside the Urban Centres. In doing so, there is potential that while applying these angular planes, in addition to the height and density restrictions for these designations, some of these land parcels may actually have less development potential in this Revised Secondary Plan than what is currently permitted. Suggest that the specificity of angular planes be identified through Zoning by-laws, if appropriate.</p> <p>Furthermore, Regional Official Plan Policy 3.5.23 specifically "prohibits the approval of local municipal official plan amendments and zoning by-law amendments that would have the effect of reducing of a site in areas that have been approved for medium or high density development, unless the need is determined through a municipal comprehensive review."</p> <p>Under 7.3.3.2 - Figures 1 and 2 should be clearly identified as examples and not be included in the operative portion of the Secondary Plan.</p>
	7.3.6 Streetscapes and Boulevards	Public Health	<p>Under 7.3.6. iv. - Suggest specifying shade protection to complement wording as in Policy 7.3.6.iii</p> <p>"h) promote pedestrian comfort, weather and shade protection, and safety, including street trees and bicycle parking, particularly at transit stops; and"</p> <p>Under Section 7.3.6.v. - The following policies were removed in the most recent draft. As we do not see that these policies have been moved, and a rationale was not provided, we suggest they be included once again within the policy.</p> <p>"The design of minor collector roads and local roads will:</p> <ul style="list-style-type: none"> <li>a) promote pedestrian amenity, comfort, convenience and safety;</li> <li>b) ensure accessibility;"</li> </ul>

	7.3.7 Sustainability	Long Range Planning	<p>Policy 7.3.7 xi. encourages consideration of district energy and design features that would enable future district energy. How is this going to be achieved at the building scale? Feasibility for district energy systems need to be determined at the secondary plan stage. If this is not going to be addressed in the Secondary Plan, then perhaps a reference in the Parent Official Plan under 4.3.2 (District Plans) be added to include: "Community Energy Plan"</p> <p>Under Section 7.3.7.xii.e. - Suggest clarifying that the Sustainable Development Reports address indoor air quality enhancement.</p> <p>"xii. Applications for development in the Urban Centres will be required to include a Sustainable Development Report that describes how the proposed development supports environmental sustainability. Sustainable Development Reports shall address at a minimum the following: e) indoor air quality enhancement"</p>
8.0 Block Structure and Street Network	8.3.2 Street Network	Strategic Policy and Business Planning	<p>We initially noted that the Region was adopting a proactive and holistic approach to Regional street design, using the <b>Context Sensitive Solutions (CSS)</b> approach. This is an important method to street design that is being used within our Rapidways, along other Regional Streets as well as in other Regions to help integrate land use planning and transportation solutions to support active transportation. There is no mention of the Context Sensitive approach to Regional street design within the Secondary Plan. The Secondary Plan would be further <b>supportive</b> of integrating land use and transportation design and active transportation should the CSS approach be mentioned.</p>
9.0 Transportation and Mobility	9.3.3 Active Transportation	Strategic Policy and Business Planning	<p>We initially requested Section 9 (Transportation and Mobility) to include wording to ensure that the design of the network, specifically the Active Transportation Network, would comply with the <b>Integrated Accessibility Standards Regulation of AODA</b>. Regional streets and active transportation networks should be free of barriers and universally accessible. Including language that is supportive of the Accessibility for Ontarians with Disability Act would ensure that all planning within the Secondary Plan Area would have regard for accessibility for all users. Although AODA supportive language does appear as a broad statement under Section 7.3.1 ii., including language that specifically relates to the Road and Active transportation network would be more beneficial.</p>



13.0 Servicing	9.3.4 Transportation Demand Management	Public Health	Under Section 9.3.4.i. - Suggest including climate change mitigation as an outcome of modal shift.  "Transportation Demand Management aims to encourage modal shift away from the private automobile, thereby reducing congestion and emissions, <b>mitigating climate change</b> , improving air quality, and promoting physical activity and healthier lifestyles."
	9.3.5 Parking	Public Health	Under Section 9.3.5.ii. - Suggest considering infrastructure for recharging electric vehicles at parking facilities.
	13.1 Introduction	Water Resources	This last statement regarding the one well outside the boundary needs to be corrected. There are actually two wells immediately outside the southern-most boundary (Newmarket Wells No. 13 and No. 16) whose wellhead protection areas (WHPA-B, C and D) extend into the Secondary Plan boundary. As such these wellhead protection areas will impact proposed activities within the Secondary Plan area. The current wording suggests that the wells and not wellhead protection areas or the activities within them will be subject to Source Protection Plans.  <b>Recommended wording:</b> (Please note that the plans are called Source Protection Plans not Source WATER Protection Plans. Please remove WATER from the name.)  There are three municipal wells and their associated wellhead protection areas located within the Urban Centres boundary. Within the Urban Centres boundary there are additional wellhead protection areas that extend from the two municipal wells which are located outside of the Urban Centres boundary. Lands within all of these wellhead protection areas will be subject to Regional Official Plan wellhead protection policies and the South Georgian Bay Lake Simcoe Source Protection Plan.
	13.3.4 Energy and Underground Utilities	Community Planning	Policy 13.3.4 vi Requires up to an additional 5 metres of boulevard width as a parallel right-of-way adjacent to the Regional right-of-way be dedicated to the Town at the time of development or redevelopment in accordance with Policy 14.2.4. There is concern about the implementation mechanism of a land conveyance for the purposes of undergrounding hydro, outside of the road right-

				of-way, within the current legislative planning framework.
<b>Part C – Schedules</b>				
	Schedule 4 (Height and Density)	Community Planning		Given the reduction in heights and densities across the entire study area, consideration should be given to how some of these low density designations, particularly along Davis Drive, are going to be able to achieve the vision of intensification that was identified at the outset of this secondary plan process.
<b>Items 2 to 4</b>				
Item 2 Modifications to Parent Official Plan	4.0 (Urban Centres)	Community Planning		Under Item 2, 4.1 d. (Objectives) - Is this objective referring to the "Yonge Street Regional Centre" or the Corridor? Needs to be clear.
Item 3 Modifications to Parent Official Plan	4. (2.0 Urban Structure) 9. (14.0 Servicing)	Long Range Planning Community Planning		Under Section 2.0, Urban Structure b) population should be 97,100 by 2031 which is the <i>York Region Official Plan - 2010</i> Table 1 forecast for Newmarket. Under Section 14.0 Servicing -- should delete the entire section 14.2.1 – Cannot put population numbers beyond 2031 in the Parent Official, as would not conform to the York Region Official Plan.
	11. (16.1.6 Complete Applications)	Long Range Planning		Under 16.1.6 a) - Add "Plan" after "Newmarket Urban Centres Secondary"
<b>General Comments</b>				
		Public Health		<p>The Revised Draft Secondary Plan does not currently address the importance of siting sensitive uses away from significant emissions sources such as major traffic corridors and the requirement for cumulative air studies, as recognized in the following York Region Official Plan (ROP) policies:</p> <ul style="list-style-type: none"> <li>• 3.2.1.5 To require health, environmental and cumulative air quality impact studies that assess the impact on human health for development with significant known or potential air emission levels near sensitive uses such as schools, daycares and seniors' facilities.</li> <li>• 3.2.1.6 That sensitive uses such as schools, daycares and seniors' facilities not be located near significant known air emissions sources such as controlled access provincial 400-series highways.</li> </ul>

			Within the Revised Draft Secondary Plan, "separation distances" are used in the context of minimizing impacts to residents when considering places of entertainment. It is equally important to address separation distances in the context of minimizing impacts to residents from sources of air pollutants. We suggest that language could be added to support these ROP policies in Section 6.3 General Policies, Section 7.3 Policies or wherever deemed most appropriate. The requirement for cumulative air studies could be incorporated as part of Traffic Impact Studies.
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DETAILED REGIONAL COMMENTS ON REVISED DRAFT MARCH 24 2014.doc



Transportation and Community Planning

April 25, 2014

Mr. Richard Nethery, MCIP, RPP  
Director of Planning and Building Services  
Town of Newmarket  
395 Mulock Drive  
P.O. Box 328, STN Main  
Newmarket, ON, L3Y 4X7

Attention: Ms. Marion Plaunt, Senior Planner

Dear Mr. Nethery:

**Re: Regional Comments on Official Plan Amendment #10  
Revised Draft Newmarket Urban Centres Secondary Plan  
Town File Nos. NP-P-13-01 and NP-P-13-02**

Thank you for the opportunity to review and provide comments on the Town's Revised Draft Official Plan Amendment (OPA #10 - Newmarket Urban Centres Secondary Plan), dated March 24, 2014.

Since the last circulation of Draft OPA #10, dated September 27, 2013, the Region provided comments in a letter, dated November 7, 2013. Regional staff is pleased to see that many of our comments have been addressed in this Revised Draft OPA #10. However, there are some significant changes in this Revised Draft OPA that have been recently introduced since the last Draft Secondary Plan, such as the introduction of reduced heights and densities across the entire Secondary Plan study area and associated angular plane policies. This is a concern, particularly along Davis Drive, where reduced intensification may not fully reflect the urban vision for the Regional Corridor supported by the new Viva Rapidway and reflected in the "Visualization, Massing and Height Study" that was prepared for the Town in February 2010.

This study, and other supporting documents, were created at the outset of this process to showcase the vision for these Urban Centres, which is envisioned to have a built form that is compact, transit-supportive, and include heights and densities to maximize the potential for the highest and best uses and greatest intensity of development within the Region, while being sensitive to the existing community.

We respectfully suggest that perhaps a principled approach be taken to support general policies on urban design and angular planes, while maintaining the densities and designations that were identified in the previous Draft Secondary Plan (September 27, 2013). This approach may

provide for more flexibility of future development applications that come forward with detailed studies to assess the potential for achieving high urban design standards and built form to allow for a range and mix of uses, while maintaining the integrity of the Urban Centres and transition to lower density stable residential areas. A key objective in our Regional Official Plan is to achieve attractive and vibrant urban Regional Corridors that link our Regional Centres.

Newmarket's Urban Centres are a tremendous city-building opportunity for the Town and Region. The planning and build-out of this community will advance the implementation of the Region's urban structure and investment in the construction of the Viva Rapidway corridors.

In general, the Revised Draft Secondary Plan contains many solid planning policies that direct growth and redevelopment in the Urban Centres, including the Provincial Urban Growth Centre / Regional Centre. The Revised Secondary Plan also strives to achieve Regional affordable housing and sustainability targets, a network structure to support a fine grid of streets, active transportation, and parks, open space, trails and natural heritage systems.

Our approach to the review and approval of the Urban Centres Secondary Plan will be consistent with the *York Region Official Plan - 2010*, as well as applicable Provincial legislation and policies. Our goal is to support Newmarket's efforts in creating a successful Urban Centres and Corridors.

The attached table of Regional Staff comments titled: "*Detailed Regional Comments – REVISED DRAFT Official Plan Amendment #10 - March 24, 2014*" highlights our interests and issues with respect to this Revised Draft Official Plan Amendment for the Urban Centres Secondary Plan. These comments will form the basis of our full review once this amendment and the corresponding OPA #11 (Active Transportation Network) are adopted. Our review will focus on matters of Regional interest regarding city-building in the context of supporting the build-out of the Urban Centres.

We ask that you please provide us with a response to each of our comments in the attached table, before finalizing this Revised Draft Secondary Plan.

Regional staff sincerely appreciates the ongoing dialogue in this iterative secondary plan process. Should you have any questions or comments, please do not hesitate to contact myself or Jason Ezer at 905-830-4444, ext. 71533 or by email at [jason.ezer@york.ca](mailto:jason.ezer@york.ca).

Sincerely,



Karen Whitney, MCIP, RPP  
Director, Community Planning Branch

JE/

Attachment – Detailed Regional Comments – REVISED DRAFT Official Plan Amendment #10 – March 24, 2014

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May 30, 2014

VIA EMAIL: [mplaunt@newmarket.ca](mailto:mplaunt@newmarket.ca)

**Attention: Marion Plaunt, Senior Planner, Policy**  
Planning & Building Services  
395 Mulock Drive  
Station Main  
Newmarket, ON L3Y 4X7

Dear Ms. Plaunt:

**Re: Newmarket Urban Centres Secondary Plan and Associated Amendments**

Thank you Marion for taking the time to meet with YRRTC and our Consultant, MMM to review and discuss our comments and concerns raised out of our review of the Newmarket Urban Centres Secondary Plan.

Based on our last meeting, please find attached a memo from MMM, which outlines final suggestions and comments we would like the Town of Newmarket to review and consider incorporating into the Newmarket Urban Centres Secondary Plan for some additional clarity.

I wish you well on the adoption of the Newmarket Urban Centres Secondary Plan and Associated Amendments.

Yours truly,

A handwritten signature in black ink that reads "CRyall".

Carolyn Ryall  
Manager, Infrastructure & Development  
York Region Rapid Transit Corporation

Edocs #5526409-v1



## INTER-OFFICE MEMO

To: Mary-Frances Turner Date: May 29, 2014  
 From: Chad B John-Baptiste Job No.: 3213001-000.800.020  
 Subject: Response to Secondary Plan CC: Carolyn Ryall, David Clark  
 Revisions – May 21, 2014

Page references and section references are from the meeting agenda package between Town of Newmarket, Region of York and York Region Rapid Transit Corporation of May 21<sup>st</sup>, 2014.

### **Height and Density**

#### **Minor reductions to permitted minimum densities (Page 8):**

- Request that the minimum low density FSI be reduced from 1.5 FSI to 1.0 FSI. Increase the height to 3 storeys. Leave the minor reduction language as proposed per the meeting.
  - Impacts sites 1, 2 and 5 where if a townhouse product was pursued even with underground could be below 1.0 FSI depending on site characteristics
- In lieu of above, need clarity as to whether staff have considered what they consider as minor reduction

### **Angular Plane**

#### **Application of policy (Page 10-11):**

- Proposed 7.3.3.1 and 7.3.3.2 b) add “as depicted on Schedule 5” to clarify intent. If the intent is any future private road/lane as part of a development application even those not depicted, then leave as proposed
- Proposed 7.3.3.1 and 7.3.3.2 c) Add “regardless of angular plane” after “existing residential development . . .”. Under this approach the angular plane would apply only after the third storey
- Note, it would also be our preference that abutting park space that the angular plane apply not from the property line but from 10.5 m above the property line.

### **Parks and Open Space**

#### **Proposed Park at Main and Davis Drive:**

- Based on our discussions with the Town at our meeting on May 21, 2014, staff advised that this was an important location to provide a public space on this site with the size to be determined. It was suggested that this may be achieved as either a public or a publicly accessible private space to be detailed at the time of a development application. A proposed policy and a policy revision is as follows:
  - New Policy: 10.3.2 ii. The park depicted at the southeast corner of Main Street and Davis Drive is intended to be an Urban Square and Plaza per the policies of 10.3.3 of the Secondary Plan. Notwithstanding 10.3.3 iv, the size of the park will be determined as part of a development application.
  - Revised Policy: 10.3.3 ii. Remove “public and” . At the end of the policy add “The area of the private space that qualifies for Parkland Dedication will be determined by the Town and per the requirements of policy 10.3.1.1 viii.

#### Parkland Acquisition:

- Proposed Policy 10.3.1.1. vi) d) revise as follows “reuse of municipal land or surplus land of other public agencies *acquired for parkland purposes*”
  - From the discussion with staff we understand that there are sensitivities to this request but we note that “acquiring” in addition to purchase also means simply to “obtain” which could be in a number of different approaches

#### Private Street/Hillview Drive

##### Hillview (Page 11)

- Our position on the Hillview Drive extension remains unchanged. Regardless if it remains, we have added concerns about the proposed Private Street between Hillview Drive and Hill Street on Schedule 5 north of Davis. Therefore we request that the Private Street be removed.
  - Understand that 299 and 301 Davis Drive is approx. 33 m deep. The combination of the 3-5 m hydro taking, 16 m private road leaves approx. 14 m of depth for actual development to take place. Also given the short distance between Hill Street and Hillview and depth of potential development in this area and the ownership consolidation that YRRTC has already completed a Private Street connection is not needed.

#### Private Roads/Lanes

- Section 8.3.4 iii) add “depicted on Schedule 5” after “Private roads/lanes. . .” Then add at the end “On small parcels, consideration can be given to smaller rights-of-way provided the objectives of the Secondary Plan are maintained.”
  - Also note that section 8.3.4 i) as currently worded suggests that in addition to what’s depicted on Schedule 5 there will be private streets, laneways etc. Therefore as currently worded, all the policies in 8.3.4. apply to roads/lanes/walkways that maybe needed but are beyond Schedule 5 unless noted. Hence the need to clarify the width per above and staff may want to consider other changes.

#### Low Rise Residential

- 7.3.4 i) add after public street “or private street. Priority for the primary entrance shall be the public street”

#### Hydro Taking

With respect to the hydro taking, we continue to have concerns regarding the hydro taking including the impacts on smaller properties as previously stated. This is in the context of the 2014 PPS requirements, the implementation of the proposed taking and the cost/benefit given the work already completed by YRRTC to move hydro poles and whether the hydro burial is justified as a result. As Newmarket staff is currently obtaining a legal opinion on the hydro taking, we request involvement in understanding how the hydro taking policy will be implemented based on the legal opinion and if the proposed approach has been modified as a result. Furthermore, if the hydro taking proceeds we need to understand the specific taking implications on YRRTC lands given the size and location of the YRRTC parcels and a process for this needs to be developed. YRRTC will need to continue to be involved in any future



dialogue regarding the hydro taking given the infrastructure constructed and the property ownerships



April 28, 2014

**HAND DELIVERED**

Commissioner Robert Prentice  
Development and Infrastructure  
Town of Newmarket  
395 Mulock Drive  
P. O. Box 328  
Station Main  
Newmarket, Ontario  
L3Y 4X7

Dear Commissioner Prentice:

**Re: York Region Rapid Transit Corporation Comments on Official Plan Amendment  
#10 – Draft Newmarket Urban Centres Secondary Plan (March 24, 2014 Draft)**

Further to our meetings, we are forwarding the attached memorandum from our land use planners, MMM Group Limited, which outlines York Region Rapid Transit Corporation's ("YRRTC") concerns regarding specific proposed land use policies.

YRRTC represents the interests of Metrolinx in the investment and acquisition of a number of parcels of land along the Davis Drive corridor. These lands, where not needed in their entirety for the construction of the rapid transit corridor, are to be sold for development purposes. YRRTC's goal is to ensure their land use viability and, in particular, to secure the opportunity to intensify uses from current rights, where appropriate.

Our planners have outlined a list of concerns which we would kindly request for you to carefully consider in finalizing the Newmarket Urban Centres Secondary Plan.

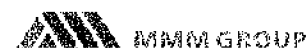
Sincerely,

A handwritten signature in black ink, appearing to read "MFTurner".

Mary-Frances Turner, President  
York Region Rapid Transit Corporation

MFT/sa  
Att.

cc: Mr. Bob Shelton, Chief Administrative Officer, Town of Newmarket  
Mr. Jack Collins, Executive Vice President, Rapid Transit Implementation, Metrolinx  
Mr. David Clark, Design Chief, Infrastructure and Development, YRRTC



MMM Group Limited  
 100 Commerce Valley Drive West  
 Thornhill, ON Canada L3T 0A1  
 t: 905.882.1100 | f: 905.882.0055  
 www.mmmgrouplimited.com

April 25, 2014

York Region Rapid Transit Corporation  
 3601 Highway 7 East, 12<sup>th</sup> Floor  
 Markham, ON L3R 0M3

Attention: Ms. Carolyn Ryall, Manager, Infrastructure

Dear Ms. Ryall:

**Re: Draft Newmarket Urban Centres Secondary Plan (March 24, 2014 Draft)**

As requested, we have reviewed the revised March 24, 2014 Draft Newmarket Urban Centres Secondary Plan in relation to the YRRTC landholdings on Davis Drive. We have previously provided comments to the Town of Newmarket in a letter dated March 10, 2014 many of which have not been addressed by the revised Secondary Plan and therefore continue to be applicable.

In a review of the revised March 24, 2014 Secondary Plan, we have identified a number of concerns which impact the high-level planning objectives and long term vision for Davis Drive as a transit-oriented urban development corridor.

Our comments on the latest draft secondary plan focus on the following key elements:

1. Height and Density
2. Transitional and Angular Plane
3. Davis Drive Widening and Burying of Utilities
4. Parks and Open Space, and
5. Street Network Schedules and Policies

1. Height and Density

It is our opinion that changes to the minimum and maximum building heights and Floor Space Index (FSI) are not consistent with the transit-oriented objectives of the corridor. Specifically, the revisions generally reduce permitted maximum height and density from previous versions and do not provide for an acceptable level of flexibility for different development types along Davis Drive. The reductions in height and density along Davis Drive also impact the underlying objective of transit-oriented development adjacent to planned VIVAnext BRT Stations where increased densities should be encouraged and supported by the Secondary Plan.

Furthermore, the reduction of height and density in some instances are below the existing as-of-right zoning height permissions that are currently in place. For example, lands located on the north side of the Davis Drive Character Area, the revised maximum height of four storeys is lower than the current six storey maximum contained in the current UC-R Zone in the Newmarket Zoning By-law 2010-40.

We also note that the density designation policies create scenarios where one development application could be based on the restriction of density of a separate property without appropriate notice and/or support from that property (6.4.7 xiii. a).

## 2. Transitional and Angular Plane

It is our opinion that the updated Transitional and Angular Plane policies, including policies that implement a maximum two storey built form/podium at the ground level adjacent to an existing low-rise residential area are not appropriate for Davis Drive. We believe the podium height should be generally three storeys for properties sharing a rear or side yard with an existing low-rise residential area with transition in built form (ie. podium to tower) occurring after the third storey.

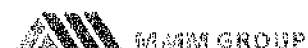
It is our opinion that the revised angular plane policies as currently proposed, specifically related to properties adjacent to a planned or existing park or existing low-rise residential area are not appropriate. We believe they will restrict development along Davis Drive and abutting open spaces areas counter to the Secondary Plan objectives given lot depths along Davis and should be revised to better reflect the proposed urban context of the Plan (for example, removing the 22 degree angular plane requirement; adjusting the 45 degree angular plane requirement and revising the built form relationship to parkland).

## 3. Davis Drive Widening and Burying of Utilities

It is our opinion that the protection of a 3 m to 5 m right-of-way for the burying of overhead hydro wires along Davis Drive needs to be reviewed in the context of the construction work completed to date and the new 2014 PPS requirements for the coordination of planning and infrastructure. It's our view that the background study supporting burial does not address all of the new PPS requirements and focuses more on Yonge Street than Davis Drive.

The application of the proposed land taking policies for securement of the corridor for hydro burial along Davis Drive raise questions of implementation under the *Planning Act* and combined with other policies dictating building envelope, will reduce the ability of parcels fronting along Davis Drive, especially smaller parcels, to achieve desirable built forms and floor plates.

York Region Rapid Transit Corporation  
Draft Newmarket Urban Centres Secondary Plan – March 24, 2014  
April 25, 2014



#### 4. Parks and Open Space

We recommend that the proposed park at the southeast corner of Main Street and Davis Drive be reconsidered. This is a prime development parcel adjacent to a proposed Rapidway Station and there are policies in the Secondary Plan that encourage development massing at this location (6.3.8.vi). Furthermore, the current parkland dedication strategy and provisions for funding parkland acquisition also need to be reviewed.

#### 5. Street Network Schedules and Policies

The proposed connection of Lorne Avenue and Hillview Drive was not incorporated into the current BRT design; however, the Secondary Plan continues to propose this connection. A preliminary review of the Transportation Study included with the Secondary Plan material does not separately assess the need for this connection. This proposed connection limits the ability to develop parcels in this area and the connection does not appear to be necessary from a transportation perspective based on the information available. This road connection needs to be reviewed in detail with consideration as to how the surrounding lands will be developed and consideration should be given to increasing the extent of the Secondary Plan boundary in this area as a result.

These comments are a high level review of the proposed Secondary Plan and supplement our previous detailed review of the Secondary Plan submitted to the Town. If you have any questions, free to contact the undersigned.

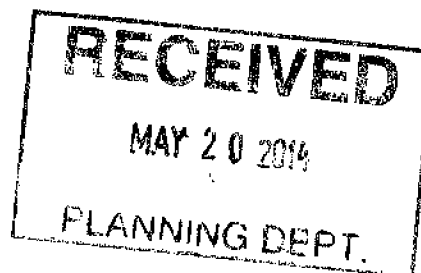
Yours Truly,  
**MMM GROUP LIMITED**

A handwritten signature in cursive script that reads "C. B. John-Baptiste".

Chad B John-Baptiste, BES, MCIP, RPP  
Senior Project Manager & Associate



May 15<sup>th</sup>, 2014



Mrs. Marion Plaunt, MES, MCIP, RPP  
Senior Planner, Policy  
Planning & Building Services  
Town of Newmarket  
Municipal Office  
395 Mulock Drive,  
P.O. Box 328, Station Main  
Newmarket, Ontario L3Y 4X7

**SUBJECT: Letter of interest**

Mrs. Plaunt:

Following out meeting on May 12<sup>th</sup> 2014, this letter is to inform the Town of Newmarket of the Conseil Scolaire Viamonde's interest in an Elementary School Site in the Newmarket Urban Centres, as described in the revised draft, Newmarket Urban Centres Secondary Plan of March 24<sup>th</sup> 2014.

Based on our meeting on May 12<sup>th</sup>, it is our understanding that sites designated for schools remain available.

You will find below my contact information. If you have any questions or require clarifications, please do not hesitate to contact me at 416 614-5917.

Sincerely,

Miguel Ladouceur,  
Director of Building, Maintenance and Planning  
[ladouceurm@csviamonde.ca](mailto:ladouceurm@csviamonde.ca)



**EDUCATION CENTRE - AURORA**

60 Wellington Street West, Box 40  
Aurora, Ontario L4G 3H2  
Tel: 905.727.3141 905.895.7216 905.722.3201 416.969.8131

Fax: 905.727.0775  
Website: [www.yrdsb.edu.on.ca](http://www.yrdsb.edu.on.ca)

Via Email and Mail

March 5, 2014

Mr. Richard Nethery  
Director of Planning  
Town of Newmarket  
PO Box 328, Stn Main  
395 Mulock Drive  
Newmarket, ON L3Y 4X7

Dear Mr. Nethery:

**Re: Official Plan Amendment #10 Draft Newmarket Urban Centres Secondary Plan  
and Associated Amendments NP-P-13-0, Town of Newmarket**

At the regular meeting of the York Region District School Board held on March 4, 2014, the following recommendations were approved:

1. That the York Region District School Board will require two public elementary school sites within Official Plan Amendment #10, Draft Newmarket Urban Centres Secondary Plan and Associated Amendments, NP-P-13-01, Town of Newmarket.
2. That the public elementary school sites should be located as shown in Appendix A (Schedule 3: Land Use).
3. That the Director of Planning for the Town of Newmarket be advised of this action.

If further information or clarification is required, please contact our office.

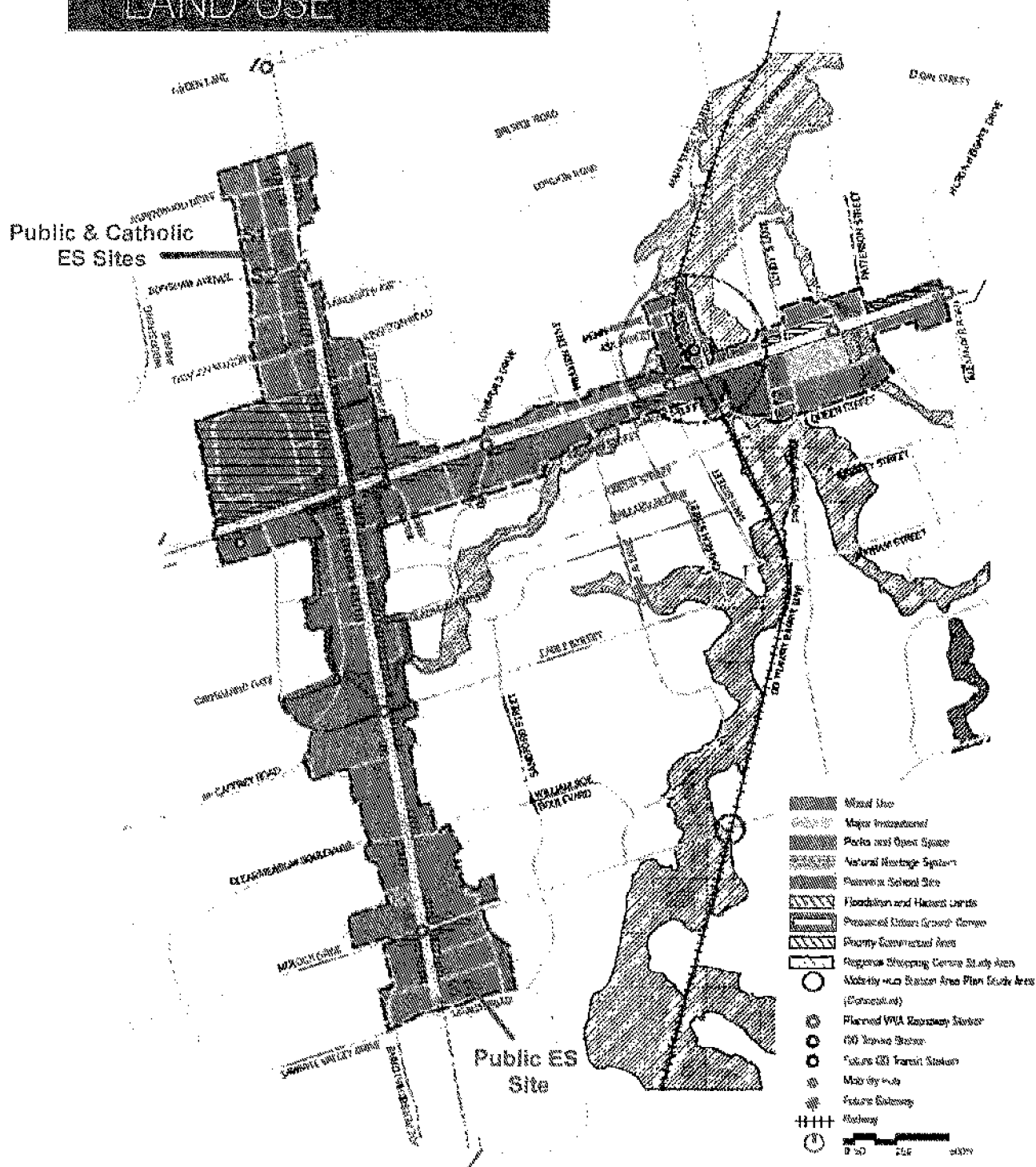
Yours truly,

A handwritten signature in black ink, appearing to read 'Jane Ross'.

Jane Ross  
Senior Manager  
Planning & Property Development Services

DEPARTMENT OF HEALTH AND HUMAN SERVICES

## SCHEDULE 3 LAND USE







**Lake Simcoe Region**  
conservation authority

*A Watershed for Life*

Sent by E-mail: [mplaunt@newmarket.ca](mailto:mplaunt@newmarket.ca)

April 28, 2014

File No: NP-P-13-01 & NP-P-13-02  
IMS File No.: POFG116C5

Ms. Marion Plaunt, MES, MCIP, RPP  
Senior Planner, Policy  
Planning and Building Services  
Corporation of the Town of Newmarket  
395 Mulock Drive  
P.O. Box 328, STN Main  
Newmarket, ON L3Y 4X7

Dear Ms. Plaunt:

**Re: Official Plan Amendment #10 (OPA #10) – Revised Draft Newmarket Urban Centres Secondary Plan  
Town of Newmarket, Regional Municipality of York**

Thank you for providing the Lake Simcoe Region Conservation Authority (LSRCA) with the Notice of Special Public Meeting regarding this Official Plan Amendment. We understand a number of modifications have been proposed which resulted in this Revised Draft of the Newmarket Urban Centres Secondary Plan dated March 24, 2014.

We note the LSRCA has worked closely with the Town of Newmarket throughout this Secondary Plan process to incorporate our watershed management objectives. As such, we are pleased to note the revised Secondary Plan (OPA #10) has taken into consideration and incorporates our recommended comments. In particular, the revised Secondary Plan adequately refers to the following conservation authorities interests:

- Watershed management
- Natural hazard management
- Natural heritage management
- Stormwater management
- Surface and groundwater management

On this basis, the LSRCA has no further requirements as it relates to this Official Plan Amendment.

Please advise us of your decision regarding these matters. If you have any questions regarding the above, please do

Page 1 of 2

April 28, 2014  
File No: NP-P-13-01 & NP-P-13-02  
IMS File No.: POFG116C5  
Ms. Marion Plaunt, MES, MCIP, RPP  
Corporation of the Town of Newmarket  
Page 2 of 2

not hesitate to contact the undersigned. Please reference the above file numbers in future correspondence.

Regards, ---



Sara Brockman, MCIP, RPP  
Development Planner

SB/cn

- c. Mr. Mike Walters, General Manager, Watershed Management, LSRCA  
Mr. Rob Baldwin, Director – Planning and Development Services, LSRCA  
Mr. Tom Hogenbirk, Manager, Engineering and Technical Services, LSRCA

**Plaunt, Marion**

---

**From:** [REDACTED]  
**Sent:** Wednesday, April 23, 2014 9:37 AM  
**To:** Plaunt, Marion  
**Cc:** Finnerty, Chrisanne; Ruggle, Dave; Nethery, Rick; Shelton, Bob  
**Subject:** Newmarket Urban Centrea Secondary Plan

Hi Marion,

NEAC members have provided their comments to me and all are very satisfied with the secondary plan as you presented to the committee on April 2, 2014. Good luck with the public meeting tomorrow.

This process has been a model of how staff and an advisory committee can work together providing input, suggesting changes and finding the best answer for our community. Not only has it been worthwhile, it has been interesting and, dare I say, a fun process where members feel valued. Congratulations and thank you.

John

**Plaunt, Marion**

---

**From:** [REDACTED]  
**Sent:** Thursday, April 24, 2014 11:18 PM  
**To:** Plaunt, Marion  
**Subject:** Fw: Recommendations for Newmarket Urban Planning to NEAC Committee

Hi Marion. This was received after I sent you NEAC comments. It is worth considering.  
john  
John D. Birchall  
[REDACTED]

On Wednesday, April 23, 2014 1:55:34 PM, Jill King <djking22@icloud.com> wrote:

Good Afternoon John

You asked for comments from Newmarket Environmental Advisory Committee NEAC members by Friday on Newmarket URBAN planning  
Please forward this email to the Urban planning group

My work is Health & Safety. Any where Any place I perform gap analysis to problem solve issues in advance

The current urban plan considers only the usual urban sprawl - size shape height, width placement numbers Time to think out of the box!  
There is no attempt in this draft document to plan areas or make deliberate decisions for the exploding senior population that needs living accommodation  
YORK has the largest senior population in Ontario

"What if" this bludgeoning senior population wants to remain in the area? What if many seniors sell and need a planned senior living area to live ?

The development "Glenway Project" could zoom ahead with no increase in traffic and all the property taxation continues to go into the town coffers [a win-win!]

I acknowledge the town Urbane plan is well advanced but I just want to stimulate some future thinking!  
If nothing else just to let them know what other communities are doing to define their urban needs for near future

I am active in senior planning and research for seniors - Active Aging and Aging in Place  
[Romanov Commission 2002/ Michael Decter 2020]

In my research I found countries PLANNED ahead for senior communities with urban design that deliberately kept seniors near families  
There are some attempts to do these senior communities in Ontario already

**Urban Community Planning for Senior Population - EXAMPLE**

Central HUB building encircled by single level semis houses or quads or row housing in an area specifically designed for 'senior' only living

Senior own their home. Pay taxes, Home can be sold on death.

HUB area has utility management for all services: plumbing, water purification, hydro, TV and internet, lawn cutting, window washing, snow removal, house cleaning, food delivery etc  
House units are ergonomically structure for ease of movement and mobility [government subsidies exist]

Infra structure has wide sidewalks, NO curbs, NO fast traffic, NO intersections to cross, No kids on bikes, [walkers are safe], transportation service [CHATS or mobility bus] Parks [walk the dog], Garden plots [grow your own] etc. etc

Think about the current Newmarket Senior Centres in high traffic areas... so seniors need an automobile to get there

Relocate Senior Centre inside a HUB Development - so seniors can walk/ ride scooter to the HUB from their near by house ...and be safe

CENTRAL HUB Comprised of two (2) distinct working operations

A large building with many wings housing specific functions - Monitoring the homes of the seniors 24 /7 Operated by Business Administration personnel

HUB houses: Adult day care /activity centre / arts to gymnastics / card games/ pool/ darts/ computer access / cognitive brain gym /cafeteria /store delivery etc

HUB has Camaraderie

Seniors compete with other seniors HUBS in organized sports competitions OSGA  
55+ <http://www.ontarioseniorgames.ca/>

Hub has Registered Nurse Administration of Nurse Unit Note: Nurse Units have existed 100 years, legislated 30 years ago in Ontario and exist up in north Ontario]

A HUB is has several components interfaced with many existing government areas: MOL Federal Health, Environment, multiple health resources and programs etc.

Health Care Professionals - attend to all health care needs: eyes, ears, chest, feet, diabetes, nutrition, cognitive, planned follow ups and monitoring

NURSE UNIT provdes - TREATMENT clinic Nurse Practitioner, Registered Nurses/ clinicians, physiotherapy, health coaches, health education, pharmacist centre and much more

I can go on with more detail but I just wanted to bring this to the Newmarket Urban planner for consideration if not now it will be necessary in the future

PLEASE let me know if you did forward my email...

if you think my suggestion for future planning is inappropriate or not timely just call me and let me know 416 817 2162

I just call it like I see it...

*Jill*

cc HUB planning group

Jill King, King Health & Safety <http://www.kinghealthsafety.ca/services/services.html>  
 Pro-Active Planning, Prevention Strategies, Ergonomic Strategies  
 Health Protection, Rehabilitation, Disability Specialist  
 International Loss Control Accredited Safety Auditor



Begin forwarded message:

**From:** [REDACTED]  
**Subject:** Submit recommendations on accessible chargers to Urban Planning  
 vis NEAC Committee  
**Date:** 23 April, 2014 10:40:18 AM EDT  
**To:** [REDACTED]  
**Cc:** JOHN BIRCHALL [REDACTED]  
**Reply-To:** [REDACTED]

Good Morning Ron

Really great meeting of the Toronto Hybrid Club last night. We'll need a bigger place soon  
 Electric and Hybrid growth is on the way...

Ron Groves meet John Birchall chairperson of the Newmarket Environmental Advisory  
 Committee NEAC

NEAC committee makes recommendations to town councillors on a variety of "eco" and any  
 environmental issues

See - NEAC agenda [on the Town's website](#).

Note: Town Councillor Jane Twinney attends the NEAC committee monthly meetings

Ron asked if NEAC would consider a presentation from Plug'n Drive [www.plugndrive.ca](http://www.plugndrive.ca)  
 John I highly recommend an "education" session on the growth of EV 's and urban needs

Ron your new booklet "Electrify Your Ride" you distributed last evening would be an  
 ideal handout to NEAC [good stuff]

I mention NEAC had Pat Lusink from Smart Commute as a speaker  
 You mentioned you know/work with / familiar with this program

As we discussed

Please response your suggestions/statement to John Birchall to forward to Newmarket Urban  
 Planning..

Deadline is Friday April 25th

As you noted - there are no inclusion of accessible charging stations in the Urban Planning  
 "draft" plan

{see page 63 of March 24/14 Newmarket Urban Planning - Secondary Plan}

Include you contacts and contact information on Plug'n Drive  
John can include with your comments to the Newmarket Urban Planning Centres Town of  
Newmarket

Thank you for you suggestions Ron. Every little bit helps for a better life,

*Jill*

[REDACTED]

[REDACTED]

ps  
Great web site [plugndrive.ca](http://plugndrive.ca)  
Really did not have a clue of your total background Ron.

Plug'n Drive maintains a map of all the publicly accessible charging stations in Canada. To date, we have located over 500 stations with more being added every week. To find a charger near you, please visit [caa.ca/evstations](http://caa.ca/evstations).

## Received By E-mail

Heritage Newmarket Advisory Committee has read with thanks the revised report and has noted that the committee's suggestions have been included. Thank you for this attention.

However, we find that one matter that we had discussed was missed in the revision. That being the request that a "pioneer Village" be created on the Mulock estate should the Town become in possession of the property. The Committee feels that this would provide many advantages to the Town.

- A) This would welcome visitors to the town as a Gateway from the Past to the Future of our town.
- B) This would encourage public use of the valuable green space/park.
- C) This would give the town a location to relocate valuable heritage assets which will inevitably be displaced as the town moves forward into the future.
- D) This would bring the town into line with surrounding areas (Pickering, Georgina, Whitchurch, etc.) in preserving the town's built heritage for future generations.
- E) This may provide for the expansion of the museum in the future.
- F) This will display to all visitors and new residents alike the glorious place Newmarket has held in the history of not only the Province but also the Nation.

Respectfully submitted,  
Athol Hart,  
Chair



Response to Draft Newmarket Urban Centres Secondary Plan (OPA 10)  
212 Davis Drive, Newmarket, ON

## Green & Rose Developments Inc.

158 Duncan Mill Road, Unit 12, Toronto, Ontario, M3B 3N2

March 5, 2014

Planning & Building Services  
Town of Newmarket  
395 Mulock Drive  
P.O. Box 328, STN Main  
Newmarket, ON L3Y 4X7

Attn: Marion Plaunt, Senior Policy Planner

RE: Response to Draft Newmarket Urban Centres Secondary Plan (OPA 10)  
212 Davis Drive, Newmarket, ON (the "Property")

Dear Marion,

Green & Rose Developments Inc. is an affiliate of the company that has contracted to purchase the Property known as 212 Davis Drive. This letter is provided in response to the Draft Newmarket Urban Centres Secondary Plan process currently underway in the Town of Newmarket, particularly as it relates to the presentation at the recent Special Committee of the Whole meeting held on February 18, 2014.

The Property, which is currently vacant, is located on the south side of Davis Drive between Parkside Drive and Lorne Avenue.

The Draft Secondary Plan (Schedule 4) dated September 27, 2013 proposed to introduce policies relating to height and density for the study area. We recently requested a pre-consultation meeting with Planning Staff (scheduled for March 17, 2014) to review a development plan for the Property in conformity with the draft policy as set out in the September draft which outlined a maximum of 10 storeys, as-of-right, and 18 storeys with bonusing on the north half of the Property and 6 storeys, as-of-right, and 8 storeys with bonusing on the south half of the Property.

At the February 18, 2014 Special Committee of the Whole meeting, three additional options were presented for consideration that would modify the original draft as outlined in the slide deck, entitled "Council Workshop" which is available on the Town's website (Slides 25/26 attached).

The purpose of this communication is to notify staff and council that we are not supportive of these changes which are intended to reduce the maximum permitted heights and/or bonusing. We are particularly opposed to Option 2A which would limit the maximum height, including bonusing, on the Property to 10 storeys on the north half and 6 storeys on the south half. Of note, there is an 11.5 storey condominium building located adjacent to the Property to the east. This building, as well as the high-rise buildings further east were constructed decades ago. The guidance provided by the draft policies in the Draft Secondary Plan indicates that heights and densities increase in the westerly direction towards the peak at Yonge Street and Davis Drive. A height restriction for the Property which is west of the 11.5 storey building, does not align with that policy direction. We also understand that the Region of York would prefer higher building heights and densities along Davis Drive to support their substantial infrastructure investment in the VIVA/BRT line.

Response to Draft Newmarket Urban Centres Secondary Plan (OPA 10)  
212 Davis Drive, Newmarket, ON

As you are aware, we have been working diligently and transparently with Town and Regional staff and council members toward the development of a privately developed rental housing building, the first to be developed in Newmarket for decades. The financial feasibility of the project is highly sensitive and, as a result of multiple factors, the partnership has moved from our original concept of a large floor-plate, 4-storey wood frame structure to a high-rise concrete format in order to maintain the density required for the project to remain viable. This would be lost if limited to the 10 storey height maximum imposed by Option 2A.

We respectfully request that council retain the draft Schedule 4, as is. An alternative solution would be to continue the "medium-high density" category east from Wilstead Drive to the proposed park designation at 230 Davis Drive along the north portions of the properties (to replace the current "medium density" category). Additionally, the "medium density" category on the south portions of the lots would be continued to replace the current "low density" designation. These changes would impact the Property and properties to our west. In all events, Option 2A lowers the permitted height and density and drastically reduces the benefit of bonusing to an extent that would inhibit the viability of our proposed rental project.

The substantial regional development charges, fees and other costs levied across the Region have played a large part in making the development of rental housing impossible and condo development difficult for many years. Newmarket, in particular, has been impacted because the prices commanded for condominiums are lower than in the southern municipalities within the region, yet the municipal costs/fees are similar. The policies outlined in the original Secondary Plan Draft, allowing council the subjective option to bonus density/height based on community benefit, was a positive step towards making rental housing viable. Removing this flexibility will have a significantly detrimental impact on our project and likely others.

Over the past year, we have received substantial Town and Regional support for our development proposal and we look forward to continuing this progress in the hopes of resolving this issue. York Region has been very clear in its desire to bring more rental housing to all of its municipalities. Some consideration must be given to the unique financial model of a development that is geared for rental, otherwise the amount of private investment will not be forthcoming.

We wish to reserve the right to provide further comments on the Town's Urban Centres Secondary Plan and request to be notified of any future changes or updates.

We would appreciate receiving written confirmation of receipt of this letter.

Should you have any questions, please contact the undersigned.

Yours truly,  
GREEN & ROSE DEVELOPMENTS INC.



Daniel Berholz

cc: Rick Nethery, Jason Unger, Linda Traviss - Town of Newmarket  
Regional Councillor John Taylor  
Dino Basso, Region of York  
Brad Rogers, Kerigan Kelly - Groundswell

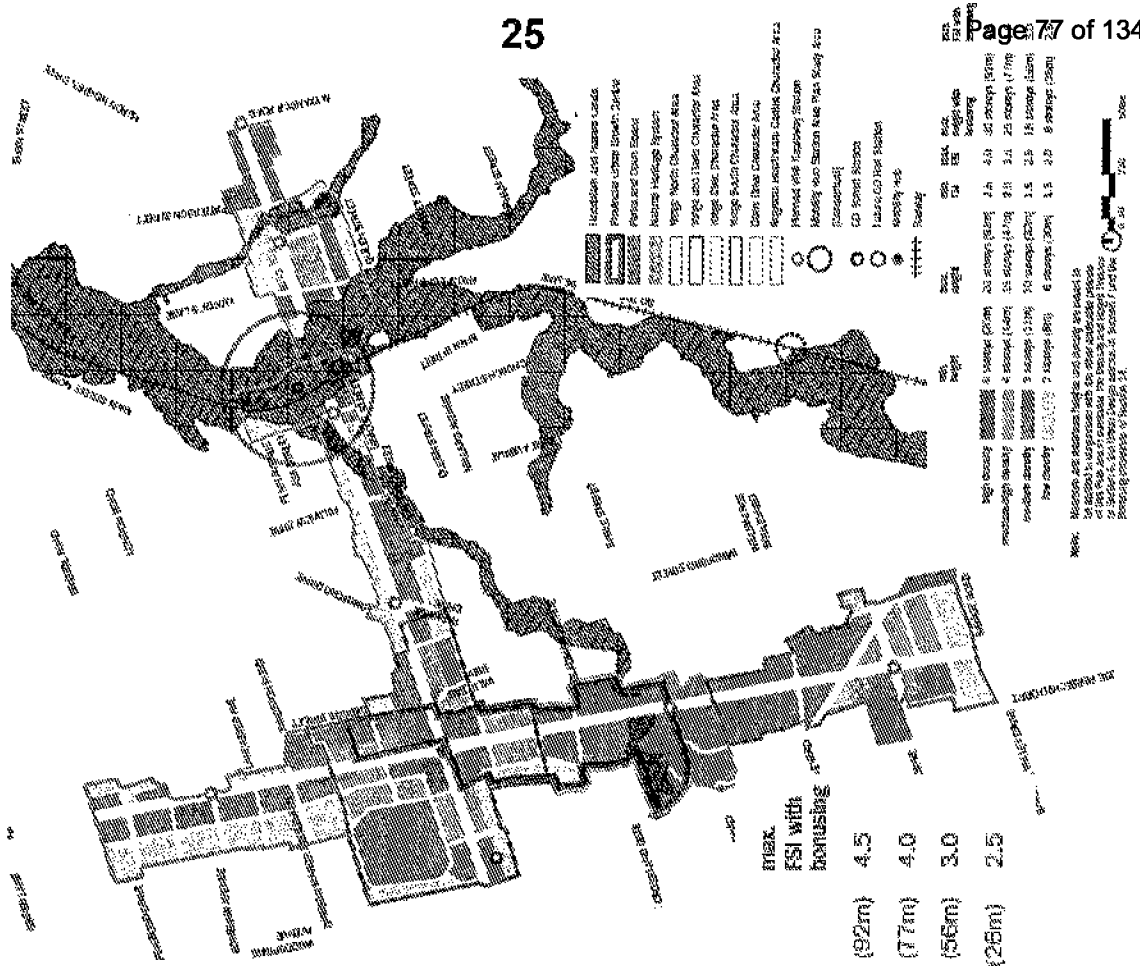
Attached: Slides 25/26 - Council Workshop - February 18, 2014 Special Committee of the Whole

# Heights, Density and Bonusing Policies

## • Draft Plan Designations

What we heard:

- Landowners and Development Community supported density and height
- Community Comment
  - Permissions too high
  - Bonusing too high



# Heights, Density and Bonusing Policies

## Options for Consideration

Option 1 Lower Bonusing

	Min. Height	Max. Height	Max Height with Bonusing
--	-------------	-------------	--------------------------

High	6 storeys	20 storeys	25 storeys
Med High	4 storeys	15 storeys	20 storeys
Medium	3 storeys	10 storeys	15 storeys
Low	2 storeys	6 storeys	8 storeys

Bonusing is intended to be the exception and not the rule

Option 2 Lower Permitted Height and Density with Lower Bonusing

High	6 storeys	15 storeys	18 storeys
Med High	4 storeys	12 storeys	20 storeys
Medium	3 storeys	8 storeys	15 storeys
Low	2 storeys	6 storeys	8 storeys

Applied where clear public benefit is achieved

Option 2A Lower Permitted Height and Density with Lower Bonusing

High	6 storeys	12 storeys	20 storeys
Med High	4 storeys	12 storeys	15 storeys
Medium	3 storeys	7 storeys	10 storeys
Low	2 storeys	4 storeys	6 storeys

Is at the discretion of Council

Response to Draft Newmarket Urban Centres Secondary Plan (OPA 10)  
212 Davis Drive, Newmarket, ON

## Green & Rose Developments Inc.

158 Duncan Mill Road, Unit 12, Toronto, Ontario, M3B 3N2

April 28, 2014

Planning & Building Services  
Town of Newmarket  
395 Mulock Drive  
P.O. Box 328, STN Main  
Newmarket, ON L3Y 4X7

Attn: Marion Plaunt, Senior Policy Planner

RE: Response to Draft Newmarket Urban Centres Secondary Plan (OPA 10)  
212 Davis Drive, Newmarket, ON (the "Property")

Dear Marion,

Green & Rose Developments Inc. is an affiliate of the company that has contracted to purchase the Property known as 212 Davis Drive. This letter is provided in response to the Draft Newmarket Urban Centres Secondary Plan process currently underway in the Town of Newmarket, particularly in response to the draft published on March 24, 2014.

The Property, which is currently vacant, is located on the south side of Davis Drive between Parkside Drive and Lorne Avenue.

The Draft Secondary Plan (Schedule 5) proposes to introduce "private road/lane (conceptual)" north, south and west through the property. We recently held a pre-consultation meeting with Planning Staff on March 17, 2014 to review a development plan for the Property that is generally in conformity with the Draft Secondary Plan (OPA 10). This development plan proposes rental apartments, which we understand are lacking in this community and are a priority of local and regional councillors.

Both the "private roads/lanes" that are proposed for the Property in OPA 10 would not only dissect the plan to make it impossible to achieve the proposed development, but the western "private road/lane" connection is also particularly difficult due to the grading of the Property. The adjacent properties to 212 Davis should also be reviewed for their potential to accommodate these connections.

We will continue to work with the Town towards a mutually beneficial solution for access to the proposed/upgraded minor collector to the south.

However, the proposal for these new north-south and west "private road/lane" connections will render our proposed rental housing development infeasible and result in additional delay for implementation, assuming we decide to continue with our plans.

As a result, we respectfully request that staff and council agree to remove these two "private road/lane (conceptual)" references from the Property on the Schedule 5 map.

Response to Draft Newmarket Urban Centres Secondary Plan (OPA 10)  
212 Davis Drive, Newmarket, ON

We would also like to reiterate the contents of our prior letter dated March 5, 2015 (attached). We are aware that the March 24, 2014 Secondary Plan revisions generally satisfy the request set out in this letter.

We wish to reserve the right to provide further comments on the Town's Urban Centres Secondary Plan and request to be notified of any future changes or updates.

We would appreciate receiving written confirmation of receipt of this letter.

Should you have any questions, please contact the undersigned.

Yours truly,  
GREEN & ROSE DEVELOPMENTS INC.

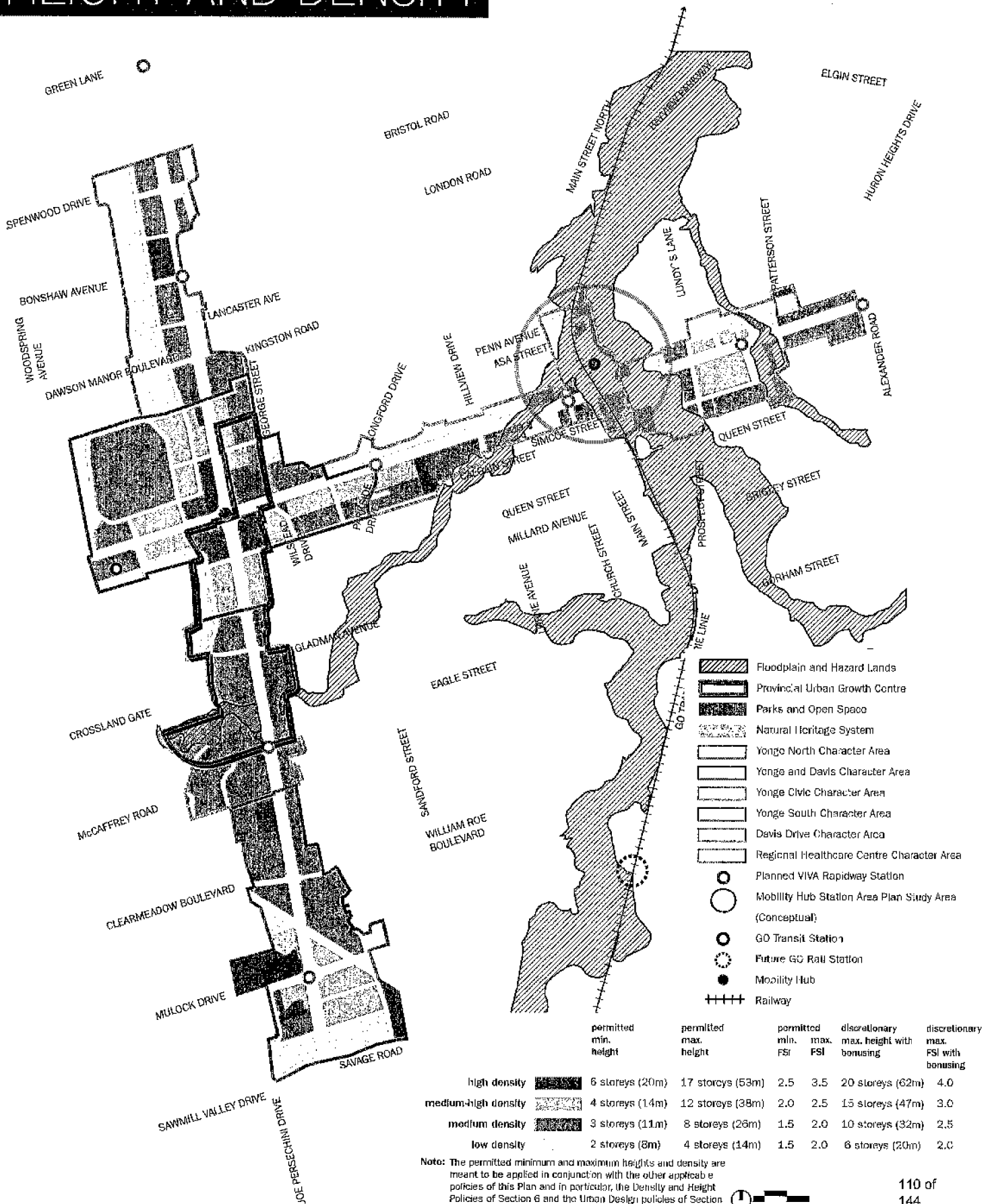
A handwritten signature in black ink, appearing to read 'Daniel Berholz', with a stylized flourish at the end.

Daniel Berholz

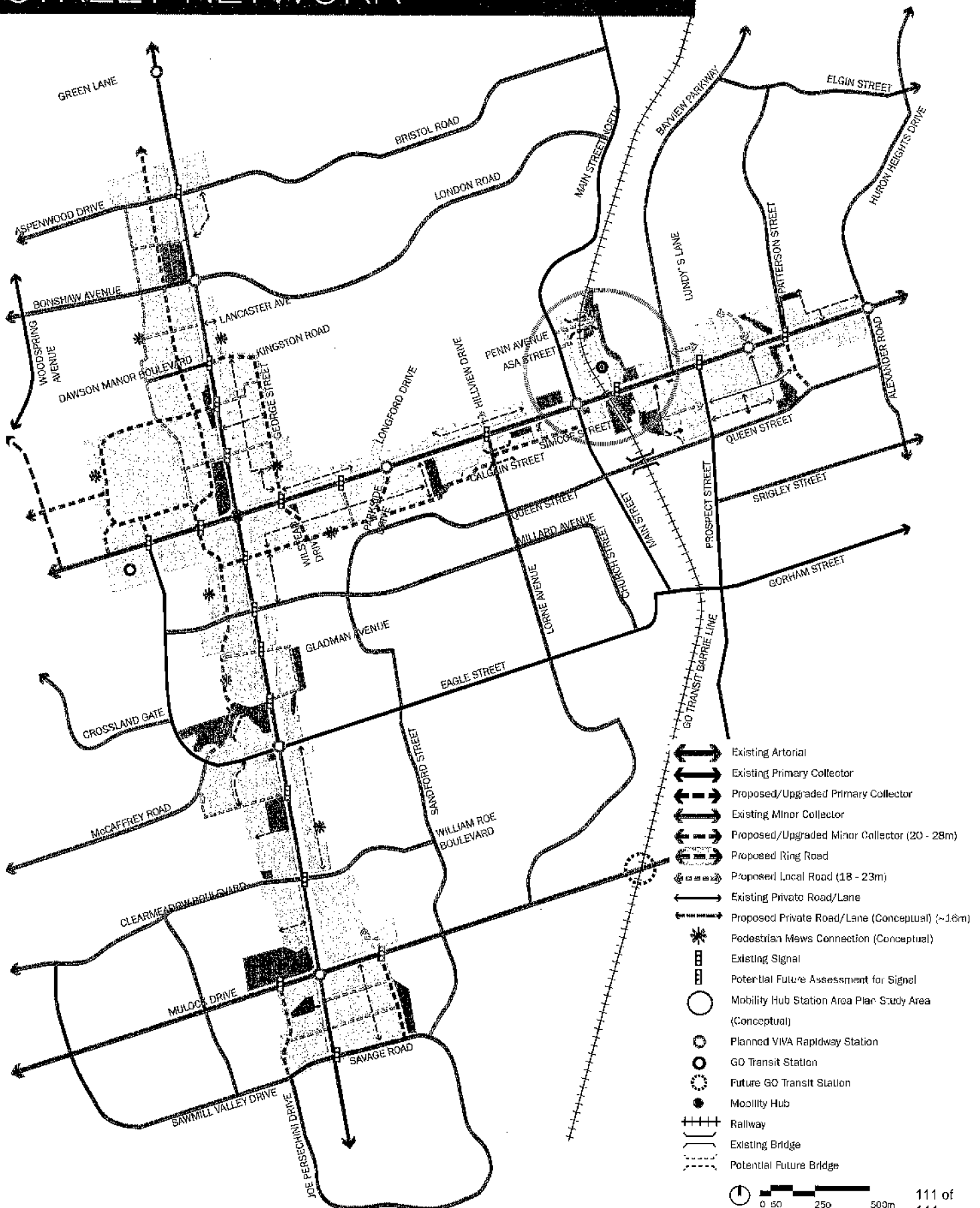
cc: Rick Nethery, Jason Unger, Linda Traviss – Town of Newmarket  
Regional Councillor John Taylor – Region of York  
Dino Basso – Region of York  
Brad Rogers, Kerigan Kelly – Groundswell

Enclosures: Schedule 4, Schedule 5, March 5, 2014 Letter

# SCHEDULE 4: HEIGHT AND DENSITY



# SCHEDULE 5: STREET NETWORK







April 25, 2014

Mayor and Members of Council  
Town of Newmarket,  
365 Mulock Drive  
P.O Box 328, Station Main  
Newmarket, Ontario  
L3Y 4X7

Attention: Andrew Brouwer, Town Clerk,

Dear Mayor and Members of Council:

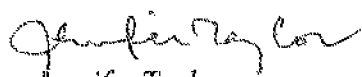
**RE: Official Plan Amendment # 10 - Public Meeting April 28, 2014**  
**and 230 Davis Drive**

We are the Owners of 230 Davis Drive. This letter is in response to the latest draft of the Newmarket Urban Centres Secondary Plan dated March 24, 2014 being considered at the Public Meeting of April 28th.

Upon review of the proposed Secondary Plan, we must advise that we have concerns with the land use designation shown for our property.

We would very much appreciate the opportunity to meet with Town Staff in order to discuss these concerns, and come to a satisfactory resolution regarding the best designation for our site. We also ask that you notify us of any further meetings of Council with respect to this matter

Yours very truly,

  
Jennifer Taylor  
Trustee

  
Wes McLeod  
Trustee

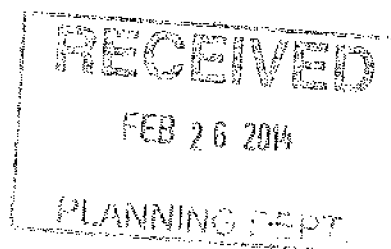
cc. Richard Nethery, M.C.I.P., R.P.P., Director, Planning & Building Services  
cc. Marion Plaunt, Senior Policy Planner



Robert Horst  
General Manager, Upper Canada Mall  
Oxford Properties Group  
17600 Yonge Street, Box 288  
Newmarket, ON L3Y 4Z1  
Direct: 905.890.1981 ext. 224 Fax: 905.890.1987  
[robert@oxfordproperties.com](mailto:robert@oxfordproperties.com)

February 24, 2014

Ms. Marion Plaunt  
Senior Planner  
c/o The Town of Newmarket  
395 Mulock Drive  
P.O. Box 328  
Station Main  
Newmarket, Ontario L3Y 4X7



Dear Ms. Plaunt:

**Re: Newmarket Urban Centres Secondary Plan – Upper Canada Mall**

This letter is submitted by Oxford Properties Group ("Oxford") in connection with its interest in Upper Canada Mall, in further response to the draft Newmarket Urban Centres Secondary Plan.

This is further to our series of meetings and written correspondence relative to our concerns with the Secondary Plan. For your reference, we are attaching our earlier letter of October 15, 2013, to Town Council, which you have already seen.

When we met with you before the holidays, you invited us to write to you with strategies that might help in resolving our concerns. We are hopeful that this letter will be of assistance.

As stated in our previous correspondence, including the attached letter of October 15, 2013, our underlying problem with the draft Secondary Plan is that it puts forward a vision for the site which is highly impractical. That vision involves the redevelopment of the property, as opposed to the continued existence and improvement of the Regional Mall. Equally troubling are restrictions in the draft plan which would prohibit the normal evolution of the Mall. That evolution involves incremental high-quality additions to the Mall within the existing site configuration.

### **Potential Solutions:**

We believe that there are at least two alternative strategies that could be chosen to resolve these concerns.

#### **Alternative No. 1:**

The first, and perhaps most logical, is to remove Upper Canada Mall from the purview of the Secondary Plan, such that it would continue to be governed by the existing primary Newmarket Official Plan. As we have discussed, Oxford is in the process of preparing a Master Plan for Upper Canada Mall to help guide its future evolution. We look forward to sharing the Master Plan with the Town. It is likely that elements of the Master Plan can lead to Site-Specific Official Plan Policies for the site, and we would work with the Town in that regard. In the meantime, the draft Secondary Plan would be revised to exclude Upper Canada Mall from its purview. The primary revision would be the deletion of policies 5.3.4 and 5.3.4.1, to be replaced by a single provision to the effect that Upper Canada Mall is excluded from the Secondary Plan, with a similar notation on the Schedules.

#### **Alternative No. 2:**

The second alternative strategy would be to now do a major rewrite of several provisions of the draft Secondary Plan. That rewrite would involve a significant revision to Sections 5.3.4 and 5.3.4.1, as well as several others, to recognize Upper Canada Mall as a key economic driver within the Town, with provisions relating to incremental high quality improvements and additions that typify the evolution of regional malls in Ontario. Reference to Upper Canada Mall as a redevelopment site would be removed.

Further sections that would require revision include Sections 5.1, 5.3.4, 6.3.5, and 14.2.3, all of which describe Upper Canada Mall as a redevelopment site. In addition, the many provisions and schedules imposing minimum heights and densities on Upper Canada Mall are unworkable in the context of the normal evolution of a Regional Mall, and would require revision. Similarly,

sections of the Secondary Plan related to street conveyance would require revision, because the concept of public highways running through the Mall property is premature.

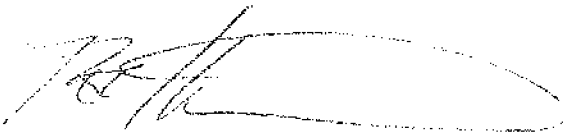
**Conclusion:**

For reasons of simplicity, we believe that Alternative No. 1 is preferable. Particularly with the work now underway on Oxford's Master Plan, there is the opportunity for a shared vision for Upper Canada Mall to emerge cooperatively through collaboration between Oxford and the Town. A cornerstone of that vision is the continuing role of the Mall as a major contributor to the economic and social vitality of the community.

We look forward to your response.

Yours truly,

**OXFORD PROPERTIES GROUP**

A handwritten signature in dark ink, appearing to read 'R. Horst', is written over a horizontal line.

Robert Horst  
General Manager  
Upper Canada Mall

att.



BOUNDLESS INGENUITY  
Macaulay Shiomi Howson Ltd.

600 Annette Street  
Toronto, ON M6S 2C4

T 416.487.4101  
F 416.487.5489

471 Timothy Street  
Newmarket, ON L3Y 1P9

T 905.868.8230  
F 905.868.8501

April 23, 2014

Delivered via email

Town of Newmarket  
Planning and Building Services  
395 Mulock Drive  
Box 328, Station Main  
Newmarket, Ontario L3Y 4X7

Attention: Ms. Marion Plaunt, MES, MCIP, RPP  
Senior Planner, Policy

Dear Marion:

RE: Revised Draft Newmarket Urban Centres Secondary Plan (OPA #10) – March 24, 2014  
615 Davis Drive, 29 & 39 Bolton Avenue

Thank you for providing the opportunity to submit comments with respect to the Revised Draft Newmarket Urban Centres Secondary Plan.

Macaulay Shiomi Howson Ltd., (MSH) is writing on behalf of several landowners with respect to the above referenced properties. Comments on the Secondary Plan Review process were previously submitted to the Town, on behalf of Mr. Douglas Toombs, owner of lands at 615 Davis Drive and 29 Bolton Avenue, dated November 2, 2012 and July 10, 2013. The subject lands are located within the "Regional Healthcare Centre Character Area".

We have reviewed the Revised Draft Secondary Plan (OPA 10) as it relates to the referenced properties and offer the following comments.

We are pleased to see that the "Transition" area designation has been replaced with a "Mixed Use" designation. We believe this better reflects the intent of redevelopment and intensification for the Town and, specifically, this specific Character Area.

The following is a summary of our specific draft Amendment comments:

1. Schedules 3, 4 and 6 are misleading by showing the proposed "new" lanes and roads as existing. These should be reflected as "proposed" the same as on Schedule 5.

2. Revised Schedule 'A'

Revised Inset 'A' – correct spelling of "Complimentary" to "Complementary"; the Inset does not accurately reflect the land boundary area as outlined on the main portion of the schedule and, as was on the original Inset.

3. Schedule 4: Height and Density

We note the "low density" designation assigned to 29 & 39 Bolton Avenue has been revised to reduce the proposed maximum permitted height from 6 storeys to 4 storeys;



bonusing from 8 storeys to 6 storeys; and, the proposed maximum permitted FSI with bonusing from 2.5 to 2.0. Although we appreciate the Town's intentions to provide for a transition from the existing adjacent residential neighbourhood we do not feel that the reduction as noted is either necessary or appropriate. Policies providing for a "stepped" building design, angular planes, etc. are more than adequate to deal with the issue of height and still provide the applicant and Town with flexibility to achieve better built form and urban design.

With respect to 615 Davis Drive – these lands are designated as "Major Institutional" and "Priority Commercial Area". The March 2014 draft secondary plan proposes to reduce the proposed maximum permitted height from 15 storeys to 12 storeys; bonusing from 25 storeys to 15 storeys; and, the proposed maximum permitted FSI with bonusing from 4.0 to 3.0. We consider this significant reduction to be inappropriate in this location given that it is a "priority commercial area" and its proximity to the Hospital. This reduction has a significant impact on the flexibility of development and design along Davis Drive in this location.

4. Staff Report 2014-11, dated March 17, 2014 proposes revisions to the "Transitional" polices as Section 7.3.3.1. Specifically, policy 7.3.3.1.a) states:

*Development located directly adjacent to the rear or side yard of an existing low-rise residential area or existing or planned parkland shall be designed to be a maximum of 2 storeys, unless the adjacent development is taller than 2 storeys, then the development generally shall not exceed the height of the adjacent development.*

The proposed *Mixed Use* designation provides for a wide range of uses including commercial, office, residential, recreational and institutional. It is unreasonable and economically unviable to restrict a mixed use development to 2-storeys. Typical small-scale mixed use developments have retail/commercial on the ground level and two levels of residential/office above. This has become common design practice for infill and new development within residential neighbourhoods across the GTA.

5. Section 7: Urban Design and Sustainability

Although we commend the Town in preparing more formal urban design policies than currently exist we suggest that the Town provide for more permissive policies in its Secondary Plan and, instead, prepare detailed Urban Design Guidelines. This is appropriate for a number of reasons:

- It allows greater flexibility in design and built form without having to obtain an official plan amendment.
- Urban Design Guidelines can be reviewed, revised, updated on a regular basis to reflect current trends, issues and/or challenges that may arise over a period of time.
- The purpose of Official Plan policies is to develop policies that assist in guiding development. It is not intended to provide for prescriptive or restrictive standards.
- Urban Design Guidelines referenced in the Secondary Plan and approved by Council continue to carry significant weight and direction while still allowing for some flexibility by both the Town and the applicant.



#### 6. Section 8.3.2 Street Network

We suggest that policy 8.3.2 ix) be modified to indicate a Traffic Report may be required to determine if the "new" road is, in fact, required or desired. Further, should the new road NOT be required, a policy should be included allowing it to be removed, with justification, without an amendment to the Secondary Plan.

#### 7. Section 8.3.4 Private Roads/Lanes

We are of the opinion that greater flexibility is required with this policy. The provision of private roads/lanes should be dependent on demonstrating a need within the area. Further, the proposed road widths are excessive at 16.0 metres if no municipal services are proposed. Greater flexibility should be provided to allow for reduced right of ways if appropriate.

The following are our general comments:

We continue to oppose the proposed new "public" road running north off of Davis Drive, east of Bolton Avenue, and what appears to be connecting to Watson Avenue. This road dissects a number of properties creating situations which makes the redevelopment of these properties virtually impossible even if the lands were to be consolidated.

If the sole purpose is to provide a linkage with the Hospital entrance on the south side of Davis Drive then the Town should consider the closing of Bolton Avenue and its realignment as opposed to the provision of a new road.

We do not support the proposed reduction in densities and height as initially recommended for the subject properties.

My client has been in discussions with the Town for numerous years regarding the subject sites and has presented a preliminary master plan/block plan for the development of the subject sites and surrounding lands. The interim development of a portion of the subject properties as a commercial parking lot reflects the phased development approach for the area. The introduction of a new "road" through this area undermines works completed to date and the future development that had been envisaged based on the Town's Official Plan.

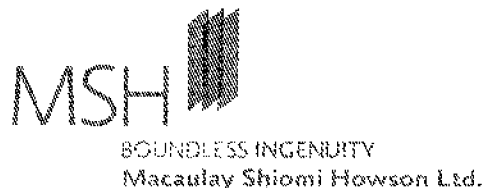
We appreciate the opportunity to continue to work with the Town in resolving these concerns and we look forward to ongoing discussions in this regard.

Yours truly,

**MACAULAY SHIOMI HOWSON LTD.**

Angela Sciberras, MCIP, RPP  
 Principal

Cc: Andrew Brouwer, Town Clerk  
 Doug Toombs  
 Brent Toombs



600 Annette Street  
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F 416.487.5489

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F 905.868.8501

April 23, 2014

**Delivered via email**

Town of Newmarket  
Planning and Building Services  
395 Mulock Drive  
Box 328, Station Main  
Newmarket, Ontario L3Y 4X7

Attention: Ms. Marion Plaunt, MES, MCIP, RPP  
Senior Planner, Policy

Dear Marion:

**RE: Revised Draft Newmarket Urban Centres Secondary Plan (OPA #10) – March 24, 2014**  
**Crosslands Church**  
**47 Millard Avenue West**

Thank you for providing the opportunity to submit comments with respect to the Revised Draft Newmarket Urban Centres Secondary Plan.

Macaulay Shiomi Howson Ltd., (MSH) is writing on behalf of Crosslands Church with respect to the above referenced property. Comments on the Secondary Plan Review process were previously submitted to the Town, on behalf of Crosslands Church on January 10, 2013. The subject lands are located within the "Yonge Davis Provincial Urban Growth Centre" the Yonge and Davis (Bell's Corner) Character Area".

We have reviewed the Revised Draft Secondary Plan (OPA 10) as it relates to the referenced properties and offer the following comments.

The subject lands continue to be designated as "Mixed Use" in the draft Secondary Plan.

The following is a summary of our specific draft Amendment comments:

1. Schedules 2, 4 and 6 are misleading by showing the proposed "new" lanes and roads as existing. These should be reflected as "proposed" the same as on Schedule 5.
2. Schedule 5 – Street Network

Schedule 5 continues to show a "proposed/upgraded Minor Collector (20-28 m)" road through the subject property. The purpose of the new collector road is to provide access between McCaffrey Road, north of Davis Drive past Aspenwood Drive. The introduction of a public collector road through the subject site is not acceptable to Crosslands Church. The proposed collector road (as it is intended) would bring significant through traffic across the property. This would have a serious impact on our current parking, traffic circulation and general access by our congregation.





The significant right of way width (20 – 28 metres) would be detrimental to the overall function of our facility and would create undesirable impacts.

It is, of course, intended to alleviate traffic on Yonge Street. However, the introduction of this collector road operating as a 'service road' will bring high volumes of traffic travelling to and from Upper Canada Mall and beyond. Eagle Street already provides this function and operates as a sufficient collector road south of Davis Drive. The traffic issue is of more concern north of Davis Drive where the Town has allowed for significant retail development with only Yonge Street as a transportation option.

3. Revised Schedule 'A'

Revised Inset 'A' – correct spelling of "Complimentary" to "Complementary"; the Inset does not accurately reflect the land boundary area as outlined on the main portion of the schedule and, as was on the original Inset.

4. Schedule 4: Height and Density

We note the "low density" designation assigned to the subject lands has been revised to reduce the proposed maximum permitted height from 6 storeys to 4 storeys; bonusing from 8 storeys to 6 storeys; and, the proposed maximum permitted FSI with bonusing from 2.5 to 2.0. Although we appreciate the Town's intentions to provide for a transition from the existing adjacent residential neighbourhood we do not feel that the reduction as noted is either necessary or appropriate in this location. The subject site is located within what has been identified to be the focus of the highest densities and mix of uses within the Town. Further, the site is not directly abutting residential development but, rather, is surrounded by commercial uses to the north, east and south.

The higher densities and heights originally proposed are far more appropriate for this location and provide a more appropriate transition between the higher densities and heights proposed for lands on Yonge Street and at the Yonge/Davis intersection.

5. Section 7: Urban Design and Sustainability

Although we commend the Town in preparing more formal urban design policies than currently exist we suggest that the Town provide for more permissive policies in its Secondary Plan and, instead, prepare detailed Urban Design Guidelines. This is appropriate for a number of reasons:

- It allows greater flexibility in design and built form without having to obtain an official plan amendment.
- Urban Design Guidelines can be reviewed, revised, updated on a regular basis to reflect current trends, issues and/or challenges that may arise over a period of time.
- The purpose of Official Plan policies is to develop policies that assist in guiding development. It is not intended to provide for prescriptive or restrictive standards.
- Urban Design Guidelines referenced in the Secondary Plan and approved by Council continue to carry significant weight and direction while still allowing for some flexibility by both the Town and the applicant.

6. Section 8.3.2 Street Network

We suggest that policy 8.3.2 ix) be modified to indicate a Traffic Report may be required to determine if the "new" road is, in fact, required or desired. Further, should the new

Draft Newmarket Urban Centres Secondary Plan  
Crosslands Church Property  
April 23, 2014

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road NOT be required, a policy should be included allowing it to be removed, with justification, without an amendment to the Secondary Plan.

We continue to be opposed to the Schedules and the associated policies as currently shown with respect to the proposed new "public collector" road as they pertain to the subject property. We appreciate the opportunity to continue to work with the Town in resolving these concerns and we look forward to ongoing discussions in this regard.

Yours truly,

**MACAULAY SHIOMI HOWSON LTD.**

Angela Sciberras, MCIP, RPP  
Principal

Cc: Andrew Brouwer, Town Clerk  
Fred Middel, Pastor, Crosslands Church

**Plaunt, Marion**

---

**From:** Brad Rogers <brad@groundswellplan.com>  
**Sent:** Monday, April 28, 2014 4:20 PM  
**To:** Clerks  
**Cc:** Mayor Van Bynen; Taylor, John; Di Muccio, Maddie; Kerwin, Dave; Vegh, Tom; Jane Twinney; Hempen, Tom; Emanuel, Chris; Sponga, Joe; Al Fleischaker; Mr. Mark A Fleischaker; Plaunt, Marion  
**Subject:** Revised Draft - Newmarket Urban Centres Secondary Plan, OPA 10 and OPA 11  
**Attachments:** MonApr2803 10 50 [PM]920.pdf

Mayor and Members of Council

We have reviewed the revised draft report prepared by the Town on behalf of our client Western Excavators. Western Excavators owns the subject property at 76 Mulock Drive. This e-mail is provided in response to the latest draft published on March 24, 2014 and prior to the Public Session this evening at 7pm.

You will recall that I have provided written correspondence dating back to May, 2013 and have attended previous Public Sessions. I will be attending the meeting this evening should you have any questions regarding this e-mail.

In May of 2013 we requested that Town Staff provide us with the digital information so we could determine the status of the subject property. It is unfortunate that open digital information was not provided for our review. However, we did receive a letter from Staff dated November 8, 2013. The letter stated that "76 Mulock was not included within the Urban Centre Boundary", however the attachment included within the letter contradicts this statement. The attachment illustrated the study boundary bisects the property resulting in part of the property being within the study boundary and part of the property located outside of the study boundary.

Needless to say, my clients do not support the latest draft report and respectfully request the subject property be "100% included within the boundary" or "100% excluded from the study area". I have attached an illustration providing two options for Council to consider. Option 1 includes 76 Mulock Drive within the study boundary and Option 2 excludes the subject property. Schedule 5 - Street Network will need to be updated to comply with this request as a "proposed ring road" also bisects the property.

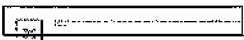
We reserve the right to provide further comments on OPA 10 and OPA 11 and request to be notified of any changes or updates. We have copied our solicitor if our ongoing requests can't be resolved prior to Council approval. We would appreciate written receipt of this e-mail and remain open to meet or discuss if needed.

Thank you for your consideration.

**Brad Rogers, MCIP RPP**  
Principal

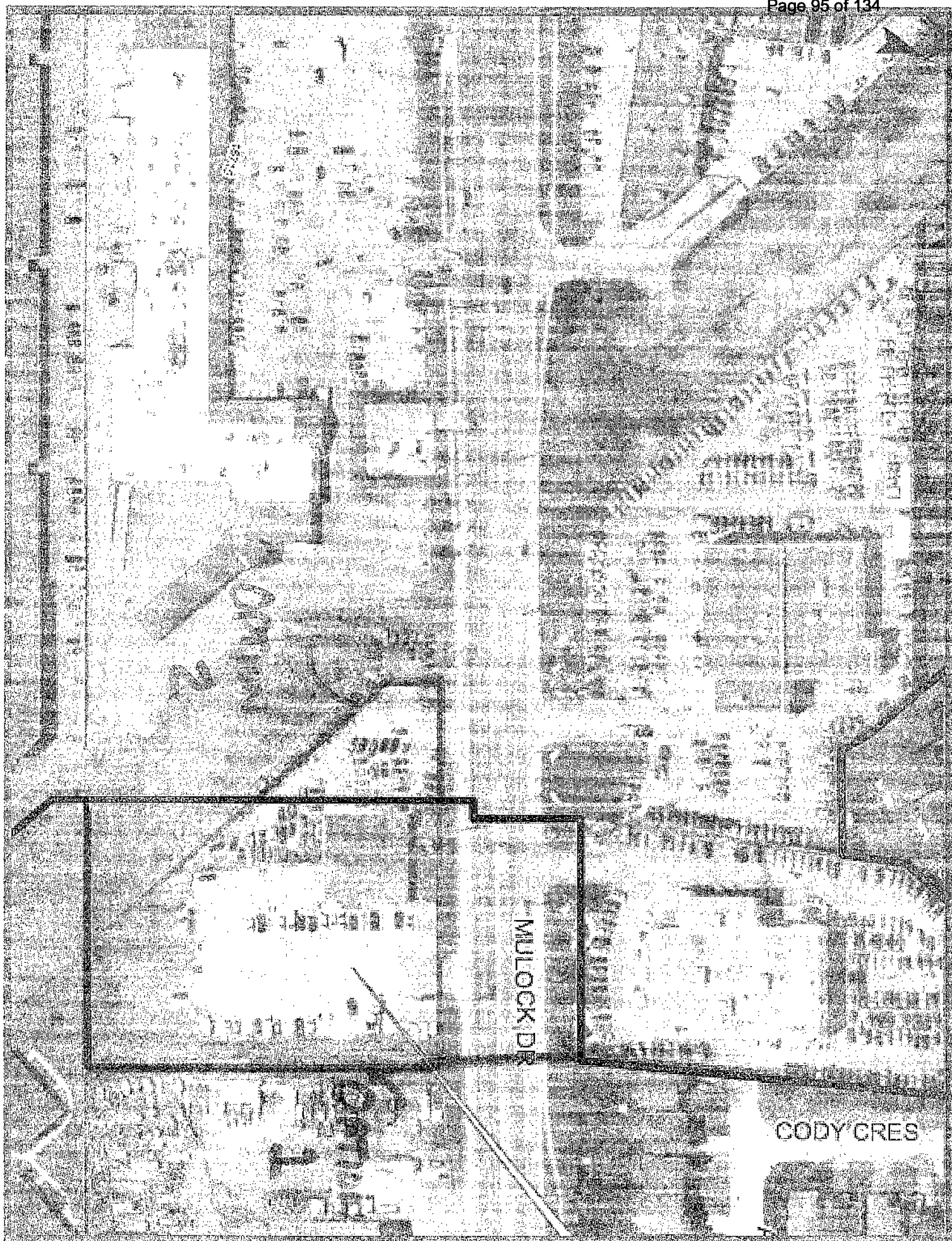
**Groundswell Urban Planners Inc.**  
30 West Beaver Creek Road, Unit 109  
Richmond Hill, ON L4B 3K1

Telephone: 905.597.8204 x 222  
Facsimile: 905.597.8904  
Cellular: 416.723.2709





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## STIKEMAN ELLIOTT

Stikeman Elliott LLP Barristers & Solicitors

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Tel: (416) 869-5500 Fax: (416) 947-0866 www.stikeman.com

James Harbell

Direct: (416) 869-5690

E-mail: jharbell@stikeman.com

**BY E-MAIL**

June 4, 2014

File No.: 122567.1025

Town of Newmarket  
395 Mulock Drive  
P. O. Box 328  
Station Main  
Newmarket, ON L3Y 4X7

Attention: Mr. Richard Nethery, Director, Planning &  
Development Services

Dear Mr. Nethery:

**Re: Town of Newmarket Draft Urban Centres Secondary Plan  
17725 Yonge Street**

We are counsel to Yonge-Kingston Centre Inc. (the "Owner"), the registered owner of the lands located at the south-east corner of Yonge Street and Kingston Road, which are also municipally known as 17725 Yonge Street, Newmarket (the "Property"). The Property is located within the draft Urban Centres Secondary Plan area (the "Plan").

On behalf of the Owner, we and R.G. Richards & Associates have submitted letters to you and Ms. Marion Plaunt detailing our concerns with the Plan. In particular, we raised concerns with respect to the interim development policies. Mr. Nick Michael from R.G. Richards & Associates along with our client's Vice-President, Mr. Steven Bishop, also met with Ms. Plaunt on December 5, 2013 to discuss this issue.

We have reviewed the interim development policies (Policy 6.4.8) in the revised Plan, dated March 24, 2014, and continue to have concerns with the conditions that must be met in order for interim development to proceed. The conditions are unduly prescriptive and do not give landowners the required flexibility to allow existing commercial properties to remain viable and competitive in the marketplace until such time that there is sufficient market demand for redevelopment.

TORONTO

MONTREAL

OTTAWA

CALGARY

VANCOUVER

NEW YORK

LONDON

SYDNEY

STIKEMAN ELLIOTT

2

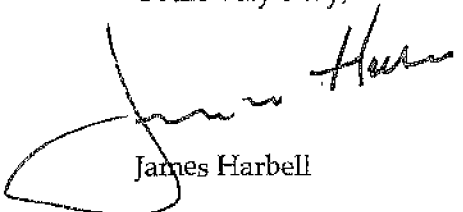
Additionally, we note that the application of Policy 6.4.8 would lead to inequitable results as any interim development is limited to an additional 10% of the existing total gross ground floor area present on a site at the time of the approval of the Plan. As a result, existing large commercial sites would enjoy greater interim development potential than other smaller sites.

We have also reviewed the recommended changes to the height and density designations (Schedule 4) with respect to the Plan, as contained in the landowner/stakeholder notice from Ms. Plaunt, dated June 2, 2014. The Owner is in support of the change from medium-high to high density on a portion of the Property. However, as mentioned above, the Plan must include interim development policies that provide greater flexibility for existing commercial sites of varying sizes to adapt to the changing marketplace until there is sufficient market demand for higher density development.

We would be pleased to meet with you personally to discuss our ongoing concerns with respect to the interim development policies. Please continue to provide us with copies of all staff reports, notice of any public meeting and copies of all decisions of City Council or its committees with respect to the Plan.

Thank you for your attention to this matter.

Yours very truly,



James Harbell

JWH/mc

cc. Marion Plaunt, *Planner, Town of Newmarket*  
Andrew Brouwer, *Director, Legislative Services, Town Clerk*  
Steve Bishop, *Yonge-Kingston Centre Inc.*  
Ron Richards & Nick Michael, *R.G. Richards & Associates*



KITCHENER  
WOODBIDGE  
LONDON  
KINGSTON  
GARRIE

April 28, 2014

Ms. Marion Plaunt  
Senior Planner - Policy  
Town of Newmarket  
Planning and Building Services  
395 Mulock Drive  
P. O. Box 328  
Newmarket, Ontario  
L3Y 4X7

Dear Ms. Plaunt:

**RE: SECOND DRAFT URBAN CENTRES SECONDARY PLAN, TOWN OF NEWMARKET  
17555 YONGE STREET, 39 DAVIS DRIVE, AND 22 GEORGE STREET  
OUR FILE Y334I**

We have reviewed the second draft of the Urban Centres Secondary Plan prepared by the Town, on behalf of our clients, 1858106 Ontario Inc., 1858107 Ontario Inc., and 1858108 Ontario Inc. These companies own lands municipally addressed as 17555 Yonge Street, 39 Davis Drive, and 22 George Street, located within the Urban Centres Secondary Plan (Figure 1).

#### **OWNERSHIP AND DISPOSITION**

The ownership of three properties is as follows:

1858106 Ontario Inc. owns 17555 Yonge Street;  
1858107 Ontario Inc. owns 39 Davis Drive; and  
1858108 Ontario Inc. owns 22 George Street.

These three companies intend to redevelop these sites sometime in the future, but the exact nature of the development or developments has not yet been determined. They may dispose of one or more of the properties individually or collectively. Therefore they would like to maintain development flexibility for each individual parcel. The most effective means of maintaining that flexibility is to ensure that existing development entitlements are maintained and enhanced on each site, individually.



## CONCERNS WITH DRAFT SECONDARY PLAN

Further to our letter dated October 25<sup>th</sup>, 2013 and our meeting on December 10<sup>th</sup>, 2013, we are writing to advise you of our continued concerns with the latest version of the Secondary Plan relative to our client's properties.

All three of the properties are now proposed to be designated 'High Density' which allows for a maximum height of 17 storeys and 53 metres (**Figure 2**). The maximum permitted FSI would be 3.5 for each of the properties. We support this designation on 17555 Yonge Street and 22 George Street. However, we do not support the proposed 'High Density' designation on 39 Davis Drive. The property at 39 Davis Drive will lose density (10.25 FSI in the zoning versus 3.5 FSI in the Secondary Plan).

We recognize that the regulations within the Zoning By-law may be more restrictive than what is proposed in the Secondary Plan, and that other policies and principles of the final approved Secondary Plan must also be considered in determining the ultimate development, in addition to FSI. However, we believe the Secondary Plan should not be more restrictive than the existing Zoning By-law, particularly relative to density for the area in the Town targeted for the highest density, and especially for sites which have undergone recent approval processes. If the policies of the draft Secondary Plan were to be approved, a new Zoning By-law would have to be developed and adopted in conformity with the Secondary Plan, which likewise would down-zone 39 Davis Drive.

## **HISTORY OF ZONING FOR 39 DAVIS DRIVE**

In 2009, Town Council approved a Zoning By-law Amendment for 39 Davis Drive which today allows a maximum density of 10.25 FSI. The by-law was approved to allow a 20 storey residential tower with 280 dwelling units. At that time, the staff report that preceded the approval stated that "this application is consistent with and supportive of the urban centre policies of the Official Plan, particularly the Yonge Davis Provincial Urban Centre Policies" (pg 3). The staff report offered the following conclusion:

*The application for Zoning By-Law Amendment to permit a 20 storey residential tower with 280 dwelling units on the subject lands implements the 2006 Official Plan and is consistent with the Provincial Policy Statment. As such the application and the recommendations contained in this report are appropriate and represent good planning. (pg 4)*

On June 15<sup>th</sup>, 2009, Council moved to approve the application and directed staff to prepare the necessary Zoning By-law Amendment, now known as By-law 2009-63 (attached).

1858107 Ontario Inc. purchased 39 Davis Drive knowing that the Town had reviewed a high-density proposal on the site and decided what was appropriate and desirable for the Town (as provided for in By-law 2009-63). The Town is proposing to reverse its 2009 decision with the 'High Density' designation as proposed in the Secondary Plan.

Staff and Council considered 10.25 FSI on 39 Davis Drive as appropriate in 2009, in conjunction with other development standards imposed in the Zoning. The Provincial, Regional and Town policy framework has not significantly shifted since the approval of By-law 2009-63, except for the OMB approval of the Region of York Official Plan - 2010. The Region of York Official Plan identifies Regional Centres -- of which the Newmarket Urban Centre is one -- to provide the greatest intensity of development in the Region. This Regional directive supports density on the site. Therefore the

appropriateness of the FSI set out in By-law 2009-63 is no less than it was in 2009. In the 2014 policy framework, it is our professional opinion that 10.25 FSI on 39 Davis Drive still represents good planning.

## CONCLUSIONS

We support the designation of 17555 Yonge Street and 22 George Street as 'High Density' in the Urban Centres Secondary Plan. We do not support the 'High Density' designation as proposed on 39 Davis Drive. We respectfully request that the Town acknowledge and recognize the existing density permission for 39 Davis Drive, as set out in Zoning By-law 2009-63, in the Newmarket Urban Centres Secondary Plan. We request that this take the form of a site-specific provision for 39 Davis Drive, which would allow for a maximum density of 10.25, subject to conformity with the Zoning By-law, as amended.

We would be pleased to discuss this request with you in further detail.

Thank you.

Yours truly,

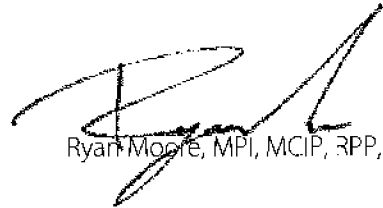
**MHBC**



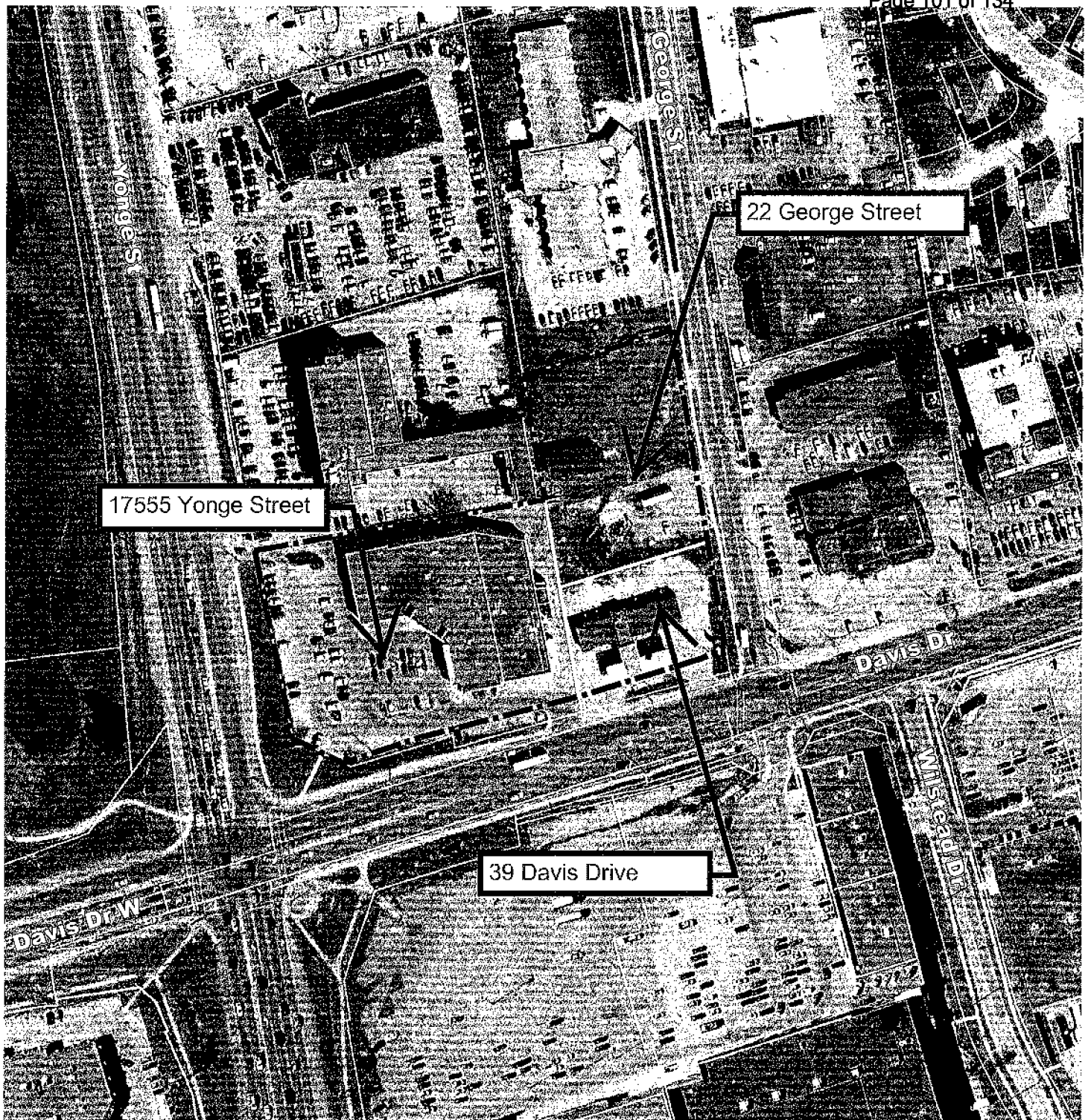
David A. McKay, MSc, MCIP, RPP

cc.

*David Woods  
Brent Clarkson  
Town Clerk*




Ryan Moore, MPI, MCIP, RPP, LEED® AP



Data Source: First Base Solutions - 2011 Air Photo

**FIGURE 1**  
**CONTEXT PLAN**

**LEGEND**

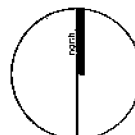
 Subject Lands

17555 Yonge St,  
39 Davis Dr &  
22 George St,  
Newmarket, ON

DATE: April 10, 2014

SCALE 1 : 2,000

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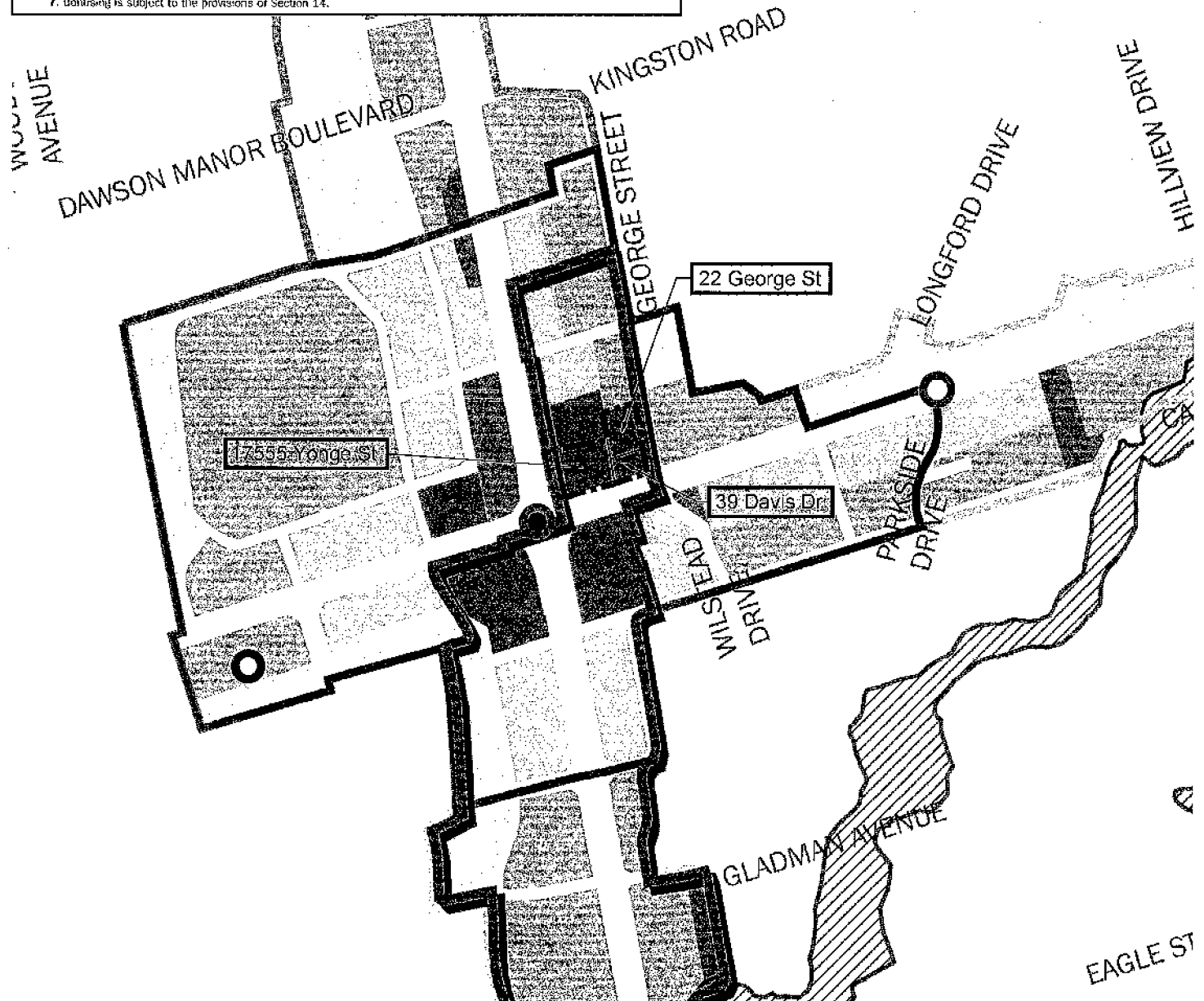


**MHBC** PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

230-7050 WESTON ROAD, WOODBRIDGE, ON, L4L 8G7  
P: 905 761 5588 F: 905 761 5589 | WWW.MHBCPLAN.COM

	permitted min. height	permitted max. height	permitted min. FSI	permitted max. FSI	discretionary max. height with bonusing	discretionary max. FSI with bonusing
high density	6 storeys (20m)	17 storeys (53m)	2.5	3.5	20 storeys (62m)	4.0
medium-high density	4 storeys (14m)	12 storeys (38m)	2.0	2.5	15 storeys (47m)	3.0
medium density	3 storeys (11m)	8 storeys (26m)	1.5	2.0	10 storeys (32m)	2.5
low density	2 storeys (8m)	4 storeys (14m)	1.5	2.0	6 storeys (20m)	2.0

Note: The permitted minimum and maximum heights and density are meant to be applied in conjunction with the other applicable policies of this Plan and in particular, the Density and Height Policies of Section 6 and the Urban Design policies of Section 7. Bonusing is subject to the provisions of Section 14.



Data Source: Draft Newmarket Urban Centres Secondary Plan Schedule 4, Height and Density - April 10, 2014

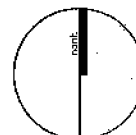
**FIGURE 2**  
**DRAFT NEWMARKET**  
**URBAN CENTRES**  
**SECONDARY PLAN -**  
**SCHEDULE 4**  
**HEIGHT & DENSITY**

**LEGEND**

- |                                |                              |                               |
|--------------------------------|------------------------------|-------------------------------|
| Subject Lands                  | Yonge North Character Area   | Planned VIVA Rapidway Station |
| Floodplain and Hazard Lands    | Yonge & Davis Character Area | Mobility Hub                  |
| Parks and Open Space           | Yonge Civic Character Area   | Go Transit Station            |
| Provincial Urban Growth Centre | Davis Drive Character Area   |                               |

DATE: April 10, 2014

SCALE 1 : 10,000



N:\Y334\2013\October\Report Figures\Y334I - Report Figures.dwg



# CORPORATION OF THE TOWN OF NEWMARKET

## BY-LAW NUMBER 2009-63

A BY-LAW TO AMEND BY-LAW NUMBER 1979-50, AS AMENDED, BEING A RESTRICTED AREA (ZONING) BY-LAW.  
(39 Davis Drive)

WHEREAS it is deemed advisable to further amend By-law number 1979-50, as amended;

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows;

THAT By-law Number 1979-50, as amended, be and the same is hereby further amended by:

1. Deleting from Schedule "A", Map No. 4, the Service Commercial First (C8) on Part 1 of Lot 96, Concession 1 E.Y.S., known municipally as 39 Davis Drive and substituting therefore the Multiple Family Residential Fourth Density Holding Zone ((H)RM4), as shown on Schedule "X" attached hereto.
2. Providing that notwithstanding any other provision of the by-law to the contrary, for the purposes of this by-law Floor Space Index shall mean the gross floor area of all buildings on a lot divided by the lot area.
3. Providing that notwithstanding Section 6.24(3) Parking Area Approaches, Driveways, Entrances and Exits, an entrance and exit ramp may be permitted to have a minimum width at the street of 7.0 metres for the lands zoned (H)RM4 as shown on Schedule "X" attached hereto.
4. Providing that notwithstanding any other provision of the by-law to the contrary, Section 6.24 (4) Buffer Area, shall not apply for the lands zoned (H)RM4 as shown on Schedule "X" attached hereto.
5. Providing that notwithstanding Section 6.25 Parking Space Requirements, a minimum of one space per dwelling unit and a minimum of 0.25 spaces per dwelling unit for visitor parking shall apply for the lands zoned (H)RM4 as shown on Schedule "X" attached hereto.
6. Providing that notwithstanding any other section of the by-law to the contrary, Section 6.31 Setback Requirements, shall not apply for the lands zoned (H)RM4 as shown on Schedule "X" attached hereto.
7. Providing that notwithstanding Section 18.1 Permitted Uses, a maximum of 280 Maisonettes or apartments dwelling units shall be permitted on the lands zoned (H)RM4 as shown on Schedule "X" attached hereto.
8. Providing that notwithstanding Section 18.2 Zone Requirements the following specifications shall apply for the lands zoned (H)RM4 as shown on Schedule "X" attached hereto:

(2) Apartments -

a. Lot Specifications

Lot Area (Minimum)  
Per dwelling unit

N/A

Lot Frontage (Minimum)  
Per building

42.6 metres

b. Siting Specifications

Front Yard (Minimum)	5.0 metres
Rear Yard (Minimum)	0.0 metres
Interior Side Yard (Minimum)	0.0 metres
Exterior Side Yard (Minimum)	5.0 metres

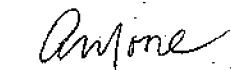
c. Building Specifications

Floor Area (Minimum) Per dwelling unit	42.0 square metres
Floor Space Index (Maximum)	10.25
Building Height (Maximum)	65 metres
Lot Coverage (Maximum)	50.0 %

9. Providing that notwithstanding any other provision to By-law 1979-50, as amended, to the contrary, for the lands zoned (H)RM4, on a corner of a lot where a daylighting triangle or rounding has occurred, the exterior side lot line and either the rear lot line and front lot line shall be deemed to be continued projections of the respective lot lines to a point of intersection, for the purposes of calculating the required minimum front yard, minimum rear yard, minimum exterior side yard, and/or minimum lot depth requirements.
10. Notwithstanding the provisions set out above, while the '(H)' Holding prefix is in place, no person shall within the lands zoned (H)RM4 on Schedule 'X' attached hereto, use any lot or erect, alter or use any buildings or structures for any purpose except those uses which existed on the date of passing of this By-law. Furthermore, no extension or enlargement of the uses which existed on the date of passing of this By-law shall occur unless an amendment to this By-law or removal of the '(H)' prefix, in accordance with Section 11 herein, is approved by the Council of the Corporation of the Town of Newmarket and comes into full force and effect.
11. Prior to the passing of a By-law to remove the '(H)' Holding prefix from the lands zoned (H)RM4, or any part thereof, the Town of Newmarket shall be satisfied that:
- i all relevant provisions of the Official Plan have been complied with;
  - ii that sufficient servicing capacity has been allocated to the subject lands by the Town of Newmarket;
  - iii that a subdivision and/or site plan agreement has been entered into between the Owner and the Town and the performance security contemplated therein has been posted;
  - iv all necessary requirements of the Town have been satisfied;
  - v all necessary approvals have been received by other commenting agencies and authorities.

ENACTED THIS 22ND DAY OF JUNE, 2009.

  
Tony Van Bynen, Mayor

  
Anita Moore, Town Clerk

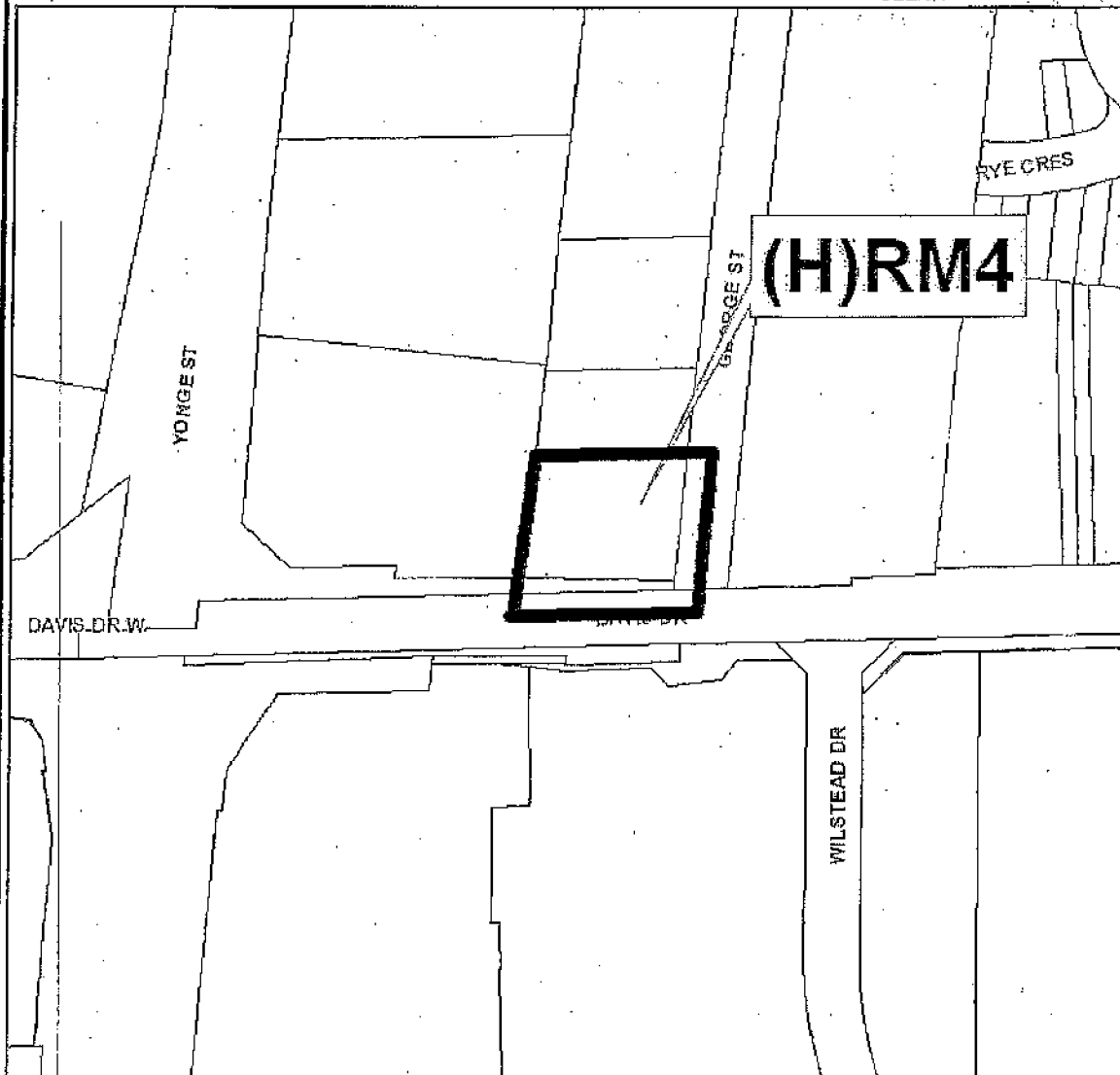
39 Davis Drive  
 Northwest Corner of Davis Drive & George Street  
 Town of Newmarket  
 Regional Municipality of York

This is Schedule 'X'  
 To Bylaw 2009-63

Passed this 22<sup>nd</sup>  
 Day of June 2009

*Sam LaRocca*  
 MAYOR

*Chris Poirer*  
 CLERK



Schedule 'X' to bylaw 2009-63  
 Town of Newmarket Planning Department

Designed & Produced by: Information Technology - GIS Source: 2007 GeoInformation Image by - © J.D. Baner, United, 2007 Orthophotography; Land Parcel Boundaries - © Tranech, Ltd. and its suppliers. All rights reserved. 105A PLAN OF SURVEY, 2009; An official boundary - Geomatics Division, Planning and Development Services Department of The Regional Municipality of York, 2009.  
 DISCLAIMER: This mapping is based on the POLARIS parcel maple product to compile using Land Registry system records and recent survey and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. It is not a substitute for a legal survey.





Barristers & Solicitors

Bay Adelaide Centre  
333 Bay Street, Suite 3400  
Toronto, Ontario M5H 2S7

Telephone: 416.979.2211  
Facsimile: 416.979.1234  
goodmans.ca

DIRECT LINE: 416.597.4119  
rhouser@goodmans.ca

Via email

April 28, 2014

Our File No. 121987

Mr. Andrew Brouwer, Clerk  
Town of Newmarket  
395 Mulock Drive  
Newmarket Ontario L3Y 4X7

Dear Sir:

**Re: Proposed Newmarket Urban Centres Secondary Plan  
Special Public Meeting on April 28, 2014**

We are the solicitors for Criterion Development Corporation ("Criterion") the owner and manager of a property in the northwest quadrant of Yonge Street and Mulock Drive (the "Criterion Property"). We also represent Criterion in connection with a property it manages on behalf of Yonge Mulock Realty Inc. at the southwest corner of the Yonge/Mulock intersection (the "Yonge Mulock Property"). On June 26, 2013, we filed a submission in connection with the proposed designations and policies for both properties in the Town's new Urban Centres Secondary Plan ("OPA 10").

Our client continues to have concerns with the revised draft of OPA 10 released on March 24, 2014. The following summarizes the primary concerns:

1. Criterion Property

The previous draft of OPA 10 provided for the Criterion property to have a maximum height of 15 storeys and a maximum FSI of 2.5. In our letter of June 2013, we indicated that the height and density for the Criterion Property should be consistent with the proposed heights and densities for the other three quadrants of the Yonge/Mulock intersection (4-18 storeys and an FSI of 2.0 - 3.5).

The revised draft of OPA 10 does not increase the proposed height and density as requested but in fact significantly lowers the height to 2 to 4 storeys (6 storeys with bonusing) and reduces the FSI to 1.5 - 2.0. The currently proposed height is even lower than what the current R5-T zoning permits (8 storeys).



In our view, the proposed height and density do not appropriately recognize the intensification potential for these lands which are located at an important intersection and planned for a future VIVA station.

We also note that access to the site from Yonge Street is constrained by the adjacent hydro corridor, so access can only be provided across the portion of the site designated "Natural Heritage System". We are therefore requesting a site specific exception to permit this access.

## 2. Yonge Mulock Property

We continue to disagree with the Town's proposal to designate the central portion of the Yonge Mulock Property as "Parks and Open Space" as this would undermine our client's ability to implement a mixed use development at the height and density envisaged in the draft secondary plan for this important intersection.

We note that the current draft of OPA 10 provides interim development policies (Section 6.4.8) for lands with existing commercial uses to allow for interim development to occur at heights below the minimum height and density limits shown on Schedule 4. In our view, a site specific exception should also be provided to allow for interim development of this nature on the Yonge Mulock Property, notwithstanding that it is vacant. A phased mixed use development with single-storey retail development oriented to the Yonge Street frontage would facilitate the early development of the property without precluding the long-term development envisaged by OPA 10.

Finally, Schedule 5 identifies a "Proposed Ring Road" along the western boundary of the property, adjacent to the backyards of single detached dwellings abutting the property. Given that the Town may require a lengthy period of time to acquire the properties needed to complete the ring road, OPA 10 should provide for interim access arrangements pending implementation of the ring road.

## 3. General Concerns

Our client continues to have concerns with the prescriptive nature of the proposed urban design policies for tall buildings in Section 7.3. In our view, the level of detail is more appropriately suited to urban design guidelines, and does not allow for sufficient flexibility to reflect the circumstances of an individual site.

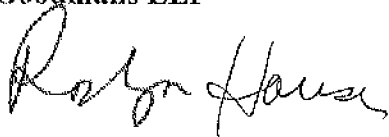
Goodmans<sup>LLP</sup>

Page 3

We trust Council will give consideration to the foregoing comments.

Yours very truly,

Goodmans LLP

A handwritten signature in black ink, appearing to read "Roslyn Houser", written in a cursive style.

Roslyn Houser  
RH/lr

cc: Marion Plaunt  
Paul Minz  
Lynn Barkey  
Laurie McPherson

6323328

RECOMMENDED POLICY MODIFICATION

New Text
Existing Policy

#### 6.4.7 General Building Height and Density

##### Density

ix. The Permitted Minimum and Maximum FSIs shall apply on the basis of the *density designations* identified on Schedule 4.

x. The intent of the Permitted Minimum and Maximum FSIs on Schedule 4 is to appropriately distribute densities. The FSI shall generally be calculated on a site specific basis, such that each development application achieves an FSI of not less than the Permitted Minimum FSI and not more than the Permitted Maximum FSI for the applicable *density designations* identified on Schedule 4.

xi. The density of a development is calculated by dividing the *gross floor area* of the proposed development by the *land area* of the development site.

xii. The calculation of *gross floor area* shall not include the floor area of underground parking, bicycle parking, or public transit uses, such as stations or waiting areas.

xiii. It is recognized that it may be appropriate to transfer density between properties within the same *density designation* and development block. On an individual property basis, the Town may consider an FSI that is higher than the Permitted Maximum FSI for the *density designation* in which the property is located, where it can be demonstrated to the satisfaction of the Town that:

a) the Permitted Maximum FSI for the overall *density designation* within which the application applies will not be exceeded, unless provided for by Section 14.2.9, as a result of reduced densities on other portions of the site within the same parcel in the applicable *density designation*, such as, through the conservation of heritage buildings or the application of the Transitional and Angular Plane policies in proximity to low-rise residential areas;

c) b) the development meets the intent of the applicable urban design and built form policies of this Secondary Plan;

c) the location and characteristics of the individual property make it appropriate to accommodate a greater share of the density, relative to other portions of the site and other properties within the same *density designation*; and

d) The transfer of density between parcels of different ownership in the same density designation may occur based on provisions herein provided the affected landowners have consented in writing to the transfer of density between parcels.

**Plaunt, Marion**

---

**From:** [REDACTED]  
**Sent:** Sunday, April 27, 2014 3:35 AM  
**To:** Plaunt, Marion  
**Subject:** Comments for Urban Centres

Dear Town of Newmarket,

It is a great pleasure to see improvements and developments in Newmarket. As a Newmarket resident, I hope to see a bright future in the town. Followings are my opinions for a better Newmarket:

1- Currently Go Train cuts Davis Drive and each time a train passes, it stops the traffic for at least five minutes. It is planned to increase the frequency of trains which means creating more traffic jam in Davis Drive. Furthermore, the sound pollution is as dangerous as air pollution if not more; and Go Trains are a big source of sound pollution. If Go trains pass through a tunnel under Davis Drive, they will not stop traffic and they do not need to horn.

2- Town should control design and architecture of new developments along Davis Drive and Yonge street, to have spectacular and signature buildings representing a modern and progressive town. Buildings like: UBC Pharmaceutical Building in Vancouver, Pointe-à-Callière in Montreal, kitchener-city-hall, Bow Tower in Calgary, Robarts Library in University of Toronto, Engineering Building in York University, and so on.

3- There are too much wires hanging over poles along Davis Drive. For example, cross lights can be attached to poles instead of being hang from wires which is both dangerous and bad looking.

I hope with sharing different ideas, we will be able to create a shining Newmarket.

Best Regards,

Ali Abbaskhah

**Plaunt, Marion**

---

**From:** [REDACTED]  
**Sent:** Sunday, April 27, 2014 5:20 PM  
**To:** Plaunt, Marion  
**Subject:** comments on the Newmarket Urban Centres Secondary Plan

**TO :** Marion Plaunt  
Senior Planner, Policy  
Planning & Building Services

**From :** [REDACTED]

**RE :** comments on the Newmarket Urban Centres Secondary Plan

**DATE** April 27,2014

**PARKING**

I am concerned that the idea of parking for individual cars seems to be relegated to the status of an evil thing that must be minimized or eliminated. Individual transportation is a very useful tool for many purposes, and should be included as a viable option in any planning scheme. This is not downtown Toronto or New York! We have the space to allow for such options.

Not everyone can walk long distances, bicycle, or afford the lengthy time required by public transit. In fact, the poor weather we endure for much of the year will restrict the first two options rather severely in any case.

From the **Urban Centres Transportation Study**, Phase 2 Traffic Operations Review, Rev. 4 : "The proposed retail parking supply strategies reflect the belief that as the Urban Centres develop, retail uses will shift from being Regional attractions, drawing shoppers from beyond Newmarket, to being oriented to the new residents living within the Centres and employees working in the Centres"

This strikes me as being a self-defeating and destructive goal. No successful and dynamic urban centre succeeds servicing only the needs of its own local citizens. Making access more difficult will simply cause people (both local and out-of-town) to stop patronizing those stores and service providers, and this will simply encourage retail and service outlets to migrate to areas that make customer access easier and more convenient. As another example, purchasing and getting home large, bulky purchases is really not an option using public transportation!

Further, assuming that the Town has any desire to become more than a shopping destination and inclusive of arts and sports activities, then it is foolish to make it difficult for out-of-town clients to attend these functions. Again, this strikes me as being a self-defeating and destructive attitude.

Another special area that requires better attention to parking is the Health Care section of town. It is all very well to have a central parking garage servicing an entire block of service providers, but not every patient will find it easy or even possible to walk great distances to their health care provider. I've been in that position, and it was very nice to have the option of having a car and parking close to where I needed to be.

### **LIBRARY AND CULTURAL FACILITIES**

I am concerned at the minimal attention paid to facilities of this sort in the plan. It seems to be a case of some day figuring out something or other, and putting it somewhere. The problems with that attitude are that it gets put off far too long, it gets shoehorned into a less-than-optimum location, and no-one is ever happy with the result. Such facilities take time to plan properly, and it is never too early to start planning. In fact, Newmarket has too few such facilities now, never mind the future when the need will be even greater.

### **WHY BOTHER PLANNING AT ALL?**

Although initially enthusiastic about this plan and being able to contribute my thoughts towards it, recent events have left me wondering if it is all simply an expensive waste of time. Recent OMB decisions have made it quite clear that the Town has no right to limit the height of buildings or decide where or how developments can occur within the Town. Worse, the Town council seems unwilling or incapable of defending our interests against developers. The recent Glenway development debacle illustrates this all too well. The Town talked a great fight prior to the OMB hearing but gave a half-hearted effort and at the first setback they quickly backed down and gave the developer more than was initially requested. In this case the OMB simply said that development could take place, but had yet to make a decision on the final density or type. It was the Town council that decided that it was perfectly acceptable to pave over a large green space with high density housing. In this case it was the Town council that diminished our tomorrows for the sake of appeasing developers, not the OMB. I have little faith that the Town will give more than lip service in the defense of this or any plan, and will simply allow any developer that says "boo!" to do whatever they want.

**COMMENTS ON THE NEWMARKET ACTIVE TRANSPORTATION NETWORK**

Can you clarify where future bike lanes will be going? It is not clear on Figure 1. In referring to the sketches on pp 19-20, the lanes on Existing Minor Collector streets outside the Secondary Plan area appear very narrow once bike lanes are added. If this were done on my street (Crossland Gate) this would create an inadequate space for buses which run on this route. In addition, it would create a street with no street parking. Has this been addressed?

Did the Figure 3 study lead to the priority rank order of various initiatives as in Appendix C? The study seems to be very outdated given our current reality. For eg., it shows zero bicycle and pedestrian trips west of Yonge St. Hard to believe.

As a corollary question, will these initiatives be affected once updated development approvals are included? In terms of safety, activity and destination realities, how will the growing intensification, both within and outside of the Growth Corridor, affect these initiatives - particularly the on-street routes (Figures 3 & 4)

Figure 5: The Town is proposing to add 3 roads, 2 of them traffic-light controlled, in a small stretch on Davis Drive. This is also a stretch that will be adding at least 5,500 motor vehicles between Yonge/Davis and Bathurst given new approved developments. Two issues obviously stem from this. Traffic flow here will now have 3 light-controlled intersections, 1 additional non-light controlled (?), a new gas station (with likely and entrance and exit onto the east-bound lanes) and all these additional vehicles. This seems like a painful way to enter and exit the Town. The second opportunity is that the pedestrian crossing is at Crossland and Hwy 9. The opportunity is to make a linkage to the Active Transportation Network and have it avoid this intersection by building a tunnel underneath.

At this point, the off-road stretch in this area crosses the road further west and does not align with the lights at all. How will that work? Would be better if it could be linked with the Glenway east lands and cross 'together' under Hwy 9 forming a direct link to the network on the north side of Hwy 9 (refer to p 10)

An opportunity to create a green corridor through the Glenway property was proposed in order to create this more direct link going up the former 2nd hole and going up to the west side of the existing stormwater pond by the entrance to the community. The advantage of this approach could add additional green space plus a safer off-road linkage to the northern trail system (rather than relying on Eagle or Crossland Gate which will both become much busier in the near future).

What is the prioritized timeframe for all this, since both the primary and secondary priority initiatives appear to have the same 0-5 year timeframe.

In my view there are too many 'disconnects' in the Off-road plan. Those who cycle on such off-road paths are possibly less inclined to switch back and forth to on-road

options. I would prioritize a means to ensuring that the off-road system truly becomes a 'network' by finding ways of connecting all its constituent parts.

Would like to see on-road bike lanes on Main Street north of Davis, however this might or might not fit the priorities at this time. For cycling, it could be safer.

Re Harry Walker Road being high on the current priority list (p28): this is already a very wide road so if the Town is looking to save money or defer this expense till later, I would drop this one further down the list, *in spite of the fact* that it leads to businesses on that side of Town.

What updated data support this priority list?

By prioritizing the west of Yonge St. area last, current patterns from the 2006 U of T study will be reinforced instead of working to influence future behaviour change first where it appears to be most in need.

What will bike lanes look like? Painted bike symbol, painted lane or just a painted line such as on Bathurst? etc.

What are the plans for future Davis St. bike lanes? I only see a priority between Bathurst and the GO Terminal but not going further east.

Given that the OMB is now communicating that intensification is potentially permitted everywhere in the built boundary, this is a great initiative and should be made official as soon as possible, even if future amendments are required. Also, any lands which might need to be expropriated to make it happen, should be identified immediately.

A point of clarification: Ruth Victor stated under oath at a recent OMB Hearing that this Active Transportation Network was already part of the Newmarket OP. Is this true?

### **Comments on Selected Comments:**

YES, to library expansion or at the very least, a focus on some sort of cultural 'expansion'. The Town has a dearth of infrastructure in this regard, theatre, music etc., especially since the York University idea will not be happening.

I disagree with the comments of Mr. Smith regarding limiting the focus on cycling; 3 issues there: if the infrastructure isn't there, people will cycle less. Address that and it will increase. Secondly, the topography has hills but isn't as daunting as he suggested. Thirdly, if the municipality is serious about meeting its population and job growth targets, then there will be more people working locally and inclined to use non-motorized transportation alternatives.



There is a lack of green space and the Secondary Plan process has put a number on that shortfall, particularly in the NW quadrant (Table 3, p57 of the Urban Centres report). What is troubling is that the exact location of the biggest shortfall has not been described, nor has a solution to this shortfall been specifically linked to planned specific actions. Also, I am reminded that the NW quadrant is huge. So, where is the shortfall? Is there greenspace remaining that can address shortfalls that lie within priority areas? How will this be addressed and when?

**Other Comments:**

Staff correspondence to Marianneville Developments was directly objected to by the OMB adjudicator in a recent Hearing, indicating that alternate land use opportunities should have been considered for the Glenway lands years ago, and, in the view of the community, this could have included what to do with the green space (or at the very least, *parts* of it) that could have contributed to the green space deficit already identified through this process.

We require a Motorist AND cyclist education program initiative to re-educate the population on both the approach as well as proper travelling etiquette in order to proactively address road safety issues (ie. vehicle/cyclist collisions, 'dooring' etc.). Also, I'd recommend tracking any such incidents pro-actively. This has not been done in Toronto until recently and failure to do so misses opportunities for capturing real data on how the initiative is working and how it can be improved.

Great to have the addition of Public Art.

NO to bonusing if it means adding 'floors' beyond the current by-laws.

Just a thought: at this point in the planning process we have an opportunity to create 'public spaces' that are unique, potentially 'themed' and do NOT resemble other 'cookie-cutter' open space approaches that we see in other new developments in the GTA.

Is the GO Station planned to be a Mobility Hub or will it in future be moved to a centralized location on Yonge St. together with the Viva Next?

Are there any plans or discussions to augment the potential of the Main Street Heritage District and River Walk Commons by developing some sort of open space, or other walkways, stores etc. on the east side of the river?

**Plaunt, Marion**

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**From:** [REDACTED]  
**Sent:** April 9, 2014 9:23 AM  
**To:** Plaunt, Marion  
**Subject:** Comments - Renewing Newmarket - Planning Yonge & Davis Urban Centres - Urban Centres Secondary Plan

Regarding: Renewing Newmarket Post Card and April 28, 2014 public meeting 7pm in Council Chambers.

1. I received a post card with a map that was not legible to begin to understand what is happening and what the impact is. I was not aware of the October 2013 meeting (was it on the Thanksgiving weekend when people were out of town)
2. I have attended information meeting before i.e. a Comprehensive Bylaw public meeting (around March break with little public attendance) and there was very limited information – many unanswered questions. It appeared the Town of Newmarket was going through the motions of suggesting information was shared and input was obtained from residents – to abide by very weak and ineffective Planning Act requirements . The Planning Act does not consider the impact on neighboring properties or compensation for the impact on property values so it is not the appropriate to follow this process and regulations to avoid liability. This issue should be confronted as part of a responsible plan to consider. The consultant the Town hired for the Comprehensive Bylaw changes did not take into consideration the impact on property values! This is ridiculous and must end. This approach should not be taken with this latest plan.
3. There were very serious errors in the Comprehensive Bylaw proposal; therefore there should be a comprehensive review by residents beyond the token public information input meeting. An oversight/advisory committee would be recommended as per the Planning Act.
4. The Town of Newmarket has a current Official Plan which does clearly does not support these planned changes or this would not be necessary - but it appears the Town is making changes to the Official Plan – please explain.
5. There should be a clear referendum vote to give people the right by voting on the future of their community. There is too much at risk to empower elected officials to approve this plan.
6. There should be consideration for the impact on property values do to the Urban Centre Secondary Plan proposal. It would be negligent to proceed with by-law changes without appropriate independent assessment on the impact on property values of neighboring residential properties.
7. What is the impact on the Glenway Golf course property. Does this set the stage for intensification in this area.
8. We should see how this Secondary Plan has evolved and what pressure has been put on the Town of Newmarket by developers. All correspondence on the properties effected by these by-law changes should be available to the public as part of the information package on the Town of Newmarket website etc. If elected officials received consulting payments or other forms of payments from developers this should also be disclosed to move towards some level of transparency.

Thank you in advance for considering these comments and taking appropriate and responsible actions to avoid these issues.

Regards,



Pelham, Kym

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**From:** [REDACTED]  
**Sent:** April 10, 2014 9:47 PM  
**To:** Pelham, Kym  
**Subject:** Re: Newmarket Urban Centres Secondary Plan

Thank you for this invitation.

I will not participate any more. The whole process is a farce.

Regardless of what the municipality wants to do, regardless of the desires of the elected officials, or the real stakeholders - the residents of Newmarket: developers will be permitted to do what they want, when they want and how they want.

The recent OMB decision about Glenway proves that if there space to put a shovel in the ground, its "develop-able" and any kind of planning work the town has down is irrelevant.

Save our money, stop the process and give the keys of the city to the developers - or least to Ira Kagan, their attorney of choice!

----- Original Message -----

From: Pelham, Kym <[kpelham@newmarket.ca](mailto:kpelham@newmarket.ca)>  
Sent: Fri, Mar 28, 2014 2:05 pm  
Subject: Newmarket Urban Centres Secondary Plan

Dear Stakeholder:

This is to advised that the Town of Newmarket is requesting your feedback on the Revised Draft Newmarket Urban Centres Secondary Plan. The notice of the Special Public Meeting scheduled for April 28, 2014 is attached for your information.

We are requesting comments by **April 28, 2014**.

The Revised Draft Secondary Plan will be available by March 31, 2014 at the Town's office and on the Town's web site at [www.newmarket.ca](http://www.newmarket.ca) and click on "I'd like to...learn more about the Secondary Plan (Phase 5)".

We look forward to your continued involvement.

Regards,

Marion

**Marion Plaunt, MES, MCIP, RPP**

Senior Planner, Policy

Planning & Building Services

905 953-5300, Press 2, ext. 2459

[mplaunt@newmarket.ca](mailto:mplaunt@newmarket.ca)

[www.newmarket.ca](http://www.newmarket.ca)



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Newmarket: A Community *Well* Beyond the Ordinary

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**Plaunt, Marion**

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**From:** [REDACTED]  
**Sent:** April 16, 2014 3:13 PM  
**To:** Plaunt, Marion  
**Subject:** Draft Secondary Plan feedback

Dear Marion Plaunt,

Thank you for mailing me a copy of the Draft Secondary Plan. I was so pleased to read through it and find that there has been a great deal of feedback from the stake holder meetings incorporated into the plan. As well, I was very impressed by the amount of detail that the plan includes. It is well thought out and meets not only my expectations as a Newmarket citizen concerned about the future growth and development of our town but also my expectations that the development will be beneficial to everyone in Newmarket and continue to make Newmarket an attractive town in which to work, live and raise a family. Examples of this in the Plan are: **Public art, on street bike plans, transit station areas, affordable housing** in the 25 - 35% range, and concern for **aesthetic and functional character** of the development.

In the **Bonshaw Character Area** I agree with the residential development being mid- high and low rise. **Parks and schools** in that area will be important.

Yonge and Davis is the obvious choice for high density, high rise buildings, a transit hub and development of park land. This area would benefit from off Yonge Street entry points, the **Parking Facility Design** outlined in 7.3.12 (iv). and internal driveway connections. I had some concerns about **lighting** in the parking areas to ensure that crime does not develop in darkened parking structures. The development of **post secondary facilities** in this area makes sense as it connects to transit. I questioned **long-term facilities** not being closer to the **Southlake Regional Health Centre**. Certainly the area lends itself to developing as an **entertainment area**. I was particularly pleased to see that the draft plan included a consideration of the skyline, **iconic skyline** I believe was the wording. Would this also be a area to ' have in place provision for social housing affordable to **those below 40% tile household** income as retail and transit hubs would be most accessible. **Cost sharing** to develop community facilities in this **Yonge / Davis Character Area** could include a **complex** including a **new library, seniors centre** and post secondary facilities or **retirement housing**, perhaps in the development of Upper Canada mall properties.

From reading the Draft Plan, I understand that the **York County Centre** will be a **Provincial Growth Centre** at Yonge and Eagle and Rapid Transit will develop in that area as well. Will there be consideration to pedestrian walkways and traffic circles and rear lanes to manage traffic? Section **7.3.6 (iv), (v)** should be mandatory throughout the future development of Newmarket.

**Armitage Village at Yonge** and Mulock. I was not clear about the future of Mulock Farm. Is the town currently being active in developing a plan to assume this important heritage property? Could the draft not be worded more strongly than **"to the satisfaction of the town"**? My experience in town is that not all councils are strong councils able to take a stand against developers demands.

The development on **Davis Drive** will be important as it impacts on many residential areas and the historical area in town. The Draft Plan should be worded very strongly so that this particular area of town is not compromised. Certainly there is room for a transportation hub as that is the historical use of land in that area. **Southlake Regional Health Centre**. I did not see a recommendation for housing near the hospital recognizing that it is a teaching facility.

**Lake Simcoe Protection Plan/ E. Holland River Subwatershed Plan**. Protection of the watershed and habitats is extremely important. As well as protection of these areas will there be some attention given to joining the east/west trails in town to provide pedestrian traffic areas to move around town away from traffic . Finally, I would like to list other points from the Plan which I feel should not be compromised on. But before doing so, I would like to add one concern... In 7.3.7 **Sustainability**. The wording is that it will be 'encouraged' , I suggest the wording should be "enforced".

7.3.3.1 - recommendations show consideration for existing residences which is important and should not be compromised. More detailed outlining of "bird friendly" practices is encouraged.

7.3.2 - direct vehicular access to be 'discouraged', I suggest 'not allowed'.

7.3.2- well thought out especially attention to architecture features.

7.3.1- General Urban Design... Urban design guidelines should be clear and well developed so future councils cannot compromise. Architectural excellence should be demanded and environmental awareness in the form of roof gardens, attention to surface water, etc. and LEED recognition should not be compromised. Design reviews should be 'imperative' not 'may' occur. **Could the 20degree angle for shadows and the 50% sunshine at the summer solstice bars be raised?**

7.3.6 - (iv) is especially sound.

9.3.4 - Transportation Demand Management - 9.3.4 (ii), 9.3.5 parking - good ideas but I am hesitant to encourage "cash-in-licu" if it means forfeiting mindful traffic management.

8.0 - Block Structure and Street Network related is strong.

8.2 - Objectives - well thought out and clear

The Plan refers to 'uses other than street related commercial uses' - unclear what this refers to.

What is being put in place to reduce significant short fall of parkland in Urban Centres?

I am particularly encouraged in terms of **active transportation** by the desire noted in the Plan to have all day, two way train transportation to augment other surface travel modes as part of a 'balanced movement system'.

Cost sharing for much of the town's varied developments is a sound idea.

**Let me close by saying this:** Mayor Van Bynen, Newmarket council and the Town of Newmarket Planning Department have a wonderful opportunity to design and build a city for the twentieth century that reflects the new thinking of citizens. You have in effect a blank page. Along with many others, **I encourage** the Town to accept this Draft Plan and develop Newmarket as a heritage conscious, environmentally responsible, and aesthetically designed work and living - friendly town.

I look forward to attending the April 28th council meeting.

Patricia Montgomery.

**Plaunt, Marion**

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**From:** [REDACTED]  
**Sent:** Thursday, May 01, 2014 4:51 PM  
**To:** Plaunt, Marion  
**Cc:** [REDACTED]  
**Subject:** Secondary Plan Presentation - Walter Street Changes

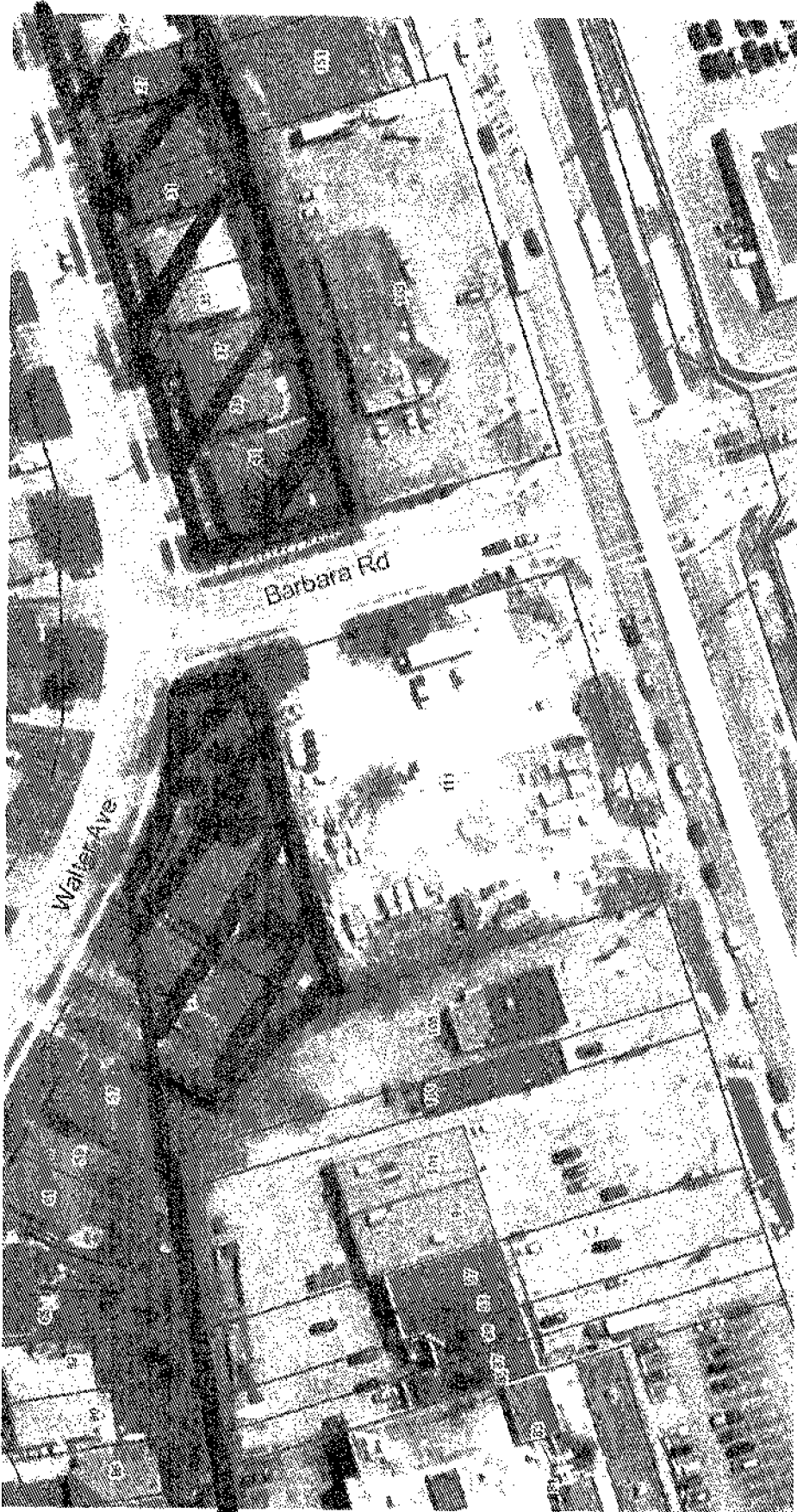
Hi Marion

I attended the presentation on Monday night and thought it was very informative and helpful in understanding how Newmarket plans to grow along Davis Drive. Very exciting. Further to my comment last night about my property located behind the old Petro-Canada and now that I have a better understanding of height restrictions and angular plan restrictions I would like to meet to discuss extending the rezoned area along the south side of Walter Avenue to west of Barbara to include the first two properties. The reason for this request is in line with height requirements the Town is trying to achieve. The old Petro-Canada site is designated medium density (3 to 8 storeys). The lot is about 55m in depth. My quick calculations based on the angular plans indicate that an 8 storey building could simply not be sited on that narrow lot unless the lots on south side of Walter were included. I understand why the lots on the south side of Walter east of Barbara were rezoned as the properties on Davis are narrow and the ability to develop would be challenging on such narrow lots. However, I feel the same situation applies for the old petro Canada site and if the two lots in rear of petro property rezoned it would allow for the desired building height that Newmarket is trying to achieve on that site. Obviously a site that does not have the potential to meet the desired height would impact the density Newmarket is trying to achieve. Rezoning the 2 properties on Walter would also create better alignment and be consistent with the depth of the lots west of old Petro Canada site. (Persechini, Mr. Sub, Restaurant)

Ron Keizerwaard the owner of 47 Walter and myself (49 Walter) would like to quickly meet with you to discuss this potential oversight and what options are available to make the rezoning change to include these two properties with the other Walter Avenue properties that are being considered for rezoning. Please advise of a time convenient for you to meet. Thanks



Attachment 2 Page 1 of 1



**Plaunt, Marion**

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**From:** [REDACTED]  
**Sent:** Wednesday, May 14, 2014 9:04 AM  
**To:** Plaunt, Marion  
**Cc:** [REDACTED]  
**Subject:** Secondary Plan Presentation - Walter Street Changes  
**Attachments:** [Untitled].pdf

Hi Marion

I attended the presentation on Monday, April 28th and thought it was very informative and helpful in understanding how Newmarket plans to grow along Davis Drive. Very exciting times. This e-mail is to confirm that the owners of 47 Walter Avenue (Ron and Jill Keizerwaard), 49 Walter Avenue (Shane and Leah MacDonald) and 51 Walter Avenue (Sharon and Allen Chen) request to have their respective properties rezoned to mix residential/commercial similar to the Walter properties being rezoned on the east of Barbara Street to facilitate the Town's density targets and support the objectives of Urban Centres Secondary Plan.

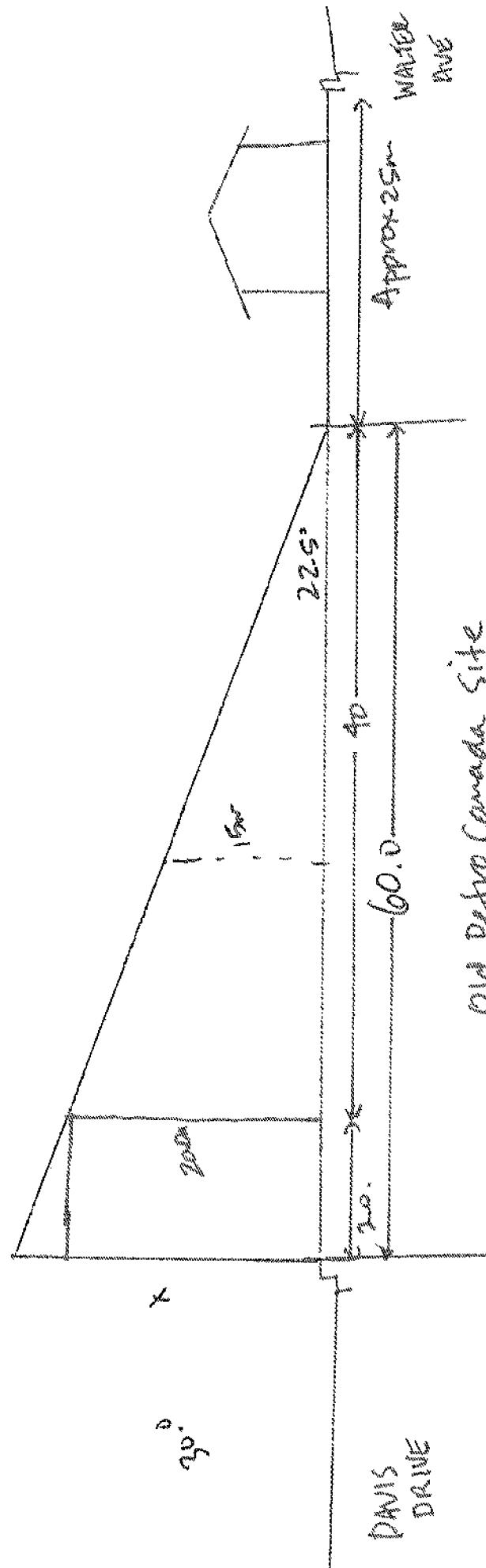
Based on my understanding of height restrictions and angular plan restrictions, full height build out is not possible or severely constrained within the existing old Petro Canada property. The old Petro-Canada site is designated medium density (3 to 8 storeys) with a lot depth of about 60m. Based on the 22.5 degree angular plan restriction that would start from the rear of the Walter Avenue properties an 8 storey building simply could not be sited on that narrow lot unless the lots on south side of Walter Avenue were included. In fact, trying to sight a 6 storey (20m tall) building would require an offset of 40m from the rear of the old Petro Canada property and this would only leave 20m at the front portion of the property to build a the 6 storey height of 20m. *(See attachment 1)*

I understand and fully agree as to why the lots on the south side of Walter Avenue east of Barbara Street were rezoned to mixed residential/commercial as the properties on Davis Drive are narrow and the ability to develop would be challenging on such narrow lots. It should also be noted that in this area (east of Barbara Street) the maximum height requirement drops significantly to a height of 2 storeys (11m). I feel the same logic for rezoning those Walter properties applies for the lots in the rear of the old Petro Canada site and if the three lots in rear of old Petro Canada property were rezoned it would allow for the Town's desired building height on that site and in the area. Obviously a site that does not have the full potential to meet the desired height would impact the aggressive density targets Town is trying to achieve. I assume the intent of the Secondary Plan process is to mitigate and or avoid these types of restrictions to allow intensification and growth to occur as planned in accordance with objectives of the document. Not only would rezoning the 3 properties on Walter Avenue remove restrictions and allow full height build out it would also create better alignment and consistency with the depth of the lots west of old Petro Canada site. (Persechini, Mr. Sub, Restaurant) *(See attachment 2)*

I trust this e-mail provides sound logic for the inclusion of 47,49 and 51 Walter Avenue properties in the rezoning area similar to the Walter Avenue properties east of Barbara Street. Please don't hesitate to contact us if you require any additional information or clarification and we look forward to assisting the Town in meeting the objectives of the Urban Centres Secondary Plan.

Regards,

[REDACTED]



NTS.

**Plaunt, Marion**

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**From:** [REDACTED]  
**Sent:** April 15, 2014 6:28 AM  
**To:** Plaunt, Marion  
**Subject:** Comments on the Revised Draft Secondary Plan

Good morning,

I have read the Newmarket Urban Centres Secondary Plan – The Plan and Process, as well as glanced at the Revised draft Newmarket Urban Centres Secondary Plan.

My only comment and hope is that transitional policies to existing residential streets are properly thought out and implemented when we see the effects of higher densification in the urban centres.

As a resident of Shanahan Boulevard running south from Savage Road North just East of Yonge Street (Yonge South – Armitage Village), there is already a problem with motor vehicles using Savage Road to get into the Mandarin plaza instead of using entrances from Yonge Street. If the area is redeveloped and six to eight story buildings built, the problem will get worse unless entering and exiting traffic from the plaza is better planned.

Thank you.

**Plaunt, Marion**

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**From:** [REDACTED]  
**Sent:** Wednesday, April 23, 2014 3:32 PM  
**To:** Plaunt, Marion; Brouwer, Andrew  
**Subject:** OPA #10 and #11

April 22, 2014

Ms. Marion Plaunt, Senior Planner,  
  
Town of Newmarket  
  
Planning and Building Services Dept.  
  
395 Mulock Dr.  
  
P.O. Box 328, STN Main,  
  
Newmarket, On.  
  
L3Y 4X7

Dear Ms. Plaunt,

Re: Proposed OPA #10 and #11

I am the owner of 33 Bolton Ave. Thank you for circulating Planning & Building Services Report # 2014-11 regarding Official Plan Amendment No. 10 as well as your response dated October 13, 2013 to my earlier written comments. Although I will not be attending the Special Public Meeting of April 28, 2014, I wish to have the Planning Department and Council seriously consider my comments once again.

Unfortunately, I must continue to strongly disagree with your policies which require a public road connection from Bolton Ave/Watson Ave easterly to Davis Dr. While I understand the theory of a fine grain road network, the size of the development blocks in this instance does not justify this additional road, the related infrastructure costs and the expense of future maintenance. Is the purpose of a fine grain road network not to provide greater opportunities for pedestrian connections throughout the neighbourhood in an area where there

are local retail, commercial and residential services to establish a walkable and lively neighbourhood without cars? In this instance I see this Hospital Precinct as a car orientated destination which does not include the typical neighbourhood design and amenities I have just mentioned. As such, I see no justification to provide the additional access which further penetrates into this stable residential neighbourhood and further disrupts the area.

Surely, the signalized access at Lundys Lane and Davis Drive provides sufficient full-turn accessibility for this area. In addition, I cannot visualize how such road could be designed and built given its location and impact on the valley. A physical connection to create an intersection with Watson Ave would seem to be an impossibility to accomplish without creating an extremely awkward intersection design. Such connection would also seem to be within the Open Space and Floodplain designations within this neighbourhood, so again I am unclear as to the reality of such road when it contradicts your own environmental protection policies.

Furthermore, on a more human scale, to put a road through a property which the Town recently donated as a Habitat for Humanity home. This would seem to be somewhat hypocritical in regards to the intent and purpose of that humanitarian project, to say nothing about displacing this family from the neighbourhood.

I would also like to better understand how and when this proposed road gets built. Surely any road contribution from my lands would render them useless for any development potential. Am I being forced into a position whereby my property has no real value anymore? I can see a possible scenario whereby the lands all around me could be developed leaving me with virtually nothing but roads all around me! Doesn't the introduction of a new road into the neighbourhood have a greater impact than any new buildings? Surely, this is not the Town's vision for this area! Who is paying for this road? Am I being forced into a "no win" scenario?

I also am unclear as to the effect of the revised "Transitional" policies and the impact on future development in this area. How does this work for me? Does this policy even further reduce development potential in this area? I am not sure what we are transitioning to if there are to be new roads surrounding this pocket of development?

In conclusion, I firmly believe that the requirement for this additional road is excessive and unnecessary and I strongly request that such policies for this road should be eliminated. Please continue to keep me informed as the process proceeds. Thank-you again for considering my comments.

Yours sincerely,



**Minutes from the Committee of the  
Whole Special Public Meeting**

**Revised Draft Newmarket Urban Centre Secondary Plan**

April 28, 2014



The meeting of the Committee of the Whole was held on Monday, April 28, 2014 in Council Chamber  
Mulock Drive, Newmarket.

**Members Present:**

Mayor Van Bynen  
Regional Councillor Taylor  
Councillor Di Muccio  
Councillor Emanuel  
Councillor Hempen  
Councillor Kerwin  
Councillor Sponga  
Councillor Twinney (1:30 to 4:46; 7:00 to 9:21 p.m.)  
Councillor Vegh

**Staff Present:**

R.N. Shelton, Chief Administrative Officer  
R. Prentice, Commissioner of Development & Infrastructure Service  
A. Moore, Commissioner of Corporate Services  
I. McDougall, Commissioner of Community Services  
R. Nethery, Director of Planning and Building Services  
C. Service, Director of Recreation and Culture  
M. Plaunt, Senior Planner – Policy  
L. Lyons, Deputy Clerk  
A. Brouwer, Director of Legislative Services/Town Clerk  
K. Reynar, Assistant Solicitor  
L. Moor, Council/Committee Coordinator  
S. Niezen, Records and Projects Coordinator  
C. Finnerty, Council/Committee Coordinator  
J. Patel, Project Support Business Analyst

Mayor Van Bynen in the Chair.

The meeting was called to order at 1:30 p.m.

**Additions & Corrections to the Agenda**

Moved by: Councillor Di Muccio

Seconded by: Councillor Kerwin

THAT the items listed on the agenda as addendum items be included.

**Carried**

**Declarations of Pecuniary Interest**

None.

**Presentations & Recognitions**

1. Mr. David Clark, Design Chief, Infrastructure and Development, York Region Rapid Transit Corporation addressed the Committee with a PowerPoint presentation regarding the VivaNext - Davis Drive and Yonge Street Update.

that staff review the possibility of making public the closed meeting discussions regarding details of the university land acquisition.

52. Mayor Van Bynen requested that any applicable mapping attached to reports be provided for viewing on the overhead projector and/or the projection screen.

### **Closed Session**

Mayor Van Bynen advised there was no requirement for a Closed Session.

### **Public Hearing Matter**

53. Newmarket Urban Centres Secondary Plan - Request for Feedback.

Mayor Van Bynen welcomed members of the public to the Special Public Meeting regarding the proposed Newmarket Urban Centres Secondary Plan. The Mayor advised that while this is not a Statutory Public Meeting, Town staff, consultants, and members of Council are present tonight to hear from any members of the public on the latest draft of the Secondary Plan.

Mayor Van Bynen advised that the Committee of the Whole will not be making any decisions tonight regarding the Secondary Plan, but will refer all written and verbal comments to Planning staff and Town consultants to consider in a report that will be brought forward to a future Committee of the Whole meeting.

Mayor Van Bynen advised that if the members of the public wish to be notified of subsequent meetings, or if they are making a presentation today, to complete a form with their name and address and submit it to the Clerk's staff as this will help us contact them in the future.

Mayor Van Bynen further advised that the format for tonight's meeting will include a presentation by the Town's consultant on the latest changes to the draft Secondary Plan. Members of Committee will then have the opportunity to ask questions of clarification, after which members of the public will have an opportunity to comment or ask questions of staff and the consultants.

The Mayor thanked the public for their participation and interest in Newmarket's future.

54. Mr. Jason Thorne of planningAlliance gave a PowerPoint presentation on the proposed Newmarket Urban Centres Secondary Plan. He presented a summary of some of the changes and the policies within the plan.

Members of Committee queried staff and consultants regarding transportation planning, the Transportation Demand Study, transit mobility hub, density, future post-secondary uses within the urban centres, affordable housing, the proposed street network, and the new angular plane provisions. At this time in the meeting, Mayor Van Bynen offered the opportunity for Members of the Public to provide comments.

55. Mr. Gordon Prentice, resident, addressed the Committee regarding concerns about transportation, including the possibility of combining the GO Train Station and Bus Terminal, and the new proposed GO Train Station on Mulock Drive.
56. Mr. Gary Worters, resident, addressed the Committee regarding concerns about affordable housing in the Urban Centre.

57. Mr. Jonathan Coates, resident, addressed the Committee with questions about the possibility and potential timing of a developer purchasing his property for intensification purposes in accordance with the Secondary Plan.
58. Ms. Anne Martin, resident, addressed the Committee regarding concerns about the proposed ring roads around Yonge Street and Davis Drive, and questioned whether a similar road network was proposed for the intersection of Main Street and Davis Drive.
59. Mr. Shane McDonald, resident, addressed the Committee with questions regarding the process of rezoning properties identified for intensification in the Secondary Plan.
60. Mr. Steve Rostron, resident, addressed the Committee regarding concerns about the possible redevelopment of the Hollingsworth Arena property.
61. Ms. Debbie Heathcote, resident, addressed the Committee regarding concerns about redevelopment along Penn Ave.
62. Mr. Don McKee, resident, addressed the Committee regarding concerns about the planning process for undergrounding of utilities.
63. Mr. Luke Sugar, resident, addressed the Committee regarding concerns about the Viva construction along Davis Drive and the potential overlap with construction along Yonge Street, questions regarding the potential model of indoor bicycle storage and transit incentive programs.
64. Ms. Marisa Talarico, resident, addressed the Committee regarding concerns about shadows from development affecting pedestrians along Davis Drive and Yonge Street.
65. Mr. Peter Mine, resident, addressed the Committee with concerns about changes to property values due to the Secondary Plan and the proposed street networks.
66. Mr. Roy Smith, resident, addressed the Committee with concerns about redevelopment of the Hollingsworth Arena property.
67. Mr. Kevin Jarus, resident, addressed the Committee with concerns regarding connectivity with the Glenway development, site by site shadow studies for redevelopment, stoplights at the proposed ring roads around Yonge Street and Davis Drive, and requested that more language around pedestrian oriented development be included in the Secondary Plan.

Members of Committee queried staff and consultants regarding the secondary plan process, changes in height and density, the potential for widening certain roads such as Kingston Road within the proposed street network, parks and open space within the plan, and future development and infrastructure investment.

Moved by: Councillor Emanuel  
Seconded by: Councillor Sponga

THAT the PowerPoint presentation by Mr. Jason Thorne of planningAlliance, on the Newmarket Urban Centres Secondary Plan, and all deputations and correspondence be received.

**Carried**

The Director of Planning and Building Services advised of the next steps associated with the planning process for the application being a report back from staff to a future Committee of the Whole meeting possibly in May, 2014 with a final version of the Secondary Plan to completed in June, 2014.

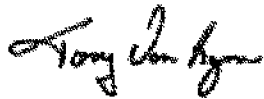
**Adjournment**

Moved by: Councillor Emanuel  
Seconded by: Councillor Sponga

THAT the meeting adjourn.

**Carried**

The meeting adjourned at 9:21 p.m.



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Tony Van Bynen, Mayor



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Andrew Brouwer, Town Clerk