

**Amendment No. 25
to the
Town of Newmarket Official Plan**

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Map 1 – Location Map

PART A THE PREAMBLE

The Preamble provides an explanation of the amendment, including the location and purpose of the proposed amendment, basis of the amendment and a summary of the changes to the Town of Newmarket Official Plan, but does not form part of this amendment.

1. Purpose of the Amendment

The purpose of this amendment is to amend policies and schedules of Section II of the Town of Newmarket Official Plan (OPA No. 10), also known as the Newmarket Urban Centres Secondary Plan (Secondary Plan) to:

- Clarify the original intent of the policies;
- Implement recommendations of recently approved planning documents;
- Update land use permissions or requirements to address inconsistency between policies; and
- Resolve mapping inconsistencies.

2. Location

The proposed amendments are made to the text and schedules of the Secondary Plan and are applied to the Secondary Plan area as shown on Map 1 to this amendment.

3. Basis

The majority of the Secondary Plan came into effect on April 30, 2015 save and except sections that were appealed to the Local Planning Appeal Tribunal (LPAT) (formerly Ontario Municipal Board). All appeals were subsequently dealt with by the LPAT and the Secondary Plan came into full force and effect on October 18, 2018. Since then, staff have identified a number of technical anomalies that should be addressed to guide development in the Secondary Plan area. More specifically, the proposed amendments aim to clarify intent of policies and schedules of the Secondary Plan and to achieve greater alignment between various sections of the Secondary Plan. In addition, Council has adopted other planning documents since 2015 which also necessitate changes to the Secondary Plan.

Item 1 Section 5.0 Land Use

- Revise the designation “Neighbourhood Parks and Open Space” to “Parks and Open Space” to be consistent with the term used in all schedules;
- Replace the term “natural heritage areas” with “Lands within the Natural Heritage System and identified significant natural heritage areas” to align with Provincial and Regional planning documents; and

- Revise Policy 5.3.4(ii)(e) Regional Shopping Centre Study Area to recognize the Mobility Hub Study has been completed and integration of transit to the GO bus terminal is no longer applicable.

Item 2 Section 6.4 Development Policies

- Amend Policy 6.4.4(i) Rental Housing to reference York Region’s Financial Incentives for Complete Communities, and
- Remove Policy 6.4.5(vi) General Building Height and Density (which speaks to where there is discrepancy between number of storeys and height in metres, height in metres identified on Schedule 4 shall prevail) because it is no longer needed. Numerical height values (metres) is proposed to be removed from Schedule 4 as part of this amendment.

Item 3 Section 7.3 Urban Design Policies

- Amend Policy 7.3.4(iv) Low-rise Residential Buildings to clarify which lot line setback shall be taken from;
- Revise Policy 7.3.5(i) High and Mid-rise Buildings to clarify that new public space or publicly accessible private space will be required as part of high and mid-rise development in accordance with the Town’s Parkland Dedication By-law;
- Delete Policy 7.3.5.1(vi) from the Podium section as the policy does not relate to podiums;
- Incorporate the term “district energy ready” and “electric vehicle ready” in Policies 7.3.7(xi) and (xii) to align with the adopted Community Energy Plan; and
- Add a policy and associated criteria to Section 7.3.12 to permit temporary surface parking area on lands fronting onto Davis Drive within the Regional Healthcare Centre.

Item 4 Section 8.3 Block Structure and Street Network Policies

- Amend Section 8.3.3 and Table 2 to reflect appropriate right-of-way width requirements, and
- Amend Section 8.3.4 to clarify that reduction of private laneway width may be permitted and the main purpose of private laneway is to provide access to properties that front onto Yonge Street or Davis Drive.

- Item 5 Section 8.3.7 North/South and East/West Network Study
- Amend Policy 8.3.7(i) to state that a north/south and east/west study road network study may be conducted in the future, separate from the Mobility Hub Study, while acknowledging that the study may draw from the Mobility Hub Study’s findings.
- Item 6 Section 9.3.3 Newmarket GO Rail Mobility Hub Study Area
- Revise Policy 9.3.3(ii) to recognize the completion of the Mobility Hub Station Area Plan and delete Policy 9.3.3(iii) as it is no longer required.
- Item 7 Section 10.0 Parks, Open Space and Natural Heritage
- Update designation of “Neighbourhood Parks and Open Space” to “Parks and Open Space” to be consistent with all schedules;
 - Replace the term “natural heritage areas” with “lands within the Natural Heritage System and identified significant natural heritage areas” to align with Provincial and Regional planning documents;
 - Specify in Policy 10.3.1(i) that parks and open space required for development in the Urban Centres shall be provided in accordance with the Town’s Parkland Dedication by-law;
 - Replace the term “urban squares” in Policy 10.3.1(v) with “open space”; and
 - Remove reference to “pioneer village” in Policy 10.3.2(ii)(c).
- Item 8 Section 13.3.4 Energy and Underground Utilities Policies
- Amend Policy 13.3.4(i) to acknowledge the completion of Community Energy Plan and that development applications must address applicable recommendations from the Community Energy Plan in Sustainable Development Reports.
- Item 9 Section 17.0 Glossary
- Add a definition for the term “District Energy Ready”
 - Add a definition for the term “Electric Vehicle Ready”, and
 - Revise the definition of “Land Area” to exclude public streets conveyed to the Town or the Regional Municipality of York and parkland dedicated to the Town or a public authority as part of the Floor Space Index (FSI) calculation to incentivize these benefits.

Item 10 Schedule 3: Land Use

The following changes are proposed to Schedule 3: Land Use to provide updated mapping information, align with approved planning documents, provide clarity and recognize physical site conditions:

- Incorporate the updated 2019 floodplain mapping from the Lake Simcoe Region Conservation Authority (LSRCA);
- Remove the driveway at the Tannery Mall which was shown as local road;
- Remove the eastward extension of Penn Avenue from Main Street North to the driveway at Tannery Mall;
- Replace “Future Local Road” connection at Hillview Drive and Davis Drive with a Pedestrian Mews Connection symbol. The Future Local Road connection has been deemed unsuitable due to steep grades in the area;
- Rename “Planned Viva Rapidway Station” with “Existing and planned vivastation/curbside vivastation” to recognize that some stations have been constructed;
- Correct land use designation at 11 Main Street South from Parks and Open Space to Mixed Use;
- Refine limits of Parks and Open Space designation and Mixed Use designation for property at southeast corner of Main Street and Davis Drive;
- Update Natural Heritage System limits;
- Replace conceptual mobility hub station study area with the Newmarket GO Station Mobility Hub Study boundary; and,
- **Refine the extent of the Parks and Open Space designation at 460 Davis Drive to the portion north of Simcoe Street and redesignate the remainder of the property to Mixed Use.**

Item 11 Schedule 4: Height and Density

In addition to changes listed in Item 10, which are also applicable to Schedule 4: Height and Density, the following changes are proposed to Schedule 4: Height and Density to provide clarity and allow appropriate flexibility in setting height permissions:

- Remove numeric height values (metres) as shown in Schedule 4 as exact value in metres are appropriate to be governed in zoning by-laws;
- Remove the portion of Franklin Street that does not exist;
- Extend Medium-High Density Designation to include full extents of 22 Bolton Avenue and 27 Lundy's Lane;
- Refine limits of Medium Density permission on property at the southeast corner of Main Street and Davis Drive;
- Correct mapping at 11 Main Street South from Parks and Open Space to Medium Density; and,
- Refine the extent of the Parks and Open Space at 460 Davis Drive to the portion north of Simcoe Street and assign Low Density to the remainder of the property.

Item 12 Schedule 5: Street Network

In addition to changes listed in Item 10, which are also applicable to Schedule 5: Street Network, the following changes are proposed to Schedule 5: Street Network:

- Remove the portion of Franklin Street that does not exist;
- Add "Existing Signal" symbol at existing entrance to the Upper Canada Mall on Yonge Street, north of the red "potential" light;
- Add "Potential Future Assessment for Signal" symbol at the intersection of Penn Avenue and Main Street North;
- Revise limits of green space for property at southeast corner of Main Street and Davis Drive to reflect revised designation as noted in Items 10 and 11;
- Remove green space at 11 Main Street South to reflect revised designation as noted in Items 10 and 11; and,
- Refine the limits of green space at 460 Davis Drive to reflect the revised designation as noted in Item 10.

Item 13 Schedule 6: Parks, Open Space and Natural Heritage

In addition to changes listed in Item 10, which are also applicable to Schedule 6: Parks, Open Space and Natural Heritage, the following change are proposed to Schedule 6: Parks, Open Space and Natural Heritage for consistency purposes:

- Correct the “NP/OS” symbol to the corresponding label in the legend;
- Revise the Parks and Open Space limits for property at southeast corner of Main Street and Davis Drive to reflect revised designation as noted in Items 10 and 11;
- Remove Parks and Open Space at 11 Main Street South to reflect revised designation as noted in Items 10 and 11, and
- Refine the Open Space Park limits at 460 Davis Drive to reflect the revised designation as noted in Item 10.

PART B THE AMENDMENT

The Amendment describes the additions, deletions and/or modifications to the Town of Newmarket Official Plan and constitutes Official Plan Amendment No. 25.

1. Format of the Amendment

Official Plan Amendment No. 25 consists of the following proposed modifications to the text and Schedules to Section II of the Newmarket Official Plan, also known as Newmarket Urban Centres Secondary Plan (Secondary Plan). Sections and Schedules of the Secondary Plan proposed for modifications are identified as “**Items**”.

Where additions to the existing text are proposed, they are identified in “**bold**”. Where the text is proposed to be deleted, it is shown in “~~striketrough~~”. Where appropriate, unchanged text has been included for context and does not constitute part of Official Plan Amendment No. 25.

2. Details of the Amendment

Item 1 Section 5.0 Land Use

- a) Revise land use designation “Neighbourhood Parks and Open Space” in Section 5.1 Introduction to “Parks and Open Space”.
- b) Revise the second last sentence in the last paragraph of Section 5.1 Land Use – Introduction as follows:

“Land uses within the Urban Centres also include potential school sites, a parks and open space system, and ~~natural heritage lands~~ **lands within the Natural Heritage System and identified significant natural heritage areas.**”
- c) Revise Policy 5.3.4(ii)(e) Regional Shopping Centre Study Area as follows:

“~~mobility hub study considerations including, but not limited to,~~ findings and recommendations in the *mobility hub study* including, but not limited to, integration of transit into the site and/or between this site and the Yonge-Davis **Drive** Rapidway, the ~~GO Bus~~ **Terminal** and GO-train Station in accordance with the Metrolinx Mobility Hub Guidelines;”
- d) Revise heading of Policy 5.3.6 to ~~Neighbourhood~~ Parks and Open Space.

Item 2 Section 6.4 Development Policies

- a) Revise Policy 6.4.4 Rental Housing as follows:

“Development of new rental accommodation will be promoted **through programs such as the Region’s Financial Incentives for Complete Communities to incentivize purpose-built rental housing**, and the retention of existing medium and high density rental housing stock will be encouraged in accordance with Policy 3.10.2 of the Official Plan.”

- b) Delete Policy 6.4.5(vi) General Building Height and Density and renumber subsequent policies.

Item 3 Section 7.3 Urban Design - Policies

- a) Revise Policy 7.3.4(iv) Low-rise Residential Buildings as follows:

“Where at-grade residential ~~buildings~~ **units** front on a public or private street, setbacks of a minimum of 3 metres and a maximum of 5 metres from the property line will be required ~~to provide for a front yard transition between the front doors of private residences and the public sidewalk~~. The setback area should be designed to contain low decorative fencing and/or landscaping to distinguish the private space. Where lands are dedicated to the Town for the future burying of hydro, the setback is subject to Policy 13.3.4.”

- b) Revise Policy 7.3.5(i) High and Mid-rise Buildings as follows:

“Where *high* or *mid-rise* buildings are permitted, new public or publicly accessible private spaces such as parks, urban squares and plazas or forecourts will be required to be provided as part of the development **in accordance with the Town’s Parkland Dedication By-law.**”

- c) Delete Policy 7.3.5.1(vi) Podiums.

- d) Revise Policy 7.3.7(xi) Sustainability as follow:

“All commercial, institutional, mixed use and multi-unit residential buildings are encouraged to ~~consider options for district energy, and design features that would enable the future implementation of district energy~~ **be *district energy ready* and *electric vehicle ready*.**”

- e) Revise Policy 7.3.7(xii) Sustainability as follows:

“Applications for development in the Urban Centres will be required to include a Sustainable Development Report that describes how the applicant has endeavoured to incorporate any or all of the following, as deemed appropriate and applicable through the pre-application consultation process:

- a) energy efficiency measures;
- b) water conservation measures;
- c) *alternative energy use and Solar design strategy*;
- d) heat Island mitigation;
- e) indoor air quality enhancement;
- f) *Low Impact Development (LID) stormwater management*; ~~and~~
- g) solid and construction waste reduction and management-;
- h) **the level to which a proposed development is *district energy ready or electric vehicle ready* (if applicable).**”

- f) Add the following as Policy 7.3.12(ii) after Policy 7.3.12(i) Parking Facility Design and renumber subsequent policies:

“Notwithstanding Policy 7.3.12(i), surface parking may be permitted on lots fronting onto Davis Drive in the Regional Healthcare Centre character area as delineated in Schedule 2, provided that:

- a) **the surface parking area is temporary in nature and subject to a temporary use by-law;**
- b) **the applicant shall submit a *Built Out Demonstration Plan* as part of a temporary use by-law application; and**
- c) **the surface parking area is adequately screened from public street to the satisfaction of York Region and the Town.”**

Item 4 Section 8.3 Block Structure and Street Network

- a) Revise Policy 8.3.3(i) Minor Collectors and Local Roads as follows:

“New or upgraded streets identified as Minor Collectors on Schedule 5 will be designed with a mid-block right-of-way of a minimum of 20-~~23~~ **26** metres, with potential for increased ROW at intersections.”

- b) Revise Policy 8.3.3(ii) Minor Collectors and Local Roads as follows:

“New streets identified as Local Roads in Schedule 5 will be designed with a mid-block right-of-way of a minimum of 18-~~23~~ **21** metres, with potential for increased ROW at intersections.”

- c) Revise Policy 8.3.4(i) Private Roads/Lanes as follows:

“Private roads/lanes shown on Schedule 5 will generally be designed with minimum mid-block rights-of-way of approximately 16 metres. Any reductions in the planned width **may be permitted provided it is ~~would~~ require demonstration demonstrated**, to the satisfaction of the Town, that the planned function of the private street for vehicular and pedestrian access will be achieved.”

- d) Revise Policy 8.3.4(ii) Private Roads/Lanes as follows:

“In addition to the street network shown on Schedule 5, new private streets, laneways and pedestrian linkages may be required to support development and facilitate traffic and pedestrian circulation in the Urban Centres. Private streets, laneways and pedestrian linkages associated with new development **as shown on Schedule 5** will be designed to provide additional connectivity within the Urban Centres, **where deemed appropriate by the Town**, and to ~~reduce vehicular movements~~ **provide access to properties that front onto Yonge Street and or Davis Drive**. This may require coordination across adjacent parcels as well as public easements to ensure continued access.”

- e) Revise Table 2: Right-of-way Requirements for Streets in the Urban Centres as follows:

| Road Classification | Minimum ROW (mid-block section) |
|---|---------------------------------|
| Minor Collector – Double Loaded with no on-street parking and with bike facility on the boulevard | 22 – 25 metres |
| Minor Collector – Double Loaded with on-street parking on one side and with bike facility on the boulevard | 24.6 – 28 23 metres |
| Minor Collector – Double Loaded with on-street parking on both sides and with bike facility on the boulevard | 26 metres |
| Minor Collector – Single Loaded with no on-street parking and bike facility on the boulevard | 20 – 24 metres |

| | |
|--|--------------------------------|
| Local Street with no on-street parking and bike sharrow | 18 –20 metres |
| Local Street with on-street parking on one side and bike sharrow | 20.6 – 23 21 metres |
| Private Street or Laneway | Approx. 16 metres |

Item 5 Section 8.3.7 North/South and East/West Network Study

Revise the last sentence in Policy 8.3.7(i) as follows:

“The study will include a detailed analysis to identify a preferred option for a direct connection between Prospect Street and Bayview Parkway and any necessary modifications to signalized intersections. ~~The study may be conducted in parallel with the Mobility Hub Station Area Plan referred to in Policy 9.3.3,~~ **Findings from the Mobility Hub Station Area Plan referred to in Section 9.3.3 may be used to inform the study.**”

Item 6 Section 9.3.3 Newmarket GO Rail Mobility Hub Station Area

a) Revise the first paragraph of Policy 9.3.3(ii) as follows:

“The Town of Newmarket ~~will encourage with Metrolinx to partner with the Town, the Region~~ and other relevant partners ~~to have~~ prepared a Mobility Hub Station Area Plan for the area around the Newmarket GO Rail Station, as **delineated** in Schedules 3, 4, 5 and 6. The Mobility Hub Station Area Plan ~~should~~ **have** addressed ~~as a minimum,~~ the following:”

b) Revise item d) under Policy 9.3.3(ii) as follows:

“integration between the GO Rail Station, the Rapidway, the future GO bus services and the ~~GO Bus Terminal;~~”

c) Delete Policy 9.3.3(iii).

Item 7 Section 10.0 Parks, Open Space and Natural Heritage

a) Revise the second bullet in the second last paragraph of Section 10.1 Parks, Open Space and Natural Heritage – Introduction as follows:

~~“7.2 hectares of new Neighbourhood Parks (excluding Natural Heritage Areas~~ **lands within Natural Heritage System and identified significant natural heritage areas**, floodplain and stormwater management ponds); and”

- b) Revise Policy 10.3.1(i) as follows:

“Development in the Urban Centres will provide for a parks and open space system that contributes to, enhances and connects to the broader parks and open space system **in accordance with the Town’s Parkland Dedication By-law.**”

- c) Remove reference to “pioneer village” in the fourth sentence in Policy 10.3.2(ii)(c) Neighbourhood Parks as follows:

“Consideration may be given to cultural heritage and civic uses ~~including, but not limited, to a pioneer village.~~”

- d) Revise Policy 10.3.1(v) as follows:

“In addition to the Parks and ~~Urban Squares~~ **Open Space** identified on Schedule 6, additional Neighborhood Parks and ~~Urban Squares~~ **Open Space** or enlargements to those identified on Schedule 6 will be achieved through parkland dedication in conjunction with development applications, in accordance with the Town’s Parkland Dedication By-law.”

Item 8 Section 13.3.4 Energy and Underground Utilities

Revise Policy 13.3.4(i) under Energy as follows:

“The Town ~~will~~ **has developed** a Community Energy Plan ~~that will include the Urban Centres.~~ **Applications for development within the Urban Centres shall address applicable recommendations of the Community Energy Plan in a Sustainable Development Report.**”

Item 9 Section 17.0 Glossary

- a) Add the following definition of “District Energy Ready”:

“**District Energy Ready – The physical structuring of buildings and internal areas as to enable future connection to a district energy system with minimal additional cost to the building owner.**”

- b) Add the following definition of “Electric Vehicle Ready”:

“Electric Vehicle Ready – The inclusion of electric vehicle supply equipment rough in that conforms to section 86 of the electrical safety code to enable future installation of electric vehicle charging stations with minimal additional cost to the building owner.”

c) Revise the definition of “Land Area” as follows:

“The land area to be used for calculating FSI shall include all land used for:

- buildings;
- off-street parking and servicing areas;
- **public streets conveyed to the Town or the Regional Municipality of York;**
- **parks and open space dedicated to the Town;**
- private streets and driveways;
- lands conveyed to the Town for underground hydro in accordance with Policy 13.3.4; and
- private landscaped areas, including private squares that are designed to be used by the public

but shall exclude all land used for:

- ~~public streets;~~
- ~~parks and open space that is dedicated to the Town;~~
- ~~natural heritage areas~~ **lands within the Natural Heritage System and identified significant natural heritage areas;**
- Floodplain and Hazard Lands, unless development exists or has been permitted by the Lake Simcoe Region Conservation Authority,
- schools; and
- public infrastructure such as hydro facilities and pumping stations.”

Item 10 Schedule 3: Land Use

Delete Schedule 3: Land Use and replace with the attached Schedule A to this amendment as Schedule 3 to the Secondary Plan.

Item 11 Schedule 4: Height and Density

Delete Schedule 4: Height and Density and replace with the attached Schedule B to this amendment as Schedule 4 to the Secondary Plan.

Item 12 Schedule 5: Street Network

Delete Schedule 5: Street Network and replace with the attached Schedule C to this amendment as Schedule 5 to the Secondary Plan.

Item 13 Schedule 6: Parks, Open Space & Natural Heritage

Delete Schedule 6: Parks, Open Space & Natural Heritage and replace with the attached Schedule D to this amendment as Schedule 6 to the Secondary Plan.

3. Schedules

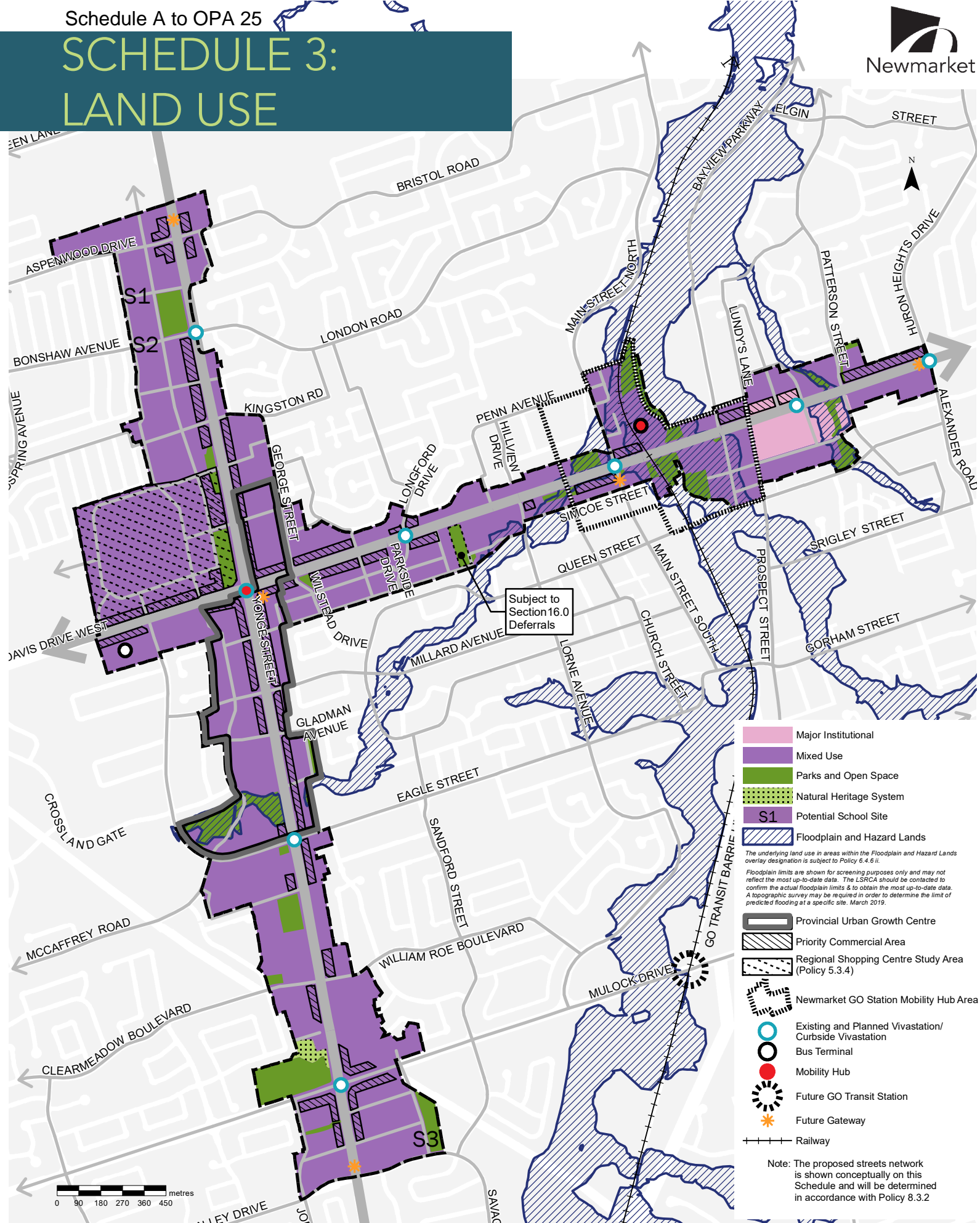
Schedule A – Schedule 3: Land Use

Schedule B – Schedule 4: Height and Density

Schedule C – Schedule 5: Street Network

Schedule D – Schedule 6: Parks, Open Space & Natural Heritage

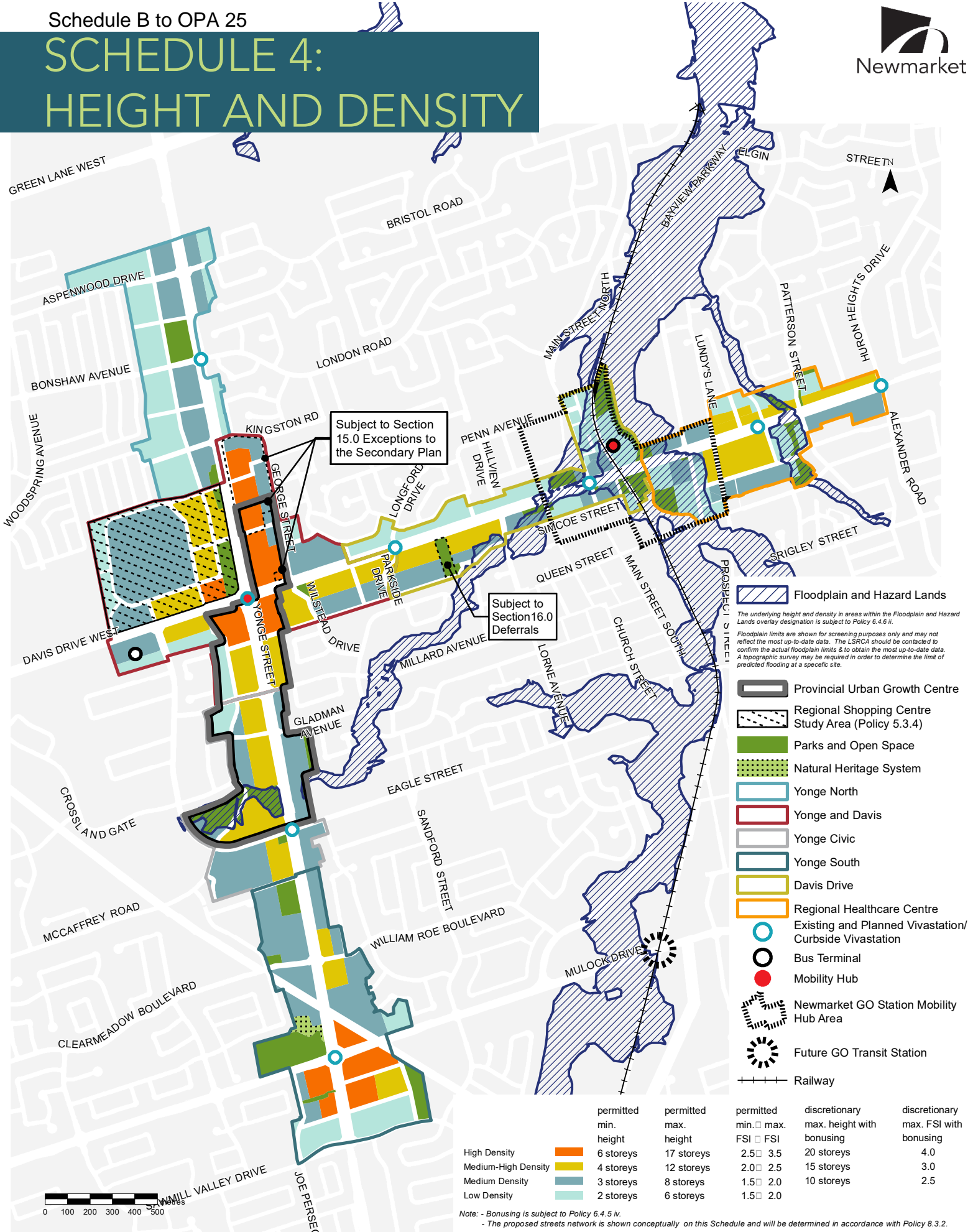
SCHEDULE 3: LAND USE



- Major Institutional
 - Mixed Use
 - Parks and Open Space
 - Natural Heritage System
 - S1 Potential School Site
 - Floodplain and Hazard Lands
 - Provincial Urban Growth Centre
 - Priority Commercial Area
 - Regional Shopping Centre Study Area (Policy 5.3.4)
 - Newmarket GO Station Mobility Hub Area
 - Existing and Planned Vivastation/ Curbside Vivastation
 - Bus Terminal
 - Mobility Hub
 - Future GO Transit Station
 - Future Gateway
 - Railway
- Note:** The proposed streets network is shown conceptually on this Schedule and will be determined in accordance with Policy 8.3.2

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SCHEDULE 4: HEIGHT AND DENSITY



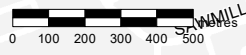
Subject to Section 15.0 Exceptions to the Secondary Plan

Subject to Section 16.0 Deferrals

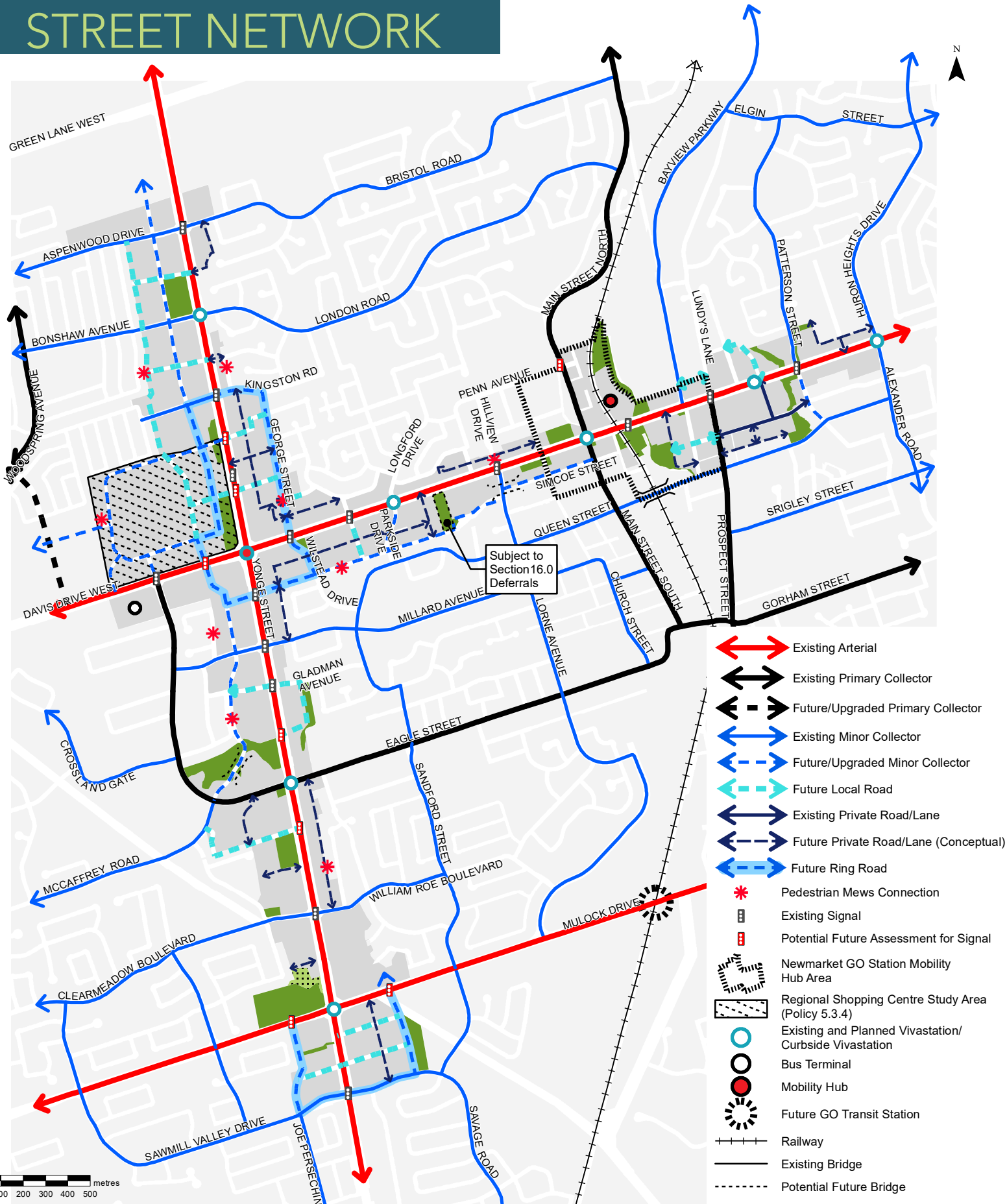
- Floodplain and Hazard Lands
- The underlying height and density in areas within the Floodplain and Hazard Lands overlay designation is subject to Policy 6.4.6 ii.
- Floodplain limits are shown for screening purposes only and may not reflect the most up-to-date data. The LSRA should be contacted to confirm the actual floodplain limits & to obtain the most up-to-date data. A topographic survey may be required in order to determine the limit of predicted flooding at a specific site.
- Provincial Urban Growth Centre
- Regional Shopping Centre Study Area (Policy 5.3.4)
- Parks and Open Space
- Natural Heritage System
- Yonge North
- Yonge and Davis
- Yonge Civic
- Yonge South
- Davis Drive
- Regional Healthcare Centre
- Existing and Planned Vivatation/ Curbside Vivatation
- Bus Terminal
- Mobility Hub
- Newmarket GO Station Mobility Hub Area
- Future GO Transit Station
- Railway

| | 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 | 17 storeys | 2.5 | 3.5 | 20 storeys | 4.0 |
| Medium-High Density | 4 storeys | 12 storeys | 2.0 | 2.5 | 15 storeys | 3.0 |
| Medium Density | 3 storeys | 8 storeys | 1.5 | 2.0 | 10 storeys | 2.5 |
| Low Density | 2 storeys | 6 storeys | 1.5 | 2.0 | | |

Note: - Bonusing is subject to Policy 6.4.5 iv.
- The proposed streets network is shown conceptually on this Schedule and will be determined in accordance with Policy 8.3.2.



SCHEDULE 5: STREET NETWORK



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SCHEDULE 6: PARKS, OPEN SPACE & NATURAL HERITAGE

