



Newmarket

Corporation of the Town of Newmarket

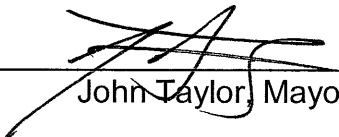
By-law 2022-07

A By-law to adopt Official Plan Amendment 32 to the Town of Newmarket 2006 Official Plan, amending OPA 28 of the Town of Newmarket 1996 Official Plan (Shining Hill Estates Inc.)

The Council of the Corporation of the Town of Newmarket, in accordance with the provision of Section 17(22) and 21 of the Planning Act, RSO 1990, c.P.13, hereby enacts as follows:

1. That Amendment Number 32, consisting of the following explanatory text and maps, is hereby adopted
2. And that this By-law shall come into force and take effect on the day of the final passing thereof.

Enacted this 7th day of February, 2022.



John Taylor, Mayor



Lisa Lyons, Town Clerk

**Amendment No. 32
to the
Town of Newmarket Official Plan**

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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 OPA 28 to Town of Newmarket Official Plan 1996, also known as the Oak Ridges Moraine Conformity Official Plan Amendment (OPA 28) and the policies and schedules of the Town of Newmarket Official Plan 2006 to establish permissions for urban land uses on the subject lands and to set the policy framework for future development of a new community through a Secondary Plan.

2. Location

The lands subject to this amendment are located at 16250, 16356, and 16450 Yonge Street described as Part of Lot 87 and 88 Concession 1, Town of Newmarket. The subject lands are located east of Bathurst Street, generally south of Coventry Hill Trail, north of St John's Sideroad and west of Yonge Street and has an area of approximately 83 ha. The lands are mostly vacant, save for a few dwellings and associated structures and are either currently being farmed or contain natural heritage features. The surrounding uses include low density residential to the north, residential uses and Yonge Street to the east, Bathurst Street and agricultural uses to the west and existing and future residential development to the south. The subject lands are shown on Map Number 1, which is appended for information purposes only.

3. Basis

This Official Plan Amendment (OPA) provides for an opportunity to develop the subject lands as a complete community that meets the daily needs of residents of all ages providing an accessible mix of housing, stores, parks, public and active transportation options, and public service facilities. Development of the subject lands minimizes land consumption and servicing costs by making efficient use of vacant land in an area where servicing can be provided with minimal extensions to existing infrastructure.

This amendment changes the land use designation on portions of the subject lands from an environmental protection designation to a designation that will allow for urban uses. Through re-designating the lands, the Town will be identifying generally which lands are suitable for urban uses and which lands are not. Specifically, the woodlands and their buffers will be left in the protected designation and ultimately transferred into public ownership.

This OPA is consistent with the Provincial, Regional and local planning context. The Oak Ridges Moraine Conservation Plan, the Growth Plan and Region Official Plan designate this area as settlement allowing for urban uses. The OPA ensures future development will create a complete community which will benefit Newmarket overall. While the Urban Centres will continue to intensify, their focus is providing higher density built forms; primarily apartment buildings and some townhouses. New lands are required to expand the offering of housing types available to future residents. Expanding the offering of housing options not only increases consumer choice but also provides for more affordability, more entry level housing as well as 'specialty' housing for a diversity of interests – housing choices suited to seniors, multi-generational family living, special needs, etc.

This official plan amendment can achieve the above mentioned housing diversification while still maintaining and protecting the natural features on the subject lands. Change can be accommodated benefiting current and future Newmarket residents.

The official plan amendment is found to be considered good planning, in the public interest and of benefit to current and future Newmarket residents.

Item 1 Section 6.7.6 OPA 28 to Town of Newmarket OP 1996

- Adding policies for requiring a Secondary Plan and establishing a framework for the Secondary Plan

Item 2 Section 4.5 Town of Newmarket OP 2006

- Creating a new land use designation
- Adding policies for requiring a Secondary Plan and establishing a framework for the Secondary Plan

PART B THE AMENDMENT

The Amendment describes the additions, deletions and/or modifications to OPA 28 to Town of Newmarket Official Plan 1996 and the Town of Newmarket Official Plan 2006 and constitutes Official Plan Amendment No. 32.

1. Format of the Amendment

Official Plan Amendment No. 32 consists of the following proposed modifications to the text and schedules of OPA 28 to Town of Newmarket Official Plan 1996 and the Town of Newmarket Official Plan 2006.

2. Details of the Amendment

This amendment includes two items, **Item 1** which outlines the amendment to OPA 28 and **Item 2** which outlines the amendment to 2006 OP. Item 2 is a duplication of Item 1 without references to the Oak Ridges Moraine.

Item 1 – Amendment to OPA 28

Section 6.7.6.11 is added to OPA 28, which removes the land designations from the portions of the subject lands as shown on Schedule 1 and replaces it with “Urban Area - Oak Ridges Moraine Exception 1” and the requirement to complete a Secondary Plan in conformity with the following:

- 6.7.6.11 The following policies consider the establishment of a new urban community partially within the Settlement Area of the Oak Ridges Moraine. The lands are designated for urban uses in the Oak Ridges Moraine Conservation Plan (ORMCP) and the York Region Official Plan. Town Council, through an Official Plan Amendment process, have determined that these lands are, in principle, suitable for development subject to further detailed study, as required in the policies below.

There is increasing evidence of the linkage between public health and community design. Communities built around the automobile eliminate regular physical activity, particularly walking, from daily life. Designing neighbourhoods around pedestrian activity with numerous destinations within walking distance can create better health outcomes and reduce automobile dependence.

Community design should also have regard for increasing levels of resiliency, anticipating increased risks to community infrastructure due to increases in temperature and extreme weather events.

Providing affordable housing means diversifying the options of housing forms available to residents. This requires providing housing that is suitable as an

entry into the housing market, but also meets the needs of residents at all ages and stages of life.

Policies

6.7.6.11.1 No new development or lot creation will be permitted until an approved Secondary Plan has been prepared in accordance with the policies of Section 6.7.6.11 and based on the following three guiding principles:

- 1. Housing Affordability by providing for a mix of unit types, sizes, ownership models and tenures.**
- 2. Addressing Climate Change through environmentally progressive housing and sustainable design.**
- 3. Community Focused Design to reduce car dependency.**

6.7.6.11.2 A Secondary Plan for the subject lands will guide the development of a complete, sustainable new community in Newmarket. The Secondary Plan will provide more specific land use policies and greater detail relating to land use, housing, infrastructure, transportation, community services, environment, etc.

6.7.6.11.3 The Secondary Plan shall be prepared by a multi-disciplinary team of experts and include innovative and comprehensive approaches to address both the goals and principles defined below and community engagement.

6.7.6.11.4 Protecting and enhancing the natural environment

The Secondary Plan will:

- a) Confirm and refine the boundaries of the Natural Heritage System and determine the appropriate minimum vegetation protection zone to ensure that natural heritage features, functions and water resources are protected and enhanced where possible.
- b) Incorporate a community design approach that works with the Natural Heritage System (i.e. placing sensitive uses adjacent to, additional open space areas, minimizes impact to topography and soils) and enhances the tree canopy.
- c) Implement relevant recommendations of a comprehensive Master Environmental Servicing Plan that addresses:
 - a. applicable watershed and subwatershed studies;
 - b. natural heritage and natural hazard requirements;
 - c. municipal servicing in the context of urban development;
 - d. water systems efficiencies and water conservation; and

- e. best practices in stormwater management.
- d) Permit complementary uses to co-locate such as stormwater management facilities and parkland or other public uses, as appropriate.
- e) Promote restoration and enhancement opportunities in and adjacent to the Natural Heritage System and to the tree canopy, where appropriate.
- f) Incorporate appropriate ORMCP conformity policies from OPA 28, as amended, as required.
- g) Further refine the limits of the environmental features identified in OPA 28, and their associated buffers.

6.7.6.11.5 **Building a compact complete and diverse community**

The Secondary Plan will:

- a) Promote efficient development patterns that provide for the daily needs of residents by locating residential neighbourhoods within easy access to a mixed-use community core and an interconnected system of parks and open space.
- b) Identify a housing mix that provides for a range of housing types and tenure, including opportunities for affordable and shared housing.
- c) Investigate the appropriateness of the whole range of mid to low density housing, including consideration of walk-up apartments and/or timber-framed buildings and identify opportunities for multi-plex dwellings and accessory units including but not limited to duplexes, triplexes, quadruplexes, coach houses, laneway housing and secondary suites to provide for more affordable housing opportunities.
- d) Consider a maximum percentage for single detached dwellings and consider setting minimum targets for other forms of housing.
- e) Identify appropriate locations for a community core area that provides a focus for the community and includes retail and community services within reasonable walking distance from the majority of the population and is accessible by transit.
- f) Permit opportunities for live-work units that would allow for the transition of ground floor use as market demand changes and as the community matures over time.
- g) Identify an interconnected parks and open space system Natural Heritage Features, as one of the main organizing elements of the community that will include active and passive parks, and multi-use trails and pathways.
- h) Identify the community infrastructure (public facility and service) needs of the

community through a Community Infrastructure Plan, as well as opportunities for places of worship.

- i) Plan to meet or exceed the minimum density targets set out by the Growth Plan and the Region.
- j) Plan for public community uses.
- k) Address the test for development within the ORMCP Settlement Area designations.
- l) Address the York Region Official Plan New Community Area policies.

6.7.6.11.6 Promote efficient development patterns and standards

The Secondary Plan will:

- a) Ensure that appropriate densities within the Secondary Plan area are strategically located to promote cost efficient construction of new infrastructure.
- b) Design streets in a manner that encourages transit ridership and locate land uses within convenient walking and cycling distances to transit stops.
- c) Design the road network in a manner that enables transit routes within the Secondary Plan area to be located near and intersect with key destinations such as schools, parks and the Community Core.
- d) Plan the phasing of future development to ensure a logical and sequential extension of infrastructure that is both cost effective and minimizes disruption of existing transportation routes, residential, and employment uses.

6.7.6.11.7 Strive for design excellence through intentional place-making and urban design

The Secondary Plan will:

- a) Ensure the innovative planning and design of the public realm, built form and site development that is accessible by all, regardless of age or physical ability.
- b) Create a community identity through the establishment of a high-quality public realm, creative placemaking, and a high standard of urban design (i.e. distinctive architectural style, high quality building materials, well designed streetscapes, interactive parks and open space, landmarks and views, public art, etc.).
- c) Plan for and locate community amenities, such as schools, parks and open space, to provide a variety of focal points for the community and a range of passive and active uses within walking distances to most residents.
- d) Prepare a Community Design Plan that includes specific urban design guidelines

based on the Town's Urban Design Guidelines and best development practices for community-building and site design. The Community Design Plan will include a comprehensive street and block plan; streetscape design guidelines; and will provide direction on built form, height and massing.

- e) Ensure that built form relates to the human scale and buildings are oriented to the street to frame streetscapes, enhance the public realm and encourage pedestrian activity.
- f) Provide for a grid-based road network that maximizes opportunities for sidewalks on both sides of the street, room for street trees and on-street parking, , and minimized traffic lane widths; thus creating traffic calmed streets through good design.
- g) Ensure that the Natural Heritage System is integrated into the fabric of the community and are both visible and accessible.

6.7.6.11.8 Plan for active mobility options through the provision of complete streets

The Secondary Plan will:

- a) Develop a comprehensive transportation system that emphasizes walking, cycling and transit as increasingly viable and attractive alternatives to the automobile.
- b) Design complete streets that support a variety of users including pedestrians, cyclists, transit riders and motorists and accommodate all ages and abilities.
- c) Design public space in accordance with the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11 Part IV.1 Design of Public Spaces Standards (Accessibility Standards for the Built Environment).
- d) Plan for a connected grid pattern of streets and blocks that provide multiple direct routes for improved pedestrian and cyclist movements.
- e) Provide for a hierarchy of street types with appropriate and integrated facilities that increase opportunities for walking and cycling.
- f) Plan for an extensive and connected system of trails through the Natural Heritage System, as appropriate.
- g) Implement minimal street widths to create an urban space that is walkable and at a pedestrian scale.
- h) Utilize Green Street designs.

6.7.6.11.9 Set a high standard of sustainability, waste reduction, and energy and water efficiency.

The Secondary Plan will:

- a) Identify best management practices and approaches to stormwater management systems/facilities, water and wastewater systems, and the transportation network to maximize water and energy conservation and resilience at the community level.
- b) Encourage the use of underground stormwater management facilities, where appropriate.
- c) Identify best management practices for green buildings to reduce demands on energy, water and waste systems.
- d) Have a Community Energy and Sustainable Development Plan completed with consideration for a pilot program to showcase innovative and environmentally-progressive housing options.
- e) Utilize, wherever possible through street alignments and building placement, opportunities to capture solar energy.
- f) Ensure streetscape design incorporates appropriate resilient tree species and spacing to maximize heat island reduction.
- g) Encourage environmental building design standards that employ building design and materials to reduce energy, water, and waste and the production of greenhouse gas emissions.
- h) Incorporate Low Impact Development (LIDs) best practices and green infrastructure, wherever feasible to minimize runoff, reduce water pollution, and protect groundwater resources.
- i) Encourage advancement of communication and information technologies such as coordinated communications utility placement and fiber optic ready buildings and homes.

6.7.6.11.10 Implementation

- a) Ensure public engagement in the planning and development of the community and encourage involvement of all stakeholders. Utilize innovative techniques and going beyond statutory requirements.
- b) Identify a general phasing plan that includes details regarding the sequencing of development.

Item 2 – Amendment to 2006 OPA

The designation on the lands subject to the 2006 Official Plan is here by replaced by the “Urban” designation.

Section 4.5 is added to the 2006 OP which creates a new land use designation of “Urban” and adds the requirement to complete a Secondary Plan in conformity with the following:

4.5 The following policies consider the establishment of a new urban community. The lands are designated for urban uses in the York Region Official Plan. Town Council through an Official Plan Amendment process have determined that these lands are, in principle, suitable for development subject to further detailed study, as required in the policies below.

There is increasing evidence of the linkage between public health and community design. Communities built around the automobile eliminate regular physical activity, particularly walking, from daily life. Designing neighbourhoods around pedestrian activity with numerous destinations within walking distance can create better health outcomes and reduce automobile dependence.

Community design should also have regard for increasing levels of resiliency, anticipating increased risks to community infrastructure due to increases in temperature and extreme weather events.

Providing affordable housing means diversifying the options of housing forms available to residents. This requires providing housing that is suitable as an entry into the housing market, but also meets the needs of residents at all ages and stages of life.

Policies

4.5.1 No new development or lot creation will be permitted until an approved Secondary Plan has been prepared in accordance with the policies of Section 4.5 and based on these three Guiding Principles:

- 1. Housing Affordability by providing for a mix of unit types, sizes, ownership models and tenures.**
- 2. Addressing Climate Change through environmentally progressive housing and sustainable design.**
- 3. Community Focused Design to reduce car dependency.**

4.5.2 A Secondary Plan for the subject lands will guide the development of a complete, sustainable new community in Newmarket. The Secondary Plan will provide

more specific land use policies and greater detail relating to land use, housing, infrastructure, transportation, community services, environment, etc.

4.5.3 The Secondary Plan shall be prepared by a multi-disciplinary team of experts and include innovative and comprehensive approaches to address both the goals and principles defined below and community engagement.

4.5.4 **Protecting and enhancing the natural environment**

The Secondary Plan will:

- a) Confirm and refine the boundaries of the Natural Heritage System and determine the appropriate minimum vegetation protection zone to ensure that natural heritage features, functions and water resources are protected and enhanced where possible.
- b) Incorporate a community design approach that works with the Natural Heritage System (i.e. placing sensitive uses adjacent to, additional open space areas, minimizes impact to topography and soils) and enhances the tree canopy.
- c) Implement relevant recommendations of a comprehensive Master Environmental Servicing Plan that addresses:
 - i. applicable watershed and subwatershed studies;
 - ii. natural heritage and natural hazard requirements;
 - iii. municipal servicing in the context of urban development;
 - iv. water systems efficiencies and water conservation; and
 - v. best practices in stormwater management.
- d) Permit complementary uses to co-locate such as stormwater management facilities and parkland or other public uses, as appropriate.
- e) Promote restoration and enhancement opportunities in and adjacent to the Natural Heritage System and to the tree canopy, where appropriate.

4.5.5 **Building a compact complete and diverse community**

The Secondary Plan will:

- a) Promote efficient development patterns that provide for the daily needs of residents by locating residential neighbourhoods within easy access to a mixed-use community core and an interconnected system of parks and open space.
- b) Identify a housing mix that provides for a range of housing types and tenure,

including opportunities for affordable and shared housing.

- c) Investigate the appropriateness of the whole range of mid to low density housing, including consideration of walk-up apartments and/or timber-framed buildings and identify opportunities for multi-plex dwellings and accessory units including but not limited to duplexes, triplexes, quadruplexes, coach houses, laneway housing and secondary suites to provide for more affordable housing opportunities.
- d) Consider a maximum percentage for single detached dwellings and consider setting minimum targets for other forms of housing.
- e) Identify appropriate locations for a community core area that provides a focus for the community and includes retail and community services within reasonable walking distance from the majority of the population and is accessible by transit.
- f) Permit opportunities for live-work units that would allow for the transition of ground floor use as market demand changes and as the community matures over time.
- g) Identify an interconnected parks and open space system Natural Heritage Features, as one of the main organizing elements of the community that will include active and passive parks, and multi-use trails and pathways.
- h) Identify the community infrastructure (public facility and service) needs of the community through a Community Infrastructure Plan, as well as opportunities for places of worship.
- i) Plan to meet or exceed the minimum density targets set out by the Growth Plan and the Region.
- j) Plan for public community uses.
- k) Address the test for development within the ORMCP Settlement Area designations.
- l) Address the YROP New Community Area policies.

4.5.6 Promote efficient development patterns and standards

The Secondary Plan will:

- a) Ensure that appropriate densities within the Secondary Plan area are strategically located to promote cost efficient construction of new infrastructure.
- b) Design streets in a manner that encourages transit ridership and locate land uses within convenient walking and cycling distances to transit stops.
- c) Design the road network in a manner that enables transit routes within the Secondary Plan area to be located near and intersect with key destinations such

as schools, parks and the Community Core.

- d) Plan the phasing of future development to ensure a logical and sequential extension of infrastructure that is both cost effective and minimizes disruption of existing transportation routes, residential, and employment uses.

4.5.7 Strive for design excellence through intentional place-making and urban design

The Secondary Plan will:

- a) Ensure the innovative planning and design of the public realm, built form and site development that is accessible by all, regardless of age or physical ability.
- b) Create a community identity through the establishment of a high-quality public realm, creative placemaking, and a high standard of urban design (i.e. distinctive architectural style, high quality building materials, well designed streetscapes, interactive parks and open space, landmarks and views, public art, etc.).
- c) Plan for and locate community amenities, such as schools, parks and open space, to provide a variety of focal points for the community and a range of passive and active uses within walking distances to most residents.
- d) Prepare a Community Design Plan that includes specific urban design guidelines based on the Town's Urban Design Guidelines and best development practices for community-building and site design. The Community Design Plan will include a comprehensive street and block plan; streetscape design guidelines; and will provide direction on built form, height and massing.
- e) Ensure that built form relates to the human scale and buildings are oriented to the street to frame streetscapes, enhance the public realm and encourage pedestrian activity.
- f) Provide for a grid-based road network that maximizes opportunities for sidewalks on both sides of the street, room for street trees and on-street parking, , and minimized traffic lane widths; thus creating traffic calmed streets through good design.
- g) Ensure that the Natural Heritage System is integrated into the fabric of the community and are both visible and accessible.

4.5.8 Plan for active mobility options through the provision of complete streets

The Secondary Plan will:

- a) Develop a comprehensive transportation system that emphasizes walking, cycling and transit as increasingly viable and attractive alternatives to the

automobile.

- b) Design complete streets that support a variety of users including pedestrians, cyclists, transit riders and motorists and accommodate all ages and abilities
- c) Design public space in accordance with the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11 Part IV.1 Design of Public Spaces Standards (Accessibility Standards for the Built Environment)
- d) Plan for a connected grid pattern of streets and blocks that provide multiple direct routes for improved pedestrian and cyclist movements.
- e) Provide for a hierarchy of street types with appropriate and integrated facilities that increase opportunities for walking and cycling.
- f) Plan for an extensive and connected system of trails through the Natural Heritage System, as appropriate.
- g) Implement minimal street widths to create an urban space that is walkable and at a pedestrian scale.
- h) Utilize Green Street designs.

4.5.9 Set a high standard of sustainability, waste reduction, and energy and water efficiency.

The Secondary Plan will:

- a) Identify best management practices and approaches to stormwater management systems/facilities, water and wastewater systems, and the transportation network to maximize water and energy conservation and resilience at the community level.
- b) Encourage the use of underground stormwater management facilities, where appropriate.
- c) Identify best management practices for green buildings to reduce demands on energy, water and waste systems.
- d) Have a Community Energy and Sustainable Development Plan completed with consideration for a pilot program to showcase innovative and environmentally-progressive housing options.
- e) Utilize, wherever possible through street alignments and building placement, opportunities to capture solar energy.
- f) Ensure streetscape design incorporates appropriate resilient tree species and spacing to maximize heat island reduction.
- g) Encourage environmental building design standards that employ building design and materials to reduce energy, water, and waste and the production of

greenhouse gas emissions.

- h) Incorporate Low Impact Development (LIDs) best practices and green infrastructure, wherever feasible to minimize runoff, reduce water pollution, and protect groundwater resources.
- i) Encourage advancement of communication and information technologies such as coordinated communications utility placement and fiber optic ready buildings and homes.

4.5.10 Implementation

- a) Ensure public engagement in the planning and development of the community and encourage involvement of all stakeholders. Utilize innovative techniques and going beyond statutory requirements.
- b) Identify a general phasing plan that includes details regarding the sequencing of development.