

Newmarket Urban Centres Secondary Plan

(Official Plan Amendment #10 to the Town of Newmarket Official Plan)

Adopted by the Council for the Corporation of the Town of Newmarket: June 23, 2014

Modified and approved by the Council for the Corporation of the Region of York: March 26, 2015

In effect: April 30, 2015 (save and except sections enacted by OMB Orders dated: May 26, 2016; May 30, 2016; and October 7, 2016).

Office Consolidation Note

August 2025

This copy of the Newmarket Urban Centres Secondary Plan is a consolidation which has been prepared to provide users with a current copy of the Secondary Plan policies in effect in the Urban Centres. This Secondary Plan copy incorporates all Policies approved by the Ontario Municipal Board as noted in the following section entitled “Dates of Force and Effect”.

This is an office consolidation prepared for convenience purposes only. For accurate reference, please consult the Ontario Municipal Board Orders and Town by-laws as appropriate.

Official Plan Amendment #10 Office Consolidation, August 2025

Dates of Force and Effect

Adopted by the Council for the Corporation of the Town of Newmarket: June 23, 2014.

Modified and approved by the Council for the Corporation of the Region of York: March 26, 2015.

The majority of the policies came into force and effect on April 30, 2015, save and except those as noted below which were appealed and subsequently enacted through OMB Orders as noted below:

1. OMB Order dated May 26, 2016 which enacted Sections:

- 14.2.3
- 5.3.7 ii
- 10.3.6 vi
- 15.3 (site-specific Exception no. 3)
- 5.3.5 i
- 11.3.2 i
- 11.3.2 iv
- Revised Schedule 3 (the identification of school sites)

2. OMB Order dated May 30, 2016 which enacted Sections:

- 6.4.2 iv
- 8.3.2 viii
- 17.0 – Glossary: definitions for: "**direct vehicular access**"; and "**drive-through facilities**".

3. OMB Order dated October 7, 2016 which enacted Sections:

- 4.0
- 6.3.2
- Table 1
- 6.3.3
- 6.3.10
- 6.4.1
- 6.4.2

- 6.4.5
- 6.4.7 (replaced in its entirety)
- 6.4.8 (deleted in its entirety)
- 7.2
- 7.3.1
- 7.3.2
- 7.3.3.1
- 7.3.3.2
- 7.3.4
- 7.3.5
- 7.3.5.1
- 7.3.5.2
- 7.3.6
- 7.3.7
- 7.3.8
- 7.3.11
- 7.3.12
- 8.3.2
- 8.3.4
- 8.3.5
- 9.3.5
- 9.3.6
- 10.1
- Table 3
- 10.3.3
- 10.3.4
- 10.3.5
- 12.3.3
- 13.3.4 (replaced in its entirety)
- 14.2.2 (replaced in its entirety)
- 14.2.3 (replaced in its entirety)
- 14.2.4
- 14.2.8
- 14.2.9
- 14.2.10
- 17.0 – Glossary: definition for: **"Build-out Demonstration Plan";**
"Development Block"; "Floor Space Index (FSI)"; "Gross Floor Area";
"Low Impact Development"; "Priority Commercial Area"; and "Tower".
- Revised Schedules 2, 3 and 4, Figure 1, Figure 2, Appendix A.
- Parent Official Plan Policy 14.5.6.

4. Appeal withdrawn on October 18th 2018, which enacted sections:

Plan-Wide:

- 5.1 (first paragraph)
- 6.3.7.ii (last sentence)
- 7.3.2.ix
- 7.3.5.iv and v
- 7.3.6.iii
- 7.3.9.iii
- 7.3.10.i
- 8.3.2.vii
- 10.1 (reference to 7.2 ha of new Neighbourhood Parks identified on Schedule 6)
- 10.3.1.iii
- 10.3.1.1.v
- 10.3.2.ii c)
- 12.2.c)
- 12.3.1.iii
- 14.2.4.i
- 16.0.2
- 17.0 - Definition of "**Land Area**"

Site-Specific: (16780 Yonge Street)

- 6.4.5
- 6.4.7
- 7.3.3.1
- 7.3.5.1.ii and iii
- 7.3.5.2.ii and iii
- 10.3.1.iv
- 10.3.1.1.i, ii, iii and viii
- 12.2. a), b) and d)
- Schedule 3
- Schedule 4
- Schedule 5
- Schedule 6

List of Newmarket Urban Centres Secondary Plan Amendments

The following Official Plan Amendments (OPA's), orders, and administrative changes have been added to the Newmarket Urban Centres Secondary Plan and constitute a consolidation of the Newmarket Urban Centres Secondary Plan and any subsequent amendments up to August 2024.

OPA #	By-law #	Description	Date Adopted
20	2018-08	17645 Yonge Street, Redwood on Yonge	March 5, 2018
25	2020-68	Urban Centres Secondary Plan	December 14, 2020
30	2021-60	Upper Canada Mall, 17600 Yonge Street	November 22, 2021
31	2021-63	201 Davis Drive (Mosiak Davis Inc.)	December 13, 2021
38	2023-71	17175 Yonge Street – St. Maurice & St. Verena Coptic Orthodox Church	December 11, 2023
39	2023-61	315 Davis Drive – Format GP Davis Inc.	November 20, 2023
41	2024-34	615, 625, 631 Davis Drive and 23, 29, 33, 39 Bolton Avenue	June 24, 2024
42	2024-33	201 Davis Drive – Mosaik Davis Inc.	June 24, 2024

OPA #	By-law #	Description	Date Adopted
44	2024-59	514 Davis Drive	November 18, 2024
45	2025-62	230 Davis Drive	April 14, 2025

OPA # 20:

The purpose of Official Plan Amendment Number 20 is to amend the policies applying to 17645 Yonge Street, currently being within the Yonge Davis Provincial Urban Growth Centre designation by permitting heights in excess of those provided for in the Secondary Plan.

OPA # 25:

The purpose of Official Plan Amendment Number 25 is to amend policies and schedules of Section II of the Town of Newmarket Official Plan (OPA # 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.

OPA # 30:

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 establish the Master Plan for the redevelopment of the Upper Canada Mall.

OPA # 31:

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 facilitate the development of a low rise apartment building that exceeds the permitted maximum density.

OPA # 38:

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 facilitate the development of a 10-storey mixed use development that exceeds the permitted density.

OPA # 39:

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 facilitate the development of a mid-rise apartment building that exceeds the permitted maximum height and density.

OPA # 41:

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 facilitate the development of one 6-storey residential building with 287 units and one 15-storey mixed-use building with 480 units and 1540 square metres of commercial space (767 residential condominium units in total) that exceed the permitted maximum density.

OPA # 42:

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 facilitate the development of a mid rise apartment building that exceeds the permitted maximum height and density.

OPA # 44:

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 add a self storage facility as a site-specific permitted use on the subject land, and to facilitate the development of a 6-storey mixed use building comprised of retail, office, and self storage uses that exceeds the permitted maximum density.

OPA # 45:

The purpose of this amendment is to amend policies and schedules of Section I of the Town of Newmarket Official Plan and Section II of the Town of Newmarket Official Plan (OPA No. 10), also known as the Newmarket Urban Centres Secondary Plan (Secondary Plan), to redesignate a portion of the subject land to "Mixed Use" and redesignate a portion of the subject land to "Parks and Open Space" to permit a breathing space and trail. No development is currently proposed for the Mixed Use portion of the subject land.

Newmarket Urban Centres Secondary Plan

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Schedules

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Schedule 5: Street Network
Schedule 6: Parks, Open Space and Natural Heritage
Schedule 7: Regional Shopping Centre

Appendices

Appendix A: Conceptual - Street Cross Sections
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1.0 Introduction

The following text and Schedules identified as Schedules 1 through 6 constitute the Secondary Plan for the Newmarket Urban Centres.

2.0 Purpose of the Secondary Plan

The purpose of this Secondary Plan is to provide a detailed land use plan and policies to guide land use and development in accordance with the provisions of provincial plans and policies, the York Region Official Plan and the Town of Newmarket Official Plan. The Secondary Plan must be read in conjunction with the applicable policies within the Town of Newmarket Official Plan (2008), as amended.

3.0 Location and Description of the Secondary Plan Area

The area of this Secondary Plan is approximately 290 ha (716 ac.) and is generally located along the Davis Drive corridor between Upper Canada Mall and Huron Heights Drive and along the Yonge Street corridor between the Town's northerly boundary and Savage Road. The area is comprised of the following three sub-areas as identified on Schedule 1:

1. The Yonge-Davis **Provincial Urban Growth Centre** (UGC) defined in accordance with the Province's Growth Plan for the Greater Golden Horseshoe, the York Region Official Plan and the Town of Newmarket Official Plan.
2. The Yonge Street and Davis Drive Regional Corridors, generally as designated in the York Region Official Plan.
3. The Regional Healthcare Centre generally as identified in the Town of Newmarket Official Plan.

4.0 Vision

The Town of Newmarket Urban Centres will be planned as an integrated, compact, complete and vibrant community with a diverse mix of residential, commercial, employment and institutional uses. It will be sensitively integrated with adjacent neighbourhoods. Higher densities will be established within identified nodes and in a manner that facilitates public transit ridership. Creating a pedestrian-first environment will be a key consideration at all levels of development and design, influencing how buildings are designed and located, how new streets are planned and connected, and how different land uses are mixed across the community.

The Urban Centres are a collection of **Character Areas** as identified on Schedule 2 that will develop into neighbourhoods each with their own unique identity, highlighted by exceptional architecture and design, and signature public spaces and public art that create welcoming and iconic places. A high standard of design will govern the built form within the Urban Centres, which will range from high to lower density forms, while remaining sensitive to adjacent land uses.

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, implement innovative stormwater management and waste management practices and reduce water use.

The transportation network in the Urban Centres will support all modes of travel, with priority given to planning for **active transportation** and transit.

The Urban Centres will be complemented by a green network of large and small parks, urban squares and open spaces. More intense nodes of development will be balanced by parks and open spaces that provide areas of respite and amenity for the people that live, work, play and visit the Urban Centres.

This long-term vision for the Newmarket Urban Centres is for a vibrant urban community at **build-out** of approximately 33,000 residents and approximately 32,000 jobs.

5.0 Land Use

5.1 Introduction

The Secondary Plan comprises approximately 130 ha of developable area. There are approximately 30 ha of land identified as parks, open space, natural heritage and stormwater management.

The land use designations identified on Schedule 3 implement the vision for the Urban Centres as a diverse, mixed use area that will accommodate a broad range of land uses within each of the defined **Character Areas**. The following eight land use designations and overlays apply within the Urban Centres:

- 1 Mixed Use
- 2 Priority Commercial Areas**
- 3 Major Institutional
- 4 Regional Shopping Centre
- 5 Potential School Sites
- 6 Parks and Open Space (OPA #25)
- 7 Natural Heritage System
- 8 Floodplain and Hazard Lands

The Mixed Use designation is the predominant designation. It provides for a range of uses as defined for each **Character Area**. The **Priority Commercial Area** designation along Yonge Street and Davis Drive ensures the commercial role of these corridors is maintained. The Major Institutional designation within the Regional Healthcare Centre recognizes the unique role of this site as an employment node within in the Town. The Regional Shopping Centre recognizes the uniqueness of this site and the need for additional planning to guide its long-term redevelopment. Land uses within the Urban Centres also include potential school sites, a parks and open space system, and lands within the Natural Heritage System and identified significant natural heritage areas. The constraints posed by natural hazards are recognized through the Floodplain and Hazard Lands designation. (OPA #25)

5.2 Objectives

Land uses in the Urban Centres will be planned to:

- a) achieve an appropriate mix of commercial, residential, and institutional uses;
- b) support the future redevelopment and intensification of the Centres as a key economic driver within the Town;
- c) minimize the risks to human health, safety and property associated with natural hazards;

- d) ensure that the recreational needs of future residents are met by providing for strategic locations for parks and open space and opportunities for public gathering spaces;
- e) ensure the identification, protection and enhancement of the natural heritage features within the Urban Centres; and
- f) achieve a 1:1 ratio between residents and jobs within the Urban Centres.

5.3 Policies

5.3.1 Mixed Use Areas

- i. Lands designated as Mixed Use on Schedule 3 will provide for a mix of uses including commercial, office, residential, employment, recreational and institutional and will contribute to the establishment of the Urban Centres as a **complete community**. The uses permitted within the Mixed Use area are identified in Section 6.3 for each of the **Character Areas** identified on Schedule 2.

5.3.2 Priority Commercial Areas

- i. **Priority Commercial Areas** are identified on Schedule 3. **Priority Commercial Areas** are intended to ensure that an at-grade commercial presence is provided and retail goods and services remain available within close proximity to the people that live and work in the area. The **Priority Commercial Areas** are also intended to contribute to an active street and boulevard condition.
- ii. Within **Priority Commercial Areas**, the permitted uses of the Mixed Use area for the applicable **Character Area** apply, in addition to the Development Policies defined in Policy 6.4.1.

5.3.3 Major Institutional Areas

- i. Lands designated as Major Institutional on Schedule 3 will provide for development that supports the role of the Regional Healthcare Centre as not only a major employment node in Newmarket, but also as a key centre for community care, research, education and associated development, and the desire of the Town to see these roles further enhanced in the future. The uses permitted within the Major Institutional area are identified in Policy 6.3.9(iv).

5.3.4 Regional Shopping Centre (OPA 30)

- i. The Regional Shopping Centre located at Yonge Street and Davis Drive identified on Schedule 7 is recognized as a key economic driver within the Town. It is anticipated that this area will evolve over the longer term into a mixed use area while maintaining its key function as a significant retail centre.
- ii. Redevelopment of the Regional Shopping Center (Upper Canada Mall) shall be in accordance with Section 5.4.3.1.

5.3.4.1 Redevelopment of the Regional Shopping Centre (OPA 30)

- i. The site density and building height on lands municipally known in 2019 as 17600 Yonge Street, and commonly referred to as Upper Canada Mall, shall be as shown on Schedule 7.
- ii. Each designation shown on Schedule 7 has a minimum and maximum density (FSI) and height permitted. The High, Medium-High, and Medium designations also provide for a discretionary increase in height and density which can be applied for through a rezoning. Increases to the Permitted Maximum Heights or Permitted Maximum FSIs, but that do not exceed the Discretionary Maximum Height With Bonusing or the Discretionary Maximum FSI With Bonusing identified on Schedule 7, may be permitted without an amendment to the Official Plan, subject to the bonusing provisions of Policy 14.2.9 and 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, as amended. Applications for rezoning which exceed the maximum permitted and are within the discretionary maximum will be subject to the Community Benefits Charge By-law or a Section 37 Bonusing agreement, whichever is applicable at the time. Community Benefits will be in accordance with Policy 14.2.9 of the Secondary Plan, as amended. Increased discretionary heights and densities will be considered on a phase by phase basis (i.e. with each rezoning application).
- iii. The Special Policy Area at Yonge Street and Davis Drive, generally covering parts of Blocks G & H shown on Schedule 7, will allow for the consideration for additional heights and densities over the maximum discretionary heights and densities that are provided for on Schedule 7 by amendment to this Plan by the land owner. Any additional height and density permitted by a future official plan amendment will be subject to the community benefits and/or bonusing provisions in place at that time.
- iv. A target of 35% of affordable housing, as per Regional policy 3.5.7, is desirable over the entire Regional Shopping Centre, shown on Schedule 7. However, if the Region of York target of 35% is not achievable, a minimum of 25% affordable housing must be achieved over the entire Regional Shopping Centre. Each phase of development must demonstrate how it is contributing to the overall goal so that all of the required affordable housing is not provided in one phase, one building, or one block of the

development. York Region's definition of affordability will be used at the time of rezoning and site plan for each phase/block.

- v. These policies do not preclude minor expansions or alterations to the Mall.
- vi. As part of each development Phase shown on Appendix 2 of OPA 30, the Owner, Town and Region shall review the existing and planned public transportation connections, to the Upper Canada Mall site, and examine opportunities to strengthen transit integration focusing on transit-oriented design, and ensuring direct, efficient, safe, pedestrian connections to transit.
- vii. Traffic, transportation, and transit will be further studied at each phase during the detailed design of the rezoning and site plan applications. The findings of the Transportation Demand Management Strategy shall be incorporated into the detailed design of each phase and block.
- viii. Appropriate screening will be provided between residential lots which abut the subject lands and the new development. Screening may be provided in the form of fencing, landscape buffers, or other means as appropriate.
- ix. Building placement and design shall look to reducing the impact of shadows on the Iconic Park identified on Schedule 7 and surrounding low density residential areas.
- x. Concept Site Plans and Streetscape and Landscape Plans, in accordance with Policy 14.2.8(i), shall be required for each application for rezoning and/or site plan application.
- xi. All of the urban design elements of Section 7.3 of the Secondary Plan and the Town of Newmarket Urban Design Guidelines shall be addressed at each phase during the detail design of the site plan and zoning by-law amendment applications.
- xii. Section 5.3.2 Priority Commercial Areas applies to the subject lands as shown on Schedule 3.
- xiii. Specific energy efficiency and water conservation measures, as well as solid waste and construction waste management strategies will be required for each phase of the redevelopment.
- xiv. Consideration for District Energy and Geothermal systems and other alternative heating/cooling systems will be further explored and considered in subsequent phases of development.
- xv. Overall surface parking will be minimized as redevelopment happens on the subject lands. All Secondary Plan policies regarding cladding and hiding parking structures shall apply.
- xvi. Each building shall incorporate solar panels and/or a white roof.

- xvii. The detailed design of the Iconic Park, shown on Schedule 7, shall include gateway features. The design of the principle entrance to the site from Yonge Street shall also include gateway features.
- xviii. Any additional streetscaping requirements along both the Yonge Street and Davis Drive frontages, outlined in the Yonge Street Davis Drive Streetscape Master Plan shall be incorporated into the detailed design at the rezoning and site plan stage.
- xix. Future public roads will be designed to incorporate green infrastructure such as LID, examples may include bio-swales, raingardens, permeable surfaces, infiltration facilities and soil cells.
- xx. An Engineering Master Plan for the overall development will have to be completed in the first phase of the redevelopment.
- xxi. Phasing of parkland will not be tied to construction of units but work towards the ultimate parkland dedication for the Regional Shopping Centre as shown in Schedule 7, and in accordance with the agreed upon parkland phasing plan. The requirements of the Parkland Dedication By-law will be reviewed through each rezoning and site plan application to determine if additional lands or cash-in-lieu is required.
- xxii. Detailed design of the Iconic Park will happen in Phase 1 of the redevelopment. Due to the stormwater ponds, the Iconic Park will be designed as such that it can be split into two phases. The Park design submitted in Phase 1 should be the ultimate park design (both phases). The Iconic Park will be designed such that it can be phased in, with the first phase of construction happening in Phase 1 of the redevelopment. The detailed design will take guidance from Policy 10.3.2.ii.b) of this Plan.
- xxiii. An interim design of the Iconic Park will be constructed with the first phase of the park to provide access to the proposed trails in the stormwater ponds. At the time of the second phase of the Iconic Park construction, this interim design will be replaced.
- xxiv. Further detailed communication with residents will be required at rezoning stage for each phase of the project. For blocks adjacent to existing residential areas, enhanced communication (beyond statutory requirements) will be required, consideration should be given to in person and online Public Information Centres and enhanced engagement with residents.
- xxv. Consideration shall be given to locating public community uses on the lands.
- xxvi. Consideration shall be given to pedestrian connections into surrounding lands during rezoning and site plan approvals. Pedestrian connections aim to connect the future community on the subject lands with the surrounding neighbourhoods. They will contribute to the walkability of the Regional Shopping Centre and the surrounding neighbourhoods. Specifically the Pedestrian Mews shown on Schedule 5 will be implemented during the detailed design of that phase/block.

- xxvii. In support of the future undergrounding of hydro wires a 5m easement or land dedication in favour of, and to the satisfaction of Newmarket Tay Power (NTP), shall be provided along the Yonge Street frontage. A 5m easement or land dedication shall also be required along Davis Drive frontage. This is outside of the Regional ROW for Yonge Street and Davis Drive.
- xxviii. All other policies of the Secondary Plan shall also apply. If there is conflict between this section and another section, this section shall prevail.

5.3.5 Potential School Sites

- i. Three potential elementary school sites have been conceptually identified on Schedule 3, in consultation with the School Boards. These schools sites may be required to serve the projected residential intensification of Newmarket and are subject to the **Community Facilities** policies contained in Section 11.3.

5.3.6 Parks and Open Space (OPA #25)

- i. A system of Parks and Open Space for the Urban Centres has been identified on Schedule 6. In addition to these Parks and Open Spaces, additional parks will be required as part of the development approval process. Future parks will be subject to the policies contained in Section 10.3.

5.3.7 Natural Heritage

- i. The Natural Heritage designation on Schedules 3 and 6 reflects the natural heritage features identified in the Town of Newmarket Official Plan and is subject to the applicable policies of the Town of Newmarket Official Plan.
- ii. The boundaries of the Natural Heritage System as shown on Schedules 3, 4, 5 and 6 are approximate. Minor refinements to these boundaries may occur through environmental study that demonstrates the appropriateness of the refinements to the satisfaction of the Town, in consultation with the relevant agencies. Such minor refinements will not require an amendment to this Plan.

5.3.8 Floodplain and Hazard Lands

- i. The Floodplain and Hazard Lands designation identified on Schedules 3 and 6 includes the floodplain and hazard lands as identified by Lake Simcoe Region Conservation Authority. Development and site alteration shall be directed away from flood and erosion prone areas in order to protect people and property and to minimize social disruption and costs in accordance with Policy 6.4.6 (Floodplain and Hazard Lands) and the general policies of Section 10 of the Town of Newmarket Official Plan.

6.0 Character Areas, Permitted Uses, Density, Height and Built Form

6.1 Introduction

This section addresses the specific **Character Areas** as identified on Schedule 2 and the height and density provisions identified on Schedule 4. The permitted uses within each **Character Area** reflect the unique role that each area plays now, and will play in the future within the Urban Centres. The greatest concentration of heights and densities are identified at the Yonge Street and Davis Drive intersection due to the redevelopment opportunity provided by the convergence of the two Rapidway lines and the existing context of larger blocks. Secondary nodes of intensification include the intersection of Yonge Street and Mulock Drive and at the Regional Healthcare Centre.

Each **Character Area** contains a mix of permitted uses as well as policies that address general land uses and built form requirements to guide the function and identity of the area. Each of the six areas is described below.

6.2 Objectives

Character Areas, permitted uses, densities, heights and built form in the Urban Centres will be planned to:

- a) ensure that each **Character Area** is distinctive, while at the same time ensuring cohesiveness across the Urban Centres, and where appropriate, respect and identify with the history of Newmarket;
- b) generally focus higher density uses around transit stations and in areas where traffic impacts can be minimized;
- c) provide a transition in height from the arterial road frontages down to the lower density residential areas surrounding the Urban Centres;
- d) provide variety across the Urban Centres rather than a sameness of built form;
- e) include a variety of housing forms for households of all types, income levels and needs;
- f) support a mix of jobs to residents of 1:1;
- g) implement the density requirements of the Growth Plan for the Greater Golden Horseshoe and the York Region Official Plan; and
- h) ensure that the phasing of development is supported by the necessary community, social and physical infrastructure.

6.3 General Policies

6.3.1 Character Area Boundaries

- i. The individual **Character Areas** are identified on Schedule 2. Where the boundary of a **Character Area** abuts a planned future street, modifications to the boundary shall be permitted to align with the final location of the street without an amendment to this Plan.

6.3.2 Future Growth

- i. The Urban Centres will be planned to a targeted **build-out** of approximately 33,000 people.
- ii. The Urban Centres will be planned to a targeted **build-out** of approximately 32,000 jobs.
- iii. The Urban Centres will be planned as a **complete community** and aim to ultimately achieve an approximate balance of one job for every resident.
- iv. Development of each **Character Area** will be planned to achieve the approximate growth and development targets contained in Table 1 at **build-out**.

Table 1: Growth and Development Targets By Character Area

Character Area	Predominant Land Use	Residential (approx. % of total GFA)	Employment (approx. % of total GFA)	People (approx.)	Jobs (approx.)	FSI Range (FSI)
Yonge North	Mixed Use	80%	20%	6,200 residents	2,700 jobs	1.5 – 2.0
Yonge and Davis	Mixed Use	65%	35%	13,400 residents	10,100 jobs	1.5 – 3.5
Yonge Civic	Mixed Use & Major Office	45%	55%	1,900 residents	5,500 jobs	1.5 – 2.5
Yonge South	Mixed Use	75%	25%	6,200 residents	3,000 jobs	1.5 – 3.5
Davis Drive	Mixed Use	70 %	30 %	4,200 residents	2,000 jobs	1.5 – 2.5
Regional Healthcare Centre	Mixed Use & Major Institutional	20 %	80 %	1,100 residents	8,700 jobs	1.5 – 2.5
Total				33,000	32,000	

6.3.3 Character Areas and Permitted Uses

- i. Within all **Character Areas** identified on Schedule 2, the following uses may be permitted within the Mixed Use designation as identified on Schedule 3, subject to the applicable provisions of this Secondary Plan and those of the Official Plan:
 - a) multiple unit residential buildings, including apartments and townhouse dwellings, and **special needs housing**;
 - b) a mix and range of residential unit sizes and tenures;
 - c) home-based businesses and live/work uses;
 - d) institutional uses, including schools, day care and group homes and places of worship;
 - e) community uses such as libraries, community centres, or similar uses or public services designed to serve the community at large;
 - f) parks, open space, and urban squares and plazas;
 - g) commercial uses including retail stores, service shops, restaurants, and office uses;
 - h) private and public parking;
 - i) hotels and associated facilities; and
 - j) arts and cultural establishments.
- ii. All development will be subject to the Development Policies contained in Section 6.4, the Urban Design and Sustainability Policies of Section 7.0 as well as the other applicable policies of this Secondary Plan and the provisions of the Town of Newmarket Official Plan.
- iii. Within Wellhead Protection Areas identified on Schedule G of the Official Plan, proposed uses and activities will be subject to the South Georgian Bay Lake Simcoe Source Protection Plan and the prohibited activities as identified in that Plan.
- iv. An amendment to this Plan is not required if the targeted population and jobs by **Character Area** are exceeded, provided the densities are not exceeded and the built form provisions of this Plan are met.

6.3.4 Character Area - Yonge North

- i. This **Character Area** will be a predominantly residential area planned for a **build-out** of approximately 6,200 people and 2,700 jobs and a land use mix of approximately 80% total **Gross Floor Area** as residential uses and 20% of total **Gross Floor Area** as commercial and employment uses.
- ii. Residential development will be characterized primarily by **mid-rise** development with opportunities for some **high-rise** along the Yonge Street frontage and **low-rise** (ground-related) transitional forms (e.g. stacked townhouses) adjacent to the existing residential neighbourhoods to the east and west of the Urban Centres. A **Priority**

Commercial Area has been identified at the planned Rapidway transit stop at Yonge Street and Bonshaw Avenue. Additionally, Yonge North will provide for a recommended Neighbourhood Park located adjacent to two potential future school sites as shown in Schedules 3 and 6.

- iii. The uses identified in Policy 6.3.3(i) may be permitted.
- iv. This **Character Area** is the preferred location for up to two elementary school sites.
- v. Minimum and maximum densities and heights for the Yonge North **Character Area** are identified on Schedule 4.
- vi. Development in this **Character Area** will contribute to the achievement of a density range of 1.5 to 2.0 **FSI** for the overall **Character Area** at **build-out**.

6.3.5 Character Area - Yonge and Davis

- i. This **Character Area** will be planned for a **build-out** of approximately 13,400 people and 10,100 jobs and a land use mix of approximately 65% of total **Gross Floor Area** as residential uses and 35% of total **Gross Floor Area** as commercial and employment uses.
- ii. This **Character Area** will be the highest density area in the Urban Centres, and will continue to function as the primary retail node both for the Urban Centres as well as for the surrounding Town.
- iii. This **Character Area** forms the core of the **Provincial Urban Growth Centre (UGC)** and therefore must be planned to contribute to the achievement of the Growth Plan's UGC density target of 200 people and jobs combined per gross hectare.
- iv. **Priority Commercial Areas** have been identified along the majority of the Yonge Street and Davis Street frontages.
- v. The Regional Shopping Centre as identified on Schedules 3 & 7 is anticipated to redevelop over the long term into a mixed use area, while still maintaining its predominantly retail function and is subject to the Regional Shopping Centre provisions of this Plan (Sections 5.3.4 and 5.3.4.1). The Yonge Davis Iconic Park, shown on Schedules 6 & 7, is the main focal point for the Yonge and Davis **Character Area**, as well as for the overall Urban Centres.

- vi. In addition to the permitted uses identified under Policy 6.3.3(i), the following additional uses may be permitted within the Mixed Use area in this **Character Area**:
 - a) **major office** uses;
 - b) post-secondary educational facilities;
 - c) **major retail** centre;
 - d) **places of entertainment**; and
 - e) long-term care facilities.
- vii. **Places of entertainment** may only be permitted where it is demonstrated that impacts on residential uses would be minimized. Separation distances may be defined in the implementing by-law.
- viii. Prominent heights of land exist on the north-west and on the southern periphery of this **Character Area**. In these locations, higher standards of urban design will be applied with a goal of providing for an iconic skyline that distinguishes Newmarket from other urban centres in the Region.
- ix. Minimum and maximum densities and heights for the Yonge and Davis **Character Area** are identified on Schedule 4.
- x. Development in this **Character Area** will contribute to the achievement of a density range of 1.5 to 3.5 **FSI** for the overall **Character Area** at **build-out**.

6.3.6 Character Area - Yonge Civic

- i. This **Character Area** will be a predominantly employment focused area and will be planned for an ultimate **build-out** of approximately 1,900 people and 5,500 jobs and a land use mix of approximately 45% of total **Gross Floor Area** as residential uses and 55% of total **Gross Floor Area** as commercial and employment uses.
- ii. The majority of future employment will be government-related office uses, building on the existing civic nature of the area. Opportunities for residential and retail uses exist, primarily along Yonge Street where **Priority Commercial Areas** have been defined, and specifically at the intersection of Yonge Street and Eagle Street where there is a planned Rapidway transit stop. A portion of this **Character Area** includes the **Provincial Urban Growth Centre**, and therefore that portion must also be planned to contribute to the achievement of the Growth Plan density target of 200 people and jobs combined per gross hectare.
- iii. In addition to the permitted uses identified under Policy 6.3.3(i), the following additional uses may be permitted within the Mixed Use area in this **Character Area**:
 - a) **major office** uses;
 - b) civic facilities; and
 - c) post-secondary educational facilities.

- iv. Minimum and maximum densities and heights for this **Character Area** are identified on Schedule 4.
- v. Development in this **Character Area** will contribute to the achievement of a density range of 1.5 to 2.5 **FSI** for the overall **Character Area** at **build-out**.

6.3.7 Character Area - Yonge South

- i. This **Character Area** will be planned for an **build-out** of approximately 6,200 people and 3,000 jobs and a land use mix of approximately 75% of total **Gross Floor Area** as residential uses and 25% of total **Gross Floor Area** as commercial and employment uses.
- ii. This **Character Area** will be characterized by higher density development with opportunities for office and retail uses, and **Priority Commercial Areas** have been identified along the main intersection of Yonge Street and Mulock Drive. Two Neighbourhood Parks are located within this **Character Area**.
- iii. In addition to the permitted uses identified under Policy 6.3.3(i), the following additional uses may be permitted within the Mixed Use area in the Yonge South **Character Area**:
 - a) **major office** uses;
 - b) post-secondary educational facilities; and
 - c) long term care facilities.
- iv. Minimum and maximum densities and heights for this **Character Area** are identified on Schedule 4.
- v. Development in this **Character Area** will contribute to the achievement of a density range of 1.5 to 3.5 **FSI** for the overall **Character Area** at **build-out**.

6.3.8 Character Area - Davis Drive

- i. This **Character Area** will be planned for a **build-out** of approximately 4,200 people and 2,000 jobs and a land use mix of approximately 70% of total **Gross Floor Area** as residential uses and 30% of total **Gross Floor Area** as commercial and employment uses.
- ii. This **Character Area** is envisioned as a primarily **low** to **mid-rise** residential area with opportunities for limited retail and small scale office use, including live-work opportunities. Where parcel sizes and depths allow, taller buildings may be permitted.

- iii. In addition to the permitted uses identified under Policy 6.3.3(i), the following additional uses may be permitted within the Mixed Use area in this **Character Area**:
 - a) **places of entertainment**; and
 - b) post-secondary educational facilities.
- iv. **Places of entertainment** may only be permitted in proximity to the Newmarket GO Rail Station where it is demonstrated to the satisfaction of the Town that impacts on residential uses would be minimized. Separation distances may be defined in the implementing zoning by-law.
- v. The highest densities within this **Character Area** will generally be located east of the intersection of Davis Drive and Parkside Drive, due to the planned Rapidway Station and the depth of the Urban Centre at this location.
- vi. Development between Niagara Street easterly to the easterly end of the Keith Bridge will respect the heritage character of this area as the gateway to the historic downtown. Specifically, development at the southeast and southwest corners of Davis Drive and Main Street will recognize this location as the gateway to the historic downtown, including massing, height and design that appropriately transitions to the planned built form and design for Main Street.
- vii. Minimum and maximum densities and heights for this **Character Area** are identified on Schedule 4.
- viii. Development in this **Character Area** will contribute to the achievement of a density range of 1.5 to 2.5 **FSI** for the overall **Character Area** at **build-out**.

6.3.9 Character Area - Regional Healthcare Centre

- i. The Regional Healthcare Centre **Character Area** will be a predominantly institutional area and will be planned for a **build-out** of approximately 1,100 people and 8,700 jobs and a land use mix of approximately 20% of total **Gross Floor Area** as residential uses and 80% of total **Gross Floor Area** as commercial and employment uses.
- ii. The Southlake Regional Healthcare Centre is located in the core of this **Character Area** and serves as a catalyst for medically related uses. The **Character Area** is expected to provide a focus for medically related offices and services.
- iii. In addition to the permitted uses identified under Policy 6.3.3(i), the following additional uses may be permitted within the Mixed Use area in the Regional Healthcare Centre **Character Area**:
 - a) **major office** uses;
 - b) post-secondary educational facilities; and
 - c) long-term and palliative care facilities and similar uses.

- iv. Within the Major Institutional area the permitted uses are generally limited to institutional and related uses. The following uses may be permitted:
 - a) **major office** uses;
 - b) medical and medically related institutional uses including hospital, palliative or long term care facilities and similar uses;
 - c) medical research and development uses;
 - d) post-secondary education facilities;
 - e) commercial uses including retail stores, restaurants, and office uses;
 - f) private and public parking in above- and below-ground parking structures; and
 - g) parks, open space, urban squares and plazas.
- v. Residential uses, other than long term care and palliative care facilities are not permitted within the Major Institutional designation.
- vi. The highest densities in this **Character Area** will generally be located on Davis Drive in proximity to the planned Rapidway Station.
- vii. Minimum and maximum densities and heights for the Regional Healthcare Centre **Character Area** are identified on Schedule 4.
- viii. Development in the Regional Healthcare Centre **Character Area** will contribute to the achievement of a density range of 1.5 to 2.5 **FSI** for the overall **Character Area** at **build-out**.

6.3.10 Provincial Urban Growth Centre

- i. The **Provincial Urban Growth Centre** will be planned:
 - a) as a focal area for investment in institutional and region-wide public services, as well as commercial, office, civic, recreational, cultural and entertainment uses;
 - b) to accommodate and support major transit infrastructure;
 - c) to serve as a high density employment centre that will attract provincially, nationally or internationally significant employment uses; and
 - d) to accommodate a significant share of Newmarket's and the Urban Centres' overall population and employment growth.
- ii. The area shown as the **Provincial Urban Growth Centre** on Schedules 1, 2, 3 and 4 is identified in accordance with the Urban Growth Centre policies of the Growth Plan for the Greater Golden Horseshoe and also comprises the Regional Centre in accordance with the York Region Official Plan.

- iii. Development in the **Provincial Urban Growth Centre** will achieve a density of at least 200 people and jobs combined per gross hectare by 2031.
- iv. Notwithstanding any other policy of this Plan, development in the **Provincial Urban Growth Centre** will achieve a minimum density of 2.5 **FSI** at the time of **build-out** within each of the following **development areas**:
 - a) west of Yonge Street and south of Davis Drive;
 - b) east of Yonge Street and south of Davis Drive; and
 - c) east of Yonge Street and north of Davis Drive.
- v. For the purpose of this policy, the **FSI** shall be calculated by dividing the **gross floor area** of all development at **build-out** within each of the **development areas** by the total **land area** within each of the **development areas**.
- vi. The calculation of **gross floor area** shall not include the floor area of underground and above grade parking structures, bicycle parking, or public transit uses such as stations or waiting areas.
- vii. The Town will monitor development within the **Provincial Urban Growth Centre** to ensure the minimum density will be achieved in accordance with Policies 6.3.10 (iii) and (iv).

6.4 Development Policies

6.4.1 Priority Commercial Areas

- i. **Priority Commercial Areas** are identified to ensure that retail and service uses are provided to support the people who live, work and recreate in the Urban Centres. **Priority Commercial Areas** are also intended to ensure an active street and a balance of residential and commercial uses within each of the **Character Areas**.
- ii. Within **Priority Commercial Areas**, street-related commercial uses, including but not limited to retail stores, restaurants, personal and business services, professional offices or institutional uses shall be required along the street-facing portions of the ground floors of buildings abutting a public right-of-way, such that a substantial presence of active ground-level uses adjacent to the street is achieved in these areas. Where residential uses are proposed above the ground floor level, formal entrances, including concierge and lobbies for the residential uses will also be permitted on ground floors.
- iii. Within **Priority Commercial Areas**, floor-to-floor heights of the ground floor will not be less than 4.5 metres.

- iv. Outside of **Priority Commercial Areas**, street-related commercial uses, including retail stores, restaurants, personal and business services, or professional offices or public institutional uses are strongly encouraged at the ground floor level fronting on Yonge Street or Davis Drive.
- v. Outside of **Priority Commercial Areas**, any development fronting onto Yonge Street or Davis Drive containing residential development will be required to undertake a retail market assessment. If the retail market assessment demonstrates, to the satisfaction of the Town, that retail uses are not required at ground floor level, then uses other than street related commercial uses may be permitted at the ground floor, provided the requirements of Policy 6.4.2(i) and 6.4.2(ii) are met.

6.4.2 Retail Policies and Drive-through Facilities

Retail Policies

- i. Development in each **Character Area** will seek to achieve an overall target of at least 2.5 square metres of retail/commercial space per person within the **Character Area at build-out**, comprised of existing and new development. The Town will monitor the projected persons and jobs with the implementation of the Plan to determine if this target is being achieved.
- ii. Outside **Priority Commercial Areas**, the design of ground floors of buildings fronting on Yonge Street or Davis Drive should allow for flexible uses at-grade and allow for future conversion to commercial uses. Floor-to-floor heights outside **Priority Commercial Areas** will not be less than 4.5 metres, to allow flexibility for future conversion to commercial uses.
- iii. The following uses shall not be permitted within the Urban Centres:
 - a) gas stations;
 - b) car wash facilities, unless completely contained within a parking structure;
 - c) motor vehicle sales;
 - d) motor vehicle repair facilities; and
 - e) new stand-alone, land extensive retail warehouse stores, except where permitted by Section 5.3.4.

Drive-through Facilities

- iv. Within **Priority Commercial Areas** that have frontage along Yonge Street and Davis Drive, only new **drive-through facilities** not having **direct vehicular access** onto Yonge Street or Davis Drive are permitted. Within the rest of the Urban Centres, new **drive-through facilities** having **direct vehicular access** onto Yonge Street or Davis Drive are permitted. All applications for new **drive-through facilities** within the Urban Centres shall be supported by the technical studies outlined in Section 16.1.6 of the Town's Official Plan.

6.4.3 Affordable Housing

- i. A minimum of 35% of new housing units in the **Provincial Urban Growth Centre** and a minimum of 25% of new housing units elsewhere in the Urban Centres shall be affordable to **low and moderate income households**.
- ii. Affordable housing benchmark prices for ownership and rental housing will be determined by the Regional Municipality of York on an annual basis.
- iii. Affordable housing shall comprise a range and mix of housing forms, unit sizes and tenure and include a significant number of dwelling units which may accommodate households with children, larger families, people with special needs, and rental households.
- iv. Where re-development involves the removal of existing affordable housing units, it shall replace the number of units displaced in addition to achieving the affordable housing target (e.g. 25% or 35% plus the number of displaced affordable units).
- v. The Town will work with the Region to identify locations where social housing will be encouraged.

6.4.4 Rental Housing

- i. 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. (OPA #25)

6.4.5 General Building Height and Density

- i. Schedule 4 establishes the Permitted Minimum and Maximum Heights and Permitted Minimum and Maximum **FSIs** for each of the **density designations** within the Urban Centres.
- ii. The boundaries of the **density designations** shall be determined by the Town, at the time of development, and shall approximate the areas shown on Schedule 4.
- iii. Development proposals shall not be evaluated based on height and density alone, but in combination with all other policies of this Secondary Plan, including but not limited to, the Transitional and Angular Plane, Urban Design, and Floodplain and Hazard Lands policies.

Bonusing

- iv. Increases to the Permitted Maximum Heights and Permitted Maximum **FSI**'s to the Discretionary Maximum identified on Schedule 4 may be permitted subject to the bonusing provisions in Policy 14.2.9 and 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.

Height

- v. The Permitted Minimum and Maximum Heights shall apply on a site specific basis in accordance with the **density designations** identified on Schedule 4.
- vi. No development shall have a height lower than the Permitted Minimum Height identified on Schedule 4, except as provided for in Policy 6.4.5(vii) or 6.4.7(ii), or higher than the Permitted Maximum Height identified on Schedule 4, except as provided for in the bonusing provisions in Policy 14.2.9.
- vii. Reductions to the Permitted Minimum Heights identified on Schedule 4 may be permitted without an amendment to the Official Plan:
 - a) to allow flexibility in building and site design, for example to articulate a portion of a façade;
 - b) for development involving conservation of heritage structures;
 - c) to meet the Transitional and Angular Plane Policies of Policy 7.3.3 and/or the shadow provisions of Policy 7.3.9; and/or
 - d) for development for **human services** that may not be typically built to the required minimum heights, e.g., police and emergency services, transit facilities, etc.

Such consideration shall require demonstration, to the satisfaction of the Town, that the Permitted Minimum Density of the specific **density designation** in which the building is located will still be achieved.

Density

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

- x. 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.
- xi. The calculation of **gross floor area** shall not include the floor area of underground and above grade parking structures, bicycle parking, or public transit uses, such as stations or waiting areas.
- xii. It is recognized that it may be appropriate to permit the transfer of density between abutting or proximate properties within the same **density designation** where density cannot be achieved on the donor property due to other provisions of this Plan. Therefore, 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 recipient 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, except as may be permitted through the bonusing provisions of Policy 14.2.9;
 - b) the proposed development on the recipient and donor property meets the applicable urban design and built form policies of this Plan;
 - c) the location and characteristics of the individual recipient property make it appropriate to accommodate a greater share of the density, relative to other portions of the property or other properties within the same **density designation**; and
 - 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**.
- xiii. Reductions to the permitted minimum density identified on Schedule 4 may be permitted without an amendment to the Official Plan:
 - a) for development involving conservation of heritage structures;
 - b) in order to meet the Transitional and Angular Plane Policies of Policy 7.3.3 or the shadow provisions of Policy 7.3.9; and/or
 - c) for development of **human services** that may not be typically built to achieve the required minimum densities, e.g., police and emergency services, transit facilities, etc.

Such consideration shall require demonstration, to the satisfaction of the Town, that the minimum density of the **density designation** will generally be achieved.

6.4.6 Floodplain and Hazard Lands

- i. In order to reduce risks to public safety and property damage, development shall generally be directed away from flood and erosion prone areas in accordance with the general policies of Section 10 of the Town of Newmarket Official Plan.
- ii. The Floodplain and Hazard Lands designation is an overlay designation and therefore the permitted land uses, density and height provisions of this Secondary Plan identified on Table 1 and on Schedules 3 and 4 do not apply within the Floodplain and Hazard Lands designation unless written approval for specific development applications has been received from the Lake Simcoe Region Conservation Authority.
- iii. The development potential for any site within the Floodplain and Hazard Lands will be assessed on a site by site basis by the Town in consultation with the Lake Simcoe Region Conservation Authority (LSRCA). Where a new building or the expansion of an existing building may be permitted by the Lake Simcoe Region Conservation Authority, the use and scale of such buildings may not conflict with the permitted uses; density and height will be guided by the permitted heights and density on the abutting lands.
- iv. Development, redevelopment and site alteration within the Floodplain and Hazard Lands shall be subject to the Natural Hazards policies of the Provincial Policy Statement, in accordance with the guidelines established in the Natural Hazard Technical Guides prepared by the Ministry of Natural Resources, and shall not be permitted unless prior written approval is received from the Lake Simcoe Region Conservation Authority.
- v. Existing non-conforming uses within the Floodplain and Hazard Land designation are recognized and are encouraged to be brought into closer conformity with the applicable Floodplain and Hazard Lands policies of the Provincial Policy Statement and provincial regulations and guidelines. Any replacement, expansion, addition or alteration to existing uses shall not be permitted unless prior written approval is received from the Lake Simcoe Region Conservation Authority.
- vi. Where new buildings or the expansion of an existing building is permitted by LSRCA, such buildings shall be designed in a manner that does not obstruct flood flows and/or contribute to upstream or downstream flooding.
- vii. Existing residential uses within the floodplain are encouraged to convert to non-residential uses in order to reduce safety risks.
- viii. Subject to the prohibited uses identified in Section 6.4.5. viii, permitted uses shall be within the range of uses permitted within the applicable **Character Area**.

- ix. In accordance with the Provincial Policy Statement, the following uses shall not be permitted within the Floodplain and Hazard Lands as identified on Schedule 3:
 - a) new residential development within the **floodway**;
 - b) institutional uses associated with hospitals, nursing homes, pre-schools, school nurseries, daycares and schools;
 - c) essential emergency services as provided by fire, police and ambulance stations and electrical substations; and
 - d) uses associated with the disposal, manufacture, treatment or storage of **hazardous substances**.
- x. Any future road(s) within the Floodplain or Hazard Lands shall be designed to demonstrate that safe access is provided to outside the floodplain, that flood flows are not obstructed, and/or the design will not contribute to upstream or downstream flooding, all to the satisfaction of the Lake Simcoe Region Conservation Authority.
- xi. New or expanded parking, including overnight parking for residential and institutional purposes, within the Floodplain and Hazard Lands is generally prohibited, unless approved by the Lake Simcoe Region Conservation Authority.
- xii. Non-residential daytime parking may be permitted in low risk flooding areas subject to the approval of the Lake Simcoe Region Conservation Authority and provided appropriate zoning is applied and the property is posted with warning signs articulating no overnight parking due to flood risk.
- xiii. Floodplain and Hazard lands are not eligible for parkland dedication under the Parkland Dedication By-law.

6.4.7 Interim Development Policies

- i. It is the intent of this Plan that **build-out** will achieve the planned height and densities identified on Schedule 4.
- ii. It is acknowledged that, in some instances, large-scale redevelopment will occur in a phased manner. To implement this phased approach, this Plan shall require the preparation of a **Build-out Demonstration Plan** for applications where the proposed development increases the total gross ground floor area comprised of the aggregate of all the ground floors of all the buildings present on the site at the time of approval of this Plan, by more than 10%. The **Build-out Demonstration Plan** will show the **build-out** consistent with the Plan's Urban Design policies and the minimum and maximum heights and densities at **build-out** as identified on Schedule 4, and how such development will be phased over time. It is understood that the **Build-out Demonstration Plan** may be amended by the development proponent, from time-to-time, in response to changes in the market, but all such amendments shall continue to demonstrate, to the Town's satisfaction, the ability of the **Build-out**

Demonstration Plan to achieve the Plan's Urban Design policies and the minimum and maximum heights and densities as identified on Schedule 4.

- iii. This Plan shall also permit small- scale, interim redevelopment that is not part of a **Build-out Demonstration Plan**, which propose developments that are lower than the minimum heights and densities at **build-out** as identified on Schedule 4, without amendment to this Plan, provided:
 - a) the development does not increase the total gross ground floor area comprised of the aggregate of all the ground floors of all the buildings present on the site at the time of approval of this Plan, by more than 10%;
 - b) the development is not intended to be long-term and is considered appropriate over the short to medium term;
 - c) the development does not preclude the long-term re- development of the site as envisioned by this Plan;
 - d) the development does not preclude the achievement of a compact, pedestrian- oriented and transit- supportive urban form;
 - e) the street network and **pedestrian mews** connections envisioned in Schedule 5 are not compromised or precluded; and
 - f) the development does not include residential uses or underground parking structures.
- iv. Interim development may be in the form of an addition to an existing building, increased height to an existing building or as a stand-alone new building(s).
- v. It is the intent of the Town to review the Interim Development Policies within approximately five (5) years of approval of this Plan to determine their continued applicability in view of the intent to achieve the permitted densities identified on Schedule 4.
- vi. The Phasing and Interim development policies will be subject to the applicable provisions of Section 7.0 Urban Design and Sustainability as determined by the Town.
- vii. The Town may request a **Build-out Demonstration Plan** as contemplated in 6.4.7 ii.

7.0 Urban Design and Sustainability

7.1 Introduction

The Secondary Plan anticipates significant renewal and redevelopment across the Urban Centres. This includes the introduction of a number of built forms, including taller buildings, new mixed use areas and a finer transportation grid network. Each of these new urban elements will need to be carefully designed to ensure that they fit into the broader context of the evolving Urban Centres, are sensitive to the surrounding land uses, and create the distinct, livable and vibrant urban place that the Town of Newmarket is seeking to achieve.

In addition to the Urban Design and Compatibility policies of Section 12 of the Town of Newmarket Official Plan, the following additional Urban Design and sustainability objectives and policies apply within the Urban Centres.

7.2 Objectives

Urban design within the Urban Centres will:

- a) maintain the role of the Urban Centres as a sought after destination within the Town and the Region for living, working, shopping and playing;
- b) create a unique sense of place within each **Character Area** and particularly at Yonge Street and Davis Drive where creating both an iconic space and skyline will be a priority;
- c) create a livable and vibrant urban place;
- d) achieve the walkability and accessibility objectives;
- e) incorporate new gateway features to create a sense of arrival in the Urban Centres, distinguishing the Urban Centres as focal points for intensification while creating unique and memorable identities;
- f) ensure high quality urban design is implemented including enduring buildings and associated infrastructure;
- g) ensure that development is sensitive to adjacent stable residential neighbourhoods and is compatible with adjacent development within the Centres;
- h) ensure new buildings implement sustainable water and wastewater technologies, are energy efficient, and implement leading edge waste management and stormwater management techniques;
- i) ensure new development respects cultural assets and natural heritage services where they exist within and adjacent to the Urban Centres; and
- j) ensure that new development provides for the capability to implement leading edge communication technologies, including broadband services, in order to attract and maintain investment, facilitate research and development and knowledge based initiatives, and support health services.

7.3 Policies

7.3.1 General Urban Design

- i. Urban design will incorporate the applicable requirements of the other provisions of this Plan.
- ii. All development, streetscapes and boulevards 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.
- iii. All development will be required to exhibit high quality urban design, and is encouraged to utilize durable materials such as stone, brick, glass, etc., and contribute to the unique identity and prominence of the Urban Centres.
- iv. In order to accommodate the future burying of the overhead hydro and other utilities on both sides of Yonge Street and Davis Drive, up to an additional five metres of boulevard width is required as per Policy 13.3.4.
- v. Urban design guidelines may be developed to assist in the interpretation of this Plan.

7.3.2 General Massing and Built Form

- i. The general massing and exterior façades of new development will be designed to fit harmoniously into the planned context, while respecting the existing development outside the Urban Centres.
- ii. New development will be designed to limit shadow and adverse wind impacts on adjacent properties and public spaces including neighbouring streets, parks and open space and urban squares.
- iii. New buildings shall address the street. Buildings shall have front façades and windows that face the street. Where buildings face public squares and parks, these façades are intended to be designed to provide physical and visual access to these public spaces.
- iv. The principal entrances of commercial and mixed-use buildings are strongly encouraged to be oriented toward the abutting street. At least one direct user entrance must be provided to the abutting public street or **pedestrian mews**.
- v. Building façades generally greater than 25 metres in length should be articulated or “broken up” through the use of architectural features such as recesses, projections, awnings, or colonnades along at least 20% of the length.

- vi. Buildings will be designed to support the public and commercial function of Yonge Street and Davis Drive through means such as well-articulated façades, well-demarcated entrances, prominent display windows, and protective canopies.
- vii. Buildings with non-residential uses on the ground floor should have highly transparent ground floors, with a minimum of 60 percent of the ground floor frontage to be glazed.
- viii. On a corner site, the development should address both street frontages and give prominence to the corner. Both façades should have comparable levels of architectural detail and character.
- ix. **Direct vehicular access** is generally discouraged along Yonge Street and Davis Drive in order to minimize disruptions to the pedestrian environment and reduce turning movements onto Yonge Street and Davis Drive. Access from side streets, back lanes and shared driveways are encouraged.
- x. Loading bays, garbage and other servicing, and vehicular related functions should not detract from the use or attractiveness of the pedestrian realm. Garbage, loading, servicing and **utility** functions should be integrated within the interior of a building, or at the rear, whenever possible, with access from a rear lane or side street.
- xi. Buildings should be designed in accordance with bird friendly practices.
- xii. Buildings should be designed to completely screen roof-top mechanical and telecommunication equipment from public view. Mechanical penthouses should be designed and clad with materials to complement the building façades.
- xiii. Detailed Architectural Design Plans are required to demonstrate, to the satisfaction of the Town, that the provisions of Section 7.0, Urban Design and Sustainability are met.

7.3.3 Transitional and Angular Plane Policies

- i. The following Transitional and Angular Plane policies do not apply to the frontage of Yonge Street and Davis Drive.
- ii. Minor exceptions to the maximum heights may be considered through a zoning amendment without requiring an amendment to the Secondary Plan, where it is demonstrated to the satisfaction of the Town that the intent of this policy is met.

7.3.3.1 Development Adjacent to Existing Low-rise Residential Development within the Stable and Emerging Residential Areas and Parks and Open Space

- i. To ensure that new development is sensitive to and compatible with the existing or planned context and provides for an appropriate transition in scale, new development located directly adjacent to the rear or side yard of an existing **low-rise** residential area or existing or planned parkland within the Stable and Emerging Residential Areas shall be designed:
 - a) to limit the maximum height, including mechanical units, balconies, railings, overhangs and other projections, to generally not exceed an angular plane of 45 degrees measured from the property line of the adjacent residential or parkland property;
 - b) such that the application of the 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
 - c) generally implement a maximum 3 storey built form/podium above ground level adjacent to existing residential development or existing or planned parkland, unless the adjacent development is taller than 3 storeys, then the podium of the new development should not exceed the height of the adjacent development (Figure 1).

7.3.3.2 Development Fronting on a Public Street Shared with Low-rise Residential Development within the Stable and Emerging Residential Areas

- i. In order to maintain the character of the existing residential streetscape and to ensure that new development is compatible with the built form of the existing residential neighbourhood, new development fronting on a public street that is also fronted on the opposite side by existing **low-rise** residential development within the Stable and Emerging Residential Areas shall be designed:
 - a) to limit the maximum height of any building, including mechanical units, balconies, railings, overhangs and other projections, to generally not exceed an angular plane of 22 degrees measured from a height of 1.7m above the established grade at the property line of the road shared with an adjacent residential property;
 - b) such that the application of the 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

- c) to create a built form that is generally designed to front on the shared public street and that is compatible in scale, land use, character and fenestration with the **low-rise** residential development on the opposite side of the street, and meets the urban design policies of this Plan. For clarity, ground-oriented residential development with rear lane access is the desired form of development of these areas (Figure 2).

Conceptual examples of the application of the Transitional and Angular Plane Policies are illustrated in Figures 1 and 2.

Figure 1: Conceptual - 45 Degree Angular Plane

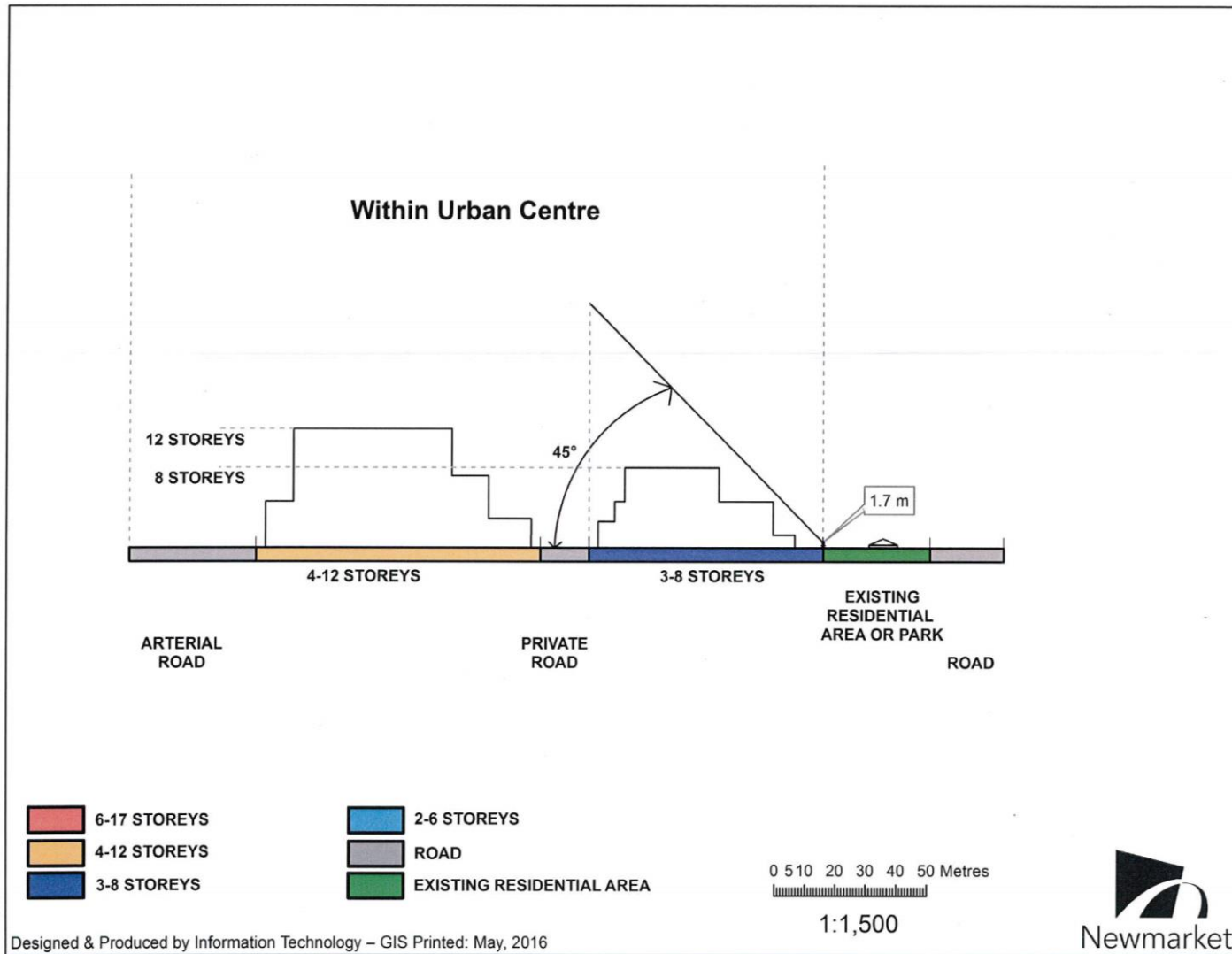
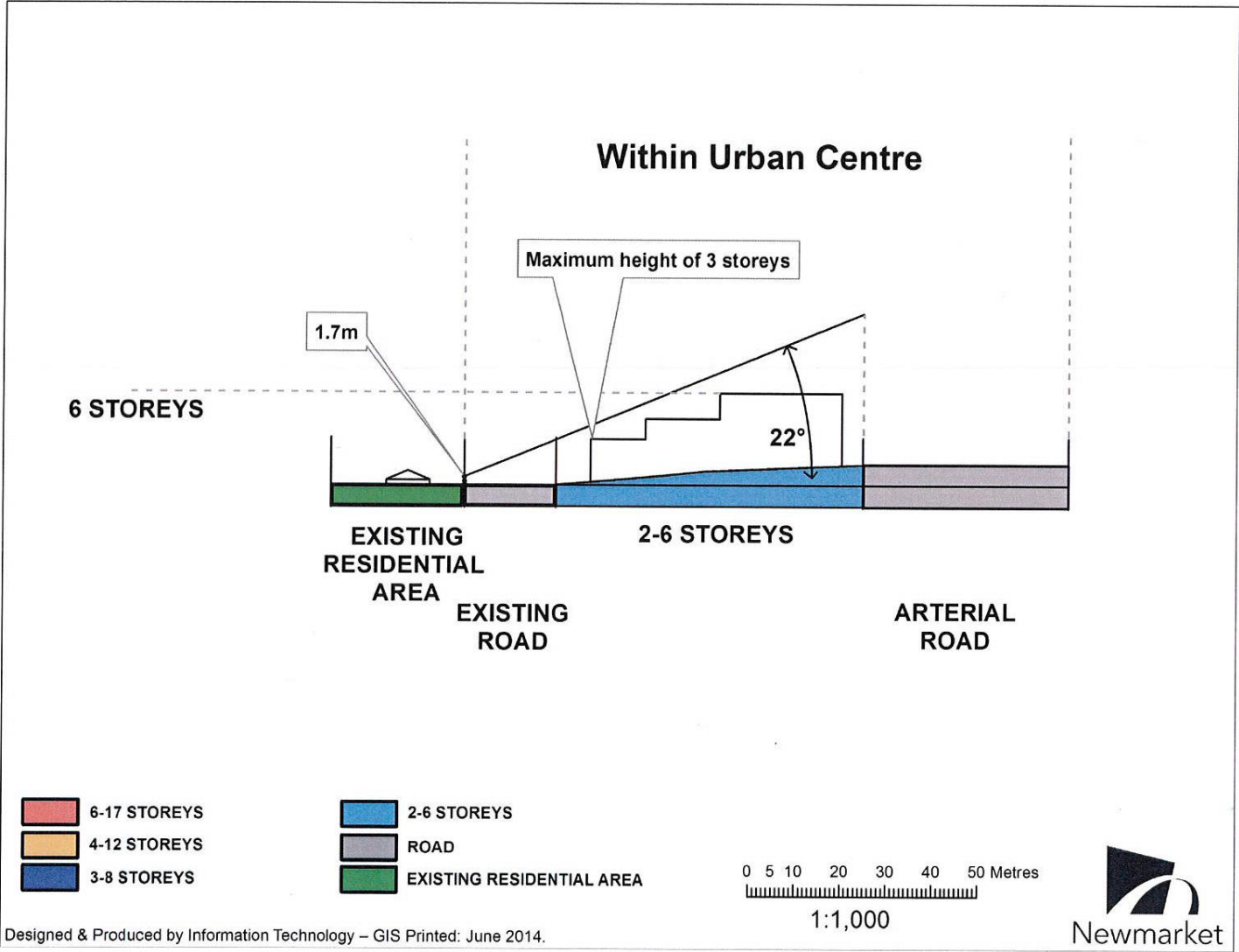


Figure 2: Conceptual - 22 Degree Angular Plane



7.3.4 Low-rise Residential Buildings

- i. The primary entrance of low rise residential buildings should be located on the public street. Entrances should be well defined and clearly visible from the street and distinguished by their architectural design.
- ii. Entrances to all **low-rise** residential units should open directly to the street with the main entrance and living level generally located not more than 1.5 metres above adjacent grade.
- iii. Façades of **low-rise** residential buildings should be articulated and no building should have a continuous unarticulated plane facing the street of more than 25 metres. **Articulation** may include entrances, recesses, projections or other architectural designs that add interest to the façade.
- iv. Where at-grade residential 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. 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. (OPA #25)
- v. Individual unit parking and vehicular access shall not be located fronting on the public street. Parking shall be located at the rear and generally designed as below grade parking, preserving the frontage for a diversity of soft and hard landscaping. Shared access or private lanes to access rear parking is encouraged.

7.3.5 High and Mid-rise Buildings

- i. 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. (OPA #25)
- ii. Private, shared indoor and outdoor amenity space shall be required for all residential buildings with greater than 20 residential units that do not have access to individual private amenity space.
- iii. Blank side walls will not be permitted along or facing a public street, park, open space or **pedestrian mews**.

- iv. Balconies on the front façade should generally not project beyond the building wall and should not be located within the first 3 storeys. Balconies on the upper floors should be inset behind the building wall and integrated into the design of the building façade.
- v. **High** and **mid-rise** buildings should be oriented to maximize building energy performance, minimize adverse shadow and wind impacts and maintain sky views.
- vi. Roofs of **high** and **mid-rise** buildings are encouraged to implement energy provisions in accordance with Policy 7.3.7 or be used for outdoor amenity space.

7.3.5.1 Podiums

- i. **High-rise** buildings shall be required to have a podium.
- ii. Podiums for **high-rise** buildings should be designed to be at least 3 storeys or 10.5 metres to a maximum of 6 storeys or 18 metres in height at the street, and a minimum of 75% of its frontage shall consist of the podium. The portion of **high-rise** buildings above the podium must be stepped back a minimum of 3 metres for a minimum of two-thirds the length of the **tower** facing the public street.
- iii. **Mid-rise** buildings may be designed to have a podium. If a **mid-rise** building includes a podium, it should be designed to not exceed 5 storeys and should provide for a minimum step back of 1.5-3 metres above the podium for a minimum of two-thirds the length of the **tower** facing the public street.
- iv. The roof tops of podiums are encouraged to be developed as private amenity space and contribute to the greening of the Urban Centres through roof top landscaping.
- v. When **high-rise** buildings or **mid-rise** buildings are sited next to **low-rise** residential areas, any podiums will be required to be massed and designed to allow for an appropriate transition between the residential area and the **high** or **mid-rise** building. Notwithstanding Policy 7.3.5.1(ii) and (iii), the portion of the podium immediately adjacent to an existing or planned **low-rise** residential area shall be subject to Policy 7.3.3.

7.3.5.2 Towers

- i. The **tower** portion of **high-rise** buildings will be designed to create a memorable and iconic skyline, particularly at the intersection of Yonge Street and Davis Drive.

- ii. The maximum **gross floor area** of the floor plate of the **tower** portion of a **high-rise** building proposed for residential purposes shall generally not exceed 750 square metres, excluding balconies. Larger floor plates may only be permitted where the urban design and other policies of this Plan can be met to the Town's satisfaction.
- iii. If a development includes more than one **high-rise** building, the **tower** portion of the **high-rise** buildings shall have a minimum separation distance of 25 metres, measured from the exterior wall or exterior edge of balconies, whichever is greater. This same separation distance standard shall apply to **towers** on adjacent properties.
- iv. The maximum floor plate of the **tower** portion of **major office** and non-residential **high-rise** buildings will be evaluated in accordance with the applicable policies of this Plan to ensure impacts with respect to shadow, transition to adjacent uses, and the general scale are addressed.

7.3.6 Streetscapes and Boulevards

- i. Street furnishings, which include benches, bike racks, bollards, bus shelters/ kiosks, trash/recycling bins, banners way-finding signage and pedestrian lighting, should be used as unifying landscape elements. Because of their prevalence, their style, image and colour will be important to the overall visual environment of the Urban Centres. A low maintenance, vandal resistant, easily replaceable and recognizable family of furnishings with common themes and colour palettes will be identified for the **Character Areas** within the Urban Centres. Such themes may reflect the cultural heritage or other identifiable focus for the area.
- ii. All public streets, and generally all private streets in the Urban Centres shall have sidewalks and street trees on both sides and lighting scaled appropriately for pedestrians, cyclists and drivers to increase the overall comfort, aesthetic and safety of the street.
- iii. Development fronting on Yonge Street and Davis Drive will be designed to support a pedestrian friendly environment by:
 - a) providing for features such as pedestrian plazas and courtyards which are publicly accessible in accordance with Policy 10.3.3 Urban Squares and Plazas;
 - b) minimizing **direct vehicular access** in accordance with Policy 7.3.2 ix;
 - c) ensuring that where vehicular access is provided, sidewalks are also provided to reduce vehicular and pedestrian conflicts;
 - d) ensuring that sidewalks and pedestrian access are clearly differentiated from vehicular access through the use of textured or coloured materials;

- e) providing amenities such as public art, benches, bicycle parking, landscaped features and resting places;
 - f) creating a comfortable, yet highly animated, pedestrian environment through a rhythm of multiple retail frontages, architectural **articulation**, numerous entrances, display windows, canopies and signage;
 - g) promoting a strong street orientation by having building entrances oriented to the public street;
 - h) providing for weather protection and shade by incorporating features such as arcades, architectural canopies, trees and shade structures;
 - i) avoiding utilities, vents and other unsightly elements on the lower levels of façades adjacent to Yonge Street and Davis Drive; and
 - j) locating uses at-grade that create visual interest and support street activity.
- iv. A boulevard width of approximately 10 metres will be established along both sides of Yonge Street and Davis Drive. This boulevard will accommodate wide pedestrian sidewalks, cycling facilities and landscaping as well as the planned burying of the hydro lines. The design of the Yonge Street and Davis Drive boulevards will:
- a) promote consistent design themes, materials and landscaping within the individual **Character Areas** throughout the Urban Centres;
 - b) provide for raised cycling facilities within the boulevard, where feasible;
 - c) ensure accessibility;
 - d) provide for wide sidewalks that promote an attractive and inviting pedestrian realm that ensures comfortable space for pedestrians and for mobility devices for persons with disabilities;
 - e) be designed as active public spaces that integrate and link development;
 - f) facilitate pedestrian access between walkways and building entrances;
 - g) incorporate pedestrian amenities including pedestrian-scale lighting and rest areas;
 - h) promote enclosure and definition of the street space;
 - i) provide places for people to meet, sit and socialize;
 - j) promote pedestrian comfort, weather protection and shade, and safety, including street trees and bicycle parking, particularly at transit stops; and
 - k) provide sufficient area to accommodate the burying of the hydro lines and associated utilities in accordance with Policy 13.3.4.
- v. The design of minor collector roads and local roads will:
- a) promote pedestrian amenity, comfort, convenience and safety;
 - b) ensure accessibility;
 - c) incorporate design features that minimize visual width and scale of the street;
 - d) incorporate design and functional elements which reduce traffic speed where appropriate, e.g., trees and landscaping;

- e) permit on-street parking where operationally feasible, particularly in proximity to **Priority Commercial Areas** identified on Schedule 3; and
 - f) provide coordinated traffic and way-finding signage which is designed in scale and character with the streetscape elements.
- vi. Private roads and internal driveways required for site circulation are encouraged to be designed as active streets, including provision for pedestrians and cyclists. Use of surface material, landscaping and pavers should be used to distinguish between pedestrian and vehicular access, to enhance pedestrian safety and facilitate way finding.
- vii. Streets that are identified as Green Streets in Schedule 6 will be designed to include the features identified in Policy 10.3.5(i).

7.3.7 Sustainability

- i. All development shall be encouraged to strive for a **LEED™** Gold or higher rating, or an equivalent standard.
- ii. To mitigate the urban heat island effect, increase the energy efficiency of buildings and reduce stormwater run-off, green roofs and/or cool roofing materials as well as soft landscaping will be encouraged on the flat portion of rooftops, where feasible and appropriate, excluding the area required for mechanical equipment. All commercial, institutional, mixed use and multi-unit residential buildings, will be encouraged to:
 - a) have a green roof with a minimum 50% coverage; or
 - b) provide solar capture equipment over a minimum of 60% of the roof; or
 - c) use cool roofing materials for a minimum of 80% of the roof; or
 - d) use a combination of the above for a minimum of 70% of the roof; or
 - e) plant trees and other vegetation to provide shading on sidewalks, patios and at strategic locations adjacent to buildings.
- iii. All commercial, institutional, mixed use and multi-unit residential buildings, will be encouraged to:
 - a) provide for a minimum of 40% of the building's total energy requirements through **alternative energy** sources, including solar hot water, photovoltaic, geothermal, or purchase of off-site renewable energy, etc.;
 - b) utilize low demand or low flow fixtures, such as high efficiency toilets, low-flow showerheads, and/or water efficient clothes washers to achieve 20% greater water conservation than the Ontario Building Code in effect at the time of application; and
 - c) provide for a minimum of 50% of the projected water demand for toilets/urinals through greywater recycling.

- iv. A rain water harvesting system is encouraged for all new development for outdoor irrigation and water use such that at least a portion eighty percent or more of outdoor water irrigation needs can be met through a combination of rainwater harvesting and the use of drought tolerant landscaping.
- v. All commercial, institutional, mixed use and residential buildings are encouraged to reduce local heat island effects through mitigation measures.
- vi. If deemed appropriate and applicable through the pre-application consultation process, for all commercial, institutional, mixed use and residential buildings, a report may be required to identify how the applicant has endeavoured to incorporate a **Solar design strategy** which identifies the approaches that maximize solar gain and facilitates future solar installations, e.g., **solar ready**.
- vii. All commercial, institutional, mixed use and multi-unit residential buildings, shall be designed to maximize waste reduction and diversion with a convenient three stream waste collection system (recycling, organics and residual waste) and provision of space for new programs (e.g., electronics, textiles, batteries).
- viii. If deemed appropriate and applicable through the pre-application consultation process, all commercial, institutional, mixed use and residential buildings, are encouraged to include a construction waste diversion plan. The Plan may include advanced on-site waste diversion and recycling programs during project construction. The Plan shall also identify markets/haulers for major waste streams, on-site storage/sorting area(s) and instructions for contractor staff.
- ix. For commercial, institutional, mixed use and residential buildings, an indoor air quality enhancement strategy is encouraged. Such a strategy may commit to using low or no volatile organic compound products and/or define approaches that minimize the leakage of combustion gases, reduce exposure to indoor and outdoor pollutants through ventilation, and provide indoor moisture control, etc.
- x. All commercial, institutional, mixed use and residential buildings are required to include **Low Impact Development** (LID) stormwater management measures that improve conditions with respect to stormwater volumes and contaminant loadings and that maximize infiltration.
- xi. All commercial, institutional, mixed use and multi-unit residential buildings are encouraged to be district energy ready and electric vehicle ready. (OPA #25)
- xii. 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;
 - g) solid and construction waste reduction and management; and
 - h) the level to which a proposed development is **district energy ready or electric vehicle ready** (if applicable). (OPA #25)
- xiii. Development that incorporates certain sustainability measures may qualify for deferral of Development Charges in accordance with the “Policy for Deferral of Payment of Development Charges and Planning Application Fees” within the Urban Centres, as amended from time to time.

7.3.8 Communication Technology

- i. All commercial, office, institutional, mixed use, and multiple unit residential buildings will be designed to:
 - a) facilitate advanced telecommunication, such as building automation systems, a broad range of applications from health services to heating and lighting, leading edge national and international connectivity capability, etc.; and
 - b) provide the infrastructure for the delivery of leading edge communication technologies, including broadband fiber optics to and throughout the building(s) in order to facilitate future advanced telecommunication capabilities.
- ii. A dedicated broadband fibre optic conduit, including appropriately sized wiring, shall be installed from the municipal right-of-way to each **development block** or building(s) as well as distributed internally to each unit within the building(s) in order to ensure access to advanced communication technology, when it becomes available.
- iii. As deemed appropriate and applicable through the pre-application consultation process, applications for development may be required to provide a Communication Implementation Plan that demonstrates how communication technology will be designed and implemented and demonstrate that the conduit and wiring meets or exceeds the minimum industry standard.
- iv. The planning and design of communication technology shall be subject to Policy 13.3.4 (Energy and Underground **Utilities**).

7.3.9 Shadows and Sky Views

- i. The scale and massing of buildings should allow for significant sunlight penetration onto public streets, parks, public and private squares and plazas that are accessible to the public, and other shadow sensitive areas, such as school yards and outdoor amenity areas associated with seniors' residences and long term care facilities, and protect for sky views for pedestrians.
- ii. Buildings are to be sited and designed to mitigate shadow and sky view impacts on surrounding neighbourhoods, to the satisfaction of the Town.
- iii. Applications for development in the Urban Centres will require a Shadow Impact Study in accordance with Official Plan Policy 4.4.3 that demonstrates that the proposed development allows for a minimum of 50% of daily sunlight (measured from 1.5 hours after sunrise and 1.5 hours before sunset) onto public spaces identified above, including public sidewalks, during the summer solstice (June 21).

7.3.10 Landmarks and Public Views

- i. The Town will identify through the implementing mechanism significant views and landmark buildings, including views to heritage buildings that will be considered in the review of any development proposal, to ensure that the view corridors leading to them remain legible.
- ii. Development proposed on the heights of land located to the north and to the south of the Yonge Street and Davis Drive intersection shall be sensitively designed in keeping with the prominence of these locations and with a view to creating an iconic sky line.

7.3.11 Lighting and Signage

Lighting

- i. Lighting shall be designed to provide optimal public safety while minimizing the adverse impacts related to glare and light pollution.
- ii. All building signage and site lighting shall be designed and oriented: to minimize general light pollution, to prevent the infringement of light and glare onto adjacent properties, and to minimize impacts on the night sky in keeping with dark sky principles.
- iii. Street and pedestrian lighting will be designed to be energy efficient including the use of LED or other low energy consumption lighting systems.

Signage

- iv. Signage should be displayed at consistent heights on building façades.
- v. New, stand-alone permanent or temporary signage, including murals will generally be discouraged and instead signage, including street addressing, should be incorporated into the design of building façades or landscaping.
- vi. New billboards and third party signs shall be strongly discouraged and strictly regulated by the Town's **Sign by-law**.
- vii. In order to create an aesthetically attractive sky line, reduce visual distractions and ensure safety, the following types of signs shall be discouraged:
 - a) roof top signs or signs that project beyond the top of the wall or extend beyond the end walls of a building or similar structure; and
 - b) signs that may cause a distraction, such as animated, flashing, or noise emitting signs.

7.3.12 Parking Facility Design

- i. Surface parking is discouraged throughout the Urban Centres and shall not be permitted in areas fronting onto Yonge Street or Davis Drive. Where surface parking is permitted, it shall be in the side or rear of the parcel.
- ii. 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: (OPA #25)
 - a. the surface parking area is temporary in nature and subject to a temporary use by-law;
 - b. the applicant shall submit a **Build 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.
- iii. Entrances to above and below-ground parking structures generally shall be from a private street or lane as the first priority, and may be permitted from a rear or side public street where it can be demonstrated to the Town's satisfaction that access from a private street or lane is not feasible or necessary.
- iv. Parking structures may be permitted beneath private streets and **pedestrian mews** and under private squares designed for public access and public parks, provided the surface function and character is not materially or qualitatively compromised. Where permitted, agreements with the Town may be entered into to establish terms, including such matters as applicable easements, to ensure public access to the surface uses are maintained in accordance with Policy 8.3.

- v. Parking facilities will be designed to incorporate the following design policies, where feasible and appropriate:
 - a) integration of walkways, traffic islands, pedestrian refuges and pedestrian scale lighting as integral components;
 - b) minimizing driveway access points to the public street as well as driveway crossings of the sidewalk, and include shared driveway access with adjacent sites;
 - c) provision of visual screening of parking areas or structures that are visible from the street, sidewalk or public spaces;
 - d) incorporate landscaping within surface parking areas and on the upper decks of outdoor parking structures to create shade, reduce heat island effect and provide a pleasant and attractive environment for pedestrians;
 - e) incorporate innovative stormwater management features, including **Low Impact Development** (LID) measures;
 - f) integration of secure bicycle parking;
 - g) priority parking for accessibility (vehicular and scooters), car share and electric or hybrid vehicles, and including electrical charging stations;
 - h) providing at least one pedestrian route between the main building entrance and the public sidewalk that is uninterrupted by parking and driveways;
 - i) in larger parking structures or where parking facilities serve more than one building or destination, providing logical, well-marked pedestrian routes for safe travel through the parking facility; and
 - j) where parking facilities or accesses are located at the rear of buildings, provide rear entrances and pedestrian walk-throughs in order to facilitate pedestrian access to the street and clear way finding.
- vi. Parking structures fronting on a public street or parkland shall generally contain street related active commercial, residential or institutional uses on the ground floor subject to technical considerations and the entire façade shall be designed to appear as a fenestrated building, with a regular **articulation** of openings and materials that are generally consistent in type and quality with those of surrounding buildings.
- vii. Vehicular entrances to above or below-ground parking structures on public streets are encouraged to be integrated into the design of the building and located to reduce conflict with pedestrians. Pedestrian entrances to parking structures shall be clearly identified and well lit.
- viii. All development proposing underground parking structures will be required to demonstrate through geotechnical and dewatering studies that the site is suitable and that there will be no interference with municipal wells, both during and after construction.

7.3.13 Servicing and Utility Facilities

In addition to Policy 7.3.6. iv., **utility** and servicing equipment will be integrated into the design of the urban landscape and where possible will be located underground.

- i. The access to servicing and **utility** facilities shall generally be from a local street or private lane.
- ii. **Utility** facilities may be permitted within a public right-of-way subject to an agreement with the Town, as well as on private property.
- iii. **Utility** facilities are encouraged to be designed to be within buildings or parking structures where direct access by the **utility** provider is provided generally from the exterior of the building/structure, e.g., communication or **utility** equipment.
- iv. Servicing and **utility** equipment will be encouraged to be clustered or consolidated where possible to minimize the physical space requirements and visual impact. Innovative methods are encouraged to integrate **utility** structures within streetscape features, including gateways, lamp posts, and transit shelters.
- v. **Utility** facilities will be required to be part of a landscaped area and visually screened through landscaping and/or decorative fencing and may be designed to facilitate or contribute to public art.

8.0 Block Structure and Street Network

8.1 Introduction

The existing block structure within the Urban Centres is characterized by a number of large, deep parcels, as well as some very shallow and constrained parcels. The deepest parcels are primarily concentrated at Yonge Street and Davis Drive and, to a lesser extent, at Yonge Street and Eagle Street and Yonge Street and Mulock Drive. Blocks fronting on Davis Drive are typically much shallower. The majority of blocks have long frontages, with little porosity, relying on Yonge Street or Davis Drive for site access. Additionally, the blocks are not well-connected to the adjacent neighbourhoods, resulting in long, indirect travel distances for residents of the surrounding neighbourhoods to access the stores and services fronting onto Yonge and Davis. The Secondary Plan seeks to create a highly walkable block structure, and introduces a fine grid street network that creates more options for moving in the Urban Centres without relying upon Yonge Street or Davis Drive. It also aims to provide direct access to the VIVANext Rapidway stations via all transportation modes, including **active transportation**.

The Urban Centres Transportation Study has evaluated this Plan's recommended fine grid street network with respect to the impacts on traffic and concludes that the network coupled with **Transportation Demand Management** strategies, a phased parking strategy, and other initiatives, is sufficient to keep pace with future development. Further studies will be required to address area-specific transportation issues that are outside the scope of the Secondary Plan.

8.2 Objectives

The street network and block structure in the Urban Centres will be planned to:

- a) minimize walking distances, particularly between the stores, services and jobs on Yonge Street and Davis Drive and the surrounding residential neighbourhoods;
- b) introduce a fine grid street network that creates more options for moving in the Urban Centres without relying upon Yonge Street or Davis Drive;
- c) provide direct access to the Rapidway stations and the GO Train station via all transportation modes, including **active transportation**;
- d) provide logical and direct connections between the Urban Centres and the surrounding residential neighbourhoods through the provision of new minor collector and local roads and **pedestrian news**; and
- e) introduce new private streets, laneways and pedestrian linkages that facilitate and enhance walking and other forms of **active transportation**.

8.3 Policies

8.3.1 Block Structure

- i. Development in the Urban Centres will be designed to create a block structure as defined below.
- ii. Blocks will be of a scale and size appropriate to a pedestrian area.
- iii. Blocks created by new development should be no less than 60 metres in depth for blocks fronting onto Yonge Street or Davis Drive, and 40 metres for all other blocks, to allow for below-ground parking, accommodate minimum building heights and provide for sufficient traffic queuing distances.
- iv. Blocks should be generally no greater than 100 metres in length in order to ensure convenient walking distances. If blocks are longer than 100 metres, breaks such as **pedestrian mews** should be provided for pedestrian access and connections to adjacent development.

8.3.2 Street Network

- i. Development in the Urban Centres will contribute to the completion of the street network shown on Schedule 5.
- ii. The fine grid street network shown in Schedule 5 shall be integrated into the existing street and block network to facilitate a balanced movement system for pedestrians, cyclists, transit riders and motorists.
- iii. Where feasible, the street network in the Urban Centres will be planned to:
 - a) create short, walkable blocks that provide direct pedestrian and vehicular access to Yonge Street and Davis Drive;
 - b) provide a fine grid street network that ensures connectivity and permeability within the Urban Centres and to the adjacent existing and planned neighbourhoods outside the Urban Centres;
 - c) realign or connect streets to remove off-set intersections;
 - d) provide alternatives to Yonge Street and Davis Drive;
 - e) create a ring road around the major intersections at Yonge Street and Davis Drive and Yonge Street and Mulock Drive as shown on Schedule 5; and
 - f) ensure safe access in areas of the floodplain.

- iv. New public streets as shown on Schedule 5 shall generally be conveyed to the Town in accordance with Policy 14.2.4 or, in some cases, may be acquired by the Town, and the cost of acquisition recovered through cost sharing agreements with benefitting landowners.
- v. Where existing private streets have been identified as public streets or where an identified public street is not required for ancillary underground infrastructure (e.g., sewers and water), the Town may permit these streets to remain or be developed as private streets, without an amendment to the Secondary Plan, provided an agreement is entered into with the Town and the owner that guarantees public access and that design and maintenance is in conformity with this Plan and applicable Town's standards for private roads with public access and the planned function is achieved.
- vi. Where appropriate and possible, the alignment of new streets should align with existing property boundaries to optimize development potential and to distribute the costs of local streets between landowners.
- vii. New public and private streets should be located to align with existing intersections to minimize the occurrence of off-set or "T" intersections.
- viii. **Direct vehicular access** to properties from Yonge Street and Davis Drive is discouraged. Access to development should be directed to public side streets and/or private streets or lanes.
- ix. Any new access to Yonge Street, Davis Drive, or Mulock Drive within the Secondary Plan area shall be subject to approval by York Region.
- x. Notwithstanding the future street network shown on Schedule 5, the final location, configuration, design, width or alignment of public and private streets shall be determined by the Town at the time of application for development subject to a Traffic Impact Report, prepared by the applicant to the satisfaction of the Town and, where applicable, York Region. Consistent with Policy 14.2.1 iii., changes to the location, configuration, width, design or alignment of new public and private streets as shown on Schedule 5 will not require an amendment to this Plan provided that the general intent and purpose of this Plan are maintained.
- xi. Generally, all public streets will have a consistent right-of-way width throughout the length of the street to maintain visual and physical continuity, and legibility of the street.

8.3.3 Minor Collectors and Local Roads

- i. 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 20-26 metres, with potential for increased ROW at intersections. (OPA #25)
- iii. New streets identified as Local Roads in Schedule 5 will be designed with a mid-block right-of-way of a minimum of 18-21 metres, with potential for increased ROW at intersections. (OPA #25)
- iv. The maximum right-of-way width identified on Table 2 will be required unless demonstrated to the Town's satisfaction that a narrower right-of-way can accommodate sidewalks, cycling facilities, utilities, snow storage, street and pedestrian lighting, street furniture and amenities, etc. Precise right-of-way requirements will be determined by the Town at the time of development, and will be generally within the right-of-way widths presented in Table 2 and reflect the conceptual cross sections presented in Appendix A.
- v. Minor Collector and Local Roads that intersect with Yonge Street or Davis Drive at a **Priority Commercial Area** may be designed to provide on-street parking, where feasible, provided it is adequately setback from the intersections with Yonge Street and Davis Drive that pedestrian and vehicular movement is not impacted.

8.3.4 Private Roads/Lanes

- i. 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 demonstrated, to the satisfaction of the Town, that the planned function of the private street for vehicular and pedestrian access will be achieved. (OPA #25)
- ii. 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 provide access to properties that front onto Yonge Street or Davis Drive. This may require coordination across adjacent parcels as well as public easements to ensure continued access. (OPA #25)

- iii. Surface easements in favour of the Town may be required over private streets, lanes and pedestrian linkages to ensure that both public pedestrian and vehicular connectivity will be maintained.
- iv. Where feasible and appropriate, parking structures will be permitted below private streets and lanes.
- v. Where a public street shown on Schedule 5 is permitted by the Town to become or remain a private street in accordance with Policy 8.3.2 v., underground parking may be permitted below the private street.

8.3.5 Pedestrian Mews

- i. **Pedestrian mews** may be required where adequate direct pedestrian connections cannot be provided by the public street network. Examples of where **pedestrian mews** may be required include the creation of linkages between:
 - a) neighbourhoods surrounding the Urban Centres and the commercial uses and jobs within the Urban Centres;
 - b) parking areas and building entrances;
 - c) transit stations and adjacent development;
 - d) building entrances and the public street; and
 - e) the Urban Centres and the parks and open space system.
- ii. A number of priority locations for **pedestrian mews** are conceptually identified on Schedule 5 and include:
 - a) between Lancaster Avenue and Yonge Street north of Kingston Road;
 - b) between Walter Avenue and Yonge Street between Kingston Road and Davis Drive;
 - c) between Herbcairn Avenue and Yonge Street between Davis Drive and Millard Avenue West;
 - d) between Peevers Crescent and Yonge Street south of Millard Avenue;
 - e) between Terry Drive and Yonge Street between Eagle Street and William Roe Boulevard; and
 - f) between Davis Drive and Queen Street between Wilstead Drive and Parkside Drive.
- iii. Additional locations for **pedestrian mews** beyond those identified above may be identified at the time of applications for development, particularly in areas where the walking distance between the surrounding neighbourhoods and building frontages facing onto Yonge Street or Davis Drive would otherwise be 400 metres or more.

- iv. **Pedestrian mews** when incorporated into a development will generally be retained as private lands and be privately managed. In some cases an access easement may be required by the Town to ensure it remains open to public access.
- v. Securement and establishment of **pedestrian mews** linking adjacent neighbourhoods to the Urban Centres may be required through the development application process, and where required, shall be conveyed to the Town in accordance with Policy 14.2.4.
- vi. Where a **pedestrian mews** can incorporate a park function outside of the walking surface, the area outside of the walking surface may be counted towards parkland dedication requirements.
- vii. **Pedestrian mews** should be designed:
 - a) to create the shortest possible walking distances between major origins and destinations;
 - b) to have identifiable access and egress points and way-finding elements;
 - c) to be well-lit, landscaped and where appropriate, include public art to provide a safe, comfortable and inviting amenity space;
 - d) to be appropriately setback or screened from neighbouring buildings, where appropriate;
 - e) to include where appropriate, visually appealing fencing and/or landscaping to physically separate them from adjacent properties; and
 - f) in accordance with Town standards.

8.3.6 Potential Future Signalized Intersections

- i. All development that will result in increased vehicular movements will be required to include an assessment of the need for new traffic signals as part of the Traffic Impact Report, and particularly at intersections identified in Schedule 5 as locations for assessment for potential future signals.

8.3.7 North/South and East/West Network Study

- i. The general area to the north and south of the Regional Healthcare Centre and east of Main Street to Leslie Street is constrained in terms of network capacity. This area will be the subject of further analysis undertaken jointly by the Town and York Region to address broader north/south and east/west capacity and collector network improvement opportunities both within and outside the Urban Centres. 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. Findings from the Mobility

Hub Station Area Plan referred to in Section 9.3.3 may be used to inform the study. (OPA #25)

This analysis is beyond the scope of the Secondary Plan and will be initiated separately at Council's discretion in conjunction with York Region.

Table 2: Right-of-way Requirements for Streets in the Urban Centres (OPA #25)

Road Classification	Minimum ROW (mid-block section)
Minor Collector – Double Loaded with no on-street parking and with bike facility on the boulevard	22 metres
Minor Collector – Double Loaded with on-street parking on one side and with bike facility on the boulevard	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 metres
Local Street with no on-street parking and bike sharrow	18 metres
Local Street with on-street parking on one side and bike sharrow	21 metres
Private Street or Laneway	Approx. 16 metres

9.0 Transportation and Mobility

9.1 Introduction

The transportation and mobility policies are designed to encourage modal shifts away from single occupant vehicles in favour of more sustainable modes through measures such as providing walking and cycling facilities, improving transit facilities and services, and supporting land use changes around transit stations. Given the limited roadway capacity in the Urban Centres, future growth will depend on changes in established travel behavior. The policies in this section focus on maximizing the potential of transit, building a robust **active transportation** network, managing parking supply, and **Transportation Demand Management** as the key means for achieving these travel behavior changes.

The planned transit network which includes the VivaNext Rapidway, York Region Transit routes and GO train and bus routes, are a central component of the Urban Centres transportation system. Providing convenient and direct connections to the stations on these transit systems is a key goal of this Plan.

The Secondary Plan also incorporates and links to an extensive **active transportation** network. The network includes a number of key components within the Urban Centres itself. In addition, for the Urban Centres to truly function as the heart of the Town's mobility network, it is important to consider how the "heart" connects to the rest of the system. This is particularly true of the **active transportation** network. The network of pedestrian and cycling connections planned within the Urban Centres therefore connects into a broader, Town-wide **active transportation** network that is conceptually illustrated in Schedule D in the Town of Newmarket Official Plan.

TDM policies and programs are critical to ensuring maximum benefit from transit and **active transportation** investments, encouraging modal shift to modes other than the private automobile, and reducing vehicle emissions, thereby improving air quality. The initial focus for TDM will be on the major trip generators within the Urban Centres including the Newmarket GO Rail Station, Regional Healthcare Centre, Yonge Civic Centre, the Yonge and Davis **Character Area** where the highest densities are planned. The latter area also includes the Upper Canada Mall which includes approximately 4,000 free parking spaces and generates substantial traffic during weekdays, including during the afternoon peak period, and during weekend **mid-day** peaks.

9.2 Objectives

Transportation and mobility in the Urban Centres will be planned to:

- a) support a transportation hierarchy in which walking, cycling and transit are given highest priority;
- b) achieve a target of 50% mode share for transportation modes other than single occupant vehicles during peak periods by 2031;
- c) optimize investment in rapid transit by directing higher densities and transit-oriented urban forms to existing and planned transit stations and stops;
- d) provide seamless linkages between transit stations and the residences, businesses and places of work and play within the Urban Centres as well as those within the neighbourhoods adjacent to the Urban Centres;
- e) reduce the number of automobile trips through **Transportation Demand Management** measures and the strategic location and supply of parking; and
- f) include an **active transportation** network that connects the Urban Centres internally and that links the Urban Centres to the surrounding community;
- g) to be accessible to people with disabilities in accordance with the **Accessibility for Ontarians with Disabilities Act**; and
- h) improve air quality.

9.3 Policies

9.3.1 General

- i. The transportation system in the Urban Centres will be planned and designed to be barrier free in order to be accessible to people with disabilities in accordance with the **Accessibility for Ontarians with Disabilities Act (AODA)**.
- ii. The transportation system in the Urban Centres will be planned, designed and implemented in a manner that supports a transportation hierarchy in which priority is given to **active transportation** and public transit.

9.3.2 Transit

- i. Development in the Urban Centres will be planned and designed to meet a target of 50% mode share for transportation modes other than single occupant vehicles during peak periods by 2031.
- ii. The Town will continue to cooperate with York Region and transit agencies to expedite the planning, design and construction of the Yonge Street and Davis Drive Rapidways and other regional transit improvements.

- iii. Development that occurs along the Yonge Street and Davis Drive transit corridors within 150 metres of a rapid transit station should, where possible, provide for clear, unobstructed walkways from transit stops to principal building entrance(s).

9.3.3 Newmarket GO Rail Mobility Hub Station Area

- i. The Newmarket GO Rail Station will be planned as an urban station that is primarily accessed by pedestrians, cyclists and transit riders, with limited park-and-ride capacity. Park-and-ride service should be focused at the East Gwillimbury GO Rail station and the future Mulock Drive GO Rail station.
- ii. The Town of Newmarket with Metrolinx and other relevant partners 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 has addressed, the following: (OPA #25)
 - a) the long-term role and function of the Newmarket GO Rail Station within the broader GO Rail network, taking into account Policy 9.3.3 (i);
 - b) potential for grade separation of the rail line at Davis Drive;
 - c) potential re-location of the Newmarket GO Rail Station access to Main Street to improve access and reduce traffic impacts on Davis Drive;
 - d) integration between the GO Rail Station, the Rapidway, the future GO bus services and the Bus Terminal;
 - e) pedestrian connections between the Rapidway Station at Davis Drive and Main Street and the GO Rail platform;
 - f) pedestrian connections between the **active transportation** network and the GO Rail platform;
 - g) opportunities and constraints to development in the vicinity of the station, including floodplain restrictions; and
 - h) accessibility and bicycle parking considerations.

9.3.4 Active Transportation

- i. Development in the Urban Centres will contribute to the completion of the **Active Transportation** Network defined in Schedule D of the Town of Newmarket Official Plan (Amendment #11).
- ii. The **Active Transportation** Network includes both cycling and pedestrian facilities within the road ROW's and Off-Road, and is integral to linking the surrounding community to the Urban Centres.

- iii. Developments will be required to facilitate and promote connectivity to the Town-wide **Active Transportation** Network identified on Schedule D of the Official Plan through urban design and Transportation Demand Measures.

9.3.5 Transportation Demand Management

- i. **Transportation Demand Management** aims to encourage modal shift away from the private automobile, thereby reducing congestion and emissions, mitigating climate change, improving air quality, and promoting physical activity and healthier lifestyles.
- ii. As deemed appropriate and applicable through the pre-application consultation process, an Air Quality Impact Study may be required in support of planning applications 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.
- iii. In addition to all studies that may be required in accordance with Newmarket Official Plan, all non-residential development in the Urban Centres and all residential development in the Urban Centres proposing 10 or more residential units shall be required to prepare a **Transportation Demand Management Strategy** as part of its Traffic Impact Report. The TDM strategy will describe actions intended to discourage single-occupancy vehicle trips, alternative parking standards, minimize parking, and promote transit use, cycling, car and bike sharing, carpooling, and other measures.
- iv. TDM strategies should be designed to decrease single occupancy vehicle use, reduce peak period demands, especially discretionary trips in the afternoon peak period, promote **active transportation** and transit use, and to increase vehicle occupancy during peak periods and should include, but not be limited to:
 - a) provision for car share opportunities in major residential developments;
 - b) secure indoor bicycle parking and showers in conjunction with **major office** and commercial uses, institutional and civic uses;
 - c) preferential parking for carpool and electric vehicles in non-residential developments;
 - d) provision for bicycle parking in close proximity to building entrances and transit stations;
 - e) transit incentive programs, including subsidized transit fares; and
 - f) incorporating paid parking requirements with non-residential development.

9.3.6 Parking

- i. The Town will establish appropriate parking standards for the Urban Centres in the Zoning By-law. Parking requirements will seek to reduce the parking standards in order to encourage a shift toward non-auto modes of transportation and reflect the walking distance to transit and complementary uses.
- ii. Parking facilities shall be designed to accommodate bicycle parking as well as reserved spaces for drivers of car-share or car pool vehicles and electric cars.
- iii. Shared parking is encouraged between adjacent developments, where feasible.
- iv. Surface parking is discouraged in accordance with Policy 7.3.12(i). Parking in the form of above or below-ground parking structures is preferred.
- v. All non-residential parking, particularly at major employment locations, is encouraged to implement charged parking.
- vi. All commercial, office, institutional, mixed use and multi-unit residential buildings, excluding townhouses and stacked townhouses, shall include secure bicycle parking and storage facilities, preferably indoors.
- vii. The implementing by-law shall establish minimum requirements for bicycle parking. **Major office** developments and major institutional employers shall be encouraged to include change rooms, showers and lockers for bicycle commuters.
- viii. On-street parking will not be permitted along Yonge Street or Davis Drive.

9.3.6.1 Public Parking Strategy

- i. The Town shall monitor the need for public parking in the Urban Centres and may prepare a public parking strategy that considers:
 - a) the amount of parking required to support planned commercial, entertainment and institutional uses;
 - b) the amount of on-street parking that can be provided to support planned commercial, entertainment and institutional uses;
 - c) the amount of office parking that could be made available through shared parking arrangements to the public in the evenings and on weekends;
 - d) appropriate locations and sizes for off-street public parking facilities;
 - e) the potential role for a municipal parking authority; and
 - f) appropriate cash-in-lieu of parking amounts for development in the Urban Centres, in accordance with Policy 4.2.7 of the Newmarket Official Plan, including any special conditions wherein reductions in cash-in-lieu requirements would be considered.

10.0 Parks, Open Space and Natural Heritage

10.1 Introduction

The existing parks and open space system needs within the Town has been studied and documented in the Town's Parks Policy Development Manual which envisions parks, trails and open space in Newmarket to serve a diverse range of residents and visitors year round. The Manual establishes a parkland classification system and proposes a Town-wide parkland service level standard of 4.0 hectares per 1,000 residents for active parks and passive green spaces, distributed among the following typologies:

- Town Parks – approximately 1.0 ha per 1,000 residents
- Community Parks – approximately 0.5 ha per 1,000 residents
- Neighbourhood Parks – approximately 0.7 ha per 1,000 residents
- Urban Squares and Plazas – combined with Neighbourhood Parks
- Passive Green Space – by opportunity (not at the expense of active parkland)

The Urban Centres do not contain sufficient **land area** to include larger Community Parks and Town Parks that facilitate active parkland uses; however, the Urban Centres will be planned to accommodate Neighbourhood Parks, Urban Squares, Plazas and other forms of urban parkland. Neighbourhood Parks are primarily walk/bike-to parks, catering to the recreational needs of residents living within their general vicinity. Neighbourhood Parks are generally intended for unorganized, spontaneous leisure activities, along with a limited number of organized facilities. Urban Squares and Plazas include other forms of urban parkland that are smaller, specialized spaces that are intended to provide locations for unorganized and passive social, cultural and leisure activities, and should emphasize opportunities for the provision of public art and cultural expression. They may include formal and informal playgrounds, seating areas and unstructured green space.

Table 3 identifies the projected Neighbourhood Park requirements based on the new growth anticipated in the Urban Centres for each of the quadrants identified in the Parks Manual, based on a standard of 0.7 ha per 1,000 persons.

Approximately 23 ha will be required to serve the projected growth. Although Table 3 identifies the shortfall by quadrants, parkland will need to be distributed throughout the Urban Centres to achieve the required standard and will not be limited to the specific quadrant. Table 3 does not address growth outside the Urban Centres and aims to identify future park needs based only on the Urban Centres intensification.

Table 3: Projected Neighbourhood Parkland Required to Maintain the Neighbourhood Park Standard of 0.7 ha/1000 Persons

	Northwest Quadrant (includes Yonge North/Yonge and Davis/Yonge Civic north of Eagle /Davis Drive Character Areas)	Northeast Quadrant (includes Regional Healthcare Centre and Floodplain portion of Davis Drive Character Areas)	Southwest Quadrant (includes the Yonge Civic Character Area south of Eagle Street and Yonge South Character Area)
Existing - Neighbourhood Parkland in 2011	Approx. 15.6 ha	Approx. 6.3 ha	Approx. 15.3 ha
Build-out Population	Approx. 25,200	Approx. 1,100	Approx. 6,700
Total Additional Neighbourhood Parkland required at build-out	Approx. 17.6 ha	Approx. 0.8 ha	Approx. 4.7 ha
Total Additional Neighbourhood Parkland required at build-out for entire Urban Centres	Approx. 23.1 ha		

*(hectares required is based on 0.7 ha per 1,000 residents and represents an average projected growth based on the minimum and maximum densities and heights permitted by this Plan; a higher population may be achieved by **build-out**.)

The parks and open space strategy for the Urban Centres supports connectivity with the existing parks and open space system, the protection of existing natural heritage features, the maintenance of existing parkland, and the recognition of the potential for stormwater management ponds and Floodplain and Hazard Lands as contributing to open space opportunities. The Secondary Plan identifies a number of opportunities for signature public spaces as well as a network of smaller parks, urban squares and plazas, and other forms of urban parkland that are stitched together with **pedestrian news** and green streetscapes to accommodate the needs of the future population within and adjacent to the Urban Centres. The existing environmental features will also be a significant and dynamic part of the open space system for the Urban Centres. They will be protected so that residents may enjoy these areas for passive recreational uses through a network of multi-use pathways, trails and other connections that link the Urban Centres to the broader community.

The Parks and Open Space System provides for the protection and enhancement of the tree canopy which in turn provides a number of ecosystem services including improved air quality, enhanced water quality and quantity, and removes air pollutants.

While the Neighbourhood Parks, the Open Spaces, Urban Squares and Plazas, together with other forms of urban parkland will comprise the core of the Urban Centres parks and open space system, the streets themselves will also play a role as public spaces. The Secondary Plan identifies a number of Green Streets throughout the Urban Centres. These streets provide important “green” corridors within the Urban Centres as well as connections between the Urban Centres, the adjacent neighbourhoods and the parks and open space system. They are critical to stitching together the Urban Centres parks and open space system.

In total, the Secondary Plan identifies on Schedule 6, approximately:

- 2.1 hectares of existing parks;
- 7.2 hectares of new Neighbourhood Parks (excluding lands within Natural Heritage System and identified significant natural heritage areas, floodplain and stormwater management ponds); and (OPA #25)
- 7 kilometres of Green Streets.

Although additional Neighbourhood Parks and Urban Squares may be added through future development applications, it is anticipated that there will remain a significant shortfall of parkland from what is identified on Schedule 6 within the Urban Centres to serve future residents. Therefore, improvement of existing parks and/or acquisition of new parks both within and in proximity to but outside the Urban Centres will be critical to achieving the vision for the Urban Centres. Opportunities need to be identified early in the planning process in order to ensure these spaces are secured for the future.

10.2 Objectives

The Urban Centres Parks and Open Space System will be planned to:

- a) provide sufficient parkland within the Urban Centres or in the immediate vicinity of the Urban Centres to meet the needs of residents;
- b) contribute to a net increase in the Town’s tree canopy and contributes to other ecosystem functions including, improving air quality, enhancing water quality and quantity, moderating micro-climate, sequesters carbon, and removing pollutants;
- c) incorporate a parks system that provides for a variety of recreational and passive recreational opportunities to serve the existing and future residents;
- d) provide for strategic larger scale Neighbourhood Parks at locations that serve the greatest number of residents;

- e) provide connectivity between the existing parks and open space system and the surrounding community, and to capitalize on the integration of natural heritage features and systems;
- f) address Crime Prevention through Environmental Design (CPTED) techniques to ensure public spaces are safe;
- g) provide opportunities to showcase public art;
- h) ensure that private and private/public amenity space is provided as part of future development; and
- i) protect and enhance existing natural heritage features and areas, their ecological functions and recognize the linkages between these features and areas and surface and groundwater features and associated hydrologic functions.

10.3 Policies

10.3.1 General

- i. 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. (OPA #25)
- ii. It is a goal of this Plan to provide for 0.7 ha of Neighbourhood Parks for every 1,000 residents within the Urban Centres, either within the Urban Centres or in the immediate vicinity of the Urban Centres. For the purpose of meeting this goal, Neighbourhood Parks include public Urban Squares and Plazas
- iii. It is the goal of the Town to develop a minimum of 23 ha of Neighbourhood Parks, Urban Squares and Plazas within or immediately adjacent to the Urban Centres, outside the floodplain, natural heritage features and existing and future stormwater management facilities. These park spaces are intended to generally vary in size from 0.2 ha to 5.0 hectares and will be distributed throughout the Urban Centres and not necessary limited to the quadrants identified on Table 3.
- iv. In conjunction with development, the Town will protect and secure for public purposes the parks and open space system identified in Schedule 6. The location size and configuration of the future parks identified on Schedule 6 are conceptual and may be modified without an amendment to this Plan provided the general intent of the Plan is met.
- v. In addition to the Parks and Open Space identified on Schedule 6, additional Neighborhood Parks and 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. (OPA #25)

- vi. Where the dedication of the parkland involves more than one landowner, landowners are expected to enter into agreements to co-ordinate development and cost sharing in order to ensure the equitable distribution of the cost for parkland.
- vii. It is recognized that the ability to accommodate the parkland required to meet the targets in Policy 10.3.1(ii) may not be possible within the boundaries of the Urban Centres. The Town will therefore seek to improve and expand existing parks and/or secure and protect for new parks in the immediate vicinity of the Urban Centres that would serve the Urban Centres.
- viii. The Town shall monitor the use and demand for parkland as the Urban Centres develop and may adjust the target identified in Policy 10.3.1(ii) by amendment to this Plan.
- ix. Public Recreational uses, features and activities within the Urban Centres will be guided by the Town's Recreational Master Plan.
- x. Public art will be encouraged in all Neighbourhood Parks, including Urban Squares and Plazas in accordance with Policy 12.3.3, Public Art.

10.3.1.1 Parkland Acquisition

- i. The Town intends to bring the Neighbourhood Parks and Open Space system identified in Schedule 6 into the public parks and open space system during the planning horizon of this Plan. In the interim, legally existing uses on these lands are recognized and may continue.
- ii. Parks and Open Spaces identified in Schedule 6 may be brought into public ownership and developed as park or open space generally in conjunction with development or redevelopment within the associated **development block(s)**.
- iii. In cases where development proposals generate a requirement for substantial parkland dedication but the development site cannot sufficiently provide the required parkland, the Town shall receive cash-in-lieu of parkland and such revenues shall be applied to the acquisition of parkland and/or used for other public recreational purposes within the Town. The priority for cash-in-lieu of parkland revenues generated by development in the Urban Centres will be the securement of the Urban Centres parks and open space system defined in Schedule 6.
- iv. Parkland will be conveyed to the Town in accordance with Policy 14.2.4, or, in some cases, may be acquired by the Town and the cost of acquisition recovered through cost sharing agreements with benefitting landowners.

- v. Parkland dedication or cash-in-lieu will be conveyed to the Town in accordance with the provisions of the **Planning Act** as implemented through the Town's Parkland Dedication By-law.
- vi. In addition to parkland dedication in accordance with Town's Parkland Dedication By-law, the Town may implement a number of other conveyance strategies in order to meet or exceed the parkland target in Policy 10.3.1(ii) including, but not limited to:
 - a) land exchanges;
 - b) securement of first right of refusal on strategic properties;
 - c) purchase or lease of land;
 - d) reuse of municipal land or surplus land of other public agencies; and
 - e) land donations.
- vii. Outdoor private amenity spaces may only contribute to parkland dedication as permitted by the Parkland Dedication By-law, and shall be maintained at the expense of the landowner.
- viii. Where any lands designated for Parks and Open Space are in private ownership, this Plan does not indicate that these lands are free and open to 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 as part of the Parks and Open Space system, then an application for the re-designation of such lands for other purposes will be given due consideration by the Town, insofar as such re-designation is consistent with the policies of this Plan.

10.3.2 Neighbourhood Parks

- i. Neighbourhood Parks will be planned and located such that there is an existing or planned Neighbourhood scale park within a maximum distance of 800 metres of all residents within the Urban Centres.
- ii. The Urban Centres parks system will include, but not be limited to, the following larger scale Neighbourhood Parks. Additional Neighbourhood Parks are identified on Schedule 6.
 - a) Neighbourhood Park 1 (north Yonge Street, approx. 1.8 ha) - The Neighbourhood Park on north Yonge Street will centre around a reconfigured stormwater management pond with an additional area of approximately 0.74 ha that will transform the site from a purely functional space to a unique, identifiable public gathering space that encourages activity and interaction. This park will be located strategically with

adequate street frontage for visibility and safety to invite users into the Urban Centres, and will complement the potential future schools that may locate to the west of the park. The park may accommodate a mix of low to intermediate-level sports facilities, informal playgrounds and unstructured green space.

- b) Iconic Park (Yonge and Davis Iconic Park, approximately 1.0 ha) - The Iconic Park at Yonge Street and Davis Drive will be a major focal point within the Urban Centres and will be implemented in phases to allow for the undergrounding of the existing storm ponds. It will function as a dynamic outdoor space, evoking a sense of community pride and identity that serves the planned intensification of the surrounding area. It will be designed so that it may allow for an enhanced green space and landmark civic feature including the existing storm ponds. This park will accommodate a greater degree of hardscaped elements, dynamic public art pieces, informal play, seating areas and spaces for cultural gatherings. The development of this open space feature will require a detailed landscape plan and it is intended to be one of the signature and iconic spaces within the Urban Centres when completed. The redevelopment of the park will happen in phases, in accordance with Section 3.5.4.1. To minimize throw away costs, the design should allow for construction in two phases. The first phase and interim solution will address the existing stormwater management pond(s) on the property.
- c) Neighbourhood Park 3 (Mulock Farm, approx. 4.2 ha) - This Neighbourhood Park, located at the north-west intersection of Yonge Street and Mulock Drive will be another iconic public space. It consists of a unique combination of existing environmental protection areas adjacent to the Hydro corridor and cultural heritage features. The park will promote the protection and conservation of existing cultural heritage assets and natural heritage features. Consideration may be given to cultural heritage and civic uses. The location provides park space in close proximity to the 6,200 residents forecast for the Yonge South **Character Area** and because of its large scale, will serve the Urban Centres to the north along Yonge Street as well as the community in general. It will provide a well-placed pause within the Urban Centres by providing a passive gathering space. This park is a priority for the Town given the heritage designation of the historic Mulock home under the **Ontario Heritage Act**. (OPA #25)
- d) Neighbourhood Park 4 (Savage Road, approx. 1.4 ha) - The Neighbourhood Park at Savage Road is adjacent to a potential school site and has direct access to the **active transportation** network on Savage Road and the Hydro corridor, which connects southern Newmarket with the northwest part of the Town.

- e) Neighbourhood Park 5 (Davis Drive approx. 0.9 ha) - This park links Haskett Park to Davis Drive **mid**-block between Lorne Avenue and Parkside Drive. This **mid**-block connection provides an important link with the existing community and provides strategic parkland within the planned high density area along Davis Drive.
- f) Neighbourhood Park 6 (Holland River, approx. 1.2 ha) – This Neighborhood Park is owned by the Town and contains the Newmarket Senior's Meeting Place and the Recreational Youth Centre. It provides a large linear open space at the transition between the Davis Drive and Regional Healthcare Centre **Character Areas**. This open space connects the neighbourhoods to the north and south of Davis Drive. The Tom Taylor Trail, which is part of the Regional Nokiidaa Trail System, is a multi-use pathway and is an integral part of the Parks System as well as the **active transportation** network. This Neighbourhood Park provides a spectacular entrance to both the Davis Drive and Regional Healthcare Centre **Character Areas** and enhances the connection between these two neighbourhoods to the historic downtown. This Neighbourhood Park is a key staging area for both the east west and north south arms of the **active transportation** system.

iii. Neighbourhood Parks will be designed to:

- a) have a significant street frontage/presence, and incorporate **pedestrian** **news** and/or trail connections;
- b) generally locate in proximity to Rapidway or transit stations;
- c) meet accessibility standards;
- d) provide convenient, safe, visible and inviting pedestrian access points and well signed way-finding;
- e) connect residents within and outside the Urban Centres to key destinations such as offices, stores and **community facilities**;
- f) meet environmental sustainability standards including drought tolerant vegetation, permeable surfaces, low impact stormwater management, and use of native plant species, where considered appropriate by the Town; and
- g) incorporate public art and cultural heritage features and landscapes.

iv. Permitted uses and activities within the Neighbourhood Parks identified on Schedule 6 will depend on the size and theme of each park and will be subject to a detailed park master plan that may include:

- a) a playground;
- b) a splash pad;
- c) open, grassed areas for casual recreation;
- d) shade trees and other plantings;
- e) a pavilion or shade structure where appropriate;

- f) public washrooms, where appropriate, particularly at larger gathering spots and key trail heads;
- g) lighted walking and cycling paths;
- h) site furnishings including benches and bike racks;
- i) public art and cultural features;
- j) trash and recycling receptacles;
- k) intimate hard surface areas for gathering;
- l) limited commercial uses, in keeping with the scale of the park space and surrounding uses;
- m) community gardens;
- n) in the larger Neighbourhood Parks, outdoor recreation facilities that meet the needs of local residents, such as a mini soccer pitch, basketball court, skateboarding facility, tennis court, small scale pavilion, and outdoor skating rink/track; and
- o) where associated with stormwater management ponds or floodplain areas, **Low Impact Development** (LID) stormwater management, erosion or flood control facilities.

10.3.3 Urban Squares and Plazas

- i. Development in the Urban Centres shall be required to include or contribute to public or private outdoor amenity space that is accessible by the public such as Urban Squares or Plazas or other forms of urban parkland. Outdoor amenity spaces generally shall be located and designed to complement the public parks and open space system.
- ii. Where public and private outdoor amenity space is designed as an Urban Square, Plaza, or other form of urban parkland, it will contribute to the required parkland dedication in accordance with the Town's Parkland Dedication By-law.
- iii. Urban Squares and Plazas, and other forms of urban parkland will be created throughout the Urban Centres in accordance with the Town's Parkland Dedication By-law. Urban Squares and Plazas will generally be identified through the development review process and may be developed as public space or, in partnership with developers, as private space with a public function.
- iv. Urban Squares and Plazas should have at least a portion of their frontage on a public street or publicly accessible private street, pedestrian trail or **pedestrian news**.
- v. Civic uses fronting on Yonge Street or Davis Drive will be encouraged to provide public space in the form of an Urban Square or Plaza, or other form of urban parkland, generally at the frontage of their properties, which will provide public amenity space and contribute to the Parks and Open Space System.

- vi. Where appropriate given their context, Urban Squares, Plazas and other forms of urban parkland shall be designed to:
- a) promote a sense of identity and place;
 - b) provide a place to rest, and social interaction and to seek shelter;
 - c) provide shade through trees or shade structures;
 - d) create an opportunity for introducing green space into the Urban Centres;
 - e) provide pedestrian connections between the public sidewalk and the parks and open space system;
 - f) ensure connection and linkage between the active face of abutting development and the public street;
 - g) provide opportunities for passive recreation where appropriate;
 - h) ensure continuity with the design elements of the public boulevard;
 - i) integrate public art or cultural features;
 - j) reduce heat island effect; and
 - k) contribute to the Town's tree canopy coverage target.

10.3.4 Open Spaces

- i. 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 role as stormwater management 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 vi. The Urban Centres will include, but not be limited to the following Open Spaces:
- a) Yonge Street Open Space - The redesign and enhancement of the small stormwater management pond south of Dawson Manor Boulevard on the west side of Yonge Street will create this Open Space and provide outdoor amenity space on Yonge Street.
 - b) Eagle Street Open Space - This Open Space is located north and east of Eagle Street generally between Yonge Street and the Ray Twinney Recreation Complex. It is centred on the floodplain of the Western Creek. It provides connectivity between the Ray Twinney Recreational Complex and Haskett Park. It is also a key component of the **Active Transportation** Network and connects Eagle Street and historic Downtown Newmarket. A northerly trail connection is also achieved to Gladman Avenue along the rear of the proposed development fronting on the east side of Yonge Street. This Open Space will focus on natural heritage restoration and enhancement which will provide important natural space in proximity to a significant portion of the Town's emerging population.

- c) Mulock South Woodland Open Space - This linear Open Space consists of a small enclave of mature Black Walnut which will contribute to the tree canopy and provide an opportunity for trail connectivity between Yonge Street and the community to the west.
- d) Niagara Street West Open Space – This Open Space fronts on the south side of Davis Drive west of Niagara Street. It is also within the floodplain and forms an important connection between the Niagara Street and Lorne Avenue Open Spaces and enhances the connectivity along the Western Creek through to Haskett Park. This Open Space is also part of the **active transportation** network. Opportunities for enhancing the natural heritage system will be a priority within this park.
- e) North Davis Open Space – This Open Space includes the floodplain on the north side of Davis Drive between Main Street and Vincent Street, providing for an enhanced natural heritage linkage opportunity along the Western Creek.
- f) Regional Healthcare Centre Open Space - The floodplain along Eastern Creek, a tributary of the Holland River, north and south of Davis Drive, provides important connectivity between Sunnyhill Park, Davis Drive and the George Richardson Park and the Tom Taylor Trail north of Davis Drive. This Open Space will be an important feature within the Regional Healthcare Centre providing “green” respite for not only visitors, patients, and employees, but also for the new residents within this neighbourhood. This Open Space provides the opportunity for parkland in the form of urban squares to be added to create a quiet gateway and sense of arrival to the core of the Healthcare Centre. A trail along this linear space will also serve to connect the neighbourhoods to the north and to the south and forms part of the **active transportation** network.
- g) Superior Street Open Space – This space is within the Floodplain of the Holland River and is located west of the railway. It provides for open space in proximity to the northern end of historic Downtown Newmarket.
- ii. Open Spaces will be managed to ensure the natural heritage features and functions are maintained and enhanced and generally uses such as trails and passive open space uses may be permitted.

10.3.5 Green Streets

- i. The streets identified as Green Streets on Schedule 6 shall be designed to function as part of the Parks and Open Space system by:
 - a) providing green connections between elements of the parks and open space system through street trees;

- b) providing shade and resting areas for pedestrians;
- c) integrating the lawns and Open Spaces associated with public facilities; and
- d) incorporating street trees at approximately 6 to 8 metre intervals in order to contribute to the Town's tree canopy coverage target.

10.3.6 Natural Heritage System

- i. Development and site alteration shall be required to demonstrate consistency with the applicable policies of the Provincial Policy Statement, conformity with the Lake Simcoe Protection Plan, in particular Policies 6.32-6.34 for Settlement Areas, and conformity with the Natural Heritage System policies of the Newmarket Official Plan. In the event of a conflict between this Secondary Plan and any of the plans described above, the policy that provides the greater protection to the natural heritage feature shall prevail.
- ii. Existing wildlife habitat and linkages for wildlife movement will be maintained and enhanced.
- iii. Opportunities for enhancing and restoring natural heritage features as part of the Urban Centres parks and open system will be implemented where appropriate.
- iv. Existing watercourses will be protected, improved, and where they have been channelized underground, should be restored as part of redevelopment applications, where practical. The East Holland tributary north of Davis Drive is a priority for restoration in order to reduce the flood risk in this area.
- v. The Town will establish a tree canopy target for the number of trees to be planted in the Urban Centres by 2031, and each year leading up to 2031, and through the development review process shall seek to ensure that trees proposed in public and private spaces and streetscapes support achieving the target.
- vi. The boundaries of the Natural Heritage System as shown on Schedules 3, 4, 5 and 6 are approximate. Minor refinements to these boundaries may occur through environmental study that demonstrates the appropriateness of the refinements to the satisfaction of the Town, in consultation with the relevant agencies. Such minor refinements will not require an amendment to this Plan.

11.0 Community Facilities and Human Services

11.1 Introduction

Community facilities include libraries, schools, institutional health care facilities, recreational facilities, cultural centres and other facilities which are open to and provided for the benefit of the public. The Urban Centres include several such facilities including the Newmarket Seniors Meeting Place and the Quaker Meeting House. Other major recreational facilities in the vicinity of the Urban Centres include the Ray Twinney Recreational Complex, Newmarket Youth and Recreation Centre and the Hollingsworth Arena. **Human services** include public services, such as police, emergency services, transit facilities and social services.

Schools are an integral resource for the community, both as places for education as well as for the provision of shared facilities such as libraries, pools and gymnasiums. Accordingly, the timely provision of adequate school facilities to meet the demand of new residential development in the Urban Centres is a critical goal of the Secondary Plan. With a significant increase in the residential population within the Urban Centres, particularly in the Yonge North and Yonge South **Character Areas**, the York District School Board has estimated a requirement for two additional elementary school sites, and the York Catholic District School Board and the Conseil scolaire Viamonde (French Public School Board) have both estimated a requirement for one additional elementary school site. A total of four (4) new school sites are identified on Schedule 3.

Planning for the Urban Centres will also need to ensure that the recreational needs of future residents and the community-at-large are met. The Town's Recreational Master Plan (The Recreational Playbook) will address the future recreational needs in Newmarket for the next ten years. Presently, there are several larger facilities in the Town which are providing adequate levels of service and amenities to the community. These include the Ray Twinney Recreational Complex and the Magna Centre.

11.2 Objectives

The Urban Centres will be planned to:

- a) incorporate compact, integrated and multi-use **community facilities** that are consistent with the urban character of the Urban Centres;
- b) encourage cultural facilities throughout the urban centres as a means of fostering community identity and creating rich experiences; and
- c) ensure the passive and active recreational needs of the future residents are met; and
- d) ensure **community facilities** are served by transit.

11.3 Policies

11.3.1 General

- i. The appropriate timing for most **community facilities** and **human services** will be dependent on the pace and nature of development within the Urban Centres. The Town shall regularly monitor development trends and social conditions in the Urban Centres. As population thresholds for major facilities, including schools, community recreation centres and emergency services, are approached, the Town shall work with York Region, the School Boards and other public agencies to assess the need for such services and facilities and determine or confirm the appropriate location(s), general configuration and program for required facilities. In the case of Town services, and at the appropriate time, the Town shall secure the land or space for required facilities through dedication, purchase, lease, expropriation or other arrangements.
- ii. An agreement among landowners in the Urban Centres, the Town and public agencies regarding community services, including schools, may be required to ensure the land costs for **community facilities** and **human services** are equitably distributed.
- iii. Public washrooms are encouraged to be located within or in association with **community facilities**, including parks and open space areas.
- iv. **Community facilities** and **human services** that directly serve the public will be designed and located in proximity to transit stations and, where feasible, provide for transit facilities such as bus bays or shelters.

11.3.2 Schools

- i. The School Boards have identified the need for a minimum of three elementary schools in the Urban Centres by **build-out**. The ultimate number of schools required and when they will be needed will depend on the size and makeup of the residential population. However, it is important at the outset of planning for the Urban Centres that the School Boards have the ability to secure school sites as they are required. Schedule 3 identifies three potential school sites. The need for, as well as the precise location, size and phasing of schools shall be determined in consultation with the School Boards prior to any planning approvals for development within the blocks surrounding an identified school site.
- ii. Subject to the input of the School Boards, the school sites identified in Schedule 3 may be relocated, added or deleted without amendment to the Secondary Plan provided it is demonstrated, to the satisfaction of the school boards, that the long term needs of the School Boards will be met.

- iii. At the appropriate time, the School Boards shall secure the land required to accommodate future schools and coordinate the design and construction of the school with the surrounding development. Should the School Boards not pursue the securement of lands, the lands may be developed in accordance with the underlying land use designation without amendment to the Secondary Plan.
- iv. The site size, site layout and built form of schools shall be compatible with the planned form of development in the Urban Centres. The School Boards shall be encouraged to develop urban standards for new schools that optimize the use of land by promoting the co-location of schools through shared school buildings, multi-storey school buildings, minimizing parking and pick-up/drop-off areas, and providing for shared facilities and programming (e.g., day care, combining schools and recreational facilities, library).
- v. When considering applications for proposed residential development, the School Boards will be consulted to assess the anticipated impact of development on the adequacy of existing and proposed school facilities and to determine if any additional school facilities beyond what has been identified may be required.

11.3.3 Community Facilities

- i. Recreation facilities required to address new growth within the Urban Centres will be addressed through the Town's Recreation Master Plan.
- ii. **Community facilities** and **human services** will be encouraged to provide multi-functional and shared-use facilities and services in order to achieve capital and operating cost efficiencies.
- iii. Where appropriate, **community facilities** and **human services** are encouraged to be incorporated within both public and private development, and where incorporated into private development, will be considered for bonusing provisions in accordance with Policy 14.2.9.
- iv. The Town will work with the Library Board, the School Boards and private developers to ensure that the long term library needs are met for the forecasted residents.

12.0 Culture, Heritage and Public Art

12.1 Introduction

The Town of Newmarket has a rich cultural history and a number of the Town's most prominent cultural heritage assets are found in the Urban Centres. Designated heritage sites in the Urban Centres include the George Dawson and Jacob Amelia Buildings, Crossland House, the Quaker Meeting House, Mulock House and Hick's Burial Ground. The Urban Centres also has a long aboriginal history prior to European settlement with the Holland River forming part of a historic aboriginal trade route. Careful attention to culture and heritage will be important throughout the Urban Centres. Integrating cultural heritage into the urban fabric of the Urban Centres is key to their preservation and longevity in the community.

12.2 Objectives

The Urban Centres will be planned to:

- a) conserve and, where appropriate, enhance cultural heritage features, elements and landscapes;
- b) ensure visual access to designated heritage assets from public streets and walkways;
- c) integrate cultural heritage features with future development; and
- d) enhance cultural identity and opportunities for expression through public art and other initiatives.

12.3 Policies

12.3.1 Culture and Heritage

- i. New development shall be designed to conserve and protect designated heritage buildings, structures and landscapes.
- ii. Development, redevelopment and/or alteration of designated properties or other protected heritage properties shall integrate the property's heritage attributes into the proposed design and ensure compatibility with the heritage attributes and values through measures such as:
 - a) maintaining the original location and orientation to the street;
 - b) conserving the cultural heritage landscape or setting;

- c) ensuring the height, bulk, massing, materials, fenestration, and façade treatment do not detract from the heritage attributes or cultural heritage landscape; and/or
 - d) integrating the cultural heritage resources with new development, through the use of design features, building materials, and landscape elements.
- iii. The Mulock Farm property, located on the northwest corner of Yonge Street and Mulock Drive represents a unique cultural heritage asset within the Town and will be a priority for protection as a park so that its cultural significance can be celebrated and enhanced.
- iv. The Town will work with cultural and community organizations to establish new cultural facilities and programs for the Urban Centres. The Town shall also work with the business community and cultural groups to increase the number of festivals and other events intended to attract visitors to the Urban Centres.
- v. Development, redevelopment and/or alteration of properties designated under Section IV, V or VI of the **Ontario Heritage Act** shall be required to demonstrate to the satisfaction of the Town, in consultation with Heritage Newmarket, through a Cultural Heritage Impact Assessment how the heritage attributes will be conserved, protected and integrated, where appropriate into the proposed development.
- vi. Should previously undocumented archeological resources be encountered, work shall cease in a reasonable area surrounding the discovery, as determined in consultation with a provincially licensed archaeologist, and the necessary archaeological assessment be undertaken.

12.3.2 Gateways

- i. New gateway features will be created at the eastern boundary of the Urban Centres on Davis Drive, on the northern and southern boundaries of the Urban Centres on Yonge Street, at the intersection of Yonge Street and Davis Drive and at the entrance to Main Street on Davis Drive, in order to create a sense of arrival in the Urban Centres, distinguish it as the urban core and commercial centre of the Town, and create a unique and memorable identity. Gateway features may include distinctive landscape and streetscape treatments, entry signage, public art, distinctive **character areas** and/or skyline elements.

12.3.3 Public Art

- i. The inclusion of public art or contribution to the Public Art Reserve Fund will be encouraged for all private development applications, other than non-profit and social housing projects.
- ii. All major regional and local municipal buildings or other public facilities in the Urban Centres shall dedicate 1% of the capital budget to public art.
- iii. Public art provision will be further subject to the Town's Public Art Policy and Plan which may identify, among other things, priority sites and site selection criteria for public art installations.
- iv. Development in the Urban Centres will consider all options for the integration of public art including as part of buildings, amenity spaces, signage and streetscape elements.

13.0 Servicing

13.1 Introduction

Development in the Urban Centres will need to be supported by upgraded infrastructure. This section deals specifically with water, wastewater, stormwater, waste and energy infrastructure.

Treated water is supplied by York Region to Newmarket through an integrated system based on a local groundwater aquifer system combined with a surface water source from the Region of Peel and the City of Toronto that also serves Aurora, Queensville, Sharon and Holland Landing in East Gwillimbury. Six production wells in Newmarket, six production wells in Aurora and four production wells in Queensville support the Newmarket groundwater distribution system. There are three wells and their associated wellhead protection areas within the Urban Centres 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 Plan.

Wastewater from the Urban Centres is currently conveyed by the York Durham Sewage System (YDSS) to Lake Ontario. The YDSS and Local Sewage Collection Systems are based on a two-tiered sanitary sewer system. The Region is responsible for conveyance via major trunk sewers and treatment and each municipality is responsible for local conveyance from residences and business to the Regional system. To service planned growth in the Urban Centres, increased water and wastewater capacity will be required. The need for additional land use/servicing strategies and programs to support the Secondary Plan will be assessed in the Region's Water and Wastewater Master Plan Update, as amended. An update to the Master Plan commenced in 2013.

The current rights-of-way on both Yonge Street and Davis Drive include above-ground hydro lines. The Town, in co-operation with York Region and Newmarket Tay Power Distribution Ltd., has undertaken a study to determine the space required, the advantages and disadvantages, and the cost and cost recovery mechanisms to implement underground hydro on Yonge Street and Davis Drive. Through the Underground Hydro Feasibility Study it was determined that up to five additional metres would be required to be added to the right-of-way on both sides of Yonge Street and Davis Drive as part of the boulevard in order to underground hydro and associated utilities. A conceptual cross section indicating the approximate requirements for burying hydro and other utilities is illustrated in Appendix A.

13.2 Objectives

The Urban Centres will be planned to:

- a) ensure that sufficient servicing and infrastructure is provided in a manner that keeps pace with growth;
- b) minimize unnecessary use of resources; and
- c) provide for the burying of hydro and associated overhead utilities along Yonge Street and Davis Drive in the future.

13.3 Policies

13.3.1 General

- i. Servicing infrastructure shall be planned on a comprehensive basis, having regard for the long-term development potential for the Urban Centres.
- ii. The phasing of development shall be coordinated with the phasing of municipal services. The processing and approval of development applications shall be contingent on the availability of water and wastewater capacity, as identified by York Region and allocated by the Town.

13.3.2 Water and Wastewater

- i. Applications for development within the Urban Centres shall be given priority for the allocation of servicing capacity in accordance with the Town's Servicing Allocation Policy. Where there are multiple applications within the Urban Centres that together exceed the available allocation, an analysis shall be undertaken by the Town to determine which application will be given priority. Priority will be based on an assessment of which application(s) best support the policies of the Official Plan, this Plan, and other Town's Servicing Allocation Policy.
- ii. The Town encourages development applications within the Urban Centres to seek qualification under York Region's Servicing Allocation Incentive program as may be amended from time to time.
- iii. Development within the Urban Centres shall be subject to the Wellhead Protection Area policies of Section 10.6 of the Town of Newmarket Official Plan, the provisions of the York Region Official Plan and applicable guidelines and the Source Protection Plan.

13.3.3 Stormwater

- i. Water quality and quantity control will be addressed on a site-by-site basis in accordance with the Lake Simcoe Protection Plan policies, the Lake Simcoe Region Conservation Authority Technical Guidelines for Stormwater Management, the Ministry of Environment Stormwater Management and Design Manual, and the Town's Engineering Design Standards and Criteria, as amended from time to time.
- ii. All major development applications shall be accompanied by a stormwater management plan that demonstrates conformity with **designated policies** of the Lake Simcoe Protection Plan, including the preparation of a Water Balance and Phosphorous Budget.
- iii. Stormwater management in the Urban Centres should be planned and designed to contribute to the parks and open space system and the natural heritage system where feasible, in particular, the integration of the stormwater management facilities identified in association with the Parks and Open Spaces on Schedule 6.
- iv. Generally, the area around stormwater facilities should be planted with native and flood-tolerant plants to stabilize banks, improve water quality, create wildlife habitat and add visual interest. Storm facilities should not be fenced. Barrier planting should be used where public access is discouraged. Trails and public access should be planned in conjunction with the stormwater facilities, and bridges, boardwalks and overlooks will be considered.
- v. Innovative design and landscaping shall be required in conjunction with the stormwater management facilities contained within Neighbourhood Parks and Open Spaces identified on Schedule 6 to integrate park uses with the stormwater function.
- vi. On-site measures and streetscape elements intended to enhance infiltration and minimize and treat stormwater run-off will be required, such as **Low Impact Development** (LID) measures. Examples of such measures may include rainwater harvesting and reuse systems, bio-swales or water features, permeable paving materials and green roofs. All new development shall install rainwater harvesting for outdoor irrigation and outdoor water uses, in accordance with Policy 7.3.7(iv).

13.3.4 Energy and Underground Utilities

Energy

- i. The Town has developed a Community Energy Plan. Applications for development within the Urban Centres shall address applicable recommendations of the Community Energy Plan in a Sustainable Development Report. (OPA #25)

Underground Utilities

- ii. The Town will work with **utility** providers in the coordination and planning of **utility** services, including common or joint trenches/structures, where feasible, in order to minimize disruption and the land requirements for underground and above ground utilities.
- iii. The Town will work with the Region, the utilities and proponents to plan for the future burying of the existing overhead hydro lines and associated utilities, where feasible, along Yonge Street and Davis Drive, consistent and in conformity with the direction set forth in Section 7.5.6 of the York Region Official Plan.
- iv. In order to accommodate the future burying of the overhead hydro lines and associated utilities on both sides of Yonge Street and Davis Drive, the Town will require up to an additional five metres of boulevard width as a parallel **utility** right-of-way adjacent to the Regional right-of-way as conceptually illustrated in the cross sections contained in Appendix A.
- v. The final width of the land required for hydro burying shall be determined by the Town, and will be subject to a detailed analysis conducted by the developer in consultation with the hydro **utility**, the Town, York Region and the landowner. The width of this area may be less than five metres if the detailed analysis demonstrates to the satisfaction of the Town, that less space is sufficient to accommodate the future burying of hydro and associated utilities across the frontage of the property.
- vi. Where land is dedicated to the Town or an easement granted in favour of the Town for the future burying of hydro, above and below ground development of the abutting developing property may be subject to zero setback, provided the setbacks standards required by the applicable utilities, the Town, or the Region are met, e.g., required setbacks from gas and shoring structures.
- vii. Where land is dedicated to the Town for the future burying of hydro, the land dedicated shall be included in the **land area** for the purposes of calculating the density (**FSI**) of the abutting developing property.

- viii. Where land is dedicated or an easement in favour of the Town is secured, encroachment agreements may be entered into at the Town's discretion to allow uses on the lands dedicated in accordance with Policy 13.3.4. Encroachments may include below-ground parking provided such parking structures do not impact underground utilities, or surface uses associated with the primary use of the adjacent development such as outdoor patios or the display or sale of goods.
- ix. Where the lands have been dedicated to the Town or an easement secured in favour of the Town and phased development or redevelopment is delayed, existing above-ground parking will be permitted to continue on the easement or dedicated lands until such time as development or redevelopment occurs subject to Policy 13.3.4 vii.
- x. Where land is dedicated to the Town to accommodate the future burying of hydro lines and associated appurtenances, the landowner shall receive compensation at fair market value, which may be granted through parkland dedication credits or other incentives.

14.0 Implementation

14.1 Introduction

This section sets out policies that are intended to guide and facilitate the implementation of the Secondary Plan.

14.2 Policies

14.2.1 Interpretation

- i. The Secondary Plan is a statement of policy intended to guide the development of the Urban Centres. The Town may permit some flexibility in the interpretation of general policies, provided the intent of the Plan is maintained and the objectives and targets are achieved.
- ii. The Secondary Plan must be read in conjunction with the Town of Newmarket Official Plan.
- iii. The schedules included in the Secondary Plan are general. Minor adjustments to the boundaries of designations are permitted without amendment to the Plan, except where the designations are established by fixed boundaries, such as existing street rights-of-way, or where they are specifically stated as fixed in the policies of this Plan.
- iv. Minor variations from numerical requirements in this Plan, with the exception of the Permitted Maximum and Minimum Heights and the Permitted Maximum and Minimum densities, may be permitted without amendment to the Secondary Plan where it is demonstrated through a site specific application to be appropriate, and provided that the general intent and applicable policies of this Plan are met.

14.2.2 Coordination of Development

- i. It is the policy of this Plan that development shall be coordinated with the provision of the infrastructure, services and facilities. As such, no development shall be permitted to proceed until it can be demonstrated, to the satisfaction of the Town, that adequate provision of these services is or will be available, or that arrangements satisfactory to the Town for the provision of these services have been made. This policy will be implemented through the use of a Holding Symbol “H” as per Section 14.2.5 of this Plan.

- ii. The pace of development will be coordinated to ensure that development will be permitted where it is supported by the appropriate level of infrastructure including, where applicable:
 - a) transit (conventional and rapid transit);
 - b) road network improvements;
 - c) **Transportation Demand Management** measures;
 - d) pedestrian and cycling facilities;
 - e) parks;
 - f) water and wastewater services;
 - g) stormwater management facilities;
 - h) **community facilities**;
 - i) **human services**, including policing, emergency services, healthcare, social services, etc.;
 - j) streetscape improvements; and
 - k) utilities.
- iii. The following criteria shall be addressed in the review of all development applications to ensure that new development pays for and implements the necessary infrastructure and provisions of this Plan, where appropriate and applicable:
 - a) the development contributes to, or can be appropriately integrated within the logical sequencing of all required sewer, water, stormwater, streets and transportation facilities, including the Rapidway stations;
 - b) the development satisfies all requirements regarding the provision of parkland, **pedestrian mews**, schools, boulevard space for underground hydro and **community facilities, etc.**; and
 - c) the development implements the infrastructure necessary to support the planned development, including but not limited to the construction of the planned road network, and upgrades to sewer, water and stormwater infrastructure.
- iv. Each **development block** should be planned comprehensively. Where possible, development proposed within **development blocks** with multiple land owners should be coordinated and phased with affected landowners and, where applicable, adjacent blocks. Non-participating lands within the **development block** should be conceptually addressed through a phasing plan. Development of smaller parcels shall be prohibited where, in the opinion of the Town, such development would compromise the effective redevelopment of the **development block** in accordance with the provisions of this Plan. Landowners shall be encouraged to amalgamate parcels or enter

into agreements with neighbouring landowners in order to demonstrate, to the satisfaction of the Town, that development achieves the intended built form, density and other provisions of this Plan, in a logical and comprehensive manner.

- v. Prior to approving development applications in the Urban Centres, the Town may require that landowners enter into an agreement or agreements to coordinate development and equitably distribute the costs of shared infrastructure, including but not limited to streets and street improvements, water and wastewater services, parkland, stormwater management facilities, and land for schools and other community services. Alternatively, the Town may implement other reasonable and appropriate arrangements to address cost sharing.
- vi. Development shall encompass an appropriate planning area as agreed upon between the applicant and the Town. The Town shall only approve development that conforms with the policies and designations of this Secondary Plan.

14.2.3 Existing Lawful Uses

- i. Land uses, buildings and structures that legally existed prior to the adoption of this Plan shall be permitted to continue; however, they are ultimately intended to be redeveloped and used in conformity with this Plan. Where existing lawful uses, buildings or structures are not in conformity with the objectives and policies of this Plan, such uses will be encouraged to redevelop over time in a manner that is consistent with this Plan.

Enlargements, extensions, additions and alterations of existing lawful buildings and structures as well as new buildings and structures for an existing lawful use may be permitted in accordance with Policy 6.4.7, without amendment to the Plan.

- ii. The replacement or repair of a lawfully existing building or structure may be permitted without amendment to this Plan where the damage or destruction was beyond the control of the landowner provided:
 - a. the replacement or repair commences within 2 years of the damage or destruction; and
 - b. the reconstruction or repair does not increase the footprint or the **gross floor area** of the former building or structure, nor does it increase zoning by-law non-compliance beyond that of the former building or structure.

14.2.4 Conveyance of Lands

- i. Where lands have been identified as being required for public benefit or purposes as outlined below in Policy 14.2.4 ii., and where such lands are the subject of a development application, the dedication of such lands to the Town shall be required as a condition of development approval, in accordance with the following provisions.
- ii. To secure related infrastructure, **community facilities** and parkland, all new development and redevelopment in the Urban Centres that requires the conveyance of land for purposes as identified in this Plan, as part of the initial development application process, generally shall proceed by way of a plan of subdivision, plan of condominium or consent. If the development involves more than one phase, the Plan of subdivision / condominium / consent will be required at the first phase of the development.
- iii. Alternatively, the Town may agree to not require a plan of subdivision / condominium / consent where the Town and the applicant agree to the above conveyances of the land as a condition of development approval and executed through an agreement entered into at the time of the zoning and/or site plan approval process.

14.2.5 Zoning

- i. To implement development in accordance with this Plan, Council shall enact amendments to the Town's Zoning By-law and/or in accordance with Policy 14.2.6, may enact a Development Permit By-law.
- ii. In addition to Policy 16.2.1 of the Town of Newmarket Official Plan, the Town may, when enacting implementing zoning by-laws, apply the Holding Symbol "H" and specify the future uses of lands that, at the present time, are considered premature or inappropriate for development for any one or more of the following reasons:
 - a) a Concept Site Plan and/or Streetscaping and Landscape Plan has not been submitted and finalized to the Town's satisfaction;
 - b) public infrastructure and **community facilities**, such as sanitary sewers, water supply, stormwater management facilities, parks, recreation facilities and schools, are insufficient to serve the proposed development;
 - c) the existing street network does not have the capacity or is inadequately designed for the anticipated traffic impacts and/or the access requirements;
 - d) development relies upon other matters occurring first, such as the consolidation of land ownership and/or the finalization of an agreement

- amongst landowners regarding the development and funding of community infrastructure and services, including parkland; and/or
- e) technical studies are required on matters that Council considers necessary.

14.2.6 Community Planning Permit System

- i. The Community Planning Permit System, formerly known as the Development Permit System, is an implementation tool that may be used to ensure the goals, objectives and policies of this Plan are realized. The Community Planning Permit System is intended to be a flexible planning tool which combines zoning, site plan control, and minor variance processes into a single process. The Town may investigate the development of a Community Planning Permit System for use throughout the Urban Centres or in portions of the Urban Centres in accordance with the **Planning Act**.
- ii. If the Town elects to establish a Development Permit System for use in the Urban Centres, it will be established through amendment to this Plan and address matters such as the area to which the Development Permit System applies, any delegation of Council authority, specific goals, objectives, and policies of the Development Permit area, the type of criteria and conditions that may be included in a Development Permit By-law, classes of development that may be exempt, specific height and density bonusing provisions, and/or specific complete application requirements.

14.2.7 Design Review

- i. The Town may establish a design review process, which may include a Design Review Panel, to ensure that the urban design and other policies of this Plan are met. If a Design Review Panel is established, development in the Urban Centres, including private and public buildings, may be subject to review by the Design Review Panel, at the proponent's expense, at the pre-consultation stage prior to the submission of formal development applications, or at another stage of the development application process as Council may deem appropriate.

14.2.8 Concept Site Plan and Streetscape and Landscape Plan

- i. Policy 16.1.6 of the Newmarket Official Plan requires a Concept Site Plan and Streetscape and Landscape Plan as part of a complete application. Within the Urban Centres, these plans shall include, where appropriate:

- a) a context plan that demonstrates the compatibility of the development with the surrounding context;
- b) lotting plan that delineates and dimensions of development within each **development block**;
- c) a description and illustrations of the **build-out** for every phase of the development, and how the development contributes to achieving the **build-out** targets of this Secondary Plan;
- d) proposed density and massing of buildings for individual buildings as well as for each **development block** including shadow, views and microclimatic (e.g., wind studies);
- e) access and circulation plan for pedestrians, vehicles, and cyclists, including plans for structured parking above and/or below-ground, and the location of on-street parking and bicycling facilities;
- f) proposed streetscape improvements, including how the Green Streets policies of this Plan will be implemented;
- g) locations and conceptual design of any parks and open space, including Urban Squares and Plazas;
- h) Sustainable Development Report in accordance with Policy 7.3.7(xii); and
- i) a phasing plan that describes:
 - how development is proposed to proceed in a logical and orderly progression;
 - how existing and proposed development can be incorporated into the site to achieve the full development potential of the site;
 - existing neighbouring uses and the potential need to buffer or stage uses; and
 - the public infrastructure and facilities required to serve each phase of development, including water, sewer, stormwater management, streets, transit, utilities, parks, cycling facilities streetscaping and other **community facilities** and services, and their proposed phased construction.

14.2.9 Bonusing

- i. Increases to the Permitted Maximum Heights or Permitted Maximum **FSIs**, but that do not exceed the Discretionary Maximum Height With Bonusing or the Discretionary Maximum **FSI** With Bonusing identified on Schedule 4, may be permitted without an amendment to the Official Plan, subject to the bonusing provisions of Policy 14.2.9, in accordance with Section 37 of the **Planning Act**.
- ii. The applicant may elect to request 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 the provision of 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 to be provided by this

Plan, the **Planning Act**, the **Development Charges Act** or any other legislative requirement:

- a) cultural facilities, such as a performing arts centre, amphitheatre or museum;
 - b) special park or recreational facilities and improvements identified by the Town as desirable for the area but which are beyond those required by this Plan, the **Planning Act**, or the Town's standard levels of service;
 - c) public amenities within identified environmental open spaces, including but not limited to permanent pathways, recreational trails and bridges, including contribution toward the Town's **Active Transportation Network**;
 - d) public art, where the contribution to public art is greater than 0.5% of the value of construction as determined through the Toronto Area Chief Building Officials Committee Construction Value Standard in effect at the time of the declaration of a Complete Application by the Town;
 - e) structured parking for vehicles where a significant portion of the parking is to be transferred to a public authority for use as public parking;
 - f) streetscape, gateway features, **pedestrian mews** and open space design enhancements that are beyond those required by this Plan, the **Planning Act**, or the Town's standard levels of service;
 - g) private roads that are to remain accessible to the public;
 - h) upgrades to and/or provision of **community facilities** such as community centres, including seniors and youth facilities and other social services;
 - i) other **community facilities** or **human services** identified by the Town as desirable for the Urban Centres;
 - j) inclusion of energy or water conservation measures beyond those required by this Plan or by any other applicable plan;
 - k) affordable housing units beyond those required by this Plan or by the York Region Official Plan;
 - l) provision of rental housing which is guaranteed to remain as rental for a period of not less than 20 years; and
 - m) provision for social housing that is affordable to those below the 40th percentile in household income.
- iii. Applications requesting bonusing shall be required to be supported by a Bonusing Justification Report that sets out the public benefits proposed to be provided in accordance with Policy 14.2.9(ii), the increase in density and/or height requested, the planning rationale for the requested increase in density and/or height, and demonstrate, to the satisfaction of the Town, that the development:
- a) represents good planning;
 - b) is consistent with the objectives of this Plan;
 - c) meets the applicable urban design and built form policies of this Plan;
 - d) represents appropriate development in the context of the surrounding character;

- e) can be accommodated by existing or improved infrastructure; and
 - f) will not adversely impact the transportation network or, where cumulative impacts are identified, such impacts are accommodated through road and transit improvements which are to be provided prior to the time of development.
- iv. The Town may develop guidelines to support the implementation of the bonusing provisions of this Plan to ensure a transparent and equitable process.
- v. A by-law passed under Section 37 of the **Planning Act** is required to permit increases in height and density. The by-law shall set out the approved heights and densities and shall describe the community benefits which are being provided for the increased height and/or density. The landowner may be required to enter into an agreement with the Town with respect to the provision of community benefits. The agreement may be registered against the land to which it applies.

14.2.10 Monitoring

- i. In partnership with York Region, the Town shall monitor and report on the level of development in the Urban Centres every five years as part of the Town's regular review of its Official Plan, including an evaluation of:
 - a) population and employment generated by both existing and proposed development with a view to ensuring that the 1:1 ratio of population to employment will be achieved by **build-out**;
 - b) the density of development being achieved to ensure that development will achieve the minimum density targets of this Plan;
 - c) affordable housing to ensure that the affordable housing targets of this Plan will be met;
 - d) retail space per population to ensure that the minimum 2.5 sq. m of retail space per person is being met within each **Character Area** at all stages of development;
 - e) pace of development against projections and servicing capacities;
 - f) traffic volumes on key streets and intersections; and
 - g) metrics on modal split and movement patterns and how these may shift as infrastructure is implemented.

15.0 Exceptions to the Secondary Plan

1. 39 Davis Drive

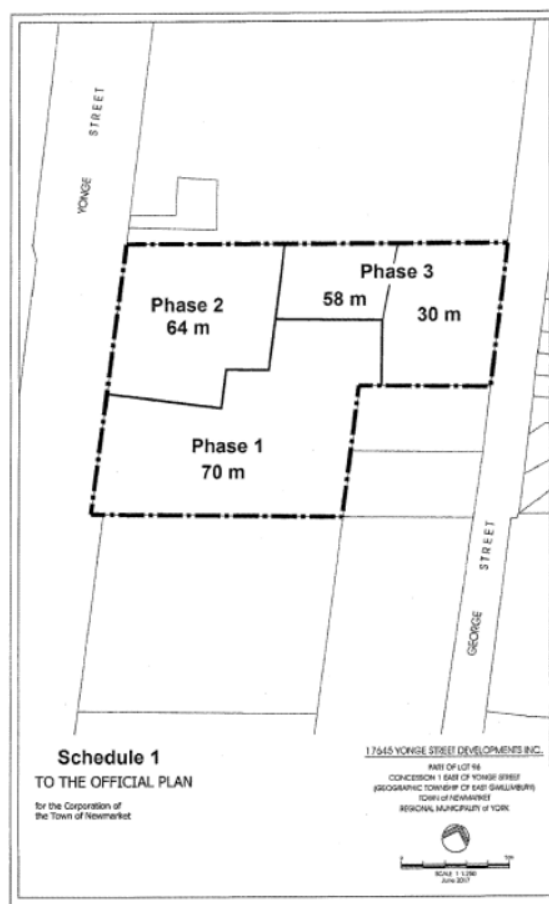
Notwithstanding the height and density provisions of the Secondary Plan, the maximum site density and the maximum building height on lands municipally known in 2014 as 39 Davis Drive shall not exceed 10.25 **FSI** and 65 m respectively. This density shall be calculated on the basis of the subject property only and will be applied to the overall density calculation for the applicable **density designation**. All other applicable provisions of the Secondary Plan shall apply. (By-law 2009-63)

2. 17645 Yonge Street

Notwithstanding the height and density provisions of the Secondary Plan, the maximum building height on lands municipally known in 2014 as 17645 Yonge Street, shall be as follows:

- Phase 1: 70 metres
- Phase 2: 64 metres
- Phase 3: 58 metres (High Density)
30 metres (Medium Density)

The site density for the entire property shall not exceed 3.5 **FSI**. This density shall be calculated on the basis of subject property only and will be applied to the overall density calculation for the applicable **density designation**. All other applicable provisions of the Secondary Plan shall apply. (By-law 2018-08, OPA #20)



3. Part Lot 91, Concession 1, being Part of Part 2, Plan 65R-25710

Access for the property municipally known as Part Lot 91, Concession 1, being Part of Part 2, Plan 65R-25710 (west side of Yonge Street, south of Clearmeadow Boulevard) to Yonge Street shall be permitted through the Natural Heritage System designation subject to submission of an environmental study to the satisfaction of the Town in consultation with the relevant agencies.

Any access to Yonge Street shall be subject to approval by York Region and is subject to York Region's policies and guidelines.

4. 17725 Yonge Street

1. Notwithstanding Policy 6.4.7, the Yonge-Kingston plaza located at the southeast corner of Yonge Street and Kingston Road, described municipally as 17725 Yonge Street, will be permitted to expand up to 40% above the total gross ground floor area comprised of the aggregate of all the ground floors of all the buildings present on the site at the time of approval of this Plan provided:

- a. the development is not intended to be long-term and is considered appropriate over the short to medium term;
- b. the development does not preclude the long-term re-development of the site as envisioned by this Plan;
- c. the development does not preclude the achievement of a compact, pedestrian-oriented and transit- supportive urban form;
- d. the development does not include residential uses or underground parking structures.

The additional **gross floor area** contemplated by this policy shall be implemented through the required planning applications which shall address the above noted matters, study requirements, and other technical standards of the proposal to the satisfaction of the Town.

2. Notwithstanding Policy 7.3.8 ii, the Yonge-Kingston plaza located at the southeast corner of Yonge Street and Kingston Road, described municipally as 17725 Yonge Street, shall require a dedicated broadband fibre optic conduit to be installed from the municipal right-of-way to each **development block** or building(s) associated with the **build-out** of the site. It is encouraged that appropriately sized conduits and wiring be distributed internally to each unit within the building(s) in order to ensure access to advanced communication technology, when it becomes available.

5. Plan 65M3648 BLK 133 (S/W Corner Yonge/Mulock)

Notwithstanding Policy 6.4.7, limited interim commercial development which is lower than the Permitted Height and Permitted Minimum **FSI** shown on Schedule 4 may be permitted on the property located at the southwest corner of Yonge Street and Mulock Drive, described as Plan 65M3648 BLK 133, provided the following criteria are met, to the satisfaction of the Town:

- a. that the interim commercial development is oriented to, and adequately addresses the frontages along Yonge Street and Mulock Drive;
- b. that the commercial building(s) developed on an interim basis will be focused to the northeast quadrant of the site, and will be oriented to the corner of Yonge Street and Mulock Drive so as not to preclude the future intensification intended for the medium to long term, with the interim parking removed from the Yonge Street and Mulock Drive frontages and set back approximately 40 metres from the west property line;
- c. the development is not intended to be long-term and is considered appropriate over the short to medium term;
- d. the development does not preclude the long-term re-development of the site as envisioned by this Plan;
- e. the development does not preclude the achievement of a compact, pedestrian-oriented and transit- supportive urban form;
- f. the street network connections envisioned in Schedule 5 are not compromised or precluded.

The interim development contemplated by this policy shall be implemented through the required planning application(s) which shall address the above noted matters, study requirements, and other technical standards of the proposal to the satisfaction of the Town.

6. 201 Davis Drive (OPA 31 & 42)

Notwithstanding any provision of this Plan to the contrary, the property municipally known as 201 Davis (legally described as Lots 253, 254, 255, 256, 257 & 258 on Registered Plan 492) shall be permitted to have:

- a maximum FSI of 3.2;
- a maximum height of 9 storeys;

- an angular plane of 45 degrees measured at Penn Avenue, 9.7m from grade;

Notwithstanding any other provision of this Plan, the property described above shall be permitted to have balconies on all floors.

All other requirements of the Secondary Plan remain in place.

7. 17175 Yonge Street

Notwithstanding any provision of this Plan to the contrary, the maximum site density and on the lands municipally known as 17175 Yonge Street (legally described as PT LOT 1 PLAN 49 (W) AS IN R260408, SAVE & EXCEPT PT 1 EXPROP PLAN YR2071513; S/T A43236A & A58199A; S/T EASE OVER PTS 2 & 3 EXPROP PLAN YR2071513 SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 2,3 AND 9, 65R39444 AS IN YR3329019 SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 4,5,6,8 AND 10, 65R39444 AS IN YR3329020 TOWN OF NEWMARKET.) shall be permitted to have a maximum FSI of 3.7 FSI.

Schedule 3: Land Use is revised by redesignating a portion of the Subject Land as “Natural Heritage System” as shown on Schedule “A” of OPA #38.

Amending Schedule 4: Height and Density to note that the Subject Land is subject to Section 15.0 Exceptions as shown on Schedule B of OPA #38.

Schedule 6: Parks, Open Space & Natural Heritage is revised by redesignating a portion of the Subject Land as “Natural Heritage System” as shown on Schedule “C” of OPA #38.

Notwithstanding Sections 9.2.3 and 9.3.2.2 of the Town’s Official Plan, the size and extent of minimum vegetation protection zone shall be in accordance with the reduced buffers as shown in Schedule “D” of OPA # 38.

All other requirements of the Secondary Plan remain in place.

8. 299 to 315 Davis Drive

Notwithstanding any provision of this Plan to the contrary, the property municipally known as 299-315 Davis shall be permitted to have a maximum FSI of 4.23 and a maximum permitted heights of eight (8) storeys.

Notwithstanding any provision of this Plan to the contrary, the property municipally known as 299-315 Davis shall be subject to a 60-degree angular plane required by Section 7.3.3.1.

Notwithstanding Section 7.3.5 i.v. balconies are permitted to the 2nd and 3rd storeys of the front façade.

All other requirements of the Secondary Plan remain in place.

Amending Schedule 4: Height and Density to note that the subject lands are subject to Section 15.0 Exceptions as shown in Schedule A to this amendment.

9. 615, 625, 631 Davis Drive and 0, 23, 29, 33, 39 Bolton Avenue

Notwithstanding any provision of this Plan to the contrary, the property municipally known as 615, 625, 631 Davis Drive and 0, 23, 29, 33, 39 Bolton Avenue shall be permitted to have

- a maximum FSI of 2.52 for north building;
- a maximum FSI of 5.50 for south building;

Amending Schedule 3:

- a Mixed Use Designation for south building.

Amending Schedule 4: Height and Density to note that the subject lands are subject to Section 15.0 Exceptions as shown in Schedule B to this amendment.

Amending Schedule 6:

- Parks and Open Space is expanding to the subject lands.

All other requirements of the Secondary Plan remain in place.

10. 514 Davis Drive

Notwithstanding the uses permitted by the Mixed Use designation, a self storage facility shall also be permitted on the lands subject to this amendment, described municipally as 514 Davis Drive.

Notwithstanding any provision of this Plan to the contrary, the property municipally known as 514 Davis Drive shall be permitted to have a maximum FSI of 2.34.

Notwithstanding any provision of this Plan to the contrary, a building shall generally not exceed a 60-degree angular plane from a height of 1.7 metres above the established grade at the rear lot line abutting the Open Space zone.

16.0 Deferrals

1. 230 Davis Drive The proposed Parks and Open Space designation on lands municipally known as 230 Davis Drive is deferred. Until the designation is established in the Secondary Plan through a site specific amendment, the Urban Centre designation and applicable provisions of the Zoning By-law in effect at the time of the approval of the Secondary Plan, shall apply.

17.0 Glossary

Active Transportation – Generally non-motorized travel, including walking, cycling, roller-blading and movements with mobility devices. The **active transportation** network includes sidewalks, crosswalks, **pedestrian mews**, designated bicycle facilities, off-road trails, and other facilities designed to accommodate **active transportation**.

Alternative Energy – Sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems and includes co-generation facilities.

Articulation – The layout or pattern, expression and material character of buildings elements, including walls, doors, windows, and decorative elements such as cornices and belt courses.

Build-out – The time in the future when the subject area of land is fully developed in accordance with the vision, objectives and policies of this Plan.

Build-out Demonstration Plan – A plan prepared by a development proponent demonstrating how the **build-out** of lands and/or **development block** would be phased over time in a manner consistent with the Plan's Urban Design policies and the minimum and maximum height and density requirements.

Character Area – Areas as identified on Schedule 2 which are planned to contain a mix of land uses as well as built forms that reflect the intended form, function and identity of the area.

Community Facilities – Facilities which are open to and/or provided for the benefit of the public, including libraries, schools, recreational facilities and cultural centres.

Complete Community – Complete communities meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, and community infrastructure including affordable housing, schools, recreation and open space for their residents. Convenient access to public transportation and options for safe, non-motorized travel is also provided.

Density Designation – A contiguous area within a single **development block** that is designated in Schedule 4 as either high density, medium-high density, medium density, or low density.

Designated Policies – Policies within the Lake Simcoe Protection Plan that must be conformed to, in accordance with the provisions of the **Lake Simcoe Protection Act**.

Development Areas – Provincial Urban Growth Centre Subareas within the Provincial Growth Centre to which the density provisions of Policy 6.3.10(iv) shall apply.

Development Block – Development blocks are shown on Schedule 5. **Development blocks** are generally defined as the area enclosed within a block of existing or future public streets.

Direct Vehicular Access – A vehicular connection to a public right-of-way, serving or intended to serve a single property and/or building. For the purposes of this definition, an entrance/exit that is utilized by multiple commercial or mixed uses, is not considered to be **direct vehicular access**.

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. (OPA #25)

Drive-through Facilities – An establishment where goods, food or services are offered to the public within a parked or stationary vehicle by way of a service window or kiosk, where goods, money or materials are exchanged.

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. (OPA #25)

Floodway – For rivers and streams, means the portion of the floodplain where development and site alteration would cause a danger to public health and safety or property damage as determined by the Lake Simcoe Region Conservation Authority.

Floor Space Index (FSI) – A measure of the ratio of a building's **gross floor area** to the **land area** upon which it is built.

Gross Floor Area – The area of a building as defined by the Town of Newmarket Development Charges By-law. Exclusions shall include those permitted by this Plan.

Hazardous Substances – Substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of material that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

High-rise – Any building that is 12 storeys or more in height.

Human Services – Services that serve the general public including police and emergency services, transit facilities, social services, education, etc.

Land Area – 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; (OPA #25)
- parks and open space dedicated to the Town; (OPA #25)
- 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:

- lands within the Natural Heritage System and identified significant natural heritage areas; (OPA #25) 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.

Leadership in Energy and Environmental Design (LEED) – A suite of rating systems for the design, construction and operation of high performance green buildings, homes and neighborhoods.

Low and Moderate Income Households: – Means:

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market area; or
- b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area.

Low Impact Development (LID) – A stormwater management strategy that seeks to mitigate the impacts of increased runoff and stormwater pollution by managing runoff as close to its source as possible. LID comprises a set of site design strategies that minimize runoff and distributed, small scale structural practices that mimic natural or predevelopment hydrology through the processes of infiltration, evapotranspiration, harvesting, filtration and detention of stormwater. These practices can effectively remove nutrients, pathogens and metals from runoff, and they reduce the volume and intensity of stormwater flows.

Low-rise – Any building that is 2 to 4 storeys in height.

Major Office – Major Office is generally defined as freestanding office buildings of 10,000 m² or greater, or with 500 jobs or more.

Major Retail – Major retail includes retail big box stores, retail warehouses and shopping centres. For the purposes of this definition a shopping centre is not a collection of ancillary uses that primarily serve the business functions on employment lands.

Major Transit Station Areas – The area including and around any existing or planned higher-order transit station within a settlement area, or the area including and around a major bus depot in an urban core. Station areas generally are defined as the area within an approximate 500 metre radius of a transit station, representing about a 10-minute walk.

Mid-rise – Any building that is 5 to 11 storeys in height.

Mobility Hub – Major transit station areas, as defined in the Growth Plan for the Greater Golden Horseshoe, that are particularly significant given the level of transit service that is planned for them and the development potential around them. They are places of connectivity between regional rapid transit services, and also places where different modes of transportation, from walking to high-speed rail, come together seamlessly. They have, or are planned to have an attractive, intensive concentration of employment, living, shopping and enjoyment around a major transit station.

Pedestrian Mews – A short, pedestrian-only laneway.

Places of Entertainment – Places offering leisure activities offered for gain or profit including cinemas, adult entertainment and night clubs, arcades and indoor games.

Priority Commercial Area – Defined areas where priority shall be given to incorporating street-related commercial uses or institutional uses on the ground floors of all building frontages on the public street.

Provincial Urban Growth Centre (PUGC) – the “Newmarket Centre” as conceptually identified in the Growth Plan for the Greater Golden Horseshoe and as the Regional Urban Centre in the York Region Official Plan, and as specifically delineated on Schedules 1-4.

Sign by-law – the Town of Newmarket **Sign by-law** identified as By-law Number 2014-02 and as it may be amended from time to time.

Solar design strategy – A report that considers possible solar design measures and identifies those measures that will be employed to minimize overall energy consumption.

Solar Ready – Design considerations that facilitate the installation of roof-mounted solar domestic hot water and/or photovoltaic systems, such as:

- a roof location of suitable size, pitch and orientation;
- labeled conduits from the mechanical room to the proposed location for a solar system, e.g. roof, necessary to accommodate additional electrical or hot water plumbing;
- extra plumbing valves and fittings on the hot water heater;
- an electrical outlet for the planned solar tank and wall space for PV controls; and,
- identification of locations for future components on construction plans.

Special Needs Housing – Any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of **special needs housing** may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for the elderly.

Tower – The portion of a **high-rise** building above a podium.

Transportation Demand Management (TDM) – 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**.

Utility(ies) – all public and/or private works including but not limited to hydro, Cable Television Services, communication/telecommunication, gas, Canada Post or similar works or systems necessary to serve the broader public interest.

18.0 Acronyms

CA – Conservation Authority

FSI – Floor Space Index

GFA – **Gross Floor Area**

LEED – Leadership in Energy and Environmental Design

LID – **Low Impact Development**

AODA – Accessibility for Ontarians with Disabilities Act

ROP – Regional Official Plan

ROW – Right-of-Way

RTP – Regional Transportation Plan

TDM – Transportation Demand Management

UGC – Urban Growth Centre

YDSS – York Durham Sewage System

19.0 Schedules

Schedule 1: Study Area

Schedule 2: Character Areas

Schedule 3: Land Use

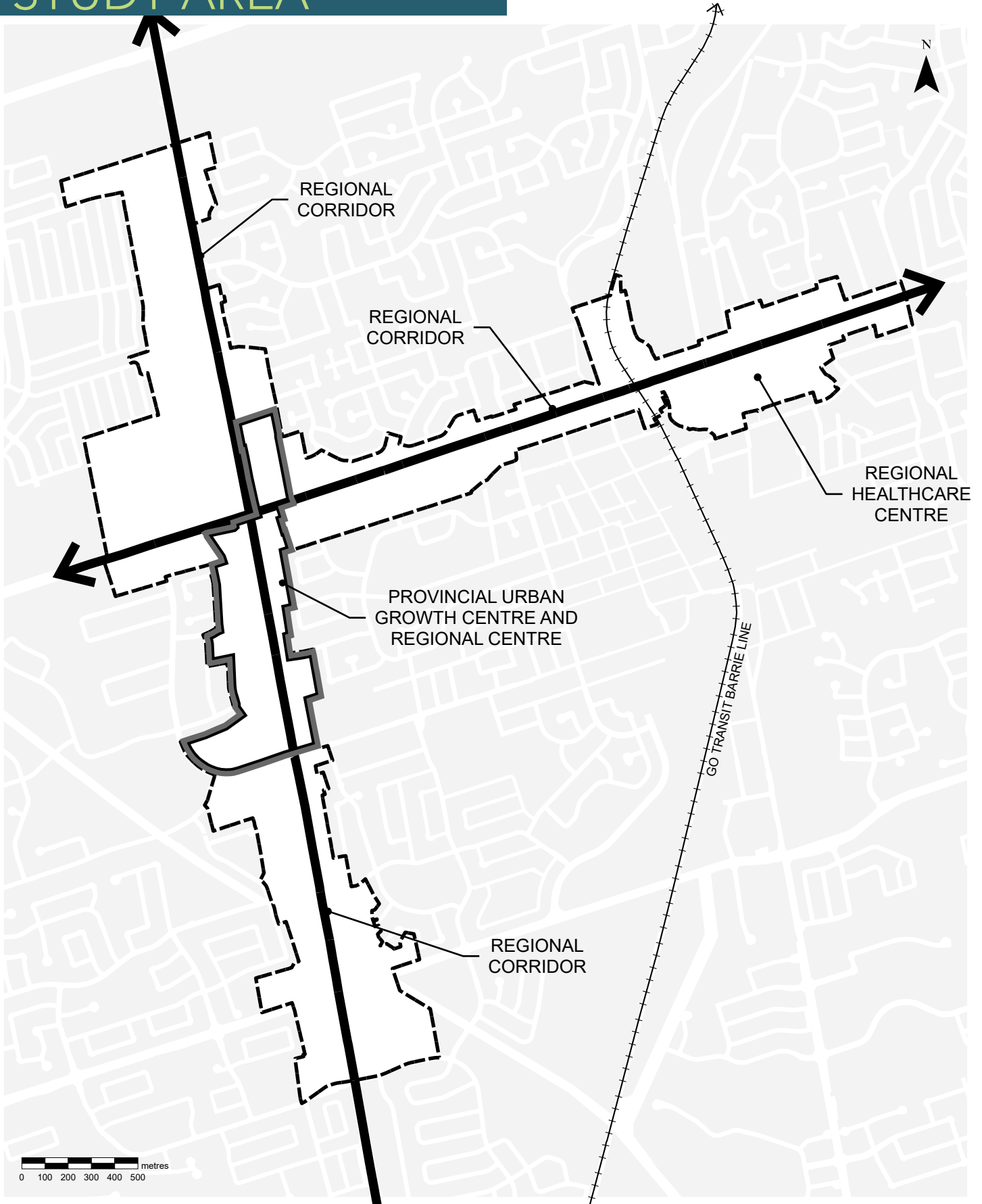
Schedule 4: Height and Density

Schedule 5: Street Network

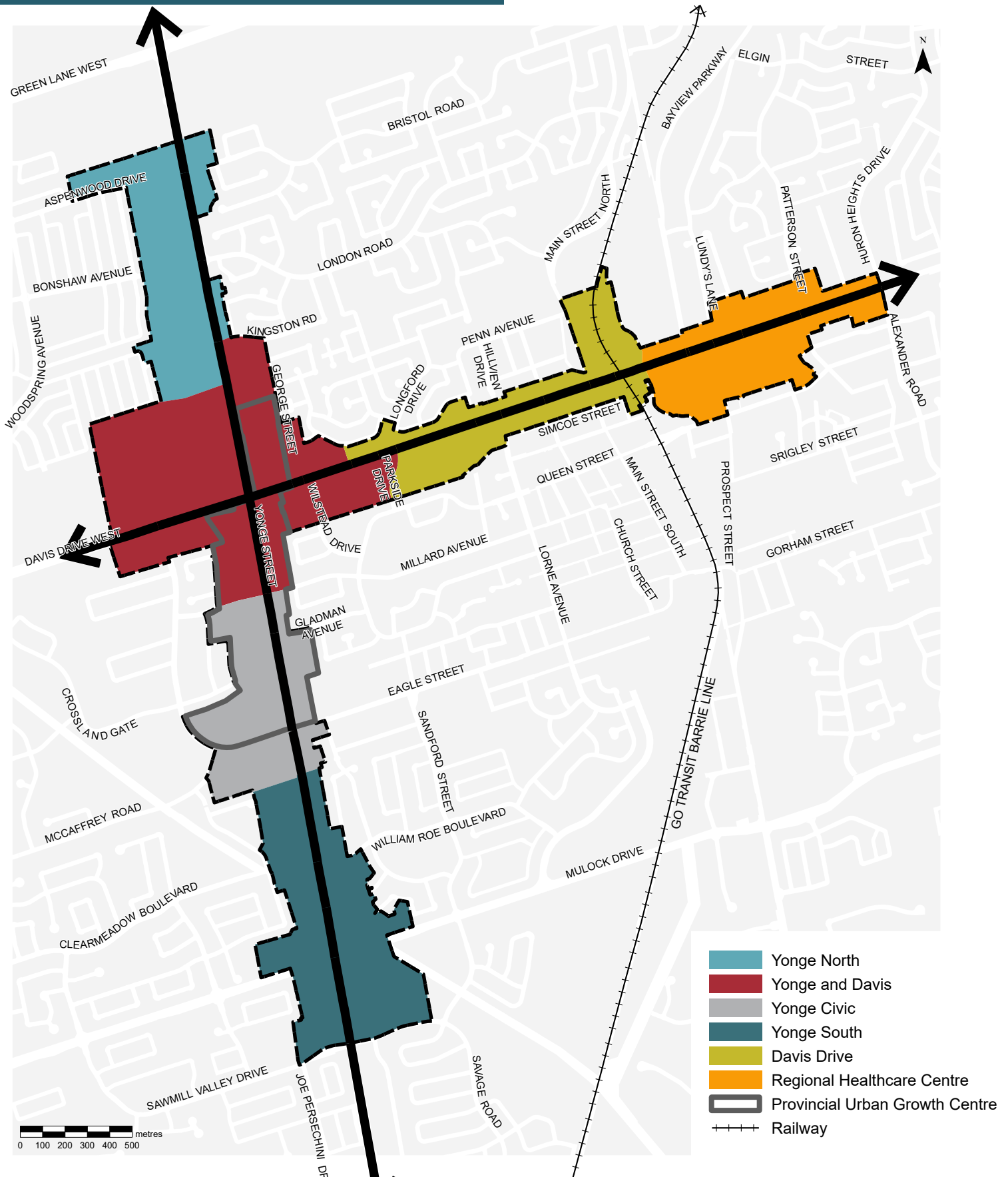
Schedule 6: Parks, Open Space and Natural Heritage

Schedule 7: Regional Shopping Centre

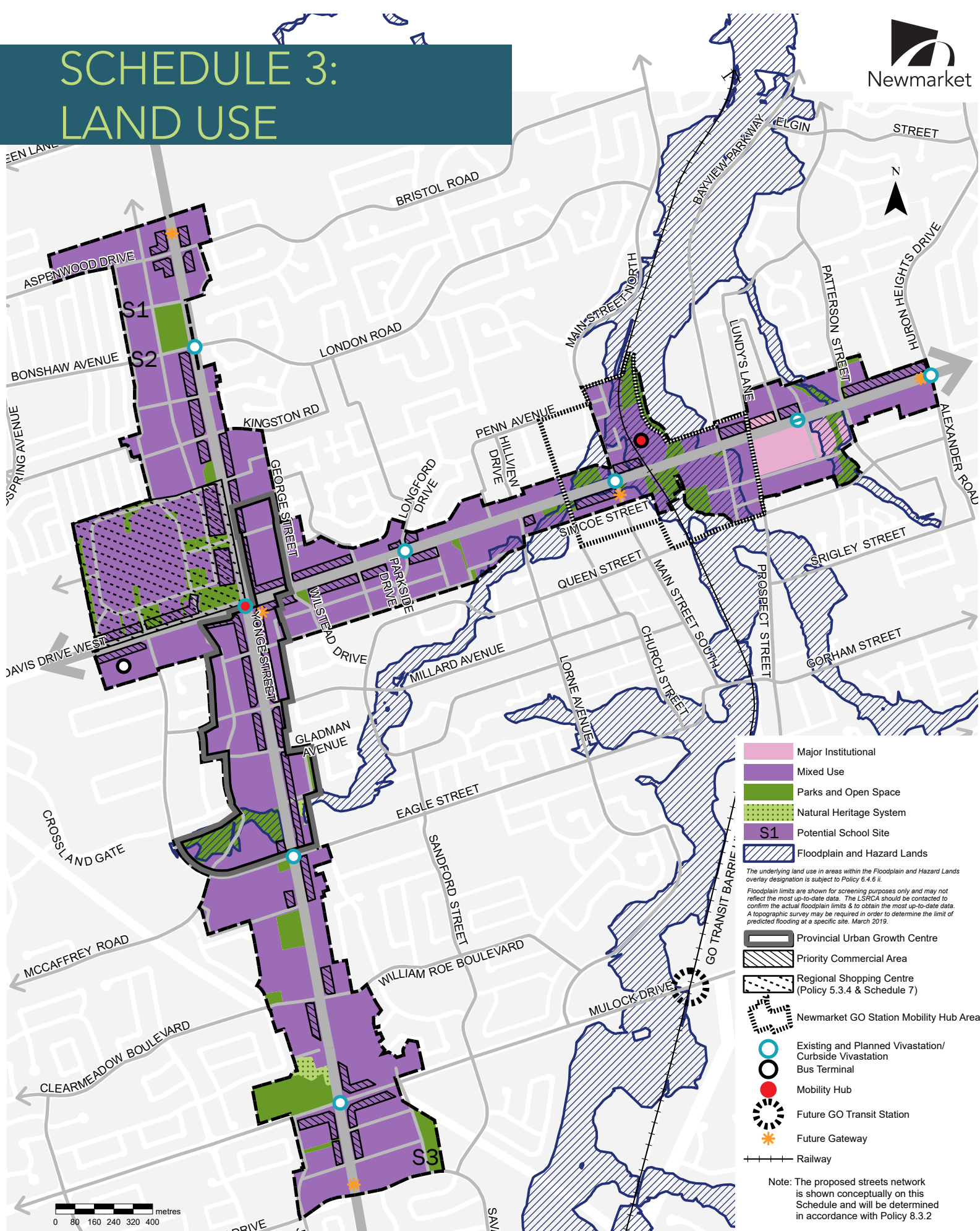
SCHEDULE 1: STUDY AREA



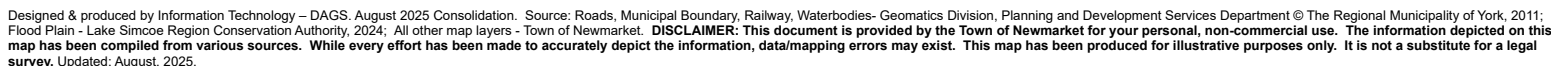
SCHEDULE 2: CHARACTER AREAS



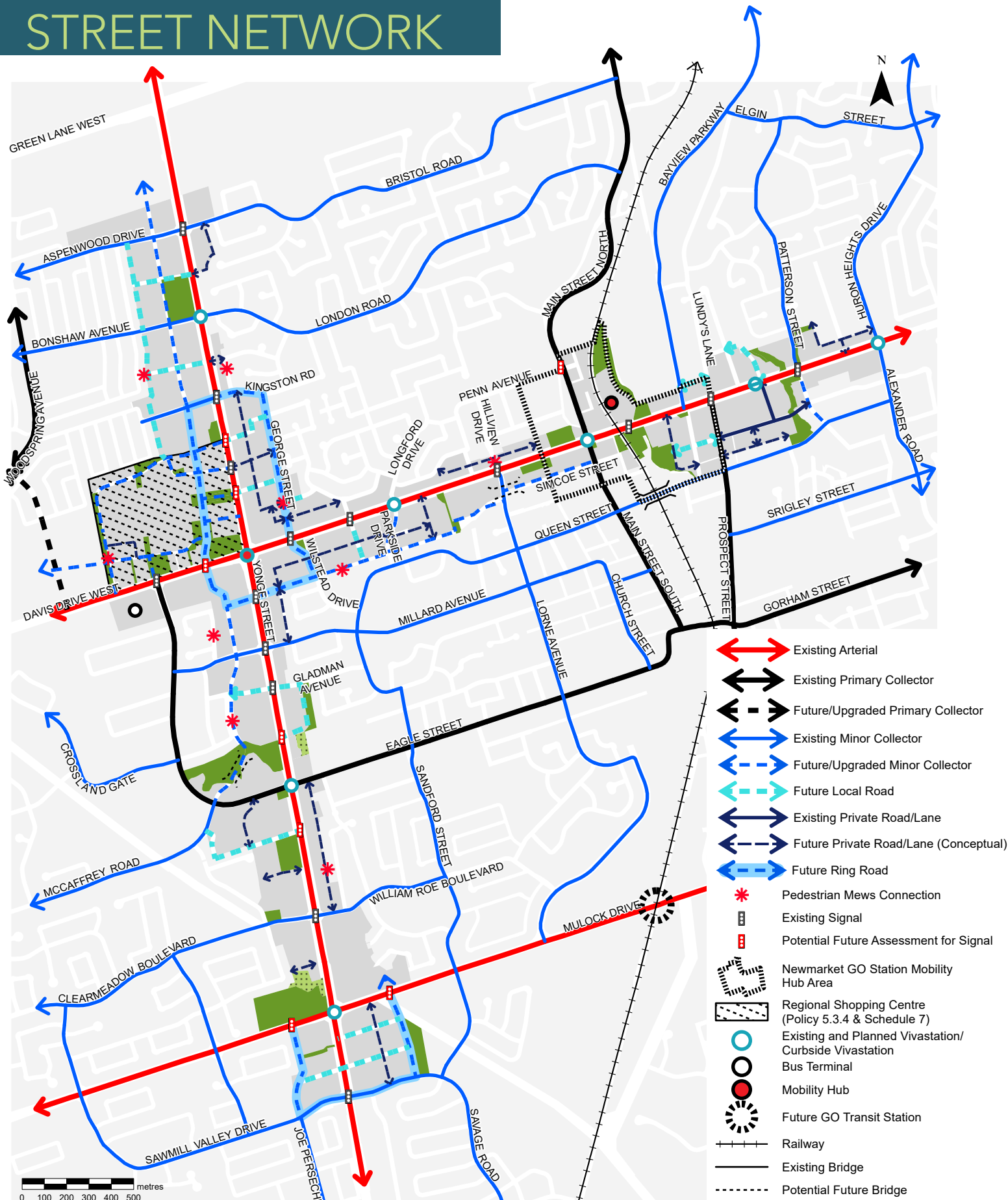
SCHEDULE 3: LAND USE



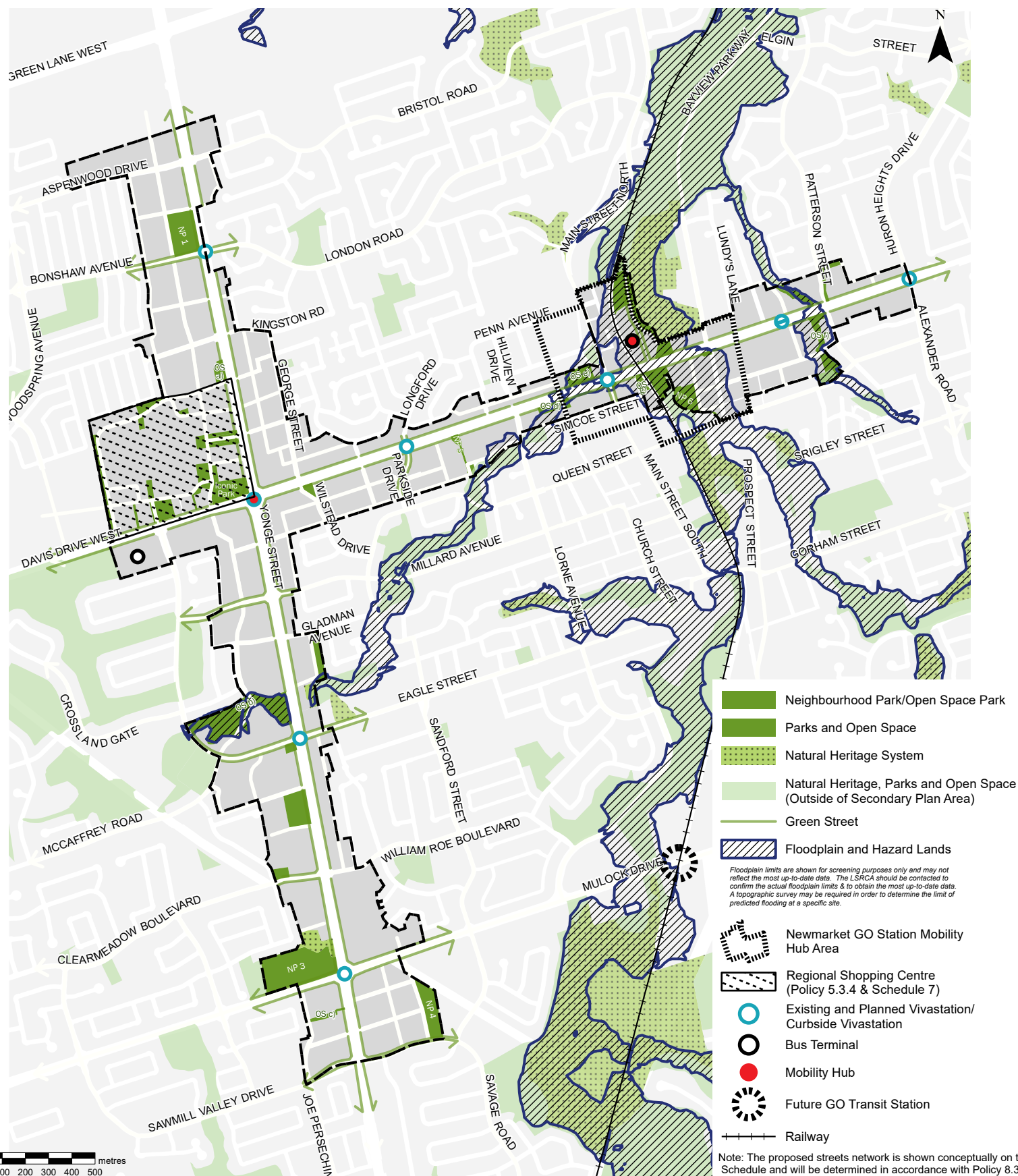
Newmarket



SCHEDULE 5: STREET NETWORK



SCHEDULE 6: PARKS, OPEN SPACE & NATURAL HERITAGE



0 100 200 300 400 500 metres

SCHEDULE 7: REGIONAL SHOPPING CENTRE

