

## **Initial Official Plan Amendment Recommendations**

### **Explanation**

This document provides the initial recommended changes to the Town's Official Plan for public review and comment.

The recommendations are based on the review and consultation that has taken place during the Established Neighbourhood Compatibility Study. The background reports, options papers, and presentations to Council from the study tell the story of the findings, and help to explain these recommendations. These reports [can be found online](#).

In order to review the proposed changes, it will be helpful if you also consult the existing [Town of Newmarket Official Plan](#). This will allow you to compare the existing plan against the proposed changes.

This document is laid out by presenting Sections, whose numbers correspond to those of the existing Official Plan. These Sections are indicated in **bold and underline**.

Following each Section, there is a statement that describes the way that Section is proposed to be changed. This statement *is in italics*. The statements generally propose to add new policy text, or to replace existing policies.

The remaining text within each Section is the proposed text of the Official Plan.

These recommendations are staff's initial findings, and are not final recommendations to Council. We welcome your feedback as we continue to refine these recommendations, and appreciate you taking the time to review them. Please share your comments with us, to Ted Horton, Senior Planner, at [thorton@newmarket.ca](mailto:thorton@newmarket.ca).

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## **Section 2.0: Urban Structure**

*Replace description of Residential areas with the following.*

### *Residential Areas*

Encompassing the majority of lands throughout the Town of Newmarket, Residential Areas are low-rise residential neighbourhoods which accommodate a range of housing and tenure types, interspersed with ancillary convenience commercial and institutional uses.

### **2.1 Managing Growth**

*Replace paragraphs 1 and 2 with the following.*

A key principle reinforced throughout this Plan is the commitment to protect and strengthen existing neighbourhoods. Residential Areas are intended to remain stable. However, they may accommodate contextually-sensitive infill development and intensification, provided it contributes towards the establishment of a desirable urban structure, optimizes the use of existing municipal services and infrastructure, and is compatible with and complementary to the surrounding neighbourhood.

The policies of this Plan designate sufficient residential land to provide for a range of residential accommodation by housing type, tenure, size, location and price ranges, thus satisfying the Town's housing needs. The provision of a range of innovative and affordable housing types, zoning standards and subdivision designs are also encouraged.

## **Section 3.0: Residential Areas**

*Replace Section 3.0: Residential Areas with the following.*

Residential development trends in Newmarket are changing, increasingly shifting from suburban growth to urban intensification and redevelopment. As the supply of greenfield lands becomes exhausted, Newmarket is increasingly turning to the intensification of existing built-up areas to accommodate current and projected population growth.

While the majority of this growth is directed to the Urban Centres, a limited amount of infill and intensification is anticipated to occur throughout Residential Areas.

While Residential Areas are primarily comprised of single-detached and semi-detached dwellings, they also contain a mix of duplexes, triplexes, fourplexes, townhouses, rowhouses, and low-rise apartment buildings. Primary and Minor Collector Roads also feature a range of small-scale commercial, institutional, and office uses that contribute to the vibrancy of neighbourhoods within a compatible built form. As Newmarket continues to intensify, Residential Areas are anticipated to accommodate a greater range and diversity of housing types.

The sensitive redevelopment and intensification of Residential Areas can add value to the community by boosting and diversifying the housing stock, taking advantage of existing hard and soft infrastructure systems, and enriching the local community. However, such development must be undertaken in a manner which acknowledges, respects, and is compatible with, the existing physical neighbourhood character. Residential Areas will permit a transitional hierarchy of residential uses that prioritizes the maintenance of built forms similar to the existing dwellings on local streets, while allowing gradual increases in density along higher-order roads. Limited infill development of a built form compatible with existing low-rise homes may be permitted within residential areas. Residential Areas may also contain convenience commercial and institutional uses which are compatible with residential uses.

### **Section 3.1: Residential Areas Policies**

*Replace Section 3.1: General Residential Area Policies with new Section 3.1: Residential Areas Policies.*

#### **3.1.1 Objectives**

- Provide for a range of residential accommodation by housing type, tenure, size, location and price range to help satisfy the Town of Newmarket's housing needs.
- Maintain the stability of all Residential Areas by establishing zoning standards that acknowledge and respect the prevailing physical character of the surrounding neighbourhood
- Recognize the desirability of gradual ongoing change by allowing for contextually-sensitive infill development and limited intensification through Planning Act applications, to permit development which contributes towards the establishment of a desirable urban structure, diversifies housing stock, optimizes the use of existing municipal services and infrastructure, and is compatible with and complementary to the surrounding neighbourhood.
- Encourage a range of innovative and affordable housing types, zoning standards and subdivision designs.

#### **3.1.2 Permitted Uses**

- Residential Areas will permit a transitional hierarchy of residential uses that maintains built forms similar to the existing dwellings on local streets, while allowing gradual increases in density along higher-order roads.
- Single-detached and semi-detached dwellings are permitted on an as-of-right basis throughout Residential Areas.
- Duplexes, triplexes, and fourplexes, of a built form similar to existing residential homes may be permitted by Planning Act

application within Residential Areas provided that their design is complementary and compatible with the surrounding neighbourhood.

- Townhouses, rowhouses and low-rise apartment buildings may be permitted by Planning Act application along Arterial Roads, Primary Collector Roads, in proximity to the Urban Centres Secondary Plan Area, and south of Davis Drive to the Historic Downtown area.
- Where new development is proposed, the Town will ensure the provision of a mix and range of types of dwelling units that contribute to the diversification of types of housing within Newmarket.
- Live-Work Units, which contain a subsidiary business and/or personal service occupancy in addition to a dwelling unit, are permitted residential forms adjacent to Davis Drive, immediately west of the GO Bus Terminal (OPA #16), and along Arterial Roads and Primary Collectors.
- Limited convenience commercial and institutional uses, which are compatible with residential uses, are permitted in Residential Areas in accordance with Section 3.9.

### 3.1.3 Development Criteria

- Throughout Residential Areas, the zoning by-law will ensure that gradual change in neighbourhoods shall:
  - Reflect the prevailing physical character of the surrounding neighbourhood, with consideration for the following:
    - lot dimensions;
    - front, side and rear yard setbacks;
    - siting and orientation;
    - lot coverage;
    - parking configuration and vehicular access;
    - pedestrian access;
    - building entrance location;
    - private landscaping;
    - building height, massing, and depth; and,
    - ground floor height.
  - Conform to applicable Residential Character Area policies, as outlined Section 3.2, and illustrated on Schedule X: Residential Character Areas.
- Where development is permitted through Planning Act applications, development shall:

- Acknowledge and respect the prevailing physical character of the surrounding neighbourhood, subject to the Urban Design and Compatibility policies of Section 12.
- Be designed to provide for comprehensive block development of lands that are in separate ownership through the provisions of the Zoning By-law and site plan approval. Comprehensive block planning is intended to achieve:
  - integrated internal circulation systems;
  - coordinated access points, in order to ensure appropriate connections to abutting roads;
  - interconnected development patterns that avoid dead-end internal roads;
  - compatible building design and location, in order to achieve a consistent streetscape;
  - complementary landscaping plans;
  - integrated parking areas of sufficient size; and,
  - consistent signage and lighting facilities.
- Applications for new development shall indicate how development on an individual property may be coordinated and integrated with other properties, in accordance with the provisions outlined above.
- When considering a proposal for residential intensification through infill or redevelopment in Residential Areas, the Town will:
  - Assess the compatibility of new development as it relates to the existing built form so that it enhances and builds upon desirable established patterns of built form and open spaces;
  - Consider its contribution to the maintenance and achievement of a balance of housing types and tenures to provide a full range of housing for a variety of demographic profiles
- New development shall give particular attention to the physical character of adjacent and surrounding properties, as well as those properties with frontage along the same street segment.
- All Residential Areas shall be developed or maintained on full municipal sanitary sewer, water supply and storm sewer services, with the exception of the existing Kingdale Road, Old Bathurst Estates and Premier Place Estate Neighbourhoods.

### **Section 3.2: Residential Character Areas**

*Remove Section 3.2: Stable Residential Areas and Section 3.3: Emerging Residential Areas. Replace with new Section 3.2: Residential Character Areas. Renumber subsequent sections accordingly.*

#### **3.2.1 Objectives**

- Maintain the stability and unique quality of Residential Character Areas, while allowing for contextually-sensitive infill development and limited intensification, which demonstrates compatibility with the prevailing built form and public realm features of the surrounding neighbourhood.

### 3.2.2 Residential Character Area Boundaries

- Residential Character Area boundaries are illustrated in Schedule X: Residential Character Areas.
- The delineation of Residential Character Area boundaries has been determined out of consideration for:
  - The age, history and evolution of development;
  - The Form and type of development;
  - Physical and psychological boundaries, including major streets, parks and open spaces, and natural heritage features;
  - Property boundaries;
  - Servicing and infrastructure capacity; and
  - Predominant lot dimensions, setbacks and separation distances, siting and orientation, lot coverage, parking and vehicular access, entrance location, landscaping, building height, building depth, ground floor height, and massing.
- The applicability of specific Residential Character Area policies will be subject to review by Town Staff, and determined on a site-by-site basis.

### 3.2.3 Organic Growth Neighbourhoods

- Newmarket's Organic Neighbourhoods were developed prior to the 1940's, and the advent of subdivision-based planning. They are situated within and surrounding the historic core of the Town of Newmarket, and are generally bounded by properties fronting Davis Drive to the north, Leslie Street to the east, Gorham Street and Eagle Street to the south, and properties fronting onto Yonge Street to the west.
- Newmarket's Organic Neighbourhoods are generally characterized by:
  - Traditional street grid patterns;
  - Short blocks with many intersections;
  - Narrow street widths;
  - Landscaped boulevards and an extensive canopy of established mature trees;
  - Soft landscaping and accent planting;

- Continuous sidewalks on one or both sides of the street;
  - Overhead utilities;
  - Rectangular and Irregular lots with varied lot dimensions, or a small to significant size;
  - Varied front yard setbacks, of a shallow to significant depth;
  - Varied side yard setbacks, of a shallow to significant depth;
  - Varied building heights, ranging between 1 and 2-storeys;
  - Varied vehicular access configurations, including front and side yard driveways of narrow to moderate width;
  - Varied parking configurations, including parking pads, detached garages, and attached garages;
  - Solid masonry or wood cladding;
  - Significant range of architectural expressions and styles, with a significant focus on Victorian-era Architecture; and,
  - Significant concentration of Listed and Designated Heritage Properties.
- Within Organic Growth Neighbourhoods, new development shall acknowledge and respect these physical characteristics, while responding to unique site and contextual conditions, and demonstrating compatibility with the existing neighbourhood.

#### 3.2.4 Traditional Suburban Neighbourhoods

- Newmarket's Traditional Suburban Neighbourhoods were developed between the 1940's and 1990's, following the advent of subdivision-based planning. They are generally situated between the historic core of the Town of Newmarket, and the Contemporary Suburban Neighbourhoods, which traverse the periphery of the Town.
- Newmarket's Traditional Suburban Neighbourhoods are generally characterized by:
  - Curvilinear street patterns, including crescent streets and cul-de-sacs;
  - Long blocks with few intersections;
  - Wide street widths;
  - Landscaped boulevards and a moderate and evolving canopy of maturing street trees;
  - Soft landscaping and accent planting;
  - Discontinuous sidewalks on one side of the street, with the exception of cul-de-sacs, many of which are absent of sidewalks;
  - Buried utilities;
  - Rectangular and pie-shaped lots, with consistent dimensions, of a moderate to significant size;

- Consistent front yard setbacks, of a moderate to significant depth;
- Consistent side yard setbacks, of a shallow to moderate depth;
- Varied building heights, ranging between 1 and 2-storeys;
- Consistent vehicular access configurations, characterized by front yard driveways of narrow to significant width;
- Consistent parking configurations, characterized by integral garages;
- Masonry veneer, vinyl or stucco cladding; and
- Limited range of architectural expressions and styles.
- Within Traditional Suburban Neighbourhoods, new development shall acknowledge and respect these physical characteristics, while responding to unique site and contextual conditions, and demonstrating compatibility with existing neighbourhood.

### 3.2.5 Contemporary Suburban Neighbourhoods

- Newmarket's Contemporary Suburban Neighbourhoods were developed following the 1990's, and are generally situated at the periphery of the Town, beyond the Traditional Suburban Neighbourhoods, and adjacent to the Estate Neighbourhoods.
- Newmarket's Contemporary Suburban Neighbourhoods are generally characterized by:
  - Modified street grid patterns;
  - Short blocks with many intersections;
  - Moderate street widths;
  - Landscaped boulevards and a minimal canopy of newly established street trees;
  - Soft landscaping and accent planting;
  - Continuous sidewalks on one or both sides of the street;
  - Buried utilities;
  - Rectangular and pie-shaped lots, with consistent dimensions, of a small to moderate size;
  - Consistent front yard setbacks, of a shallow to moderate depth;
  - Consistent side yard setbacks, of a shallow to moderate depth;
  - Consistent building heights of 2-storeys;
  - Consistent vehicular access configurations, characterized by front yard driveways of narrow to moderate width;
  - Consistent parking configurations, characterized by integral garages;
  - Masonry veneer or vinyl cladding; and

- Limited range of architectural expressions and styles.
- Within Contemporary Suburban Neighbourhoods, new development shall acknowledge and respect these physical characteristics, while responding to unique site and contextual conditions, and demonstrating compatibility with the existing neighbourhood.

### 3.2.7 Estate Neighbourhoods

- Newmarket's Estate Neighbourhoods were developed between the 1940's and 1990's, and are scattered throughout Newmarket, but are generally situated at the periphery of the Town, beyond the Traditional Suburban Neighbourhoods, and adjacent to the Contemporary Suburban Neighbourhoods.
- Estate Neighbourhoods are characterized by:
  - Curvilinear street patterns, including crescent streets and cul-de-sacs;
  - Long and often undefined discontinuous blocks;
  - Narrow street widths;
  - Landscaped boulevards with paved or gravel shoulders, swales and moderate and evolving canopy of maturing street trees;
  - Soft landscaping, accent planting and naturalized / wooded areas;
  - No sidewalks;
  - Buried utilities;
  - Rectangular and pie-shaped lots, with consistent dimensions, or a significant size;
  - Consistent front yard setbacks, of a significant depth;
  - Consistent side yard setbacks, of a moderate to significant depth;
  - Varied building heights, ranging between 1 and 2-storeys;
  - Varied vehicular access configurations, characterized by front yard driveways with one or more curb-cuts, and occasionally turn-around facilities, of moderate to significant width;
  - Varied parking configurations, characterized by parking pads, attached front and side garages, detached garages, and outdoor parking enclosures;
  - Solid masonry, wood, vinyl and stucco cladding; and
  - Significant range of architectural expressions and styles.
- Within Estate Neighbourhoods, new development shall acknowledge and respect these physical characteristics, while

responding to unique site and contextual conditions, and demonstrating compatibility with the existing neighbourhood.

- Within Estate Neighbourhoods, new development shall be undertaken in a manner which does not result in intensification through consent or the stratification of lands resulting in the introduction of additional residential dwellings , until such time as municipal services are provided throughout the neighbourhood.
- Nothing in this Plan shall prevent the Kingdale Road, Old Bathurst Estates and Premier Place Estate Residential subdivisions from being provided with full municipal services, if deemed appropriate and/or necessary, by the Region of York or the Town of Newmarket.

### **3.4 Local Institutional Uses**

*Replace Section 3.4: Local Institutional Uses with the following.*

#### **Policies**

1. Libraries, places of worship, day nurseries, retirement homes and other neighbourhood-based institutions that are compatible with the residential function of neighbourhoods are permitted in Residential Areas. Existing local institutional uses will be recognized in the implementing Zoning By-law. New local institutional uses will require an amendment to the Zoning By-law.
2. Public and private elementary schools are permitted in Residential Areas provided that:
  - a. where a vacant school site is not required by a Board of Education or by a private school, and the Town has determined that the lands are not needed for recreational purposes, the lands may be developed in accordance with the underlying land use designation without an amendment to this Plan;
  - b. where an existing school is determined to be surplus to a Board of Education's or a private school's requirements, or is to be relocated, the lands may be developed in accordance with the underlying land use designation without an amendment to this Plan, provided that the Town has determined that the lands are not needed for recreational purposes; and,
  - c. Council shall:
    - i. review all proposed, vacant and surplus school sites that are no longer required by a Board of Education with the intent of investigating if they are appropriate for recreational uses before considering any other forms of development on the lands; and,

- ii. require that all subdivision agreements which contain conditions for new school sites contain provisions that require the land owners to provide first right of refusal to the Town to purchase proposed school sites where the subject lands are no longer deemed necessary by the relevant Board of Education.
- 3. The zoning by-law may include provisions to regulate the type, size and location of Group Homes and Special Needs Facilities, which are defined as:

Group homes means a supportive housing facility located within a dwelling unit where persons live as a unit under responsible supervision consistent with the requirements of its occupants, which may or may not be licensed or approved by the Province of Ontario for the accommodation of three to eight persons, exclusive of staff, who, by reason of their emotional, mental, social or physical condition, require a group living arrangement for their wellbeing, but does not include a halfway house.

Special Needs Facilities means a supportive housing facility located within a dwelling unit where persons live as a unit under responsible supervision consistent with the requirements of its occupants for the accommodation of more than eight persons, exclusive of staff, who by reason of their emotional, mental, social or physical condition, require a group living arrangement for their well-being, and shall include a halfway house.

The zoning by-law will ensure that Group Homes and Special Needs Facilities:

- i. are of a size and character, which is similar to, or compatible with the existing surrounding area;
- ii. are not permitted within the Floodplain as regulated by the Lake Simcoe Region Conservation Authority.

### **3.7 Accessory Dwelling Units**

*Replace Section 3.7: Accessory Dwelling Units with the following.*

#### **Policy**

- 1. Accessory dwelling units are permitted as of right in Residential Areas subject to the following criteria:
  - a. a maximum of
    - i. two residential units (inclusive of the principal dwelling unit) in a detached house, semi-detached house or rowhouse; and
    - ii. one a residential unit in a building or structure accessory to a detached house, semi-detached house or rowhouse;
  - b. located in a single detached dwelling unit structure, semi-detached dwelling unit structure, townhouse dwelling unit structure, or in an accessory structure;

- c. where located in an accessory structure, the structure complies with applicable compatibility and urban design policies of this Plan;
- d. compliance with the provisions of the Ontario Building Code, Fire Code, Town of Newmarket Zoning By-law, Town of Newmarket Property Standards By-law, Regional Municipality of York Health Standards By-law and all other relevant government standards;
- e. shall be secondary to the main/primary dwelling unit; and,
- f. the property is registered in accordance with the Town of Newmarket's By-law for the Registration of Two Unit Houses.

### **3.8 Intensification**

*Renumber Section 3.9: Intensification to Section 3.8: Intensification. Replace Paragraphs 1 and 2 with the following.*

- Throughout Residential Areas, intensification is permitted through the introduction of the following:
  - A range of building and unit types including accessory dwelling units, single-detached dwellings and semi-detached dwellings on an as-of-right basis.
  - A range of building and units types including duplexes, triplexes, fourplexes, townhouses, rowhouses and low-rise apartment buildings on a discretionary basis.
  - Infill development through the construction of new residential dwellings and buildings on vacant land, additions and structural alterations to existing dwellings, and the demolition and redevelopment of existing dwellings.
  - The consent or stratification of lands resulting in the introduction of additional residential dwellings, and the replacement of single-unit dwellings with multi-unit dwellings, where appropriate and subject to other policies of this Plan.
- Standards for accessory dwelling units, will be established in the Zoning By-law and shall be consistent with Section 3.7, Accessory Dwelling Units.
- Limited intensification through consents will be permitted subject to the zoning by-law and compatibility with the scale of the surrounding neighbourhood, the physical suitability of the site to accommodate the proposed infill or intensification, availability of services and road access requirements.

### **Section 3.8 Convenience Commercial Uses**

*Renumber Section 3.8: Convenience Commercial Uses to Section 3.9: Local Commercial Uses. Replace with the following.*

- In Residential Areas principally on Primary and Minor Collector Roads, the Town will encourage the provision of a variety of small, locally-oriented

- convenience and service uses that complement adjacent residential land uses within a similar built form. The Town will ensure that these uses:
- Are compatible with and complement surrounding land uses;
  - Are conveniently located with respect to concentrations of residential development and provide direct access for pedestrians and cyclists from adjacent residential areas;
  - Are permitted to cluster with other community-oriented uses, such as parks, pedestrian linkages, community centres or leisure facilities, in order to facilitate interaction among residents and contribute to a sense of community;
  - Are situated to take advantage of pedestrian and cycling patterns;
  - Are of a size and scale that will not result in the attraction of large volumes of vehicular traffic from outside the immediate area.
- Along the Primary Collector Streets of Eagle Street, Gorham Street, Bayview Avenue, and Prospect Street there exist a range of commercial, institutional, and office uses. Where the zoning by-law permits them and where they are permitted by Planning Act applications, the Town will ensure that these uses:
    - Are compatible with and complement surrounding land uses;
    - Focus building orientations and massing toward the street;
    - Provide appropriate buffering and transition to adjacent residential uses;
    - Emphasize a continuous street frontage by locating parking in the rear of lots and with appropriate screening;
    - Meet all applicable policies of this Plan; and
    - Are of a size and scale that will not result in the attraction of large volumes of vehicular traffic from outside the immediate area.

#### **Section 12.4: Compatibility**

##### ***Add to Section 12.4: Compatibility the following.***

Development will be compatible with the existing built form by relating to and enhancing the area's existing physical character, qualities and scale. When reviewing development proposals, Council will consider the appropriateness of the development for the area based on how buildings respond to:

1. the existing built form of the area;
2. the policies and built form of the Residential Character Area, if applicable;
3. the nature of fenestration and sun reflection impacts;
4. the nature of shadow impacts; and,
5. the existing and emerging built-form elements such as height, massing, setbacks, materials and finishes that are incorporated into surrounding buildings.

Development will be required to demonstrate how its design fits with the existing character of the surrounding area in the context of:

1. setbacks, heights and transition;
2. façade and roofline articulation;
3. colours and materials;
4. architectural elements, including windows, doors and projections;
5. pre- and post-construction grades on site; and
6. incorporating elements and details of common characteristics of the area.

The Town will require that all applications for new development:

1. are compatible with and complement surrounding land uses;
2. focus building orientations and massing toward the street;
3. provide appropriate buffering and transition to adjacent uses;
4. emphasize a continuous street frontage by locating parking in the rear of lots and with appropriate screening;
5. ensure that private streets, where permitted, have characteristics of public
6. c streets with sidewalks, street trees, and pedestrian amenities;
7. include windows on the building elevations that are adjacent to public spaces;
8. use architectural elements, massing, and landscaping to accentuate main building entrances.

Building heights immediately adjacent to a Residential Area should provide an appropriate transition and achieve suitable visual angular planes. Where a building height greater than the existing adjacent context or adjacent public open space is proposed, the development shall demonstrate that an effective transition in height and massing, such as a stepping down or variation in building form has been incorporated into the design.

The Zoning By-law will include regulations that promote compatibility in built form by means of appropriate height, setbacks, massing and screening guidelines.

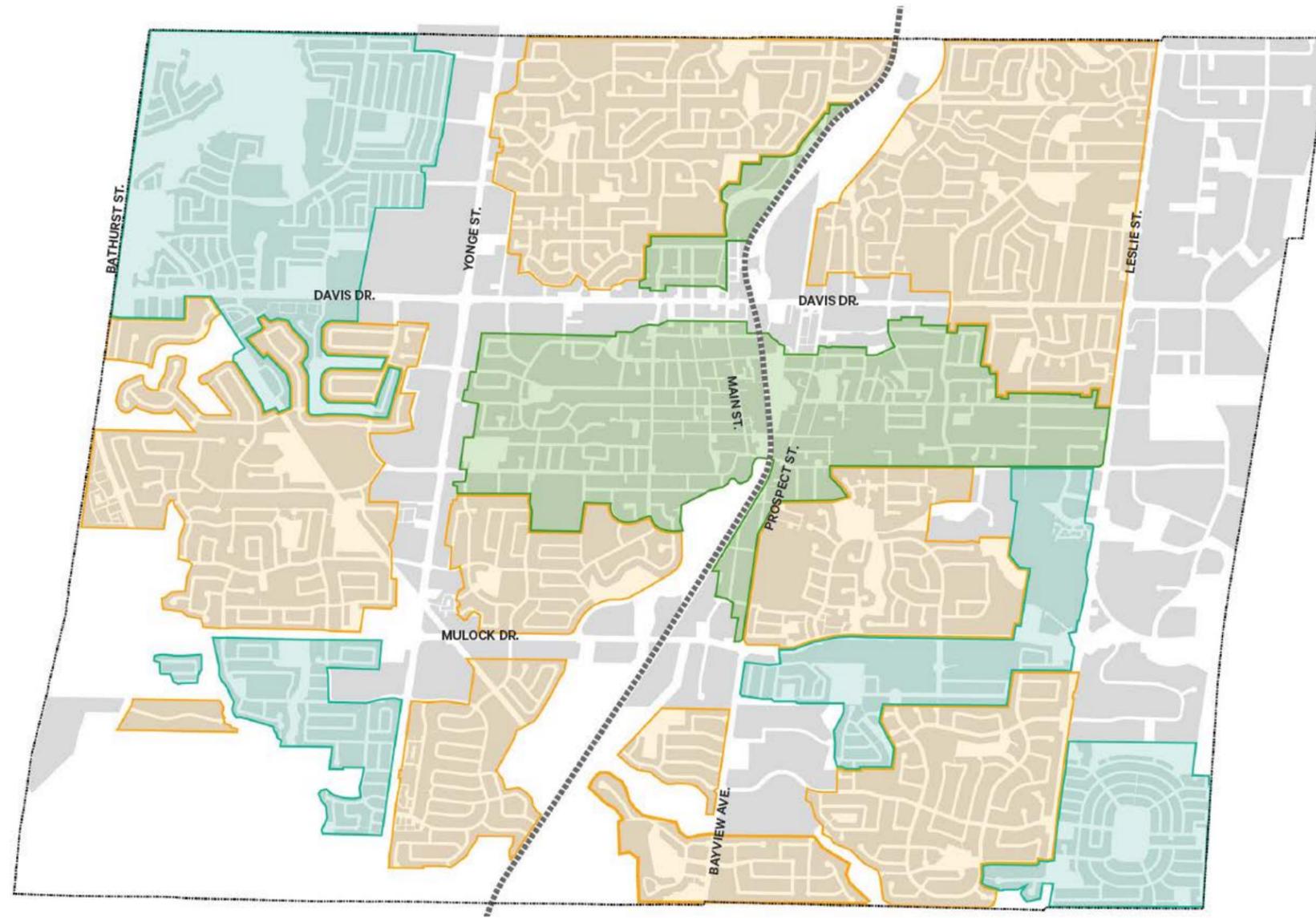
### **Schedule A: Land Use**

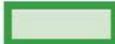
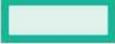
*Remove “Stable Residential” and “Emerging Residential” Land Use Designations, combine and replace with “Residential” Land Use Designation.*

### **Schedule X: Residential Character Areas**

*Create new schedule for “Residential Character Areas”, illustrating the boundaries of “Organic Neighbourhoods”, “Traditional Suburban Neighbourhoods”, “Contemporary Suburban Neighbourhoods”, and “Estate Neighbourhoods”.*

Schedule X:



- |  |   |  |
|--|---|--|
|  Organic Neighbourhoods |  Traditional Suburban Neighbourhoods |  Contemporary Suburban Neighbourhoods |
|  Municipal Boundary     |  Rail                                |  |