



DEVELOPMENTS (NEWMARKET) INC.

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November 29, 2022

Hon. Steve Clark, Minister of Municipal Affairs and Housing
Ministry of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M7A 2J3

Dear Minister Clark:

**RE: 535 DAVIS DRIVE, TOWN OF NEWMARKET – LJM DEVELOPMENTS
REQUEST TO REMOVE LANDS UNDER THE OAK RIDGES MORaine
CONSERVATION PLAN**

We are the owners of lands which are a subject to ongoing planning applications with York Region and the Town of Newmarket to permit a residential intensification development concept for lands municipally known as 535 Davis Drive West, Town of Newmarket (the “subject lands”). We have been made aware of the recent announcement from your Ministry regarding requests for feedback regarding the proposed changes to the Oak Ridges Moraine Conservation Plan (“ORM”) (Ontario Regulation 140/02). The existing ORM mapping shows a small portion at the corner of subject lands as being within the ORM and designated as Settlement Area. By copy of this letter, we are formally requesting that the small portion of lands designated as Settlement Area in the ORM be equally considered for removal from the subject lands for the reasons described below.

As seen on Figures 1 to 2 below, the subject lands are a long parcel located on the northeast corner of Bathurst Street and Davis Drive West and have an area of approximately 6.53 acres or 2.645 hectares. Legally described as Part of Lot 96, Concession 1, West of Yonge Street, the subject lands are located at the western boundary of the Town of Newmarket’s Urban Area and within 1.8 kilometers from a designated Regional Urban Growth Centre and 2.25km from the Mulock Protected Major Transit Station Area (BRT) located at the Yonge Street and Davis Drive intersection.



Figure 1: Approximate area of subject lands and surrounding land uses

The surrounding land use context is predominantly urban residential land uses and associated community uses such as schools, service commercial centers, and parks. The subject lands are currently vacant and contain a woodlot and a small unevaluated wetland at the intersection of Bathurst Street and Davis Drive West.

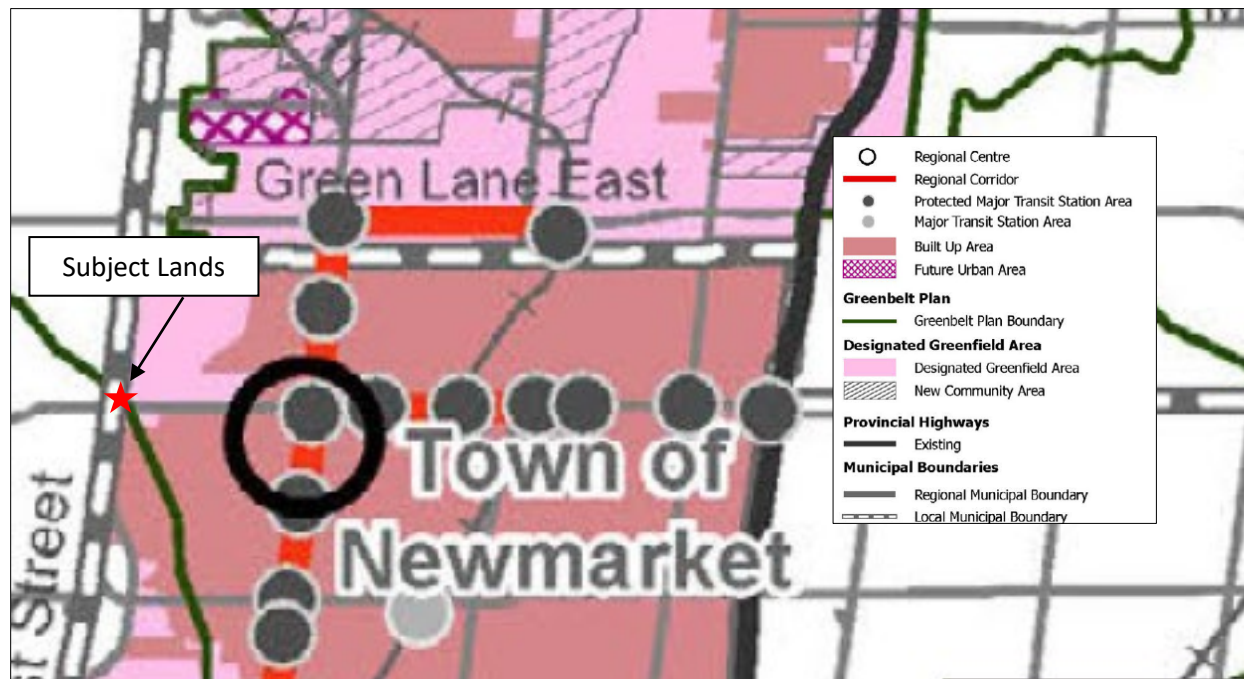


Figure 2: Map 1B Urban Systems Overlays, Region of York Official Plan

As mentioned earlier, we submitted planning applications in June 2021 to permit the development of a mid-rise residential apartment building for consideration by the Region of York and the Town of Newmarket. Comments resulting from the official plan and zoning by-law application identified that a small portion of the lot is located within the Settlement Area designation of the ORM. Lands designated

as Settlement Areas encourage development of communities and contain urban growth that among other things, “minimizing the encroachment and impact of development on the ecological functions and hydrological features of the Plan Area”. Further to this, key natural heritage features and their associated minimum vegetative protective zone thereby prohibited development and site alteration.

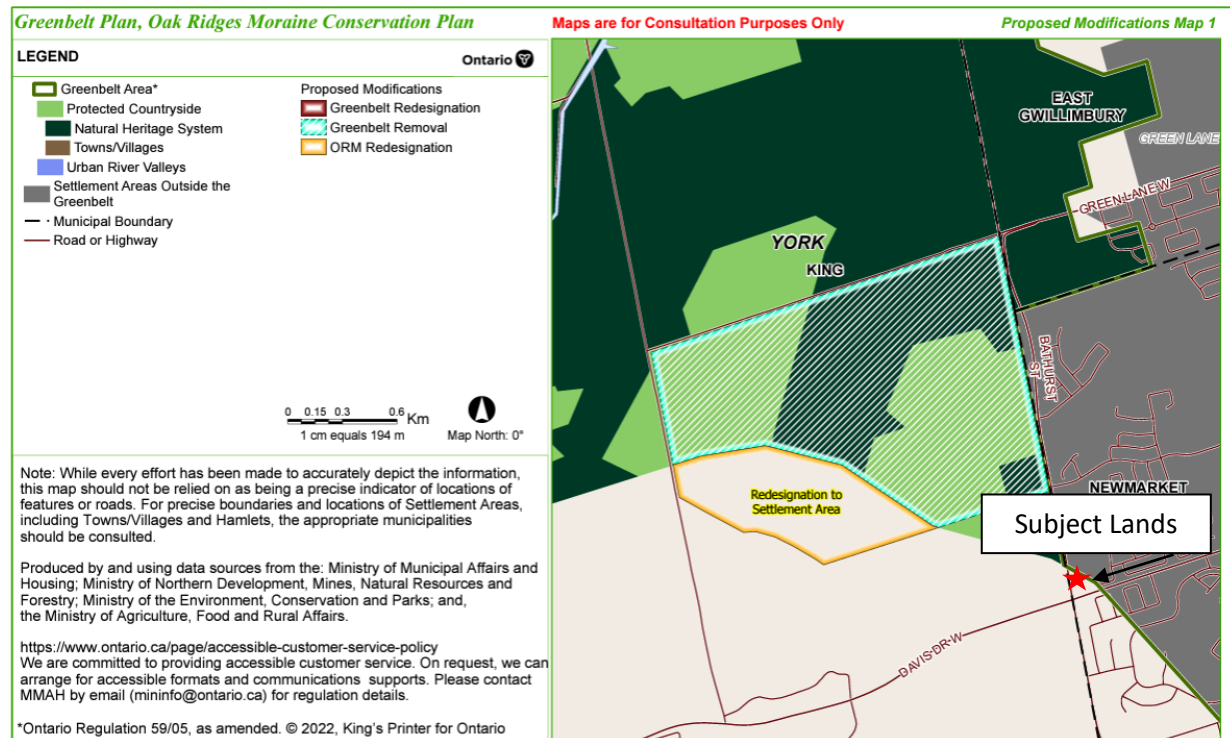


Figure 3: Consultation mapping from proposed revisions from ERO 019-6218 released by the Ministry of Municipal Affairs

The extent of the ORM designation as seen on Figure 3 above is further reflected in the Town of Newmarket Official Plan Amendment No. 28 as a Special Study Area – Oak Ridges Moraine, which applies a specific designation to the subject lands in respect to the ORM and could require the application of a 30-metre minimum vegetation protection zone from both the proximity of significant woodlands to the north and an unevaluated intermittent stream.

As a result of the comments, we have retained Colville Engineering and Azimuth Environmental Consulting Inc. to evaluate the natural heritage features on the subject lands. The results of their analysis indicate that the woodland would be considered Significant as per Town of Newmarket Official Plan, the meadow marsh located at the southwest corner of the property is regulated by the Lake Simcoe Region Conservation Authority (LSRCA) but is too small and low functioning to be considered for inclusion within the Ansnorveldt Provincially Significant Wetland that is located approximately 620m to the north of the wetland nor would it meet the definition of ‘wetland’ as per the ORM. Additionally, the intermittent watercourse acts primarily as a stormwater conveyance channel conveying water from the stormwater management facility south of Davis Drive West to a tributary of the West Holland River. As a result, both environmental consultants recommend a 10m setback to the woodland and ecological offsetting and or compensation relating to the wetland and intermittent stream to achieve the most net

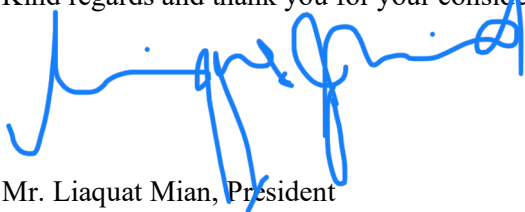
gain for the greater system function. LSRCA would be involved in consultation and a permit would be required for the proposed works within regulated lands.

As such, we are asking for the Ministry's consideration to remove the ORM Settlement Area Designation overlay from the subject lands as the designation:

- is disconnected and fragmented from the greater area to the west;
- encumbers viable emerging residential lands with onerous setbacks and minimum vegetative protection zone requirements;
- does not allow for flexibility in the assessment of the ecological function of the intermittent watercourse which, in its current state, is low functioning. However, proposed re-alignment and enhancements could lead to an improved ecological function.
- a 10m setback to the woodland is sufficient to protect its ecological form and function. The proposed 10 metres setback from features is consistent with Region and Town policies and is a sufficient and standard width within settlement areas outside of the ORM for the protection of urban woodlands.

We recognize that your government is taking action to advance housing construction in the Province in order to address the housing crisis. Although our request is for a small portion of the property, the removal of the ORM designation will allow us to efficiently use lands within an existing urban area that can also be efficiently serviced with existing infrastructure without costly expansions. The current planning applications contemplates the intensification of the subject lands for 226 seniors dwelling units, however we are interested in investigating opportunities such as the development concept reflected in the attached Feasibility Study, which will optimize the lands and assist in meeting the intensification and growth targets approved in the recent Region of York Official Plan. We thank you for the opportunity to have our request be considered and we appreciate any further dialogue with your Ministry to facilitate this request.

Kind regards and thank you for your consideration,



Mr. Liaquat Mian, President
LJM Group
Mobile: 647-588-4165

Cc:

Ms. Kristin Jensen - Deputy Chief of Staff
Mr. A. Vance, LJM Developments
Mr. J. Ariens, Arcadis IBI Group
Ms. C. Jandu, Arcadis IBI Group

Attachment: Feasibility Study as prepared by Kirkor Architects + Planners

An aerial photograph of a residential development. A road intersection is visible in the center. To the left of the road are large green fields and some small buildings. To the right of the road is a dense residential area with many houses and trees. The text '535 DAVIS DR, NEWMARKET' is overlaid in large, bold, black letters at the top left. Below it, 'CONCEPT DESIGN' is overlaid in smaller, bold, black letters.

535 DAVIS DR, NEWMARKET

CONCEPT DESIGN

LJM
535 DAVIS DR,
NEWMARKET, ON

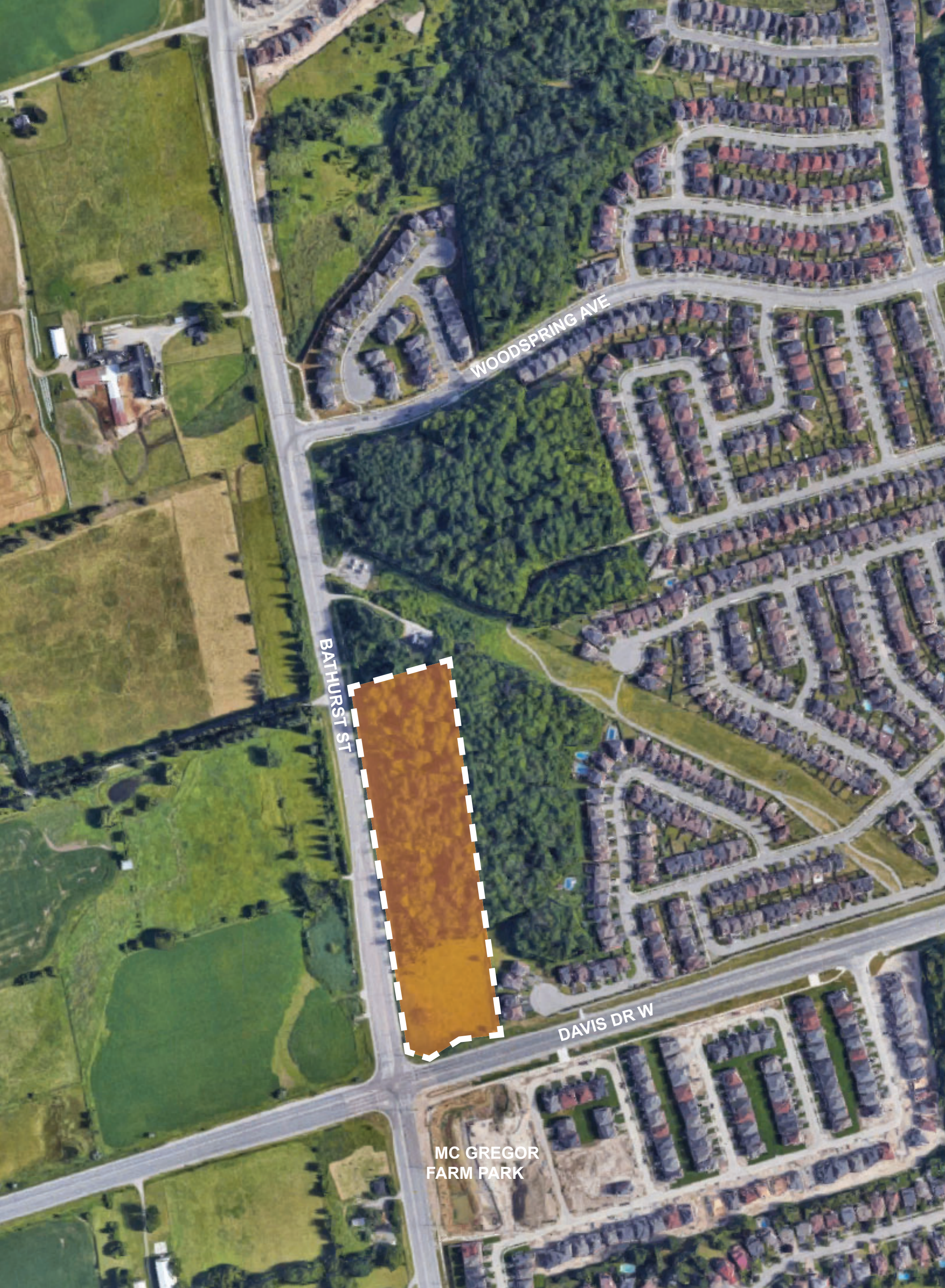




CONTEXT

LJM
535 DAVIS DR,
NEWMARKET, ON





CONTEXT

LJM
535 DAVIS DR,
NEWMARKET, ON





CONTEXT

AERIAL VIEW 01

LJM
535 DAVIS DR,
NEWMARKET, ON

KIRKOR
ARCHITECTS AND PLANNERS



MC GREGOR
FARM PARK

BATHURST ST

DAVIS DR W

CONTEXT

AERIAL VIEW 02

LJM
535 DAVIS DR,
NEWMARKET, ON

KIRKOR
ARCHITECTS AND PLANNERS

22-161

November 18, 2022



CONTEXT

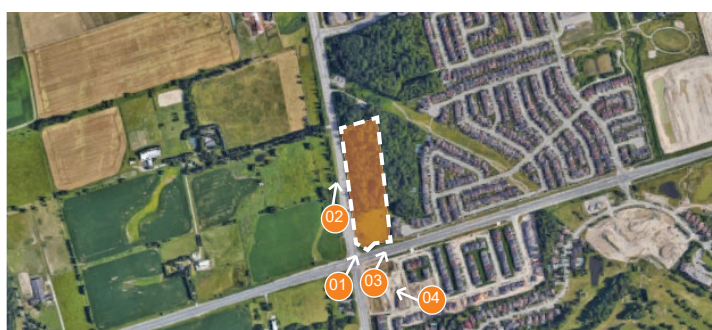
AERIAL VIEW 03

LJM
535 DAVIS DR,
NEWMARKET, ON



CONTEXT

EXISTING CONDITION



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535 DAVIS DR,
NEWMARKET, ON

KIRKOR
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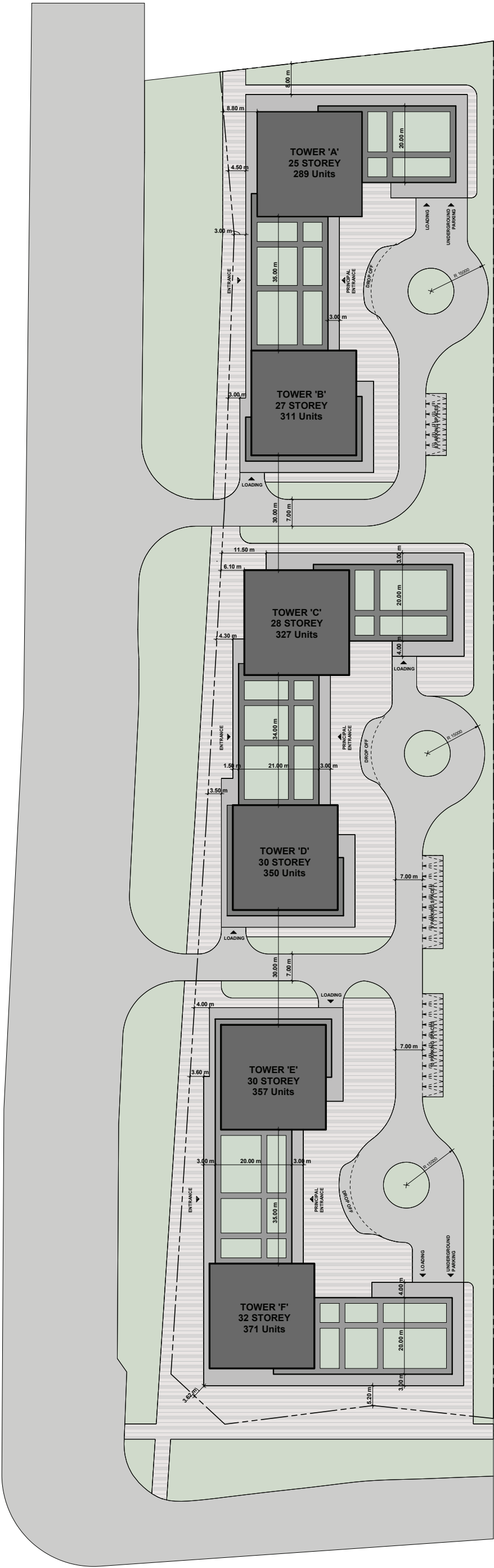


22-161

November 18, 2022

MASTER PLAN

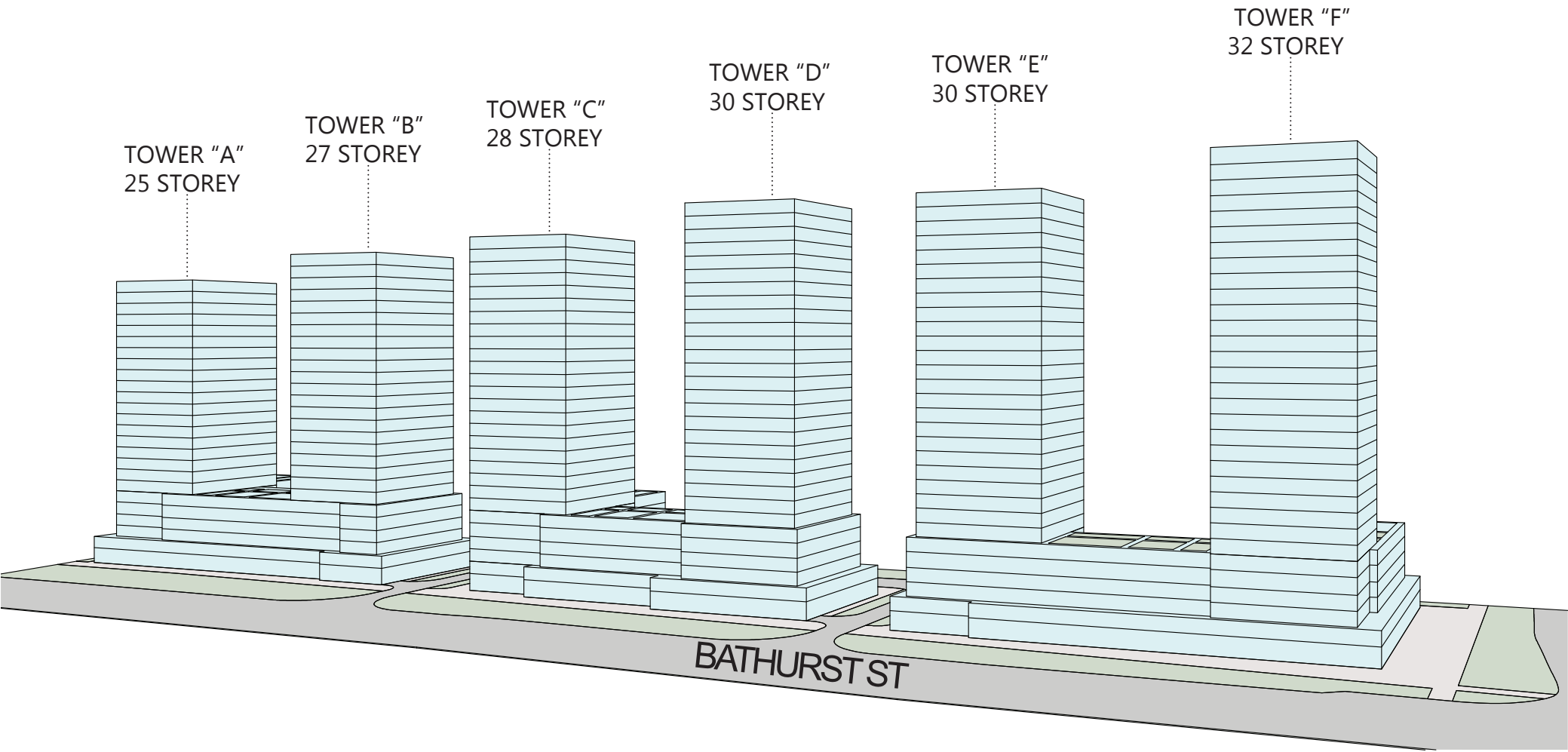
SITE PLAN



LJM
535 DAVIS DR,
NEWMARKET, ON

KIRKOR
ARCHITECTS AND PLANNERS





MASSING

3D VIEW 1

LJM
535 DAVIS DR,
NEWMARKET, ON

TOWER "A"
25 STOREY

TOWER "B"
27 STOREY

TOWER "C"
28 STOREY

TOWER "D"
30 STOREY

TOWER "E"
30 STOREY

TOWER "F"
32 STOREY

BATHURST ST

MASSING

3D VIEW 2

LJM
535 DAVIS DR,
NEWMARKET, ON

KIRKOR
ARCHITECTS AND PLANNERS

TOWER "F"
32 STOREY

TOWER "E"
30 STOREY

TOWER "D"
30 STOREY

TOWER "C"
28 STOREY

TOWER "B"
27 STOREY

TOWER "A"
25 STOREY

MASSING

3D VIEW 3

LJM
535 DAVIS DR,
NEWMARKET, ON

535 Davis Drive
MIXED USE DEVELOPMENT
Newmarket, ON

Project Statistics				
Nov 18, 2022			Project No. 22-161	

1.0	Site Information				
1.1	Site Area	hectare	acres	sq.m	sq.ft
		2.64	6.54	26,446.46	284,667
2.0	Proposed TFA(Total Floor Area)				
2.1	Residential TFA (Block 1)	floors	sq.m.	sq.m.	sq.ft.
	Level 1 to 2	2 x	3,500	7,000	75,347
	Level 3 to 6	4 x	2,906	11,624	125,120
	Level 7 to 25 Tower A	19 x	750	14,250	153,386
	Level 7 to 27 Tower B	21 x	750	15,750	169,532
	Proposed Residential TFA (Block 1)			48,624	523,385
2.2	Residential TFA (Block 2)	floors	sq.m.	sq.m.	sq.ft.
	Level 1 to 2	2 x	3,590	7,180	77,285
	Level 3 to 6	4 x	2,865	11,460	123,354
	Level 7 to 28 Tower C	22 x	750	16,500	177,605
	Level 7 to 30 Tower D	24 x	750	18,000	193,750
	Proposed Residential TFA (Block 2)			53,140	571,994
2.3	Residential TFA (Block 3)	floors	sq.m.	sq.m.	sq.ft.
	Level 1	1 x	3,170	3,170	34,122
	Level 2	1 x	3,870	3,870	41,656
	Level 3 to 6	4 x	3,045	12,180	131,104
	Level 7 to 30 Tower E	24 x	750	18,000	193,750
	Level 7 to 32 Tower F	26 x	750	19,500	209,896
	Proposed Residential TFA (Block 3)			56,720	610,528
2.4	Retail TFA (Block3)	floors	sq.m.	sq.m.	sq.ft.
	Level 1	1 x	700	700	7,535
	Proposed Retail TFA			700	7,535
2.5	Total TFA			sq.m.	sq.ft.
	Block 1			48,624	523,384
	Block 2			53,140	571,994
	Block 3 (Retail+Residential)			57,420	618,064
	Total Proposed TFA			159,184	1,713,442
3.0	Proposed Floor Space Index				FSI
	"Floor Space Index" the gross floor area of all buildings on a lot divided by the lot area.				6.02
4.0	Unit Count				
4.1	Unit Count (Block 1)	floors	units / floor	Total	
	Level 1 Town House	1 x	18	18	
	Level 2	1 x	6	6	
	Level 3 to 6	4 x	34	136	
	Level 7 to 25 Tower A	19 x	11	209	
	Level 7 to 27 Tower B	21 x	11	231	
	Total Unit Count (Block 1)			600	
4.2	Unit Count (Block 2)	floors	units / floor	Total	
	Level 1 Town House	1 x	19	19	
	Level 2	1 x	8	8	
	Level 3 to 6	4 x	36	144	
	Level 7 to 28 Tower C	22 x	11	242	
	Level 7 to 30 Tower D	24 x	11	264	
	Total Unit Count (Block 2)			677	
4.3	Unit Count (Block 3)	floors	units / floor	Total	
	Level 1 Town House	1 x	16	16	
	Level 2	1 x	10	10	
	Level 3 to 6	4 x	38	152	
	Level 7 to 30 Tower E	24 x	11	264	
	Level 7 to 32 Tower F	26 x	11	286	
	Total Unit Count (Block 3)			728	
4.4	Total Unit Count			Total	
	Block 1			600	
	Block 2			677	
	Block 3			728	
	Total Unit Count			2,005	

STATISTICS

LJM
535 DAVIS DR,
NEWMARKET, ON





PRECEDENT

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535 DAVIS DR,
NEWMARKET, ON