

# Corporation of the Town of Newmarket

## By-law 2019-XX

The intent of this Interim Control By-law is to control the development of single detached, semi detached, duplex, triplex, quadraplex and townhouse dwellings within defined areas of the Town of Newmarket for a period of one year.

**WHEREAS** Section 38 of the Planning Act permits the Council of a Municipality to pass an Interim Control By-law, that may be in effect for up to one year, which prohibits the use of land, buildings or structures within the municipality or within the defined area thereof for such purposes as set out in the By-Law, but only if the Council of the municipality has directed that a review or study be undertaken with respect to land use planning policies that apply to the subject area.

**AND WHEREAS** Council for the Town of Newmarket has directed that an Established Residential Area study be undertaken to review zoning by-law regulations and associated land use policies pertaining to large home rebuilds in established residential neighbourhoods of Newmarket.

**AND WHEREAS** the Council for the Town of Newmarket seeks to control the erection of, or additions resulting in, any large scale single-detached dwelling within defined areas of the municipality, while the Established Residential Area study is being completed.

### **NOW, THEREFOR, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF NEWMARKET ENACTS AS FOLLOWS:**

1. This Interim Control By-law applies to all lands, buildings and structures located within the area outlined on Schedule A attached to this by-law.
2. No land, building or structure subject to this by-law shall be used for a "Intensified Residential use".
3. For the purposes of this By-law, the following definition shall apply:  
For the purpose of this by-law, the following definitions shall apply:
  - a) "Intensified Residential Use" means:
    - i. the use of land, building or structure for a one-family dwelling, two family dwelling, multiple family dwelling, row dwelling, group dwelling or semi-detached dwelling where the land, building or structure was not used for such a purpose on the date of passing of this by-law; or
    - ii. the addition of additional gross floor area or height to a one-family dwelling, two-family dwelling, multiple family dwelling, row dwelling, group dwelling or semi-detached dwelling beyond that which existed as of the date of passing of this by-law.
4. This By-law shall come into force and take effect immediately upon the passage thereof, and shall be in effect for one year from the passage of this By-law unless otherwise extended in accordance with Section 38 of the Planning Act, or repealed by Council at an earlier date.
5. For greater certainty, if a building permit application filed in accordance with the Ontario Building Code Act was complete on or before (Date of passing), then this by-law does not preclude the issuance of said building permit.

6. If Council of the Town of Newmarket has provided specific approval of a site plan approval or draft plan of subdivision application than this by-law does not preclude the issuance of building permits for such development in accordance with the Town's normal and usual processes.

Enacted this xxx day of xxx, 2019.

John Taylor, Mayor

Lisa Lyons, Town Clerk

# Subject Planning Area

- Land Subject to Bylaw
- 2018-23 Interim Control By-law
- Major Road
- Road
- Railway
- Municipal Boundary



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 Source: 2018-23 Interim Control Bylaw - OMB  
 Municipal Boundary - OMB  
 Major Road - Urbanform  
 Road - Urbanform  
 Railway - Urbanform  
 Municipal Boundary - OMB  
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