

Corporation of the Town of Newmarket

By-law 2018-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. a new single detached, semi detached, duplex, triplex, quadraplex and townhouse dwellings that exceeds by 25% or more that Gross Floor Area of any dwelling that existed on the same lot on the date of passage of this by-law; or
 - ii. an addition to an existing single detached, semi detached, duplex, triplex, quadraplex and townhouse dwelling such that the new Gross Floor Area of such dwelling exceeds by 25% or more the Gross Floor Area of such a dwelling as it existed on the date of passage of this by-law; or
 - iii. a new single detached, semi detached, duplex, triplex, quadraplex and townhouse dwellings or addition to a single detached, semi detached, duplex, triplex, quadraplex and townhouse dwellings that increase the height of the dwelling beyond that which existed on the same lot on the date of passage 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 By-law
- 2018-23 Interim Control By-law
- Major Road
- Road
- Railway
- Municipal Boundary



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