



Corporation of the Town of Newmarket

By-law 2020-38

A By-law to Amend Zoning By-law 2010-40, with respect to the lands located in the Glenway Community, south of Davis Drive, east of Mitchell Place, being Part of Block 155 in Plan 65M-2205 and shown as Blocks 164 and 165 in Plan 19TN 2012-001

Whereas the Council of the Town of Newmarket has the authority pursuant to Section 34 of the Planning Act, R.S.O. 990, c.P.13, as amended, to pass this By-law; and

Whereas it is deemed advisable to amend By-law Number 2010-40;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That the lands subject to this amendment are illustrated on Schedule 1 attached hereto.
2. Amending Section 8.1.1 List of Exceptions by deleting Exception 125 as it relates to lands south of Davis Drive and east of Mitchell Place and replacing it with a new Exception 125 having the following regulations relating to the R5-T-125 zone:

Exception 125	Zoning (H)R5-T-125	Map 8	By-law Reference 2020-XX	File Reference D14-19-05												
<div><div>i) Location: South of Davis Drive, East of Mitchell Place.</div><div>ii) Legal Description: Block 164, Plan 19TN 2012-001</div><div>iii) Notwithstanding any other provision of the by-law to the contrary, the following provisions shall apply to the lands zoned R5-T-125 shown on Schedule 1 attached hereto.</div><div>Uses permitted in addition to uses otherwise permitted by the R5 zone:<ul style="list-style-type: none">• Apartment Building• Stacked Townhouse Dwelling</div><div>Development Standards:</div><table><tr><th>Zone Standard</th><th>Stacked Townhouses</th><th>Apartment Buildings</th></tr><tr><td>(a) Minimum Lot Frontage</td><td colspan="2">185m</td></tr><tr><td>(b) Maximum Number of Dwelling Units</td><td>298</td><td>298</td></tr><tr><td>(c) Maximum Height</td><td>15.0 metres</td><td>6 storeys (25.5m), except that no part of any</td></tr></table></div>					Zone Standard	Stacked Townhouses	Apartment Buildings	(a) Minimum Lot Frontage	185m		(b) Maximum Number of Dwelling Units	298	298	(c) Maximum Height	15.0 metres	6 storeys (25.5m), except that no part of any
Zone Standard	Stacked Townhouses	Apartment Buildings														
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(b) Maximum Number of Dwelling Units	298	298														
(c) Maximum Height	15.0 metres	6 storeys (25.5m), except that no part of any														

		building shall exceed the height of 4 storeys (18.8m) within a distance of 60.0m from the rear lot line of an existing single-detached dwelling
(d) Height Definition	Notwithstanding the definition of “Height” in Section 3, height shall mean the vertical distance measured between the average established grades as identified for each building and the top of the building exclusive of mechanical penthouse, parapets, green roofs, and roof terraces.	
(e) Lot lines	<p>The north lot line shall be deemed the front lot line.</p> <p>The south lot line shall be deemed the rear lot line.</p>	
(f) Minimum Yard Setback from Rear Lot Line	30.0m	
(g) Minimum width of landscape buffer abutting rear lot line	30.0m	
(h) Minimum Yard Setback from Front Lot Line	3.0m	
(i) Minimum Yard Setback from Exterior Side Lot Line	3.0m	
(j) Minimum Yard Setback from Interior Side Lot Line	5.0m	
(k) Minimum Private Amenity Space	1400m ²	
(l) Parking for Residential Uses	1.42 spaces per dwelling unit	
(m) Parking for Visitors	0.25 spaces per dwelling unit	
(n) Minimum parking space size	2.6m by 5.5m	
(o) Minimum two-way drive aisle width	6.7m	
(p) Location of Parking	Parking may be outdoor at grade, within garages and/or underground.	
(q) Encroachments	<p>The following may encroach into the required front, interior and exterior side yards but in no instance shall be closer than 1.2 metres from the property line: stairs, patios, garbage enclosures</p> <p>The underground parking structure may encroach into all yards, but shall in no instance be closer than 0.9 metres from the property line.</p>	
(r) Lot	Notwithstanding the definition of “Lot” in Section 3, the subject lands as shown in Schedule 1, are deemed one lot, regardless of the number of buildings constructed thereon, the creation of	

	separate units and/or lots by way of a plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of this By-law.
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3. Amending Section 8.1.1 List of Exceptions by deleting Exception 126 as it relates to lands south of Davis Drive and east of Mitchell Place and replacing it with a new Exception 126 having the following regulations relating to the CR-2-126 zone:

Exception 126	Zoning (H) CR-2-126	Map 8	By-law Reference 2020-XX	File Reference D14-19-05																								
<p>i) Location: South of Davis Drive, East of Mitchell Place.</p> <p>ii) Legal Description: Block 165, Plan 19TN 2012-001</p> <p>iii) Notwithstanding any other provision of the by-law to the contrary, the following provisions shall apply to the lands zoned CR-2-126 shown on Schedule 1 attached hereto</p> <p>Uses: Residential Use-Live Work Unit</p> <p>Uses: Commercial- Art Gallery, Studio, Personal Service Shop, Retail Store, Office</p> <p>Development Standards:</p> <table><tr><td>(a) Minimum Lot Area</td><td>0.35ha</td></tr><tr><td>(b) Minimum Lot Frontage</td><td>60m on Mitchell Place</td></tr><tr><td>(c) Front Lot Line</td><td>Mitchell Place</td></tr><tr><td>(d) Minimum Yard Setback from a Public Road</td><td>3.0m</td></tr><tr><td>(e) Maximum Lot Coverage</td><td>35%</td></tr><tr><td>(f) Maximum gross floor area per Commercial Unit</td><td>60.0m2</td></tr><tr><td>(g) Location of Commercial Unit</td><td>Ground floor only</td></tr><tr><td>(h) Parking for Residential Use</td><td>2 spaces per unit</td></tr><tr><td>(i) Parking for Commercial Uses</td><td>1 space per unit for the first 40m2 gross floor area, plus 1 space per 30m2 of aggregate commercial gfa for all units greater than 40m2 per unit.</td></tr><tr><td>(j) Garage Location</td><td>Not permitted on the side of the building facing the street</td></tr><tr><td>(k) Maximum Height</td><td>11.6m (3 storeys)</td></tr><tr><td>(l) Lot</td><td>Notwithstanding the definition of “Lot” in Section 3, the subject lands as shown in Schedule 1, are</td></tr></table>					(a) Minimum Lot Area	0.35ha	(b) Minimum Lot Frontage	60m on Mitchell Place	(c) Front Lot Line	Mitchell Place	(d) Minimum Yard Setback from a Public Road	3.0m	(e) Maximum Lot Coverage	35%	(f) Maximum gross floor area per Commercial Unit	60.0m2	(g) Location of Commercial Unit	Ground floor only	(h) Parking for Residential Use	2 spaces per unit	(i) Parking for Commercial Uses	1 space per unit for the first 40m2 gross floor area, plus 1 space per 30m2 of aggregate commercial gfa for all units greater than 40m2 per unit.	(j) Garage Location	Not permitted on the side of the building facing the street	(k) Maximum Height	11.6m (3 storeys)	(l) Lot	Notwithstanding the definition of “Lot” in Section 3, the subject lands as shown in Schedule 1, are
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By-law No.	Property Description	Permitted Uses Until Holding Provision is Removed	Conditions for Removal
2020-XX	Blocks 164 and 165, Plan 19TN 2012-001	No person within the lands zoned (H)R5-T-125 or (H) CR-2-126 shall erect, alter or use any land, buildings or structures for any purpose.	<p>A Record of Site Condition (RSC) has been filed for the site to the satisfaction of the Director of Engineering Services.</p> <p>That sufficient servicing capacity has been allocated by the Town as confirmed by the Director of Planning and Building Services.</p> <p>That a site plan agreement has been entered into between the Owner and the Town and the performance security contemplated therein has been posted.</p>

Enacted this 29th day of June, 2020.

John Taylor, Mayor

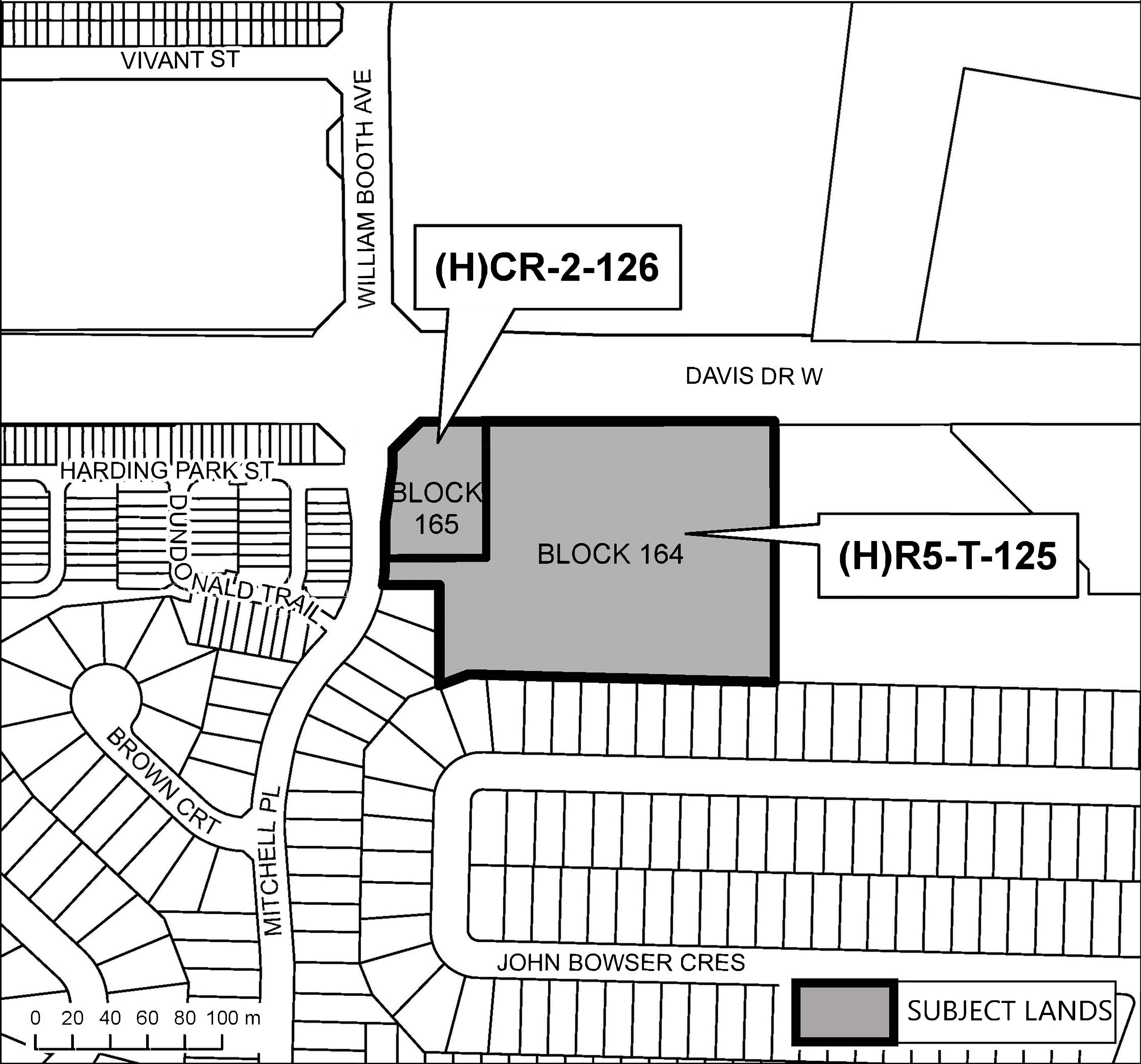
Lisa Lyons, Town Clerk

TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK
BLOCK 164 AND 165
PLAN 19TN 2012-001

This is Schedule '1'
To Bylaw 2020-
Passed this _____ Day
of _____, 2020.

MAYOR _____

CLERK _____



SCHEDULE "1" TO BY-LAW 2020-
TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & Produced by Information Technology – GIS Printed: February, 2020. Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2020. Zoning - Town of Newmarket, 2020. DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.