

Corporation of the Town of Newmarket

By-law 2020-XX

A By-law to amend By-law Number 2019-06 being a zoning by-law for the Urban Centres Secondary Plan area (Technical Amendment).

Whereas it is deemed advisable to amend By-law Number 2019-06;

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

1. That By-law Number 2019-06 is hereby amended by:

- a. Deleting the year “2017” in Provision 1.9.2 iii)a) Minor Variance Applications replacing it with “2018”.
- b. Revising the date “September 4th, 2018” in Provision 1.9.3 iii)b) to “September 24th, 2018”.
- c. Revising the by-law number “1989-96” in Provision 1.10 i)b) to “1981-96”.
- d. Deleting Diagram 3-6 under definition of Daylighting Triangle in Section 3 Definitions and replacing it with the diagram shown in Schedule 1 to this by-law.
- e. Adding the following text to the definition of Floor Space Index in Section 3 Definitions:

“For the purpose of calculating Floor Space Index, the following lands shall be excluded from *lot area*:

- Natural Heritage System and identified significant natural heritage areas;
- Floodplain and Hazard Lands, unless development exists or has been permitted by the Lake Simcoe Region Conservation Authority, and
- Public infrastructure such as hydro facilities and pumping stations.

For greater certainty, lands used for the following purposes shall be included as part of *lot area* when calculating Floor Space Index:

- off-street parking and servicing areas;
- private streets and driveways;
- public streets conveyed to the Town or the Regional Municipality of York;
- parks and open space dedicated to the Town or a public authority;
- lands conveyed to the Town for underground hydro
- private landscaped areas, including private squares that are designed to be used by the public.”

- f. Deleting the definition of “Width of Driveway” in Section 3.

- g. Deleting the words “which is designated on Schedule “F” to this By-law” in Section 4.12 Planned Width of Street Allowance and replacing them with the word “that”.
- h. Adding *Retirement Residence* to Section 5.3.1.2 Parking Standards – Non-Residential Uses and adding the following Minimum Off-Street Parking Requirement and Maximum Off-Street Parking Requirement for *Retirement Residence*:

Type or Nature of Use	Minimum Off-Street Parking Requirements	Maximum Off-Street Parking Requirements
<i>Retirement Residence</i>	0.5 <i>parking space</i> per unit plus 0.25 <i>parking spaces</i> per unit for visitor	1.0 parking space per unit plus 0.25 parking spaces per unit for visitor

- i. Deleting the text in Section 5.3.1.4 Carpooling Parking Space for certain Non-residential Uses and replacing with the following:

“Notwithstanding Section 5.3.1.2 of this By-law, the required parking for developments involving *financial institution, hospital, library, medical clinic, medical office building, medical/dental laboratory, office, elementary school, secondary school, or post-secondary school* uses must provide carpooling *parking spaces* at a rate of 5% of the total required parking supply for any of these non-residential uses, but shall not be less than 2.0 spaces.”
- j. Adding “*Place of Assembly*” and “*Medical Office*” as permitted uses under Non-Residential Uses in Table 6.2.2.1 Mixed Use Zone Permitted Uses.
- k. Deleting the text of footnote 4 under Section 6.2.2.1 and replacing it with the following:

“Stand-alone surface *parking lot* shall not be located on *lots* that front onto Yonge Street or Davis Drive. Where a stand-alone surface *parking lot* is permitted, it shall be subject to Section 5.4.1 of this By-law.”
- l. Deleting the words “38.0 metres” after “at least 66% of the *Building* frontage above the” in Provision 6.2.4.2(ii)(a) Height – Podiums and replacing it with “podium height”.
- m. Deleting the text in Provision 6.2.4.2(ii)(b) Height – Podiums and replacing it with the following:

ii)b) “If a *building* with a height greater than 26.0 metres but less than 38.0 metres contains a podium, the podium shall not exceed 17.0 metres in height and the *building* above the podium shall be set back a minimum of 1.5 metres from the edge of the podium for a length of at least 66% of the *building* frontage above the podium height adjacent to the *public street*.”
- n. Deleting the text in Provision 6.2.4.5(i) Setback and replacing it with the following:

i) “Any *building* with a frontage on Yonge Street or Davis Drive shall be setback a minimum of 3.0 metres from the *lot line* that abuts Yonge Street or Davis Drive.”

- o. Adding the following text as Provision 6.2.4.5(ii) Setback and renumbering subsequent provisions:
 - ii) “Any *building* with a frontage on Yonge Street or Davis Drive, located on a *corner lot*, shall be setback a minimum of 3.0 metres from the *lot line* that abuts a *public street* other than Yonge Street or Davis Drive.”
 - p. Deleting the text in the renumbered Provision 6.2.4.5 iv) and replacing it with the following:
 - iv) “The wall of any tall *building* located above the podium height in accordance with Provision 6.2.4.2 ii) shall be set back a minimum 12.5 metres from any *lot line* that does not abut a *public street*.”
 - q. Deleting Diagram 6-3 in Section 6.2.4.5 Setback and replacing it with the diagram shown in Schedule 2 to this by-law as Diagram 6-3a.
 - r. Adding the diagram shown in Schedule 3 to this by-law as Diagram 6-3b to Section 6.2.4.5 Setback.
 - s. Deleting the text in Provision 6.2.4.9 ii) Parking and Access to Lot and replacing it with the following:
 - ii) “Parking may be provided within a *building* or *structure* or on the surface, but shall only be located in a *side yard* or *rear yard* on *lots* that front onto Davis Drive or Yonge Street.”
 - t. Deleting the text in Provision 6.2.4.9 iii) Parking and Access to Lot and replacing it with the following:
 - iii) “Parking for motorized vehicles shall not be permitted in the *yard* that abuts Davis Drive or Yonge Street.”
 - u. Deleting the text in Provision 6.2.4.9 iv) and replacing it with the following:
 - iv) “Notwithstanding provision 6.2.4.9 (i), vehicular access may be located in the *yard* that abuts Davis Drive or Yonge Street if access to the *lot* is only from Davis Drive or Yonge Street.”
 - v. Deleting “Convenience Store” as a permitted use from Table 6.3.2.1 Institutional Zone Permitted Uses.
 - w. Deleting SS(1) in Section 8.1 Site Specific Exceptions.
 - x. Deleting the text in Section 8.2.1 Holding Zones and Exceptions to Permit Development and replacing it with the following:

“For any *lot* that is subject to a Holding Zone (H) on Maps 13 through 18 of this By-law (for example (H)-1), *uses* permitted by this By-law shall be permitted and the provisions under Section 6.2.1.2, Section 6.2.5, Section 6.3.1.2, Section 6.3.5, Section 6.4.1.2, Section 6.4.5 and Section 8.1 shall prevail.”
 - y. Deleting Schedule A; Schedule A Maps 1 to 6; Schedule B; Schedule B Maps 7 to 12; Schedule C; Schedule C Maps 13 to 18; Schedule D; Schedule E and Schedule F and replacing them with Schedules 4 to 26 attached to this by-law.
2. That Schedules 1 to 26 inclusive attached to this by-law are declared to form part of this by-law.

Enacted this xxx day of xxx, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

DRAFT

Schedule 1 to By-law 2020-XX

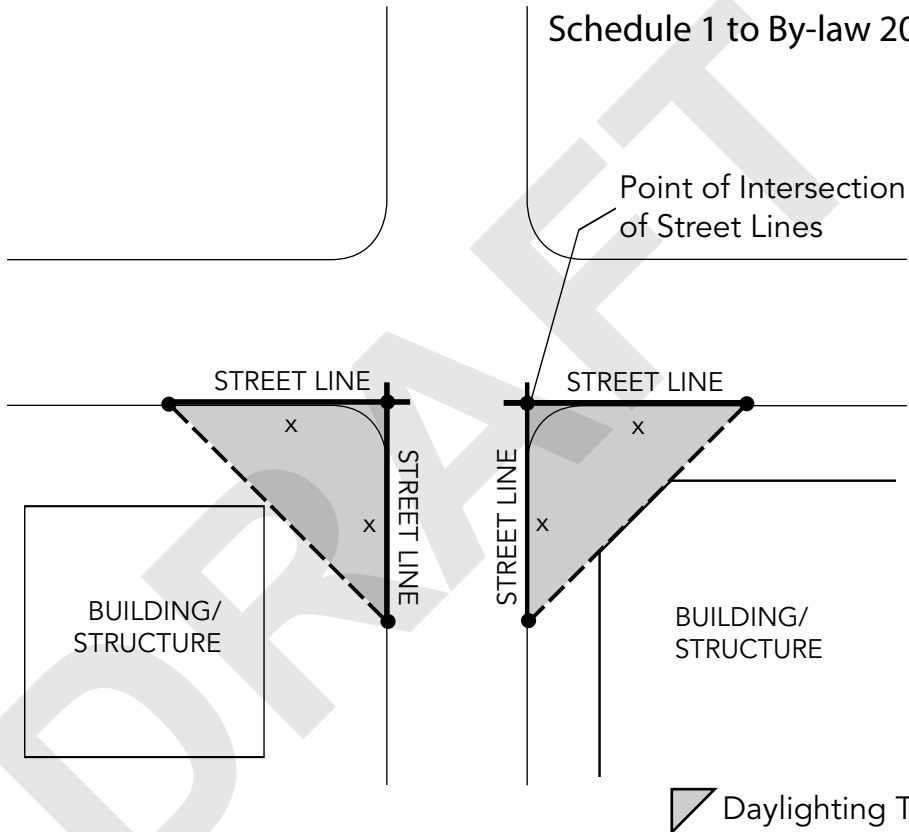
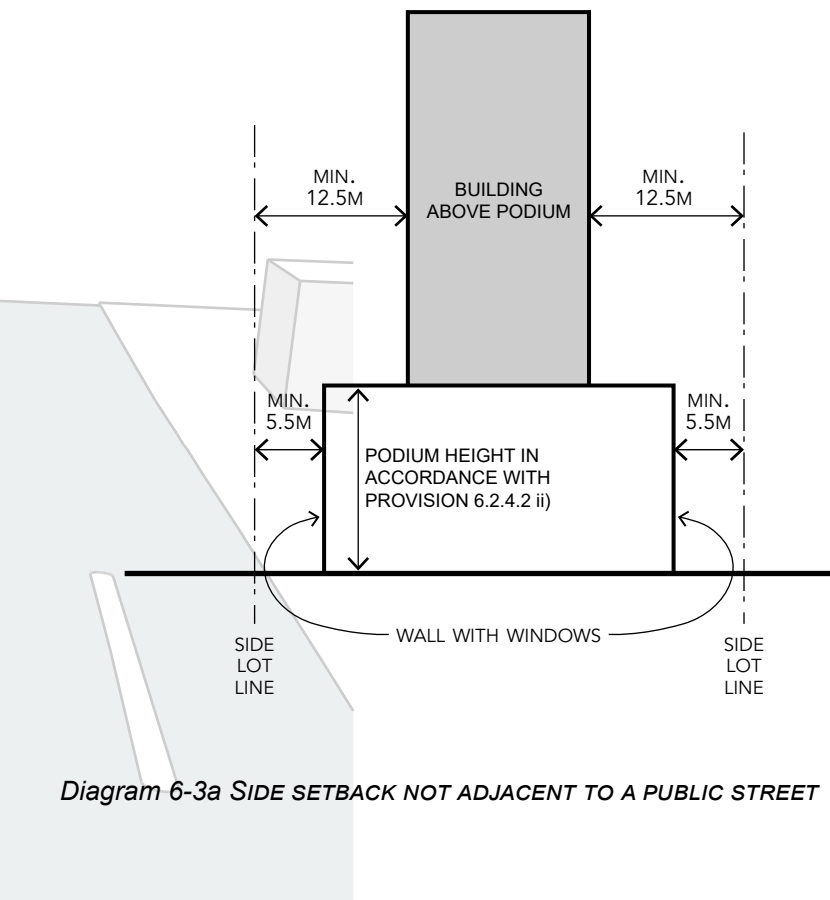


Diagram 3-6 Daylighting Triangle

Schedule 2 to By-law 2020-XX



Schedule 3 to By-law 2020-XX

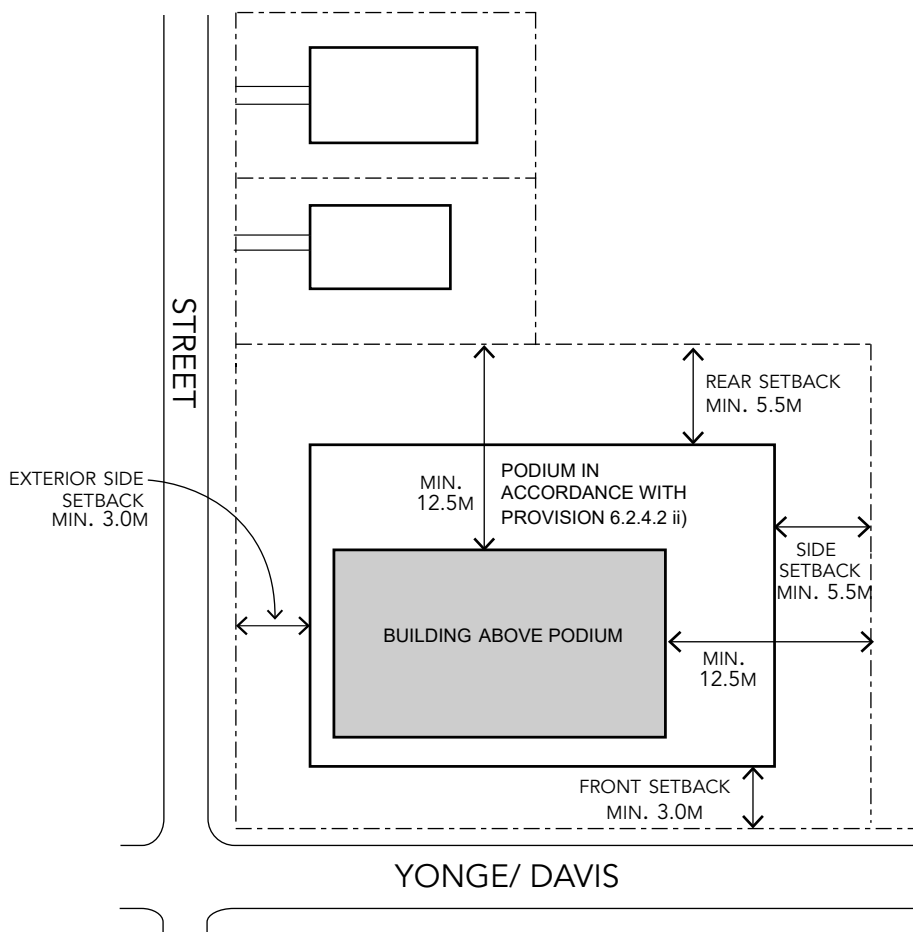
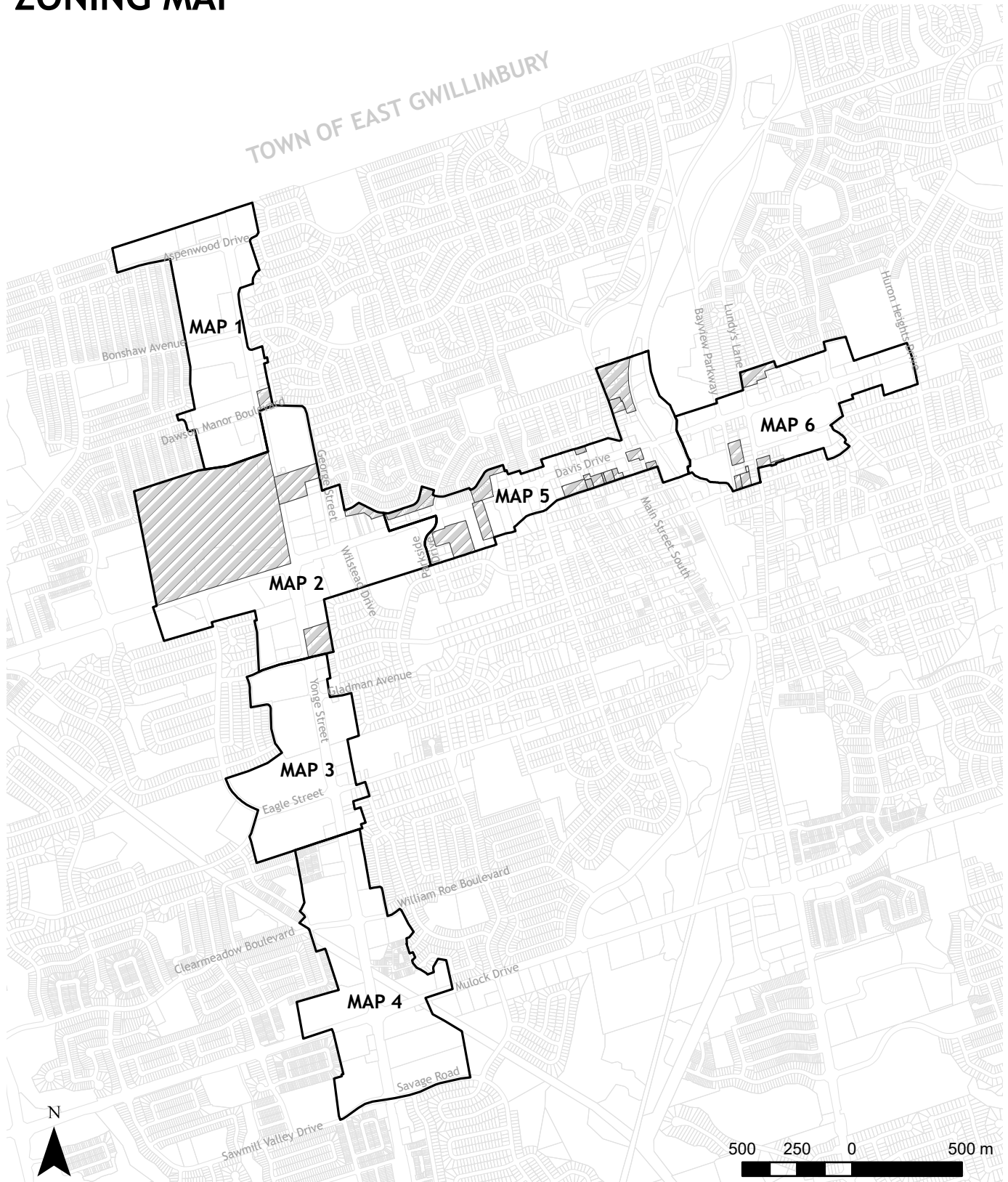


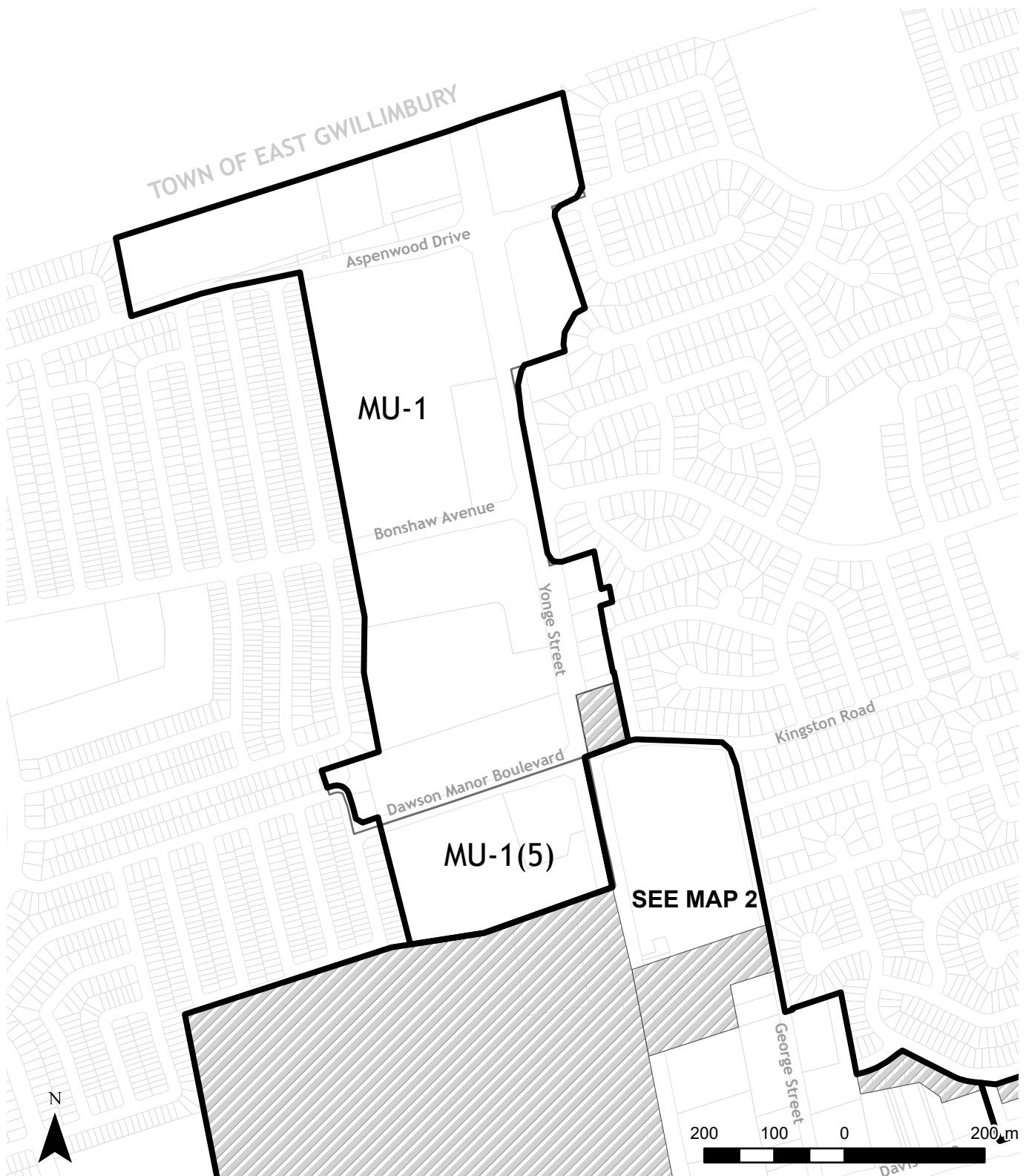
Diagram 6-3b. SETBACKS on A CORNER LOT

ZONING MAP



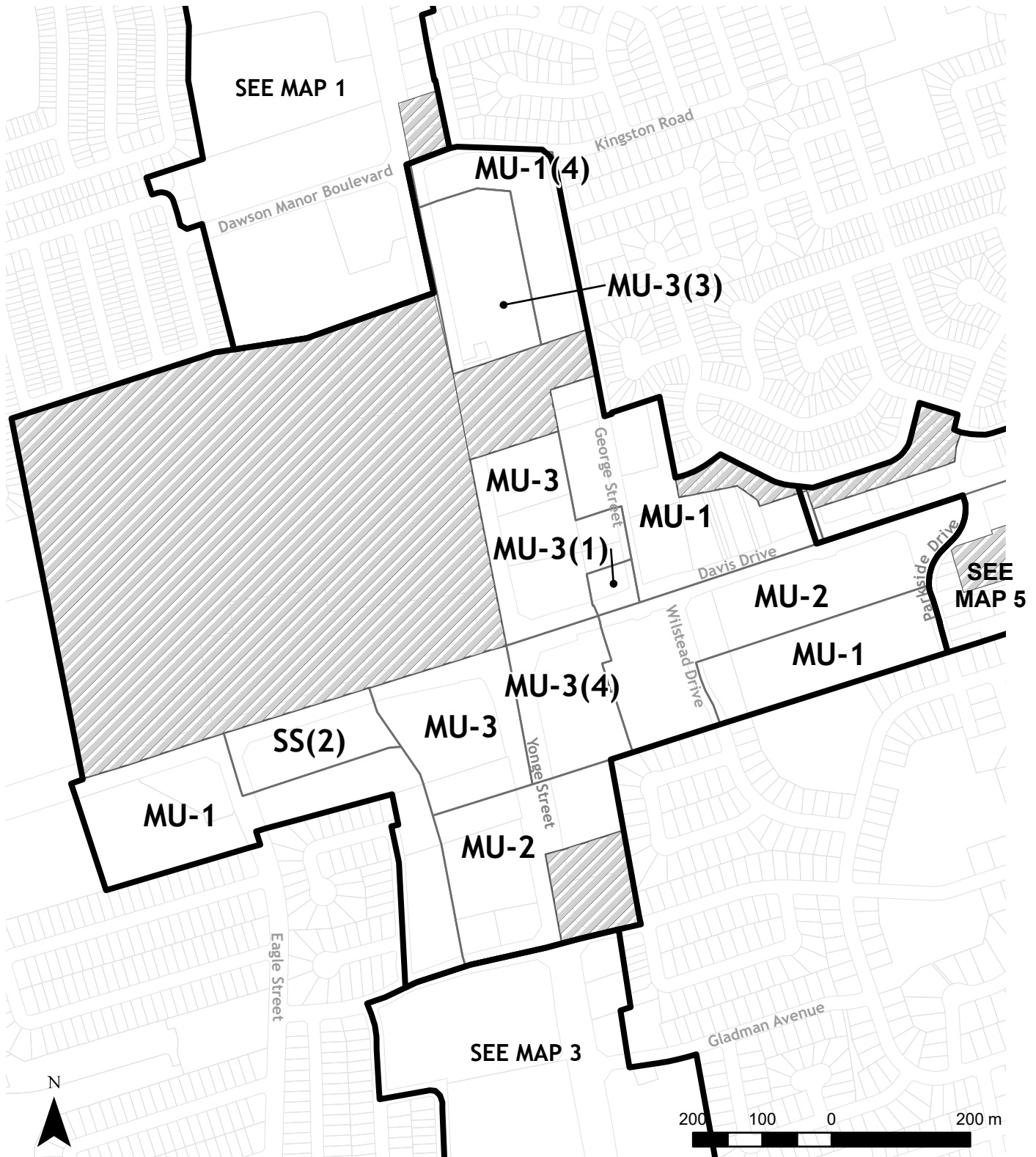
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE NORTH ZONING MAP



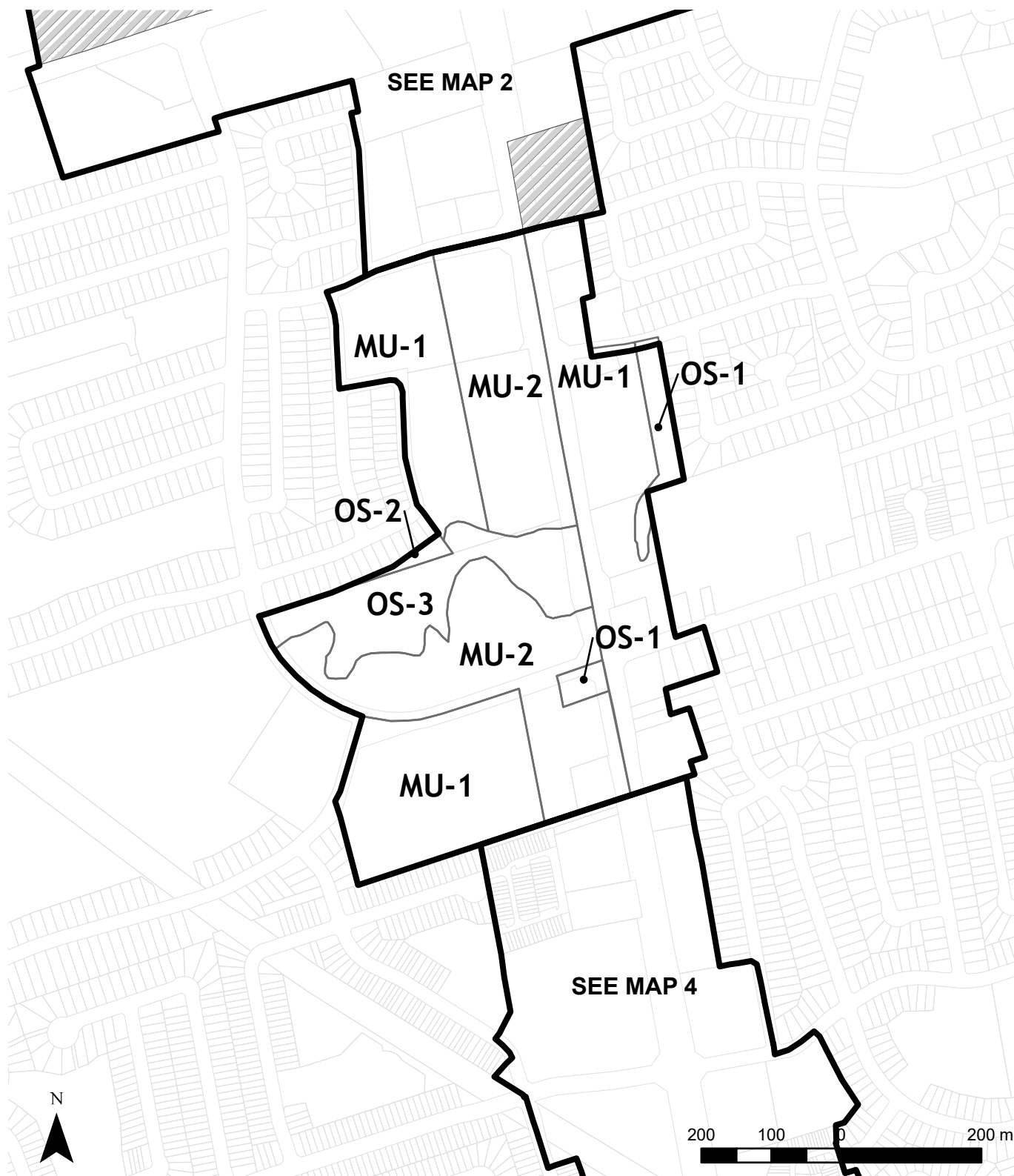
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE AND DAVIS ZONING MAP



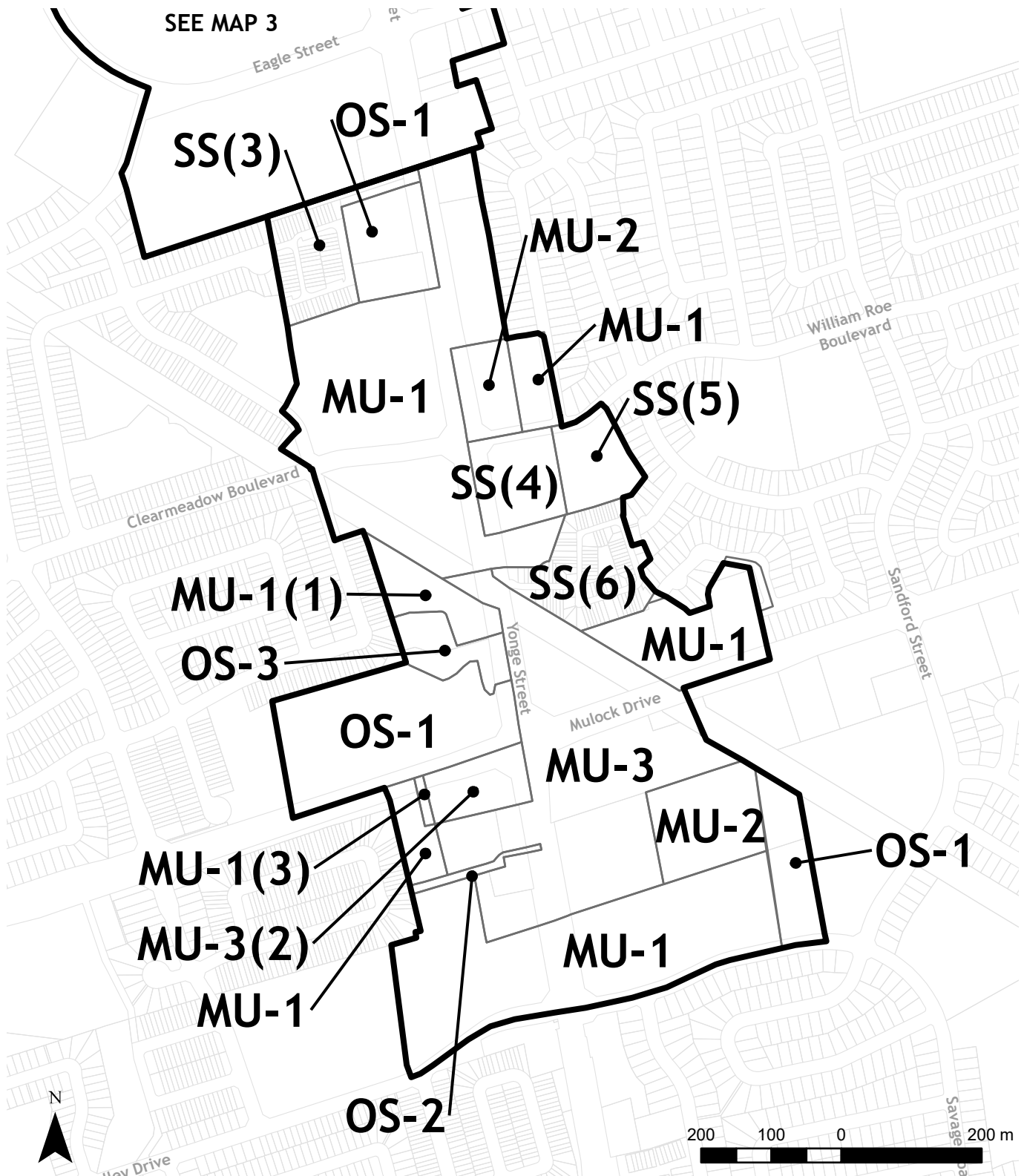
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE CIVIC ZONING MAP



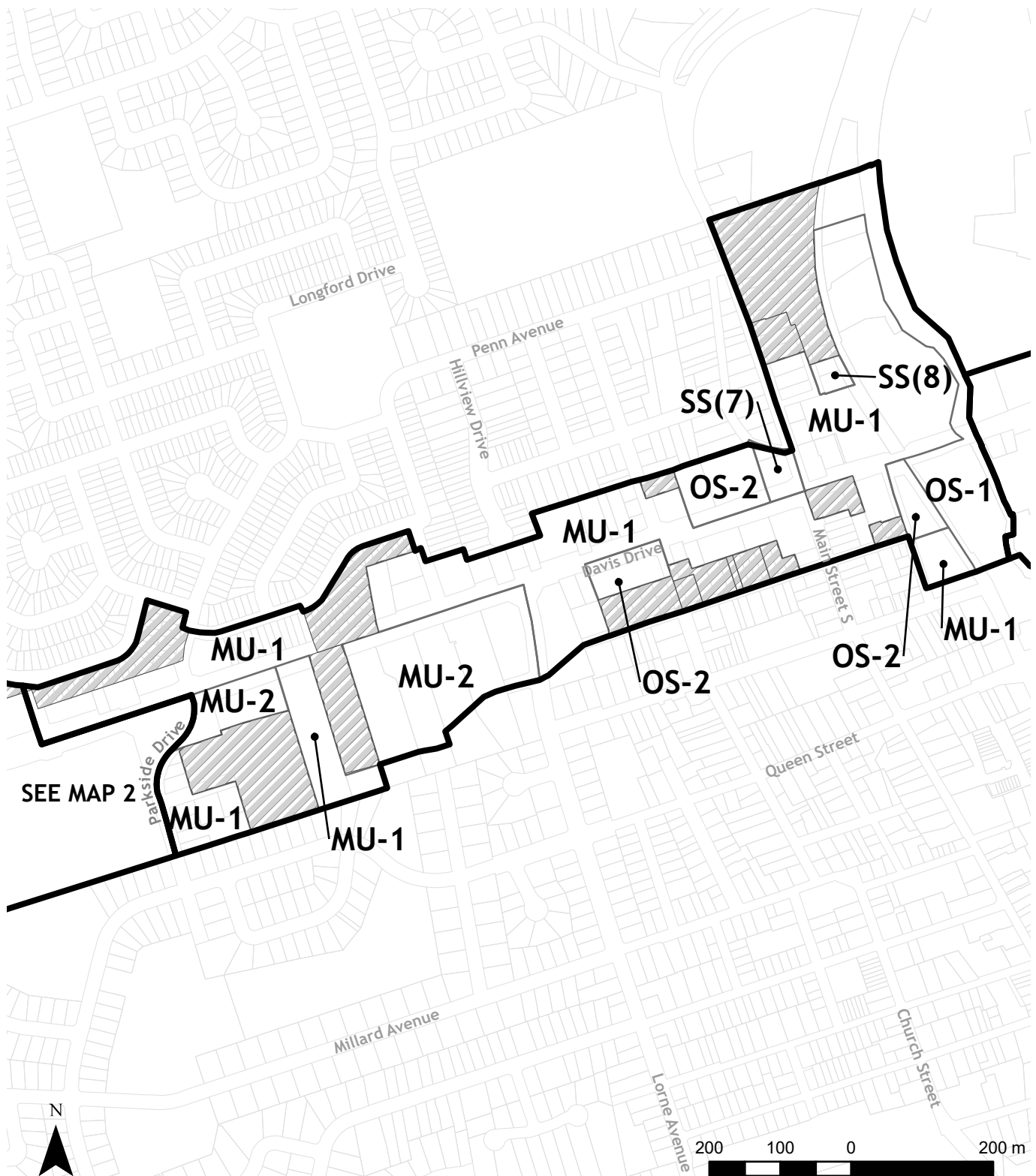
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE SOUTH ZONING MAP



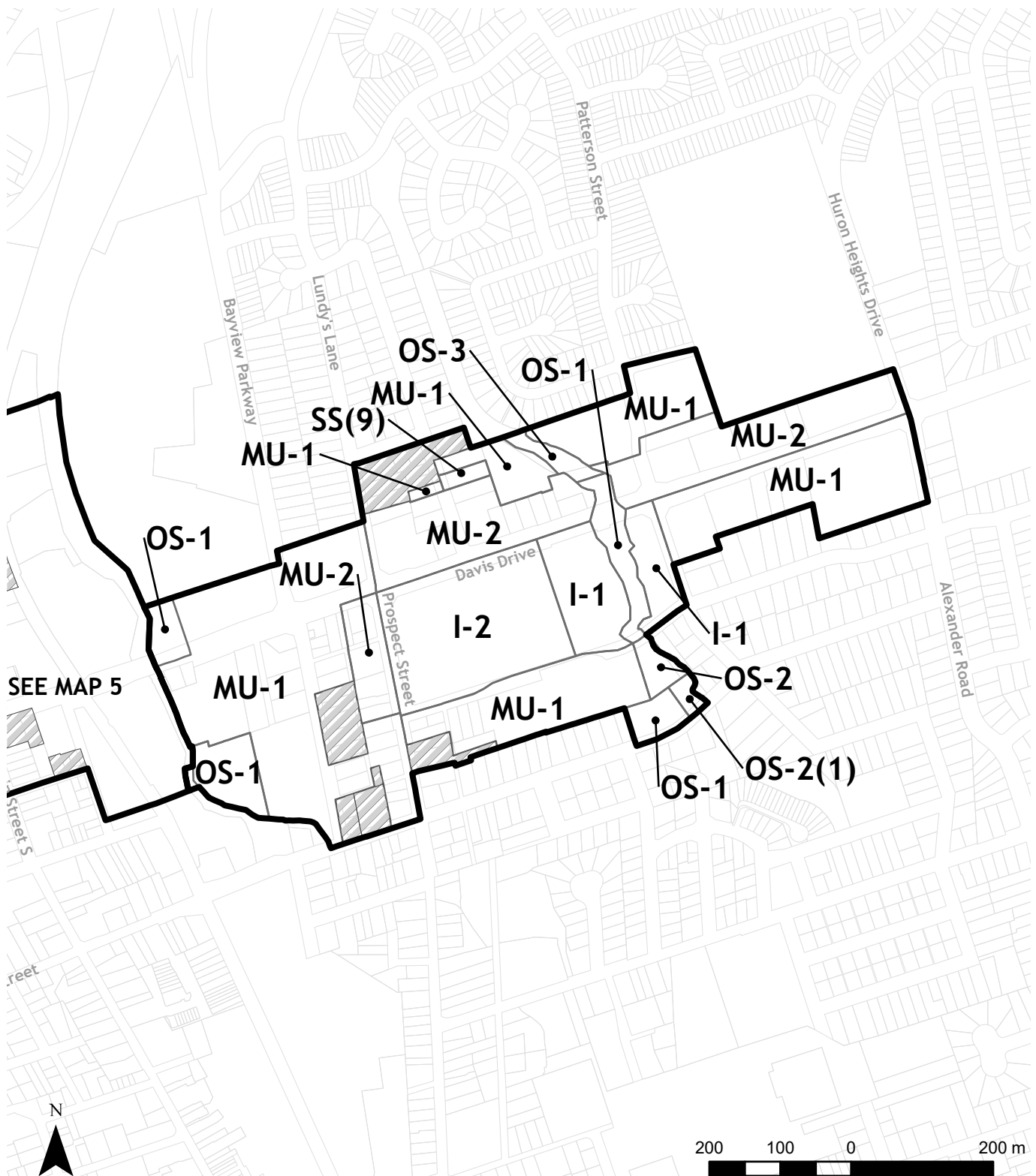
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

DAVIS DRIVE ZONING MAP



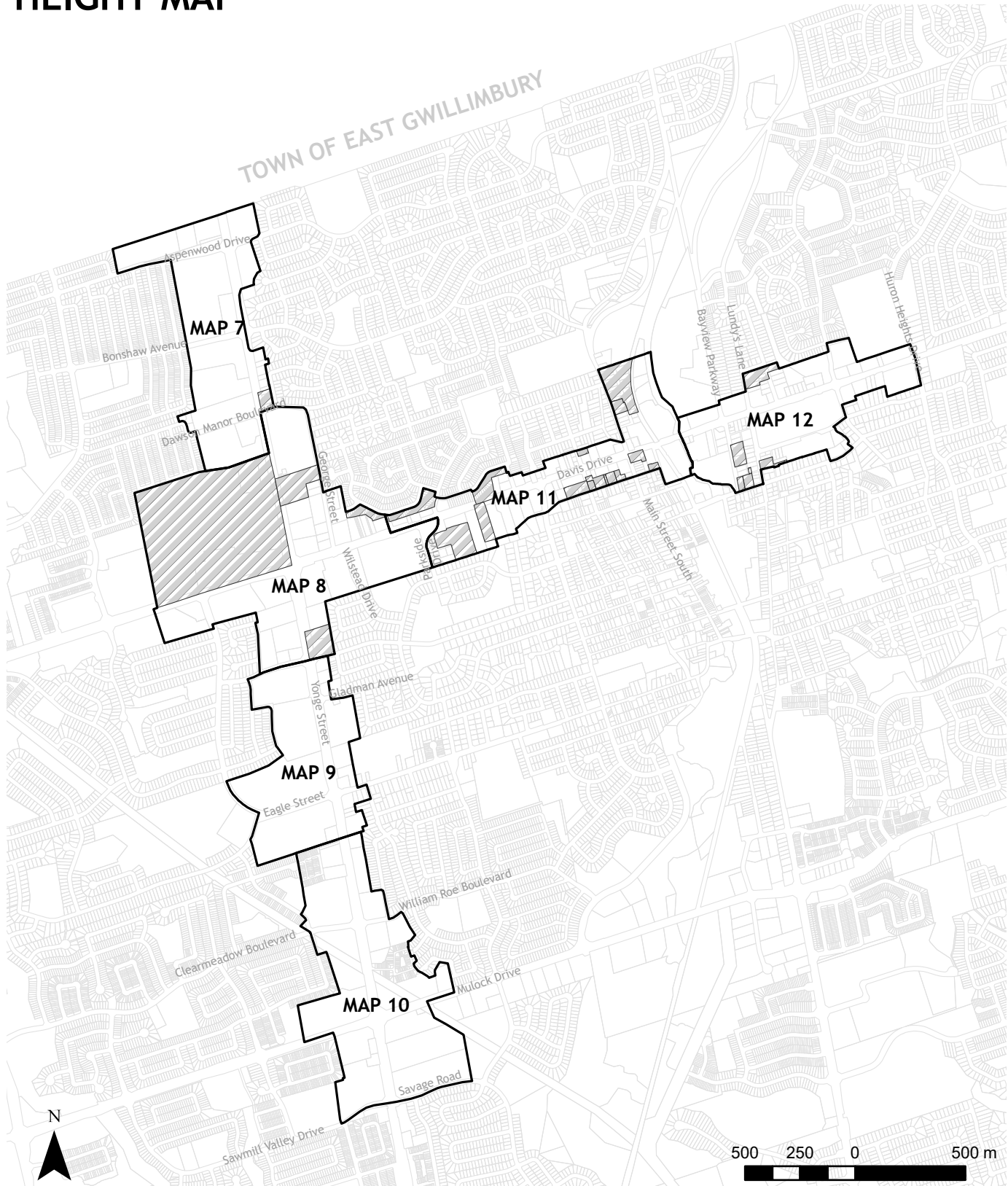
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

REGIONAL HEALTHCARE CENTRE ZONING MAP



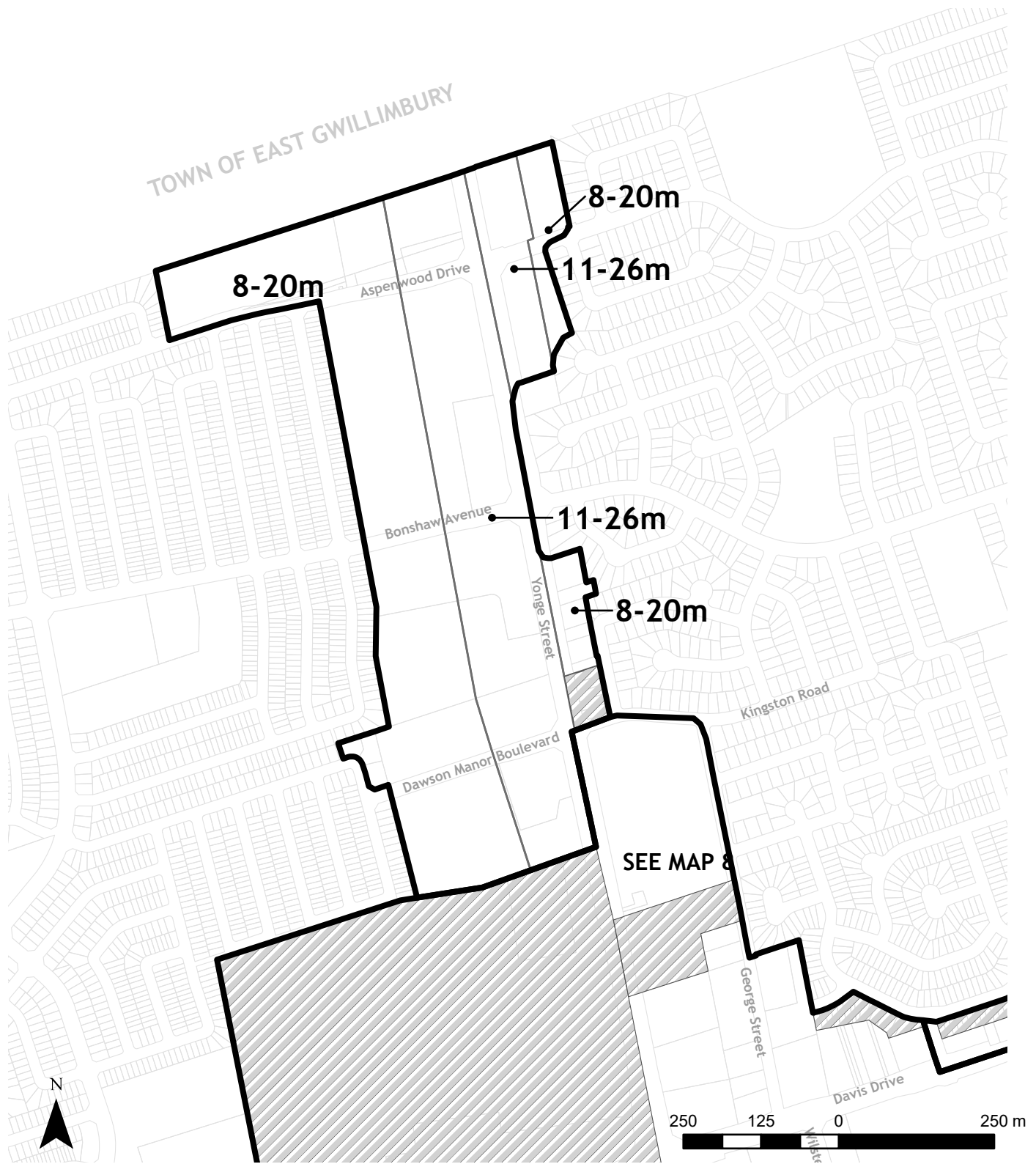
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

HEIGHT MAP



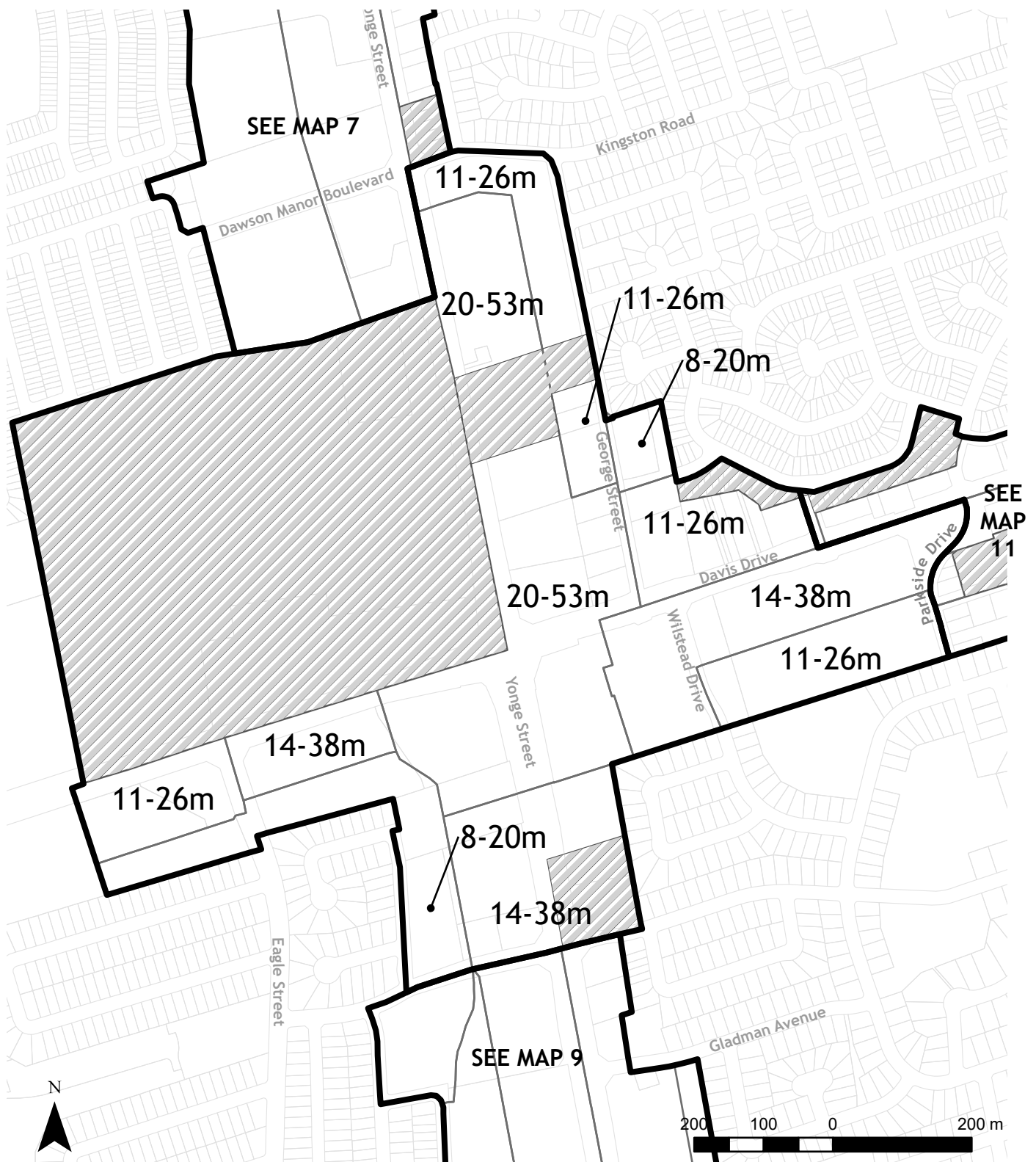
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE NORTH HEIGHT MAP



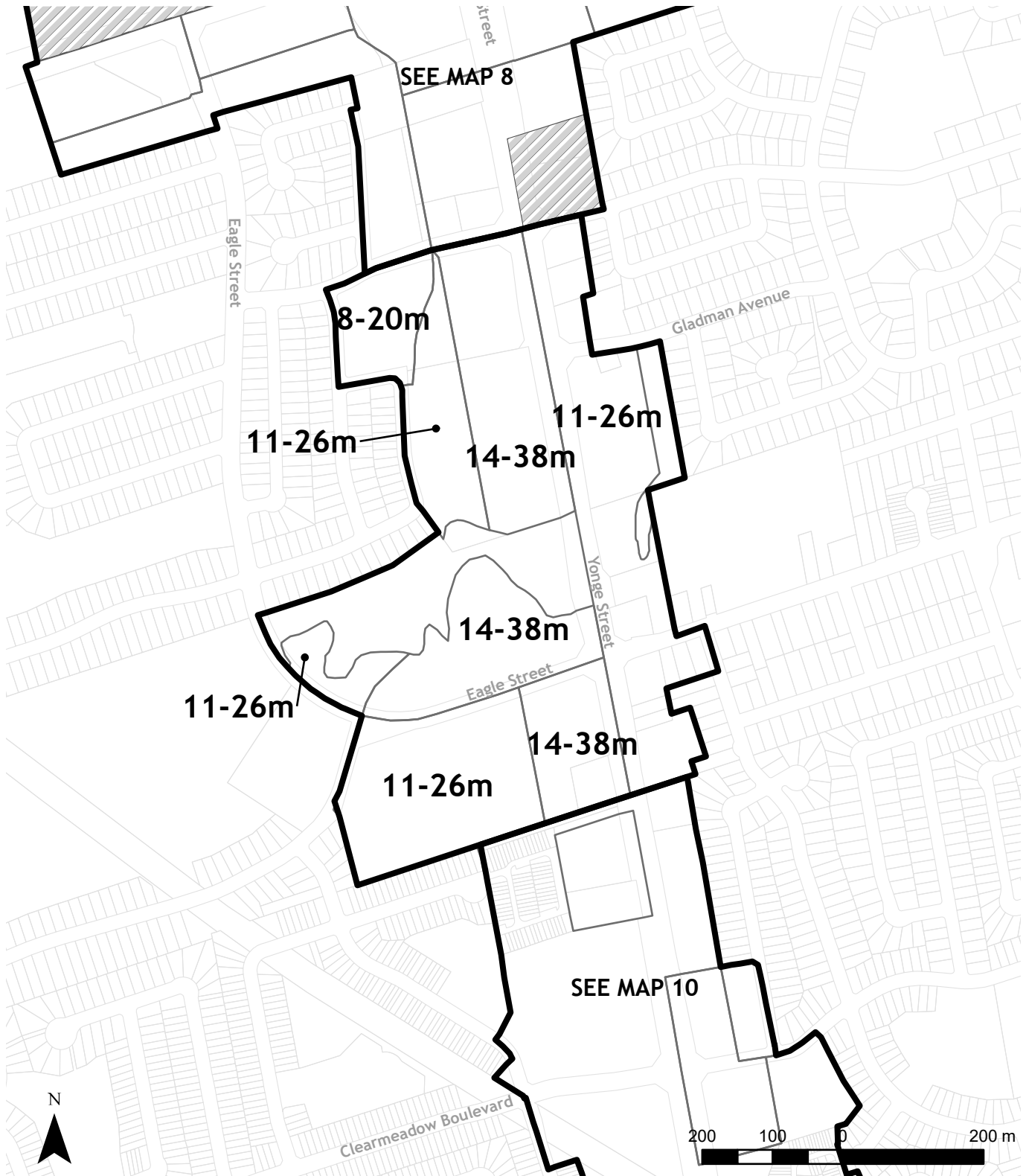
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE AND DAVIS HEIGHT MAP



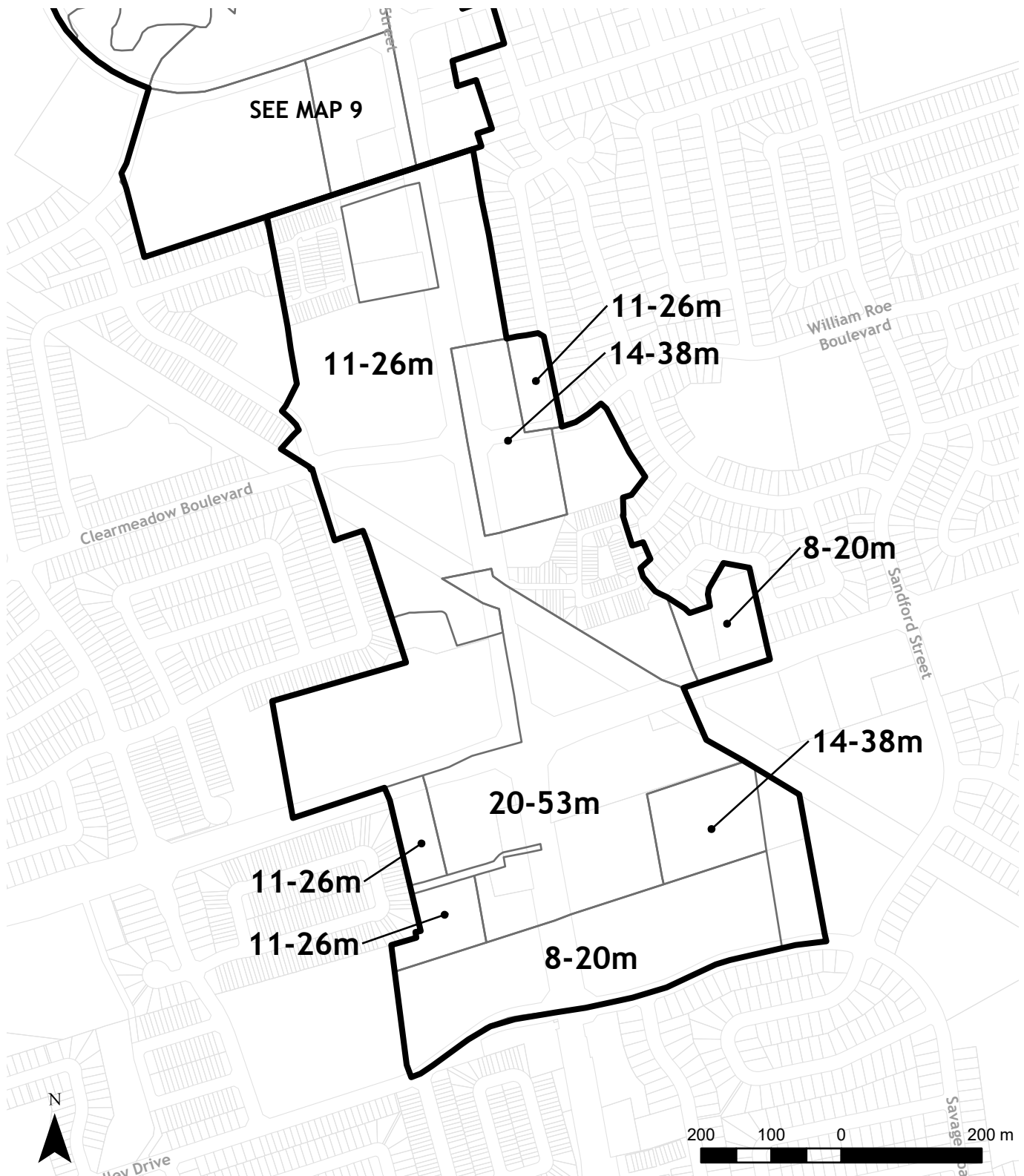
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE CIVIC HEIGHT MAP



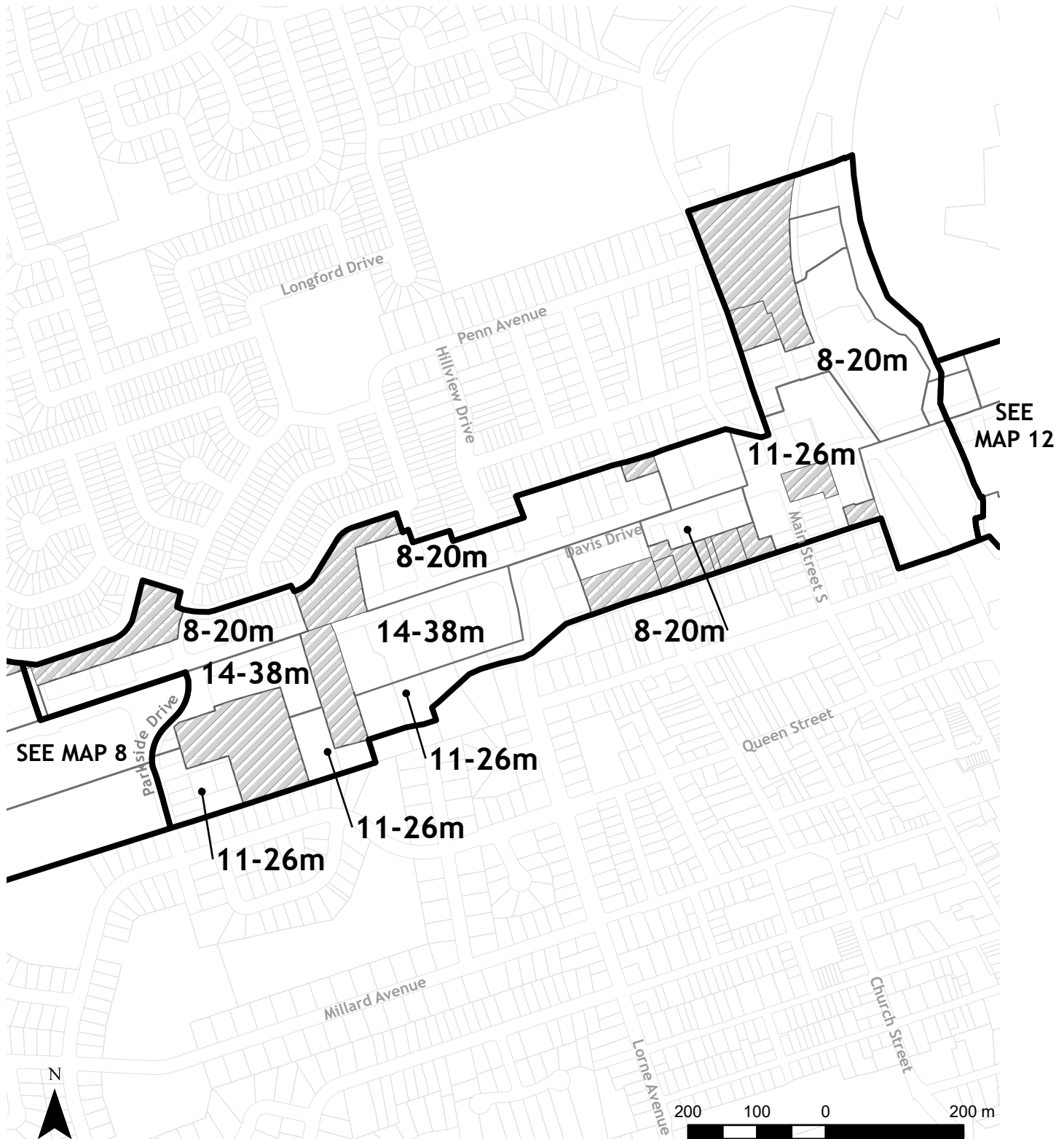
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE SOUTH HEIGHT MAP



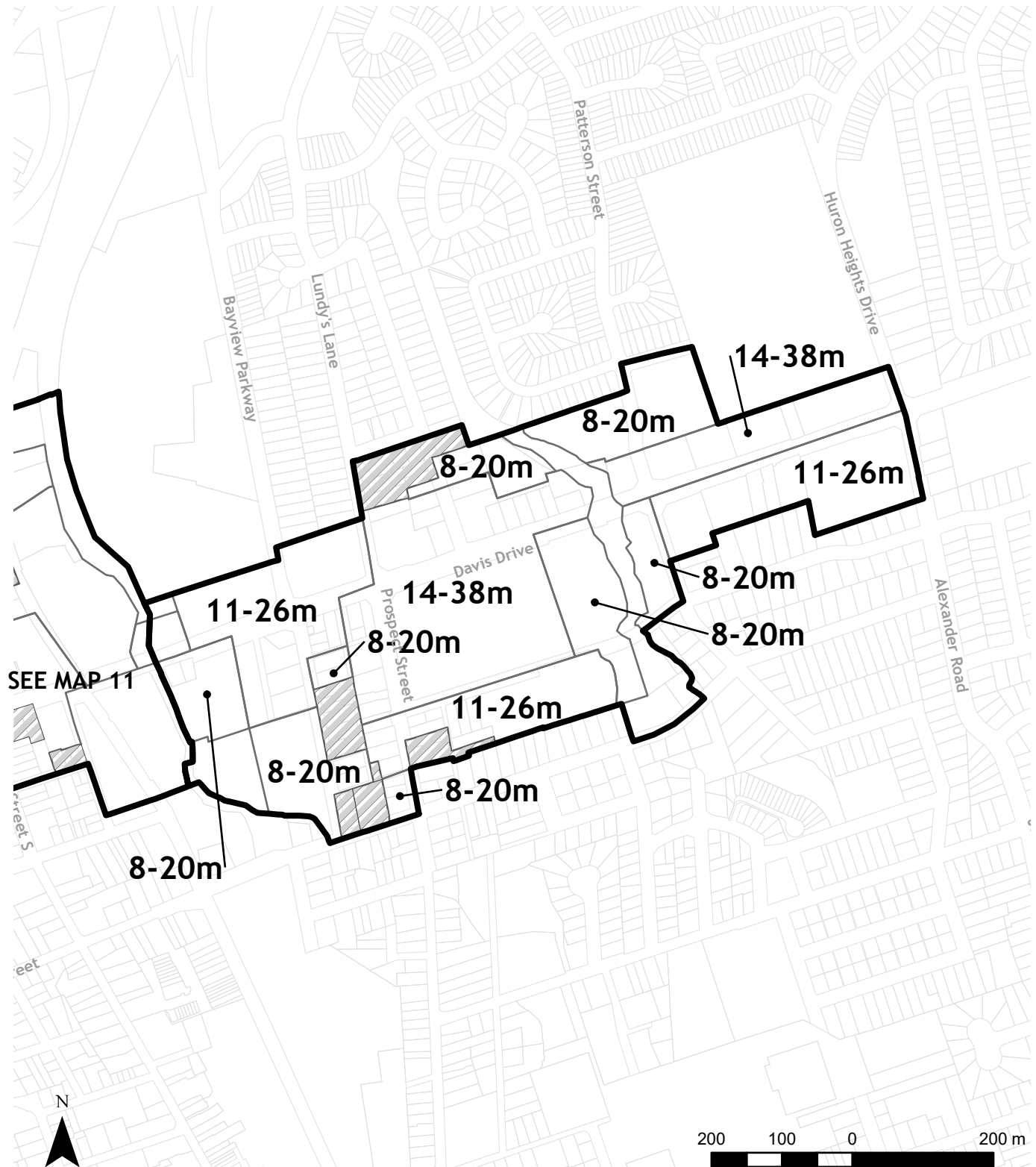
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

DAVIS DRIVE HEIGHT MAP



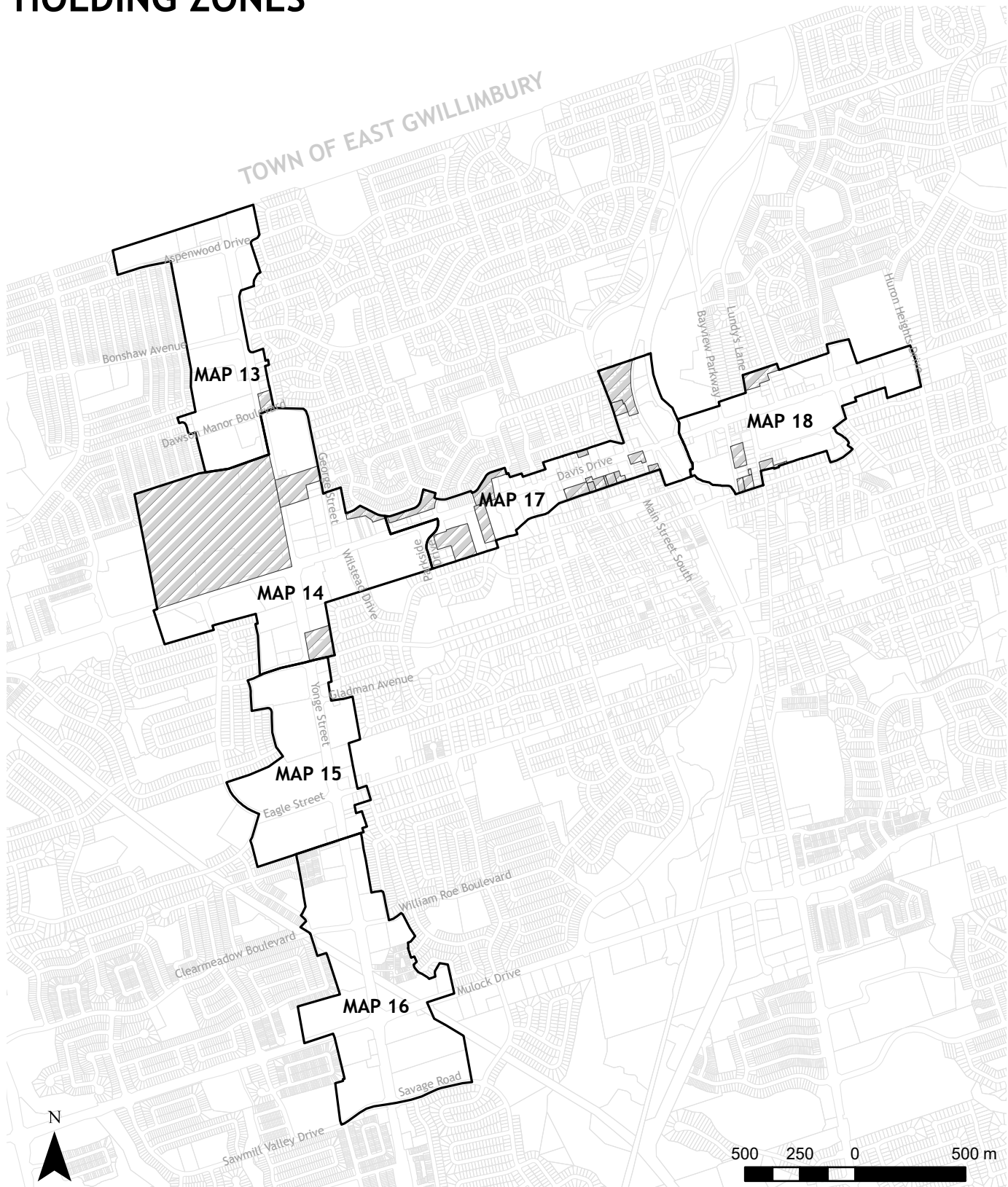
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

REGIONAL HEALTHCARE CENTRE HEIGHT MAP



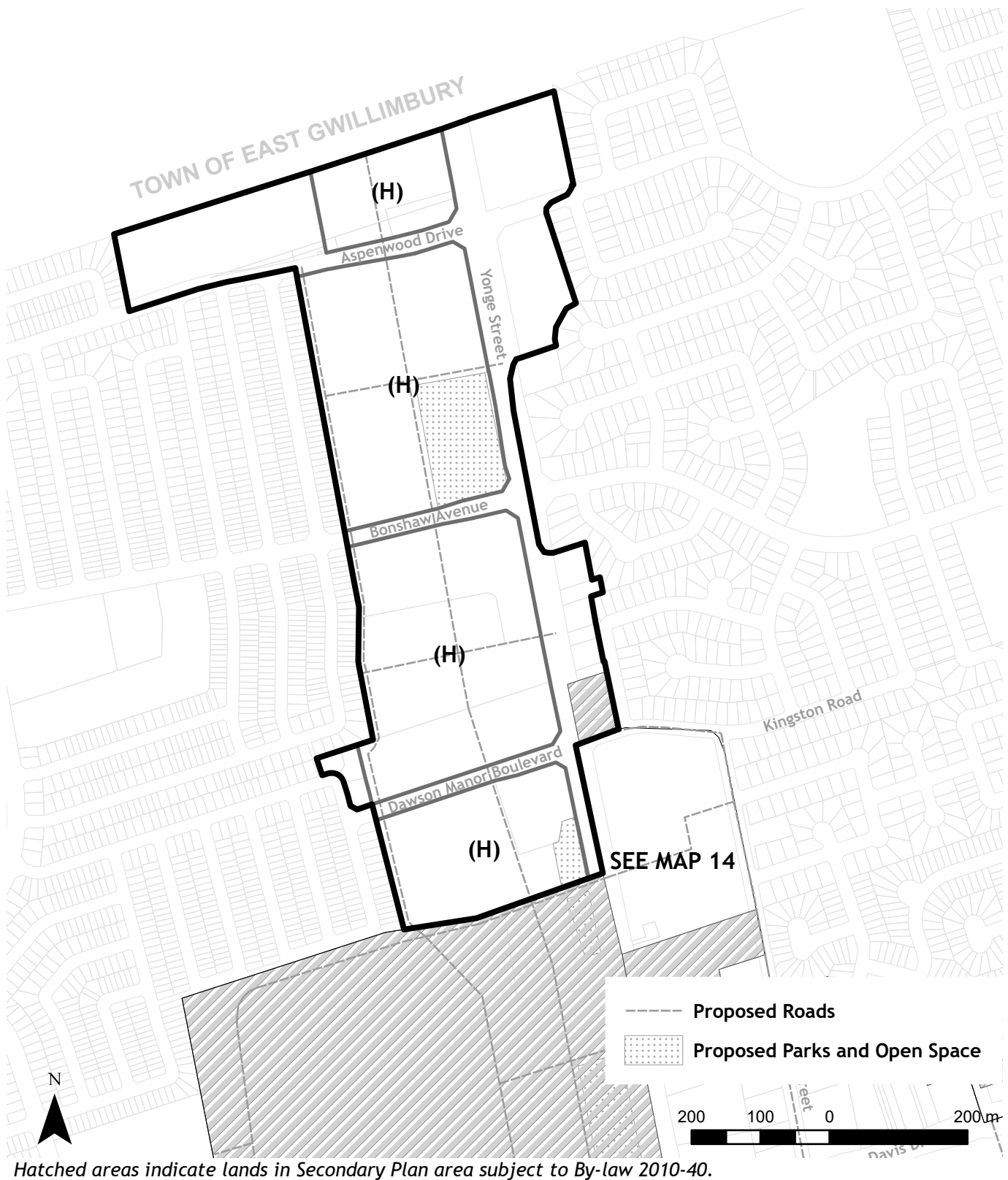
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

HOLDING ZONES

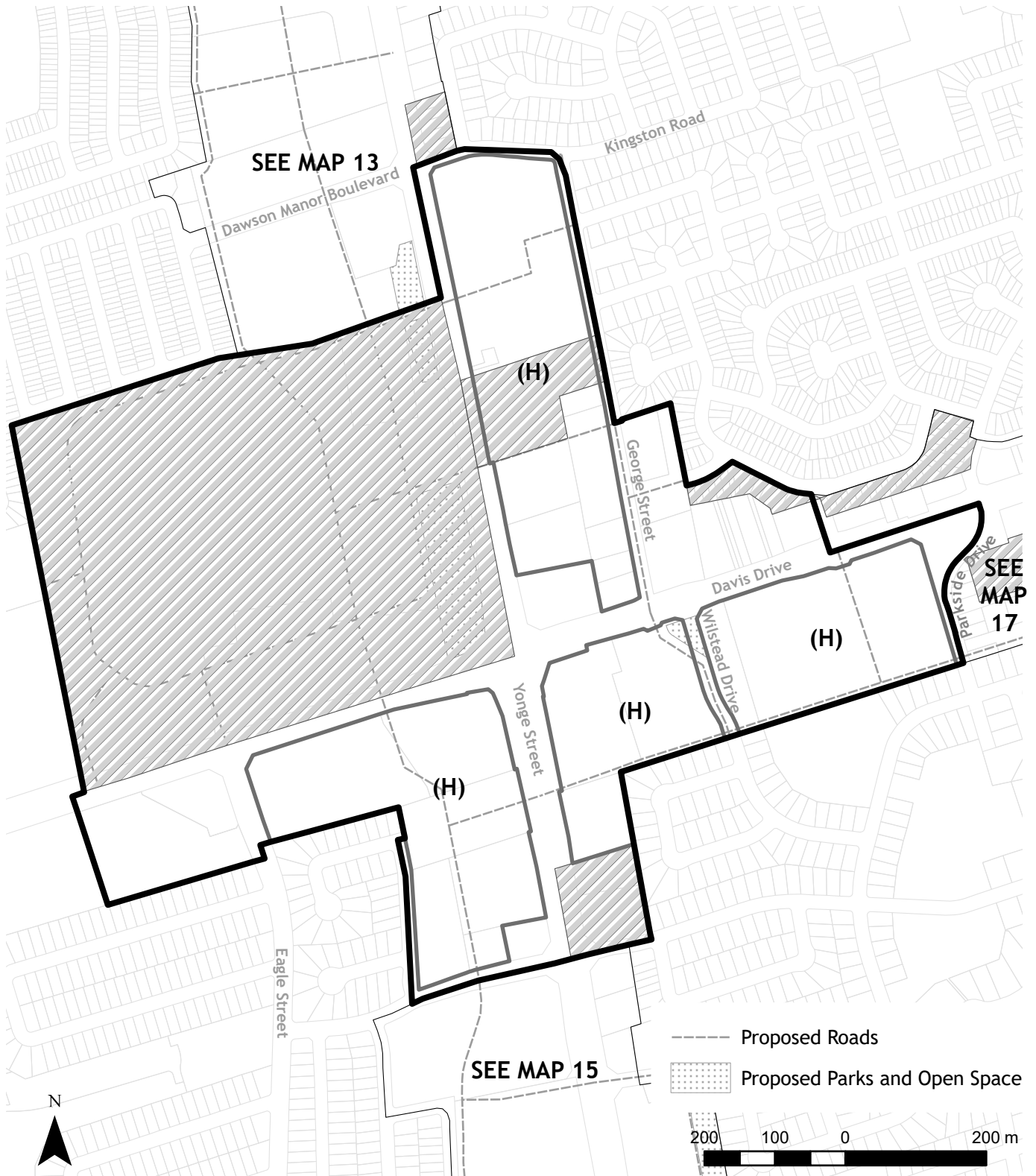


Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE NORTH HOLDING ZONES

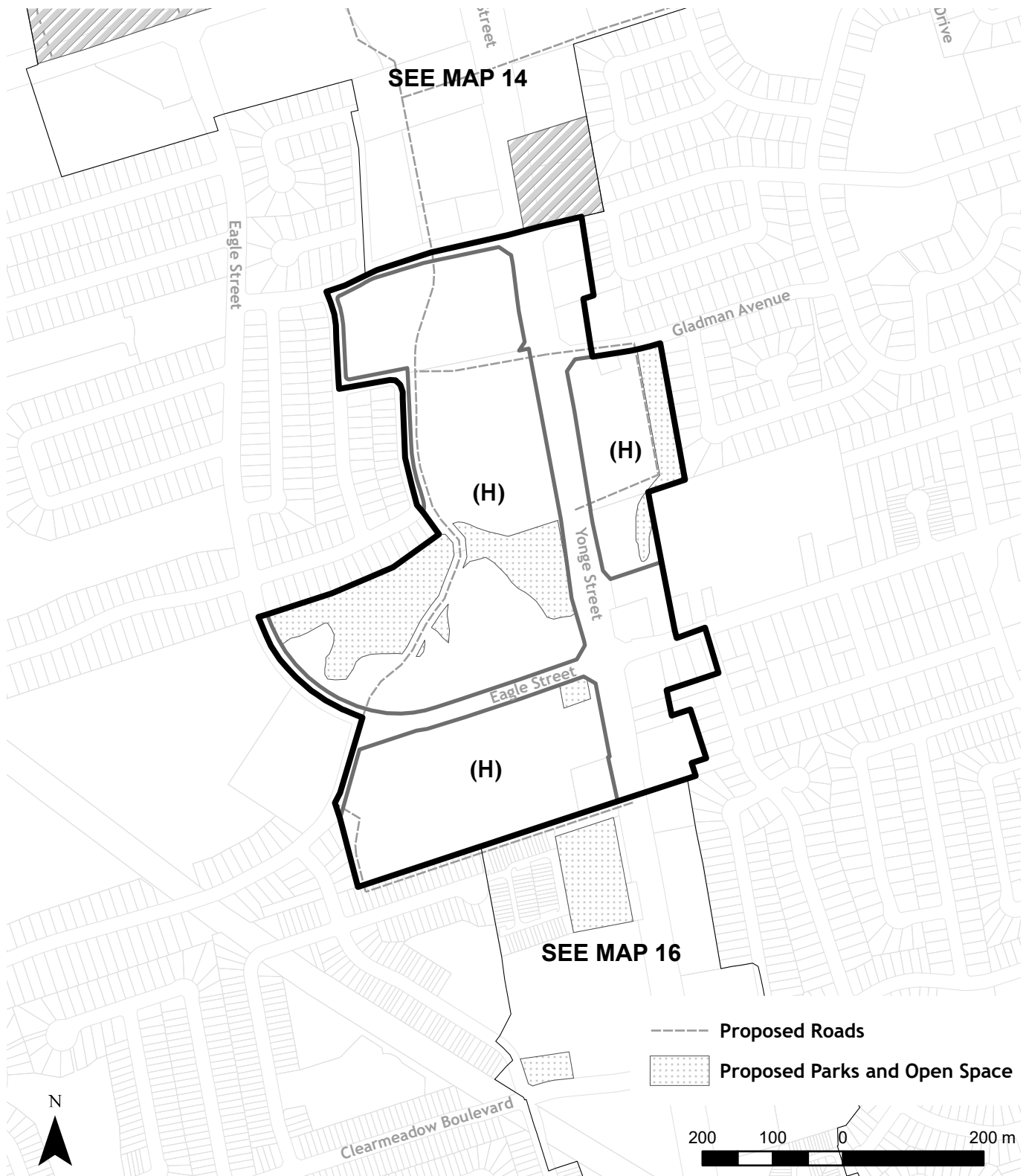


YONGE AND DAVIS HOLDING ZONES



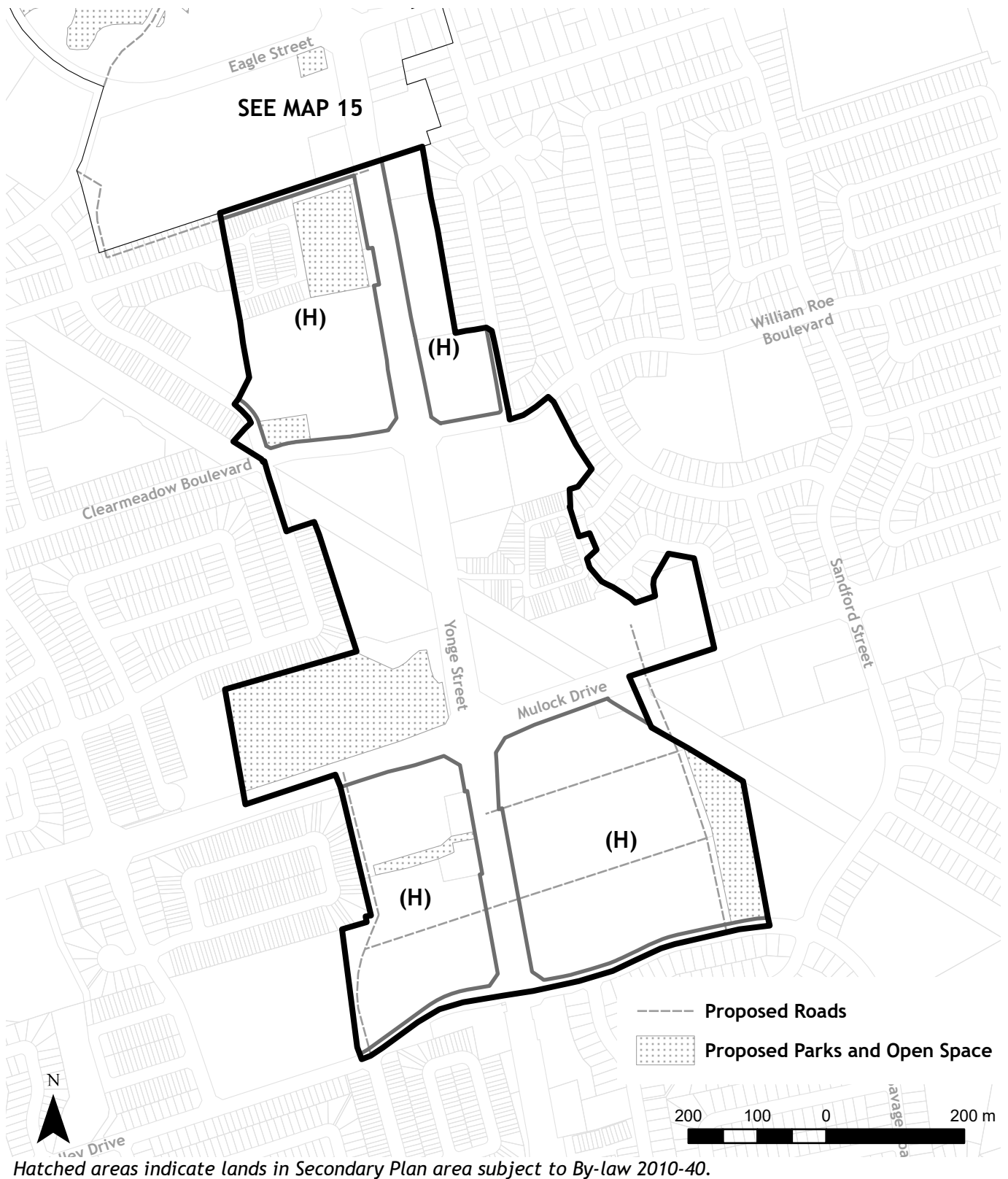
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE CIVIC HOLDING ZONES

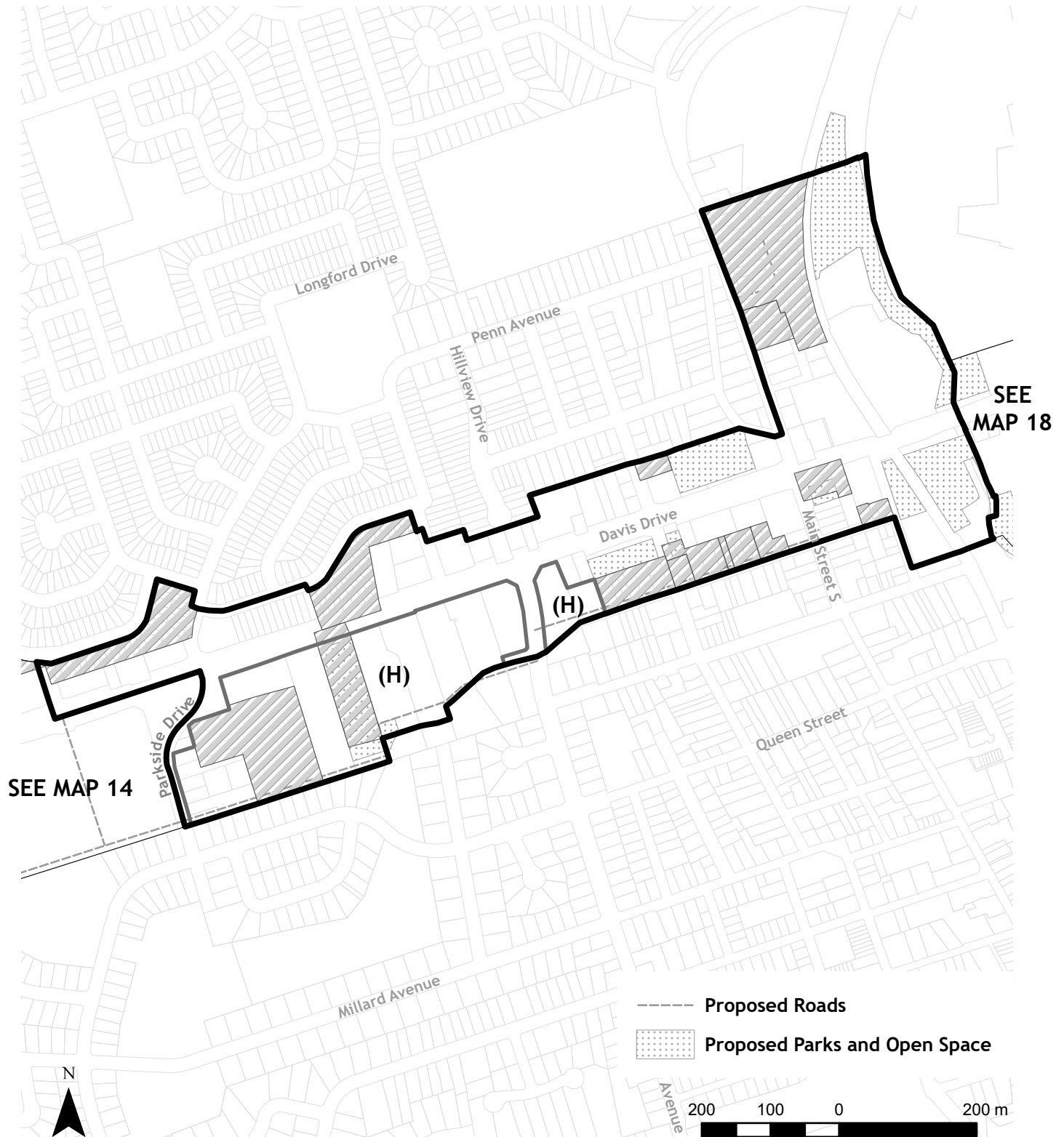


Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

YONGE SOUTH HOLDING MAP

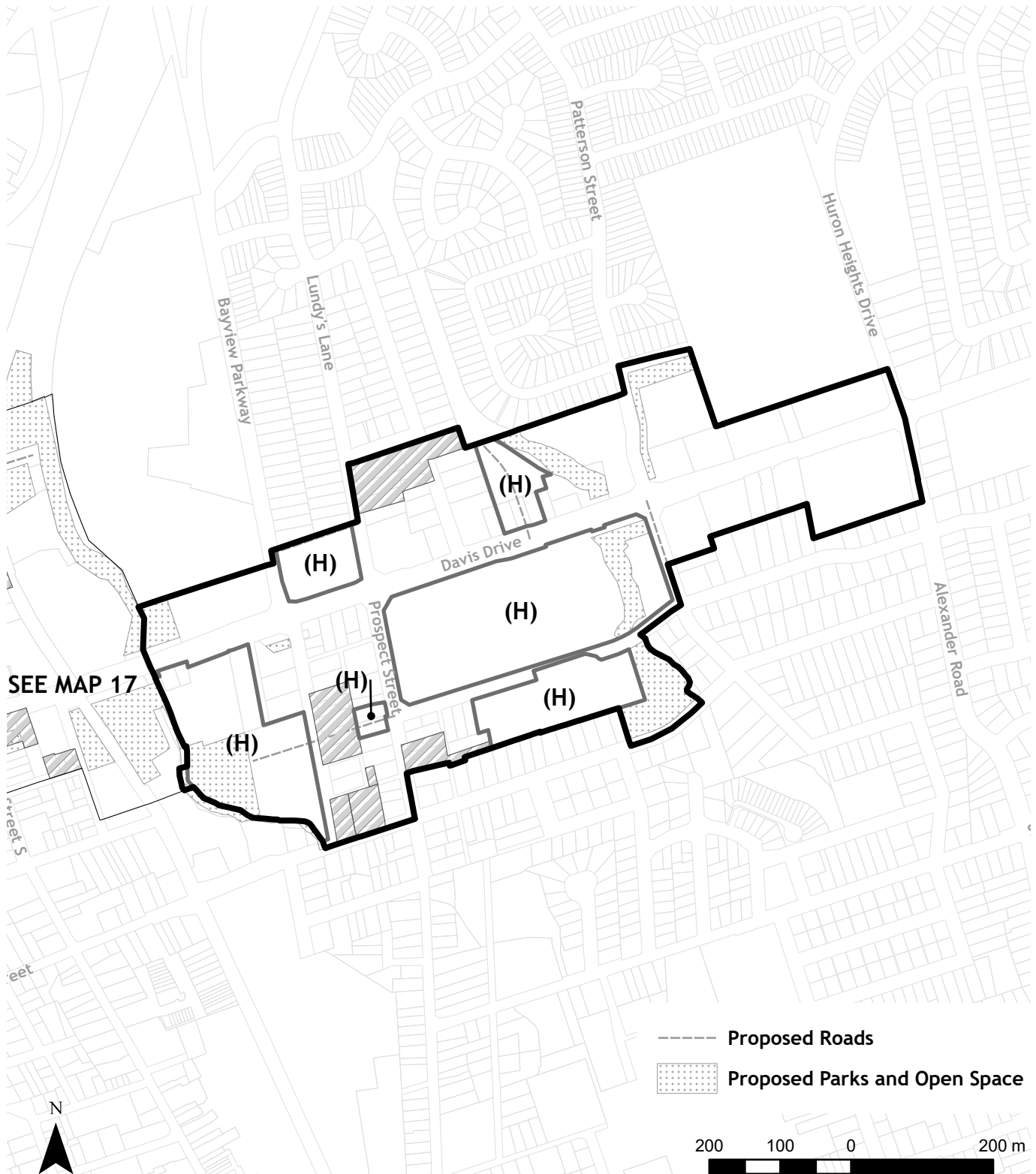


DAVIS DRIVE HOLDING ZONES



Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

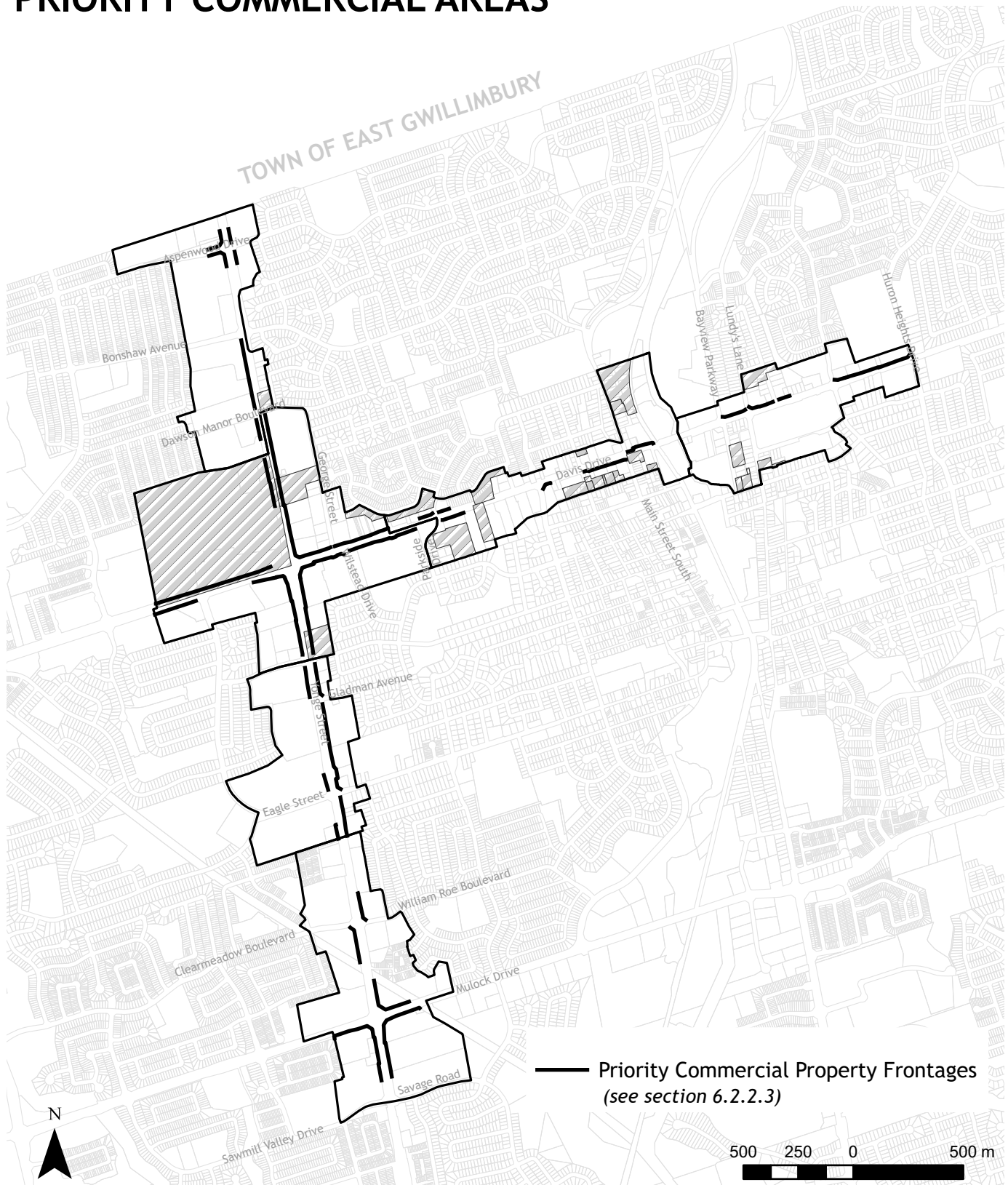
REGIONAL HEALTHCARE CENTRE HOLDING ZONES



SEE MAP 17

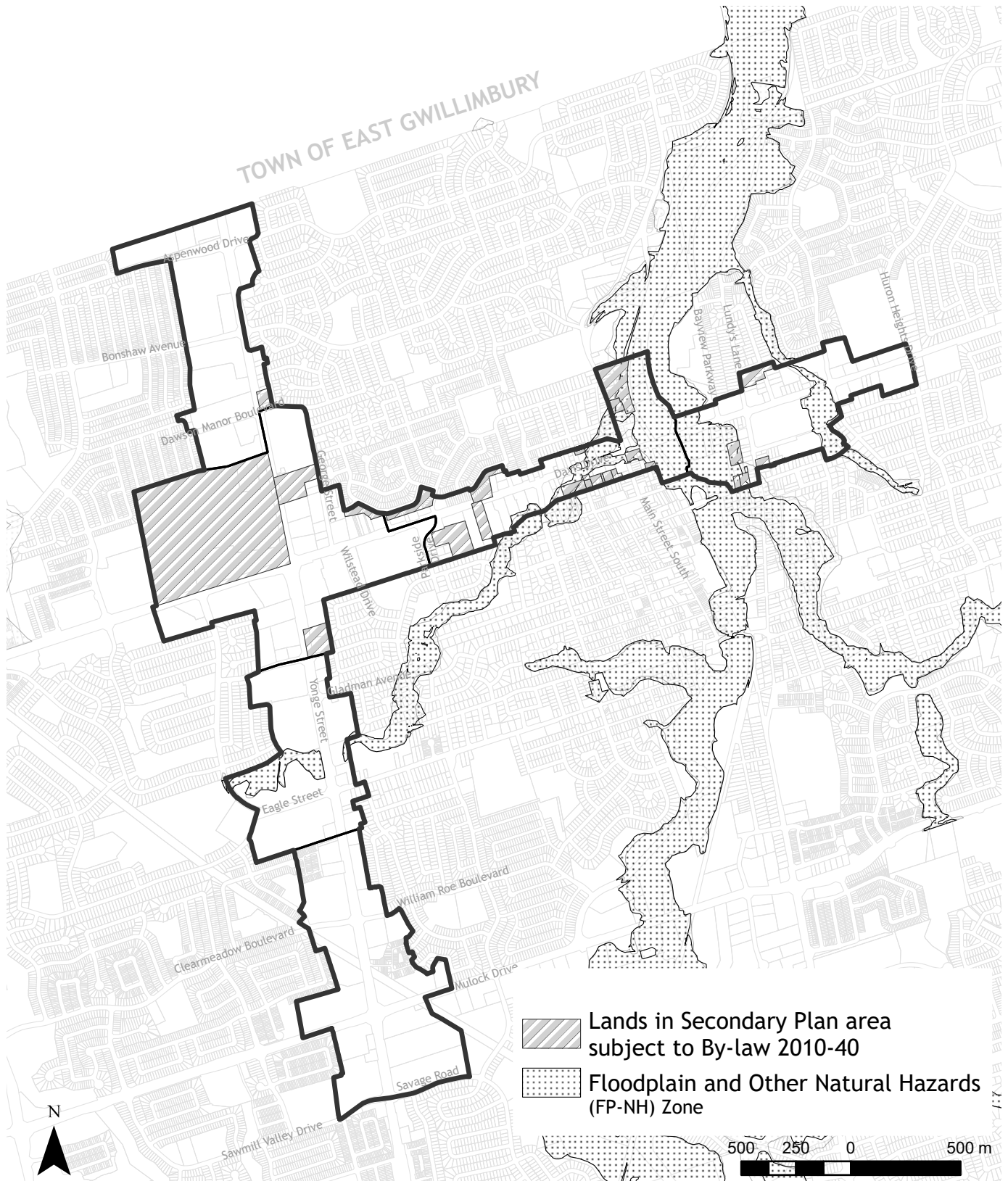
Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

PRIORITY COMMERCIAL AREAS



Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.

FLOODPLAIN AND OTHER NATURAL HAZARDS



Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.