



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-61

A BY-LAW TO AMEND BY-LAW NUMBER 2010-40 BEING A ZONING BY-LAW.  
(Lorne Park Gardens Inc.)

WHEREAS it is deemed advisable to amend By-Law Number 2010-40 as amended;

BE IT THEREFORE ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

AND THAT By-law Number 2010-40, as amended, be and the same is hereby further amended by:

- 1. Deleting from Schedule “A”, Map No.14, the “Residential Detached Dwelling 60m Zone (R1-A)” on 955 & 995 Mulock Drive; and substituting therefore the Residential Townhouse Dwelling 3 (H(R4-R-129)) Holding Zone and the Environmental Protection Open Space (OS-EP) Zone with a site specific exception, as shown more particularly on Schedule “X” attached hereto, and forming part of this By-law.
- 2. Adding the following regulations relating to the Residential Townhouse Dwelling 3 (R4-R-129) Zone to Section 8.1.1 List of Exceptions:

Exception	Zoning	Map	By-Law Reference	File Reference
129	(H)R4-R-129	14	2015-61	D9-NP 13 28, D12-NP 13 28, D14-NP 13 28
i)	Location 955 & 995 Mulock Drive			
ii)	Notwithstanding any other provision of the by-law, the following Development Standards shall be applied to the lands subject to this by-law zoned R4-R-129:			
a.	Number of <i>Townhouse</i> units (maximum):			73
b.	<i>Lot Area</i> minimum (Total Parcel):			2.18 Ha
c.	Minimum Lot Frontage:			124.0 m
d.	<i>Lot Frontage</i> on a private road (minimum):			5.5m per unit
e.	Setback from South Property Line (Mulock Drive) (minimum):			3.0 m
f.	Setback from north property line (minimum):			38 m
g.	Setback from east property line (minimum):			7.5 m
h.	Setback from west property line (minimum):			7.5 m
i.	Setback from a garage to a private road (minimum):			5.5 m
j.	Setback from the front main wall of a <i>building</i> to a private road (minimum):			4.5 m
k.	Setback from the side wall of a <i>townhouse dwelling</i> to a private road (minimum):			3.0 m

l.	Maximum Lot Coverage	n/a
m.	Maximum Building Height:	11.0 m (3 Storey)
n.	Building Separation (minimum):	3.0 m
o.	Permitted Encroachments:	
	<i>Porches</i> and <i>bay windows</i> shall be permitted to project into any minimum side, front or rear setback not more than 1.5 metres.	
	<i>Decks</i> greater than 1.0 metre above average <i>finished grade</i> shall be permitted to project from the rear of any townhouse dwelling unit not more than 3.0 metres	
p.	Minimum Outdoor off-street parking requirement:	1.0 space per dwelling unit
q.	Minimum Visitor Parking Spaces:	21 spaces
r.	Maximum Driveway Width:	3.5 m
s.	Minimum private Road Width:	6.2 m
t.	Minimum private amenity space:	330 m <sup>2</sup>
u.	Maximum width of an undivided entrance and/or exit ramp:	18 m
v.	Where any form of dwelling is erected in conformity with a 'site plan agreement'; parts of the lands affected by the 'site plan agreement' forms a 'common elements condominium'; and, the balance of the lands affected by the 'site plan agreement' are 'parcels of tied land' with respect to that 'common elements condominium', no provision of this By-law shall be deemed to be contravened by reason of the conveyance of a 'parcel of tied land' upon which a dwelling unit is erected, provided that all of the standards of this by-law are met for the lands as a whole, as set out in the 'site plan agreement' and provided the 'common elements condominium' and the 'parcels of tied land' are contiguous.	
w.	For clarity, 'parcel of tied land' means a parcel of land to which the common interest in the common elements condominium attaches as provided for in Subsection 139(2) of the Condominium Act 1998 or a successor thereto for "parcels of tied land" has the corresponding plural meaning.	
x.	For clarity, 'common elements condominium' means a common elements condominium corporation as defined in the <i>Condominium Act 1998</i> or a successor thereto.	
y.	For clarity, a 'site plan agreement' means an agreement entered into pursuant to Section 41 of the <i>Planning Act</i> , R.S.O. 1990 or a successor thereto.	

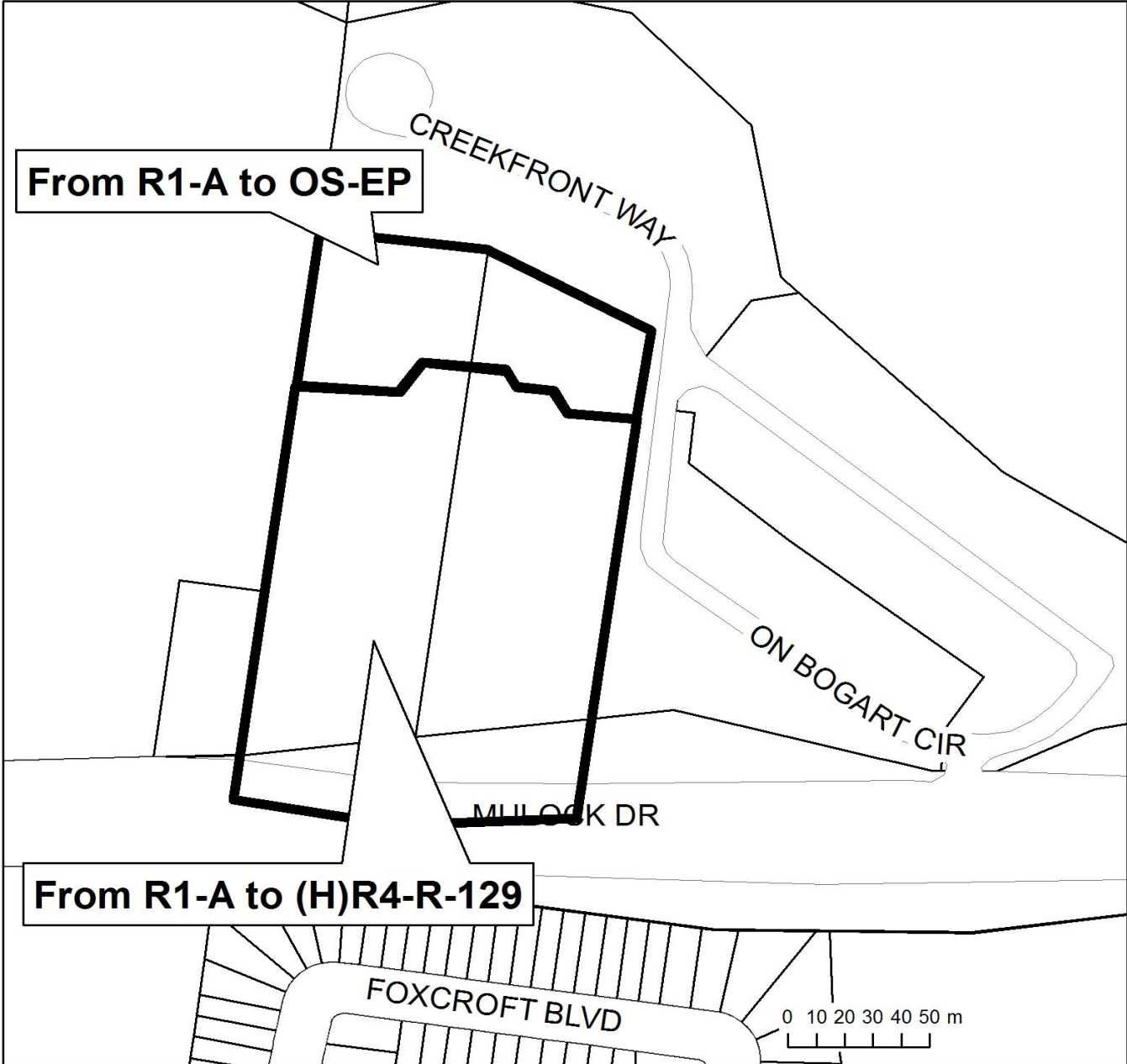
By-Law No.	Property Description	Permitted Uses Until Holding Provision Removed	Conditions for Removal	Date Enacted
2015-61	955 and 995 Mulock Drive	<p>No person within the lands zoned <b>(H)R4-R</b> shall use any lot or erect, alter or use any buildings or structures for any purpose except for those uses which existed on the date of passing of this By-Law.</p> <p>Furthermore, no extension or enlargement of the uses which existed on the date of passing of this By-Law shall occur unless an amendment to this By-Law or removal of the 'H' prefix, as identified in the next column, is approved by the Council of the Corporation of the Town of Newmarket and comes into full force and effect.</p> <p>However, the Holding provision will not prevent the construction of model homes, a sales office and/or in-ground and above ground services if deemed appropriate and desirable by the Town.</p>	<ul style="list-style-type: none"> <li>• All relevant provisions of the Official Plan, have been complied with;</li> <li>• That sufficient servicing capacity is available, and has been allocated by the Town;</li> <li>• That a subdivision agreement and site plan agreement have been entered into between the Owner of the lands and the Corporation of the Town of Newmarket, and the performance security contemplated therein has been posted;</li> <li>• All necessary requirements of the Town have been satisfied;</li> <li>• All necessary approvals have been received by other commenting agencies and authorities.</li> </ul>	December 14, 2015

955 and 995 Mulock Drive  
Part of Lot 31, Concession 2  
Town of Newmarket  
Regional Municipality of York

This is Schedule 'X'  
To Bylaw 2015-61  
Passed this \_\_\_\_\_ Day  
of \_\_\_\_\_, 2015.

MAYOR \_\_\_\_\_

CLERK \_\_\_\_\_



SCHEDULE "X" TO BY-LAW 2015-61  
TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & Produced by Information Technology – GIS Printed: December, 2015. Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2015. Zoning - Town of Newmarket, 2015.  
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.

T:\DI Services\Planning\Dave\file related documentation\955 Mulock Drive\bylaw info\bylaw schedule 955 995 revised.mxd