

# Corporation of the Town of Newmarket

## By-law 2022-XX

A By-law to Amend Zoning By-law 2010-40, being a zoning by-law with respect to Forest Green Homes located at 16860 & 16920 Leslie Street.

Whereas the Council of the Town of Newmarket has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas it is deemed advisable to amend By-law 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. And that By-law 2010-40 is hereby amended by:
  - a. Deleting from Schedule 'A', Map No. 14 the Residential Detached Dwelling 30M (R1-B) Zone, the Residential Apartment Dwelling 1 (R5-S), the Environmental Protection Open Space (OS-EP) Zone, the Cemetery (I-C) Zone, and substituting the Holding Residential Detached 12.0 Exception ((H)R1-E-151) Zone, Holding Residential Detached 8.3m Exception ((H)R1-F-152) Zone, Holding Residential Townhouse Condominium Plan Dwelling ((H)R4-CP-160) Zone;  
Dual zone - Residential Townhouse Condominium Plan Dwelling and Residential Back-to-Back Townhouse Condominium Plan Dwelling ((H)R4-CP-160/((H)R4-CP-161) Zone  
Tri Zone - Residential Townhouse Condominium Plan Dwelling, Residential Back-to-Back Townhouse Condominium Plan Dwelling and Residential Apartment Dwelling 2 ((H)R4-CP-160/((H)R4-CP-161)/ ((H)R5-S)) Zone  
Tri zone - Residential Detached Condominium Plan Dwelling, Residential Detached Heritage Condominium Plan Dwelling and Residential Townhouse Condominium Plan Dwelling ((H)R1-CP-153/ (H)R1-HCP-162 / (H)R4-CP-160) Zone  
Environmental Protection Open Space (OS-EP) Zone; Open Space (OS-1) Zone; as shown more particularly on Schedule "1" attached hereto.
  - b. Amending Section 8.1.1 List of Exceptions by adding a new Exception numbers having the following regulations relating to the (H)R1-E-151 zone:

Exception 151	Zoning (H)R1-E-151	By-Law Reference 2022-xx	File Reference																										
<div>i) Location: 16920 &amp; 16860 Leslie Street - North of Mulock Drive, West of Leslie Street, South of Gorham Street</div> <div>ii) Legal Description: Part Lot 31, Concession 2 Whitchurch; Pt E1/2 Lot 32 Concession 2 Whitchurch</div> <div>iii) Notwithstanding any other provision of the by-law to the contrary, the following provisions shall apply to the lands zoned (H)R1-E-151 shown on Schedule '1' attached hereto:</div> <div>Development standards:</div> <table><tr><th>Zone Standard</th><th>(H)R1-E -151</th></tr><tr><td>(a) Min. Yard Setbacks</td><td></td></tr><tr><td>From Front Lot Line</td><td>6.0m</td></tr><tr><td>From Rear Yard Setback</td><td>6.0m</td></tr><tr><td>From Side Lot Line</td><td>0.6m</td></tr><tr><td>From Exterior Side Lot Line</td><td>1.2m</td></tr><tr><td>(b) Min. Lot Width</td><td>12.0m</td></tr><tr><td>(c) Min. Lot Depth</td><td>21.4m</td></tr><tr><td>(d) Max. Lot Coverage</td><td>65%</td></tr><tr><td>(e ) Min. Lot Area</td><td>300m<sup>2</sup></td></tr><tr><td>(f) Max. Building Height</td><td>12.5m</td></tr><tr><td>(g) Max. Number of Storeys</td><td>3</td></tr><tr><td>(h) Permitted Front Yard encroachment (porch and stairs)</td><td>3m</td></tr></table>				Zone Standard	(H)R1-E -151	(a) Min. Yard Setbacks		From Front Lot Line	6.0m	From Rear Yard Setback	6.0m	From Side Lot Line	0.6m	From Exterior Side Lot Line	1.2m	(b) Min. Lot Width	12.0m	(c) Min. Lot Depth	21.4m	(d) Max. Lot Coverage	65%	(e ) Min. Lot Area	300m <sup>2</sup>	(f) Max. Building Height	12.5m	(g) Max. Number of Storeys	3	(h) Permitted Front Yard encroachment (porch and stairs)	3m
Zone Standard	(H)R1-E -151																												
(a) Min. Yard Setbacks																													
From Front Lot Line	6.0m																												
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From Side Lot Line	0.6m																												
From Exterior Side Lot Line	1.2m																												
(b) Min. Lot Width	12.0m																												
(c) Min. Lot Depth	21.4m																												
(d) Max. Lot Coverage	65%																												
(e ) Min. Lot Area	300m <sup>2</sup>																												
(f) Max. Building Height	12.5m																												
(g) Max. Number of Storeys	3																												
(h) Permitted Front Yard encroachment (porch and stairs)	3m																												

c. Adding the following regulations relating to the (H)R1-F-152 Zone to Section 8.1.1 List of Exceptions

Exception 152	Zoning (H)R1-F-152	By-law Reference 2022-xx	File Reference
<p>i) Location: 16920 &amp; 16860 Leslie Street - North of Mulock Drive, West of Leslie Street, South of Gorham Street</p> <p>ii) Legal Description: Part Lot 31, Concession 2 Whitchurch; Pt E1/2 Lot 32 Concession 2 Whitchurch</p> <p>iii) Notwithstanding any other provision of the by-law to the contrary, the following provisions shall apply to the lands zoned (H)R1-F -152 shown on Schedule '1' attached hereto:</p>			

Development standards:

Zone Standard	(H)R1-F- 152
(a) Min. Yard Setbacks	
From Front Lot Line	6.0m
From Rear Yard Setback	7.5m
From Side Lot Line	0.6m
From Exterior Side Lot Line	1.2m
(b) Min. Lot Width	8.3m
(c) Min. Lot Depth	21.4m
(d) Max. Lot Coverage	55%
(e) Min. Lot Area	240m <sup>2</sup>
(f) Max. Building Height	10m
(g ) Max. Number of Storeys	3
(h) Permitted Front Yard encroachment (porch and stairs)	3m

d. Adding the following regulations relating to the R1- HCP Zone to Section 8.1.1 List of Exceptions

Exception 162	Zoning R1-HCP-162	By-law Reference 2022- xx	File Reference
<p>i) Location: 16920 &amp; 16860 Leslie Street - North of Mulock Drive, West of Leslie Street, South of Gorham Street. Specifically to the existing heritage house.</p> <p>iv) Legal Description: Part Lot 31, Concession 2 Whitchurch; Pt E1/2 Lot 32 Concession 2 Whitchurch</p> <p>ii) Notwithstanding any other provision of the by-law to the contrary, the following provisions shall apply to the lands zoned (H)R1-HCP-162 shown on Schedule ‘1’ attached hereto</p>			
Zone Standard		(H)R1-HCP-162  (Shall apply to the existing heritage house)	
(a) Min. Yard Setbacks			
From Front Lot Line		2.4m	
From Rear Yard Setback		7m	

	From Side Lot Line	1.5m
	(b) Min. Lot Width	18m
	(c) Min. Lot Depth	22.4m
	(d) Max. Lot Coverage	35%
	(e) Min. Lot Area	400m <sup>2</sup>
	(f) Max. Building Height	10m
	(g) Max. Number of Storeys	3
	(h) Permitted Front Yard encroachment (stairs and retaining wall)	2.4m
	(i) Permitted Rear Yard encroachment (stairs)	1.5m

e. Adding the following regulations relating to the R1- CP Zone to Section 8.1.1 List of Exceptions

Exception 153	Zoning (H)R1-CP-153	By-law Reference 2022- xx	File Reference																								
<p>iii) Location: 16920 &amp; 16860 Leslie Street - North of Mulock Drive, West of Leslie Street, South of Gorham Street.</p> <p>v) Legal Description: Part Lot 31, Concession 2 Whitchurch; Pt E1/2 Lot 32 Concession 2 Whitchurch</p> <p>iv) Notwithstanding any other provision of the by-law to the contrary, the following provisions shall apply to the lands zoned (H)R1-CP-153 shown on Schedule ‘1’ attached hereto</p> <table><tr><td>Zone Standard</td><td>(H)R1-CP-153</td></tr><tr><td>(a) Min. Yard Setbacks</td><td></td></tr><tr><td>From Front Lot Line</td><td>3.0m</td></tr><tr><td>From Rear Yard Setback</td><td>5.5m</td></tr><tr><td>From Side Lot Line</td><td>0.6m</td></tr><tr><td>From Exterior Side Lot Line</td><td>1.2m</td></tr><tr><td>(b) Min. Lot Width</td><td>11m</td></tr><tr><td>(c ) Min. Lot Depth</td><td>22.4m</td></tr><tr><td>(d) Max. Lot Coverage</td><td>55%</td></tr><tr><td>(e) Min. Lot Area</td><td>240m²</td></tr><tr><td>(f) Max. Building Height</td><td>10m</td></tr><tr><td>(g) Max. Number of Storeys</td><td>3</td></tr></table>				Zone Standard	(H)R1-CP-153	(a) Min. Yard Setbacks		From Front Lot Line	3.0m	From Rear Yard Setback	5.5m	From Side Lot Line	0.6m	From Exterior Side Lot Line	1.2m	(b) Min. Lot Width	11m	(c ) Min. Lot Depth	22.4m	(d) Max. Lot Coverage	55%	(e) Min. Lot Area	240m²	(f) Max. Building Height	10m	(g) Max. Number of Storeys	3
Zone Standard	(H)R1-CP-153																										
(a) Min. Yard Setbacks																											
From Front Lot Line	3.0m																										
From Rear Yard Setback	5.5m																										
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(c ) Min. Lot Depth	22.4m																										
(d) Max. Lot Coverage	55%																										
(e) Min. Lot Area	240m²																										
(f) Max. Building Height	10m																										
(g) Max. Number of Storeys	3																										

	(h) Permitted Front Yard encroachment (stairs and retaining wall)	3m	
	(i) Rear Yard projection (stairs)	1.5m	

f. Adding the following regulations relating to the R4- CP Zone to Section 8.1.1 List of Exceptions

Exception 160	Zoning (H)R4-CP-160	By-law Reference 2022-xx	File Reference																										
<p>v) Location: 16920 &amp; 16860 Leslie Street - North of Mulock Drive, West of Leslie Street, South of Gorham Street.</p> <p>vi) Legal Description: Part Lot 31, Concession 2 Whitchurch; Pt E1/2 Lot 32 Concession 2 Whitchurch</p> <p>vi) Notwithstanding any other provision of the by-law to the contrary, the following provisions shall apply to the lands zoned (H)R4-CP-160 shown on Schedule '1' attached hereto</p>																													
<table><tr><td>Zone Standards</td><td>(H)R4-CP-160</td></tr><tr><td>(a) Min. Yard Setbacks</td><td></td></tr><tr><td>From Front Lot Line</td><td>4.5m</td></tr><tr><td>From Rear Yard Setback</td><td>6.0m</td></tr><tr><td>From Side Lot Line</td><td>1.5m</td></tr><tr><td>From Exterior Side Lot Line</td><td>3.0m</td></tr><tr><td>(b) Min. Lot Width</td><td>5.5m</td></tr><tr><td>(c ) Min. Lot Depth</td><td>29m</td></tr><tr><td>(d) Max. Lot Coverage</td><td>65%</td></tr><tr><td>(e ) Min. Lot Area</td><td>159.5m<sup>2</sup></td></tr><tr><td>(g) Max. Building Height</td><td>12.5m</td></tr><tr><td>(h) Max. Number of Storeys</td><td>3</td></tr><tr><td>(i) Front Yard projections (porch and stairs)</td><td>3.5m</td></tr></table>				Zone Standards	(H)R4-CP-160	(a) Min. Yard Setbacks		From Front Lot Line	4.5m	From Rear Yard Setback	6.0m	From Side Lot Line	1.5m	From Exterior Side Lot Line	3.0m	(b) Min. Lot Width	5.5m	(c ) Min. Lot Depth	29m	(d) Max. Lot Coverage	65%	(e ) Min. Lot Area	159.5m <sup>2</sup>	(g) Max. Building Height	12.5m	(h) Max. Number of Storeys	3	(i) Front Yard projections (porch and stairs)	3.5m
Zone Standards	(H)R4-CP-160																												
(a) Min. Yard Setbacks																													
From Front Lot Line	4.5m																												
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(e ) Min. Lot Area	159.5m <sup>2</sup>																												
(g) Max. Building Height	12.5m																												
(h) Max. Number of Storeys	3																												
(i) Front Yard projections (porch and stairs)	3.5m																												

g. Adding the following regulations relating to the (H)R4-CP-161 Zone to Section 8.1.1 List of Exceptions

Exception 161	Zoning (H)R4-CP-161	By-law Reference 2022-xx	File Reference
<p>vii) Location: 16920 &amp; 16860 Leslie Street - North of Mulock Drive, West of Leslie Street, South of Gorham Street.</p> <p>vii) Legal Description: Part Lot 31, Concession 2 Whitchurch; Pt E1/2 Lot 32 Concession 2 Whitchurch</p>			

viii)Notwithstanding any other provision of the by-law to the contrary, the following provisions shall apply to the lands zoned (H)R4-CP-161 shown on Schedule ‘1’ attached hereto

Zone Standards	(H)R4-CP-161
(a) Min. Yard Setbacks	
From Front Lot Line	2.25m
From Rear Yard Setback	0.0m
From Side Lot Line	0.0m
From Exterior Side Lot Line	1.5m
From Interior Side Lot Line	1.5m
(b) Min. Lot Width	3m
(c) Min. Lot Depth	11.85m
(d) Max. Lot Coverage	N/A
(e) Min. Lot Area	N/A
(f) Max. Building Height	12.5m
(g) Max. Number of Storeys	3

h. Adding the following provisions to Section 8.2.1 List of Holding Provisions:

By-law No.	Property Description	Permitted Uses Until Holding Provision is Removed	Conditions for Removal
2022-XX  Date Enacted:	16860 & 16920 Leslie Street  (Forest Green Homes)	<p>No person within the lands zoned (H)R1-E-151, (H)R1-F-152, (H)R1-CP-153, (H)R4-CP-160, (H)R4-CP-161, (H)R1-HCP-162 and (H)R5-S Zone 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</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 the Owner has signed the Town’s subdivision agreement and has posted all performance security contemplated therein;</p> <p>That a site plan agreement has been entered into between the Owner and the</p>

		<p>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>	<p>Town and the performance security contemplated therein has been posted.</p> <p>That a Clean Record of Site Condition has been provided to the satisfaction of the Director of Engineering.</p>
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3. And That all other provisions of By-law 2010-40, as amended, shall apply to the lands subject to this By-law.
4. That Schedule 1 attached hereto shall form part of **By-law 2022-XX**

Enacted this \_\_\_\_th day of \_\_\_\_\_, 2022.

John Taylor, Mayor

Lisa Lyons, Town Clerk

**Schedule 1**

Schedule to be provided