



Corporation of the Town of Newmarket

By-law 2022-53

A By-law to Amend Zoning By-law 2010-40, being a zoning by-law with respect to the former Glenway golf course lands located generally south of Davis Drive between Bathurst Avenue and Mitchel Place.

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', the Residential (R1-D) Zone, the Open Space (OS-2-32) Zone and the Open Space (OS-2-NZ) Zone and substituting the Residential (R1-D) Zone; Residential (R1-D-122) Zone; Residential (R1-D-157) Zone; Residential (R1-D-158) Zone; Residential (R4-N-159) 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 157 having the following regulations relating to the R1-D-157 zone:

Exception 157	Zoning R1-D-157	By-Law Reference 2022-53	File Reference D14NP1902
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- i) Location: South side of Sykes Road and north side of Alex Doner Drive (south leg), south side of Alex Doner Drive (north leg).
 - ii) Legal Description: Lots 1-5 and 6-10 on Draft Plan 19TN-2021-001; and Lot 1 Plan 65M-4587
 - iii) Notwithstanding any other provision of the by-law to the contrary, the following provisions shall apply to the lands zoned R1-D-157 shown on Schedule 'X' attached hereto:
- Development standards:
- a) Minimum Lot Area: for Lots 1-5 shall be 475 m²
 - b) Minimum Lot Frontage for Lot 1, Plan 65M-4587 shall be 14.0m
 - c) Minimum Exterior Side Yard for Lot 1, Plan 65M-4587 shall be 3.0m
 - d) Minimum Interior Side Yard for Lot 10 shall be 7.5m abutting 362 and 364 Amberlee Court

c. Adding the following regulations relating to the R1-D-YYY Zone to Section 8.1.1 List of Exceptions

Exception 158	Zoning R1-D-158	By-law Reference 2022-53	File Reference D14NP1902
<ul style="list-style-type: none"> i) Location: South of Alex Doner Drive, west and north of Kirby Crescent ii) Legal Description: Blocks 11 and 12 iii) Notwithstanding any other provision of the by-law to the contrary, the following provisions shall apply to the lands zoned R1-D-158 shown on Schedule '1' attached hereto: <p>Development standards:</p> <ul style="list-style-type: none"> a) Minimum Lot Frontage: 14.0m b) Minimum Yard Setback from Front Lot Line: 7.0m c) Minimum Yard Setback from Rear Lot Line: 8.0m, except that on any lot abutting 369-385 Amberlee Crt or 327-351 Alex Doner Dr, the minimum Yard Setback from the Rear Lot Line shall be 15.0m. d) Minimum Yard Setback from Exterior Lot Line: 3.0m <p>Provided further that on any Lot abutting 369-385 Amberlee Court or 327-351 Alex Doner Drive or 449-463 Alex Doner Drive the following additional provisions shall apply:</p> <ul style="list-style-type: none"> e) Maximum height: 9.0m (1.5 storeys) which may include loft space exceeding 3.6m in height. f) Decks <ul style="list-style-type: none"> a. Maximum height: 2.0m b. Maximum permitted encroachment in required rear yard: 3.6m <p>Provided further that on any lot abutting 415-431 Alex Doner Drive the following provision shall apply:</p> <ul style="list-style-type: none"> g) Maximum height: 10.5m 			

d. Adding the following regulations relating to the R4-N-159 Zone to Section 8.1.1 List of Exceptions

Exception 159	Zoning R4-N-159	By-law Reference 2022- 53	File Reference D14NP1902
<p>i) Location: South of Sykes Road, east of Bathurst Street</p> <p>ii) Legal Description: Block 13</p> <p>iii) Notwithstanding any other provision of the by-law to the contrary, the following provisions shall apply to the lands zoned R4-N-159 shown on Schedule '1' attached hereto</p> <p>Development standards:</p> <p>a) Minimum lot area per dwelling unit: 240m²</p> <p>b) Minimum lot frontage: 30.0m per total parcel, with a minimum frontage on a common driveway of 5.5m per dwelling unit</p> <p>c) Minimum Yard Setback from a Public Road: 4.0m</p> <p>d) Minimum Yard Setback from any other lot line: 3.0m</p> <p>e) Minimum building separation: 3.0m</p> <p>f) Maximum Lot Coverage of Block: 35%</p> <p>g) Maximum height: 11.0m (3 Storeys)</p> <p>iv) All units within 12m of Bathurst Street or Sykes Road shall have a front entry door, but no garage, facing the public road and a second entry with garage facing an interior private road.</p> <p>v) Parking shall be calculated based on the entire Block/Condominium Development and not on an individual lot basis.</p>			

e. 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
2022-53 Date Enacted:	Lots 1-10, Blocks 11, 12 and 13 as set out on 19TN_ 2019-001 (former Glenway Golf Course)	<p>No person within the lands zoned (H)R1-D, (H)R1- D-157, R1-D-158, (H)R4-N-159 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 By-Law or removal of the '(H)' prefix, as identified in the next</p>	<p>That sufficient servicing capacity is available, and has been allocated by the Town;</p> <p>That the Owner has signed the Town's subdivision agreement and has posted all performance security contemplated therein;</p> <p>For Blocks 11, 12 and 13 that the Owner has signed a Town site plan agreement and has posted all</p>

		<p>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>performance security contemplated therein.</p> <p>That Records of Site Condition for the lands have been provided to the satisfaction of the Director of Engineering Services.</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 2022-53

Enacted this 29th day of August, 2022.

John Taylor, Mayor

Kiran Saini, Deputy Town Clerk

Schedule 1

