

Corporation of the Town of Newmarket

By-law 2024-XX

A By-law to amend By-law Number 2019-06 being a zoning by-law for the Urban Centres Secondary Plan area (being part of 17255 Yonge 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 2019-06;

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 Schedules 1, 2, and 3 attached hereto.
2. And that By-law 2019-06 is hereby amended by:
 - a. Deleting from Schedule A Map 3 the Mixed-Use 1 (MU-1) Zone on the subject lands and substituting therefore the Mixed-Use 1 Site Specific Exception 16 (MU-1(16)) Zone as shown on Schedule 1 and 2 of this By-law.
 - b. Adding to Schedule C Map 15 the subject lands with the label (H) as shown on Schedules 2 and 3 of this By-law.
 - c. Amending Section 6.2.5 "Site Specific Exceptions to the Mixed Use Zone Regulations" to add MU-1 (16) as a site specific exception as follows:

MU-1 (16) – part of 17255 Yonge Street

Permitted uses: In addition to the uses permitted in the MU-1 zone, a Mental Health Centre shall also be permitted on the lands subject to this amendment.

For the purposes of this By-law, the following definition shall apply:

Mental Health Centre

Means a building or premises or part thereof that provides mental health and addiction services and treatment to individuals, including temporary and overnight accommodation, spaces for program administration, health care, counselling, social support services, and other related services.

The following provisions apply to the change of use for a Mental Health Centre only and do not apply to future redevelopment of the subject lands.

Notwithstanding Sections 4.10.1 and 4.10.2, a landscape buffer is not required around the periphery of existing surface parking areas.

Notwithstanding 4.10.1 iv) and v), a landscape buffer may be permitted within the Open Space (OS-1) zone.

Notwithstanding Section 5.6.1, 1 loading space is required.

Notwithstanding Section 5.4.1, existing parking areas are permitted in any yard.

Notwithstanding Section 6.2.4.9, i), ii), iii), iv), and v) shall not apply to existing parking areas.

Notwithstanding Section 6.2.4.10, existing loading spaces may be located exterior of the building and may be accessed from Yonge Street.

All other aspects of the Zoning By-law remain applicable.

d. Adding to Section 8.2 the Requirement to Remove the (H) Holding Provision from part of 17255 Yonge Street (as shown on Schedule 2 and 3 of this By-law).

No person within these lands 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.

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 per the Conditions of Removal listed below, is approved by Town Council and comes into full force and effect.

However, the Holding provision will not prevent any remediation or testing, or any testing related to Source Water Protection and/or construction of in-ground and above ground services, if deemed appropriate and desirable by the Town. Any grading, filling or works necessary to fulfill the requirements of testing for and/or site remediation required to obtain approval for Record of Site Condition and/or to provide approved servicing, shall be permitted.

Granting of Site Plan Control Approval, with conditions, by either the Director of Planning & Building Services or the Development Coordination Committee, will indicate that the development design is sufficiently advanced to allow for a concurrent application for a Conditional Building Permit. The Conditional Building Permit (along with a separately executed agreement) may be granted, where deemed appropriate, at the sole discretion of the Chief Building Official.

Section 8.2.5.i Conditions for Removal of the Holding Provision:

1. A Site Plan Agreement to permit the development as proposed has been entered into between the Town and the property owner.
2. Servicing comments have been addressed to the satisfaction of the Town's Engineering Services Division.

3. Stormwater management on site has been addressed to the satisfaction of the Town's Engineering Services Division.
4. A Phase Two ESA and a Clean Record of Site Condition (RSC) has been acknowledged by the Ministry (if required).
5. All necessary requirements of the Town have been satisfied.
6. All necessary approvals have been received by other commenting agencies and authorities, to the satisfaction of the Town.

3. That Schedules 1, 2, and 3 attached hereto shall form part of By-law 2024-XX

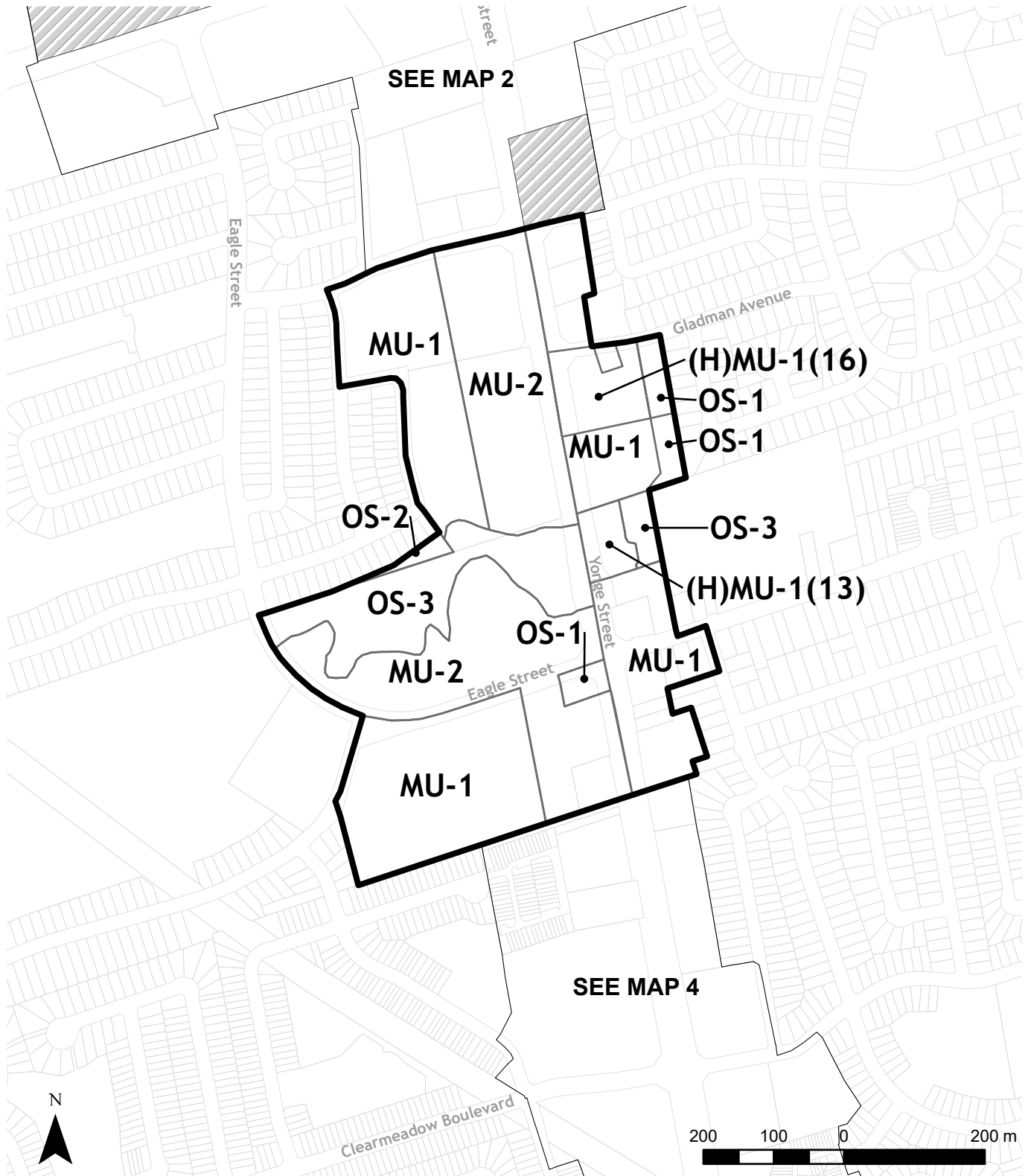
Enacted this 28th day of October, 2024.

John Taylor, Mayor

Lisa Lyons, Town Clerk

DRAFT

YONGE CIVIC ZONING MAP



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

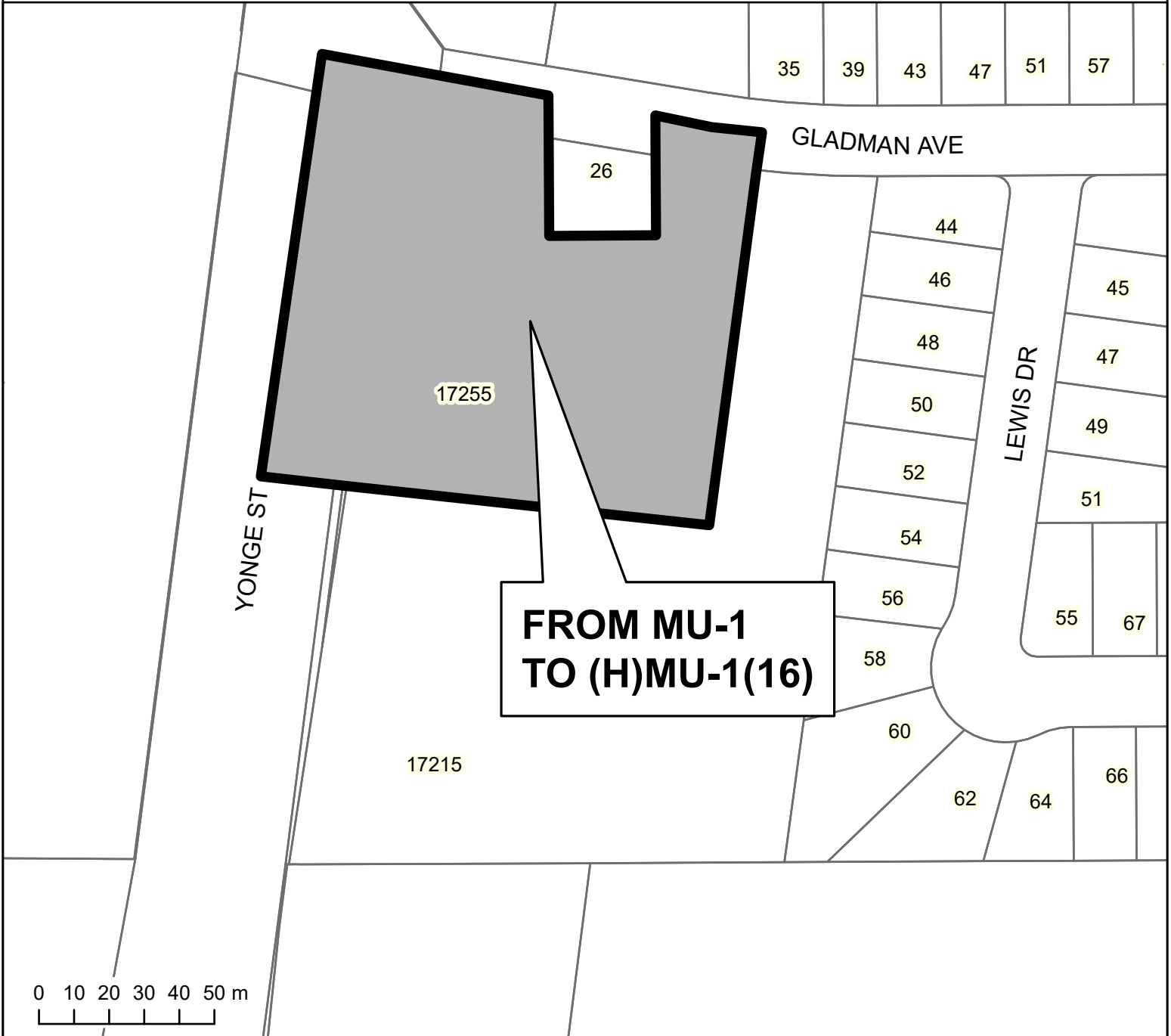
TOWN OF NEWMARKET REGIONAL MUNICIPALITY OF YORK 17255 YONGE ST

This is Schedule '2'
To Bylaw 2024-
Passed this _____ Day
of _____, 2024.

PT LT 94 CON 1 WHITCHURCH AS IN R246585 EXCEPT PT 1, 65R32629,
EXCEPT PT 1 ON EXPROPRIATION PLAN YR2092380; S/T EASE OVER PT 2
AS IN EXPRO. PLN YR2092380; SUBJECT TO A TEMPORARY EASEMENT
UNTIL 2019/01/01 OVER PART 1, EXPROP. PLAN YR2528712 COMMENCING
2016/12/08 AS IN YR2528712; S/T A TEMPORARY EASEMENT COMMENCING
2018/12/10 UNTIL 2019/12/31 OVER PART 1, EXPROPRIATION PLAN YR2822910
AS IN YR2822910; TOWN OF NEWMARKET

MAYOR _____

CLERK _____



SCHEDULE '2' TO BY-LAW 2024- TOWN OF NEWMARKET PLANNING DEPARTMENT



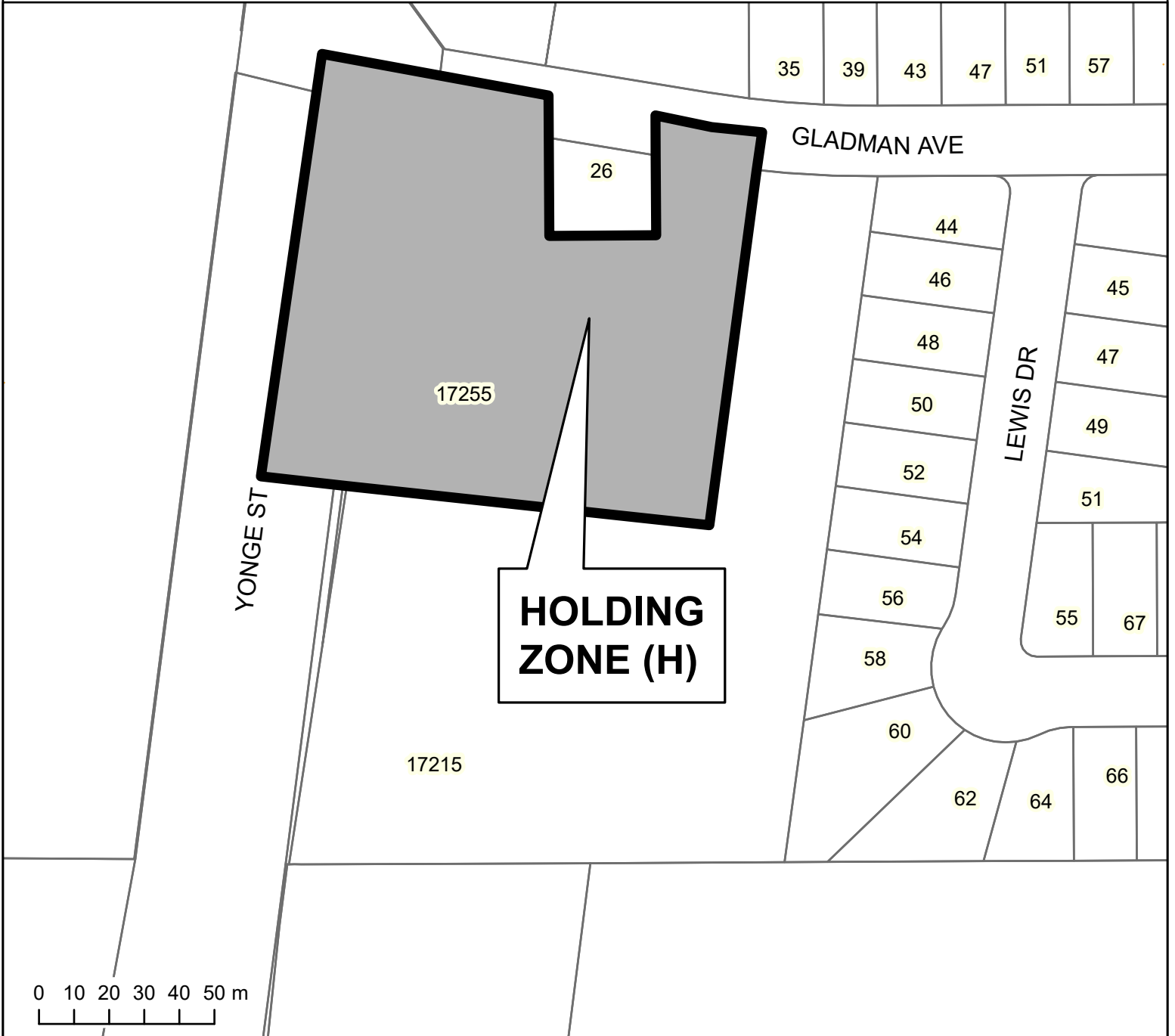
TOWN OF NEWMARKET REGIONAL MUNICIPALITY OF YORK 17255 YONGE ST

This is Schedule '3'
To Bylaw 2024-
Passed this _____ Day
of _____, 2024.

PT LT 94 CON 1 WHITCHURCH AS IN R246585 EXCEPT PT 1, 65R32629,
EXCEPT PT 1 ON EXPROPRIATION PLAN YR2092380; S/T EASE OVER PT 2
AS IN EXPRO. PLN YR2092380; SUBJECT TO A TEMPORARY EASEMENT
UNTIL 2019/01/01 OVER PART 1, EXPROP. PLAN YR2528712 COMMENCING
2016/12/08 AS IN YR2528712; S/T A TEMPORARY EASEMENT COMMENCING
2018/12/10 UNTIL 2019/12/31 OVER PART 1, EXPROPRIATION PLAN YR2822910
AS IN YR2822910; TOWN OF NEWMARKET

MAYOR

CLERK



SCHEDULE '3' TO BY-LAW 2024- TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & Produced by Information Technology – GIS Printed: October, 2024. Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2024. Zoning - Town of Newmarket, 2024.
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.

Document Path: G:\Projects_PRO\Development_InfrastructureServices\Planning\MapProjects\UrbanCentres_ZoningBy-law\UrbanCentres_ZBL_2019-06\ZBA_UrbanCentres_2019-06.aprx\ZBA2024_YongeSt_17255_Holding