



Corporation of the Town of Newmarket

By-law 2025-XX

A By-law to amend By-law Number 2010-40, as amended, being the Town’s Comprehensive Zoning By-law (Lytham Green Block 165)

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 Number 2010-40, as amended;

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, as amended, is hereby amended by:
 - a. Deleting from Schedule ‘A’ Map No. 8 the Retail Commercial -2 Exception 126 (CR-2-126) Zone; and substituting therefore Retail Commercial -2 Exception 180 (CR-2-180) Zone as shown more particularly on Schedule ‘1’ attached hereto, and forming part of this By-law.
 - b. Deleting Exception 126 for Block 165, Plan 19TN2012-001 in Section 8.1.1 List of Exceptions.
 - c. Adding the following regulations to Section 8.1.1 List of Exceptions and a new Exception number having the following regulations relating to CR-2-180:

Exception 180	Zoning CR-2-180	Map 8	By-law Reference 2014-25; OMB Decision PL130413& PL100685; 2020-38; 2025-XX	File Reference D9-NP-12 10 and 19TN 2012-001; D14-NP-19- 05; PLN- OPZS-2024- 009
<div><div>i)</div><div>Location: Lytham Green Block 165 (southeast corner of Davis Drive and Michel Place).</div></div> <div><div>ii)</div><div>Legal Description: BLK 155 PL 65M2205, EXCEPT PLAN 65M4553 AND EXCEPT PLAN 65M4587; T/W PT LT 94 CON 1, PT 1 65R5721 AS IN LT109148; S/T TO AN EASEMENT AS IN YR2731326 TOWN OF NEWMARKET</div></div>				

iii) Notwithstanding any other provision of the By-law to the contrary, the following provisions shall apply to the lands zoned CR-2-180 shown on Schedule ‘1’ attached here to:

Permitted Uses: Live Work Units shall have a commercial unit on its ground floor and shall have a dwelling unit on its upper floor(s). Permitted commercial uses for the Live Work Units are:

- **Art Gallery;**
- **Studio;**
- **Personal Service Shop;**
- **Retail Store;**
- **Tea room;**
- **Office;** and,
- any occupation or business which is permitted under Section 4.6 as a home occupation, such occupation or business may occupy the commercial ground floor and/or be conducted within the residential unit, subject to the restrictions below.

A **medical clinic, day nursery, nursing home, veterinary clinic, veterinary hospital, automotive uses, or personal wellness establishment** shall not be permitted.

For the purpose of this site-specific by-law, “Tea Room” is defined as below:

*“Means a small **restaurant** or cafe where tea, coffee and/or other light refreshments and/or light meals are served, and shall not include a restaurant that requires commercial cooking equipment to handle grease laden vapours.”*

Section 4.6 (ii)a applies to ground floor commercial units, and Section 4.6 (i), (ii)b, (iii), (iv), (vi), (vii), (viii), (ix), (x) do not apply to the ground floor commercial units.

Any separate home occupation which is conducted primarily or wholly within the dwelling unit above the ground floor shall be subject to the requirements of Section 4.6 (i), (ii), (iii), (iv), (v), (viii) and (x), and shall be clearly secondary to the residential use within the dwelling unit. Any occupation or business within the dwelling unit above the ground floor shall be limited to a maximum area of 24m².

No permanent outdoor storage is permitted. A temporary accessory outdoor display and/or sales area may be permitted, provided that all goods are removed nightly.

Development standards:

a) Minimum Lot Area	0.35 ha
b) Minimum Lot Frontage	60m on Mitchell Place
c) Front Lot Line	Michell Place
d) Minimum Yard Setback from a Public Road	3.0 m
e) Maximum Lot Coverage	35%

f) Maximum gross floor area per Commercial Unit	60 m ²
g) Parking for Residential Use	2 spaces per unit
h) Parking for Commercial Uses	1 space per unit for the first 40 m ² of gross floor area, plus 1 space per 30 m ² of aggregate commercial gross floor area for all units greater than 40 m ² per unit.
i) Garage Location	Not permitted on the side of the building facing the street
j) Maximum Height	11.6 m (3 storeys)
k) Lot	Notwithstanding the definition of “Lot” in Section 3, the subject lands as show in Schedule 1 of Bylaw 2020-38 are deemed one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of a plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of By-law 2025-xx.

3. And all other provisions of By-law 2010-40, as amended, shall apply to the land subject to this By-law.
4. That Schedule 1 attached hereto shall form part of By-law 2025-XX

Enacted this 5th day of May, 2025.

John Taylor, Mayor

Lisa Lyons, Town Clerk

TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK
PLAN 65M2205 PT BLK 155
(BLOCK 165 GLENWAY)

This is Schedule '1'
To Bylaw 2025-
Passed this _____ Day
of _____, 2025.

MAYOR _____

CLERK _____

