



Corporation of the Town of Newmarket

By-law 2025-81

A By-law to amend By-law Number 2010-40, as amended, being the Town’s Comprehensive Zoning By-law (62 Bayview Parkway).

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, 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 (Subject Lands);
- 2. That By-law 2010-40, as amended, is hereby amended by:
 - a. Deleting from Schedule A Map No. 5 the Major Institutional (I-A) Zone on the subject lands and substituting therefore the Holding Residential Apartment Dwelling 2 Zone ((H)R5-T-181) as shown on Schedule ‘1’ attached hereto, and forming part of this By-law.
 - b. Adding the following regulations to Section 8.1.1 List of Exceptions:

Exceptions 181	(H)R5-T-181	Map 5	By-law Reference 2025-81	File Reference PLN-OPZS-2024-002
i) Location: 62 Bayview Parkway				
ii) Legal Description: PT LT 96 CON 1 E YONGE ST EAST GWILLIMBURY AS IN EG21175; S/T EG21175 ; NEWMARKET				
iii) Notwithstanding any other provision of the By-law to the contrary, the following provisions shall apply to the lands zoned R5-T-181 shown on Schedule ‘1’ attached hereto:				
iv) Development standards:				
Zone Standard		GENERAL		
Maximum FSI		1.2		
Lot coverage		15.5%		
Maximum Building Height		32 metres – 9 storey 22 metres - 6 storey		
Parking Rate		Residents: 0.9 Spaces per unit Visitor: 0.13 spaces per unit		

Setbacks	
Front Yard	9.0 metres
Rear Yard	18.0 metres
Side Yard (to the north property line)	29.0 metres
Side Yard (to the south property line)	31.0 metres
Amenity Space	Indoor: 1.4 square metres per unit Outdoor: 2.0 square metres per unit
Landscape Buffer around 5 or more parking spaces	East side (Bayview Parkway): 0 metres North Side (side lot line): 1.8 metres West Side (rear lot line): 1.8 metres
“setback from parking spaces to the west property line (rear lot line)”	8.5 metres
<p>v) Mechanical Penthouse (covered mechanical penthouse shown on Schedule 2):</p> <p>a) A mechanical penthouse shall be permitted to exceed the permitted height of the building by 6.0 metres and may not cover more than 40% of the aggregate area on the roof.</p> <p>b) The minimum setback for a mechanical penthouse from a property line shall be as shown on Schedule “1” attached hereto.</p> <p>c) No setback is required for a mechanical penthouse from any building walls as shown on Schedule 2.</p> <p>vi) Mechanical Penthouse (including uncovered rooftop mechanical equipment shown on Schedule 2):</p> <p>a) No setback is required for a mechanical penthouse to the rear building wall and 3 metres setback from any other building walls.</p> <p>a) Encroachments:</p> <p>Uncovered deck, uncovered patio, balconies and landings are permitted to encroach into the required front yard by a maximum of 2.1 metres.</p>	

3. That By-law 2010-40, as amended, is hereby amended by:
- a. 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
2025-81 Date Enacted: July 14, 2025	PT LT 96 CON 1 E YONGE ST EAST GWILLIMBURY AS IN EG21175; S/T EG21175 ; NEWMARKET	No person within the lands zoned (H) R5-T-181 Zone shall use any lot or erect, alter or use any buildings or structures for any purpose except for those uses which	That sufficient servicing capacity is available, and has been allocated by the Town; That the Owner has signed the Town’s

		<p>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 any remediation or testing, or any testing related to related to Source Water Protection and/or 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.</p> <p>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</p>	<p>site plan agreement and has posted all performance security contemplated therein;</p> <p>That the Town receives the noise report confirming the sound impact of the rooftop mechanical equipment will be mitigated to the satisfaction of the Town.</p>
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		application for a Conditional Building Permit. A Holding provision will not prevent the issuance of a Conditional Building Permit. The Conditional Building Permit (along with a separately executed agreement) may be granted for any stage of construction, that is deemed appropriate, at the sole discretion of the Chief Building Official.	
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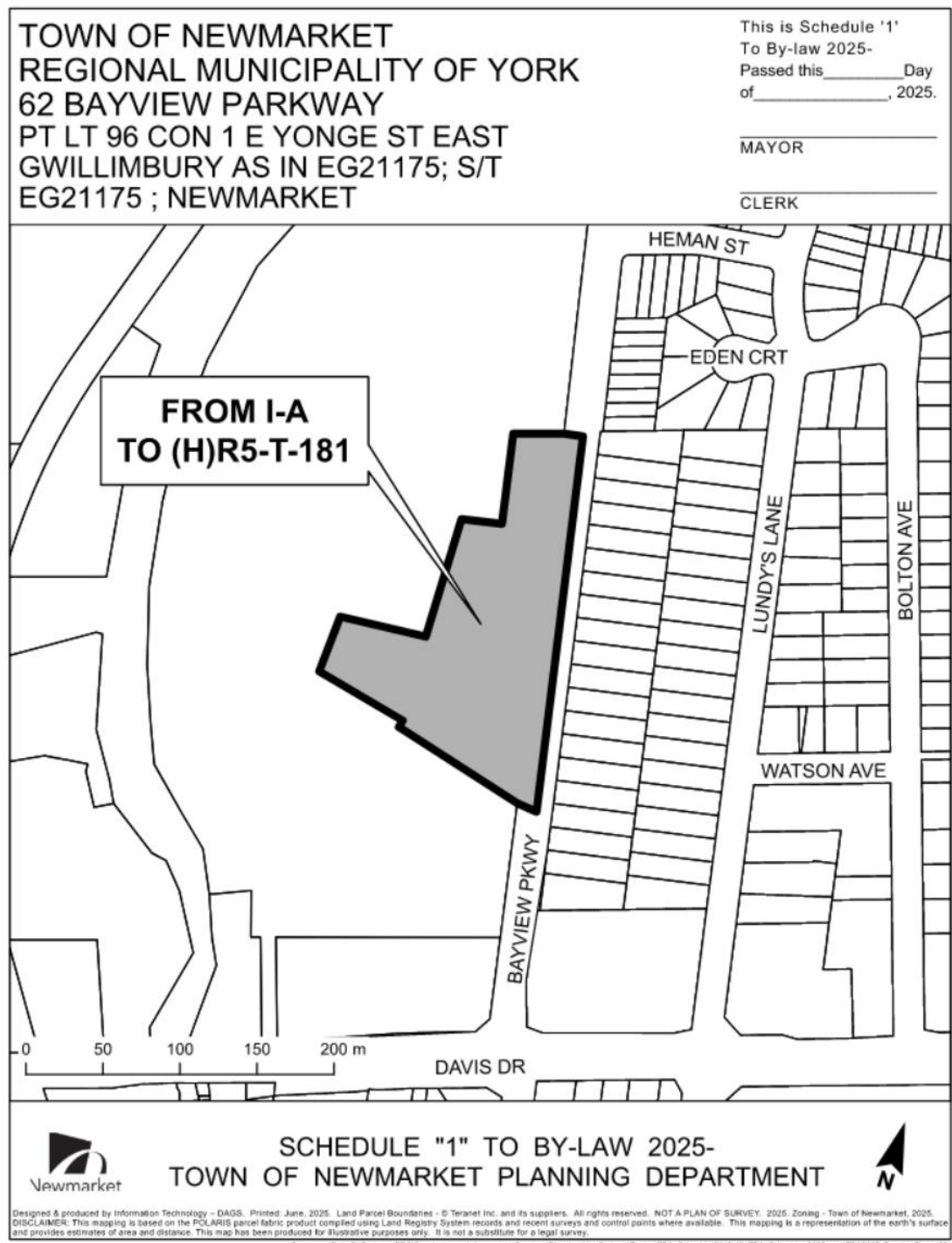
4. That Schedule 1 and 2 attached hereto shall form part of By-law 2025-81.

Enacted this 14th day of July 2025

John Taylor, Mayor

Lisa Lyons, Town Clerk

Schedule 1 to By-law 2025-81



Schedule 2 to By-law 2025-81

TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK
62 BAYVIEW PARKWAY
PT LT 96 CON 1 E YONGE ST EAST
Gwillimbury AS IN EG21175; S/T
EG21175 ; NEWMARKET

This is Schedule '2'
To By-law 2025-
Passed this _____ Day
of _____, 2025.

MAYOR

CLERK

SCHEDULE "2" TO BY-LAW 2025-
TOWN OF NEWMARKET PLANNING DEPARTMENT

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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_Infrastructure\services\Planning\MapProjects\Zoning\ZBA_Schedule\2010-40_ZBA_Schedule_2025.aprx\ZBA2025_BayviewPkw_62_Schedule2

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