

## ONTARIO REGULATION XXX/21

made under the  
*PLANNING ACT*

### ZONING ORDER - CITY OF MARKHAM, REGIONAL MUNICIPALITY OF YORK

#### Application

1. This Order applies to,

(a) lands in the City of Markham in the Regional Municipality of York, in the Province of Ontario, being PIN 0304-3000(LT) and municipally addressed as 36 Apple Creek boulevard, and being the lands identified on a map numbered XXX and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

#### Definitions

2. In this Order

"accessory", when used to describe a use, building or structure, means a use, building or structure that is normally incidental or subordinate to a principal use, building or structure located on the same lot, including but not limited to,

- (a) a commercial school,
- (b) a business office,
- (c) a restaurant,
- (d) a restaurant, take-out,
- (e) a financial institution,
- (f) a retail store,
- (g) a medical office,
- (h) a personal service shop,
- (i) a community centre,
- (j) a use operated by a public authority
- (k) a place of worship, and
- (l) a health centre

"institutional use" means a Building or part of a Building containing uses such as Places of Worship, Community Centres, libraries, or government offices.

"long-term care home" has the same meaning as in the *Long-Term Care Homes Act, 2007*;

"retirement home" means a *building* or part of a *building* that is designed and used to provide accommodation primarily to retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided, and is licensed under the *Retirement Home Act*.

"zoning by-law" means Zoning By-law 165-80 and 28-97 of the City of Markham.

#### Permitted uses - Markham

3. (1) Every use of land and every erection, location or use of any building or structure is prohibited on those lands described in clause 1 (a), except for the following:

- (2). In the area shown as "M.C. 40%" on the map described in section 1,
  1. Retirement Homes
  2. Long Term Care Homes
  3. Accessory uses to any other permitted use.

- (3) In the area shown as "O1" on the map described in section 1,
  1. no buildings or structures are permitted within the O1 zone.

#### Zoning requirements - Markham

4. (1) The zoning requirements for the area shown as "M.C. 40%" on the map described in section 1 are the requirements set out in Parking Standards By-law 28-97 and below:

1. The minimum front yard setback is 9.0 metres,
2. The minimum setback to any other yard 5.5 metres,
3. The minimum distance between buildings is 11 metres,
4. The maximum height is 25 metres,
5. The maximum floor area ration is 250%,
6. The minimum setback to a top of bank as defined by the Toronto and Region Conservation Authority is 10 metres,
7. The minimum number of required parking spaces:
  - Retirement home – 0.5 spaces per unit
  - Long-term care home - 0.5 spaces per bed
  - Accessory uses – 1 space per 40 square metres of net floor area of the use.

#### **Terms of use**

5. (1) Every use of land and every erection, location or use of any building or structure shall be in accordance with this Order.
- (2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.
- (3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.
- (4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.
- (5) All other parts of By-Law 165-80, not inconsistent with this order shall apply to the lands

#### **Deemed by-law**

6. (1) The parts of this Order that pertain to the City of Markham are deemed for all purposes, except the purposes of section 24 of the Act, to be and to always have been a by-law passed by the council of the City of Markham.



**MAP No.**

Map filed at the office of the Ministry of  
Municipal Affairs and Housing  
777 Bay St. Toronto, Ontario

The Planning Act

Ontario Regulation

Date

Original Signed By

Registrar of Regulations Office

**LEGEND**

-  Boundary of Zoning Area
-  M.C. 40% Zone
-  O1 Zone

