

December 19, 2018

David Knox
2432 BAYVIEW AVE
Toronto
M2L 1A3

RE: ZONING SEARCH NUMBER: 18 257350 00
SITE LOCATION: 4171 7 Hwy E

The subject property is zoned **C1** under by-law **304-87** as amended.

The following zoning search contains **zoning information only**. For additional information on approval processes, please refer to our website at www.markham.ca. Additional applicable law information can be found by conducting a property details search here: [Property Details Search](#)

See attached for permitted uses and development standards. Refer to Parking By-Law [28-97](#) for driveway and parking provisions, Deck By-Law [142-95](#), and the Tree Preservation By-Law, available online at www.markham.ca for additional standards and requirements.

Please note that the establishment of such use or any proposed construction must also comply with the Building Code Act and Ontario Building Code, which may require the issuance of a building permit or change of use permit. If a building permit is required, decisions about whether a proposed use and the related construction complies with zoning and building code requirements can only be provided after reviewing the proposed design plans. If in doubt please retain the services of a qualified professional and/or contact the Building Standards Department at (905) 475-4858.

Any use is subject to compliance with all applicable provisions of the zoning or other by-laws of the City, all regulations or laws of any governmental bodies, as well as the provisions of a site plan agreement, which may or may not be registered on title.

Every effort is made to ensure that our response contained herein is correct, but we do not warrant or certify its accuracy. Opinions should be verified and are subject to any contrary ruling of a court of competent jurisdiction.

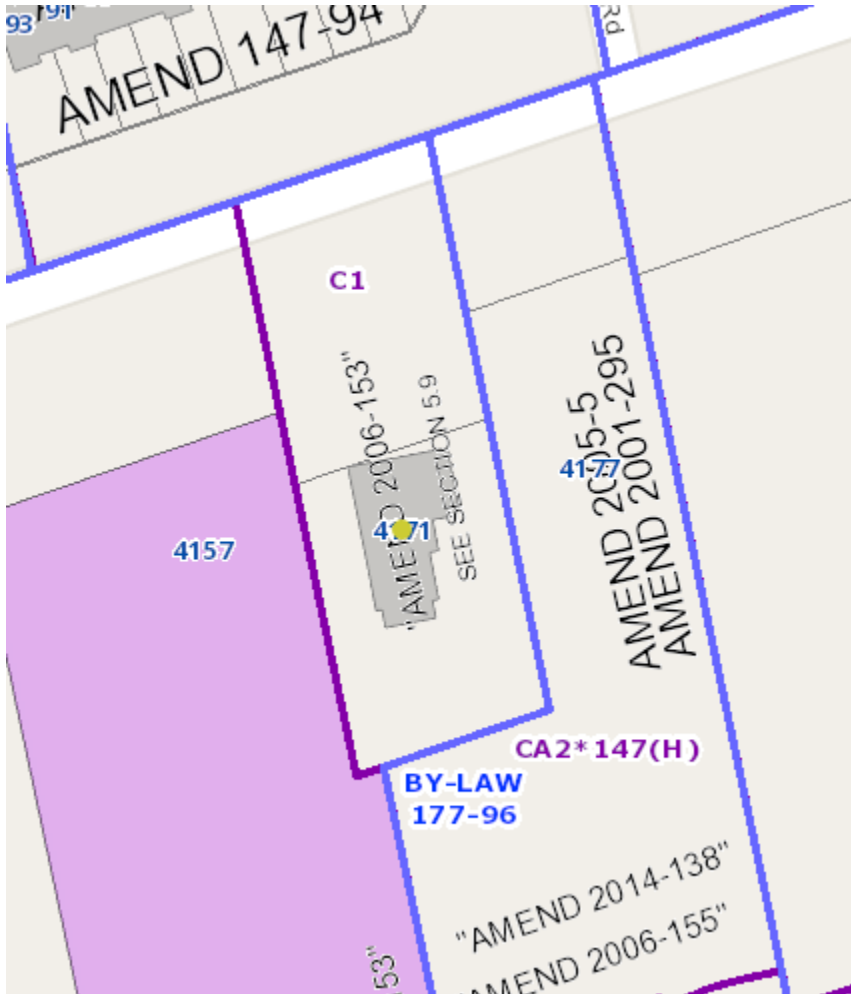
A handwritten signature in cursive script, appearing to read 'Dj'.

David Johnston
djohnston@markham.ca
905-475-4858 ext. 2745
Zoning Examiner

NOTE: Personal Information on this form is collected under the authority of the Municipal Act, 2011. The information collected will be used by the City of Markham to respond to requests for zoning information. Questions about the collection can be directed to the Chief Building Official, City of Markham, 101 Town Centre Blvd., Markham, ON, L3R 9W3, Telephone: 905 475 4858.

Process RSN: 6229511

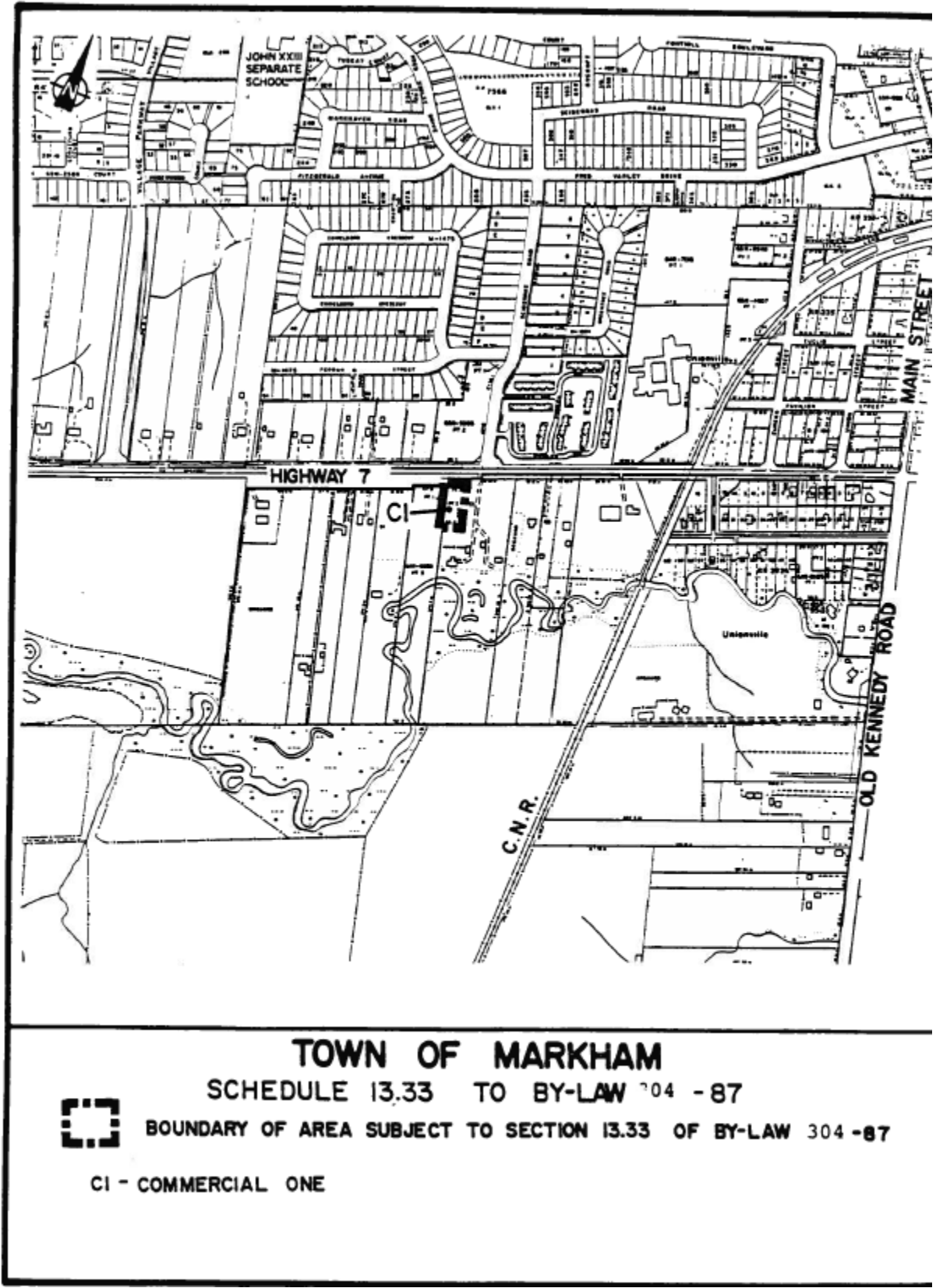
Zoning Map



Zoning Provisions

13.33 Notwithstanding the provisions of Section 8.1 of this By-law the following uses only shall be permitted on the lands described as Part of Lot 10, Concession 5, as shown on Schedule 13.33:

- business and professional offices
- day care centre



SECTION 8 - COMMERCIAL ZONES

No person shall hereafter change the use of any land, BUILDING or STRUCTURE, or ERECT and use any BUILDING or STRUCTURE in any Commercial Zone (C1, HC2) shown on Schedule 'A', except in accordance with the following provisions.

- 8.1 The following uses are permitted in the C1 Zone:
- retail commercial uses such as a bank, a RESTAURANT, a PERSONAL SERVICE SHOP;
 - professional and business offices.

- 8.2 The following uses are permitted in the HC2 Zone:
- AUTOMOBILE SERVICE STATION;
 - FAST FOOD RESTAURANT, TAKE-OUT RESTAURANT;
 - vegetable or fruit stand not in the same ownership as any abutting farm lands for the sale of farm produce.

8.3 REQUIREMENTS FOR COMMERCIAL ZONES

(a) Zone Standards

Zone	Minimum LOT FRONTAGE	Minimum LOT AREA
(i) C1	30 metres	0.4 hectares
(ii) HC2	30 metres	0.4 hectares

(b) <u>Minimum Yards*</u>	C1	HC2
(i) Minimum FRONT YARD	12.0 m	12.0 m
(ii) Minimum SIDE YARD	6.0 m	6.0 m
(iii) Minimum REAR YARD	7.5 m	7.5 m

* See Section 5.5.

(c) Landscaping Requirements

Landscaped Open Space Adjoining Streets or Highways

- (i) Adjoining any collector or arterial road or Provincial highway, a strip of land having a minimum depth of 9 metres immediately abutting the STREET LINE or highway, shall be used only for LANDSCAPED OPEN SPACE.

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- (ii) Adjoining any other STREET, a strip of land having a minimum depth of 6 metres immediately abutting the STREET LINE shall be used only for LANDSCAPED OPEN SPACE.
- (iii) Notwithstanding the provisions of Subsections 8.3(c)(i) and (ii) above, access ramps shall be permitted to cross such LANDSCAPED OPEN SPACE provided they are more or less perpendicular to the STREET LINE.

(d) Loading Space Requirements

- (i) LOADING SPACES shall be provided in accordance with the following:

GROSS FLOOR AREA OF 1860 square metres or less for each BUILDING.	One (1) LOADING SPACE per BUILDING.
GROSS FLOOR AREA OF greater than 1860 square metres for each building.	Two (2) LOADING SPACES per BUILDING.

- (ii) Size of Loading Space

A LOADING SPACE shall have a width of not less than 3.6 metres, a length of not less than 12 metres and a minimum HEIGHT clearance of not less than 4.2 metres.

- (iii) Location of Loading Spaces

- (a) No LOADING SPACE or platform shall be located in any YARD or wall of any BUILDING or STRUCTURE which abuts or faces a STREET, respectively.

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- (b) Notwithstanding the provisions of Section 8.3(d)(iii)(a) above, if the LOT or BLOCK on which a BUILDING or STRUCTURE is located abuts more than 2 (two) STREETS then LOADING SPACES or platforms may be located in one YARD or wall which adjoins or faces a STREET provided that such LOADING SPACE or platform door is suitably screened so as not to be visible from the STREET.

2006-153

Clause 1, Report No. 22, 2006



BY-LAW 2006-153

A By-law to amend Zoning By-law 304-87, as amended

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM
HEREBY ENACTS AS FOLLOWS:

1. By-law 304-87, as amended, is hereby further amended as follows:
 - (a) By deleting Schedule 'B' – SPECIAL POLICY AREA to By-law 304-87, as amended by By-law 165-90.
 - (b) By adding a new Schedule 'B' – SPECIAL POLICY AREA to By-law 304-87, as amended, attached, as Schedule 'A' to this By-law.
2. All other provisions of By-law 304-87, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
13TH DAY OF JUNE, 2006.


KIMBERLEY KITTERINGHAM
DEPUTY CLERK
DON COUSENS
MAYOR

SCHEDULE 'B' TO BY-LAW 304-87

MARKHAM DEVELOPMENT SERVICES COMMISSION
 THIS IS SCHEDULE 'A' TO BY-LAW 2006-135
 PASSED THIS 13TH DAY OF JUNE, 2006

[Signature] MAYOR
[Signature] DEPUTY CLERK

NOTE: 1) DIMENSIONS ARE IN METRES
 2) REFERENCE SHOULD BE MADE TO THE ORIGINAL BY-LAW LODGED IN THE OFFICE OF THE CLERK

SCALE 1:12000

BOUNDARY OF AREA COVERED BY THIS BY-LAW
 SPECIAL POLICY AREA (See Section 0.5)

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THE CORPORATION OF THE TOWN OF MARKHAM
BY-LAW NO. 165-90
A by-law to amend By-law 304-87, as amended

Whereas, in the Town of Markham there are built up areas where development has historically occurred in the flood plain, and

Whereas, in such cases, the Provincial Flood Plain Planning Policy makes provision, through SPECIAL POLICY AREA policies in the Official Plan, to permit some new development to ensure the continued viability of the flood prone portions of the community,

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1. THAT By-law 304-87, as amended, be and the same is hereby further amended as follows:

(a) by adding a new Schedule, being Schedule 'B' - SPECIAL POLICY AREA to By-law 304-87, attached as Schedule 'A' to this by-law.

(b) By adding a new subsection being subsection 1.5 to Section 1 - TITLE AND AREA RESTRICTED, as follows:

"1.5 Schedule 'B' entitled SPECIAL POLICY AREA defines the areas subject to special provisions of this by-law. Schedule 'B' is hereby declared to be part of this by-law."

(c) By adding a new subsection being subsection 5.9 to Section 5 - GENERAL PROVISIONS as follows:

"5.9 SPECIAL POLICY AREA

In addition to all other requirements for a zone as shown on Schedule 'A', the following additional provisions shall apply to all lands designated as SPECIAL POLICY AREA on Schedule 'B'.

5.9.1 Prohibited Uses

Notwithstanding any other provision of By-law 304-87, as amended, including the provisions of Section 5.3.2, no person shall change the use of any BUILDING, STRUCTURE or land, nor ERECT, extend or ALTER any BUILDING or STRUCTURE on lands shown designated SPECIAL POLICY AREA on Schedule 'B', attached hereto, for any of the following purposes:

- AUTOMOBILE SERVICE STATION
- CEMETERY
- DAY NURSERY
- "home for special care" as defined by the Homes for Special Care Act
- "home for retarded persons" as defined by the Homes for Retarded Persons Act
- "institution" for purposes of this by-law "institution" shall be as defined by the Mental Hospital Act.
- PUBLIC AND PRIVATE HOSPITAL
- NURSING HOME
- "group home" as defined by the Municipal Act, for the physically or mentally handicapped
- PRIVATE HOME DAY CARE
- "residential service" as defined by the Child and Family Services Act
- "hostel" as defined by the Charitable Institutions Act
- "home" as defined by the Homes for the Aged and Rest Homes Act
- senior citizens housing
- public elementary school operated by the York Region Board of Education
- separate elementary school operated by the York Region Roman Catholic Separate School Board
- private elementary school

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- any use by a PUBLIC AUTHORITY or private company related to the provision of essential or emergency services including police forces, municipal fire departments, ambulance services, hydro-electric commissions and public and private utility companies
- storage, handling, production or use of chemical, flammable, explosive, toxic, corrosive or dangerous materials
- facilities for the treatment, collection and disposal of sewage, except for the conventional components of sanitary sewer lines.

5.9.2 Administration

Prior to the issuance of a building permit on a parcel of land subject, in total or in part, to the provisions of Section 5.9 of this by-law, the Town of Markham shall require, in consultation with the Metropolitan Toronto and Region Conservation Authority, approval of the detailed development proposal for the parcel."

(d) By deleting Section 12.3 OPEN SPACE ONE (O1) ZONE BOUNDARIES and substituting therefore the following:

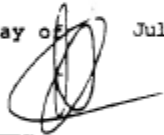
"12.3 OPEN SPACE ONE (O1) ZONE BOUNDARIES
OPEN SPACE (O1) ZONE boundaries shall be deemed to follow the limit of development in relation to river valley systems under the jurisdiction of the Conservation Authority.

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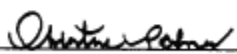
2. THAT all other provisions of By-law 304-87, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

READ a first and second time this 5th day of July 1990

READ a third time and passed this 5th day of July 1990



Acting Mayor



Deputy Clerk

5.5

SETBACKS

Notwithstanding any other provision of this by-law, no part of any BUILDING or STRUCTURE shall be constructed within 40 metres of the centre line of any arterial road or Provincial highway as designated in the Official Plan of the Markham Planning Area.