

DRAFT

ONTARIO REGULATION

Made under the

PLANNING ACT

ZONING ORDER - CITY OF MARKHAM, REGIONAL MUNICIPALITY OF YORK

Application

1. This Order applies to lands in the City of Markham in the Regional Municipality of York, in the Province of Ontario, 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.

Permitted Uses

2. (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, except for the following:

1. The uses identified in the City of Markham Zoning By-law 177-96 for the Residential One Exception *XX (R1*XX) in the area shown as "R1*XX" on the map described in section 1;
2. The uses identified in the City of Markham Zoning By-law 177-96 for the Residential Two Exception *XX (R2*XX) in the area shown as "R2*XX" on the map described in section 1;
3. The uses identified in the City of Markham Zoning By-law 177-96 for the Residential Four Exception *XX (R4*XX) in the area shown as "R4*XX" on the map described in section 1; and
4. The uses identified in the City of Markham Zoning By-law 177-96 for the Open Space Exception *XX (OS1*XX) in the area shown as "OS1*XX" on the map described in section 1.

(2) Despite section 2 (1) (2), the following uses are not permitted in the area shown as "R2*XX" on the map described in section 1:

1. Semi-detached dwellings
2. Duplex dwellings
3. Triplex dwellings
4. Fourplex dwellings
5. Apartment dwellings

(3) Despite subsection (1), in all the Zone areas including Residential One (R1*XX), Residential Two (R2*XX), Residential Four (R4*XX) and Open Space (OS1*XX) zones, the following uses are permitted:

1. A stormwater management facility.
2. Flood and erosion control.

Zoning requirements

3. (1) The zoning requirements for the area shown as “R1*XX” on the map described in clause 1 are the requirements for the uses set out in Section 5 Table B1 of the City of Markham Zoning By-law 177-96 and Parking Standards By-law 28-97, with the following exceptions:
1. The minimum lot frontage is 11.5 metres.
 2. The minimum lot area is 345 square metres.
- (2) The zoning requirements for the area shown as “R2*XX” on the map described in clause 1 are the requirements for the uses set out in Section 5 Table B2 of the City of Markham Zoning By-law 177-96 and Parking Standards By-law 28-97, with the following exceptions:
1. The minimum lot frontage on a lot not accessed by a lane is 6.0 metres.
 2. The maximum height is 12.0 metres.
- (3) The zoning requirements for the area shown as “R4*XX” on the map described in clause 1 are the requirements for the uses set out in Section 5 Table B6 of the City of Markham Zoning By-law 177-96 and Parking Standards By-law 28-97, with the following exceptions:
1. The minimum rear yard setback is 11 metres.
 2. The minimum number of apartment dwelling units is 120.
 3. The maximum number of apartment dwelling units is 500.
- (4) The zoning requirements for the area shown as “OS1*XX” on the map described in Section 1 are the requirements for the uses set out in Section 5 Table B9 of the City of Markham Zoning By-law 177-96.

Terms of use

4. (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.

Deemed by-law

5. This Order is deemed for all purposes, except the purposes of section 24 of the *Planning Act*, to be

and to always have been a by-law passed by the Council of the City of Markham.

Commencement

6. This Regulation comes into force on the day it is filed.