

***TOWN OF MARKHAM***  
***Ontario***



**BY-LAW 2002-202**

**A DELEGATION BY-LAW  
BEING A BY-LAW TO PROVIDE FOR THE DELEGATION OF  
DEVELOPMENT APPROVAL AUTHORITY**

**This By-law is printed under and  
by authority of the Council of  
the Town of Markham**

(Consolidated for convenience only  
to October 25, 2006)

As amended by:  
2003-65 – February 23, 2003  
2006-212 – June 27, 2006

Clause 13, Report No. 40, 2002



## 2002-202

A Delegation By-law

Being a By-law to Provide for the Delegation of Development Approval Authority

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**WHEREAS** subsections 41(13) and 51.2(4) of the *Planning Act*, R.S.O. 1990, c. P.13 and subsection 9(2) of the *Condominium Act, 1998*, S.O. 1998, c. 19, authorize the council of a municipality to delegate to either a committee of council or to an appointed officer of the municipality any of the council's powers or authority, except the authority to define classes of developments;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY ENACTS AS FOLLOWS:**

1. Development Services Committee

The Development Services Committee of the Council of the Town of Markham is hereby delegated the authority to approve plans and drawings in respect of any development pursuant to section 41 of the *Planning Act*.

2. Director of Planning and Urban Design

The Director of Planning and Urban Design (and his or her designate) are hereby delegated the authority to:

- (a) approve plans and drawings in respect of the following classes of development, pursuant to section 41 of the *Planning Act*:
- (i) additions to existing buildings or minor changes to previously approved plans and drawings;
  - (ii) new townhouse development;
  - (iii) new multi-storey residential development, under four (4) storeys in height;
  - (iv) new industrial development;
  - (v) new institutional development, provided the development does not front onto a provincial highway, arterial road or major collector road as designated in the Town's Official Plan;
  - (vi) new retail and commercial development, provided the total proposed gross floor area is less than 4,700 m<sup>2</sup>;
  - (vii) outdoor patios associated with restaurants;
  - (viii) single and semi-detached dwellings in the defined heritage areas of Markham; and
  - (ix) additions and alterations for properties individually designated under Part IV of the *Ontario Heritage Act* and properties for which council has passed an intention to designate pursuant to Part IV of the *Ontario Heritage Act*.
- (b) approve plans and drawings in respect of the following, pursuant to subsection 51.2(4) of the *Planning Act*:
- (i) extensions to draft approved plans; and
  - (ii) minor revisions to draft approved plans;

(iii) minor revisions to conditions of draft approval;  
(Amended by By-law No. 2003-65)

(iv) additional phases of draft plans, where council has approved a first phase and where a public meeting, under subsection 51(20) of the *Planning Act*, R.S.O. 1990, c. P13, was held not more than 2 years prior.

(Amended by By-law No. 2006-212)

(c) approve descriptions of plans of condominium pursuant to subsection 9(2) of the *Condominium Act, 1998*.

3. By-laws 216-93, 142-96 and 218-96 are hereby repealed.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
3<sup>RD</sup> DAY OF SEPTEMBER, 2002.

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TOWN CLERK

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MAYOR