



BY-LAW 2023-39

An Amendment to By-law 2023-19, being a By-law to provide for the Delegation of Approval Authority pursuant to the Planning Act and Condominium Act

WHEREAS the Council of The Corporation of the City of Markham enacted By-law 2023-19 on December 13, 2022, to provide for delegation of authority to approve applications under subsections 41(4.0.1) and 51.2(4) of the *Planning Act*, R.S.O. 1990, c. P.13 and section 9 of the *Condominium Act*, 1998, S.O. 1998, c. 19; and,

WHEREAS By-law 2023-19 repealed By-law 2002-202 which previously delegated authority for applications under section 41 and 51.2 of the *Planning Act*, R.S.O. 1990, c. P.13 and section 9 of the *Condominium Act*, 1998, S.O. 1998, c. 19; and,

WHEREAS By-law 2023-19 was intended to delegate authority for applications made to the City on or after July 1, 2022;

NOW THEREFORE; the Council of The Corporation of the City of Markham hereby enacts as follows:

1. That By-law 2023-19 is hereby amended by deleting clause 2 in its entirety with the effect that By-law 2002-202 shall be deemed never to have been repealed.

2. That By-law 2023-19 is hereby amended by deleting clause 1 in its entirety and replacing it with the following:


“That, notwithstanding clauses 1 and 2(a) of By-law 2002-202, the Director of Planning and Urban Design, or delegate, is hereby delegated the authority to:

- a) Approve plans and drawings in respect of any applications pursuant to section 41 of the *Planning Act* received by the City on or after July 1, 2022;
- 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 of subdivision;
 - ii) Minor revisions to draft approved plans of subdivision;
 - iii) Minor revisions to conditions of draft approval; and,
 - iv) Additional phases of draft plans, where Council has approved a first phase; and
- c) Approve descriptions of the plans of condominium pursuant to section 9 of the *Condominium Act*.

Read a first, second and third time and passed on the 22nd day of February, 2023.



Kimberley Kitteringham
City Clerk



Frank Scarpitti
Mayor