



## **BY-LAW 2020 - XXX**

### **TO AMEND BY-LAW 2005-104 BEING A BY-LAW TO PROHIBIT THE USE OF LAND OR THE ERECTION OR USE OF BUILDINGS OR STRUCTURES UNLESS MUNICIPAL SERVICES ARE AVAILABLE**

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**WHEREAS** it is considered desirable for the control of development within the City of Markham to prohibit the use of land or the erection or use of buildings or structures, unless such municipal services as may be set out in the By-law **2005-104** are available to service the land, buildings or structures, as the case may be, in accordance with the provisions of sub-section 34 (5) of the Planning Act, R.S.O. 1990, c. P. 13, as amended;

**AND WHEREAS** administrative amendments are required from time to time for enforcement purposes; and

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

That the By-law 2005-104 be amended as follows:

- 1) That the word “**Town**” be replaced with “**City**” throughout the By-law.
- 2) Section 1 to be amended to include after c.
  - “d. “Operational” means infrastructure placed in a condition of readiness and active service where a facility can be utilized for its designed and intended purpose without physical or safety limitations, i.e. fit for use.”
- 3) That any reference to the word “operational” be replaced with “Operational” throughout the By-law.
- 4) Section 2. b. to be amended to add the words “and associated facilities” before the words “, storm sewers and stormwater management facilities”.
- 5) Section 2. c. – first paragraph to be deleted and replaced as follows:

“where any watermain, sanitary sewers and associated facilities, storm sewers and stormwater management facilities external to the Subdivision have not been constructed, confirmation of the following has been provided to the Director of Engineering.”
- 6) Sections 2. c. i. and 2. b. i to be amended to include the words “and/or easements” before “required for the service has been dedicated.”
- 7) A new section ‘Section 2. c. ii.’ be added after Section 2. c. i. as follows:

“ii. all property required for external roads has been conveyed to the City or alternative arrangements have been made to the satisfaction of the Director of Engineering and the City Solicitor.”
- 8) Sections 2. c. ii. to 2. c. v. to be re-numbered to 2. c. iii. to 2. c. vi.
- 9) Section 3. b. to be deleted and replaced as follows:

“where any watermain, sanitary sewers and associated facilities, storm sewers and stormwater management facilities external to the site have not been constructed, confirmation of the following has been provided to the Director of Engineering.”

- 10) Section 3. c. to be deleted and replaced as follows:

“where municipal sanitary sewers or watermain are not available to the lot on which the Residential Unit or the Multiple-Unit Building is to be located, a permit for a private sewage disposal system and private water supply system is available;”

- 11) Sections 2. d. and 3. d. to be deleted and replaced as follows:

“the watermain and any required service connections 50 mm in diameter or greater in size have been disinfected in accordance with the latest Ontario Provincial Standard Specification and the latest American Water Works Association Standards disinfection standards, and the water meets Provincial quality standards and such other standards as are adopted by The Corporation of the City of Markham;”

- 12) Sections 2. e. and 3. e. to be deleted and replaced as follows:

“the watermain and any required service connections 50 mm in diameter or greater in size have been hydrostatically tested in accordance with the latest Ontario Provincial Standard Specification and the latest American Water Works Association Standards or such other standards adopted by The Corporation of the City of Markham;”

- 13) That Schedule ‘A’ be repealed and replaced with the Schedule ‘A’ attached to this By-law.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED ON.....,  
2020.

KIM BERLEY KITTERINGHAM  
CITY CLERK

FRANK SCARPITTI  
MAYOR