



By-law 2020-53

A By-law to amend By-laws 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, and 2004-196, as amended

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

1. That By-law 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, and 2004-196, as amended, are hereby further amended as follows:

“1.1 By-laws 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, and 2004-196, as amended, are hereby amended, and the provisions in this By-law shall apply to all lands within the City of Markham. All other provisions of these By-laws, unless specifically modified/amended by this Section, shall continue to apply.

1.2 Special Zone Standards

Notwithstanding any provision of these by-laws regarding *outdoor sales and display*, the operation of a *use* within a wholly enclosed *building*, or the provisions of *outdoor storage*, the *outdoor display and sales* of merchandise *accessory* to a *permitted retail store*, the provisions of *personal services outdoors*, accessory to an existing permitted personal service shop use are permitted subject to the following:

- a) The *outdoor display and sales*, and the provisions of outdoor *personal services* occupies no more than the greater of:
 - i) 4 *parking space*; or,
 - ii) 33% of the *required parking spaces* for the use
- b) Any *outdoor sales and display* area or the operation of a use not wholly within an enclosed building associated with an existing *retail store* or *personal service shop* shall be exempt from requirements for provision of *parking*
- c) The *outdoor display and sales*, and the provisions of outdoor *personal services* does not occupy any required fire route
- d) The *outdoor display and sales*, and the provisions of outdoor *personal services* does not occupy accessible *parking spaces*

- e) *Outdoor sales and display* area or the operation of a use not wholly within an enclosed *building* associated with an existing *retail store* or *personal service shop* shall not be used to provide entertainment such as performances, music and dancing, unless *accessory* to an existing entertainment use.
- f) *Outdoor sales and display* area or the operation of a use not wholly within an enclosed building associated with an existing *retail store* or *personal service shop* shall be setback a minimum of 11.8 metres from a residential zone
- g) The *outdoor display and sales*, and the provisions of outdoor *personal services* complies with all applicable waste by-laws and provincial legislation.

2. This By-law shall expire on December 31st, 2020, in accordance with the provisions of Section 39 of the Planning Act RSO 1990, as amended.

Read a first, second, and third time and passed on June 11, 2020.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2020-53

A By-law to amend By-law's 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, and 2004-196, as amended.

City of Markham

Lands Affected

This by-law amendment applies to all the lands within the geographic boundaries governed by By-law's 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, and 2004-196, as amended.

Purpose and Effect

The purpose and effect of the By-law amendment is to add additional special zone standards relating to outdoor sales and display areas accessory to permitted retail stores personal service shops and entertainment uses within the geographic boundaries governed by By-law's 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, and 2004-196, as amended.

These additional standards will remove several municipal barriers to allow retail stores personal service shops and entertainment uses to expand their outdoor sales and display area operations while respecting social distancing during the current COVID-19 emergency.