



BY-LAW 2024-101

A BY-LAW TO AMEND BY-LAW 262-94

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

1. That By-law 262-94, as amended, is hereby further amended as follows:

1.1 By deleting Section 2. (e) in its entirety.

1.2 By repealing and replacing Section 4 with the following:

“4 Exemptions

The following types of DEVELOPMENT may be undertaken without the approvals referred to in Section 3 of this by-law:

- (a) Buildings or structures used for agricultural or farming operations, except for any commercial mushroom farm, commercial riding establishment, commercial greenhouse, or a kennel which is located on a site less than 5 hectares.
- (b) Accessory buildings or structures not exceeding a total gross floor area of 50 square metres.
- (c) Additions or alterations to buildings and structures which have a total gross floor area less than 50 square metres.
- (d) Additions or alterations to buildings and structures which have a total gross floor area of 50 square metres or greater at the discretion of the Director of Planning and Urban Design or their designate.
- (e) Tents, marquees and similar structures to be erected for a temporary period the greater of:
 - (i) 12 weeks, or
 - (ii) Annually between April 1st, and November 1st.
- (f) Buildings or structures, and additions or alterations to buildings and structures, used for the purpose of enclosing mechanical equipment, staircases, passageways, entrances, porches, verandahs and similar structures.
- (g) Addition or alteration to an existing building or structure provided that:
 - (i) the enlargement, improvement or modification is contained wholly within the existing building or structure; and,



- (ii) the number of required parking spaces is not increased by more than 10 percent relative to the amount of parking currently provided on the lands; and,
 - (iii) the total area of open space on a lot which is used exclusively for landscaping is not decreased by more than 10 percent.
- (h) Buildings or structures destroyed or damaged by fire, explosion or flood or other similar cause, provided that:
- (i) the reconstructed building or structure is used for the same purpose as the former building or structure; and,
 - (ii) the gross floor area and height of the reconstructed building or structure generally do not exceed those of the former building or structure; and,
 - (iii) the reconstructed building or structure is generally not located closer to any lot lines than the former building or structure.
- (i) Industrial equipment, machinery or storage tanks:
- (i) that are not located closer than 6.0 metres to any lot line; and,
 - (ii) that are located a minimum of 15.0 metres from any lot line of any lot zoned or used for residential purposes; and,
 - (iii) where height does not exceed 9.0 meters”
- 1.3 By deleting Sections 6, 7, and 8 in their entirety.
- 1.4 By renumbering Sections 9, 10, and 11 to Section 6, 7, and 8 respectively.
2. All other provisions of By-law 262-94, as amended, not inconsistent with the provisions of this By-law, shall continue to apply.

Read a first, second and third time and passed on May 29, 2024

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2024-101

A By-law to amend By-law 262-94, as amended.

Lands Affected

The proposed by-law amendment applies Citywide.

Purpose and Effect

The purpose of this report is to recommend changes to the Site Plan Control By-law, 262-94, as it relates to the laying out of outdoor patios, and to update the policies in response to other recent changes to the Planning Act.