



EXPLANATORY NOTE

BY-LAW 2012-122

A By-law to amend By-laws 1229, 1442, 1507, 1767, 1914, 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, 193-81, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, as amended by 28-97, as amended, and 2004-196, as amended

Corporation of the Town of Markham

All lands within the Corporation Limits of the Town of Markham

Lands Affected

The proposed by-law amendment applies to all lands within the corporation limits of the Town of Markham.

Existing Zoning

“Worship Area Capacity” is defined in Markham Parking Standards By-law 28-97, and in Markham Centre Zoning By-law 2004-196 as “the number of persons for whom the worship area(s) is designed, and is determined by adding the total of (i) and (ii) below:

- (i) *Where there are fixed seats in the worship area(s):*
The number of fixed seats in the worship area(s), (where fixed seating is provided in the form of open benches each 0.5 metres bench width shall be considered one seat); and
- (ii) *Where there are no fixed seats in the worship area(s):*
The number of square metres of worship area floor area(s) **multiplied by 0.75”**.

For reference, (i) and (ii) above are referred to as (a) and (b) in Markham Centre Zoning By-law 2004-196.

An error in interpretation of the recommendations of the “**Town of Markham Places of Worship Study – Future Policy Direction Report, June 2003**”, has resulted in the existing definition of “Worship Area Capacity”.

Purpose and Effect

The purpose of this By-law is to amend the above noted Zoning By-laws in order to correct an error in the definition of “Worship Area Capacity” as shown above. The effect of this By-law would be that the definition of “Worship Area Capacity” would correctly reflect the direction provided by the “**Town of Markham Places of Worship Study – Future Policy Direction Report, June 2003**”, and would results in a greater number of persons anticipated to occupy each square metre of worship floor area(s).



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THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM
HEREBY ENACTS AS FOLLOWS:

1.0 By-law 28-97, as amended, be and the same is hereby further amended as follows:

- 1.1 By deleting the definition of “Worship Area Capacity” in Section 2 its’ entirety, and replacing it with the following:

“WORSHIP AREA CAPACITY

means the number of persons for whom the *worship area(s)* is designed, and is determined by adding the total of (i) and (ii) below:

- (i) Where there are fixed seats in the *worship area(s)*:
The number of fixed seats in the *worship area(s)*, (where fixed seating is provided in the form of open benches each 0.5 metres bench width shall be considered as one seat); and
- (ii) Where there are no fixed seats in the *worship area(s)*:
The number of square metres of *worship area floor area(s)* divided by 0.75.”

2.0 By-law 2004-196, as amended, be and the same is hereby further amended as follows:

- 2.1 By deleting the definition of “Worship Area Capacity” in Section 3 in its’ entirety, and replacing it with the following:

“WORSHIP AREA CAPACITY

Means the number of persons for whom the worship area(s) is designed, and is determined by adding the total of (i) and (ii) below:

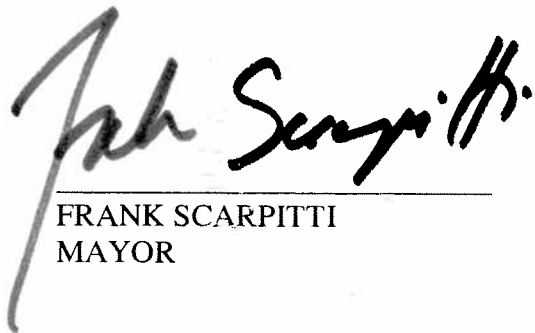
- a) Where there are fixed seats in the worship area(s):
The number of fixed seats in the worship area(s), (where fixed seating is provided in the form of open benches each 0.5 metres bench width shall be considered as one seat); and
- b) Where there are no fixed seats in the worship area(s):
The number of square metres of worship area floor area(s) divided by 0.75.”

- 3.0 All other provisions of By-law 28-97, as amended, and By-law 2004-196, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
29TH DAY OF MAY, 2012.



KIMBERLEY KITTERINGHAM
TOWN CLERK



FRANK SCARPITTI
MAYOR