

A by-law to amend By-law 128-93

Being a by-law to delegate authority to execute
conditional permit agreements to Town staff

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

1. That section (a) of By-law 128-93 is deleted and replaced with the following:
 - (a) The Chief Administrative Officer where site plan approval is required and site plan endorsement has not yet been obtained; or
2. That section (b) of By-law 128-93 is deleted and replaced with the following:
 - (b) The Chief Building Official where
 - site plan approval is not required; or
 - site plan approval is required and site plan endorsement has been obtained; or
 - site plan approval has been obtained.
3. All other provisions of By-law 128-93, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

B

THE CORPORATION OF THE TOWN OF MARKHAM
BY-LAW NO. 128-93

Being a by-law to delegate authority to execute
conditional permit agreements to Town staff

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

THAT authority to execute conditional permit agreements on behalf of the
Town be delegated to:

- (a) The Town Administrator where site plan approval is required and has
not been obtained; or,
- (b) The Chief Building Official where site plan approval is not required
or has been obtained.

READ a first and second time this 6th day of July, 1993

READ a third time and passed this 6th day of July, 1993



Town Clerk



Mayor

C

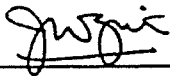
REPORT TO COUNCIL

07/06/93

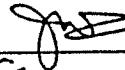
- iii) file plans and specifications of the complete building in the time set out in the agreement,
- iv) at the applicant's own expense, remove the building and restore the site in the manner specified in the agreement if approvals are not obtained or plans filed in the time set out in the agreement, and
- v) comply with such other conditions as the Chief Building Official considers necessary, including the provision of security for compliance with subclause (iv).

A standard form conditional permit agreement has been prepared in conjunction with the Legal Department and is attached for Committee's information.

In order to effectively expedite construction, the authority to execute these agreements must be delegated to staff. The recommendation has regard to the importance of site plan approval and meets the objective of the conditional permit process.

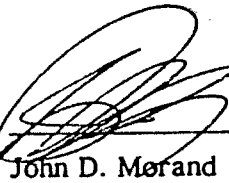


John Wright
Director, Building Services



Lorne V. McCool
Commissioner

CONCUR



John D. Morand
Town Administrator

MARKHAM

REPORT TO COUNCIL

07/06/93

SUBJECT: CONDITIONAL BUILDING PERMITS
 John C. Wright Ext. 712
 BUILD/260/feo

RECOMMENDATION

That Council enact a bylaw delegating authority for Conditional Permit Agreements to be executed by:

- a) The Town Administrator where site plan approval is required and has not been obtained, or
- b) The Chief Building Official where site plan approval is not required or has been obtained.

BACKGROUND

The Ontario Building Code was amended July 1, 1993 to provide for the issuance of conditional permits before all applicable law has been complied with. The Building Code Act sets out the framework for conditional permits and the relevant extracts are attached. The object of the conditional permit is to help expedite construction that meets critical zoning and environmental regulations but has not obtained all other approvals. Several inquiries have already been received from applicants who are anxious to obtain conditional permits.

A requirement of the conditional permit is that the land owner must agree in writing to:

- i) assume all risk in commencing the construction,
- ii) obtain all necessary approvals in the time set out in the agreement or, if none, as soon as practicable,