

To: Mayor & Members of Council
From: Kimberley Kitteringham, Town Clerk
Date: May 25, 2010
Re: **PROCESS & REQUIRED AMENDMENTS TO PERMIT CAMPAIGN
HEADQUARTER SIGNAGE AT RESIDENTIAL LOCATIONS**

At the May 18, 2010, Public Meeting, Council passed the following resolution:

- 1) That the Development Services Commission report dated March 24, 2010 entitled "Preliminary Report, Town initiated Zoning By-law Amendment relating to Election Campaign Offices in non-residential zones in the Town of Markham" be received; and,
- 2) That the Record of the Public Meeting held on May 18, 2010, with respect to the proposed town-wide zoning by-law amendment be received; and,
- 3) **That staff be directed to prepare a memo outlining the potential process required to facilitate the erection of election signs identifying a campaign office at a private residence in conformity with the Home Occupation By-Law; and,**
- 4) That clause 1.2(b) of the draft proposed amending By-law referenced as Appendix B of the March 24, 2010 staff report entitled "Town initiated Zoning By-law Amendment relating to Election Campaign Offices in non-residential zones in the Town of Markham" be deleted; and further,
- 5) That the Town-initiated amendment to By-laws 1229, 1442, 1507, 1767, 2053, 2150, 2237, 2284-68, 2325-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 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, 242-90, 19-94, 177-96, 28-97 and 2004-196, as amended, be approved; and,
- 6) That the proposed amendment to By-laws 1229, 1442, 1507, 1767, 2053, 2150, 2237, 2284-68, 2325-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 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, 242-90, 19-94, 177-96, 28-97 and 2004-196, as amended be enacted without further notice.

The above-noted resolution, together with the required amending By-law, is before Council at the May 25, 2010, Council meeting.

As requested at the May 18, 2010, Public Meeting, the purpose of this memo is to provide Members of Council with information on the process and required amendments to permit the placement of signage at Election Campaign Offices on residential properties.

Required Amendments to the Home Occupation Zoning By-law

To permit the placement the signage on residential properties denoting a “campaign headquarters” for a candidate, staff have determined two by-law amendments are required:

- A) Home Occupation By-law (passed under Planning Act)
Amend the clause prohibiting the advertising of a “Home Occupation” use; to permit Election Campaign Office signage in accordance with the Sign By-law.
- B) Sign By-law (passed under Municipal Act)
Amend the Sign By-law to incorporate restrictions on Election Campaign Office signage on a residential property

Process

Staff have confirmed that to amend the Home Occupation By-law a public meeting will be required in accordance with the Planning Act. This is because the May 18, 2010, Public Meeting Notice did not inform the public the noted by-law was under review and further indicated the meeting was to discuss an amendment for non-residential properties, and staff had not addressed this issue in previous reports.

To implement the above amendments, a Public Meeting is required with the next available date being June 15, 2010. A report or presentation outlining staff’s perspectives may be presented at the June 15, 2010 Development Services Committee Meeting preceding the Public Meeting. The first Council meeting following June 15, 2010 is June 22, 2010.