

EXPLANATORY NOTE

BY-LAW NO. 2010-102

A By-law to amend By-laws Nos. 1229, 1442, 1507, 1767, 2150, 2237, 2325-68, 2489, 2551, 2571, 2612, 11-72, 122-72, 83-73, 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, 194-82, 196-82, 304-87, 242-90, 19-94, 177-96, 28-97 and 2004-196, as amended.

LANDS AFFECTED

This By-law Amendment applies to all lands in the Town of Markham.

EXISTING ZONING

Under current zoning Election Campaign Offices have been required to locate only in zones that permit office uses or within residential zones as a home occupation use. There is considered to be a general lack of vacant and affordable office space available for candidates to temporarily occupy as Election Campaign Offices. There have been no formal regulations relating to election campaign offices and enforcement of land use requirements has to date only been carried out following a complaint made by a member of the public.

PURPOSE AND EFFECT

The purpose of the proposed Zoning By-law Amendment is to recognize Election Campaign Offices as a temporary use capable of locating in a variety of non-residential zones for a limited period of time without adversely affecting the planned function of the zone or the amenity of adjacent uses.

The effect of the amendment is to permit an Election Campaign Office use in any zone except an open space or residential zone for a period of time contiguous with an election campaign. This amendment would not apply to lands identified in the Unionville Core Area By-law 2003-167, shown on Schedule 'A' to this by-law, unless an Election Campaign Office located in property specifically zoned to permit office uses in By-law 2003-167. If located in a residential zone then an Election Campaign Office must comply with requirements under the home occupation use provisions, as is currently the case. All other applicable zoning and sign by-law regulations will apply.



BY-LAW 2010-102

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WHEREAS the Council of The Corporation of the Town of Markham is authorized to pass By-laws pursuant to the Planning Act, R.S.O. 1990, c.P.13, as amended;

AND WHEREAS the Council of The Corporation of the Town of Markham has considered it appropriate to enact a Zoning By-law Amendment to permit election campaign offices and regulate the duration and nature of the use;


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

1. Town of Markham By-laws 1229, 1442, 1507, 1767, 2150, 2237, 2325-68, 2489, 2551, 2571, 2612, 11-72, 122-72, 83-73, 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, 194-82, 196-82, 304-87, 242-90, 19-94, 177-96, 28-97 and 2004-196, as amended, are hereby further amended as follows:
 - 1.1 The following definitions shall apply within the context of this by-law:

“ELECTION CAMPAIGN OFFICE” means an existing BUILDING or part thereof, the use of which is provided for by the applicable Zoning By-law, where campaign staff of registered candidates for a federal, provincial or municipal election are normally present and the public may enter to obtain information regarding the candidate.
 - 1.2 Notwithstanding any other provisions contained within the aforementioned by-laws, ELECTION CAMPAIGN OFFICES shall be permitted in any non-residential ZONE, except in an OPEN SPACE ZONE.
 - 1.3 Notwithstanding the provisions of 1.2 above, ELECTION CAMPAIGN OFFICES shall also be permitted in any ZONE that allows BUSINESS OFFICE, as a permitted use.
 - 1.4 Notwithstanding any other provision of this By-law, ELECTION CAMPAIGN OFFICES shall not be permitted in the area identified on Schedule “A” to this By-law unless the ELECTION CAMPAIGN OFFICE is located in a ZONE that allows BUSINESS OFFICE as a permitted use.

2. All other provisions of Town of Markham By-laws Nos. 1229, 1442, 1507, 1767, 2150, 2237, 2325-68, 2489, 2551, 2571, 2612, 11-72, 122-72, 83-73, 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, 194-82, 196-82, 304-87, 242-90, 19-94, 177-96, 28-97 and 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
25TH DAY OF MAY, 2010.


KIMBERLEY KITTERINGHAM
TOWN CLERK
FRANK SCARPITTI
MAYOR



DEVELOPMENT SERVICES COMMISSION



BOUNDARY OF AREA COVERED BY SECTION 1.4 OF THIS BY-LAW

THIS IS SCHEDULE 'A' TO BY-LAW 2010-102
PASSED THIS 25TH DAY MAY, 2010

Paul Scarpitti
MAYOR

CLERK

NOTE: 1) DIMENSIONS ARE IN METRES
2) REFERENCE SHOULD BE MADE TO
THE ORIGINAL BY-LAW LODGED IN
THE OFFICE OF THE CLERK

SCALE 1: NTS