

EXPLANATORY NOTE

BY-LAW NO: 2010-6

A By-law to amend By-law 1507, as amended.

Hughson Drive/Lunar Crescent Study Area

LANDS AFFECTED

This proposed interim control by-law applies to all properties on Hughson Drive, Lunar Crescent, Ankara Court and two properties on the west end of Athens Drive outlined on Schedule 'A'.. This Study Area is located north of Highway 7, east of Woodbine Avenue.

PURPOSE OF THE BY-LAW

To enable a study of land use policies and zoning standards to be undertaken for the Study Area during the term of the by-law.

EFFECT OF THE BY-LAW

To prohibit certain land uses within the Study Area during the term of the by-law.



BY-LAW 2010-6

Interim Control By-law
Section 38 of the Planning Act

A By-law to amend By-law 1507, as amended

WHEREAS Section 38 of the Planning Act, R.S.O. 1990, as amended, provides that Council of a Municipality may pass an interim control by-law to prohibit the use of land, buildings or structures within a defined area (the "Study Area"), where it has directed that a study be undertaken in respect of the land use policies and regulations for that area;

AND WHEREAS the Council of the Corporation of the Town of Markham has directed by resolution dated February 9, 2010 that a Study of land use policies and zoning standards for Hughson Drive, Lunar Crescent, Ankara Court and the west end of Athens Drive (north of Highway 7, east of Woodbine Avenue) be undertaken, and in particular, a review of the appropriateness of existing zoning bylaw in the area and to identify any necessary changes to Town policies and regulations for the area;

AND WHEREAS Council has directed that an interim control by-law applying to the said lands within the Study Area be enacted immediately in accordance with the provisions of Section 38 of the *Planning Act, R.S.O. 1990*;

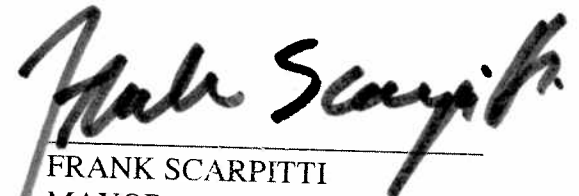
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY ENACTS AS FOLLOWS:

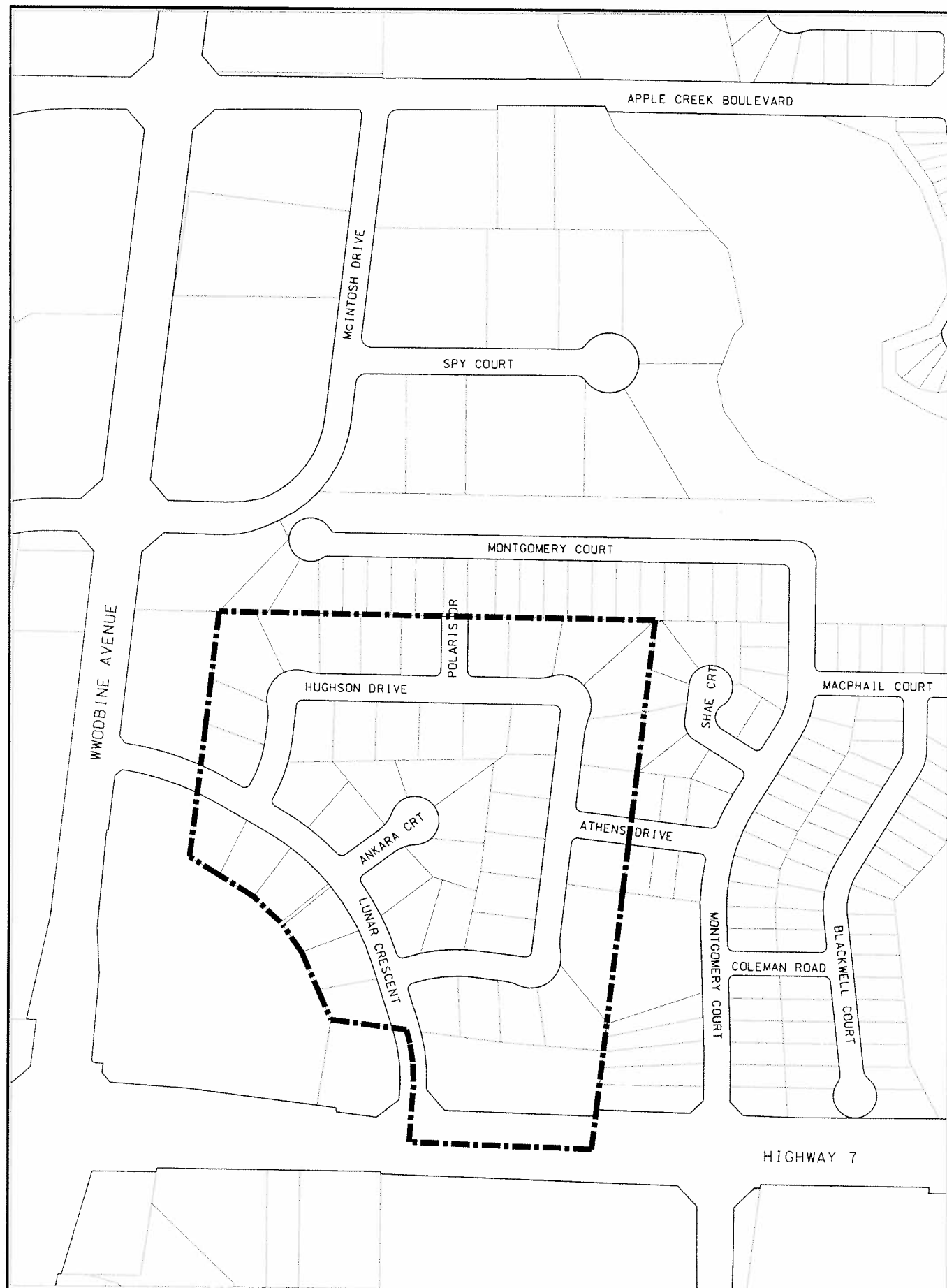
1. The lands shown on Schedule 'A' attached to this by-law are the lands affected by this by-law and are hereby established and declared to be an Interim Control Area;
2. The provisions of this by-law shall apply to the Interim Control Area;
3. Notwithstanding any other by-law to the contrary, no person shall, within the Interim Control Area established by this by-law, use any land, building or structure for the following uses:
 - a) The development of any new single detached dwelling; or
 - b) External renovations, additions, alterations or changes to any existing dwelling or structure on an existing lot of record;
4. For the purposes of this by-law, "existing" means existing on the date of this by-law;
5. For clarity, this by-law does not apply so as to prohibit:
 - a) The alteration and/or enlargement of an existing dwelling or structure on an existing lot of record:
 - i. where a building permit is not required under applicable law, or
 - ii. provided an application for a building permit has been made, or a building permit has been issued and all other applicable regulations have been complied with prior to the passing of this by-law.;

- b) Interior renovations to an existing dwelling or structure on an existing lot of record:
 - i. where a building permit is not required under applicable law, or
 - ii. provided an application for a building permit has been made, or a building permit has been issued and all other applicable regulations have been complied with prior to the passing of this by-law;
 - c) the repair or restoration of a single detached dwelling that has been damaged;
 - d) an accessory building or structure, deck or pool provided all applicable regulations have been complied with;
6. This by-law shall be in effect for one (1) year from the date of its passing unless otherwise extended in accordance with the provisions of the *Planning Act*.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
9TH DAY OF FEBRUARY, 2010.


KIMBERLEY KITTERINGHAM
TOWN CLERK


FRANK SCARPITTI
MAYOR



DEVELOPMENT SERVICES COMMISSION

INTERIM CONTROL BY-LAW A BY-LAW TO AMEND BY-LAW 1507



BOUNDARY OF AREA COVERED BY THIS BY-LAW

THIS IS SCHEDULE 'A' TO BY-LAW 2010-6
PASSED THIS 9TH DAY FEB, 2010

Paul Seayik MAYOR

[Signature] 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: 4000

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