



EXPLANATORY NOTE

BY-LAW 2012-82

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

The existing zoning provisions in the above noted By-laws do not address “Access to Parking Spaces – Elevation of Garage Floor”, and the proposed by-law amendment addresses this matter.

Purpose and Effect

The purpose of this By-law is to amend the above noted Zoning By-laws in order to include provisions for “Access to Parking Spaces – Elevation of Garage Floor”. The By-law is generally intended to require that private garages associated with ground-oriented dwelling units are located above the elevation of the public street.



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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 adding to subsection 6.2.4 the following subsection:

“6.2.4.7 Access to Parking Spaces – Elevation of Garage Floor

- a) Where a private *driveway* leads to a *parking garage* attached to a *dwelling unit*, the finished floor elevation of the garage shall be higher than the elevation of the *public street* or *public lane* from which access to the *parking garage* is provided, measured at the mid-point of the private *driveway* where it meets the *streetline*.
- b) Notwithstanding the provisions of a) above, where the finished floor elevation of the *first storey* of a *dwelling unit* is lower in elevation than the mid-point of the private driveway where it meets the *public street* or *public lane* from which *garage* access is gained, then the finished floor elevation of a *parking garage* attached to a *dwelling unit* may be a maximum of 1.0m below the finished floor elevation of the *first storey* of the *dwelling unit*.

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

2.1 By adding to subsection 4.14 the following subsection:

“4.14.14 Access to Parking Spaces – Elevation of Garage Floor

- a) For a *single detached dwelling*, a semi-detached dwelling, a duplex dwelling, a triplex dwelling, a fourplex dwelling, or a *townhouse dwelling*, where a private *driveway* leads to a *parking garage* attached to a *dwelling unit*, the finished floor elevation of the garage shall be higher than the elevation of the *public street* or *public lane* from which access to the *parking garage* is provided, measured at the mid-point of the private driveway where it meets the *streetline*.

- b) Notwithstanding the provisions of a) above, where the finished floor elevation of the *first storey* of a *dwelling unit* is lower in elevation than the mid-point of the private driveway where it meets the *public street* or *public lane* from which garage access is gained, then the finished floor elevation of a *parking garage* attached to a *dwelling unit* may be a maximum of 1.0m below the finished floor elevation of the *first storey* of the *dwelling unit*."

- 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
3RD DAY OF APRIL, 2012.



KIMBERLEY KITTINGHAM
TOWN CLERK



FRANK SCARPITTI
MAYOR