BY-LAW 2012—___


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:


a) For a single detached dwelling, a semi-detached dwelling, a duplex 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 ___ DAY OF ______, 2012

____________________________________  ___________________________________
KIMBERLEY KITTINGHAM,                     FRANK SCARPIITI,
TOWN CLERK                                  MAYOR
EXPLANATORY NOTE

BY-LAW 2012-___


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.