



City of Markham Parking Standards

By-law 28-97, as amended



Office Consolidation

November 30, 2016

**CITY OF MARKHAM
PARKING STANDARDS
BY-LAW 28-97, AS AMENDED**

LIST OF ALL AMENDMENTS TO BY-LAW
NUMBER 28-97 AND DATES OF APPROVAL

BY-LAW 28-97	-	Clerk's Affidavit issued March 19, 1997
BY-LAW 234-97	-	Clerk's Affidavit issued October 29, 1997
BY-LAW 77-98	-	Clerk's Affidavit issued July 20, 1998
BY-LAW 247-98	-	Clerk's Affidavit issued January 21, 1999
BY-LAW 2003-168	-	Clerk's Affidavit issued September 9, 2003
BY-LAW 2003-257	-	Clerk's Affidavit issued October 1, 2003
BY-LAW 2003-259	-	Clerk's Affidavit issued October 1, 2003
BY-LAW 2003-301	-	Clerk's Affidavit issued December 11, 2003
BY-LAW 2006-96	-	Clerk's Affidavit issued January 12, 2007
BY-LAW 2009-96	-	Clerk's Affidavit issued September 3, 2009
BY-LAW 2010-102	-	Clerk's Affidavit issued July 12, 2010
BY-LAW 2012-82	-	Clerk's Affidavit issued May 8, 2012
BY-LAW 2012-122	-	OMB Approved November 14, 2014
BY-LAW 2014-65	-	Clerk's Affidavit issued July 29, 2014
BY-LAW 2014-138	-	Clerk's Affidavit issued October 24, 2014
BY-LAW 2016-114	-	Clerk's Affidavit issued
BY-LAW 2016-118	-	Clerk's Affidavit issued
BY-LAW 2016-119	-	Clerk's Affidavit issued
BY-LAW 2016-120	-	Clerk's Affidavit issued

EXPLANATORY NOTE

ZONING BY-LAW 28-97

A By-law to amend Zoning 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 and 19-94 and 177-96 as amended.

By-law 28-97 amends all of the City of Markham's existing urban area zoning by-laws by introducing a new consolidated set of parking requirements and standards. The new standards are based upon a comprehensive consultant study of current development practices governing the provision of off-street parking.

The amendment outlines:

- New off-street parking requirements for all land use types;
- New standards for provision of spaces for the handicapped;
- A formula for the application of shared-parking principles to mixed-use developments;
- The City's established standards regarding commercial and recreational vehicle parking in residential areas;
- Provisions governing required parking for the extension or enlargement of existing uses within designated Heritage Conservation Districts and Study Areas;
- Standardized dimensions for parking stall length and width for surface and underground parking areas/garages;
- An updated set of land use definitions;
- Regulations for access ramps and driveways.

This By-law is a general amendment to all of the By-laws listed above intended to establish one set of standards to be consistently applied throughout the municipality.

This Office Consolidation is provided for convenience and ease of reference only. It comprises By-law No. 28-97 and all amendments and modifications up to November 30, 2016. The official version of By-law No. 28-97 and all amending by-laws thereto are contained in the Clerk's Department. The Corporation of the City of Markham does not verify the accuracy or completeness of the Office Consolidation and bears no responsibility or liability to any person or entity for any deficiencies, inaccuracies, errors or omissions contained in the Office Consolidation.



By-law 28-97

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, and 177-96 (per 234-97), as amended

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

- 1.0 Notwithstanding any provisions of 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, and 177-96 (*per 234-97*) as amended, with respect to definitions, parking standards, parking stall dimensions, access ramps, driveway and vehicular aisle dimensions, tandem parking, and commercial and recreational vehicle parking, the provisions of this By-law shall supercede and apply.
- 2.0 For the purposes of this By-law, the following definitions shall apply:

ART GALLERY, PRIVATE

means a Premises used for the preservation, exhibition and/or sale of paintings or other works of art, the control of which is not vested in a *public authority*.

ART GALLERY, PUBLIC

means a Premises used for the preservation, exhibition and/or sale of paintings or other works of art, the control of which is vested in a *public authority*.

ASSEMBLY HALL

(2014-65)

means a Building or part of a Building used for the gathering together of a number of persons for charitable, civic, cultural, educational, fraternal, political, recreational, social or like purposes, and may include facilities

for the consumption of food or drink, but not for any commercial purpose.

BAKE SHOP

means a Premises where the products of a baker, such as cakes, cookies, bread and pies, are baked and offered for retail sale and may include, as an *accessory use*, a seating area for up to twelve patrons.

BANQUET HALL

(2014-65)

means a Building or part of a Building used for the purpose of catering to banquets, weddings, receptions or similar functions for which food and beverages are prepared and served.

BASEMENT

means that portion of a *Building* below the *first storey*.

BED AND BREAKFAST INNS

(2003-168)

means a single detached dwelling unit, or part thereof, in which the proprietor resides and provides not more than three (3) bedrooms for the accommodation of the travelling or vacationing public, in which the owner supplies lodgings with or without meals for the persons so accommodated.

BUILDING

means a *structure* occupying an area greater than 10 square metres consisting of any combination of a wall, roof and floor, or a structural system serving the function thereof, including all associated works, fixtures and service systems.

BUILDING, ACCESSORY

means a separate *Building* or *structure*, the use of which is customarily incidental, subordinate and exclusively devoted to a main use or *main Building* located on the same *lot*.

BUILDING, MAIN

means a *Building* in which is carried on the principal purpose for which the *lot* is used.

BUSINESS OFFICE

(2014-65)

means a Premises used for conducting the affairs of businesses, professions, services, industries, governments, or like activities, in which the chief product of labour is the processing and/or storage of information rather than the production and distribution of goods.

CARPORT

means a *Building* or *structure* which is not wholly enclosed, and is used for the parking or storage of one or more *motor vehicles*.

CEMETERY*(2014-65)*

means land used for the interment of human remains and includes a mausoleum or other Structure intended for the interment of human remains.

CHILD CARE CENTRE*(2016-125)*

means an establishment operated by a person who is licensed in accordance with the Child Care and Early Years Act, 2014, as amended.

CLUB, PRIVATE*(2014-65)*

means a Building or part of a Building used as a meeting place by members and guests of members of non-profit and non-commercial organizations for community, social or cultural purposes. This definition does not include uses that are normally carried out as a commercial enterprise.

COMMERCIAL FITNESS CENTRE*(2014-65)*

means a Premises in which facilities are provided for recreational or athletic activities such as body-Building and exercise classes and may include associated facilities such as a sauna, a swimming pool, a cafeteria and accessory *retail uses*.

COMMUNITY CENTRE, PRIVATE

means a Premises used for community activities, the control of which is not vested in a *public authority*.

COMMUNITY CENTRE, PUBLIC

means a Premises used for community activities, the control of which is vested in a *public authority*.

CONVENIENCE RETAIL STORE

means a Premises where food, tobacco, drugs, periodicals and similar items of household necessity are sold directly to the public but shall not include a *retail store*.

DRIVEWAY*(2014-65)*

means a defined area providing access for *motor vehicles* from a *public or private street* or a *lane* to a *parking area, parking garage, parking lot, loading space, private garage, or carport*. *(2014-65)*

DRIVEWAY (this definition of DRIVEWAY applies only to Section 6.2.4)*(2006-96)*

means a defined area that is paved or treated with a stable surface that provides access for *motor vehicles* from a *public street* to a *private garage* and that is used for the parking of *motor vehicles*.

DWELLING, APARTMENT

(2014-65)

means a Building containing three or more Dwelling Units that share a common external access to the outside through a common vestibule and a common corridor system. A Dwelling in any other type of Building is not an Apartment Dwelling.

DWELLING, DUPLEX

(2006-96; 2014-65)

means a *dwelling unit* in a *Building* that is divided horizontally into two *dwelling units*, each of which has an independent entrance either directly to the outside or through a common vestibule, or a combination of both. A Dwelling in any other type of Building is not a Duplex Dwelling.

DWELLING, FOURPLEX

(2006-96; 2014-65)

means a *dwelling unit* in a *Building* that is divided horizontally or a combination of vertically and horizontally into four *dwelling units*, each of which has an independent entrance either directly to the outside or through a common vestibule, or a combination of both. A Dwelling in any other type of Building is not a Fourplex Dwelling.

DWELLING, MULTIPLE

(2006-96; 2014-65)

means a *dwelling unit* in a Building containing three or more Dwelling Units that would not be considered any other type of Dwelling Units as defined by the By-Law.

DWELLING, SEMI-DETACHED

(77-98; 2014-65)

means a dwelling unit in a Building that is vertically divided into two dwelling units that share a common wall above *Grade*.

DWELLING, SINGLE DETACHED

(77-98; 2014-65)

means a *Dwelling Unit* in a Building containing only one *Dwelling Unit*.

DWELLING, TOWNHOUSE

(77-98; 2014-65)

means a *Dwelling Unit* in a *Building* that is vertically divided into a minimum of three *Dwelling Units*, each of which has an independent entrance at *grade* to the front and rear of the Building.

DWELLING, TRIPLEX

(2014-65)

means a *dwelling unit* in a *Building* that is divided horizontally or a combination of horizontally and vertically into *three dwelling units*, each

of which has an independent entrance to the outside or through a common vestibule or a combination of both. A *dwelling* in any other type of *Building* is not a *triplex dwelling*.

DWELLING UNIT

(2014-65)

means a residential use that functions as a housekeeping unit used or intended to be used as a domicile by one or more persons; containing cooking, sleeping and sanitary facilities; and having a private entrance from outside the *Building* or from a common hallway or stairway inside or outside the *Building*.

ELECTION CAMPAIGN OFFICE

(2010-102)

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.

ERECT

(2014-65)

means any act or action involving a *Building* or *structure* that requires the approval of a Building permit in accordance with the Ontario Building Code Act.

FINANCIAL INSTITUTION

means a Premises in which financial services are offered to the public and includes a bank, credit union, trust company, savings office or any other retail banking operation.

FIRST STOREY

means the storey with its floor closest to *established grade* and having its ceiling more than 1.8 metres above *grade*.

FLOOR AREA, GROSS

(2014-65)

means the aggregate of the *areas* of each floor of a *Building* or *structure* above or below *established grade*, measured between the exterior faces of the exterior walls of the *Building* or *structure*, or where there are common walls between uses or *Buildings* or *structures*; measured to the centre-line of a common wall, excluding the sum of the areas of each floor used, or designed, or intended for the parking of *motor vehicles*, unless the parking of *motor vehicles* is the principle use of the Building or structure.

FLOOR AREA, GROSS LEASABLE

(2014-65)

means the aggregate of the *floor areas* of a *Building* containing a number of retail and similar uses that are leased to tenants for their exclusive use, above or below *established grade*. For the purpose of

this definition, common areas that are not designed nor leased for the exclusive use of a tenant are not included in the calculation of *Gross Leasable Floor Area*.

FLOOR AREA, NET

(2016-118)

means the aggregate of the gross floor areas of a *Building* above or below *established grade*, but excluding:

- i) Motor Vehicle Parking Areas within the Building;
- ii) stairways;
- iii) elevator shafts and other service and mechanical shafts;
- iv) service/mechanical rooms and penthouses;
- v) washrooms;
- vi) waste/recycling rooms
- vii) staff locker and lunch rooms;
- viii) loading areas;
- ix) any space with a floor to ceiling height of less than 1.8 metres; and,
- x) any part of a basement that is unfinished, is solely used for storage purposes and is not accessible to the public. *(2014-65)*

FLOOR SPACE INDEX (FSI)

means the *gross floor area* of all *Buildings* on a *lot* divided by the *lot area*.

FUNERAL HOME

(2014-65)

means a Funeral Home, funeral parlour, undertaking establishment, funeral establishment, or similar use used for furnishing funeral supplies and services to the public and including facilities intended for the care and preparation of the human body for interment or cremation and facilities for the coordination of rites and ceremonies with respect to interment or cremation.

GARAGE DOOR WIDTH

(2006-96)

means the width of the garage door opening(s), which is used for vehicular access. Where there is more than one opening, the garage door width shall be the distance between the two outer extremities of the garage door openings, including any intervening columns, doors, windows or wall sections which may separate two or more garage door opening(s).

GARAGE, PRIVATE

means an enclosed *Building*, or part thereof, designed and used for the storage of one or more *motor* vehicles.

GARAGE, WIDTH

means the width of a *private garage* measured between the interior faces of the walls of the *private garage*.

GAS BAR*(2014-65)*

means a Premises used only for the sale of Motor Vehicle fuels and Motor Vehicle accessories, and may also include accessory retail sales of convenience foods and beverages and Car Washes, but shall not include the performance or repairs to a Motor Vehicle.

GOLF COURSE

means an outdoor public or private area operated for purpose of playing golf and includes a par three golf course, a miniature golf course and putting greens.

GOLF DRIVING RANGE

means an indoor or outdoor, public or private facility dedicated to the driving of golf balls from fixed golf tees.

GRADE

means the level of the ground adjacent to the outside wall of a *Building* or *structure*.

GRADE, ESTABLISHED

means the average surface elevation at the outside walls of any *Building* or *structure*, which is determined by taking the arithmetic mean of the levels of the finished ground surface at every location of change of grade at the outside walls of the *Building* or *structure*.

HOME FURNISHINGS STORE

means a Building or Premises wherein large, non-portable home furnishings including carpeting, furniture, and major appliances are displayed, rented or sold directly to the general public.

HOSPITAL, PUBLIC*(2014-65)*

means any institution, Building, or other Premises, or place established for the purpose of the treatment of persons, and that is approved under *The Public Hospitals Act*, R.S.O. 1990, Chapter P40, as amended, as a public hospital.

HOTEL

means a Premises that contains rooms with no private cooking facilities that are rented on a temporary basis to the public, or dwelling units equipped to be occupied as temporary accommodation for the public, and which may also contain a public dining area, meeting rooms and accessory banquet facilities.

INSTITUTIONAL USE*(2014-65)*

means a Building or part of a Building containing uses such as Places of Worship, Community Centres, libraries, or government offices.

LANDSCAPING*(2014-65; 2016-114)*

means trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property and shall not include *parking areas, driveways or ramps* and shall not be used for the parking of *motor vehicles* and may include walkways, driveways and ramps that provide access onto the lot from the street.

LANDSCAPED OPEN SPACE

means that space on a lot which is not covered by *Buildings or structures* and is used exclusively for *landscaping*.

LANDSCAPING, SOFT*(2006-96)*

means that portion of a lot comprised of any combination of flowers, grass, shrubs, sod, trees or other horticultural elements that is not covered by architectural elements including but not limited to asphalt, Buildings, brickwork, concrete, stonework or structures.

LANE*(2014-65)*

means a right of way owned by the Corporation that is not intended for general traffic circulation and which provides motor vehicle access to an abutting property.

LIBRARY*(2014-65)*

means an Institutional use in a Building or part of a Building containing printed, electronic and pictorial material for public use of purposes of study, reference and recreation.

LOT*(2014-65)*

means a parcel of land that is registered as a legally conveyable parcel of land in the Registry Office.

LOT FRONTAGE*(2014-65)*

means the horizontal distance between the *interior side lot lines* and/or *exterior side lot lines*, with such distance being measured perpendicularly to the line joining the mid-point of the *front lot line* with the mid-point of the *rear lot line* at a point on that line that is eight metres from the front lot line.

In the case of a lot with no rear lot line, the point where two interior side lot lines intersect shall be the point from which a line is drawn to the mid-point of the front lot line. In the case of a *corner lot* with a daylighting triangle, the *exterior side lot line* shall be deemed to extend to its hypothetical point of intersection with the extension of the *front lot line* for the purposes of calculating *lot frontage*.

LOT LINE, INTERIOR SIDE

means a *lot line*, other than a *rear lot line* that does not abut a *public street*.

LOT LINE

means a line delineating any boundary of a *lot*.

LOT LINE, EXTERIOR SIDE

means the *lot line* of a *corner lot*, other than the *front lot line*, which divides the *lot* from a *public street*.

LOT LINE, FRONT

(2014-65)

means the lot line which divides the *lot* from the *public street*, but, in the case of:

- (a) a *corner lot*, the shortest of the *lot lines* that divides the lot from the *public street* shall be deemed to be the *front lot line*;
- (b) a *corner lot* where such *lot lines* are of equal length and where one *lot line* abuts a Regional road or Provincial highway, the *front lot line* shall be deemed to be that line which abuts the Regional road or Provincial highway;
- (c) a *corner lot* where such *lot lines* are of equal length and where both *lot lines* abut a *public street* under the same jurisdiction, the *Corporation* may designate either *street line* as the *front lot line*;
- (d) a lot that is separated from a Public Street by a Public Park and provided the Lot is accessed by a Lane, the shortest lot line that abuts the Public Park shall be deemed to be the front Lot Line; and
- (e) a *through lot*, the longest of the *lot lines* which divide the *lot* from the *public streets* shall be deemed to be the *front lot line*. If both such *lot lines* are of equal length, the *Corporation* may designate either *street line* as the *front lot line*.

LOT LINE, REAR

means the *lot line* opposite to, and most distant from, the *front lot line*.

MAIN WALL

(2006-96)

means the exterior front, side and/or rear wall of a *Building* and all structural components essential to the support of a fully enclosed space.

MEDICAL OFFICE*(2014-65)*

means a Premises used for the medical, dental, surgical, diagnostic and/or therapeutic treatment of human beings, including clinics operated by a number and/or variety of medical professionals, but does not include a public or private hospital.

MOTOR VEHICLE

means an automobile, motorcycle, motor-assisted bicycle unless otherwise indicated in the Highway Traffic Act, as amended, and any other vehicle propelled or driven otherwise than by muscular power.

MOTOR VEHICLE, COMMERCIAL

means a *motor vehicle* which is designed for the transport of goods and which is used for business, employment or commercial purposes.

MOTOR VEHICLE SERVICE STATION*(2014-65)*

means a Premises used for the sale of *motor vehicle* fuels and which may include one or more of the following accessory uses: the sale of *motor vehicle* parts and accessories, *motor vehicle* rental, the servicing and repairing of *motor vehicles* and car washes.

MOTOR VEHICLE BODY SHOP

means a Premises used for the painting and/or repairing of the exterior and/or the undercarriage of *motor vehicle* bodies.

MOTOR VEHICLE SALES ESTABLISHMENT

means a Premises used for the sale or rental of *motor vehicles*.

MOTOR VEHICLE REPAIR GARAGE*(2014-65)*

means a Premises where the services performed or executed on Motor Vehicles for compensation may include the installation of exhaust system, repair of the electrical system, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, Motor Vehicle diagnostic centre, major and minor mechanical repairs or similar use.

MUSEUM, PRIVATE

means a Premises owned and operated by a private entity and used for the preservation of a collection of paintings and/or other works of art and/or objects of natural history and/or mechanical scientific and/or philosophical inventions, instruments, models and/or designs and which may also include libraries, reading rooms, laboratories and accessory offices.

MUSEUM, PUBLIC

means a Premises owned by a *public authority* and used for the preservation of a collection of paintings and/or other works of art and/or

objects of natural history and/or mechanical scientific and/or philosophical inventions, instruments, models and/or designs and which is open to the public and which may also include libraries, reading rooms, laboratories and accessory offices.

NIGHTCLUB

means a Premises whose primary function is the provision of theatrical performances, pre-recorded music, or live musical entertainment, whether such pre-recorded music or live music is provided for listening or dancing by the patrons, or any combination of the above functions, and whose accessory function is the sale and consumption on the Premises of food and alcoholic beverages, but does not include a *restaurant* or an *adult entertainment parlour*.

NON COMPLYING

means a *Building, structure* or *lot* that does not comply with the regulation(s) of this By-law.

NON CONFORMING USE

means a use which is not a permitted use in the *Zone* in which the said use is situated.

NURSING HOME

(2014-65)

means a Building or part of a Building used as a nursing home within the meaning of the Nursing Home Act of Ontario, as amended.

OFFICE BUILDING

(2014-65)

means a *Building* primarily containing *offices such as Business Offices and Medical Offices*.

OUTDOOR STORAGE USE

means an outdoor storage area forming the main use of a *lot*, such as a *motor vehicle* wrecking yard, a *motor vehicle* storage compound or a construction equipment and/or materials yard.

PARK, PUBLIC

means any area of land under the jurisdiction of a *public authority* that is designed and/or maintained for recreational purposes. Without limiting the generality of the foregoing, a park may include municipal parks and playgrounds, *golf courses*, swimming pools, tennis courts, bowling greens, arenas, boating facilities and sports fields and ancillary retail uses.

PARK, PRIVATE

(2014-65)

means an open space or recreational area other than a *public park*, operated on a commercial and/or private member basis, and which includes one or more of the following facilities or activities:

- (a) Areas for walking, horse-riding and cross-country skiing;
- (b) Recreational or playground areas such as picnic areas, tennis courts, lawn bowling greens, outdoor skating rinks, athletic fields and accessory Buildings which may include changerooms, meeting rooms and washrooms.

For purposes of this definition, a Commercial Fitness Centre is not permitted in conjunction with a Private Park.

PARKING AREA

(2014-65)

means an open area of land not located within a *public street, private street or lane* which is used for the parking of *motor vehicles*, but shall not include any area where *motor vehicles* for sale, rent, or repair are kept or stored.

PARKING GARAGE

means a *Building*, or part thereof, used for the storage or parking of *motor vehicles*.

PARKING LOT, COMMERCIAL

(2004-65)

means an area of land used for the parking of *motor vehicles* for a fee.

PARKING PAD

(2006-96; 2014-65)

means an open area of land, other than a Driveway, that provides access to Motor Vehicles from a Public Street or Lane, and that is paved or treated with a stable surface that is used for the parking of Motor Vehicles.

PARKING SPACE

means an unobstructed space for the parking of a *motor vehicle*.

PARKING SPACE, TANDEM

means a *parking space* that has access to a *driveway* or an aisle in a *parking area* and which is used to access one other *parking space*.

PERSONAL SERVICE SHOP

means a Premises in which services involving the care of persons or their apparel are offered and includes a barber shop, a hair dressing shop, a beauty shop, a shoe repair establishment, a dry cleaning depot, a dry cleaning establishment or similar service establishments.

PLACE OF AMUSEMENT

means a Premises that contains facilities that offer games of skill and competition for the amusement of the public such as motion simulation rides,

virtual reality games, computer games, laser games and similar types of uses, but does not include casinos or any other establishment accommodating gambling or gaming activities, wagering or betting, video lottery and gaming machines or any other similar type of gambling use.

PLACE OF ENTERTAINMENT

(247-98)

means a motion picture or live theatre, arena, auditorium, planetarium, concert hall and other similar uses but shall not include an adult entertainment parlour, any use entailing the outdoor operation or racing of animals or motorized vehicles, a casino or any other establishment accommodating or providing gambling or gaming activities, wagering or betting, video lottery or gaming machines, or any other similar type of gambling use.

PLACE OF WORSHIP

(2014-65)

means a Building or part of a Building used by a charitable religious group(s) for the practice of religious rites.

PREMISES

means the area of Building(s) or part thereof occupied or used by an individual, business, or enterprise.

PUBLIC AUTHORITY

(2009-96; 2014-65; 2016-119)

means any commission, board, or authority or any quasi-public body that is controlled by the Federal and/or Provincial governments and/or any commission, board, or authority or any quasi-public body controlled by the Region of York and/or City of Markham, provided it is owned or operated by or for, or under the authority of, the Region of York or the City of Markham.

RECREATIONAL TRAILER OR VEHICLE

means any vehicle that is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled, and is capable of being used on a short term recreational basis for living, sleeping or eating accommodation of human beings and includes a travel trailer, pick-up camper or tent trailer.

RECREATIONAL ESTABLISHMENT

(247-98)

means a use of land, Building or structure that has been designed and equipped for the conduct of sports and leisure time activities such as a public hall, billiard or pool room, bowling alley, ice/curling or roller skating rink, miniature golf or driving range, an establishment offering three or more electronic video games for public use and other similar uses, but shall not include a commercial fitness centre, adult entertainment parlour, any use entailing the outdoor operation or racing

of animals or motorized vehicles, a casino or any other establishment accommodating or providing gambling or gaming activities, wagering or betting, video lottery or gaming machines, or any other similar type of gambling use, or any other sports or leisure time use otherwise defined in this By-law.

REPAIR SHOP

means a Premises used primarily for the repair of household articles but shall not include shops for the repair of internal combustion engines, *motor vehicles* or other similar uses.

RESERVE

means a strip of land abutting a *public street* and owned by the authority having jurisdiction over such a *public street*. For the purposes of this By-law, a *lot* separated from a *public street* by a reserve shall be deemed to abut such a *public street*.

RESIDENTIAL USE

means the use of land and *Buildings* for human habitation.

RESTAURANT

means a Premises in which the principal business is the preparation and serving of food and refreshments to the public for consumption at tables within or outside the *Building* and which may include the preparation of food in a ready-to-consume state for consumption off the Premises.

RESTAURANT, TAKE-OUT

means a Premises designed and used for the sale of food or refreshments to the public for consumption off the Premises and may include, as an *accessory use*, a seating area for up to twelve patrons.

RETAIL STORE

means a Premises in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the general public.

RETIREMENT HOME

means a Premises that provides accommodation primarily to retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided.

SCHOOL, COMMERCIAL

means a Premises used as a school conducted for gain, including a studio of a dancing teacher or a music teacher, an art school, a golf

school, school of calisthenics, business or trade school and any other such specialized school.

SCHOOL, PRIVATE

(2014-65)

means a Building or part of a Building used as an academic school that follows the Ministry of Education's curriculum for elementary and/or secondary schools, and which secures the major part of its funding from private sources.

SCHOOL, PUBLIC

(2014-65)

means a Building or part of a Building used as an academic School under the jurisdiction of the York Region Board of Education, a school under the jurisdiction of the York Region Roman Catholic Separate School Board, or other similar Provincially approved educational institution or parochial school operated on a non-profit basis.

SHOPPING CENTRE

means a *Building* or a group of *Buildings* containing a combination of commercial uses which has been designed, developed and managed as one unit by a single owner or tenant, or group of owners and tenants, as distinguished from a business area comprising unrelated individual uses.

SIDEWALK

means a hard-surfaced area within the municipal right-of-way that is designed for use by pedestrians.

STREET, PRIVATE

means a private right-of-way that is used by *motor vehicles* but is not owned by the Corporation or any other *public authority*.

STREET, PUBLIC

means a roadway owned and maintained by a *public authority* and for the purposes of this By-law does not include a *lane* or any *private street*.

STREET LINE

means the boundary between a *public street* and a *lot*.

STRUCTURE

(2014-65)

means anything that is erected, built, or constructed of parts joined together and attached or fixed permanently to the ground or any other structure. For the purpose of this By-law, a fence that has a Height or 1.8 metres or less, a retaining wall, a light standard, transformers, an antenna, and a sign shall be deemed not to be Structures. For the purpose of setback calculations, natural gas or electricity metres and air

conditioning units, dog houses, freestanding mail boxes, Driveway entrance pillars, statues, storage lockers under 1 metre high, pool pumps and filters not inside Accessory Buildings, flag poles, free standing trellises, shopping cart enclosures, waste receptacles, school bus shelters, composters, planters, and barbeques are not considered Structures for the determination of setbacks.

SUITE

means a single room or series of rooms of complementary use, operated under a single tenancy and includes *dwelling units*, individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies.

SUPERMARKET

means a *Building*, or part thereof, containing a departmentalized food store.

YARD, FRONT

(2006-96)

means a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest *main walls* of the *main Building* or *structure* on the *lot*.

YARD

(2006-96)

means an open, uncovered space on a *lot* appurtenant to a *Building* and unoccupied by *Buildings* or *structures* except as specifically permitted in this By-law.

YARD, EXTERIOR SIDE

(2006-96)

means the *yard* of a *corner lot* extending from the *front yard* to the *rear yard* between the *exterior side lot line* and the nearest *main walls* of the *main Building* or *structure* on the *lot*.

YARD, INTERIOR SIDE

(2006-96)

means a *yard* other than an *exterior side yard* which extends from the *front yard* to the *rear yard* between the *interior side lot line* and the nearest *main walls* of the *main Building* or *structure* on the *lot*.

WORSHIP AREA

(2003-301)

means the *net floor areas*, whether above or below established grade, within the walls of sanctuary(s), hall(s) or meeting room(s) that a religious group uses for the practice of its religious rites, including any balcony or other area that, by the removal or opening of any walls or partitions, can expand the area of the sanctuary, hall or meeting room(s), and any choir or musicians area. *Net floor areas* intended

solely for the use of the worship group leader, such as alter or pulpit area are not included in the worship area. (2003-301)

WORSHIP AREA CAPACITY

(2003-301; 2012-122)

means the number of persons for whom the *worship area(s)* is designed, and is determined by adding the total of (i) and (ii) below:

- (i) Where there are fixed seats in the *worship area(s)*:
The number of fixed seats in the *worship area(s)*, (where fixed seating is provided in the form of open benches each 0.5 metres bench width shall be considered as one seat); and
- (ii) Where there are no fixed seats in the *worship area(s)*:
The number of square metres of *worship area floor area(s)* divided by 0.75.

WORSHIP AREA FLOOR AREA

(2003-301)

means the *net floor area* of all the floors in a *Building* used as *worship area(s)*.

YARD, FRONT

(2006-96)

means a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest *main walls* of the *main Building* or *structure* on the *lot*.

YARD

(2006-96)

means an open, uncovered space on a *lot* appurtenant to a *Building* and unoccupied by *Buildings* or *structures* except as specifically permitted in this By-law.

YARD, EXTERIOR SIDE

(2006-96)

means the *yard* of a *corner lot* extending from the *front yard* to the *rear yard* between the *exterior side lot line* and the nearest *main walls* of the *main Building* or *structure* on the *lot*.

YARD, INTERIOR SIDE

(2006-96)

means a *yard* other than an *exterior side yard* which extends from the *front yard* to the *rear yard* between the *interior side lot line* and the nearest *main walls* of the *main Building* or *structure* on the *lot*.

ZONE

means a designated area of land use shown on the Zoning maps of the By-laws referred to in Section 1.0 of this By-law.

3.0 PARKING STANDARDS

No person shall use any land, *Building* or *structure* in any *Zone* for any purpose permitted by this By-law, unless *parking spaces* are provided on the same *lot* in accordance with the provisions of this By-law. The number of *parking spaces* required shall be calculated in accordance with the standards set out in the following Parking Standards Tables:

TABLE A – RESIDENTIAL USES (2014-65) (A number following the parking standard or requirement indicates a special provision applies to that parking standard or requirement. Special Provisions are listed at the end of the Table.)		
A	<i>Single and semi-detached dwellings</i>	2 parking spaces per <i>dwelling unit</i> . If a residential development consisting of Single and/or Semi Detached dwellings is accessed by a Private Street, an additional 0.25 spaces per dwelling unit is required to be provided for visitor parking. (1)(2)(3)
B	<i>Duplex, triplex, and Fourplex dwellings</i>	1.5 parking spaces per <i>dwelling unit</i> . If a residential development consisting of Duplex, Triplex, and/or Fourplex dwellings is accessed by a Private Street, an additional 0.25 spaces per <i>dwelling unit</i> is required to be provided for visitor parking. (1)(2)(3)
C	<i>Multiple dwellings</i>	1.25 parking spaces per dwelling plus 0.25 parking spaces per dwelling unit for visitors. (2)
D	<i>Apartment dwellings</i>	1.25 parking spaces per dwelling plus 0.25 parking spaces per dwelling unit for visitors.
E	<i>Townhouse dwellings</i>	2 <i>parking spaces</i> per <i>dwelling unit</i> . If a residential development consisting of Townhouse dwellings is accessed by a Private Street, an additional 0.25 spaces per unit is to be provided for visitor parking. (1)(2)(3)
F	<i>Retirement home</i>	0.5 <i>parking spaces</i> per unit plus 1 <i>parking space</i> for every 4 units for visitors.
G	<i>Accessory Dwelling Unit</i>	1 <i>parking space</i> .
H	<i>Bed and Breakfast Inns</i>	1 <i>parking space</i> per guest room in addition to the parking required for the main dwelling unit.

Special Provisions for Table A (2014-65)	
1	Visitor parking shall not be located on any lands intended solely for the exclusive use of an individual residential unit in a development.
2	Visitor Parking shall not be located in Tandem
3	Accessible Parking in accordance with Sections 5.1 and 6.1.2 a) of this By-law shall be provided as a percentage of the required visitor parking only

TABLE B - NON-RESIDENTIAL USES	
<i>Arena</i>	1 <i>parking space</i> per 6 seats*
<i>Art Gallery</i>	1 parking space per 100 square metres of net floor area
<i>Assembly hall</i>	1 <i>parking space</i> per 9 square metres of <i>net floor area</i>
<i>Banquet hall</i>	1 <i>parking space</i> per 9 square metres of <i>net floor area</i>
<i>Basement, cellar or mezzanine used for storage</i>	1 parking space per 100 square metres of <i>net floor area</i>
<i>Billiard hall</i>	1 <i>parking space</i> per 20 square metres of <i>net floor area</i>
<i>Bowling alley</i>	4 <i>parking spaces</i> per lane
<i>Business office</i>	1 <i>parking space</i> per 30 square metres of <i>net floor area</i>
<i>Commercial fitness centre</i>	1 <i>parking space</i> per 30 square metres of <i>net floor area</i> ; 5 <i>parking spaces</i> per racquet court
<i>Community centre</i>	1 <i>parking space</i> per 40 square metres of <i>net floor area</i>
<i>Child Care Centre</i> (2016-125)	1.5 <i>parking spaces</i> per classroom plus 1 <i>parking space</i> per every five children capacity
<i>Financial institution</i>	1 <i>parking space</i> per 20 square metres of <i>net floor area</i>
<i>Funeral home</i>	1 <i>parking space</i> per 13 square metres of <i>net floor area</i> or 1 <i>parking space</i> per 4 seats in a chapel or similar assembly facility, whichever is greater*

<i>Gas Bar</i>	the greater of 5 <i>parking spaces</i> or 1 <i>parking space</i> per 15 square metres of net floor area devoted to retail sales
<i>Golf Course</i>	11 <i>parking spaces</i> per hole
<i>Golf Driving Range</i>	1.5 <i>parking spaces</i> per tee
<i>Home Furnishings Store</i>	1 <i>parking space</i> per 40 square metres of <i>net floor area</i>
Hospital	1 <i>parking space</i> per 2 beds or 1 <i>parking space</i> per 37 square metres of <i>net floor area</i> , whichever is greater
<i>Hotel</i>	0.85 <i>parking spaces</i> per <i>suite</i> plus 1 <i>parking space</i> for every 10 square metres of <i>net floor area</i> devoted to <i>assembly hall</i> uses
<i>Industrial Uses</i> - <i>net floor area</i> of each <i>Premises</i> up to 1200 sq. m. - <i>net floor area</i> of each <i>Premises</i> between 1200 sq. m. and 6000 sq. m. - <i>net floor area</i> of each <i>Premises</i> in excess of 6000 sq. m.	- 1 <i>parking space</i> per 40 sq. m. or portion thereof of <i>net floor area</i> - 1 <i>parking space</i> per 100 sq. m. or portion thereof of <i>net floor area</i> - 1 <i>parking space</i> per 200 sq. m. or portion thereof of <i>net floor area</i> (234-97)
<i>Library</i>	1 <i>parking space</i> per 40 square metres of <i>net floor area</i>
Medical Office	1 Parking Space for every 20m ² of Net Floor Area.
Miniature golf course	1.5 <i>parking spaces</i> per tee
Motel	1 <i>parking space</i> per leasable room or <i>suite</i>
<i>Motor vehicle service station</i>	the greater of 1 <i>parking space</i> per 20 square metres of <i>net floor area</i> or 5 <i>spaces</i> per individual <i>Premises</i>
<i>Museum</i>	1 <i>parking space</i> per 40 square metres of <i>net floor area</i>
<i>Nightclub</i>	1 <i>parking space</i> per 7.5 square metres <i>net floor area</i>
Nursery/garden centre	1 <i>parking space</i> per 20 square metres of <i>net floor area</i>
<i>Nursing home</i>	0.5 <i>parking space</i> per bedroom or 1 <i>parking space</i> per 37 square metres of <i>net floor area</i> , whichever is greater

<i>Personal service shop</i>	1 <i>parking space</i> per 30 square metres of <i>net floor area</i>
<i>Place of worship</i>	<p>The number of <i>parking spaces</i> required for a <i>place of worship</i> and other uses on the same <i>lot</i> as a <i>place of worship</i> shall be calculated by adding together the parking required by each of paragraphs (a) and (b) below.</p> <p>(a) Parking for the <i>place of worship</i>, including any accessory use area except accessory residential uses, shall be the greater of:</p> <p>(i) 1 space per 4 persons of the <i>worship area capacity</i>; or</p> <p>(ii) 1 space per 9 square metres of the <i>net floor area</i> of the <i>Worship Area(s)</i> and any accessory use areas, excluding any residential uses.</p> <p>(b) Parking for all other uses shall be provided in accordance with the provisions of Section 3.0 PARKING STANDARDS, TABLE A – RESIDENTIAL USES and TABLE B – NON-RESIDENTIAL USES of By-law 28-97, as amended.</p> <p>Where a portion of a <i>Building(s)</i> is shared/used by two or more uses, the greatest number of parking spaces required by (a) or (b) above, for that area, shall be used to calculate the total number of required <i>parking spaces</i> for the <i>lot</i>.</p> <p>The provisions of Section 4.0 and 8.3 of By-law 28-97 shall not apply. (2003-301)</p>
<i>Private Club</i>	1 <i>parking space</i> per 30 square metres of <i>net floor area</i>
<i>Restaurant (all types)</i> <i>*For restaurant uses within designated Heritage Areas, refer to subsection 8.2.2</i>	1 <i>parking space</i> per 9 square metres of <i>net floor area</i>
<i>Retail Store</i> <ul style="list-style-type: none"> • with a <i>net floor area</i> of less than 	1 <i>parking space</i> per 30 square metres of

<p>6,000 square metres</p> <ul style="list-style-type: none"> with a <i>net floor area</i> equal to or greater than 6,000 square metres 	<p><i>net floor area</i></p> <p>1 <i>parking space</i> per 20 square metres of <i>net floor area</i></p>
School, commercial	1 <i>parking space</i> per 20 square metres of <i>net floor area</i>
School, elementary	1 <i>parking space</i> per classroom
School, private	4 <i>parking spaces</i> per classroom
School, secondary	4 parking spaces per classroom
Shooting gallery, range	1 <i>parking space</i> per design capacity to 1.5 parking spaces per each firing point.
<p><i>Shopping centre:</i></p> <p>- <i>leasable floor area</i> equal to or less than 2500 square metres:</p> <p>- <i>leasable floor area</i> greater than 2500 square metres:</p>	<p>1 <i>parking space</i> per 23 square metres of <i>leasable floor area</i></p> <p>- <i>Restaurants</i> within such <i>shopping centres</i> including associated food courts or eating areas are subject to the following requirements:</p> <ul style="list-style-type: none"> 1 <i>parking space</i> per 23 square metres of <i>leasable floor area</i> for that portion which occupies 20% or less of the total <i>leasable floor area</i> of the <i>shopping centre</i> 1 <i>parking space</i> per 9 square metres of <i>leasable floor area</i> for that portion which occupies more than 20% of the total <i>leasable floor area</i> of the <i>shopping centre</i>. <p>- required parking for any floor area located in a <i>basement</i> and used only for storage shall be calculated using the <i>Basement</i> standard in the Table. (77-98)</p> <p>1 <i>parking space</i> per 18.5 square metres of <i>leasable floor area</i>, with <i>leasable floor area</i> being not less than 75% of the <i>gross floor area</i>, or 2 <i>parking spaces</i> for each individual unit or Premises in the <i>shopping centre</i>, whichever is the greater. <i>Restaurants</i> and food courts including associated seating areas in a <i>shopping centre</i>, are subject to the following requirements.</p> <ul style="list-style-type: none"> 1 <i>parking space</i> per 18.5 square metres of <i>leasable floor area</i> for that portion that occupies 20% or less of

	<p>the total <i>leasable floor area</i> of the <i>shopping centre</i></p> <ul style="list-style-type: none"> • 1 <i>parking space</i> per 9 square metres of <i>leasable floor area</i> for that portion that occupies more than 20% of the <i>leasable floor area</i> of the <i>shopping centre</i> <p>- required parking for any floor area located in a <i>basement</i> and used only for storage shall be calculated using the <i>Basement</i> standard in the Table. (77-98)</p>
Stadium	1 <i>parking space</i> per 6 seats*
<i>Supermarket</i>	1 <i>parking space</i> per 20 square metres of <i>net floor area</i>
<i>Theatre</i>	1 <i>parking space</i> per 6 seats*
Trade or convention centre	1 <i>parking space</i> per 20 square metres of net floor area; associated <i>restaurants</i> and/or <i>banquet halls</i> shall be separately assessed at 1 <i>parking space</i> per 9 square metres <i>net floor area</i>
University or college	5 <i>parking spaces</i> per classroom plus 1 parking space per 6 seats in an auditorium or theatre*
Any use not specified above	1 <i>parking space</i> per 25 square metres of <i>net floor area</i>

* Where seating is provided in the form of open benches, each 50 cm. (20 in.) of bench width shall be considered as one seat for the purposes of this By-law.

3.1 ROUNDING PROVISION

Where the application of the parking standards in the above Parking Standards tables results in a numeric fraction, fractions of less than 0.5 shall be rounded down to the nearest whole number. Fractions equal to or greater than 0.5 shall be rounded up to the nearest whole number.

3.2 MIXED-USE COMMERCIAL-INDUSTRIAL BUILDINGS

Notwithstanding any provisions of the By-laws referred to in Section 1.0 of this By-law, and/or any site-specific amendments thereto, where more than 10% of the *net floor area* of the *first storey* and any portion of a *basement* or *storey* above the first within a *Building* containing a mix of commercial and industrial uses is proposed to be occupied by a combination of retail,

service and/or restaurant uses, parking for such retail, restaurant and service uses shall be required at the *Shopping Centre* rate. Parking for industrial and/or office uses shall be provided in accordance with Table B.

3.3 OUTDOOR RESTAURANT PATIOS

Any outdoor patio area associated with a *restaurant* not exceeding 40% of the total *gross floor area* of the restaurant shall be exempt from requirements for provision of off-street parking.

3.4 COLLEGES AND UNIVERSITIES (2014-138)

The provisions of Parking By-law 28-97 shall not apply to any lands located within the boundary shown on Schedule 'A' attached to By-law 2014-138 in respect of a college or university.

4.0 SHARED PARKING

The parking requirements in Section 3 of this By-law may be reduced if the *lot* is used for two or more separate uses, each of which may have separate parking requirements. To determine the parking requirement for such a *Building* or *lot*, the total parking required for each use type is multiplied by the occupancy rates below, and the individual sums determined for each of the morning, afternoon and evening periods. The largest of these sums shall be the minimum parking requirement for the uses on the *lot*. If a use is listed in Section 3 of this By-law but is not listed in this Section, the parking requirement for the use is as required in Section 3.

PERMITTED USE	MORNING OCCUPANCY RATE	AFTERNOON OCCUPANCY RATE	EVENING OCCUPANCY RATE
<i>Assembly hall</i>	10%	25%	100%
<i>Banquet hall</i>	20%	50%	100%
<i>Business office</i>	100%	95%	10%
<i>Commercial fitness centre</i>	25%	80%	100%
<i>Hotel</i>	80%	75%	100%
Industrial use	100%	95%	10%
<i>Recreational Establishment (247-98)</i>	25%	80%	100%
<i>Retail store (not including a shopping centre)</i>	50%	100%	100%

<i>Theatre</i>	0%	50%	100%

5.0 ACCESSIBLE PARKING STANDARDS

5.1 Accessible Parking Standards

Five per cent of the parking spaces required in Tables A and Table B shall be dedicated and used as accessible parking spaces. Where the application of this requirement results in a numeric fraction, a fraction less than 0.5 shall be rounded down to the nearest whole number. Fractions equal to or greater than 0.5 shall be rounded up to the nearest whole number. (2014-65)

6.0 PARKING AREA AND DRIVEWAY REGULATIONS

6.1 Regulations for *parking areas*

6.1.1 Location of Parking Spaces (234-97)

- (a) *Parking spaces* required by Sections 3 and 4 of this By-law shall be provided on the same *lot* as the *Building, structure* or use requiring the parking.
- (b) For *single-detached* and *semi-detached dwellings* requiring two (2) *parking spaces* per unit, no more than one (1) required *parking space* may be provided within the required *front yard* or the required *exterior side yard* on the *lot*. Provision of a required *parking space* within a *front yard* or an *exterior side yard* on a lot shall only be permitted on a *driveway*.
- (c) The parking of *motor vehicles* on a lot outside of a *private garage* is only permitted on a *driveway* in any Residential Zone, on a *driveway* associated with a *townhouse dwelling* in any Community Amenity (CA) Zone or in a *parking area* associated with an *apartment Building, a multiple-unit Building, an office Building* or an *institutional Building* in any Community Amenity (CA) Zone.
- (d) The parking of *motor vehicles* is not permitted in any required setback area between a detached *accessory Building* and the *main Building* on a *lot* that is accessed by a *lane*.

6.1.2 Size of required Parking Spaces (2014-65)

- (a) Where parking spaces are provided in a parking area, each required parking space shall have a width of not less than 2.75 metres and length of not less than 5.8 metres; with the exception of parking spaces dedicated as accessible parking

spaces in accordance with Section 5.1 of this By-Law, which shall have a width not less than 2.6 metres and a length of not less than 5.8 metres. Additionally, an accessible parking space shall have a 1.5 metre wide access aisle adjacent to the parking space, which may be shared between two adjacent accessible parking spaces.

- (b) Where parking spaces are provided in an enclosed or underground garage, such parking spaces shall have a width of not less than 2.6 metres and length not less than 5.8 metres.

6.1.3 Setbacks for Parking Garages below grade

No setbacks or yards shall be required for any portion of a *private garage* or Parking Garage if it is constructed completely below the Established Grade. This exemption shall also apply to ventilation shafts and housings, stairways and other similar facilities above Established Grade associated with below grade Parking Garages.

6.1.4 Regulations for Tandem Parking Spaces

Tandem Parking Spaces are only permitted on Lots with Buildings containing no more than 4 Dwelling Units, and for Condominium Townhouse Dwellings with parking provided at grade and accessed via a private road.

6.2 **Regulations for Access Ramps and Driveways**

- 6.2.1 Access ramps and Driveways to any Parking Area shall be defined by a curb of concrete or rolled asphalt or edges, and the limits of the parking area shall be defined by a fence, curb or other suitable obstruction.

- 6.2.2 A Driveway to any Parking Area or Parking Lot shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

6.2.3. Width of access ramps and Driveways leading to a Parking Area or a Parking Lot

- (a) Driveways accessing a Parking Area or Parking Lot shall be a minimum of 3.0 metres in width for one-way traffic and a minimum of 6.0 metres in width for two-way traffic. This provision shall not apply to Driveways that provide access to private detached garages or attached private garages associated with a Single detached, semi-detached, or Townhouse Dwelling Unit. (234-97)

6.2.4 Driveway and Parking Pad Parking provisions for ground-oriented Residential Dwellings with direct Motor Vehicle Access from a Public Street (2006-96)

Notwithstanding any other provisions of 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 and 177-96, as amended, the provisions in this By-law shall apply to ground oriented Residential Dwellings, which for the purposes of this By-law are Single Detached, Semi-detached, Duplex, Triplex, Fourplex, Multiple or Townhouse Dwelling Units with direct Motor Vehicle access from a Public Street. All other provisions of these by-laws, unless specifically modified or amended by this By-law, shall continue to apply.

6.2.4.1 General Parking Provisions for Ground Oriented Residential Dwelling Units

- a) Within a *front* or *exterior side yard*, *motor vehicle* parking is only permitted on a *driveway* or a *parking pad*. Parking of motor vehicles shall only be permitted within the maximum *driveway* or *parking pad* widths.
- b) A *driveway* associated with a ground oriented residential *dwelling* shall provide direct access to a *private garage*.
- c) There shall be no *motor vehicle* parking between an outside wall of an attached *private garage*, that faces a *front lot line*, and an *interior side lot line* or an *exterior side lot line*.
- d) There shall be no *motor vehicle* parking between an outside wall of an attached *private garage*, that faces an *exterior side yard*, and a *front lot line* or a *rear lot line*.
- e) *Motor vehicles* shall not be parked parallel to the *street line* on any *driveway* or *parking pad*.
- f) Subject to the provisions for circular driveways, only one *driveway* or one *parking pad* is permitted per *lot*.

6.2.4.2 Maximum and Minimum *Driveway* Width

(2016-120)

- a) *The minimum driveway width shall be equal to the garage door width.* Notwithstanding any other zoning requirements in the City of Markham, where a private detached garage is located wholly or partially within the rear yard and is accessed by a driveway crossing the front lot line, the minimum required interior side yard in which the driveway is located shall be 2.5 metres.

- b) The maximum *driveway* width shall be equal to the greater of:
 - i) the *garage door width* plus 2.0 metres, provided:
 - a) in the case of a *lot* with a *lot frontage* less than 10.1 metres, a minimum 25% *soft landscaping* is provided in the *front* or *exterior side yard* in which the *driveway* is located; and
 - b) in the case of a *lot* with a *lot frontage* 10.1 metres or greater, a minimum 40% *soft landscaping* is provided in the *front* or *exterior side yard* in which the *driveway* is located; or
 - ii) up to 6.1 metres, provided a minimum 40% *soft landscaping* is provided in the *front* or *exterior side yard* in which the *driveway* is located.

6.2.4.3 Provisions for *Parking Pads*

- a) For the purposes of this By-law, where there is no *private garage* all areas on a *lot* accessible to *motor vehicles* shall be considered as *parking pads*.

- b) Where there is no *private garage* associated with a ground oriented residential *dwelling unit*, a *parking pad* is permitted, subject to the following:
 - i) the maximum *parking pad* width shall be the greater of:

- a) 3.7 metres; or
- b) 6.1 metres, provided a minimum 40% *soft landscaping* is provided in the *front* or *exterior side yard* in which the *parking pad* is located.

6.2.4.4 Setbacks for *Driveways* or *Parking Pads*

- a) *Driveways* or *parking pads* in a *front yard*, used for the parking of *motor vehicles*, shall be located:
 - i) no closer to an *interior side lot line* than the minimum distance requirement for the *main Building* from the *interior side lot line*; and
 - ii) no closer to an *exterior side lot line* than the minimum distance requirement for the *main Building* from the *exterior side lot line*.
 - iii) Where a *private garage* is detached from the *main Building* the *driveway* or *parking pad* shall be located no closer to the *exterior* or *interior side lot line* than the minimum distance requirement for the detached *private garage*.
- b) *Driveways* or *parking pads* in an *exterior side yard*, used for the parking of *motor vehicles*, shall be located:
 - i) no closer to a *rear lot line* than the minimum distance requirement for the *main Building* from the *rear lot line*; and
 - ii) no closer to a *front lot line* than the minimum distance requirement for the *main Building* for the *front lot line*.
 - iii) Where a *private garage* is detached from the *main Building* the *driveway* shall be located no closer to the *rear lot line* than the minimum distance requirement for the detached *private garage*.
 - iv) Where there is no *private garage*, a *parking pad* shall be located no closer to the *rear lot line* than the minimum distance requirement for a detached accessory Building.

6.2.4.5 Provisions for Circular Driveways

- a) On *lots* with frontages greater than 19.2 metres, a second 3.7 metre wide *driveway* is permitted provided:
 - i) the *main Building* is setback at least 8.0 metres from the *street line*;
 - ii) the *driveways* are at least 7.0 metres apart, at the *street line*; and
 - iii) the second *driveway* connects the *public street* to the other *driveway* that provides direct access from the *public street*.

- b) On lots with frontages between 16.8 metres and 19.2 metres, a second 3.7 metre wide driveway is permitted provided:
 - i) the *main Building* is setback at least 8.0 metres from the *street line*;
 - ii) the *driveways* are at least 7.0 metres apart at the *street line*;
 - iii) each *driveway* is 3.7 metres wide or less; and
 - iv) the second *driveway* connects the *public street* to the other *driveway* that provides direct access from the *public street*.

6.2.4.6 Garages Facing an *Interior Side Lot Line*

- a) When a garage door opening, used for *motor vehicle* access, faces an *interior side lot line*, the maximum *driveway* width in the *front yard* is 6.1 metres.

6.2.4.7 Access to Parking Spaces – Elevation of Garage Floor (2012-82)

- 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*.

7.0 COMMERCIAL AND RECREATIONAL VEHICLE PARKING

7.1 Commercial vehicle parking

The parking or storage of any *commercial motor vehicle* having a gross weight of 4,536 kilograms or more, with the exception of the temporary parking of a maintenance, service or delivery vehicle in the course of its normal maintenance, service or delivery duty, is not permitted on any *lot* used for *residential uses*.

7.2 Recreational Trailers, Vehicles and Boats

Recreational trailers and vehicles and boats parked in any *Residential Zone* are subject to the following provisions:

- (a) *Recreational trailers and vehicles and boats* may be stored in the *interior side and rear yard* on a *lot* provided that, if the *recreational vehicle* has a height of 1.8 metres or more, it shall be located no closer than 1.2 metres from any *lot line*.
- (b) *Recreational trailers and vehicles and boats* may be parked or stored in the *front or exterior side yards* on a *lot* provided they are parked or stored on a *driveway* and they are located no closer than 9.0 metres from the edge of the paved surface of any *public street*.
- (c) Notwithstanding the provisions of subsection 7.2(a) and 7.2(b), the temporary parking of *recreational trailers and vehicles and boats* is permitted on a *lot* within 9.0 metres of a *public street* for a maximum of 14 continuous days provided that it is located no closer than 0.6 metres from the closest edge of a sidewalk, or the closest edge of the curb of the *public street* if there is no sidewalk, if the *recreational trailer, vehicle or boat* has a height of 1.0 metre or more at this location.

8.0 GENERAL PROVISIONS

(2009-96)

8.1 CHARGES OR FEES

No charge, fee or payment shall be required for the use of any *parking space* required by this by-law, except for the following:

- a) *commercial parking lots*;
- b) *parking lots owned or operated by a public authority*;
- c) hospitals.

**8.2 EXTENSION OR ENLARGEMENT OF EXISTING USES,
CHANGES IN USE REQUIRING ADDITIONAL PARKING
and REVISED RESTAURANT STANDARDS in
DESIGNATED HERITAGE CONSERVATION DISTRICTS and
STUDY AREAS**

8.2.1 The total number of *parking spaces* required for uses within areas designated as either a Heritage Conservation District or Study Area pursuant to the Ontario Heritage Act, R.S.O. 1990, c. 0.18 and which existed on the date of passing of this By-law shall be the sum of the number of *parking spaces* existing on the *lot* plus the number of additional required *parking spaces* calculated as follows:

- a) for an enlargement or alteration of an existing *Building* or *structure*, the number of additional required *parking spaces* shall be equal to the numeric difference, if positive, between the number of *parking spaces* required by Section 3.0 of this by-law after the enlargement or alteration, and the number of *parking spaces* which Section 3.0 hereof, if applied, would have required prior to the enlargement or alteration.
- b) for a change of use of a *Building* or *structure* which existed on the date of passing of this By-law and which change requires additional *parking spaces*, the number of additional required *parking spaces* shall be equal to the numeric difference, if positive, between the number of *parking spaces* required by Section 3.0 of this by-law after the change in use, and the number of *parking spaces* which Section 3.0 hereof, if applied, would have required prior to the change in use.

This provision shall not apply to restaurant uses in the Unionville Heritage Conservation District that are located within the boundaries of the 'Main Street Unionville Traditional Shopping Area' as shown on Schedule 'A'.

(2003-168)

8.2.2 Notwithstanding any other provision of this By-law, the minimum required off-street parking for *restaurants* where permitted within *Buildings* on lands contained within a designated Heritage Conservation District or Study Area pursuant to the Ontario Heritage Act, R.S.O. 1990, c.018

shall be 1 *parking space* per 15 square metres *net floor area*.

8.3 EXISTING SITE SPECIFIC BY-LAWS CONTINUE TO APPLY

Notwithstanding any other provision of the By-law, any site specific provisions of those by-laws referred to in Section 1.0 which are less demanding than those contained in this By-law shall continue to apply. (234-97)

8.4 NON-COMPLIANCE AS A RESULT OF LAND ACQUISITION

Notwithstanding any other provision of this By-law, where, as a result of an acquisition of land by a public authority, such acquisition results in a contravention of this By-law relating to the minimum required number of parking spaces, minimum size of parking spaces, minimum width of a driveway, location of parking spaces and/or driveways or minimum required setbacks and/or yards for driveways and/or parking spaces, then the lands so affected are deemed to comply with this By-law to the extent it complied with this By-law on the day before the acquisition was finalized. (2009-96)

9.0 All other provisions of those By-laws referred to in Section 1.0 of this By-law which are not inconsistent with the provisions of this By-law, shall continue to apply.

10.0 TECHNICAL REVISIONS TO THE ZONING BY-LAW

(2014-65)

Provided that the purpose, effect, intent, meaning, and substance of this By-law are in no way affected, the following technical revisions to this By-law are permitted without a Zoning By-law amendment:

- a) Changes to the numbering, cross referencing, format, and arrangement of the text, tables, schedules, and maps;
- b) Additions to and revisions of technical information on maps and schedules including, but not limited to: infrastructure and topographic information, notes, legends, shading, and title blocks;
- c) Alterations of punctuation or language; and
- d) Correction of grammatical, dimensional, boundary, mathematical, or typographic errors.