



## MEMORANDUM



**TO:** Heritage Markham Committee

**FROM:** Evan Manning, Senior Heritage Planner

**DATE:** June 11, 2025

**SUBJECT:** Committee of Adjustment Variance Application  
30 Washington Street, Markham Village  
Proposed Garden Home

**FILE:** A/065/25

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**Property/Building Description:** One-and-a-half detached dwelling constructed c.1878 as per MPAC records

**Use:** Residential/Commercial

**Heritage Status:** Designated under Part V of the Ontario Heritage Act as part of the Markham Village Heritage Conservation District (the “MVHCD” or the “District”)

### **Application/Proposal**

- The City has received a Minor Variance (“MNV”) Application seeking relief from the City’s Comprehensive Zoning By-law to enable construction of a *garden home* in the rear yard of 30 Washington Street (the “Subject Property” or the “Property”).
- Note that additional residential units are permitted “as-of-right” as per recent amendments to the Planning Act which allow for up to three units per lot (ie. two in the main dwelling and one in an ancillary building). As such, relief from the by-law is not required to permit the proposed use but rather the contemplated building envelope.

### **Requested Variances to the Zoning By-law**

The applicant requires the following relief from By-law 2024-19 to permit:

- a) By-law 2024-19, Section 4.9.10 (f):** a maximum height of 6.1 metres, whereas the by-law permits a maximum of 4.5 metres; and
- b) By-law 2024-19, Section 4.9.10 (d):** a maximum garden home gross floor area of 148.64 square metres, whereas the by-law permits a maximum of 104.09 square metres.

## **Background**

### *Context*

- The Subject Property is located on the west side of Washington Street between Centre Street to the south and Joseph Street to the north. Commercial uses are located to the south and west of the Property along Centre Street and Main Street North, respectively, while residential uses are located to the north and west along Washington Street.
- The Property is designated “Mixed Use Heritage Main Street” in the Official Plan (2014) and zoned “Mixed Use Heritage Main Street – Markham Village” in the Comprehensive Zoning By-law. As such, both residential and commercial uses are permitted.

### *Classification within the MVHCD Plan*

- The Subject Property is currently categorized as a Type ‘B’ property. As described in Section 3.2 (‘Building Classification’) of the MVHCD Plan, Type ‘B’ properties possess the following characteristics within the District:
  - *Important in terms of contextual value;*
  - *They may not be of great historical or architectural value, however, they contribute substantially to the visual character of the townscape;*
  - *They support and help define the character of the historic district.*
- Heritage staff are proposing to classify the property as a ‘Contributing Property’ in the upcoming update to the MVHCD Plan.

### *Comprehensive Zoning By-law 2024-19*

- The new zoning by-law provides definitions for ‘Accessory Building or Structure’, ‘Coach House’, ‘Garden Home’ and ‘Garden Suite’. What is being proposed would be a **Garden Home** which “means a dwelling unit located within an **accessory building or structure** in the rear yard of a lot that is not accessed by a lane and which is accessory to the principal use dwelling unit on the same lot”. Further information is provided in Appendix ‘C’ of this memo.

## **Staff Comment**

### *Requested Variances*

- Heritage Section staff (“Staff”) have no objection from a heritage perspective to requested variances.
- The siting of the proposed garden home at the southwest corner of the rear yard places it closest to adjacent commercial properties, where there is little concern regarding privacy and overlook, and farthest from residential uses located to the north along Washington Street.
- While the applicant has requested a variance for building height, a significant portion of the second floor is composed of outdoor space with only seasonal use. Further, the proposed garden home will have limited visibility from the public realm.

- Staff also have no objection from a heritage perspective to the variance for proposed gross floor area as there is no accompanying variance request for lot coverage. From a Staff perspective, lot coverage is more revealing of visual impact than gross floor area.
- As such, Staff are of the opinion that the proposed variances for building height and gross floor area will not have an adverse impact on the heritage context of either Centre Street or Washington Street.

#### *Conceptual Design*

- Staff have no significant concerns from a heritage perspective to the proposed design of the *garden home* as shown in Appendix 'D' of the memo. A more in-depth review will occur following future submission of a Major Heritage Permit application.

#### *Next Steps*

- Should the applicant be successful at the COA hearing tentatively scheduled for as early as June 25, 2025, submission of a Major Heritage Permit application will be required prior to Building Permit issuance.

### **Suggested Recommendation for Heritage Markham**

THAT Heritage Markham has no objection from a heritage perspective to the variances for building height and gross floor area required for a proposed garden home at 30 Washington Street.

AND THAT future review of a Major Heritage Permit application, and any other development application required to approve the proposed development, be delegated to Heritage Section staff should the design be substantially in accordance with the drawings as appended to this memo.

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#### **ATTACHMENTS:**

Appendix 'A'	Location Map and Aerial Image of the Subject Property
Appendix 'B'	Image of the Subject Property
Appendix 'C'	Extract from the Comprehensive Zoning By-law
Appendix 'D'	Drawings

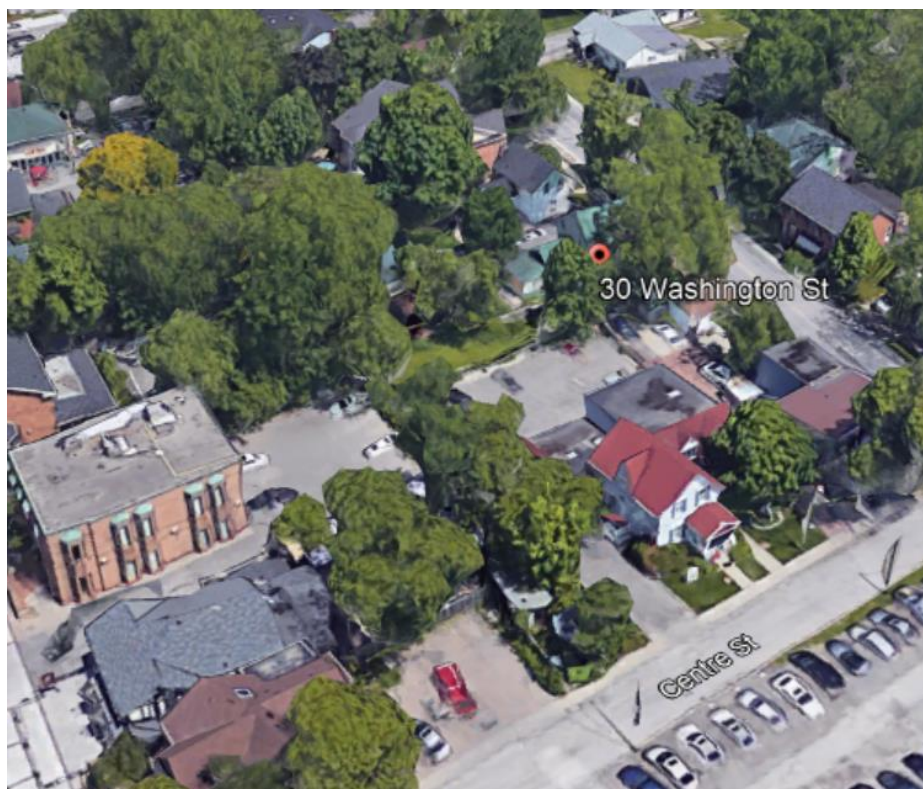
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## Appendix 'A'

### *Location Map and Aerial Image of the Subject Property*



Property map showing the location of the Subject Property [outlined in blue] (Source: City of Markham)



Aerial image looking northeast towards the Subject Property (Source: Google Earth)

## Appendix 'B'

### *Image of the Subject Property*



The east (primary) elevation of the existing dwelling on the Subject Property as viewed from Washington Street  
(Source: Google)

## Appendix 'C'

### *Extract from the Comprehensive Zoning By-law*

#### **Definitions**

**Accessory Building or Structure** means a detached building or structure, the use of which is incidental to, subordinate to and exclusively devoted to the principal use in the main building located on the same lot.

**Coach House** means a dwelling unit where the majority of the unit is located above a detached private garage in the rear yard of a lot that is accessed by a lane, and which is accessory to the principal use dwelling unit on the same lot.

**Garden Home** means a dwelling unit located within an **accessory building or structure** in the rear yard of a lot that is not accessed by a lane and which is accessory to the principal use dwelling unit on the same lot.

**Garden Suite** means a **temporary** dwelling unit regulated under the Planning Act that is accessory to the principal use dwelling unit on the same lot and which is **designed to be portable**. For the purposes of this definition, a garden suite may include a dwelling unit in a recreational motor vehicle.

#### **4.8.1 ACCESSORY BUILDINGS OR STRUCTURES**

Unless otherwise identified in this By-law, accessory buildings or structures are subject to the following provisions:

- a) No accessory building or structure shall:
  - (i) Be erected on a lot prior to the erection of the main building on the lot;
  - (ii) Be used for human habitation unless expressly permitted in this By-law;
  - (iii) Be located within a public easement;
  - (iv) Be located within a front yard, or a front yard and an exterior side yard within a Mixed Use zone; and,
  - (v) Exceed 15 square metres if located on hazardous lands or hazardous sites.
- b) The maximum permitted gross floor area per accessory building or structure is:
  - (i) 15 square metres if the lot area is less than or equal to 500 square metres;
  - (ii) 20 square metres if the lot area is greater than 500 square metres and less than 4,000 square metres;
  - (iii) 60 square metres if the lot area is 4,000 square metres or greater.
- c) The maximum number of accessory buildings or structures permitted on a lot is:
  - (i) 2 if the lot area is less than or equal to 4,000 square metres;



- (ii) 4 if the lot area is greater than 4,000 square metres.
- d) The maximum height per accessory building or structure is:
  - (i) 3.0 metres if the lot area is less than or equal to 4,000 square metres;
  - (ii) 5.5 metres if the lot area is greater than 4,000 square metres.
- e) The minimum setback for an accessory building or structure from the interior side lot line and rear lot line is:
  - (i) 1.2 metres;
  - (ii) Notwithstanding (i) above, the setback may be reduced to 0.5 metres if the lot area is less than 4,000 square metres and the wall of the building has no doors or windows on the wall facing the lot line;
  - (iii) Where an accessory building or structure is located between the main building and an interior side lot line, the minimum setback for an accessory building or structure from the interior side lot line shall be equal to the required interior side yard for the main building.
- f) The minimum setback for an accessory building or structure from the exterior side lot line shall be no less than the setback between the main building and the exterior side lot line on any sized lot.
- g) The minimum setback for an accessory building or structure from any other building or structure on the lot is 1.8 metres.
- h) Notwithstanding (e) above, within a Mixed Use zone, no accessory building or structure shall be located within 3.0 metres of a residential zone boundary.

#### **4.9.10 GARDEN HOMES**

A garden home is permitted accessory to a detached dwelling, semi-detached dwelling or, townhouse dwelling subject to the following:

- a) A garden home is only permitted **within an accessory building or structure in accordance with section 4.8.1**, or within an existing legally non-conforming use, accessory building or structure;
- b) There is no coach house, garden suite, or other additional dwelling unit located within a building accessory to a detached dwelling, semi-detached dwelling, or townhouse dwelling on the lot;
- c) The garden home is located in the rear yard;
- d) The garden home does not exceed the greater of 50% of the gross floor area of the principal use dwelling unit on the same lot or 60 square metres;
- e) The garden home is set back a minimum of 6 metres from the

main building on the lot;

f) The garden home has a height of no greater than 4.5 metres;

g) The garden home is located no further than 30 metres from a lot line abutting a street;

h) The garden home is accessed from the street by an unobstructed path of travel that has a minimum width of 1.2 metres;

i) The garden home is located a minimum of:

(i) 1.2 metres from the rear lot line;

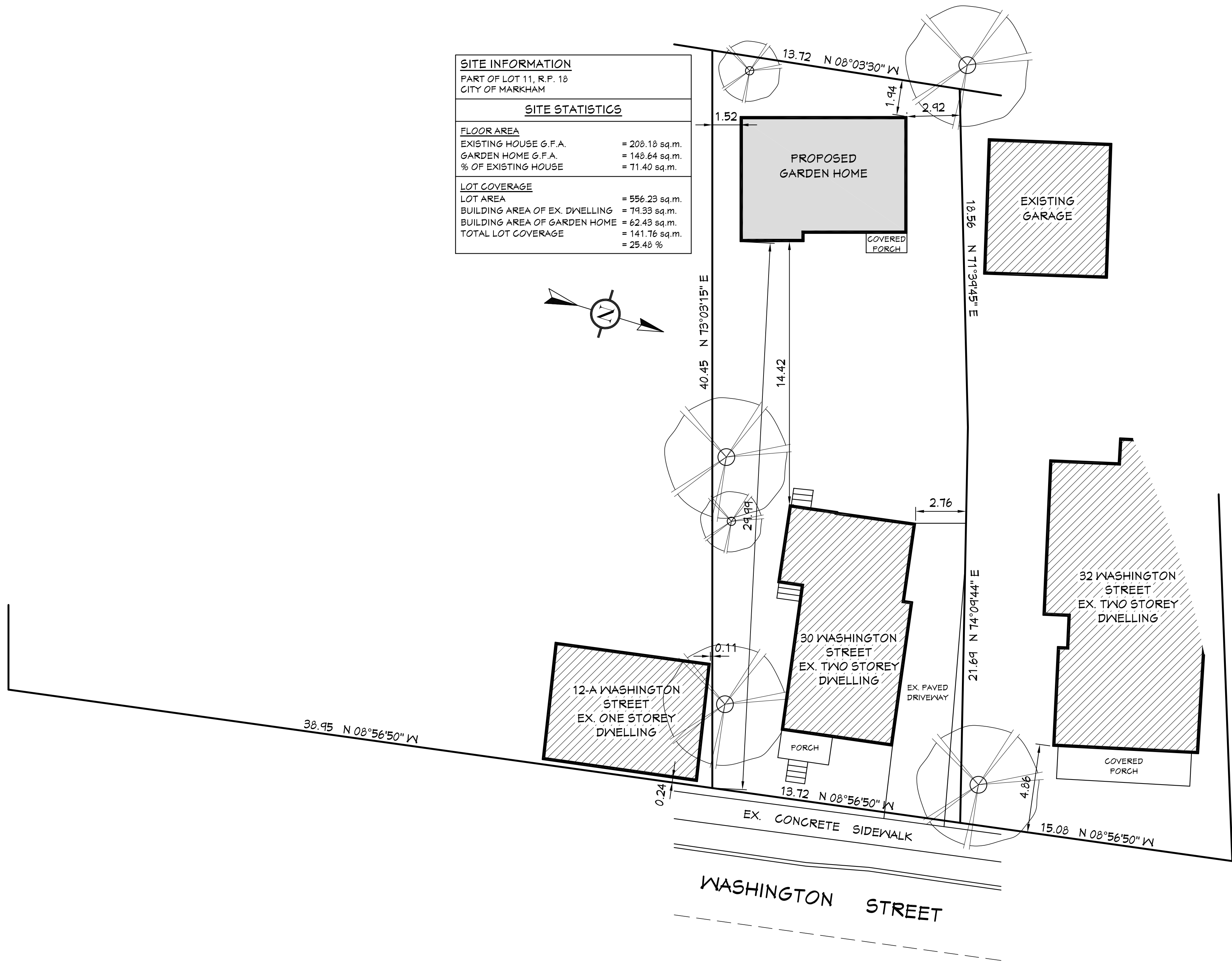
(ii) The required exterior side yard for the main building from the exterior side lot line; and,

(iii) 1.2 metres from the interior side lot line.



## **Appendix ‘D’**

### *Drawings*



SITE INFORMATION	
PART OF LOT 11, R.P. 18 CITY OF MARKHAM	
SITE STATISTICS	
FLOOR AREA	
EXISTING HOUSE G.F.A.	= 208.18 sq.m.
GARDEN HOME G.F.A.	= 148.64 sq.m.
% OF EXISTING HOUSE	= 71.40 sq.m.
LOT COVERAGE	
LOT AREA	= 556.23 sq.m.
BUILDING AREA OF EX. DWELLING	= 79.35 sq.m.
BUILDING AREA OF GARDEN HOME	= 62.43 sq.m.
TOTAL LOT COVERAGE	= 141.76 sq.m.
	= 25.48 %

SHEET NUMBER

A1.1

DATE

4/23/25

SCALE

1:150

PROJECT NUMBER

25-12

DRAWN BY

S. Gregory

PROPOSED GARDEN HOME  
30 WASHINGTON STREET  
CITY OF MARKHAM



48 George Street  
Markham, Ontario  
L3P 2R7  
416-520-0978  
shane@gregorydesigngroup.net

REVISIONS AND DATA

DATE

- All construction is to conform to section "3" of the Ontario Building Code (latest edition).

- Contractor shall check and verify all notes and dimensions.

- Owner / contractor / designer is responsible to re-claim and destroy all these drawings if they are not used for the project.

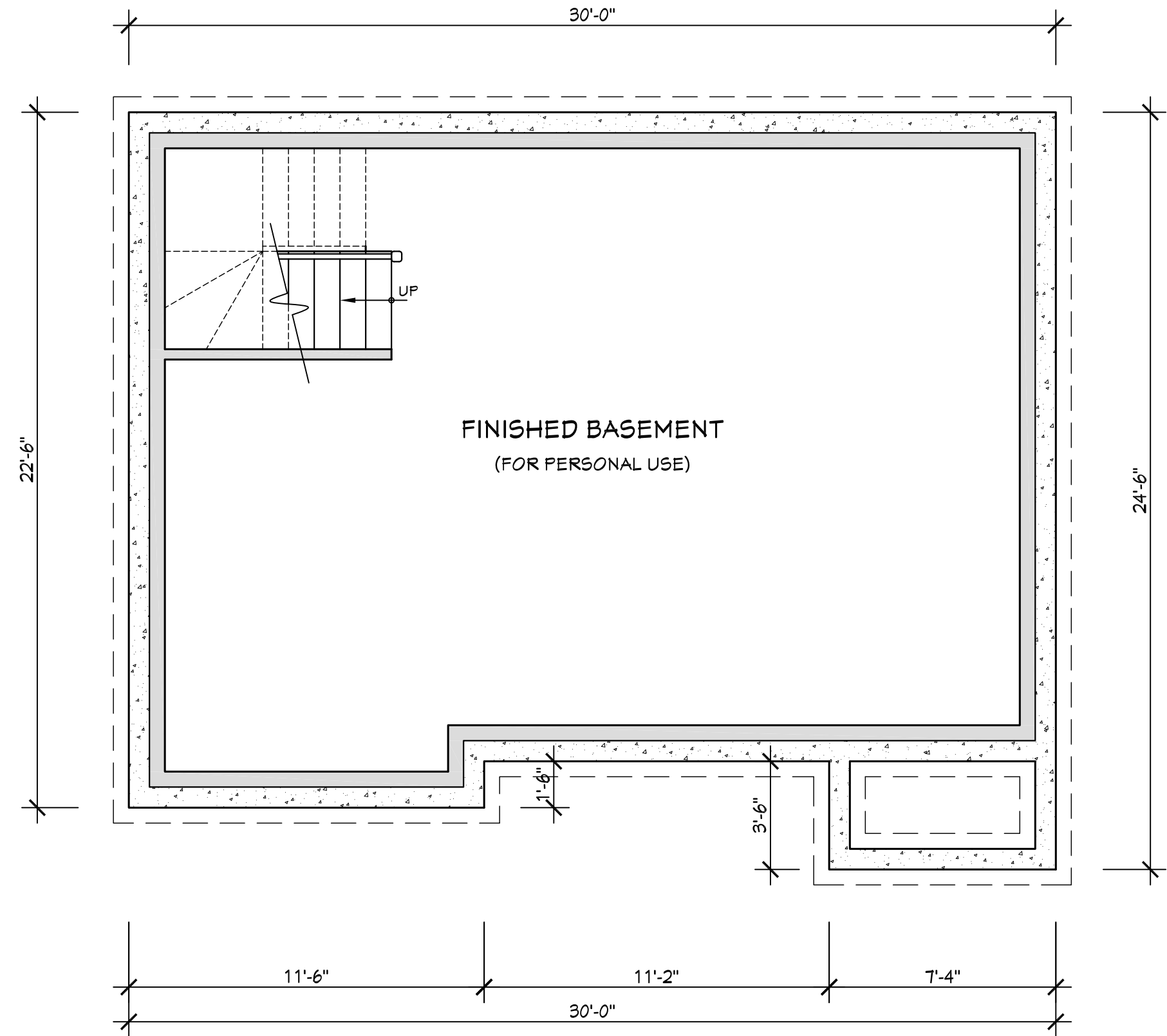
- These drawings are the property of Gregory Designs and/or its clients only. Building permits to be obtained prior to commencing construction.

I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4 of Division C, of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories.

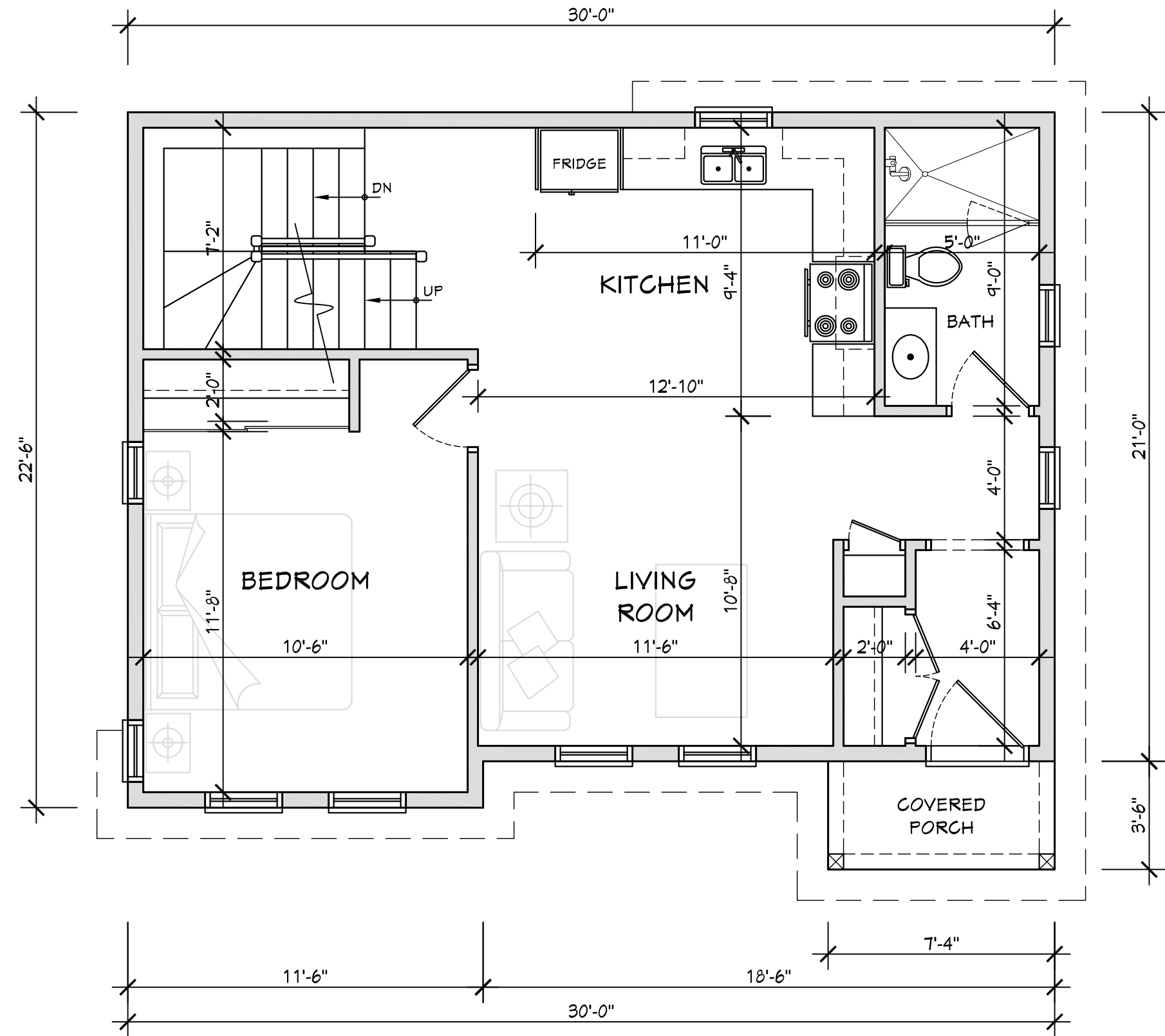
Individual B.C.I.N. - 258205

Firm B.C.I.N. - 30506

Russ Gregory

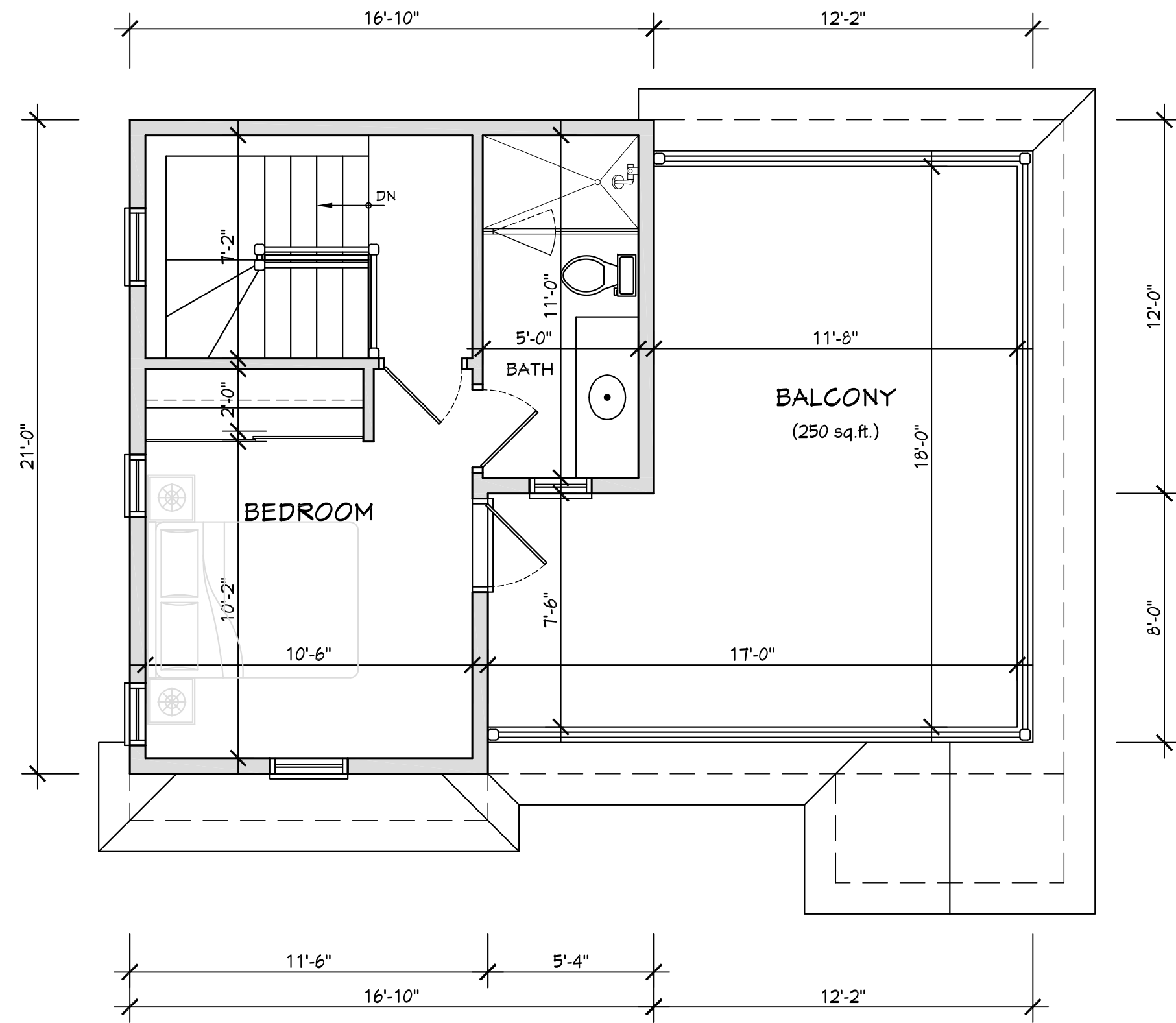


**BASEMENT & FOUNDATION PLAN**  
PROPOSED LAYOUT



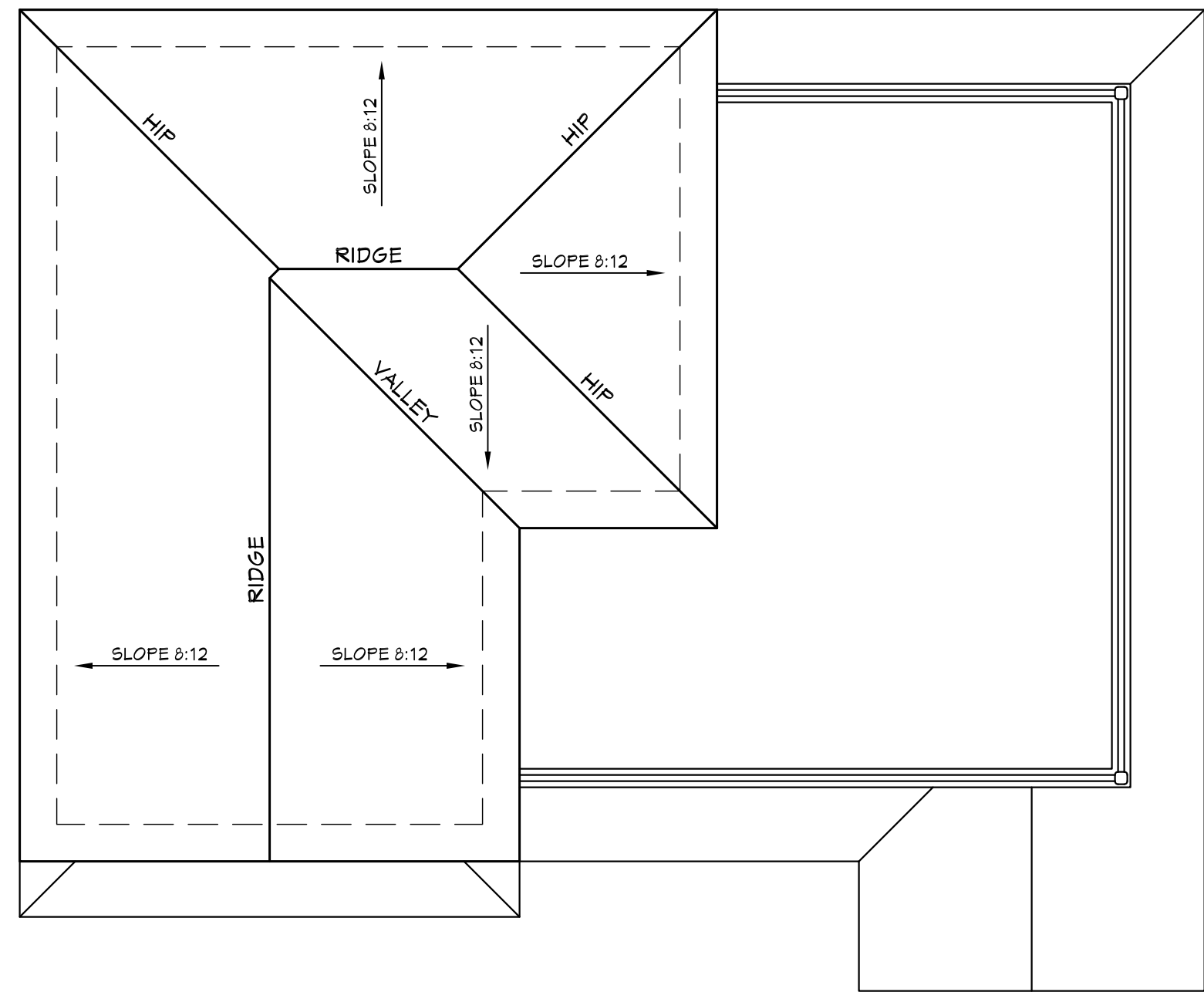
**GROUND FLOOR PLAN**

PROPOSED LAYOUT  
FLOOR AREA = 647 sq.ft. (60.10 sq.m.)  
BUILDING AREA = 672 sq.ft. (62.43 sq.m.)



**SECOND FLOOR PLAN**

PROPOSED LAYOUT  
FLOOR AREA = 305 sq.ft. (28.33 sq.m.)



**ROOF PLAN**

PROPOSED LAYOUT

SHEET NUMBER

A2.1

DATE

4/23/25

SCALE

1/4"=1'-0"

PROJECT NUMBER

25-12

DRAWN BY

S. Gregory

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30 WASHINGTON STREET  
CITY OF MARKHAM

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Markham, Ontario  
L3P 2R7  
416-520-0978  
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**GREGORY DESIGNS**

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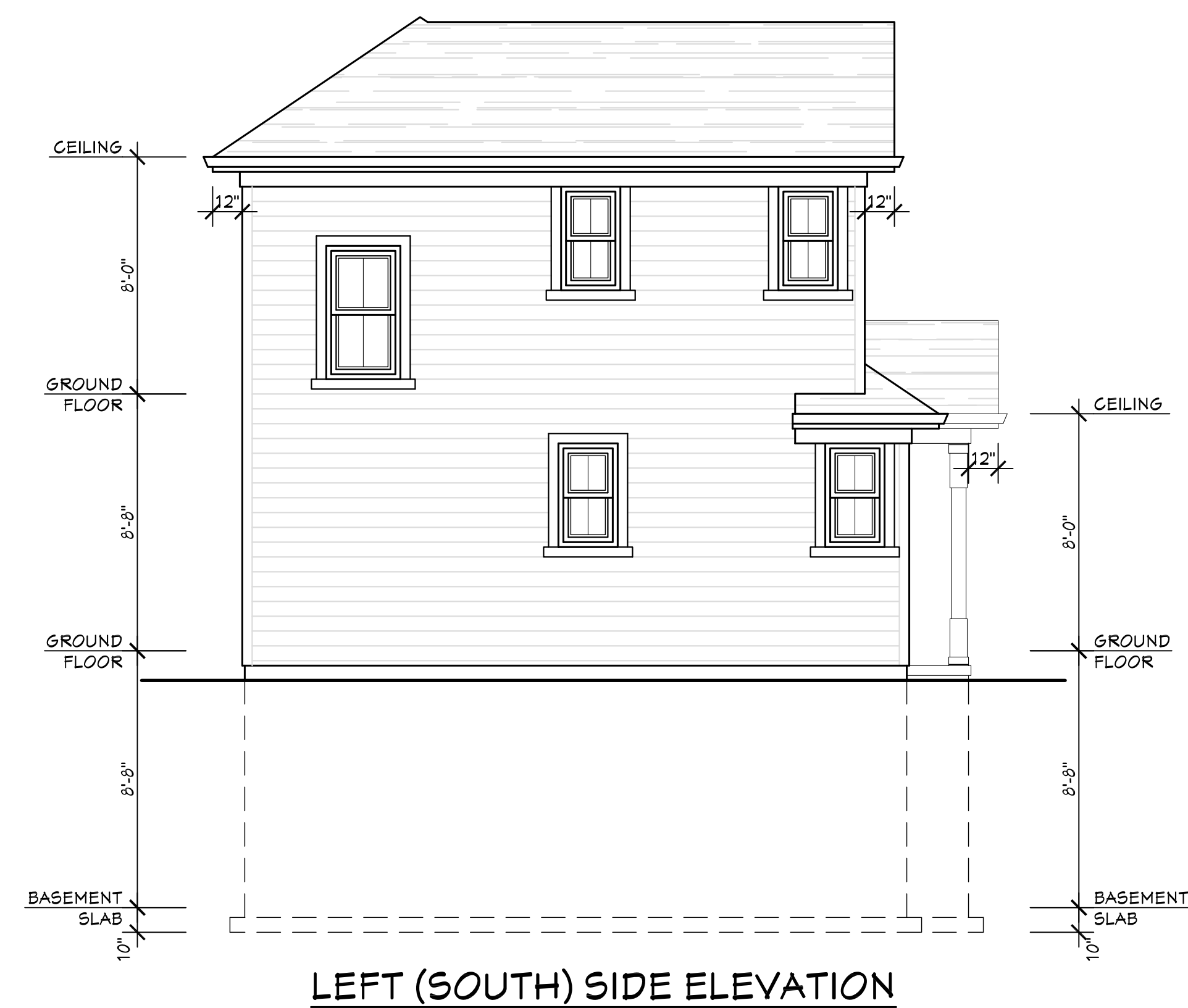
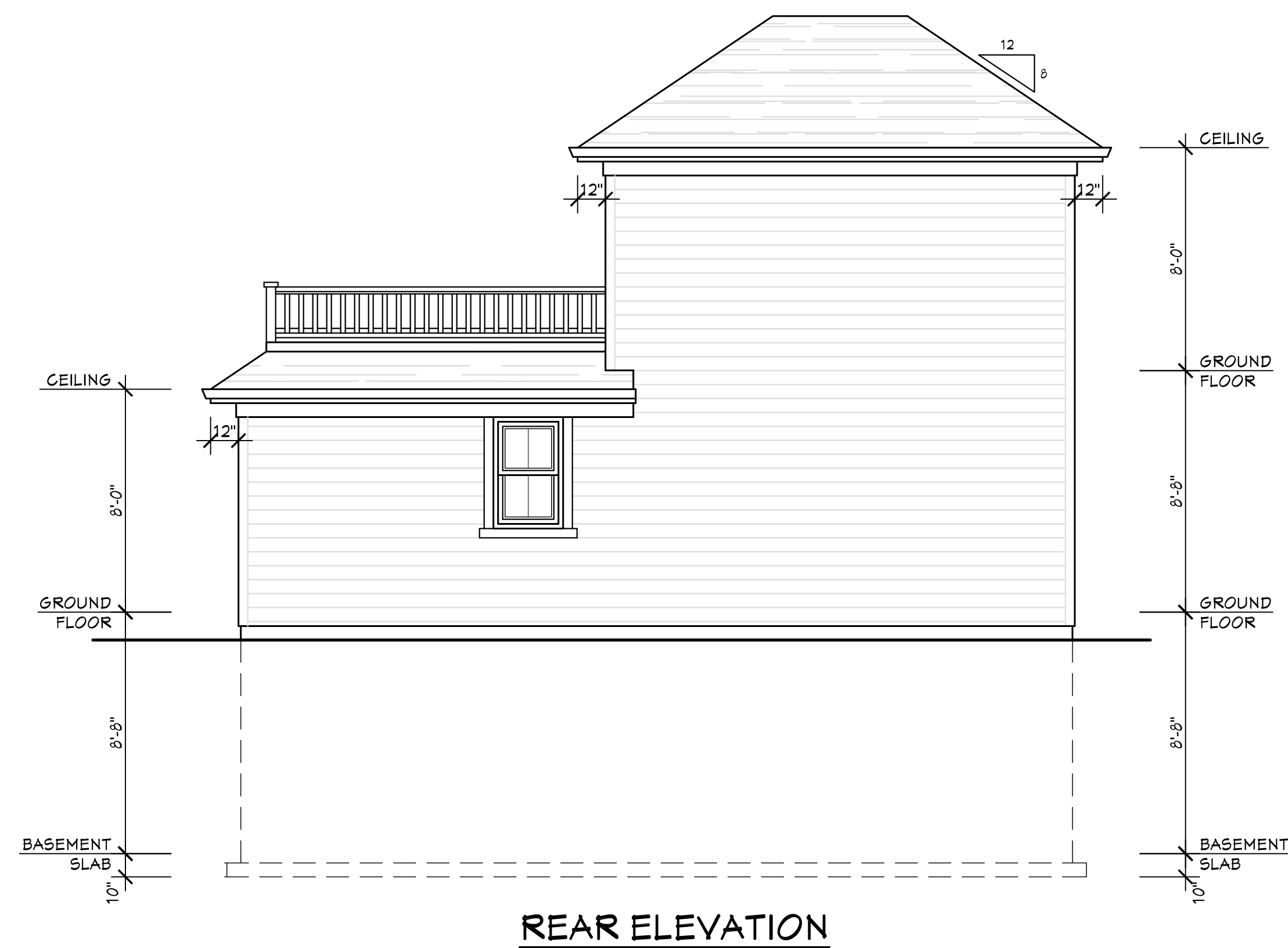
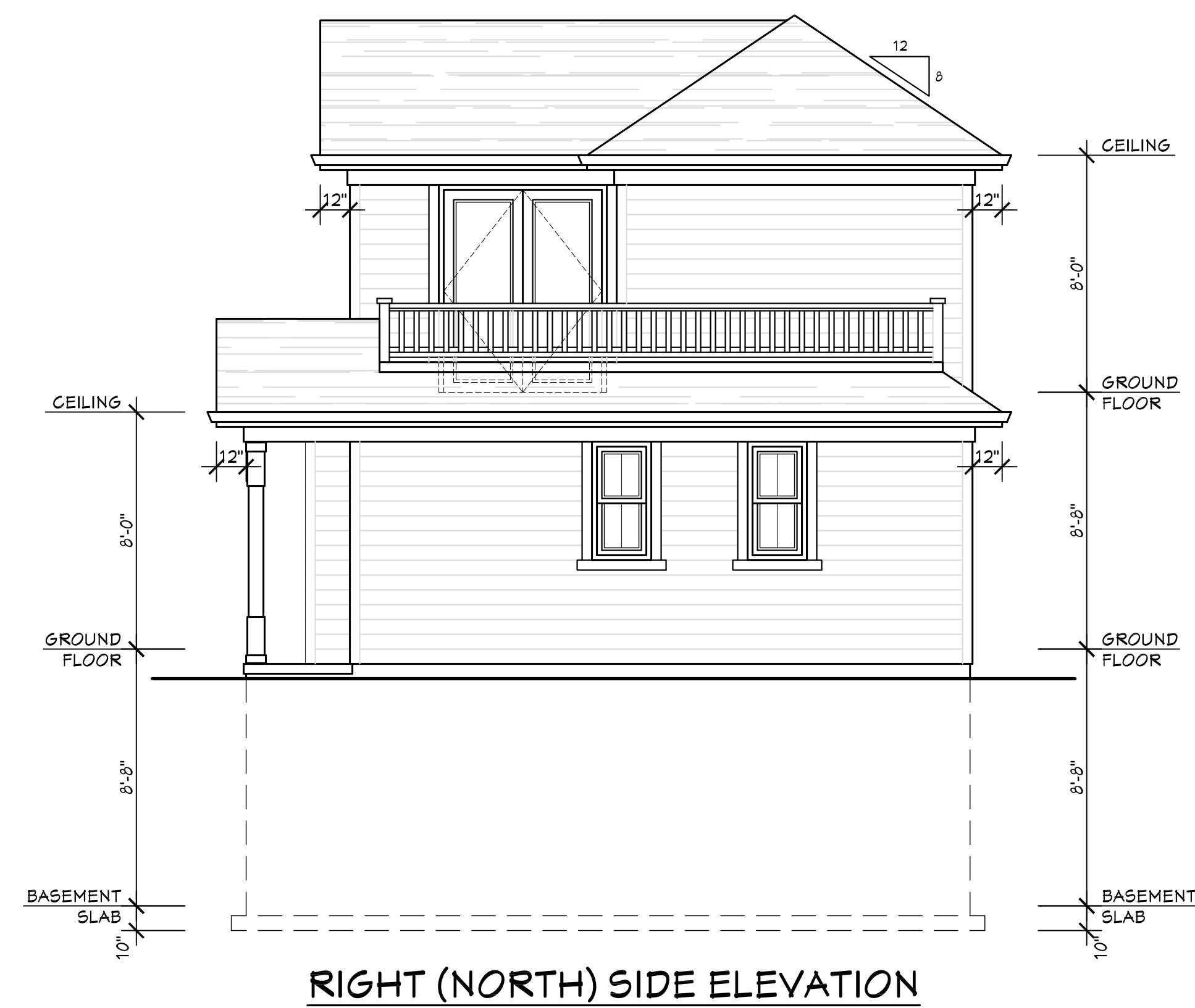
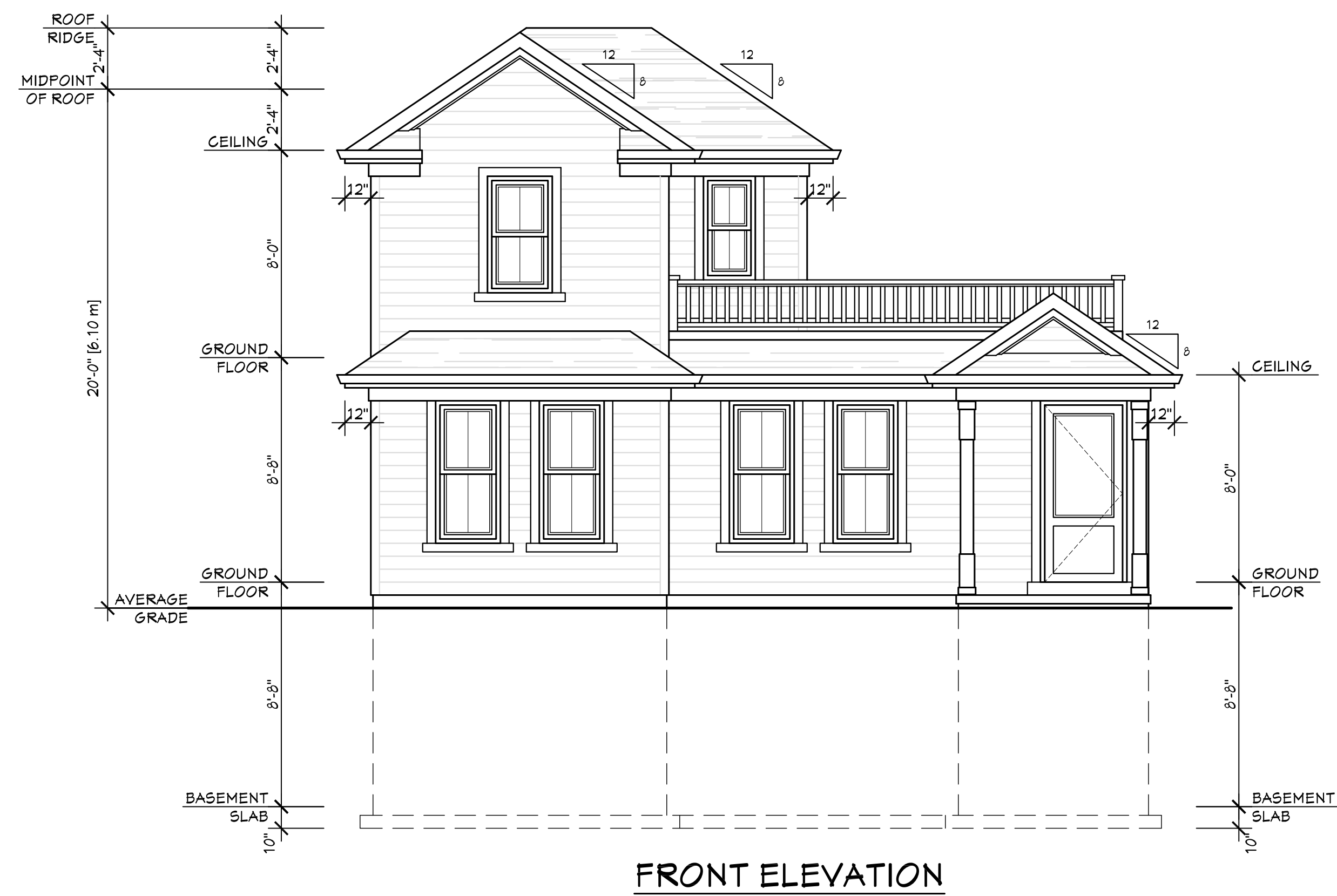
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Individual B.C.I.N. - 258205  
Firm B.C.I.N. - 30506

Russ Gregory



SHEET NUMBER

134

DATE \_\_\_\_\_

4/23/25

SCALE

1/4"=1'-0"

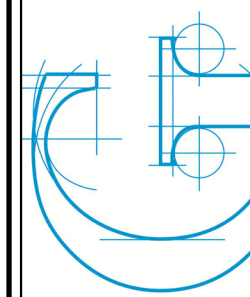
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**GREGORY**  
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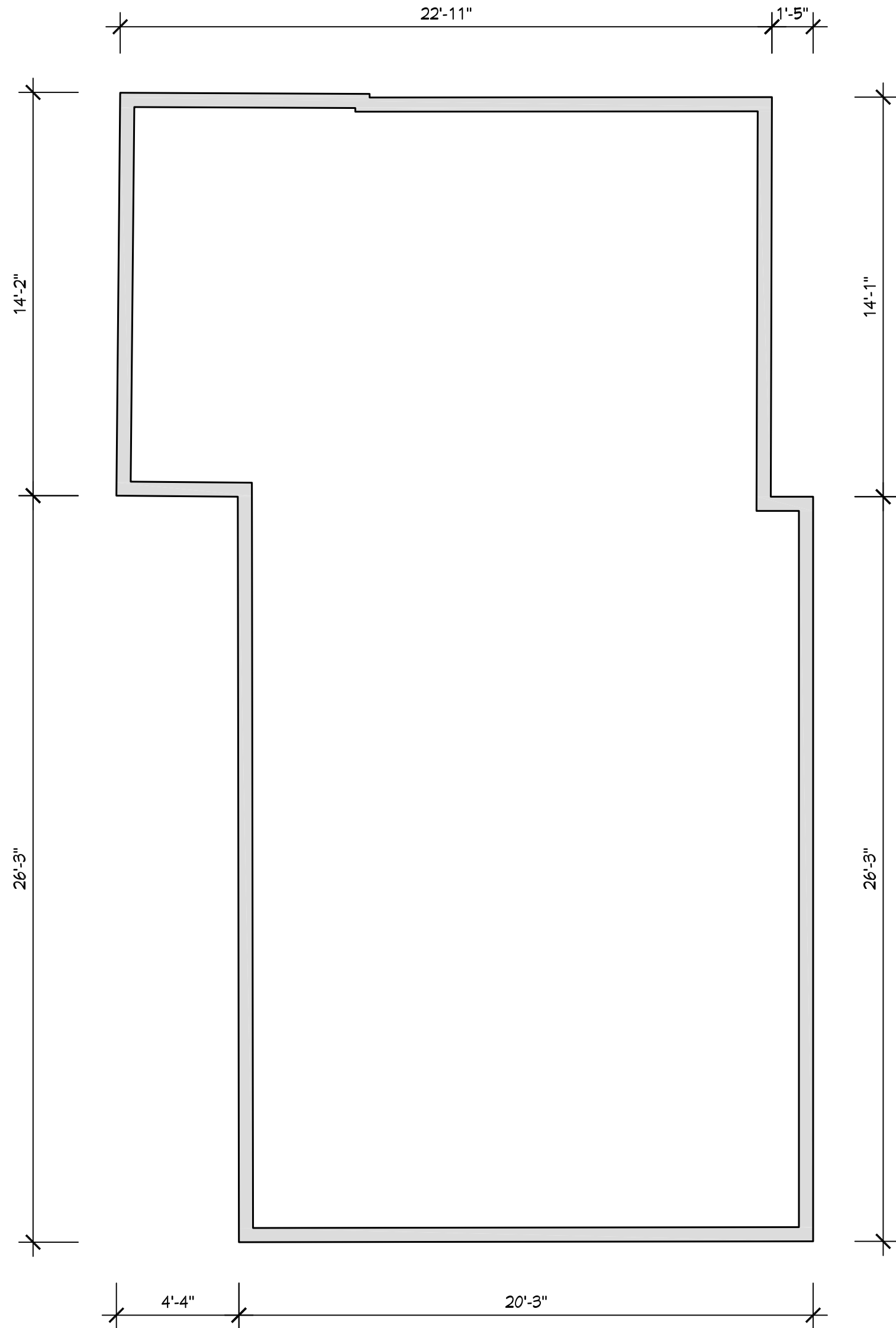
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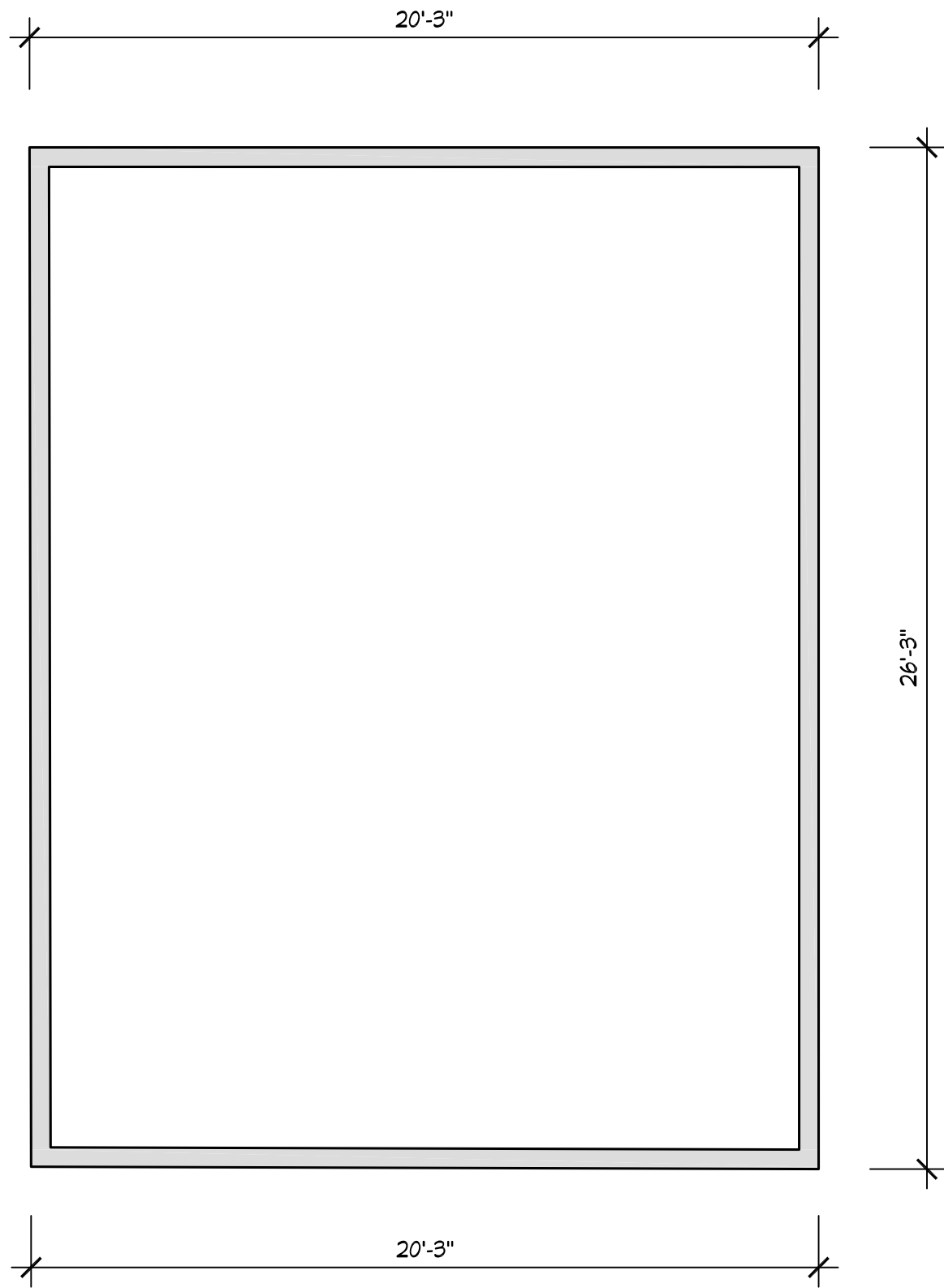
Firm B.C.I.N. - 30506

Russ Gregory





**GROUND FLOOR PLAN**  
EXISTING LAYOUT  
FLOOR AREA = 855 sq.ft.



**SECOND FLOOR PLAN**  
EXISTING LAYOUT  
FLOOR AREA = 529 sq.ft.

SHEET NUMBER

A4.1

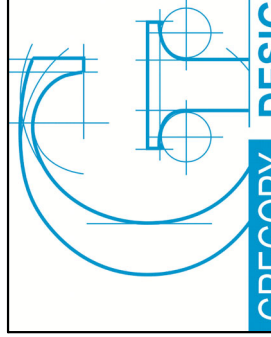
DATE  
4/1/25

SCALE  
1/4"=1'-0"

PROJECT NUMBER  
25-12

DRAWN BY  
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