



## MEMORANDUM



**TO:** Heritage Markham Committee

**FROM:** Peter Wokral, Senior Heritage Planner

**DATE:** April 8, 2026

**SUBJECT:** Committee of Adjustment Variance Application  
75 John Street, Thornhill Heritage Conservation District  
To permit a deck in the rear yard  
MNV 26 108953, A/008/26

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**Property/Building Description:** Modern infill detached 2-storey dwelling  
**Use:** Residential  
**Heritage Status:** Designated under Part V of the Ontario Heritage Act

### **Application/Proposal**

- The property owner wishes to construct a larger deck to the rear of the existing house to replace an existing deck.

### **Background Information**

**The proposed deck requires a variance for its proposed depth due to its height above grade**

Because the proposed deck is greater than 1.0m (3.3 ft.) above grade, a variance is required to permit the deck to project 4.7m (16 ft.) from the rear wall of the dwelling, whereas the By-law only permits decks greater than 1.0m above grade to project 3.7m (12 ft.) beyond the rear wall of the dwelling.

### **Policy**

*Official Plan ("OP")*

Chapter 4.5 (Cultural Heritage Resources) of the OP provides direction relative to the proposal.

Specifically, Chapter 4.5.3.9 states that it is the policy of Council:

*To provide for the protection and conservation of cultural heritage resources or the mitigation of adverse effects on cultural heritage resources as a condition of minor variance and severance approval and associated agreements.*

Chapter 4.5.3.10 states that it is the policy of Council to:

*To evaluate each land severance and variance proposal that directly affects a cultural heritage resource itself and adjacent lands on its own merits and its compatibility with the heritage policies of this Plan and the objectives and policies of any applicable heritage conservation district plan....*

*Thornhill Heritage Conservation District Plan*

Section 7.4

a) Each land division proposal and variance will be evaluated on its own merits and as to its compatibility with the objectives and policies of the District Plan.

### **Staff Comment**

#### **Staff have no objection to the proposed rear deck and required variance**

- Heritage Staff have no objection to the approval of the required variance as the proposed rear deck is accessed from the first floor of the house, is not visible from the public realm of John St. and is only 4 ft. deeper than the existing deck it proposes to replace.
- Therefore, staff recommends that Heritage Markham provide no comment on the requested variance and delegates final review of the application to the City (Heritage Section) staff.

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

THAT Heritage Markham has no comment from a heritage perspective on the variance application for 75 John Street to permit a rear deck to project 4.9 m into the rear yard and delegates final review of the application to the City (Heritage Section) staff.

### **Appendices**

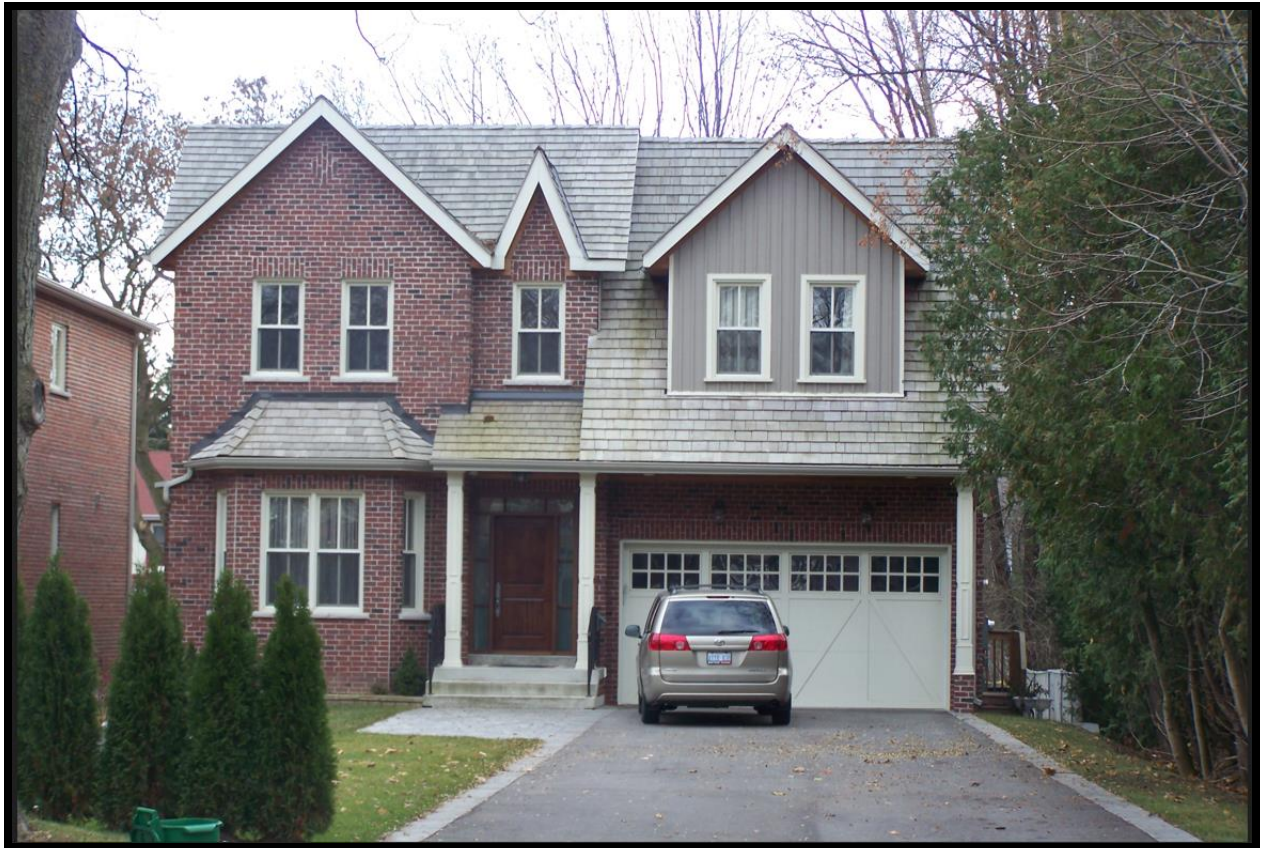
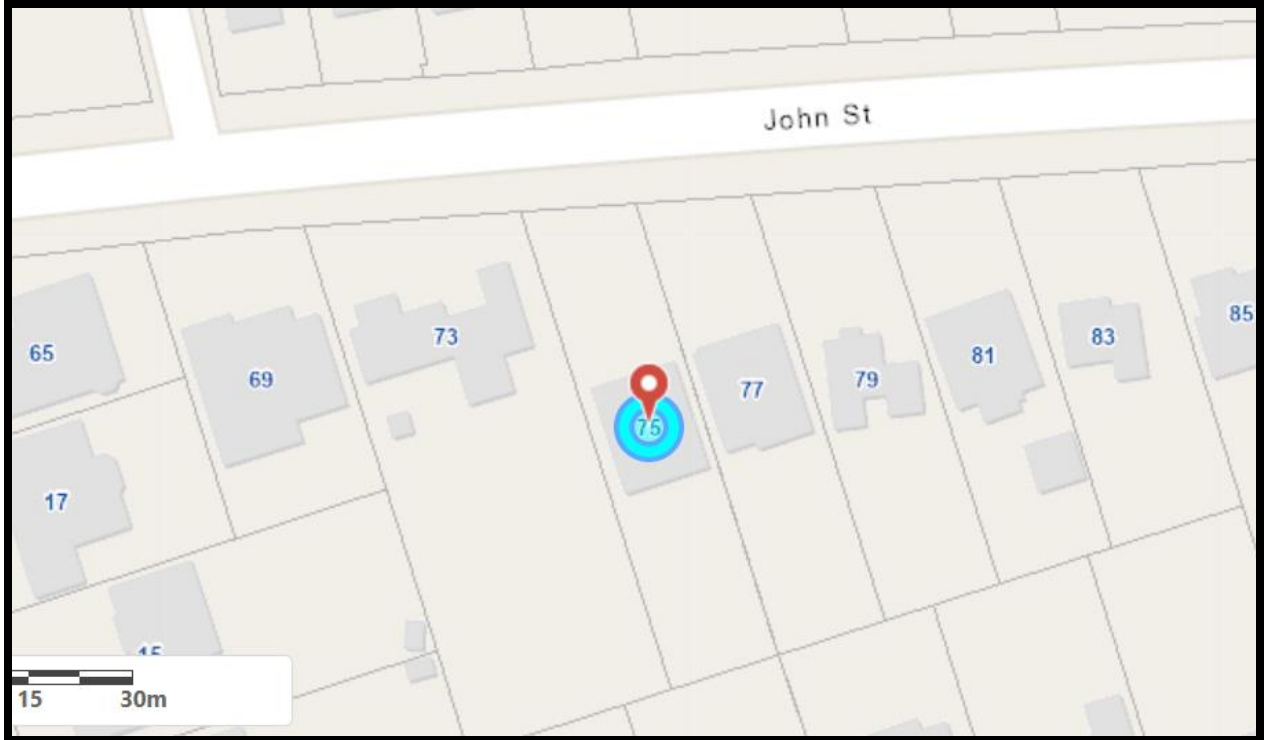
Appendix A- Location Map and Photograph of the Existing Dwelling

Appendix B- Aerial View of the Existing Rear Deck

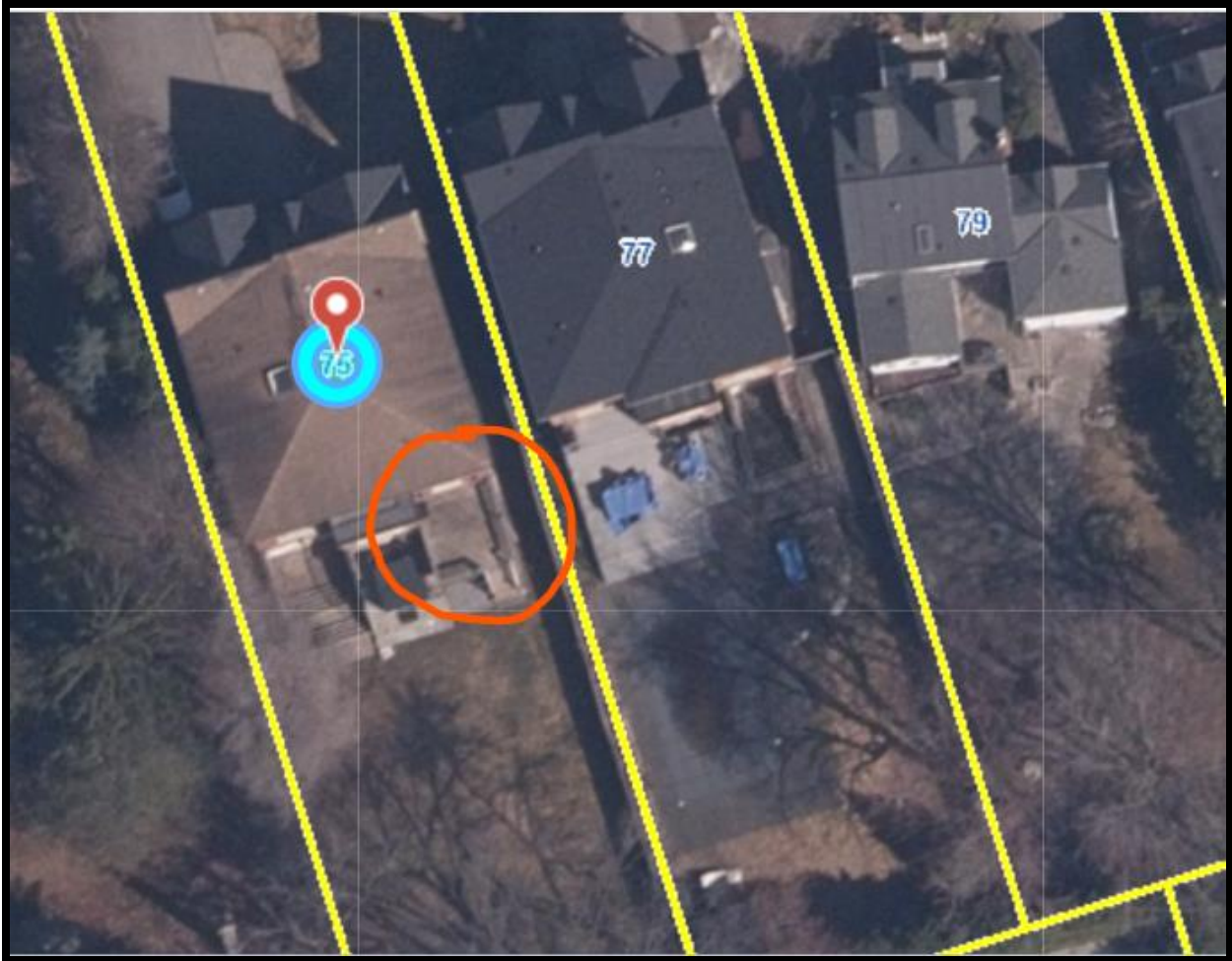
Appendix C- Proposed Location of Rear Deck

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### **Appendix A- Location Map and Photograph of the Existing Dwelling**



Appendix B – Aerial View of the Existing Rear Deck



# Appendix C- Proposed Location of Rear Deck

