



## MEMORANDUM

To: Mayor and Members of Development Services Committee

From: Arvin Prasad, Commissioner of Development Services

Prepared by: Stephen Corr, Senior Planner, East District

Date: October 13, 2020 ]

**Re: Information Memorandum  
City Initiated Technical Zoning By-law Amendment to clarify that front  
porches are permitted beyond the maximum permitted Building Depth  
City Pa**

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### RECOMMENDATION:

- 1) That the Information Memorandum, entitled “City Initiated Technical Zoning By-law Amendment to clarify that front porches are permitted beyond the maximum permitted Building Depth, City Park (Town Crier) Homes Inc. (Ward 4)”, be received;
- 2) That the technical zoning by-law amendment, to amend Zoning By-law 1229, as amended by By-law 2017-112, be approved and that the draft by-law attached as Appendix ‘A’ be finalized and enacted; and
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### Purpose:

This memorandum provides information on a City initiated technical zoning by-law amendment to clarify that front porches are permitted up to 2 metres beyond the maximum permitted building depth for 11 single detached dwellings proposed by City Park (Town Crier) Homes Inc.

### Background

The 1.27 ha (3.13 ac) subject lands are located on the south side of Parkway Avenue, east of Main Street Markham North (See Figure 1) and are within the Markham Village Heritage Conservation District. Surrounding land uses are predominantly residential, comprised of existing single detached dwellings to the north, east and south. Grace Anglican Church and Morgan Park are located west of the subject lands, and Franklin Public Elementary School is located to the southwest.

On December 12, 2017, City of Markham Council resolved to approve Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law amendment applications to permit the development of 11 single detached dwellings fronting onto a private street on the subject lands. The

development will be a common element condominium. Site Plan Control and Draft Plan of Condominium applications for this development are currently under review. The approved zoning by-law amendment (Amending By-law 2017-112) permitted a number of site specific development standards to implement the proposed built form of the dwellings, including:

- A maximum permitted building depth of 24 metres (m); and
- Permission for unenclosed porches and stairs to encroach a maximum of 2.0 m into a required front yard.

The permitted 24.0 m depth reflects the total length of dwellings, and the 2.0 m porch encroachment in the front yard reflects the configuration of porches, both shown on conceptual site and elevation plans submitted in support of the various development applications.

Notwithstanding the above, the depth indicated on the conceptual plans showed the incorrect total building depth, as it is calculated in Zoning By-law 1229, as amended. The City interprets ‘Depth’ to include all covered components of a dwelling, including covered porches.

While the conceptual plans did not show the correct building “Depth”, the conceptual plans showed the porches extending into the front yard, and those plans formed the basis of the City’s evaluation of the applications. The existing zoning permits encroachments into the front yard to facilitate these porches; however, an amendment to the calculation of “Depth” was inadvertently omitted. This revision to Amending By-law 2017-112, is attached as Appendix ‘A’. Staff support the technical amendment as it clarifies that the porches are permitted to extend beyond the maximum building Depth permitted for the lots in accordance with the City’s definition.

Figure 1 – Site Location

