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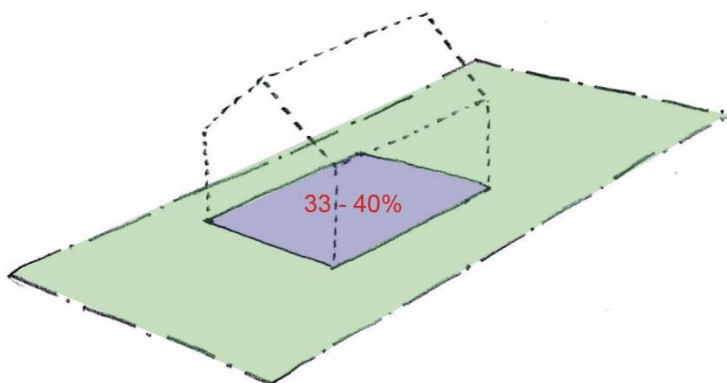
MARKHAM ZONING BY-LAW PROJECT

ESTABLISHED RESIDENTIAL NEIGHBOURHOODS BULK AND MASSING OPTIONS

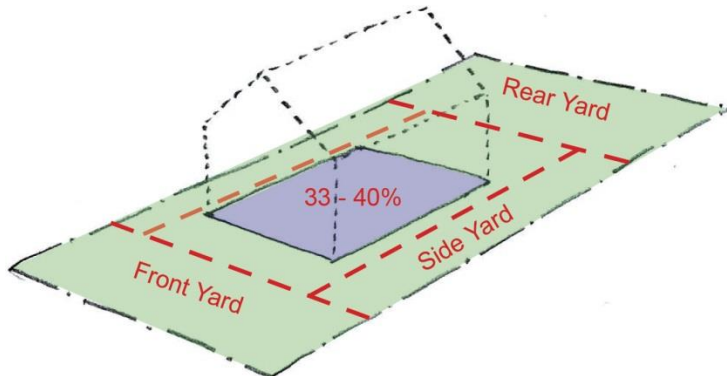
DESCRIPTION

There are a number of ways the City can control the bulk and massing of dwellings.

Restrictions on **lot coverage** are common in many zoning by-laws in Ontario. It restricts the amount of a lot that can be covered by buildings. In the City of Markham, most of the zoning by-laws establish a maximum permitted lot coverage that ranges between 33.3% and 40%. Many of the existing by-laws had different methods for determining lot coverage and this has led to some confusion about how the standard is applied. However, the City did pass an amending by-law in 2015 that ensured that the lot coverage calculation was measured the same way in all neighbourhoods in the City.



Today, a lot coverage restriction applies to virtually all residentially zoned properties in the City. In some cases, the lot coverage restriction prohibits the full use of a property if only the required setbacks were taken into account. For example, all properties are required to maintain minimum setbacks from the front lot line, side lot line and rear lot line. In some cases, the building envelope created as a consequence would provide for more development on the lot than the lot coverage restriction would permit. This has led to the need to apply for minor variances to allow for the lot coverage to be exceeded on numerous occasions.



The zoning by-law that applies to new urban areas in the City developed after 1997 does not include a lot coverage restriction for low density residential areas and instead relies on setbacks to determine where a building can be located on a lot.

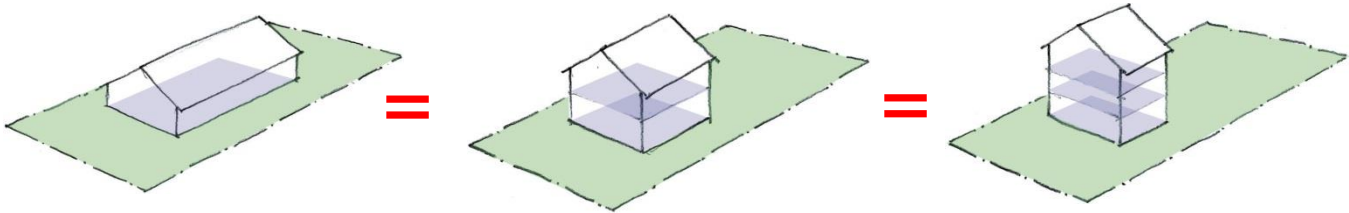
The other type of bulk and massing control is the use of a **floor space index (FSI)** restriction. Sometimes known as **floor area ratio (FAR)**, this standard establishes as a percentage the maximum amount of floor



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area that can be developed on a lot. Basements (less than 50% below ground) and garages are counted in the Floor Space Index/Floor Area Ratio (FSI/FAR) calculation but cellars (more than 50% below ground) are not. The FSI/FAR restriction only applies to lands that are subject to the four infill by-laws that were passed by the City in the early 1990s. In this regard, the FSI/FAR maximum ranges from 42% to 50% depending on the zone and applicable infill by-law.



The calculation of FSI/FAR is very challenging and often requires an architect or other professional. In addition, because the FSI/FAR is fixed, it automatically provides for larger dwellings on larger lots than on smaller lots. This would be notwithstanding the fact that the home may be the same width when looking from the street. In addition to the above, as homes have generally gotten larger as lots have gotten smaller, there have been numerous applications to the Committee of Adjustment to significantly increase the maximum floor space index.

The zoning by-law that applies to new urban areas in the City developed after 1996 does not include a FSI/FAR restriction for low-density residential areas and instead relies upon setbacks and maximum height to control building location and massing.

The challenge with both the lot coverage tool and the floor space index tool is that they both rely upon the size of the lot as a starting point in determining how large a dwelling can be on a property. In circumstances where all of the lots are uniform, this allows for some consistency in terms of the bulk and massing of dwellings on the same street. However, in cases where the lot sizes are not consistent, larger dwellings can be built on lots that have greater area than others, even though the widths of the dwellings on the same side of the street look generally the same. As a consequence, there must be a better way of regulating bulk and massing and given that the City is updating its Zoning By-law, an opportunity exists to identify a new path forward.



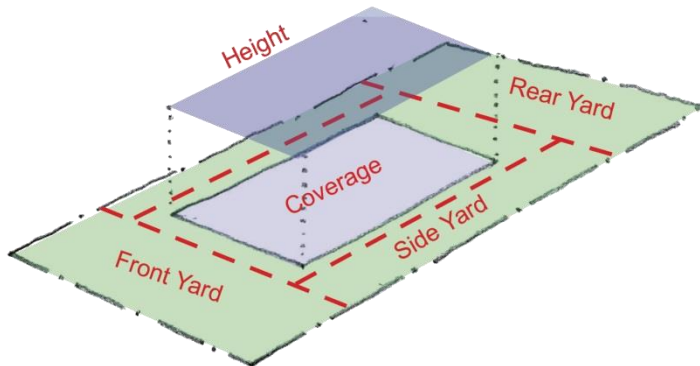


MARKHAM ZONING BY-LAW PROJECT



ESTABLISHED RESIDENTIAL NEIGHBOURHOODS BULK AND MASSING OPTION 1

Eliminate the FSI/FAR maximum in the areas that are subject to the Infill by-laws and establish a new and uniform lot coverage restriction for all low-density residential lots. Maximum height and minimum setback rules would still apply. A maximum lot coverage would create a maximum building footprint, which could be located somewhere within the defined minimum yards.



Advantages

- Eliminates a complicated FSI/FAR calculation
- Establishes a consistent standard that applies in all established neighbourhoods
- maximum lot coverage ensures that each dwelling is proportionally sized as it relates to the area of the lot

Disadvantages

- In most cases, the lot coverage maximum would permit less development on the lot than provided for if only setbacks were applied

Comments - Please provide your thoughts on Option 1

Advantages

Disadvantages

Preferences - Please identify whether this option has merit and should be considered further and provide reasons why.

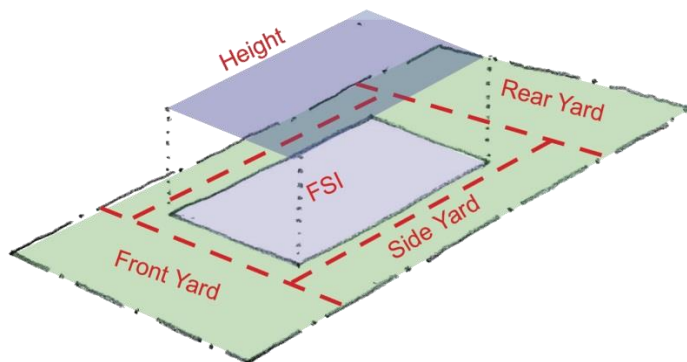


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MARKHAM ZONING BY-LAW PROJECT

ESTABLISHED RESIDENTIAL NEIGHBOURHOODS BULK AND MASSING OPTION 2

Eliminate the lot coverage rule and establish a new FSI/FAR restriction for all low-density residential lots. Maximum height and minimum setback rules would still apply.



Advantages

- Simplifies the administration of zoning by creating a single FSI/FAR rule for all low density residential lots
- Eliminates a lot coverage rule that sometimes provides for less development on a lot that would be permitted if only setbacks were applied

Disadvantages

- The FSI/FAR calculation is difficult to determine.
- The FSI/FAR calculation only takes floor area into account and not the atriums and other areas that are open from the first storey
- The FSI/FAR calculation does not control the location of the building - only the amount of floor area that can be developed.

Comments - Please provide your thoughts on Option 2

Advantages

Disadvantages

Preferences - Please identify whether this option has merit and should be considered further and provide reasons why.

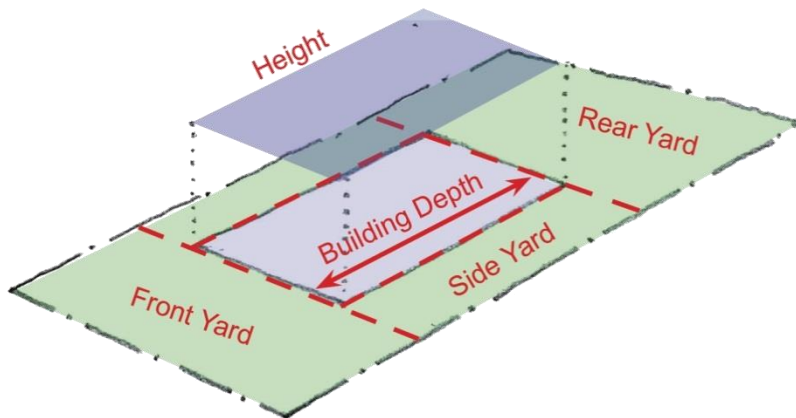


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ESTABLISHED RESIDENTIAL NEIGHBOURHOODS BULK AND MASSING OPTION 3

Eliminate both the lot coverage and FSI/FAR and rely on a combination of maximum building height, minimum setbacks and maximum dwelling unit depth to control location and massing of dwellings. The maximum depth of dwelling applies in the areas subject to the four infill by-laws. It restricts the depth of the dwelling to 16.8 metres, with permission to extend to 18.9 metres if the extension is no higher than one storey, is setback a minimum of 3.0 metres from the side lots lines and has a width that is 50% or less of the width of the dwelling.



Advantages

- Simplifies the administration of zoning by relying upon easy to measure standards
- Standards would be consistent across the City
- Eliminates a lot coverage rule that sometimes provides for less development on a lot that would be permitted if only setbacks were applied
- Eliminates a complicated FSI/FAR calculation

Disadvantages

- May allow for more development on a lot than is currently permitted, and this may be perceived negatively by the public.

Comments - Please provide your thoughts on Option 3

Advantages

Disadvantages

Preferences - Please identify whether this option has merit and should be considered further and provide reasons why.



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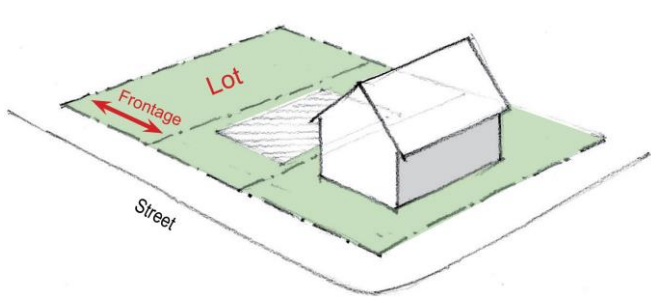
MARKHAM ZONING BY-LAW PROJECT

ESTABLISHED RESIDENTIAL NEIGHBOURHOODS LOT FRONTAGE

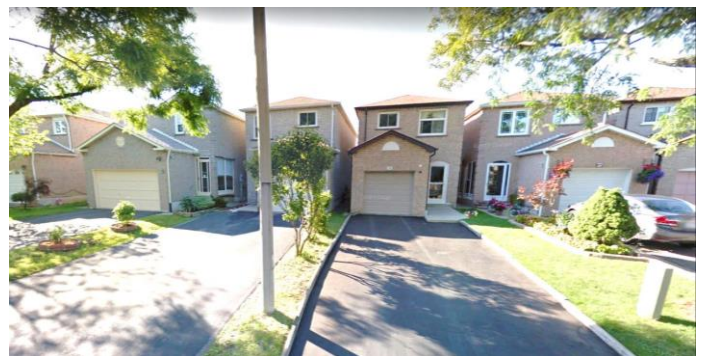
DESCRIPTION

The primary distinguishing factor among different low-density residential zones is the different lot frontage - typically 9 to 10 metres, 11 to 12 metres, 14 to 15 metres and 17 to 18 metres in Established Residential Neighbourhoods. These zones were applied when the development occurred to ensure that the new lots at the time were an appropriate size (and remained that size over time), based on the considerations of the day. However, most other standards (yards, setbacks and height) are the same in each zone, along with the permitted uses.

Given that many of the Established Residential Neighbourhoods have long been developed, the original rationale for having different zones based on different lot frontages (and related lot areas) no longer exists.



Definition: What is Frontage?



Narrow Lots



Medium Lots



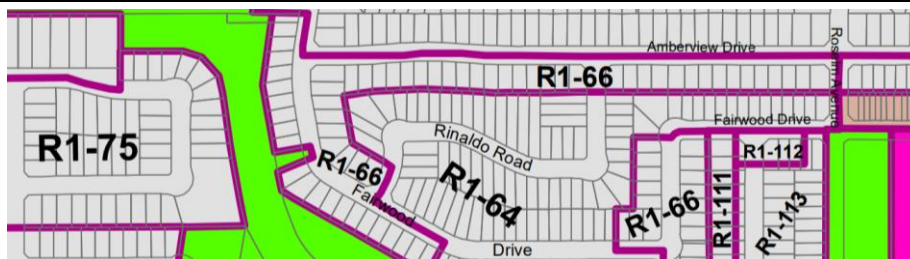
Large Lots



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ESTABLISHED RESIDENTIAL NEIGHBOURHOODS LOT FRONTAGE OPTION 1



Continue to have different zones based on different lot frontages

Advantages

- Maintains the status quo by carrying forward existing lot frontage standards without any changes
- Clearly articulates what the character of the street or neighbourhood is based on the lot frontage requirement
- Provides for the seamless transition from the older by-laws to the new by-law (for example: I was in a R1 zone before and I still am)

Disadvantages

- Establishing multiple zone categories where the only differentiating factor is lot frontage (and related lot area) adds to the complexity of the by-law
- Minimum lot frontage in by-law becomes the automatic 'acceptable' minimum that could be considered when applications for consent are submitted

Comments - Please provide your thoughts on Option 1

Advantages

Disadvantages

Preferences - Please identify whether Option 1 has merit and should be considered further and provide reasons why.





MARKHAM ZONING BY-LAW PROJECT



ESTABLISHED RESIDENTIAL NEIGHBOURHOODS LOT FRONTAGE OPTION 2

Recognize the lot frontages that exist today on the ground as the required minimum lot frontage. This means that instead of creating multiple zones that permit the same uses based on lot frontage, the City could create one new single detached residential zone that recognizes all existing lot frontages as the minimum lot frontage required. Standards that are based on the different lot frontages that exist could still be established and be applied - for example, double car garages would only be permitted if a lot had a certain minimum lot frontage.

Advantages

- Simplifies the administration of zoning by creating a single City-wide zone that permits single detached dwellings
- Means that any application to create a new lot would be assessed in accordance with the policies of the Official Plan and not on the basis of the 'lot frontage' minimum that has been established in each zone
- Also means that the character of the neighbourhood becomes the primary consideration in future applications to create new lots

Disadvantages

- May take some time for residents to get used to the idea since there would only be one zone for single detached dwellings
- Each application for consent would automatically trigger the need for a re-zoning and this may be a dis-incentive for those who wish to establish infill lots

Comments - Please provide your thoughts on Option 2

Advantages

Disadvantages

Preferences - Please identify whether Option 2 has merit and should be considered further and provide reasons why.



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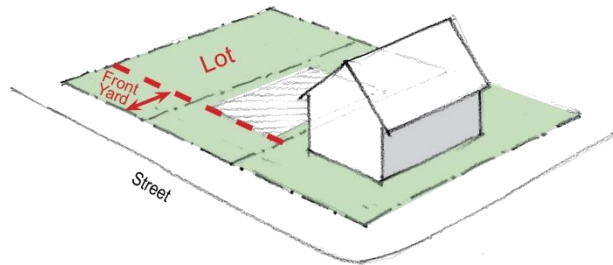
ESTABLISHED RESIDENTIAL NEIGHBOURHOODS MINIMUM FRONT YARD

DESCRIPTION

The minimum required front yard in most zones in the City's Established Neighbourhoods ranges from 6.0 metres to 7.5 metres. There are certain structural elements and architectural features that are permitted to project into the front yard setback such as: stairs or access ramps, balconies and terraces/porches/decks.

While the majority of the City's by-laws set out the minimum front yard setback requirement on an individual property basis, only a few require new dwellings to be located generally the same distance from the front lot line as other dwellings on adjacent lots. In addition, the City's by-laws for the most part, do not establish a maximum setback, which means that a dwelling could be located on the rear portion of the lot, provided all other setbacks are met. This means that on some streets, a new dwelling could be located significantly closer to the street than others on the same side of the street or farther away.

Definition: What is the Front Yard?



Possible locations for the house that still meet the Front Yard and Rear Yard setback requirements

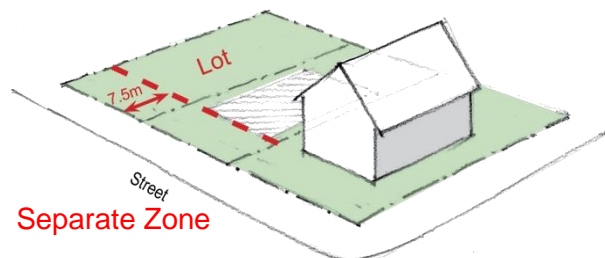
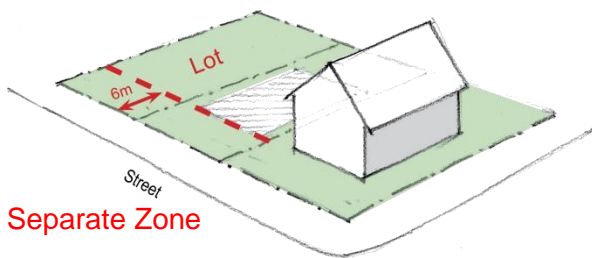
ESTABLISHED RESIDENTIAL NEIGHBOURHOODS



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MINIMUM FRONT YARD OPTION 1



Maintain the current minimum front yard provisions as they are.

Advantages

- Maintains the status quo by carrying forward existing minimum front yard standards without any changes
- Preserves the 'rights' homeowners currently have to develop homes a certain distance from the street as currently permitted
- Provides for the seamless transition from the older by-laws to the new by-law (for example: My front yard was 6.0 metres before and it still is)

Disadvantages

- Given the multitude of standards that currently exist, a number of different zones may need to be created to allow for the application of a different standard - this will make the by-law more complex
- Maintaining current permissions may allow for the development of replacement homes that are not in line with other homes on the same street

Comments - Please provide your thoughts on Option 1

Advantages

Disadvantages

Preferences - Please identify whether Option 1 has merit and should be considered further and provide reasons why.



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ESTABLISHED RESIDENTIAL NEIGHBOURHOODS MINIMUM FRONT YARD OPTION 2



Establish a new minimum front yard requirement for all established neighbourhoods that reflects the lowest minimum front yard that currently exists – meaning that the new minimum required front yard would be 6.0 metres.

Advantages

- Simplifies the administration of zoning by creating a single front yard standard that applies on a City-wide basis
- Would not create many situations of non-compliance since the lowest standard was selected
- Would provide additional space on the lot for new home construction and additions in cases where the front yard requirement was being reduced

Disadvantages

- Reducing the standard to 6.0 metres in some neighbourhoods may allow for homes to be significantly closer to the street than other homes on same side of the street since the new minimum front yard would be less than what has been historically permitted in some neighbourhoods where the current standard is greater than 6.0 metres.

Comments - Please provide your thoughts on Option 2

Advantages

Disadvantages

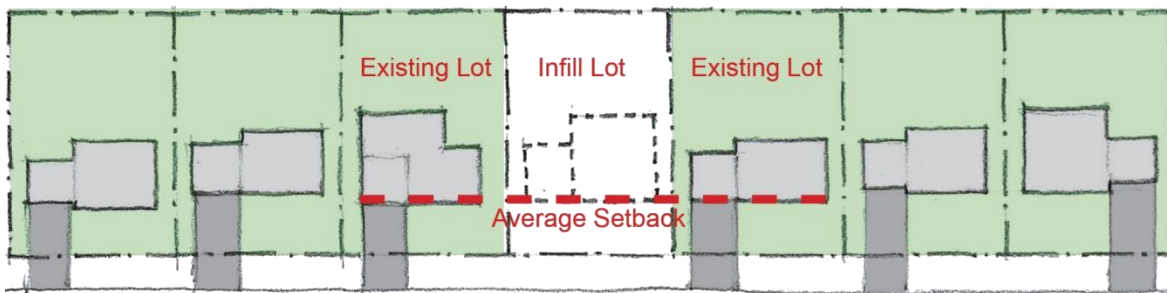
Preferences - Please identify whether Option 2 has merit and should be considered further and provide reasons why.



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ESTABLISHED RESIDENTIAL NEIGHBOURHOODS MINIMUM FRONT YARD OPTION 3



Establish a new standard that requires the minimum front yard to the average of the front yards that exist on the two abutting lots.

Advantages

- Requires that new homes generally be in line with other homes on the same side of the street - maintains neighbourhood character
- Would be a move away from a rigid standard that does not take into account the character of a street

Disadvantages

- Depending on the location of the homes on the abutting lots, new homes or additions may need to be farther away from the front lot line than currently permitted
- Determining the minimum front yard would require knowledge of the existing front yard setback of the abutting dwellings which likely would add additional costs to a homeowner (surveys etc.)

Comments - Please provide your thoughts on Option 3

Advantages

Disadvantages

Preferences - Please identify whether Option 3 has merit and should be considered further and provide reasons why.

ESTABLISHED RESIDENTIAL NEIGHBOURHOODS





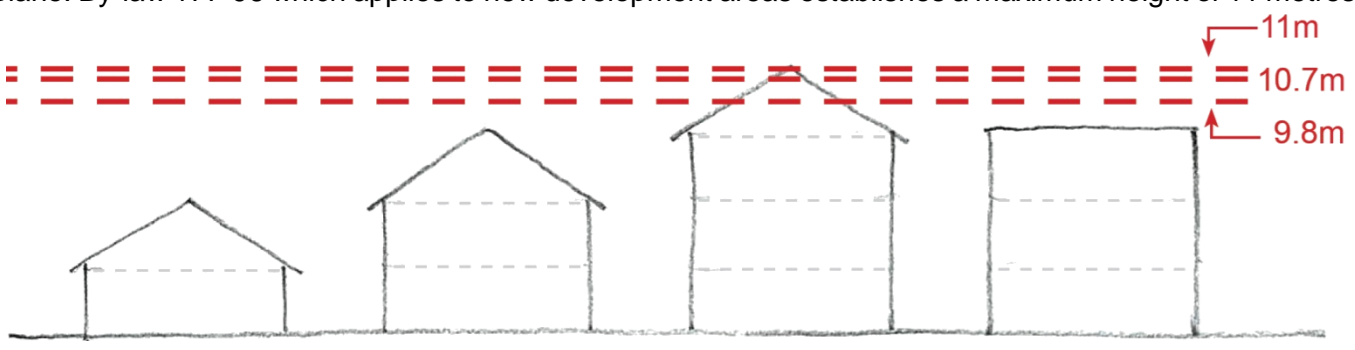
MARKHAM ZONING BY-LAW PROJECT



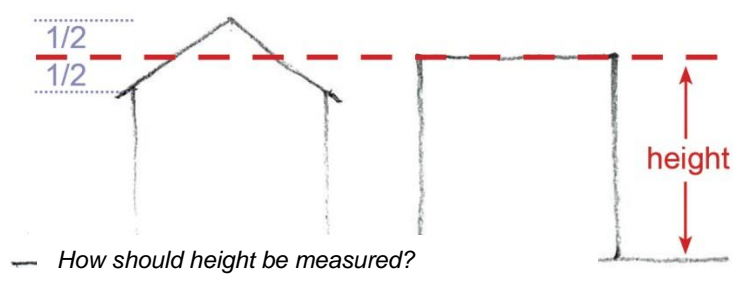
MAXIMUM HEIGHT OPTIONS

DESCRIPTION

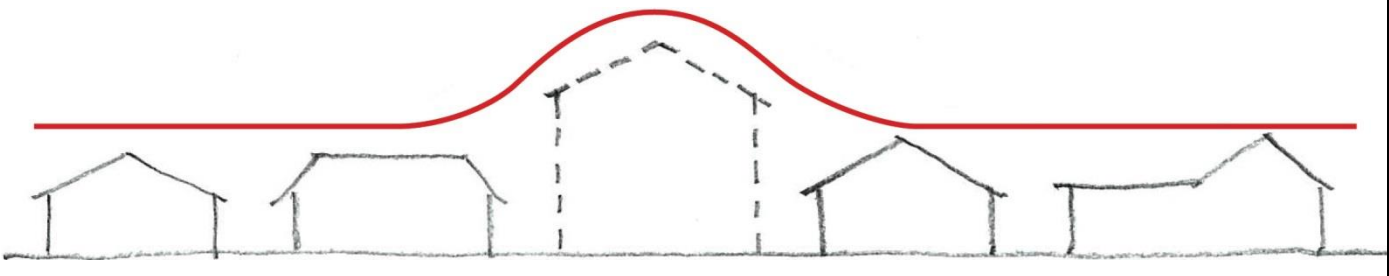
The maximum height in most of the Established Residential Neighbourhoods is 10.7 metres. This maximum height permission could provide for dwellings of up to 3 storeys. In the early 1990's, the Town passed four infill by-laws which restricted the maximum height in those areas from 8 metres for a flat roof generally up to 9.8 metres for a pitched roof and, prohibited the development of more than 2 storeys in a single vertical plane. By-law 177-96 which applies to new development areas establishes a maximum height of 11 metres.



Adding to the complexity of implementing the current by-law standards are the varying ways in which height is measured.



Carrying forward the 10.7 metre height permission where it currently applies may not be appropriate in all neighbourhoods, particularly those neighbourhoods where one and two storey buildings predominate. Maintaining the status quo in the areas subject to the infill by-laws may also not be appropriate because there are many instances where a greater height may be appropriate and in character with the surrounding area. An opportunity exists to establish a new approach.





MARKHAM ZONING BY-LAW PROJECT



ESTABLISHED RESIDENTIAL NEIGHBOURHOODS MAXIMUM HEIGHT OPTION 1

Maintain the current height permission of 10.7 metres in all established neighbourhoods and maintain the 8 to 9.8 metre height permission in infill areas. (Note: The 10.7 metre height permission could be increased to 11 metres) to match the height permission in new development areas.

Advantages

- Generally maintains the status quo and carries forward the existing height permissions without any significant changes
- Preserves the 'rights' homeowners currently have to develop 3 storey dwellings in existing neighbourhoods (and 2 storey dwellings in infill areas)
- Generally provides for a seamless transition from the older by-laws to the new by-law (for example: I was permitted to develop 2 or 3 storeys before and I can still do so)

Disadvantages

- Maintaining the 10.7 metre height permission across the board (except in infill areas) may not recognize the character of some neighbourhoods (or streets)
- Maintaining the 9.8 metre height permission in infill areas may not recognize that buildings of 3 storeys would be considered appropriate in some areas, depending on the character of the area.

Comments - Please provide your thoughts on Option 1

Advantages

Disadvantages

Preferences - Please identify whether this option has merit and should be considered further and provide reasons why.





MARKHAM ZONING BY-LAW PROJECT



ESTABLISHED RESIDENTIAL NEIGHBOURHOODS MAXIMUM HEIGHT OPTION 2

Apply the 10.7 metre height permission (or 11.0 metres to match new development areas) to all Established Residential Neighbourhoods, including infilling areas.

Advantages

- Simplifies the administration of zoning by creating a single height permission that applies on a City-wide basis.
- Generally preserves the 'rights' homeowners currently have to develop 3 storey dwellings in most existing neighbourhoods.
- Establishes new as-of-right permissions to develop 3 storey dwellings in infill areas.

Disadvantages

- Maintaining the 10.7 metre height permission across the board may not recognize the character of some neighbourhoods (or streets)
- Increasing the maximum height permission in infilling areas from 9.8 metres to 10.7 metres (or 11.0 metres) may not recognize the character of some neighbourhoods (or streets)

Comments - Please provide your thoughts on Option 2

Advantages

Disadvantages

Preferences - Please identify whether this option has merit and should be considered further and provide reasons why.





MARKHAM ZONING BY-LAW PROJECT



ESTABLISHED RESIDENTIAL NEIGHBOURHOODS MAXIMUM HEIGHT OPTION 3

Apply the 9.8 metre height permission from the infilling by-laws to all Established Residential Neighbourhoods.

<p>Advantages</p> <ul style="list-style-type: none"> • Simplifies the administration of zoning by creating a single height permission that applies to all established neighbourhoods. • A reduced maximum height permission in some neighbourhoods may be welcomed depending on the character of the neighbourhood. 	<p>Disadvantages</p> <ul style="list-style-type: none"> • Removes long entrenched 'rights' to build 3 storey dwellings in many neighbourhoods • Reducing the 10.7 metre height permission in may not recognize that buildings of 3 storeys would be considered appropriate in some areas, depending on the character of the area - implication is that many additional minor variances would be applied for. • Would establish many situations of non-compliance with new by-law.
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Comments - Please provide your thoughts on Option 3

<p>Advantages</p>	<p>Disadvantages</p>
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Preferences - Please identify whether this option has merit and should be considered further and provide reasons why.

Empty space for providing preferences and reasons.





MARKHAM ZONING BY-LAW PROJECT



ESTABLISHED RESIDENTIAL NEIGHBOURHOODS MAXIMUM HEIGHT OPTION 4

Establish a new height permission of 10.7 metres (or 11.0 metres to match new development areas), but permit no more than 2 storeys in a circumstance where the homes on either side are two storeys or less in height – relationship zoning

Advantages

- Simplifies the administration of zoning by creating a single height permission that applies to all established neighbourhoods.
- Provides for a reduced height permission in circumstances where the homes on either side are both two storeys or less - maintains the current character of the street

Disadvantages

- Removes long entrenched 'rights' to build 3 storey dwellings in some neighbourhoods where 1 and 2 storey dwellings are the predominant building type.
- Reducing the 10.7 metre height permission may not recognize that buildings of 3 storeys would be considered appropriate in some areas, depending on the character of the area - implication is that many additional minor variances would be applied for.
- Requires knowledge of height of adjacent dwellings to determine maximum permitted height

Comments - Please provide your thoughts on Option 4

Advantages

Disadvantages

Preferences - Please identify whether this option has merit and should be considered further and provide reasons why.

ESTABLISHED RESIDENTIAL NEIGHBOURHOODS



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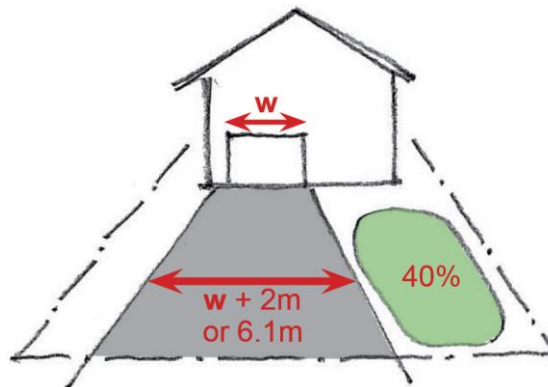
GARAGE PROJECTION AND WIDTH OPTIONS

DESCRIPTION

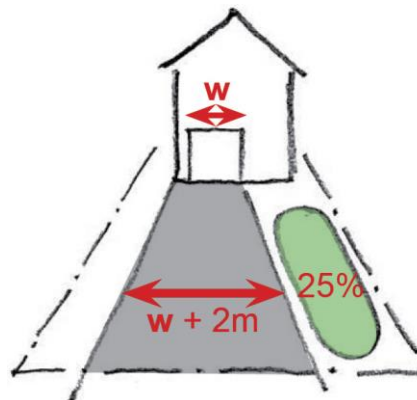
A key part of most homes is an attached garage. While detached garages in the side or rear yards do exist in some older parts of Markham, many of the garages in the City's Established Neighbourhoods are attached to the dwelling and, in some cases, have living space over the garage.

The City's parking by-law (By-law 28-97) contains provisions that require a minimum number of parking spaces, restrict the maximum width of driveways leading to a private garage and establish rules where driveways and the parking of vehicles are permitted on a lot.

For driveway width, the parking by-law requires that the maximum driveway width on a lot that has a lot frontage of 10.1 metres or greater is the garage door width plus 2.0 metres provided that 40% of the front yard is soft landscaping or 6.1 metres, again provided that 40% of the front yard is soft landscaping.

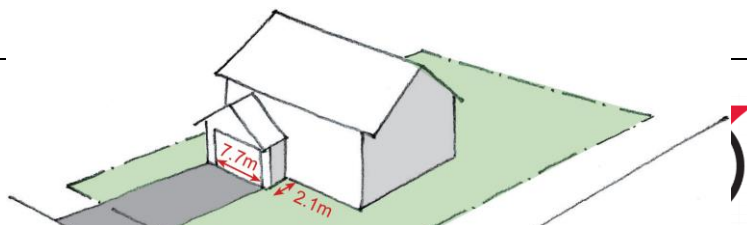


For lots that have a lot frontage of less than 10.1 metres the maximum driveway width is the garage door width plus 2.0 metres provided that 25% of the front yard is soft landscaping. These rules are often difficult to apply since the determination of what is 'soft landscaping' can be very subjective.



While there are restrictions on driveway widths in By-law 28-97, there are no restrictions or rules within the by-law on the actual width of the garage itself or on how much the garage can project beyond the front of the dwelling unit. Within the newer areas of the City that are subject to By-law 177-96, there are specific restrictions on garage width and garage projection. It is noted that the driveway width rules in By-law 28-97 also apply to the newer areas of the City as well.

Within the City's infill by-laws, there are regulations on maximum garage projection and



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maximum garage width. In this regard, the maximum garage projection permission is 2.1 metres beyond the front of the dwelling and the maximum garage width is 7.7 metres on any lot having a frontage of less than 18.3 metres. If a lot has a lot frontage that is greater than 18.3 metres, there is no restriction on the width of the garage.

These provisions apply in By-laws 99-90, 100-90 and 101-90. However, only the garage projection is included within By-law 16-93 and, that only applies to a small area of land south of Highway 7 and west of McCowan Road.

As existing dwellings are replaced with new dwellings, the inclusion of garages is assumed. However, without clear controls in some parts of the City's Established Neighbourhoods, the potential exists for large garages that protrude from the front of the dwelling to be developed. In many areas, this would not be in keeping with the character of those neighbourhoods.

An opportunity exists to develop new standards on garage width and garage projection.

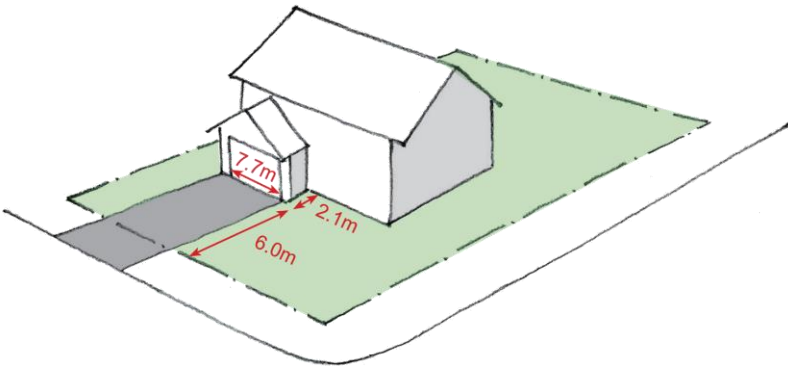


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MARKHAM ZONING BY-LAW PROJECT

ESTABLISHED RESIDENTIAL NEIGHBOURHOODS GARAGE PROJECTION AND WIDTH OPTION 1

Apply the garage projection and width rules in the City's infill by-laws to all Established Neighbourhoods (maximum projection is 2.1 metres and maximum width is 7.7 metres). In addition, the front of the garage in all cases would have to be a minimum of 6.0 metres from the lot line the driveway crosses to access the garage.



Advantages

- Establishes a consistent standard that applies in all established neighbourhoods
- Provides for two car garages on every lot regardless of lot size (which may be desirable for some)

Disadvantages

- These rules would apply on a uniform basis and may not recognize the character of some areas
- Would provide for two car garages on even the smallest lots, which may not be in keeping with the character of the street or neighbourhood
- A number of already built dwellings may not comply with these standards
- The maximum garage width permission may permit a garage on a lot that has a frontage of 10.1 metres or less that is wider than the permitted driveway width

Comments - Please provide your thoughts on Option 1

Advantages

Disadvantages

Preferences - Please identify whether this option has merit and should be considered further and provide reasons why.

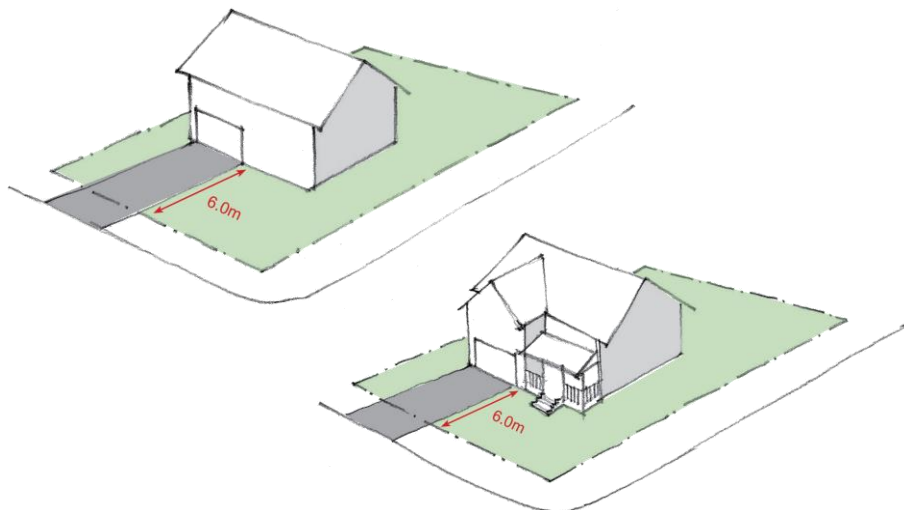


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MARKHAM ZONING BY-LAW PROJECT

ESTABLISHED RESIDENTIAL NEIGHBOURHOODS GARAGE PROJECTION AND WIDTH OPTION 2

Establish a new rule for all Established Neighbourhoods that does not permit the projection of the garage beyond the front of the dwelling (or porch) and apply the maximum garage width standard from the City's Infill by-law to all Established Neighbourhoods. In addition, the front of the garage in all cases would have to be a minimum of 6.0 metres from the lot line the driveway crosses to access the garage.



Advantages

- Establishes a consistent standard that applies in all established neighbourhoods
- Provides for two car garages on every lot regardless of lot size (which may be desirable for some)
- Minimizes the impact of the garage on the character of the street

Disadvantages

- These standards would apply on a uniform basis and may not recognize the character of some areas
- Would provide for two car garages on even the smallest lots, which may not be in keeping with the character of the street or neighbourhood.
- A number of already built dwellings may not comply with these standards
- The maximum garage width permission may permit a garage on a lot that has a frontage of 10.1 metres or less that is wider than the permitted driveway width

Comments - Please provide your thoughts on Option 2

Advantages

Disadvantages

Preferences - Please identify whether this option has merit and should be considered further and provide reasons why.

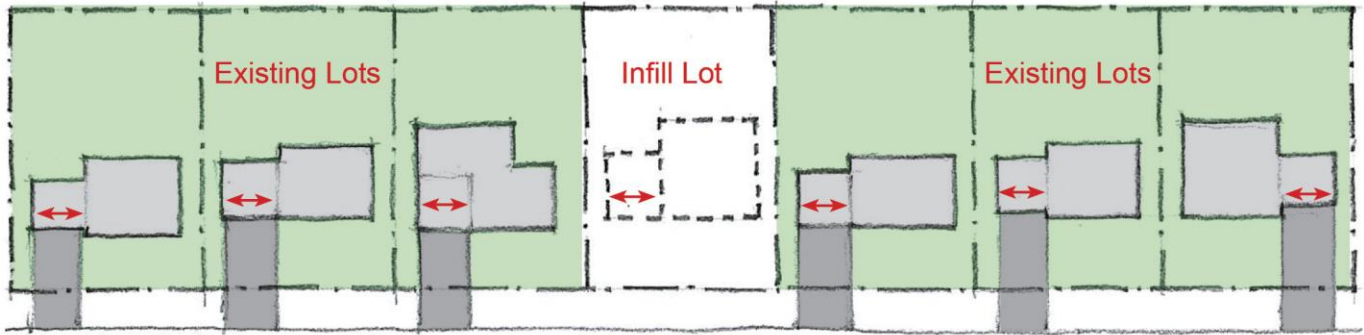


NEW

MARKHAM ZONING BY-LAW PROJECT

ESTABLISHED RESIDENTIAL NEIGHBOURHOODS GARAGE PROJECTION AND WIDTH OPTION 3

Eliminate the garage projection and width rules entirely and establish the rules on garages on a case-by-case basis when redevelopment is proposed, with the standard being the average of what already exists on the same side of the street. However, the maximum garage projection in all cases would be 2.1 metres. In addition, the front of the garage in all cases would have to be a minimum of 6.0 metres from the lot line the driveway crosses to access the garage.



Advantages

- Relies upon the existing character of the street to determine the rules that should apply
- Provides for more flexibility when redevelopment is proposed.

Disadvantages

- Information on the width and projection of garages on the same side of the street would be required to determine what standards should apply which likely would result in additional costs (survey's etc.), to the home owner
- May take some time to adjust to the new way of doing things

Comments - Please provide your thoughts on Option 3

Advantages

Disadvantages

Preferences - Please identify whether this option has merit and should be considered further and provide reasons why.

