



MEMORANDUM

TO: The Development Services Committee

FROM: Biju Karumanchery, Senior Development Manager *B.K.*

PREPARED BY: Anna Henriques, Planner – Central District

DATE: May 25, 2010

SUBJECT: General Overview of Town of Markham Infill By-laws

PURPOSE:

The purpose of this memorandum is to provide a general overview of the Town of Markham Infill By-laws with respect to where they exist in the Town and to compare the infill by-law development standards to the parent by-law residential development standards for the Sabiston/Oakcrest community.

BACKGROUND:

The reconstruction of existing homes within established neighbourhoods, resulting in an increase in total gross floor area, is a form of intensification and a trend that the Town of Markham has been increasingly experiencing for approximately the past 2 decades or so. Typically, older, smaller homes are enlarged and/or demolished and rebuilt, resulting in newer, much larger homes than those that exist in the neighbourhood. This has resulted in resident concerns with respect to the compatibility of these large homes within existing neighbourhoods and the impact of these homes on the existing character of the neighbourhood.

In the early 1990's the Town of Markham approved four separate infill by-laws, only for certain identified areas based on public input and Council direction at the time, to ensure that residential redevelopment is compatible/complementary with surrounding development and to maintain the existing character of established neighbourhoods that were undergoing development pressures.

DISCUSSION

Markham infill by-laws

The Town of Markham has five infill by-laws amending four parent by-laws:

- By-law 99-90 amending By-law 1229, as amended;
- By-law 100-90 amending By-law 1767, as amended;
- By-law 101-90 amending By-law 2237, as amended;
- By-law 223-94 amending By-law 2237, as amended; and,
- By-law 16-93, amending By-law 122-72, as amended.

Appendix A illustrates the areas in the Town to which the above by-laws apply.

These infill by-laws contain development standards relating to height, number of storeys, dwelling depth, garage projection and width, floor area ratio (FAR), and maximum floor area cap.

The definitions contained in each of the Town's infill by-laws are very similar. When comparing the infill by-law definitions to the definitions contained in the Town's parent zoning by-laws, they vary only slightly.

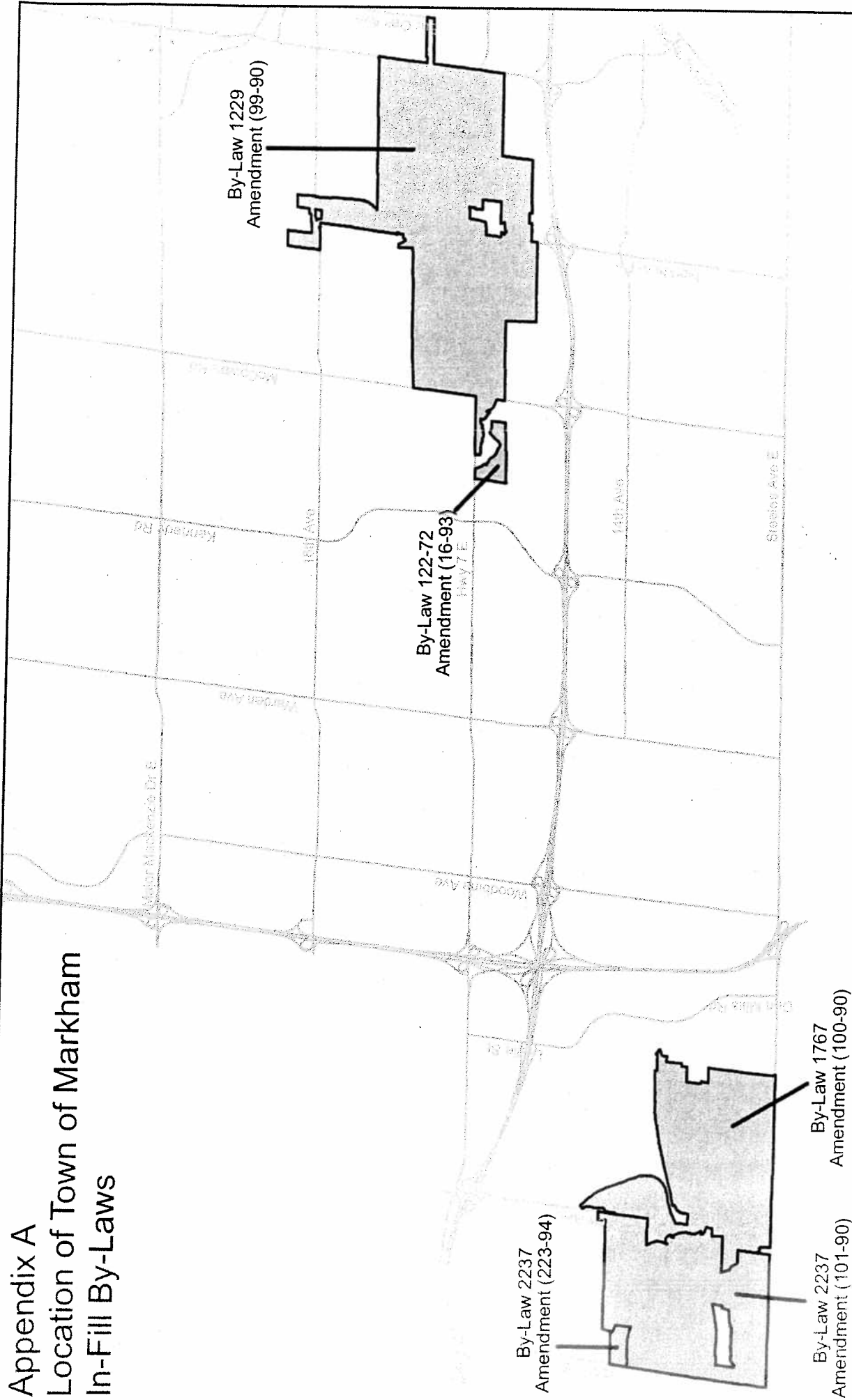
Comparison of infill by-law standards to regular residential development standards

Infill by-law 16-93 (amending by-law 122-72, as amended) relates to the Sabiston/Oakcrest community, located south of Highway 7 and east of Kennedy Road. Most properties within this community are zoned R3 (Single Family Residential) and RRH (Single Family Rural Residential) in By-law 122-72, as amended. The infill by-law (By-law 16-93) development standards and the R3 and RRH development standards are outlined in Appendix B.

CONCLUSION

The infill by-law developments standards in By-law 16-93 (122-72, as amended) contain developments standards that relate to height, number of storeys, floor area ratio, garage projection and dwelling depth whereas, the R3 and RRH parent by-law development (By-law 122-72, as amended) contain development standards with respect to lot frontage, lot area, setbacks and lot coverage only. Other Town infill by-laws contain additional developments standards such as maximum garage width and maximum floor area. The effect of the infill by-laws is to put in place additional restrictions on the size and scale of dwellings, compared to development standards in the Town's parent by-laws.

Appendix A Location of Town of Markham In-Fill By-Laws



Appendix B: Parent By-law 122-72 VS. Infill By-law 16-93, amending By-law 122-72

BY-LAW DEVELOPMENT STANDARDS	PARENT BY-LAW 122-72, AS AMENDED (R3 & RRH)	INFILL BY-LAW 16-93, AMENDING BY-LAW 122-72, AS AMENDED
Maximum Height	35 ft (10.7m)	Pitched roof dwellings – 9.8m (32ft)* Flat roof dwellings – 8m (26 ft) *
Maximum # of Storeys	n/a	2 (within a single vertical plane)
Maximum Dwelling Depth	n/a	16.8m (55 ft) except the depth may be increased to 18.9m (62 ft) by an extension to the rear of the dwelling if such extension complies with the following: a) the extension does not exceed 1 storey and 4.6m (15 ft) in height b) the extension is not wider than one-half (½) the width of the dwelling at its widest point
Maximum Garage Projection	n/a	No closer to the front lot line than 2.1m (6.9 ft) beyond the point of the main building closest to the front lot line
Maximum Floor Area Ratio	n/a	47%
Maximum Garage Width	n/a	n/a
Maximum Floor Area	n/a	n/a
Minimum Lot Area	R3 – 696.75m ² RRH – 2043.9m ²	Refer to parent by-law
Minimum Lot Frontage	R3 – 60 ft (18.2m) RRH – 100 ft (30.48m)	Refer to parent by-law
Minimum Front Yard	R3 – 25 ft (7.6m) RRH – 25 ft (7.6m)	Refer to parent by-law
Minimum Side Yard	R3 – 4 ft (1.2m)(1 storey) 6ft (1.8m) (2 storey) RRH – 10 ft (3m)	Refer to parent by-law
Minimum Rear Yard	R3 – 25 ft (7.6m) RRH – 25 ft (7.6m)	Refer to parent by-law
Maximum Lot Coverage	R3 – 33 1/3% RRH – n/a	Refer to parent by-law Note: 47% FAR equates to 23 1/2% lot coverage for 2 storey dwellings

* Measured as the vertical distance at the crown of the street at the mid-point of the front lot line and: a) the highest point of the roof surface or the parapet, whichever is greater, of a flat roof or, b) the highest point of the ridge of a gable, hip, gambrel or other type of pitched roof.