

Memorandum to the City of Markham Committee of Adjustment

October 11, 2022

File: A/072/22
Address: 10 Outlook Terrace Drive – Markham, ON
Applicant: Kiran Babu
Agent: Varatha Design Associates (Ken Varatha)
Hearing Date: October 19, 2022

The following comments are provided on behalf of the East District team. The applicant is requesting relief from the following “Residential Two Exception – (R2*133) Zone” requirements under By-law 177-96, as amended, as they relate to a proposed basement apartment. The requested variances are to permit:

a) Section 6.5:

an accessory dwelling unit, whereas the By-law permits no more than one dwelling unit on a lot;

b) Parking By-law 28-97, Section 3.0, Table A:

two parking spaces, whereas the By-law requires a minimum of three parking spaces; and

c) Parking By-law 28-97, Section 6.2.4.2 (b)(i)(b):

a minimum of 35.0% soft landscaping in the front yard, whereas the By-law requires a minimum of 40.0% soft landscaping provided in the front yard in the case of a lot with a lot frontage of 10.10 m (33.14 ft), or greater.

BACKGROUND

This application was deferred by the Committee of Adjustment (the “Committee”) at the initial hearing on August 24, 2022. As noted in the Minutes Extract (see Appendix “D”), residents in opposition to the application cited concerns with the proposed development, namely:

- Increased on-street parking, and the potential need to engage parking enforcement;
- Snow plowing;
- Reduced safety;
- Visibility of the walk-up stairs, which would impede their privacy; and
- Reducing open space on the streetscape.

While the Committee was generally satisfied with the proposed development, an additional condition of approval was contemplated in efforts to address privacy concerns, and provide for screening of the proposed walk-up stairs from the streetscape. Potential options such as requiring an extended fence or adding vegetative buffering east of the proposed walk-up were discussed; however, the applicant accepted a deferral of the

application in accordance with the Committee's recommendation noted in the Minutes Extract.

COMMENTS

The applicant completed a Zoning Preliminary Review (ZPR), and staff advise that a variance to permit the walk-up stairs in its proposed location was not identified by the ZPR and is not being requested by the applicant. Staff's review of a Minor Variance application is an assessment of whether the requested variances meet the four tests under Section 45(1) of the *Planning Act, R.S.O. 1990, c. P.13, as amended* (the "*Planning Act*").

Following the initial hearing, the applicant submitted a revised Site Plan (attached as Appendix "B" to this report), which shows new shrubs proposed east of the walk-up stairs. The requested variances remain without change, and staff comments in the initial staff report dated August 15, 2022 remain applicable (see Appendix "C").

PUBLIC INPUT SUMMARY

No new written submissions were received as of October 11, 2022. Additional information may be received after the writing of this report, and the Secretary-Treasurer will provide information on this at the meeting.


CONCLUSION

Planning staff remain of the opinion that the requested variances meet the four tests of the *Planning Act*, and recommend that the Committee consider public input and the subsequent conditions of approval in reaching a decision. The onus is ultimately on the applicant to demonstrate how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

APPENDICES

- Appendix "A" – Conditions of Approval
- Appendix "B" – Plans
- Appendix "C" – Initial Staff Report: August 15, 2022
- Appendix "D" – Minutes Extract: August 24, 2022

PREPARED BY:



Aleks Todorovski, MCIP, RPP
Planner II, East District

REVIEWED BY:



Carlson Tsang
Senior Planner, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/072/22

1. The variance applies only to the proposed development for as long as it remains.
2. That the variance applies only to the proposed development, in substantial conformity with the plans attached as Appendix "B" to this Staff Report, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction.
3. That the owner submit, if required by the Chief Building Official, a third-party report prepared by an architect or professional engineer licensed in the Province of Ontario, to assess compliance of existing construction with the provisions of the Ontario Building Code, and in particular relating to the change of use from a dwelling containing a single suite to a dwelling containing more than one suite.

CONDITIONS PREPARED BY:



Aleks Todorovski, MCIP, RPP
Planner II, East District

APPENDIX "B"
PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/072/22

SITE STATISTICS:

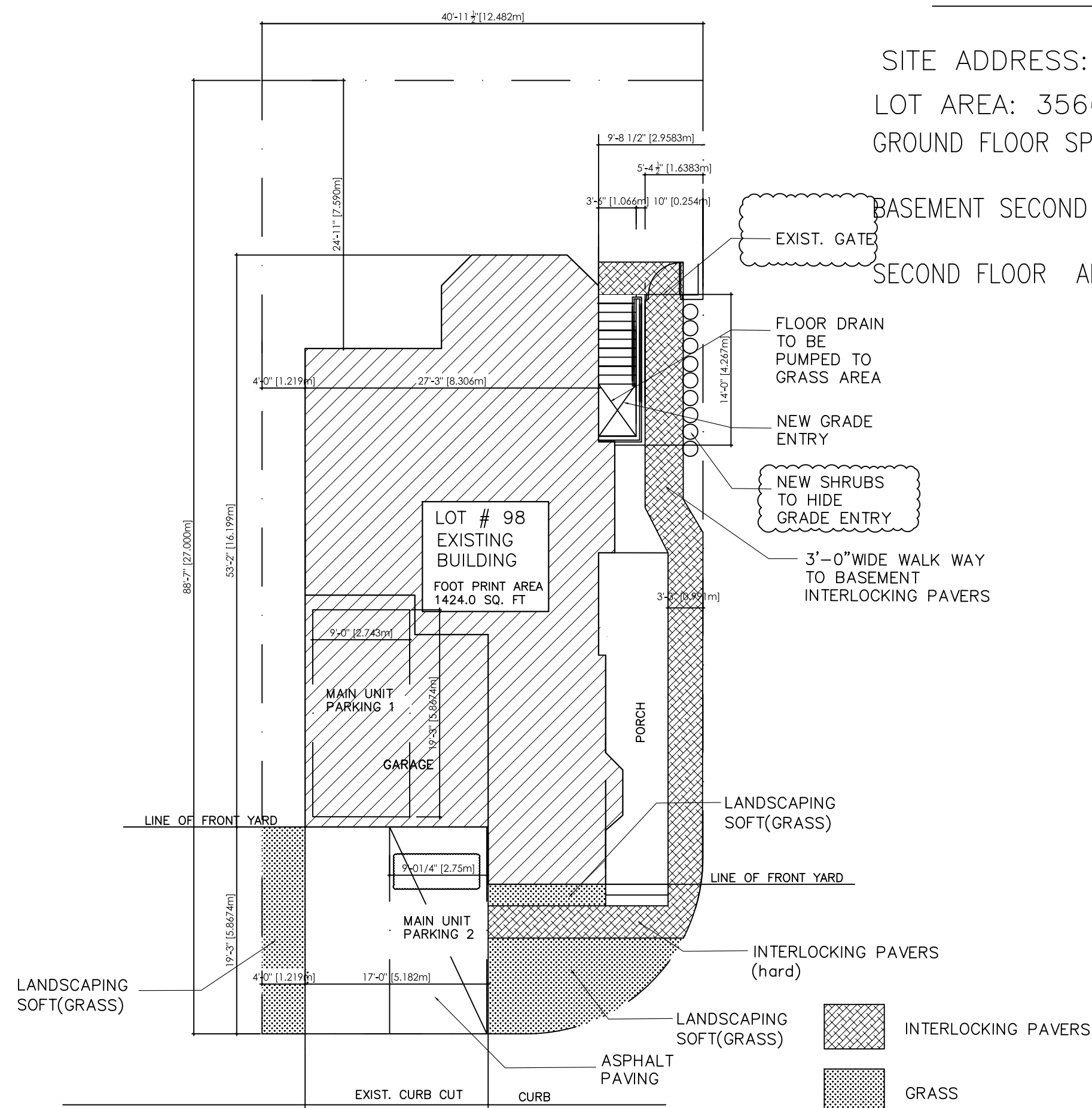
SITE ADDRESS: .10 Outlook Terrace Drive MARKHAM

LOT AREA: 3566.0square ft= (331.3 SQ.M.)

GROUND FLOOR SPACE : 1060.9 square ft(98.56 SM)

BASEMENT SECOND UNIT AREA 797.71 square ft. (74.13SM)

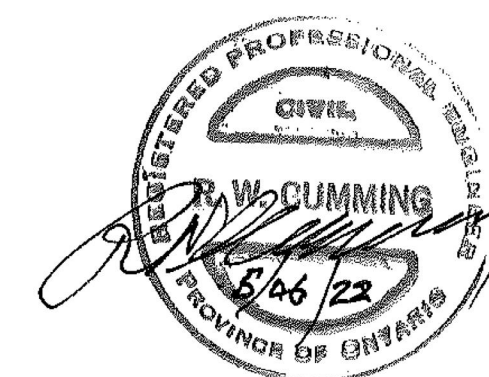
SECOND FLOOR AREA 1296.4 square ft (120.4SM)



SITE PLAN

SCALE: 3/32" = 1'-0"

OUTLOOK TERRCE



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.B.C TO BE A DESIGNER

QUALIFICATION INFORMATION:

K.RANAGAVARATHA (B.C.I.N) 26147

K.Ranagavaratha

REGISTRATION INFORMATION:

VARATHA DESIGN ASSOCIATES (B.C.I.N) 33937

DRAWING TITLE:

SITE PLAN

PROJECT:

NEW BASEMENT APT EXISTING DWELLING RENOVATION TO 10 Outlook Terrace Drive MARKHAM ,ONTARIO

OWNER:

Kiran Suguru
Kavitha Vallabhapuram

ALL DRAWINGS AND RELATED DOCUMENTS ARE COPYRIGHT PROPERTY OF VARATHA DESIGN ASSOCIATES. AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT DESIGNER'S CONSENT IN WRITING.

DRAWINGS NOT TO BE SCALED

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE SITE AND REPORT ANY DISCREPANCIES OR ERRORS BEFORE COMMENCING ANY PART OF THE WORK

THE DESIGNER HAS NOT BE RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUBCONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS

MYLARS/VELUMS ARE ISSUED TO THE CLIENTS ON THE UNDERSTANDING THAT NO CHANGES ARE TO BE MADE TO THE CONTRACT DOCUMENTS WITHOUT WRITTEN CONSENT OF THE DESIGNER.

3	revised	K.V.	SEPT 7,22
3	revised	K.V.	july13,22
2	revised	K.V.	JN.15,22
1	building permit	K.V.	JN.6,22
NO.	REVISION/ISSUED TO	BY	DATE

VARATHA DESIGN ASSOCIATES
Architectural & Engineering Services

Varatha Ken
Architectural Designer

TEL: (416) 284 7945

CELL: (416) 725 2041

TORONTO Ont. email: kvaratha@hotmail.com

SCALE: 3/32" = 1'-0"	CAD FILE :	JOB No.: 22148
DATE: JN 6,22	DWG NO: A1	OF 5
DRAWN BY: K.V.	CHECKED BY: K.V.	DATE OF PRINT: JN 6,22

NOTE:
 · SMOKE ALARM ON MAIN FLOOR IS INTERCONNECTED WITH SMOKE ALARM ON SECOND FLOOR AND BASEMENT.
 · SMOKE ALARM SHALL CONFIRM TO O.B.C. DIV. B 9.10.19
 EXISTING MAIN FLOOR WALL AND CEILING IS DRYWALLED MAIN UNIT AND SECOND SUITE.
 SEE SECTION A-A

ALL SUPPLY AND RETURN AIR DUCTS ON EXTERIOR WALL TO BE FURRED OUT FOR CONT. INSULATION

SMOKE ALARM
 · SHALL HAVE A VISUAL SIGNALING COMPONENT INTEGRATED INTO THE SMOKE ALARM.
 · SHALL HAVE A BATTERY BACKUP

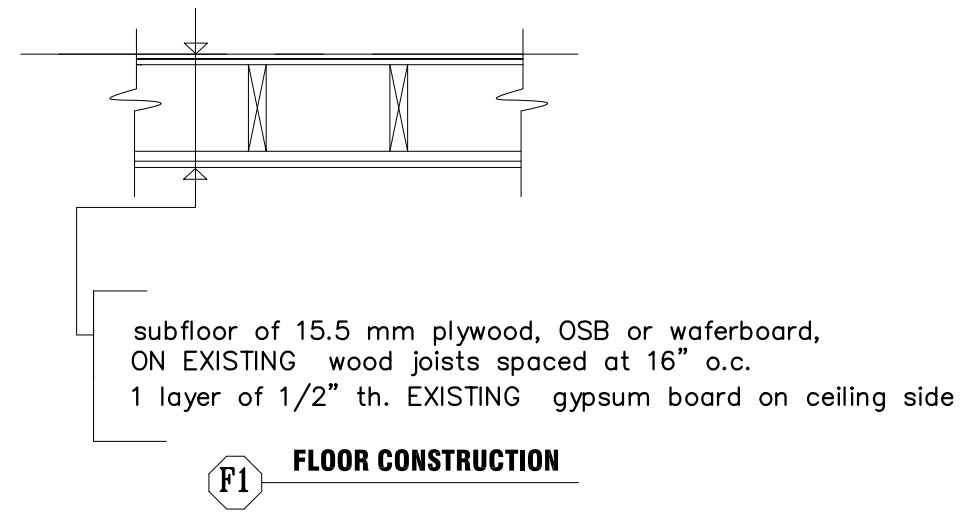
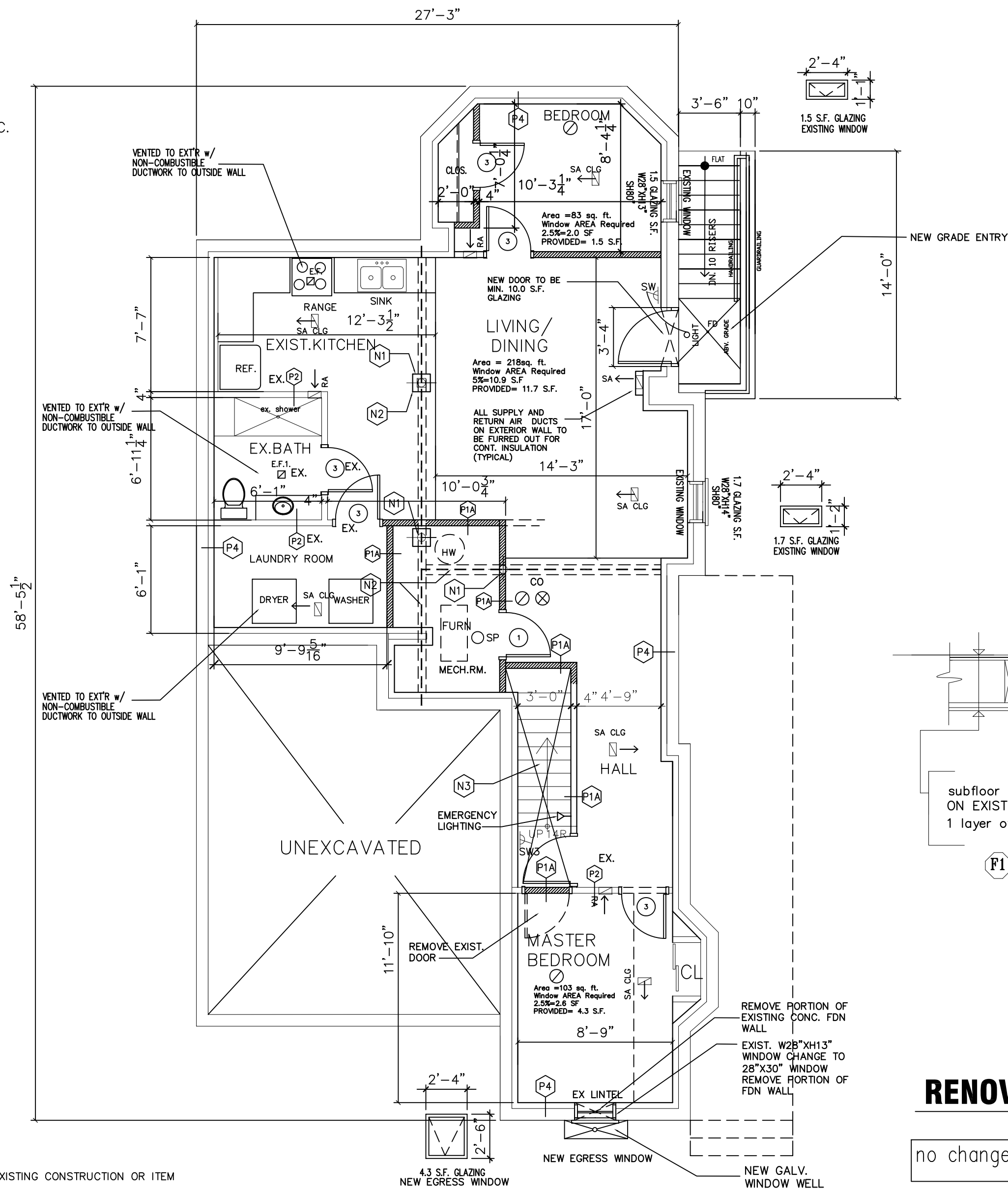
EXISTING 3/4" DRYWALL CEILING
 SEE SECTION A-A
 @ 91" A.F.F
 FULL BASEMENT
 AND 77" MIN. U/D BEAMS

ALL SUPPLY AND RETURN AIR TO BE 6" AFF AT NEW ENTRY DOOR

(N1) ADD 1 LAYER 1/2" AROUND ST'L COLUMN ENCASED IN WALL TYPE P2

(N2) 1 LAYER 1/2" AROUND ST'L BEAM

(N3) INSTALL 1/2" DRY WALL UNDERSIDE OF STAIRS CEILING



SECTION A-A
 SCALE: N.T.S.
 15 MIN FR

RENOVATED BASEMENT FLOOR PLAN

scale: 3/16" = 1'-0"

no change to EXISTING FLOOR STRUCTURE

LEGEND:

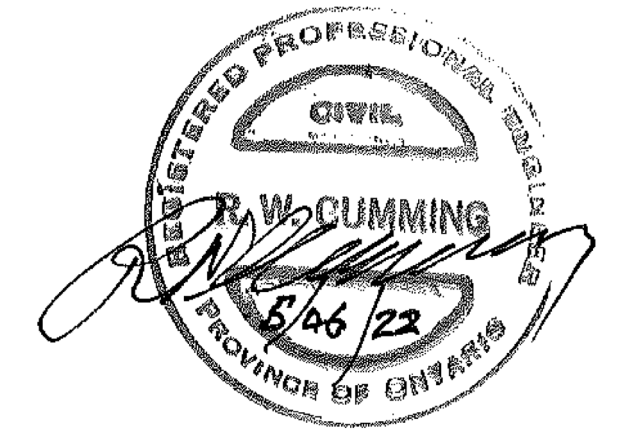
	EXISTING WALLS
	NEW WALLS
	RENOVATED WALLS

CH82= CEILING HT = HT
 EX.=EXISTING CONSTRUCTION OR ITEM

E.F. MECHANICAL VENTILATION 150 CFM INSUL. 6" DIA. EXHAUST OUT	SA - SUPPLY AIR	RA - RETURN AIR
1 32X80 NEW DOOR (20 MIN RATED WITH SELF CLOSING DEVICE)	SA CLG. - SUPPLY AIR	
2 32X80 NEW DOOR 3 30X80 NEW DOOR 4 48 X 80 SLIDING DOOR	SW SWITCH	
5 24 X 80 DOOR	EXT EXISTING DOOR	
CO	EXISTING SUPPLY AIR	
MECHANICAL VENTILATION 100 CFM INSUL. 6" DIA. EXHAUST OUT	SW3 3-way SWITCH	
SP INSTALL NEW SPRINKLER HEAD IN FURNACE ROOM		

P1 1 LAYER 1/2" TYPE 'X' GYPSUM BOARD C/W SOUND ABORB. MATERIAL 2" X4" @ 16" O.C. SB-3 W/ 45 MIN F.R. STC34	P2 2X4 WITH 1/2" DRY WALL BOTH SIDES
P1A 1 LAYER 1/2" GYPSUM BOARD C/W SOUND ABORB. MATERIAL 2" X4" @ 16" O.C. SB-3 W/ 30 MIN F.R. STC32	P3 2X4 WITH 5/8" TYPE 'X' DRY WALL @ 16" O.C BOTH SIDES 1 HR FIRERATED WALL(BASED ON WID SB-3)
P1B 2 LAYER 5/8" TYPE 'X' C/W SOUND CHANNELS C/W SOUND ABORB MATERIAL 2" X4" @ 16" O.C. AND 1 LAYER OF 5/8" TYPE X (BASED ON W4A SB-3 STC RATING 51)	P4 EX FDN WITH 2" X4" WD STUDS AND R12 BATT INSULC/W 6 MIL POLY VB AND 3/4" D.W.
P1C 2X4 WITH 5/8" TYPE 'X' DRY WALL @ 16" O.C BOTH SIDES 1 HR FIRERATED WALL(BASED ON W1A SB-3) STC 36	P5 2"X4"WD STUDS @16" O/C C/W 1/2" GYPSUM BD.

NOTES:
 1. DOORWAY SIZE SHALL CONFIRM TO O.B.C 9.5.11
 2. SMOKE DETECTOR SHALL BE INSTALLED IN THE SUPPLY OR RETURN AIR DUCT SYSTEM WHICH SHOULD BE TURN OFF THE FUEL SUPPLY AND ELEC. POWER TO THE HEATING SYSTEM UPON ACTIVATION OF SUCH DETECTOR.



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.B.C TO BE A DESIGNER

QUALIFICATION INFORMATION:
 KRANAGAVARATHA (B.C.I.N) 26147

REGISTRATION INFORMATION:
 VARATHA DESIGN ASSOCIATES (B.C.I.N) 33937

DRAWING TITLE: BASEMENT RENOVATED PLAN

PROJECT: NEW BASEMENT APT EXISTING DWELLING RENOVATION TO 10 Outlook Terrace Drive MARKHAM ,ONTARIO

OWNER: Kiran Suguru
 Kavitha Vallabhapuram

ALL DRAWINGS AND RELATED DOCUMENTS ARE COPYRIGHT PROPERTY OF VARATHA DESIGN ASSOCIATES. AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT DESIGNER'S CONSENT IN WRITING.

DRAWINGS NOT TO BE SCALED
 CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE SITE AND REPORT ANY DISCREPANCIES OR ERRORS BEFORE COMMENCING ANY PART OF THE WORK

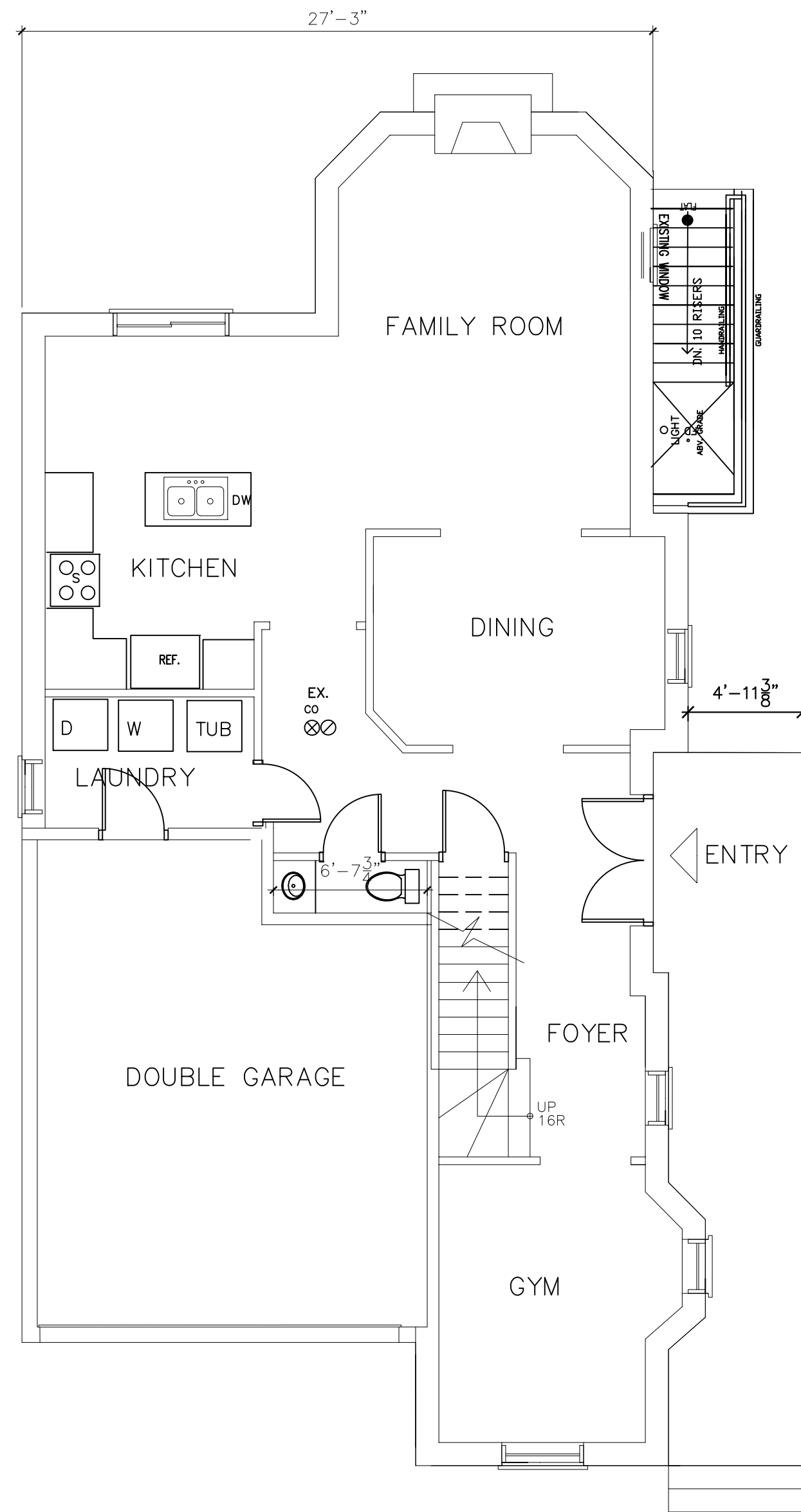
THE DESIGNER HAS NOT BE RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUBCONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS

MYLARS/VELUMS ARE ISSUED TO THE CLIENTS ON THE UNDERSTANDING THAT NO CHANGES ARE TO BE MADE TO THE CONTRACT DOCUMENTS WITHOUT WRITTEN CONSENT OF THE DESIGNER.

1	BUILDING PERMIT	K.V.	JN6,22
NO.	REVISION/ISSUED TO	BY	DATE

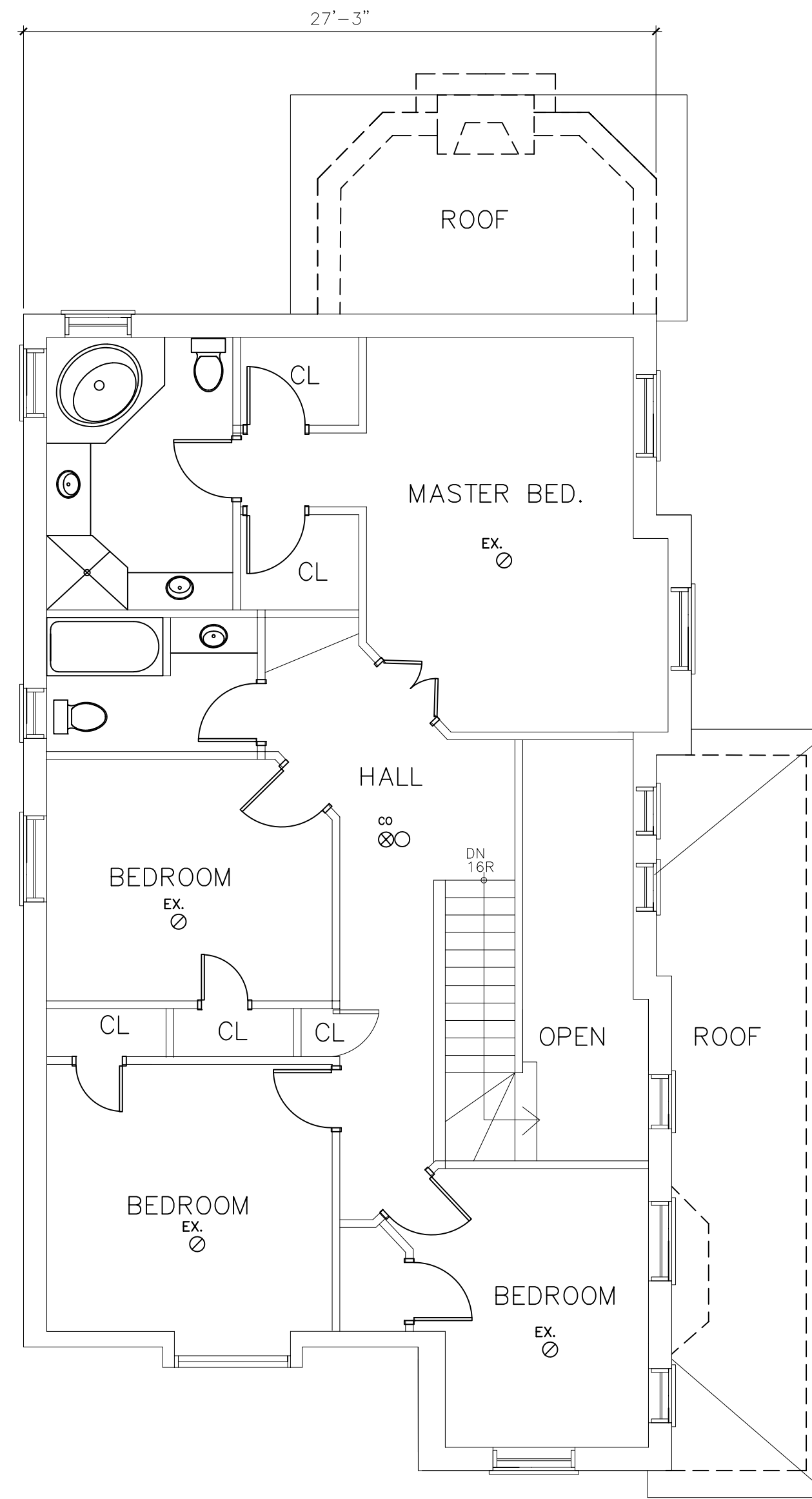
VARATHA DESIGN ASSOCIATES
 Architectural & Engineering Services
 Varatha Ken
 Architectural Designer
 TEL: (416) 284 7945
 CELL: (416) 725 2041
 TORONTO Ont. email: kvaratha@hotmail.com

SCALE: 3/16" = 1'-0"	CAD FILE :	JOB No.: 22148
DATE: JN6,22	DWG NO: A2	OF 5
DRAWN BY: K.V.		
CHECKED BY: K.V.		DATE OF PRINT: JN6,22



FIRST FLOOR PLAN

scale: 3/16" = 1'-0"



SECOND FLOOR PLAN

scale: 3/16" = 1'-0"

Appendix B
 File: 22.117460.000.00.MNV
 Date: 10/13/22



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.B.C TO BE A DESIGNER

QUALIFICATION INFORMATION:
 K. KANAGAVARATHA (B.C.I.N) 26147

REGISTRATION INFORMATION:
 VARATHA DESIGN ASSOCIATES (B.C.I.N) 33937

DRAWING TITLE: EXISTING FIRST AND SECOND FLOOR

PROJECT: NEW BASEMENT APT EXISTING DWELLING RENOVATION TO 10 Outlook Terrace Drive MARKHAM ,ONTARIO

OWNER: Kiran Suguru
 Kavitha Vallabhapuram

ALL DRAWINGS AND RELATED DOCUMENTS ARE COPYRIGHT PROPERTY OF VARATHA DESIGN ASSOCIATES. AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT DESIGNER'S CONSENT IN WRITING.

DRAWINGS NOT TO BE SCALED
 CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE SITE AND REPORT ANY DISCREPANCIES OR ERRORS BEFORE COMMENCING ANY PART OF THE WORK

THE DESIGNER HAS NOT BE RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUBCONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS

MYLARS/VELUMS ARE ISSUED TO THE CLIENTS ON THE UNDERSTANDING THAT NO CHANGES ARE TO BE MADE TO THE CONTRACT DOCUMENTS WITHOUT WRITTEN CONSENT OF THE DESIGNER.

1	BUILDING PERMIT	K.V.	JN6,22
NO.	REVISION/ISSUED TO	BY	DATE

VARATHA DESIGN ASSOCIATES
 Architectural & Engineering Services
 Varatha Ken
 Architectural Designer
 TEL: (416) 284 7945
 CELL: (416) 725 2041
 email: kvaratha@hotmail.com

TORONTO Ont.

SCALE: 3/16" = 1'-0"
 CAD FILE :
 JOB No.: 22148

DATE: JN6,22
 DWG NO: A3
 OF 5

DRAWN BY: K.V.

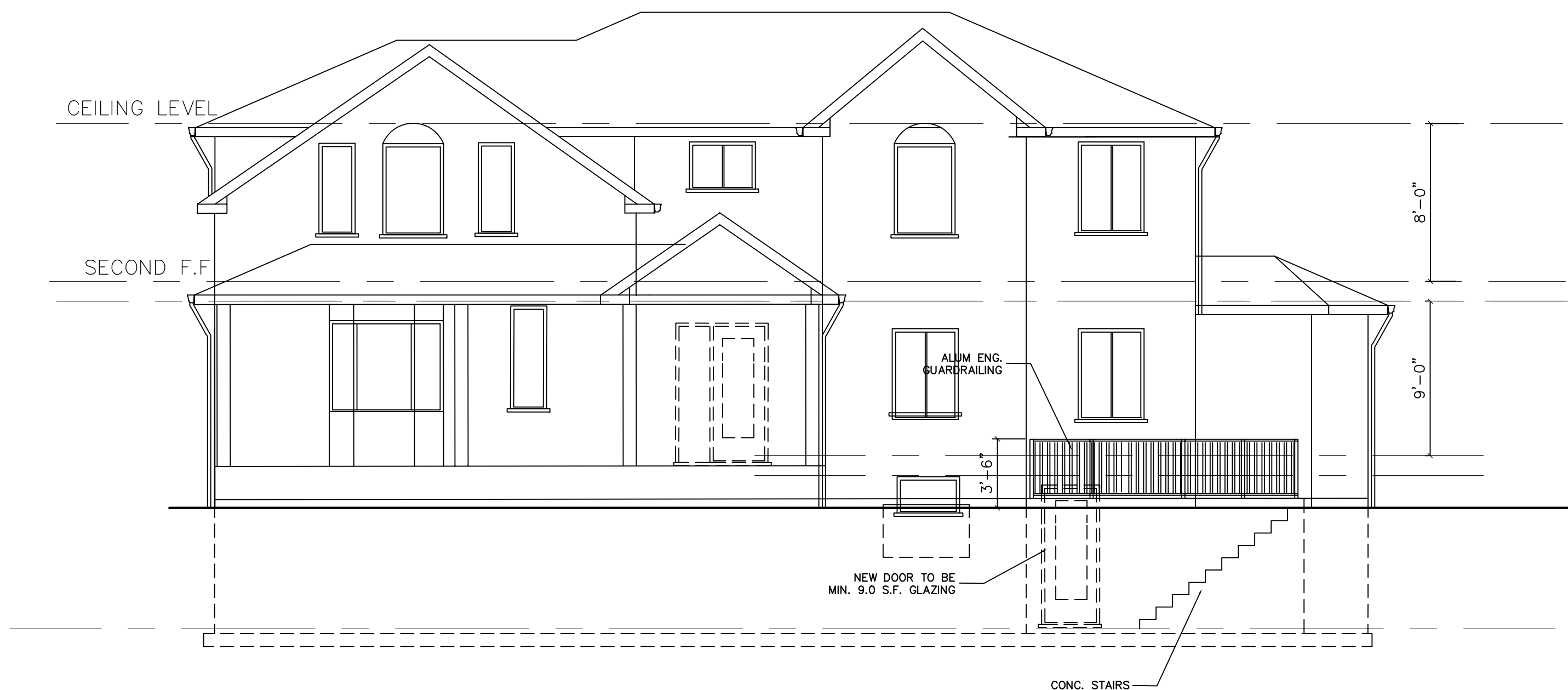
CHECKED BY: K.V.

JN6,22

Appendix B

File: 22.117460.000.00.MNV

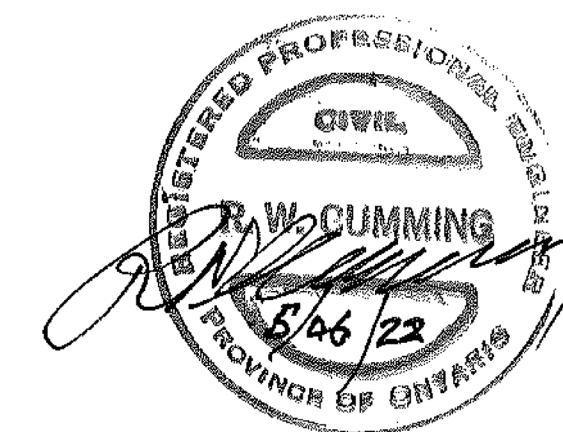
Date: 10/13/22



EAST ELEVATION

SCALE : 3/16" = 1'-0"

Table 9.10.15.4.
Maximum Area of Glazed Openings in Exterior Walls of Houses
7.0% MAX.window openings



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.B.C TO BE A DESIGNER

QUALIFICATION INFORMATION:

K.RANAGAVARATHA (B.C.I.N) 26147

[Signature]

REGISTRATION INFORMATION:

VARATHA DESIGN ASSOCIATES (B.C.I.N) 33937

DRAWING TITLE: ELEVATION

PROJECT: NEW BASEMENT APT EXISTING DWELLING RENOVATION TO 10 Outlook Terrace Drive MARKHAM ,ONTARIO

OWNER: Kiran Suguru
Kavitha Vallabhapuram

ALL DRAWINGS AND RELATED DOCUMENTS ARE COPYRIGHT PROPERTY OF VARATHA DESIGN ASSOCIATES. AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT DESIGNER'S CONSENT IN WRITING.

DRAWINGS NOT TO BE SCALED CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE SITE AND REPORT ANY DISCREPANCIES OR ERRORS BEFORE COMMENCING ANY PART OF THE WORK

THE DESIGNER HAS NOT BE RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUBCONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS

MYLARS/VELUMS ARE ISSUED TO THE CLIENTS ON THE UNDERSTANDING THAT NO CHANGES ARE TO BE MADE TO THE CONTRACT DOCUMENTS WITHOUT WRITTEN CONSENT OF THE DESIGNER.

1	BUILDING PERMIT	K.V.	JN6,22
NO.	REVISION/ISSUED TO	BY	DATE

VARATHA DESIGN ASSOCIATES
Architectural & Engineering Services

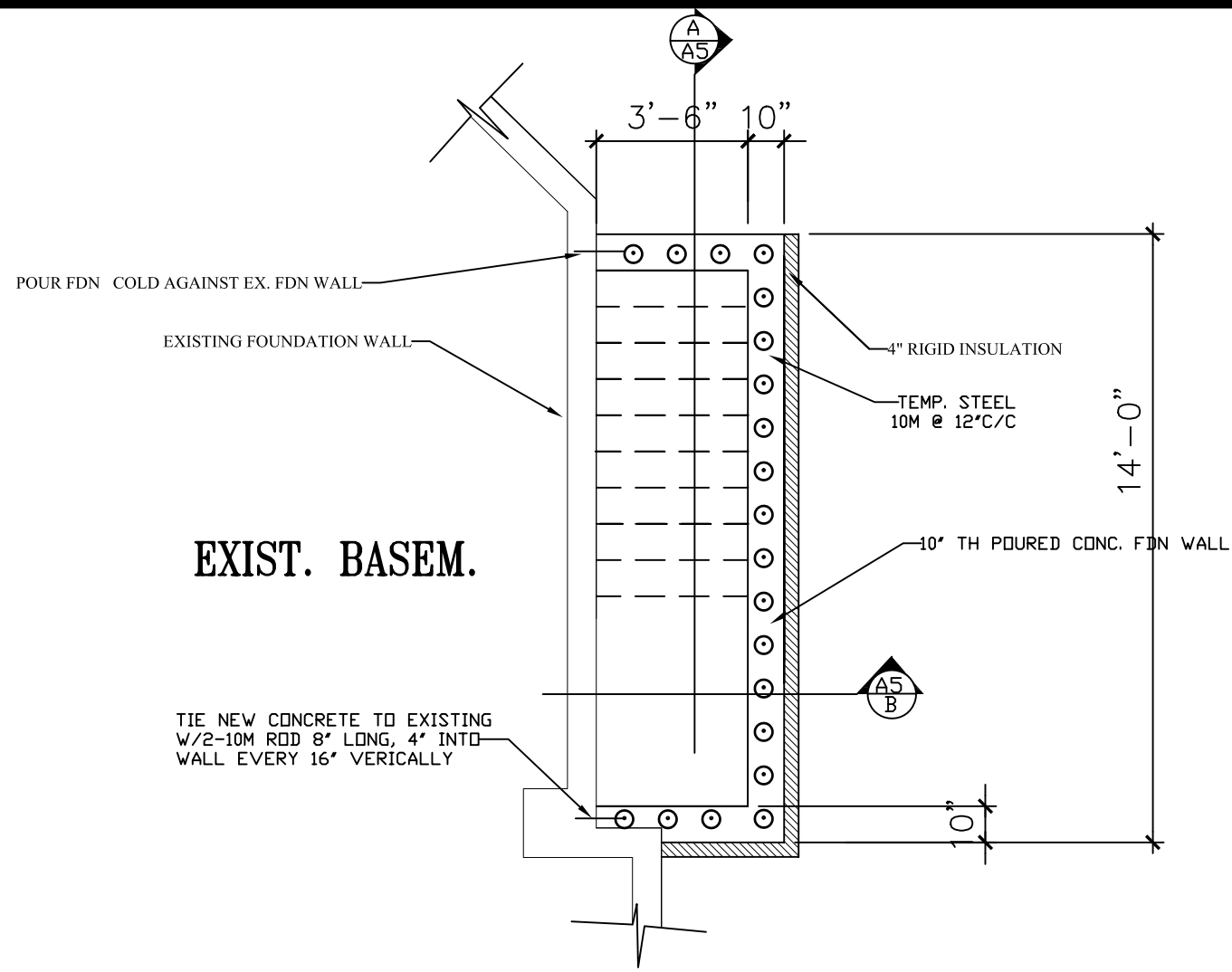
Varatha Ken
Architectural Designer
TEL: (416) 284 7945
CELL: (416) 725 2041
email: kvaratha@hotmail.com

SCALE: 3/16" = 1'-0" CAD FILE : JOB No.: 22148

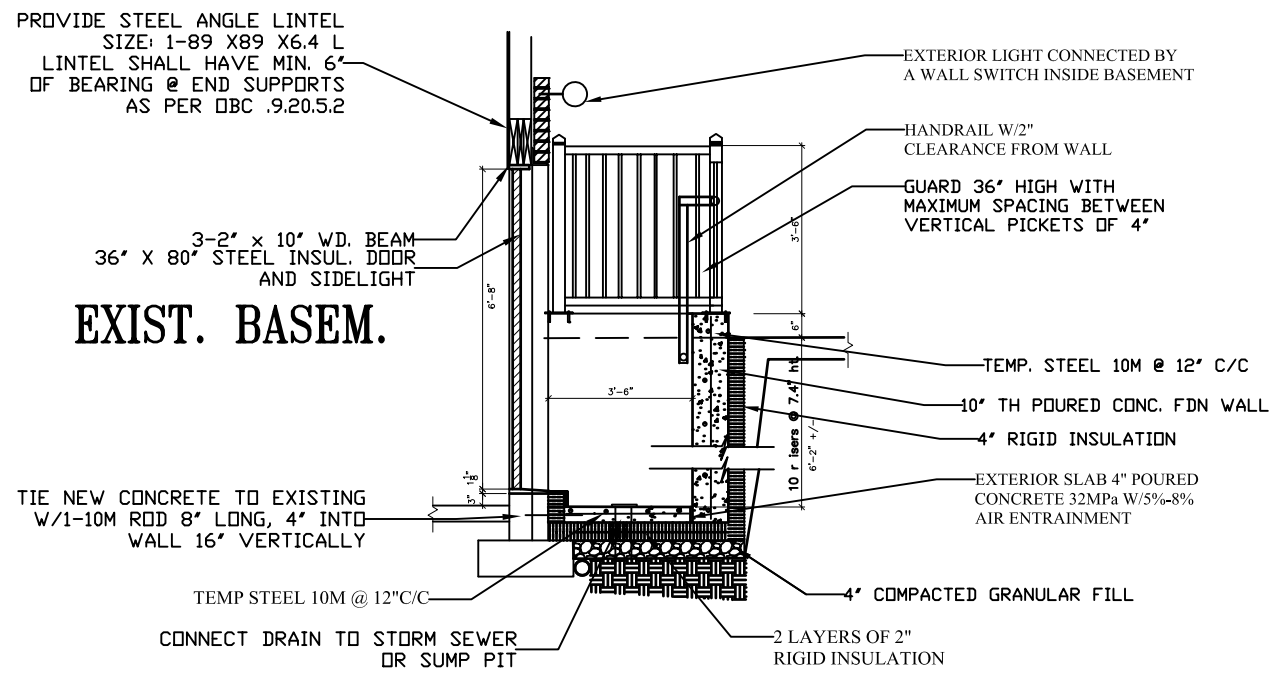
DATE: JN6,22 DWG NO: A4 OF 5

DRAWN BY: K.V.

CHECKED BY: K.V. DATE OF PRINT: JN6,22



FDN PLAN
SCALE: 1/4" = 1'-0"

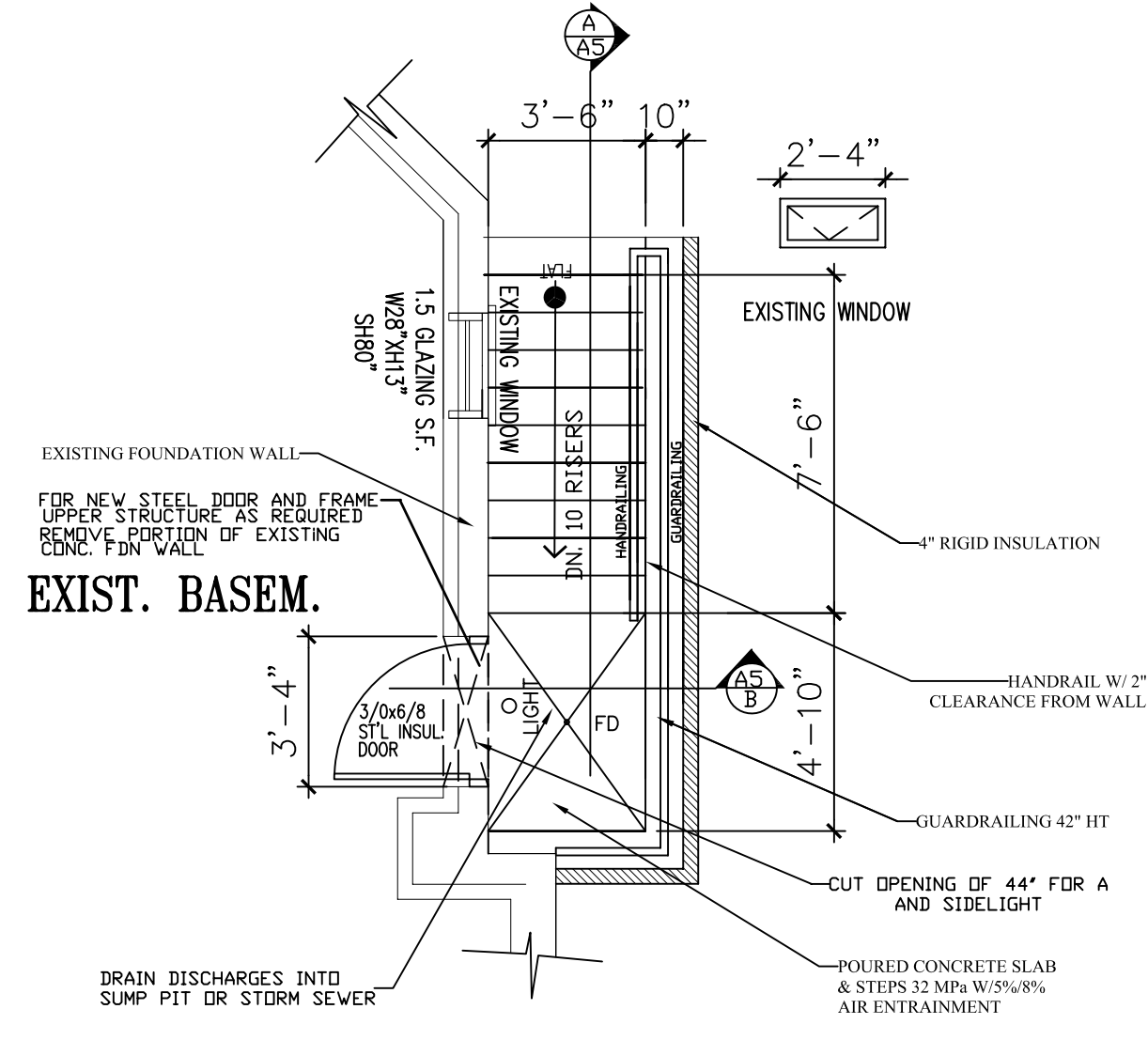


SECTION B: FOR BELOW GRADE ENTRANCE
SCALE: 1/4" = 1'-0"

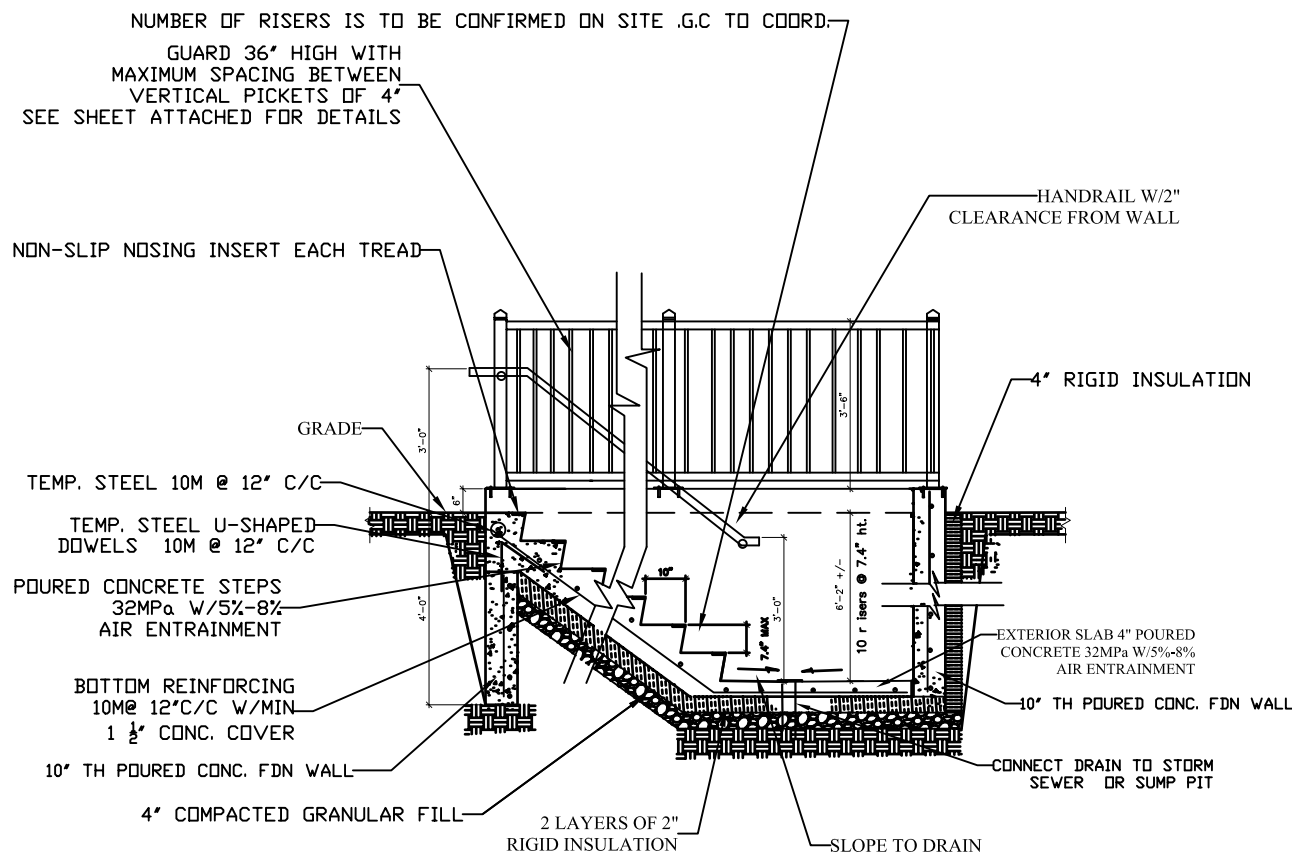
*Contractor shall obtain guards specifically Ontario Building Code compliant.

GENERAL NOTES:

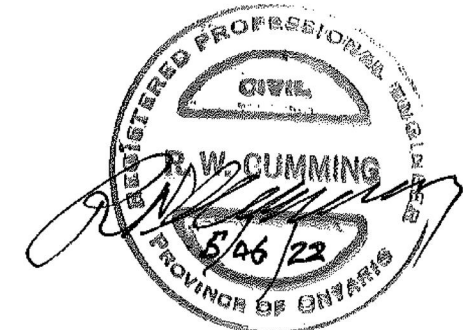
1. WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE (OBC) AND LOCAL REGULATIONS
2. MATERIAL SHALL BE AS FOLLOWS :
-CONCRETE 32 MPa WITH 5 % TO 8% AIR.
-REINFORCING CSA G30.18-8000 400
-TIMBER -SPAWN CSAO 141 S-P-F
-STEEL -A53-C5A @ 40.21
-WELLSHAFT -DOM STRUCTURAL SH OR EQUIVALENT
3. FOOTINGS SHALL BEAR ON SOIL CAPABLE OF SUSTAINING AN ALLOWABLE BEARING PRESSURE OF 2000 PSF
LIGHT TO HAVE ITS OWN DEDICATED CIRCUIT
4. DOOR AND FRAME TO ENTRY RESISTANT METAL PER OBC



FLOOR PLAN
SCALE: 1/4" = 1'-0"



SECTION A: FOR BELOW GRADE ENTRANCE
SCALE: 1/4" = 1'-0"



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.B.C TO BE A DESIGNER

QUALIFICATION INFORMATION:
KIRANAGAVARATHA (B.C.I.N) 26147

REGISTRATION INFORMATION:
VARATHA DESIGN ASSOCIATES (B.C.I.N) 33937

DRAWING TITLE: GRADE ENTRY DETAILS

PROJECT: NEW BASEMENT APT EXISTING DWELLING RENOVATION TO 10 Outlook Terrace Drive MARKHAM ,ONTARIO

OWNER: Kiran Suguru Kavitha Vallabhapuram

ALL DRAWINGS AND RELATED DOCUMENTS ARE COPYRIGHT PROPERTY OF VARATHA DESIGN ASSOCIATES. AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT DESIGNER'S CONSENT IN WRITING.

DRAWINGS NOT TO BE SCALED

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE SITE AND REPORT ANY DISCREPANCIES OR ERRORS BEFORE COMMENCING ANY PART OF THE WORK

THE DESIGNER HAS NOT BEEN RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUBCONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS

MYLARS/VELUMS ARE ISSUED TO THE CLIENTS ON THE UNDERSTANDING THAT NO CHANGES ARE TO BE MADE TO THE CONTRACT DOCUMENTS WITHOUT WRITTEN CONSENT OF THE DESIGNER.

1	BUILDING PERMIT	K.V.	JN6,22
NO.	REVISION/ISSUED TO	BY	DATE

VARATHA DESIGN ASSOCIATES
Architectural & Engineering Services
Varatha Ken
Architectural Designer
TORONTO Ont. email: kvaratha@hotmail.com

SCALE: 1/4" = 1'-0"
CAD FILE :
JOB No.: 22148

DATE: JN6,22
DWG NO: A5 OF 5

DRAWN BY: K.V.

CHECKED BY: K.V.
DATE OF PRINT: JN6,22

APPENDIX "C"
INITIAL STAFF REPORT: AUGUST 15, 2022

Memorandum to the City of Markham Committee of Adjustment

August 15, 2022

File: A/072/22
Address: 10 Outlook Terrace Drive – Markham, ON
Applicant: Kiran Babu
Agent: Varatha Design Associates (Ken Varatha)
Hearing Date: August 24, 2022

The following comments are provided on behalf of the East District team. The applicant is requesting relief from the following requirements under By-law 177-96 as amended, “Residential Two Exception – (R2*133) Zone,” as they relate to a proposed basement apartment. The requested variances are to permit:

a) Section 6.5:

an accessory dwelling unit, whereas the By-law permits no more than one dwelling unit on a lot;

b) Parking By-law 28-97, Section 3.0, Table A:

two parking spaces, whereas the By-law requires a minimum of three parking spaces; and

c) Parking By-law 28-97, Section 6.2.4.2 (b)(i)(b):

a minimum of 35.0% soft landscaping in the front yard, whereas the By-law requires a minimum of 40.0% soft landscaping provided in the front yard in the case of a lot with a lot frontage of 10.10 m (33.14 ft), or greater.

PROPERTY DESCRIPTION

10 Outlook Terrace Drive (the “Subject Property”) is located on the north side of Outlook Terrace Drive, east of Alfred Paterson Drive, south of Bur Oak Avenue, and west of Ninth Line, within a residential neighbourhood predominantly comprised of a mix of low rise dwellings. Live-work units with at grade commercial uses front onto Bur Oak Avenue and Greensborough Circle, and schools, parks and accessible transit are also within close proximity to the Subject Property. The Subject Property is developed with a two-storey detached dwelling and attached garage. The garage and driveway area can accommodate a maximum of two legal sized parking spaces.

PROPOSAL

The applicant is requesting permission for an accessory dwelling unit to be located in the basement of the existing dwelling. The main entry points for the proposed secondary suite and main dwelling unit are located along the east side of the building. Associated variances relating to a reduction in the number of parking spaces, and reduction to the soft landscaping in the front yard are also requested.

OFFICIAL PLAN AND ZONING

Official Plan 2014 (partially approved on November 24/17, and updated on April 9/18)

The Subject Property is designated “Residential Low Rise”, which provides for a mix of low rise housing forms.

Zoning By-Law 177-96, as amended

The Subject Property is zoned “Residential Two Exception – (R2*133) Zone” under By-law 177-96 as amended, which permits one single detached dwelling per lot. The proposed development does not comply with the maximum number of dwelling units permitted on a lot.

Parking Standards By-law 28-97 (the “Parking By-law)

The proposed development also does not comply with the Parking By-law requirement with respect to the minimum number of parking spaces.

ZONING PRELIMINARY REVIEW (ZPR) UNDERTAKEN

The owner has completed a ZPR on July 18, 2022 to confirm the variances required for the proposed development.

COMMENTS

The *Planning Act, R.S.O. 1990, c. P.13, as amended* states that four tests must be met in order for a variance to be granted by the Committee of Adjustment (the “Committee”):

- a) The variance must be minor in nature;
- b) The variance must be desirable, in the opinion of the Committee, for the appropriate development or use of land, building or structure;
- c) The general intent and purpose of the Zoning By-law must be maintained;
- d) The general intent and purpose of the Official Plan must be maintained.

Secondary Suite and Reduction in Number of Parking Spaces

Staff are satisfied that the proposed development meets the criteria under [Section 8.13.8](#) of the Official Plan for the establishment of a secondary suite, and support its approval in accordance with the requirements under Section 16(3) of the *Planning Act*.

The associated parking reduction may be considered “self regulating”, as the accessory dwelling unit would only be of interest to an occupant that does not require a parking space, in the event that both parking spaces are required for use by the owner of the dwelling. Additionally, the property is within proximity to accessible transit routes located at various intersections along Ninth Line. Staff are of the opinion that the associated parking reduction is minor in nature and appropriately maintains the general intent of the By-law.

The applicant should be aware that overnight parking is not permitted on residential streets in Markham, unless a permit or exemption is obtained through the City’s [Overnight Street Parking Request](#).

Reduction in Soft Landscaping

The applicant is also requesting a minimum of 35.0% soft landscaping in the front yard, whereas the By-law requires that a minimum of 40.0% soft landscaping be provided in the front yard in the case of a lot with a lot frontage of 10.10 m (33.14 ft), or greater.

The variance is attributable to the proposed walkway, and existing driveway. If approved, the walkway would serve as a logical extension connecting the driveway area to the proposed main entry points for each unit located along the exterior side yard. Staff are of the opinion that the reduction in soft landscaping is minor in nature, and appropriate for this lot.

PUBLIC INPUT SUMMARY

No written submissions were received as of August 15, 2022. Additional information may be received after the writing of this report, and the Secretary-Treasurer will provide information on this at the meeting.

CONCLUSION

Planning staff have reviewed the application with respect to Section 45(1) of the *Planning Act*, and are of the opinion that the variance requests meets the four tests. Staff recommend that the Committee consider public input in reaching a decision. The onus is ultimately on the applicant to demonstrate how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

APPENDICES

Appendix "A" – Conditions of Approval

Appendix "B" – Plans

PREPARED BY:



Aleks Todorovski, MCIP, RPP
Planner, Zoning and Special Projects

REVIEWED BY:



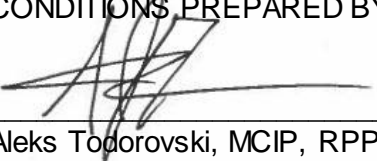
Stacia Muradali, MCIP, RPP
Development Manager, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/072/22

1. The variance applies only to the proposed development for as long as it remains.
2. That the variance applies only to the proposed development, in substantial conformity with the plans attached as Appendix "B" to this Staff Report, and that the Secretary-Treasurer receive written confirmation from the Director of Planning and Urban Design or designate that this condition has been fulfilled to his or her satisfaction.
3. That the owner submit, if required by the Chief Building Official, a third-party report prepared by an architect or professional engineer licensed in the Province of Ontario, to assess compliance of existing construction with the provisions of the Ontario Building Code, and in particular relating to the change of use from a dwelling containing a single suite to a dwelling containing more than one suite.

CONDITIONS PREPARED BY:



Aleks Todorovski, MCIP, RPP
Planner, Zoning and Special Projects

APPENDIX "B"
PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/072/22

SITE STATISTICS:

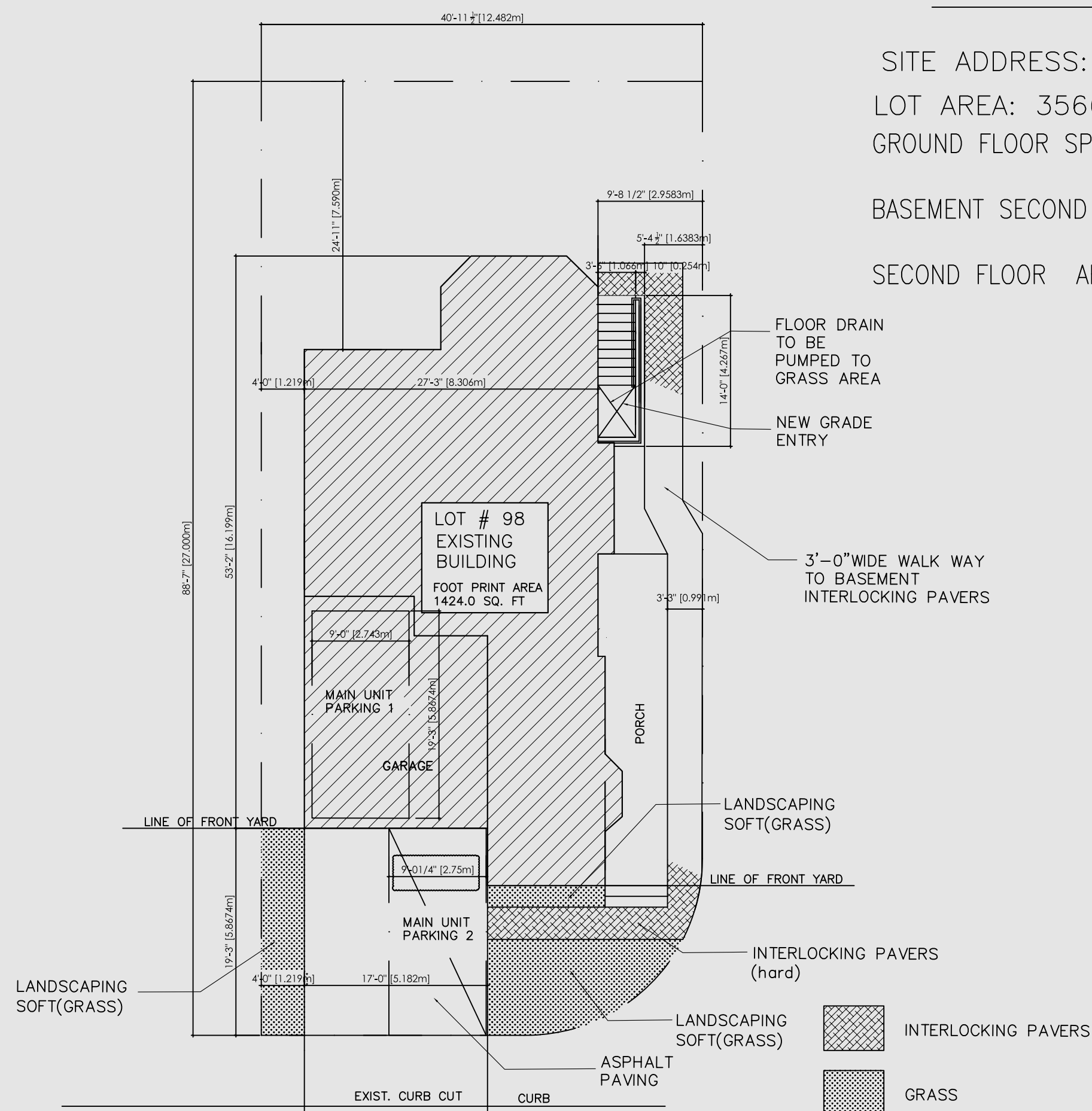
SITE ADDRESS: .10 Outlook Terrace Drive MARKHAM

LOT AREA: 3566.0square ft= (331.3 SQ.M.)

GROUND FLOOR SPACE : 1060.9 square ft(98.56 SM)

BASEMENT SECOND UNIT AREA 797.71 square ft. (74.13SM)

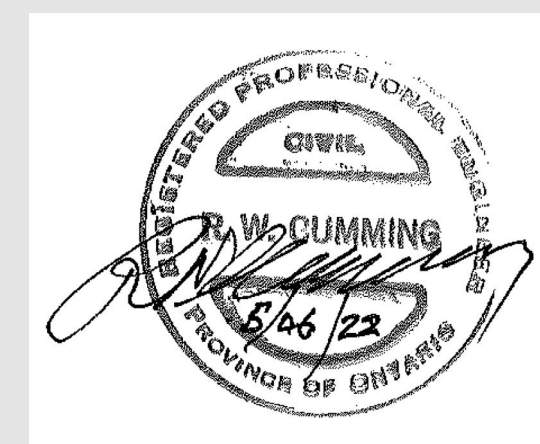
SECOND FLOOR AREA 1296.4 square ft (120.4SM)



SITE PLAN

SCALE: 3/32" = 1'-0"

OUTLOOK TERRACE



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.B.C TO BE A DESIGNER

QUALIFICATION INFORMATION:

K.RANAGAVARATHA (B.C.I.N) 26147

REGISTRATION INFORMATION:

VARATHA DESIGN ASSOCIATES (B.C.I.N) 33937

DRAWING TITLE: SITE PLAN

PROJECT: NEW BASEMENT APT EXISTING DWELLING RENOVATION TO 10 Outlook Terrace Drive MARKHAM ,ONTARIO

OWNER: Kiran Suguru
Kavitha Vallabhapuram

ALL DRAWINGS AND RELATED DOCUMENTS ARE COPYRIGHT PROPERTY OF VARATHA DESIGN ASSOCIATES. AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT DESIGNER'S CONSENT IN WRITING.

DRAWINGS NOT TO BE SCALED
CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE SITE AND REPORT ANY DISCREPANCIES OR ERRORS BEFORE COMMENCING ANY PART OF THE WORK

THE DESIGNER HAS NOT BE RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUBCONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS

MYLARS/VELUMS ARE ISSUED TO THE CLIENTS ON THE UNDERSTANDING THAT NO CHANGES ARE TO BE MADE TO THE CONTRACT DOCUMENTS WITHOUT WRITTEN CONSENT OF THE DESIGNER.

3	revised	K.V.	july13,22
2	revised	K.V.	JN.15,22
1	building permit	K.V.	JN.6,22
NO.	REVISION/ISSUED TO	BY	DATE

VARATHA DESIGN ASSOCIATES
Architectural & Engineering Services

Varatha Ken
Architectural Designer

TEL: (416) 284 7945
CELL: (416) 725 2041
email: kvaratha@hotmail.com

SCALE: 3/32" = 1'-0" CAD FILE : JOB No.:
..... 22148

DATE: JUN 6,22 DWG NO: OF

DRAWN BY: K.V. A1 5

CHECKED BY: K.V. DATE OF PRINT: JUN 6,22

NOTE:
 ·SMOKE ALARM ON MAIN FLOOR IS INTERCONNECTED WITH SMOKE ALARM ON SECOND FLOOR AND BASEMENT.
 ·SMOKE ALARM SHALL CONFIRM TO O.B.C. DIV. B 9.10.19
 EXISTING MAIN FLOOR WALL AND CEILING IS DRYWALLED
 MAIN UNIT AND SECOND SUITE.
 SEE SECTION A-A

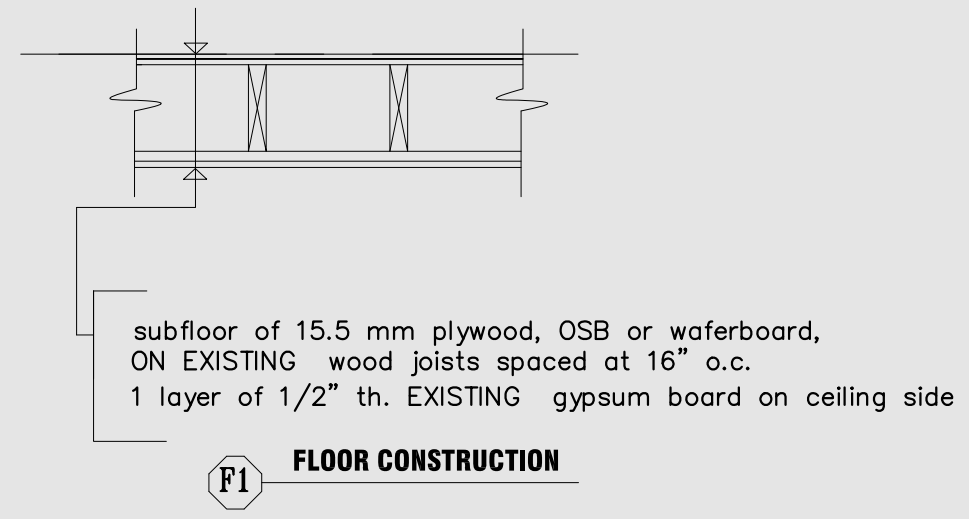
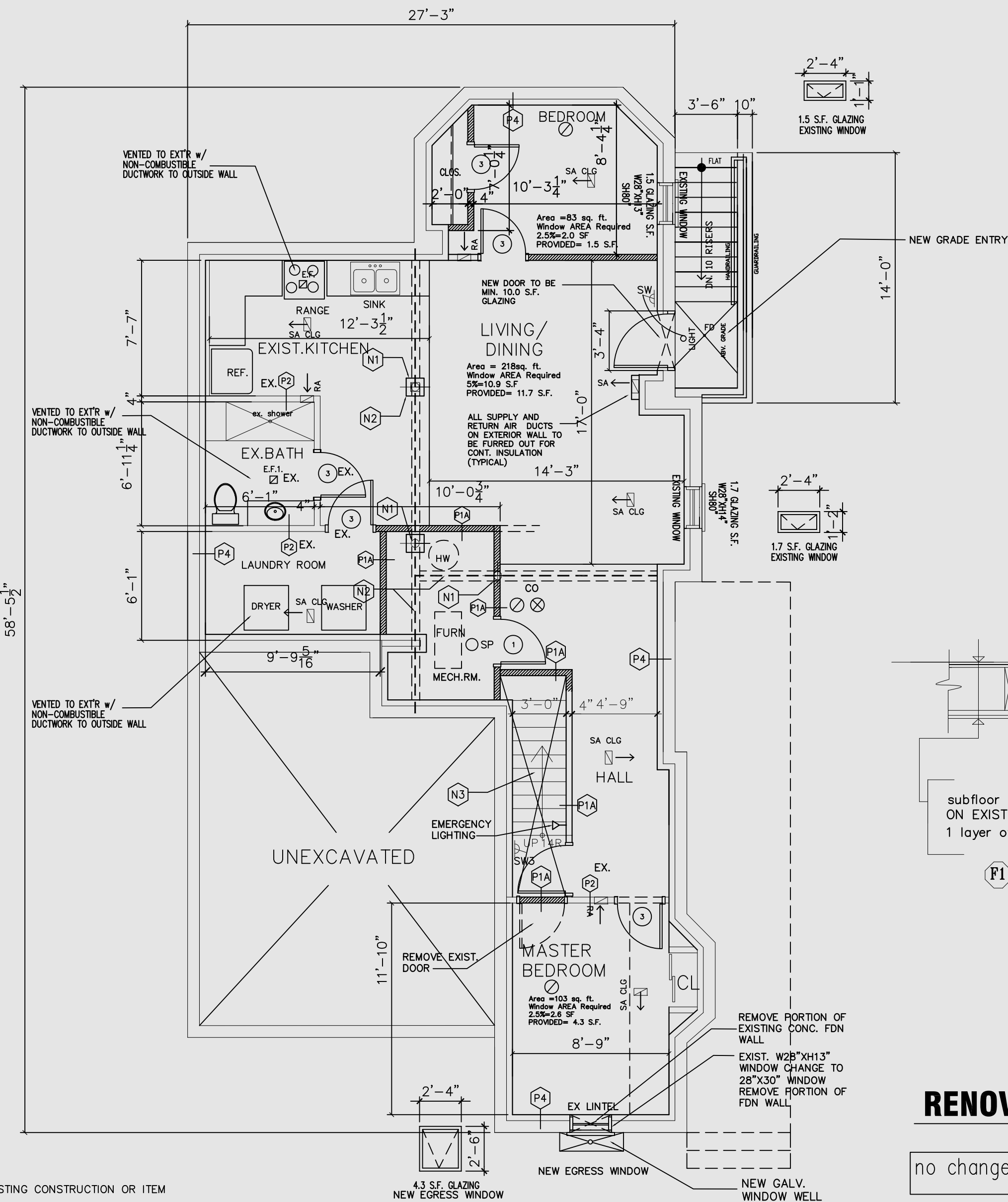
ALL SUPPLY AND RETURN AIR DUCTS ON EXTERIOR WALL TO BE FURRED OUT FOR CONT. INSULATION

SMOKE ALARM
 ·SHALL HAVE A VISUAL SIGNALING COMPONENT INTEGRATED INTO THE SMOKE ALARM.
 ·SHALL HAVE A BATTERY BACKUP

EXISTING 3/4" DRYWALL CEILING
 SEE SECTION A-A
 @ 91" A.F.F
 FULL BASEMENT
 AND 77"MIN. U/D BEAMS

ALL SUPPLY AND RETURN AIR TO BE 6" AFF AT NEW ENTRY DOOR

- (N1) ADD 1 LAYER 1/2" AROUND ST'L COLUMN ENCASED IN WALL TYPE P2
- (N2) 1 LAYER 1/2" AROUND ST'L BEAM
- (N3) INSTALL 1/2" DRY WALL UNDERSIDE OF STAIRS CEILING



SECTION A-A
 SCALE: N.T.S.
 15 MIN FR

RENOVATED BASEMENT FLOOR PLAN

scale: 3/16" = 1'-0"

no change to EXISTING FLOOR STRUCTURE

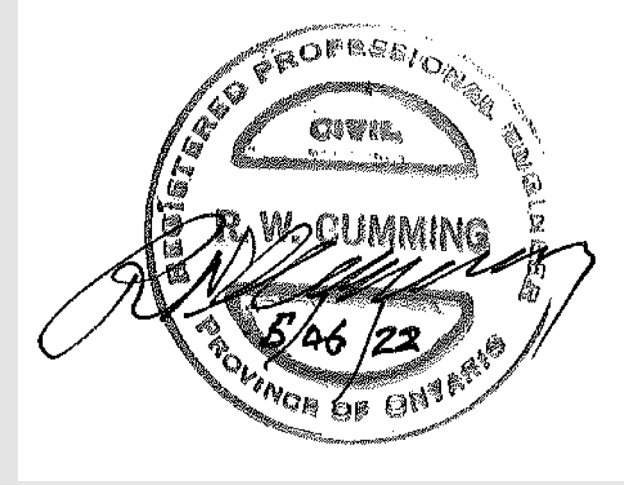
LEGEND:

- EXISTING WALLS
- ▨ NEW WALLS
- RENOVATED WALLS
- CH82= CEILING HT = HT
- EX.=EXISTING CONSTRUCTION OR ITEM

E.F. MECHANICAL VENTILATION 150 CFM INSUL. 6" DIA. EXHAUST OUT	SA - SUPPLY AIR	RA - RETURN AIR
1 32X80 NEW DOOR (20 MIN RATED WITH SELF CLOSING DEVICE)	SA CLG. - SUPPLY AIR	
2 32X80 NEW DOOR 3 30X80 NEW DOOR 4 48 X 80 SLIDING DOOR	SW SWITCH	
5 24 X 80 DOOR	EXT EXISTING DOOR	
CO MECHANICAL VENTILATION 100 CFM INSUL. 6" DIA. EXHAUST OUT	EXISTING SUPPLY AIR	
SP INSTALL NEW SPRINKLER HEAD IN FURNACE ROOM	SW3 3-way SWITCH	

P1 1 LAYER 1/2" TYPE 'X' GYPSUM BOARD C/W SOUND ABOR. MATERIAL 2" X4" @ 16" O.C. SB-3 W/ 45 MIN F.R. STC34	P2 2X4 WITH 1/2" DRY WALL BOTH SIDES
P1A 1 LAYER 1/2" GYPSUM BOARD C/W SOUND ABOR. MATERIAL 2" X4" @ 16" O.C. SB-3 W/ 30 MIN F.R. STC32	P3 2X4 WITH 5/8" TYPE 'X' DRY WALL @ 16" O.C BOTH SIDES 1 HR FIRERATED WALL(BASED ON WID SB-3)
P1B 2 LAYER 5/8" TYPE 'X' C/W SOUND CHANNELS C/W SOUND ABOR. MATERIAL 2" X4" @ 16" O.C. AND 1 LAYER OF 5/8" TYPE X (BASED ON W44 SB-3 STC RATING 51)	P4 EX FDN WITH 2" X4" WD STUDS AND R12 BATT INSUL/W 6 MIL POLY VB AND 3" D.W.
P1C 2X4 WITH 5/8" TYPE 'X' DRY WALL @ 16" O.C BOTH SIDES 1 HR FIRERATED WALL(BASED ON W44 SB-3) STC 36	P5 2"X4"WD STUDS @16" O/C C/W 1/2" GYPSUM BD.

NOTES:
 1. DOORWAY SIZE SHALL CONFIRM TO O.B.C 9.5.11
 2. SMOKE DETECTOR SHALL BE INSTALLED IN THE SUPPLY OR RETURN AIR DUCT SYSTEM WHICH SHOULD BE TURN OFF THE FUEL SUPPLY AND ELEC. POWER TO THE HEATING SYSTEM UPON ACTIVATION OF SUCH DETECTOR.



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.B.C TO BE A DESIGNER

QUALIFICATION INFORMATION:
 KRANAGAVARATHA (B.C.I.N) 26147

REGISTRATION INFORMATION:
 VARATHA DESIGN ASSOCIATES (B.C.I.N) 33937

DRAWING TITLE: BASEMENT RENOVATED PLAN
PROJECT: NEW BASEMENT APT EXISTING DWELLING RENOVATION TO 10 Outlook Terrace Drive MARKHAM ,ONTARIO
OWNER: Kiran Suguru Kavitha Vallabhapuram

ALL DRAWINGS AND RELATED DOCUMENTS ARE COPYRIGHT PROPERTY OF VARATHA DESIGN ASSOCIATES. AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT DESIGNER'S CONSENT IN WRITING.

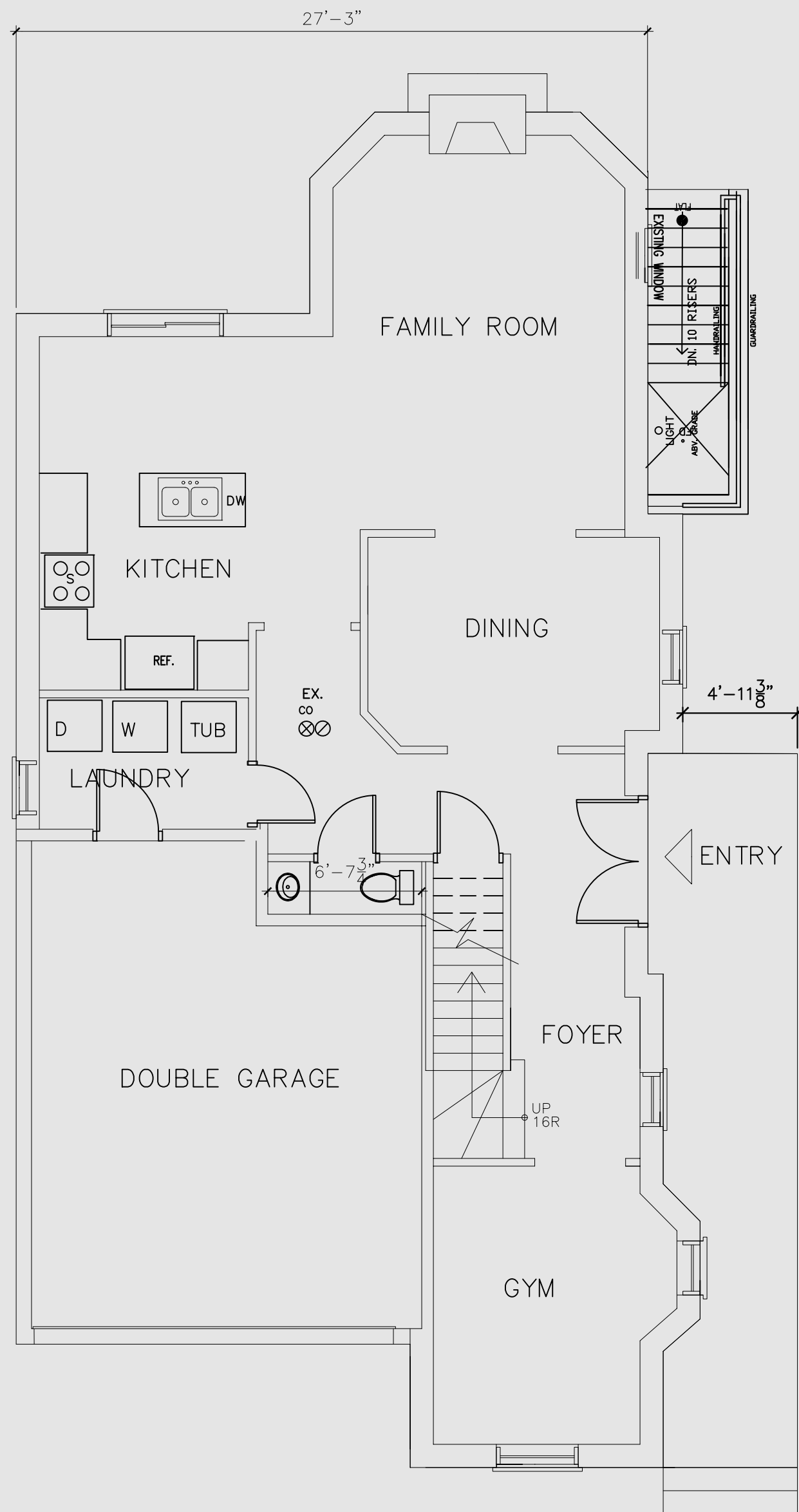
DRAWINGS NOT TO BE SCALED
 CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE SITE AND REPORT ANY DISCREPANCIES OR ERRORS BEFORE COMMENCING ANY PART OF THE WORK

THE DESIGNER HAS NOT BE RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUBCONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS

MYLARS/VELUMS ARE ISSUED TO THE CLIENTS ON THE UNDERSTANDING THAT NO CHANGES ARE TO BE MADE TO THE CONTRACT DOCUMENTS WITHOUT WRITTEN CONSENT OF THE DESIGNER.

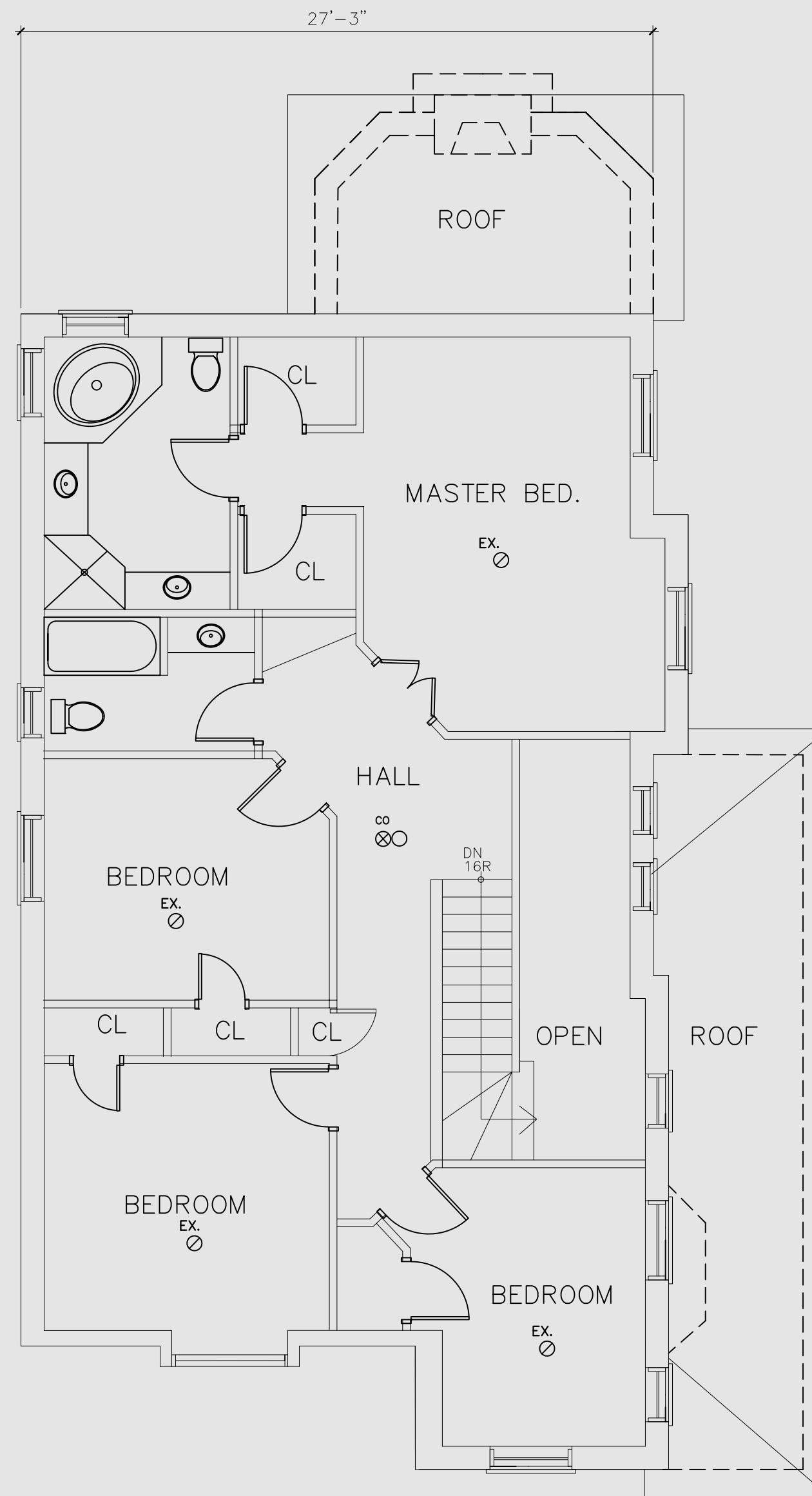
1	BUILDING PERMIT	K.V.	JN6,22
NO.	REVISION/ISSUED TO	BY	DATE

VARATHA DESIGN ASSOCIATES Architectural & Engineering Services Varatha Ken Architectural Designer TEL: (416) 284 7945 CELL: (416) 725 2041 TORONTO Ont. email: kvaratha@hotmail.com			
SCALE: 3/16" = 1'-0"	CAD FILE :	JOB No.: 22148	
DATE: JN6,22	DWG NO: A2	OF 5	
DRAWN BY: K.V.	CHECKED BY: K.V.		
DATE OF PRINT: JN6,22			



FIRST FLOOR PLAN

scale: 3/16" = 1'-0"



SECOND FLOOR PLAN

scale: 3/16" = 1'-0"

Appendix B
 File: 22.117460.000.00.MNV
 Date: 08/16/22



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.B.C TO BE A DESIGNER

QUALIFICATION INFORMATION:
 K. KANAGAVARATHA (B.C.I.N) 26147

REGISTRATION INFORMATION:
 VARATHA DESIGN ASSOCIATES (B.C.I.N) 33937

DRAWING TITLE: EXISTING FIRST AND SECOND FLOOR

PROJECT: NEW BASEMENT APT EXISTING DWELLING RENOVATION TO 10 Outlook Terrace Drive MARKHAM ,ONTARIO

OWNER: Kiran Suguru
 Kavitha Vallabhapuram

ALL DRAWINGS AND RELATED DOCUMENTS ARE COPYRIGHT PROPERTY OF VARATHA DESIGN ASSOCIATES. AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT DESIGNER'S CONSENT IN WRITING.

DRAWINGS NOT TO BE SCALED

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE SITE AND REPORT ANY DISCREPANCIES OR ERRORS BEFORE COMMENCING ANY PART OF THE WORK

THE DESIGNER HAS NOT BE RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUBCONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS

MYLARS/VELUMS ARE ISSUED TO THE CLIENTS ON THE UNDERSTANDING THAT NO CHANGES ARE TO BE MADE TO THE CONTRACT DOCUMENTS WITHOUT WRITTEN CONSENT OF THE DESIGNER.

1	BUILDING PERMIT	K.V.	JN6,22
NO.	REVISION/ISSUED TO	BY	DATE

VARATHA DESIGN ASSOCIATES
 Architectural & Engineering Services
 Varatha Ken
 Architectural Designer
 TEL: (416) 284 7945
 CELL: (416) 725 2041
 email: kvaratha@hotmail.com

TORONTO Ont.

SCALE: 3/16" = 1'-0"
 CAD FILE :
 JOB No.: 22148

DATE: JN6,22
 DWG NO: A3
 OF 5

DRAWN BY: K.V.

CHECKED BY: K.V.

JN6,22

Appendix B

File: 22.117460.000.00.MNV

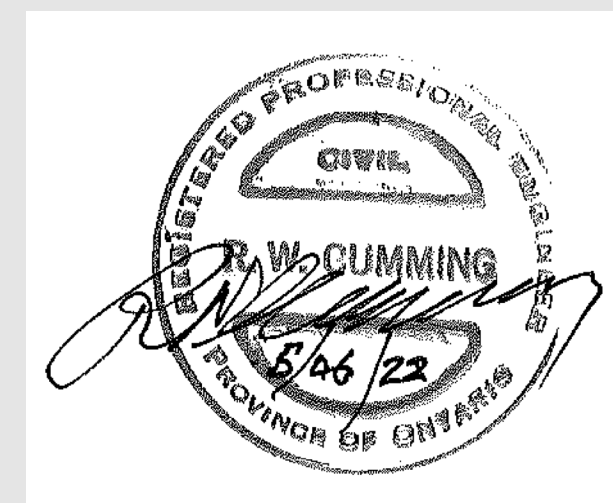
Date: 08/19/22



EAST ELEVATION

SCALE : 3/16" = 1'-0"

Table 9.10.15.4.
Maximum Area of Glazed Openings in Exterior Walls of Houses
7.0% MAX.window openings



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.B.C TO BE A DESIGNER

QUALIFICATION INFORMATION:

K.RANAGAVARATHA (B.C.I.N) 26147

[Signature]

REGISTRATION INFORMATION:

VARATHA DESIGN ASSOCIATES (B.C.I.N) 33937

DRAWING TITLE: ELEVATION

PROJECT: NEW BASEMENT APT EXISTING DWELLING RENOVATION TO 10 Outlook Terrace Drive MARKHAM ,ONTARIO

OWNER: Kiran Suguru
Kavitha Vallabhapuram

ALL DRAWINGS AND RELATED DOCUMENTS ARE COPYRIGHT PROPERTY OF VARATHA DESIGN ASSOCIATES. AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT DESIGNER'S CONSENT IN WRITING.

DRAWINGS NOT TO BE SCALED CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE SITE AND REPORT ANY DISCREPANCIES OR ERRORS BEFORE COMMENCING ANY PART OF THE WORK

THE DESIGNER HAS NOT BE RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUBCONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS

MYLARS/VELUMS ARE ISSUED TO THE CLIENTS ON THE UNDERSTANDING THAT NO CHANGES ARE TO BE MADE TO THE CONTRACT DOCUMENTS WITHOUT WRITTEN CONSENT OF THE DESIGNER.

NO.	REVISION/ISSUED TO	BY	DATE
1	BUILDING PERMIT	K.V.	JN6,22

VARATHA DESIGN ASSOCIATES
Architectural & Engineering Services

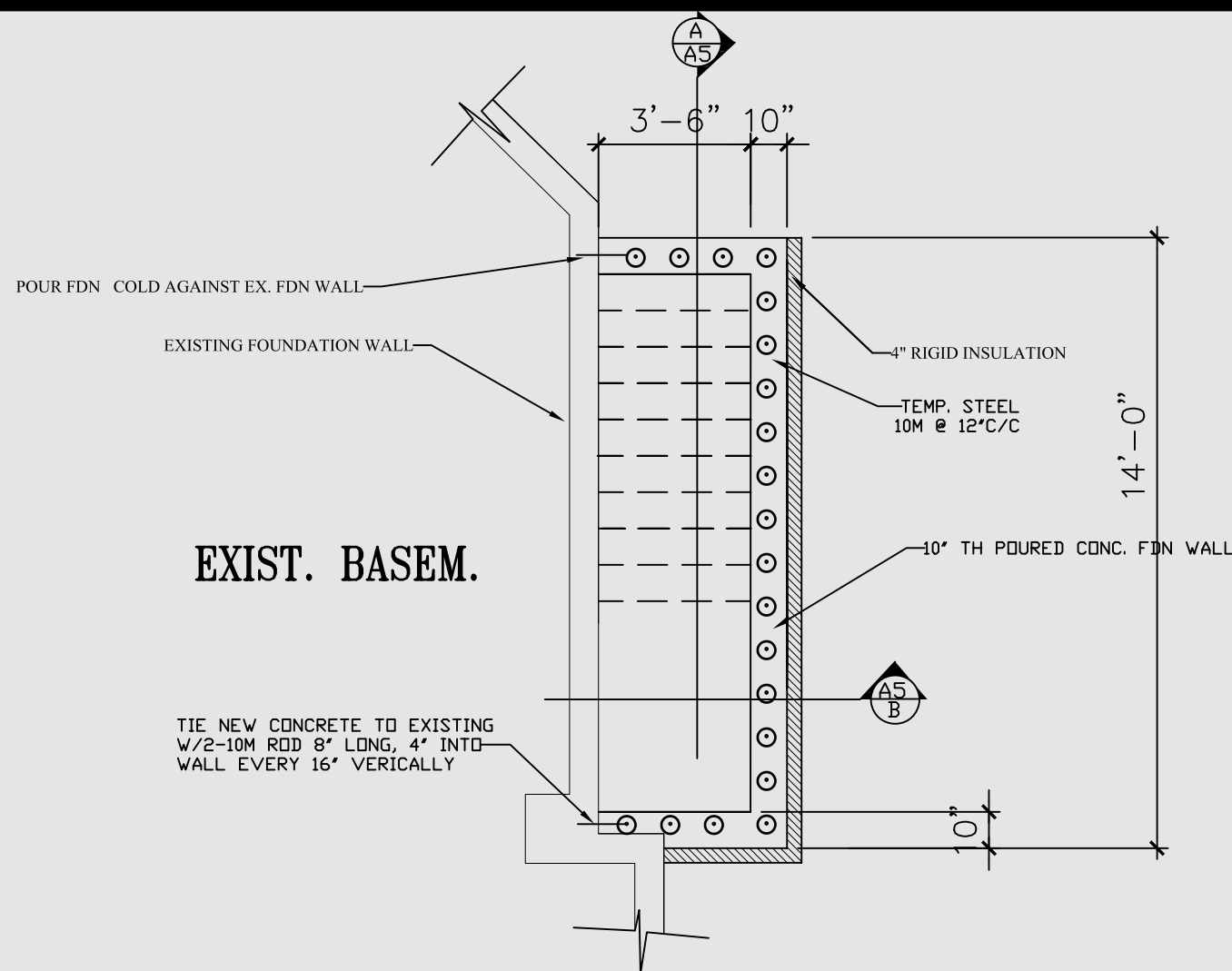
Varatha Ken
Architectural Designer
TEL: (416) 284 7945
CELL: (416) 725 2041
email: kvaratha@hotmail.com

SCALE: 3/16" = 1'-0" CAD FILE : JOB No.: 22148

DATE: JN6,22 DWG NO: OF

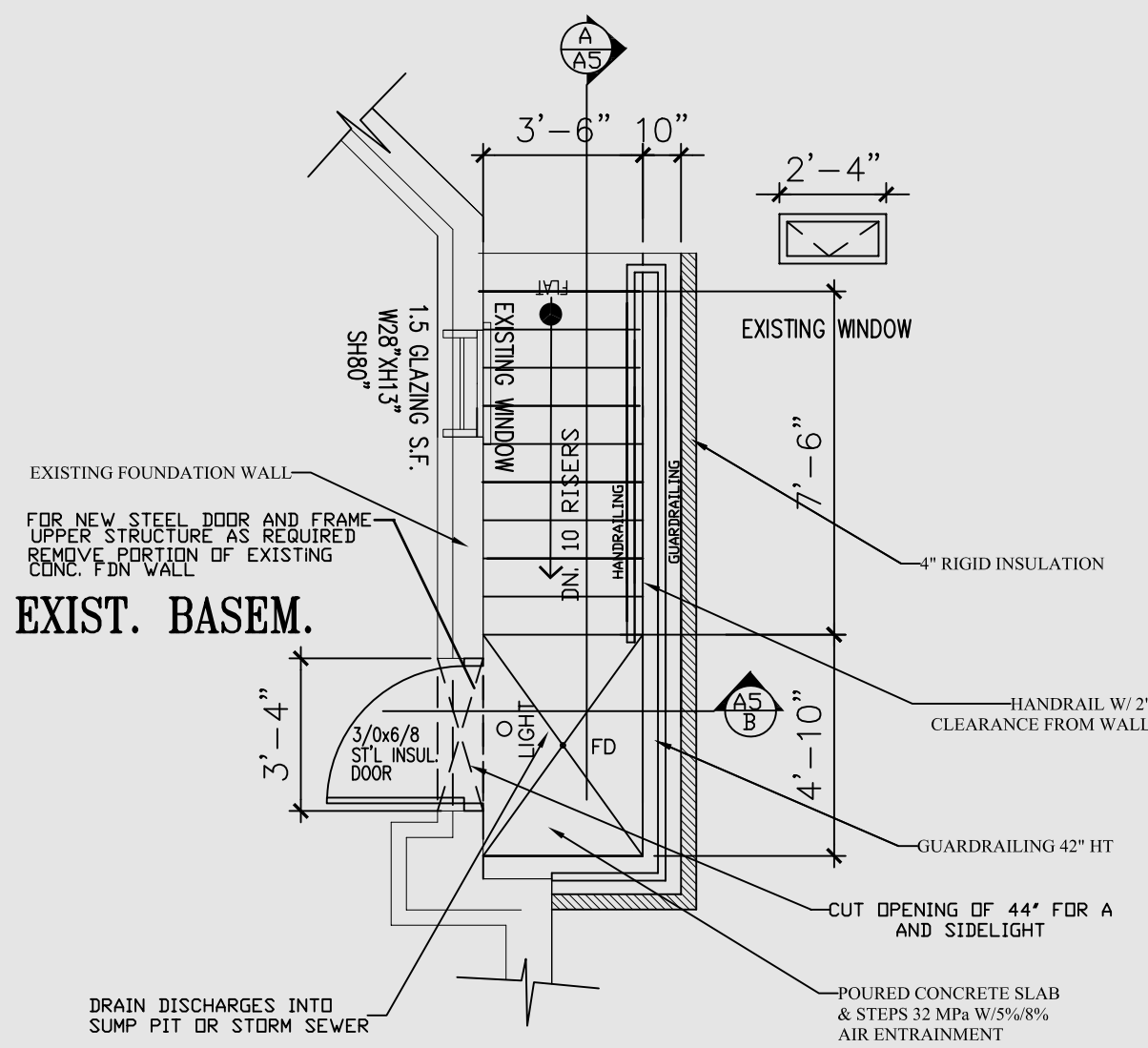
DRAWN BY: K.V. A4 5

CHECKED BY: K.V. DATE OF PRINT: JN6,22



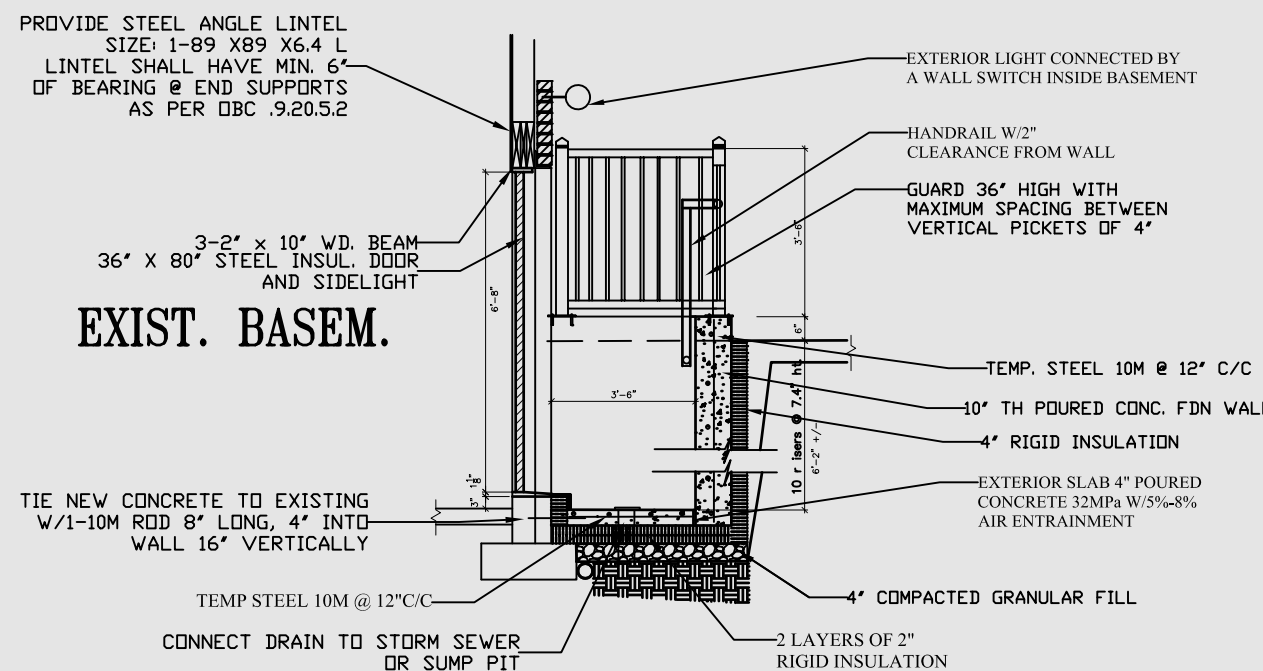
FDN PLAN

SCALE: 1/4" = 1'-0"



FLOOR PLAN

SCALE: 1/4" = 1'-0"



EXIST. BASEM.

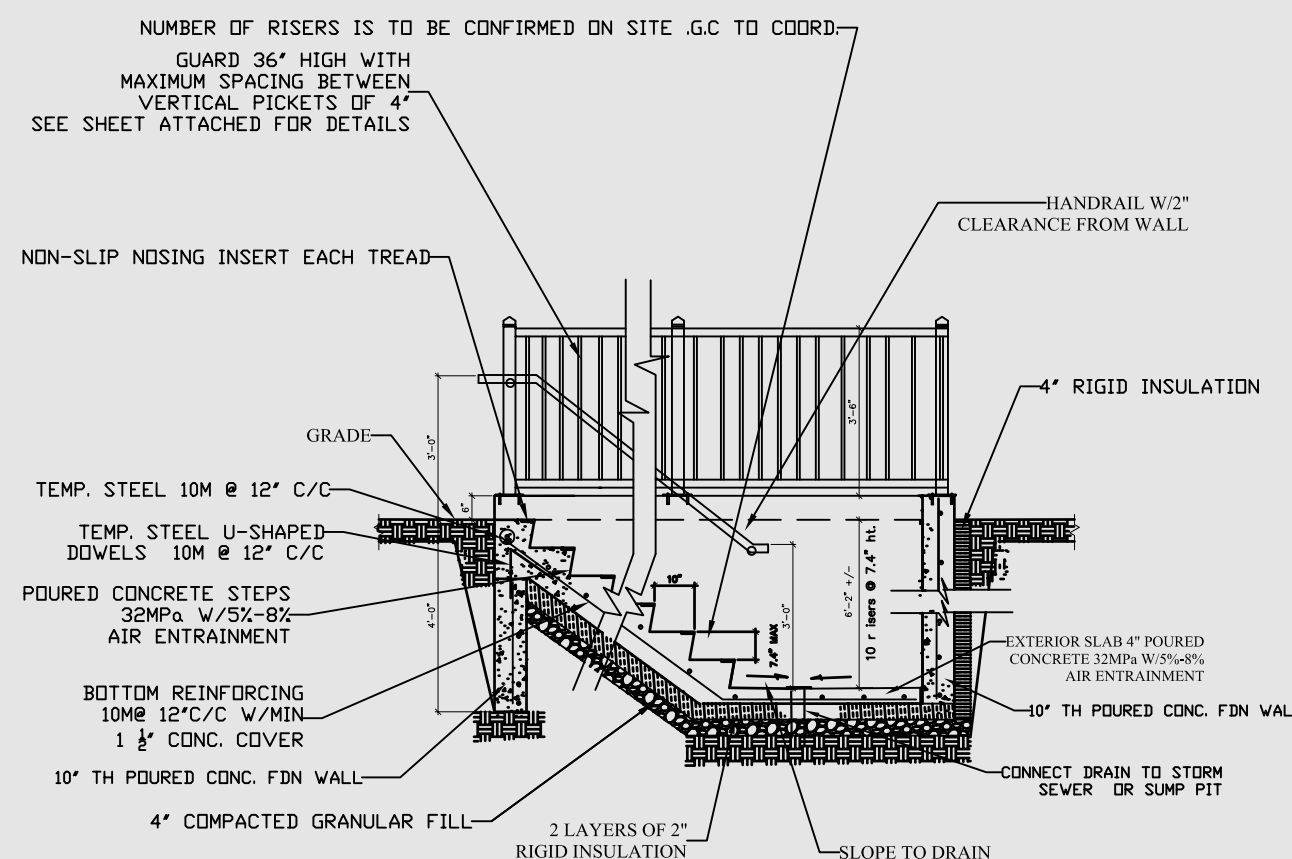
SECTION B: FOR BELOW GRADE ENTRANCE

SCALE: 1/4" = 1'-0"

*Contractor shall obtain guards specifically Ontario Building Code compliant.

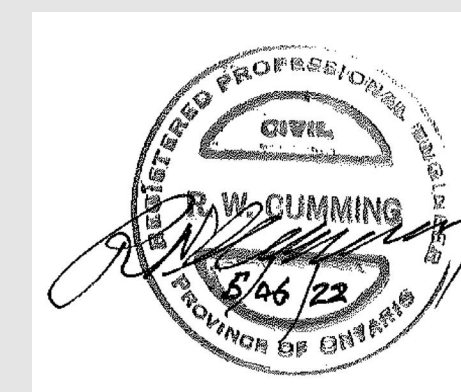
GENERAL NOTES:

1. WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE (OBC) AND LOCAL REGULATIONS
2. MATERIAL SHALL BE AS FOLLOWS :
 -CONCRETE 32 MPa WITH 5% TO 8% AIR
 -REINFORCING CSA G30.18-80M2 400
 -TIMBER -SPAWN CSAO 141 S-P-F
 -STEEL -A53-55A @ 40.21
 -WELLSHAFT -DOM STRUCTURAL 5M OR EQUIVALENT
3. FOOTINGS SHALL BEAR ON SOIL CAPABLE OF SUSTAINING AN ALLOWABLE BEARING PRESSURE OF 2000 PSF
 LIGHT TO HAVE ITS OWN DEDICATED CIRCUIT
4. DOOR AND FRAME TO ENTRY RESISTANT METAL PER OBC



SECTION A: FOR BELOW GRADE ENTRANCE

SCALE: 1/4" = 1'-0"



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.B.C TO BE A DESIGNER

QUALIFICATION INFORMATION:
 KRANAGAVARATHA (B.C.I.N) 26147
 REGISTRATION INFORMATION:
 VARATHA DESIGN ASSOCIATES (B.C.I.N) 33937

DRAWING TITLE: GRADE ENTRY DETAILS

PROJECT: NEW BASEMENT APT EXISTING DWELLING RENOVATION TO 10 Outlook Terrace Drive MARKHAM ,ONTARIO

OWNER: Kiran Suguru Kavitha Vallabhapuram

ALL DRAWINGS AND RELATED DOCUMENTS ARE COPYRIGHT PROPERTY OF VARATHA DESIGN ASSOCIATES. AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT DESIGNER'S CONSENT IN WRITING.
 DRAWINGS NOT TO BE SCALED
 CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE SITE AND REPORT ANY DISCREPANCIES OR ERRORS BEFORE COMMENCING ANY PART OF THE WORK

THE DESIGNER HAS NOT BEEN RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUBCONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS
 MYLARS/VELUMS ARE ISSUED TO THE CLIENTS ON THE UNDERSTANDING THAT NO CHANGES ARE TO BE MADE TO THE CONTRACT DOCUMENTS WITHOUT WRITTEN CONSENT OF THE DESIGNER.

1	BUILDING PERMIT	K.V.	JN6,22
NO.	REVISION/ISSUED TO	BY	DATE

VARATHA DESIGN ASSOCIATES
 Architectural & Engineering Services
 Varatha Ken
 Architectural Designer
 TEL: (416) 284 7945
 CELL: (416) 725 2041
 email: kvaratha@hotmail.com

SCALE: 1/4" = 1'-0"	CAD FILE :	JOB No.: 22148
DATE: JN6,22	DWG NO: A5	OF 5
DRAWN BY: K.V.		
CHECKED BY: K.V.	DATE OF PRINT: JN6,22	

APPENDIX "D"
MINUTES EXTRACT: AUGUST 24, 2022

Three pieces of written correspondence were received.

Member Gutfreund had reviewed the staff report and was in agreement that the application met the four tests of the *Planning Act* and supported the planning staff recommendation. The member had no objections to the application and recommended approval of the application.

Member Gutfreund motioned for approval.

Moved By: Tom Gutfreund
Seconded By: Jeamie Reingold

The Committee unanimously approved the application.

THAT Application No. **A/100/21** be **approved** subject to conditions contained in the staff report as amended

Resolution Carried

2. A/072/22

Owner Name: Kiran Babu
Agent Name: Varatha Design Associates (Ken Varatha)
10 Outlook Terrace Drive, Markham
PLAN 65M3587 LOT 98

The applicant was requesting relief from the requirements of By-law 177-96, as amended to permit:

a) Section 6.5:

an accessory dwelling unit, whereas the By-law permits no more than one dwelling unit on a lot;

b) Parking By-law 28-97, Section 3.0, Table A:

two parking spaces, whereas the By-law requires a minimum of three parking spaces;

c) Parking By-law 28-97, Section 6.2.4.2 (b)(i)(b):

a minimum of 35.0 percent soft landscaping in the front yard, whereas the By-law requires a minimum of 40.0 percent soft landscaping provided in the front yard in the case of a lot with a lot frontage of 10.10 m (33.14 ft.), or greater;

as it related to a proposed basement apartment.

The Chair introduced the application.

The agent, Ken Varatha, appeared on behalf of the application and stated that they had read the staff report and agreed with the staff recommendation.

Four written comments opposed to the application had been received.

Jaison Joseph, of 3 Beckstead Street, indicated that the proposed stairs and entrance would directly face their front porch and driveway and would impede their privacy. Jaison stated that the owner could relocate the entrance to the other side or the rear of the dwelling, which would be less disruptive to the privacy of other owners on the street.

Sara Araghian, of 1 Beckstead Street, spoke to concerns about sufficient parking for the additional unit, which would lead to on-street parking. The driveway of her house was located across from the proposed entrance, and Sara was concerned that the resident of the secondary suite would park in the street adjacent to the proposed entrance for ease of entry. Sara was concerned about safety, snow plowing, and the need to engage parking enforcement if parking on the street became habitual. Sara stated that corner lots set the tone for the neighbourhood, and allowing the entrance in the street side yard would reduce open space on the streetscape. Sara recognized the provincial mandate to provide affordable housing units. She empathized with owners who needed to rent but was unsure that adding secondary suites into established neighbourhoods was the best way to attain affordable housing.

Ken Varatha indicated the garage had two parking spaces, but they were not included in the total parking requirements because they did not comply with the zoning standard.

Member Gutfreund spoke to the Provincial Policy through Bill 108 to permit detached dwellings to contain two residential dwelling units. A secondary suite is allowed under provincial legislation through the More Homes More Choice Act and A Place to Grow: Growth Plan. Member Gutfreund requested clarification from the agent if the existing fencing would be extended to enclose the proposed walk-down and entrance.

Ken Varatha indicated that it was not shown on the plan, but the side yard fence would be extended past the proposed walk-down and entrance with a gate so that the railing would not be visible from the street.

The Chair identified a detailed landscaping plan, Site Plan A 1.5, had been submitted with the application, and the plan did not show the proposed fence extension. The Chair indicated that the application had addressed parking standards, and a decision cannot be based on a breach or potential breach of other laws.

Member Gutfreund noted that the application followed Provincial Policy and that there was a sufficient separation between dwellings with the road to not impact privacy. Accordingly, the member supported the application and recommended approval, subject to comments from other members.

Member Yan agreed with Member Gutfreund that this application falls under Provincial legislation and that it met the four tests of the *Planning Act* and supported the application.

The Chair indicated that before the motion, the conditions should be amended to include a requirement for the fence's extension.

Member Reingold commented that the existing fence was already very long, and landscaping in the form of evergreens would be softer for the streetscape.

The Committee discussed with staff and the applicant regarding the inclusion of a condition requiring landscaping.

The Chair recommended deferral of the application to provide staff with an opportunity to work with the applicant to determine the appropriate method to provide screening for the proposed door.

The applicant requested a deferral.

Member Reingold motioned for deferral.

Moved By: Jeamie Reingold
Seconded By: Tom Gutfreund

The Committee unanimously deferred the application.

THAT Application No. **A/077/22** be deferred sine die

Resolution Carried

3. A/106/22

Owner Name: Naveed Iqbal
Agent Name: Varatha Design Associates (Ken Varatha)
125 Maria Road, Markham
PLAN 65M4317 PT LOT 10 RP 65R33875 PTS 3 AND 4

The applicant was requesting relief from the requirements of By-law 177-96, as amended to permit:

- a) **Parking By-law 28-97, Section 3.0, Table A:**
two parking spaces, whereas the By-law requires three parking spaces for a detached dwelling with one accessory dwelling; and