

Memorandum to the City of Markham Committee of Adjustment

January 25, 2021

File: A/043/20
Address: 106 Sophia Rd – Markham, ON
Applicant: Chamkaur Singh & Sukhvinder Singh
Agent: Cantam Group Ltd.
Hearing Date: February 17, 2021

The following comments are provided on behalf of the East Team.

The applicant is requesting relief from the following “Fourth Density Semi-Detached Residential (RSD4)” zone requirements under By-law 90-81, as amended, to permit:

a) Section 5.2.1:

a Second Dwelling Unit, whereas the By-law permits no more than one Semi-Detached Dwelling on one lot; and

b) Section 5.2.6:

a door that faces the interior side lot line to be located 0.61 m (2.0 ft) from the interior side lot line, whereas the By-law requires a minimum of 1.20 m (3.94 ft).

BACKGROUND

This application was deferred by the Committee of Adjustment (“the Committee”) on September 16, 2020 for the applicant to address concerns related to issues of trespass along the south property line as detailed in the initial staff report dated September 8, 2020 (Appendix “C”), and the minutes extract (Appendix “D”).

COMMENTS

The applicant submitted revised plans, and is proposing alternative access to the basement apartment (secondary suite) via a new walk-up located at the west side (rear) of the dwelling (Appendix “B”). The applicant is also proposing to keep the existing door along the south side of the dwelling which is setback 0.61 m (2.0 ft) from the south property line. Consequently, the applicant is requesting the same variances from the initial hearing as noted above.

Staff support the proposed secondary suite as detailed in the initial staff report, particularly, as proper access to the unit is now proposed in conformity with the By-law.

With respect to variance b), staff note that the intent of the provision is to avoid trespassing onto an adjacent property either by the swing of the door or by occupants accessing the door. While the existing door along the south lot line is shown to swing internal to the dwelling, Planning staff remain concerned with trespass, and note that the internal door swing may not comply with the Ontario Building Code (OBC).

Staff are of the opinion that the variance request to permit the existing door is not minor in nature, does not meet the general intent of the By-law, and is not desirable.

PUBLIC INPUT SUMMARY

No written submissions were received as of January 28, 2021. It is noted that additional information may be received after the writing of the 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, R.S.O. 1990, c. P.13, as amended*, and are of the opinion that the applicants request to permit a secondary suite meets the four tests under the *Planning Act*. Staff have no concerns with permitting the secondary suite. Staff are of the opinion that the existing side door and related variance are not appropriate for the site and should be denied.

Staff recommend that the Committee consider public input in reaching a decision. The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the By-law, and how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

Please see Appendix "A" for conditions to be attached to any approval of this application.

APPENDICES

Appendix "A" – Conditions of Approval

Appendix "B" – Revised Plans

Appendix "C" – Staff Report: September 8, 2020

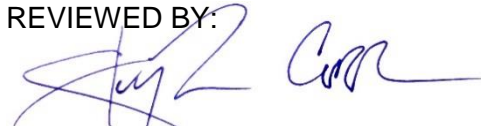
Appendix "D" – Minutes Extract: September 20, 2020

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



Stephen Corr, Senior Planner, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/043/20

1. The variance(s) apply only to the proposed development as long as it remains.
2. That the variance(s) apply only to the subject development, in substantial conformity with the plans attached as Appendix "B" to this Staff Report, with a batch stamp date of January 28, 2021, 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.

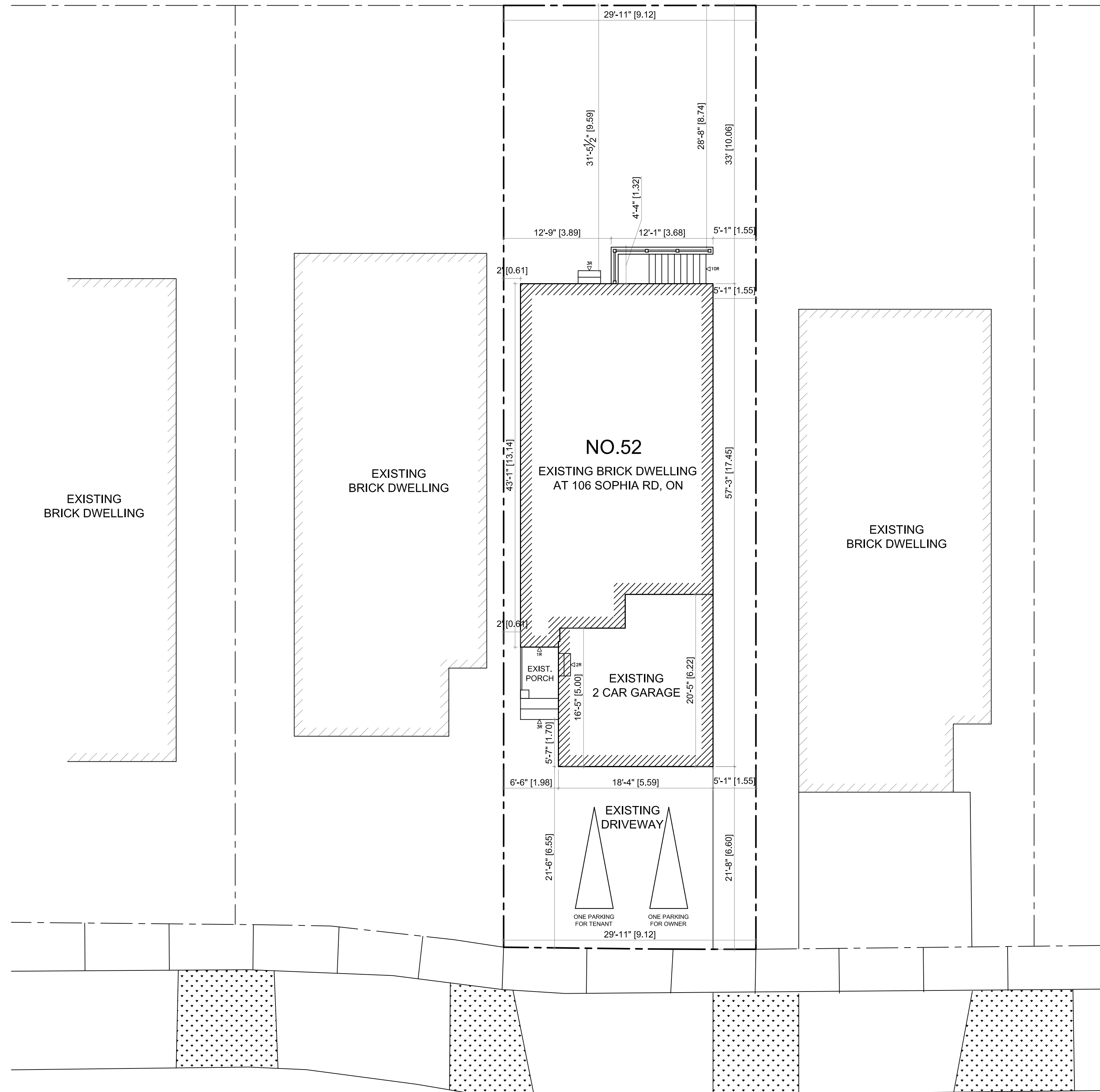
CONDITIONS PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

APPENDIX "B"
REVISED PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/043/20

MIDDLEFIELD ROAD



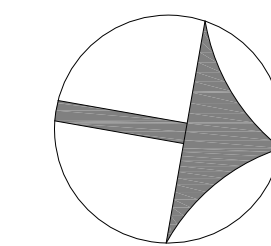
SOPHIA ROAD

* CONTRACTOR TO CHECK EXISTING FOOTING SIZES AND BEARING CAPACITY PRIOR TO STARTING WORK

CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS. THE CONTRACTOR SHALL ADVISE THE ENGINEER OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH CONSTRUCTION.

ALL EXISTING GRADES TO BE REMAIN.

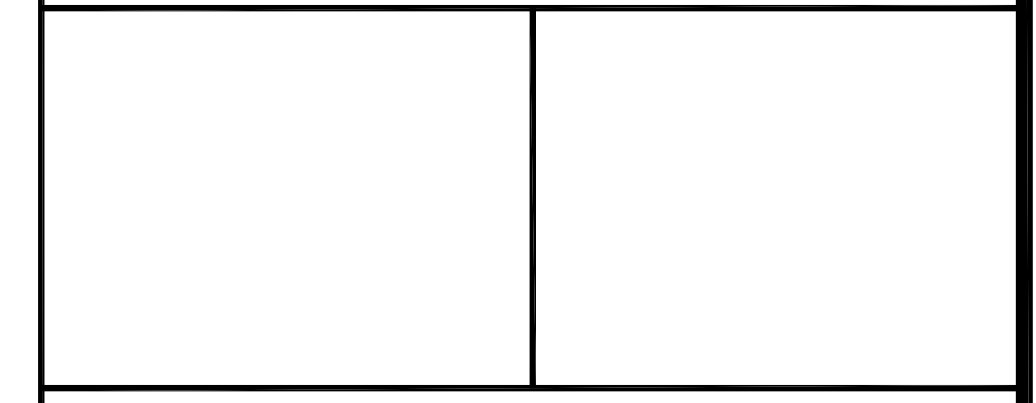
NO CHANGE IN EXISTING FOOT PRINT AREA.



SITE PLAN
 SCALE : 1/8"=1'

NO.	REVISIONS	DATE
2.	REVISED FOR COA	12 / 11 / 2020
1.	ISSUED FOR BUILDING PERMIT	02 / 07 / 2020

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.
 THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSE UNTIL SEALED AND SIGNED BY THE ARCHITECT.
 DO NOT SCALE DRAWINGS.

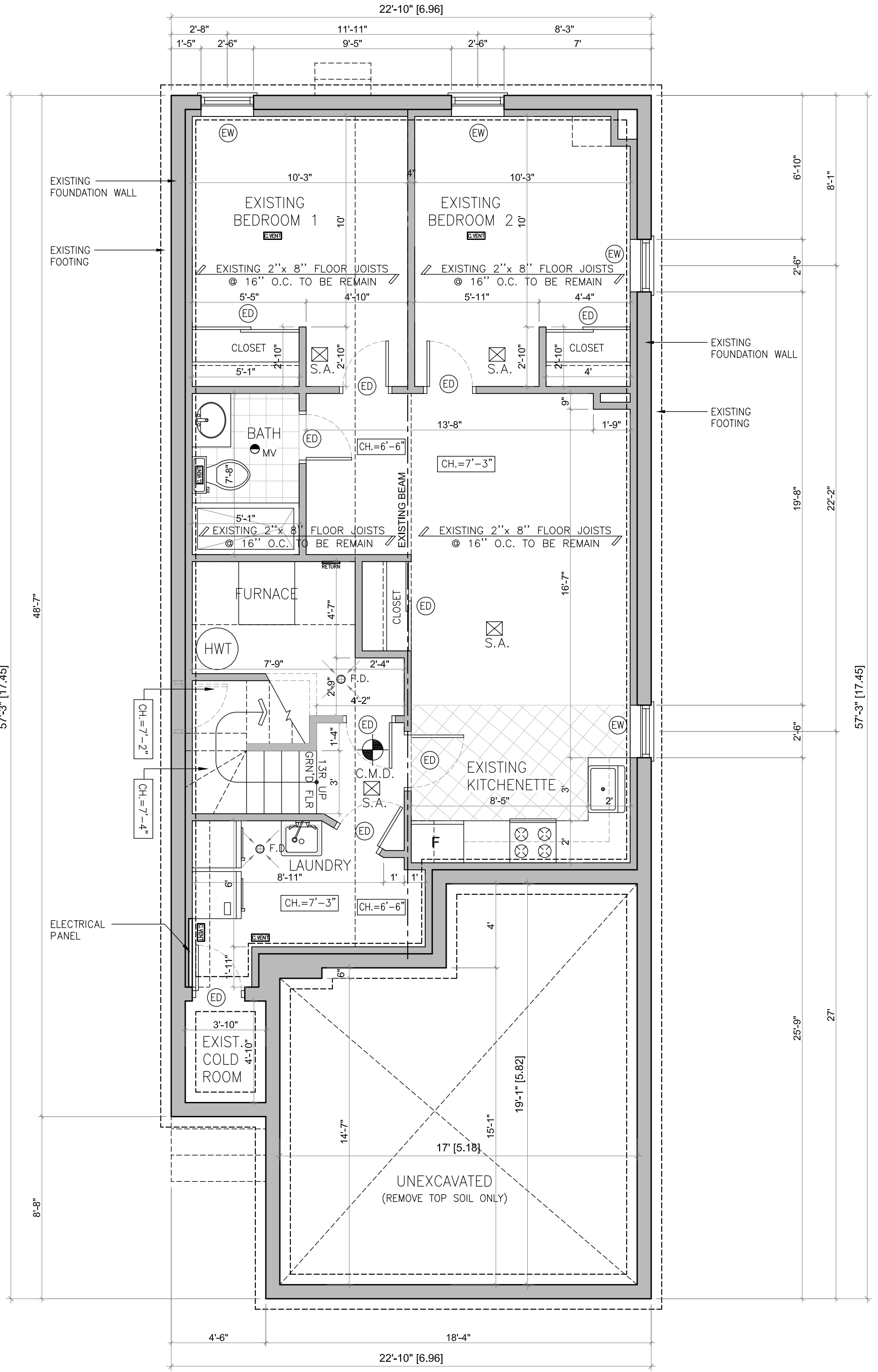


CANTAM
Group Ltd.
 PLANNING & BUILDING CONSULTANTS
 850 TAPSCOTT RD, UNIT # 51, TORONTO ON M1X 1N4
 TEL: 416-335-3353 * FAX: 416-335-7967 * CELL: 416-854-2485

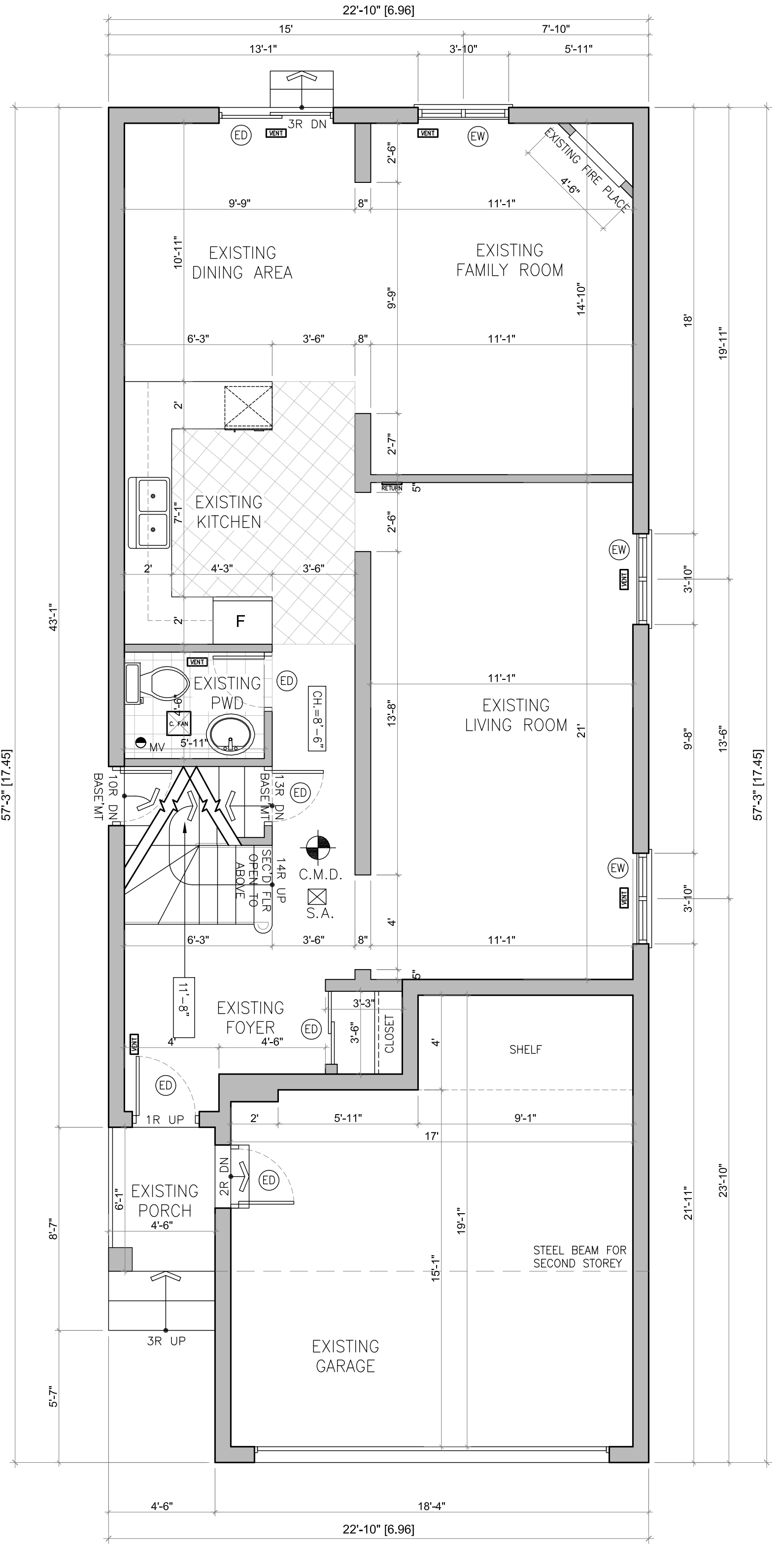
PROJECT :
 PROPOSED FINISH BASEMENT APARTMENT
 AT 106 SOPHIA ROAD, MARKHAM
 ON, CANADA

DRAWING:
 SITE PLAN

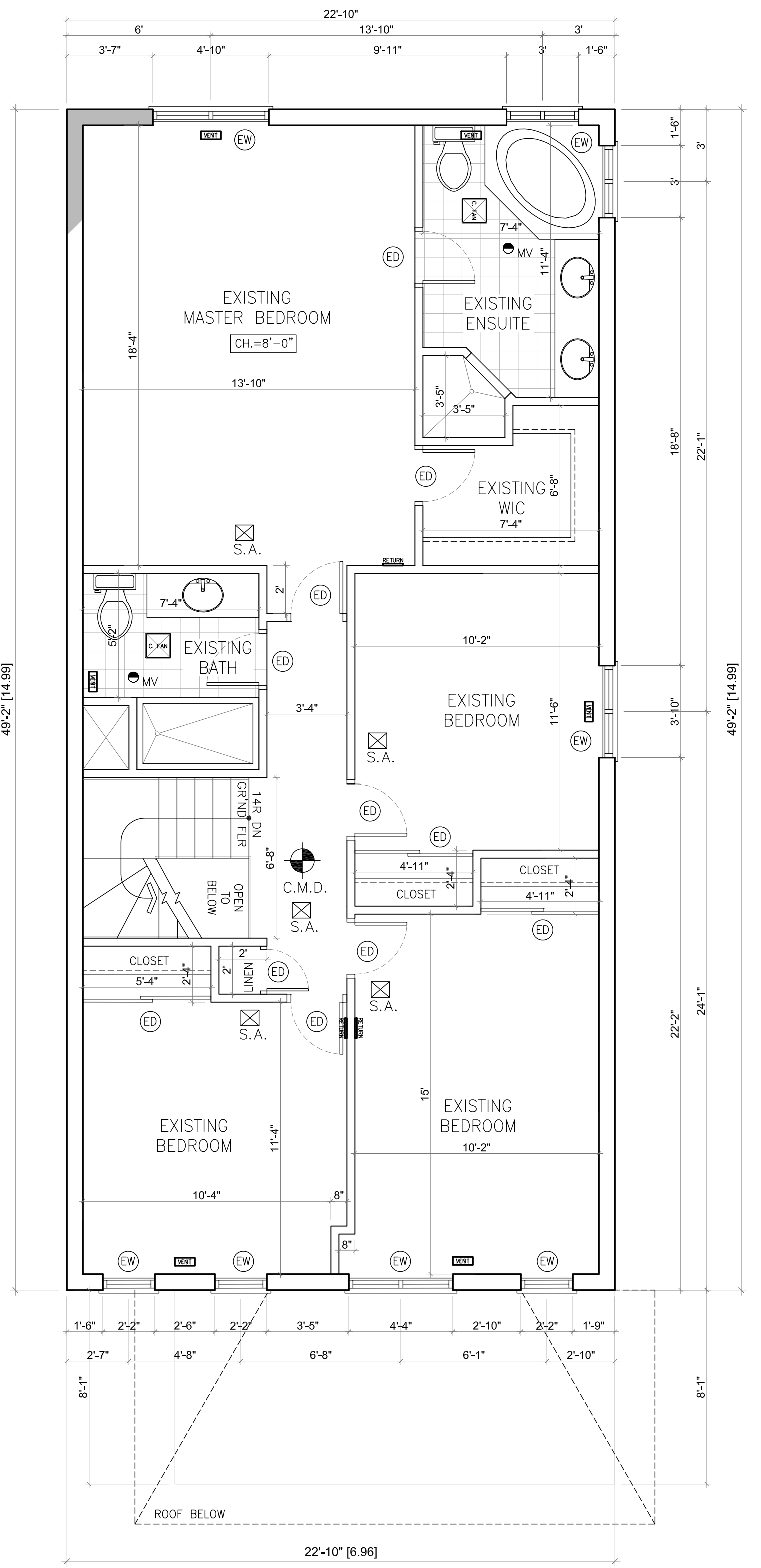
DATE: 09 / 01 / 2020
 SCALE: AS NOTED
 DRN: MJ CKD: YASO
 DRAWING NO. **A1**



EXISTING BASEMENT FLOOR PLAN
 SCALE : 1/4"=1'



EXISTING GROUND FLOOR PLAN
 SCALE : 1/4"=1'



EXISTING SECOND FLOOR PLAN
 SCALE : 1/4"=1'

WALL LEGEND

	EXISTING WALL
	NEW 5/8" TYPE 'X' DRYWALL ON EXISTING 2"x4"/2"x6" @ 16" O.C. 5/8" TYPE 'X' FIRE RATED DRYWALL, MIN. 45MIN. FIRE RATING & MIN. STC 50.
	5/8" TYPE 'X' FIRE RATED DRYWALL NEW 2"x4" STUDS @ 16" O.C. 3" ROCKWOL SAFE N SOUND INSULATION 5/8" TYPE 'X' FIRE RATED DRYWALL MIN. 45MIN. FIRE RATING & MIN. STC OF 50
	WALL TO BE DEMOLISHED

1.	ISSUED FOR BUILDING PERMIT	02 / 07 / 2020
NO.	REVISIONS	DATE

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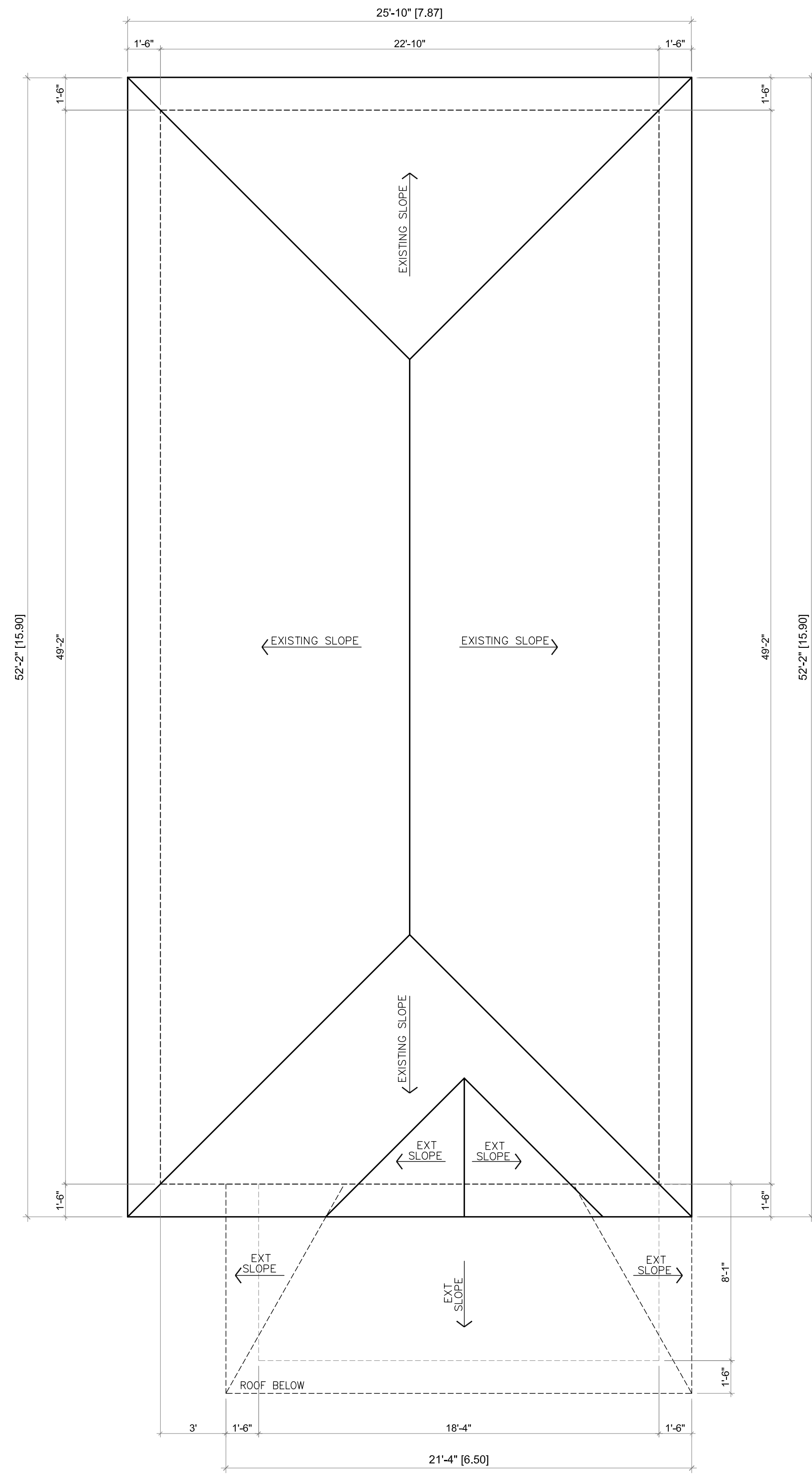
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PROJECT :
PROPOSED FINISH BASEMENT APARTMENT AT 106 SOPHIA ROAD, MARKHAM ON, CANADA

DRAWING: **EXISTING BASEMENT FLOOR PLAN**
EXISTING GROUND FLOOR PLAN
EXISTING SECOND FLOOR PLAN

DATE: 09 / 01 / 2020
 SCALE: AS NOTED
 DRN: MJ CKD: YASO

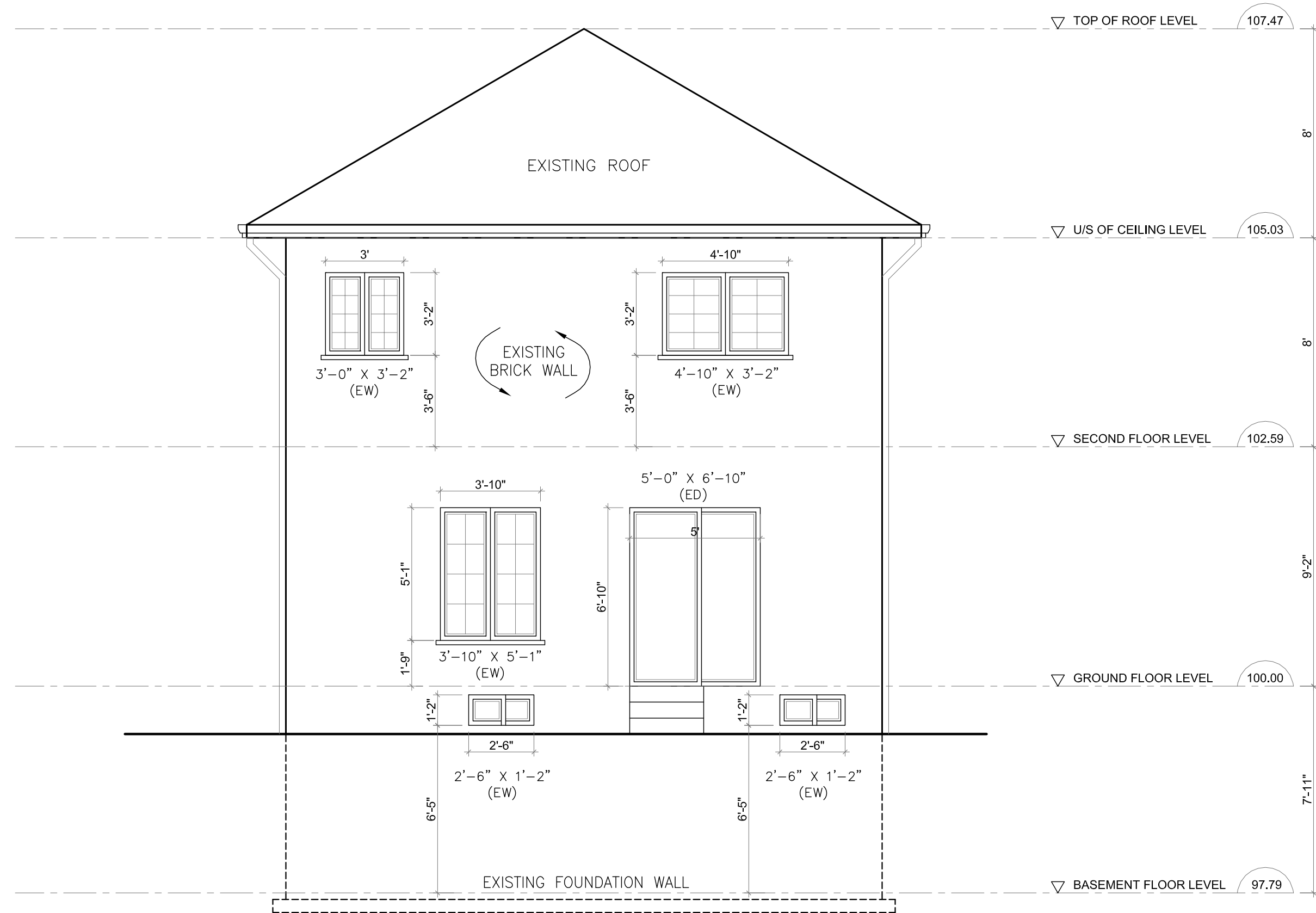
DRAWING NO. **A2**



EXISTING ROOF PLAN
SCALE : 1/4"=1'



EXISTING FRONT ELEVATION
SCALE : 1/4"=1'



EXISTING REAR ELEVATION
SCALE : 1/4"=1'

1.	ISSUED FOR BUILDING PERMIT	02 / 07 / 2020
NO.	REVISIONS	DATE

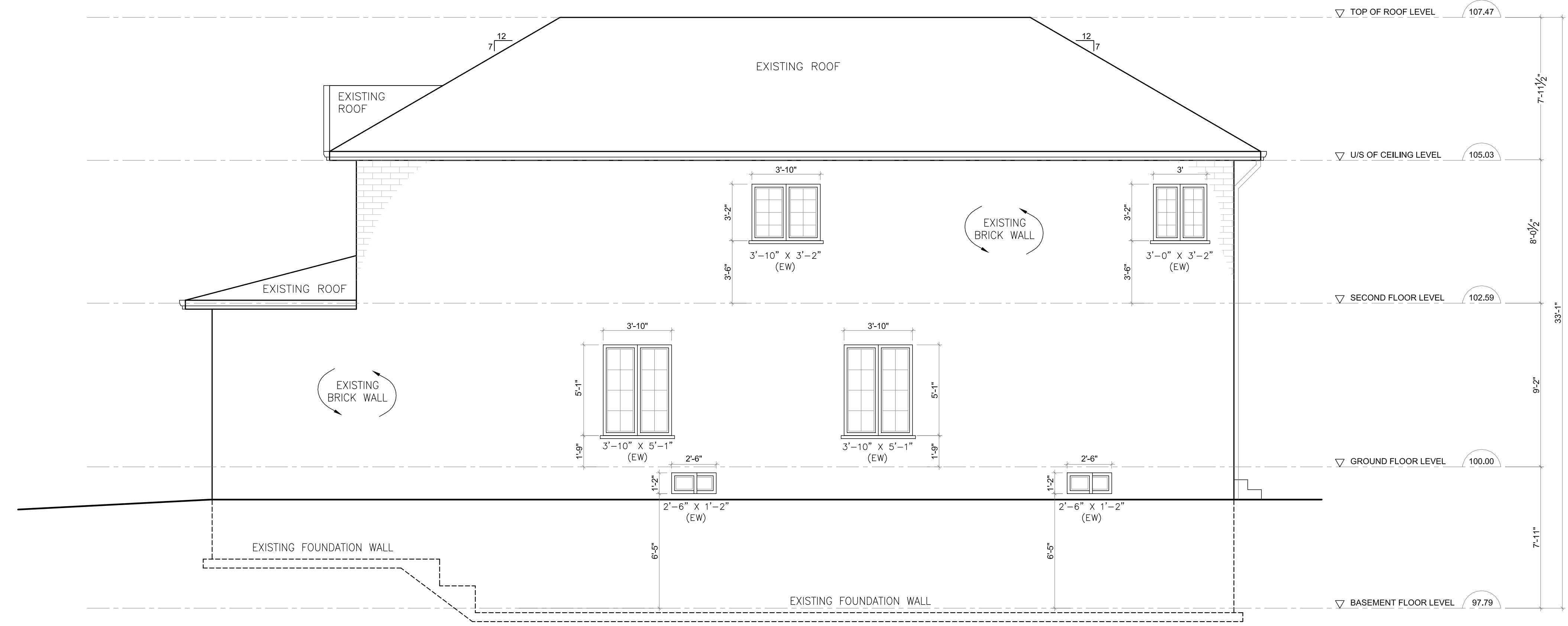
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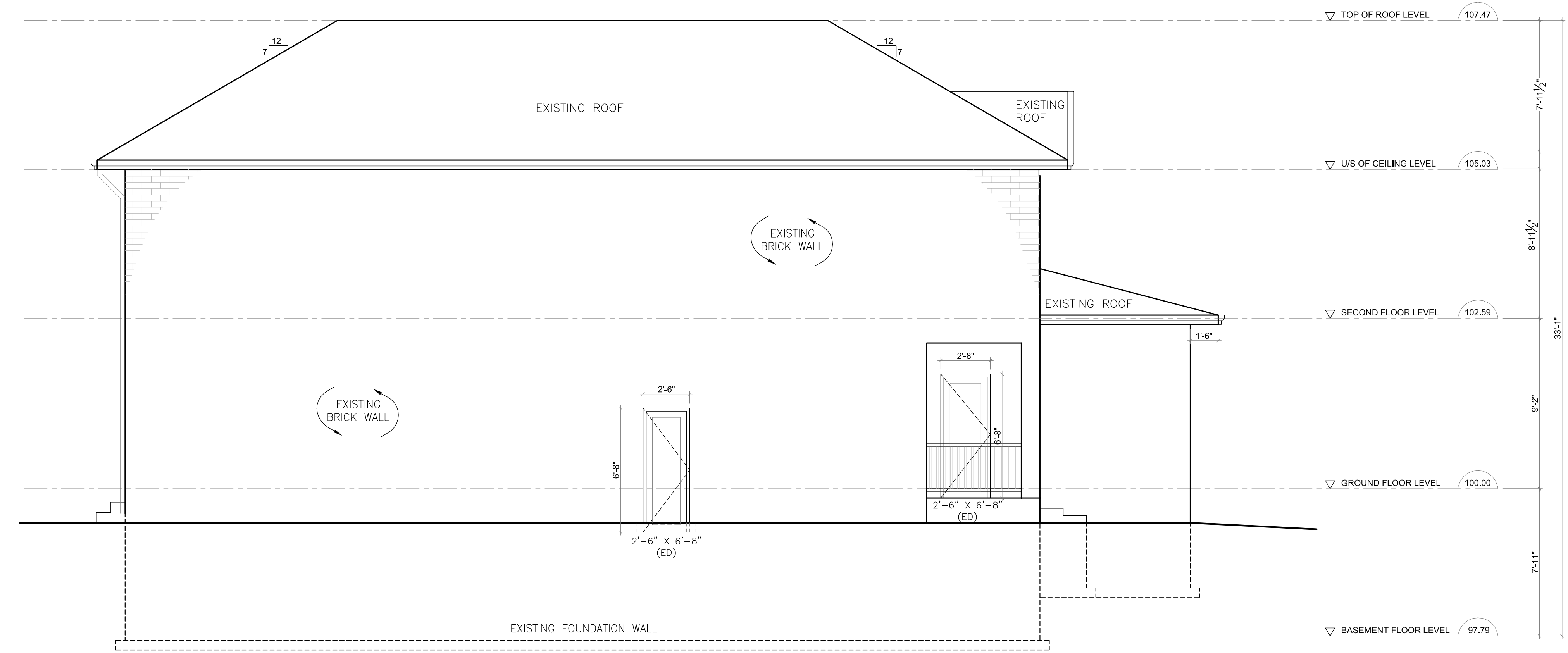
PROJECT :
**PROPOSED FINISH BASEMENT APARTMENT
AT 106 SOPHIA ROAD, MARKHAM
ON, CANADA**

DRAWING: **EXISTING ROOF PLAN
EXISTING FRONT & REAR ELEVATION**

DATE: 09 / 01 / 2020	DRAWING NO. A3
SCALE: AS NOTED	
DRN: MJ CKD: YASO	



EXISTING RIGHT SIDE ELEVATION
 SCALE : 1/4"=1'



EXISTING LEFT SIDE ELEVATION
 SCALE : 1/4"=1'

NO.	REVISIONS	DATE
1.	ISSUED FOR BUILDING PERMIT	02 / 07 / 2020

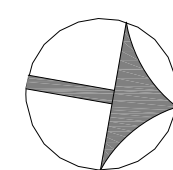
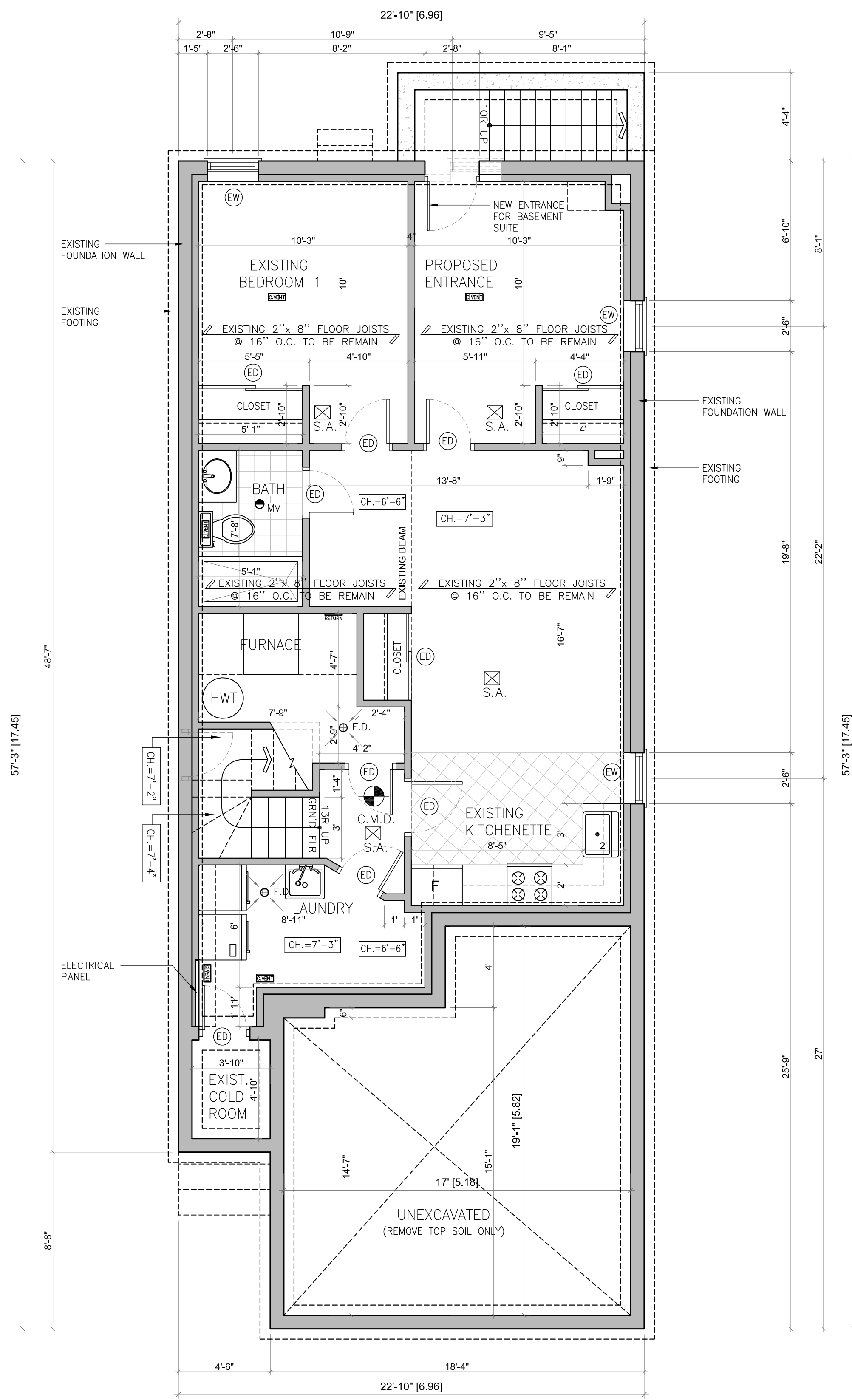
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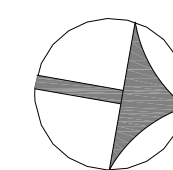
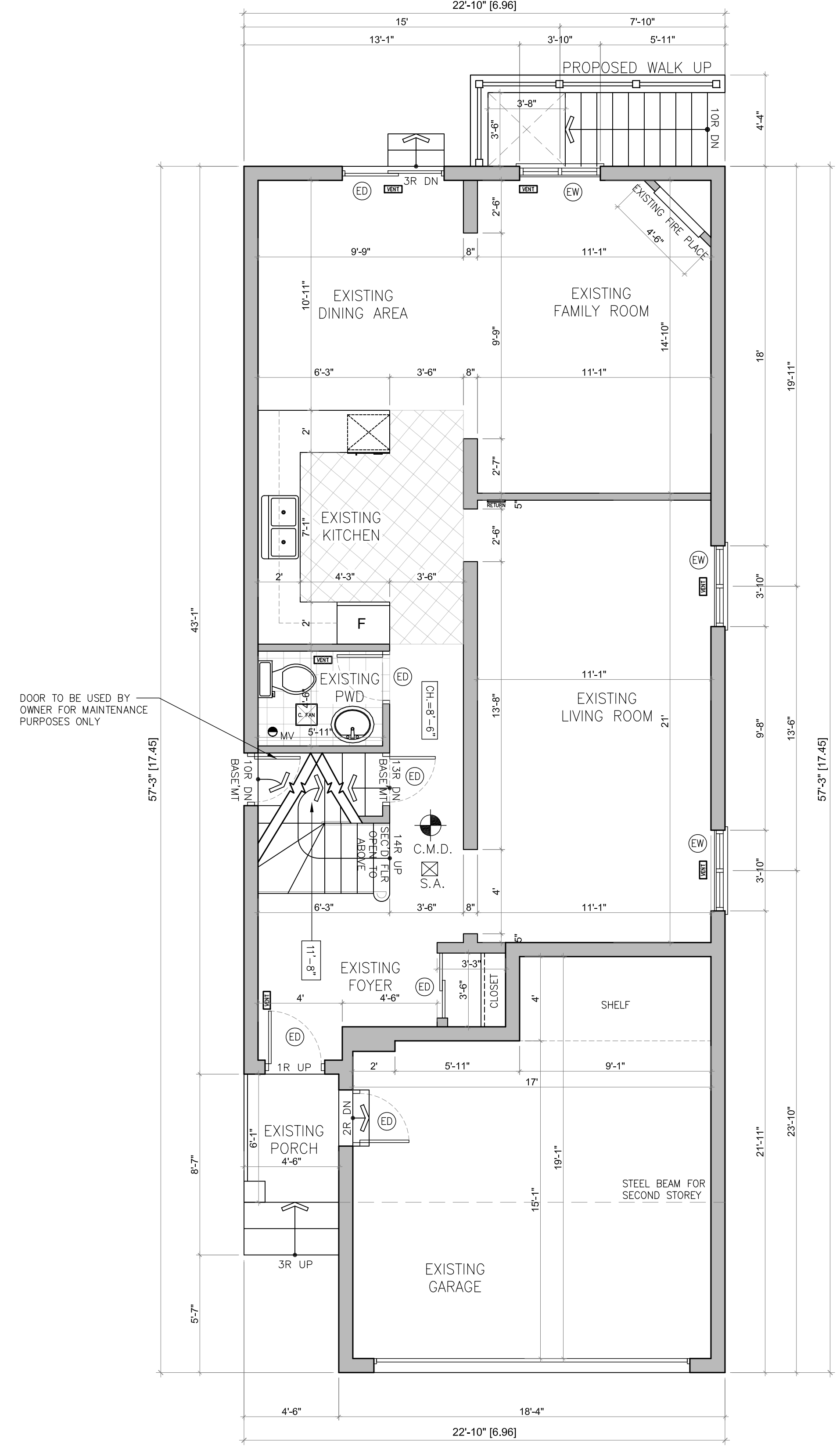
PROJECT :
**PROPOSED FINISH BASEMENT APARTMENT
 AT 106 SOPHIA ROAD, MARKHAM
 ON, CANADA**

DRAWING: **EXISTING RIGHT SIDE ELEVATION
 EXISTING LEFT SIDE ELEVATION**

DATE: 09 / 01 / 2020
 SCALE: AS NOTED
 DRN: MJ CKD: YASO
 DRAWING NO. **A4**



PROPOSED BASEMENT FLOOR PLAN
 SCALE : 1/4"=1'



PROPOSED GROUND FLOOR PLAN
 SCALE : 1/4"=1'

WALL LEGEND	
	EXISTING WALL
	WALL TO BE DEMOLISHED

NO.	REVISIONS	DATE
2.	REVISED FOR COA	12 / 11 / 2020
1.	ISSUED FOR BUILDING PERMIT	02 / 07 / 2020

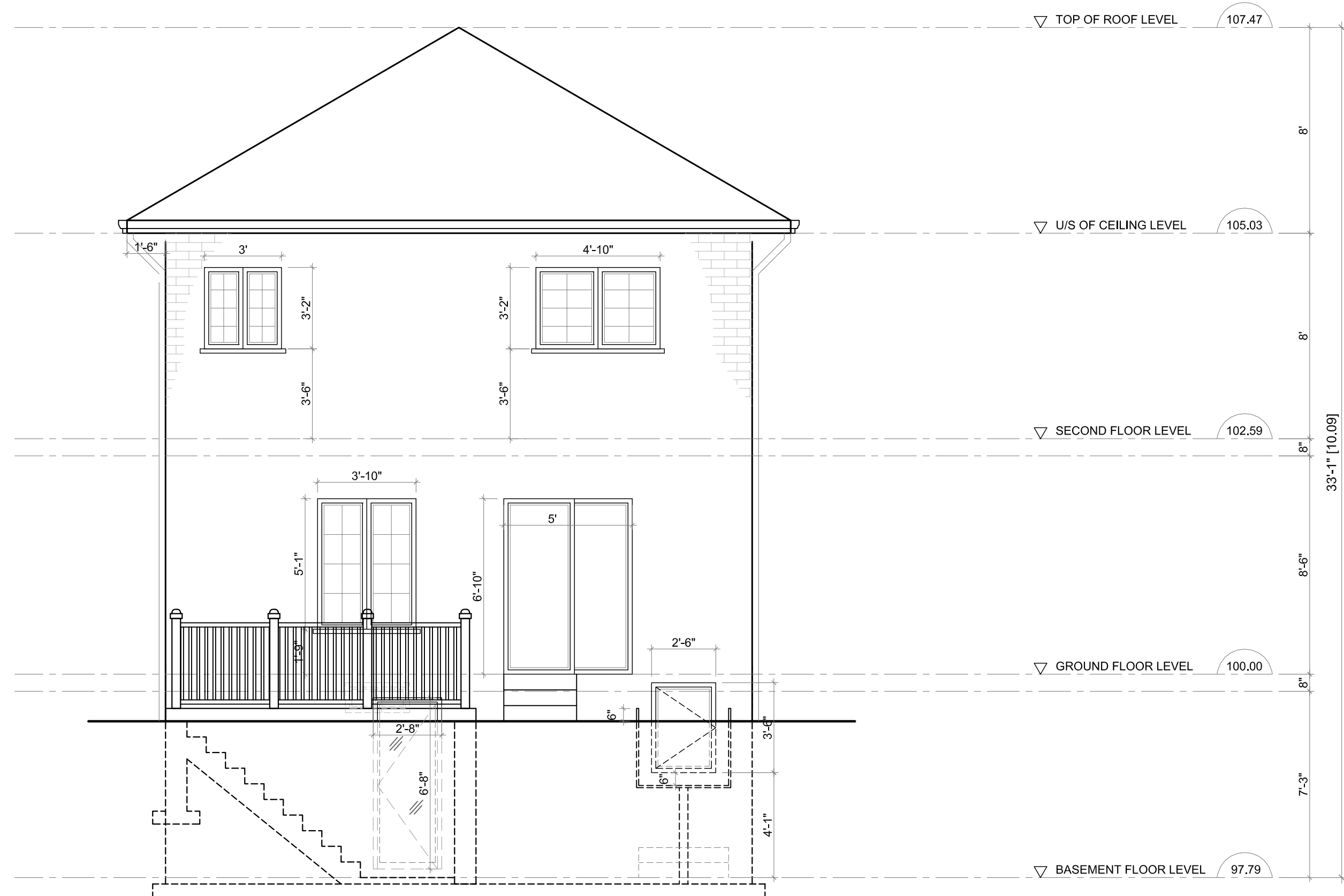
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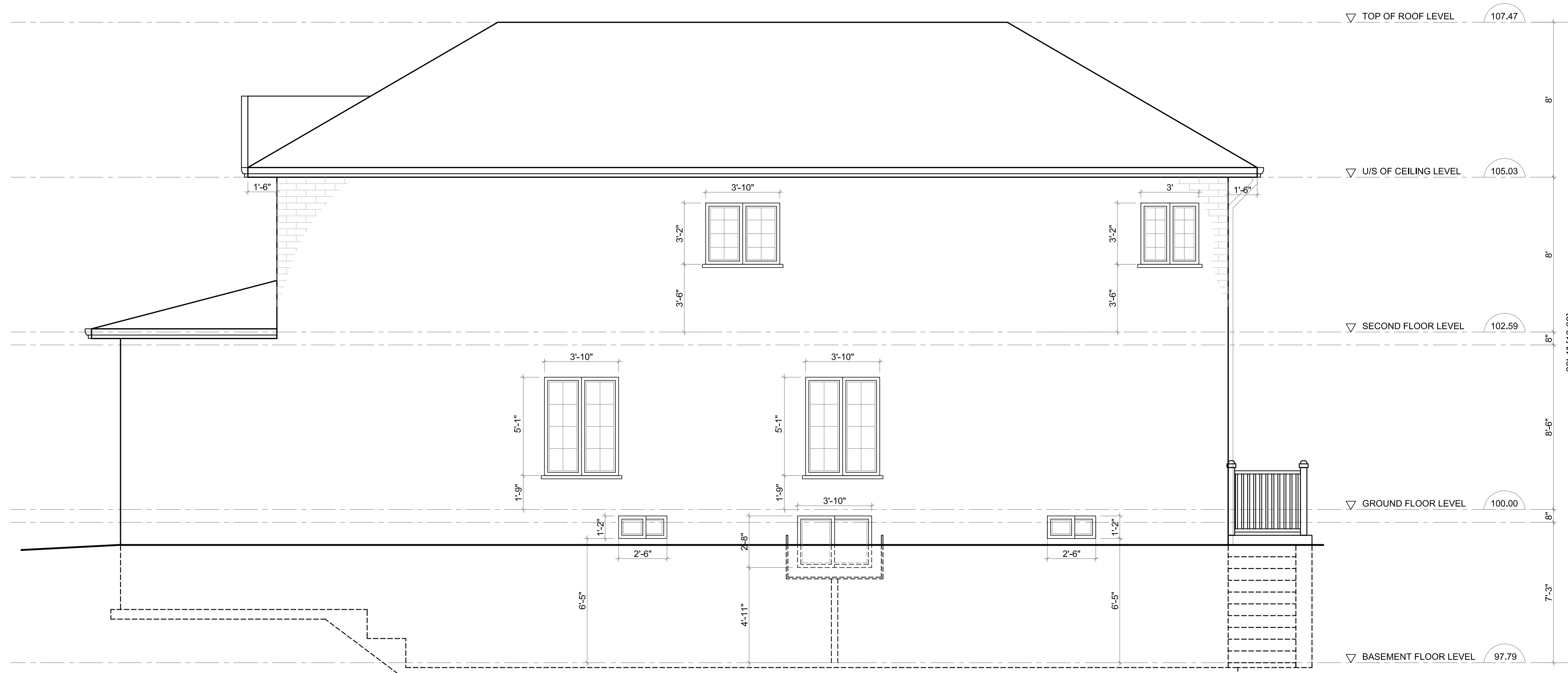
PROJECT :
**PROPOSED FINISH BASEMENT APARTMENT
 AT 106 SOPHIA ROAD, MARKHAM
 ON, CANADA**

DRAWING: **PROPOSED BASEMENT AND
 GROUND FLOOR PLAN**

DATE: 09 / 01 / 2020	DRAWING NO. A5
SCALE: AS NOTED	
DRN: MJ	CKD: YASO



PROPOSED REAR ELEVATION
 SCALE : 1/4"=1'



PROPOSED RIGHT SIDE ELEVATION
 SCALE : 1/4"=1'

NOTES:

- * NO CHANGE IN FOOTPRINT AREA & EXISTING GRADE TO BE RETAIN
- * CONTRACTOR TO CHECK EXISTING FOOTING SIZES AND BEARING CAPACITY PRIOR TO STARTING WORK
- * ALL EXISTING STAIRS TO BE REMAIN

WALL LEGEND	
	EXISTING WALL
	WALL TO BE DEMOLISHED

NO.	REVISIONS	DATE
2.	REVISED FOR COA	12 / 11 / 2020
1.	ISSUED FOR BUILDING PERMIT	02 / 07 / 2020

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.
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PROJECT :
**PROPOSED FINISH BASEMENT APARTMENT
 AT 106 SOPHIA ROAD, MARKHAM
 ON, CANADA**

DRAWING: **PROPOSED REAR AND RIGHT
 SIDE ELEVATION**

DATE: 09 / 01 / 2020	DRAWING NO. A6
SCALE: AS NOTED	
DRN: MJ	CKD: YASO

APPENDIX "C"
STAFF REPORT: SEPTEMBER 8, 2020

Memorandum to the City of Markham Committee of Adjustment

September 8, 2020

File: A/043/20
Address: 106 Sophia Road – Markham, ON
Applicant: Chamkaur Singh & Sukhvinder Singh
Agent: Cantam Group Ltd.
Hearing Date: Wednesday September 16, 2020

The following comments are provided on behalf of the East Team. The applicant is requesting relief from the following “Fourth Density Semi-Detached Residential (RSD4)” zone requirements under By-law 90-81, as amended, to permit:

a) Section 5.2.1:

a Second Dwelling Unit, whereas the By-law permits no more than one Semi-Detached Dwelling on a lot; and

b) Section 5.2.6:

a door that faces the interior side lot line to be located 0.61 m (2.0 ft) from the interior south side lot line, whereas the By-law requires 1.20 m (3.94 ft).

BACKGROUND

Property Description

The 310.87 m² (3,346.15 ft²) subject property is located on the west side of Sophia Road, north of Golden Avenue, east of Middlefield Road, and south of Highglen Avenue. A semi-detached dwelling exists on the subject property. This dwelling visually appears to be detached; however, it is linked underground to the adjacent dwelling at the foundation wall, and is therefore considered a semi-detached dwelling by definition in the Zoning By-law. The property is located within an established residential neighbourhood primarily comprised of a mix of two-storey single detached, semi-detached, and townhouse dwellings.

Proposal

The applicant is requesting permission to legalize a secondary suite in the basement of the existing semi-detached dwelling, as shown in the plans attached in Appendix “B”. The secondary suite has direct and separate access provided by an existing door on the south side of the dwelling, which is setback approximately 0.61 m (2.0 ft) from the interior side lot line. The door opens internally to the building. The proposal also includes a new egress window at the north side of the dwelling as shown on Drawing A5 (Appendix “B”).

Provincial Policies

More Homes, More Choice Act, 2019

The *More Homes, More Choice Act, 2019*, S.O. 2019, c. 9 – (Bill 108), received Royal Assent on June 6, 2019 and portions were proclaimed on September 3, 2019. The proclaimed portions of Bill 108 amended the *Planning Act* to require Official Plans to contain policies providing for two residential units in detached, semi-detached and row houses, as well as permitting a residential unit in ancillary structures to a detached house, semi-detached house, or rowhouse. Under this legislation, “second suites” are now

referred to as “additional residential units”, and the terms are used synonymously in this memorandum.

Provincial Policy Statement, 2020

Section 1.4.3 of the *Provincial Policy Statement, 2020*, requires planning authorities to provide for an appropriate range and mix of housing options and densities to meet the affordable housing needs of current and future residents. Amongst other means, this can be achieved by permitting and facilitating residential intensification, including additional residential units, and redevelopment by accommodating a significant supply and range of housing options through intensification and redevelopment while taking into account existing building stock.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan, 2019)

Section 2.1.4 (c) of the *Growth Plan, 2019* requires municipalities to provide a diverse range and mix of housing option including second units to support complete communities.

Official Plan and Zoning

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

The City’s Official Plan designates the subject property “Residential Low Rise”, which provides for low rise housing forms including semi-detached dwellings. The Official Plan also contains criteria for the establishment of secondary suites in Section 8.13.8 which states:

“That in considering an application to amend the Zoning By-law to permit the establishment of a secondary suite where provided for in this Plan, Council shall be satisfied that an appropriate set of development standards are provided for in the Zoning By-law including:

- a) the building type in which the secondary suite is contained;*
- b) the percentage of the floor area of the building type devoted to the secondary suite;*
- c) the number of dwelling units permitted on the same lot;*
- d) the size of the secondary suite;*
- e) the applicable parking standards; and*
- f) the external appearance of the main dwelling.”*

A “Secondary Suite” in the Official Plan is defined as:

“...a second residential unit in a detached house, semi-detached house or rowhouse that consists of one or more rooms designed, occupied or intended for use, including occupancy, by one or more persons as an independent and separate residence in which a facility for cooking, sleeping facilities and sanitary facilities are provided for the exclusive use of such person or persons.”

Section 4.1.2.6 of the Official Plan contains policies to support further diversification of the housing stock and rental housing tenure by permitting secondary suites within existing and new permitted single detached, semi-detached and rowhouse dwellings in accordance with Section 3.5.22 of the Regional Official Plan and subject to appropriate zoning, development criteria, and standards.

Zoning By-Law 90-81, as amended

The subject property is zoned “Fourth Density Semi-Detached Residential (RSD4)” under By-law 90-81, as amended, which permits either one semi-detached dwelling per lot, or one single detached dwelling per lot in accordance with the “Residential Ninth Density (R9)” zone standards. Consequently, the applicant has submitted a variance to request that an existing secondary suite be permitted within the basement of the dwelling on the subject property.

The second variance relates to Amending By-law 2016-123 which was passed on November 1, 2016, to require doors accessing a side yard maintain a minimum interior side yard setback of 1.20 m (3.94 ft). The existing location of the door opening does not comply with the By-law requirement as it relates to the above noted provision.

Zoning Preliminary Review (ZPR) Undertaken

The applicant has completed a ZPR on March 10, 2020 to confirm the variances required for the proposed development.

COMMENTS

The *Planning Act* 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 Suites

Fire and Emergency Services Department have no objections provided the secondary suite is registered with the City and complies with Building and Fire Codes. Should this application be approved, the applicant will be required to obtain a building permit which ensures the secondary suite will be in compliance with Building Code and Fire Code regulations, and will be required to register their second suite with the Fire Department prior to the occupancy of the unit.

The City of Markham is committed to promoting affordable and shared housing opportunities. Secondary suites help the City increase the availability of affordable housing forms and provide support to achieve its affordable housing target required by the Province. Staff supports the application for the legalization of the secondary dwelling unit as it meets the general intent of the criteria under Section 8.13.8 of the 2014 Official Plan. However, staff have concerns with the proposed door location that is subject to variance b), as discussed in the comments below.

Door Location

As previously stated, Amending By-law 2016-123 requires doors accessing an interior side yard to maintain a minimum setback of 1.20 m (3.94 ft), whereas the applicant is requesting a variance to permit a side door with a setback of 0.61 m (2.0 ft) from the interior side lot line. This variance relates to an existing door with a decrease of 0.59 m (1.94 ft) to the required setback from the south lot line.

The intent of the required setback is to ensure that a side door would not swing onto an adjacent property, and to ensure that occupants will not trespass onto an adjacent

property when accessing the dwelling. Staff are of the opinion that the requested variance does not meet the general intent of the By-law, as the 0.61 m (2.0 ft) setback does not provide for an adequate width to access the side entrance.

Staff note that the existing door swings internal to the dwelling, which the applicant has indicated would be maintained. Should this variance be approved, the applicant will need to demonstrate compliance with the Ontario Building Code (OBC) to obtain a building permit for both the secondary suite and side entrance. If the Committee resolves to deny this variance, the applicant will be required to remove the existing side entrance and provide access to the secondary suite elsewhere on the property, in compliance with the By-law and all other applicable codes.

PUBLIC INPUT SUMMARY

The City of Markham received one written submission on August 24, 2020 in support of the development, citing no objections to the requested variances (Appendix "C"). The letter was received from the neighbouring property owners at 104 Sophia Road who share the interior property line where the door subject to the variance request exists. Staff note that the owners of 104 Sophia Road also own the subject property, 106 Sophia Road.

Should additional information be received after the writing of the report, 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, R.S.O. 1990, c. P.13, as amended*, and are of the opinion that the requested variance to permit a secondary suite conforms with Provincial policies, and the City's Official Plan policy. Consequently, staff have no objection to approval of the secondary suite subject to the conditions provided in Appendix "A". Staff are of the opinion that the requested variance to permit a 0.61 m (2.0 ft) setback for the side entrance does not maintain the intent of the By-law. Should the side entrance variance be denied, the applicant will be required to provide access to the secondary suite elsewhere on the subject property and in compliance with the By-law and all other applicable codes.

The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the By-law, and how they satisfy the tests of the *Planning Act* required for the granting of minor variances.

Please see Appendix "A" for conditions to be attached to any approval of this application.

APPENDICES

Appendix "A" – Conditions of Approval

Appendix "B" – Plans

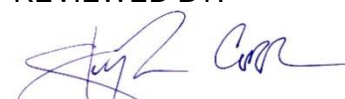
Appendix "C" – Letter of Support

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



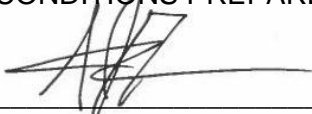
Stephen Corr, Senior Planner, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/043/20

1. The variances apply only to the proposed development as long as it remains.
2. That an outwards swinging door located along the south building line not be permitted.
3. That the variances apply only to the subject development, in substantial conformity with the batch stamped 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.
4. 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.

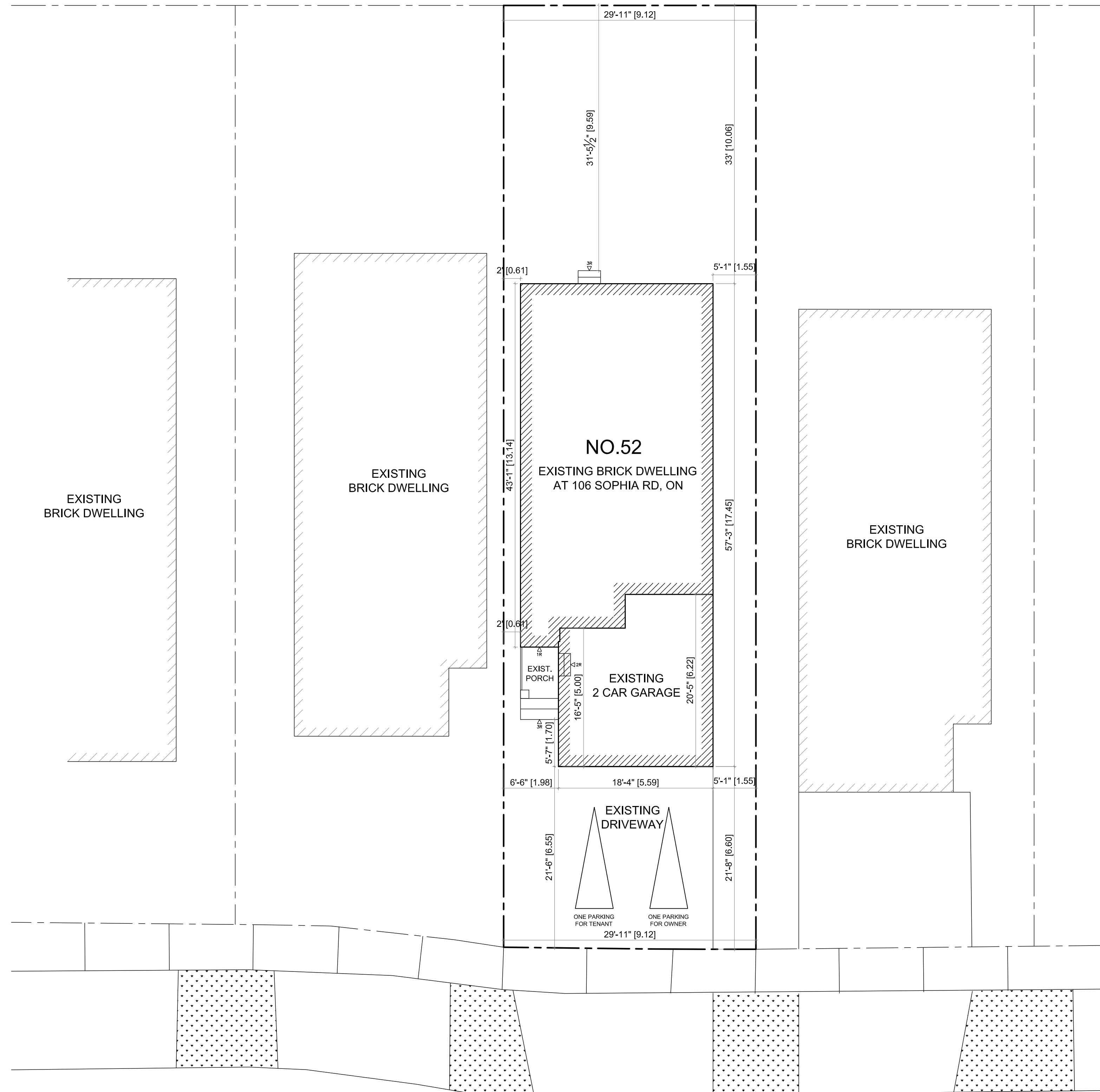
CONDITIONS PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

APPENDIX "B"
PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/043/20

MIDDLEFIELD ROAD



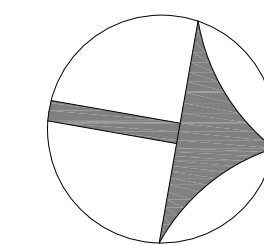
SOPHIA ROAD

* CONTRACTOR TO CHECK EXISTING FOOTING SIZES AND BEARING CAPACITY PRIOR TO STARTING WORK

CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS. THE CONTRACTOR SHALL ADVISE THE ENGINEER OF ANY DISCREPANCIES PROIR TO PROCEEDING WITH CONSTRUCTION.

ALL EXISTING GRADES TO BE REMAIN.

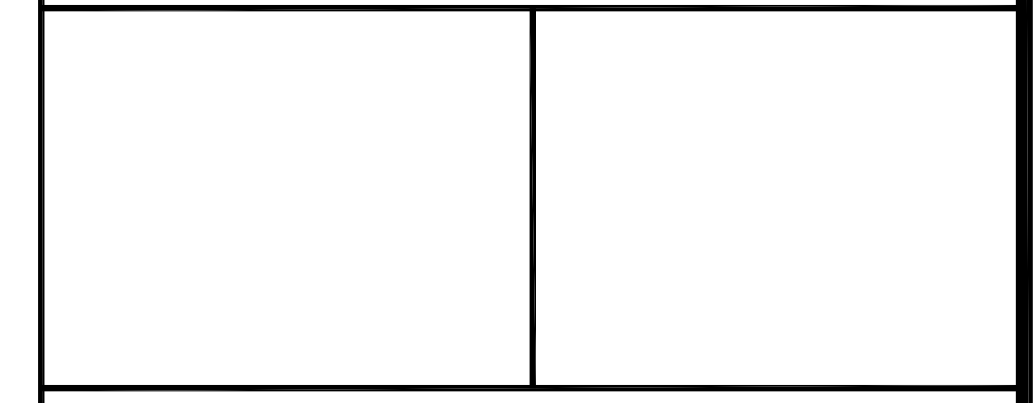
NO CHANGE IN EXISTING FOOT PRINT AREA.



SITE PLAN
 SCALE : 1/8"=1'

NO.	REVISIONS	DATE
1.	ISSUED FOR BUILDING PERMIT	02 / 07 / 2020

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 DO NOT SCALE DRAWINGS.

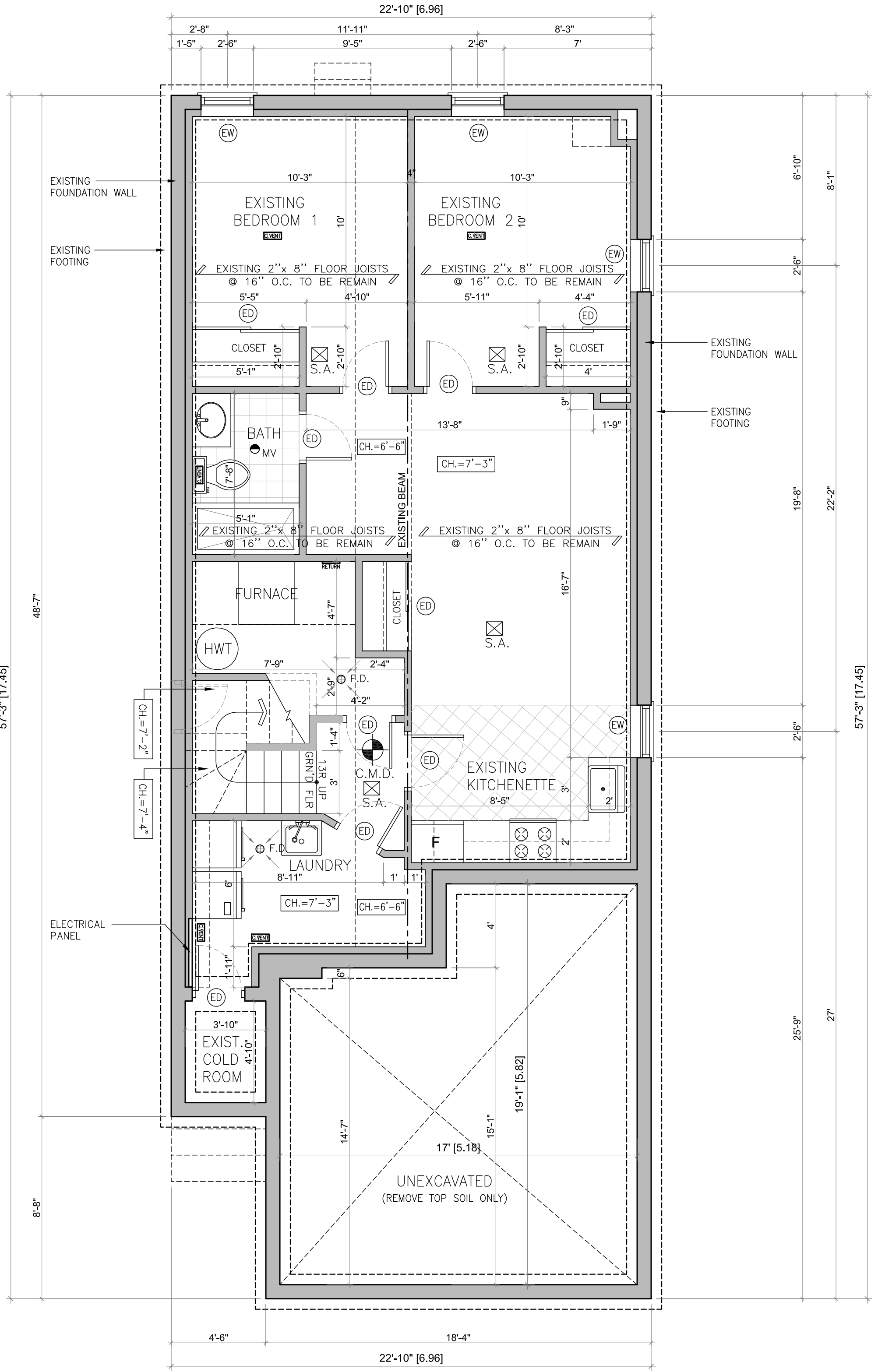


CANTAM
Group Ltd.
 PLANNING & BUILDING CONSULTANTS
 850 TAPSCOTT RD, UNIT # 51, TORONTO ON M1X 1N4
 TEL: 416-335-3353 * FAX: 416-335-7967 * CELL: 416-854-2485

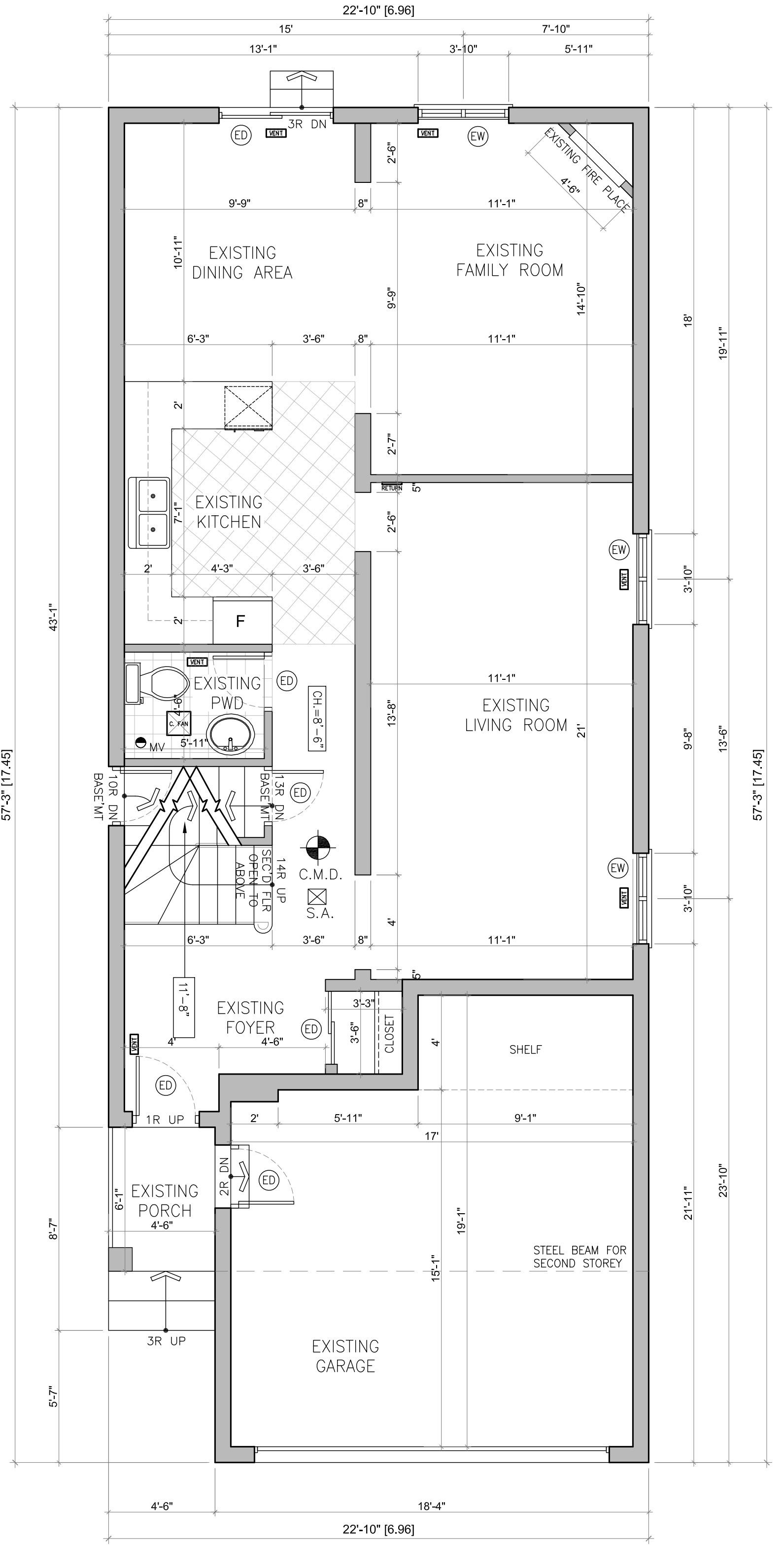
PROJECT :
 PROPOSED FINISH BASEMENT APARTMENT
 AT 106 SOPHIA ROAD, MARKHAM
 ON, CANADA

DRAWING:
 SITE PLAN

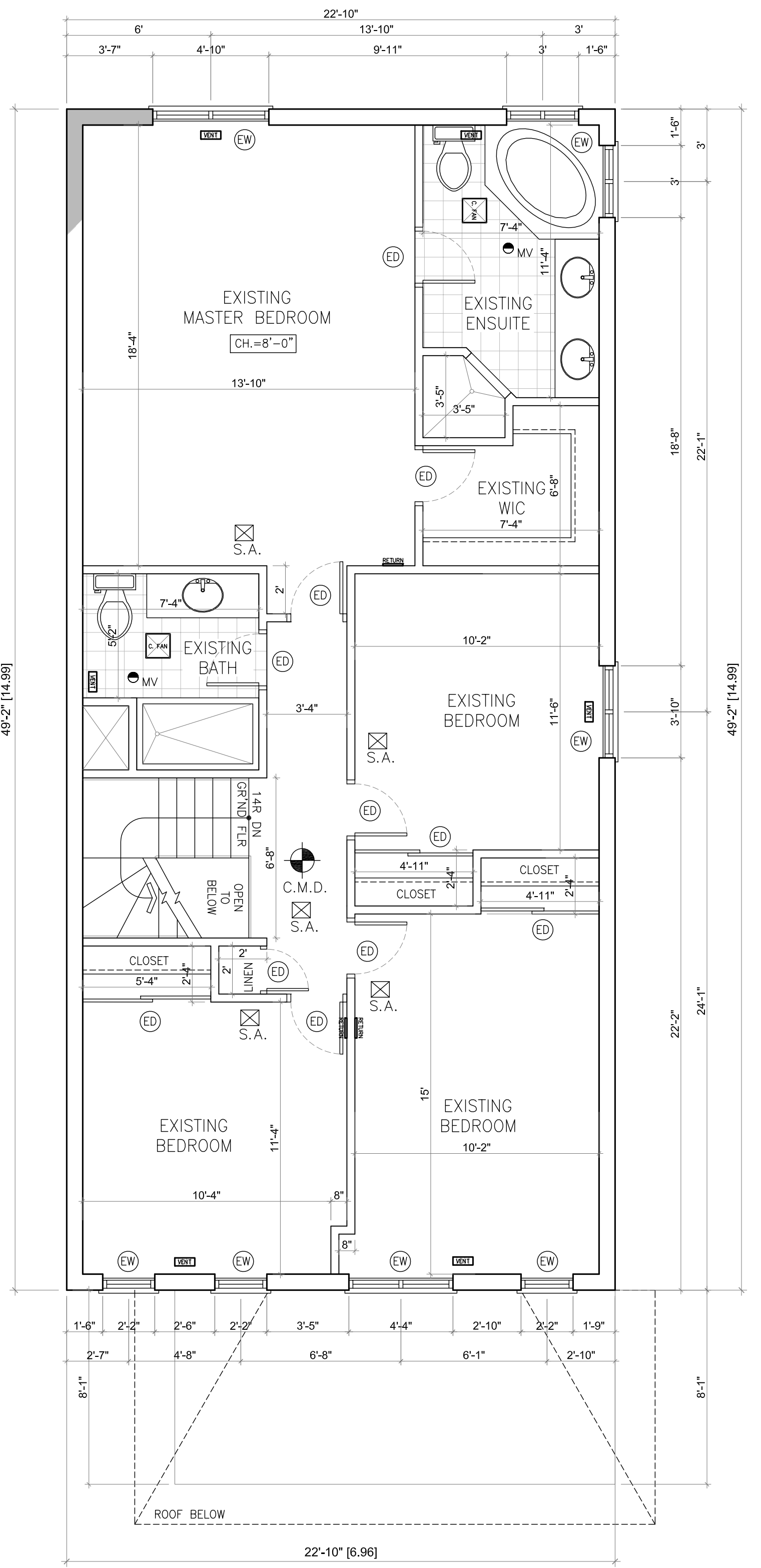
DATE: 09 / 01 / 2020
 SCALE: AS NOTED
 DRN: MJ CKD: YASO
 DRAWING NO. **A1**



EXISTING BASEMENT FLOOR PLAN
 SCALE : 1/4"=1'



EXISTING GROUND FLOOR PLAN
 SCALE : 1/4"=1'



EXISTING SECOND FLOOR PLAN
 SCALE : 1/4"=1'

WALL LEGEND

- EXISTING WALL
- NEW 5/8" TYPE 'X' DRYWALL ON EXISTING 2"x4"/2"x6" @ 16" O.C. 5/8" TYPE 'X' FIRE RATED DRYWALL, MIN 45MIN. FIRE RATING & MIN. STC 50.
- 5/8" TYPE 'X' FIRE RATED DRYWALL NEW 2"x4" STUDS @ 16" O.C. 3" ROCKWOL SAFE N SOUND INSULATION 5/8" TYPE 'X' FIRE RATED DRYWALL MIN. 45MIN. FIRE RATING & MIN. STC OF 50
- WALL TO BE DEMOLISHED

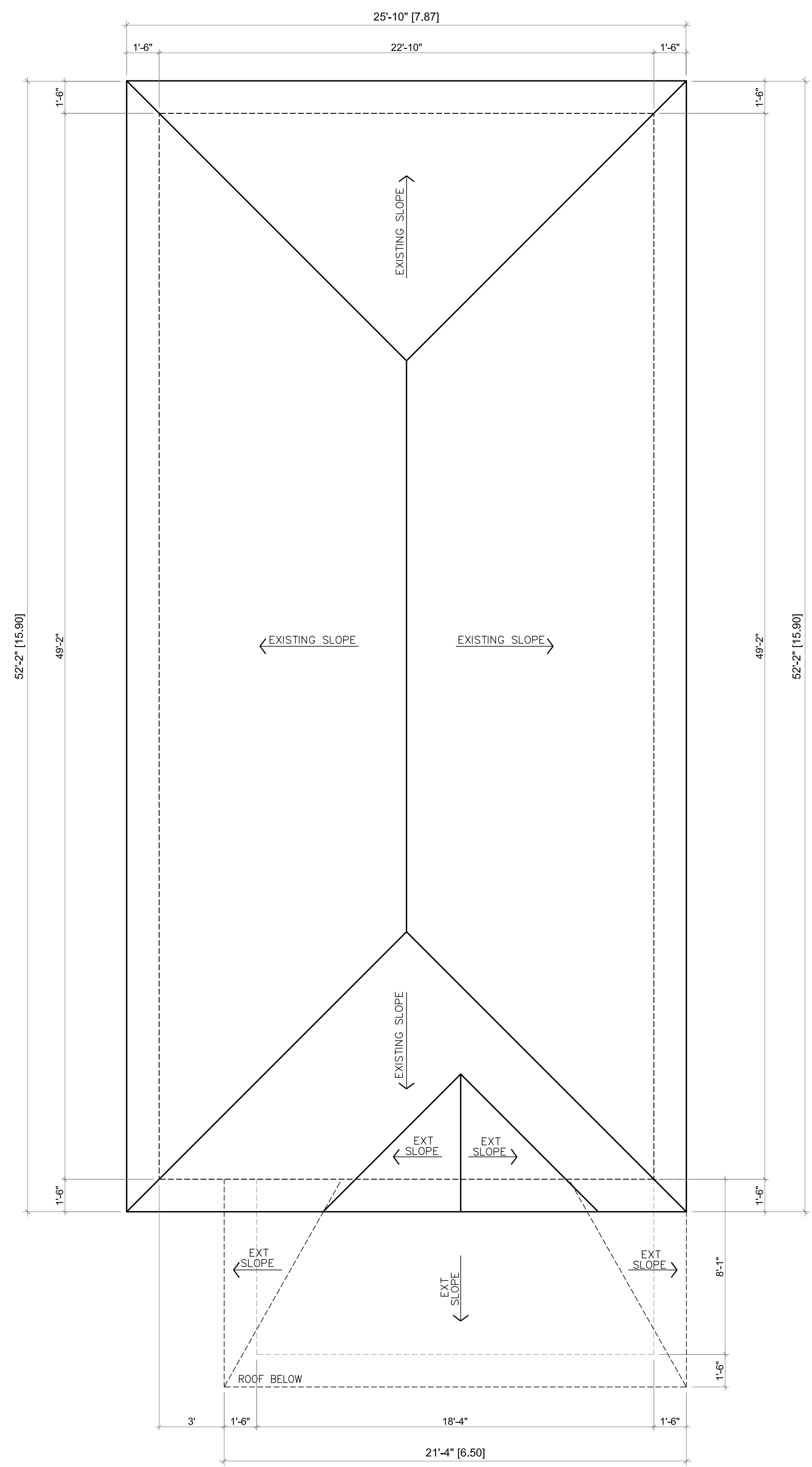
1.	ISSUED FOR BUILDING PERMIT	02 / 07 / 2020
NO.	REVISIONS	DATE

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PROJECT :
**PROPOSED FINISH BASEMENT APARTMENT
 AT 106 SOPHIA ROAD, MARKHAM
 ON, CANADA**

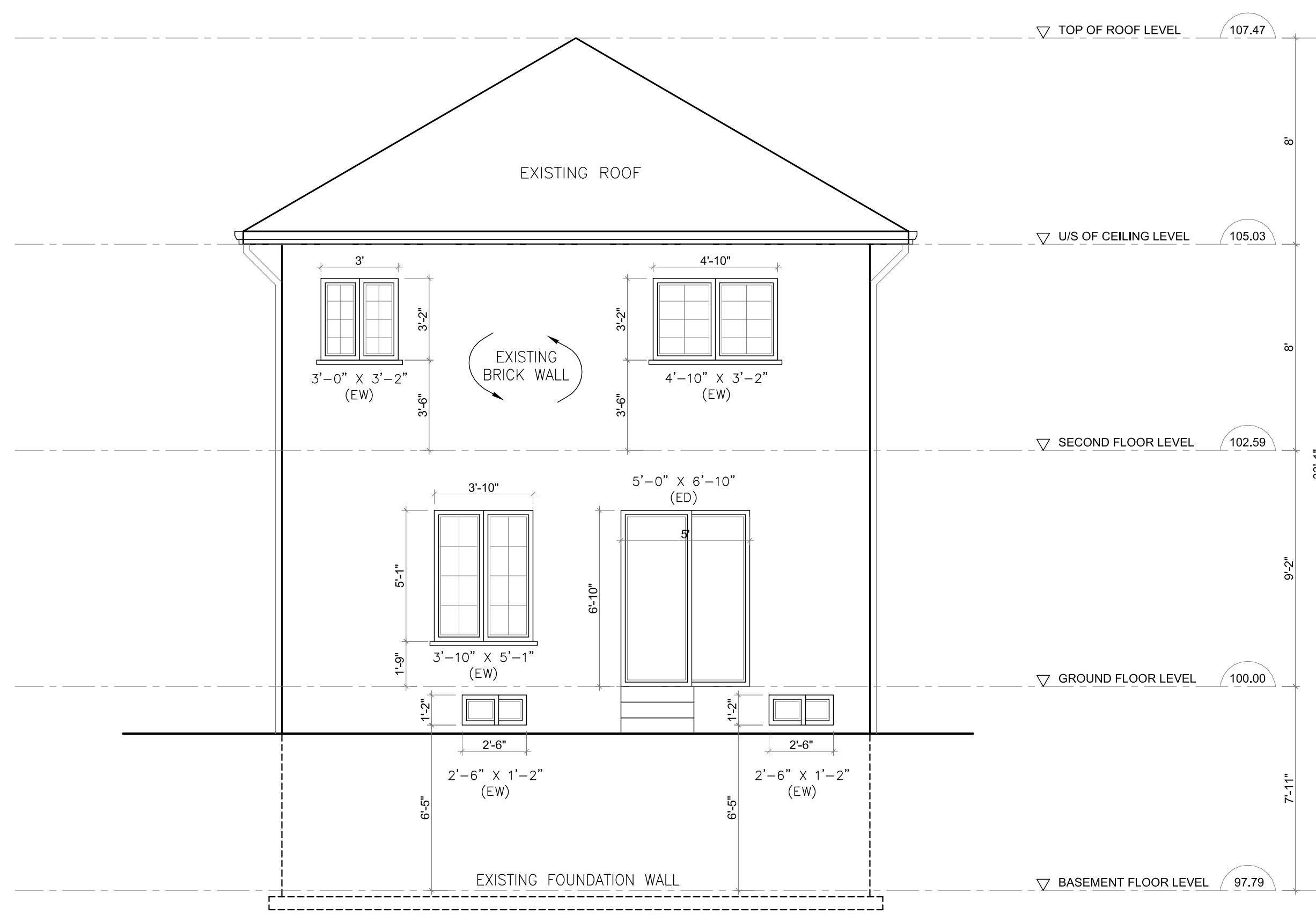
DRAWING: EXISTING BASEMENT FLOOR PLAN EXISTING GROUND FLOOR PLAN EXISTING SECOND FLOOR PLAN	
DATE: 09 / 01 / 2020	DRAWING NO. A2
SCALE: AS NOTED	DRN: MJ CKD: YASO



EXISTING ROOF PLAN
 SCALE : 1/4"=1'



EXISTING FRONT ELEVATION
 SCALE : 1/4"=1'



EXISTING REAR ELEVATION
 SCALE : 1/4"=1'

NO.	REVISIONS	DATE
1.	ISSUED FOR BUILDING PERMIT	02 / 07 / 2020

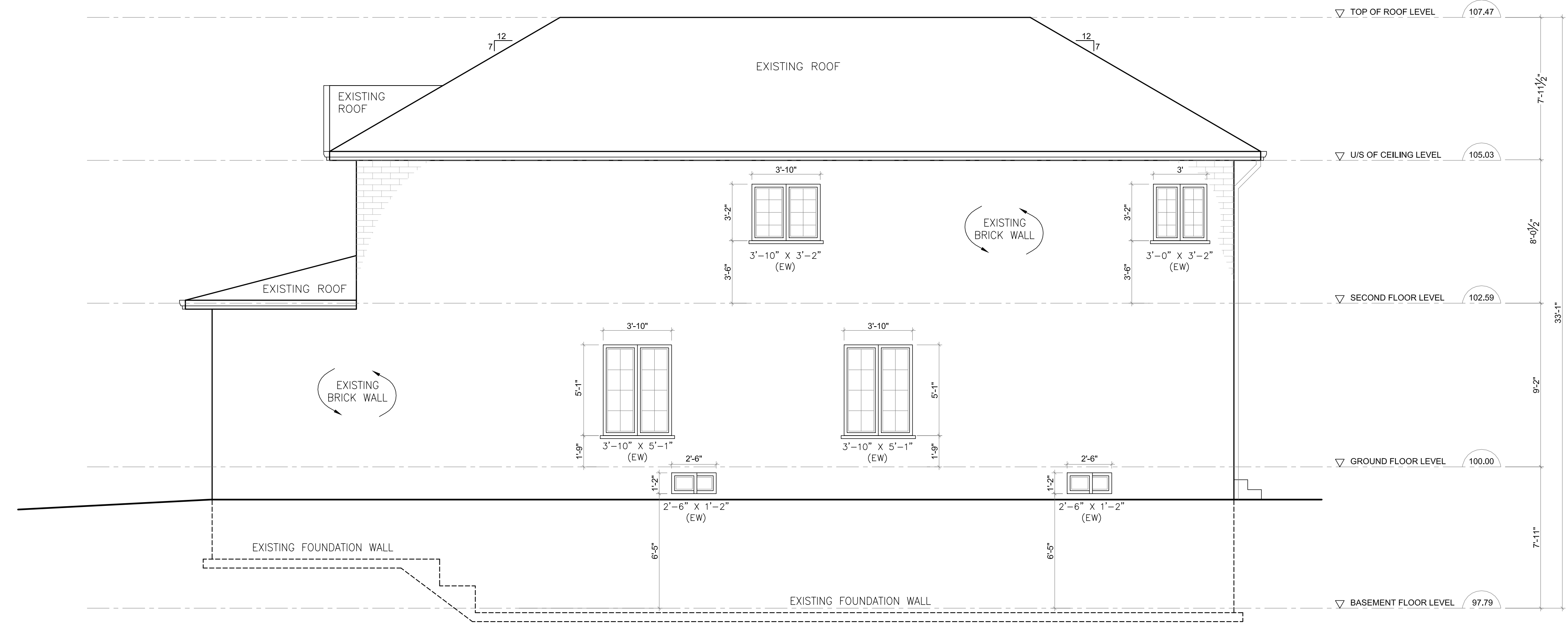
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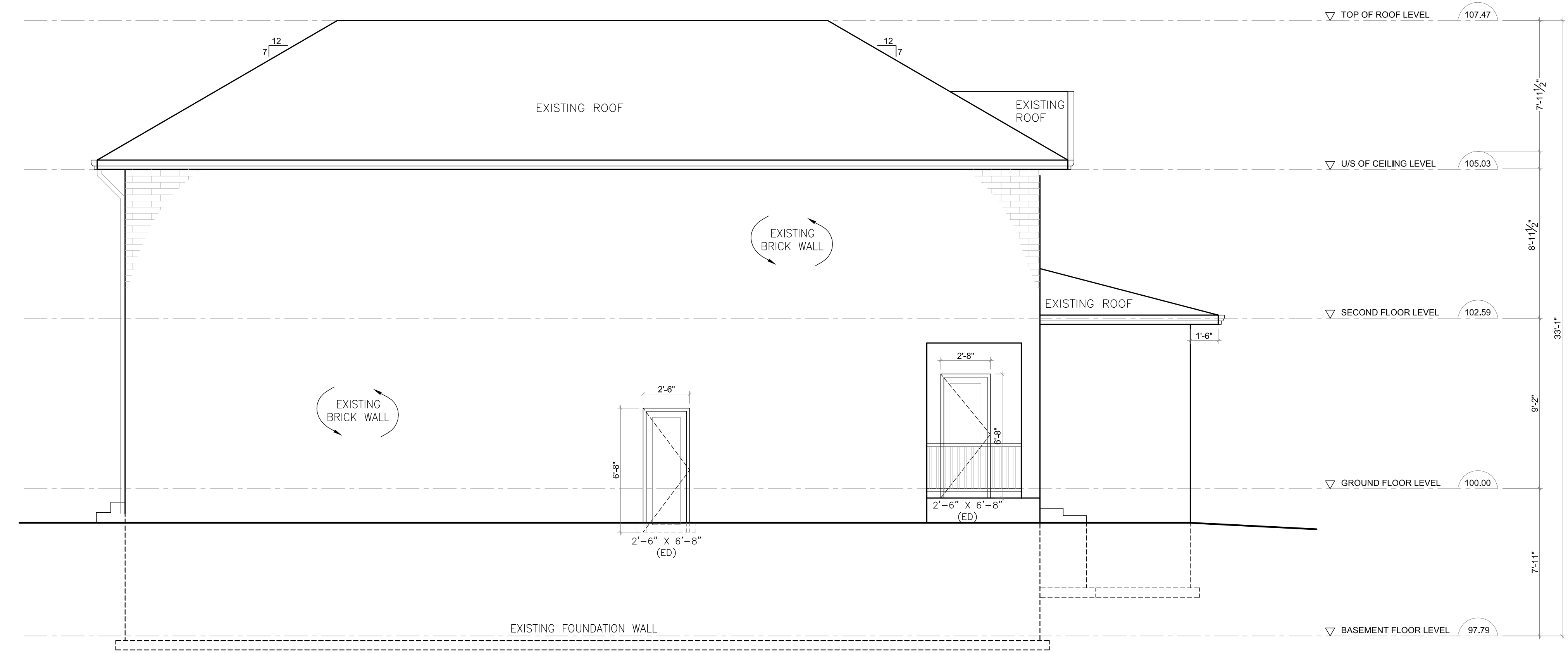
PROJECT :
**PROPOSED FINISH BASEMENT APARTMENT
 AT 106 SOPHIA ROAD, MARKHAM
 ON, CANADA**

DRAWING: **EXISTING ROOF PLAN
 EXISTING FRONT & REAR ELEVATION**

DATE: 09 / 01 / 2020
 SCALE: AS NOTED
 DRN: MJ CKD: YASO
 DRAWING NO. **A3**



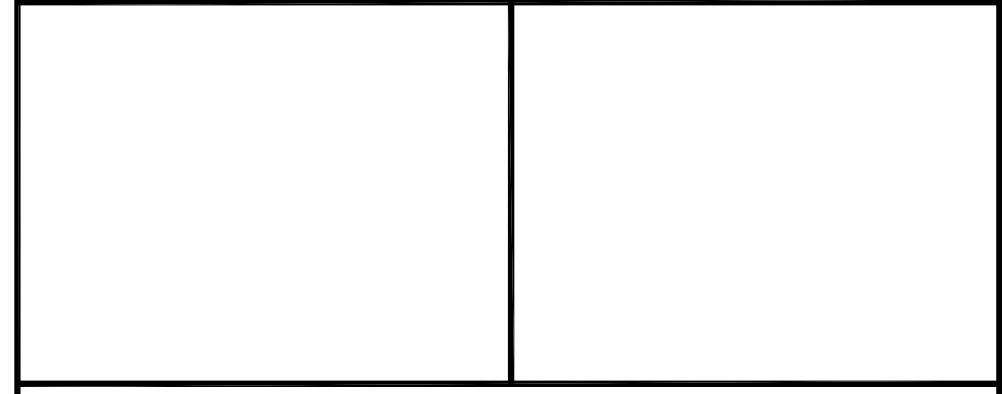
EXISTING RIGHT SIDE ELEVATION
 SCALE : 1/4"=1'



EXISTING LEFT SIDE ELEVATION
 SCALE : 1/4"=1'

NO.	REVISIONS	DATE
1.	ISSUED FOR BUILDING PERMIT	02 / 07 / 2020

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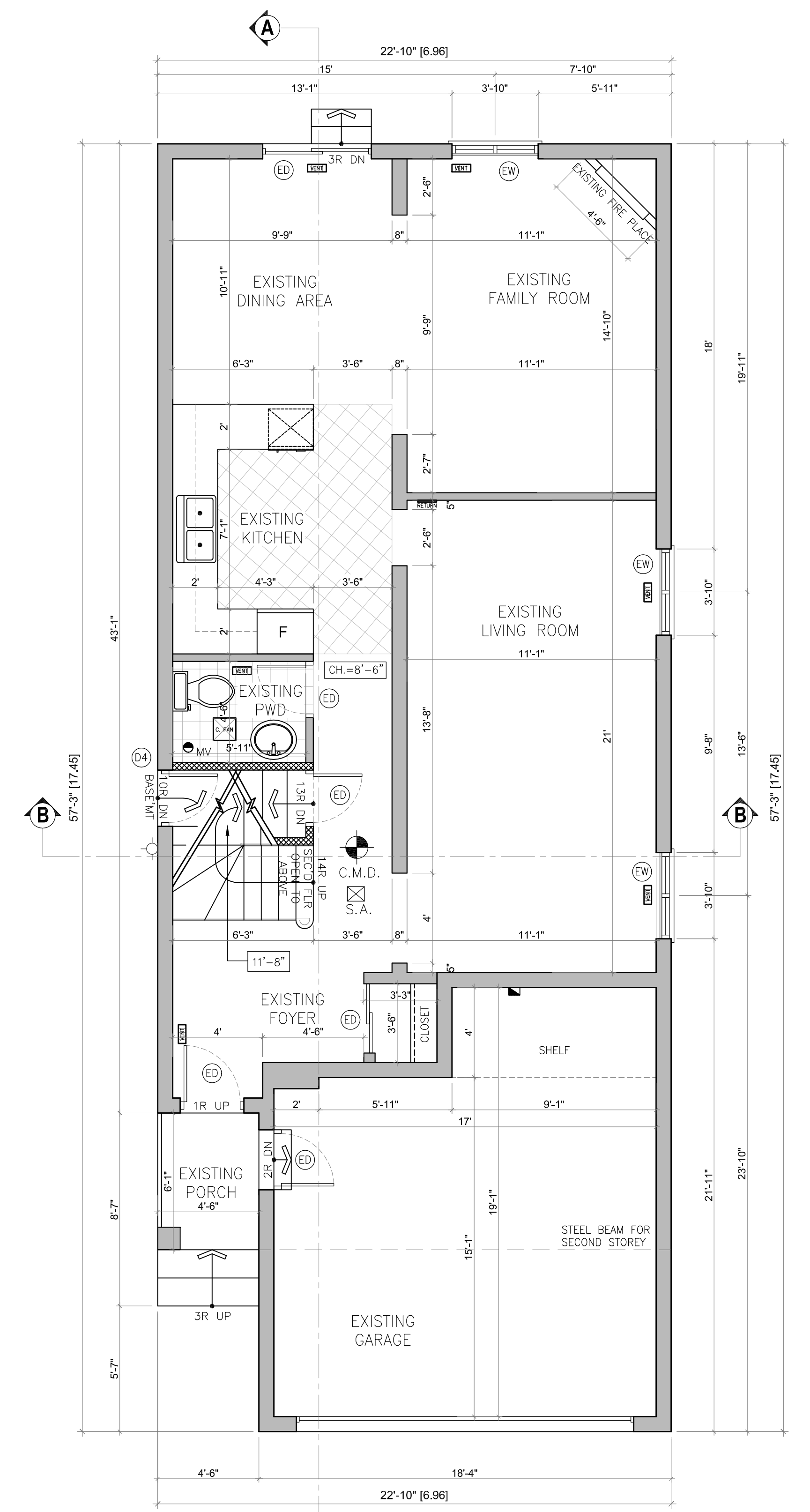
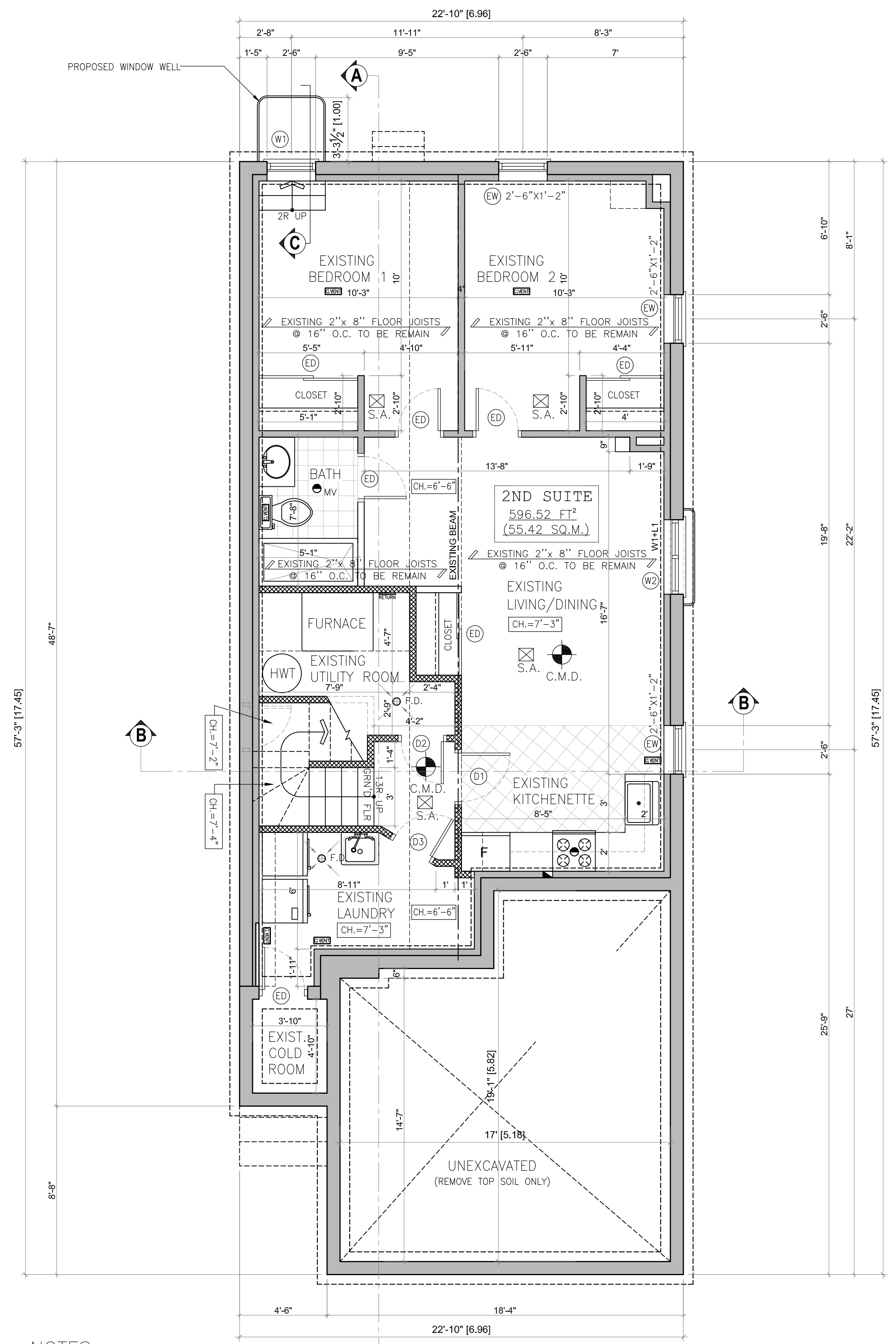
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PROJECT :
**PROPOSED FINISH BASEMENT APARTMENT
 AT 106 SOPHIA ROAD, MARKHAM
 ON, CANADA**

DRAWING: **EXISTING RIGHT SIDE ELEVATION
 EXISTING LEFT SIDE ELEVATION**

DATE: 09 / 01 / 2020
 SCALE: AS NOTED
 DRN: MJ CKD: YASO

DRAWING NO. **A4**



NOTES:

- * NO CHANGE IN FOOTPRINT AREA & EXISTING GRADE TO BE RETAIN
- * CONTRACTOR TO CHECK EXISTING FOOTING SIZES AND BEARING CAPACITY PRIOR TO STARTING WORK
- * ALL EXISTING STAIRS TO BE REMAIN

PROPOSED BASEMENT FLOOR PLAN
 SCALE : 1/4"=1'

PROPOSED GROUND FLOOR PLAN
 SCALE : 1/4"=1'

WALL LEGEND	
	EXISTING WALL
	NEW 5/8" TYPE 'X' DRYWALL ON EXISTING 2"x4"/2"x6" @ 16" O.C. 5/8" TYPE 'X' FIRE RATED DRYWALL
	5/8" TYPE 'X' FIRE RATED DRYWALL NEW 2"x4"/2"x6" STUDS @ 16" O.C. 3" ROXUL SAFE N SOUND INSULATION 5/8" TYPE 'X' FIRE RATED DRYWALL

1.	ISSUED FOR BUILDING PERMIT	02 / 07 / 2020
NO.	REVISIONS	DATE

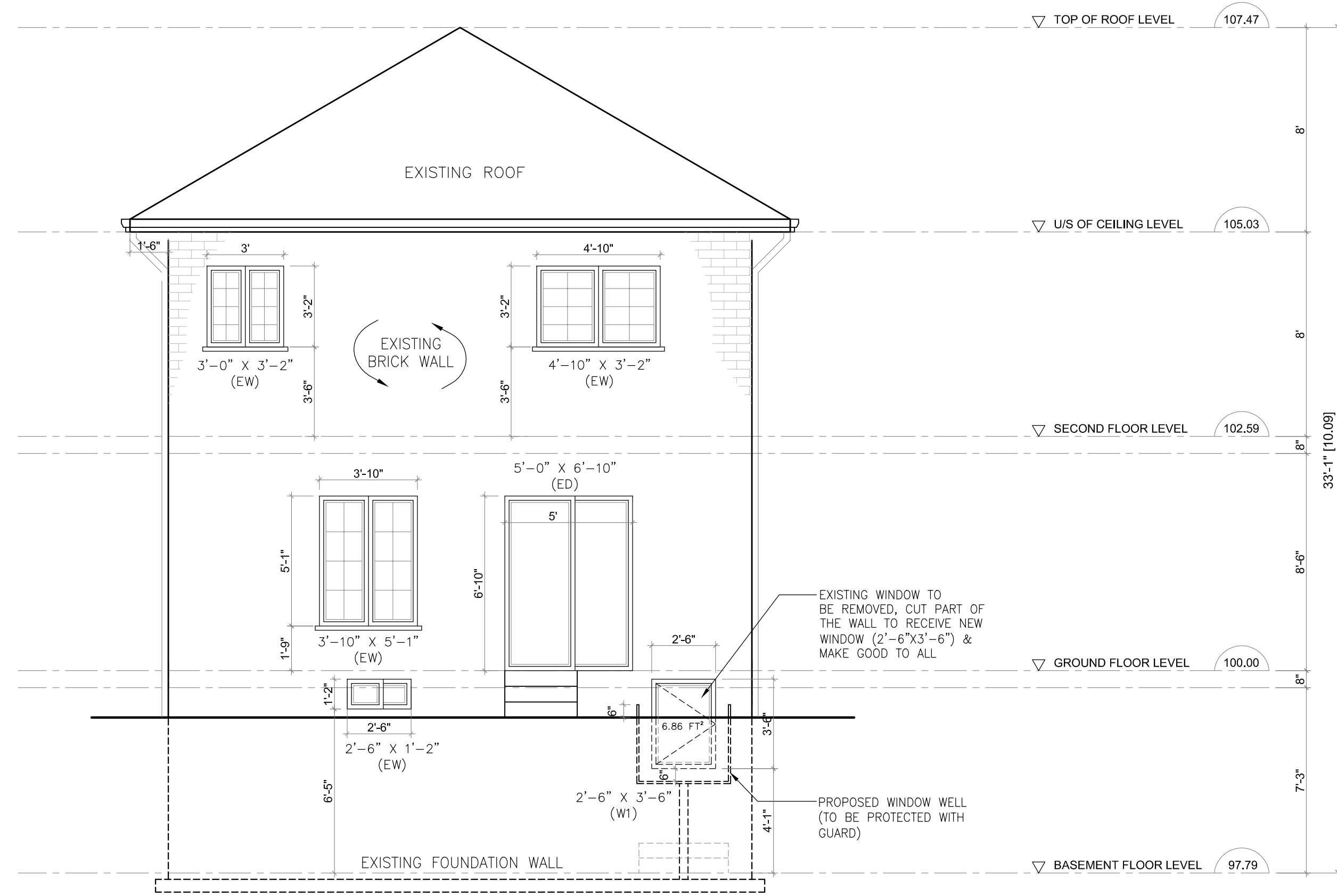
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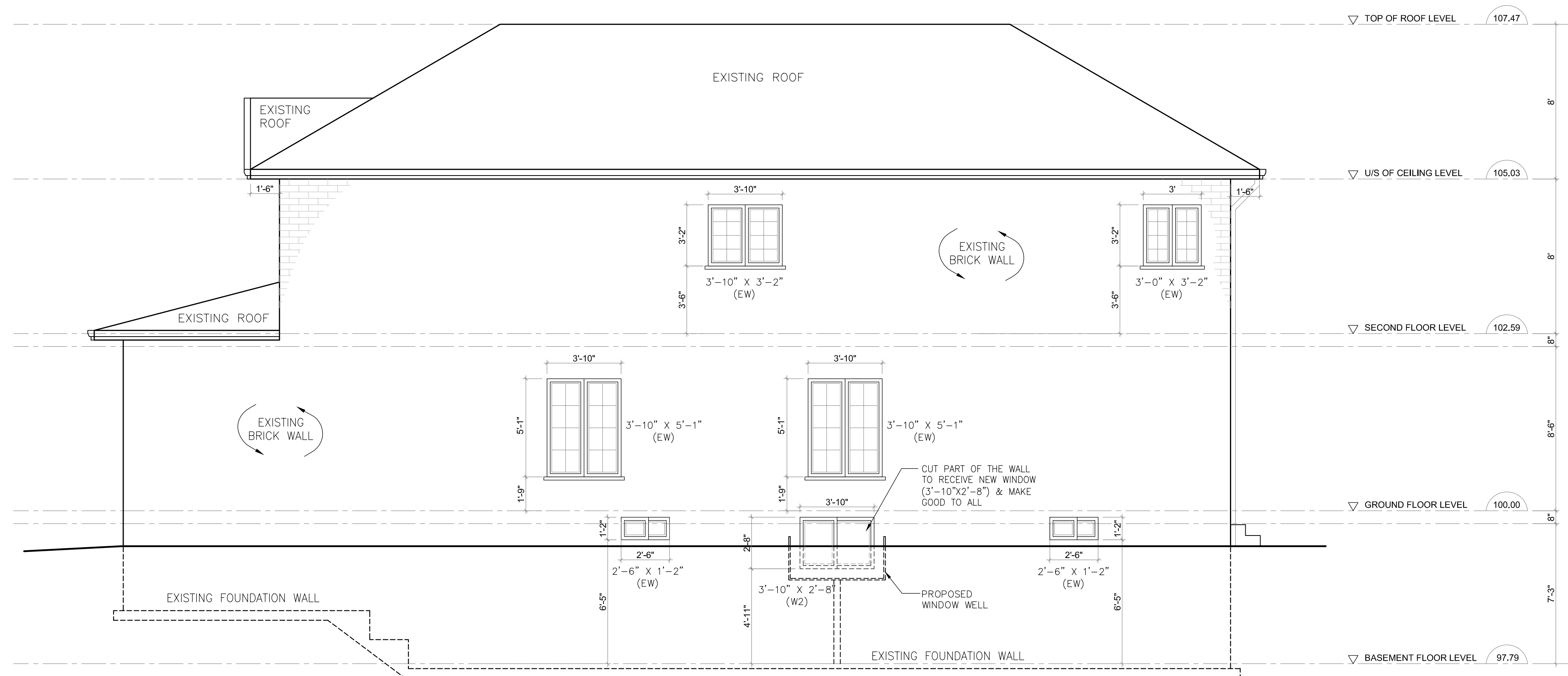
PROJECT :
PROPOSED FINISH BASEMENT APARTMENT
AT 106 SOPHIA ROAD, MARKHAM
ON, CANADA

DRAWING: **PROPOSED BASEMENT FLOOR PLAN**
PROPOSED GROUND FLOOR PLAN

DATE: 09 / 01 / 2020
 SCALE: AS NOTED
 DRN: MJ CKD: YASO
 DRAWING NO. **A5**



PROPOSED REAR ELEVATION
 SCALE : 1/4"=1'



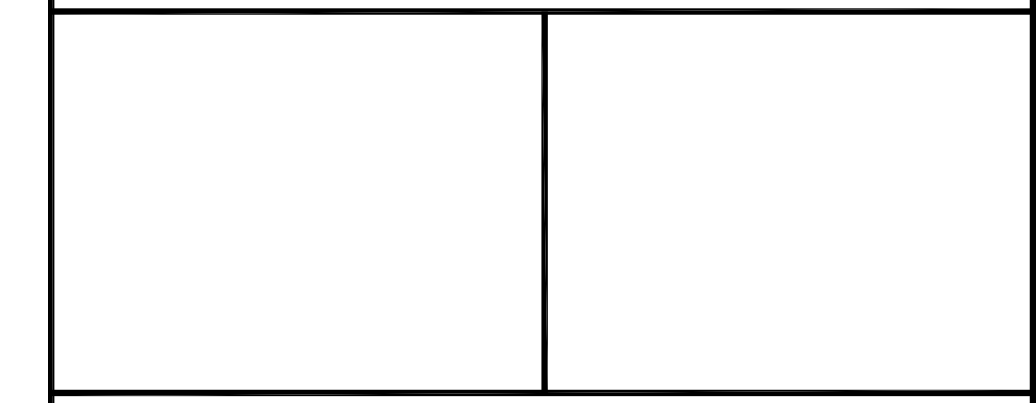
PROPOSED RIGHT SIDE ELEVATION
 SCALE : 1/4"=1'

NOTES:

- * NO CHANGE IN FOOTPRINT AREA & EXISTING GRADE TO BE RETAIN
- * CONTRACTOR TO CHECK EXISTING FOOTING SIZES AND BEARING CAPACITY PRIOR TO STARTING WORK
- * ALL EXISTING STAIRS TO BE REMAIN

NO.	REVISIONS	DATE
1.	ISSUED FOR BUILDING PERMIT	02 / 07 / 2020

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PROJECT :
**PROPOSED FINISH BASEMENT APARTMENT
 AT 106 SOPHIA ROAD, MARKHAM
 ON, CANADA**

DRAWING: **PROPOSED REAR ELEVATION
 PROPOSED RIGHT SIDE ELEVATION**

DATE: 09 / 01 / 2020	A6
SCALE: AS NOTED	
DRN: MJ CKD: YASO	

APPENDIX "C"
LETTER OF SUPPORT

Supportive Letter – 106 Sophia Rd.

August 23rd 2020

To whom it may concern,

I/we Chamkaur Singh and Sukhwinder Kaur who reside at 104 Sophia Road Markham, ON L3S3Y6 have no objections to the minor variance request to keep the existing side door location 0.61m from property line when bylaw requires 1.2m for 106, Sophia Rd.

CHAM KAUR SINGH SUKHWINDER KAUR

Chamkaur Singh Sukhwinder Kaur 24 AUG 2020

Name

Signature

Date

APPENDIX "D"
MINUTES EXTRACT: SEPTEMBER 20, 2020

- a) to establish easement over PART 1 on PLAN 65R-38891 for storm-water purposes including maintenance, repair, and replacement of existing storm water drainage pipe in favor of 189 Bullock Drive. **(East District, Ward 4)**

The Secretary-Treasurer introduced the application.

The agent Joseph Guzzi appeared on behalf of the application. Committee member Jeamie Reingold believes that the application was straight forward and sees no reason that this application can't be supported.

Committee member Calvin Kwok inquired about if anything was going on at the neighbouring property at 189 Bullock Drive.

Mr. Guzzi clarified that nothing is happening to the easement at the moment, and that it was built many years ago, and nothing is currently proposed on the site. It is linked to the Site Plan Control application, and through staff review, it was recommended to have the easement legalized.

Committee member Arun Prasad asked if the owners of 185 Bullock Drive and 189 Bullock Drive are the same and further inquired about the uses on the property.

Mr. Guzzi responded that 185 Bullock Drive is owned by The Crupri Management Corporation Inc., and 189 Bullock Drive is owned by PS Bullock Drive Inc. They are two separate owners. 189 Bullock Drive is a public storage facility and is not as an intensive use as a car repair facility.

Committee member Sally Yan inquired about the impact of refusing the original variance and why an easement request is required.

Mr. Guzzi responded that this easement should have been granted when 189 Bullock Drive was developed. The applicant is now coming to Committee to legalize the easement during the Site Plan review process.

Moved By: Jeamie Reingold
Seconded By: Kelvin Kwok

THAT Application No. B/009/20 be approved subject to conditions contained in the staff report.

Resolution Carried

2. A/043/20

Owner Name: Chamkaur Singh and Sukhvinder Kaur Singh

Agent Name: Cantam Group LTD. (Yaso Somalingam)
106 Sophia Rd, Markham
PL 65M3092 PT LT 2 65R18820 PTS 7 & 8

The applicant is requesting relief from the requirements of By-law 90-81 as amended to permit:

- a) **Section 5.2.1:**
to permit a Second Dwelling Unit, whereas the By-law permits no more than one (1) Semi-Detached Dwelling on one (1) lot;
- b) **Section 5.2.6:**
to permit a door that faces the interior side lot line to be located 0.61m from the interior side lot line, whereas the By-law requires a minimum of 1.2m;

as it relates to an existing basement apartment that was built without a permit (**East District, Ward 7**)

The Secretary-Treasurer introduced the application.

The agent Yaso Somalingam appeared on behalf of the application.

Committee member Patrick Sampson clarified that this unit already exists and inquired if it was for commercial or family use, and if a parking variance is required.

Mr. Somalingam explained that the owner's tried to comply with all the requested issues brought up by the By-law officers. The unit is intended for family use only.

Committee member Arun Prasad noted that 104 Sophia Rd is owned by the same owner or has the same last name. He asked if the neighbor lives in that house and has legalized the basement and is renting it.

Mr. Somalingam explained that 104 Sophia Road is the owner's brother and they had legalized the basement, lives in the house and currently rents that basement.

Committee member Calvin Kwok asked the agent to explain the changes to the conditions briefly.

Mr. Somalingam responded that they're making the egress window bigger to comply with the fire code. They have also made changes to the HVAC and sprinkler systems.

Committee member Sally Yan has concerns about the door meeting the zoning By-law. The door doesn't provide an adequate space to open and does not meet the building code. The side door will encroach onto the neighbouring properties and may be an issue if the brother sells the property in the future.

Mr. Somalingam responded that there is a two-foot setback on both properties, which would enable enough space. He explained that this is common in other GTA and Canadian municipalities. When there is only a two feet setback, there is no way that another person can walk without walking on the other person's property, and that is the intention. There is a four feet distance being shared, and both neighbours have always shared this, and this is nothing new. The door will meet building and fire code regulations.

Committee member Jeamie Reingold agrees with Sally about the concerns brought up by staff and the issues surrounding the side yard entrance. Additional access needs to be built. She will not support the application with the current entry.

Committee member Arun Prasad asked if the agent was aware of this point about moving the door entrance.

Mr. Somalingam stated that it meets requirements, does not think it encroaches, and does not see a problem with the door opening. There is a current agreement with the current owners. There is enough space to walk through the door.

Committee member Arun Prasad does not agree with the current owners having an agreement. The future owner could have a problem with all of this.

Committee member Tom Gutfreund raised concerns about access if future owners were to install a fence between the two properties.

Moved By: Arun Prasad
Seconded By: Patrick Sampson

THAT Application No A/043/20 be deferred sine die.

Resolution Carried

3. A/073/20

Owner Name: Chris Mandarino
Agent Name: JS Barmi Architect (Jagdip Barmi)
72 Royal Orchard Blvd, Thornhill
PLAN 7686 LOT 85

The applicant is requesting relief from the requirements of By-law 2150 as amended to permit:

a) Section 6.1:

To permit a minimum two-storey west side yard setback of 4 feet, whereas the By-law requires a minimum side yard setback of 6 feet;