

Memorandum to the City of Markham Committee of Adjustment

February 10, 2021

File: A/142/20
Address: 21 Ravengloss Drive – Markham, ON (Thornhill)
Applicant: Dwight Chase & Donna Harris
Agent: Master Edge Homes
Hearing Date: February 17, 2021

The following comments are provided on behalf of the West Team. The applicant is requesting relief from the following “First Density Semi-Detached Residential (RSD1)” requirements under By-law 2612, as amended, as it relates to a proposed secondary suite located in the basement of the existing dwelling. The variance requested is to permit:

a) Section 5.2:

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

BACKGROUND

Property Description

The 320.52 m² (3,450.0 ft²) subject property is located on the south side of Ravengloss Drive, north of Steeles Avenue East, south of Simonston Boulevard, and west of Don Mills Road. An existing two-storey semi-detached dwelling exists on the subject property, which was constructed in 1972 according to assessment records. While the dwelling may visually appear to be single detached, the dwelling links to the adjacent dwelling by a common foundation, and is considered a semi-detached dwelling by definition of the By-law. Mature vegetation exists across the property. The property is located within an established residential neighbourhood comprised of a mix of two-storey detached dwellings, semi-detached dwellings, and townhouses.

Proposal

The applicant is requesting permission for a secondary suite to be located in the basement of the existing dwelling. The secondary suite would also have direct and separate access provided by the existing door and walk-up stairs located at the south side (rear) of the building. No other changes are being proposed to the exterior of the dwelling or property.

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 rowhouse (townhouse) dwellings, as well as permitting a residential unit in ancillary structures to a detached, semi-detached, or rowhouse dwelling. Under this legislation, “second suites” or “secondary 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

2014 Official Plan (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 single 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 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 2612

The subject property is zoned "First Density Semi-Detached Residential (RSD1)" under By-law 2612, as amended, which permits either one single detached dwelling, or one semi-detached dwelling per lot.

Zoning Preliminary Review (ZPR) Not Undertaken

The applicant has confirmed that a ZPR has not been conducted. It is the applicant's responsibility to ensure that the application has accurately identified all the variances to the By-law required for the proposed development. If the variance request in this application contains errors, or if the need for additional variances are identified during the Building Permit review process, further variance application(s) may be required to address any non-compliance.

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 has 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 and Fire Code regulations, and will be required to register their second suite with the Fire Department prior to unit occupancy.

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. Planning staff are of the opinion that the application meets the criteria under Section 8.13.8 of the Official Plan for the establishment of a secondary suite and therefore, have no objections.

PUBLIC INPUT SUMMARY

No written submissions were received as of February 10, 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 variance request meets the four tests of the *Planning Act* and have no objection. Staff recommend that the Committee consider public input in reaching a decision.

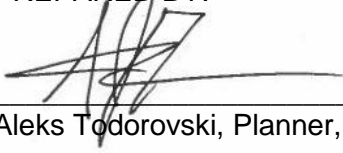
The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the By-law, and how they satisfy the tests of the *Planning Act* required for the granting of minor variances. Please see Appendix "A" for conditions to be attached to any approval of this application.

APPENDICES

Appendix "A" – Conditions of Approval

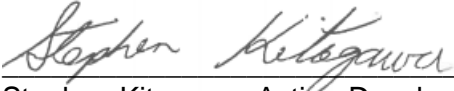
Appendix "B" – Plans

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



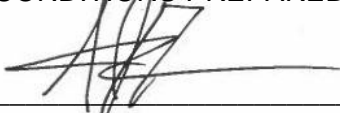
Stephen Kitagawa, Acting-Development Manager, West District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/142/20

1. The variances apply only to the proposed development as long as it remains;
2. 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; and
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:



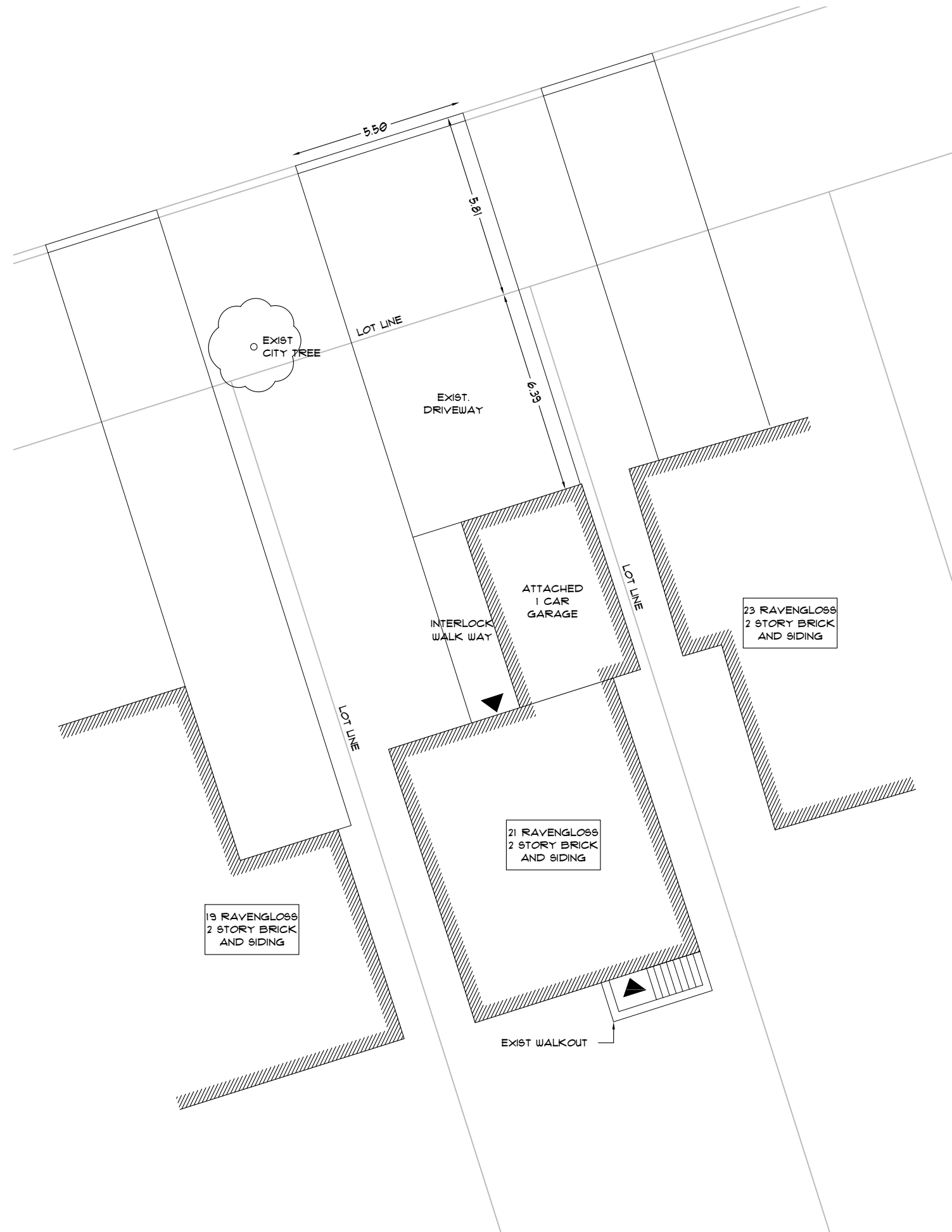
Aleks Todorovski, Planner, Zoning and Special Projects

APPENDIX "B"
PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/142/20

Appendix B

File: 20.136431.000.00.MNV

Date: 02/12/21
MM/DD/YY



DRAWN BY:



THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A OTHER DESIGNER.

QUALIFICATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIV. C - 3.2.5.1. OF THE BUILDING CODE.

NATHAN PROCTOR *Nathan P* 42126
NAME SIGNATURE BCIN

DRAWINGS ARE PROPERTY OF MASTER EDGE HOMES

ADDRESS:

21
RAVENGLOSS
MARKHAM
ON L3T 4C8

CLIENT:

BEAN

PROJECT TYPE:

RENOVATION

DATE:

12/23/2020
DD MM YYYY

SCALE:

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DWG NAME:

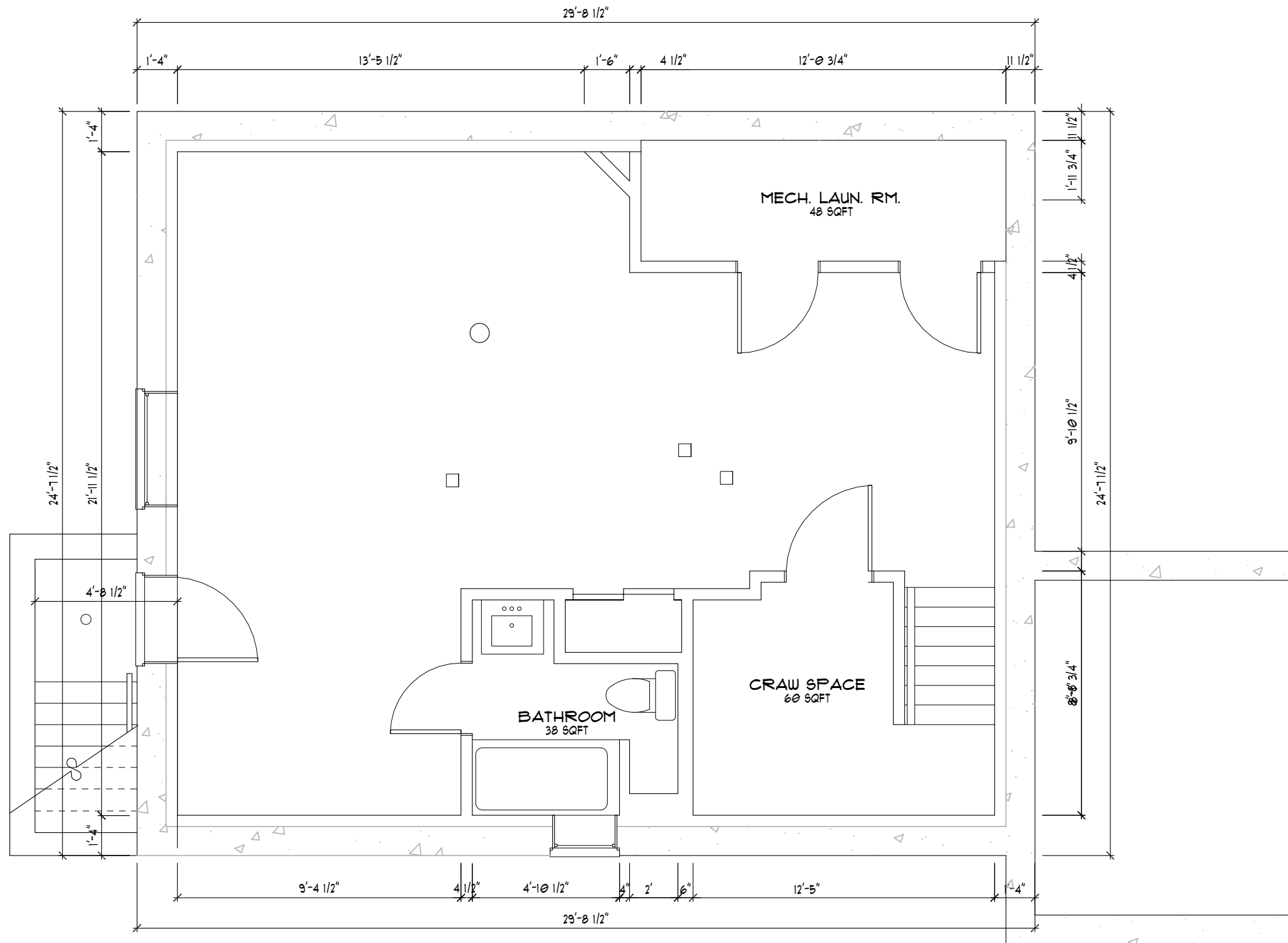
SITE
PLAN

A0

Appendix B

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12/23/2020

DD MM YYYY

SCALE:

1/4"=1'-0"

DWG NAME:

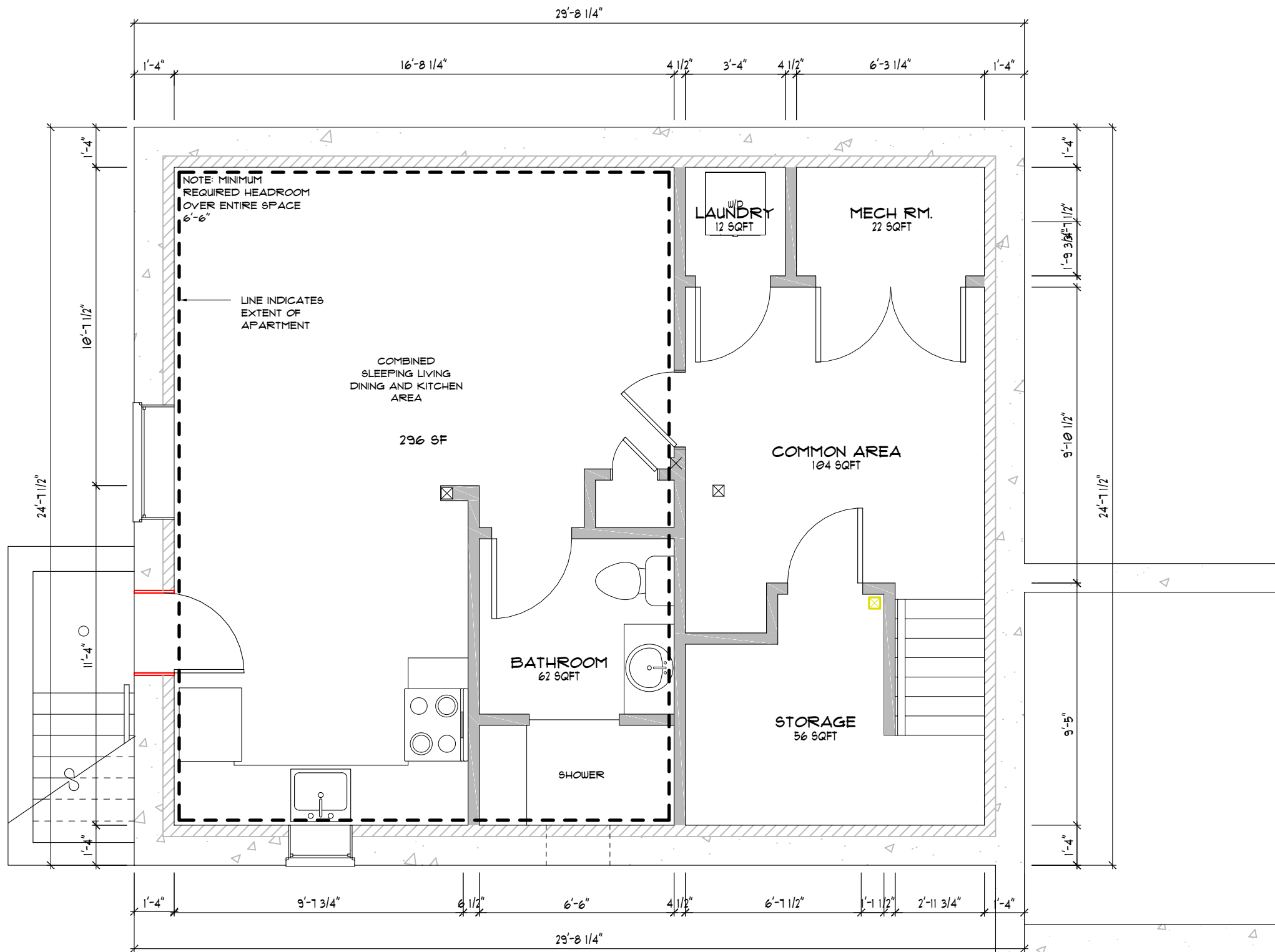
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A1

Appendix B

File: 20.136431.000.00.MNV

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CLIENT:

BEAN

PROJECT TYPE:

RENOVATION

DATE:

12/23/2020
DD MM YYYY

SCALE:

1/4" = 1'-0"

DWG NAME:

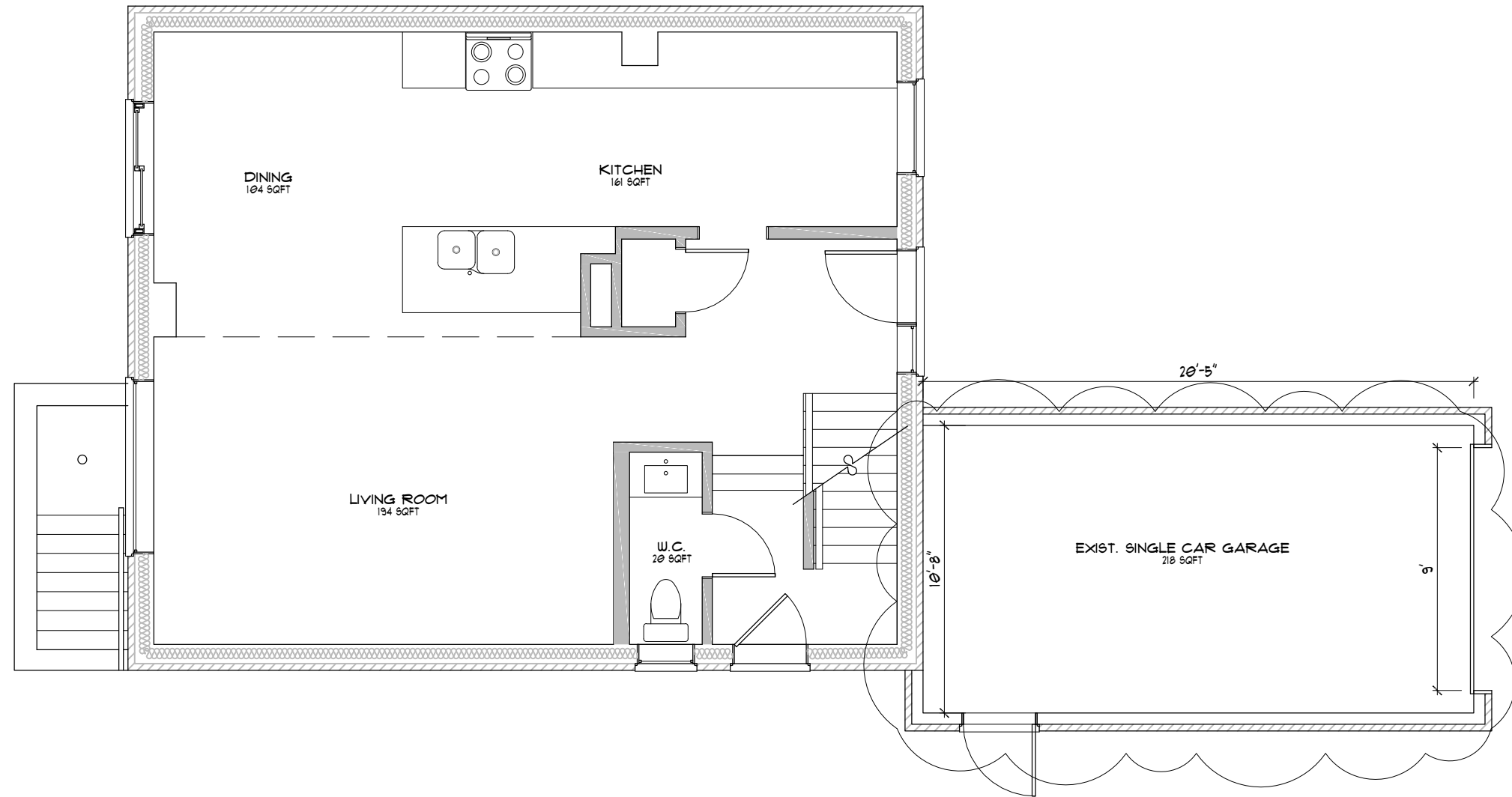
NEW
BASEMENT

A2

Appendix B

File: 20.136431.000.00.MNV

Date: 02/12/21
MM/DD/YY



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NATHAN PROCTOR *Nathan P* 42126
NAME SIGNATURE BCIN

DRAWINGS ARE PROPERTY OF MASTER EDGE HOMES

ADDRESS:

21
RAVENGLOSS
MARKHAM
ON L3T 4C8

CLIENT:

CHASE

PROJECT TYPE:

RENOVATION

DATE:

22/01/2021

DD MM YYYY

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DWG NAME:

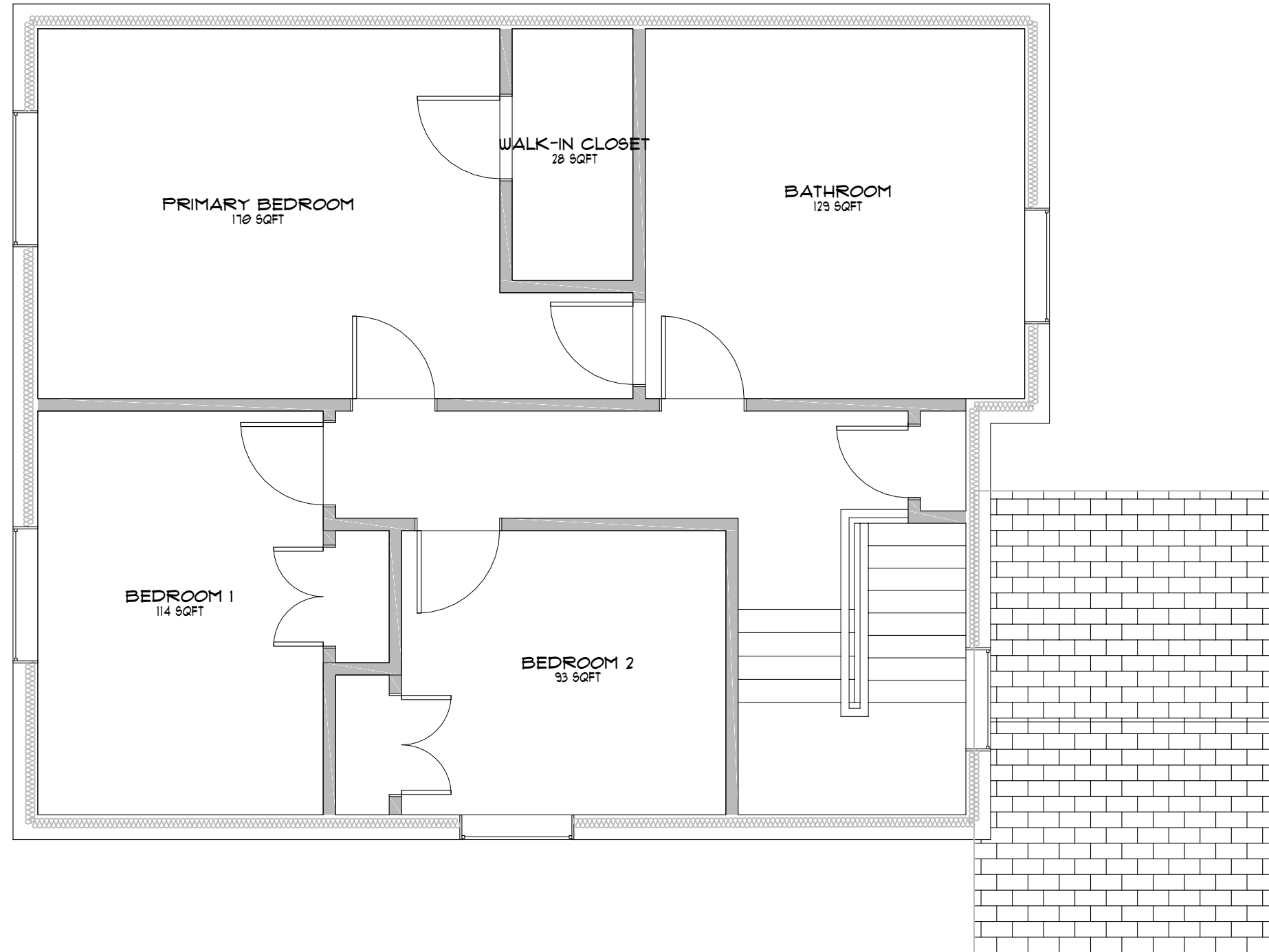
**EXISTING
1ST FLOOR**

A3

Appendix B

File: 20.136431.000.00.MNV

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ON L3T 4C8

CLIENT:

BEAN

PROJECT TYPE:

RENOVATION

DATE:

12/23/2020
DD MM YYYY

SCALE:

1/4"=1'-0"

DWG NAME:

EXISTING
2ND FLOOR

A4