

Memorandum to the City of Markham Committee of Adjustment

March 1, 2021

File: A/145/20
Address: 13 Bluebell Drive – Markham, ON
Applicant: Rameshgaran Thirunavukarasunter
Agent: Varatha Design Associates
Hearing Date: March 10, 2021

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

The applicant is requesting relief from the following “Ninth Density Single Residential (R9)” zone requirements under By-law 90-81, as amended, as it relates to a proposed basement apartment unit. The variance requested is to permit:

a) Section 5.2.1:

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

BACKGROUND

Property Description

The subject property is located on the south side of Bluebell Drive, east of Markham Road, south of 14th Avenue, and west of Boxwood Crescent. There is an existing single detached dwelling on the property. The subject property is located within an established residential neighbourhood which contains two-storey single detached dwellings.

Proposal

The applicant is requesting permission for a secondary suite to be located in the basement of the existing dwelling. The proposal includes new and enlarged windows along the east side of the building. The proposed secondary suite would have direct and separate access provided by a new door and walkup stairs on the south side (rear) of the building, accessed via an interlock pathway. No other changes are being proposed to the exterior of the dwelling or the 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 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

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

The 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 (townhouse) 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

The subject property is zoned “Ninth Density – Single Residential (R9)” under By-law 90-81, as amended, which permits one single detached dwelling per lot.

Zoning Preliminary Review (ZPR) Undertaken

The applicant completed a ZPR on January 27, 2021 to confirm the variance 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 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 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. 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 support its approval.

PUBLIC INPUT SUMMARY

No written submissions were received as of March 1, 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 support the approval of the secondary suite. 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

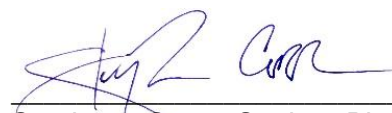
Appendix “B” – Plans

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



Stephen Cpr, Senior Planner, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/145/20

1. The variances apply only to the subject 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.
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/145/20

SITE STATISTICS:

SITE ADDRESS: 13 BLUEBELL MARKHAM, ONTARIO
PL65M3038 LT73

LOT AREA: 5575.8 square ft.= (518.19 SQ.M.)

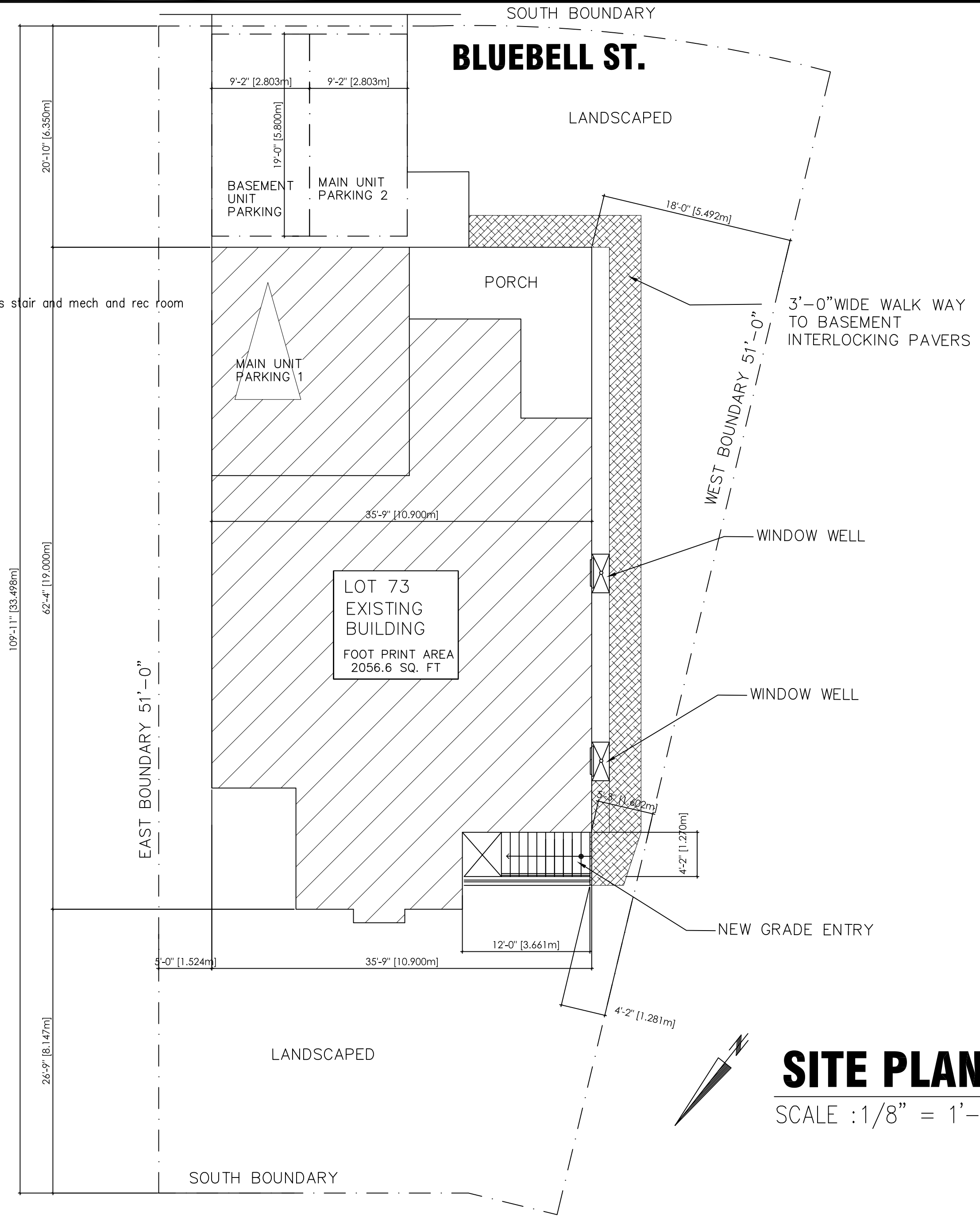
GROUND FLOOR SPACE : 1601.5 square ft (148.83 SM)
SECOND FLOOR SPACE : 1944.1 square ft. (180.67 SM)

BASEMENT SECOND UNIT AREA : 814.2 square ft. (75.66 SM) excludes stair and mech and rec room

Appendix B

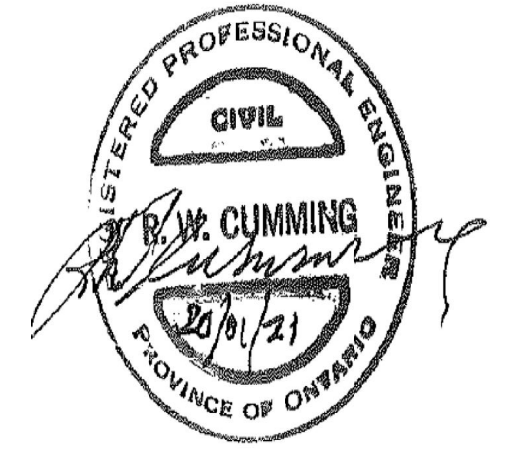
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Date: 03/05/21



SITE PLAN

SCALE : 1/8" = 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:
K.RAMAGAVARATHA (B.C.I.N) 26147

K. Ramagavaratha

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

DRAWING TITLE:	SITE PLAN
PROJECT:	NEW GRADE ENTRY EXISTING DWELLING AND BASEMENT LAYOUT 13 BLUEBELL STREET, MARKHAM, ONTARIO
OWNER:	RAMESHGARAN THIRUNAVUKARASU VICKNESWARI RAMESHGARAN

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2	bp	K.V.	jan21,21
1	C.O.A.	K.V.	DEC29,20
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: 1/8" = 1'-0"	CAD FILE :	JOB No.: 20236	
DATE: DEC29,20	DWG NO: A1	OF 4	
DRAWN BY: K.V	CHECKED BY: K.V	DATE OF PRINT: DEC29,20	

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

NOTE:
 -SMOKE ALARM ON MAIN FLOOR IS INTERCONNECTED WITH SMOKE ALARM ON UPPER FLOORS AND BASEMENT.
 -SMOKE ALARM SHALL CONFIRM TO O.B.C. DIV. B 9.10.19
 -INSTALL 1/2" TYPE X DRYWALL CEILING SEE SECTION A-A @ 82" A.F.F.
 FULL BASEMENT
 AND MIN.77" U/S BEAMS AND DUCTS
 -ALL SUPPLY AND RETURN AIR TO BE 18" AFF AT ENTRY DOOR ONLY

(N1) ADD 1 LAYER 5/8" TYPE "X" AROUND ST'L COLUMN ENCASED IN WALL TYPE P3

(N2) 1 LAYER 5/8" TYPE "X" AROUND ST'L BEAM BASED ON TABLE T 2.3.12 C/W MINERAL WOOL 45 MIN.

(N3) INSTALL 5/8" TYPE "X" DRY WALL UNDERSIDE OF STAIRS CEILING BASED ON TABLE 2.3.4A SB-2 MIN 40 MIN F.R. JOISTS EQ. 10 MIN =50 MIN TOTAL

AREA OF UNIT OWNED BY FIRST FLOOR

(A) WINDOW LITEL TO BE 2-2" X10" FLUSH C/W 3.5" X3.5" X 5/16" STEEL BRICK ANGLE

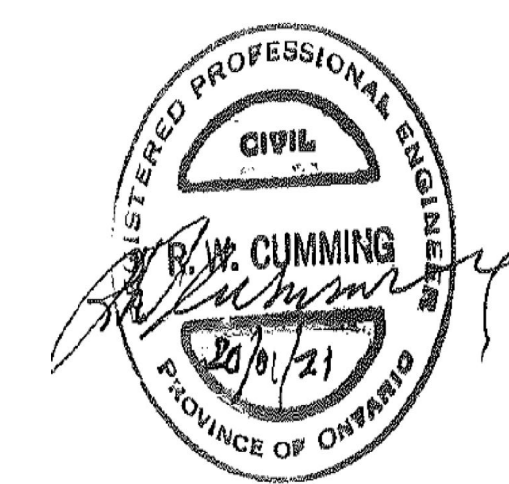
LEGEND:

- EXISTING WALLS
- NEW WALLS
- RENOVATED WALLS

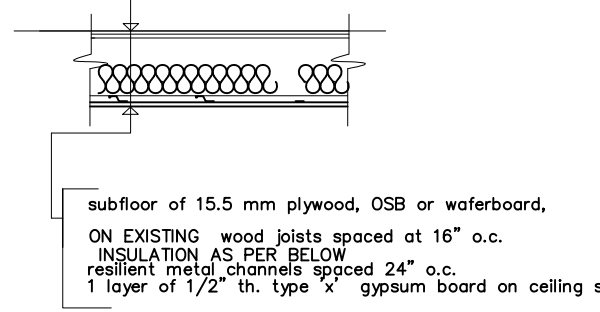
E.F. 32X80 MECHANICAL VENTILATION 150 CFM INSUL. 6" DIA. EXHAUST OUT	SA - SUPPLY AIR	RA - RETURN AIR
1 32X80 NEW DOOR (20 MIN RATED WITH SELF CLOSING DEVICE)	SA CLG. - SUPPLY AIR	
2 32X80 NEW DOOR	SW SWITCH	
3 30X80 NEW DOOR	EXT EXISTING DOOR	
4 24X80 NEW DOOR	EXISTING SUPPLY AIR	
5 24X80 NEW DOOR (20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

P1 1 LAYER 1/2" TYPE "X" GYPSUM BOARD C/W SOUND ABOR. MATERIAL 2" X4" @ 16" O.C. SB-3 WIG 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 WIG 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 W4A SB-3 STC RATING 51)	P4 2X3@16" WITH 1/2" DRY WALL WITH R20 CI SPRAYFOAM (2.75"MIN.TH.)
P1C 2X4 WITH 5/8" TYPE "X" DRY WALL @ 16" O.C BOTH SIDES 1 HR FIRERATED WALL(BASED ON W4A SB-3 STC RATING 51)	P5 2"X4"WD STUDS @16" O/C C/W 1/2" GYPSUM BD.

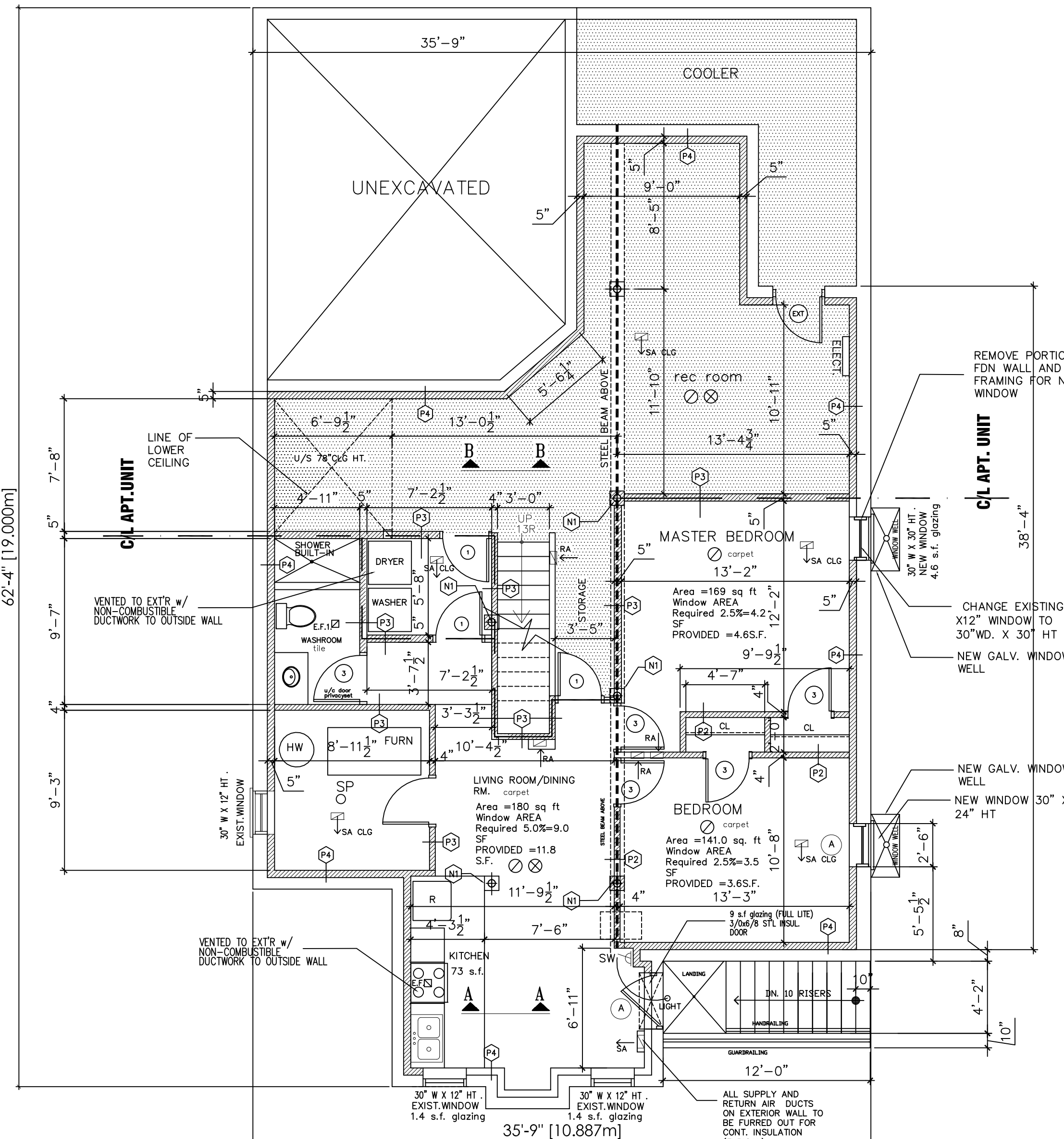
NOTES:
 1. DOORWAY SIZE SHALL CONFIRM TO O.B.C 9.6.3
 2. A SMOKE DETECTOR SHALL BE INSTALLED IN THE SUPPLY OR RETURN AIR DUCT SYSTEM WHICH SHOULD BE TURN OFF THE FUEL SUPPLY AND ELEC. POWER TO THE HEATING SYSTEM UPON ACTIVATION OF SUCH DETECTOR.
 3. 30 MINUTE FIRE SEPARATION 1/2" (12.7 MM) TYPE "X" GYPSUM BOARD CEILING SEE SECTION A-A



(N1) ADD 1 LAYER 5/8" TYPE "X" AROUND ST'L COLUMN ENCASED IN WALL TYPE P3
 (N2) 1 LAYER 5/8" TYPE "X" AROUND ST'L BEAM BASED ON TABLE T 2.3.12 C/W MINERAL WOOL 45 MIN.



(F1) FLOOR CONSTRUCTION
 F 50 floor construction type based on OBC sb-3 F.R.-45 MIN MINERAL WOOL INSULATION 2.8 KG/M2
SECTION A-A
 SCALE: S1
 NOTE: SECTION B-B USE 1/2" TH REG. GYPSUM BD.



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: BASEMENT RENOVATED PLAN

PROJECT: NEW GRADE ENTRY EXISTING DWELLING AND BASEMENT LAYOUT RENOVATION TO 13 BLUEBELL STREET, MARKHAM, ONTARIO

OWNER: RAMESHARAN THIRUNAVUKARASU
 VICKNESWARI RAMESHARAN

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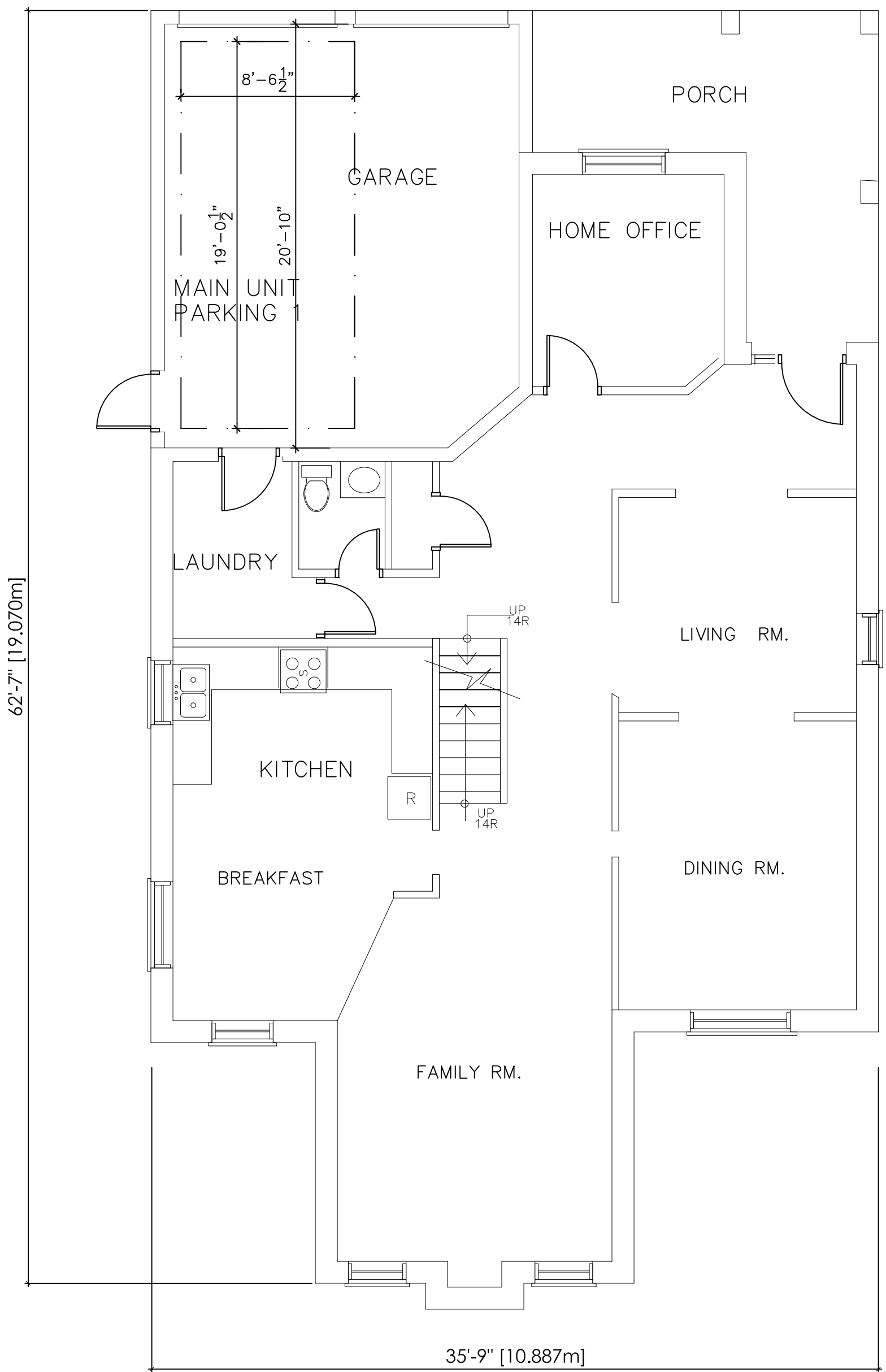
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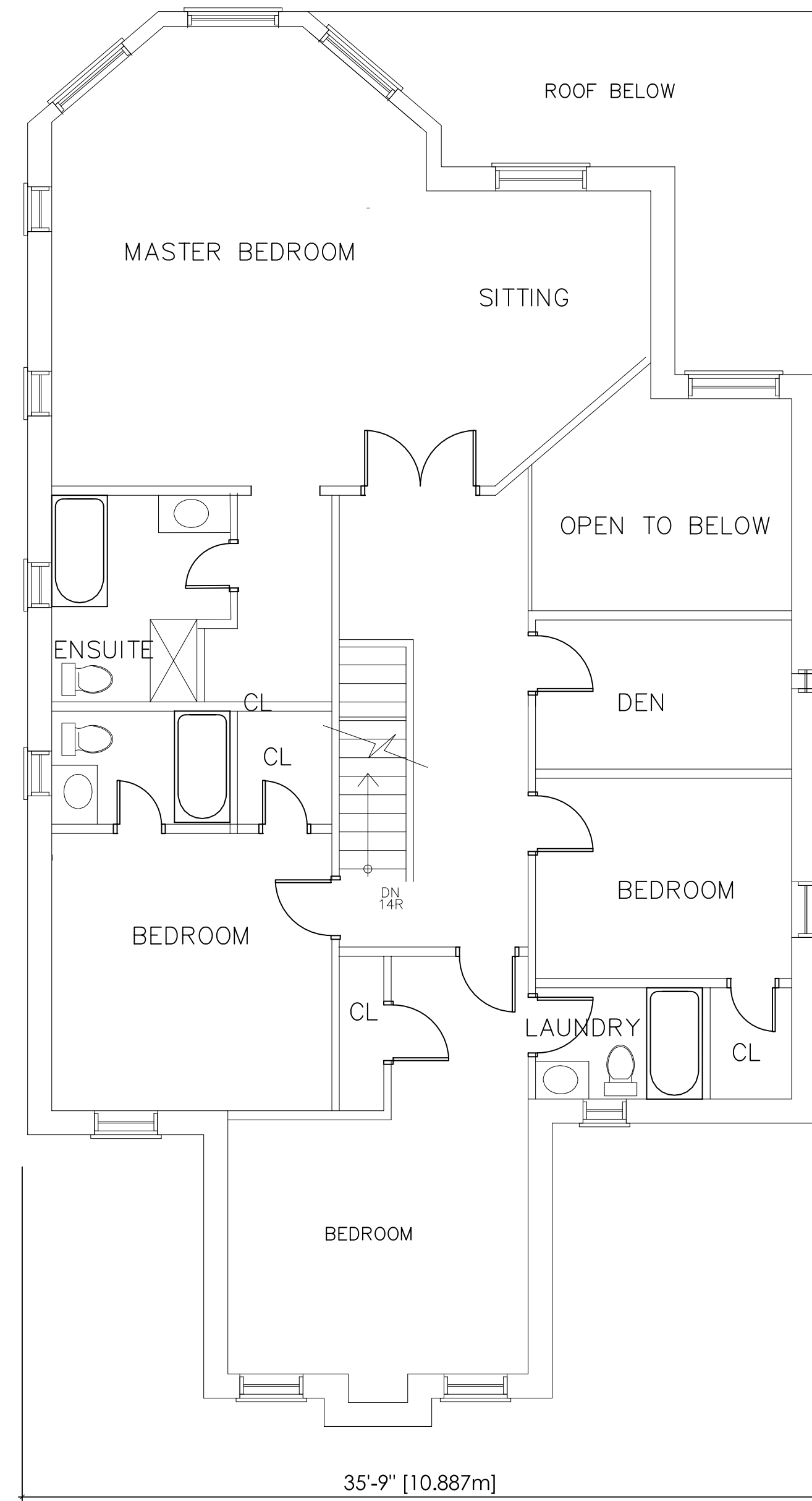
VARATHA DESIGN ASSOCIATES
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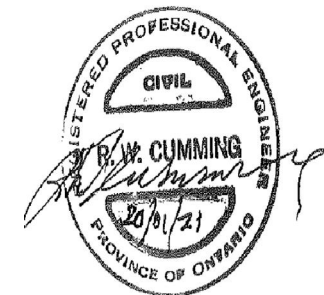
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EXISTING FIRST FLOOR PLAN
 scale: 3/16" = 1'-0"



EXISTING SECOND FLOOR PLAN
 scale: 3/16" = 1'-0"



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

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

DRAWING TITLE: EXISTING FIRST AND SECOND FLOOR

PROJECT: NEW GRADE ENTRY EXISTING DWELLING AND BASEMENT LAYOUT RENOVATION TO 13 BLUEBELL STREET, MARKHAM, ONTARIO

OWNER: RAMESHGARAN THIRUNAVUKARASU
 VICKNESWARI RAMESHGARAN

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 Varatha Ken
 Architectural Designer
 TEL: (416) 284 7945
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TORONTO Ont.

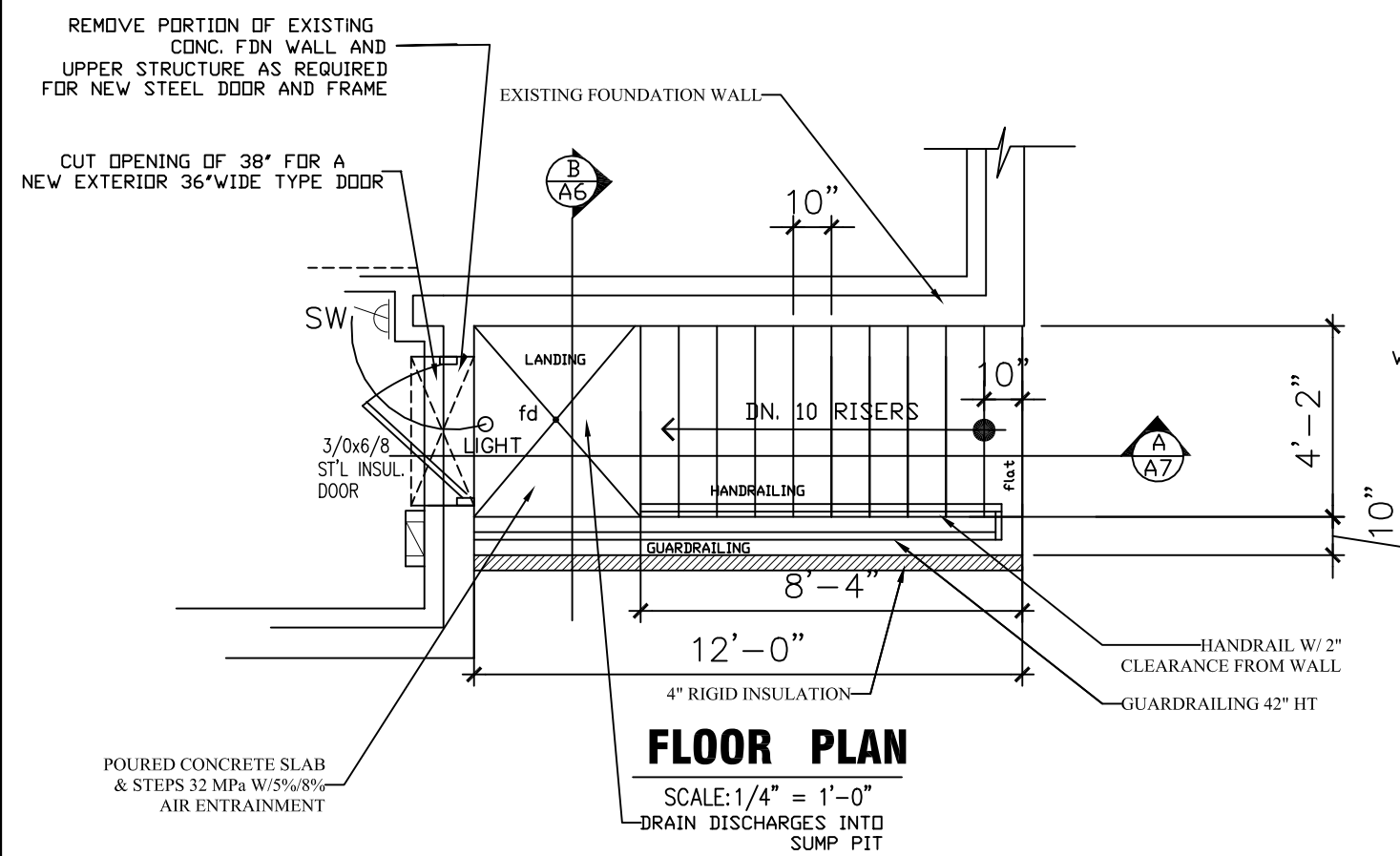
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CHECKED BY: K.V. DATE OF PRINT: DEC29,20

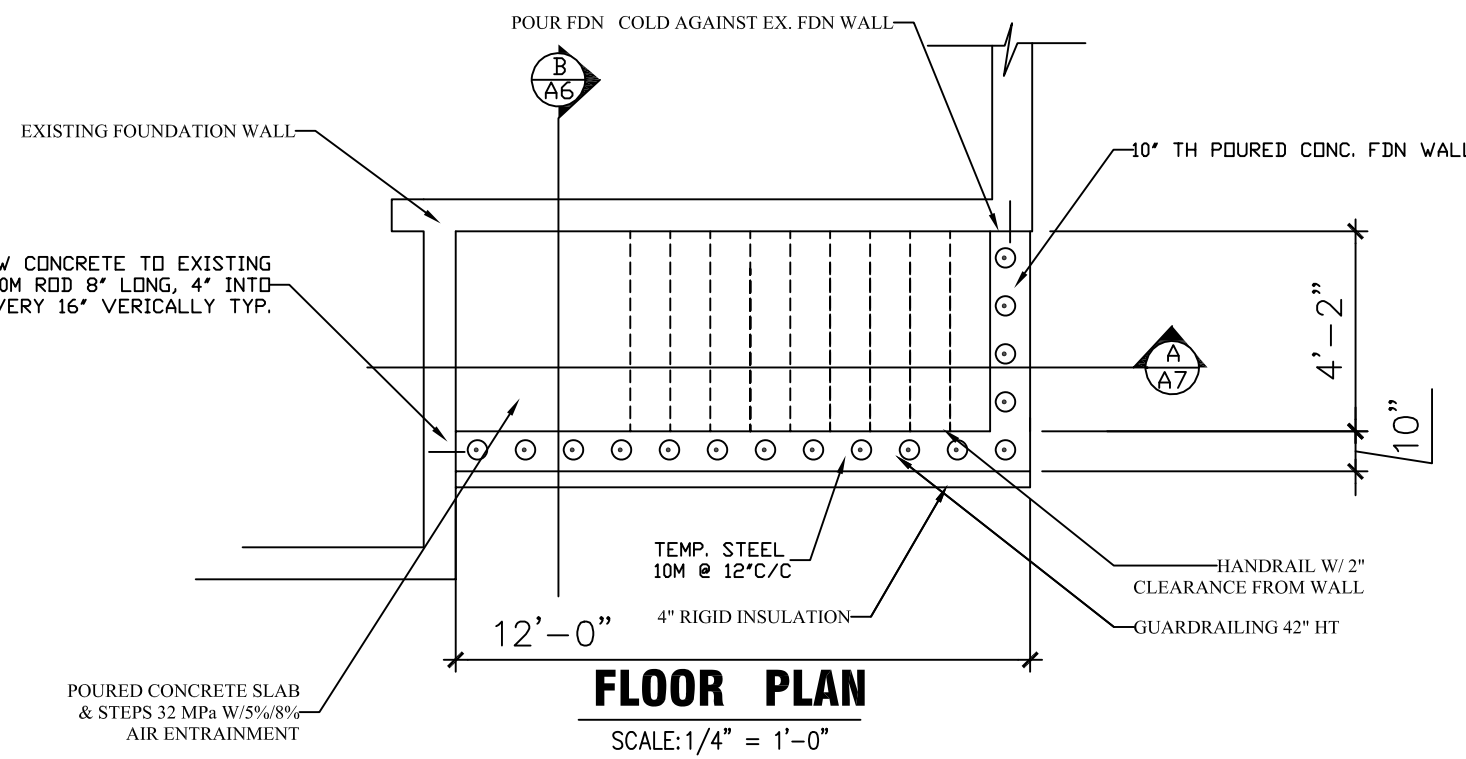
EXIST. BASEM.



FLOOR PLAN

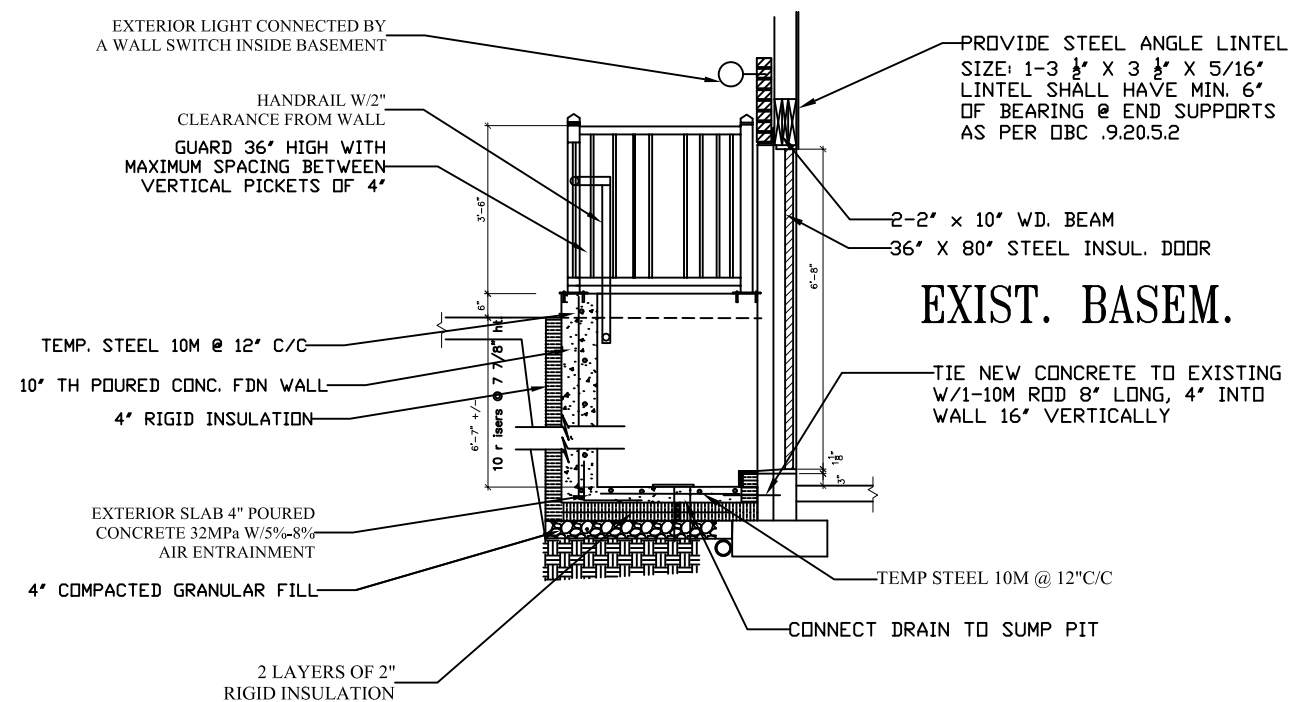
SCALE: 1/4" = 1'-0"
DRAIN DISCHARGES INTO SUMP PIT

EXIST. BASEM.



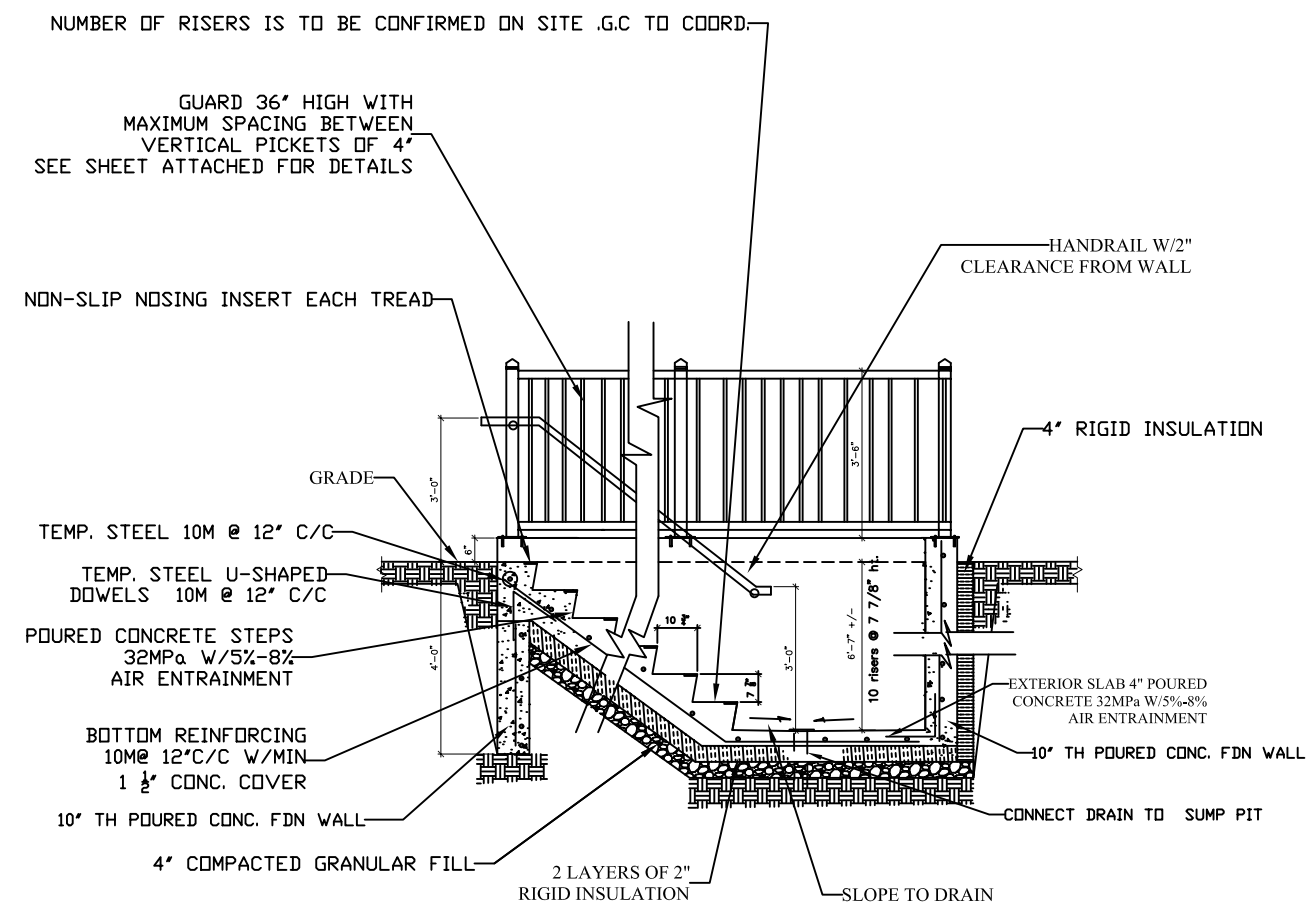
FLOOR PLAN

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



SECTION B: FOR BELOW GRADE ENTRANCE

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

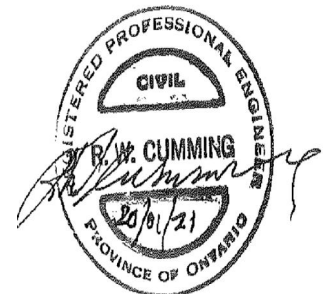


SECTION A: FOR BELOW GRADE ENTRANCE

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

GENERAL NOTES: *Contractor shall obtain guards specifically Ontario Building Code compliant.

- WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE (OBC) AND LOCAL REGULATIONS
- MATERIAL SHALL BE AS FOLLOWS:
 - CONCRETE: 32 MPa WITH 5% TO 8% AIR
 - REINFORCING: CSA G30.18-GRADE 400
 - INSUL- 50MM 150 141 5-P-F
 - STEEL - AISC- A 36
 - INSULATION - DOW STYROFOAM SM OR EQUIVALENT
- FOOTINGS SHALL BEAR ON SOIL CAPABLE OF SUSTAINING AN ALLOWABLE BEARING PRESSURE OF 2000 PSF
- DOOR AND FRAME TO ENTRY RESISTANT METAL PER OBC



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QUALIFICATION INFORMATION:
K. VARATHA (B.C.L.N.) 26747

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

DRAWING TITLE: GRADE ENTRY DETAILS

PROJECT: NEW GRADE ENTRY EXISTING DWELLING AND BASEMENT LAYOUT RENOVATION TO 13 BLUEBELL STREET, MARKHAM, ONTARIO

OWNER: RAMESHGARAN THIRUNAVUKARASU
VICKNESWARI RAMESHGARAN

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NO.	REVISION/ISSUED TO	BY	DATE

VARATHA DESIGN ASSOCIATES
Architectural & Engineering Services

Varatha Ken
Architectural Designer
TEL: (416) 284 7945
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