

Memorandum to the City of Markham Committee of Adjustment

April 11, 2022

File: A/024/22
Address: 308 Cornell Centre Boulevard – Markham, ON
Applicant: Shalini Habilan
Agent: Ranjani Kalaeswaran
Hearing Date: April 20, 2022

The following comments are provided on behalf of the East District team. The applicant is requesting relief from the following “Residential Two Exception *190*465 (R2*190*465) Zone” requirement under By-law 177-96, as amended, to permit:

a) Section 7.190.1 (a)(ii):

a basement secondary dwelling unit, whereas the By-law permits only one dwelling unit on a lot.

PROPERTY DESCRIPTION

The subject property is located at the southwest corner of Cornell Centre Boulevard, and the Meadows Avenue, north of Riverlands Avenue, and east of Bur Oak Avenue. There is an existing two-storey detached dwelling located on the property, and a detached two-car garage, which shares a common wall with the neighbouring garage. A parking pad abuts the garage to the north. The site provides for three parking spaces.

COMMENTS

The Zoning By-law permits one accessory dwelling unit located above a private garage provided that the following criteria are met:

- is accessory to a single detached dwelling unit on the same lot;
- is located above a private garage in either the main building or an accessory building on the same lot, excepting that stairways providing access to the accessory dwelling unit may extend down to grade; and
- the required parking space is independently accessible from the parking spaces for the main dwelling unit on the lot.

Staff are satisfied that the proposed relocation of the accessory dwelling unit is appropriate for the lot, maintains the general intent of the By-law, and meets the criteria under [Section 8.13.8](#) of the Official Plan for the establishment of a secondary suite. Staff support its approval in accordance with the requirements under Section 16(3) of the *Planning Act, R.S.O. 1990, c. P.13, as amended*.

ZONING PRELIMINARY REVIEW (ZPR) NOT UNDERTAKEN

The applicant completed a ZPR on February 23, 2022 to confirm the variance required for the proposed development.

PUBLIC INPUT SUMMARY

No written submissions were received as of April 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 have reviewed the application with respect to Section 45(1) of the *Planning Act*, and are of the opinion that the requested variances meet the four tests. Staff 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

PREPARED BY:



Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:




Stacia Muradali, Development Manager, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/024/22

1. The variance apply only to the proposed development for as long as it remains.
2. That the variances apply 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:



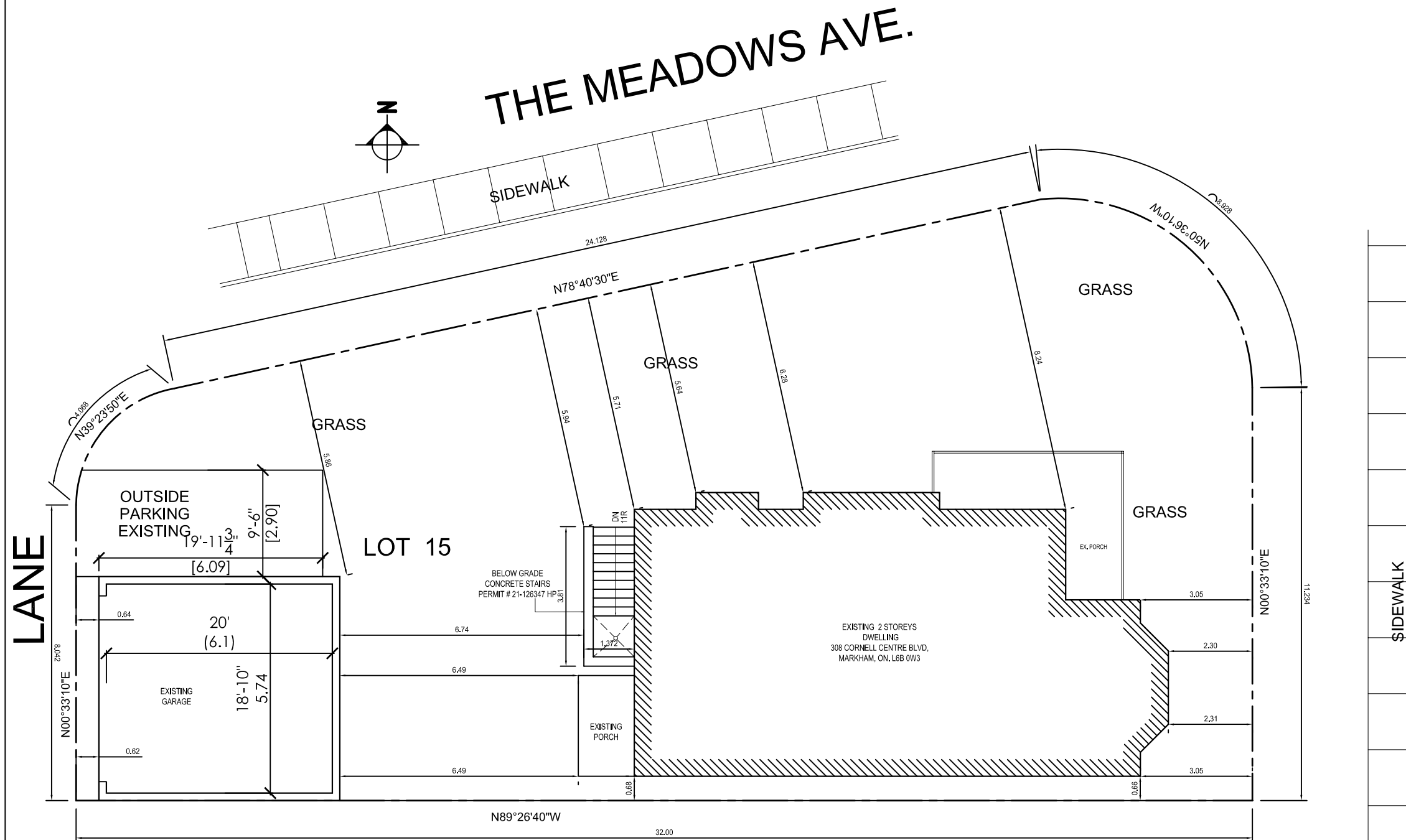
Aleks Todorovski, Planner, Zoning and Special Projects

APPENDIX "B"
PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/024/22

Appendix B

File: 22.110910.000.00.MNV

Date: 04/14/22
MM/DD/YY



BASEMENT FLOOR AREA=975 s.ft (90.5 s.m)
 MAIN HOUSE FLOOR AREA= 2111.5 S.FT(196.16 s.m)
 GARAGE AREA=429'6 s.ft (39.9 s.m)

House is more than 5 year old. and Part11 of OBC applies to the new Renovation

Legal Description:
 Lot 15, PLAN 65 M-4406
 308 Cornell Centre blvd

Unprotected glazed opening on north facing wall= 100% permitted
 Unprotected glazed opening on east facing wall= 100% permitted
 (any new openings in north and east wall is permitted)

Site plan



CORNELL CENTRE BLVD.

No	Date	Description
1	20/12/21	PERMIT

Title:
 Basement Apartment
 Site plan

Address
 308 CORNELL CENTRE BLVD.
 MARKHAM

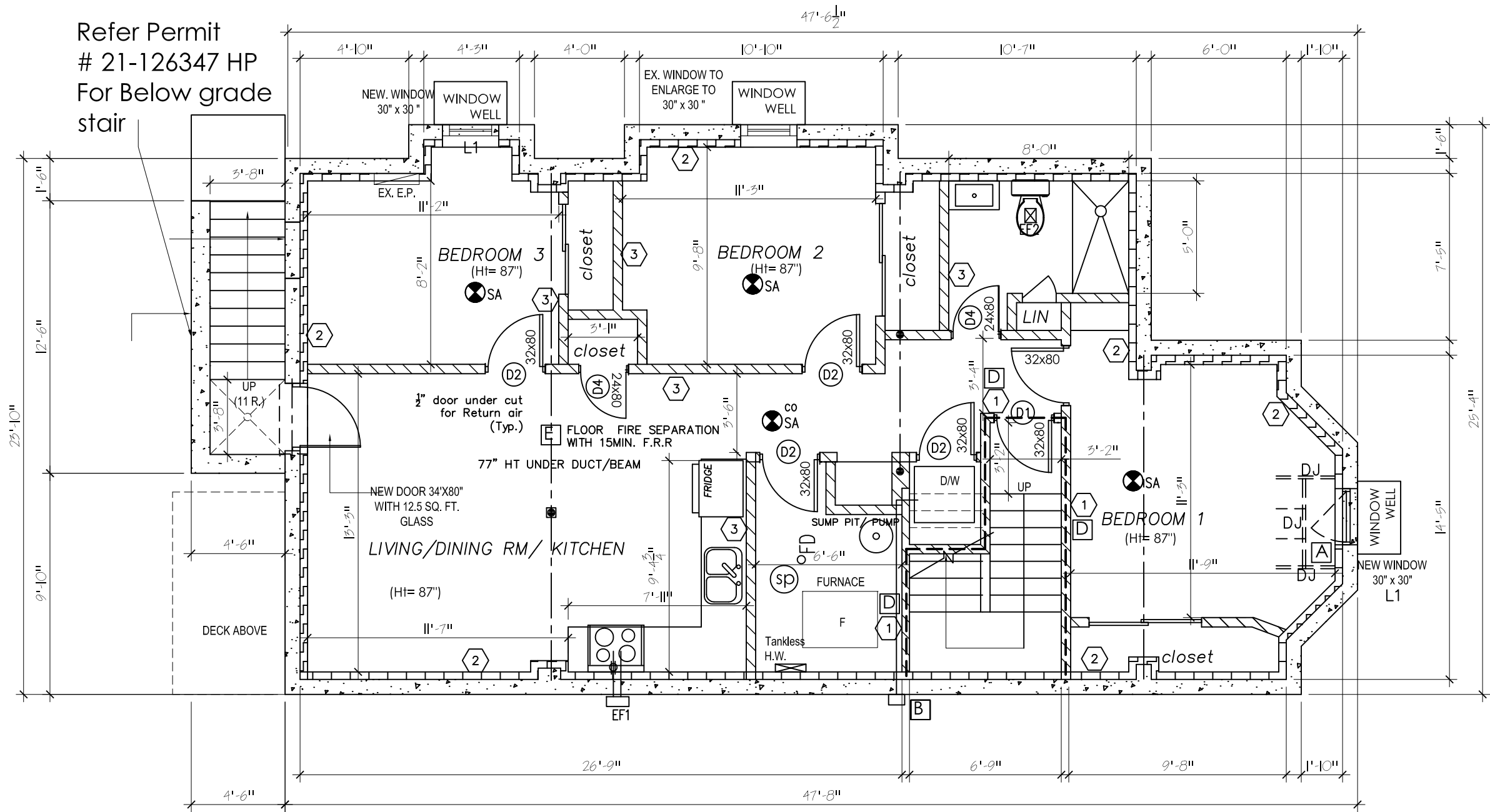
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Date: NOV/2021	

Appendix B

File: 22.110910.000.00.MNV

Date: 04/14/22
MM/DD/YY

Refer Permit
21-126347 HP
For Below grade
stair



BASEMENT FLOOR PLAN

BASEMENT AREA=975 s.ft (90.5 s.m)

BASEMENT AREA CALCULATION

ROOM	AREA	GLAZED AREA
BED RM 1	130 S.FT	3.5 S.FT
BED RM-2	105 S.FT	3.0 S.FT
BED RM 3	96 S.FT	3.0 S.FT
KITCHEN	72 S.FT	NOT REQD
LIVING DINING & kitchen	252 S.FT	13.9 S.FT

No	Date	Discription
1	20/12/21	PERMIT

Title: Basement Apartment
Basement plan (Proposed)

Address
308 CORNELL CENTRE BLVD.
MARKHAM

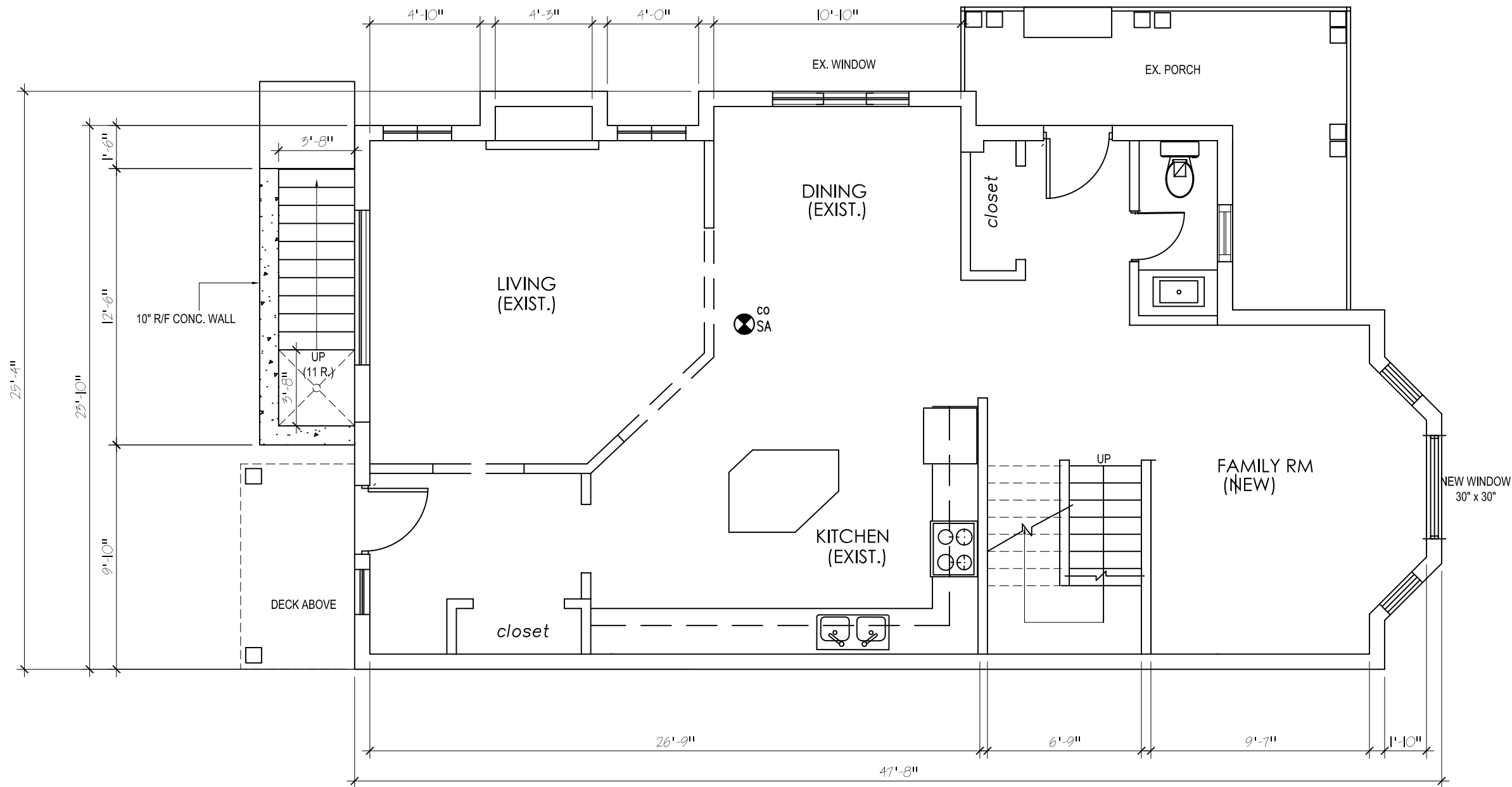
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Date: nov /2021
Dwg. # A 1.0



Appendix B

File: 22.110910.000.00.MNV

Date: 04/14/22
MM/DD/YY



1 ST FLOOR PLAN

1 ST FLOOR AREA= 99.5 s.m
GARAGE FLOOR AREA= 39.9 s.m

SA SMOKE ALARM C/W VISUAL-SIGNALING INTERCONNECTED THROUGH OUT THE HOUSE



No	Date	Description
1	20/12/21	PERMIT

Title: Basement Apartment
1 st Floor plan

Address
308 CORNELL CENTRE BLVD.
MARKHAM

scale: 3/16"=1'	Dwg. # A 2.0
Date: NOV/2021	

Appendix B

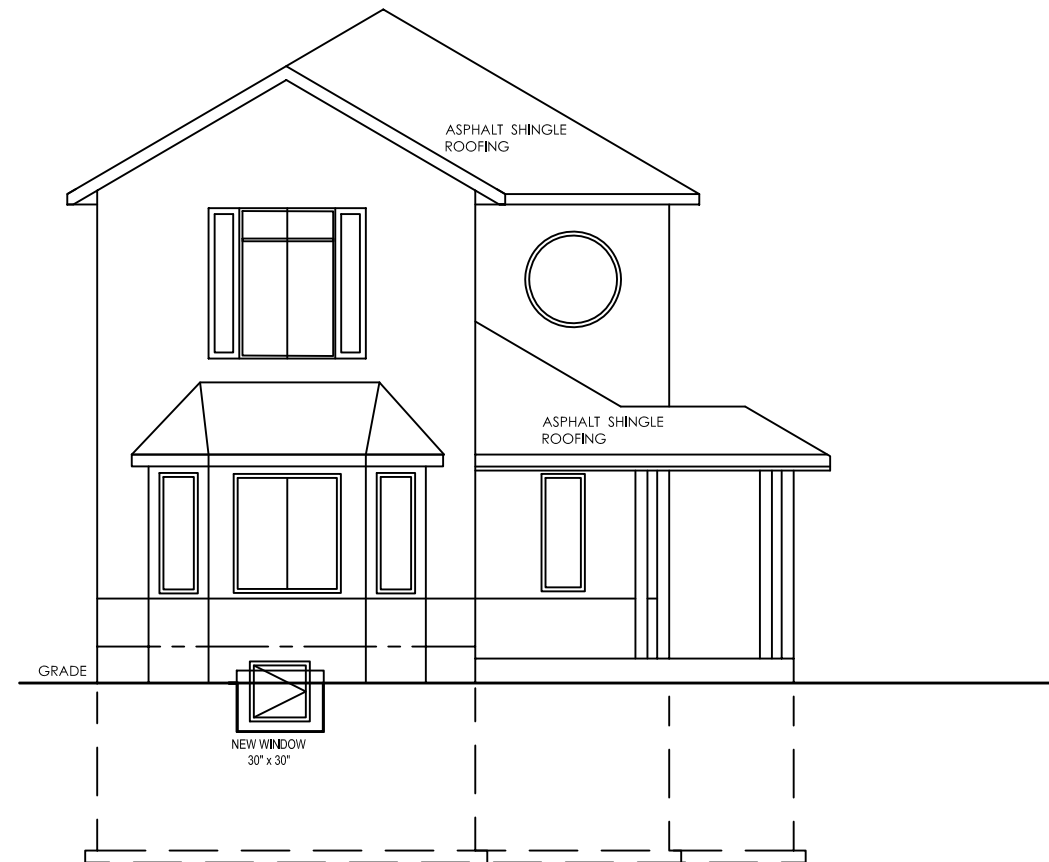
File: 22.110910.000.00.MNV

Date: 04/14/22
MM/DD/YY



NORTH ELEVATION

Unprotected glazed opening on north facing wall= 100% permitted
 Unprotected glazed opening on east facing wall= 100% permitted
 (any new openings in north and east wall is permitted)



EAST ELEVATION

No	Date	Description
1	20/12/21	PERMIT

Title: Basement Apartment Elevations

Address
 308 CORNELL CENTRE BLVD.
 MARKHAM

scale: 1/8"=1'	Dwg. # A 4.0
Date: nov /2021	