

# 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**

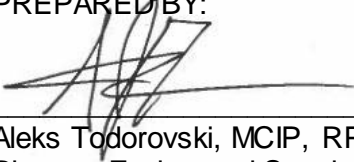
Planning staff have reviewed the application with respect to Section 45(1) of the *Planning Act*, and are of the opinion that the variance requests meets the four tests. Staff recommend that the Committee consider public input in reaching a decision. The onus is ultimately on the applicant to demonstrate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



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

REVIEWED BY:



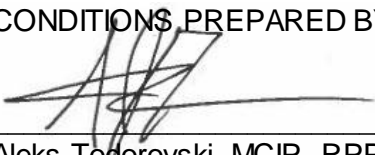
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Stacia Muradali, MCIP, RPP  
Development Manager, East District

**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:

A handwritten signature in black ink, appearing to read 'Aleks Todorovski', is written over a horizontal line.

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:

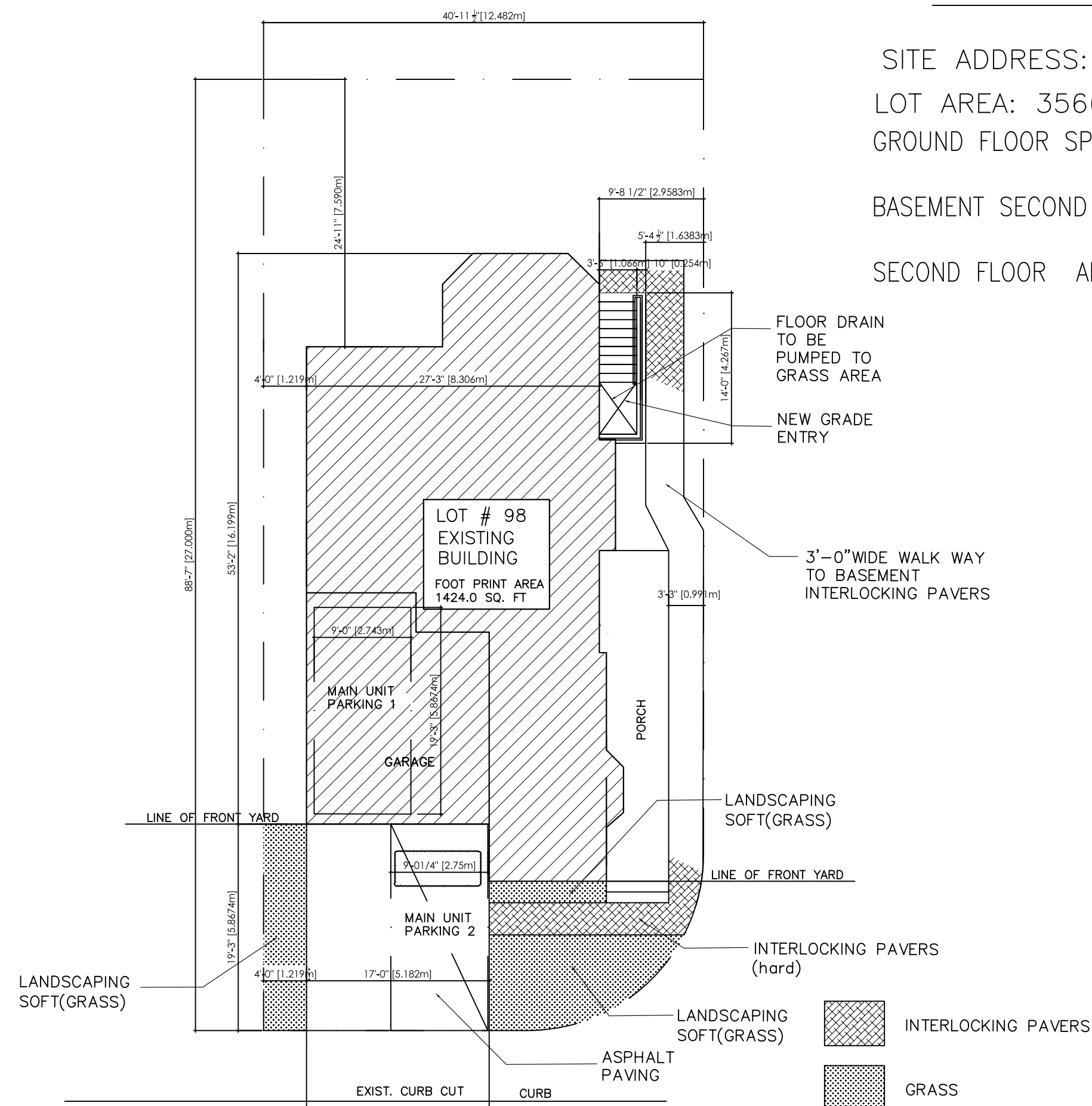
SITE ADDRESS: .10 Outlook Terrace Drive MARKHAM

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)

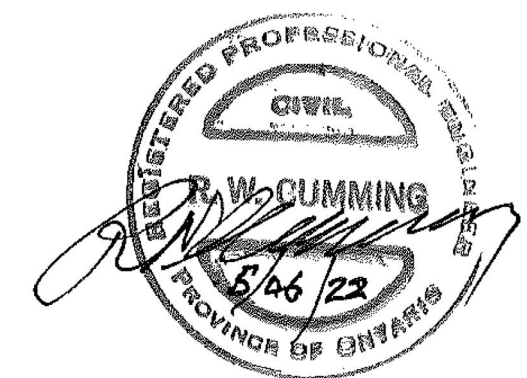
SECOND FLOOR AREA 1296.4 square ft (120.4SM)



## SITE PLAN

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

## OUTLOOK 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

### 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

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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 &amp; Engineering Services

Varatha Ken  
Architectural Designer

TEL: (416) 284 7945

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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



## Appendix B

File: 22.117460.000.00.MNV

Date: 08/19/22 MM/DD/YY

## 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 1/2" 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

## LEGEND:

EXISTING WALLS  
NEW WALLS  
RENOVATED WALLS CHB2= CEILING HT = ..... HT EX.=EXISTING CONSTRUCTION OR ITEM

E.F. <input checked="" type="checkbox"/> 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	
<input checked="" type="checkbox"/> CO <input checked="" type="checkbox"/> SMOKE ALARM INTER CONNECTED	EXISTING SUPPLY AIR	
E.F.1. <input checked="" type="checkbox"/> MECHANICAL VENTILATION 100 CFM INSUL.6" DIA. EXHAUST OUT	SW3 3-way SWITCH	
<input checked="" type="checkbox"/> SP INSTALL NEW SPRINKLER HEAD IN FURNACE ROOM		

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:

BASEMENT RENOVATED PLAN

PROJECT:

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

OWNER:

Kiran Suguru  
Kavitha Vallabhapuram

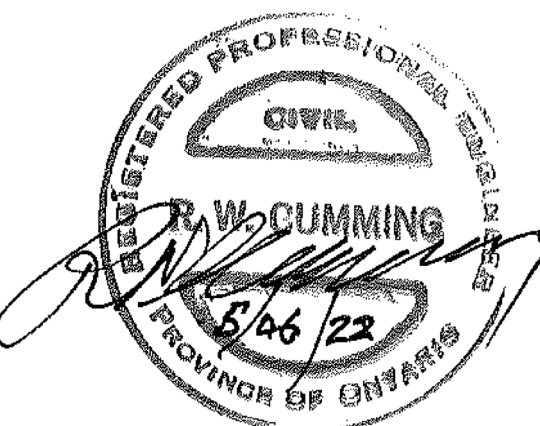
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1	BUILDING PERMIT	K.V.	JN6,22
NO.	REVISION/ISSUED TO	BY	DATE



VARATHA DESIGN ASSOCIATES  
Architectural & Engineering Services

Varatha Ken  
Architectural Designer

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CELL: (416) 725 2041

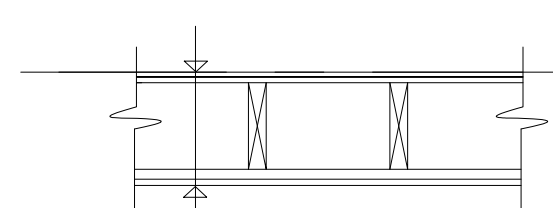
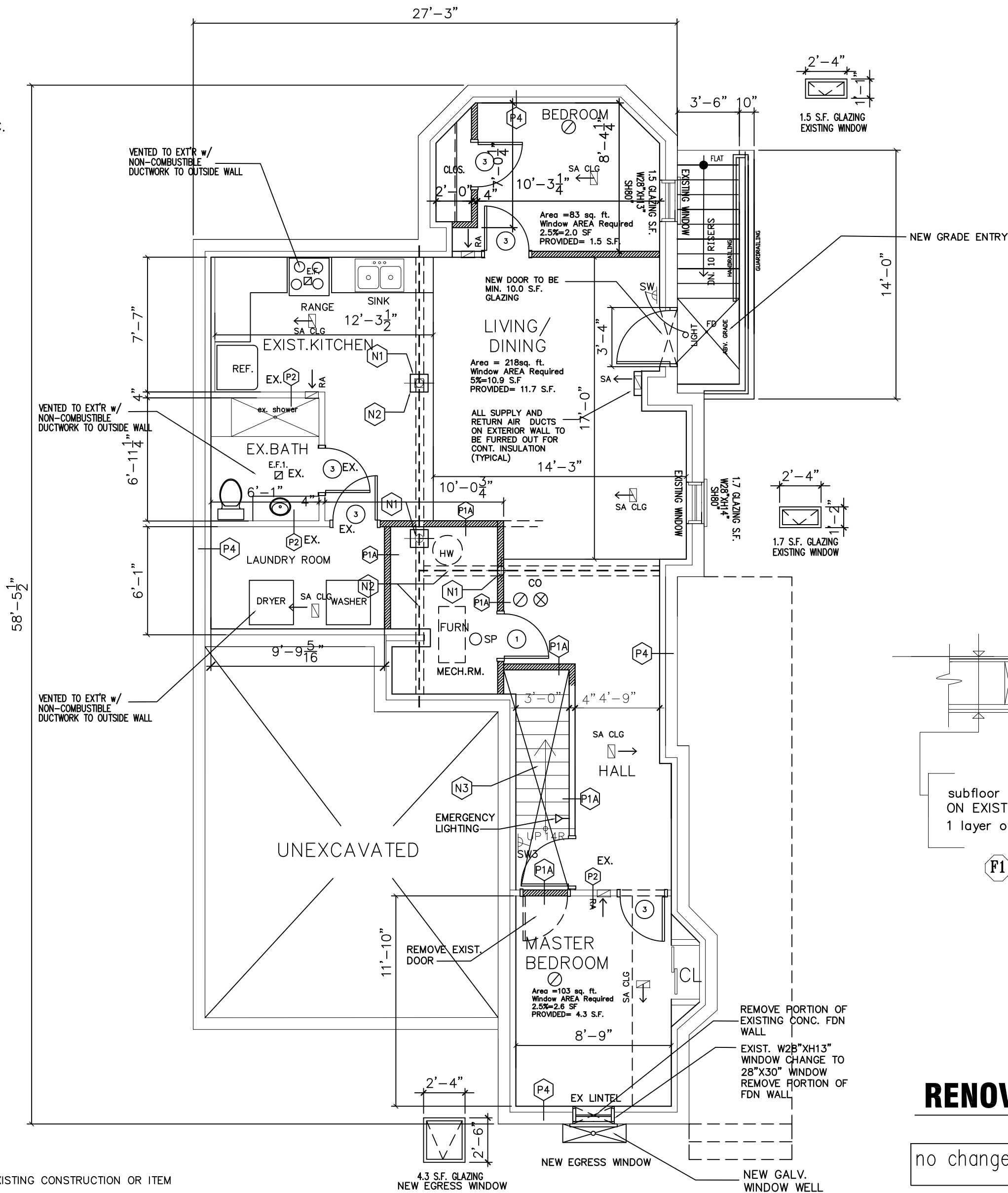
TORONTO Ont. email: kvaratha@hotmail.com

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

DATE: JN6,22 DWG NO: OF

DRAWN BY: K.V. A2 5

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



subfloor of 15.5 mm plywood, OSB or waferboard,  
ON EXISTING wood joists spaced at 16" o.c.  
1 layer of 1/2" th. EXISTING gypsum board on ceiling side

F1 FLOOR CONSTRUCTION

## SECTION A-A

SCALE: N.T.S.

15 MIN FR

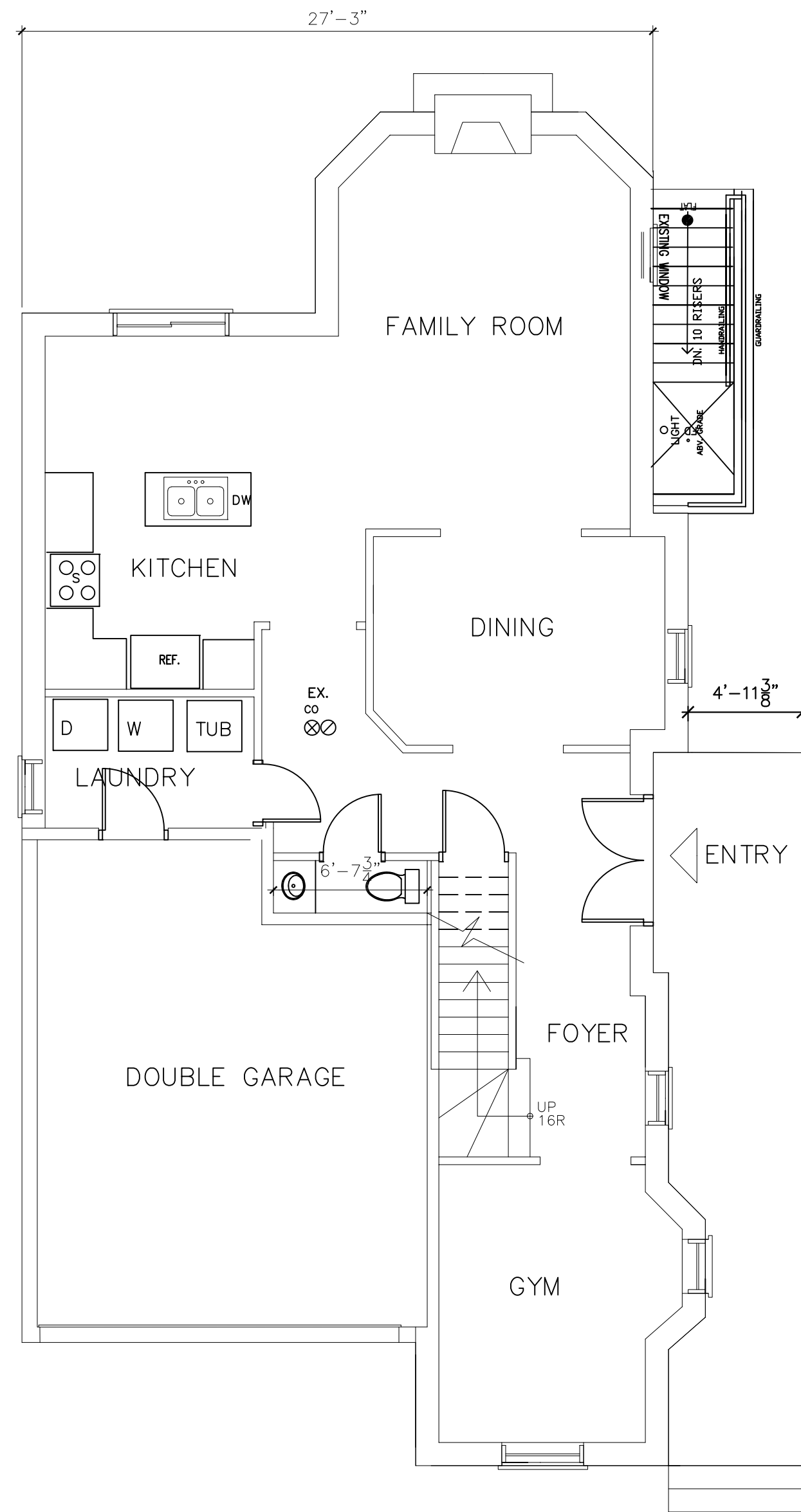
## RENOVATED BASEMENT FLOOR PLAN

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

no change to EXISTING FLOOR STRUCTURE

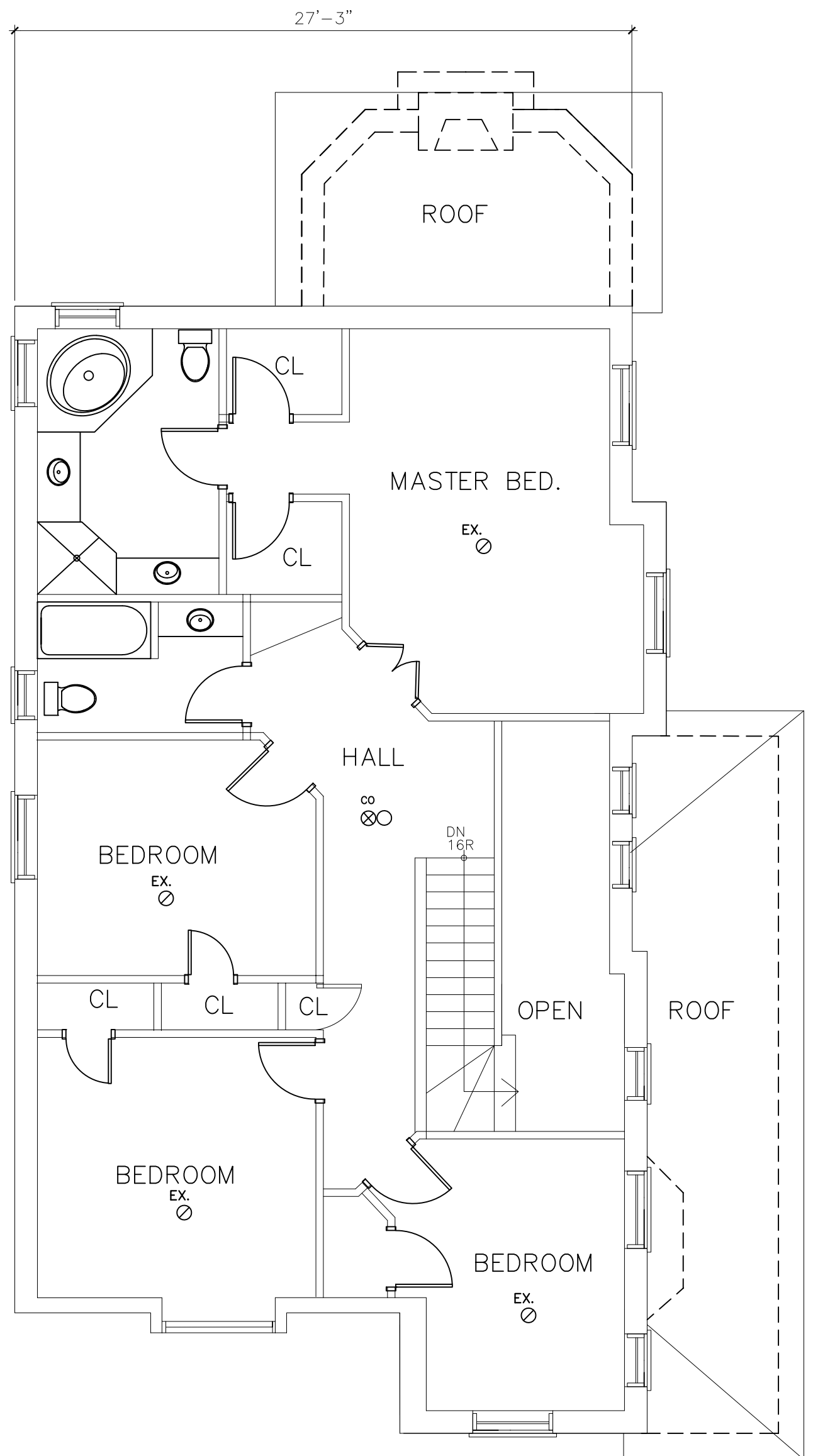
## NOTES:

- DOORWAY SIZE SHALL CONFIRM TO O.B.C 9.5.11
- 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.



FIRST FLOOR PLAN

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



SECOND FLOOR PLAN

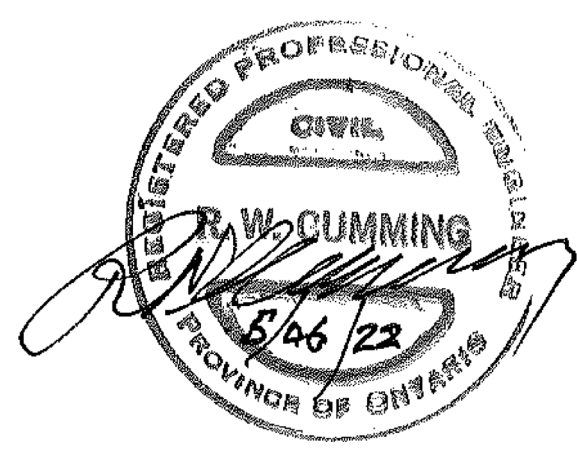
scale: 3/16" =1'-0"

Appendix B

File: 22-117460.000.00.MW

Date: 08/19/22

MMDDYY



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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

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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  
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email: kvaratha@hotmail.com

TORONTO Ont.

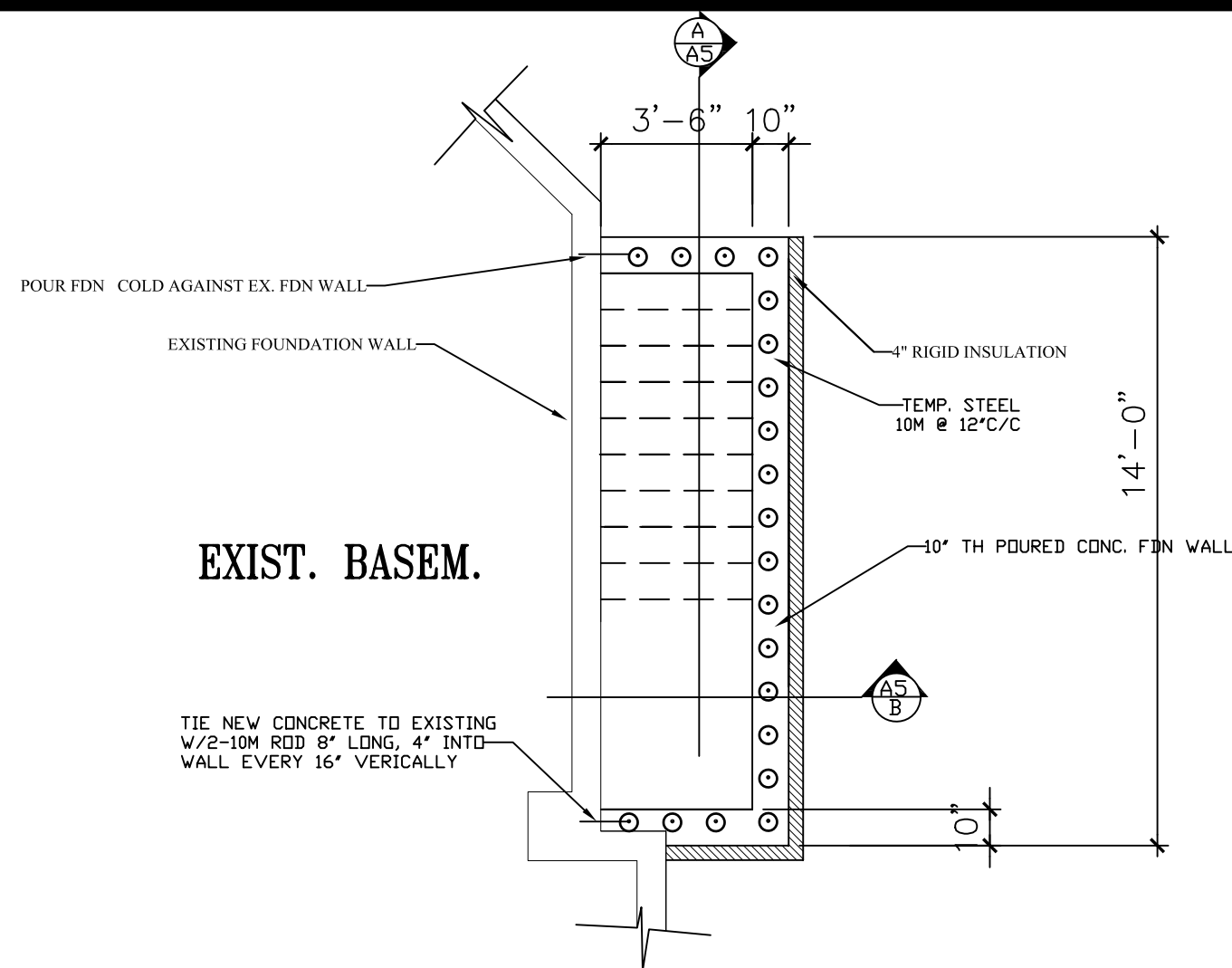
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DATE: JN6,22	DWG NO: A3	OF 5
DRAWN BY: K.V	CHECKED BY: K.V	JN6,22





A circular professional engineer seal for the Province of Ontario. The outer ring contains the text "REGISTERED PROFESSIONAL ENGINEER" at the top and "PROVINCE OF ONTARIO" at the bottom. In the center, the word "CIVIL" is written above a horizontal line. Below the line, the name "R. W. CUMMING" is printed. At the bottom of the seal, the number "54622" is displayed. A stylized signature is written across the seal, overlapping the name and number.

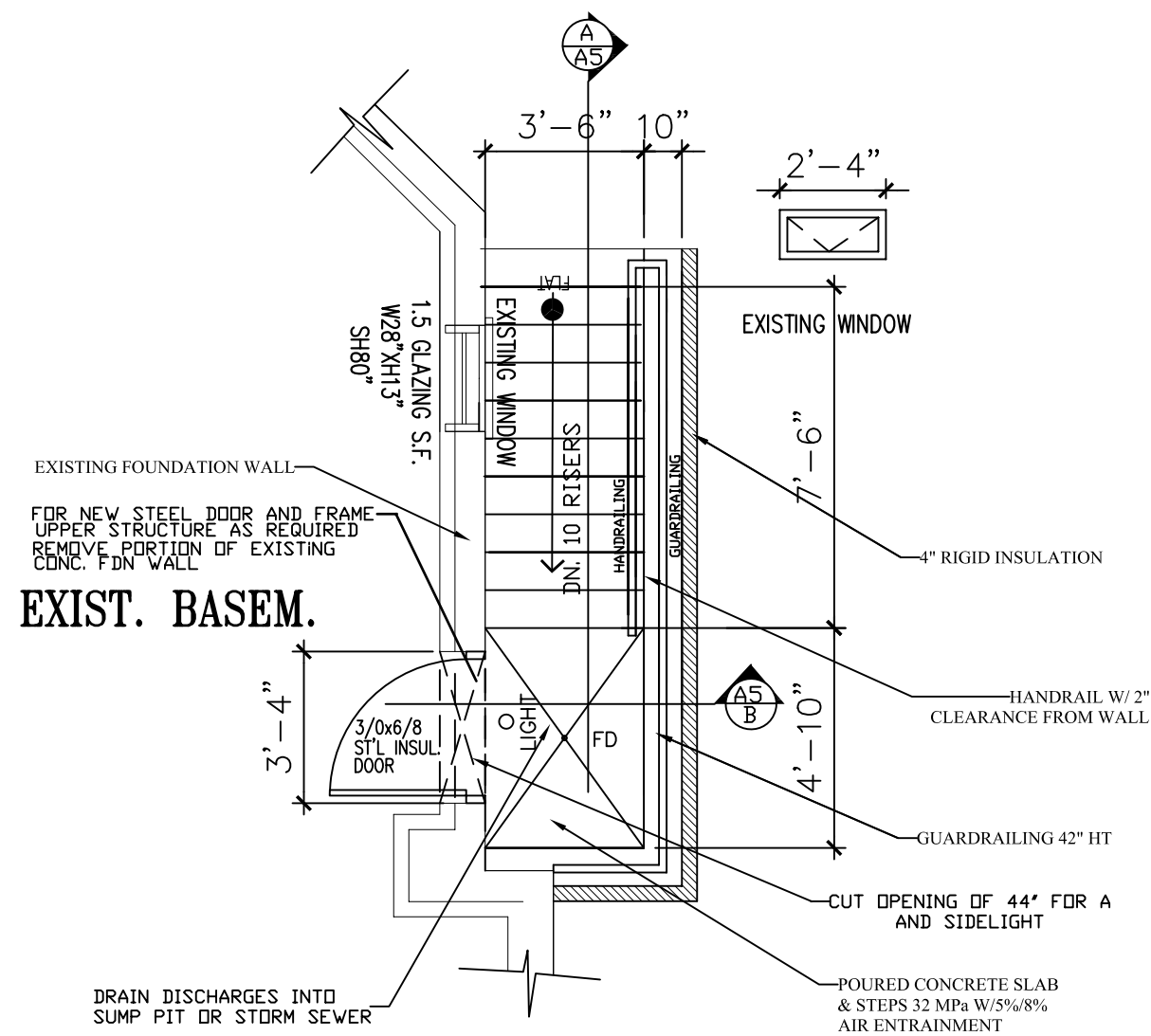
CHECKED BY:	DATE OF PRINT:
K.V	JN6,22



EXIST. BASEM.

**FDN PLAN**

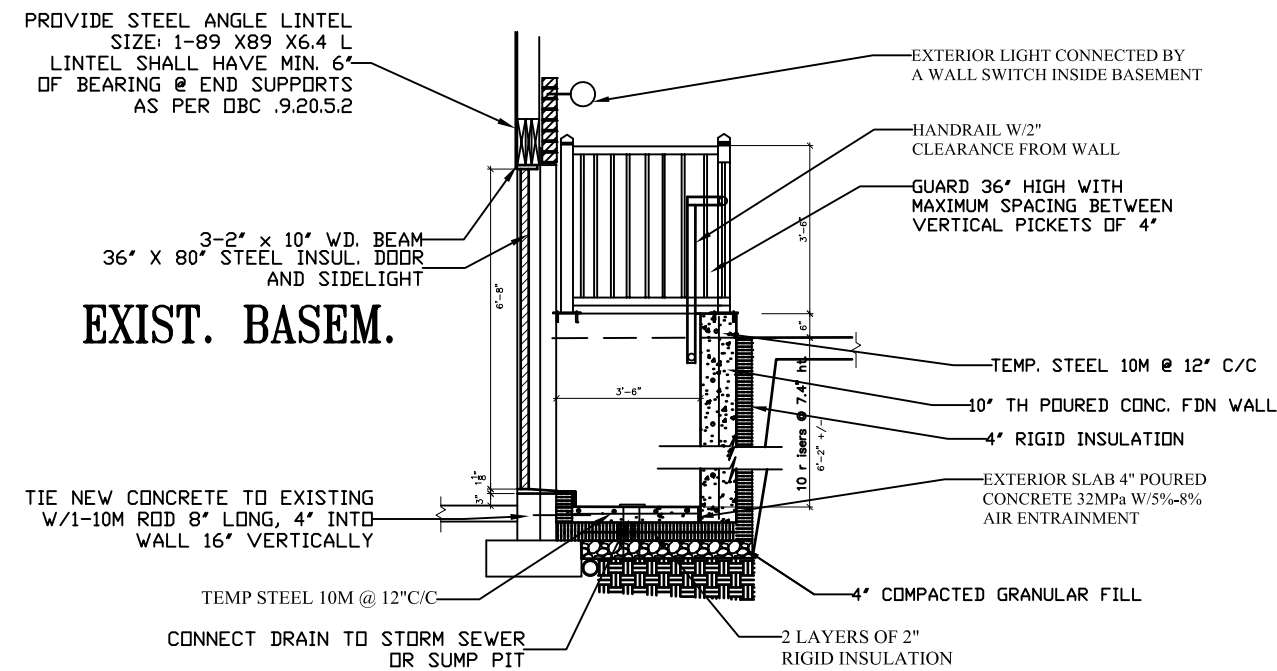
SCALE: 1/4" = 1'-0"



EXIST. BASEM.

**FLOOR PLAN**

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



EXIST. BASEM.

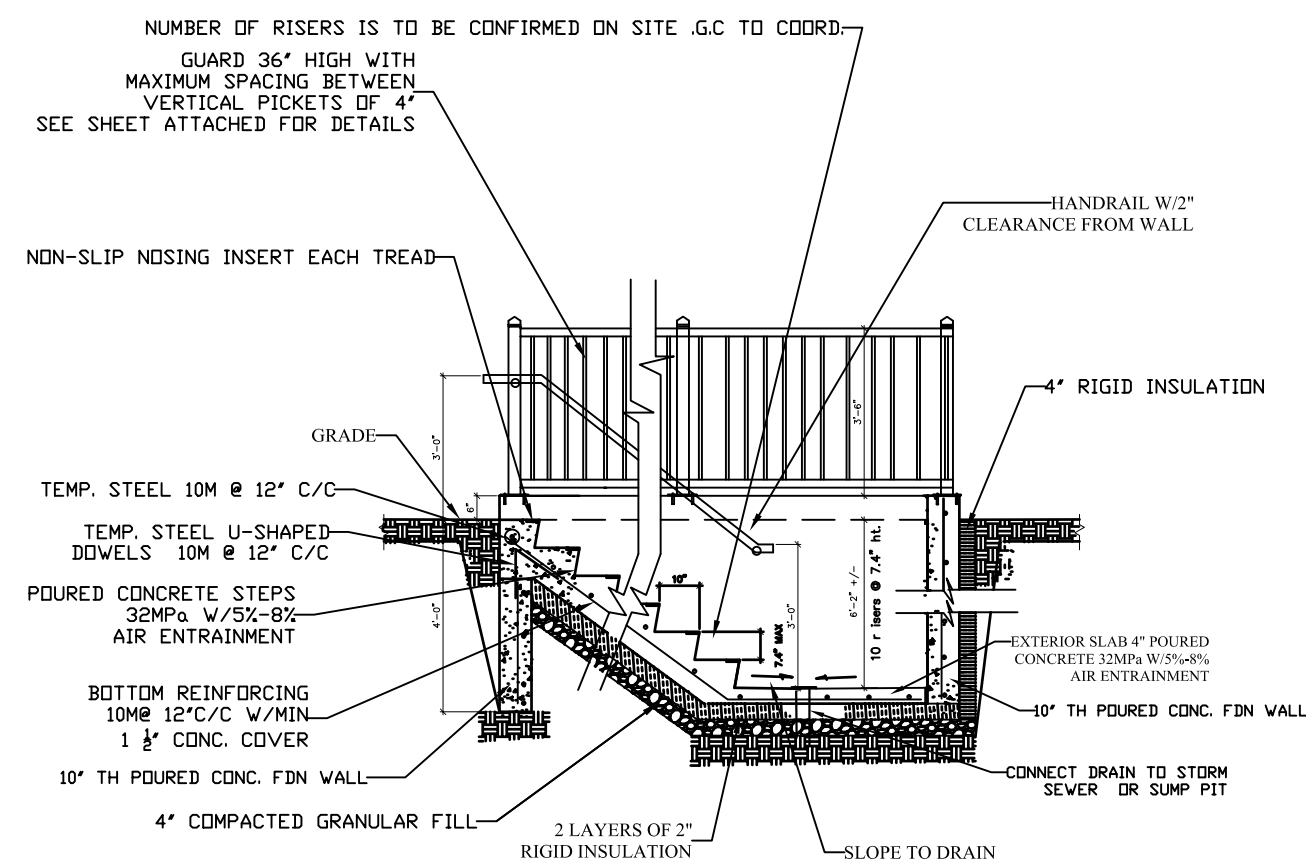
**SECTION B: FOR BELOW GRADE ENTRANCE**

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 G40.21-GR60 400
  - TIMBER: -SPAWN CSA 141 S-P-F
  - STEEL: -A53-GR50 60,21
  - GLASS: -LOW IRON GLASS 5MM OR EQUIVALENT
3. FOOTINGS SHALL BEAR ON SOIL CAPABLE OF SUSTAINING AN ALLOWABLE BEARING PRESSURE OF 2000 PSF.
4. LIGHT TO HAVE ITS OWN DEDICATED CIRCUIT.
5. DOOR AND FRAME TO ENTRY RESISTANT METAL PER OBC.

**SECTION A: FOR BELOW GRADE ENTRANCE**

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

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**QUALIFICATION INFORMATION:**

K. 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

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NO.	REVISION/ISSUED TO	BY	DATE

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Architectural DesignerTEL: (416) 284 7945  
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