

Memorandum to the City of Markham Committee of Adjustment

October 11, 2022

File: A/159/22
Address: 5 Anjac Crescent – Markham, ON
Applicant: Ketheeswaran Vallipuram
Agent: Alfa Engineering Solutions Inc. (Marwan AL-Farraj)
Hearing Date: October 19, 2022

The following comments are provided on behalf of the East District team. The applicant is requesting relief from the following “Residential Two Exception – (R2*133) Zone” requirement under By-law 177-96, as amended, to permit:

a) By-law 177-96, Section 6.5:

an accessory dwelling unit, whereas the By-law permits only one dwelling unit per lot.

PROPERTY DESCRIPTION

5 Anjac Crescent (the “Subject Property”) is located on the east side of the street, north of Bur Oak Avenue, west of Swan Park Road, and south of Castlemore Avenue, 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 Village 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. The attached garage and driveway can accommodate the minimum number of required parking spaces.

PROPOSAL

The applicant is requesting permission for an accessory dwelling unit to be located in the basement of the existing dwelling, which would be accessed via walk-up stairs proposed at the east side (rear) of the building.

ZONING PRELIMINARY REVIEW (ZPR) NOT UNDERTAKEN

The owner has confirmed that a ZPR has not been conducted. However, the applicant has received comments from the building department through their permit process to confirm the variance required for the proposed development.

COMMENTS

The *Planning Act, R.S.O. 1990, c. P.13, as amended* (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 Suite

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*.

PUBLIC INPUT SUMMARY

No written submissions were received as of October 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 variance request meets the four tests. Staff recommend that the Committee consider public input, and the subsequent conditions 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, MCIP, RPP
Planner II, East District

REVIEWED BY:



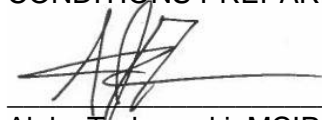
Carlson Tsang
Senior Planner, East District

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/159/22

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.

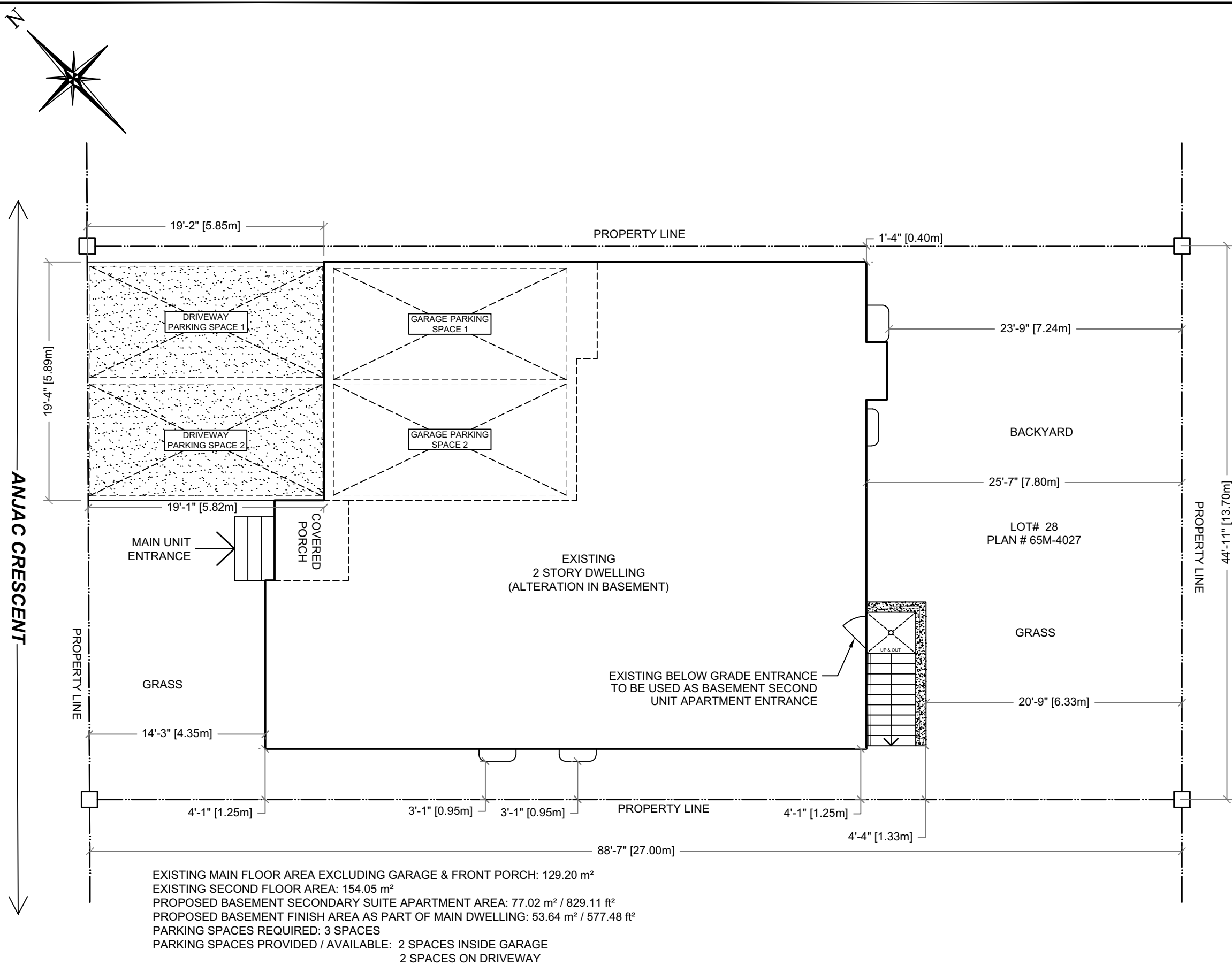
Aleks Todorovski, MCIP, RPP
Planner II, East District

APPENDIX “B”

PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/159/22

Appendix B

File: 22.255518.000.00.MNV

Date: 10/11/22
MM/DD/YY

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Rev.	Date dd.mm.yy	Description
00	10.06.22	ISSUED FOR BUILDING PERMIT
01	12.08.22	ISSUED FOR MINOR VARIANCE APPLICATION



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67 Woodvalley Drive, Brampton, Ontario, L7A 1Z3
Tel: 647-227-3227, www.alfaengsolutions.com
Email: malfarraj@alfaengsolutions.com

Customer Info:	Project Address: 5 Anjac Crescent Markham, Ontario Canada, L6E 0G6	Project Title: TWO UNIT DWELLING	Designed: M.AF	Checked: M.AF	Date: dd.mm.yyyy 10.06.2022
	Name: Ketheeswaran Vallipuram Tel: 416-836-6628 Email:	Drawing Title: SITE PLAN	Project No. AJC-2535	Sheet No. A1.0	Scale: 1:100

GENERAL NOTES:

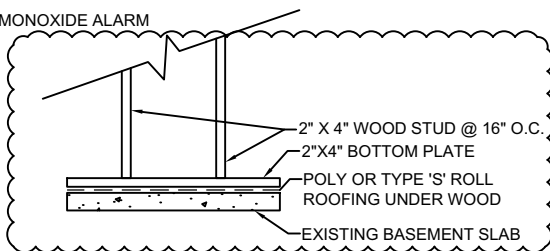
- ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE AND REGULATIONS.
- FRAMING NOTES:**
 - DIMENSIONAL LUMBER TO BE S-P-F GRADE 1 OR 2.
- EF-1/2: MIN. 50CFM EXHAUST FAN WITH 1.5 SONES OR LOWER W/ 5"Ø DUCT DISCHARGING DIRECTLY TO OUTDOOR
- ALL FIRE SEPARATION SHALL BE CONTINUOUS TO ANOTHER FIRE SEPARATION OR TO THE EXTERIOR
- BASEMENT CEILING HEIGHT TO CONFIRM TO DIVISION B, TABLE 9.5.3.1
- CEILING HEIGHT UNDER BEAMS & DUCTS IN THE BASEMENT SHALL MEET THE OBC REQUIREMENT & NOT BE LESS THAN 1950mm

7. SMOKE ALARM:

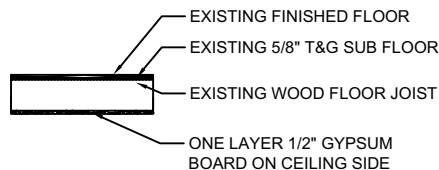
- SMOKE ALARMS IN BASEMENT TO BE INTERCONNECTED WITH SMOKE ALARM ON MAIN FLOOR & SMOKE ALARMS ON SECOND FLOOR COMMON AREA & BEDROOMS (SMOKE ALARM TO BE INSTALLED IN EVERY BEDROOM ON SECOND FLOOR)
- SMOKE ALARM SHALL CONFIRM TO O.B.C. DIV. B 9.10.19

- (S) SMOKE ALARM
- SHALL HAVE A VISUAL SIGNALING COMPONENT INTEGRATED INTO THE SMOKE ALARM
 - SHALL HAVE A BATTERY BACKUP
 - SHALL BE INTERCONNECTED

- (C) CARBON MONOXIDE ALARM



CEILING CONSTRUCTION
15 MIN FIRE SEPARATION
OBC COMPLIANCE C147 (b) ON CEILING



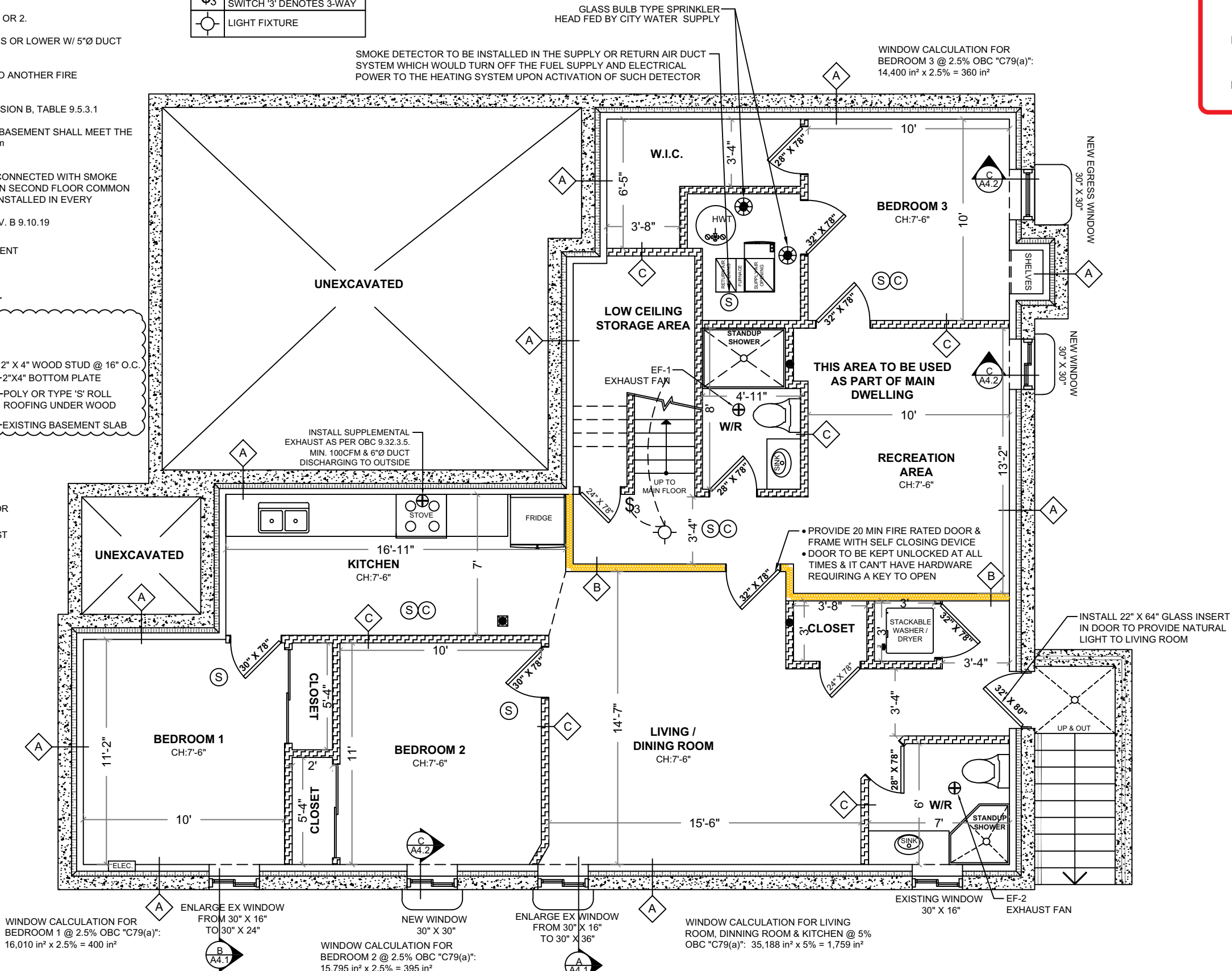
- EXTERIOR WALL CONSTRUCTION "TYPE A"
- 1/2" GYPSUM BOARD
 - 2" X 4" WOOD STUD @ 16" O.C.
 - R12 MINERAL FIBER INSULATION WITH VAPOR BARRIER
 - EXISTING CONCRETE FOUNDATION WALL

INTERIOR WALL CONSTRUCTION
"TYPE B" 30 MIN. FIRE SEPARATION
WALL OBC COMPLIANCE C147 (a)

- Option 1: SB3-W1c
- 1/2" GYPSUM BOARD
 - 89mm THICK ABSORPTIVE MATERIAL (ROXUL SAFE&SOUND)
 - 2" X 4" WOOD STUD @ 16" O.C.
 - 1/2" GYPSUM BOARD

- INTERIOR WALL CONSTRUCTION
"TYPE C"
- 1/2" GYPSUM BOARD
 - 2" X 4" WOOD STUD @ 16" O.C.
 - 1/2" GYPSUM BOARD

\$3	120V SINGLE POLE TOGGLE SWITCH '3' DENOTES 3-WAY
	LIGHT FIXTURE



Appendix B

File: 22.255518.000.00.MNV

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Rev.	Date	Description
00	10.06.22	ISSUED FOR BUILDING PERMIT
01	12.08.22	RE-ISSUED FOR BUILDING PERMIT



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Project Address:
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Markham, Ontario
Canada, L6E 0G6**

Customer Info:
Name: **Ketheeswaran Vallipuram**
Tel: **416-836-6628**
Email:

Project Title:
TWO UNIT DWELLING

Drawing Title:
PROPOSED BASEMENT FLOOR PLAN

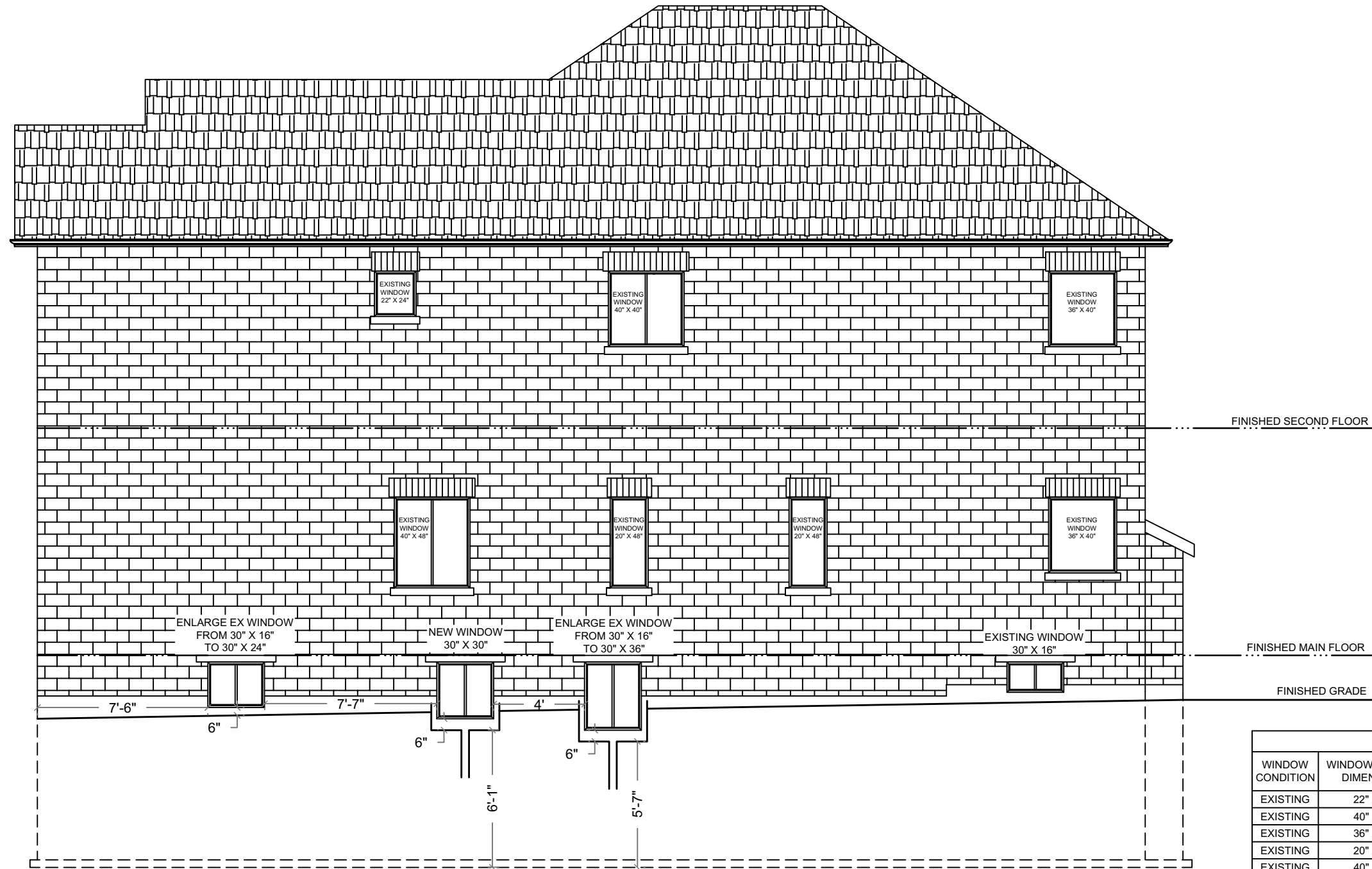
Designed: **M.AF**
Checked: **M.AF**
Date: **10.06.2022**

Project No. **AJC-2535**
Sheet No. **A1.2**
Scale: **1:65**

Appendix B

File: 22.255518.000.00.MNV

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RIGHT ELEVATION

TOTAL WALL AREA: 93.40 m²
LIMITING DISTANCE: 7.0%
OPENING ALLOWED: 6.50 m²
OPENING PROVIDED: 5.96 m²

WINDOW GLAZING AREA CALCULATION

WINDOW CONDITION	WINDOW OPENING DIMENSIONS	WINDOW GLAZING DIMENSION	GLAZING AREA	QTY	TOTAL GLAZING AREA ABOVE GRADE
EXISTING	22" X 24"	16" X 18"	288 in ²	1	288 in ²
EXISTING	40" X 40"	42" X 42"	1,764 in ²	1	1,764 in ²
EXISTING	36" X 40"	30" X 34"	1,020 in ²	2	2,040 in ²
EXISTING	20" X 48"	14" X 42"	588 in ²	2	1,176 in ²
EXISTING	40" X 48"	34" X 42"	1,428 in ²	1	1,428 in ²
EXISTING	30" X 16"	24" X 10"	240 in ²	1	240 in ²
ENLARGED	30" X 36"	24" X 30"	720 in ²	1	720 in ²
ENLARGED	30" X 24"	24" X 18"	432 in ²	1	432 in ²
NEW	30" X 30"	24" X 24"	576 in ²	2	1,152 in ²
TOTAL					9,240 in ² = 5.96 m ²

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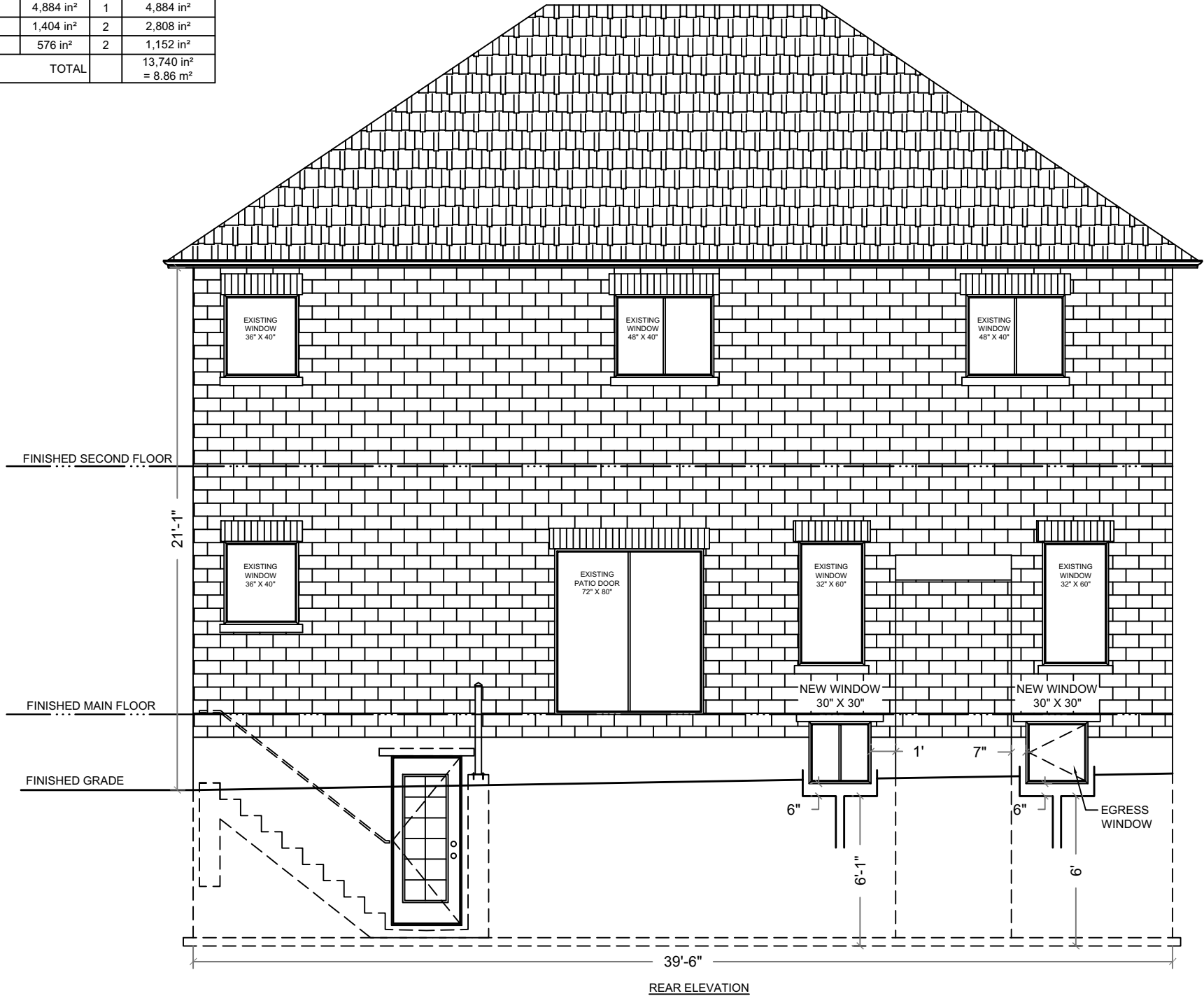


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	Name: Ketheeswaran Vallipuram Tel: 416-836-6628 Email:	Drawing Title: RIGHT SIDE ELEVATION	Project No. AJC-2535	Sheet No. A2.1	Scale: 1:65

WINDOW GLAZING AREA CALCULATION					
WINDOW CONDITION	WINDOW OPENING DIMENSIONS	WINDOW GLAZING DIMENSION	GLAZING AREA	QTY	TOTAL GLAZING AREA ABOVE GRADE
EXISTING	48" X 40"	42" X 34"	1,428 in²	2	2,856 in²
EXISTING	36" X 40"	30" X 34"	1,020 in²	2	2,040 in²
EXISTING	72" X 80"	66" X 74"	4,884 in²	1	4,884 in²
EXISTING	32" X 60"	26" X 54"	1,404 in²	2	2,808 in²
NEW	30" X 30"	24" X 24"	576 in²	2	1,152 in²
TOTAL					13,740 in² = 8.86 m²

TOTAL WALL AREA: 76.02 m²
LIMITING DISTANCE: 34.0%
OPENING ALLOWED: 25.8 m²
OPENING PROVIDED: 8.86 m²



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Project Title:
TWO UNIT DWELLING

Drawing Title:
REAR ELEVATION

Designed: **M.AF**
Checked: **M.AF**
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Sheet No. **A2.2**
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