

Memorandum to the City of Markham Committee of Adjustment

October 14, 2022

File: A/164/22
Address: 98 Karma Road, Markham
Applicant: Wei-Fang Lin
Agent: SHDESIGN (Randa Zabaneh)
Hearing Date: Wednesday, October 19, 2022

The following comments are provided on behalf of the Central District team.

The Applicant is requesting relief from the following “Fourth Density – Semi-Detached Residential (RSD4)” zone requirements under By-law 184-78, as amended, as it relates to a proposed secondary suite (basement apartment). The variance requested is to permit:

a) Section 7.1:

one accessory dwelling unit in the basement whereas the one semi-detached dwelling permitted.

Please note, that the Public Meeting Notice included a request for a parking variance related to the location of required parking spaces. During the review of the application, it was determined that the proposed parking for the accessory dwelling unit is in compliance with Zoning By-law 28-97, and therefore no variance is required.

BACKGROUND

Property Description

The 478 m² (5,145 ft²) subject lands are located on the northwest corner of Karma Road and Markville Road, and are generally located east of Kennedy Road (refer to Appendix “A” – Aerial Photo). The subject lands are located within an established residential neighbourhood comprised primarily of two-storey detached dwellings.

The existing 117 m² (1,263 ft²) two-storey detached dwelling was constructed in 1983, according to assessment records. Mature vegetation exists on the subject lands, including large mature trees in the front, exterior side and rear yards.

Proposal

The Applicant is requesting permission for a secondary suite in the basement of the existing dwelling. The proposal also includes a new egress window, with direct and separate access provided by a proposed entrance located at the side of the dwelling (refer to Appendix “B” – Plans).

Official Plan and Zoning

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

The subject lands are designated “Residential Low Rise”, which permits low-rise housing forms including single detached dwellings. Section 8.2.3.5 of the Official Plan outlines infill development criteria for the “Residential Low Rise” designation with respect to height, massing, and setbacks. This criteria is established to ensure that infill development is appropriate for the site and generally consistent with the zoning requirements for adjacent properties and properties along the same street, while

accommodating a diversity of building styles. In considering applications for development approval in a “Residential Low Rise” area, which includes variances, development is required to meet the general intent of the above noted development criteria. In addition, regard shall be had for the retention of existing trees and vegetation. Planning staff have had regard for the requirements of the infill development criteria in the preparation of the comments provided below.

Zoning By-Law 184-78

The subject lands are zoned “Fourth Density – Semi-Detached Residential (RSD4)” under By-law 184-78, as amended, which permits single detached dwellings. The proposed development does not comply with the By-law with respect to the proposed accessory dwelling unit.

Zoning Preliminary Review (ZPR) Not Undertaken

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. However, the Applicant has received comments from the building department through their permit process (HP 22 243145) 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 of Adjustment, 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; and
- 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, meets the policies of the Region’s Official Plan, and applicable Provincial policies. 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.

EXTERNAL AGENCIES

Metrolinx Comments

Metrolinx provided comments on September 20, 2022 (refer to Appendix “D”), requesting the Applicant enter into an agreement to grant Metrolinx an environmental easement for “Operational Emissions”, registered on title against the subject residential dwelling in favour of Metrolinx as the property is located within 300 m (984.25 ft) of the rail corridor right-of-way. Metrolinx has provided wording for the requested environmental easement which references details related to “Operational Emissions” as detailed in Appendix “D”. Staff recommend that the proposed development be subject to the associated condition of approval provided in Appendix “C”.

PUBLIC INPUT SUMMARY

As of October 13, 2022 the City received one letter expressing concerns over building codes/property standard issues. It is noted that 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*, R.S.O. 1990, c. P.13, as amended, and are of the opinion that the variance request meets the four tests. In reaching a decision, staff recommend that the Committee consider public input, and the subsequent conditions of approval. 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" – Aerial Photo

Appendix "B" – Plans

Appendix "C" – A/164/22 Conditions of Approval

Appendix "D" – Metrolinx Comments

PREPARED BY:

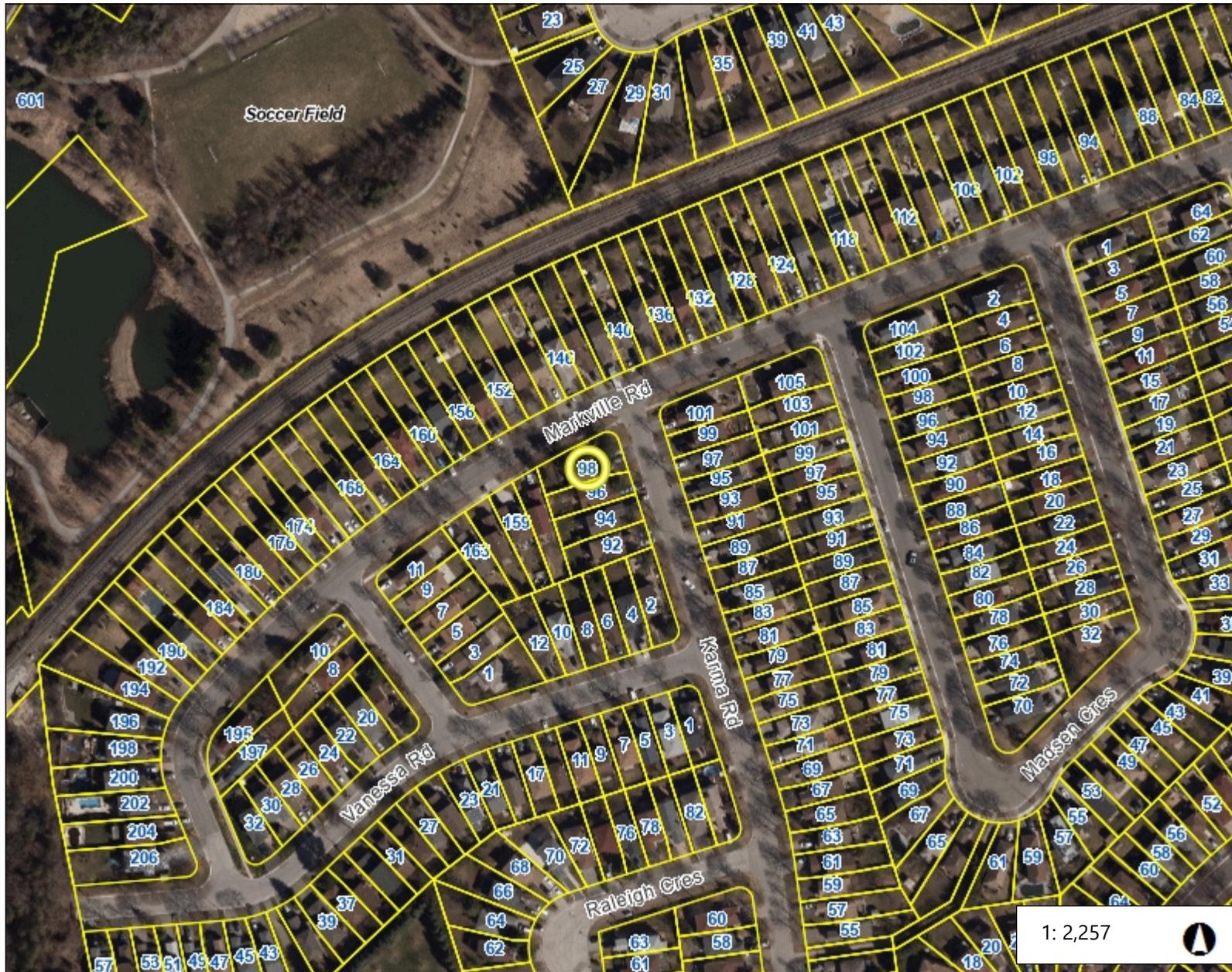


Hussnain Mohammad, Development Technician, Zoning and Special Projects

REVIEWED BY:



Deanna Schlosser, MCIP RPP, Senior Planner, Central District



Legend

Subject Lands

1: 2,257

114.7 0 57.33 114.7 Meters

Notes

NOTE:- ALL SMOKE ALARMS TO BE INTERCONNECTED IN BOTH UNITS

F.R. DOOR
MIN 20min LABELED
DOOR C/W SELF CLOSING
& LATCHING DEVICES

NOTE: SHORE UP EXISTING STRUCTURES
PRIOR TO REMOVAL OF ANY EXISTING
WALLS (AS REQ'D) TYP. ALL FLOORS

NOTE: EXISTING PLUMBING & HVAC
INSIDE EXISTING DWELLING
TO REMAIN DO NOT DISTURB

THERE IS NO STRUCTURAL WORKS
PROPOSED (OTHER THAN THE NEW
WINDOW OPENINGS IN THE
FOUNDATION WALLS

WALL CONSTRUCTION

--- = EXISTING NON LOAD BEARING
WALLS TO BE REMOVED, PATCH
AND FILL AS REQUIRED

2 = EXIST. FOUNDATION WALL
& EXISTING EXTERIOR BRICK
VENEER WALLS & INTERIOR WALLS
TO REMAIN (DO NOT DISTURB)

33 = EXISTING 2"x4" @16" o.c. INTERIOR WALLS
C/W 1/2" DRYWALL FINISH
ON BOTH SIDES
NOTE: PROVIDE MIN. 4-MIL POLY
& WOOD CONCRETE CONTACT
TYPICAL (ALL)

FIRE SEPARATION OF WALLS
= 30 MINUTE FIRE SEPERATION
- 1/2" DRYWALL GYPSUM BOARD
- FILL ENTIRE STUD CAVITY WITH
FIBER TYPE INSULATION
- MIN. 2"x4" @16" o.c. WOOD STUDS
- 1/2" DRYWALL GYPSUM BOARD

CF.S. CEILING
CEILING FIRE SEPERATION (EXISTING CEILING)
= EXIST. 15 MINUTE FIRE SEPERATION 1/2"
GYPSUM BOARD @ U/S OF EXIST. 2"x8" FLOOR
JOISTS
"SMOKE ALARMS TO BE INTRECONNECTED"

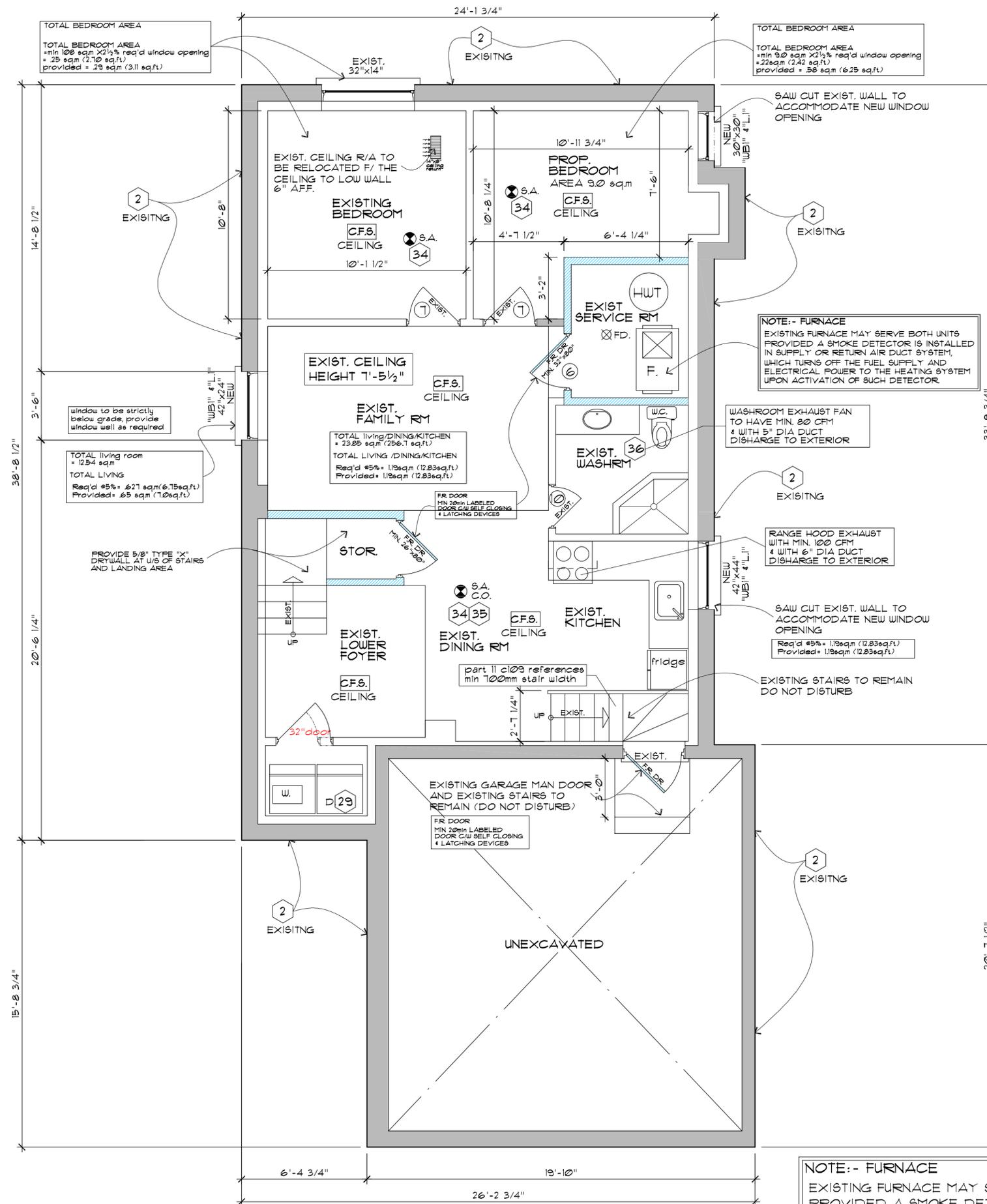
CEILING FIRE SEPERATION (NEW CEILING)
= 45 MINUTE FIRE SEPERATION 3/8" TYPE "X"
GYPSUM BOARD ON METAL RESILIENT
CHANNELS @ U/S OF EXISTING 2"x8" FLOOR
JOISTS, FILL JOISTS CAVITY W/ SOUND
INSULATION (TYP. @ BASEMENT CEILING)
PROVIDE MIN 4" ROXUL INSULATION

POTLIGHT OPENINGS ARE STRONGLY DISCOURAGED WHERE
EXISTING 15 MIN. SEPERATION IS PROVIDED

"BASEMENT CEILING FIRE SEPERATION MUST BE CONTINUOS
ABOVE POT LIGHTS, ELECTRICAL BOXES, ETC."

NOTE: GENERAL CONTRACTOR TO REPORT
ANY DISCREPANCIES TO DESIGNER
PRIOR TO COMMENCING OF WORK
DO NOT SCALE PLANS

NOTE: WINDOW MANUFACTURERS TO
CHECK ALL EXISTING WINDOW SIZES
PRIOR TO MANUFACTURING PROPOSED
WINDOWS (AS REQ'D)



NOTE:- FURNACE
EXISTING FURNACE MAY SERVE BOTH UNITS
PROVIDED A SMOKE DETECTOR IS INSTALLED
IN SUPPLY OR RETURN AIR DUCT SYSTEM,
WHICH TURNS OFF THE FUEL SUPPLY AND
ELECTRICAL POWER TO THE HEATING SYSTEM
UPON ACTIVATION OF SUCH DETECTOR.

REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR BUILD. & TENDER	APRIL 12, 2022
2	REVISED AS PER EXAMINERS NOTICE	JUNE 08, 2022
3	ISSUED FOR COMMITTEE OF ADJUSTMENTS	JULY, 11 2022
4	REVISED AS PER EXAMINERS NOTICE	JULY, 11 2022

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LICENSED PROFESSIONAL ENGINEER
V. J. ARAUJO
PROVINCE OF ONTARIO
AUG. 17, 2022

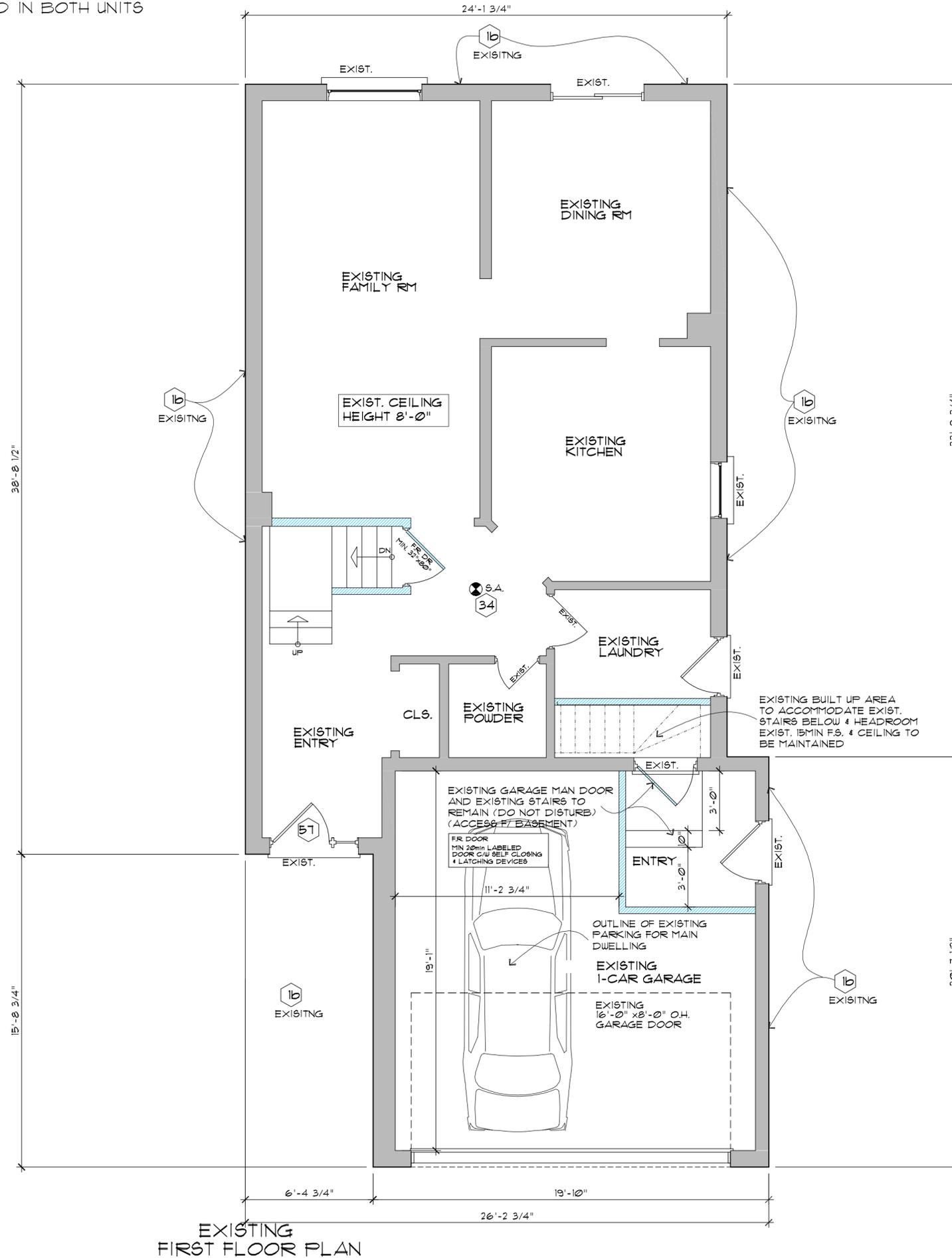
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PART WITHOUT WRITTEN CONSENT FROM THE ENGINEER
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS
BEFORE COMMENCING WORK AND TO REPORT ANY
DISCREPANCIES TO THE ENGINEER
DO NOT SCALE DRAWINGS.

PROP. INTERIOR ALTERATION
BASEMENT, CREATE A SECOND
SUITE
98 KARMA ROAD
MARKHAM, ONTARIO

BASEMENT FLOOR
PLAN

DRAWN BY:	CHECKED BY:	SHEET A-1
DATE MAY, 2022	SCALE 1/4" = 1'-0"	FILE

NOTE:- ALL SMOKE ALARMS TO BE INTERCONNECTED IN BOTH UNITS



EXISTING FIRST FLOOR PLAN

GENERAL NOTES:-

THESE NOTES MUST COMPLY WITH THE REQUIREMENTS OF THE 2012 ONTARIO BUILDING CODE REGULATIONS 332/12, UNLESS SPECIFIED BY THE MUNICIPALITY HAVING JURISDICTION. IT SHALL BE THE RESPONSIBILITY OF THE BUILDER TO CONFIRM WITH THESE SECTIONS WHERE APPLICABLE, AND FAMILIARIZE HIMSELF SPECIFICALLY WITH PART "9" OF THE ONTARIO BUILDING CODE

- ALL STRUCTURAL LUMBER TO BE EASTERN SPRUCE NO. 2 CONSTRUCTION GRADE, UNLESS OTHERWISE NOTED, SIZES ARE DETERMINED FROM THE SPAN TABLES OF THE O.B.C. REG. 332/12
- ALL WINDOWS TO BE DOUBLED GLAZED OR THERMOFANE, AND TO HAVE A MAXIMUM "U-VALUE OF 1.8)
- ALL EXTERIOR DOORS TO BE OF EXTERIOR TYPE DOORS IF WOOD TO BE OF STORM DOORS OR TO BE OF METAL
- ALL LUMBER TO BE SUPPORTED @ MIN 6" ABOVE FIN. GRADE UNLESS PRESSURE TREATED AGAINST TERMITES
- REMOVE ALL WOOD DEBRIS OR VEGETABLE MATTERS FROM BACKFILL
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR/BUILDER TO HAVE ALL GRADES AND SERVICES CHECKED AND VERIFIED, BEFORE CONSTRUCTION, BY AN APPROVED GRADING AND SERVICE ENGINEER.
- FOUNDATION WALLS TO BE CONSTRUCTED TO MIN 6" ABOVE APPROVED GRADES AT HOUSE.
- PROPOSED GRADE LINES AS INDICATED ON WORKING DRAWINGS ARE FOR REFERENCE ONLY, AND DO NOT NECESSARILY DEPICT FINISHED GRADING CONDITIONS
- ALL GRADING AND SITE SERVICES TO MEET THE REQUIREMENTS AND APPROVAL OF THE MUNICIPALITY HAVING JURISDICTION AND DESIGN/ENGINEER (AS INDICATED ON PLANS) WILL NOT BE HELD RESPONSIBLE FOR ERRORS OR OMISSIONS AS A RESULT OF, OR FAILURE OF THE BUILDER TO OBSERVE THESE APPROVALS.
- WHERE THE FOUNDATION OF A BUILDING ARE TO BE CONSTRUCTED BELOW THE LEVEL OF THE FOOTINGS OF AN ADJACENT BUILDING AND WITHIN THE ANGLE OF REPOSE (1/10) OF THE SOIL, OR THE FOUNDATION EXCEEDS 4'-0" OF LATEROALLY UNSUPPORTED HEIGHT, THE FOUNDATION AND ALL AFFECTED/RELATED STRUCTURES SHALL BE DESIGNED BY A PROFESSIONAL ENGINEER.
- EXCAVATION SHALL BE UNDERTAKEN IN A MANNER AS TO PREVENT MOVEMENT WHICH WOULD CAUSE DAMAGE TO ADJACENT PROPERTIES OR STRUCTURES.

WALL CONSTRUCTION

- - - - - = EXISTING NON LOAD BEARING WALLS TO BE REMOVED, PATCH AND FILL AS REQUIRED
- - - - - 2 - = EXIST. FOUNDATION WALL & EXISTING EXTERIOR BRICK VENEER WALLS & INTERIOR WALLS TO REMAIN (DO NOT DISTURB)
- - - - - 33 - = NEW 2"x4" @16" o.c. INTERIOR WALLS C/W 1/2" DRYWALL FINISH ON BOTH SIDES
NOTE: PROVIDE MIN. 4-MIL POLY @ WOOD CONCRETE CONTACT TYPICAL (ALL)
- - - - - = FIRE SEPARATION OF WALLS = 30 MINUTE FIRE SEPERATION
 - 1/2" DRYWALL GYPSUM BOARD
 - FILL ENTIRE STUD CAVITY WITH FIBER TYPE INSULATION
 - MIN. 2"x4" @16" o.c. WOOD STUDS
 - 1/2" DRYWALL GYPSUM BOARD
- - - - - [C.F.S.] CEILING = CEILING FIRE SEPERATION (EXISTING CEILING)
 - EXIST. 15 MINUTE FIRE SEPERATION 1/2" GYPSUM BOARD @ U/S OF EXIST. 2"x8" FLOOR JOISTS
 - "SMOKE ALARMS TO BE INTRECONNECTED"
- - - - - = CEILING FIRE SEPERATION (NEW CEILING)
 - 45 MINUTE FIRE SEPERATION 5/8" TYPE "X" GYPSUM BOARD ON METAL RESILIENT CHANNELS @ U/S OF EXISTING 2"x8" FLOOR JOISTS, FILL JOISTS CAVITY W/ SOUND INSULATION (TYP. @ BASEMENT CEILING)
 - PROVIDE MIN 4" ROXUL INSULATION

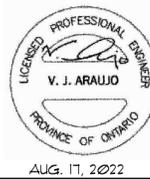
Appendix B

File: 22-259620-000-00.MNV
Date: 10/17/22

DETAIL NO.
REVISIONS

NO.	REVISIONS	DATE
1	ISSUED FOR BUIL. & TENDER	APRIL 12, 2022
2	REVISED AS PER EXAMINERS NOTICE	JUNE 08, 2022
3	ISSUED FOR COMMITTEE OF ADJUSTMENTS	JULY, 11 2022
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PROP. INTERIOR ALTERATION BASEMENT, CREATE A SECOND SUITE
98 KARMA ROAD
MARKHAM, ONTARIO

FIRST FLOOR PLAN

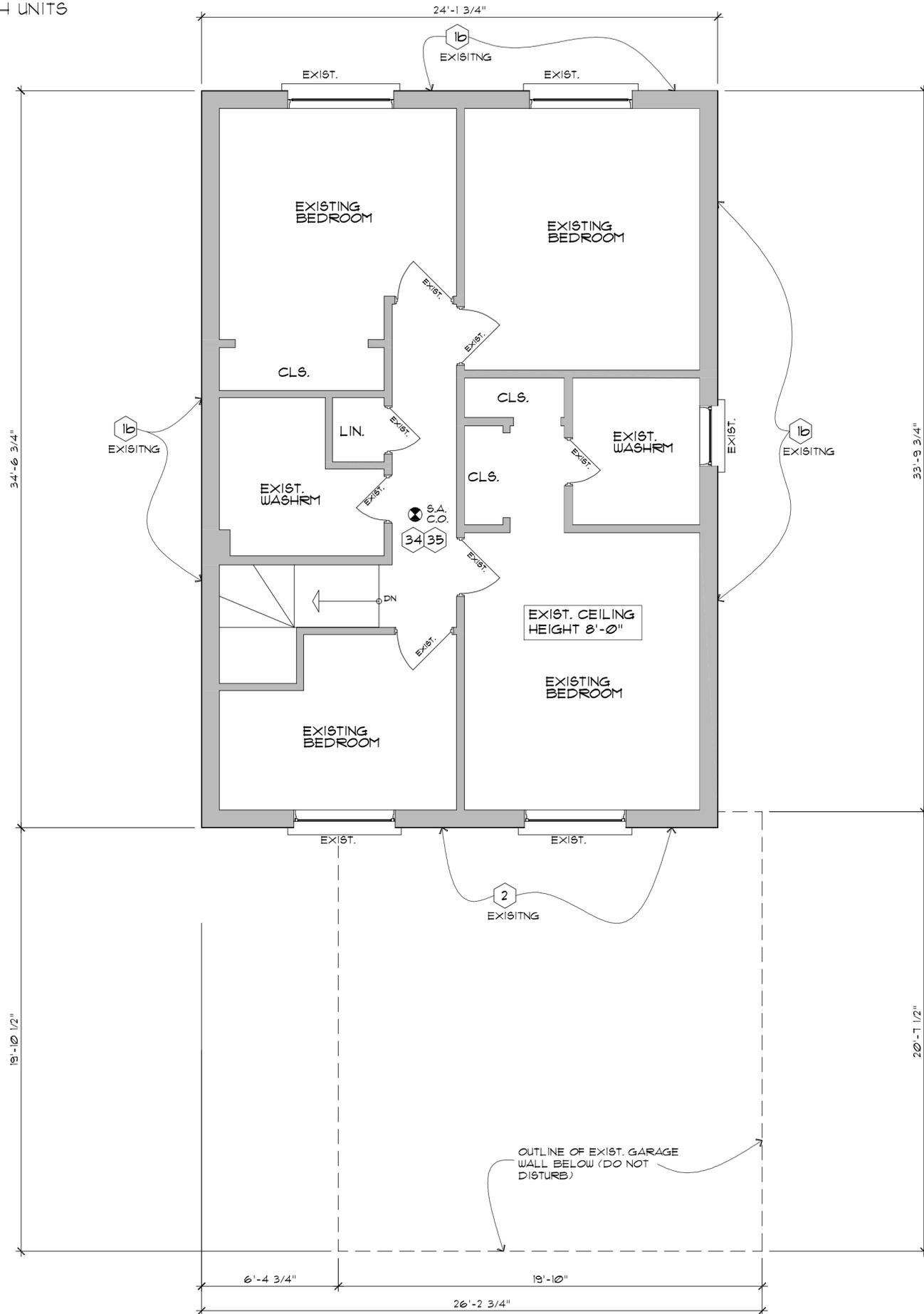
DRAWN BY:	CHECKED BY:	SHEET A-2
DATE MAY, 2022	SCALE 1/4" = 1'-0"	FILE

NOTE:- ALL SMOKE ALARMS TO BE INTERCONNECTED IN BOTH UNITS

Appendix B

File: 22-259620.000.00.MNV

Date: 10/17/22



EXISTING SECOND FLOOR PLAN

LEGEND :-

STEEL LINTELS:- MIN 6" END BEARING FOR LINTELS

L1 - 3 1/2"x3 1/2"x5/16" (6'-0" MAX SPAN) (4" BRG.)
 L2 - 5"x3 1/2"x5/16" (8'-0" MAX SPAN) (6" BRG.)
 L3 - 6"x4"x3/8" (10'-0" MAX SPAN) (6" BRG.)
 L4 - 7"x4"x1/2" (12'-0" MAX SPAN) (8" BRG.)
 L5 - 8"x4"x3/8" (14'-0" MAX SPAN) (10" BRG.)
 L6 - 9"x4"x3/8" (16'-0" MAX SPAN) (12" BRG.)

WOOD LINTELS:- PROVIDE MIN 3 1/2" END BEARING

WB1 = 2/2"x8" SPRUCE NO. 2
 WB2 = 2/2"x10" SPRUCE NO. 2
 WB3 = 2/2"x12" SPRUCE NO. 2
 WB4 = 3/2"x8" SPRUCE NO. 2
 WB5 = 3/2"x10" SPRUCE NO. 2
 WB6 = 3/2"x12" SPRUCE NO. 2
 WB7 = 4/2"x10" SPRUCE NO. 2
 WB8 = 4/2"x12" SPRUCE NO. 2
 WB9 = 2-1 3/4" x 9 1/2" LVL
 WB10 = 3-1 3/4" x 9 1/2" LVL
 WB11 = 4-1 3/4" x 9 1/2" LVL
 WB12 = 1-1 3/4" x 11 1/8" LVL
 WB13 = 2-1 3/4" x 11 1/8" LVL
 WB14 = 3-1 3/4" x 11 1/8" LVL
 WB15 = 4-1 3/4" x 11 1/8" LVL
 WB16 = 1 3/4" x 14" LVL (1 3/4" WIDTH)
 WB17 = 2-1 3/4" x 14" LVL (3 1/2" WIDTH)
 WB18 = 3-1 3/4" x 14" LVL (5 1/4" WIDTH)
 WB19 = 4-1 3/4" x 14" LVL (7" WIDTH)
 WB20 = DOUBLE RIM BOARD (FLUSH)

ALL LVL OR PSL SHALL BE 2005 F-2E MINIMUM UNLESS OTHERWISE SPEC'D BY OTHERS

"U.T." = PREFABRICATED, PRE-ENG. APPROVED WOOD ROOF TRUSSES @ 24" o.c. "BY OTHERS"
 "FLA" = STRUCTURAL POINT LOAD FROM ABOVE
 = (4) 2"x6" WOOD POSTS
 = (3) 2"x4" WOOD POSTS
 "P.1" = 3 1/2" DIA STEEL COLUMN x3/16" THICK
 "P.2" = OR 4"x4"x1/2" HSS STEEL COLUMNING C/W 6"x6"x1/2" TOP & BOTTOM PLATES
 "C.J." = 2"x6" @ 16" o.c. CEILING JOISTS SYSTEM
 "R.P.C.A" = REINFORCED PRE-CAST ARCH

WALL CONSTRUCTION

- = EXISTING NON LOAD BEARING WALLS TO BE REMOVED, PATCH AND FILL AS REQUIRED
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- 33 = NEW 2"x4" @16" o.c. INTERIOR WALLS C/W 1/2" DRYWALL FINISH ON BOTH SIDES
 NOTE: PROVIDE MIN. 4-MIL POLY @ WOOD CONCRETE CONTACT TYPICAL (ALL)
- [Blue Hatched] = FIRE SEPARATION OF WALLS
 = 30 MINUTE FIRE SEPERATION
 - 1/2" DRYWALL GYPSUM BOARD
 - FILL ENTIRE STUD CAVITY WITH FIBER TYPE INSULATION
 - MIN. 2"x4" @16" o.c. WOOD STUDS
 - 1/2" DRYWALL GYPSUM BOARD
- [C.F.S.] = CEILING FIRE SEPERATION (EXISTING CEILING)
 CEILING = EXIST. 15 MINUTE FIRE SEPERATION 1/2" GYPSUM BOARD @ U/S OF EXIST. 2"x8" FLOOR JOISTS
 "SMOKE ALARMS TO BE INTRECONNECTED"
- [C.F.S.] = CEILING FIRE SEPERATION (NEW CEILING)
 = 45 MINUTE FIRE SEPERATION 3/8" TYPE "X" GYPSUM BOARD ON METAL RESILIENT CHANNELS @ U/S OF EXISTING 2"x8" FLOOR JOISTS, FILL JOISTS CAVITY W/ SOUND INSULATION (TYP. @ BASEMENT CEILING)
 PROVIDE MIN 4" ROXUL INSULATION

REVISIONS

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2	REVISED AS PER EXAMINERS NOTICE	JUNE 08, 2022
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LICENSED PROFESSIONAL ENGINEER
 V. J. ARAUJO
 PROVINCE OF ONTARIO
 AUG. 17, 2022

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 CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK, AND TO REPORT ANY DISCREPANCIES TO THE ENGINEER
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PROP. INTERIOR ALTERATION BASEMENT, CREATE A SECOND SUITE
 98 KARMA ROAD
 MARKHAM, ONTARIO

SECOND FLOOR PLAN

DRAWN BY:	CHECKED BY:	SHEET A-3
DATE MAY, 2022	SCALE 1/4" = 1'-0"	FILE



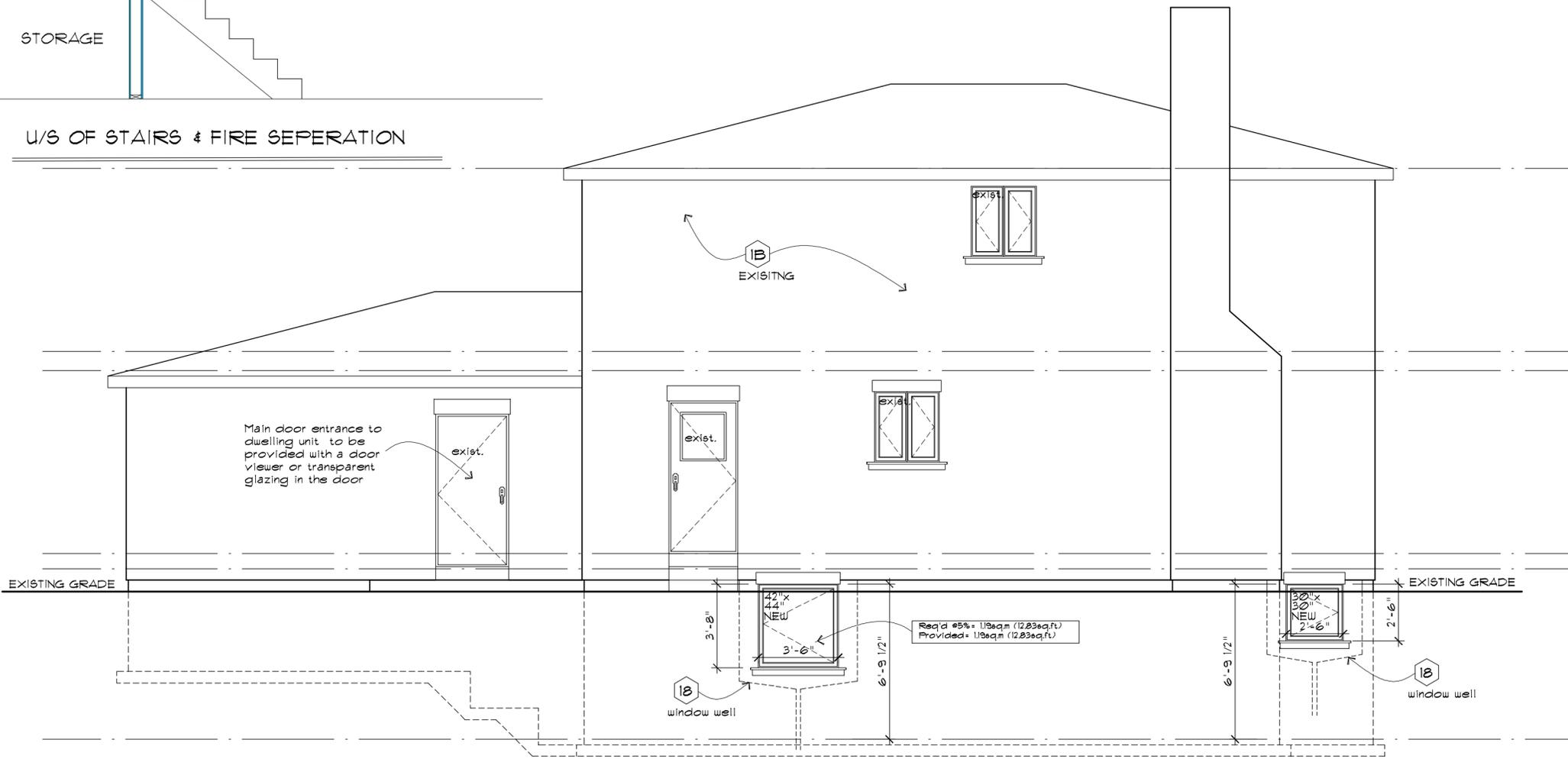
NOTE: - ALL SMOKE ALARMS TO BE INTERCONNECTED IN BOTH UNITS

FIRE SEPARATION OF WALLS
 = 30 MINUTE FIRE SEPERATION 5/8" TYPE "X"
 GYPSUM BOARD ON METAL RESILIENT
 CHANNELS (OPTIONAL), 2"x4"@16"o.c.
 WOOD STUDS C/W SOUND ATTENUATION BATTS (optional)
 5/8" TYPE "X" GYPSUM BOARD.

LAUND.

STORAGE

U/S OF STAIRS & FIRE SEPERATION



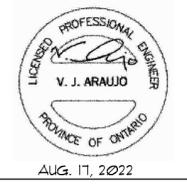
Main door entrance to dwelling unit to be provided with a door viewer or transparent glazing in the door

Req'd = 5% = 1.18sqm (12.83sq.ft.)
 Provided = 1.18sqm (12.83sq.ft.)

DETAIL NO.
 DETAIL SHEET NO.
 REVISIONS

NO.	REVISIONS	DATE
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AUG. 17, 2022
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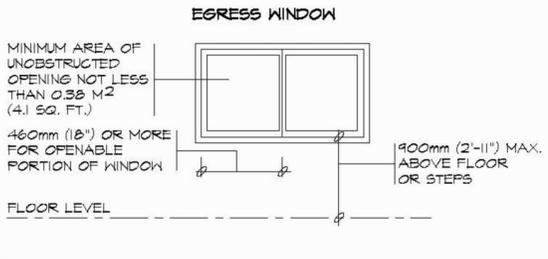
PROP. INTERIOR ALTERATION BASEMENT, CREATE A SECOND SUITE
 98 KARMA ROAD
 MARKHAM, ONTARIO

EXTERIOR SIDE ELEVATION

DRAWN BY:	CHECKED BY:	SHEET
DATE	SCALE	FILE
MAY, 2022	1/4" = 1'-0"	A-4

EXISTING/PROPOSED EXTERIOR SIDE ELEVATION

18 DRAIN WINDOW WELLS TO WEEPING TILE
 "EVERY WINDOW WELL SHALL BE DRAINED TO THE FOOTING LEVEL OR OTHER SUITABLE LOCATION AS PER O.B.C. 9.14.6.3 AND SHALL NOT BE CONNECTED TO WEEPING TILE, BUT MUST EXTEND TO GRANULAR COVER, FILL PIPE WITH 3/4" CLEAR GRAVEL



EGRESS WINDOW DETAIL

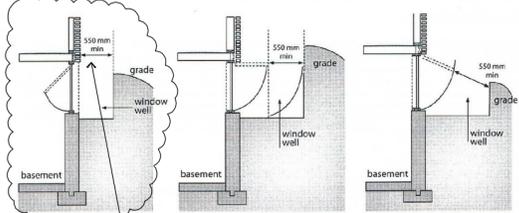
- 9.9.0. Egress from Bedrooms
 9.9.10.1. Egress Windows or Doors for Bedrooms
- Except where a door on the same floor level as the bedroom provides direct access to the exterior, every floor level containing a bedroom in a suite shall be provided with at least one outside window that:
 - is operable from the inside without the use of tools,
 - provides an individual, unobstructed open portion having a minimum area of 0.35sqm with no dimension less than 360 mm, and
 - maintains the required opening described in Clause (b) without the need for additional support.
 - Except for basement areas, the window required in Sentence (1) shall have a maximum sill height of 1 000 mm above the floor.
 - When sliding windows are used, the minimum dimension described in Sentence (1) shall apply to the operable portion of the window.
 - Where the sleeping area within a live/work unit is on a mezzanine with no obstructions more than 1 000 mm above the floor, the window required in Sentence (1) may be provided on the main level of the live/work unit, provided the mezzanine is not more than 25% of the area of the live/work unit or 30 m², whichever is less, and an unobstructed direct path of travel is provided from the mezzanine to this window.
 - Where a window required in Sentence (1) opens into a window well, a clearance of not less than 550 mm shall be provided in front of the window.
 - Where the sill of a window referred to in Sentence (5) swings towards the window well, the operation of the sill shall not reduce the clearance in a manner that would restrict escape in an emergency.
 - Where a protective enclosure is installed over the window well referred to in Sentence (5), such enclosure shall be operable from the inside without the use of keys, tools or special knowledge of the opening mechanism.

A-9.9.10.1.(5) Window Opening into a Window Well.
 Sentence 9.9.10.1.(5) specifies that there must be a minimum clearance of 550 mm in front of designated escape windows to allow persons to escape a basement bedroom in an emergency. This specified minimum clearance is consistent with the minimum required width for means of egress from a floor area (see Article 9.9.5.5.) and the minimum required width for path of travel on exit stairs (see Article 9.9.6.1.). It is considered the smallest acceptable clearance between the escape window and the facing wall of the window well that can accommodate persons trying to escape a bedroom in an emergency given that they are not moving straight through the window but must move outward and up, and must have sufficient space to change body orientation.

Once this clearance is provided, no additional clearance is needed for windows with siders, casements, or inward-opening awnings. However, for windows with outward-opening awnings, additional clearance is needed to provide the required 550 mm beyond the outer edge of the sash. (See Figure A-9.9.10.1.(5).)

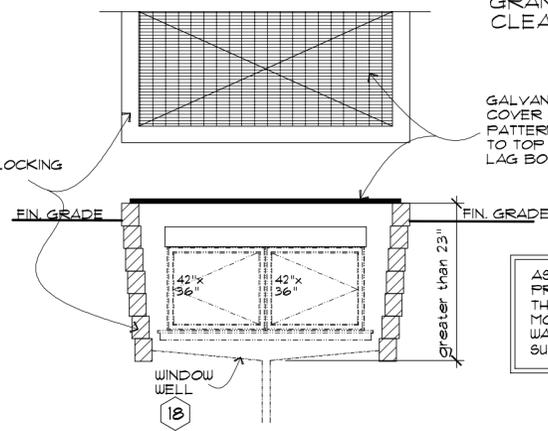
Depending on the likelihood of snow accumulation in the window well, it could be difficult — if not impossible — to escape in an emergency. The window well should be designed to provide sufficient clear space for a person to get out the window and then out the well, taking into account potential snow accumulation.

Hopper windows (bottom-hinged operators) should not be used as escape windows in cases where the occupants would be required to climb over the glass.



EGRESS BEDROOM WINDOW IN BASEMENT TO BE SLIDING TYPE WINDOW PROVIDE MIN 550mm WINDOW WELL CLEARANCE AT EXTERIOR AS REQUIRED

PRECAST UNIT INTERLOCKING RETAINING WALLS DRAIN TO STORM DRAIN (TYP.)



GALVANIZED METAL GRATE COVER W/ 2"x2" SQUARE PATTERN x1/4" THICK, FASTENED TO TOP COURSE W/ 1/4" EPOXY LAG BOLTS (GRATE SIZE MAY VARY)

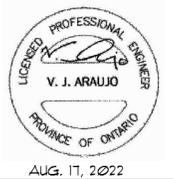
AS PER O.B.C. 9.8.8.1 PROTECTION IS REQUIRED WHERE THE DIFFERENCE IN ELEVATION IS MORE THAN 600mm (24") BETWEEN WALKING SURFACE AND ADJACENT SURFACE

TYP. PROTECTIVE GRATE OVER BASEMENT WINDOW (IF HEIGHT IS GREATER THAN 24")

DETAIL NO.
DETAIL SHEET NO.
REVISIONS

NO.		DATE
1	ISSUED FOR BUILD. 4 TENDER	APRIL 12, 2022
2	REVISED AS PER EXAMINERS NOTICE	JUNE, 08, 2022
3	ISSUED FOR COMMITTEE OF ADJUSTMENTS	JULY, 11 2022
4	REVISED AS PER EXAMINERS NOTICE	JULY, 11 2022

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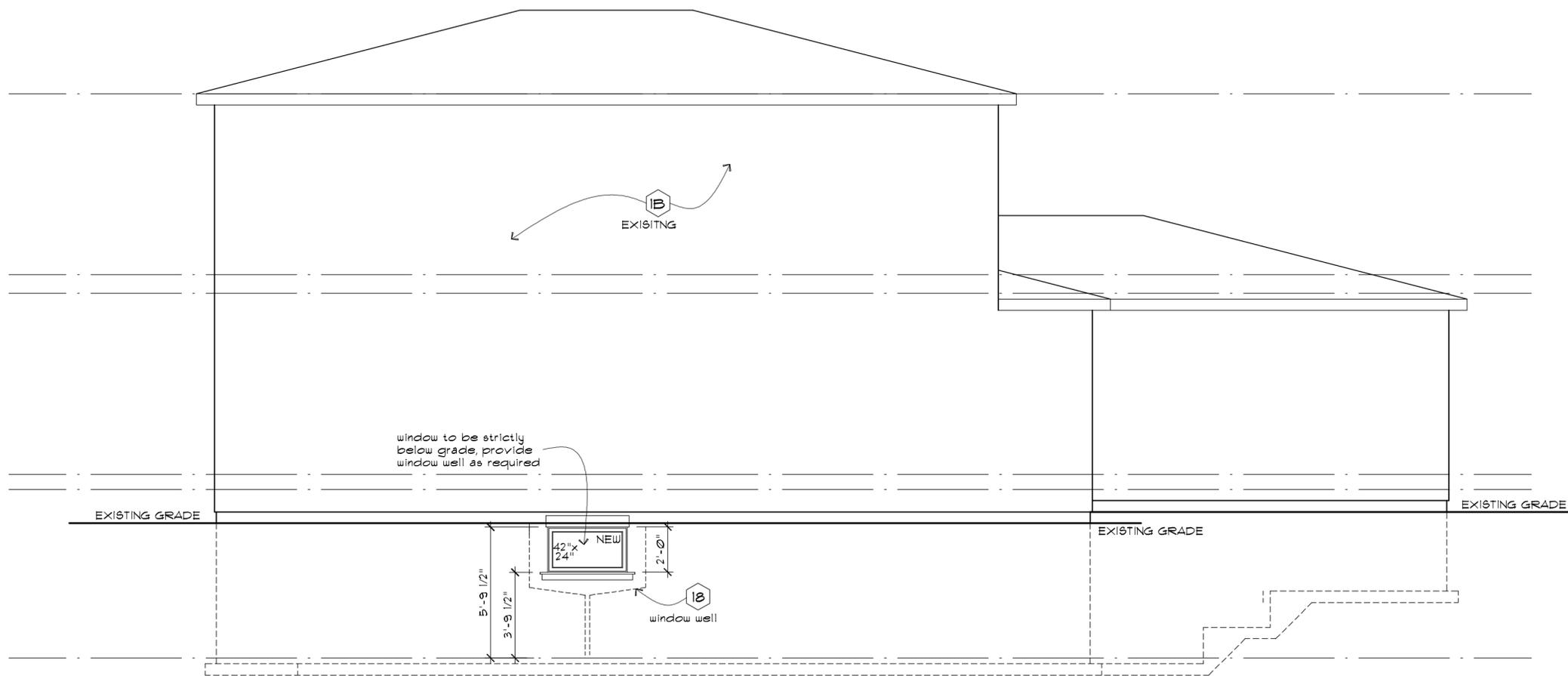


ALL DRAWINGS ARE THE PROPERTY OF THE ENGINEER AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM THE ENGINEER. CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK, AND TO REPORT ANY DISCREPANCIES TO THE ENGINEER. DO NOT SCALE DRAWINGS.

PROP. INTERIOR ALTERATION
 BASEMENT, CREATE A SECOND SUITE
 98 KARMA ROAD
 MARKHAM, ONTARIO

INTERIOR SIDE ELEVATION

DRAWN BY:	CHECKED BY:	SHEET
DATE	SCALE	FILE
MAY, 2022	1/4" = 1'-0"	A-5



**EXISTING/PROPOSED
 INTERIOR SIDE ELEVATION**

APPENDIX "C"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/164/22

1. The variance applies only to the proposed development as long as it remains;
2. That the variance applies only to the subject development, in substantial conformity with the plan(s) attached as Appendix "B" - Plans 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 Applicant satisfies the requirements of Metrolinx, as indicated in their letter to the Secretary-Treasurer attached as Appendix "D" to this Staff Report, and that the Secretary-Treasurer receives written confirmation that this conditions has been fulfilled to the satisfaction of Metrolinx.

CONDITIONS PREPARED BY:

A handwritten signature in black ink that reads "Hussnain Mohammad". The signature is written in a cursive style with a large initial 'H'.

Hussnain Mohammad, Development Technician, Zoning and Special Projects

APPENDIX "D"
METROLINX COMMENTS: September 20, 2022

Form of Easement

WHEREAS the Transferor is the owner of those lands legally described in the Properties section of the Transfer Easement to which this Schedule is attached (the "**Easement Lands**");

IN CONSIDERATION OF the sum of TWO DOLLARS (\$2.00) and such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Transferor, the Transferor transfers to the Transferee, and its successors and assigns, a permanent and perpetual non-exclusive easement or right and interest in the nature of a permanent and perpetual non-exclusive easement over, under, along and upon the whole of the Easement Lands and every part thereof for the purposes of discharging, emitting, releasing or venting thereon or otherwise affecting the Easement Lands at any time during the day or night with noise, vibration and other sounds and emissions of every nature and kind whatsoever, including fumes, odours, dust, smoke, gaseous and particulate matter, electromagnetic interference and stray current but excluding spills, arising from or out of, or in connection with, any and all present and future railway or other transit facilities and operations upon the lands of the Transferee and including, without limitation, all such facilities and operations presently existing and all future renovations, additions, expansions and other changes to such facilities and all future expansions, extensions, increases, enlargement and other changes to such operations (herein collectively called the "**Operational Emissions**").

THIS Easement and all rights and obligations arising from same shall extend to, be binding upon and enure to the benefit of the parties hereto and their respective officers, directors, shareholders, agents, employees, servants, tenants, sub-tenants, customers, licensees and other operators, occupants and invitees and each of its or their respective heirs, executors, legal personal representatives, successors and assigns. The covenants and obligations of each party hereto, if more than one person, shall be joint and several.

Easement in gross.

Metrolinx is in receipt of the minor variance application for 98 Karma Rd to permit a secondary suite in the basement of the existing dwelling. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Uxbridge Subdivision which carries Metrolinx's Stouffville GO Train service.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Ryan.Courville@Metrolinx.com with questions and to initiate the registration process.