

Memorandum to the City of Markham Committee of Adjustment

November 16, 2022

File: A/208/22
Address: 60 Senator Reesor's Drive – Markham, ON
Applicant: Vachagman Amirkhanian Mehrabians
Agent: SHDESIGN (randa zabaneh)
Hearing Date: November 23, 2022

The following comments are provided on behalf of the East District team. The applicant is requesting relief from the following “Residential One (R1)” zone requirements under By-law 1229, as amended (the “Zoning By-law”), to permit:

a) By-law 1229, Section 5.9:

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

PROPERTY DESCRIPTION

60 Senator Reesor’s Drive (the “Subject Property”) is located on the north side of the street, east of Wooten Way South, south of Highway 7 East, and west of 9th Line, within a residential neighbourhood that is comprised of low rise dwellings. The Subject Property is in proximity to commercial plazas located along Highway 7 East which are comprised of compatible and desirable commercial uses that assist in serving the needs of residents. These uses include and are not limited to a mix of: retail, restaurant, personal service, and medical offices. The Subject Property is developed with a two-storey single detached dwelling, and the existing garage and driveway area can accommodate at least three parking spaces.

PROPOSAL

The applicant is requesting permission for an accessory dwelling unit, which would be accessed by walk-up stairs located at the east side 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 staff through their Building 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 Suites

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 November 16, 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 variance 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:



Aleks Todorovski, MCIP, RPP
Planner II, East District

REVIEWED BY:

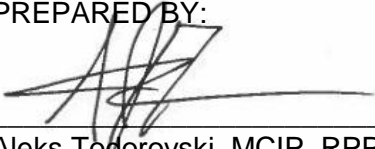


Stacia Muradali, MCIP, RPP
Development Manager, East District

APPENDIX "A"**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/208/22**

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.

PREPARED BY:

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

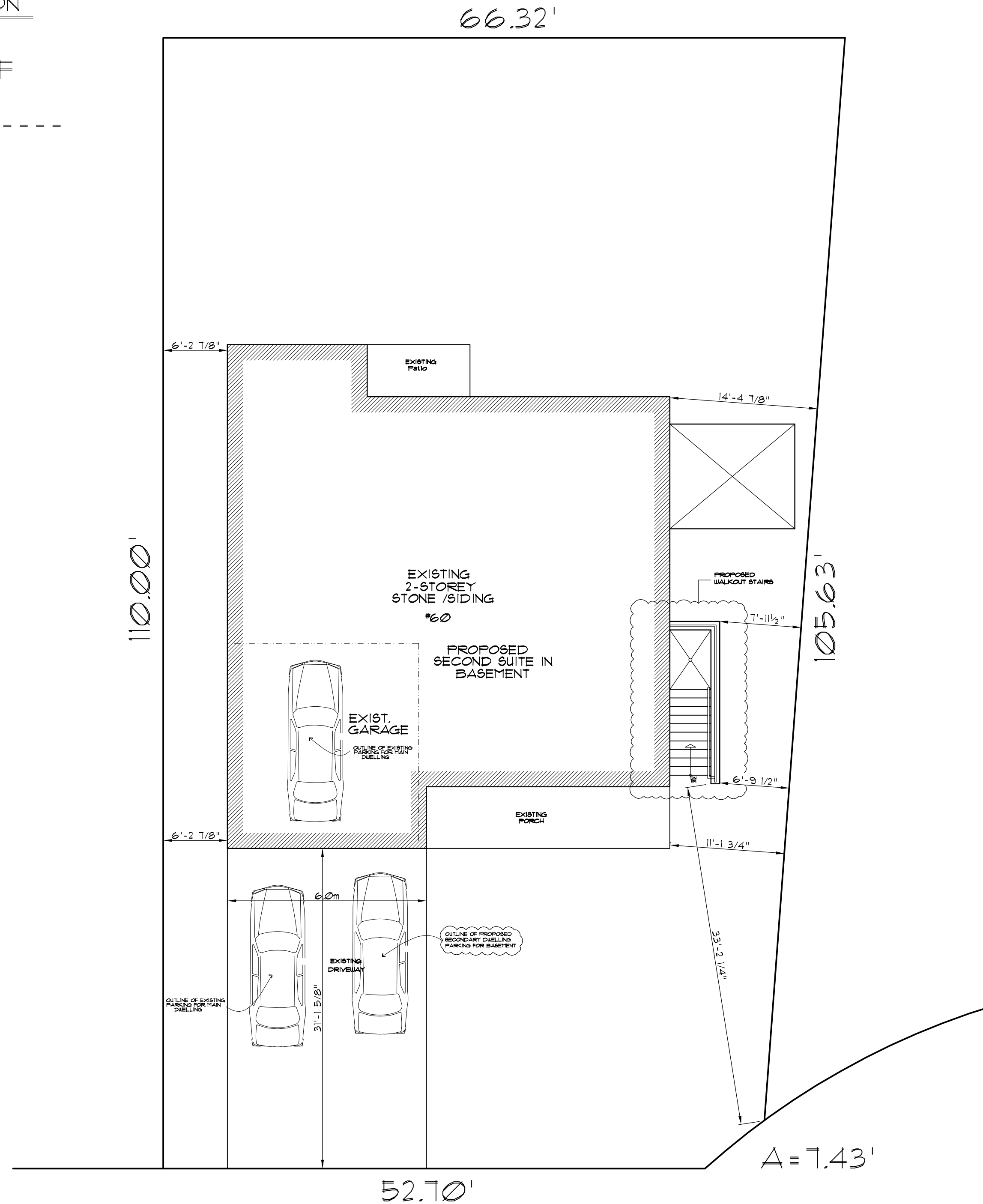
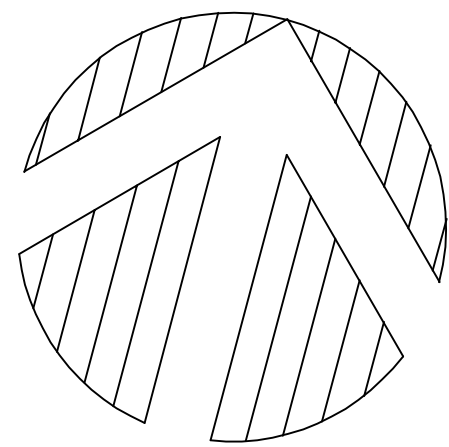
Aleks Todorovski, MCIP, RPP
Planner II, East District

APPENDIX “B”

PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/208/22

- SITE DATA & INFORMATION

SITE PLAN SHOWING
PLAN OF SURVEY OF
LOT 30
REGISTERED PLAN ----
TOWN OF MARKHAM
COUNTY OF YORK

DETAIL NO.
SHEET NO.

REVISIONS

| NO. | REVISIONS | DATE |
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| 1 | ISSUED FOR BUILD. & TENDER | August 22, 2022 |
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SH DESIGN

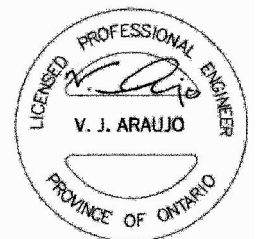
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SEPT. 2, 2022

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PROP. INTERIOR ALTERATION
BASEMENT, CREATE A SECOND
SUITE & WALKOUT STAIRS

60 SENATOR REESOR'S DR

MARKHAM, ONTARIO

EXISTING/ PROPOSED
SITE PLAN

| | | |
|-------------------|-----------------------|---------------|
| DRAWN BY: | CHECKED BY: | SHEET S.P. |
| DATE MAY. 2022 | SCALE 1/8" = 1'-0" | FILE |

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

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

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 SEPARATION
- 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

CEILING FIRE SEPARATION (EXISTING CEILING)
= EXIST. 15 MINUTE FIRE SEPARATION 1/2"
GYPSUM BOARD @ U/S OF EXIST. 2"x8" FLOOR
JOISTS
"SMOKE ALARMS TO BE INTERCONNECTED"
IF 15 MIN FIRE SEPARATION IS MAINTAINED
"SMOKE ALARMS ARE REQUIRED IN ALL EXISTING
AND PROPOSED BEDROOMS THRU OUT THE DWELLING

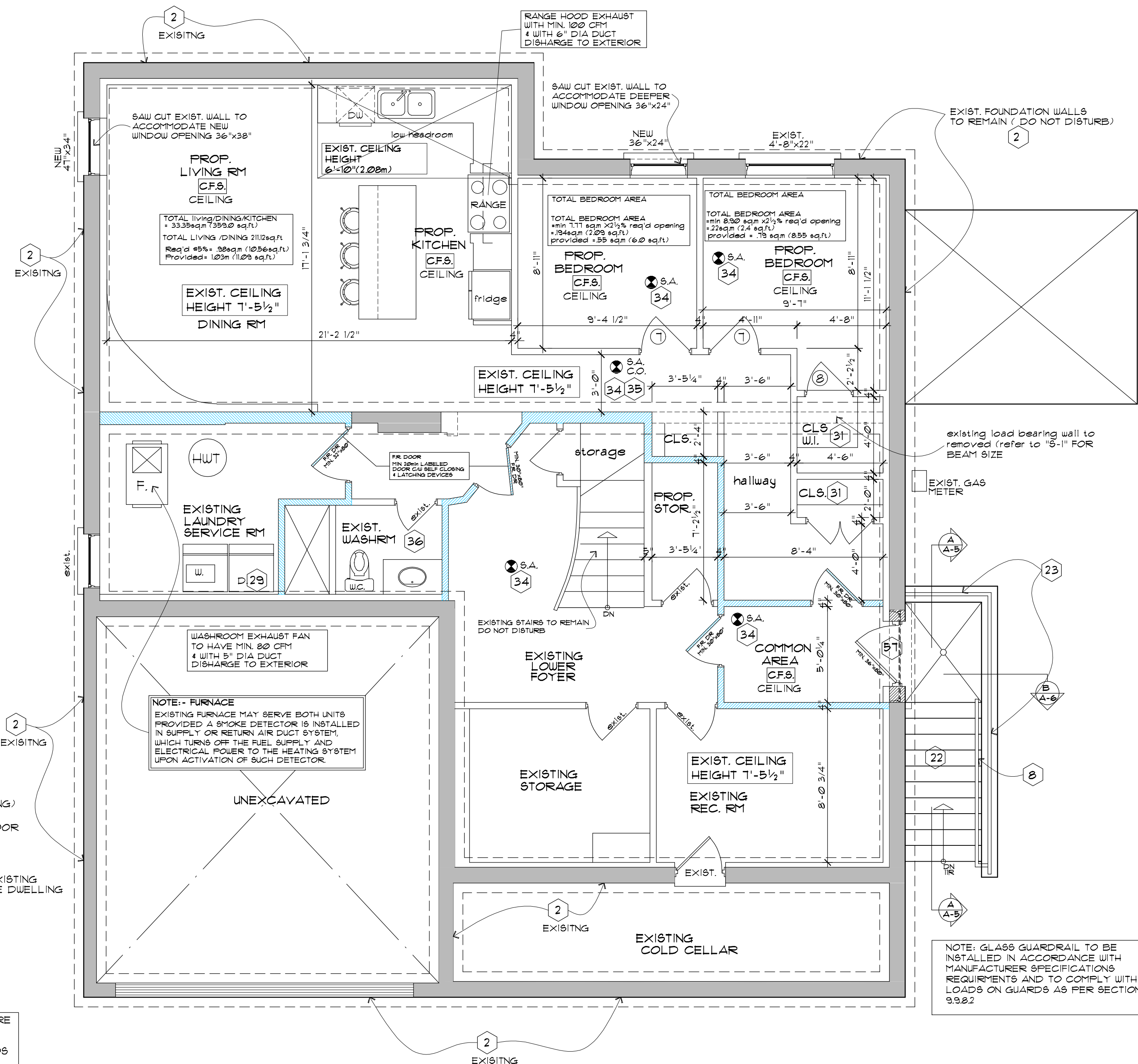
CEILING FIRE SEPARATION (NEW CEILING)
= 45 MINUTE FIRE SEPARATION 5/8" TYPE "X"
GYPSUM BOARD ON METAL RESILIENT
CHANNELS @ U/S OF EXISTING 2"x8" FLOOR
JOISTS, FILL JOISTS CAVITY W/ SOUND
INSULATION (TYP. @ BASEMENT CEILING)
PROVIDE MIN 4" ROXUL INSULATION

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

"BASEMENT CEILING FIRE SEPARATION MUST BE CONTINUOUS
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)



PROPOSED SECOND SUITE BASEMENT FLOOR PLAN

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.

Appendix B

File: 22-282190-000-00.MNV

Date: 11/18/22 MMDDYY

DETAIL NO.
DETAIL
SHEET NO.
REVISIONS

| NO. | ISSUED FOR BUILD. & TENDER | DATE |
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| 1 | ISSUED FOR BUILD. & TENDER | August 22, 2022 |
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SH DESIGN

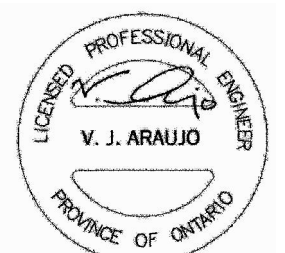
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MARKHAM, ONTARIO

"BASEMENT FLOOR PLAN"

SECOND SUITE PLAN

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|-------------------|-----------------------|--------------|
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| DATE MAY. 2022 | SCALE 1/4" = 1'-0" | FILE |



EXISTING FIRST FLOOR PLAN



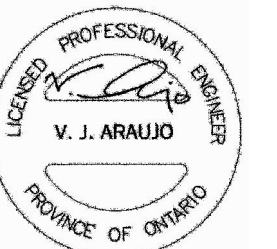
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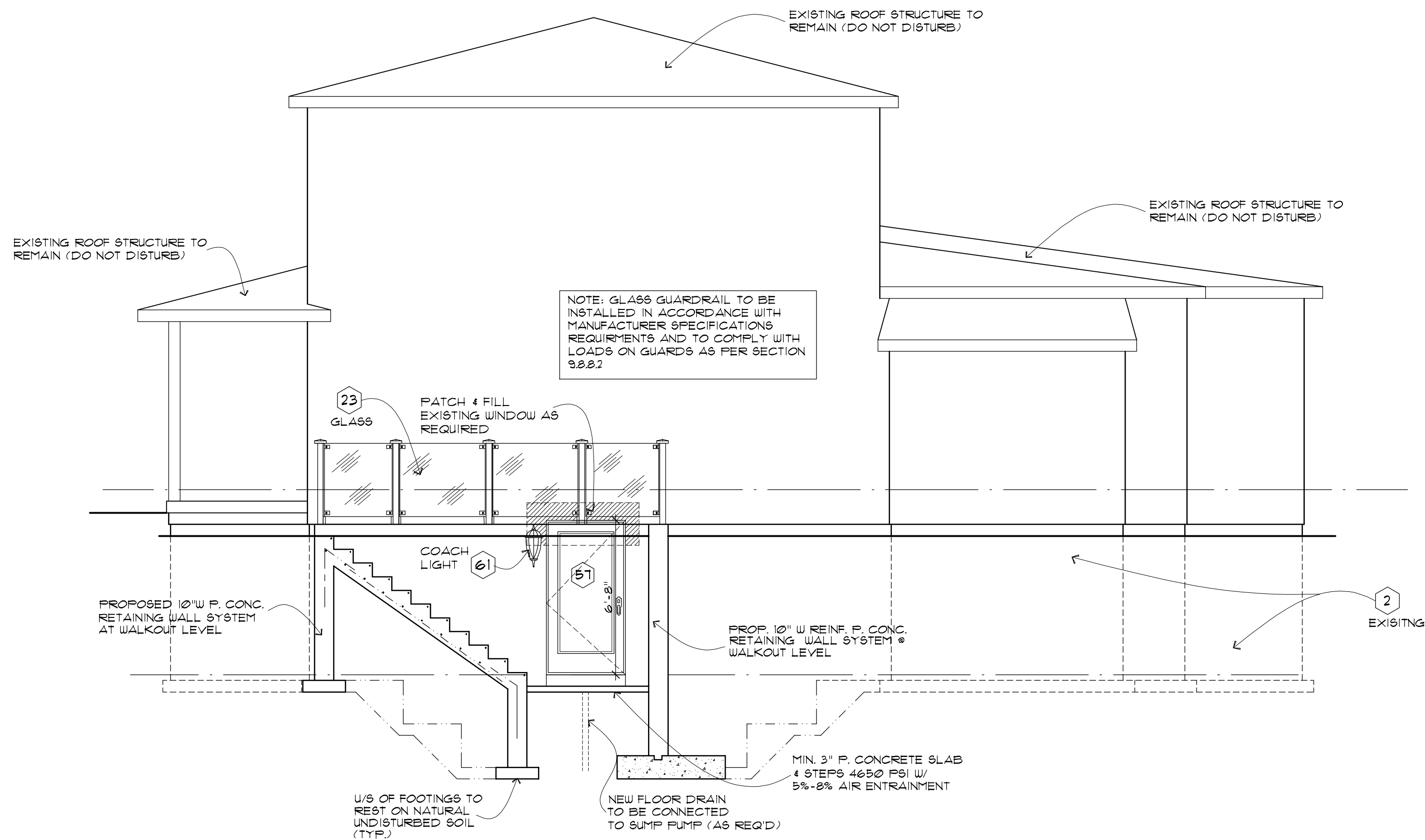
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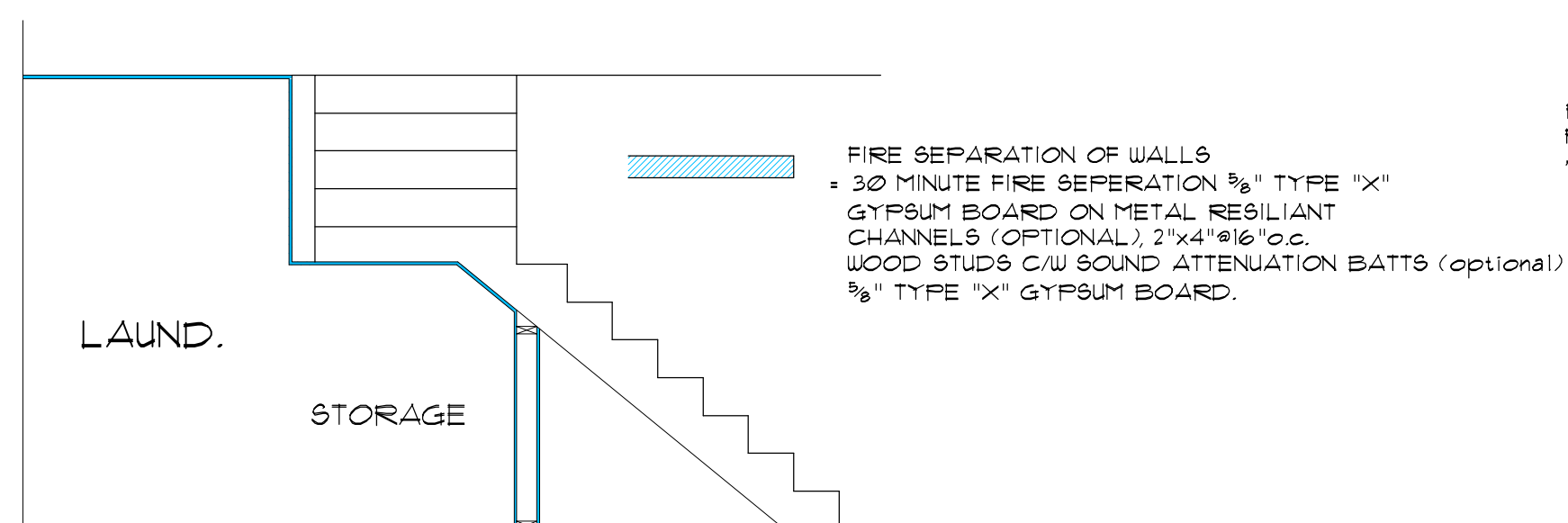
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EXISTING GROUND FLOOR
PLAN

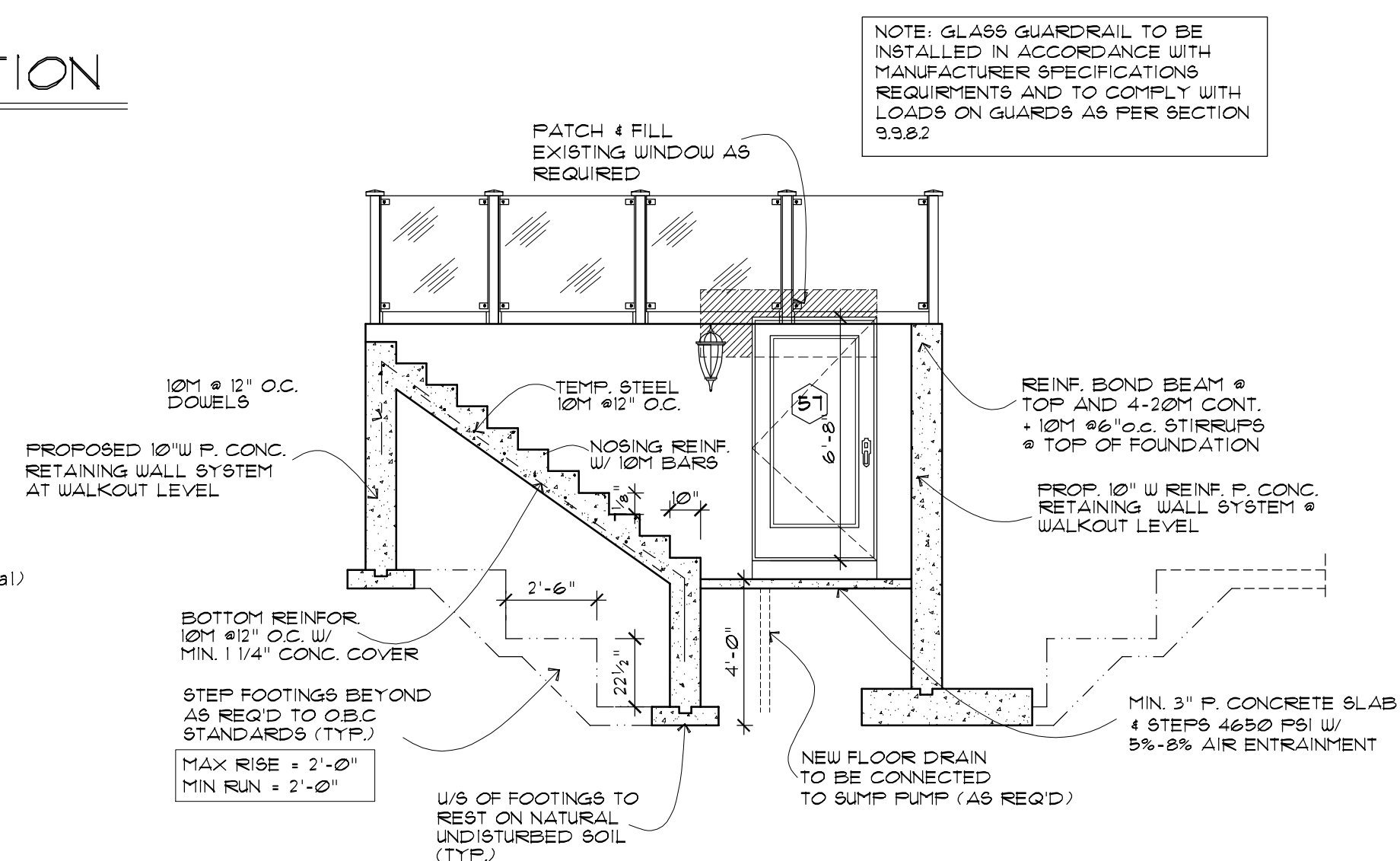
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RIGHT SIDE ELEVATION

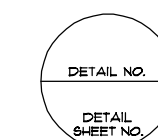


U/S OF STAIRS & FIRE SEPERATION



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A-5

CROSS SECTION



REVISIONS

| NO. | REVISIONS | DATE |
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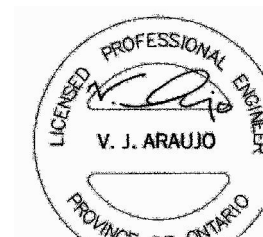
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MARKHAM, ONTARIO

RIGHT SIDE ELEVATION & SECTION

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