

# Memorandum to the City of Markham Committee of Adjustment

March 28, 2022

**File:** A/013/22  
**Address:** 96 Holst Avenue – Markham, ON  
**Applicant:** Subramanian Kuppusamy  
**Agent:** Varatha Design Associates (Ken Varatha)  
**Hearing Date:** April 6, 2022

The following comments are provided on behalf of the West District Team. The applicant is requesting relief from the following “Residential Two Exception \*456 (R2\*456) Zone” requirements under By-law 177-96, as amended, to permit:

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

one accessory dwelling unit (basement apartment), whereas the By-law permits no more than one dwelling unit on a lot; and

**b) By-law 28-97, Section 3.0:**

two parking spaces, whereas the By-law requires three parking spaces for a detached dwelling with one accessory dwelling.

## PROPERTY DESCRIPTION

The subject property is located on the north side of Holst Avenue, east of The Bridle Walk, south of Bur Oak Avenue, and west of William Berczy Boulevard. There is an existing two-storey detached dwelling located on the property. The driveway and garage area provide for two parking spaces. The subject property is within close proximity to schools, commercial uses, amenity space (parks), and transit routes.

## COMMENTS

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, R.S.O. 1990, c. P.13, as amended*. Staff are of the opinion that the parking reduction is minor in nature and appropriately maintains the general intent of the By-law.

## ZONING PRELIMINARY REVIEW (ZPR) NOT UNDERTAKEN

The applicant has confirmed that a ZPR has not been conducted. However, the applicant has received comments from the building department through their permit process (21.143789 HP) to confirm the variances required for the proposed development.

## PUBLIC INPUT SUMMARY

No written submissions were received as of March 28, 2022. Additional information may be received after the writing of the 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

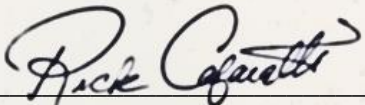
PREPARED BY:



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Aleks Todorovski, Planner, Zoning and Special Projects

REVIEWED BY:



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Rick Cefaratti, MCIP, RPP, Senior Planner, West District

**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/013/22**

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.

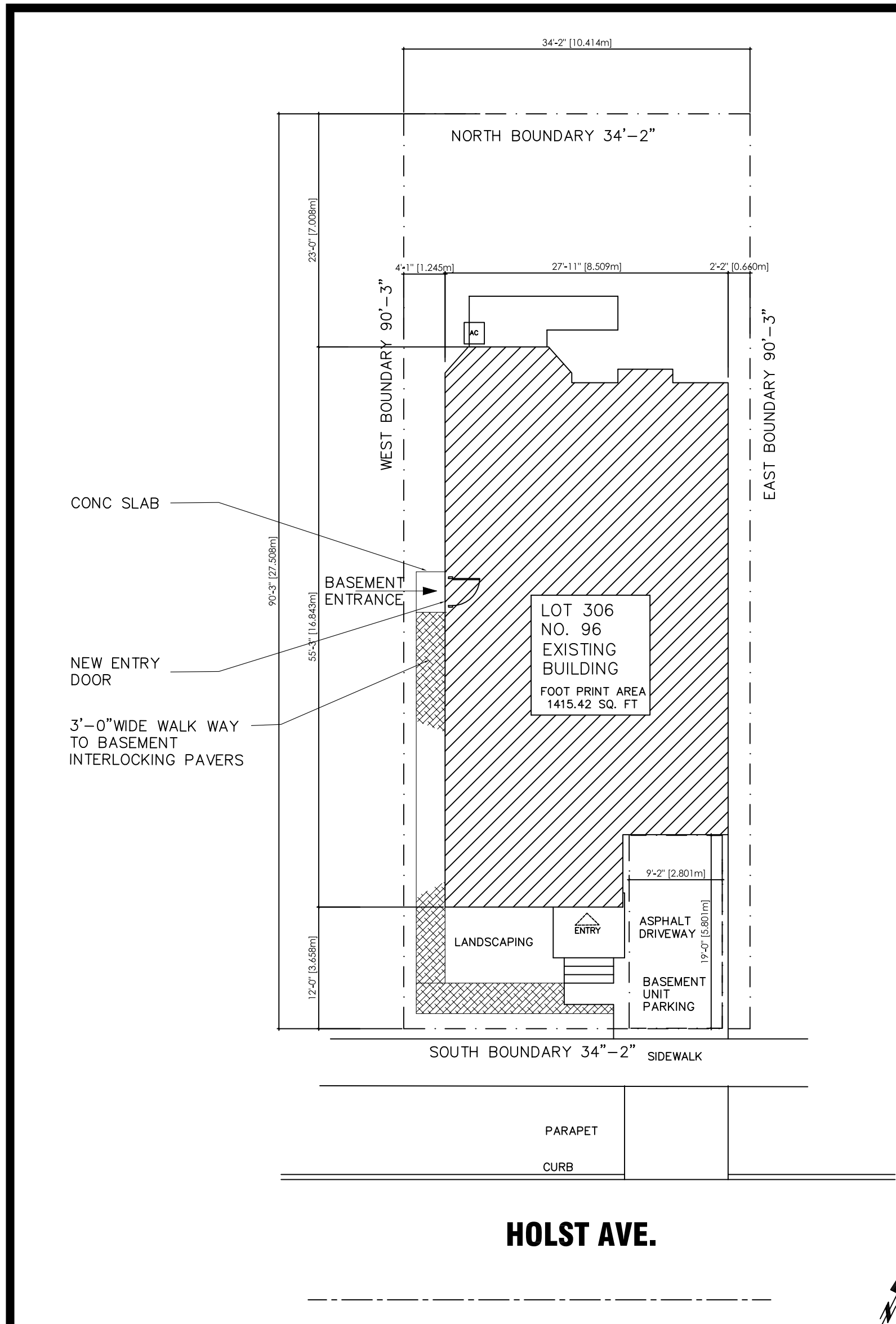
CONDITIONS PREPARED BY:



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Aleks Todorovski, Planner, Zoning and Special Projects

**APPENDIX "B"**  
**PLANS TO BE ATTACHED TO ANY APPROVAL OF FILE A/013/22**



### SITE STATISTICS:

SITE ADDRESS: 96 HOLST AVE. MARKHAM L6C 0R6

LOT AREA: 3083.5 square ft.= (286.6 SQ.M.)

GROUND FLOOR SPACE : 1192.1 square ft (110.8 SM)

SECOND FLOOR SPACE : 1374.5 square ft (127.7 SM)

BASEMENT SECOND UNIT AREA : 576 square ft (53.5 SM)

### SITE PLAN

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

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.L.N) 26147

REGISTRATION INFORMATION:  
VARATHA DESIGN ASSOCIATES (B.C.L.N) 33937

DRAWING TITLE: SITE PLAN

PROJECT: RENOVATION TO 96 HOLST AVE. MARKHAM L6C 0R6

OWNER: Subramanian Kuppusamy  
Karthiga Shanmugam

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THE DESIGNER HAS NOT BE RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUBCONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS

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.

2	revisions	K.V.	jan21,22
1	building permit	K.V.	NOV.1,21
NO.	REVISION/ISSUED TO	BY	DATE

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SCALE: 3/32" = 1'-0" CAD FILE : ..... JOB No.: 21238

DATE: NOV.1,21 DWG NO: A1 OF 5

DRAWN BY: K.V.

CHECKED BY: K.V. DATE OF PRINT: NOV.1,21



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 DRY WALL FILLED WITH INSULATION SOUND TRANSMISSION BETWEEN 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

INSTALL 1/2" TYPE X DRYWALL CEILING  
 SEE SECTION A-A @ 92" A.F.F  
 FULL BASEMENT AND 80" U/D BEAMS  
 ALL SUPPLY AND RETURN AIR TO BE 18" AFF AT DOORWAY ENTRY

(N1) ADD 1 LAYER 5/8" TYPE "X" AROUND ST'L COLUMN ENCASED IN WALL TYPE P3

(N2) 1 LAYER 5/8" TYPE "X" AROUND ST'L BEAM SB-2 -40 MIN.RATING

(N3) INSTALL 5/8" TYPE "X" DRY WALL UNDERSIDE OF STAIRS CEILING MIN 40 MIN RATING BASED ON SB-2

(A) WINDOW LINTEL TO BE 3-2" X10" FLUSH C/W 3.5" X3.5" X 5/16" STEEL BRICK ANGLE

AREA OF UNIT OWNED BY FIRST FLOOR

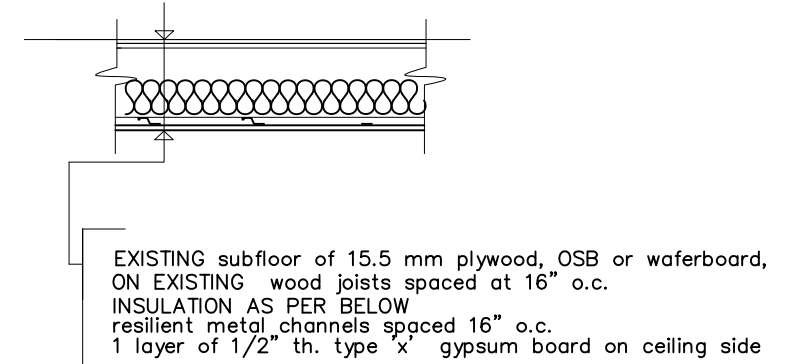
**LEGEND:**

- EXISTING WALLS CH90 CEILING HT.
- NEW WALLS
- RENOVATED WALLS
- EXIST. JOIST DIRECTION
- EX-EXISTING CONSTRUCTION OR ITEM

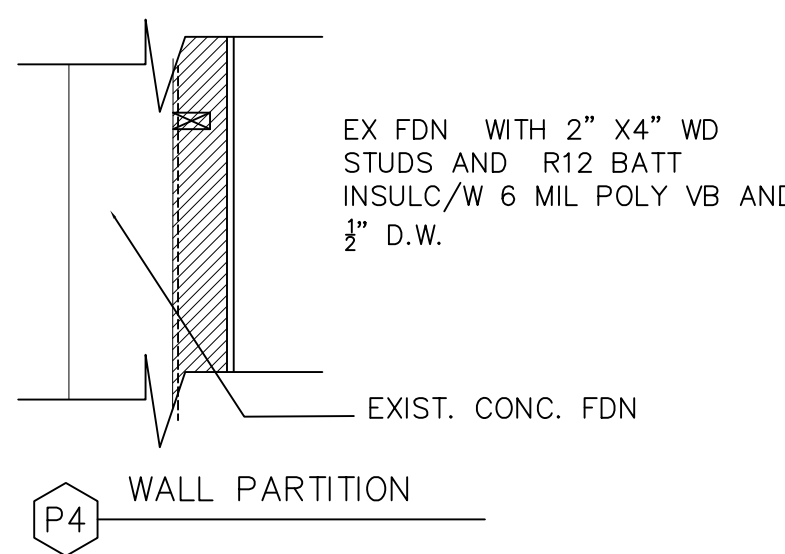
E.F. MECHANICAL VENTILATION 150 CFM INSUL. 6" DIA. EXHAUST OUT	SA - SUPPLY AIR	RA - RETURN AIR	P1 1 LAYER 1/2" TYPE "X" GYPSUM BOARD C/W SOUND ABSORB. MATERIAL 2" X4" @ 16" O.C. SB-3 W/IC 30 MIN F.R. STC34
32X80 NEW DOOR (20 MIN RATED WITH SELF CLOSING DEVICE)	SA CLG. - SUPPLY AIR		P2 2" X4" @ 16" O.C. WITH 1/2" DRY WALL BOTH SIDES
32X80 NEW DOOR 30X80 NEW DOOR 30X37 NEW DOOR (20 MIN RATED WITH SELF CLOSING DEVICE)	SW SWITCH		P3 2X4 WITH 5/8" TYPE "X" DRY WALL @ 16" O.C BOTH SIDES 1 HR FIRE RATED WALL (BASED ON WID SB-3)
30" X 37" HT DOOR	EXT EXISTING DOOR		P4 EX FDN WITH 2" X4" WD STUDS AND R12 BATT INSULC/W 6 MIL POLY VB AND 1/2" D.W.
CO SMOKE ALARM INTER CONNECTED	EXISTING SUPPLY AIR		P5 2" X4" WD STUDS @ 16" O/C C/W 1/2" GYPSUM BD.
E.F.1. MECHANICAL VENTILATION 100 CFM INSUL. 6" DIA. EXHAUST OUT	SW3 3-way SWITCH		
INSTALL NEW SPRINKLER HEAD IN FURNACE ROOM			

P1A 1 LAYER 1/2" GYPSUM BOARD C/W SOUND ABSORB. MATERIAL 2" X4" @ 16" O.C. SB-3 W/IC 30 MIN F.R. STC32	P3 2X4 WITH 5/8" TYPE "X" DRY WALL @ 16" O.C BOTH SIDES 1 HR FIRE RATED WALL (BASED ON WID SB-3)
P1B 2 LAYER 5/8" TYPE "X" C/W SOUND CHANNELS C/W SOUND ABSORB MATERIAL 2" X4" @ 16" O.C. AND 1 LAYER OF 5/8" TYPE X (BASED ON W4A SB-3 STC RATING 5)	P4 EX FDN WITH 2" X4" WD STUDS AND R12 BATT INSULC/W 6 MIL POLY VB AND 1/2" D.W.
P1C 2X4 WITH 5/8" TYPE "X" DRY WALL @ 16" O.C BOTH SIDES 1 HR FIRE RATED WALL (BASED ON W4A SB-3) STC 36	

NOTES:  
 1. DOORWAY SIZE SHALL CONFIRM TO O.B.C 9.5.11  
 2. 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.  
 3. 30 MINUTE FIRE SEPARATION 1/2" (12.7 MM) GYPSUM BOARD CEILING SEE SECTION A-A



**SECTION A-A**  
 SCALE: N.T.S.  
 F 5G floor construction type based on OBC sb-3  
 F.R.-30 MIN MINERAL WOOL INSULATION 2.8 KG/M2



EX FDN WITH 2" X4" WD STUDS AND R12 BATT INSULC/W 6 MIL POLY VB AND 1/2" D.W.  
 EXIST. CONC. FDN  
 WALL PARTITION

**RENOVATED BASEMENT FLOOR PLAN**  
 scale: 3/16" = 1'-0"

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:  
 KRANAGAVARATHIA (B.C.I.N) 26147

REGISTRATION INFORMATION:  
 VARATHA DESIGN ASSOCIATES (B.C.I.N) 33937

DRAWING TITLE: BASEMENT RENOVATED PLAN
PROJECT: RENOVATION TO 96 HOLST AVE. MARKHAM L6C 0R6
OWNER: Subramanian Kuppusamy Karthiga Shanmugam

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2	REVISIONS	K.V.	NOV.28,21
1	BUILDING PERMIT	K.V.	NOV.1,21
NO.	REVISION/ISSUED TO	BY	DATE

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SCALE: 3/16" = 1'-0"	CAD FILE : .....	JOB No.: 21238
DATE: NOV.1,21	DWG NO: A2	OF 5
DRAWN BY: K.V.	CHECKED BY: K.V.	DATE OF PRINT: NOV.1,21

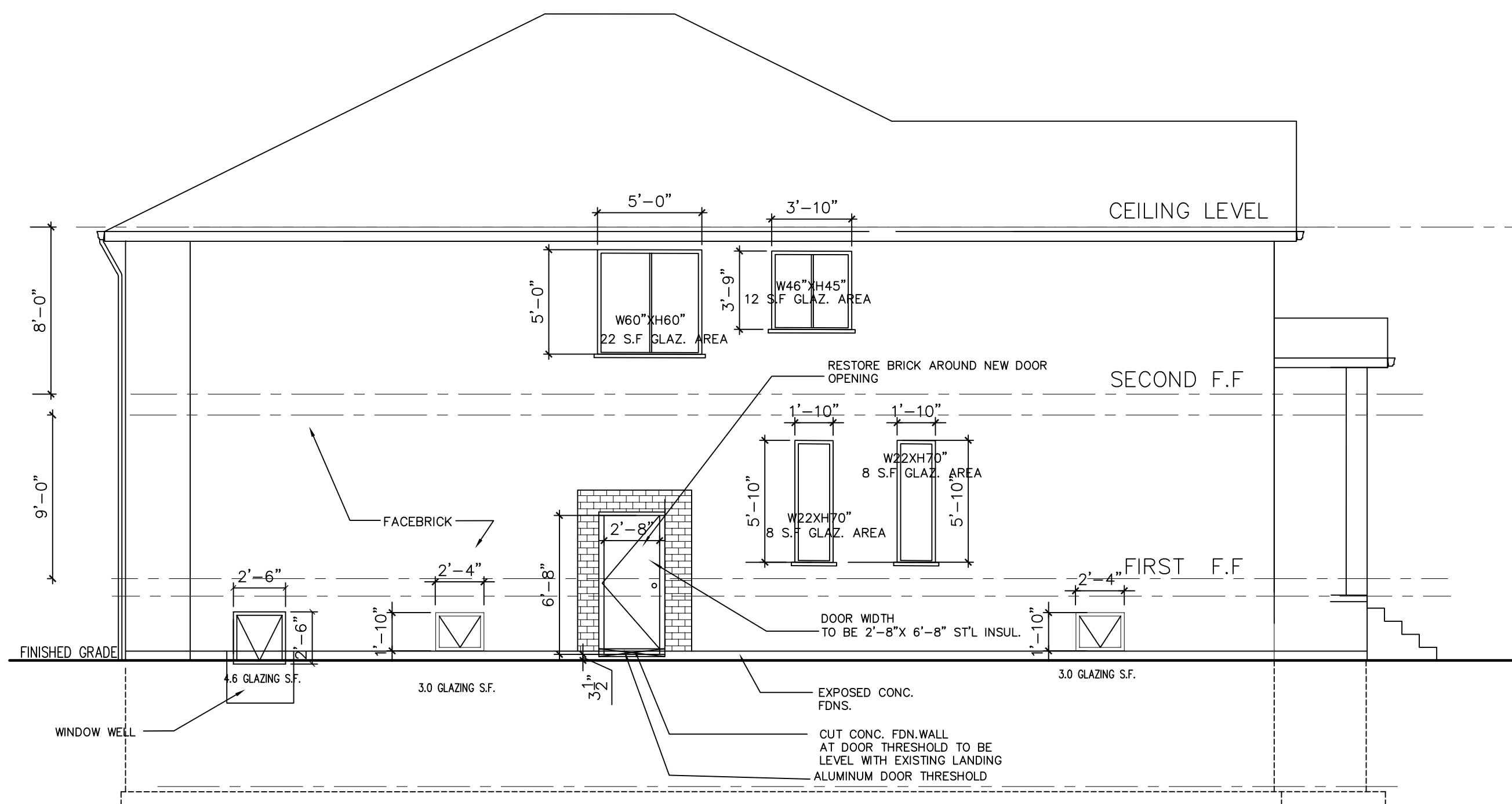


Table 9.10.15.4.  
Maximum Area of Glazed Openings in Exterior Walls of Houses  
7.0% MAX.window openings

ALLOWABLE UNPROTECTED OPENINGS  
TOTAL WALL AREA = 1077.6 square ft.  
LIMITING DISTANCE= 4.0 FT.  
ALLOWABLE OPENINGS = 75.4 S.F  
ACTUAL OPENINGS 60.6 S.F

**WEST ELEVATION**  
SCALE : 3/16" = 1'-0"

**EXISTING SECOND FLOOR PLAN**  
scale: 3/16" = 1'-0"

no change to mech. an exhaust system

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DRAWING TITLE: WEST ELEVATION

PROJECT: RENOVATION TO 96 HOLST AVE. MARKHAM L6C 0R6

OWNER: Subramanian Kuppusamy  
Karthiga Shanmugam

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