



Report to: Development Services Committee

Report Date: October 11, 2011

SUBJECT: INFORMATION REPORT
Wykland Estates Inc.
Zoning Amendment application to permit roofed porches to
encroach into the required yard
West of Cornell Centre Blvd., south of 16th Avenue
File Number: ZA.11-121981

PREPARED BY: Stephen Kitagawa, Senior Planner – East District ext 2531

REVIEWED BY: David Miller, Manager, East District ext 4960

RECOMMENDATION:

- 1) That the report dated October 11, 2011, entitled “Information Report, Wykland Estates Inc., Zoning Amendment application to permit roofed porches to encroach into the required yard, west of Cornell Centre Blvd., south of 16th Avenue, File Number ZA.11-121981” be received.
- 2) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to provide background information regarding an application for rezoning to permit roofed porches to encroach into the required yard. This report contains general information in regards to applicable OP or other policies as well as other issues and the report should not be taken as Staff’s opinion or recommendation on the application.

BACKGROUND:

The lands subject to the rezoning application are part of a 44.72 ha (110.5 ac) draft plan of residential subdivision that is located within the Cornell Planning District. The lands are located west of Cornell Centre Blvd., south of 16th Avenue (Figure 1). The subject lands are vacant.

To the west, north and east are existing residential subdivisions, to the southeast is a woodlot and lands intended to be developed as a future community park. To the south are additional lands owned by the applicant for future development.

OPTIONS/DISCUSSION:

Applications for draft plan of subdivision and zoning by-law amendment approved in January 2011

In April 2010, the applicant submitted applications for draft plan of subdivision and zoning by-law amendment to implement a plan of subdivision comprising 883 single detached, semi-detached and townhouse units. The plan was draft approved and zoning by-law amendments 2010-207 and 2010-208 were passed on January 12, 2011.

Staff are currently reviewing the conditions for inclusion in the subdivision agreement and are processing the applicant's first phase for registration.

During the summer, the CAO has delegated authority to call a Public Meeting. In August 2011, the CAO authorized a Public Meeting to consider the proposed rezoning to permit roofed porches.

Proposal

The purpose of this zoning by-law amendment is to permit roofed porches to encroach into the required setback area between the lane accessed private garage and the main dwelling in the Residential Two (R2) Zone. The roofed porches will be unenclosed and attached to the rear wall of the dwelling.

Official Plan and Zoning

The lands are designated Urban Residential in the Official Plan (Revised 1987) as amended.

The Cornell Secondary Plan designates most of the lands within the draft plan of subdivision as Residential Neighbourhood which provides for a mix of uses and activities including live, work, shopping, play, worship and education. The built form of the residential neighbourhoods within the draft plan are primarily intended to be compact with grade-related residential development sited in close proximity to the streets to foster pedestrian activity and social interaction. Lands located south of Riverlands Avenue are designated Residential Neighbourhood – Cornell Centre, are intended to accommodate medium and high density residential development. The lands south of Riverlands Avenue are part of the draft plan, but do not relate to the current application. All of the homes will be accessed from rear lanes. The proposed zoning amendment will only apply to single detached lots.

The lands are currently zoned Residential Two*190 (R2*190), by By-law 177-96, as amended.

Roofed porches previously permitted in the rear yard

The parent By-law 177-96, passed by Council in June 1996, previously included permissions for roofed porches to encroach 3.0 metres into the required rear yard. In January 2005, By-law 2005-5, which amends By-law 177-96, was approved by Council. It was an amendment to By-law 177-96 which modified, clarified and added a number of

provisions to deal with a variety of issues and which added new zones and standardized some of the provisions to ensure consistent wording in the document. Included in this amendment was a provision with respect to rear roofed porches. It continued to permit roofed porches in the rear yard up to a depth of 3.0 metres (9.8 ft), but added a provision that it not be located in the “required” separation distance between the garage and the main building.

Since roofed rear porches were previously permitted to encroach into this area, there are a number of examples of roofed rear porches built in the Cornell Community.

Town initiated by law is contemplated in the future

The applicant met with Town staff to review the rationale and design merits of rear roofed porches. It was agreed that it is a design element that the Town could endorse and support. The roofed porch provides a functional design element for weather protection as residents enter their home from the garage in addition to providing a more aesthetically pleasing rear elevation that defines and enhances the entrance location and provides architectural interest.

As part of an upcoming housekeeping amendment the Town is contemplating including refinements to By-law 177-96, as amended to permit roofed rear porches to encroach into the required separation between the house and the detached garage. However, in order to prevent any delays in construction and closing dates, the applicant is applying for a zoning amendment for this subdivision.

Approximately 30% of the units in the draft plan will potentially take advantage of this exception

The draft plan comprises 883 units and there will be approximately 266 units (30%) within the Residential Two*190 (R2*190) zone that potentially require an exception to the by-law. However, some of these units have multiple models from which the purchaser can choose. Some models do not have the rear porch element encroaching into the rear yard. The proposed zoning amendment will be applied to all areas zoned R2*190 in the draft plan, which, as noted above, consist only of single detached dwellings, but not semi-detached or townhouse dwellings.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

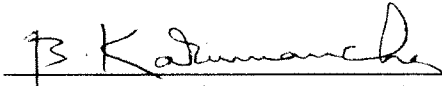
ALIGNMENT WITH STRATEGIC PRIORITIES:

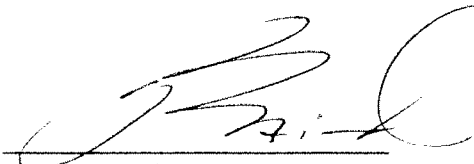
The proposed application will align with the Town’s strategic priority of Growth Management.

BUSINESS UNITS CONSULTED AND AFFECTED:

The proposal has been circulated to various Town departments and external agencies and is currently under review. All conditions and requirements received will be addressed and incorporated in the zoning by-law amendment, the final draft plan and conditions of draft approval.

RECOMMENDED BY:


Biju Karumanchery, M.C.I.P. R.P.P.
Senior Development Manager


James Baird, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

Figure 1 – Location Map
Figure 2 – Area Context
Figure 3 – Air Photo
Figure 4 – Proposed Zoning

File path: Amanda\File 11 121981\Documents\Recommendation Report

APPLICANT: Owner: Wykland Estates Inc.
Attn: Jason Suddergaard
2360 Bristol Circle
Oakville, ON
L6H 6M5

AGENT: The Planning Partnership Limited
Attn: Daniel Leeming
1255 Bay Street, Unit 201
Toronto, ON
M5R 2A9

Tel: 416-975-1556
Email: dleeming@planpart.ca