



MEMORANDUM

TO: Andy Taylor, Chief Administrative Officer

FROM: *[Signature]*
Biju Karumanchery, Senior Development Manager

PREPARED BY: Stephen Kitagawa, Senior Planner, East District

DATE: July 27, 2012

SUBJECT: Delegation of Authority to CAO to call a Public Meeting
Cornell Rouge Development Corporation
Zoning Amendment application to rezone certain lands within draft plan
of subdivision 19TM-08002
North of Highway 7, west of Donald Cousens Parkway.
File Number: ZA.12-110334

RECOMMENDATION:

1. That the CAO authorize staff to schedule a statutory Public Meeting for Cornell Rouge Development Corporation to amend the by-law to:
 - Reduce the minimum setback requirement between the rear garage and rear lot line of townhouse units in Cornell Rouge Phase 4 from 5.8 metres to 5.4 metres
 - To permit a reduction of porch depth for exterior townhouse end units and for certain townhouse blocks (Blocks 609, 648, 649 and 668) from 1.5 metres to 1.1 metres.
2. And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this memorandum is to provide background information regarding an application for zoning by-law amendment within the Cornell Community. This report contains general information in regards to applicable Official Plan and other policies as well as other issues and the report should not be taken as staff's opinion or recommendation on the application.

[Signature]
Aug 2/12

BACKGROUND:

Property and area context

The subject lands comprise of a total of 251 townhouse units that form part of draft plan of subdivision 19TM-08002. The lands are located north of Highway 7, west of Donald Cousens Parkway. The townhouse blocks requiring the rezoning include Blocks 31-36, 82, 83, 106-108, 128, 129, 146, 147, 164, 165, 196, 197, 209, 210, 249, 271, 272, 445-447, 541, 562, 563, 609, 648, 649, 663-668.

The surrounding context is as follows:

- To the northwest is existing residential development (previous phases of Cornell Rouge)
- To the south, across Highway 7, are undeveloped lands designated Avenue Seven Corridor-Mixed Residential.
- To the west, across Cornell Centre Blvd., is a plan of subdivision by Wykland Estates.
- To the northeast, across Donald Cousens Parkway and Reesor Road, are agricultural lands which form part of the Rouge Park.

Proposal

Cornell Rouge Development Corp. (CRDC) has submitted a rezoning application for all the townhouse units within their Phase 4 Draft Plan (19TM-08002), as approved by Markham Council April 13, 2010. The rezoning application was submitted after discussion with staff on how to address the question that arose during the review of a recent building permit submission regarding porch depth.

An application for zoning by-law amendment has been submitted to rezone the lands to:

- Reduce the minimum setback requirement between the rear garage and rear lot line of townhouse units in Cornell Rouge Phase 4 from 5.8 metres to 5.4 metres which would affect 202 townhouse units.
- To permit a reduction of porch depth for exterior townhouse end units and for certain townhouse blocks and for 29 end townhouse units from 1.5 metres to 1.1 metres. The total number of units affected by the reduction is 39 townhouse units.

Official Plan and Zoning

The City's Official Plan designates the lands Urban Residential. The Cornell Secondary Plan designates the lands Residential Neighbourhood. The lands are currently zoned R2*190*193(H1) and R2*190*193 by By-law 177-96, as amended. A zoning by-law amendment is required to permit the reductions in the setback and porch depths.

DISCUSSION:

The applicant has constructed townhouses using these approved building designs through Phases 1-3. Phase 4A is registered while Phase 4B and C are being processed for registration. The townhouses subject to this application are located in Phase 4A, B and C as well as a future phase (Phase 4D).

The rezoning application was submitted after discussion with staff on how to address the question that arose during the review of a recent building permit submission regarding porch depth.

The townhouse blocks in Phase 4 were designed and approved in accordance with all previous phases of Cornell Rouge Development Corporation's lands. The townhouse lots and building design were established during the Phase 1 approvals in July 2003, including specific zoning provisions and building envelope requirements. All approvals, provisions and requirements met the then Town of Markham minimum porch depth of 1.1 metres, along with other standards at that time. The townhouse block size and building envelope established in Phase 1 has been applied consistently to all subsequent phases of CRDC's development, including Phase 4.

An amendment to By-law 177-96, as amended, increased the minimum porch depth from 1.1 meters to 1.5 m in 2005. The precise block size and building envelopes mean this change in porch depth cannot be met using the current Markham approved building designs and draft plan. However, in discussions with Markham staff, it was agreed that the new 1.5 m porch depth could be accommodated in many of the units if the required driveway depth from the lane was reduced from 5.8 m to 5.4 m (See Figure 5). This will reduce the number of townhouses that require the reduced porch depth.

Parking for townhouse units is provided through a combination of a single car garage in front of a single car driveway accessed from the rear lane. Reducing the driveway depth by 0.4 m allows the overall building envelope to be shifted on the lot, leaving room in the front of the unit for a 1.5 m deep porch. The zoning amendment being requested to facilitate this agreed upon direction is to reduce the minimum setback between the rear garage and the rear lot line from 5.8m to 5.4m. The reduced setback would mean that the required parking space on the driveway will be reduced. However, it should accommodate most vehicles (for example, a Toyota Sienna mini van which is approximately 5 metres long will be able to park in this space). Specific warning clauses advising purchasers of this adjusted setback and reduce parking space size will be added to all purchase and sale agreements for the affected lots.

Although the zoning request discussed above works for the vast majority of the units it does not work for any of the exterior end units. As required for urban design reasons, these units are oriented toward the flankage street and hence the front porch is located along the flankage side of the unit. Changing the driveway length at the rear of the lot does not result in a deeper porch given the "side yard" location of the porch and the minimum building setback requirements from the flankage street. As part of the rezoning, CRDC is requesting that all exterior townhouse units continue to be permitted with a porch depth of 1.1m (See Figure 5).

On May 30, 2012 the Committee of Adjustment granted approval for Blocks 80 and 81 within 19TM-08002 to be constructed with a porch depth of 1.1 m. These two blocks are included in the rezoning application as the rezoning is for all of Phase 4 and these two blocks are part of Phase 4.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

BUSINESS UNITS CONSULTED AND AFFECTED:

The proposal has been circulated to various City 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, should it be approved.

ATTACHMENTS:

Figure 1 – Location Map

Figure 2 – Area Context

Figure 3 – Air Photo

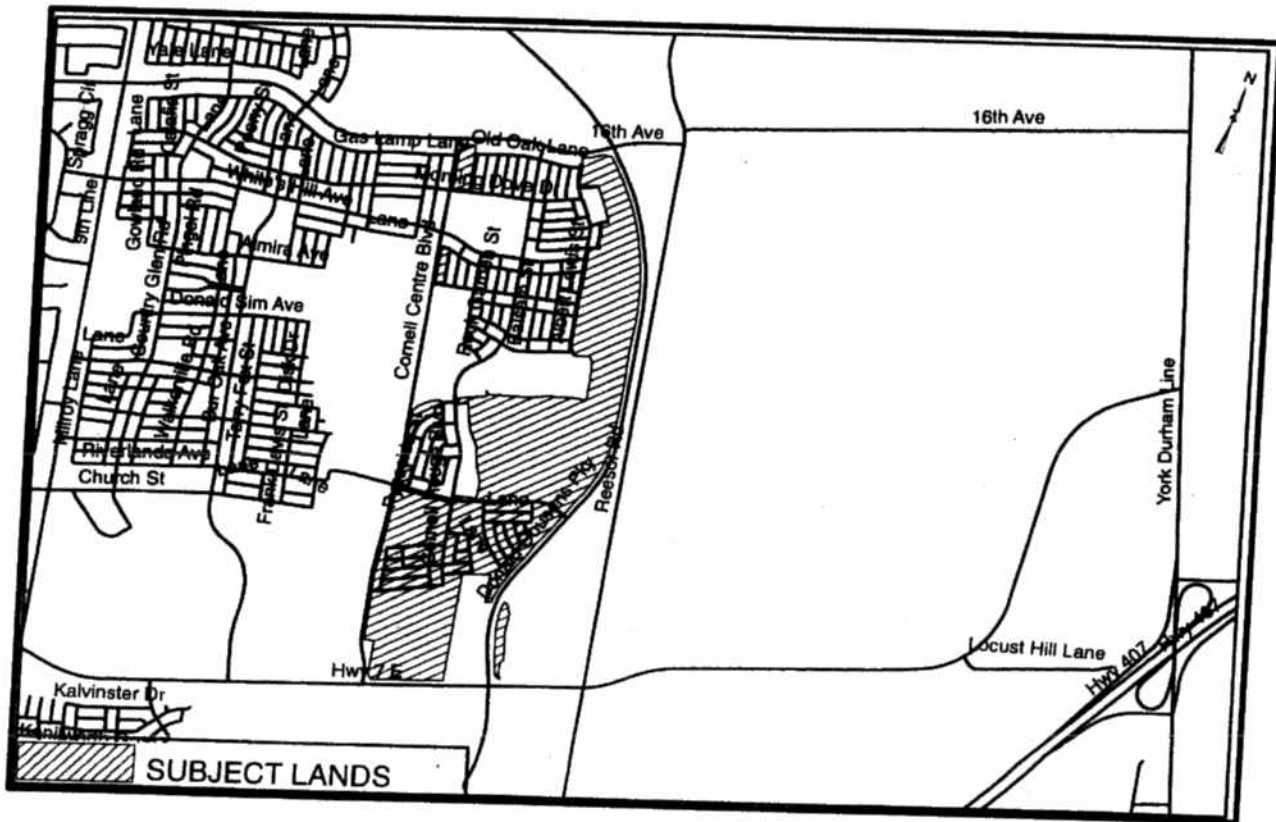
Figure 4 – Draft Approved Plan

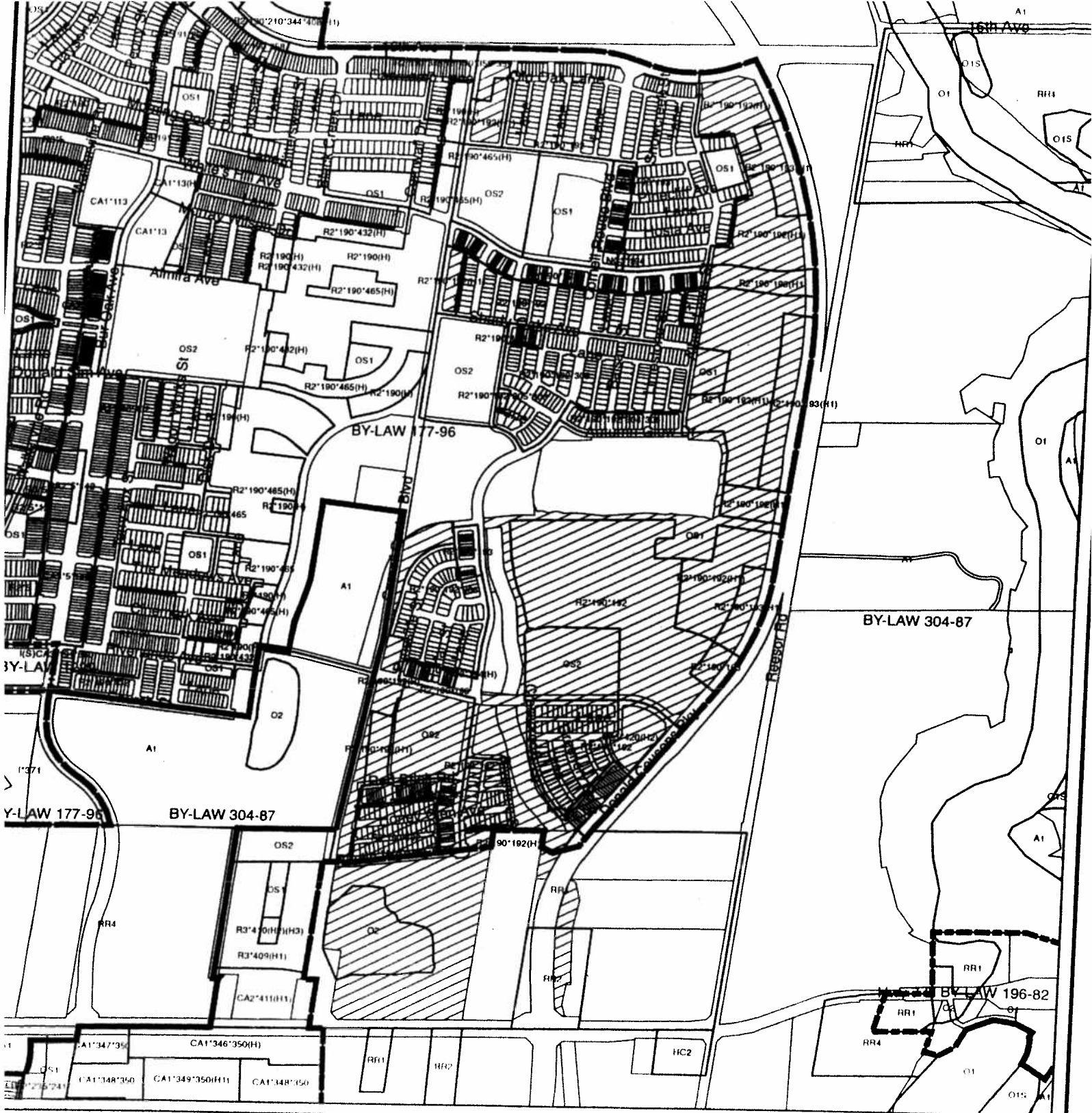
Figure 5 – Detail One of Draft Approved Plan

Figure 6 – Detail Two of Draft Approved Plan

Figure 7 – Detail Three of Draft Approved Plan

Figure 5 – Typical Site Plan





AREA CONTEXT

APPLICANT: CORNELL ROUGE DEVELOPMENT CORPORATION
 WEST SIDE DONALD COUSENS PKWY NORTH OF HWY
 7 SOUTH OF 16th AVE

SUBJECT LANDS



FILE NO: ZA12110334(SK)

DATE: 07/27/12

FIGURE No. 2

ARRIAN ...



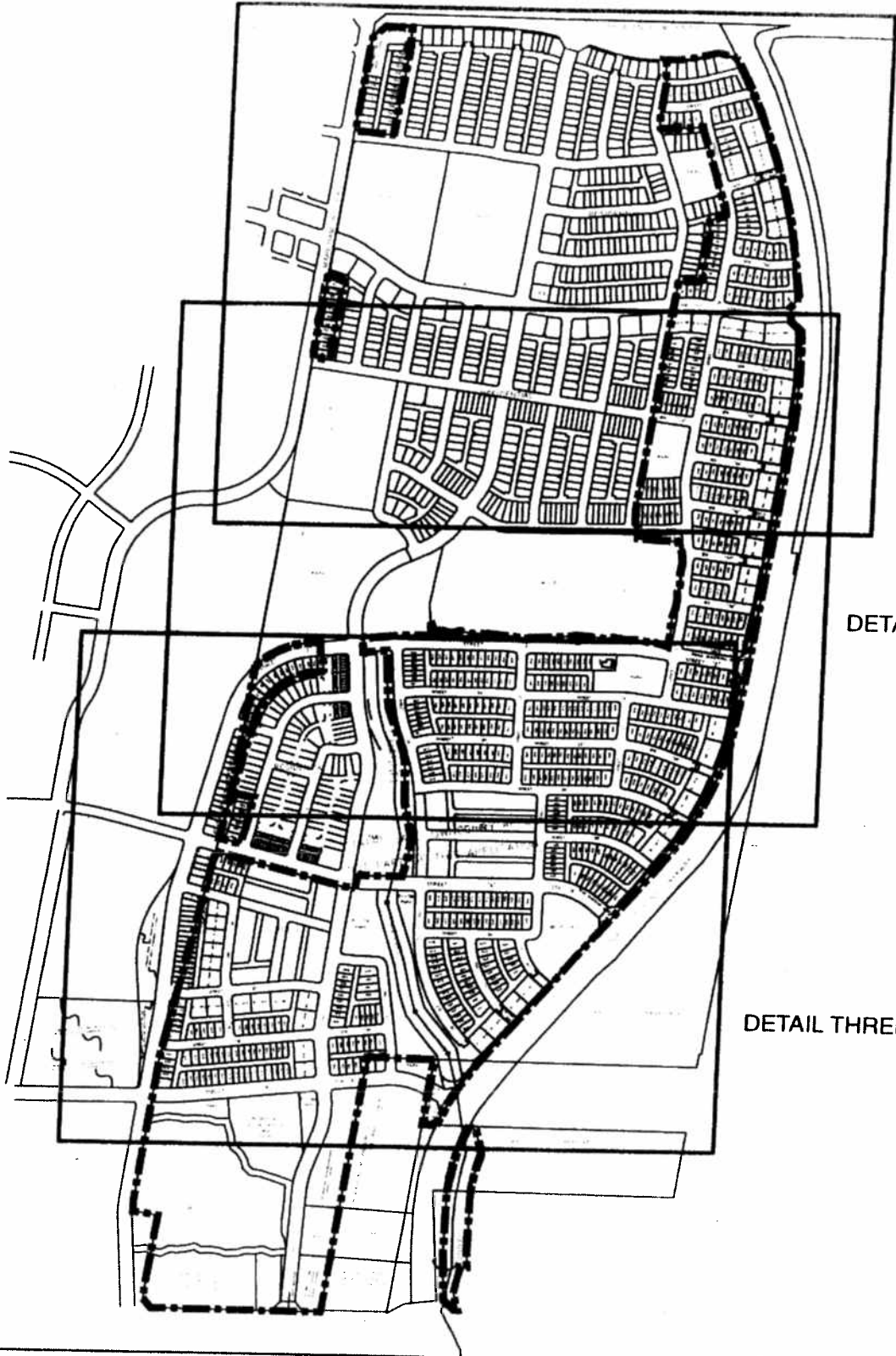
AREA CONTEXT

APPLICANT: CORNELL ROUGE DEVELOPMENT CORPORATION
 WEST SIDE DONALD COUSENS PKWY NORTH OF HWY
 7 SOUTH OF 16th AVE



FILE No. ZA12110334(SK)

DATE: 07/27/12
 FIGURE No. 3



DETAIL ONE

DETAIL TWO

DETAIL THREE

DRAFT APPROVED PLAN

APPLICANT: CORNELL ROUGE DEVELOPMENT CORPORATION
 WEST SIDE DONALD COUSENS PKWY NORTH OF HWY
 7 SOUTH OF 16th AVE

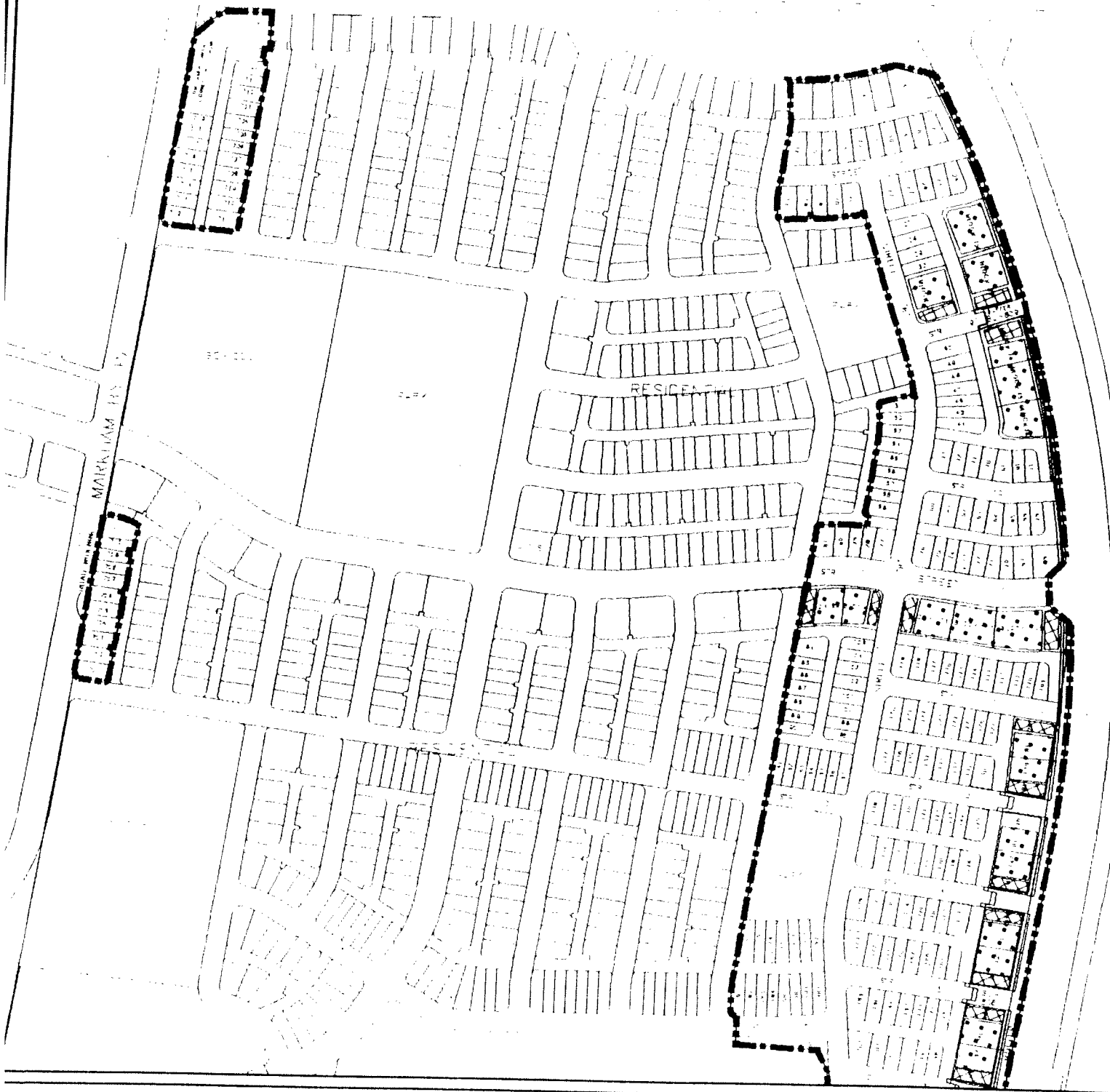
FILE No. ZA12110334(SK)

BOUNDARY OF
 DRAFT APPROVED PLAN

DATE: 07/27/12

FIGURE No. 4







DETAIL ONE

APPLICANT: CORNELL ROUGE DEVELOPMENT CORPORATION
 WEST SIDE DONALD COUSENS PKWY NORTH OF HWY
 7 SOUTH OF 16th AVE

FILE No. ZA12110334(SK)

-  REDUCE MIN. SETBACK BETWEEN REAR PRIVATE GARAGE AND REAR LOT LINE FROM 5.0m TO 5.4m
-  PROPERTY TO BE EXCLUDED FROM PUBLIC OPEN SPACE



DATE: 07/27/12

FIGURE No. 5




DETAIL TWO

APPLICANT: CORNELL ROUGE DEVELOPMENT CORPORATION
 WEST SIDE DONALD COUSENS PKWY NORTH OF HWY
 7 SOUTH OF 16th AVE

E No. ZA12110334(SK)

KHAM DEVELOPMENT SERVICE, INC. 2020, 16th AVE

Drawn By: JHJ Checked By: JHJ

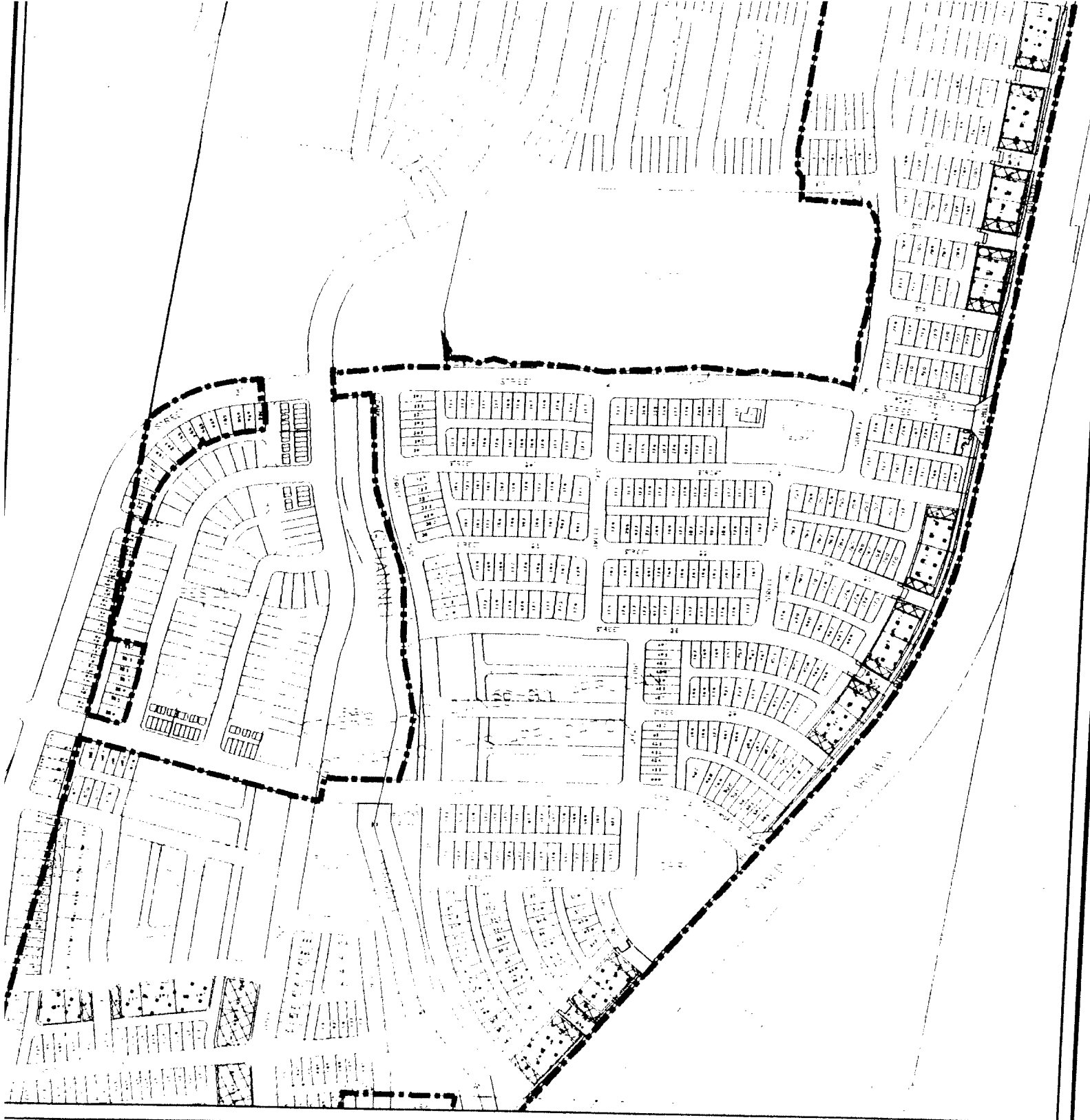
 REDUCE MIN. SETBACK BETWEEN REAR PRIVATE GARAGE AND REAR LOT LINE FROM 5.0m TO 3.0m

 DEEMED TO BE WITHIN PERMITTED SETBACK DISTANCES



DATE: 07/27/12


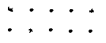
FIGURE No. 6



DETAIL THREE

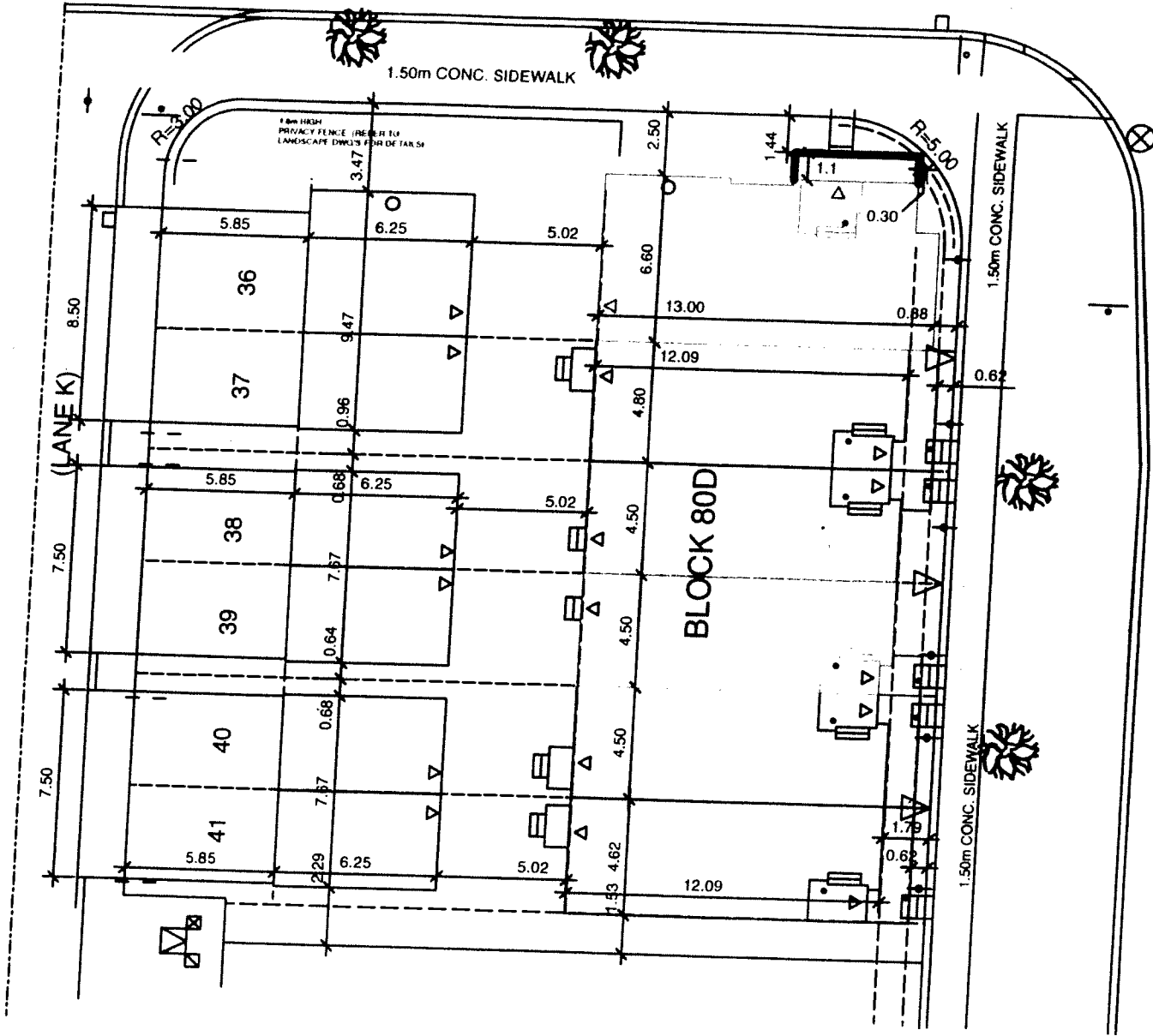
APPLICANT: CORNELL ROUGE DEVELOPMENT CORPORATION
 WEST SIDE DONALD COUSENS PKWY NORTH OF HWY
 7 SOUTH OF 16th AVE

FILE No. ZA12110334(SK)

-  REDUCE MIN. SETBACK BETWEEN REAR PRIVATE GARAGE AND REAR LOT LINE FROM 5 Feet TO 0 Feet
-  5 FEET SETBACK FROM REAR LOT LINE



HONEY GLEN AVENUE



CORNELL ROUGE BOULEVARD

TYPICAL SITE PLAN

APPLICANT: CORNELL ROUGE DEVELOPMENT CORPORATION
 WEST SIDE DONALD COUSENS PKWY NORTH OF HWY
 7 SOUTH OF 16th AVE



LE No. ZA12110334(SK)

CKHAM - CIVIL ENGINEER, SEVERAL COMMISSION Drawn By DD Checked By SK

DATE: 07/27/12

FIGURE No. 8