



MEMORANDUM

TO: Andy Taylor, Chief Administrative Officer

FROM: Biju Karumanchery, Senior Development Manager

PREPARED BY: *Stephen Kitagawa (acting)*
Stephen Kitagawa, Senior Planner – East District

DATE: August 24, 2011

SUBJECT: Delegation of Authority to CAO to call a Public Meeting
Wykland Estates Inc.
Zoning Amendment application to permit roofed porches to encroach into
the required rear yard
File Number: ZA.11-121981

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RECOMMENDATION:

- 1) A statutory Public Meeting be scheduled for Wykland Estates Inc. to permit roofed porches to encroach into the required rear yard within the setback area between the lane accessed private garage and the main building for dwellings in the Residential Two (R2) Zone;

BACKGROUND:

Property and Area Context

The lands subject to the rezoning application are part of a 44.72 ha (110.5 ac) draft plan of 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.

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.

Proposal

The purpose of this zoning by-law amendment is to permit roofed porches to encroach into the required rear yard within the setback area between the lane accessed private garage and the main building for dwellings 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 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 is primarily intended to be compact with grade-related residential development sited in close proximity to the streets to foster pedestrian activity and social interaction. A portion of the lands, located south of Riverlands Avenue are designated Residential Neighbourhood – Cornell Centre, which is intended to accommodate medium and high density residential development. All development is to be accessed from rear lanes. The residential neighbourhoods also include parks and open spaces interconnected through pathways and street-side green linkages. The draft plan conforms with the Secondary Plan.

The lands are currently zoned Agriculture One (A1), by By-law 304-87, as amended.

DISCUSSION:**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 a housekeeping amendment to By-law 177-96 that modified, clarified and added a number of provisions to deal with a variety of issues as well as 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 restricted the depth of roofed porches in the rear yard to 3.0 metres (9.8 ft), provided it is not located in the “required” 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

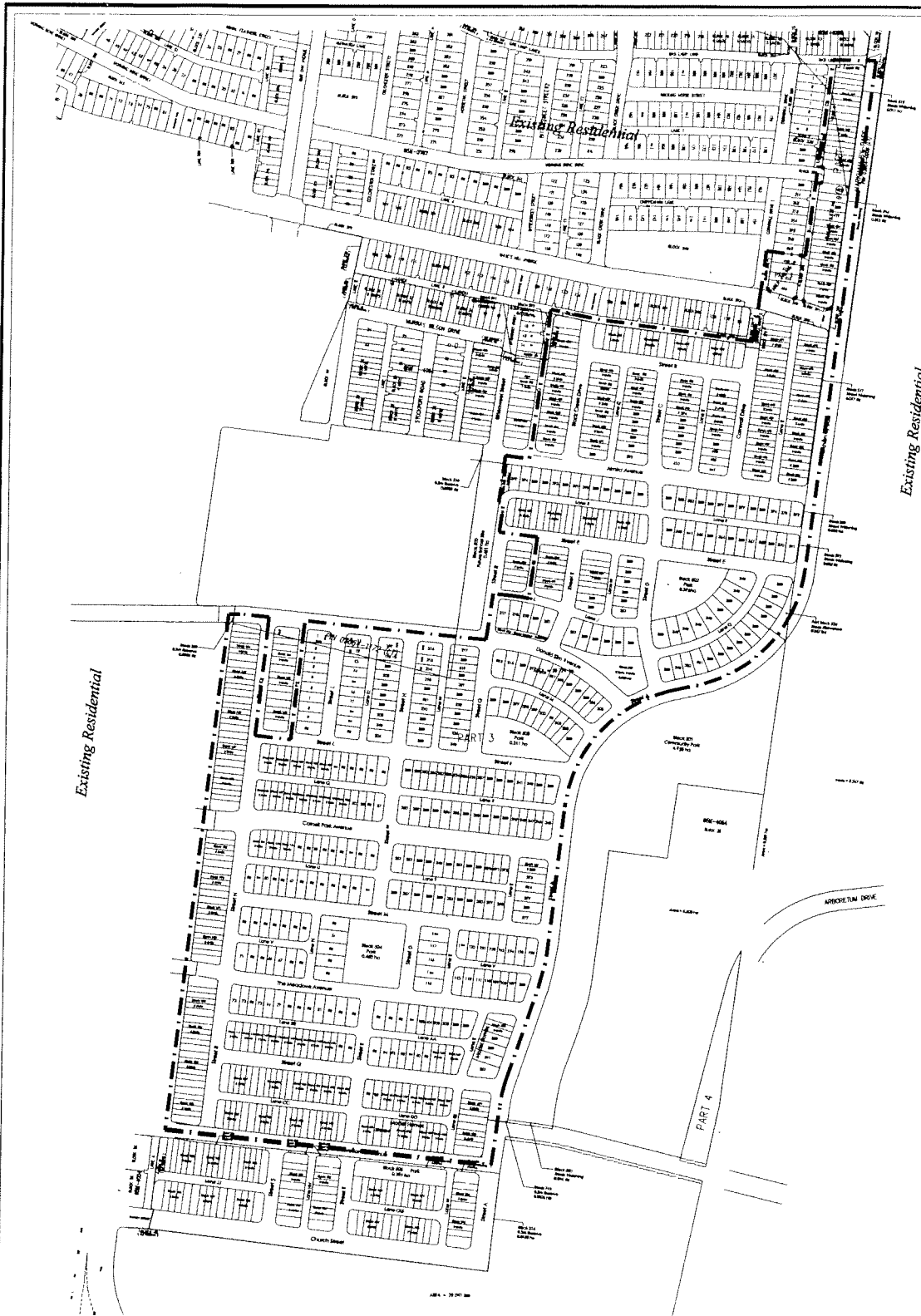
The applicant met with Town staff to review the rationale and design merits of rear roofed porches. It was agreed that it is a design element that the Town could endorse and support. The roofed porch provides a functional design element for weather protection as residents enter their home from the garage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

The Town is contemplating a Town initiated by-law amendment to permit roofed rear porches sometime in the future, however, in order to prevent any delays in construction and closing dates, the applicant is applying for a site specific zoning amendment.

Approximately 30% of the units in the draft plan would be zoned to permit the rear roofed porches

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

Figure 1 – Location Map



PROPOSED ZONING

APPLICANT: WYKLAND ESTATES INC.
 CORNELL COMMUNITY, WEST OF CORNELL CENTRE BLVD.
 SOUTH OF 16TH AVENUE

FILE No: ZA11121981 (SK)

 SUBJECT LANDS

DATE: 08/24/11



DEVELOPMENT SERVICES COMMISSION

DWN BY: DD

CHK BY: SK

SCALE 1:

FIGURE No.1

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