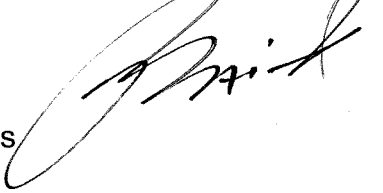




MEMORANDUM

TO: Mayor and Members of Council

FROM: Jim Baird, M.C.I.P., R.P.P.,
Commissioner of Development Services 

PREPARED BY: Daniel Brutto, ext. 2468
Planner, Central District

REVIEWED BY: Richard Kendall, M.C.I.P., R.P.P., ext. 6588
Development Manager, Central District

DATE: June 28, 2016

RE: 9000 McCowan Road and 75 and 77 Havagal Crescent
Application for a Zoning By-law Amendment by Poothappillai
Jeyananthan and Jeyananthan Sumithra to consolidate the zoning
on 9000 McCowan Road, 75 and 77 Havagal Crescent to facilitate
the creation of two single detached residential lots
File No. ZA 15 176434

RECOMMENDATION:

1. That the staff memorandum dated June 28, 2016 regarding an application by Poothappillai Jeyananthan and Jeyananthan Sumithra to consolidate the zoning on 9000 McCowan Road, 75 and 77 Havagal Crescent to facilitate the creation of two single detached residential lots, be received; and,
2. That the zoning by-law amendment attached as Appendix 'A' be enacted without further notice.

BACKGROUND:

On November 12, 2015 Poothappillai Jeyananthan and Jeyananthan Sumithra applied for a Zoning By-law Amendment to consolidate the zoning on 9000 McCowan Road, 75 and 77 Havagal Crescent to facilitate the creation of two single detached residential lots.

The statutory Public Meeting was held on April 26, 2016, at which time DSC passed a resolution to approve the application and refer it directly to Council for the by-law to be adopted. Prior to the adoption of the implementing by-law however, DSC directed staff to follow-up with the applicant with respect to potential adjustments to one of the proposed dwellings (Residence 1) related to the location of the accessory structure (detached garage), the amount of paved area and the setback to the neighbor to the south (see Attachment A – Original Site Plan).)



Following discussions with staff, on May 29, 2016 the applicant provided a refined site plan in response to the concerns raised by members of DSC. The revised plan (see Attachment B – Revised Site Plan) contains the following revisions to Residence 1:

- 1) The accessory structure (detached garage) previously located in the north side yard has been relocated to the south side yard and has been integrated into the dwelling;
- 2) The 2-storey portion of the dwellings' setback to the south lot line has been increased to 8.72 metres, whereas previously it was 2.4 metres. The 1 storey attached garage is setback 2.6 metres from the south lot line;
- 3) The driveway width at the street property line has been reduced from 5.8 metres to 4.5 metres; and,
- 4) The amount of soft landscaping in the front yard has been slightly increased from 45% to 45.6%.

No changes were made to Residence 2.

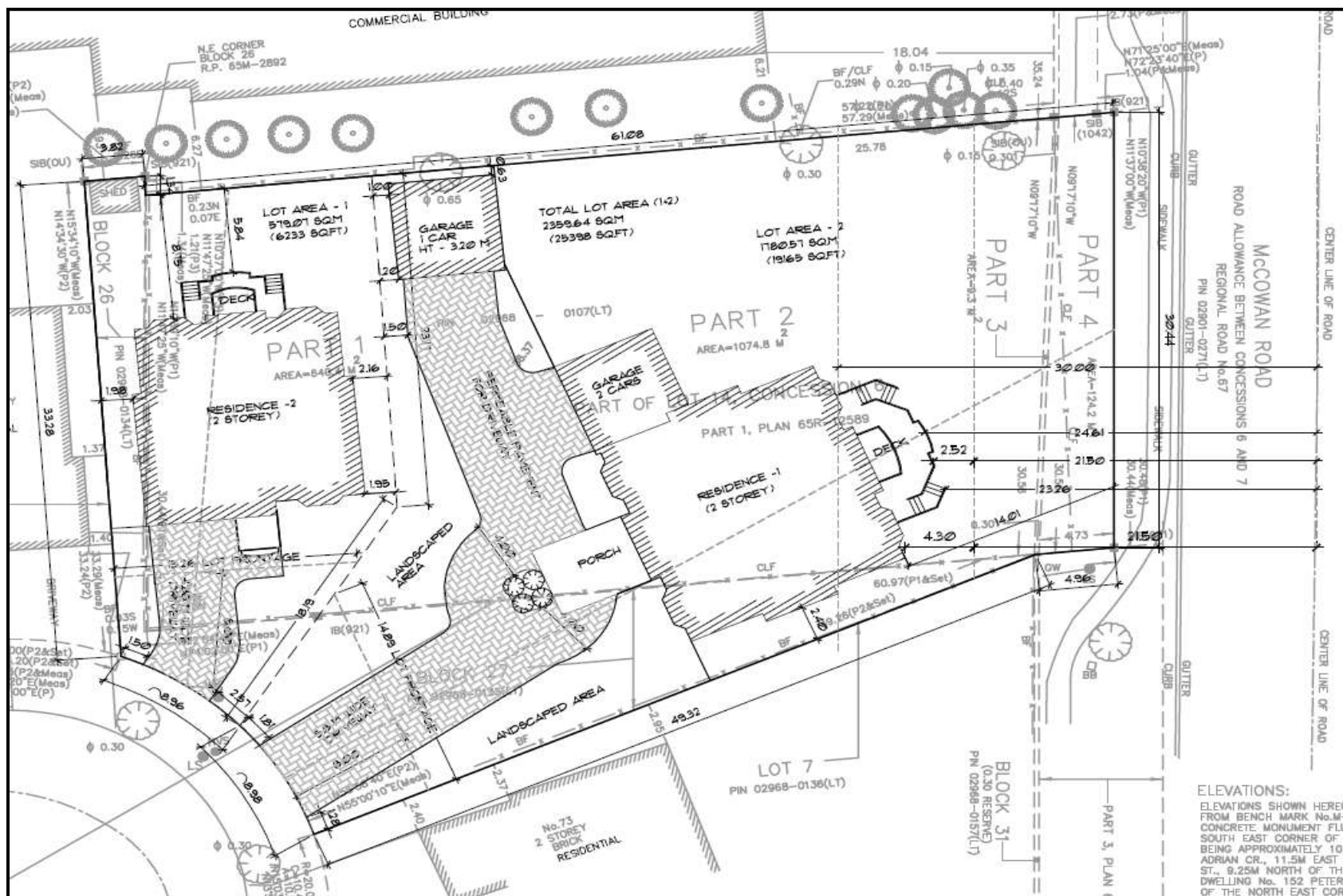
COMMENTS

Staff have reviewed the revised plan submitted and have no concerns with the changes made. The issues raised by DSC and the changes noted above have been reflected in the implementing zoning by-law amendment attached as Appendix 'A'. The applicant has committed to staff to redesign the front balcony and lighting to address bird friendly design criteria at the building permit stage.

Attachment A – Original Site Plan
Attachment B – Revised Site Plan

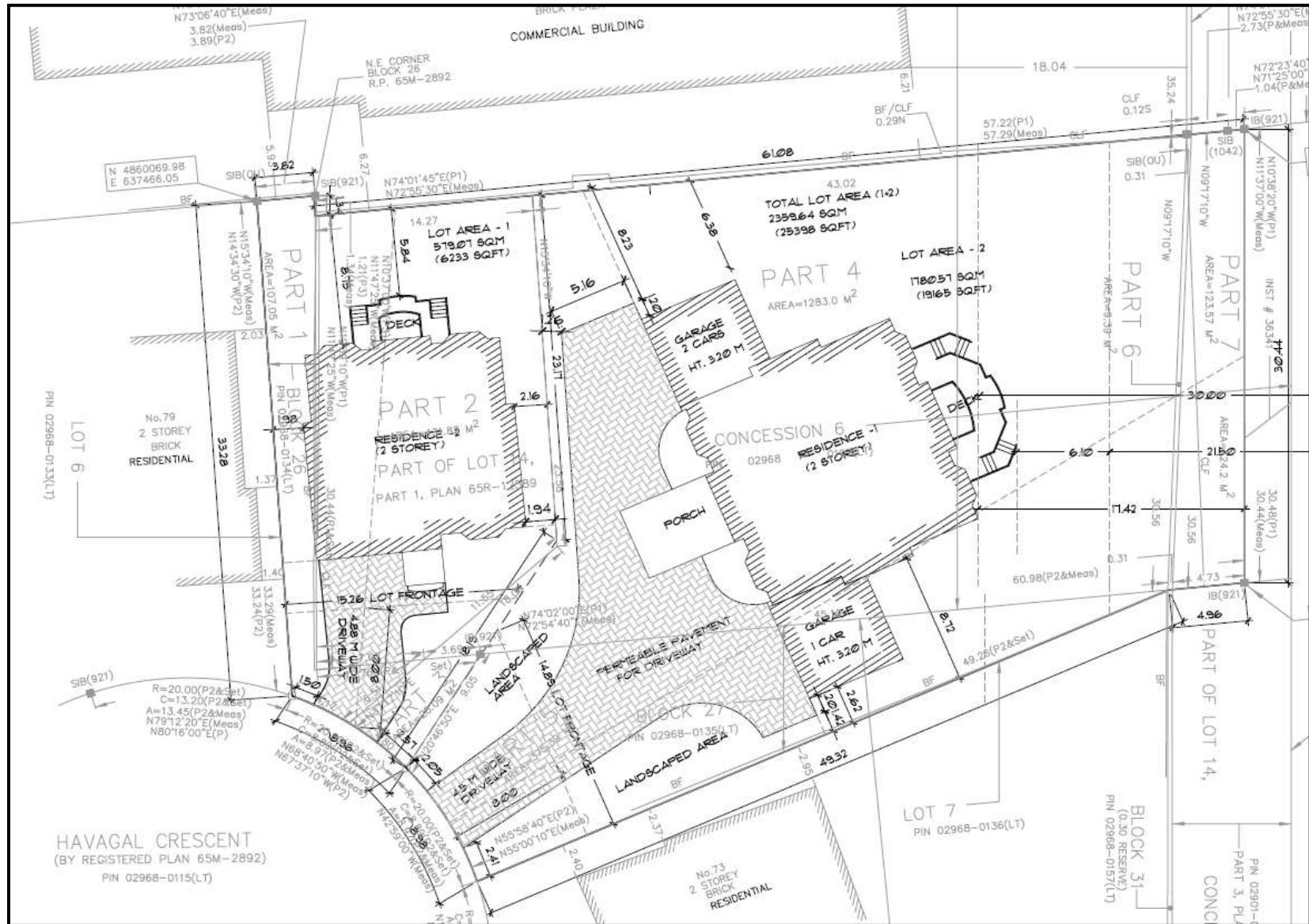
Appendix 'A' – Zoning By-law Amendment

Attachment A – Original Site Plan





Attachment B – Revised Site Plan





EXPLANATORY NOTE

BY-LAW 2016-_____

A By-law to amend By-law 134-79, as amended

**Poothappillai Jeyananthan and Jeyananthan Sumithra
9000 McCowan Road and 75 and 77 Havagal Crescent
CON 6 PT LT 14 65R12589 PT 1
PLAN 65M2892 BLKS 26 AND 27**

Lands Affected

This By-law applies to approximately 0.23 hectares of land municipally known as 9000 McCowan Road and 75 and 77 Havagal Crescent. The lands are located south Manhattan Drive, on the west side of McCowan Road.

Existing Zoning

The subject lands are zoned Eighth Density - Single Family Residential (R8) and Residential Development Zone (RD) under By-law 134-79, as amended.

Purpose and Effect

The purpose and effect of this By-law amendment is to consolidate the zoning on the subject property to Eighth Density – Single Family Residential (R8) under By-law 134-79, as amended, including site-specific development standards, in order to facilitate the creation of two single detached residential lots and the development of two single detached dwellings.



BY-LAW 2016-_____

A By-law to amend By-law 134-79, as amended

The Council of The Corporation of the City of Markham hereby enacts as follows:

1. That By-law 134-79, as amended, is hereby further amended as it applies to the lands outlined on Schedule 'A' as follows:
 - 1.1 By rezoning the lands:

from
Residential Development (RD) Zone
to
Eighth Density - Single Family Residential (R8) Zone

as shown on Schedule 'A' attached to this By-law.
 - 1.2 Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands zoned Eighth Density - Single Family Residential (R8) Zone and shown as Parts 1 and 2 on Schedule 'A' attached to this By-law:

PART 1

- a) Maximum LOT COVERAGE – 36.5%

PART 2

- a) Minimum south SIDE YARD SETBACK
 - i) 2.5 m to a one STOREY portion
 - ii) 8.0 m to any portion of a STOREY above one STOREY
- b) Minimum REAR YARD SETBACK – 17 m
- c) Minimum amount of SOFT LANDSCAPING in the FRONT YARD – 45%.
- d) The provisions of Section 5.13 of By-law 134-79 shall not apply.
- e) The provisions of Section 6.2.4.2 of By-law 28-97 shall not apply.
- f) Maximum projection of a DECK from the point on the DWELLING closest to the REAR LOT LINE – 4.3 m.”

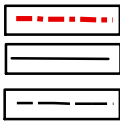
Read a first, second and third time and passed on June 28, 2016.

Kimberly Kitteringham
City Clerk

Frank Scarpitti
Mayor



BY-LAW SCHEDULE "A" TO BY-LAW AMENDING BY-LAW 134-79 DATED



BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE
BOUNDARY OF ZONE DESIGNATION(S)
BOUNDARY OF ZONE DESIGNATION(S)

RD

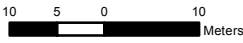
RESIDENTIAL DEVELOPMENT

R8

EIGHTH DENSITY-SINGLE FAMILY RESIDENTIAL



DEVELOPMENT SERVICES COMMISSION



Drawn By:DD Checked By:DB

DATE:05/30/16

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office