

MEMORANDUM

TO: Mayor and Members of Council

FROM: Jim Baird, Commissioner of Development Services
Valerie Shuttleworth, Director of Planning and Urban Design

DATE: January 22, 2008

RE: Mattamy (Country Glen Ltd) and Wykland Estates Inc
South of 16th Avenue, East of Bur Oak Avenue
Cornell Community
Implementing zoning by-law amendments and servicing allocation
File: SU 06-135982 and ZA 06-135983 (19TM-06016)

RECOMMENDATION:

That the zoning application (ZA 06-135983) submitted by Mattamy (Country Glen Ltd) and Wykland Estates Inc, to implement draft plan of subdivision 19TM-06016 (SU 06-135982) south of 16th Avenue, east of Bur Oak Avenue, be approved and the attached amendments to Zoning By-laws 304-87, as amended and 177-96, as amended, be enacted without further notice.

And that servicing allocation for 132.5 units (392.3 population) be granted to plan of subdivision 19TM-06016, and servicing allocation for 13 units (38.7 population) for the remaining unregistered units in plan of subdivision 19TM-030007 be granted from the total allocation for the Cornell Community, assigned in accordance with the June 20, 2006 report on servicing allocation.

BACKGROUND:

On May 15, 2007 a Development Services Committee Public Meeting was held to consider applications for draft plan approval and implementing zoning for a residential plan of subdivision that includes 13.5 single-detached lots, 34 semi-detached lots and 85 townhouse lots (total 132.5 units, including part lots).

The plan of subdivision was draft approved through delegated authority to the CAO (Delegation By-law 2002-202) in August, 2007. The implementing zoning by-laws are attached for approval and enactment.

Servicing allocation is available for the proposed units in 19TM-06016, as well as for 13 remaining units (1 single, 6 semi-detached, 6 townhouse) in a previously draft approved subdivision (19TM-030007). These additional units are intended to be included in the registered plan for 19TM-06016.

Attach.

EXPLANATORY NOTE

BY-LAW 2008 -

A by-law to amend By-law 304-87, as amended

Mattamy (Country Glen) Ltd & Wykland Estates Inc
19TM-06016
Part of Lots 12, 14, 15 and 16, Concession 9
Cornell Planning District

LANDS AFFECTED

The by-law applies to 5.7 ha (14.1 ac) of lands, located south of 16th Avenue, between Bur Oak Avenue and Cornell Centre Boulevard (old Markham By-Pass).

EXISTING ZONING

The lands subject to this By-law are presently zoned Agriculture One (A1) by By-law 304-87, as amended.

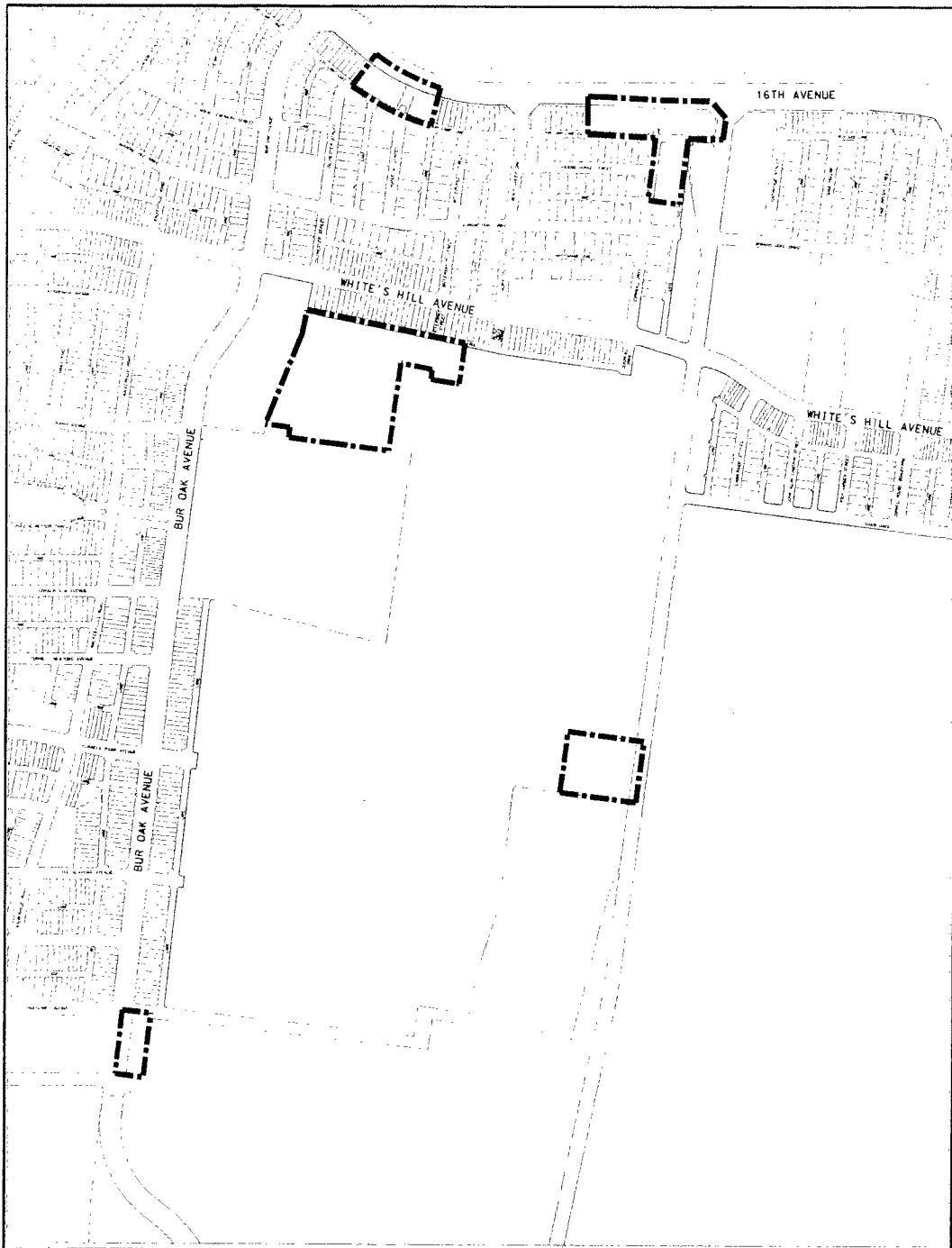
PURPOSE AND EFFECT

The purpose and effect of this by-law is to delete the lands from By-law 304-87, as amended, so that they may be incorporated into By-law 177-96, as amended, to permit residential units and open space blocks.

A by-law to amend By-law 304-87, as amended

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM
HEREBY ENACTS AS FOLLOWS:

1. By-law 304-87, as amended, be and the same is hereby further amended by deleting the lands outlined on Schedule 'A' attached hereto from the designated area of By-law 304-87, as amended.
2. This by-law shall not come into effect until By-law 2008-XXX, amending By-law 177-96, as amended, comes into effect and the lands, as shown on Schedule 'A' attached hereto, are incorporated into the designated area of By-law 177-96, as amended.
3. All other provisions of By-law 304-87, as amended, not inconsistent with the provisions of this by-law shall continue to apply.



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 304-87

--- BOUNDARY OF AREA COVERED BY THIS BY-LAW

THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY 2008

..... MAYOR

..... CLERK

NOTE: 1) DIMENSIONS ARE IN METRES
2) REFERENCE SHOULD BE MADE TO
THE ORIGINAL BY-LAW LODGED IN
THE OFFICE OF THE CLERK

SCALE 1: NTS

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EXPLANATORY NOTE

BY-LAW 2008 -

A by-law to amend By-law 177-96, as amended

Mattamy (Country Glen) Ltd & Wykland Estates Inc
19TM-06016
Part of Lots 12, 14, 15 and 16, Concession 9
Cornell Planning District

LANDS AFFECTED

The by-law applies to 5.7 ha (14.1 ac) of lands, located south of 16th Avenue, between Bur Oak Avenue and Cornell Centre Boulevard (old Markham By-Pass).

EXISTING ZONING

The lands subject to this By-law are presently zoned Agriculture One (A1) by By-law 304-87, as amended.

PURPOSE AND EFFECT

The purpose and effect of this by-law is to incorporate the lands into appropriate residential zone categories within By-law 177-96, as amended. The proposed zoning designation is Residential Two (R2) with exceptions and Open Space (OS1). These zones will permit the proposed 132 residential units and open space.

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM
HEREBY ENACTS AS FOLLOWS:

1. By-law 177-96, as amended, is hereby further amended as follows:
 - 1.1 By expanding the designated area of By-law 177-96, as amended, to include those lands comprising part of Lots 12, 14, 15 and 16, Concession 9, as outlined on Schedule 'A', attached hereto.
 - 1.2 By zoning the lands:

Residential Two (R2) *190
Residential Two (R2) *190 *358
Residential Two (R2) *190 *358*359
Community Amenity Area Three (CA3) *191*360
Open Space One (OS1)
 - 1.3 By adding the following new subsections to Section 7 – EXCEPTIONS, to By-law 177-96:

“7.358 South side of 16th Avenue (Mattamy Country Glen & Wykland Estates)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *358 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.358.1 Special Site Provisions

The following provisions shall apply:

- a) No *buildings* or *structures* or encroachments are permitted within 2.0 m of any *lot line* abutting 16th Avenue.

7.359 Southwest corner of 16th Avenue and Cornell Centre Boulevard (Mattamy Country Glen & Wykland Estates)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *359 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.359.1 Zone Standards

The following specific zone standards apply:

- a) minimum *lot frontage* for an end unit on a *corner lot* – 7.3m
- b) minimum required *exterior side yard* for a *main building* - 2.0m
- c) minimum required *exterior side yard* for *enclosed, unenclosed and roofed walkways* - 0.6m

7.359.2 Special Site Provisions

The following provisions shall apply:

- a) The *lot line* abutting 16th Avenue is deemed to be the *front lot line*.

7.360 East side of Bur Oak Avenue, South of Riverlands Avenue (Mattamy Country Glen & Wykland Estates)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *360 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.360.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *financial institutions*
- b) *repair shops*
- c) *retail stores*

7.360.2 Special Parking Provisions

The following parking provisions shall apply:

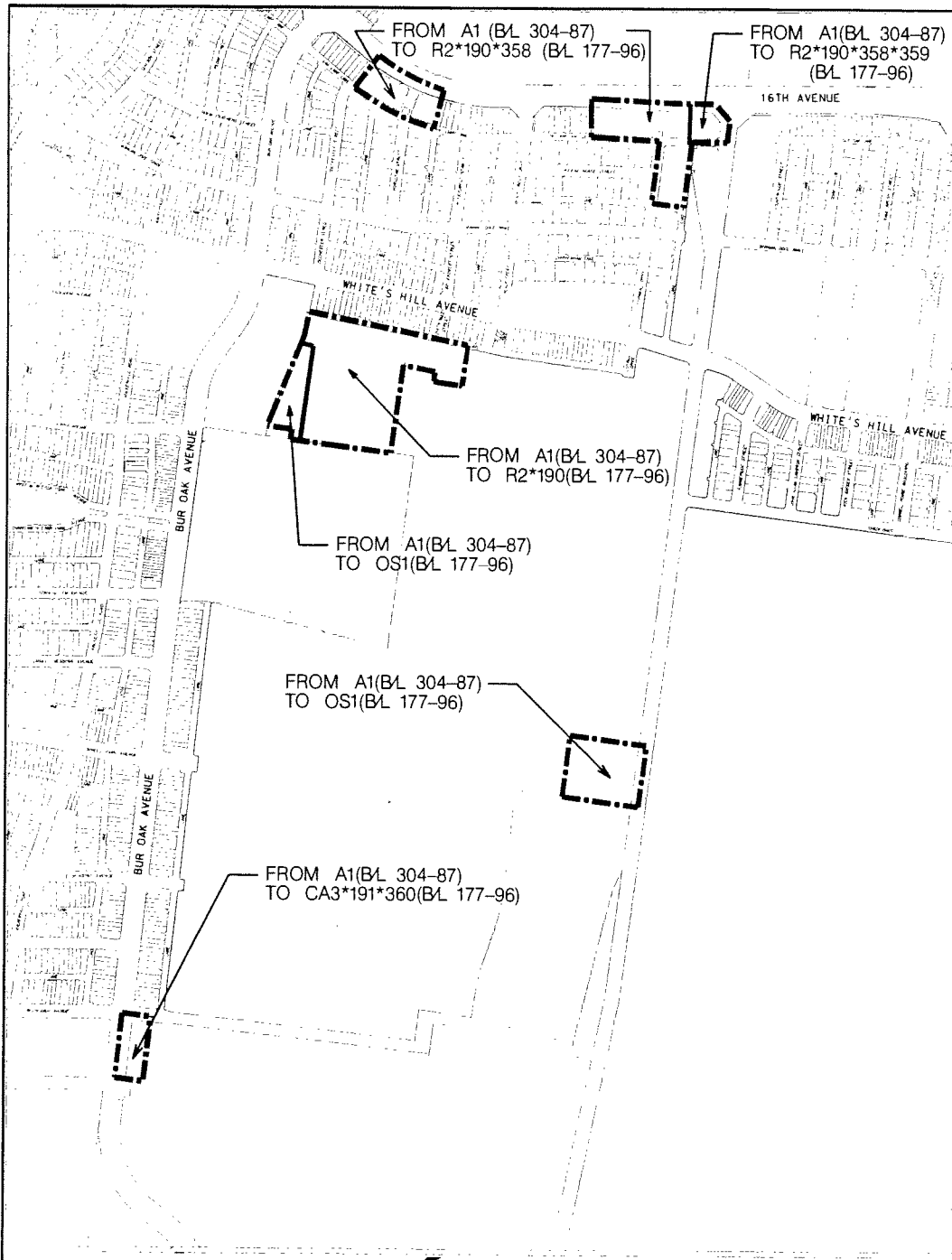
- a) Two (2) additional *parking* spaces are required for permitted commercial uses.

7.360.3 Special Site Provisions

The following additional site provisions apply:

- a) Commercial uses are permitted only in the *first storey* of a *building*.
- b) The maximum permitted *gross floor area* for a commercial or *home occupation* use is 90m²."

2. All other provisions of By-law 177-96, as amended, not inconsistent with the provisions of this by-law shall continue to apply.



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 177-96



BOUNDARY OF AREA COVERED BY THIS BY-LAW
ZONE BOUNDARY

A1 AGRICULTURE ONE
OS1 OPEN SPACE ONE

R2 RESIDENTIAL TWO
CA3 COMMUNITY AMENITY THREE

*No. EXCEPTION SECTION NUMBER

THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY 2008

..... MAYOR

..... CLERK

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SCALE 1: NTS

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