

SUBJECT: PRELIMINARY REPORT
Cornell Rouge Development Corp.
Applications for Secondary Plan and Zoning By-law
Amendment to delete the requirement for retail uses on the
ground floor.
474 Whites Hill Avenue and 498 Cornell Rouge Blvd
File Number: ZA.13-126059 and OP.13-134065

PREPARED BY: Stephen Kitagawa, Senior Planner, East District

REVIEWED BY: David Miller, Manager, East District

RECOMMENDATION:

- 1) That the report dated November 19, 2013, entitled "Preliminary Report, Cornell Rouge Development Corp., Secondary Plan and Zoning By-law Amendment to delete the requirement for retail uses on the ground floor, 474 Whites Hill Avenue and 498 Cornell Rouge Blvd, File Number ZA.13-126059 and OP.13-134065", be received.
- 2) That Staff be authorized to schedule a statutory Public Meeting to consider the proposed By-law Amendment.
- 3) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

This report provides preliminary information on the Secondary Plan and Zoning By-law Amendment applications to permit the subject properties to be developed with one single detached dwelling each without ground floor retail, and seeks authorization to hold a statutory Public Meeting. 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 subject properties, as discussed later in the report, are identified in the Secondary Plan as Neighbourhood Commercial Centres. The properties, municipally known as 474 Whites Hill Ave. and 498 Cornell Rouge Blvd., each have an area of approximately 300 m² (3,300 ft²) and lot frontages of 13 m (42.6 ft) which are comparable to single detached residential lots in the area. The intent of the Cornell Secondary Plan for both properties

is to provide for a limited amount of convenience retail or personal service use on the ground floor while providing for residential uses on the second floor.

The two properties are within the applicant's registered plans of subdivision 65M-3888 and 65M-4093:

1. 474 Whites Hill is located on the north side of Whites Hill Avenue, east of Cornell Rouge Boulevard (Figure 2). Adjacent uses include an urban open space to the west, single detached dwellings to the north and east and townhouses to the south.
2. 498 Cornell Rouge Blvd. is located on the west side of Cornell Rouge Boulevard, north of Riverlands Avenue (Figure 2). Adjacent uses include an urban open space to the south, single detached dwellings to the north, townhouses to the west and a stormwater channel and linear park to the east, across Cornell Rouge Blvd.

474 Whites Hill Avenue was registered as part of Cornell Rouge Development Corp.'s Phase 1 development on March 2nd, 2006, as lot 271, on registered plan 65M-3888. 498 Cornell Rouge Boulevard was registered as part of the applicant's Phase 3 development on September 29, 2008, as lot 87 on registered Plan 65M-4093.

Proposal

Cornell Rouge Development Corp. has submitted Secondary Plan and Zoning By-law amendment applications for 474 Whites Hill Ave. and 498 Cornell Rouge Blvd. The applicant is requesting amendments to permit the two lots to be developed as two single detached dwellings, without retail.

Official Plan and Zoning

The City's Official Plan designates the subject lands Urban Residential. The Cornell Secondary Plan designates these lands Neighbourhood Commercial Centre (Figure 6). The designation provides for a limited amount of convenience retail, personal service and business activity intended to serve local residents, in ground-oriented residential buildings.

Where the Neighbourhood Commercial Centre is identified on the land use schedule of the Secondary Plan, it forms the basis of a Residential Neighbourhood Centre, as identified on the Community Structure Schedule of the Secondary Plan.

Lands identified as a Residential Neighbourhood Centre are required to provide sufficient ground floor retail to meet the convenience retail needs of neighbourhood residents in a mixed use building. Other uses may include compatible personal service, office and daycare uses.

The property at 474 Whites Hill Ave. is zoned Neighbourhood Commercial*194 and the property at 498 Cornell Rouge Blvd. is zoned Neighbourhood Commercial*194 (Hold) (Figure 2). At the time of registration for both Phase 1 and Phase 3, the lands were zoned

to include retail stores, restaurants, take-out restaurants, all not exceeding 120 m² per property. The by-law also requires dwelling units to be located above the first storey.

An amendment to the Secondary Plan and Zoning By-law is requested to delete the requirement for ground floor retail in order to allow the buildings to be used solely as single detached dwellings.

Site plan approved for 474 Whites Hill Ave., 498 Cornell Rouge Blvd., not yet site plan approved

474 Whites Hill Ave. was subject to a previous site plan approval for a mixed use building, which included a commercial use at grade and 2, two bedroom residential apartment units on the second floor. The adjacent urban open space parcel lands were also approved as part of that site plan application. The design of the urban open space was based on the adjacent building being designed for a ground floor commercial use. The building design includes access to the future store entrance via steps and a ramp, larger commercial display windows, hardscaping and planters (features not typical for a building without a commercial use). The development and construction of the urban open space will be completed by the developer, following the construction of the proposed residential dwelling, should the by-law be approved.

The design for 498 Cornell Rouge Blvd. and the adjoining urban open space has not yet been reviewed by City staff. However, similar to 474 Whites Hill Ave., the subdivision agreement secures for the design and construction of the urban open space by the developer.

OPTIONS/ DISCUSSION:

Residential Neighbourhood Centre

The Secondary Plan designates the properties Neighbourhood Commercial Centre and also identifies them as a Residential Neighbourhood Centre (Figure 6) which is generally located at the centre of each neighbourhood, or near the intersection of the principal internal roads (Figures 4 and 5). These centres are intended to provide limited amenities, and a focal point, for individual neighbourhoods.

The Secondary Plan requires medium density housing (townhouses, small plex-type multiple unit buildings and mixed-use buildings) and a small park or urban open space in the Residential Neighbourhood Centre. Convenience commercial uses are also required in those Residential Neighbourhood Centres, that coincides with the location of a Neighbourhood Commercial Centre in the Secondary Plan.

The intended structure of the subject Residential Neighbourhood Centres, as envisioned within the Cornell Secondary Plan, has been partially fulfilled through the construction of the adjacent townhouse blocks and the provision of an urban open space within each of the Residential Neighbourhood Centres. The urban open space provides a focal point for the neighbourhood where residents can gather and enjoy the space, while the townhouses provide the intended medium density residential uses. However, while the Secondary

Plan mandates that convenience commercial uses be included in the Residential Neighbourhood Centres, and while the zoning provides for such uses, these uses have not yet been realized in these centres.

At the time of draft plan approval for the subdivision (Phase 1 and Phase 3) and zoning to permit the mixed uses, the applicant indicated that the mixed use buildings would not be built until sufficient demand existed within the community to support the retail use.

To date there have been two convenience commercial sites built in Cornell. The mixed use complex located on Cornell Park Avenue west of Bur Oak Avenue, developed by Law Development and the commercial unit located on Bur Oak Avenue, north of 16th Avenue, developed by Metrus Developments. The larger mixed use complex, developed by Law Developments, has had a high turnover of tenants since inception. Similarly, the convenience commercial unit, developed by Metrus, has also struggled and has had a number of different tenants in the last few years. The applicant believes that commercial units at 474 Whites Hill Avenue and 498 Cornell Rouge Boulevard may face similar challenges and will become a negative element for the neighbourhoods, rather than serve as a community focal point and meeting place.

It should be noted that mixed use buildings are also provided for in the Cornell Secondary Plan on the east and west side of Bur Oak Avenue, north of the Markham-Stoffville Hospital in the Community Amenity – Bur Oak Corridor designation. This corridor is intended to provide a mixed-use ‘main street’ focus for residential neighbourhoods. The designation provides for residential, commercial and institutional development in a single use and mixed buildings. Mixed use developments have materialized generally to the north of Whites Hill Ave. and it is reasonable that this corridor continue to be the focus for mixed use developments.

Construction of the Urban Open Spaces is the responsibility of the developer

The urban open spaces associated with both Residential Neighbourhood Centres also remain unfinished. The design and construction of the urban open space is the responsibility of the developer according to the conditions in the subdivision agreement. The intent was to integrate the urban open space, the medium density housing, and the convenience commercial. The applicant has indicated that the construction of the urban open spaces will occur shortly after the completion of the proposed single detached dwellings, in order to prevent any damage to the landscaping in the urban open space. The applicant indicated that they have periodically reviewed the possibility of moving forward with the construction of the mixed use buildings and the adjoining urban open spaces, however, the demand for the retail use has not materialized.

ISSUES/CONCERNS:

Community structure of Cornell

The residential neighbourhoods are the fundamental structural element of the Cornell community. Cornell neighbourhoods are to be pedestrian-friendly, self-contained areas with a mix of uses and activities. The focus of each residential neighbourhood is a

residential neighbourhood centre that is comprised of medium density forms of housing, small scale convenience commercial uses and an urban open space or small park. The applicant has indicated that, although the required convenience commercial uses in Cornell Secondary Plan are an integral part of the community structure, they are of the opinion that it will not be a viable use at the two subject locations. Staff will review the proposal and determine whether the amendments are appropriate.

Landscape plans to be submitted should the by-law be approved

Should the proposed by-law amendment be approved, the applicant will be required to submit a landscape plan for the urban open space blocks, that is suited to the proposed residential dwellings on each of the lots.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed applications will align with the City's strategic priority of Growth Management.


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 reviewed and if appropriate, incorporated into the zoning by-law amendment, should it be approved.

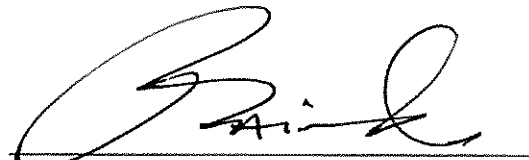
CONCLUSION:

Staff recommend that a statutory Public Meeting be held to consider the proposed amendment.

RECOMMENDED BY:



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



Jim 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 – Context Map – 474 Whites Hill Ave

Figure 5 – Context Map – 498 Cornell Rouge Blvd.

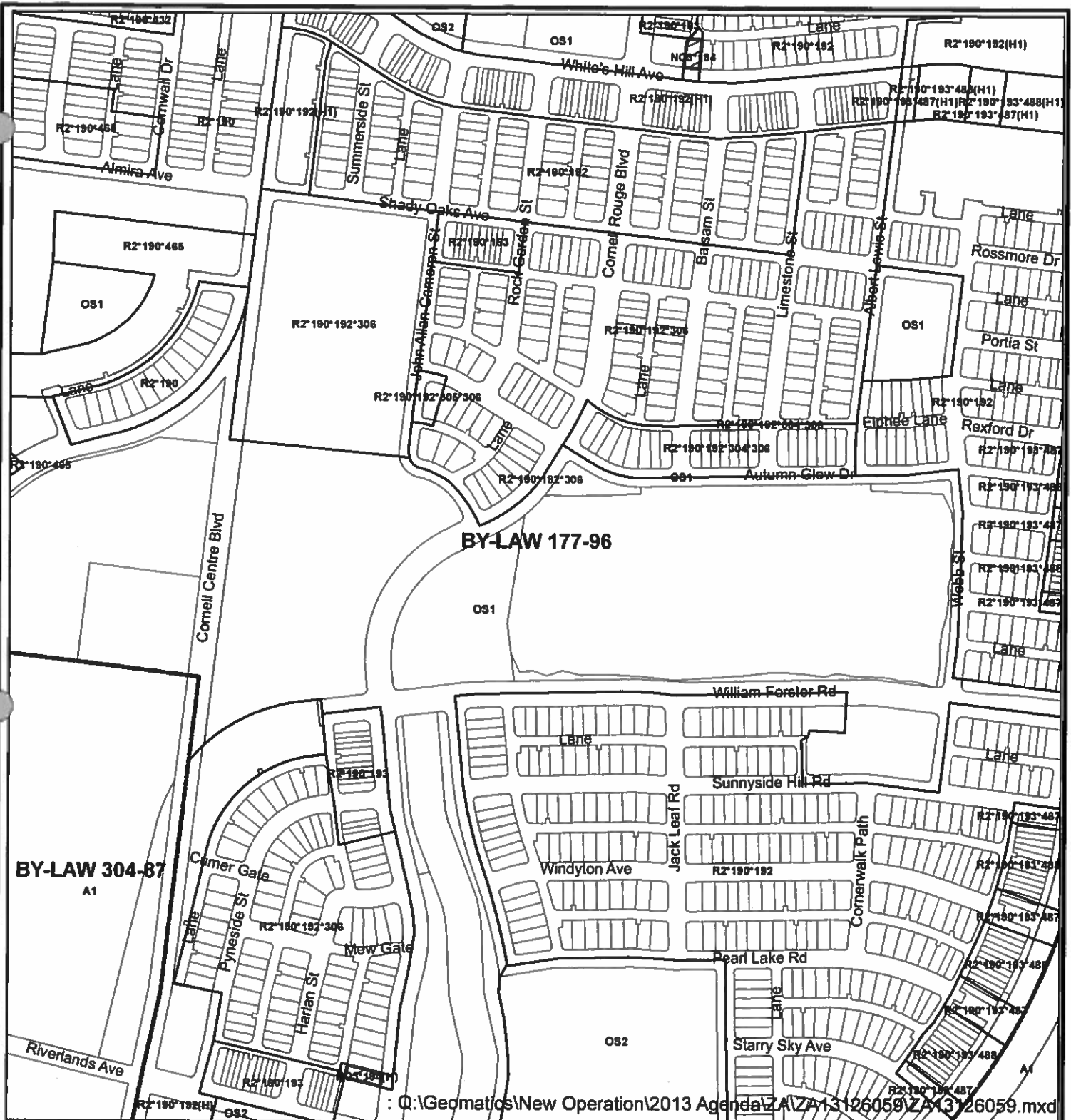
Figure 6 – Community Structure

APPLICANT/AGENT:

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AREA CONTEXT/ZONING

APPLICANT: CORNELL ROUGE DEVELOPMENT CORP

FILE No. ZA13126059(SK)





AIR PHOTO 2012

APPLICANT: CORNELL ROUGE DEVELOPMENT CORP

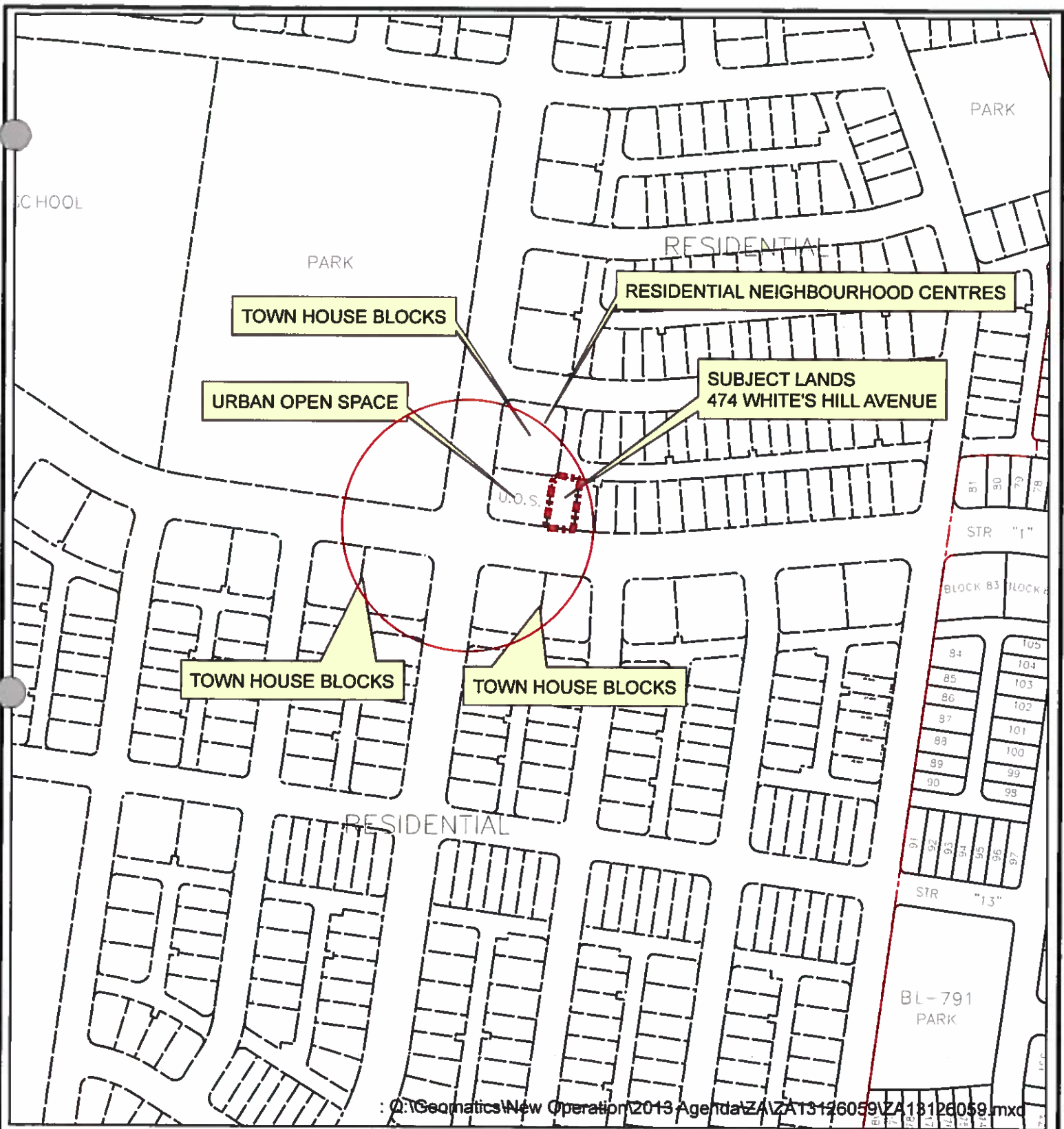
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 SUBJECT LANDS



DATE: 10/24/13

FIGURE No. 3



CONTEXT MAP 474 WHITE'S HILL AVENUE

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