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**SUBJECT: PRELIMINARY REPORT**

Akilan Kanagasabapathy  
Applications for Official Plan and Zoning By-law  
Amendment to permit one single-detached dwelling fronting  
onto 14<sup>th</sup> Avenue and two single-detached dwellings fronting  
onto Deib Crescent  
5077 14<sup>th</sup> Avenue

File Nos. OP/ZA 15 107711

**PREPARED BY:** Sabrina Bordone, M.C.I.P., R.P.P., ext. 8230  
Senior Planner, Central District

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

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**RECOMMENDATION:**

- 1) That the report titled "PRELIMINARY REPORT, Akilan Kanagasabapathy, Applications for Official Plan and Zoning By-law Amendment to permit one single-detached dwelling fronting onto 14<sup>th</sup> Avenue and two single-detached dwellings fronting onto Deib Crescent, 5077 14<sup>th</sup> Avenue, File Nos. OP/ZA 15 107711" be received;
- 2) That a Public Meeting be held to consider the applications;
- 3) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

The purpose of this report is to provide preliminary information on the proposed development applications and to seek 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 applications.

**Applications deemed complete**

The applications were deemed complete by staff on December 9, 2015.

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**BACKGROUND:**

The subject lands are located on the south side of 14<sup>th</sup> Avenue, west of McCowan Road and are municipally known as 5077 14<sup>th</sup> Avenue (Figure 1). The lands are approximately 0.207 ha (0.5 ac) and have frontages on 14<sup>th</sup> Avenue and Deib Crescent. The subject lands contain a one-storey single-detached dwelling, detached garage, and mature vegetation (Figure 3) and take their access off 14<sup>th</sup> Avenue. Surrounding uses are comprised primarily of low-density residential development.

**Proposal for residential development**

The applicant is proposing to demolish the existing single-detached dwelling and detached garage and develop the subject lands for the purposes of three single-detached lots. One of the proposed lots will front onto 14<sup>th</sup> Avenue, and two of the proposed lots will front onto Deib Crescent (Figure 4). A future severance application will be required to create the two additional lots.

As depicted on Figure 4, a 6 metre servicing easement, in favour of the City, will be accommodated along the east side of Lot 2. The purpose of this easement is to provide municipal sanitary service from Deib Crescent to Lot 1 fronting onto 14<sup>th</sup> Avenue.

Staff is satisfied that the adjacent development parcel to the east has independent development potential and the proposed development does not prejudice future redevelopment of the same.

**Official Plan and Zoning**

The subject lands are designated “Urban Residential” in the in-force Official Plan (1987 Revised) and “Residential Low Rise” in Markham’s new Official Plan 2014 (as partially approved on October 30, 2015). Both designations provide for a variety of grade-related, low density housing types, including single-detached dwellings as proposed.

The lands are designated “Urban Residential (Low Density)” in the Armadale Secondary Plan (PD24-1), which forms part of the in-force Official Plan. This designation provides for single detached dwellings, semi-detached dwellings and single attached dwellings such as street townhouses.

Sections 6.2.3 (c) and (d) of the Secondary Plan establish that landowners in the area, which is east of Brimley Road, “may calculate their permitted number of dwelling units on the basis of 13.6 units per hectare of GROSS RESIDENTIAL AREA”. On this basis the Applicant is permitted a total of 2.8 units [(13.6 x 0.207 ha (Gross Residential Area))]. The Applicant is proposing a total of 3 units, therefore exceeding the density permission (this is equivalent to 14.49 uph). Accordingly, the Applicant has submitted an application for Official Plan Amendment to address this secondary plan policy.

Section 6.2.3 (i) of the Armadale Secondary Plan states “Residential lots adjacent to McCowan Road, 14<sup>th</sup> Avenue, Middlefield Road extension, Brimley Road extension and Denison Street shall be required to develop with reversed lot frontages”. As the

Applicant is proposing one single-detached lot fronting onto 14<sup>th</sup> Avenue, the requested amendment to the Secondary Plan also addresses this requirement.

Staff note that final approval of Markham's new Official Plan 2014 (as partially approved on October 30, 2015) would result in the Armadale Secondary Plan (PD 24-1) being repealed and therefore, the above noted sections would no longer be applicable.

The subject lands are zoned "Residential Development" (RD) by By-law 90-81, as amended (Figure 2). The RD zone only permits one single family detached dwelling on the lot which existed when site specific By-law 119-87 (the "site specific by-law") was passed (March 24, 1987). In addition, the minimum lot frontage and lot area shall be those which existed on the date the site specific by-law was passed. The RD zoning is an interim zoning category used pending the approval of a specific development proposal and zoning on lands having redevelopment potential.

The Applicant is proposing to rezone the lands to "Eighth Density – Single Detached Residential" (R8), consistent with the other lots on Deib Crescent. The proposed lots comply with the lot frontage and area requirements of the R8 zone, with the exception of Lot 3 which has a lot area of 459.07 m<sup>2</sup> whereas, the By-law requires 460 m<sup>2</sup>. In the event of approval, a site specific exemption to the implementing Zoning By-law will be incorporated to this effect.

#### **OPTIONS/ DISCUSSION:**

The following is a brief summary of issues raised to date. These matters, and others identified through the circulation and detailed review of the proposal, will be addressed, if necessary, in a final report to Committee:

- 1) Confirmation of available servicing allocation.
- 2) The Region of York has jurisdiction over 14<sup>th</sup> Avenue. The Owner is required to address the Region's requirements (i.e. road widening and ingress/egress).
- 3) Technical studies including Functional Servicing Report, Tree Inventory and Preservation Plan and Planning Justification Report are under review by staff.
- 4) Staff are of the opinion that the proposed Official Plan amendment is considered to be of local significance and will not adversely impact Regional interest. Accordingly, staff have requested that the proposed amendment be exempt from Regional approval.
- 5) A 0.3 metre reserve exists along the Deib Avenue frontage (Block 268, Plan 65M-3078). In order to remove the 0.3 reserve, and provide legal access from Deib Crescent, the Applicant will be required to provide release letters from Rust Developments Ltd. and Armadale Group South, confirming that the Applicant has paid their proportionate share of road and municipal servicing costs.

#### **FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

Not applicable.

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**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.


**ALIGNMENT WITH STRATEGIC PRIORITIES:**

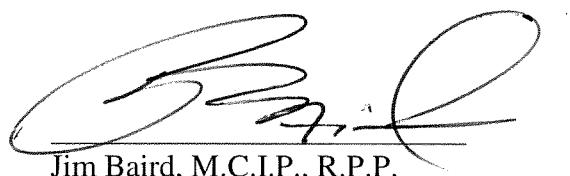
The proposed applications will be reviewed in the context of the City's strategic priorities of Growth Management and Municipal Services.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The applications have been circulated to various City departments and external agencies and are currently under review.

**RECOMMENDED BY:**

  
Ron Blake, 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/Zoning
- Figure 3: Aerial Photo
- Figure 4: Proposed Site Plan

**AGENT:**

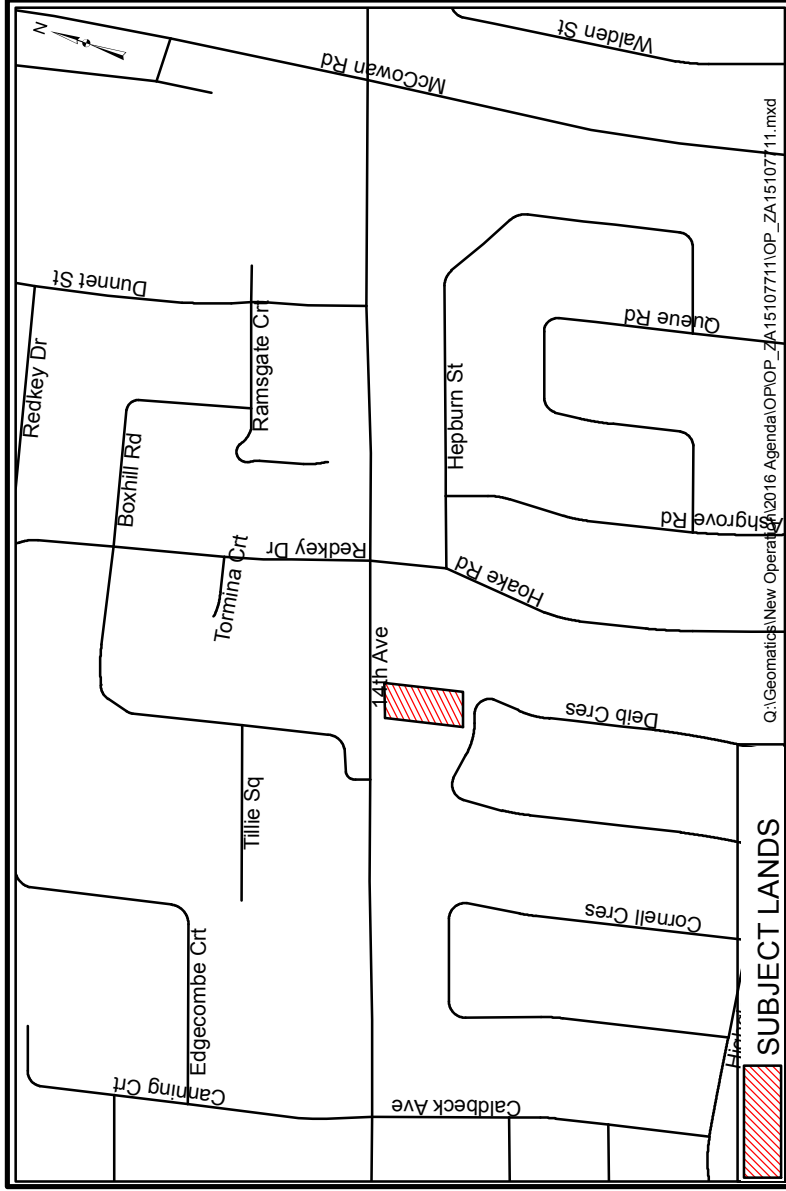
Mr. Jim Kotsopoulos  
JKO Planning Services Inc.  
27 Fieldflower Cres.  
Richmond Hill, ON  
L4E 5E9

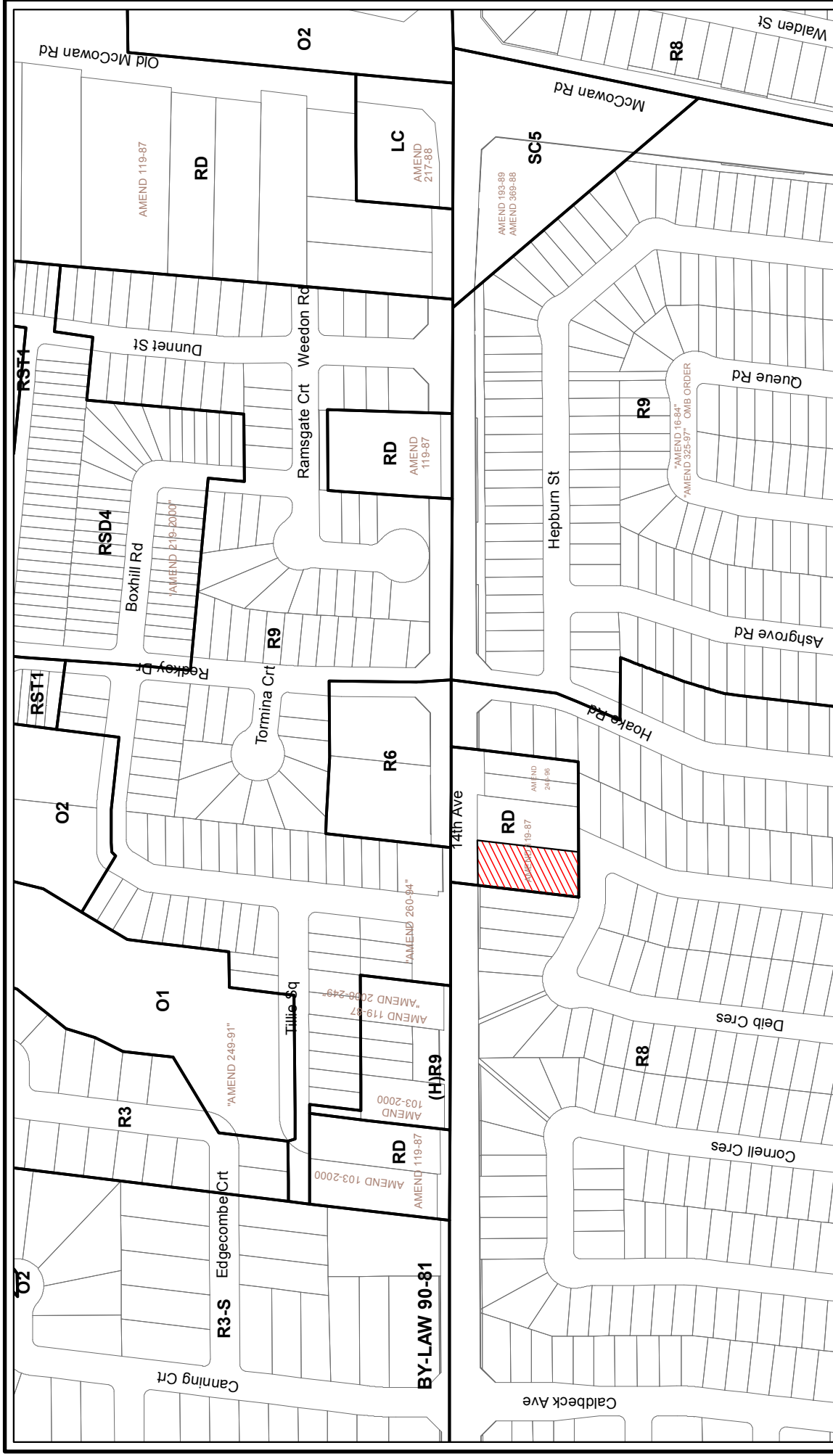
Tel: (416) 435-5876

Email: [jkoPlanning@gmail.com](mailto:jkoPlanning@gmail.com)

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# AREA CONTEXT / ZONING

APPLICANT: AKILAN KANAGASABAPATHY  
5077 14TH AVENUE

FILE No. OP\_ZA15107711 (SB)

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MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

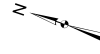
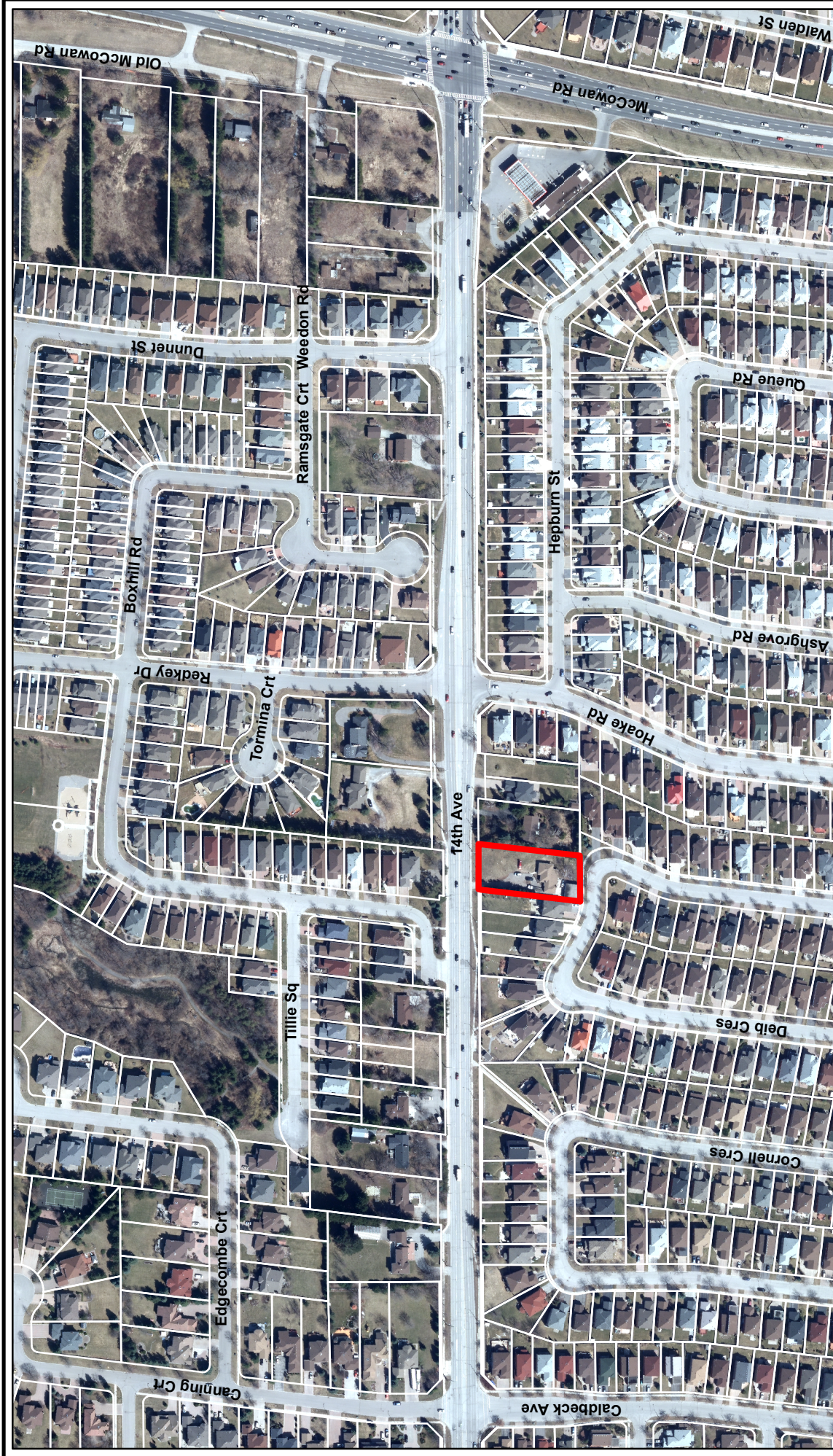
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FIGURE No. 2

 SUBJECT LANDS






# AIR PHOTO

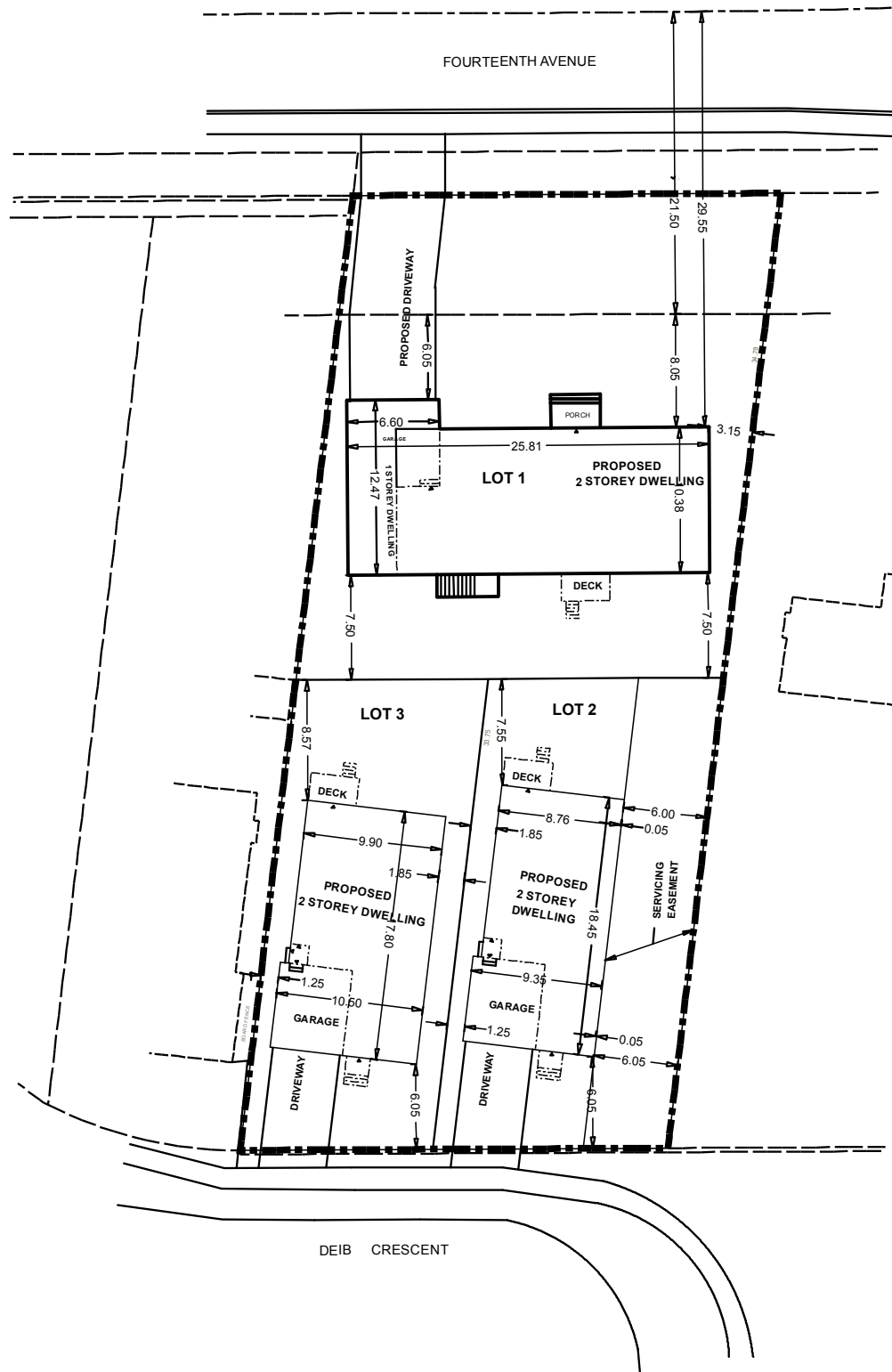
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5077 14TH AVENUE

FILE No. OP\_ZA15107711 (SB)

 SUBJECT LANDS

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# PROPOSED SITE PLAN

APPLICANT: AKILAN KANAGASABAPATHY  
5077 14TH AVENUE

FILE No. OP\_ZA15107711

--- SUBJECT LANDS

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DATE: 29/02/2016



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FIGURE No. 4