

Date:	Tuesday, January 30, 2024		
Application Type:	Zoning By-law Amendment (the “Application”)		
Owner:	Sarena Properties Ltd. (the "Owner")		
Agent:	Sarena Properties Ltd.		
Proposal:	Temporary Use Zoning By-law Amendment application to permit outdoor storage of vehicles and accessory office uses within the existing building for a 3-year period (the “Proposed Development”)		
Location:	197 and 199 Langstaff Road East (the “Subject Lands”)		
File Number:	PLAN 23 141980 000	Ward:	1
Prepared By:	Aaron Chau ext. 3279, Planner I, East Planning District		
Reviewed By:	Clement Messere, MCIP, RPP Development Manager, West District	Stephen Lue, MCIP, RPP Senior Manager, Development	

PURPOSE

This preliminary information pertains to the Application submitted by the Owner and contains general information on the applicable Official Plan policies and the identified issues and should not be taken as Staff’s opinion or recommendation.

PROCESS TO DATE

Staff received the Application on October 5, 2023, with supplemental material on November 28, 2023 when it was deemed complete. The 90-day period set out in the *Planning Act* before the Owner can appeal to the Ontario Land Tribunal for a non-decision ends on February 26, 2024.

NEXT STEPS

- Statutory Public Meeting is scheduled for January 30, 2024
- Recommendation Report for consideration by the Development Services Committee (“DSC”), if required
- In the event of an approval, enactment of the site-specific Zoning By-law Amendment

BACKGROUND

Subject Lands and Area Context

The 0.80 ha (1.97 ac) Subject Lands are located west of Bayview Avenue and south of Highway 407, and within the Langstaff Gateway Secondary Plan Area (the “Secondary Plan Area”).

Residential dwellings are located on each property that fronts along Langstaff Road East. Outdoor storage of vehicles is located on the remainder of the Subject Lands, as shown on Figures 1 and 2. Figure 3 shows the surrounding land uses.

Proposal

The Owner submitted the Application to permit a temporary use for outdoor storage of vehicles and accessory business office uses within the existing buildings on the Subject Lands for a three-year period. No new buildings are proposed.

In 2015, the City approved a temporary use by-law on the Subject Lands and in 2019, an extension was granted

The 2015 Temporary Use Zoning By-law included the following special provisions:

- a) Parking is not required for the temporary uses
- b) Business office shall only locate within buildings existing on the date of the passing of this By-law
- c) Additions to existing building are not permitted
- d) Construction of new buildings is not permitted
- e) Outdoor storage shall be screened from Langstaff Road
- f) The installation of additional impermeable surface material is not permitted

In 2019, the City granted an extension for another 3-year period. If approved, the Application would extend these previously approved temporary use by-laws.

In 2008, the Ontario Municipal Board (“OMB”) approved the first temporary use by-laws for several properties in the Langstaff area for outdoor storage and business offices uses

The 2008 OMB approval pertains to the properties municipally identified as 139, 195, 196, 198, 201, 203, and 205 Langstaff Road East, and 3, 5, and 21 Essex Avenue. The intent was to allow the uses for a temporary period until water and sanitary sewer services would be made available to allow the area to be redeveloped in accordance with the Langstaff Gateway Secondary Plan. The City approved numerous three-year period extensions for these properties. In 2015, the City also approved a temporary use by-law to permit outdoor storage and business office uses for a three-year period at 109 and 117 Langstaff Road East.

In total, 14 properties, including the Subject Lands, within the Secondary Plan Area have been subject to temporary use by-laws since 2008, which are similar to the Proposed Development (see Figure 4).

The following tables summarize the Official Plan and Secondary Plan Information

Table 1: Markham 2014 Official Plan Information	
Current Designation:	'Mixed Use High Rise'
Permitted uses:	The 'Mixed Use High Rise' designation are priority areas for development where the greatest levels of intensification are intended to take place in Markham.

Table 2: Langstaff Gateway Secondary Plan Information	
Current Designation:	'Residential - Mixed Use'; 'Parks and Open Space'
Permitted uses:	<u>'Residential - Mixed Use'</u>: permits apartments or other multiple dwelling forms, above the ground floor. The ground floor shall be designed to accommodate civic uses, retail, personal service, office and other non-residential uses compatible with the primary residential use. These uses may able be permitted on second floors. <u>'Parks and Open Space'</u>: permits a multi-use trail system, parks, parkettes, valleylands and associated buffers, a woodlot and other open space and environmental protection area features.

A Zoning By-law Amendment application is required to permit the Proposed Development

Table 3: Zoning By-law Information	
Current Zone:	'Residential (R1) Zone', subject to By-law 2551, as amended (see Figure 3)
Permissions:	One single-family detached dwelling; Place of Worship; Elementary School; Parks; Public Utilities
Proposal:	Outdoor storage and business office uses are not permitted within the current zone. The Owner submitted the Application to temporarily permit outdoor storage of vehicles and accessory office uses within the existing buildings on the Subject Lands for a three-year period.

Staff identified the following preliminary list of matters that will be assessed through the review of the Application, including other matters and issues, and addressed in a future Recommendation Report to the DSC, if required

- a) Conformity and Consistency with Provincial, York Region and the City Official Plan**
 - i) Review of the Proposed Development in the context of the existing policy framework, specifically Section 39 of the *Planning Act*, which authorizes Council to pass temporary use by-laws; Section 10.2.6 of the Markham 2014 Official Plan, which outlines the provisions and considerations for Temporary Use Zoning By-laws; and the Langstaff Gateway Secondary Plan.
- b) Evaluation of the compatibility with existing and planned development within the surrounding area**
- c) External Agency Review**
 - i) The Application has been circulated to York Region, the Ministry of Transportation, CN Rail and Metrolinx, among other agencies and any applicable requirements must be incorporated into the Proposed Development.

Accompanying Figures:

Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: Area Context and Zoning

Figure 4: Lands Where Temporary Use By-laws Have Been Approved (Since 2008)

Figure 1

Location Map

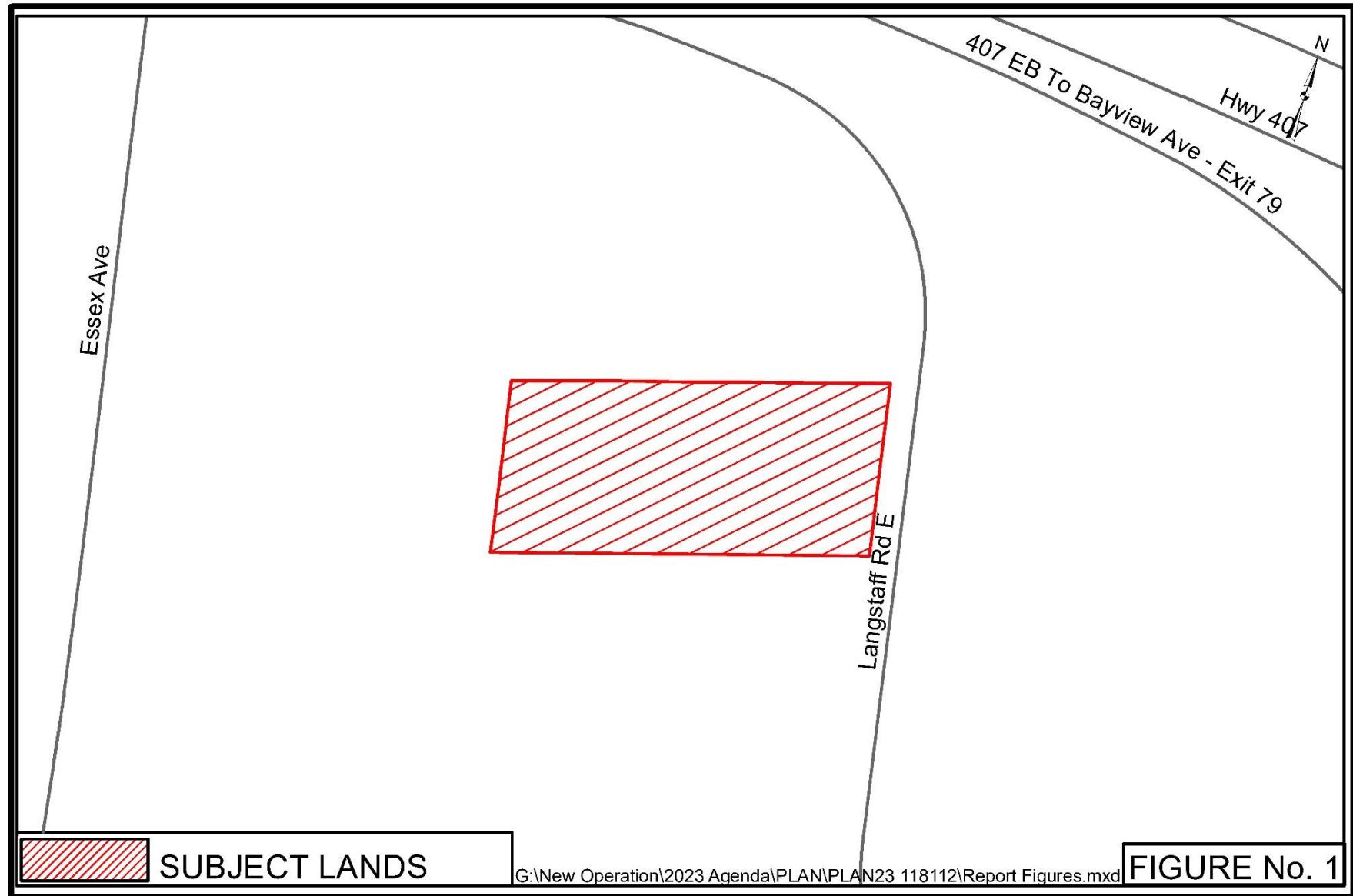


Figure 2

Aerial Photo



Figure 3

Area Context and Zoning

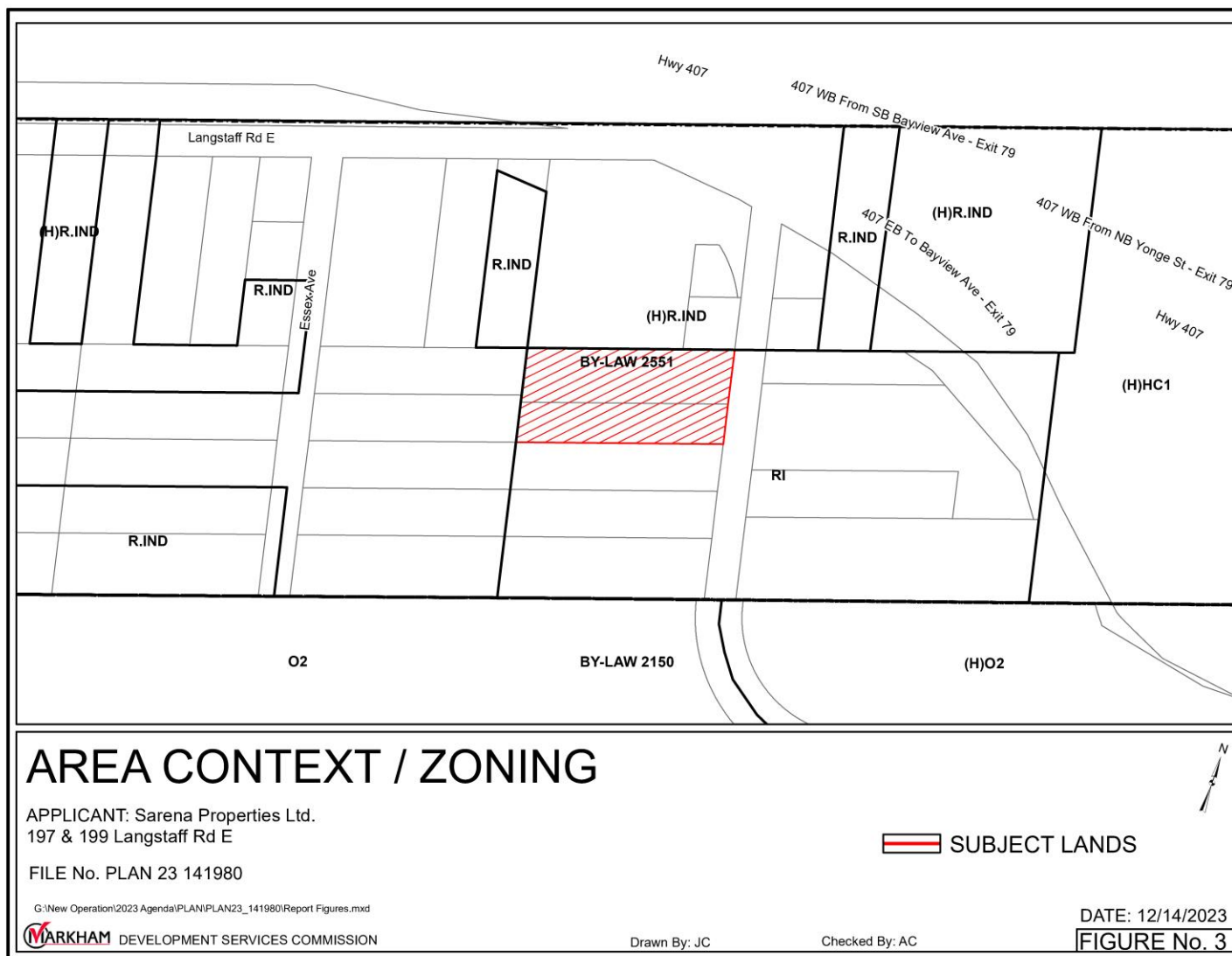


Figure 4

Lands Where Temporary Use By-laws Have Been Approved (Since 2008)



LANDS WHERE TEMPORARY USE BY-LAWS HAVE BEEN APPROVED (SINCE 2008)

APPLICANT: Sarena Properties Ltd.
197 & 199 Langstaff Rd E

FILE No. PLAN 23 141980

 SUBJECT LANDS

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 MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: JC

Checked By: AC

DATE: 1/3/2024

FIGURE No. 4