

Date:	Tuesday, May 14, 2024		
Application Type:	Zoning By-law Amendment (the “Application”)		
Owner:	Langstaff Land Holdings Ltd. and Pino Grande Holdings (the "Owner")		
Agent:	Gatzios Planning + Development Consultants Inc. (James Koutsovitis)		
Proposal:	Temporary use by-law to permit outdoor storage for a three-year period (the “Proposed Development”)		
Location:	3, 5, 21 Essex Avenue and 139, 201, 203, 205 Langstaff Road East (the “Subject Lands”)		
File Number:	PLAN 24 161315 000	Ward:	1
Prepared By:	Hussnain Mohammad ext. 2443, Planner I, West Planning District		
Reviewed By:	Daniel Brutto, MCIP, RPP Acting 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 February 8, 2024, with supplemental material received on March 7, 2024, 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 June 5, 2024.

NEXT STEPS

- Statutory Public Meeting is scheduled for May 14, 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 3.1 ha. (7.6 ac.) Subject Lands are comprised of seven (7) municipally addressed properties generally located south of Highway 407, north of the Holy Cross Catholic Cemetery between Cedar Avenue and Bayview Avenue, within the Langstaff Gateway Secondary Plan Area (the “Secondary Plan Area”). The Subject Lands are currently occupied by business offices, outdoor storage and other light industrial uses (See Figure 1 and 2). Figure 3 shows the surrounding land uses.

Proposal

The Owner submitted the Application to permit temporary outdoor storage on the Subject Lands for a three-year period. No new buildings are proposed.

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 which included the Subject Lands

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 Subject Lands, except for 139 Langstaff Road East, were subject to now expired temporary use by-laws approved in 2019

The 2019 temporary use by-laws permitted business offices and outdoor storage subject to the following special provisions 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

If approved, the Proposed Development would effectively extend these previously approved temporary use by-laws with the exception of the business office use permission which the Owner is not requesting at this time.

Draft Plan of Subdivision and Zoning By-law Amendment application have been received for 201, 203, 205 Langstaff Road East and 3, 5 Essex Avenue

In 2021 the City received Draft Plan of Subdivision applications for the lands known municipally as 201 - 206 Langstaff Road East and 3 - 17 Essex Avenue. The applications contemplate high rise and mixed use development in accordance with the Langstaff Gateway Secondary Plan and are under review.

The following tables summarize the Official Plan and Secondary Plan Information

Table 1: Markham 2014 Official Plan Information	
Current Designation:	<u>'Residential High Rise'</u> and <u>'Mixed Use High Rise'</u>
Permitted uses:	<p><u>'Mixed Use High Rise'</u>: priority areas for development where the greatest levels of intensification are intended to take place in Markham.</p> <p><u>'Residential High Rise'</u>: permits residential intensification adjacent to existing or planned transit routes along arterial and major collector roads. Dwelling forms include townhouse excluding back-to-back townhouse, stacked townhouse, apartment building, and buildings associated with day care centres, places of worship and public schools. Buildings must have a minimum height of three storeys, except for lower podium heights attached to the main building, and a maximum building height of 15 storeys, unless otherwise specified in a secondary plan or an area or site-specific policy.</p>

Table 2: Langstaff Gateway Secondary Plan Information	
Current Designation:	<u>'Residential'</u> , <u>'Residential - Mixed Use'</u> and <u>'Parks and Open Space'</u>
Permitted uses:	<p><u>'Residential'</u>: townhouses, apartments, and other multiple dwelling forms no less than three storeys</p> <p><u>'Residential - Mixed Use'</u>: apartments or other multiple dwelling forms, above the ground floor, which 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 be permitted on second floors.</p>

Table 2: Langstaff Gateway Secondary Plan Information	
	‘Parks and Open Space’: a multi-use trail system, parks, parkettes, valleylands and associated buffers, a woodlot and other open space and environmental protection area features. ‘Environmental Protection Area – Woodland’: lands containing natural features set aside for conservation including woodlot management

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

The Proposed Development is subject to Zoning By-law 2551, as amended, as shown in Figure 3.

Table 3: Zoning By-law Information	
Current Zone:	139 Langstaff Road East: ‘(Hold) Rural Industrial Zone’ 3, 5 and 21 Essex Avenue: ‘(Hold) Rural Industrial Zone’ 201, 203 and 205 Langstaff Road East: ‘Residential (R1) Zone’
Permissions:	‘(Hold) Rural Industrial Zone’: Wholesaling, manufacturing, processing, packaging, bottling, printing, repairing or warehousing which is conducted wholly within enclosed buildings; showrooms and offices; open storage in the rear yard only of new goods and materials; Retail sales accessory to the principal industrial use on the same lot. ‘Residential (R1) Zone’: One single-family detached dwelling; Place of Worship; Elementary School; Parks; Public Utilities
Proposal:	Outdoor storage is not permitted within the current zones. The Owner submitted a Temporary Use Zoning By-law Amendment application to permit outdoor storage 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 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

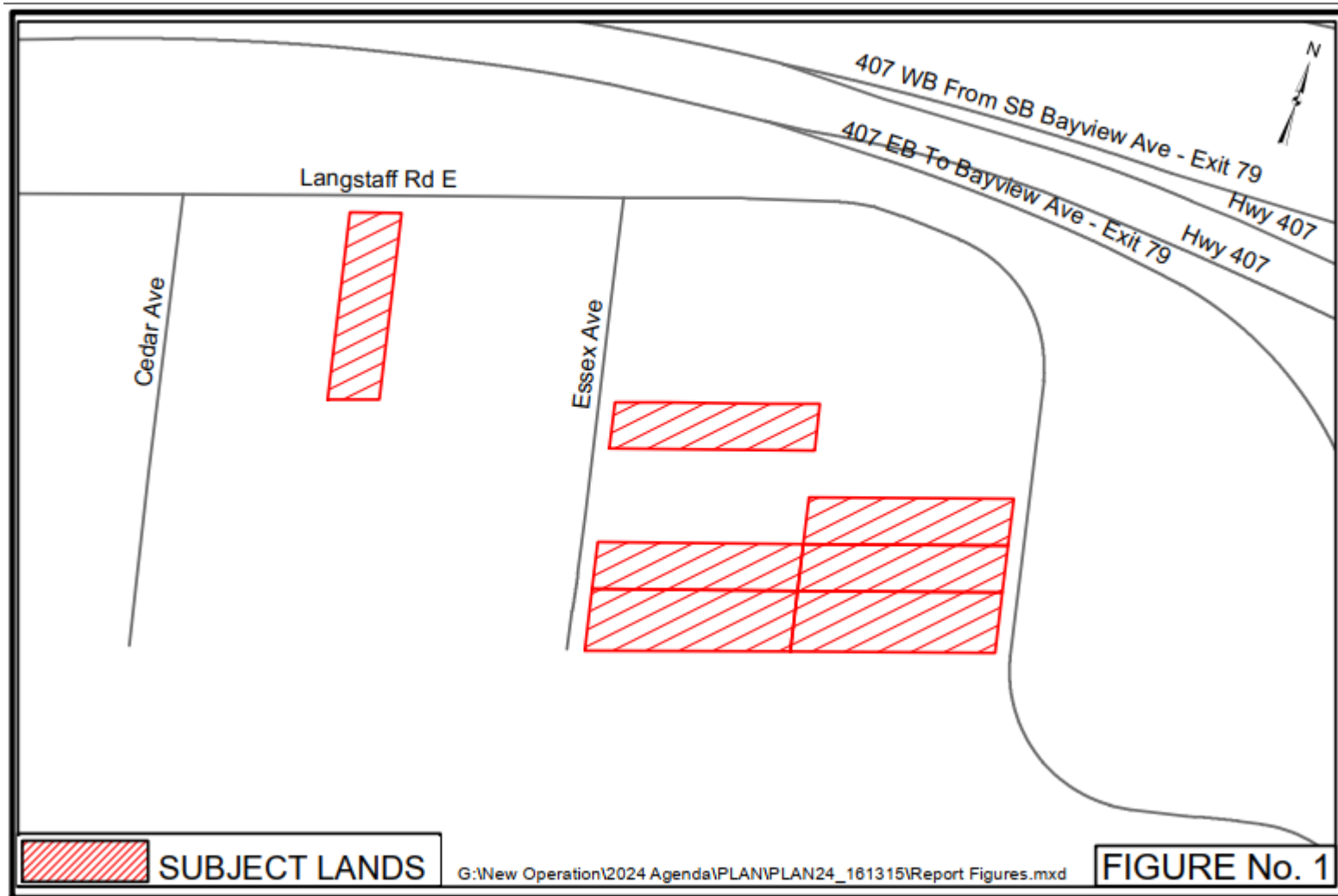


Figure 2

Aerial Photo

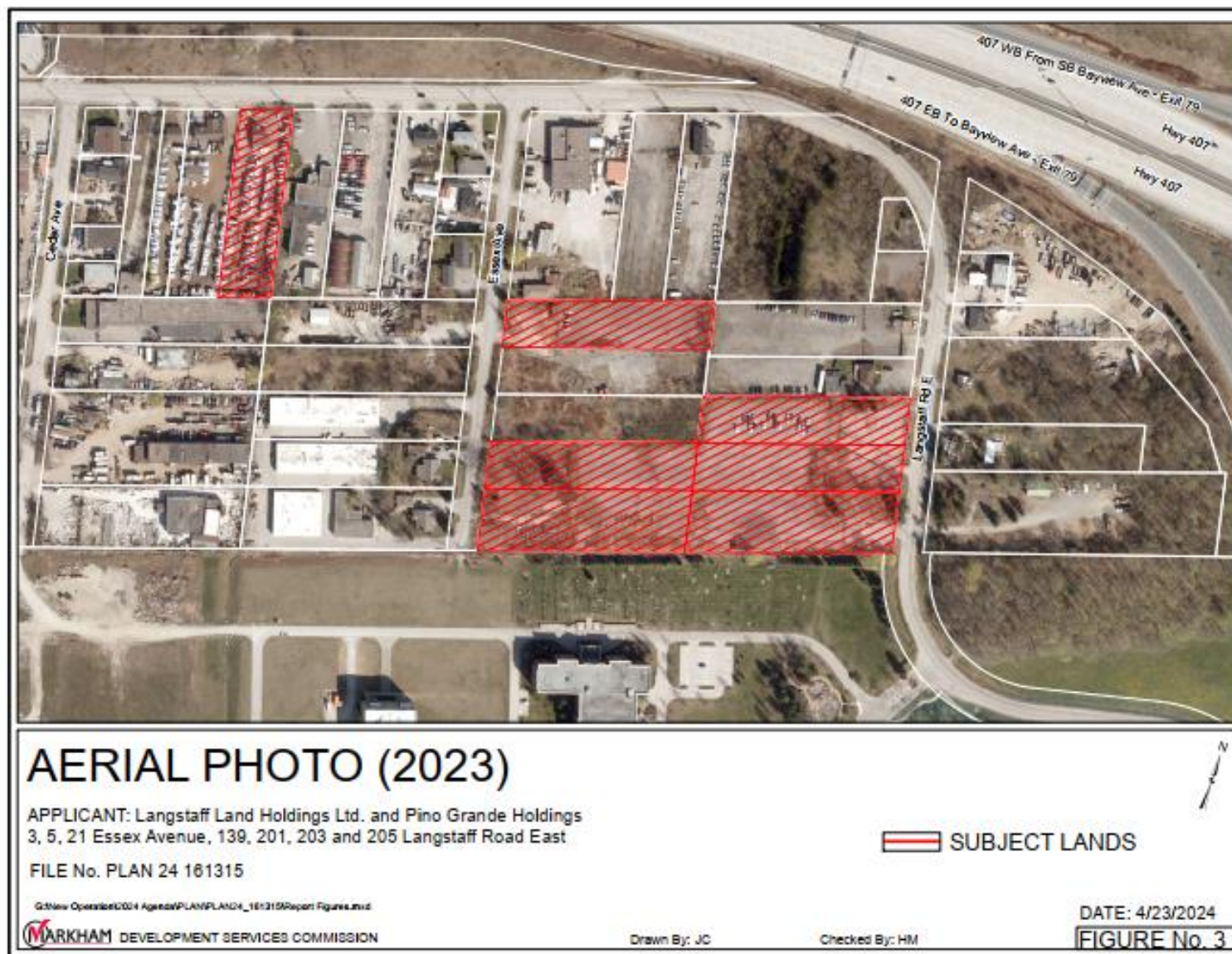


Figure 3

Area Context and Zoning

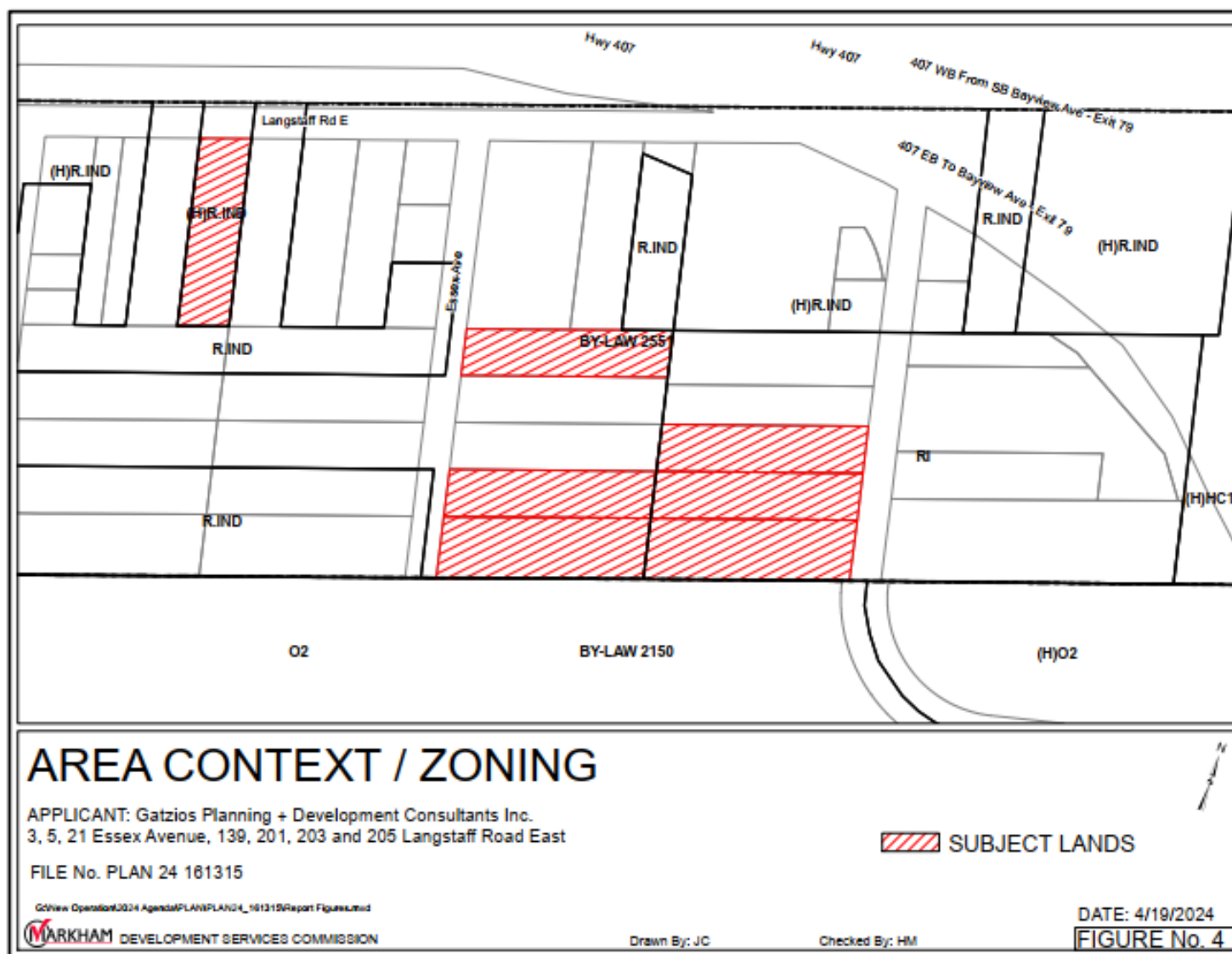


Figure 4

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

