



## MEMORANDUM



**TO:** Heritage Markham Committee

**FROM:** Evan Manning, Senior Heritage Planner

**DATE:** August 14, 2024

**SUBJECT:** Proposed Minister's Zoning Order  
Langstaff Gateway Secondary Plan Area  
139 Langstaff Road East "Armand Robineau Bungalow"

**File:** 23 148479 Plan

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**Property/Building Description:** One-storey former dwelling constructed c.1928 as per municipal records

**Use:** Light Industrial (formerly residential in use)

**Heritage Status:** 139 Langstaff Road East is *listed* on the City of Markham's Register of Properties of Cultural Heritage Value or Interest

### **Application/Proposal**

#### *Minister's Zoning Order*

- The City has received a request to support a Minister's Zoning Order ("MZO") for the eastern part of the Langstaff Gateway Secondary Plan area. The area is bounded by Holy Cross Cemetery to the south, Cedar Avenue to the west, and Highway 407 to the north and east (the "Subject Lands") (refer to Appendix 'A');
- There is one property listed on the City of Markham's Register of Properties of Cultural Heritage Value or Interest (the "Heritage Register") contained within the Subject Lands at 139 Langstaff Road East (refer to Appendices 'B' and 'C');
- The demonstration plan provided with the MZO application does not include the retention of this building.

#### *What is a Minister's Zoning Order?*

- The *Planning Act* allows the Minister of Municipal Affairs and Housing ("MMAH") to make zoning orders that regulate the use of land (this function is typically carried out by municipal governments);
- Zoning order requests are made or refused at the discretion of the minister. The minister may consider requests submitted by parties such as ministries, municipalities, organizations, businesses, or individuals;
- An MZO is similar to a zoning by-law. It can:
  - permit the use of land (for example, manufacturing, housing, health care, long term care uses);
  - prohibit the use of land (for example, to protect an environmentally sensitive feature)
  - regulate location, use, height, size and spacing of buildings and structures.

- If there is a conflict between an MZO and a municipal zoning by-law, the MZO prevails. Further, an MZO cannot be appealed to the Ontario Land Tribunal.

## **Background**

### *Context*

- The 21.4 ha (52.9 ac) Subject Lands currently contain a variety of uses including light industrial, outdoor storage, natural heritage, and, in limited instances, residential;
- In April 2022, the MMAH issued an MZO (Ontario Regulation 345/22) for the western part of the Langstaff Gateway Secondary Plan area as part of the implementation of its Bridge Station Transit Orientated Community (“TOC”). The Bridge Station TOC reflects the provincial decision to relocate the planned subway station from Yonge Street to the nearby CN Rail Line. The Part IV-designated Munshaw House is located within these lands.

## **Legislative/Policy Context**

### *Ontario Heritage Act*

- As described above, 139 Langstaff Road East is listed on the Heritage Register. Note that “listing” a property as provided for by Section 27 (3) of the Ontario Heritage Act (the “Act”) does not necessarily mean that the property is municipally-considered to be a significant cultural heritage resource, rather it provides a mechanism for the municipality to be alerted of any application to demolish the on-site structure(s), and provides time for evaluation of the property for potential designation under Part IV of the Act. At this time, a demolition application has not been submitted.

### *Official Plan*

- Concerning the identification and recognition of ***cultural heritage resources***, Chapter 4.5.2.4 of the Official Plan (2014) (“OP”) states that it is the policy of Council:
 

*To ensure consistency in the identification and evaluation of ***cultural heritage resources*** for inclusion in the ***Register of Property of Cultural Heritage Value or Interest*** and/or for individual property designation, by utilizing the criteria for determining ***cultural heritage*** value or interest established by provincial regulation under the Ontario Heritage Act and criteria included in Markham’s Heritage Resources Evaluation System.*
- Concerning the protection of ***cultural heritage resources***, Chapter 4.5.3.2 of the OP states that it is the policy of Council:
 

*To give immediate consideration to the designation of any ***significant cultural heritage resource*** under the Ontario Heritage Act if that resource is threatened with demolition, inappropriate alterations or other potentially adverse impacts.*

### *Langstaff Gateway Secondary Plan*

- In 2011, the Langstaff Gateway Secondary Plan (the “LGSP”) was approved, which provides a vision for an urban and transit-focused community with specific policies and related requirements for a community consisting of approximately 32,000 people

(15,000 units) and 15,000 jobs. The proposed MZO would increase the density of the Subject Lands beyond what was contemplated in the Council-adopted LGSP (refer to the Appendix 'D' for a concept plan);

- Seven properties were identified as being of heritage significance (See Appendix 'D'). Six were Group 2 and one was Group 1.
- Section 10.0 ("Cultural Heritage Polices") of the LGSP provides the following direction relevant to the proposal:

*c) It is the intent of this Secondary Plan to encourage and facilitate the retention and conservation of buildings of architectural and/or historical merit and to promote the integration of these resources into new development proposals in their original use or an appropriate adaptive re-use.*

*d) Prior to any development approvals, Council shall obtain a recommendation from the municipal heritage committee (Heritage Markham) as to whether any existing heritage buildings should be preserved within the Planning District, relocated or can be demolished.*

#### *Heritage Resource Evaluation System*

- The Subject Property was researched and evaluated in 2007 using the City's Heritage Building Evaluation System. It was evaluated as a Group 2 Heritage Building, i.e. "those buildings worthy of preservation";
- Heritage Markham Committee accepted the results of the Building Evaluation Sub-Committee.

#### **Staff Comment**

- Heritage Section staff have no objection from a heritage perspective to the proposed MZO.

#### **Suggested Recommendation for Heritage Markham**

THAT Heritage Markham has no comment from a heritage perspective to the proposed Minister's Zoning Order for the eastern portion of the Langstaff Gateway Secondary Plan area;

AND THAT consideration of the listed heritage resource at 139 Langstaff Road East be addressed as part of future development applications.

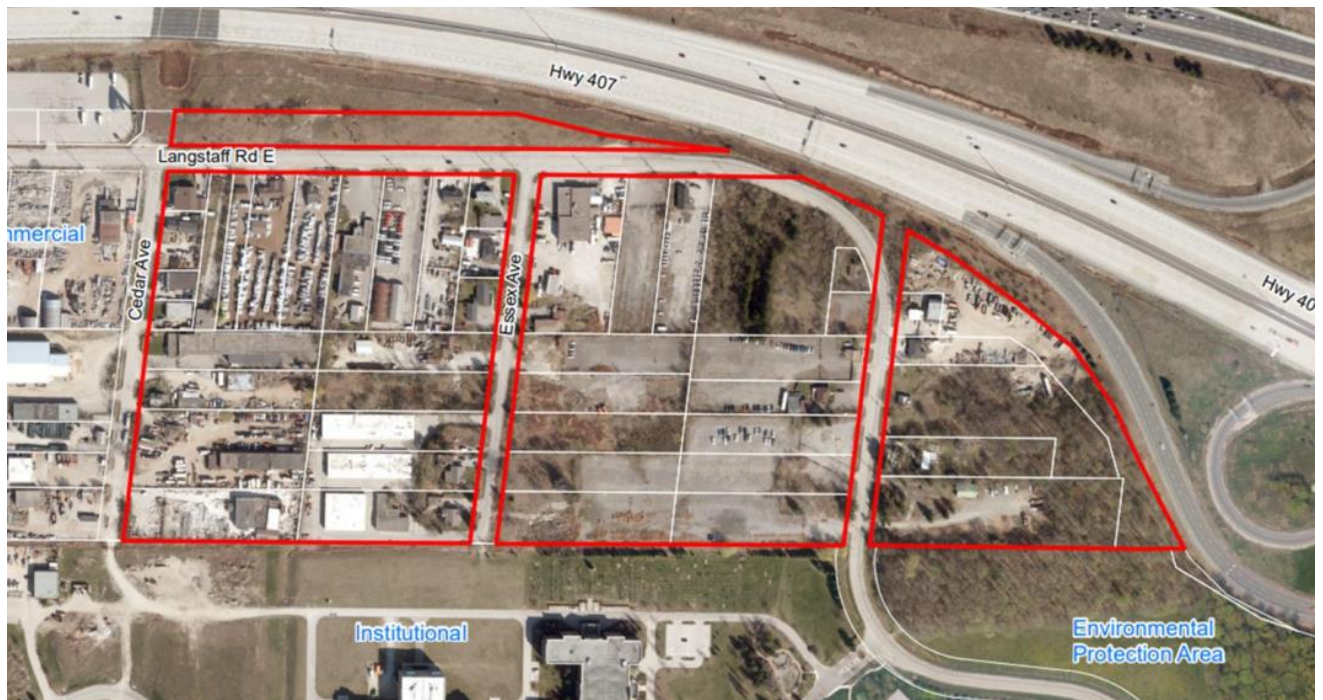
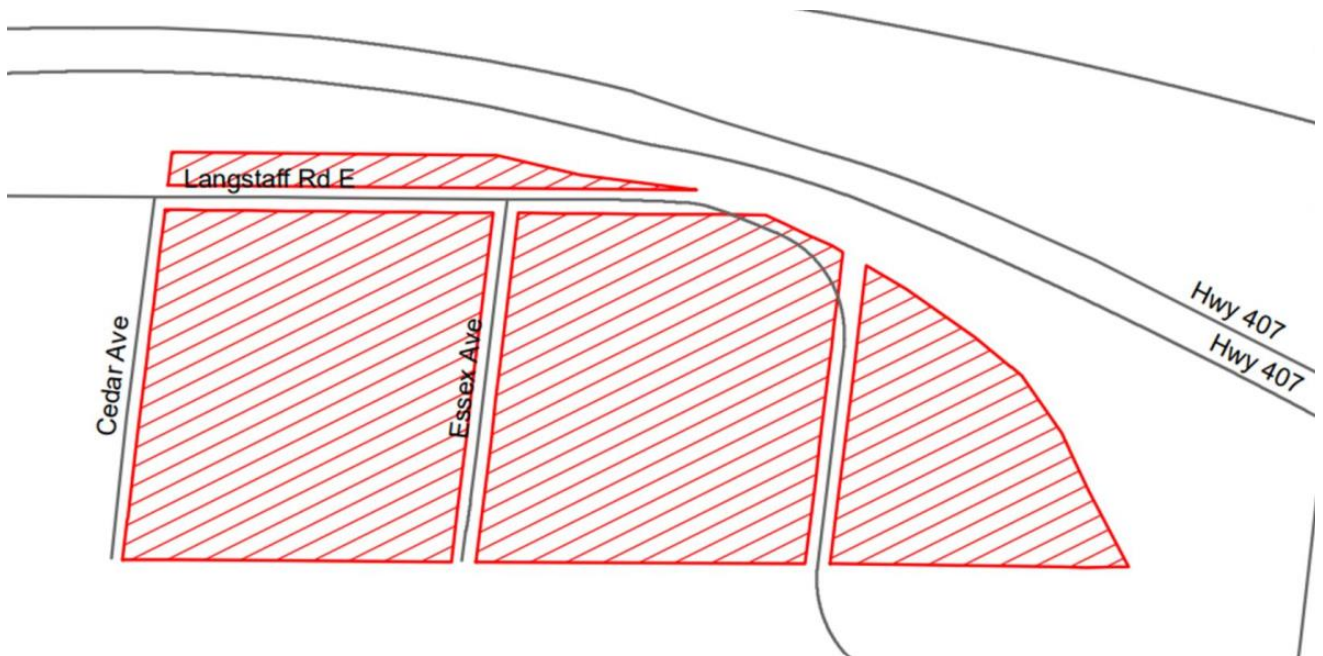
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#### **ATTACHMENTS:**

Appendix 'A'	Location and Aerial Images of the Subject Lands
Appendix 'B'	Location Map and Image of 139 Langstaff Road East
Appendix 'C'	Historical Information for 139 Langstaff Road East
Appendix 'D'	Demonstration Plan

## Appendix 'A'

### Location and Aerial Images of the Subject Lands



*Extent of the Subject Lands hatched in red [above] and an aerial image showing the built-form context of the Subject Lands [below] (Source: Applicant)*



## Appendix 'B'

### Location Map and Image of 139 Langstaff Road East



Property map showing the location of 139 Langstaff Road East outlined in blue (Source: City of Markham)



Primary (north) elevation of 139 Langstaff Road East (Source: Google, June 2023)



Photograph from 2021 (Source: City of Markham)

## **Appendix 'C'**

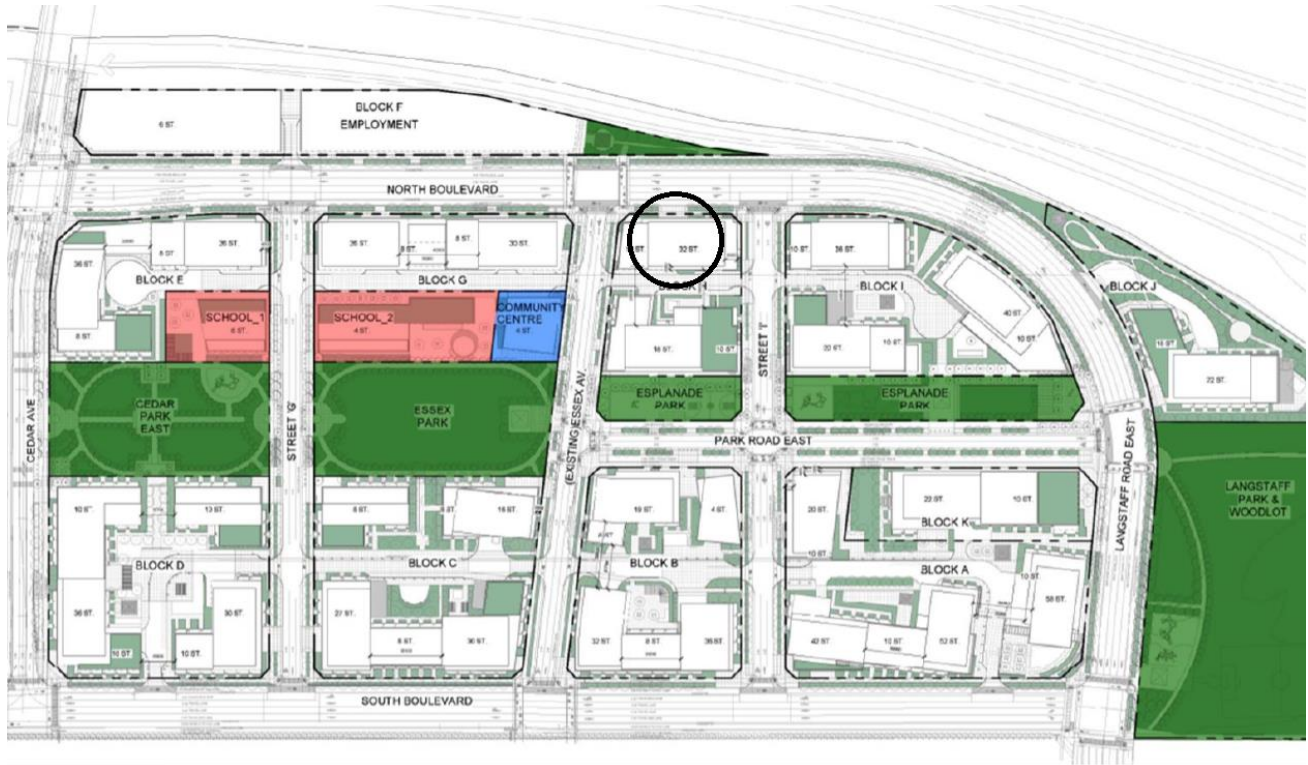
### *Historical Information for 139 Langstaff Road East*

**Robineau Bungalow  
"Langstaff Gardens"  
139 Langstaff Road  
c.1928**

- This modest frame bungalow was constructed circa 1928 for Armand and Frances Robineau, on Lot 54 within the Langstaff Gardens Subdivision Plan 2386.
- Armand Robineau's occupation was given as "printer" on the Markham Township Assessment Rolls of the time.
- The family must have run into some financial difficulty because by 1930, the property had reverted to the ownership of the Langstaff Securities Co. Ltd. of Toronto. The beginning of the Great Depression seems a likely cause for the Robineau's loss of their home. It was not until 1936 that the holding company that created the subdivision from the farmland of the former Munshaw homestead sold to a private owner, Howard Leavens.
- The bungalow was part of first phase of suburban development within the Langstaff Gardens subdivision.
- Current exterior claddings is insul-brick likely over the original cladding.
- The bungalow reflects early 20<sup>th</sup> C domestic architecture features expressing the influence of the Arts and Crafts Movement: 3/1wood windows, wood shingled gable ends, low-pitched gable roof with exposed rafter ends, and glazed sunporch.
- The building has been unoccupied for a number of years and is in poor condition. The property appears to be used for storage purposes associated with light industrial uses.

## Appendix 'D'

### Demonstration Plan



Demonstration Plan submitted as part of the proposed MZO. The approximate location of 139 Langstaff Road East is circled in black. Note that the existing building is not contemplated for retention (Source: City of Markham)