

SUBJECT: **PRELIMINARY REPORT**
Robert and Deborah Tiberio
Zoning By-law Amendment application to extend permission
for temporary uses at 196 and 198 Langstaff Road East
File No.: ZA 15 145042

PREPARED BY: Daniel Brutto, Planner I, West District

REVIEWED BY: Dave Miller, M.C.I.P., R.P.P., Manager, West District

RECOMMENDATION:

- 1) THAT the report dated March 24, 2015 titled “PRELIMINARY REPORT, Robert and Deborah Tiberio, Zoning By-law Amendment application to extend permission for temporary uses at 196 and 198 Langstaff Road East (File No. ZA 15 145042)”, be received;
- 2) AND THAT a Public Meeting be held to consider the applications;
- 3) AND FURTHER 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 a Zoning By-law Amendment application which proposes to extend permission for temporary uses at 196 and 198 Langstaff Road East. The report also seeks authorization for a statutory Public Meeting to consider this application.

This report contains general information regarding applicable Official Plan and Zoning policies, as well as other issues. The report should not be taken as Staff’s opinion or recommendation on the application.

Application deemed complete

The Zoning By-law Amendment application was deemed complete on February 24, 2015.

BACKGROUND:

Subject Property and Area Context

196 and 198 Langstaff Road East (the “subject properties”) are located within the Langstaff community south of Highway 407, west of Bayview Avenue (see Figure 1 – Location Map). The 0.3 hectare (0.74 acre) subject properties contain a one storey frame

dwelling and a one and a half storey frame dwelling constructed circa 1950. The subject properties are currently used to operate a pool installation company and general contracting/landscaping businesses. The subject properties are screened from Langstaff Road East by a post and board fence and contain mature vegetation in the front yards.

Highway 407 is located to the north and east. To the west are primarily non-residential uses. To the south are residential dwellings and a large woodlot (see Figure 2 – Aerial Photo).

Official Plan and Zoning

The subject properties are designated Residential, Residential – Mixed Use, Parks and Open Space and Environmental Protection Area - Woodlot by the Langstaff Gateway Secondary Plan (OPA 183).

The subject properties are designated Mixed Use High Rise by the 2014 Official Plan (not yet in force).

The subject properties are zoned Hold - Rural Industrial [(H) R. IND] and Residential (R1) by By-law 2551, as amended (see Figure 3 – Area Context/Zoning).

Proposal to extend a temporary use by-law

The owner is asking to extend permission for temporary uses on the subject properties. The existing temporary uses which comprise, business offices and outdoor storage, are proposed to continue (the “proposal”). No new buildings or uses are proposed. Section 39 of the Planning Act allows temporary use by-laws for a maximum 3 year period.

OPTIONS/ DISCUSSION:

Temporary Use By-laws for business offices and outdoor storage were approved by the Ontario Municipal Board (OMB) in 2008 for the subject properties and several other properties in the general vicinity. Extensions to these By-laws were approved by the City in 2012 and will require further extensions in 2015. If and when these temporary use By-laws are extended, it is staff’s intention that they all expire on the same date, including the subject application. This is to ensure that the development, anticipated in the Langstaff Secondary Plan, will occur in a coordinated manner and that no single land owner can hold up development.

The existing Temporary Use By-laws include the following special provisions:

- a) business offices shall only locate within buildings existing on the date of the passing of the By-law;
- b) additions to existing buildings are not permitted;
- c) construction of new buildings is not permitted;
- d) outdoor storage shall be screened from Langstaff Road East; and
- e) the installation of additional impermeable surface material is not permitted.

These provisions should continue to apply to a temporary use by-law on the subject properties if approved.

ISSUES TO BE RESOLVED:

No issues have been raised to date. Any issues identified through the circulation and detailed review of the proposal will be addressed in a final staff report to be presented to Committee at a later date, if required.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.


ALIGNMENT WITH STRATEGIC PRIORITIES:

Growth Management: A new Secondary Plan that reflects the City's priorities has been approved for the Langstaff community. The applicant's intention is to redevelop the subject property in accordance with the new Secondary Plan. The permission for the temporary use will allow business offices and outdoor storage to be maintained until such time as comprehensive redevelopment is underway and municipal services are provided by the landowners.


BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various City departments and external agencies and is currently under review.

RECOMMENDED BY:



Ron Blake, M.C.I.P., R.P.P.
Acting Senior Development Manager



Jim Baird, M.C.I.P., R.P.P.
Commissioner, Development Services

ATTACHMENTS:

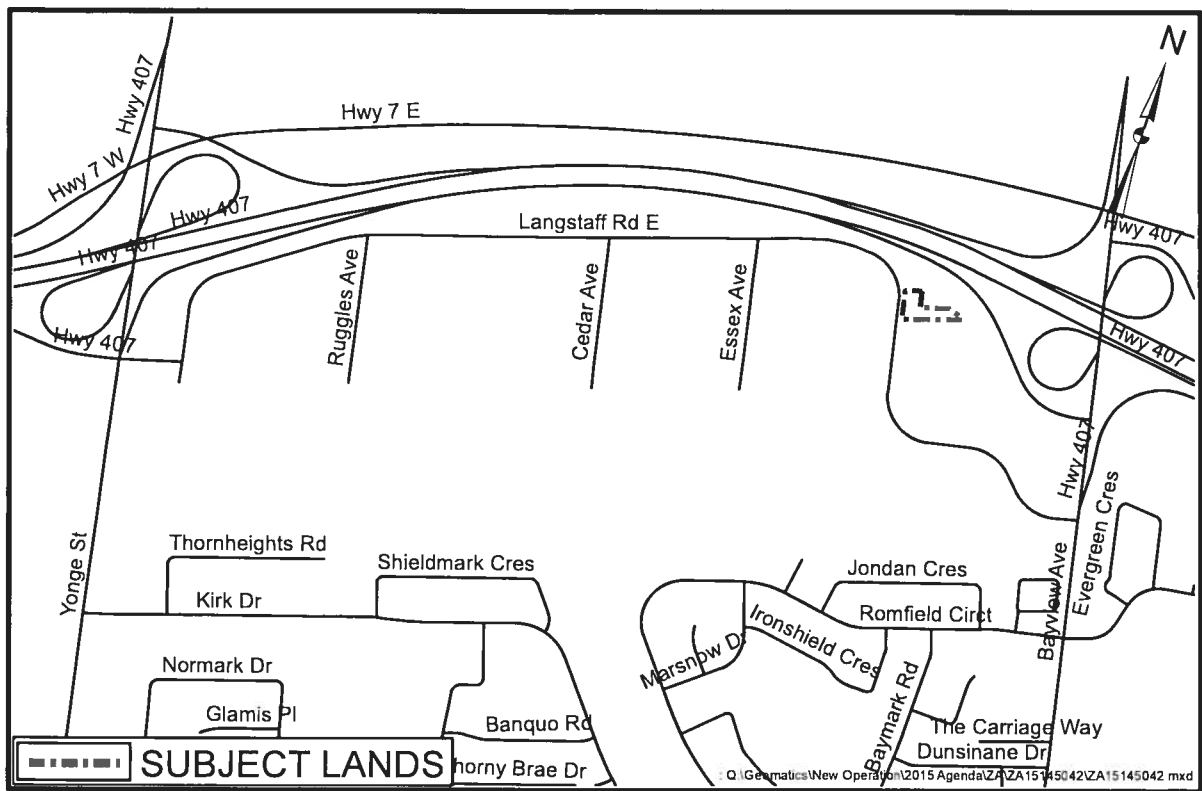
Figure 1: Location Map

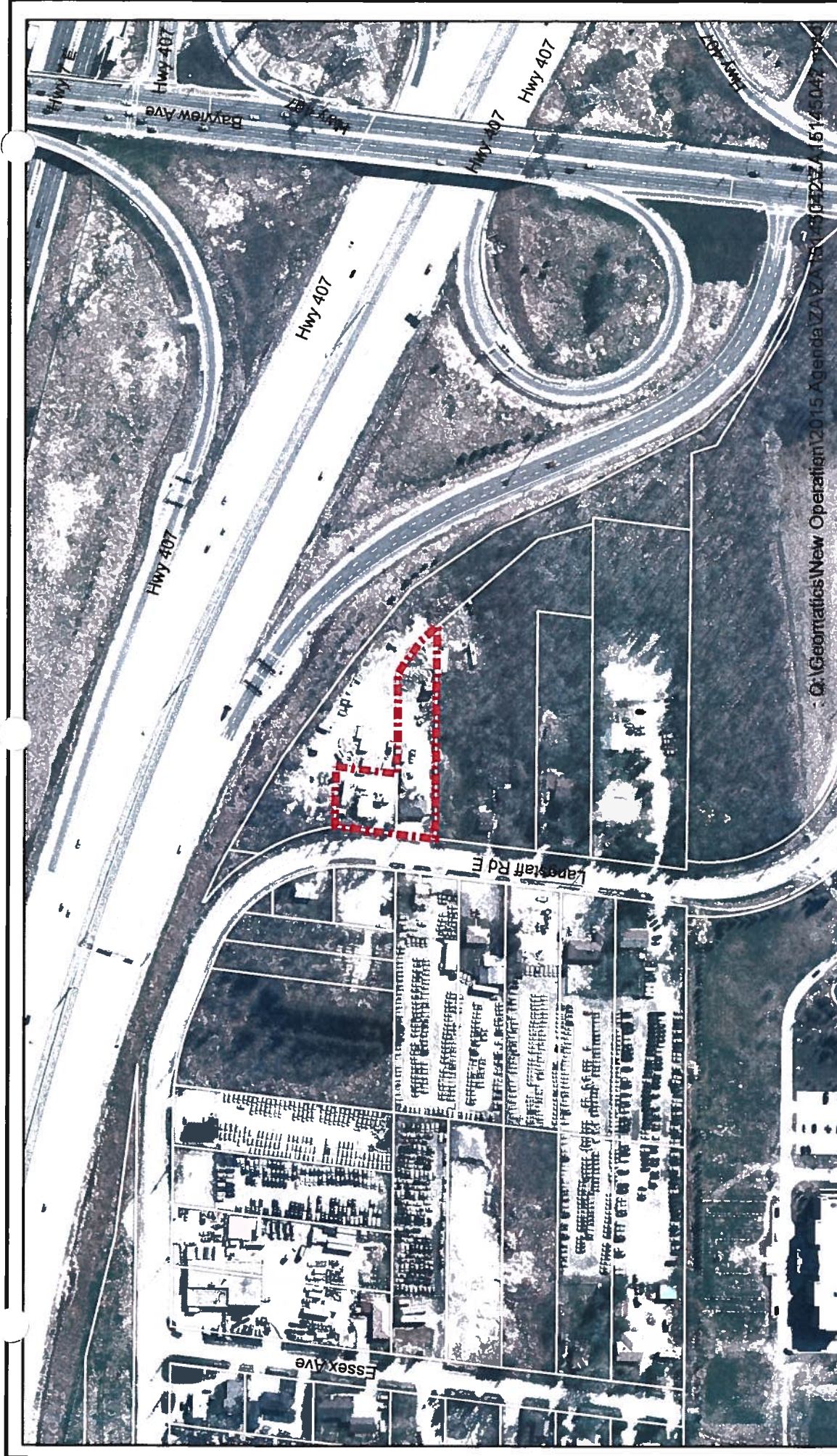
Figure 2: Aerial Photo

Figure 3: Area Context/Zoning

APPLICANT/AGENT:


Robert Tiberio
198 Langstaff Road East
Thornhill, ON L3T 3Z7
416-828-0555





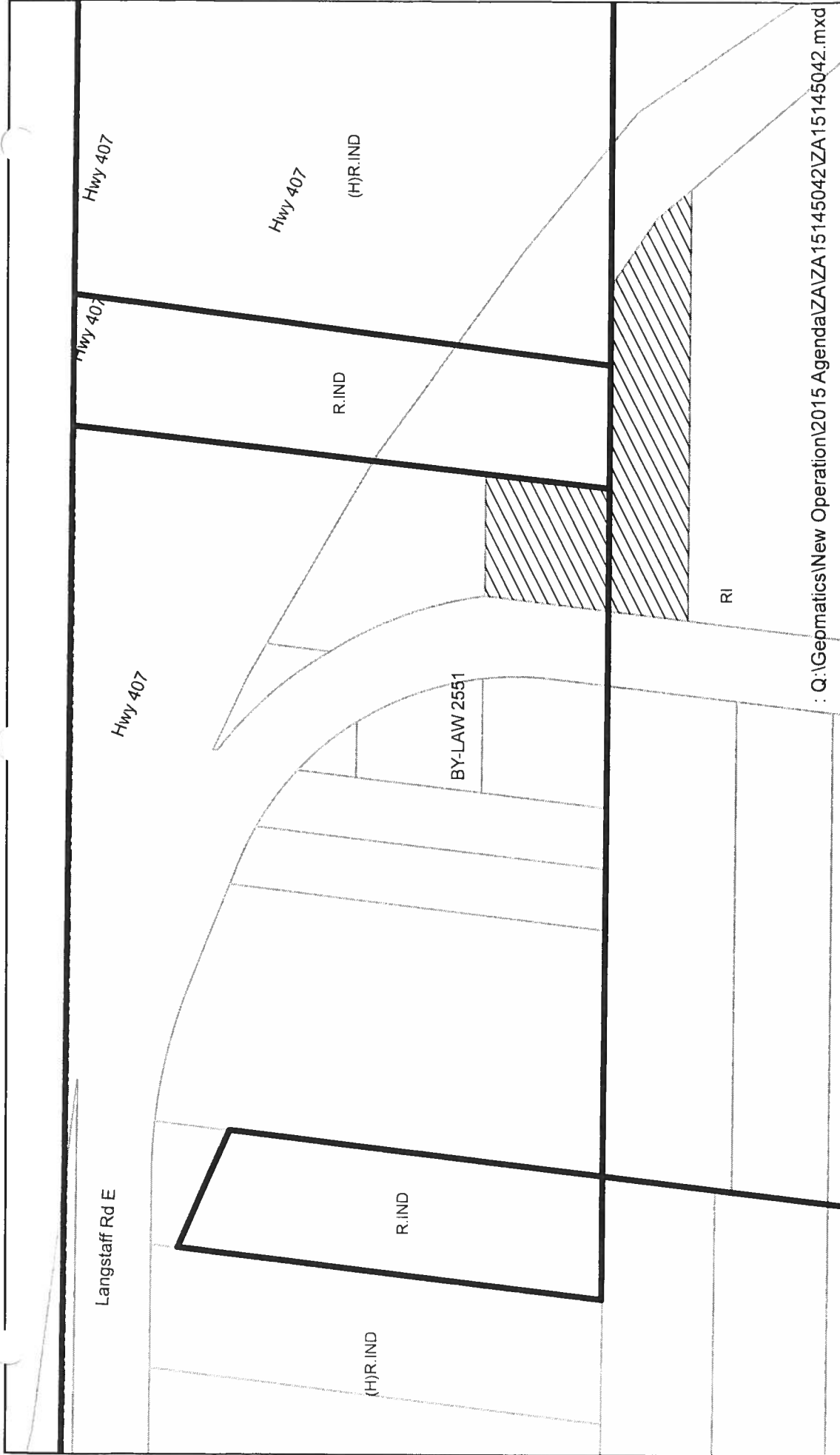
AIR PHOTO 2014

APPLICANT: DEBORAH AND ROBERT TIBERIO
196 AND 198 LANGSTAFF ROAD EAST

 SUBJECT LANDS

FILE No: ZA15145042(DB)

DATE:02/23/15



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AREA CONTEXT/ZONING

APPLICANT: DEBORAH AND ROBERT TIBERIO
196 AND 198 LANGSTAFF ROAD EAST

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