

ISSUE DATE:

June 5, 2008



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

PL060575

PL060904

Robert and Deborah Tiberio have appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Site-Specific Zoning By-law 2551, as amended, of the Town of Markham, to allow for the operation of a pool installation company, a roof installation company, and a general contracting/landscaping business, with associated outdoor storage for a temporary basis on lands located at 196 and 198 Langstaff Road East, which are currently zoned as Rural Industrial – (H)R.IND, with respect to lands located at 196 Langstaff Road East, and Residential - R1, with respect to lands located at 198 Langstaff Road East

O.M.B. File No. PL060575

O.M.B. File No. Z060087

Cosini Properties Inc., M.A.N. Enterprises Ltd. and A.G.S. Consultants Ltd. have appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Site-Specific Zoning By-law 2551, as amended, of the Town of Markham, for a temporary use permission to allow the operation of an office, contractor yard and the outdoor storage of new vehicles on lands located at 201, 203 and 205 Langstaff Road East, which are currently zoned Residential (R1), as well as on lands located at 3 and 5 Essex Avenue, which are currently zoned Rural Industrial with a holding provision [(H)R.IND.]

O.M.B. Case No. PL060904

O.M.B. File No. Z060117

Cosini Properties Inc. has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Site-Specific Zoning By-law 2551, as amended, of the Town of Markham, for a temporary use permission to allow the operation of an office, contractor yard and the outdoor storage of new vehicles on lands located at 195 Langstaff Road East, which are currently zoned Rural Industrial with a holding provision [(H)R.IND.]

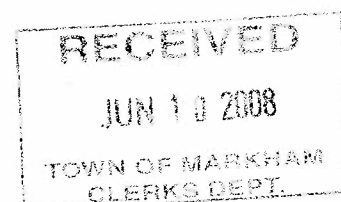
O.M.B. Case No. PL060904

O.M.B. File No. Z060119

Cosini Properties Inc. and A.G.S. Consultants Ltd. have appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Site-Specific Zoning By-law 2551, as amended, of the Town of Markham, for a temporary use permission to allow the operation of an office, contractor yard and the outdoor storage of new vehicles on lands located at 139 Langstaff Road East, which are currently zoned Rural Industrial with a holding provision [(H)R.IND.]

O.M.B. Case No. PL060904

O.M.B. File No. Z060120



Cosini Properties Inc. and M.A.N. Enterprises Ltd. have appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Site-Specific Zoning By-law 2551, as amended, of the Town of Markham, for a temporary use permission to allow the operation of an existing landscaping and snow removal business, which includes permitting the existing 1-storey dwelling to be used for offices purposes and the rear yard to be used for the open storage of building materials, equipment, scrap metal, skids, debris, vehicles and trailers on lands located at 21 Essex Avenue, which are currently zoned Rural Industrial with a holding provision [(H)R.IND.]

O.M.B. Case No. PL060904

O.M.B. File No. Z060123

B E F O R E:

M.A. SILLS
MEMBER

) Wednesday, the 4th day of
)
) June, 2008

THIS MATTER having come on for public hearing and the Board, in accordance with its decision issued on May 28, 2008, having withheld its Order until this day to await confirmation that the Letters of Credit have been received from the applicants, as set out in Exhibit 2, Subsection 4 of the Minutes of Settlement;

THE BOARD ORDERS that the appeals with respect to the Zoning By-law Amendments are allowed in part, and By-law No. 2551, as amended, is hereby amended in the manner set out in Exhibit 2, Schedule A of the Minutes of Settlement. The Town of Markham is authorized to assign a number to the site-specific by-laws, as identified in Exhibit 2, Schedule A of the Minutes of Settlement, for record keeping purposes.



SECRETARY

EXPLANATORY NOTE

BY-LAW _____

A Temporary Use By-Law to amend Zoning By-law 2551 as amended

The purpose of this By-law is to allow business offices and outdoor storage at 196 and 198 Langstaff Road East (Part of Lots 67 and 83 Registered Plan 2386).

The effect of this by-law is to allow these uses for a period of three (3) years as permitted under Section 39 of the Planning Act. The Langstaff Area is in a state of transition and planning studies are being done. The intent is to allow these uses for a temporary period while the Town of Markham completes a land use study and an Official Plan Amendment is approved, and until water and sanitary sewer services are made available to the area.

BY-LAW _____

A by-law to amend By-law 2551, as amended

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY
ENACTS AS FOLLOWS:

1. By-law 2551, as amended, be and the same is hereby further amended as follows:
 - 1.1 Notwithstanding any other provisions of By-law 2551, as amended, the provisions in this By-law shall apply to those lands municipally known as 196 and 198 Langstaff Road East (Part of Lots 67 and 83 Registered Plan 2386), as shown on Schedule 'A', attached hereto. All other provisions of By-law 2551, as amended, unless specifically modified/amended by this By-law, continue to apply.
 - 1.1.1 Permitted Uses

The following additional uses are permitted:

 - a) business offices; and,
 - b) outdoor storage.
 - 1.1.2 Special Parking Provisions:

The following parking provisions apply:

 - a) parking is not required for the uses permitted by this By-law. -
 - 1.1.3 Special Site Provisions

The following additional provisions apply:

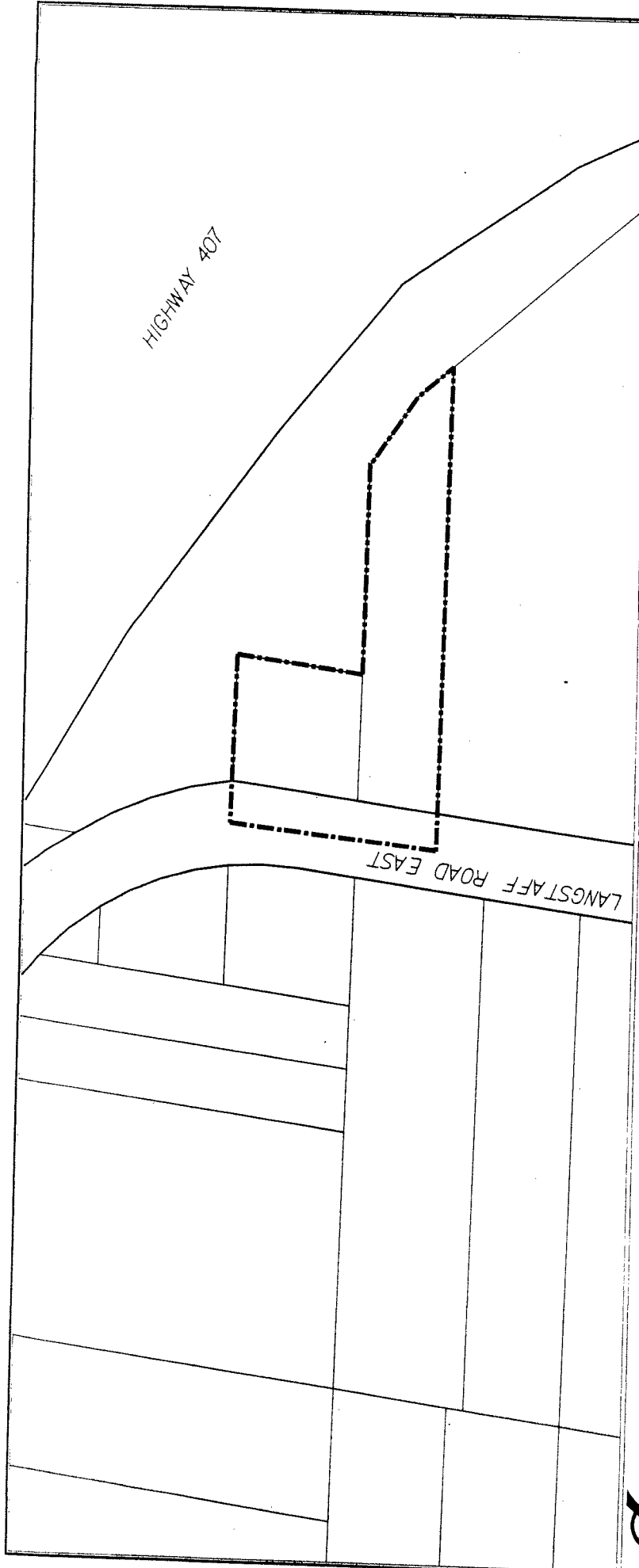
 - a) business offices shall only locate within buildings existing on the date of the passing of this By-law;
 - b) additions to existing buildings are not permitted;
 - c) construction of new buildings is not permitted;

- d) outdoor storage shall be screened from
Langstaff Road; and
 - e) installation of additional impermeable surface
material is not permitted.
2. All other provisions of By-law 2551, as amended, not inconsistent with the provisions of this By-law shall continue to apply.
3. This By-law shall expire on _____, 2011, in accordance with the provisions of Section 39 of the Planning Act RSO 1990.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
_____ DAY OF _____ 200__.

TOWN CLERK

MAYOR




DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 2551

THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY

.....MAYOR

.....CLERK

 BOUNDARY OF AREA COVERED BY THIS BY-LAW

NOTE: 1) DIMENSIONS ARE IN METRES
2) REFERENCE SHOULD BE MADE TO
THE ORIGINAL BY-LAW LODGED IN
THE OFFICE OF THE CLERK

SCALE 1: 1000

EXPLANATORY NOTE

BY-LAW _____

A Temporary Use By-Law to amend Zoning By-law 2551 as amended

The purpose of this By-law is to allow business offices and outdoor storage at 201, 203 and 205 Langstaff Road East, and 3 and 5 Essex Avenue (Lots 86, 87 and 88, and Part of Lot 85 Registered Plan 2386) and a Cat Rescue Shelter at 205 Langstaff Road East (Lot 86 Registered Plan 2386).

The effect of this by-law is to allow these uses for a period of three (3) years as permitted under Section 39 of the Planning Act. The Langstaff Area is in a state of transition and planning studies are being done. The intent is to allow these uses for a temporary period while the Town of Markham completes a land use study and an Official Plan Amendment is approved, and until water and sanitary sewer services are made available to the area.

BY-LAW _____

A by-law to amend By-law 2551, as amended

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1. By-law 2551, as amended, be and the same is hereby further amended as follows:
 - 1.1 Notwithstanding any other provisions of By-law 2551, as amended, the provisions in this By-law shall apply to those lands municipally known as 201, 203 and 205 Langstaff Road East, and 3 and 5 Essex Avenue (Lots 86, 87 and 88, and Part of Lot 85 Registered Plan 2386), as shown on Schedule 'A', attached hereto. All other provisions of By-law 2551, as amended, unless specifically modified/amended by this By-law, continue to apply.
 - 1.1.1 Permitted Uses

The following additional uses are permitted:

 - a) business offices; and,
 - b) outdoor storage.
 - 1.1.2 Also Permitted at 205 Langstaff Road East (lot 86 Registered Plan 2386)
 - a) cat rescue shelter.
 - 1.1.3 Special Parking Provisions:

The following parking provisions apply:

 - a) parking is not required for the uses permitted by this By-law.
 - 1.1.4 Special Site Provisions

The following additional provisions apply:

 - a) business offices shall only locate within buildings existing on the date of the passing of this 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, Essex Avenue, and the Holy Cross Cemetery;
- e) the installation of additional impermeable surface material is not permitted; and
- f) a cat rescue shelter shall only locate within buildings existing on the date of the passing of this By-law.

2. All other provisions of By-law 2551, as amended, not inconsistent with the provisions of this By-law shall continue to apply.
3. This By-law shall expire on _____, 2011, in accordance with the provisions of Section 39 of the Planning Act RSO 1990.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS _____ DAY OF _____, 2008.

Sheila Birrell, Town Clerk

Frank Scarpitti, Mayor



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 2550

THIS IS SCHEDULE 'A' TO BY-LAW
 PASSED THIS DAY
 MAYOR
 CLERK

NOTE: 1) DIMENSIONS ARE IN METRES
 2) REFERENCE SHOULD BE MADE TO
 THE ORIGINAL BY-LAW LODGED IN
 THE OFFICE OF THE CLERK

SCALE 1: 2000

BOUNDARY OF AREA COVERED BY THIS BY-LAW

EXPLANATORY NOTE

BY-LAW _____

A Temporary Use By-Law to amend Zoning By-law 2551 as amended

The purpose of this By-law is to allow business offices and outdoor storage at 195 Langstaff Road East (Part of Lot 66 Registered Plan 2386).

The effect of this by-law is to allow these uses for a period of three (3) years as permitted under Section 39 of the Planning Act. The Langstaff Area is in a state of transition and planning studies are being done. The intent is to allow these uses for a temporary period while the Town of Markham completes a land use study and an Official Plan Amendment is approved, and until water and sanitary sewer services are made available to the area.

BY-LAW _____

A by-law to amend By-law 2551, as amended

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY
ENACTS AS FOLLOWS:

1. By-law 2551, as amended, be and the same is hereby further amended as follows:
 - 1.1 Notwithstanding any other provisions of By-law 2551, as amended, the provisions in this By-law shall apply to those lands municipally known as 195 Langstaff Road East (Part of Lot 66 Registered Plan 2386), as shown on Schedule 'A', attached hereto. All other provisions of By-law 2551, as amended, unless specifically modified/amended by this By-law, continue to apply.
 - 1.1.1 Permitted Uses

The following additional uses are permitted:

 - a) business offices; and,
 - b) outdoor storage.
 - 1.1.2 Special Parking Provisions:

The following parking provisions apply:

 - a) parking is not required for the uses permitted by this By-law.
 - 1.1.3 Special Site Provisions

The following additional provisions apply:

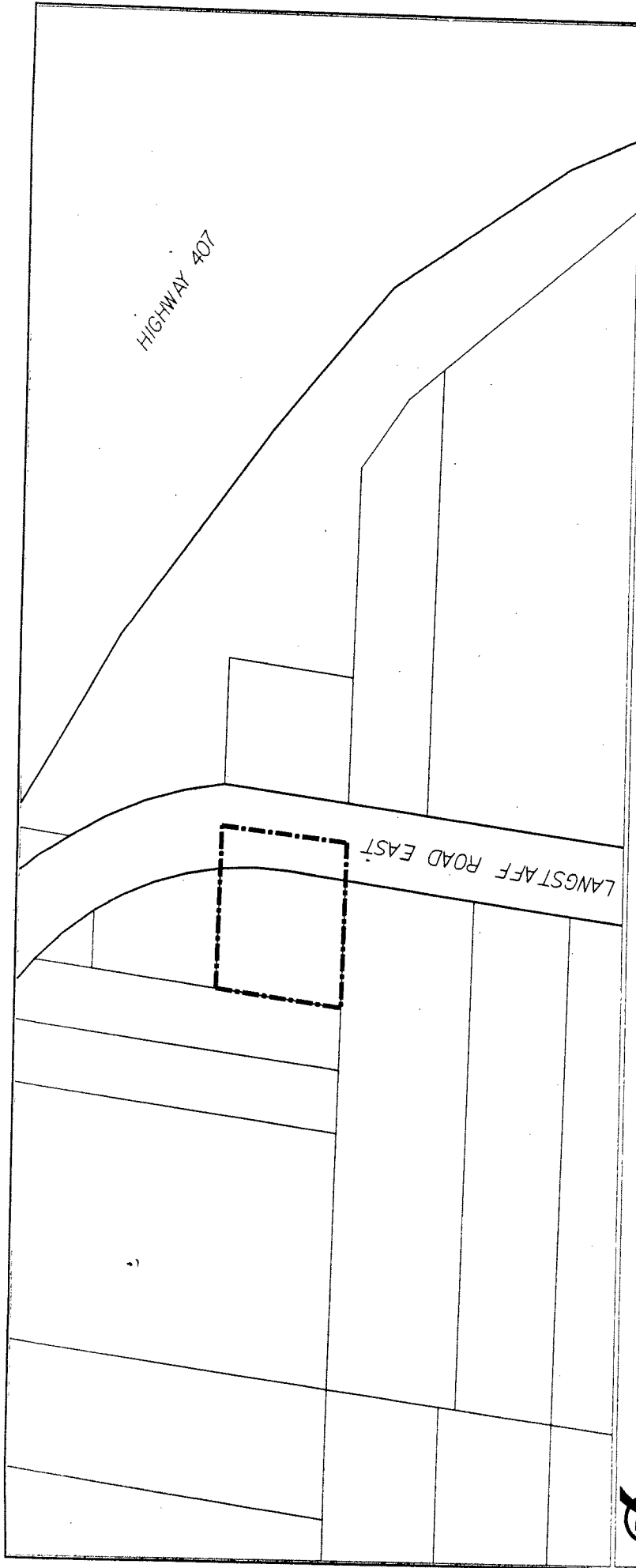
 - a) business offices shall only locate within buildings existing on the date of the passing of this By-law;
 - b) additions to existing buildings are not permitted;
 - c) construction of new buildings is not permitted;
 - d) outdoor storage shall be screened from Langstaff Road; and

- e) the installation of additional impermeable surface material is not permitted.
- 2. All other provisions of By-law 2551, as amended, not inconsistent with the provisions of this By-law shall continue to apply.
- 3. This By-law shall expire on _____, 2011, in accordance with the provisions of Section 39 of the Planning Act RSO 1990.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS _____ DAY OF _____, 2008.

Sheila Birrell, Town Clerk

Frank Scarpitti, Mayor



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 2551

THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY

MAYOR

CLERK

NOTE: 1) DIMENSIONS ARE IN METRES
2) REFERENCE SHOULD BE MADE TO
THE ORIGINAL BY-LAW LODGED IN
THE OFFICE OF THE CLERK

SCALE 1: 3000

BOUNDARY OF AREA COVERED BY THIS BY-LAW



EXPLANATORY NOTE

BY-LAW _____

A Temporary Use By-Law to amend Zoning By-law 2551 as amended

The purpose of this By-law is to allow business offices and outdoor storage at 139 Langstaff Road East (Lot 54 Registered Plan 2386).

The effect of this by-law is to allow these uses for a period of three (3) years as permitted under Section 39 of the Planning Act. The Langstaff Area is in a state of transition and planning studies are being done. The intent is to allow these uses for a temporary period while the Town of Markham completes a land use study and an Official Plan Amendment is approved, and until water and sanitary sewer services are made available to the area.

BY-LAW _____

A by-law to amend By-law 2551, as amended

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY
ENACTS AS FOLLOWS:

1. By-law 2551, as amended, be and the same is hereby further amended as follows:
 - 1.1 Notwithstanding any other provisions of By-law 2551, as amended, the provisions in this By-law shall apply to those lands municipally known as 139 Langstaff Road East (Lot 54 Registered Plan 2386), as shown on Schedule 'A', attached hereto. All other provisions of By-law 2551, as amended, unless specifically modified/amended by this By-law, continue to apply.
 - 1.1.1 Permitted Uses

The following additional uses are permitted:

 - a) business offices; and,
 - b) outdoor storage.
 - 1.1.2 Special Parking Provisions:

The following parking provisions apply:

 - a) parking is not required for the uses permitted by this By-law.
 - 1.1.3 Special Site Provisions

The following additional provisions apply:

 - a) business offices shall only locate within buildings existing on the date of the passing of this By-law;
 - b) additions to existing buildings are not permitted;
 - c) construction of new buildings is not permitted;

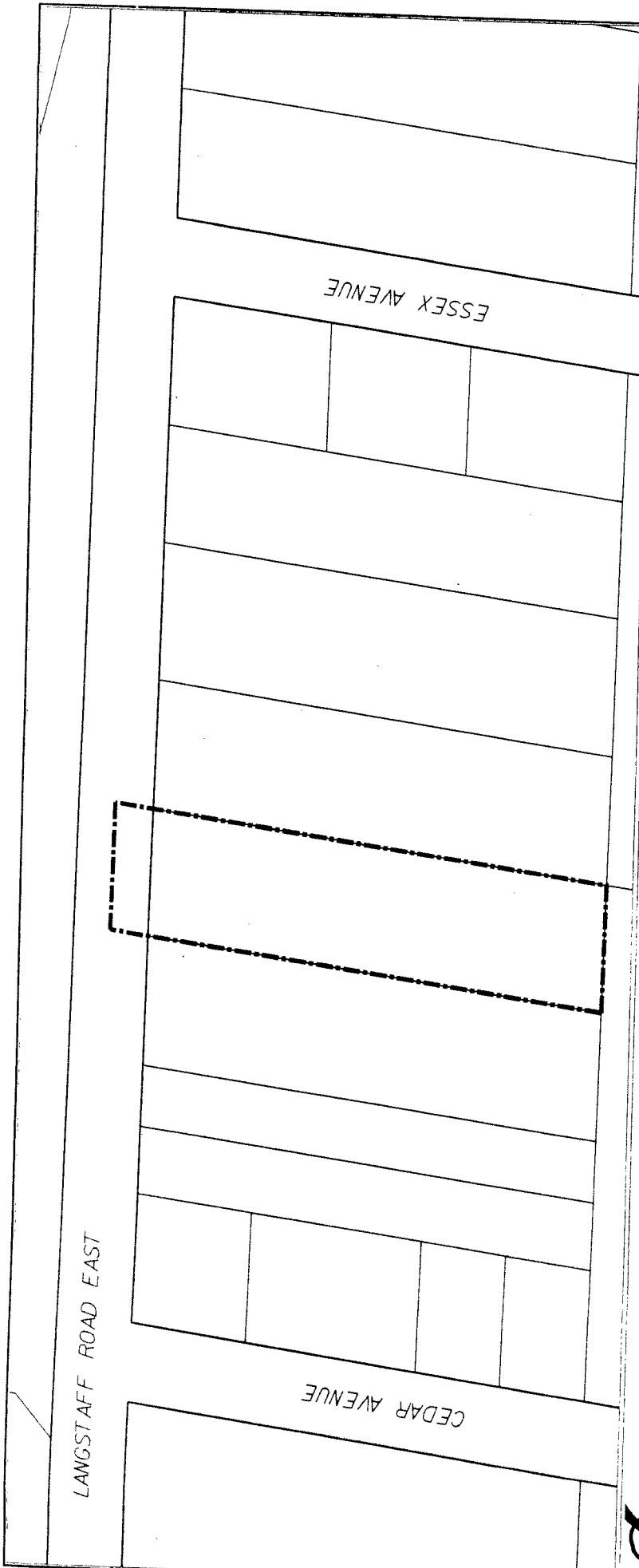
- d) outdoor storage shall be screened from
Langstaff Road; and
- e) the installation of additional impermeable
surface material is not permitted.

- 2. All other provisions of By-law 2551, as amended, not inconsistent with the provisions of this By-law shall continue to apply.
- 3. This By-law shall expire on _____, 2011, in accordance with the provisions of Section 39 of the Planning Act RSO 1990.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS _____ DAY OF _____, 2008.

Sheila Birrell, Town Clerk

Frank Scarpitti, Mayor



A BY-LAW TO AMEND BY-LAW 2551

DEVELOPMENT SERVICES COMMISSION

THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY

..... MAYOR
..... CLERK

 BOUNDARY OF AREA COVERED BY THIS BY-LAW

NOTE: 1) DIMENSIONS ARE IN METRES
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THE OFFICE OF THE CLERK

SCALE 1: 1000

EXPLANATORY NOTE

BY-LAW _____

A Temporary Use By-Law to amend Zoning By-law 2551 as amended

The purpose of this By-law is to allow business offices and outdoor storage at 21 Essex Avenue (Part of Lot 89 Registered Plan 2386).

The effect of this by-law is to allow these uses for a period of three (3) years as permitted under Section 39 of the Planning Act. The Langstaff Area is in a state of transition and planning studies are being done. The intent is to allow these uses for a temporary period while the Town of Markham completes a land use study and an Official Plan Amendment is approved, and until water and sanitary sewer services are made available to the area.

BY-LAW _____

A by-law to amend By-law 2551, as amended

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY
ENACTS AS FOLLOWS:

1. By-law 2551, as amended, be and the same is hereby further amended as follows:

1.1 Notwithstanding any other provisions of By-law 2551, as amended, the provisions in this By-law shall apply to those lands municipally known as 21 Essex Avenue (Part of Lot 89 Registered Plan 2386), as shown on Schedule 'A', attached hereto. All other provisions of By-law 2551, as amended, unless specifically modified/amended by this By-law, continue to apply.

1.1.1 Permitted Uses

The following additional uses are permitted:

- a) business offices; and,
- b) outdoor storage.

1.1.2 Special Parking Provisions:

The following parking provisions apply:

- a) parking is not required for the uses permitted by this By-law.

1.1.3 Special Site Provisions

The following additional provisions apply:

- a) business offices shall only locate within buildings existing on the date of the passing of this By-law;
 - b) additions to existing building are not permitted;
 - c) construction of new buildings is not permitted;
 - d) outdoor storage shall be screened from Essex Avenue; and
-

e) installation of additional impermeable surface material is not permitted.

2. All other provisions of By-law 2551, as amended, not inconsistent with the provisions of this By-law shall continue to apply.
3. This By-law shall expire on _____, 2011, in accordance with the provisions of Section 39 of the Planning Act RSO 1990.

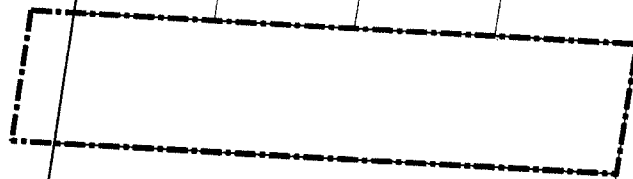
READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS _____ DAY OF _____, 2008.

Sheila Birrell, Town Clerk

Frank Scarpitti, Mayor

LANGSTAFF ROAD EAST

ESSEX AVENUE



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 2551



BOUNDARY OF AREA COVERED BY THIS BY-LAW

THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY

..... MAYOR

..... CLERK

NOTE: 1) DIMENSIONS ARE IN METRES
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THE OFFICE OF THE CLERK

SCALE 1:1000

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