

Memorandum to the City of Markham Committee of Adjustment

March 14, 2025

File: A/009/25
Address: 7050 Woodbine Avenue, Markham
Agent: Henry Chiu Architect Ltd (Henry Chiu)
Hearing Date: Wednesday, March 19, 2025

The following comments are provided on behalf of the West Team:

The applicant is requesting relief from the following requirements of By-law 2024-19, Employment – Business Park (EMP-BP), as amended, to permit:

a) By-law 2024-19, Section 9.4.3.1:

a commercial school, whereas the by-law does not permit a commercial school;

as it relates to the conversion of existing office use to the said commercial school.

BACKGROUND

Property Description

The 48,857.42 m² (525,896.89 ft²) “Subject Property” is located on the west side of Woodbine Avenue, north of Steeles Avenue East and east of Highway 404. The Subject Property contains a four-storey building which currently serves as an office building, containing a mix of employment uses. This includes offices, food and retail establishments.

Proposal

The applicant is proposing to use the third floor of the existing building as the ‘Victoria International College of Business and Technology’.

Official Plan and Zoning

Official Plan 2014 (partially approved on November 24/17, and updated on April 9/18)

The Official Plan designates the subject property ‘Business Park Employment’. The lands are planned and developed for industrial and office development, frequently in larger scale buildings located on large properties. Uses provided within ‘Business Park Employment’ include offices, manufacturing, processing, and warehousing uses. Policy 8.5.2.3 of the Official Plan states that a commercial school is a discretionary use, subject to review of a site-specific development application for zoning approval, and in accordance with Sections 8.5.1.2 and 8.5.1.3 and any outlined conditions.

Zoning By-Law 2024-19

The subject property is zoned EMP-BP under By-law 2024-19, as amended, which permits a wide range of office and manufacturing uses. Commercial schools are not permitted unless the said school legally existed on the lot on the date of the passing of the By-law.

Zoning Preliminary Review (ZPR) Undertaken

The owner has completed a Zoning Preliminary Review (ZPR) on January 8, 2025 to confirm the variances required for the proposed development.

COMMENTS

The Planning Act states that four tests must be met in order for a variance to be granted by the Committee of Adjustment:

- a) The variance must be minor in nature;
- b) The variance must be desirable, in the opinion of the Committee of Adjustment, for the appropriate development or use of land, building or structure;
- c) The general intent and purpose of the Zoning By-law must be maintained;
- d) The general intent and purpose of the Official Plan must be maintained.

Commercial School Variance

It is the opinion of Staff that the proposed private school use does not meet the intent of the 2014 Official Plan and Zoning By-law 2024-19. The intent of the “Business Park Employment” designation is to provide accommodation in prime locations attractive to existing and future businesses seeking a setting with a specific range of compatible land uses characterized by high quality site development and building. The proposed use is captured in Policy 8.5.2.3 of the Official Plan, as a discretionary use. These uses are not intended to be permitted as-of-right in the implementing zoning by-law, and are not intended to be permitted on every property within the designation but may be permitted subject to review of a specific development application for zoning approval. Policies 8.5.1.2 and 8.5.1.3 provide more details as to what Council is looking for in a potential site-specific zoning by-law amendment, with regards to built form, traffic impact, land compatibility, servicing, etc.

Staff is of the opinion that the proposal does not meet 2 of the 4 tests outlined in the Planning Act, related to maintaining the general intent and purpose of the Official Plan and Zoning By-law. Therefore, Staff maintain the position that the proposed commercial school is more appropriately dealt with through an application for Council to review in the form of a site-specific Zoning By-law Amendment.

EXTERNAL AGENCIES

MTO Comments

The subject property is located within MTO’s (Building and Land Use) review buffer. As MTO has provided advisory comments on February 6, 2025, detailing studies and requirements needed to properly assess the office transition to a school facility within the existing traffic and highway access (Appendix C).

City of Toronto Comments

The City of Toronto has provided the following comments on the minor variance application:

“City of Toronto staff have reviewed this application and note that the proposal is proximate to lands designated Employment Areas by the Toronto Official Plan, located south of Steeles and east of Highway 404/Woodbine Avenue. The City of Toronto Official Plan and Zoning By-laws allow for uses that may be considered major facilities on portions of the Employment Area and this area includes several major facilities that could be impacted by the proposed sensitive use (commercial school). Consequently, City of Toronto staff recommend that if this application proceeds at the Committee of Adjustment, that prior to a decision being made by the Committee, the applicant completes a land use

compatibility/mitigation study to determine the suitability of the proposed use in this location and to identify mitigation measures to address any adverse effects to these facilities in the City of Toronto. City of Toronto staff also note that the City of Toronto Official Plan requires that the peer review costs associated with this study are to be covered by the applicant.”

PUBLIC INPUT SUMMARY

No written submissions were received as of March 14, 2025. It is noted that additional information may be received after the writing of the report, and the Secretary-Treasurer will provide information on this at the meeting.

CONCLUSION

Planning Staff have reviewed the application with respect to Section 45(1) of The Planning Act, R.S.O. 1990, c. P.13, as amended, and are of the opinion that the variance request does not meet the four tests of the Planning Act. Staff are of the opinion that the change in use to a private school is a matter more appropriately dealt with by Council through a Zoning By-law Amendment application. Staff recommend that the Committee consider public input in reaching a decision.

The onus is ultimately on the applicant to demonstrate why they should be granted relief from the requirements of the zoning by-law, and how they satisfy the tests of the Planning Act required for the granting of minor variances.

PREPARED BY:



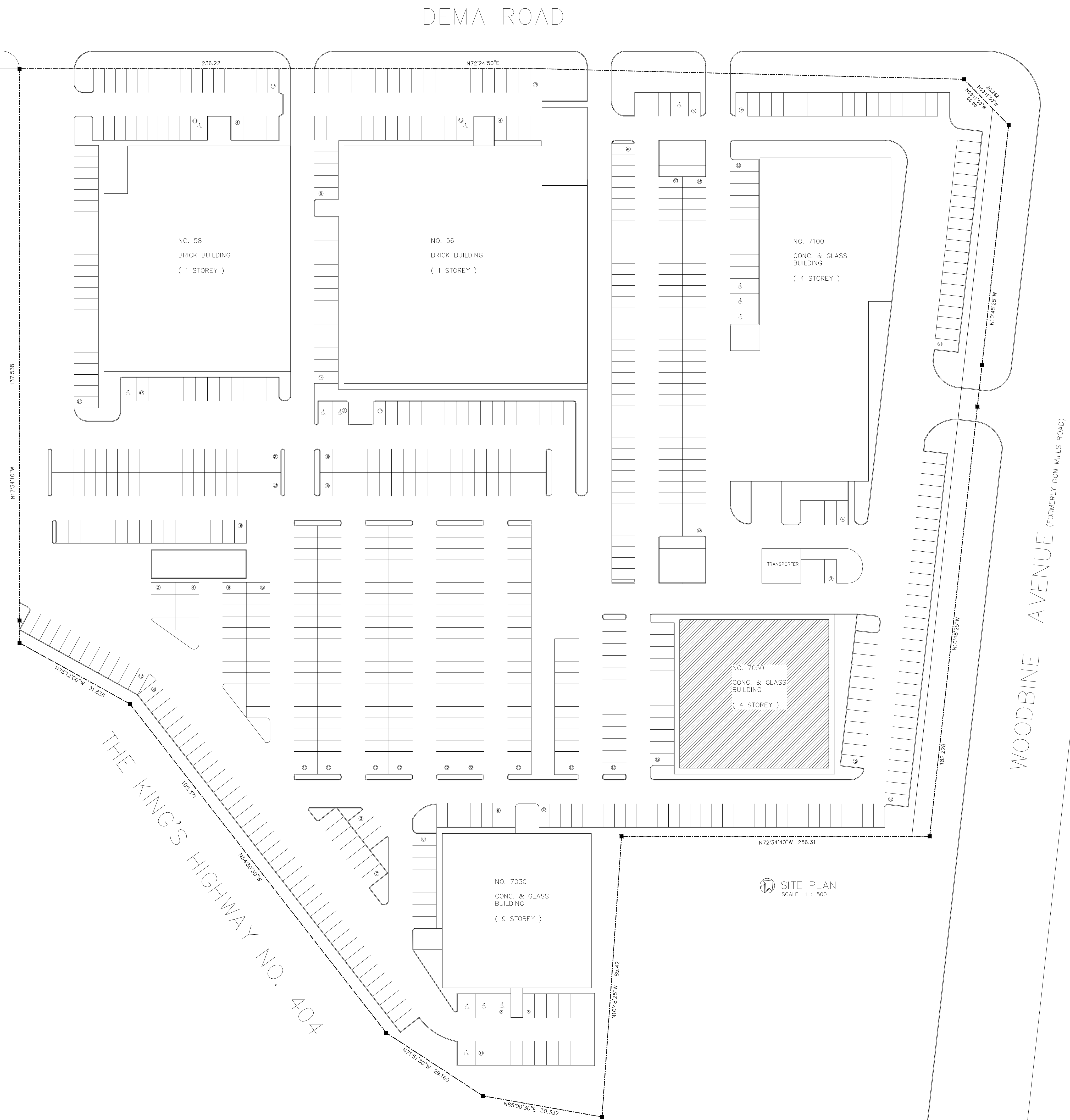
Theo Ako-Manieson, Planner I, West District

REVIEWED BY:



Rick Cefaratti, MCIP, RPP, Acting-Development Manager, West District

File Path: Amanda\File\ 25 110367 \Documents\District Team Comments Memo

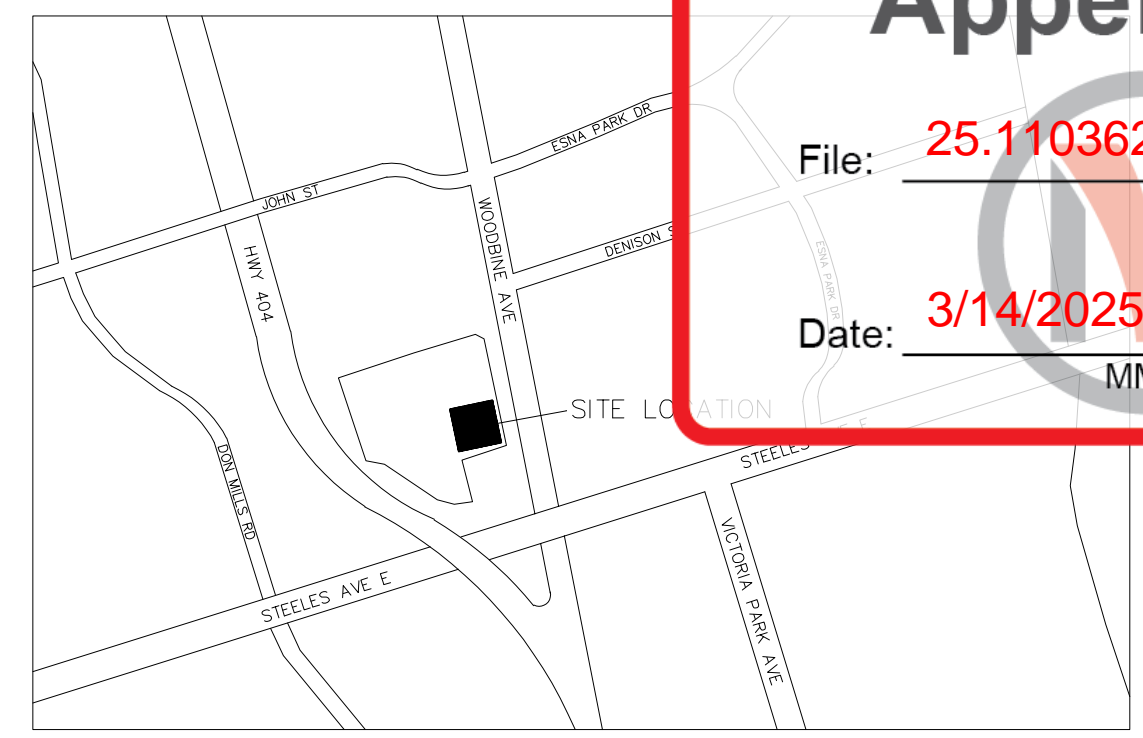


SITE PLAN
SCALE 1 : 500

Appendix B

File: **25.110362.000.00.MNV**

Date: **3/14/2025**
MM/DD/YYYY



SITE ANALYSIS
TOTAL SITE AREA: 48,857.43 SM

TOTAL SITE INFORMATION:

BUILDING NO.	AREA	PARKING REQUIRED(OFFICE = 1/30 SM, RESTAURANT = 1/ 9 SM)
NO. 7050	4,668.84 SM	157
NO. 7100 (RESTAURANT)	10,110.82 SM 446.00 SM	337 50
NO. 7030 (RESTAURANT)	10,639.22 SM 49.20 SM	355 6
NO. 55	3,402.00 SM	113
NO. 85	3,070.00 SM	102
TOTAL AREA:	34,084.72 SM	1,120

COVERAGE: 69.76%

PARKING PROVIDED:

SURFACE PARKING: 809 CARS
 7100 WOODBINE GARAGE: 114 CARS
 7050 WOODBINE GARAGE: 68 CARS
 7030 WOODBINE GARAGE: 38 CARS
 PARKING DECK: 100 CARS
 TOTAL PARKING PROVIDED: 1129 CARS



EXISTING OFFICE BUILDING 7050 WOODBINE AVE

07			
06			
05			
04			
03			
02			
01	ISSUED FOR ZPR	DEC 3, 24	AH
NO	REVISION	DATE	BY

ONTARIO ASSOCIATION OF ARCHITECTS
 HENRY W CHIU ARCHITECT LIMITED
 2347 KENNEDY ROAD SUITE 507, SCARBOROUGH ONTARIO M1T 3T8

PROJECT TITLE
 PROPOSED VICTORIA INTERNATIONAL COLLEGE OF BUSINESS & TECHNOLOGY
 7050 WOODBINE AVE UNIT 300, MARKHAM ON

TITLE: SITE PLAN
 SCALE: AS SHOWN
 DATE: DEC, 2024
 PROJ NO:

DRAWN BY: AH
 ISSUED:
 DWG NO.: A1.1

Yap, Vivian

Appendix C

From: Zahir, Amjad (MTO) <Amjad.Zahir@ontario.ca>
Sent: Thursday, February 6, 2025 12:56 PM
To: Yap, Vivian; Ako-manieson, Theo; Cefaratti, Rick
Subject: RE: A/009/25 - 7050 Woodbine Avenue - Minor Variance
Attachments: MTO CM - Pre-con comments - standard.pdf

File: 25.110362.000.00.MNV

Date: 3/14/2025
MM/DD/YYYY

CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.

Hello Vivian

Please see my comments for the minor variance application. I have also attached the standard pre-con comments.

Close to Highway 404 & Steeles Interchange

The site exists near an intersection of major highways. The traffic and highway access situation might require assessment by MTO if the office building transitions to a school facility.

• Traffic Impact

- A school will bring different traffic patterns compared to an office. More cars, including student drop-offs and pick-ups, could affect traffic flow.
- MTO may ask for a **Traffic Impact Study (TIS)** to see if changes are needed, like adjusting traffic lights or adding turn lanes.

• Access & Exits

- The school will use Woodbine Avenue for entry and exit, which is a major road. MTO may require changes to access points to avoid congestion or safety issues.

• Parking & Traffic Flow on Site

- MTO will want to make sure there's enough parking and that cars won't block Woodbine Avenue while waiting to enter or exit.

• Stormwater & Drainage

- If any construction or parking lot changes happen, MTO may check if water drainage is still working properly and meets provincial rules.

• Signage & Visibility

- If the school adds new signs, MTO will want to ensure they don't block drivers' views or cause distractions near the highway.

Amjad Zahir | Corridor Management Planner (East)

Highway Corridor Management Section | Central Operations | Ministry of Transportation

Telephone: 437-925-8232 | Email: amjad.zahir@ontario.ca



From: Yap, Vivian <VYap@markham.ca>

Sent: Thursday, February 6, 2025 11:48 AM

To: Ako-manieson, Theo <TAko-manieson@markham.ca>; Cefaratti, Rick <RCefaratti@markham.ca>

Subject: A/009/25 - 7050 Woodbine Avenue - Minor Variance

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Good morning,

An ePlan Minor Variance application has been received for [7050 Woodbine Avenue](#) (A/009/25). Please see attached Circulation Memo and associated plans.

Regards,

Vivian Yap

Development Technician

Planning & Urban Design | Development Services Commission

City of Markham | 101 Town Centre Boulevard, Markham, ON, L3R 9W3

T: 905.477.7000 ext. 2063 | **E:** VYap@markham.ca



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Appendix C

File: 25.110362.000.00.MNV

Date: 3/14/2025
MM/DD/YYYY

From: [Dan Tovey](#)
Sent: Friday, March 14, 2025 3:22 PM
To: [Ako-manieson, Theo](#)
Cc: [Derrick Wong](#); [Rory McNeil](#); [Kathryn Moore](#); [Tyson Ma](#); [Mina Rahimi](#)
Subject: RE: 7050 Woodbine Ave - A/009/24 (MNV 25.110362) - City of Toronto Comments

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Good afternoon Theo,

Thank you for the opportunity to provide comments on City of Markham minor variance file A/009/24 (MNV 25.110362) to seek relief from the zoning bylaw to permit a commercial school at 7050 Woodbine Avenue.

City of Toronto staff have reviewed this application and note that the proposal is proximate to lands designated Employment Areas by the Toronto Official Plan, located south of Steeles and east of Highway 404/Woodbine Avenue. The City of Toronto Official Plan and Zoning By-laws allow for uses that may be considered major facilities on portions of the Employment Area and this area includes several major facilities that could be impacted by the proposed sensitive use (commercial school). Consequently, City of Toronto staff recommend that if this application proceeds at the Committee of Adjustment, that prior to a decision being made by the Committee, the applicant complete a land use compatibility/mitigation study to determine the suitability of the proposed use in this location and to identify mitigation measures to address any adverse effects to these facilities in the City of Toronto. City of Toronto staff also note that the City of Toronto Official Plan requires that the peer review costs associated with this study are to be covered by the applicant.

Please don't hesitate to contact me if you have questions regarding these comments.

Regards,

Dan Tovey
Manager, Community Planning
North York District - East Section
Development Review Division, 5100 Yonge St, Ground Floor | Toronto, ON M2N 5V7
Telephone 416-392-8707 | Email: dan.tovey@toronto.ca



From: Ako-manieson, Theo <TAko-manieson@markham.ca>
Sent: March 12, 2025 12:15 PM
To: Dan Tovey <Dan.Tovey@toronto.ca>
Subject: [External Sender] 7050 Woodbine Ave - A/009/24 (MNV 25.110362) - City of Toronto
Comments

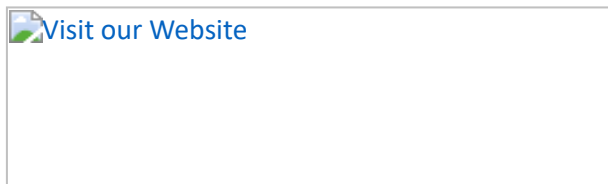
Hi Dan,

Thanks for the quick chat! As discussed, here are the drawings the applicant has provide for review of their minor variance application. If you need anything further, please let me know.

Thanks,

Theo Ako-Manieson, BURPI
Planner 1, West District
Planning and Urban Design
(905) 477-7000, Extension 2383

City of Markham Planning and Urban Design Department
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