

Memorandum to the City of Markham Committee of Adjustment

May 8, 2025

File: A/009/25
Address: 7050 Woodbine Avenue, Markham
Agent: Henry Chiu Architect Ltd (Henry Chiu)
Hearing Date: Wednesday, May 14, 2025

The following additional 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

This application was deferred sine die by the Committee of Adjustment at the March 14, 2025 meeting, at the applicant's request, to provide further detail on the nature of the proposal and to address potential concerns with the application.

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

After reviewing the application, Staff maintains the position that this application is more suited for a site-specific Zoning By-law Amendment, subject to Policies 8.5.1.2 and 8.5.1.3 of the 2014 Official Plan.

However, Staff has had follow up discussions with the applicant clarifying the nature and intensity of the use. The Applicant states that their proposal will not require any additional development, utilizing half of the 3rd floor of the existing office building for the Victoria International College of Business and Technology. The Applicant has also stated that a significant portion of the operation will take place online, limiting the number of students within the proposed school. As a result, the Applicant states that the commercial school would not subject to the same concerns of dropping off and picking up students that are present in an elementary or secondary school. It should be noted that the school is currently located at 306 Consumers Road, Toronto, Ontario, within an area categorized as "General Employment" within Toronto's Official Plan.

Additionally, Staff has had a follow up meeting and correspondence with the City of Toronto regarding potential impacts the commercial school would have on Toronto's

employment lands, and the current address for the Victoria International College of Business and Technology at 306 Consumers Road. City of Toronto Staff maintain their stance that the proposed commercial school would be deemed a sensitive use, and have provided revised comments further explaining how sensitive land uses are defined in their Official Plan.

Furthermore, site visits have been conducted to the Subject Property and nearby schools of similar status south of Steeles Avenue, to examine the surrounding context around the area. Staff note that Toronto has confirmed the Victoria International College of Business and Technology, and other nearby schools in employment areas are deemed to be legal non-conforming uses; these educational facilities were established before Toronto's current General Employment Area policies were implemented.

EXTERNAL AGENCIES

City of Toronto Comments

The City of Toronto has provided the following revised comments on the minor variance application, specifically detailing how sensitive uses are handled in the Toronto Official Plan:

In accordance with the City of Toronto Official Plan, the term sensitive land uses means:

“buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times have the potential to experience an adverse effect, due to nearby major facilities or due to emissions that may be generated by the land uses permitted by this Plan within an Employment Area. Sensitive land uses may be a part of the natural or built environment, principal uses or accessory/ancillary uses. Residential uses shall be considered sensitive land uses. Other examples may include, but are not limited to: daycare centres, and educational and health facilities.”

According to the Toronto OP, the introduction of sensitive land uses into Employment Areas can force industry to alter their operations, particularly when the environmental certificates that industries operate under are affected, or complaints are lodged about adverse effects from industrial operations. Even where new sensitive land uses are located outside of, but in close proximity to, Employment Areas, they should be designed and constructed to prevent the residents or users from being affected by noise, traffic, odours or other contaminants from nearby industry.

Per Policy 2.2.4.6, a complete application to introduce, develop or intensify sensitive land uses, including residential uses, in a location outside of and adjacent to or near to Employment Areas or within the influence area of major facilities shall include a Compatibility/Mitigation Study, which will be addressed in the applicant's Planning Rationale.

Please refer to Appendix C for further detail and confirmation of legal non-conforming use for the nearby educational facilities.

PUBLIC INPUT SUMMARY

No written submissions were received as of May 8, 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 recommend that the Committee satisfy themselves that the four tests of the Planning Act have been met. 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.

Should the Committee reach a decision of approval for this application, conditions for approval have been attached in Appendix A

APPENDICIES

Appendix "A" – A/009/25 Conditions of Approval

Appendix "B" – Drawings

Appendix "C" – City of Toronto Comments

Appendix "D" - Staff Report Dated March 14 2025

Appendix "E" – Extract from March 19 2025 Committee of Adjustment Meeting Minutes

PREPARED BY:



Theo Ako-Manieson, Planner I, West District

REVIEWED BY:



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

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

APPENDIX “A”

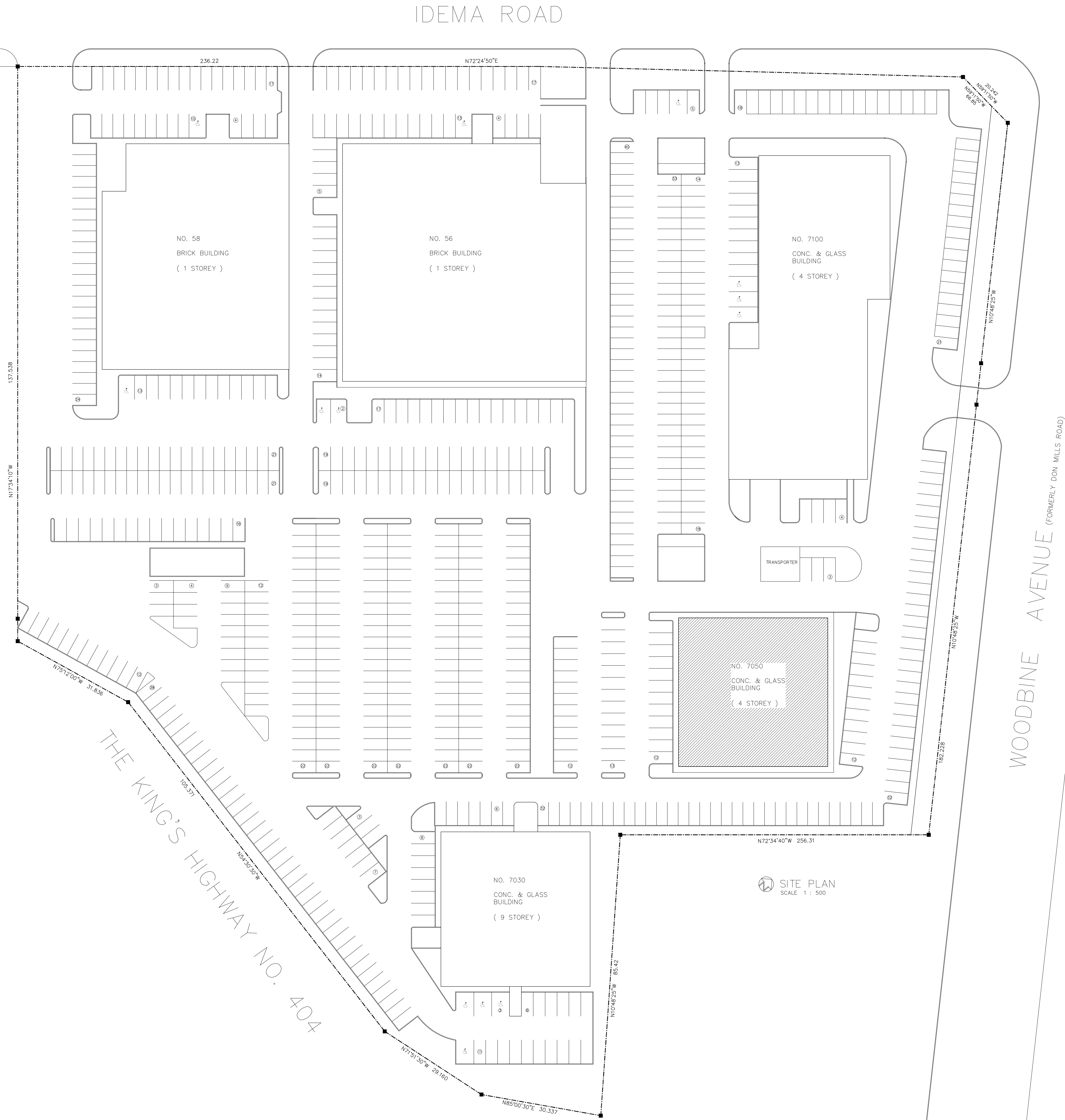
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/009/25

1. The variances apply only to the proposed development as long as it remains;
2. That the variances apply only to the subject development, in substantial conformity with the plan(s) attached as 'Appendix B' to this Staff Report, and that the Secretary-Treasurer receive written confirmation from the Supervisor of the Committee of Adjustment or designate that this condition has been fulfilled to their satisfaction;
3. That for the purposes of this variance, a Commercial School shall only include a private career college or trade school for adults;
4. That no Commercial School exceed 645.44 m², and that it only be confined to the 3rd floor of the existing office building.

CONDITIONS PREPARED BY:



Theo Ako-Manieson, Planner I, West District



Appendix B

File: 25.110362.000.00.MNV

Date: 3/14/2025

MM/DD/YYYY

KEY PLAN
N. T. S.

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
<div><div>ONTARIO ASSOCIATION OF ARCHITECTS</div><div></div></div>		<div>HENRY W CHIU ARCHITECT LIMITED</div> <div>2347 KENNEDY ROAD SUITE 507, SCARBOROUGH ONTARIO M1T 3T8</div>	
PROJECT TITLE PROPOSED VICTORIA INTERNATIONAL COLLEGE OF BUSINESS & TECHNOLOGY 7050 WOODBINE AVE UNIT 300, MARKHAM ON			
TITLE: SITE PLAN			
SCALE: AS SHOWN		DRAWN BY: AH	
DATE: DEC, 2024		ISSUED:	
PROJ NO:		DWG NO: A1.1	

Appendix C

File: 25.110362.000.00.MNV

Date: 5/8/2025
MM/DD/YYYY

From: [Mina Rahimi](#)
Sent: Monday, May 5, 2025 11:20 AM
To: [Ako-manieson, Theo](#)
Cc: [Derrick Wong](#); [Dan Tovey](#)
Subject: RE: 7050 Woodbine Ave - A/009/24 (MNV 25.110362) - City of Toronto Comments

Hi Theo,

I reviewed these educational facilities and found that they were established before the policies concerning General Employment Areas were introduced, making them legal non-conforming uses. However, under current City and Provincial policies, compatibility studies are now required when proposing sensitive uses—such as educational facilities—within these areas.

Kindly let me know if you have any further questions.

Thanks,

Mina Rahimi | MPlan, MCIP, RPP
Planner, Community Planning
Development Review Division | North York District | East Section
O [416-392-2533](tel:416-392-2533)
E mina.rahimi@toronto.ca



From: Ako-manieson, Theo <TAko-manieson@markham.ca>
Sent: Monday, April 28, 2025 10:41 AM
To: Mina Rahimi <Mina.Rahimi@toronto.ca>
Cc: Derrick Wong <Derrick.Wong@toronto.ca>; Dan Tovey <Dan.Tovey@toronto.ca>
Subject: [External Sender] RE: 7050 Woodbine Ave - A/009/24 (MNV 25.110362) - City of Toronto Comments
Importance: High

Hi Mina,

Hope everything's well. For 7050 Woodbine Avenue, I just wanted to follow up on if you were able to look into 306 Consumers Road and the other nearby schools south of Steeles.

This application is scheduled for the May 14th Committee of Adjustment meeting, so if you're able to find anything, please provide it at your earliest convenience. Any insight into those properties would be appreciated and helpful to us before it goes to CofA.

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
101 Town Centre Boulevard, Markham, ON L3R 9W3
markham.ca

From: Ako-manieson, Theo
Sent: Friday, April 11, 2025 10:15 AM
To: Mina Rahimi <Mina.Rahimi@toronto.ca>
Cc: Derrick Wong <Derrick.Wong@toronto.ca>; Dan Tovey <Dan.Tovey@toronto.ca>
Subject: RE: 7050 Woodbine Ave - A/009/24 (MNV 25.110362) - City of Toronto Comments

Hi Mina,

Thanks for the update. Just as an FYI, we'd reiterate that there is no anticipated development or alterations to the existing built form, or concerns with regards to disrupted activity.

We're looking forward to hearing more about the property on 306 Consumers Road. Since the use would be considered a sensitive use in both the Toronto OP and Markham OP, finding out how the Victoria International College of Business & Technology ended up in its current location would be beneficial in our evaluation of 7050 Woodbine as a new site.

For the same reason, I'd also like some clarity on how the schools on the south side of Steeles were permitted? (Loyalist College, Union Education Academy, Queens's Elite Academy). Since these schools are near the subject property and within a General Employment area, information on development applications for those schools would also help in evaluating the viability of the school for Staff and the Committee.

Tentatively, this application is scheduled for the May 14th CofA meeting, we'll ensure that your staff receives a copy of the Notice of Decision.

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
101 Town Centre Boulevard, Markham, ON L3R 9W3
markham.ca

From: Mina Rahimi <Mina.Rahimi@toronto.ca>
Sent: Wednesday, April 9, 2025 3:05 PM
To: Ako-manieson, Theo <Tako-manieson@markham.ca>
Cc: Derrick Wong <Derrick.Wong@toronto.ca>; Dan Tovey <Dan.Tovey@toronto.ca>
Subject: RE: 7050 Woodbine Ave - A/009/24 (MNV 25.110362) - City of Toronto Comments

Hi Teo,

Here's some supplementary comments from Toronto OP policies regarding Sensitive Use:

In accordance with the City of Toronto Official Plan, the term sensitive land uses means: buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times have the potential to experience an adverse effect, due to nearby major facilities or due to emissions that may be generated by the land uses permitted by this Plan within an Employment Area. Sensitive land uses may be a part of the natural or built environment, principal uses or accessory/ancillary uses. Residential uses shall be considered sensitive land uses. Other examples may include, but are not limited to: daycare centres, and educational and health facilities.

According to Toronto OP, the introduction of sensitive land uses into Employment Areas can force industry to alter their operations, particularly when the environmental certificates that industries operate under are affected, or complaints are lodged about adverse effects from industrial operations. Even where new sensitive land uses are located outside of, but in close proximity to, Employment Areas, they should be designed and constructed to prevent the residents or users from being affected by noise, traffic, odours or other contaminants from nearby industry.

Per Policy 2.2.4.6 A complete application to introduce, develop or intensify sensitive land uses, including residential uses, in a location outside of and adjacent to or near to Employment Areas or within the influence area of major facilities shall include a Compatibility/Mitigation Study, which will be addressed in the applicant's Planning Rationale.

As we mentioned earlier in our meeting, Commercial School is considered as an educational facility and as such it is a sensitive use. Per policies of Toronto OP mentioned above, a Compatibility/Mitigation Study is required for this application.

I will look into Consumers Road property and get back to you on that.

Also, we would like to receive a notice of decision if the Committee proceeds with a decision on this application.

Kindly let me know if you need anything else.

Thanks,

Mina Rahimi | MPlan, MCIP, RPP
Planner, Community Planning
Development Review Division | North York District | East Section
O [416-392-2533](tel:416-392-2533)
E mina.rahimi@toronto.ca



From: Ako-manieson, Theo <Tako-manieson@markham.ca>
Sent: April 7, 2025 1:34 PM
To: Mina Rahimi <Mina.Rahimi@toronto.ca>
Cc: Derrick Wong <Derrick.Wong@toronto.ca>; Dan Tovey <Dan.Tovey@toronto.ca>
Subject: [External Sender] RE: 7050 Woodbine Ave - A/009/24 (MNV 25.110362) - City of Toronto Comments

Hi Mina,

Just wanted to follow up on when we can expect revised comments from Toronto for 7050 Woodbine Ave?

Also, I was wondering if you had a chance to look into my questions regarding 306 Consumers Road?

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
101 Town Centre Boulevard, Markham, ON L3R 9W3
markham.ca

From: Ako-manieson, Theo
Sent: Monday, March 31, 2025 2:30 PM
To: Mina Rahimi <Mina.Rahimi@toronto.ca>
Cc: Derrick Wong <Derrick.Wong@toronto.ca>; Dan Tovey <Dan.Tovey@toronto.ca>
Subject: RE: 7050 Woodbine Ave - A/009/24 (MNV 25.110362) - City of Toronto Comments

Hi Mina,

Thanks again for the chat earlier today!

As a follow up, I was wondering if you could provide further detail on the current location for Victoria International College Of Business & Technology (306 Consumers Road).

My understanding of the area, from a quick look at Toronto's OP is that the subject property is within a secondary plan area (ConsumersNext) and that the lands are designated "General Employment Areas".

Any additional details regarding previous applications, in-effect zoning and the Official Plan designation would be helpful. Overall, I want to have a better understanding of how the school ended up in it's current location.

Thanks,

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

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101 Town Centre Boulevard, Markham, ON L3R 9W3
markham.ca

From: Ako-manieson, Theo
Sent: Thursday, March 27, 2025 3:16 PM
To: Mina Rahimi <Mina.Rahimi@toronto.ca>
Cc: Derrick Wong <Derrick.Wong@toronto.ca>; Dan Tovey <Dan.Tovey@toronto.ca>
Subject: RE: 7050 Woodbine Ave - A/009/24 (MNV 25.110362) - City of Toronto Comments

Hi Mina,

10 – 10:30 am on Monday works best out of those times, send the invite whenever you get the chance

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
101 Town Centre Boulevard, Markham, ON L3R 9W3
markham.ca

From: Mina Rahimi <Mina.Rahimi@toronto.ca>
Sent: Thursday, March 27, 2025 2:26 PM
To: Ako-manieson, Theo <Tako-manieson@markham.ca>
Cc: Derrick Wong <Derrick.Wong@toronto.ca>; Dan Tovey <Dan.Tovey@toronto.ca>
Subject: RE: 7050 Woodbine Ave - A/009/24 (MNV 25.110362) - City of Toronto Comments

Hi Theo,

Please let me know which of the following times work best for you and I'll send you an invite.

- Monday March 31st: 10am - 10:30am | 1pm – 1:30pm | 3:30pm – 4:30pm

Thanks,

Mina Rahimi | MPlan, MCIP, RPP
Planner, Community Planning
Development Review Division | North York District | East Section
5100 Yonge Street, North York Civic Centre, Ground Floor, North York, ON M2N 5V7
O [416-392-2533](tel:416-392-2533)
E mina.rahimi@toronto.ca



From: Ako-manieson, Theo <Tako-manieson@markham.ca>
Sent: Thursday, March 27, 2025 2:00 PM
To: Mina Rahimi <Mina.Rahimi@toronto.ca>
Cc: Derrick Wong <Derrick.Wong@toronto.ca>; Dan Tovey <Dan.Tovey@toronto.ca>
Subject: [External Sender] RE: 7050 Woodbine Ave - A/009/24 (MNV 25.110362) - City of Toronto Comments

Hi Mina, thanks for reaching out.

The applicant requested to defer the application at the March 19th Committee of Adjustment meeting, as of now it is off agenda. Additionally, the applicant has provided more information to our staff on the nature of the proposal.

I'd like to have a quick call to discuss it further. Do you have some time tomorrow or early next week to chat about it?

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
101 Town Centre Boulevard, Markham, ON L3R 9W3
markham.ca

From: Mina Rahimi <Mina.Rahimi@toronto.ca>
Sent: Thursday, March 27, 2025 12:26 PM
To: Ako-manieson, Theo <Tako-manieson@markham.ca>
Cc: Derrick Wong <Derrick.Wong@toronto.ca>; Dan Tovey <Dan.Tovey@toronto.ca>
Subject: RE: 7050 Woodbine Ave - A/009/24 (MNV 25.110362) - City of Toronto Comments

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.

Hi Theo,

Hope you're doing well. I'm kindly following up on the updated status of this application.

Thanks,

Mina Rahimi | MPlan, MCIP, RPP
Planner, Community Planning
Development Review Division | North York District | East Section
5100 Yonge Street, North York Civic Centre, Ground Floor, North York, ON M2N 5V7
O [416-392-2533](tel:416-392-2533)
E mina.rahimi@toronto.ca



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

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
101 Town Centre Boulevard, Markham, ON L3R 9W3
markham.ca



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Appendix D

File: 25.110362.000.00.MNV

Date: 5/8/2025
MM/DD/YYYY

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:



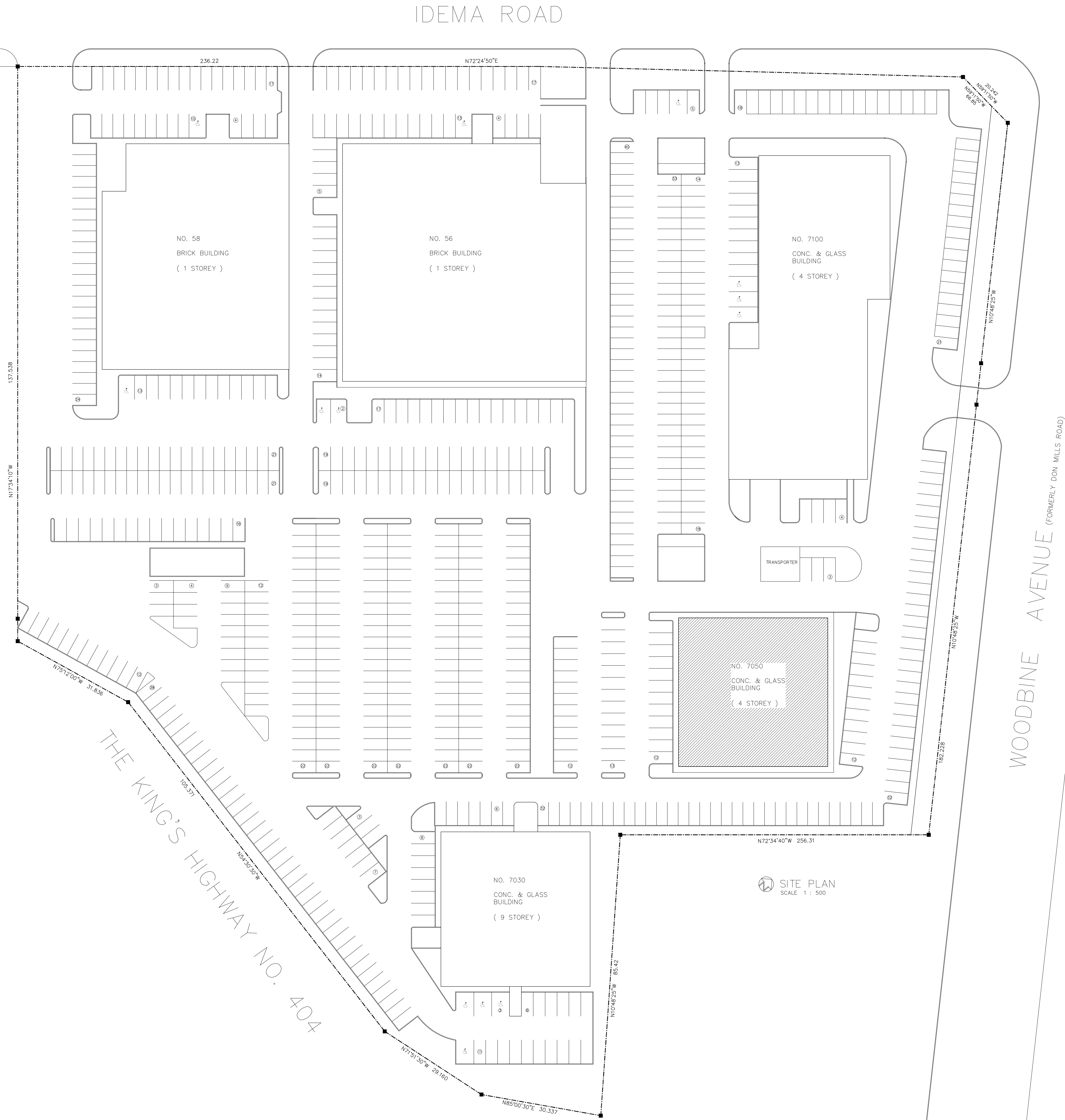
Theo Ako-Manieson, Planner I, West District

REVIEWED BY:



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

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



Appendix B

File: 25.110362.000.00.MNV

Date: 3/14/2025

MM/DD/YYYY

KEY PLAN
N. T. S.

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		
<div><div>ONTARIO ASSOCIATION OF ARCHITECTS</div><div></div></div>		<div>HENRY W CHIU ARCHITECT LIMITED</div> <div>2347 KENNEDY ROAD SUITE 507, SCARBOROUGH ONTARIO M1T 3T8</div>			
PROJECT TITLE PROPOSED VICTORIA INTERNATIONAL COLLEGE OF BUSINESS & TECHNOLOGY 7050 WOODBINE AVE UNIT 300, MARKHAM ON					
TITLE: SITE PLAN					
SCALE: AS SHOWN		DRAWN BY: AH			
DATE: DEC, 2024		ISSUED:			
PROJ NO:		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

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.

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
101 Town Centre Boulevard, Markham, ON L3R 9W3
markham.ca



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Appendix E

File: 25.110362.000.00.MNV

Date: 5/8/2025
MM/DD/YYYY

4.3 A/009/25

Agent Name: Henry Chiu Architect Ltd. (Henry Chiu)
7050 Woodbine Avenue, Markham
PLAN R4641 PT LOTS 1 & 2 PLAN 66R5173 PTS 7 – 12

The applicant was requesting relief from the requirements of By-law 2024-19, 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 related to the conversion of existing office use to a commercial school.

Member Prasad motioned for deferral.

Moved by: Arun Prasad

Seconded by: Patrick Sampson

THAT Application **A/009/25** be **deferred** sine die.

Resolution Carried

5. NEW BUSINESS:

5.1 A/155/24

Agent Name: Stantec Consulting Ltd. (Emma Borho)
5300 14th Avenue, Markham
CON 7 PT LOT 6 65R14231 PT 4 65R14470 PT 1

The applicant was requesting relief from the requirements of By-law 2024-19, as amended, to permit:

a) By-law 2024-19, Table 5.4.1:

one parking space per 54 square metres of gross floor area, whereas the by-law requires one parking space per 30 square metres of gross floor area;

as it related to a proposed driveway realignment and parking lot reconfiguration.

This application was associated with Site Plan Control application SPC 2022 118426 000 00 which was currently under review.

The agent, Emma Borho, appeared on behalf of the application.