

# Memorandum to the City of Markham Committee of Adjustment

December 2, 2025

**File:** A/141/25  
**Address:** 455 Cochrane Drive, Markham  
**Agent:** Szeto Architect ( Alfred Szeto)  
**Hearing Date:** Wednesday, December 10, 2025

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

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

**a) By-law 2024-19, Section 9.4.4.1e (1):**

a fitness centre, recreational, whereas the by-law only permits a fitness centre, recreational in the first floor of an office building;

as it relates to a unit within an existing business park.

## **BACKGROUND**

### **Property Description**

The 21,687 m<sup>2</sup> 233,444 ft<sup>2</sup>) property ("Subject Lands") is located on the south side of Cochrane Drive, west of Woodbine Avenue and south of Highway 7 East. The Subject Lands contain two single storey, multi unit buildings and are located within an established employment area comprised of a mix of office and industrial buildings. The rear portion of the property abuts the Highways 404 and 407 interchange ramps. Vehicular access to the Subject Lands is provided from Cochrane Drive.

The Subject Lands are also located within the Allstate Parkway BRT Station (Protected Major Transit Station Area).

### **Proposal**

The applicant is proposing to permit a 288 m<sup>2</sup> (3,100 ft<sup>2</sup>) fitness centre, recreation use (dance studio) within two of the existing units within the eastern light industrial building. There are no proposed changes to the existing building or parking area.

### **Official Plan and Zoning**

Official Plan 2014 (partially approved on November 24/17, and updated on July 17/24)

The Official Plan designates the subject property "Business Park Office Priority Employment", which permits office, manufacturing, processing and warehousing uses, hotel, trade and convention centre, parking garage, and limited retail. In addition, policy 8.5.2.2.g permits ancillary uses including sports and fitness recreation uses within an industrial building, provided that it is located only on the ground floor of the building, and the combined GFA devoted to all ancillary uses are limited to a maximum of 15% of the total GFA of the building.

In addition, the Official Plan also contains specific area policies for the Woodbine/404 area to provide for a mixed-use key development area that integrates a mix of uses at transit supportive densities along Highway 7 East.

### Zoning By-Law 2024-19

The subject property is zoned EMP-BP (O) under By-law 2024-19, as amended, which permits a range of employment related uses, including a “fitness centre, recreational”, which similar to the Official Plan policies must be located in the first storey of an office building, or is accessory to a college or university where the combined uses do not exceed 15% of the GFA of a building.

### **Applicant’s Stated Reason(s) for Not Complying with Zoning**

According to the information provided by the applicant, the reason for not complying with Zoning is, *“the building is not an office building”*.

### **Zoning Preliminary Review (ZPR) Not Undertaken**

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. However, the applicant has received comments from Building Standards through their permit process (25.127143.00 AL) to confirm the variances required for the proposed development. It is the owner’s responsibility to ensure that the application has accurately identified all the variances to the Zoning By-law required for the proposed development. If the variance request in this application contains errors, or if the need for additional variances is identified during the Building Permit review process, further variance application(s) may be required to address the non-compliance.

### **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.

### Fitness Centre, Recreational Use Variance

The applicant is requesting to permit a dance studio within the existing industrial building, whereas the Zoning By-law only permits such a use within the first storey of an office building. The Official Plan permits a fitness recreation use as an ancillary use within an industrial building, and provided the combined GFA devoted to all ancillary uses are limited to a maximum of 15% of the total GFA of the building. The two units are approximately 288 m<sup>2</sup>, whereas the eastern building is approximately 3,960 m<sup>2</sup>, and therefore would be approximately 7.3% of the total GFA of the building.

Although there are applicable parking standards in the Zoning By-law, the Subject Lands are located within a PMTSA and therefore no minimum parking standards are applicable.

No comments or conditions were received from any external agencies, including the MTO.

Staff are of the opinion that the request to permit the Fitness Centre, recreation use on a floor other than the first-storey of the building would have no adverse negative impacts on the Subject Lands.

## **PUBLIC INPUT SUMMARY**

No written submissions were received as of December 2, 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 meets the four tests of the Planning Act and have no objection. 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.

Please refer to Appendix "A" for conditions to be attached to any approval of this application.

PREPARED BY:



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Nusrat Omer, MCIP, RPP, Senior Planner, Planning and Urban Design Department

REVIEWED BY:



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

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**APPENDIX "A"****CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/141/25**

1. The variances apply only to the proposed development as long as the proposed use 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.

CONDITIONS PREPARED BY:

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Nusrat Omer, MCIP, RPP, Senior Planner, Planning and Urban Design Department



