

# Memorandum to the City of Markham Committee of Adjustment

May 05, 2025

**File:** A/025/25  
**Address:** 5560 14th Avenue, Markham  
**Applicant:** Rachelle Larocque  
**Hearing Date:** Wednesday, May 14, 2025

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

The applicant is requesting relief from the following requirements of By-law 177-96, BC\*721 as amended, as it relates to the parking lot of a proposed two-storey multi-unit industrial building:

**a) By-law 177-96, Amending By-law 2022-86, Section j):**

a minimum of 80 parking spaces including accessible parking spaces, whereas the by-law requires a minimum of 100 parking spaces;

This Minor Variance Application is related to Site Plan Control Application SPC 20 116893.

## **BACKGROUND**

### **Property Description**

The 13,255.77 m<sup>2</sup> (142,668.35 ft<sup>2</sup>) subject property is located on the north side of 14<sup>th</sup> Avenue, east of McCowan Road and west of Middlefield Road. The property is located within an industrial area with residential uses on the south side of 14<sup>th</sup> Avenue.

### **Proposal**

The applicant is proposing to construct a two-storey multi-unit industrial building with a total Gross Floor Area of 5,412 m<sup>2</sup> (58,254.28 ft<sup>2</sup>). The proposal includes retaining the existing heritage building.

### **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 as “Service Employment” and “General Employment,” which accommodate a range of employment-related uses. Permitted uses include industrial and service uses such as offices, financial institutions, manufacturing, processing, and warehousing. The designation does not permit accessory outdoor display or storage. Limited retail, trade and commercial schools, commercial parking garages, and hotels (excluding dwelling units) are also permitted within these designations.

### Zoning By-Law 177-96

The subject property is zoned BC\*721 under By-law 177-96, as amended. The base Business Corridor (BC) zone permits a broad range of commercial and employment uses, including but not limited to art galleries, banquet halls, business offices, hotels, industrial uses, medical offices, parking garages, personal service shops, restaurants, retail stores, and trade and convention centres, subject to site-specific exceptions and footnotes outlined in the By-law. Exception \*721 is a site-specific exemption applicable to the subject property at 5560 14th Avenue, which modifies the parent BC zoning. It restricts the permitted uses to a defined list including industrial uses, business offices, medical offices,

retail stores, commercial schools, financial institutions, personal service shops, and repair shops—and establishes specialized provisions related to permitted use locations and development standards.

### **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 indoor parking spaces for the individual industrial units are no longer being provided, thereby reducing the number of parking spaces provided"

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

The owner has confirmed that a Zoning Preliminary Review (ZPR) has not been conducted. 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.

### **Parking Reduction**

The site currently provides a total of 80 parking spaces, whereas the By-law requires a minimum of 100 parking spaces. Staff note that the proposed reduction would comply with the City's Consolidated Zoning By-law 2024-19, as amended, which requires parking for industrial uses at a rate of 2 spaces per unit plus 1 space per 200 square metres of gross floor area. The proposed development also continues to provide the 4 required accessible parking spaces. Units of the proposed development will retain access to multiple parking spaces.

Transportation Engineering staff have reviewed the application and are of the opinion that the proposed variance is minor in nature and unlikely to generate any significant impact on the overall parking supply for the site.

Staff have no objections to the approval of the proposed parking reduction.

### **PUBLIC INPUT SUMMARY**

No written submissions were received as of May 5, 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.

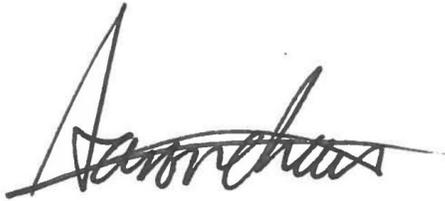
Please refer to Appendix "A" for conditions to be attached to any approval of this application.

**APPENDICIES**

Appendix "A" – A/025/25 Conditions of Approval

Appendix "B" – Drawings

PREPARED BY:



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Aaron Chau, Planner I, East District

REVIEWED BY:



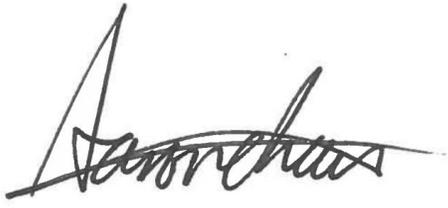
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Stacia Muradali, Development Manager, East District

**APPENDIX "A"**  
**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/025/25**

1. The variances apply only to the proposed development as long as it remains;

CONDITIONS PREPARED BY:

A handwritten signature in black ink, appearing to read "Aaron Chau". The signature is written in a cursive, fluid style with a large initial 'A'.

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Aaron Chau, Planner I, East District

# Appendix B

File: 25.113874.000.00.MNV

Date: 5/7/2025  
MM/DD/YYYY



### SITE STATISTICS (MARKHAM)

ZONING:	MARKHAM ZONING BY-LAW TABLE B8 Business Park (BP) Employment Zone
LOT AREA:	9341.73 SM (0.93 ha.)
LOT FRONTAGE:	67.05M
LOT DEPTH:	122.04M

LOT COVERAGE:	
GROSS FLOOR AREA:	GROUND FLOOR: 3,452 SM SECOND FLOOR: 1,960 SM TOTAL: 5,412 SM
GROSS LEASABLE AREA:	GROUND FLOOR: 3,311 SM SECOND FLOOR: 1,960 SM TOTAL: 5,271 SM
NET FLOOR AREA:	GROUND FLOOR: 2,869 SM SECOND FLOOR: 1,465 SM TOTAL: 4,324 SM
FLOOR AREA RATIO:	57.937%
LOT COVERAGE:	3,452 SM (36.95%)

SETBACKS:		
FRONT YARD (SOUTH)	ACTUAL: 6.00M	REQUIRED: 6.00M
SIDE YARD (WEST)	ACTUAL: 15.40M	REQUIRED: 3.00M
SIDE YARD (EAST)	ACTUAL: 3.00M (FROM LOT LINE) 25.68M (FROM PROPERTY LINE)	REQUIRED: 3.00M
REAR YARD (NORTH)	ACTUAL: 15.40M	REQUIRED: 3.00M
DISTANCE BETWEEN EXISTING AND PROPOSED BUILDING	NORTH SIDE: 1.97M EAST SIDE: 1.87M	

LANDSCAPED AREA:	
TOTAL AREA:	887.30 SM*
PERCENTAGE:	9.5%

MARKHAM ZONING BY-LAW TABLE B8 EMPLOYMENT ZONE			
LANDSCAPED AREA	PROPOSED	REQUIRED	SECTION
WIDTH OF LANDSCAPING TO FRONT LOT	6 M	6 M	PROVISIONS J
WIDTH OF LANDSCAPING TO LOT LINE (NORTH SIDE)	1.5 M*	3 M	PROVISIONS K
WIDTH OF LANDSCAPING TO LOT LINE (EAST SIDE)	3 M	3 M	PROVISIONS K
WIDTH OF LANDSCAPING TO LOT LINE (WEST SIDE)	1.5 M*	3 M	PROVISIONS K

LOT AREA	
PART 2 (NEW ROAD)	2441.70 SM
PART 3 (LOT ADJACENT TO NEW ROAD)	774.33 SM
PART 4 (ROAD WIDENING)	704.10 SM

PARKING (PARKING STATISTICS BY-LAW 2024-19):	
REQUIRED	"Industrial Use - 2 parking spaces per premises, plus 1 parking space for every 200 square metres of gross floor area"
Total Parking Required = (2 x 25 warehouse units) + (5500m <sup>2</sup> of GFA/200m <sup>2</sup> ) = 78 Parking Spaces	
PROVIDED	80 OUTDOOR PARKING SPACES (76 + 4 ACCESSIBLE)

**LEGEND**

- Existing Trees to Remain and be Protected
- Existing Trees to be Removed
- Fire Route Sign
- Accessible Parking Sign
- Snow Storage Sign
- FIRE ROUTE
- MAIN ENTRANCE
- SECONDARY ENTRANCE



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DO NOT SCALE DRAWINGS.

CONTRACTOR MUST CHECK & VERIFY ALL DIMENSIONS ON SITE.

THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION

No.	Issued	Date	By
9	Issue for SPA	2020-07-17	HW
10	Issue for Rezoning	2020-09-11	HW
29	Issue for SPA Resubmission	2024-03-11	SA
33	Issue for SPA Resubmission	2024-06-17	SA
34	SPA - Response to Notice	2024-08-07	KT
36	SPA - Response to Notice	2024-10-25	KT
37	ISSUED FOR BUILDING PERMIT	2025-01-20	KT/KD
38	RESPONSE TO SITE SERVICING PERMIT COMMENTS	2025-02-06	KT
39	RESPONSE TO SITE SERVICING PERMIT COMMENTS	2025-02-21	KT
40	RESPONSE TO PLUMBING PERMIT COMMENTS	2025-03-12	KT



**TAES Architects Inc.**  
98 SCARSDALE ROAD,  
TORONTO, ONTARIO, M3B 2R2  
T: 416 800 3284  
F: 416-800-3485

## Markham Corporate Centre

5560 14th Avenue,  
Markham Ontario

Project number	T2019065
Drawn	Scale As indicated
Checked	Date 3/12/2025 4:19:26 PM

## Site Plan and Statistics

# Appendix B

File: 25.113874.000.00.MNV

Date: 5/7/2025

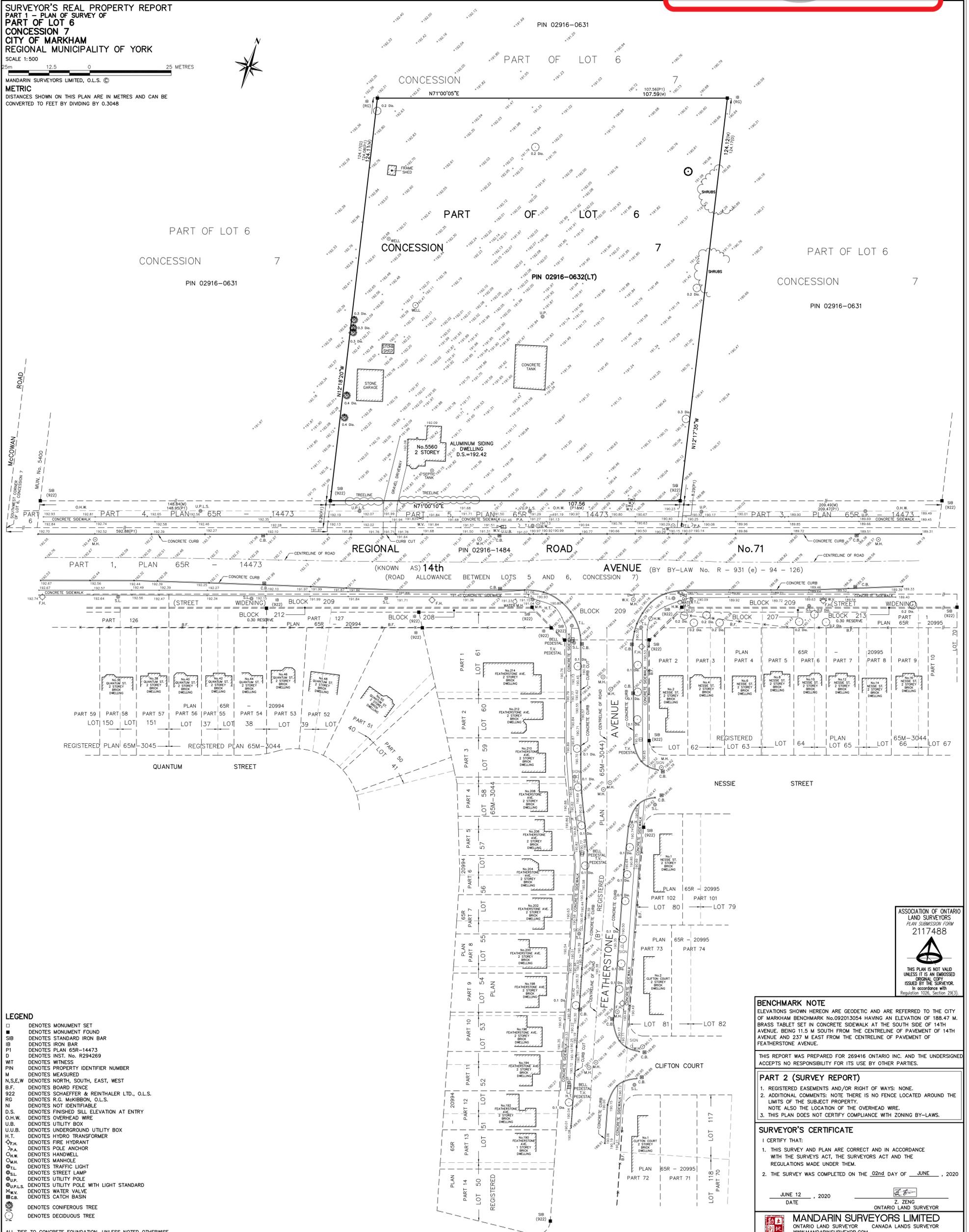
MM/DD/YYYY

**SURVEYOR'S REAL PROPERTY REPORT**  
**PART 1 - PLAN OF SURVEY OF**  
**PART OF LOT 6**  
**CONCESSION 7**  
**CITY OF MARKHAM**  
**REGIONAL MUNICIPALITY OF YORK**

SCALE 1:500  
 25m 12.5 0 25 METRES

MANDARIN SURVEYORS LIMITED, O.L.S. ©

**METRIC**  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE  
 CONVERTED TO FEET BY DIVIDING BY 0.3048



- LEGEND**
- DENOTES MONUMENT SET
  - DENOTES MONUMENT FOUND
  - SIB DENOTES STANDARD IRON BAR
  - IB DENOTES IRON BAR
  - PH DENOTES PLAN 65R-14473
  - D DENOTES INST. No. R294269
  - WT DENOTES WITNESS
  - PIN DENOTES PROPERTY IDENTIFIER NUMBER
  - M DENOTES MEASURED
  - N.S.E.W DENOTES NORTH, SOUTH, EAST, WEST
  - B.F. DENOTES BOARD FENCE
  - 922 DENOTES SCHAEFFER & REINTHALER LTD., O.L.S.
  - RG DENOTES R.G. McKIBBIN, O.L.S.
  - NI DENOTES NOT IDENTIFIABLE
  - D.S. DENOTES FINISHED SILL ELEVATION AT ENTRY
  - O.H.W. DENOTES OVERHEAD WIRE
  - U.B. DENOTES UTILITY BOX
  - U.U.B. DENOTES UNDERGROUND UTILITY BOX
  - H.T. DENOTES HYDRO TRANSFORMER
  - F.H. DENOTES FIRE HYDRANT
  - P.A. DENOTES POLE ANCHOR
  - O.H.W. DENOTES HANDWELL
  - M.H. DENOTES MANHOLE
  - T.L. DENOTES TRAFFIC LIGHT
  - S.L. DENOTES STREET LAMP
  - U.P. DENOTES UTILITY POLE
  - U.P.L.S. DENOTES UTILITY POLE WITH LIGHT STANDARD
  - W.V. DENOTES WATER VALVE
  - C.B. DENOTES CATCH BASIN
  - DENOTES CONIFEROUS TREE
  - DENOTES DECIDUOUS TREE

ALL TIES TO CONCRETE FOUNDATION, UNLESS NOTED OTHERWISE.  
 BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS  
 092911023 AND 092013054, BY REALTIME NETWORK OBSERVATIONS,  
 UTM ZONE 17, NAD 83.

ASSOCIATION OF ONTARIO  
 LAND SURVEYORS  
 PLAN SUBMISSION FORM  
 2117488

THIS PLAN IS NOT VALID  
 UNLESS IT IS AN EMBOSSED  
 ORIGINAL COPY  
 ISSUED BY THE SURVEYOR.  
 In accordance with  
 Regulation 1025, Section 29(3).

**BENCHMARK NOTE**  
 ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO THE CITY OF MARKHAM BENCHMARK No.092013054 HAVING AN ELEVATION OF 188.47 M. BRASS TABLET SET IN CONCRETE SIDEWALK AT THE SOUTH SIDE OF 14TH AVENUE, BEING 11.5 M SOUTH FROM THE CENTRELINE OF PAVEMENT OF 14TH AVENUE AND 237 M EAST FROM THE CENTRELINE OF PAVEMENT OF FEATHERSTONE AVENUE.

THIS REPORT WAS PREPARED FOR 269164 ONTARIO INC. AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

**PART 2 (SURVEY REPORT)**

1. REGISTERED EASEMENTS AND/OR RIGHT OF WAY: NONE.
2. ADDITIONAL COMMENTS: NOTE THERE IS NO FENCE LOCATED AROUND THE LIMITS OF THE SUBJECT PROPERTY. NOTE ALSO THE LOCATION OF THE OVERHEAD WIRE.
3. THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 02nd DAY OF JUNE, 2020

JUNE 12, 2020  
 DATE

Z. ZENG  
 ONTARIO LAND SURVEYOR

**MANDARIN SURVEYORS LIMITED**  
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 WWW.MANDARINSURVEYOR.COM  
 2400 MIDLAND AVE., #121 PHONE: (647)430-1368 FAX: (647)799-4068  
 SCARBOROUGH, ONTARIO, M1S 1X7 E-MAIL: MANDARINSURVEYOR@GMAIL.COM

SURVEY BY: S.Z. CAD No: 20-124SRPR JOB No: 2020-124