

Memorandum to the City of Markham Committee of Adjustment

November 4, 2025

File: A/117/25
Address: 3265 Highway 7 East, Markham
Agent: YI Design Inc.
Hearing Date: Wednesday November 12, 2025

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

The Applicant is requesting relief from the following requirements of the “Retail Warehouse (RW)” zone under By-law 165-80, as amended, as it relates to permitting the replacement of stairs to an existing commercial building (First Markham Place). The variance requested is to permit:

a) Amending By-law 179-95, Section 1.3.2 (g):

a minimum stair setback of 17.5 metres from the open space (O1) zone, whereas the By-law requires a minimum stair setback of 25 metres.

BACKGROUND

Property Description

The 40,403.89 m² (434,903.85 ft²) subject property (“Subject Lands”) are located on the south side of Highway 7, west of Rodick Road and east of Fairburn Drive (refer to Appendix “A” – Aerial Photo). There is an existing commercial plaza and mall (known as First Markham Place) on the Subject Lands.

The Subject Lands are located partially within TRCA’s Regulated Area. This is due to the presence of flood and erosion hazards associated with a tributary of the Rouge River Watershed and its adjacent regulated allowances.

Proposal

The Applicant is proposing to replace a flight of stairs located at the rear of an existing commercial unit (The Best Shop) that includes a deck for operational purposes (“proposed development”). According to the Applicant, the existing stairs are in poor condition, present safety concerns, and require replacement. The submitted Site Plan (Appendix “B”) shows that the proposed stairs will not extend beyond the footprint of the existing flight of stairs. However, the new stairs design includes a deck with a partial canopy, as well as a proposed exterior dock lift connected to the deck to enhance the loading operations of the retail unit.

Official Plan and Zoning

2014 Official Plan (partially approved on November 24, 2017, and updated on April 9, 2018)

The Official Plan designates the majority of the Subject Lands as “Mixed Use Mid Rise” and a sliver along the northeast portion of the Subject Lands as “Greenway”. The “Mixed Use Mid Rise” designation permits retail uses, and the “Greenway” designation

is intended to protect natural heritage and hydrologic features, while supporting the protection of wildlife habitat, passive recreation uses, natural heritage enhancement opportunities and nature appreciation.

In considering an application for development approval or site alteration on lands designated "Greenway", the Official Plan requires that negative effects on natural features and their functions will be minimized. Staff have had regard for the Official Plan requirements in the preparation of the comments provided below.

Zoning By-Law 165-80

The Subject Lands are zoned "RW" under By-law By-law 165-80, as amended, which requires buildings and structures to be setback a minimum of 25 metres from the O1 zone. The Applicant is only requesting relief to this By-law requirement for the proposed stairs.

Zoning Preliminary Review (ZPR) Not Undertaken

The Owner has confirmed that a ZPR has not been conducted. However, the Applicant has received comments from the Building Department through their permit process (NH 24 134630) to confirm the variance 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.

Setback Reduction for Stairs

The Applicant is requesting a minimum stairs setback of 17.5 metres (57.4 feet), whereas the By-law requires a 25 metres (82 feet) setback from the O1 zone. This is a reduction of 7.5 metres (24.6 feet) from the By-law requirement.

The proposed development is located outside the portions of the Subject Lands designated as "Greenway" under the Official Plan. The intent of the By-law is to ensure that buildings are appropriately setback to prevent any potential impacts to the Rouge River valleyland located immediately to the northeast of the proposed development.

Given that Natural Heritage Staff and the TRCA have no objections with the variance request, Planning Staff are satisfied that the proposed development meets the intent of the Official Plan and By-law.

EXTERNAL AGENCIES

Toronto and Region Conservation Authority (TRCA) Comments

The Subject Lands are partially within TRCA's Regulated Area. This is due to the presence of flood and erosion hazards associated with a tributary of the Rouge River Watershed and its adjacent regulated allowances. A TRCA permit is required prior to any development activity or site alteration within the regulated portion of the property pursuant to the Conservation Authorities Act and Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits.

Based on the drawings provided by the Applicant, the TRCA has no objection to the variance requested, subject to conditions related to fee payment for TRCA's review, application for a TRCA permit, and provision of an engineering letter and stamped drawings that confirm that the proposed stairs can withstand the depths and velocities of a regulatory storm event.

York Region

The Subject Lands are located along Highway 7, a Regional Road. York Region has confirmed that they have no comments on the application.

PUBLIC INPUT SUMMARY

No written submissions were received as of November 4, 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.

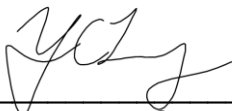
CONCLUSION

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 to the proposed development. 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 "C" for conditions to be attached to any approval of this application.

PREPARED BY:



Barton Leung, Senior Planner, Central District

REVIEWED BY:



Melissa Leung, RPP, MCIP, Senior Planner, Central District

File Path: Amanda\File\ 25 134630 \Documents\District Team Comments Memo

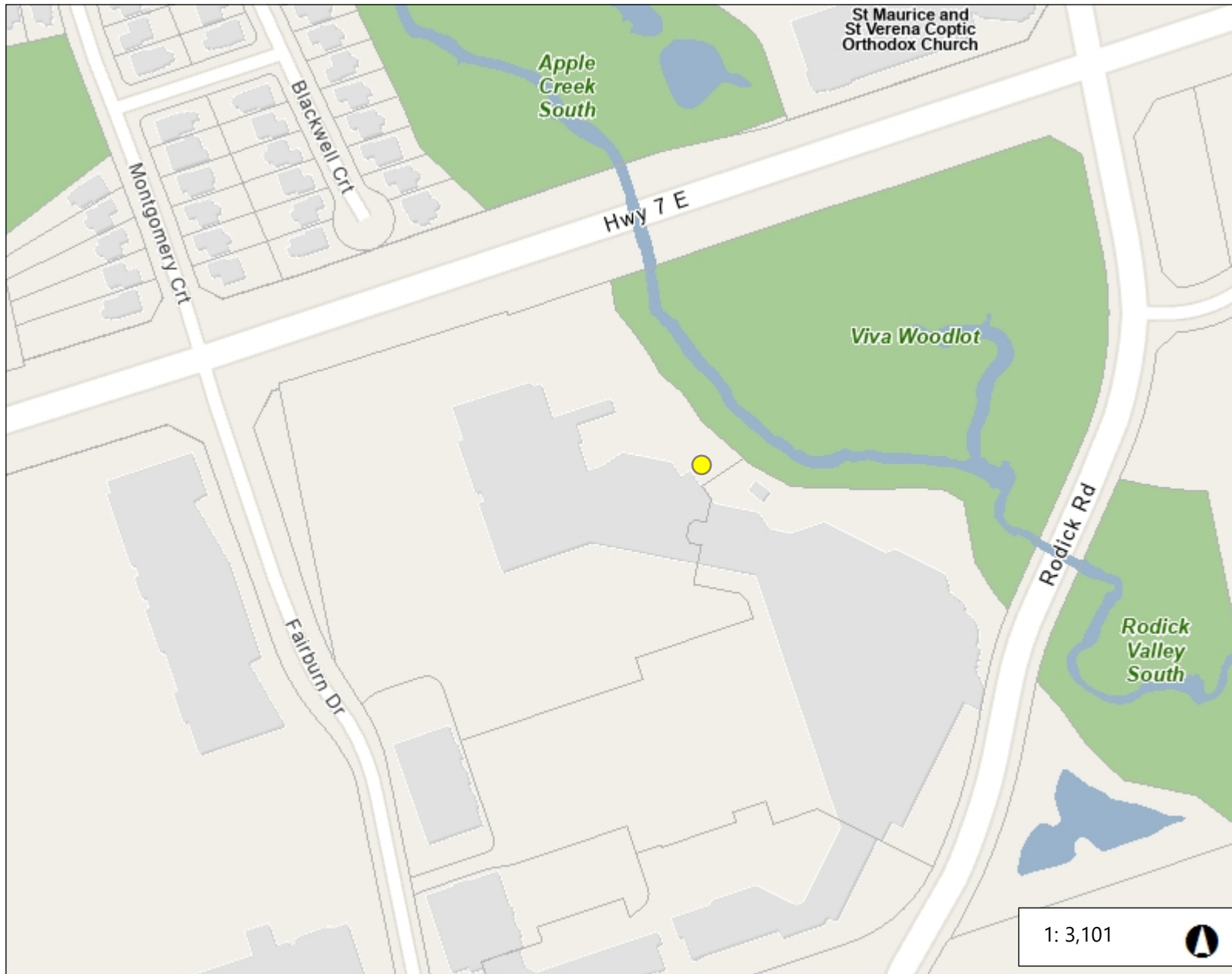
LIST OF APPENDICES

Appendix "A" – Aerial Photo

Appendix "B" – Site Plan and Elevations

Appendix "C" – Conditions

Appendix "D" – TRCA Memo



Legend

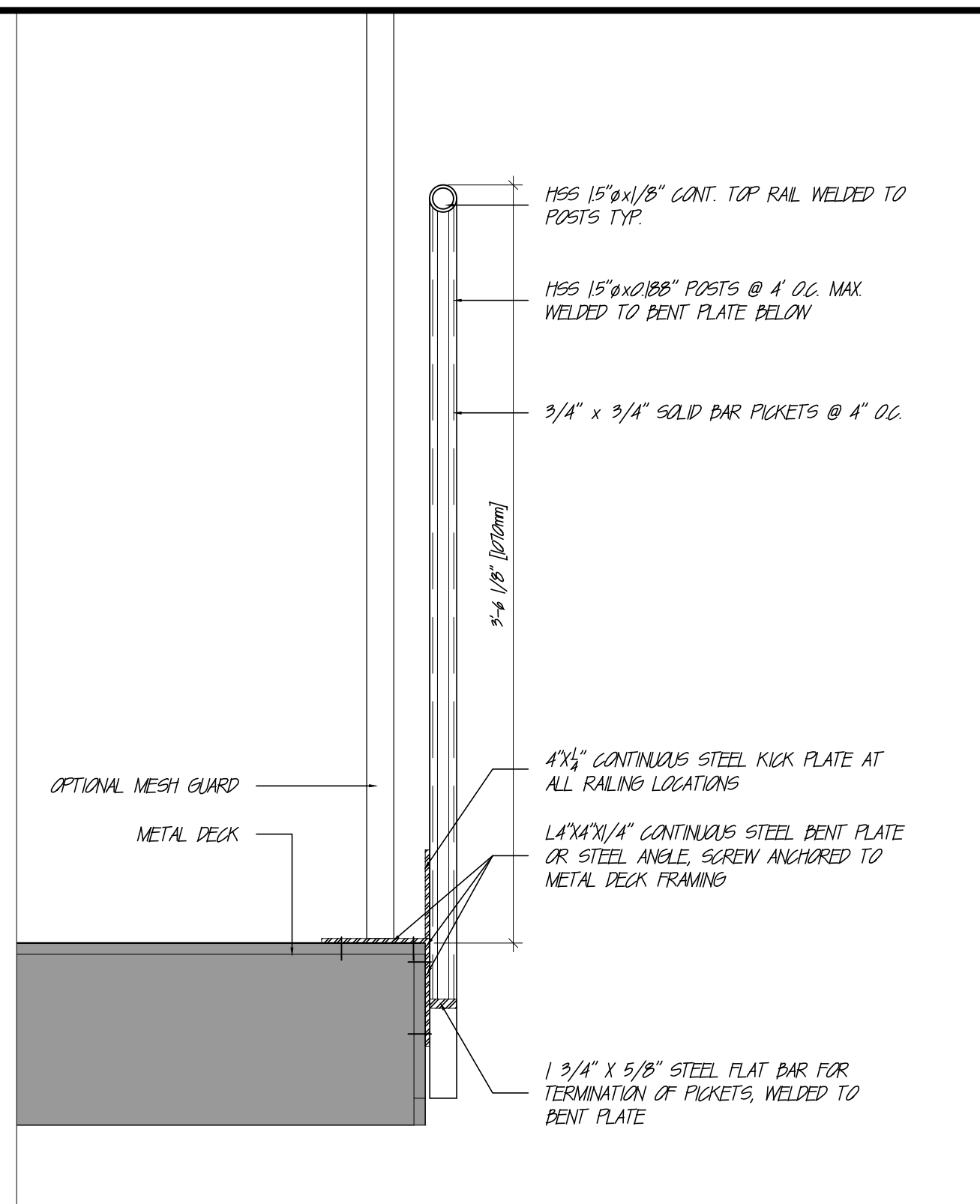
- Subject Lands
- 3265 Highway 7

Notes

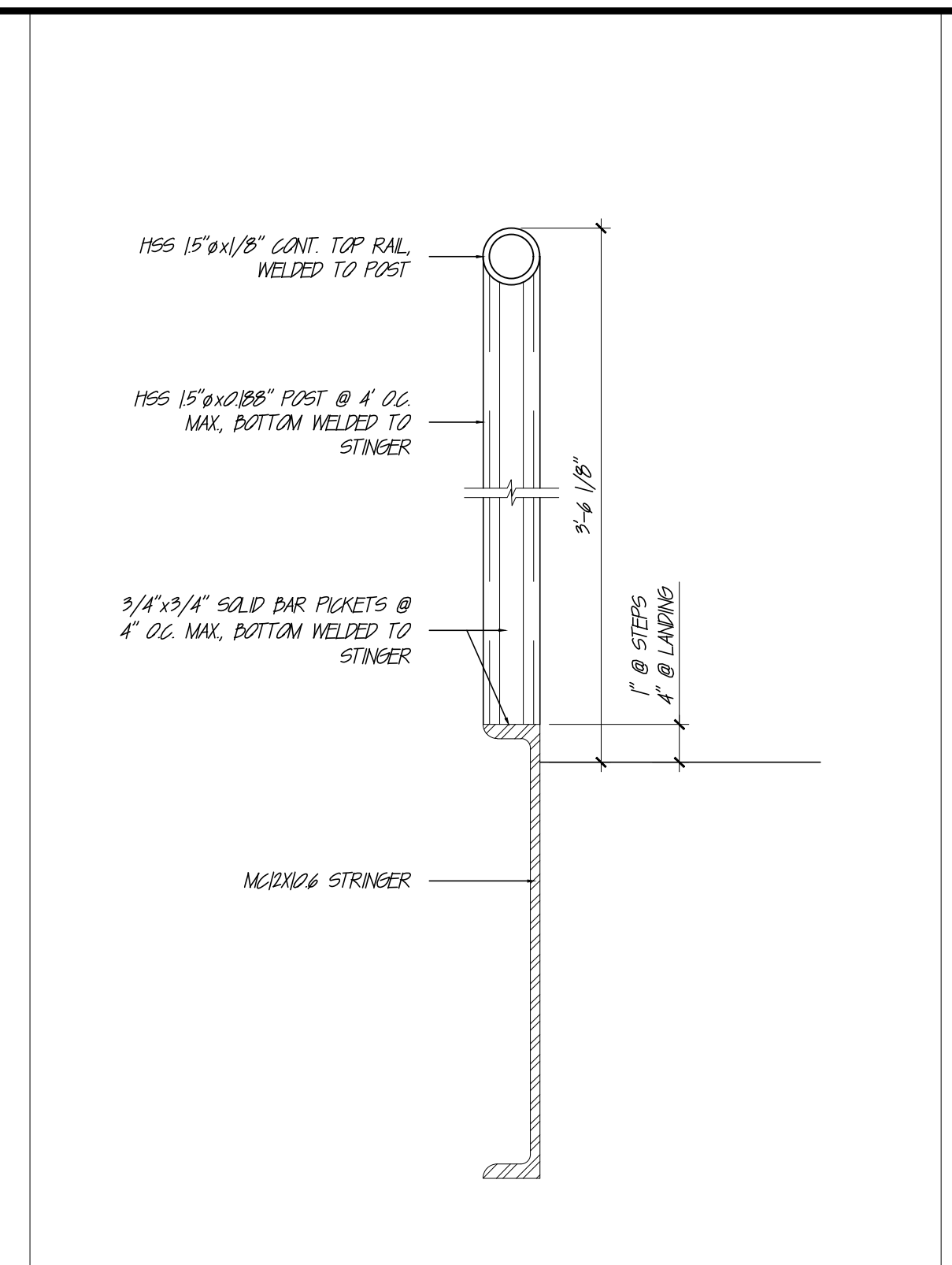
157.5 0 78.76 157.5 Meters

Appendix B

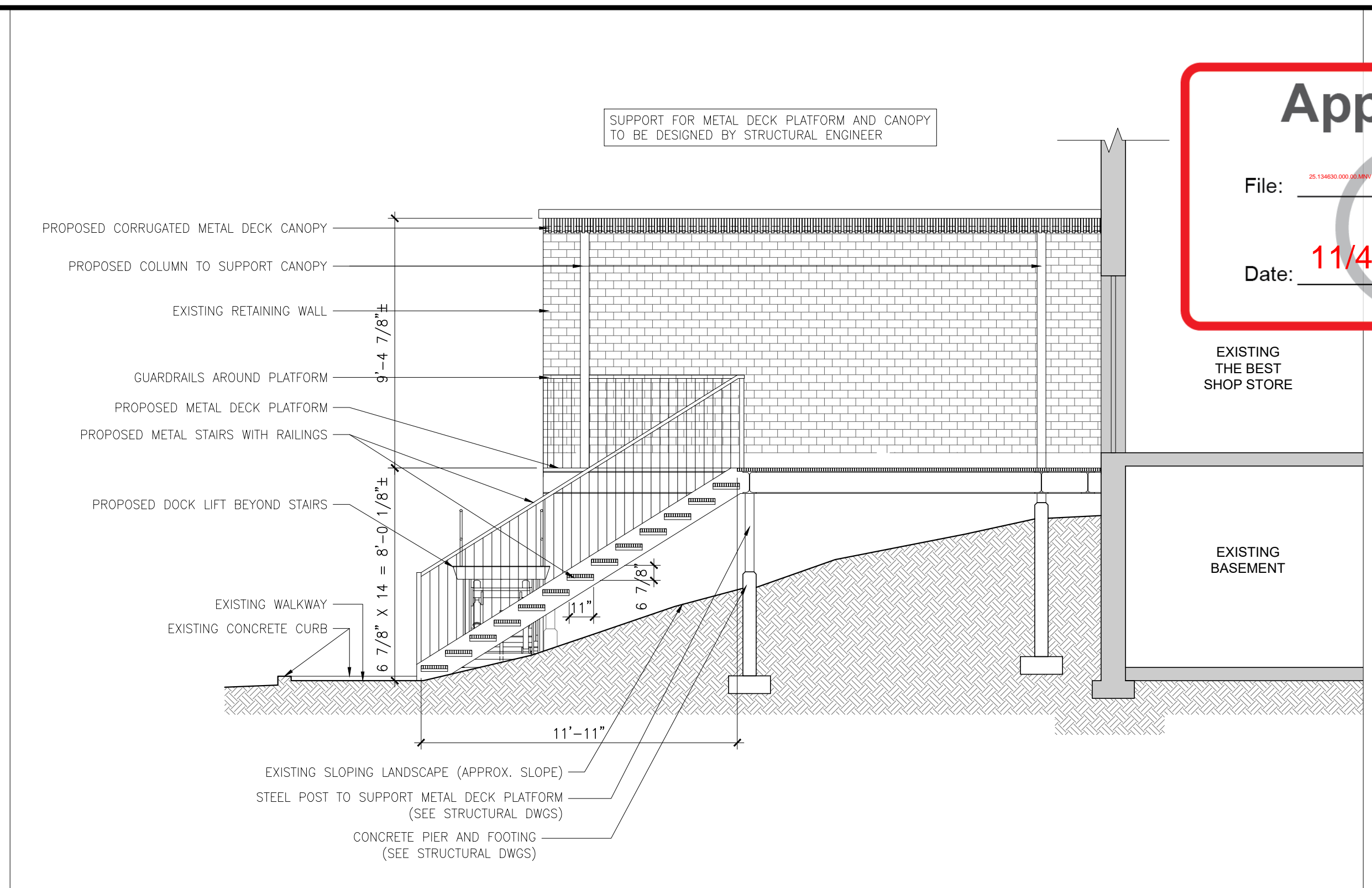
File: 24-0363-00-000
 Date: **11/4/2025**
 MM/DD/YYYY



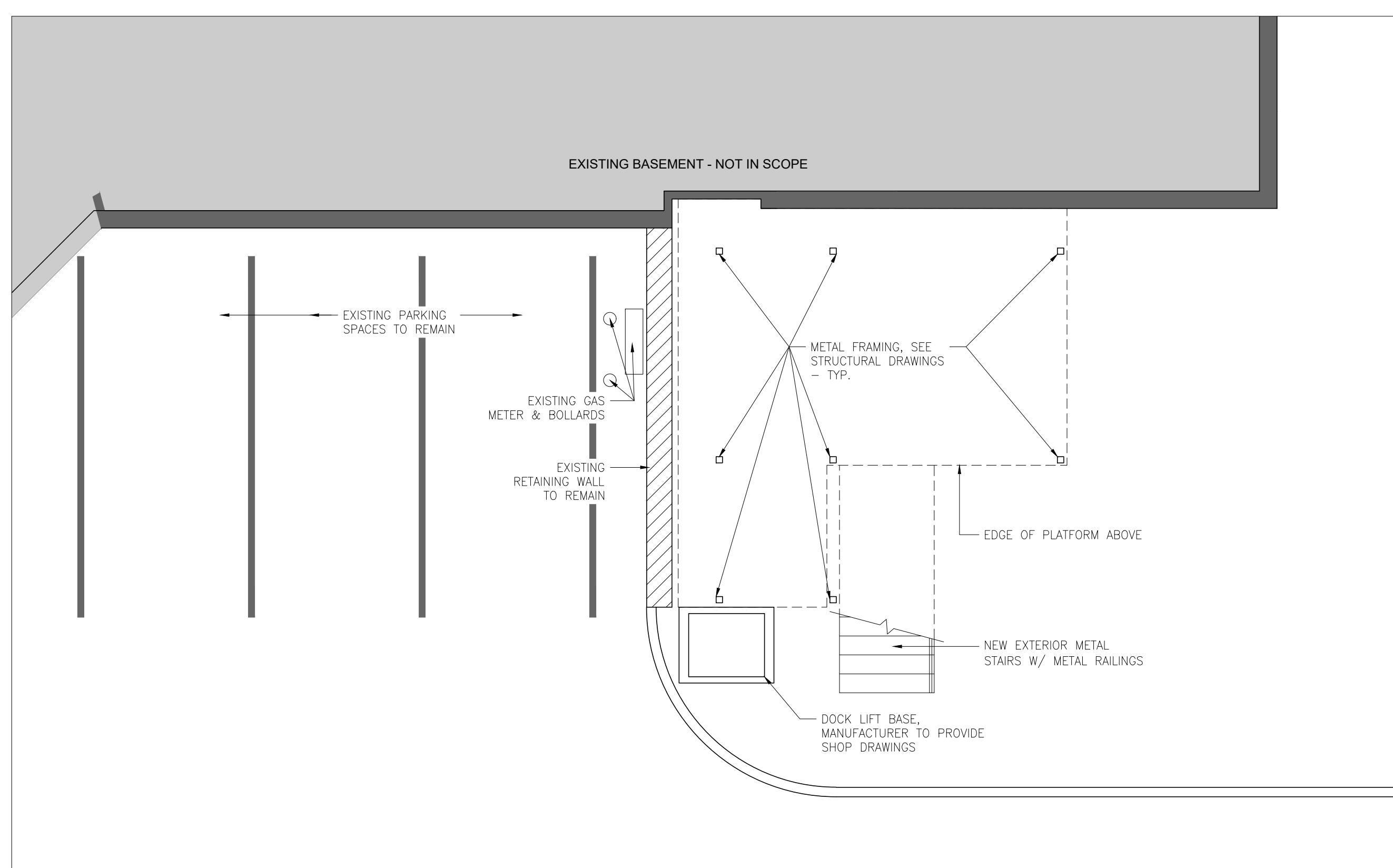
DECK RAILING DETAIL



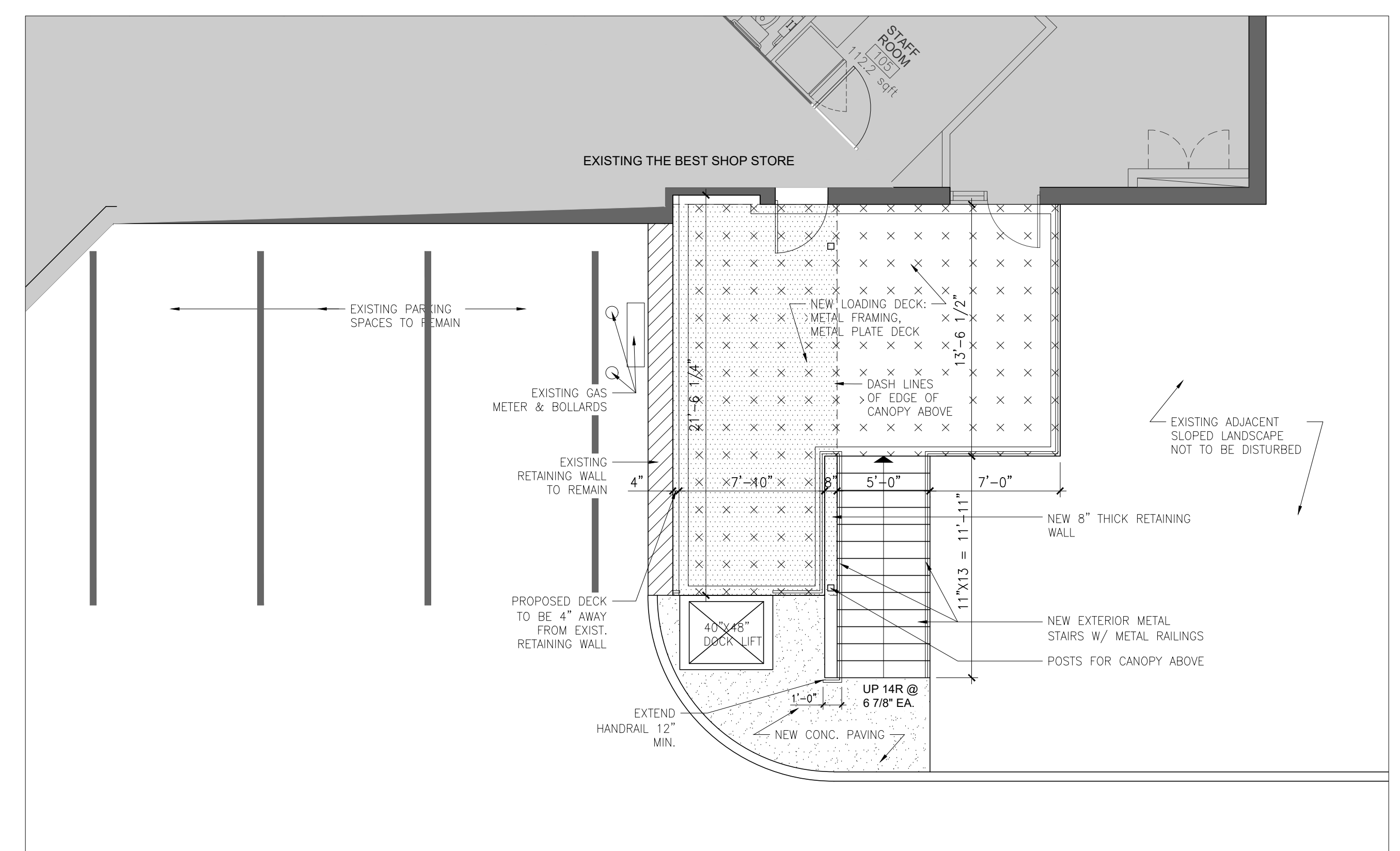
STAIR RAILING DETAIL



PROPOSED LOADING AREA ELEVATION



BELOW PLATFORM PLAN



PROPOSED LOADING AREA PLAN



The undersigned has reviewed and takes responsibility for this design, and has the qualification and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.
 Qualification information Required unless Design is exempt under 3.2.5.1 of Div "C" of the Ontario Building Code
C. ZHOU 44824
 Name Signature BCIN#
 Registration information Required unless Design is exempt under 3.2.4.1 of Div "C" of the Ontario Building Code
YI Design Inc. 112647
 Firm Name BCIN#

YI DESIGN INC.
 T: 416-660-2960
 E: czhou.2005@gmail.com

NO	ISSUED/REVISED	DATE
0	ISSUED FOR LANDLORD REVIEW AND APPROVAL	2024-03-11


Project Name & Address
THE BEST SHOP - REAR LOADING RENOVATION
 UNIT #3 & 3A, FIRST MARKHAM PLACE,
 3265 HWY 7 E, MARKHAM ON

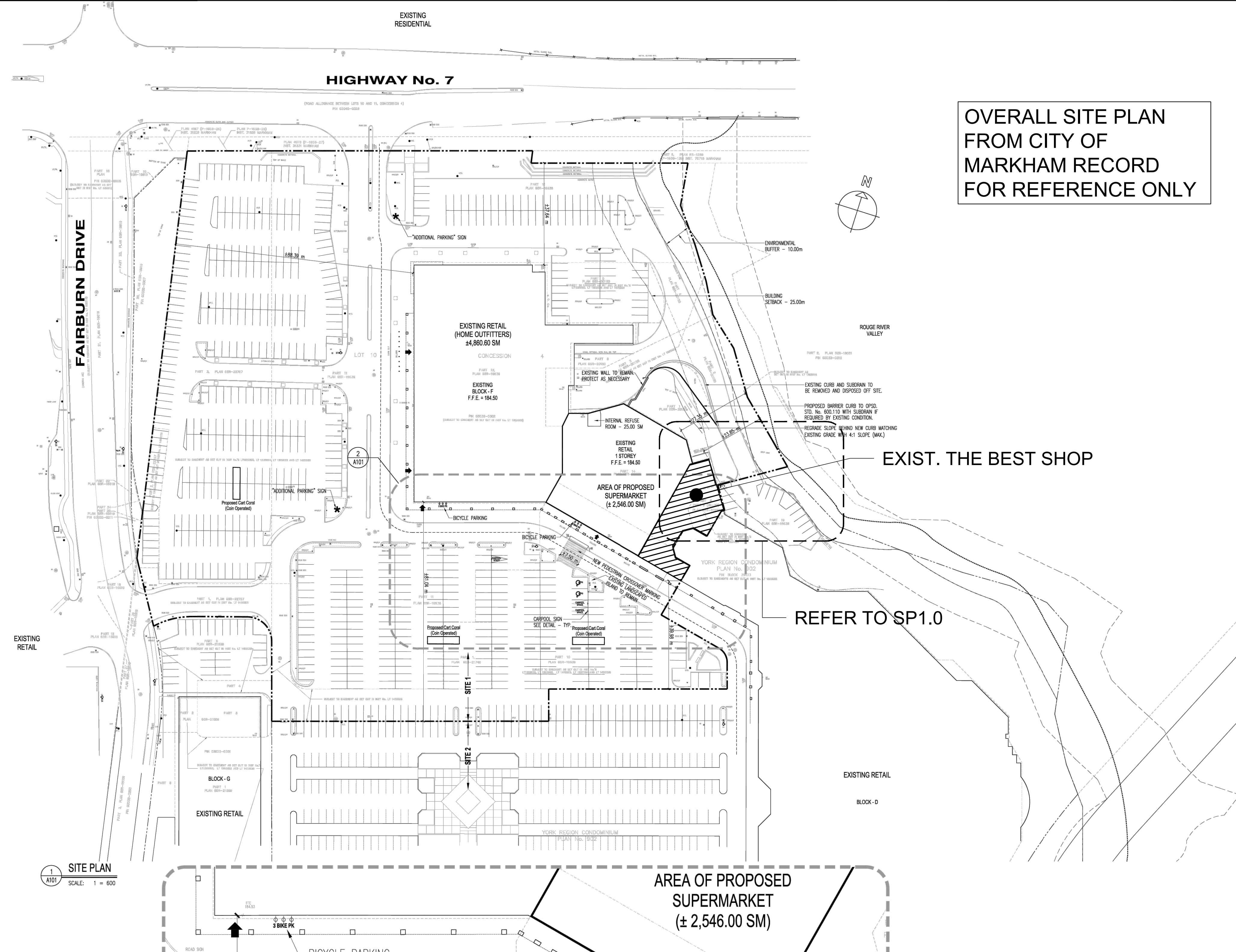
Drawn by: GY Date: March 11, 2024
 Checked by: CZ Scale: 3/16"=1'-0"

Drawing Title
PROPOSED PLAN, ELEVATION

Project No. DES24-0209 Drawing No. **A1.1**

Appendix B

File: 
 Date: **11/4/2025**
 MM/DD/YYYY



**OVERALL SITE PLAN
 FROM CITY OF
 MARKHAM RECORD
 FOR REFERENCE ONLY**

KEY PLAN SCALE: N.T.

LEGEND:

- EXISTING BUILDING
- EXISTING CONCRETE CURB & ISLAND
- NEW CONCRETE CURB & ISLAND
- EXISTING PAINTED LINEWORK
- SOD / LANDSCAPING
- TRAFFIC PAINTED LINES
- PEDESTRIAN CROSSING
- EXISTING HYDRANT
- EXISTING HANDICAPPED RAMP
- PROPOSED BARRIER FREE RAMP (min. 1.50m WIDTH and min. 1.50m LENGTH) - MAX. 1:10 SLOPE IN ANY DIRECTION -
- TACTILE ATTENTION INDICATOR - PER O.B.C. 3.8.3.2(1)
- BUILDING ACCESS
- BUILDING EXIT
- PROPERTY LINE
- EASEMENT
- LINE OF CANOPY / ROOF ABOVE
- FIRE ROUTE
- PROPOSED BICYCLE PARKING
- "ADDITIONAL PARKING" SIGN

NOTES:

1. OUTDOOR LIGHTING WILL BE DIRECTED AWAY FROM ADJACENT RESIDENCES.

LEGAL DESCRIPTION:
 SITE INFORMATION TAKEN FROM TOPOGRAPHIC SURVEY OF PART OF LOT 10 TO CONVESSION 4 (GEOGRAPHIC TOWNSHIP OF MARKHAM) TOWN OF MARKHAM REGIONAL MUNICIPALITY OF YORK PREPARED BY "SCHEFFER & DZALDOV LIMITED", ONTARIO LAND SURVEYORS, 64 JARDIN DRIVE, CONCORD, ONTARIO, L4K 3P3 TEL: 905-761-0101, JOB NO. 05-175-00, SURVEY COMPLETED ON THE 30th DAY OF NOVEMBER, 2005 AND DATED DECEMBER 20, 2005, AS RECEIVED IN DIGITAL FORMAT VIA EMAIL, ON 21st of DECEMBER, 2005, AND COMPLETED WITH EXISTING BUILDING AND PARKING INFORMATION FROM "PETEROF PARTNERSHIP ARCHITECTS" ARCHIVED DIGITAL PROJECT DRAWINGS.

BENCHMARK:
 ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO TOWN OF MARKHAM BENCHMARK No. M-14-204 HAVING A PUBLISHED ELEVATION OF 183.359 METRES.

NO.	REVISIONS	DATE	BY
7.	REVISED TO ILLUSTRATE NEW CARPOOL SIGN	FEB. 15, 2017	M.W.
6.	REVISED TO INCORPORATE NEW LOADING AREA CURBS.	FEB. 08, 2017	M.W.
5.	REVISED AND REISSUED TO CLIENT	JAN. 18, 2017	M.W.
4.	REVISED TO INCORPORATE "NOTATIONS" CHANGES.	OCT. 13, 2016	M.W.
3.	REVISED AND REISSUED TO CLIENT	OCT. 05, 2016	M.W.
2.	REVISED AND REISSUED TO CLIENT	SEP. 20, 2016	M.W.
1.	ISSUED TO CLIENT.	SEP. 08, 2016	M.W.

Contractor must check and verify all dimensions on the job and report any discrepancies to the architect before proceeding with the work.
 Do not scale the drawing.
 This drawing contains copyright material belonging to the Architect.
 This drawing was developed for a specific purpose, use for any other purpose is not permitted.
 This drawing shall not be reproduced in whole or in part without the written approval of the Architect.

SITE PLAN
 SCALE: 1" = 600'



The undersigned has reviewed and takes responsibility for this design, and has the qualification and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.
 Qualification information Required unless Design is exempt under 3.2.5.1 of Div "C" of the Ontario Building Code
C. ZHOU 44824
 Name Signature BCIN#
 Registration information Required unless Design is exempt under 3.2.4.1 of Div "C" of the Ontario Building Code
YI Design Inc. 112647
 Firm Name BCIN#

YI DESIGN INC.
 T: 416-660-2960
 E: czhou.2005@gmail.com

NO.	ISSUED/REVISED	DATE	Project Name & Address	Drawing Title
0	ISSUED FOR LANDLORD REVIEW AND APPROVAL	2024-03-11	THE BEST SHOP - REAR LOADING RENOVATION UNIT #3 & 3A, FIRST MARKHAM PLACE, 3265 HWY 7 E, MARKHAM ON	OVERALL SITE PLAN

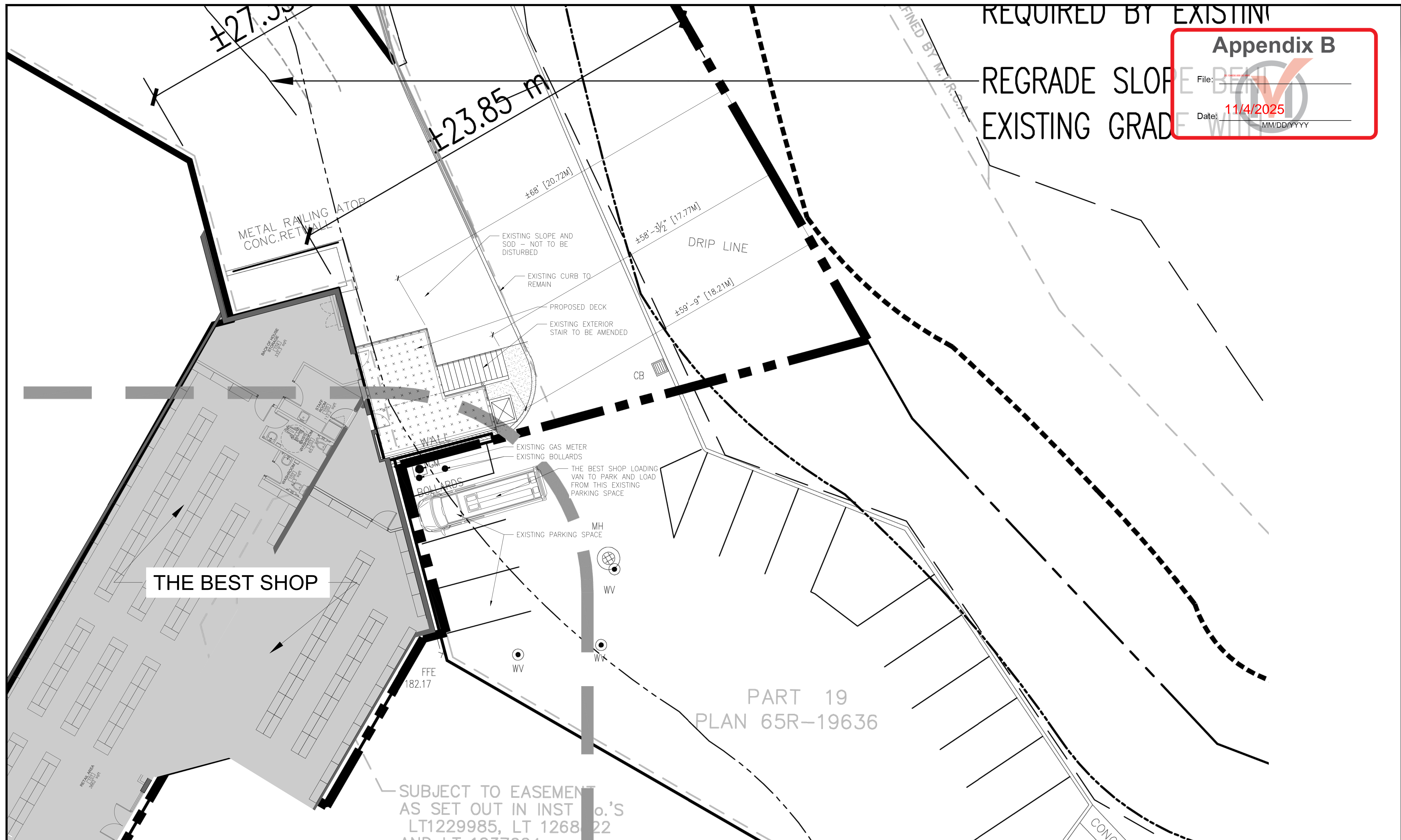
Drawn by	GY	Date	March 11, 2024	Project No.	DES24-0209	Drawing No.	SP0.1
Checked by	CZ	Scale	NTS				

REQUIRED BY EXISTING

Appendix B

REGRADE SLOPE
EXISTING GRADE

File: _____
Date: **11/4/2025**
MM/DD/YYYY



THE BEST SHOP

PART 19
PLAN 65R-19636

SUBJECT TO EASEMENT
AS SET OUT IN INST o.'S
LT1229985, LT 1268 22
AND LT 127722



The undersigned has reviewed and takes responsibility for this design, and has the qualification and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

Qualification information Required unless Design is exempt under 3.2.5.1 of Div "C" of the Ontario Building Code
C. ZHOU 44824
 Name Signature BCIN#
 Registration information Required unless Design is exempt under 3.2.4.1 of Div "C" of the Ontario Building Code
YI Design Inc. 112647
 Firm Name BCIN#

YI DESIGN INC.
 T: 416-660-2960
 E: czhou.2005@gmail.com

NO.	ISSUED/REVISED	DATE
0	ISSUED FOR LANDLORD REVIEW AND APPROVAL	2024-03-11

Project Name & Address
THE BEST SHOP - REAR LOADING RENOVATION
 UNIT #3 & 3A, FIRST MARKHAM PLACE,
 3265 HWY 7 E, MARKHAM ON

Drawn by: GY Date: March 11, 2024
 Checked by: CZ Scale: 1/8" = 1'-0"

Drawing Title
PROPOSED SITE PLAN

Project No. DES24-0209 Drawing No. **SP1.0**

APPENDIX “C”

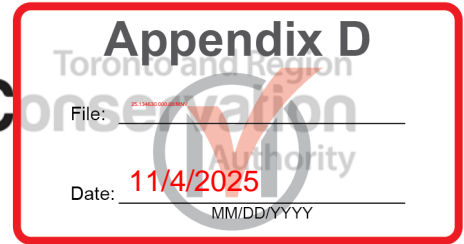
CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/117/25

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; and,
3. That the Applicant satisfies the requirements of the TRCA, financial or otherwise, as indicated in their letter attached as Appendix ‘D’ to this Staff Report, to the satisfaction of the TRCA, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of the TRCA.

CONDITIONS PREPARED BY:



Barton Leung, Senior Planner, Planning and Urban Design Department



October 29, 2025

TRCA File No. PAR-DPP-2025-01017

Ex Ref: PAR-DPP-2025-00791

VIA E-Plan

Barton Leung
Senior Planner, Central District
City of Markham
101 Town Centre Boulevard
Markham, ON L3R 9W3

Dear Barton Leung

Re: Minor Variance Application – A/117/25
3265 Highway 7
Part of Lot 10, Concession 4, City of Markham
Nearest Intersection: Highway 7 and Woodbine Avenue
Applicant: YI Design Inc. c/o Chen Zhou
Owner: First Markham Place Properties Inc. c/o Abby Nasr

Toronto and Region Conservation Authority (TRCA) staff reviewed the above noted application, received on October 10th, 2025. The following comments are provided in accordance with TRCA's commenting role under the Planning Act and regulatory permitting role under the Conservation Authorities Act (CA Act). For additional information, please see [Ontario Regulation 686/21: Mandatory Programs and Services](#).

Purpose of the Application

TRCA staff understand that the purpose of this minor variance application is to request relief from the following requirements of By-law 165-80, as amended, as it relates to the existing stairs:

- a) **By-law 165-80, Amending By-law 179-95, Section 1.3.2 (g)**: a stair setback from the open space (O1) zone of 18 metres, whereas the By-law requires a minimum setback of 25 metres.

Background

On July 18th, 2025, TRCA staff provided comments on a related Site Plan Application (Municipal File No. SPC 25 120139, TRCA File No. PAR-DPP-2025-00791).

TRCA Permit Requirements

The subject lands are partially within TRCA's Regulated Area. This is due to the presence of flood and erosion hazards associated with a tributary of the Rouge River Watershed and its adjacent regulated allowances.

Appendix D

A TRCA permit is required prior to any development activity or site alteration within the regulated portion of the property pursuant to the CA Act and Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits.

File: 25148020000000000000
Date: **11/4/2025**
MM/DD/YYYY

TRCA Plan Review Fee

By copy of this letter, the applicant is advised that this application is subject to a TRCA Planning Review fee in the amount of \$1250 (Minor Variance – Commercial – Minor). The applicant is responsible for fee payment. Please contact the Planner noted below for an electronic invoice to facilitate payment. For your reference, please see [TRCA Administrative Fee Schedule for Development Planning Services \(November 2022\)](#).

Recommendation

Based on the comments provided, TRCA staff have **no objection** to the approval of Minor Variance Application A/117/25 subject to the **conditions** identified in Appendix A.

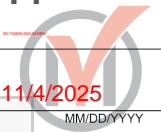
Should you have any questions or comments, please contact the undersigned.

Regards,



Rameez Sadafal, M.Sc.PI
Planner – York East Review Area
Development Planning and Permits | Development and Engineering Services
Telephone: (437) 880-2163
Email: rameez.sadafal@trca.ca

Attached: Appendix A: Detailed Comments



Appendix A: Detailed Comments

#	TRCA Comments
1	The applicant submits the TRCA plan review fee of \$1250 within 60 days of the committee hearing date.
2	The applicant seeks and is issued a permit by TRCA pursuant to the <u>Conservation Authorities Act</u> .
3	TRCA staff note that the proposed stairs are within the regulatory floodplain. As such, staff ask that the applicant provide an engineer's letter and associated stamped drawings confirming that the proposed stairs can withstand the depths and velocities of the regulatory storm event. For reference, the flood depth is 182.06 m asl with a velocity of 0.45 m/s . This should be submitted as part of the TRCA permit application.