

Memorandum to the City of Markham Committee of Adjustment

March 26, 2026

File: A/010/26
Address: 4355 Highway 7 East, Unionville
Applicant: Paradigm Architecture + Design (Yeseul Yoon)
Hearing Date: Wednesday, April 8, 2026

The following comments are provided on behalf of Heritage Section staff (“Staff”) for the property municipally known as 4355 Highway 7 East (the “Subject Property” or the “Property”):

The applicant is requesting the following relief to permit:

- a) **By-law 194-79, Section 1 (a):**
a minimum of 28 parking spaces, whereas the by-law requires a minimum of 34 parking spaces; and
- b) **By-law 194-79, Section 1 (d):**
a minimum of 50 square metres of landscaping on the lot, whereas the by-law requires landscaping to be provided in accordance with Schedule ‘A’ of By-law 194-79

as it relates to an existing multi-unit retail plaza.

BACKGROUND

Property Description

The 2,589.5m² (27,873 ft²) Subject Property is located on the south side of Highway 7 between South Drive and Metrolinx’s Uxbridge Subdivision rail corridor to the west, and Main Street to the east. Surface parking for the retail plaza is currently provided on lands both privately and municipally owned. Those parking spaces on lands wholly or partially owned by the City or York Region, however, do not count towards the parking total. Currently, 19 of the 47 parking spaces fall within this category. Refer to Figures 1 & 2 for further information.

The Subject Property is designated under Part V of the Ontario Heritage Act as part of the Unionville Heritage Conservation District (the “UHCD” or the “District”). While contained within the boundaries of the UHCD, the Property is not considered to be significant from a heritage perspective and does not contribute to the heritage character of the District as per the UHCD Plan.

The Subject Property is also entirely located within a Toronto and Region Conservation Authority (TRCA) Regulatory Floodplain associated with a tributary of the Rouge River and is within 300m of a Metrolinx-owned rail corridor. As such, this application has been circulated to both agencies for their review and comment.

Previous Consideration by the Committee of Adjustment

The Committee previously approved a Minor Variance application that addressed the parking deficiency and landscaping requirement (refer to A/29/93). Approval, however,

was conditional and has since expired. As a result of change in tenancy, the Applicant is once again seeking relief to recognize the existing on-site conditions which do not conform to the standards set forth in By-law 194-79.

POLICY

Official Plan

Section 10.5 of the Official Plan (the “OP”) notes that it is the policy of Council that the Committee of Adjustment shall be guided by the general intent and purpose of the Plan in making decisions on minor variances to the zoning by-law and consent applications.

Land Use Policies

The Subject Property is designated “Mixed-Use Low Rise” within the OP.

Section 8.3.2.1 of the OP outlines general policies for land designated “Mixed-Use Low Rise” including to *“support their function as identifiable focal points that serve nearby residents and businesses by providing a diverse range of small-scale retail, service, office, community, institutional and recreational uses.”*

Cultural Heritage Resources

The OP also includes applicable policies respecting **heritage conservation** (Section 4.5 – Cultural Heritage Resources).

From a heritage conservation policy perspective, two of the overall goals of the OP are “to protect established neighbourhoods, heritage conservation districts...by ensuring that new development is compatible and complementary in terms of use, built form and scale” and “to celebrate Markham’s unique character by protecting cultural heritage resources and archaeological resources...to foster interaction between people and connections to their community” (Section 2.2.2).

Section 4.5 provides policy guidance on identification/recognition, protection, and development approvals. Two key development approval policies of Council are:

- *“To provide for the protection and conservation of cultural heritage resources or the mitigation of adverse effects on cultural heritage resources as a condition of minor variance approval and associated agreements”* (Section 4.5.3.9); and
- *“To evaluate each variance proposal that directly affects a cultural heritage resource itself and adjacent lands on its own merits and its compatibility with the heritage policies of this Plan and the objectives and policies of any applicable heritage conservation district plan”* (Section 4.5.3.10)

The definition of a “cultural heritage resource” includes a heritage conservation district.

Zoning

By-Law 122-72, as amended

The Subject Property is zoned C1 under By-law By- 122-72, as amended, which permits the existing commercial use.

Zoning Preliminary Review (ZPR) Undertaken

The Applicant completed a Zoning Preliminary Review (ZPR) in December 2025 to confirm the variances required for the proposed development.

UHCD Plan

The UHCD Plan provides policies and guidelines intended to manage change in a manner compatible with the heritage character of the District. The appropriateness of the requested variances from a heritage perspective have been reviewed against the policies and guidelines of the UHCD Plan to determine whether they impact the cultural heritage value of the UHCD. It is the opinion of Staff that requested variances do not have an adverse impact.

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 Subject Property currently provides a total of 28 privately-owned parking spaces whereas the By-law requires a minimum of 34 parking spaces. As noted above, this is an existing condition. Given that approval was previously granted by the Committee, and no building expansion or land use changes are proposed, Staff are of the opinion that the requested variance is minor in nature and conforms to the general intent and purpose of the Official Plan and Zoning By-law.

Landscape Minimum

The Subject Property is required to provide landscaping in accordance with Schedule 'A' of By-law 194-79 (refer to Figure 4). The existing condition conforms with this Schedule. As such, Staff are of the opinion that the requested variance is minor in nature and conforms to the general intent and purpose of the Official Plan and Zoning By-law.

Internal Staff/Committee Comments

Heritage Markham Committee

Using delegated authority, Staff are providing comments on behalf of the Heritage Markham Committee. There is no objection to the proposed variances from a heritage perspective.

Transportation Engineering Staff

As described in Appendix "A", submission of a Parking Utilization Study is recommended as a condition of approval. The purpose of the study is not to determine whether the related variance is supportable, but rather to better understand how the site operates, and to inform Staff review of a potential future development application. Information from the study may also be used by the City as part of a future potential Agreement of Purchase and Sale for the small municipally-owned parcel shown in Figure 3. Should the sale occur, it would increase the available number of parking spaces within the Subject Property.

External Agency Comments

TRCA

The TRCA has no objection to the requested variances as per comments provided to the City via memo dated March 13, 2026.

Metrolinx

Metrolinx has no objection to the requested variances as per comments provided to the City dated March 3, 2026.

PUBLIC INPUT SUMMARY

No written submissions were received as of March 30, 2026. 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

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. 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:



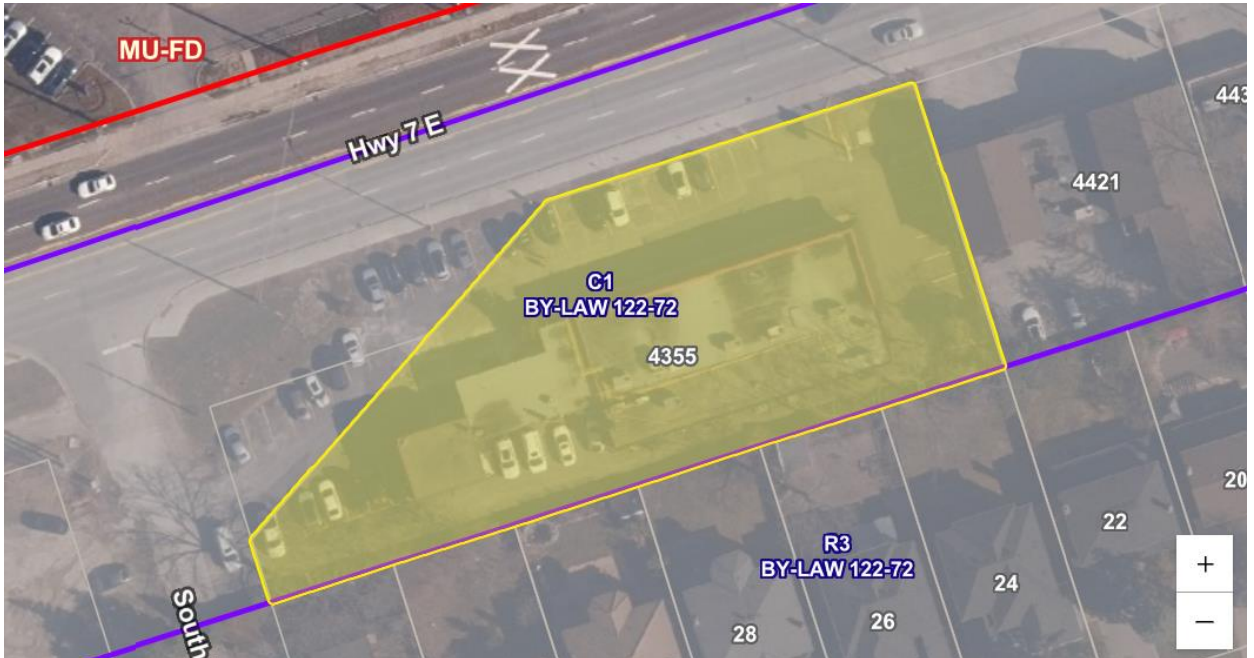
Evan Manning, Senior Heritage Planner

REVIEWED BY:



Regan Hutcheson, Manager, Heritage Planning

**FIGURE 1:
ANNOTATED AERIAL IMAGE SHOWING PROPERTY BOUNDARIES**







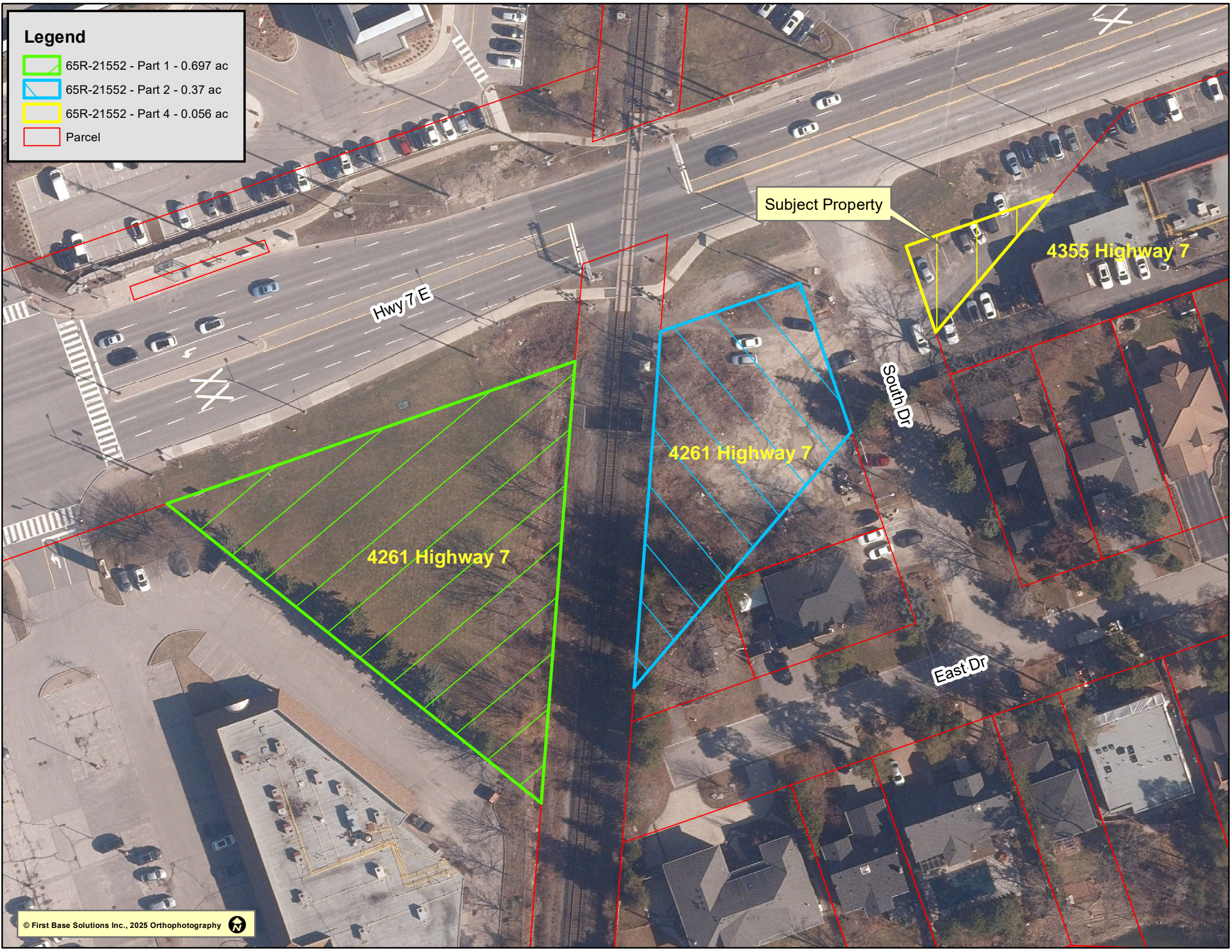
The Subject Property is shaded in yellow. The parking spaces outside the shaded area do not count towards the parking total (Source: City of Markham)

**FIGURE 2:
EXISTING SITE PLAN SHOWING PARKING CONFIGURATION**

**FIGURE 3:
POTENTIAL SALE OF CITY-OWNED PROPERTY**

Legend

-  65R-21552 - Part 1 - 0.697 ac
-  65R-21552 - Part 2 - 0.37 ac
-  65R-21552 - Part 4 - 0.056 ac
-  Parcel



Subject Property

4355 Highway 7

Hwy 7 E

South Dr

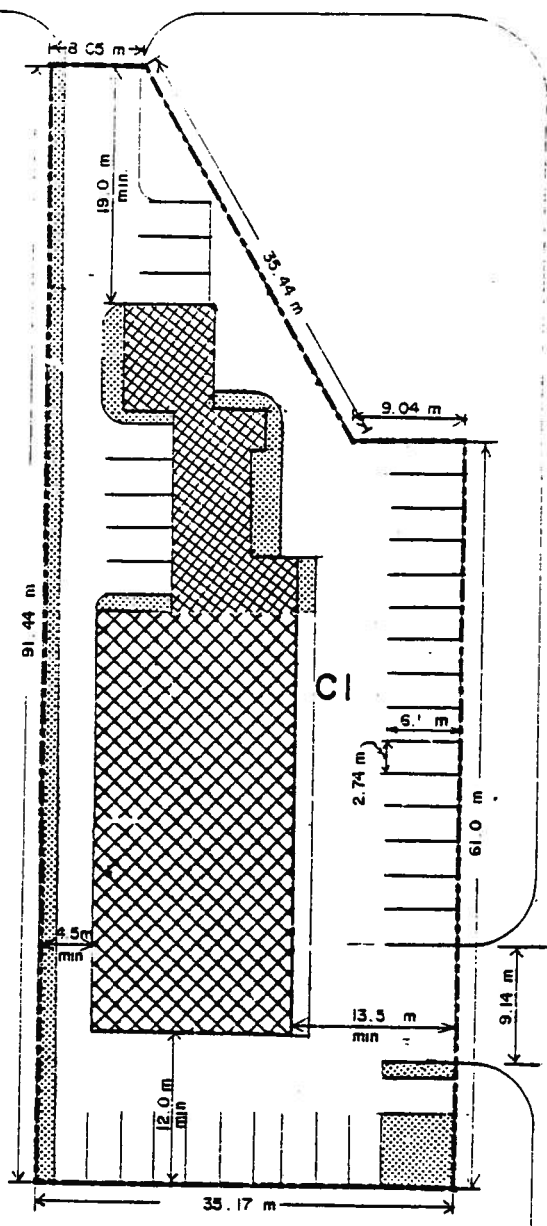
4261 Highway 7

4261 Highway 7

East Dr

**FIGURE 4:
SCHEDULE 'A' OF BY-LAW 194-79**

SOUTH DRIVE

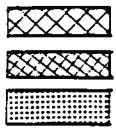


HIGHWAY NO. 7

TOWN OF MARKHAM

A BY-LAW TO AMEND BY-LAW NO. 122 - 72

----- BOUNDARY OF AREA COVERED BY THIS BY-LAW



PROPOSED BUILDING

EXISTING BUILDING

LANDSCAPING



PARKING SPACES
(2.74 m x 6.1 m)

CI

GENERAL COMMERCIAL

THIS IS SCHEDULE 'A' TO BY LAW 196-79
PASSED THE 20th DAY OF June 1979.

[Signature] MAYOR
[Signature] CLERK

DATE : 79 / 07 / 4

SCALE 0 5 10 m

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/010/26

1. Submission of a Parking Utilization Survey prepared to the satisfaction of Transportation Engineering staff, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of Transportation Engineering staff. The survey shall be undertaken during the busiest time at the premise. If there is any unoccupied unit during the survey, the unit information (e.g. GFA, permitted use) also needs to be provided to the City.

CONDITIONS PREPARED BY:

A handwritten signature in black ink, appearing to read 'E. Manning', is positioned above a horizontal line.

Evan Manning, Senior Heritage Planner