

# Memorandum to the City of Markham Committee of Adjustment

September 04, 2025

**File:** A/038/25  
**Address:** 26 Laidlaw Blvd, Markham  
**Agent:** KLM Planning Partners Inc. (Marshall Smith)  
**Hearing Date:** Wednesday, September 10, 2025

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

The applicant is requesting relief from the following requirements of By-law 2024-19, EMP-SE (Employment – Service Employment), as amended, to permit:

**a) By-law 2024-19, Section 9.4.2.1:**

a restaurant as an accessory use to the existing industrial use, whereas the by-law does not permit a restaurant use;

as it relates to the proposed accessory use of a dine-in restaurant to the primary frozen food manufacturing use.

## **BACKGROUND**

### **Property Description**

The 0.81 ha (2 ac) subject property is located at the southwest corner of Bullock Drive and Laidlaw Boulevard, east of McCowan Road and north of Highway 7. The site contains an industrial building currently used for frozen food manufacturing. The property forms part of an employment area characterized by light industrial buildings, primarily occupied by automotive-related businesses. Vehicular access to the property is provided from both Laidlaw Boulevard and Bullock Drive. The rear portion of the property, along the west side, lies within the Toronto and Region Conservation Authority (“TRCA”) Regulated Area due to its proximity to flood and erosion hazards.

### **Proposal**

The applicant is proposing to permit a 185 m<sup>2</sup> (1,991.32 ft<sup>2</sup>) restaurant within the existing building. No changes are being proposed to the exterior of the subject site.

### **Official Plan and Zoning**

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

The Official Plan identifies the subject lands within the Markville Key Development Area, where a new Secondary Plan is to be prepared. Typically, lands located within a pending Secondary Plan area are deferred to the 1987 Official Plan until the new Secondary Plan is adopted. However, Section 9.14.4.3 specifies that this deferral does not apply to the majority of lands on Laidlaw Boulevard, including the subject property. As such, the policies of the 2014 Official Plan continue to apply.

The 2014 Official Plan designates the subject lands ‘Service Employment’ which allows a variety of uses including office, financial institution, manufacturing, processing and warehouse. Restaurants are permitted as a discretionary use subject to review of a site-specific development application for zoning approval.

### Zoning By-Law 2024-19

The subject property is zoned EMP-SE (Employment – Service Employment) under By-law 2024-19, as amended, which does not permit restaurants.

### **Zoning Preliminary Review (ZPR) Undertaken**

The owner has completed a Zoning Preliminary Review (ZPR) to confirm the variance required for the proposed restaurant.

### **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.

### Restaurant Use

The applicant is seeking relief to permit a restaurant within the existing industrial building, whereas the Zoning By-law does not permit such use. The Official Plan allows restaurants as a discretionary use within the 'Service Employment' designation, subject to review of a site-specific rezoning application, or minor variance where the proposal is minor in nature with minimal impact.

A ZPR has been undertaken to confirm that the proposed restaurant will not result in a parking deficiency. The restaurant will be located entirely within the footprint of the existing building with no external alterations proposed. Staff are of the opinion that the proposed restaurant use is considered complementary to the employment functions of the surrounding lands as it will provide a convenient food service option for employees and visitors in the area. This supports the daily needs of workers, contributes to the overall functionality and vitality of the employment district, and is consistent with the Official Plan's objectives of accommodating a mix of compatible and supportive uses. Staff are satisfied that the requested variance meets the tests of the *Planning Act* and support approval of the application.

### Metrolinx Comments

Metrolinx requires an environmental easement be provided in accordance with Section 3.9 of the Federation of Canadian Municipalities and Railway Associate of Canada's Guidelines for New Development in Proximity to Railway Operations. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property.

Metrolinx's requirements will be addressed as a condition of approval as set out in Appendix "A"

## **PUBLIC INPUT SUMMARY**

No written submissions were received as of September 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 recommend the application be approved. 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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Carlson Tsang, Senior Planner, East District

REVIEWED BY:



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Stacia Muradali, Development Manager, East District

### **Appendices**

Appendix "A" – Conditions of Approval

Appendix "B" – Site Plan

Appendix "C" – Metrolinx's Comments

**APPENDIX "A"**

**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF FILE A/038/25**

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 the applicant satisfies the applicable requirements of Metrolinx as indicated in their comments attached as 'Appendix C' to this Staff Report, and that the Supervisor of the Committee of Adjustment or designate receive written confirmation that this condition has been fulfilled to the satisfaction of Metrolinx.

CONDITIONS PREPARED BY:



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Carlson Tsang, Senior Planner, East District

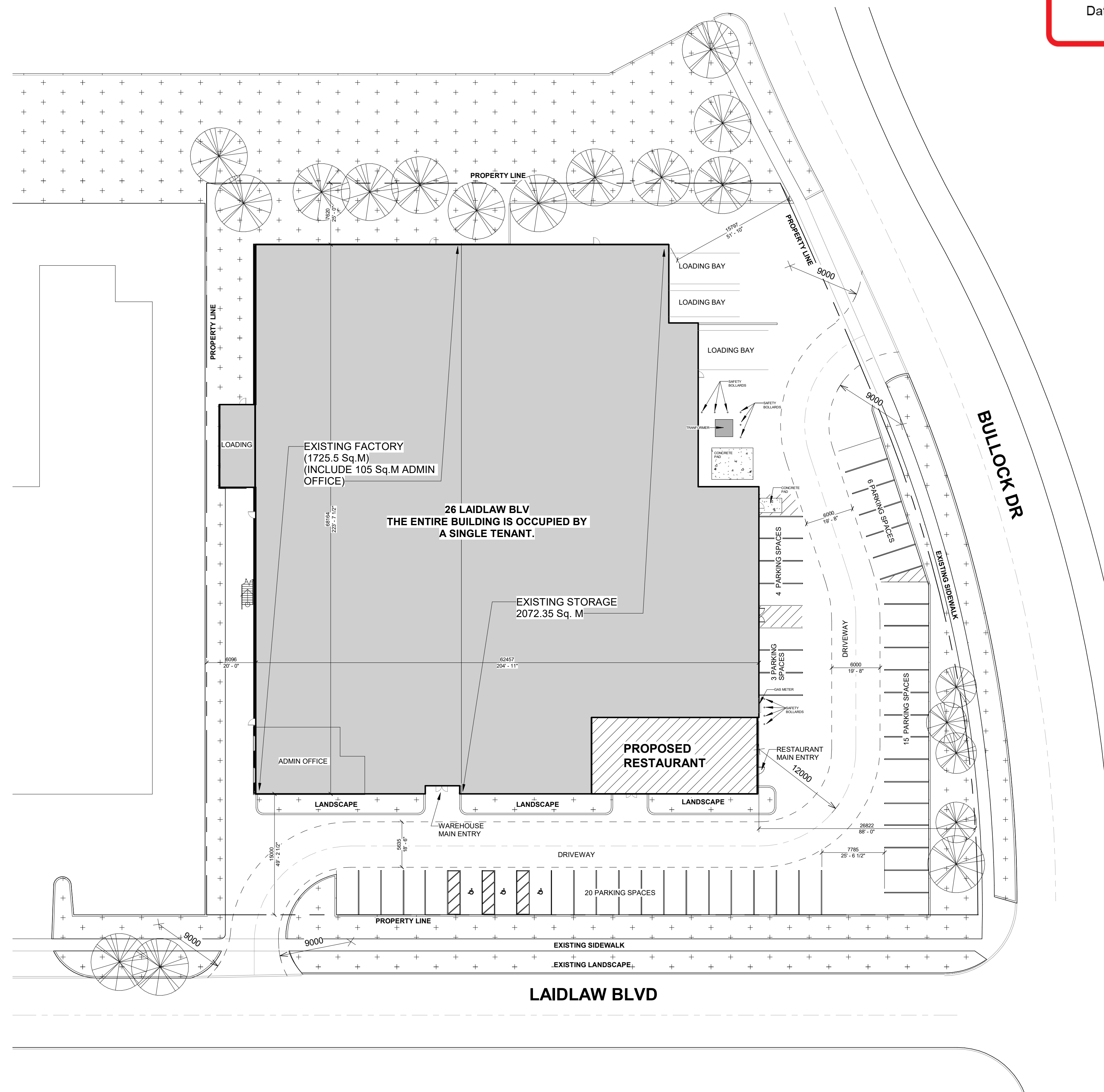
# Appendix B

File: 25.11.2025.200.0000

Date: 9/5/2025  
MM/DD/YYYY

ZONING STANDARD	REQUIREMENT	EXISTING
MINIMUM LOT FRONTAGE	60 M	62.7 M
MINIMUM LOT AREA	0.4 HA	0.81 HA
MINIMUM FRONT YARD	3 M	15.24 M
MINIMUM REAR YARD	3 M	7.62 M
MINIMUM EXTERIOR SIDE YARD	3 M	15.24 M
MINIMUM INTERIOR SIDE YARD	3 M	6.096 M
MINIMUM HEIGHT WITHIN 12 METRES OF ANY LOT LINE THAT SERVICES AS THE BOUNDARY OF A STREET	6 M	7 M
MAXIMUM HEIGHT	46 M	7 M
LANDSCAPING STRIP		
MINIMUM ADJACENT TO ANY LOT LINE ABUTS A STREET	3 M	3 M
MINIMUM ADJACENT ABUTTING AN INTERIOR SIDE LOT LINE AND REAR LOT LINE	3 M	1.8 M - 8 M

LANDUSE	FLOOR AREA	PARKING RATIO	PARKING REQUIRED	TOTAL PARKING REQUIRED	TOTAL PARKING PROVIDED
INDUSTRIAL (WAREHOUSE)	4344.4 sq.m (GFA)	2 per premises plus 1 parking space for every 200 sqm (GFA)	24	48 (INCLUDING 3 ACCESSIBLE PARKING SPACES)	48 (INCLUDING 3 ACCESSIBLE PARKING SPACES)
OFFICE	105 sq.m (NFA)	1 per 35 sq.m (NFA)	3		
RESTAURANT	185 sq.m (NFA)	1 per 9 sq.m (NFA)	21		



1 SITE PLAN  
A.001

No.	Description	Date
1	For review	2025-02-26
2	For review	2025-02-28

**Z SQUARE CONSULTING INC.**  
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ARCHITECT ENGINEER

26 Laidlaw \_ SITE PLAN

26 Laidlaw Blvd, Markham, Ontario, L3P 1W7

24006 As indicated Author Checker  
PROJECT SCALE DRAWN REVIEWED

Site Plan

A.001

Note: This drawing is the property of the Architect and may not be reproduced or used without the expressed consent of the Architect. The Contractor is responsible for checking and verifying all levels and dimensions and shall report all discrepancies to the Architect and obtain clarification prior to commencing work.

# Plan Review - Review Comments Report

Project Name: **251127070000000000000000**

Workflow Started: **4/10/2025 1:02:41 PM**

Report Generated: **09/04/2025 02:04 PM**

## Appendix C



### REVIEW COMMENTS

REF #	CYCLE	REVIEWED BY	TYPE	FILENAME	DISCUSSION	STATUS
9	1	_EXT_ GO Metrolinx Metrolinx Reviewer 7/23/25 4:34 PM	Comment <ul style="list-style-type: none"> <li>As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact jenna.auger@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).</li> <li>The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each unit: Warning: The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.</li> </ul>			Unresolved