

Memorandum to the City of Markham Committee of Adjustment

June 16th, 2020

File: B/006/20
Address: 550 Copper Creek Dr, Markham
Applicant: Boxgrove Commercial East Inc.
Agent: TACC Developments
Hearing Date: Wednesday July 9th, 2020

The following comments are provided on behalf of the East Team. The applicant is requesting provisional consent for partial discharge of mortgage on portions of the subject property. The subject lands are identified as Parts 1 to 5 of the draft reference plan submitted with this application, as shown in Appendix 'B'

BACKGROUND

Property Description

The subject property is located at the north-west corner of Donald Cousens Parkway (DCP) and Copper Creek Drive, and south side of Highway 407. The subject site is approximately 8 hectares (19.77 acres) in area. The site is developed with three commercial buildings, including a large format retail store (Walmart), a multi-unit commercial building and, a bank (CIBC). The south half of the site has been approved for a 199 unit common element condominium townhouse development, which is currently under construction.

Surrounding land uses include a residential development to the south and southwest, across DCP; and, a Mixed Use townhouse development with commercial uses along Copper Creek to the west. Highway 407 abuts the site to the north, and vacant lands are located to the east across DCP.

Proposal

The applicant is requesting a partial discharge of mortgage on a portion the subject lands as shown in Appendix 'B'. The applicant advises that the north portion of the site containing the commercial buildings, and a portion of the lands being developed as townhouses is subject to an existing mortgage. The applicant is requesting provisional consent to discharge a mortgage on a portion of the subject lands being developed with common element condominium townhouses. This requires approval by the Committee of Adjustment.

Application Processing

This application was submitted on March 25th 2020 however, not scheduled due to the Province of Ontario's decision to suspend *Planning Act* timelines for the consideration of a consent and minor variance application, as well as any appeal of an application to the Local Planning Appeal Tribunal.

On June 12, 2020, the Province announced that the emergency regulations relating to *Planning Act* applications will end on June 22, 2020. After June 22, 2020, the procedural requirements (e.g. sending of notices, hearing of applications, eligibility for appeals to LPAT, etc.) of *Planning Act* applications shall proceed as they did prior to the declaration of the emergency. Revisions to the initial memorandum include an update on matters relating to application processing.

Staff have reviewed this proposal and have no objections.

Please see Appendix "B" for conditions to be attached to any approval of this application.

PREPARED BY:



Aqsa Malik, Planner, East District

REVIEWED BY:



Stephen Corr, Senior Planner

File Path: Amanda\File\20 111176\Documents\District Team Comments Memo

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF B/006/20

1. That the corresponding site plan agreement has been registered on title; and
2. Fulfillment of all of the above conditions within one (1) year of the date that notice of the decision was given under Section 50(17) or 50(24) of the Planning Act, R.S.O. 1990, c.P.13.

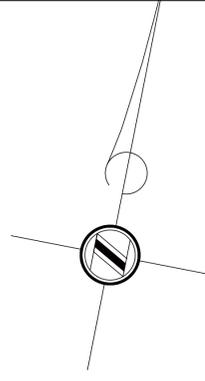
CONDITONS PREPARED BY:



Aqsa Malik, Planner, East District



I require this plan to be deposited under the Land Titles Act		PLAN 65R-	
Date		Received and deposited	
		Date	
ALISTER SANKEY ONTARIO LAND SURVEYOR		REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK (No. 65)	
SCHEDULE			
PART	BLOCK	REGISTERED PLAN	PIN
1			
2			
3	PART OF	65M-4141	PART OF
4			03065-3680(LT)
5			
6			
7			
8			
PARTS 6, 7 AND 8 - SUBJECT TO EASEMENT IN GROSS AS IN YR1504260			

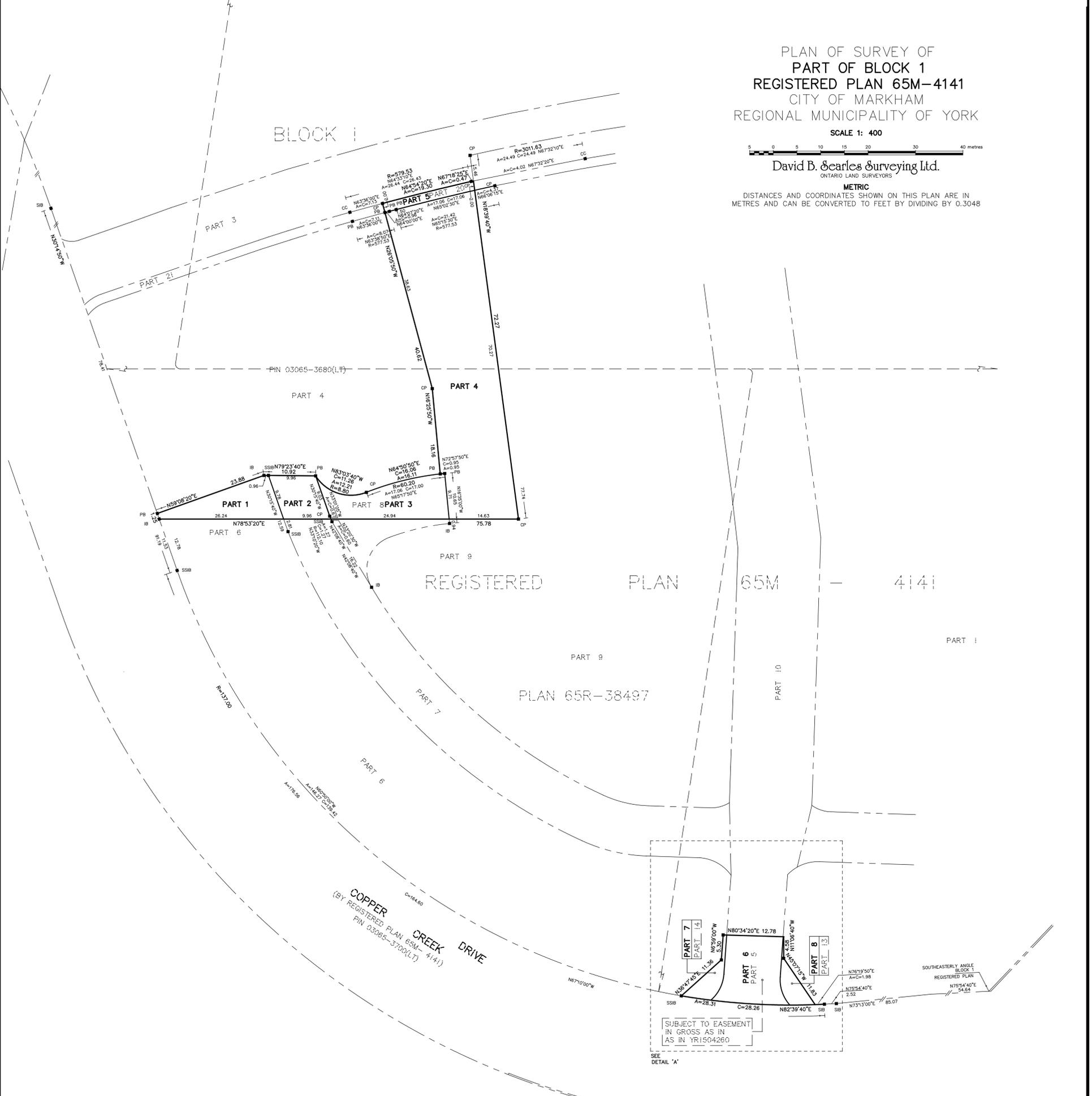


PLAN OF SURVEY OF
PART OF BLOCK 1
REGISTERED PLAN 65M-4141
CITY OF MARKHAM
REGIONAL MUNICIPALITY OF YORK



David B. Searles Surveying Ltd.
ONTARIO LAND SURVEYORS

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



INTEGRATION DATA

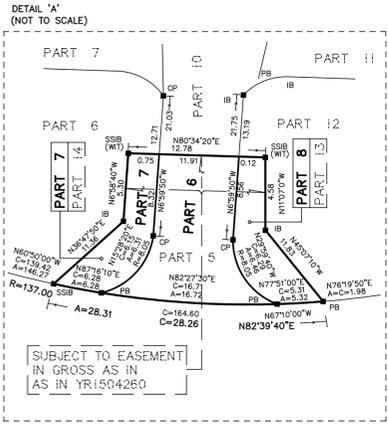
SPECIFIED CONTROL POINT No.	NORTHING	EASTING
SCP 092053107	4859570.521	643529.947
SCP 092113001	4858946.786	642665.080

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

BEARING NOTE
BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM SPECIFIED CONTROL POINTS 092053107 AND 092113001 (SEE INTEGRATION DATA TABLE FOR COORDINATES), AND ARE REFERRED TO UTM ZONE 17, NAD83 (ORIGINAL).

DISTANCE NOTE
DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999880.

NOTE
ALL BEARINGS AND DISTANCES SHOWN HEREON ARE PLAN AND MEASURE WITH PLAN 53R-38497 WHERE APPLICABLE.
ALL FOUND MONUMENTS ARE 1225 (DAVID B. SEARLES SURVEYING LTD.) UNLESS OTHERWISE NOTED ON THE FACE OF THE PLAN.
PROPERTY LIMITS ARE NOT FENCED UNLESS OTHERWISE NOTED ON THE FACE OF THE PLAN.



SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE _____ DAY OF _____

PRELIMINARY

DATE	ALISTER SANKEY ONTARIO LAND SURVEYOR	Calculator ADS	Draftsperson KP
David B. Searles Surveying Ltd. ONTARIO LAND SURVEYORS 4255 Sherwoodtowne Blvd., Suite 206, Mississauga, Ontario L4Z 1Y5 Tel: (905) 273-6840 Fax: (905) 896-4410 Email: info@dssearles.ca			
Editor ADS	Plan Index No. G 18	File No. 46-8-18	
Calculation File 46-18CAL.DWG	Drawing File 46-8-18.DWG	File No. 46-8-18	