

Memorandum to the City of Markham Committee of Adjustment

October 4, 2024

File: B/024/24
Address: 9620 McCowan Road, Markham
Agent: MM Nominee Inc.
Hearing Date: Wednesday October 9, 2024

The following comments are provided on behalf of the West Team.

The Owner is requesting provisional consent to establish a lease for a period of time exceeding twenty-one (21) years on the property. The subject lands are identified as Part 1 of the Survey Plan submitted with the application.

BACKGROUND

9620 McCowan Road ("The Subject Property") is located at the southwest corner of McCowan Road and Bur Oak Avenue, within Williamstown Plaza. The Subject Property has an area of approximately 14,562 ft² (1352.85 m²) and is currently being used as a Shoppers Drug Mart. Williamstown Plaza contains 8 commercial buildings that include retail, personal service and restaurant uses.

Proposal

The Owner is requesting provisional consent to allow for a mortgage/charge on The Subject Property (refer to Part 1 of the Draft R-plan attached as Appendix B) The established lease would be for a period of time exceeding 21 years on The Subject Property. Approval of an application for Consent is required under the Planning Act to establish a lease for a period exceeding 21 years.

COMMENTS

Staff note that no development is proposed at this time. The proposal allows the existing use to continue, while at the same time not restricting future planning considerations contemplated under current policy.

Planning Staff have reviewed the application with respect to 51(24) of The Planning Act, R.S.O. 1990, c. P.13, as amended and have no objections to the proposed consent, subject to conditions outlined in Appendix 'A' attached to this report.

PREPARED BY:



Theo Ako-Manieson, Planner I, West District

REVIEWED BY:

A handwritten signature in black ink, appearing to read "Rick Cefaratti". The signature is written in a cursive style with a prominent loop at the beginning.

Rick Cefaratti, Acting Development Manager, West District

File Path: Amanda\File\24 190213\Documents\District Team Comments Memo

APPENDIX "A"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF B/024/24

1. Payment of all outstanding realty taxes and local improvements charges owing to date against both the subject and retained parcels, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled.
2. Submission to the Secretary-Treasurer of the required lease document to affect the Consent applied for under Files B/024/24, in duplicate, to establish a lease on the subject lands, and issuance by the Secretary Treasurer of the certificate required under subsection 53(42) of the Planning Act.
3. Submission to the Secretary-Treasurer of a deposited reference plan showing the subject land, which conforms substantially to the application as submitted.
4. Fulfillment of all of the above conditions within two years of the date that notice of the decision was given under Section 53(17) or 53(24) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

CONDITONS PREPARED BY:



Theo Ako-Manieson, Planner I, West District

SCHEDULE			
PART	LOT	CONCESSION	PIN
1	PART OF 18	6	PART OF 70009-1537

Appendix B

File: 24.190213.000.00.CSNT

Date: 10/4/2024

MM/DD/YYYY

BUR OAK AVENUE

(BY REGISTERED PLAN 65M-3418) BLOCK 149, PLAN 65M-3418
 (0.30 RESERVE) PIN 70009-0469

PIN 70009-0697

(P3&SET) 3.04

N79°04'00"E 3.04

N79°04'00"E 7.34

N80°12'40"E 25.01

19.39

9.37

5.23

N18°53'20"W

50.00

13.13

8.62

N79°04'00"E

59.95

220.02

N10°56'00"W

33.89

N56°34'10"E

0.33

(P1&SET)

CC

(JDB)

N79°04'00"E

2.76

(P1&SET)

0.70

N55°56'00"W

21.39

0.30

(RESERVE)

BLOCK 148, PLAN 65M-3418

PIN 70009-0696

1 STOREY CONCRETE BLOCK /STUCCO BUILDING

1537

OVER HANG CANOPY

CURB

FENCE 0.5W

9.20

WIRE FENCE

SIB (JDB)

FENCE 0.5W

220.02

(P1&SET)

N10°56'00"W

15.36

PART 5

PLAN 65R-26271

70009

PIN

PART 2, PLAN 64R-8219, PART 2, EXPROPRIATION PLAN R262803

DEDICATED AS PUBLIC HIGHWAY BY BY-LAW RD-110-B2-86 INST. R302032

MCCOWAN ROAD (REGION ROAD No. 67)

(ROAD ALLOWANCE BETWEEN CONCESSIONS 6 and 7)

N71°09'00"E

5.08(PER P1)

SOUTH EAST CORNER LOT 18, CONCESSION 6 (PER P1)

SIB(OU) DISTURBED 0.20S

BLOCK 103

LOT 1

BLOCK 98

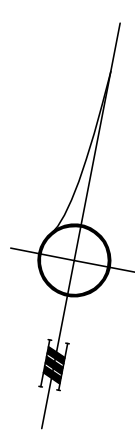
BLOCK 102

PART 1

PLAN 64R-8219

(B)

PIN
 LOT
 PART 1,
 CONCESSION



PLAN OF SURVEY OF
**PART OF LOT 18,
 CONCESSION 6**
 GEOGRAPHIC TOWNSHIP OF MARKHAM
CITY OF MARKHAM
 REGIONAL MUNICIPALITY OF YORK



THE INTENDED PLOT SIZE OF THIS PLAN IS 355MM IN WIDTH BY 355MM IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:750

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- CC DENOTES CONCRETE PIN
- CP DENOTES CONCRETE PIN
- M DENOTES MEASURED
- P1 DENOTES PLAN 65R-26271
- P2 DENOTES PLAN 65R-36301
- P3 DENOTES PLAN 65R-34368
- JDB DENOTES J. D. BARNES LTD., O.L.S.

BEARING NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17 (81° WEST LONGITUDE), NAD83(CSRS)v6(2010).

FOR BEARING COMPARISONS, THE FOLLOWING ROTATIONS WERE APPLIED:

- P1 - 1°01'40" COUNTER-CLOCKWISE
- P3 - 0°00'30" COUNTER-CLOCKWISE

DISTANCE NOTES - METRIC

DISTANCES AND COORDINATES ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999805.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON (FIELD NOTE DATE).

(SIGNATURE DATE) **DRAFT**
 DATE ***, O.L.S.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-99999

INTEGRATION DATA

OBSERVED REFERENCE POINTS DERIVED FROM GPS OBSERVATIONS USING A REAL TIME NETWORK AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83(CSRS)v6(2010).

URBAN ACCURACY PER SEC. 14(2), O.REG. 216/10.

POINT ID	NORTHING	EASTING
A	4861567.41	637163.15
B	4861349.90	637279.47

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



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 copies available at ProtectYourBoundaries.ca

PARTY CHIEF: ZP	DRAWN: J.B	CHECKED: *	PLOT DATE: AUG. 28, 2024	A-09033
FILE: A-049033-RPLAN.DWG				