

## LETTER OF UNDERTAKING

**To:** Corporation of the City of Markham (the “City”)  
101 Town Centre Boulevard  
Markham, Ontario, L3R 9W3

April \_\_, 2020

**Re:** 4071, 4073 and 4289 Major Mackenzie Drive East  
(South side of Mackenzie Drive East, between Prospector’s Drive)  
Owner – Angus Glen Village Ltd.

**WHEREAS** Angus Glen Village Ltd. is the ‘Owner’ with respect to development approvals for the property described as 4071, 4073 and 4289 Major Mackenzie Drive East, City of Markham, hereinafter referred to as the ‘subject lands’;

**AND WHEREAS** the applicant has formally applied to the City for removal of the holding symbol attached to the zoning category of the ‘subject lands’;

**AND WHEREAS** the zoning by-law requires the execution of a subdivision and site plan agreement prior to the City removal of the holding symbol;

**AND WHEREAS** the applicant will be applying to the City for building permits to commence construction on the ‘subject lands’;

**IN WITNESS WHEREOF** the Owner undertakes, covenants and agrees to execute subdivision and site plan agreements, to the satisfaction of the Director of Planning and Urban Design, or designate, on or before December 31, 2020; AND

The Owner acknowledges and agrees nothing in this undertaking, nor the action of the City removing the holding symbol, constitutes permission by the City to proceed with any construction that would violate any regulation or order under the *Emergency Management and Civil Protection Act, RSO 1990, c E.9*, as amended; AND

The Owner agrees to and shall indemnify and hold harmless the City, its Council members, employees, successors and assigns, from and against all actions, claims, demands, losses, costs, damages, suits or proceedings whatsoever which may be brought against or made upon the City and against all losses, liabilities, judgments, claims, suits, demands or expenses which the City may sustain, suffer or be put to resulting from or arising out of the Owner’s omissions, or failure to exercise reasonable care, skill or diligence resulting from the removal of the holding provision or the commencement of construction on the subject lands prior to the termination of an emergency declared under *Emergency Management and Civil Protection Act, RSO 1990, c E.9*, as amended.

Angus Glen Village Ltd.

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**Name:**

**Title:**

***I/We have authority to bind the corporation.***

**Date: April \_\_, 2020**