



SITE PLAN

APPLICANT: EXTREME FITNESS
8275 YOUNGE STREET

FILE No: DY06114694;SC06109102(GD)



DEVELOPMENT SERVICES COMMISSION

DWN BY: DD

CHK BY: GD

SCALE 1:

 SUBJECT LANDS

DATE: 06/06/06

FIGURE No.2

WAIVER AND UNDERTAKING

TO: The Corporation of the Town of Markham

RE: Lots 5, 6 and 7, Registered Plan 4184, Town of Markham, Regional Municipality of York (the "Property")

WHEREAS:

- A. The undersigned is the registered owner of the Property;
- B. In order to proceed with the development of the Property, it is desirable that the Property be one lot within the meaning and intention of the *Planning Act*, the *Building Code Act*, and the General Zoning By-law of the Town of Markham;
- C. The Town has proposed and the owner of the Property has agreed that the appropriate mechanism to accomplish the goals set out in the recital B is to have the Council of the Town of Markham enact a by-law pursuant to Section 50(4) of the *Planning Act* to designate the Property to be deemed not to be within a registered plan of subdivision for the purposes of Section 50(3) of the *Planning Act* (the "Deeming By-law");
- D. Section 50(29) of the *Planning Act* requires that the Town give notice of passing of the deeming by-law to the undersigned (the "Notice of the Deeming By-law");
- E. Section 50(30) of the *Planning Act* requires that the Council of the Town shall hear the undersigned if the undersigned desires to make representations respecting the amendment or repeal of the Deeming By-law (the "Hearing"); and
- F. The undersigned desires that the Deeming By-law be enacted and registered against title to the Property as soon as possible.

NOW THEREFORE in consideration of the enactment of the Deeming By-law by the Council of the Town, the undersigned hereby:

- 1. Waives notice of the Deeming By-law.
- 2. Waives its right to the Hearing.
- 3. Undertakes to reimburse the Town for the cost of registration of the Deeming By-law against title of the property.

DATED this 6 day of JUNE, 2006.

2044922 ONTARIO LTD.

Per: 

Name: STEVE CALIVAS

Title: President

And Per: 

Name: STEVE SAKOSKA

Title: Secretary/Treasurer

We have authority to bind the corporation

A by-law to deem certain lands not to be a registered plan
of subdivision for the purposes of subsection 50(3) of the
Planning Act
Extreme Fitness (2044922 Ontario Ltd.)

WHEREAS subsection 50(4) of the Planning Act permits a local municipality to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, and deem it not to be a registered plan of subdivision for the purpose of subsection 50(3) of the Planning Act;

AND WHEREAS Lots 5, 6 and 7 and part of Lane, Registered Plan 4184, Town of Markham, Regional Municipality of York are within a plan of subdivision registered for more than eight years;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY ENACTS AS FOLLOWS:

That the following lands are designated and deemed not to be a registered plan of subdivision for the purpose of Subsection 50(3) of the Planning Act:

Lots 5, 6 and 7 and part of Lane, Registered Plan 4184, Town of Markham, Regional Municipality of York

READ A FIRST, SECOND, AND THRID TIME AND PASSED THIS ____TH DAY OF _____, 2006.

SHEILA BIRRELL, TOWN CLERK

DON COUSENS, MAYOR