

MEMORANDUM

TO: Mayor and Members of Council

FROM: Jim Baird, Commissioner of Development Services
Valerie Shuttleworth, Director of Planning and Urban Design

PREPARED BY: Biju Karumanchery, Development Manager, East District Team

DATE: June 26, 2007

Re: **Mobius Corp.**
Application for Hold Removal
To permit two shopping centres at 7555 Markham Road
File Nos. ZA 06 134228 & ZA 06 134265

The purpose of this memorandum is to recommend the removal of the Hold provision from the zoning of the lands municipally known as 7555 Markham Road.

An application to remove the Hold on two parcels of land; a 2.4 ha (5.9 ac.) parcel on the north side of Karachi Drive and a 2.1 ha. (5.2 ac.) parcel on the south side of Karachi Drive, together municipally known as 7555 Markham Road, have been submitted by Mobius Corp. The applicant is proposing shopping centres, consisting of commercial condominium units, within each of the parcels.

Draft approval for a plan of subdivision which contains the subject lands was granted in February, 2006 and a subdivision agreement was executed on March 27, 2007. Site plan applications for the proposed commercial developments were brought forward for endorsement by the Development Services Committee on June 26, 2007.

The lands were zoned with a Hold provision prior to the plan of subdivision and site plan applications being submitted. The Holding Provision was meant to address matters such as the availability of servicing infrastructure, transportation network and development charges. With the execution of the subdivision agreement for the area, the conditions of Hold removal have been addressed to staff's satisfaction. The applicant is requesting that the Hold removal by-law be enacted at this time, so that the issuance of a building permit is not delayed once/if the site plan approval is finalized over the summer. Staff therefore recommend that the attached Hold removal by-law be enacted.

EXPLANATORY NOTE

BY-LAW NO. 2007-XXX

By-law to amend By-law 177-96, as amended by By-law 2004-281

Mobius Corp.

Application for Hold Removal

To permit two shopping centres at 7555 Markham Road

File Nos. ZA 06 134228 & ZA 06 134265

LANDS AFFECTED

The proposed by-law amendment applies to lands located on the east side of Markham Road, on the north and south sides of Karachi Drive (between Kirkham Road and New Delhi Drive), municipally known as 7555 Markham Road.

EXISTING ZONING

The subject lands, on the north side of Karachi Drive, are currently zoned Major Commercial*249*251(Hold) [MJC*249*251(Hold)] and the subject lands on the south side of Karachi Drive are zoned Major Commercial*250*251(Hold) [MJC*250*251(Hold)] by By-law 177-96, as amended.

PURPOSE OF BY-LAW

The purpose of the by-law amendment is to remove the Holding (H) zoning provision from the subject lands.

The lands were zoned with a Hold provision prior to the plan of subdivision and site plan applications being submitted. The Hold Provision addresses matters such as the availability of servicing infrastructure, transportation network and development charges. With the execution of the subdivision agreement for the area on March 27, 2007, the conditions of Hold removal have been addressed to staff's satisfaction.

EFFECT OF THE BY-LAW AMENDMENT

The effect of the by-law amendment, in association with site plan approval, is to permit the construction of two commercial shopping centres, one each on the north and south sides of Karachi Drive.

BY-LAW 2007-XXX

A by-law to amend Zoning By-law 177-96, as amended

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

1. By-law 177-96, as amended by By-law 2004-281, be and the same is hereby further amended as follows:
 - 1.1 By rezoning the lands outlined on Schedule 'A' hereto from:

Major Commercial*249*251 (Hold) [MJC*249*251(H)]
to
Major Commercial*249*251 (MJC*249*251)

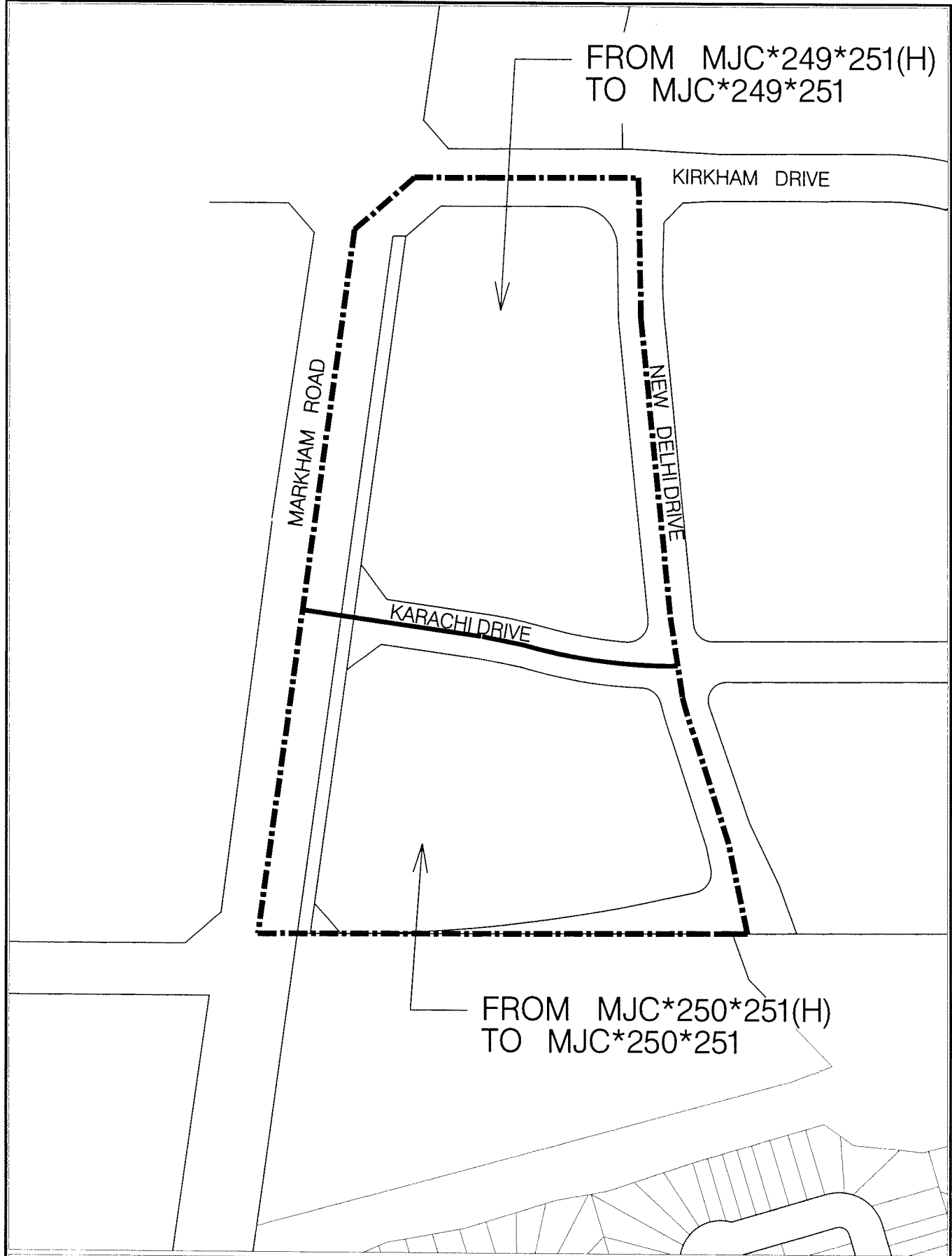
and

Major Commercial*250*251 (Hold) [MJC*250*251 (H)]
to
Major Commercial*250*251 (MJC*250*251)
2. All other provisions of By-law 177-96, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS 26th DAY OF June, 2007.

SHIELLA BIRRELL, TOWN CLERK

FRANK SCARPITTI, MAYOR



A BY-LAW TO AMEND BY-LAW 177-96



BOUNDARY OF AREA COVERED BY THIS BY-LAW

ZONE BOUNDARY

MJC

MAJOR COMMERCIAL

*No.

EXCEPTION SECTION NUMBER

(H)

HOLDING PROVISION

THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY, 2007

.....MAYOR

..... CLERK

NOTE: 1) DIMENSIONS ARE IN METRES
2) REFERENCE SHOULD BE MADE TO
THE ORIGINAL BY-LAW LODGED IN
THE OFFICE OF THE CLERK

SCALE 1: