



Staff Report for Committee of the Whole Meeting

Date of Meeting: April 2, 2019
Report Number: SRPRS.19.051

Department: Planning and Regulatory Services
Division: Development Planning

Subject: **SRPRS.19.051 – Request to Terminate and Deregister a Site Plan Agreement – Bob Assadi and Maryam Parsa – Town File D06-19003**

Owner:

Ajmal Farid Ahmad
71 Serano Crescent
Richmond Hill, ON
L4E 0R8

Agent:

Same as above

Location:

Legal Description: Part of Lot 9, Plan 5509
Municipal Address: 10 Long Hill Drive

Purpose:

A request to deregister the Site Plan Agreement made between The Corporation of the Town of Richmond Hill, Bob Assadi and Maryam Parsa dated May 12, 2016 registered on title of the subject lands on June 7, 2016 as Instrument Number YR2483237.

Recommendations:

- a) That SRPRS.19.051 be received and that the request made by Ajmal Farid Ahmad to deregister the Site Plan Agreement made between The Corporation of The Town of Richmond Hill, Bob Assadi and Maryam Parsa for lands known as Part of Lot 9, Plan 5509 (Municipal Address: 10 Long Hill Drive), Town File D06-14102, be approved; and,
- b) That the Mayor and Clerk be authorized to execute a Termination Agreement with Ajmal Farid Ahmad upon written recommendation of the Commissioner of Planning and Regulatory Services.

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Contact Person:

Philip Liu, Planner I – Site Plans, phone number 905-747-6312 and/or
Deborah Giannetta, Manager of Development - Site Plans, phone number 905-771-5542

Report Approval:

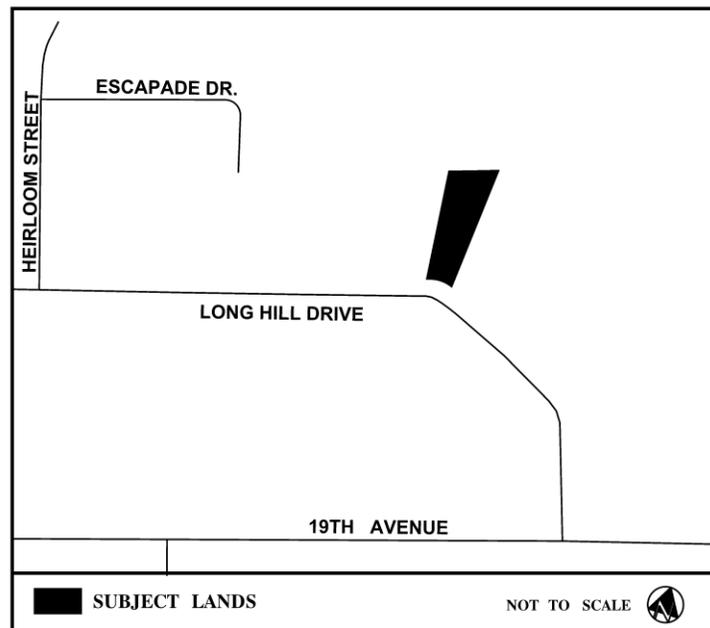
Submitted by: Kelvin Kwan, Commissioner of Planning and Regulatory Services

Approved by: Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

Location Map:

Below is a map displaying the property location. Should you require an alternative format call person listed under “Contact Person” above.



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Background:

On May 12, 2016, Bob Assadi and Maryam Parsa entered into a Site Plan Agreement (“Original Agreement”) with the Town to facilitate the construction of a two-storey single detached dwelling on their land holdings (Town File D06-14102). The agreement was registered on title of the subject lands on June 7, 2016 as Instrument Number YR2483237 (refer to Map 4).

The proposed dwelling as per the Original Agreement was never constructed and a Building Permit for same was never issued. Trees on the property were removed in accordance with the approved Arborist and Tree Preservation Report pursuant to the Original Agreement. In the Spring of 2016, the property was sold to the current owner Ajmal Farid Ahmad. The owner did not wish to construct the dwelling as per the Original Agreement and submitted a new Site Plan Application in order to facilitate a differently designed two-storey single detached dwelling on the subject lands.

On November 13, 2018, the current owner entered into a Site Plan Agreement (“Second Agreement”) with the Town to facilitate the construction of a two-storey dwelling (Town File D06-17047) (refer to Map 5). The Second Agreement was registered on title of the subject lands on December 20, 2018 as Instrument Number YR2913097.

Securities to ensure that site works were completed to the Town’s satisfaction (i.e. frontage, grading, and landscape works) were provided to the Town in support of the Original Agreement and are still being held. The purpose of this report is to seek Council’s direction with regard to the current owner’s request to deregister the Original Agreement and to allow the release of the remaining securities held with respect to said Agreement.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the north side of Long Hill Drive, north of 19th Avenue and east of Yonge Street and have a total lot area of 0.158 hectares (0.391 acres). The lands are presently vacant and abut valley lands to the north, residential uses to the east and west, and Long Hill Drive to the south (refer to Maps 1, 2 and 3).

Owner’s Request

The current owner of the lands has formally requested that the Town deregister the Original Agreement (Town File D06-14102) as it pertains to its land holdings. In this regard, the owner is seeking Council’s approval to enter into a Termination Agreement with the Town, and to deregister the Original Agreement, which will facilitate the release of the Letter of Credit secured with respect to this agreement to the previous owner. The Second Agreement (Town File D06-17047) is to remain as registered.

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Planning Analysis

Planning staff has reviewed the owner's request to terminate the Original Agreement registered on its land holdings and has no objections on the basis that Town staff has confirmed that the development as contemplated by the Original Agreement was not constructed. No site works were commenced with the exception of tree removals; however, no Securities were required in relation to landscaping or replanting. In this regard, staff recommends that Council authorize the execution of a Termination Agreement between the current and previous owners as well as the Town.

Financial/Staffing/Other Implications:

The recommendations of this report do not have any financial, staffing or other implications.

Relationship to the Strategic Plan:

There are no direct implications with respect to the Town's Strategic Plan.

Conclusion:

The owner is seeking Council's approval to enter into a Termination Agreement with the Town to deregister the Original Agreement and to facilitate the release of the related Letter of Credit. Given that the works contemplated by the Original Agreement were never undertaken and a Second Agreement has been registered with associated securities for a new two-storey building, it is recommended that Council authorize the execution of the Termination Agreement.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Map 1 Aerial Photograph
- Map 2 Neighbourhood Context
- Map 3 Existing Zoning
- Map 4 Original Site Plan (D06-14102)
- Map 5 Second Site Plan (D06-17047)

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Report Approval Details

Document Title:	SRPRS.19.051 - 10 Long Hill Drive - D06-19003 (AJMAL FARID AHMAD).docx
Attachments:	<ul style="list-style-type: none">- MAP_1_AERIAL_PHOTOGRAPH.pdf- MAP_2_NEIGHBOURHOOD_CONTEXT_S619003A.pdf- MAP_3_EXISTING_ZONING_S619003A.pdf- MAP_4_ORIGINAL_SITE_PLAN.pdf- MAP_5_SECOND_SITE_PLAN_D06-17047.pdf
Final Approval Date:	Mar 21, 2019

This report and all of its attachments were approved and signed as outlined below:

Gus Galanis - Mar 21, 2019 - 9:09 AM

Kelvin Kwan - Mar 21, 2019 - 9:21 AM

Neil Garbe - Mar 21, 2019 - 9:51 AM