



Staff Report for Council Meeting

Date of Meeting: February 21, 2024

Report Number: SRPBS.24.015

Department: Planning and Building Services

Division: Development Planning

Subject: SRPBS.24.015 - Request to Deregister a Site Plan Agreement - Augusta Hill Plaza Corp. - City File SP-23-0024

Owner:

Augusta Hill Plaza Corp.
8700 Dufferin Street
Vaughan, ON
L4K 4S6

Location:

Legal Description: Block 192, Plan 65M-4147
Municipal Address: 370, 372, 380 and 386 Tower Hill Road

Purpose:

A request to deregister the Site Plan Agreement between The Corporation of the City of Richmond Hill and Duke of Richmond Development Inc. dated January 28, 2004.

Recommendations:

- a) That Staff Report SRPBS.24.015 be received and that the request by Augusta Hill Plaza Corp. to deregister the Site Plan Agreement between The Corporation of the City of Richmond Hill and Duke of Richmond Development Inc. for lands known as Block 192, Plan 65M-4147 (Municipal Addresses: 370, 372, 380 and 386 Tower Hill Road), City File SP-23-0024, be approved; and,
- b) That the Mayor and Clerk be authorized to execute a Termination Agreement with Augusta Hill Plaza Corp. upon written recommendation of the Commissioner of Planning and Building Services.

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Contact Person:

Umar Javed, Planner I, phone number 905-747-6470 and/or
Sandra DeMaria, Manager of Development, Site Plans, phone number 905-747-6312
Deborah Giannetta, Acting Director of Development Planning, phone number 905-771-5542

Report Approval:

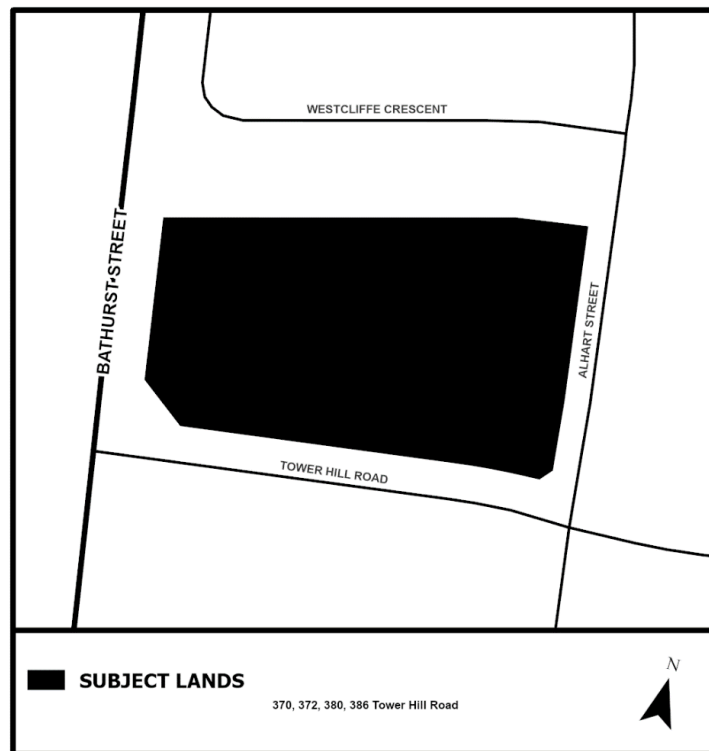
Submitted by: Gus Galanis, Acting Commissioner of Planning and Building Services

Approved by: Darlene Joslin, City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. 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 the “Contact Person” above.



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Background:

On February 25, 2004, a Site Plan Agreement between the then Town of Richmond Hill and the Duke of Richmond Development Inc. (the previous owner of the lands) was registered on title on the entirety of the lands within the larger draft Plan of Subdivision (City File: D03-99014) within which the subject lands are located. The purpose of the Site Plan Agreement was to facilitate the construction of five (5) model homes and an associated parking area. The draft Plan of Subdivision was subsequently registered in phases with the subject lands being registered as Block 192, Registered Plan 65M-4147 in Phase 3a. As the Site Plan Agreement was registered on the lands prior to registration of the subdivision, it has remained on title for all lands within the original draft Plan of Subdivision. The subject lands were developed with neighbourhood commercial uses such as restaurants, a daycare and a medical facility among other uses.

On October 14, 2022, Augusta Plaza Hill Corp. who is the current owner of the lands, submitted a Site Plan Application to the City to facilitate the re-construction of the former TD Bank building on the lands into a McDonalds drive-thru restaurant (City File D06-22064). As part of this application, they are also proposing to deregister the Site Plan Agreement for the model homes and parking area previously registered on the subject lands, in order to have clear title for the property.

Accordingly, the purpose of this report is to seek Council's direction with regard to the request from the current landowner to deregister the Site Plan Agreement for five (5) model homes and parking area registered on title of its land holdings.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located on the northeast corner of Bathurst Street and Tower Hill Road (refer to Map 1). The lands currently support an existing neighbourhood commercial plaza which abuts Bathurst Street to the west, William Neal Community Park to the east, existing low-density residential uses to the north and Tower Hill Road to the south.

Owner's Request

The applicant has requested that the City deregister the existing Site Plan Agreement (City File D06-03095) that was intended to facilitate the establishment of five (5) model homes and an associated parking area to the larger plan of subdivision in which the lands are located in and is no longer applicable to. In this regard, the owner is seeking Council's approval to enter into a Termination Agreement with the City to deregister the Site Plan Agreement on title of the subject lands.

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Planning Analysis

Planning staff has reviewed the applicant's request to terminate the Site Plan Agreement related to the model homes and parking area and has no objections to same. The associated draft Plan of Subdivision has been registered and all obligations under the Site Plan Agreement have been fulfilled. Further, as noted previously, the Site Plan Agreement is not applicable to the existing neighbourhood commercial uses on the subject lands. In this regard, staff recommends that Council authorize the execution of a Termination Agreement between the owner of the lands and the City.

Financial/Staffing/Other Implications:

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

Relationship to Council's Strategic Priorities 2020-2022:

There are no direct implications with respect to Council's Strategic Priorities 2020-2022.

Climate Change Considerations:

Climate change considerations are not applicable to this staff report.

Conclusion:

The owner is seeking Council's approval to enter into a Termination Agreement with the City to deregister the original Site Plan Agreement related to the five model homes and parking area on title of its land holdings because it is no longer applicable to the subject lands. On this basis, it is recommended that Council authorize the execution of a Termination Agreement.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Map 1: Aerial Photograph

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Report Approval Details

Document Title:	SRPBS.24.015 - Request to Deregister a Site Plan Agreement - 370, 372, 380 and 386 Tower Hill Road.docx
Attachments:	- Map 1 - Aerial Photograph.docx
Final Approval Date:	Feb 13, 2024

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

Deborah Giannetta - Feb 7, 2024 - 1:10 PM

Gus Galanis - Feb 12, 2024 - 4:03 PM

Darlene Joslin - Feb 13, 2024 - 8:57 AM