



Report to: Committee of the Whole

Date of Meeting: June 13, 2006

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**SUBJECT:** Hans Klas Holdings Inc.  
Release of Site Plan Control Agreement from Title of  
177 Main Street, Unionville  
Legal File No.: 92 0612 PS 0069

**PREPARED BY:** Catherine M. Conrad, Town Solicitor, Ext. 4737

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**RECOMMENDATION:**

THAT Council authorize the partial release of the Site Plan Control Agreement from title and the return of securities in the amount of \$7,503.60 to Hans Klas Holdings Inc. the owner of 177 Main Street, Unionville, as the proposed addition to the existing building is not proceeding.

**EXECUTIVE SUMMARY:**

Not applicable

**FINANCIAL CONSIDERATIONS:**

Not applicable

**PURPOSE:**

To obtain Council authority for the release of the Site Plan Control Agreement registered on title to 177 Main Street, Unionville, and the release of securities in the amount of \$7,503.60.

**BACKGROUND:**

The Town's Committee of Adjustment granted a severance to Hans Klas Holdings Inc. in 1997 to allow the sale of the severed parcel to Main Street Unionville Holdings Inc. for the construction of the Rose & Firkin Pub at 175 Main Street, Unionville. At the time, Hans Klas Holdings Inc. had proposed to construct a 200 square foot addition to the retained parcel, being 177 Main Street, Unionville. A three party Site Plan Control Agreement was entered into for both properties and registered on title. Hans Klas Holdings Inc. has since decided not to proceed with the addition on its existing building and is requesting the return of its security in the amount of \$7,503.60 and the removal of the Site Plan Control Agreement from title.

**ENVIRONMENTAL CONSIDERATIONS:**

Not applicable.

**ACCESSIBILITY CONSIDERATIONS:**

Not applicable.

**ENGAGE 21<sup>ST</sup> CONSIDERATIONS:**


Not applicable

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The various departments within the Development Services Commission and Fire have agreed to the release of the funds and the release of the Site Plan Control Agreement from title to 177 Main Street, Unionville.

**RECOMMENDED**

**BY:**

  
Catherine M. Conrad  
Town Solicitor

**ATTACHMENTS:**

June 2, 2004 letter from Hans Klas Holdings Inc. requesting the release and return of securities.

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**HANS KLAS HOLDINGS INC.  
177 MAIN STREET  
UNIONVILLE, ON  
L3R 2C8  
(905) 943-4014**

June 2, 2004

Mrs. Lynn Handsor  
Legal Services Department  
The Corporation of The Town of Markham  
101 Town Centre Boulevard  
MARKHAM, ON  
L3R 9W3

Dear Mrs. Handsor:

**RE: THREE PARTY SITE PLAN AGREEMENT BETWEEN MAIN STREET UNIONVILLE HOLDINGS INC. (175 MAIN STREET, UNIONVILLE), HANS KLAS HOLDINGS INC. (177 MAIN STREET, UNIONVILLE) AND THE CORPORATION OF THE TOWN OF MARKHAM**

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Please be advised that Hans Klas Holdings Inc. possesses rights to construct a 200 square foot +/- addition to its building municipally known as 177 Main Street, Unionville, Town of Markham pursuant to the above captioned Site Plan Agreement.

Hans Klas Holdings Inc. wishes to release and abandon its rights of Site Plan Approval pursuant to the three party Site Plan Agreement executed in November of 2000 and seeks Council's approval for the return of funds held by the Town as security in the amount of \$7,503.60. (A copy of our bank draft is attached hereto)

I understand that upon approval of this release by the Town that our solicitors (Messrs. Cattnach Hindson Sutton Vanveldhuizen) will be instructed to prepare the necessary documentation to be registered on title.

Could you please advise me as to Council's decision with regard to this matter at your earliest possible convenience.

Yours very truly,

**HANS KLAS HOLDINGS INC.**

per:   
**Matt Muller, Property Manager**

Encl.  
cc: Mr. Hans G. Blom