



MEMORANDUM

TO: Chair and Members of Development Services Committee

FROM: Jim Baird, M.C.I.P., R.P.P., Commissioner of Development Services

PREPARED BY: Scott Heaslip, M.C.I.P., R.P.P., Senior Project Coordinator, Central District

DATE: April 7, 2015

RE: **Del Ridge (Mid-town) Inc. (Greenlife Midtown)**
7768 Kennedy Road
(north-west corner of 14th Avenue and Kennedy Road)
Application for site plan approval for a 6-storey condominium apartment building.
File No. SC 14 110234

RECOMMENDATION

1. That the staff memorandum dated April 7, 2015 titled "Del Ridge (Mid-town) Inc. (Greenlife Midtown), 7768 Kennedy Road (north-west corner of 14th Avenue and Kennedy Road), Application for site plan approval for a 6-storey condominium apartment building, File No. SC 14 110234", be received.
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

BACKGROUND

On February 3, 2015, Development Services Committee endorsed a site plan application for Del Ridge's proposed 6-storey condominium apartment building at the north-west corner of 14th Avenue and Kennedy Road. The on-site driveways and underground parking garage of the proposed development are to be integrated with the driveways and garage of the adjoining Hagerman Corner Community Home. The February 3 staff report and Development Services Committee Resolution are included as item 7 on the April 7, 2015 Development Services Committee Agenda.

On February 24, 2015, Bridget Simon, a resident of the adjoining Hagerman Corner Community Homes, made a deputation to Council expressing a range of concerns with the proposed development. Council directed staff to report back to a future Development Services Committee meeting for final approval of the site plan application and that Bridget Simon be notified accordingly. The Council resolution is attached as Appendix 'A.'

On March 11, 2015, the Committee of Adjustment approved minor variances to permit the Del Ridge development, as proposed, consistent with Development Services Committee's endorsement.

On March 30, 2015, Hagerman Corner Community Home appealed the minor variances.

On April 1, 2015, Del Ridge advised staff that they will be appealing the following condition of site plan approval to the OMB:

"Hagerman Corner Community Housing has confirmed in writing that the Owner (*Del Ridge*) has satisfied their requirements related to the integration of driveways, underground garage access ramp and services with their development."

COMMENT

Resident concerns: It is our understanding that the concerns of the resident that appeared before Council have been communicated to the Board of Hagerman Corner Community Home and are part of the on-going discussions between Hagerman Corner Community Home and Del Ridge.

Minor Variance Appeal: Vehicular access to the underground parking garage of the Del Ridge building will be through the underground parking garage of the adjoining Hagerman Corner Community Home. The storm sewer connection to the Del Ridge building will also run through the Hagerman Corner Community Home's garage. Servicing and access easements are in place for these items, dating back to 1991 severance of the subject site. The solicitors for Del Ridge and Hagerman Corner Community Home are in the process of negotiating a Shared Facilities Agreement addressing these items and other areas of mutual interest. Staff understand that the intent is that the minor variance appeal will be withdrawn once the Shared Facilities Agreement is in place.

Applicant appeal of site plan condition: The purpose of the condition of site plan approval requiring written confirmation from Hagerman Corner Community that Del Ridge has satisfied their requirements is to ensure that construction does not commence until the agreement referred to above is in place. Staff assume that Del Ridge will not follow through with their appeal of this condition if they are successful in negotiating the Shared Facilities Agreement with Hagerman Corner Community Home.

If negotiations are not successful, the OMB will adjudicate matters pertaining to the appeals of the minor variance approval, and the site plan condition.

CONCLUSION

Staff are hopeful that Del Ridge and Hagerman Corner Community Home will be successful in their negotiations and that their respective appeals will be withdrawn. If this occurs, staff will report this to Development Services Committee.

In the event the negotiations are not successful and the appeals are not withdrawn, the Legal Services Department will report to Council to seek instructions relative to any City participation in the OMB process.

Appendix 'A' – Council resolution dated February 24, 2015



APPENDIX 'A'

THE CORPORATION OF THE CITY OF MARKHAM

**EXTRACT FROM THE MINUTES OF THE COUNCIL MEETING HELD ON Feb 24, 2015
DELEGATIONS**

**(1) DELEGATION - BRIDGET SIMON REGARDING DEL RIDGE (MID-TOWN) INC.
(GREENLIFE MIDTOWN) 7768 KENNEDY ROAD (NORTH-WEST CORNER OF 14TH
AVENUE AND KENNEDY ROAD) APPLICATION FOR SITE PLAN APPROVAL FOR A 6-
STOREY CONDOMINIUM APARTMENT BUILDING FILE NO. SC 14 110234 (10.6)**

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

- 1) That the delegation of Bridget Simon providing comments regarding the Site Plan Application submitted by Del Ridge Inc., 7768 Kennedy Road, be received; and,
- 2) That staff report back to a future Development Services Committee meeting for final approval of the site plan application and that Bridget Simon be notified accordingly.

Carried

(See following to consider the delegation)

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

That Council suspend the rules of procedure to allow for the delegation of Bridget Simon.

Carried by a 2/3 vote of Council Members present