



**CITY OF VAUGHAN
SPECIAL COUNCIL MEETING MINUTES(1)
JUNE 4, 2001**

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CITY OF VAUGHAN

SPECIAL COUNCIL MEETING (1)

MONDAY, JUNE 4, 2001

MINUTES

7:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 7:05 p.m.

The following members were present:

Regional Councillor M. Di Biase, Chair
Councillor B. Di Vona
Councillor M. Ferri
Councillor S. Kadis
Councillor M. G. Racco
Councillor G. Rosati

146. CONFIRMATION OF AGENDA

MOVED by Councillor Racco
seconded by Councillor Kadis

THAT the agenda be confirmed.

CARRIED

147. DISCLOSURE OF INTEREST

There was no disclosure of interest by any member.

**148. EXPROPRIATION - CHRISLEA ROAD
167 CHRISLEA ROAD**

MOVED by Councillor Di Vona
seconded by Councillor Racco

That the recommendation contained in the following report of the Director of Legal Services, dated June 4, 2001, be approved:

CARRIED

Recommendation

The Director of Legal Services in consultation with the Commissioner of Planning and the Executive Director of Engineering recommends that Council enact the necessary By-law to expropriate certain lands described as Part of Lot 25, Plan 65M-2589, shown on Attachment # 1.

Purpose

The Purpose of the report is to seek approval to expropriate land.

Background - Analysis and Options

At its meeting of July 10, 2000, Council, by By-law 280-2000, gave its authorization for approval to expropriate Lot 25, Plan 65M-2589, for the purpose of construction overpass over Highway 400 as an extension of Applewood Crescent.

The subject lands are located on the west side of Highway 400, north of Highway 7. Approximately .8 acres are required on a permanent basis (Parts 1, 2, 4 and 5) and approximately .113 acres are required on a temporary easement (Part 3) for seven years.

Originally, expropriation was commenced for the entire lot owned by 1350150 Ontario Limited, however the area has been reduced in accordance with a revised plan, shown as Attachment # 1, resulting in expropriation of the southern third of the lot. The Minutes of Settlement for Official Plan Amendment 528 reflect the location and area on Attachment # 1 and require the City to file the plan of Expropriation.

Conclusion

It is now in order to pass the necessary By-law to expropriate the lands described above.

Attachments

1. Sketch

Report prepared by:

Heather A. Wilson

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

- 149. BY-LAW TO LIFT THE HOLDING SYMBOL (H)
OAK RIDGES MORAINÉ PROTECTION ACT
MAPLEWOOD VILLAGES LIMITED (CENTRAL PARK LODGES)
FILES Z.98.083 and DA.01.012
(Committee of the Whole Report No. 46, Item 42)**

MOVED by Councillor Di Vona
seconded by Councillor Racco

That the following Committee of the Whole Report No. 46, Item 42, recommendation of June 4, 2001, be approved:

CARRIED

Recommendation

The Commissioner of Planning, in consultation with the Legal Department, recommends:

Whereas it appears that the proposed Maplewood Villages Ltd. Nursing Home site is not located in the Oak Ridges Moraine based on Map 2-York of the Oak Ridges Moraine Protection Act, 2001, it is recommended;

1. That the Committee of the Whole RECEIVE the attached By-law to lift the Holding Symbol (H) from the Central Park Lodges Nursing Home site;
2. That the By-law to lift the Holding Symbol (H), and this subject staff report and

Council's resolution, be forwarded to the Minister of Municipal Affairs and Housing, and Minister of Health and Long-Term Care; and,

3. That the Ministry of Municipal Affairs and Housing be requested to provide clarification to Maplewood Villages Ltd. (Central Park Lodges) and the City on the application of the Oak Ridges Moraine Protection Act for the lands shown in the By-law to lift the Holding Symbol.

Purpose

At the Council meeting of May 30, 2001, Council requested a report on the above-mentioned matter for the next Committee of the Whole meeting.

Background - Analysis and Options

On May 28, 2001, the Oak Ridges Moraine Protection Act received Royal Assent, which is retroactive to May 17, 2001. The Act prohibits the making of any decision or approval concerning official plans and official plan amendments, zoning and land use control by-laws, and draft plans of subdivision. This prohibition includes the enactment of a by-law under Section 36 of the Planning Act to lift the Holding Symbol (H).

The Act provides for a limited review process. If a part of a lot (being a lot in a concession, not a lot in a plan) is shown as included within the Oak Ridges Moraine, in Map 2-York of the Act, the Lieutenant Governor in Council may make regulations clarifying the boundaries to which the Act applies. The Lieutenant Governor in Council may also make regulations exempting land from the application of the Act, however this may be a long process. The request for clarification or review would be made by way of a letter from the landowner to the Ministry of Municipal Affairs and Housing. It should be noted that the criteria for a regulation has not been provided, nor has the Ministry been able to advise as to the time frame within which such a regulation could be passed, although it appears that it would be a fairly lengthy process. The City understands that the Nursing Home operator, Central Park Lodges (CPL), has forwarded a request to the Ministry of Municipal Affairs for clarification on the application of this Act on the Nursing Home site.

CPL was awarded funding by the Ministry of Health and Long-Term Care, under the 1998 Long-Term Care Bed Development Project, to build a 96-bed, long-term care facility. Under the terms of the Project, the operator enters into an agreement with the Ministry, which outlines, among other things, the time frame for site acquisition, land use approvals (zoning, building permits), construction schedule and facility opening date. The Ministry of Health has advised the City that the Nursing Home is expected to open by June 2002, as per the agreement. As it takes 12 to 15 months to build and prepare the facility for the targeted opening date, delays in processing may jeopardize the funding.

The Nursing Home site is located within Draft Approved Plan of Subdivision 19T-99V05. On April 19, 2001, the Committee of Adjustment applications to sever the Nursing Home site from the Draft Plan received approval, with conditions. On May 15, 2001, the development (services) agreement to facilitate the consent was circulated internally within the City for review. The Nursing Home site is currently zoned RVM2 Residential Urban Village Multiple Zone Two with the Holding Symbol by By-law 1-88, as amended, to facilitate a 96-bed, long-term care nursing home facility. On May 16, 2001, the City provided notice of the intention to lift the Holding Symbol, as the conditions to allow the lifting of the Holding Symbol had been addressed. The By-law was ready to be placed on the May 30, 2001 Council Agenda for enactment, however, in light of the Act's restrictions, it was not included. While it would appear that the Nursing Home site is located outside of the boundary of the lands shown as subject to the Oak Ridges Moraine Protection Act, the Province should clarify that this is the case in order for the By-law to lift the Holding Symbol to be forwarded to Council for enactment and allow the Nursing Home facility to proceed to finalize its development approvals to meet the June 2002 opening date.

Conclusion

The recommended resolution provides the Ministry with additional information regarding Council's position on the clarification requested by the landowner. Given the proposal is very near to the end of the approvals process, Council may pass the resolution in this particular circumstance.

Attachments

1. Location Map
2. Draft Plan of Subdivision 19T-99V05
3. Site Plan
4. Map 2-York, Oak Ridges Moraine Protection Act
5. Draft By-law to lift the Holding Symbol

Report prepared by:

Judy Jeffers, Planner, ext. 8645
Eric Taylor, Senior Planner, Environment, ext. 8214
Bianca M.V. Bielski, Manager, Development Planning, ext. 8645

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

150. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Councillor Ferri
seconded by Councillor Rosati

THAT the following by-law be read a First, Second and Third time and enacted:

By-Law Number 214-2001 A By-law to expropriate certain lands. (Part Lot 25, Plan 65M-2589 – 167 Chrislea Road)(Special Council (1), June 4, 2001, Minute No. 148)

CARRIED

151. CONFIRMING BY-LAW

MOVED by Councillor Di Vona
seconded by Councillor Racco

THAT By-law Number 215-2001, being a by-law to confirm the proceedings of Council at its meeting on June 4, 2001, be read a First, Second and Third time and enacted.

CARRIED

152. ADJOURNMENT

MOVED by Councillor Kadis
seconded by Councillor Di Vona

THAT the meeting adjourn at 7:08 p.m.

CARRIED

M. Di Biase, Acting Mayor

A. Moore, Deputy City Clerk