

**COMMITTEE OF THE WHOLE    JUNE 17, 2002**

**OFFICIAL PLAN AMENDMENT FILE OP.02.004  
ZONING BY-LAW AMENDMENT FILE Z.02.016  
MINGLEHAZE INVESTORS INC.  
PRELIMINARY REPORT**

**Recommendation**

The Commissioner of Planning recommends:

THAT part of the subject lands of Official Plan Amendment File OP.02.004 (Minglehaze Investors Inc.) relating to the Leisureworld Caregiving Centre BE APPROVED by redesignating the subject lands to "High Density Residential" to permit a long-term care facility use only.

THAT the Official Plan Amendment shall include policies regarding the implementation of methane mitigation measures, as recommended in the supporting geotechnical and geoenvironmental reports, and all necessary approvals by the Ministry of the Environment and Energy, together with policies respecting noise abatement, site servicing and development form.

THAT Zoning By-law Amendment File Z.02.016 (Minglehaze Investors Inc.) BE APPROVED, subject to the implementing by-law not being enacted until such time as the required site plan application has been approved by Council.

**Purpose**

On February 6, 2002, the Owner submitted an application to amend the Official Plan to redesignate the subject lands to "Medium Density Residential", "Neighbourhood Park" and "Institutional" to permit a residential community comprising of 203 block townhouse units, open space and a seniors' long-term care facility.

On February 28, 2002, the Owner submitted an application to amend the Zoning By-law to rezone a portion of the lands (0.95 ha) to RA3 Apartment Residential Zone to permit the 4-storey, long-term care facility (224 beds) component of the overall proposal. This report addresses the Official Plan and Zoning amendment applications for the long-term care facility only.

**Background - Analysis and Options**

The subject lands are located on the north side of Steeles Avenue between Martin Grove Road and Kipling Avenue, in Lot 1, Concession 8, City of Vaughan. The 0.951 ha parcel has approximately 119 m of frontage along Steeles Avenue, and to the west of a future street, which aligns with Gihon Spring Drive south of Steeles Avenue. The subject lands are vacant, grass-covered and relatively flat, dropping off at the eastern and northern limits.

The lands are designated "Prestige Area" by OPA 450, as amended by OPA 503, and zoned PB1 Parkway Belt Open Space Zone by By-law 1-88. The surrounding land uses are:

- North - CN Rail line, vacant, (PB2 Parkway Belt Complementary Use Zone) and Highway 407
- South - Steeles Avenue; residential (City of Toronto)
- East - remainder of applicant's lands (proposed townhouse development); further east the former City of Toronto Thackery landfill site (PB1 Parkway Belt Open Space Zone)
- West - CN Rail line grade separation (PB2 Parkway Belt Complementary Use Zone)

## Public Hearing

On March 15, 2002, a notice of public hearing was circulated to all property owners within 120m of the subject lands. One comment was received from the City of Toronto Planning Department noting that upon preliminary review, the application may have impacts on the City of Toronto, and requesting an extension to June 28, 2002 for City Council to establish a formal position

At the May 6, 2002 Public Hearing, representation was made on behalf of the City of Toronto to express concerns, particularly related to use of Toronto services, taxation and development charges. It was indicated that the proposal seemed premature pending an opportunity to prepare a staff report and gain Council's position in July 2002.

## Official Plan

The lands are designated "Prestige Area" by OPA 450 as amended by OPA 503. Lands designated "Prestige Area" can be utilized for a wide range of industrial, office, business and civic uses, with no outside storage. The proposed use does not conform to the Official Plan and therefore, an amendment to the Official Plan is required.

The applicant has requested an "Institutional" designation, however, there is no specific land use designation for institutional uses in the Official Plan. Institutional uses are permitted in residential areas, therefore, a more appropriate designation would be "High Density Residential", reflecting the density and form of development for 224 beds in a multi-storey building, with a specific restriction to permit long-term care facility only.

OPA 503, which designates the lands "Prestige Area", contains a number of site-specific policies related to:

- i) A portion of the subject land being conveyed to the Ministry of Transportation Ontario to accommodate the future Highway 407/Kipling Avenue Interchange, prior to execution of a site development agreement.
- ii) The City of Toronto and the Region of York being satisfied that the subject lands can be adequately serviced prior to development.
- iii) The requirement for ample parking on-site or parking justification for reduced parking.
- iv) The requirement that "To ensure that existing concentrations of methane gas discovered with the subject lands are safely and appropriately vented from under constructed buildings, the owner shall agree in the site plan agreement to implement all recommendations outlined in the "Geotechnical and Geoenvironmental Investigation" completed by Trow Consulting Engineers Ltd., dated January 30, 1998."

The above policies will be considered in the review of the current application to determine where they may continue to be relevant.

The Region of York Planning Department has advised that the proposed development is consistent with the Regional Official Plan policies to provide a range of housing options for residents. Regional staff has also advised that this Official Plan Amendment appears to be a matter of local significance and is exempt from Regional approval.

The Regional Transportation and Works Department has indicated that lands may be required to facilitate the scheduled construction of wastewater facilities in the immediate area. This matter will be examined in greater detail by Regional staff at the site plan stage, as well as details pertaining to vehicular and pedestrian access.

## Zoning

The subject lands are zoned PB1 Parkway Belt Open Space. The applicant is requesting rezoning to RA3 Apartment Residential Zone, to permit a 4-storey, 224-bed, long-term care facility, having a gross floor area of 12,581 sq.m., including basement.

Staff would recommend that the implementing by-law rezone the subject lands to RA3 Apartment Residential Zone, and not be enacted until such time as a site plan application has been approved by Council.

A number of exceptions to the RA3 Zone will be necessary to facilitate the proposed development. The preliminary plan contains a significant deficiency in required parking for the facility, which will need to be justified through a parking study. As a formal site plan has not been submitted, the site statistics, dimensions, elevations, and parking requirements, etc. have not been adequately assessed in terms of By-law 1-88 requirements and proper site design.

## Environment

The site is in close proximity to the former Thackery Landfill Site, and concentrations of methane gas on the lands have been recorded previously. The current OPA 503 contains a number of policies related to the environmental requirements for development of the subject lands for employment uses.

In this regard, the applicant has submitted the appropriate environmental studies prepared by Trow Consulting Engineers Ltd., which are relevant to the proposed long-term care facility, as follows:

- Phase I Environmental Site Assessment, Steeles Avenue West and CNR Tracks (east of Martin Grove Road) Vaughan, Ontario, dated April 9, 2002;
- Phase II Environmental Site Assessment;
- Geotechnical Investigation, Proposed Minglehaze Community (Steeles Avenue West and Martin Grove Road), Toronto, Ontario, April 18, 2002;
- Geotechnical and Geoenvironmental Investigation, Steeles Avenue, Martin Grove and CNR, January 30, 1998;

The City retained the firm of Terrapex Environmental Ltd. (Terrapex) to undertake a Peer Review of the Studies and background information, which concluded the following:

- the fill at the site meets the MOE criteria for residential/parkland use;
- the site is suitable for the proposed development, provided that the recommended methane mitigation measures are implemented;
- the methane gas monitoring program be undertaken in accordance with MOE Guidelines and should be continued until gas concentrations outside the venting system have been less than 20% of the Lower Explosive Limit for two years; and
- a Certificate of Approval from the Ministry of Environment and Energy will be required for the methane venting system.

## Servicing

The Engineering Department has advised that there are no municipal sewer or watermains in this area to service the lands. A servicing report will be required to demonstrate how the proposed development is to be serviced.

In addition, a noise and vibration report will be required to address measures required for mitigation of the impacts of the railway track, Steeles Avenue, Highway 407 and, if necessary, the international airport approach.

### Transportation

The Engineering Department has advised that the entire development for both the block townhouses and long term care facility will add a sufficient number of vehicles to the Vaughan road network that may result in adverse operational issues. Accordingly, the proponent is required to submit a Traffic Impact Study for City review. All assumptions, methodologies and analyses should be stated clearly and in logical manner for review, as stated in the City of Vaughan Transportation Impact Study Guidelines. The study should include the horizon year and phased planning stages for the development, and be based on AM and PM peak hour periods typical for the area.

Ministry of Transportation Ontario Corridor Management Office has advised verbally that comments will be forthcoming on the interchange and transitway.

Any approvals required from the Ministry of Transportation Ontario/Highway 407 ETR authority must be obtained by the Owner.

### Utilities

Vaughan Hydro advise as follows:

“Please be advised that Vaughan Hydro does not have a distribution circuit available to service the proposed site.

To establish a point of attachment for this site, the developers will be required to pay 100% of the cost to have Hydro Vaughan extend a three phase overhead circuit from Islington Avenue.

Once point of attachment is established, the site can be serviced according to the attached requirements.

For Hydro Vaughan to prepare a preliminary estimate, we will require the proposed in-service date and estimated loads for the building.”

The Vaughan Fire Department has made a number of preliminary comments, particularly that the applicant must ensure the adequacy and reliability of water supply for firefighting purposes.

### Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority advise that they will require preliminary servicing and stormwater management reports to complete their review.

### Canadian National Railway

The Canadian National Railway has provided the following comments:

“Residential development adjacent to the railway right-of-way is not appropriate without impact mitigation measures to reduce the incompatibility. The proposed residential use would be expected to comply with the attached Principle Main Line Requirements.

We specifically request that the City include a setback requirement in the Zoning By-law Amendment and that the Owner register on title an Agreement with CN, stipulating how CN's concerns will be addressed, prior to the passing of the By-law or adoption of the Amendment."

The principle main line requirements stipulate a 30 m setback for residential buildings from the railway right-of-way, and installation of a chain link fence along the boundary. Noise and vibration studies are required, and the Owner will be required to implement the recommendations of the studies and provide warning clauses in offers of purchase and sale in this respect. Any alteration of the existing drainage pattern requires approval of CN Rail. A follow-up comment was provided to the City with respect to their setback requirement, as follows:

"As previously indicated the minimum 30m setback is normally taken from the property line, measured horizontally at the same elevation as the adjacent property. However, based on the partial site plan and cross-section attached to your letter, in principle the proposed topography appears to provide adequate safety, protection for the proposed building setback for the proposed long-term care facility, in this specific situation, subject to our review and approval of the noise and vibration reports and further review of complete engineering and architectural plans, including additional cross sections."

### Land Use

The subject lands are unusually situated in context of the City's land use pattern, being separated from the Woodbridge residential community by railway, highway and utility corridors, while physically forming a logical completion of the residential neighbourhood to the south in Toronto. The proposed long-term care facility will be compatible with the adjacent residential area. Access to Steeles Avenue is gained opposite an existing road to the south (Gihon Springs Drive) and the staff and visitors to the facility may benefit from public transit on Steeles Avenue.

Staff can support the redesignation of the subject lands to "High Density Residential" to permit a long-term care facility. The Official Plan Amendment should contain policies related to the following:

- a) the building form and maximum floor space index of the development
- b) the soils quality and required development and monitoring conditions
- c) a study of the noise and vibration conditions and mitigation methods
- d) the provision of water and sewage services to the property
- e) an analysis of traffic and parking conditions
- f) satisfying the technical requirement of CN Rail

Rezoning of the lands is preferred after Council approves a formal site plan application to enable determination of the required zone standards. During site plan review, CN Rail requirements relating to setbacks, noise, vibration, berming and fencing can be resolved, as well as any environmental issues, servicing, access and urban design.

### Conclusion

Following a review of the proposal, its supporting studies and the peer review of those studies, Staff can support the redesignation of the subject lands to "High Density Residential" to permit the lands to be developed with a long-term care facility only, subject to the inclusion of appropriate development policies addressing the environment, development form, CN Rail concerns and servicing.

Staff can also support the rezoning of the lands to RA3 Apartment Residential Zone, subject to the enactment of the implementing by-law following the review and approval of the required site plan application, to enable the required zoning standards and exceptions to be determined. Should Council concur, the Recommendation of this report can be adopted.

**Attachments**

1. Location Map
2. Site Plan Nursing Home (File Z.02.016)

**Report prepared by:**

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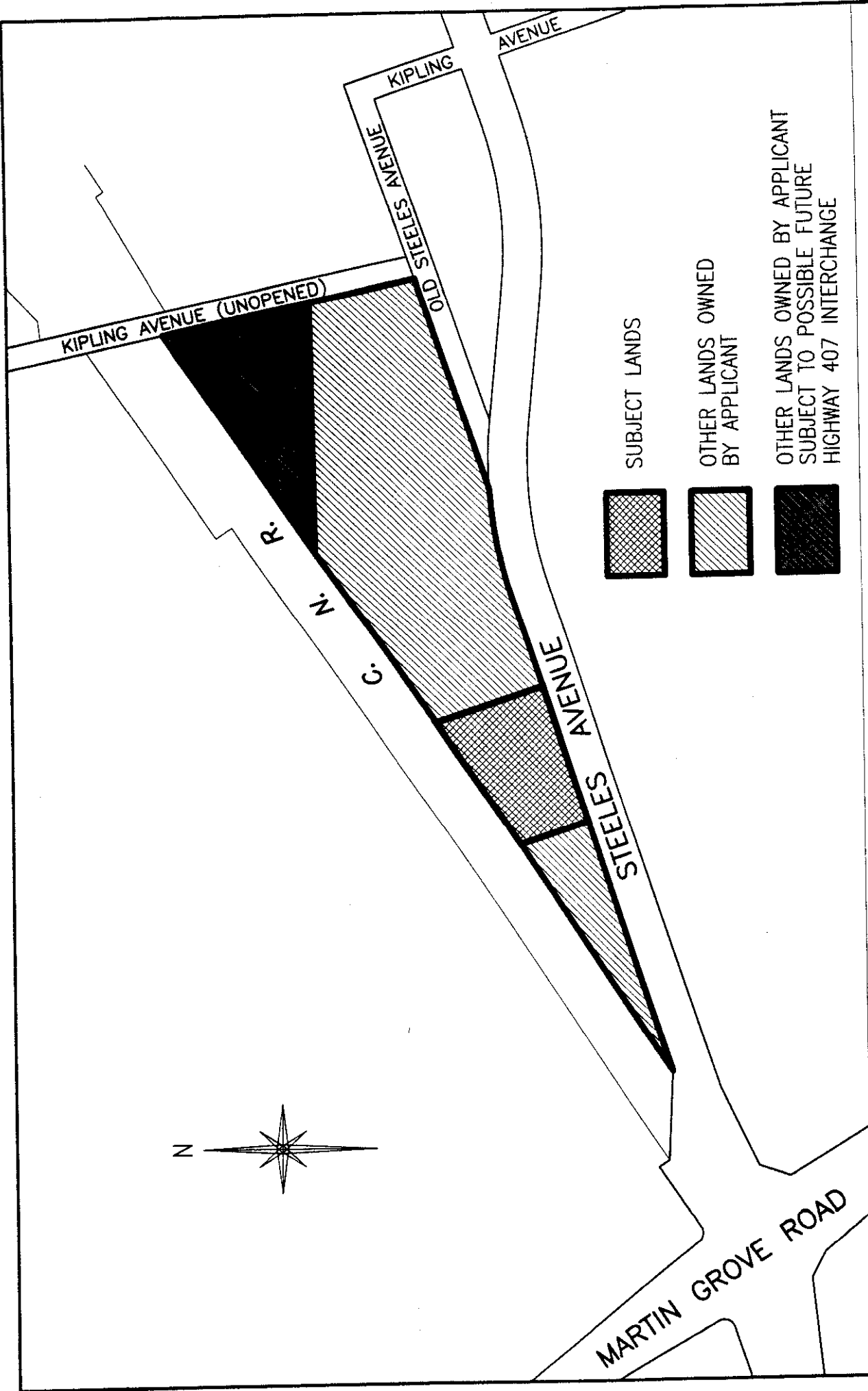
Respectfully submitted,

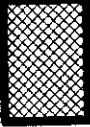
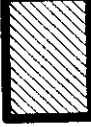

MICHAEL DeANGELIS  
Commissioner of Planning

JOANNE R. ARBOUR  
Director of Community Planning

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-  SUBJECT LANDS
-  OTHER LANDS OWNED BY APPLICANT
-  OTHER LANDS OWNED BY APPLICANT SUBJECT TO POSSIBLE FUTURE HIGHWAY 407 INTERCHANGE

<p><b>ATTACHMENT '1'</b> <b>LOCATION MAP</b></p>		<p>FILE #: Z.02.016 OP.02.004</p>	<p>REPORT #: LOCATION: PART OF LOT 1, CONCESSION 8</p>	<p>APPLICANT: CITY OF VAUGHAN PLANNING DEPARTMENT</p>	<p>DATE: 02/25/2002</p>
		<p>MINGLEHAZE INVESTORS INC.</p>		<p>SCALE: NOT TO SCALE</p>	

**PERTINENT DATA:**

LEGAL DESCRIPTION: PART OF LOT 1, CONCESSION 8,  
CITY OF VAUGHAN, ONTARIO

LOT AREA: 9,685.20 S.M. - 2.39 ACRES

**GROSS FLOOR AREA**

GROUND FLOOR: 2,805.24 S.M.  
SECOND FLOOR: 2,771.37 S.M.  
THIRD FLOOR: 2,771.37 S.M.  
FOURTH FLOOR: 2,771.37 S.M.  
TOTAL GFA: 11,120.35 S.M.

BASEMENT: 1,480.77 S.M.

COVERAGE: 2,872.11 S.M. - 30% OF LOT AREA

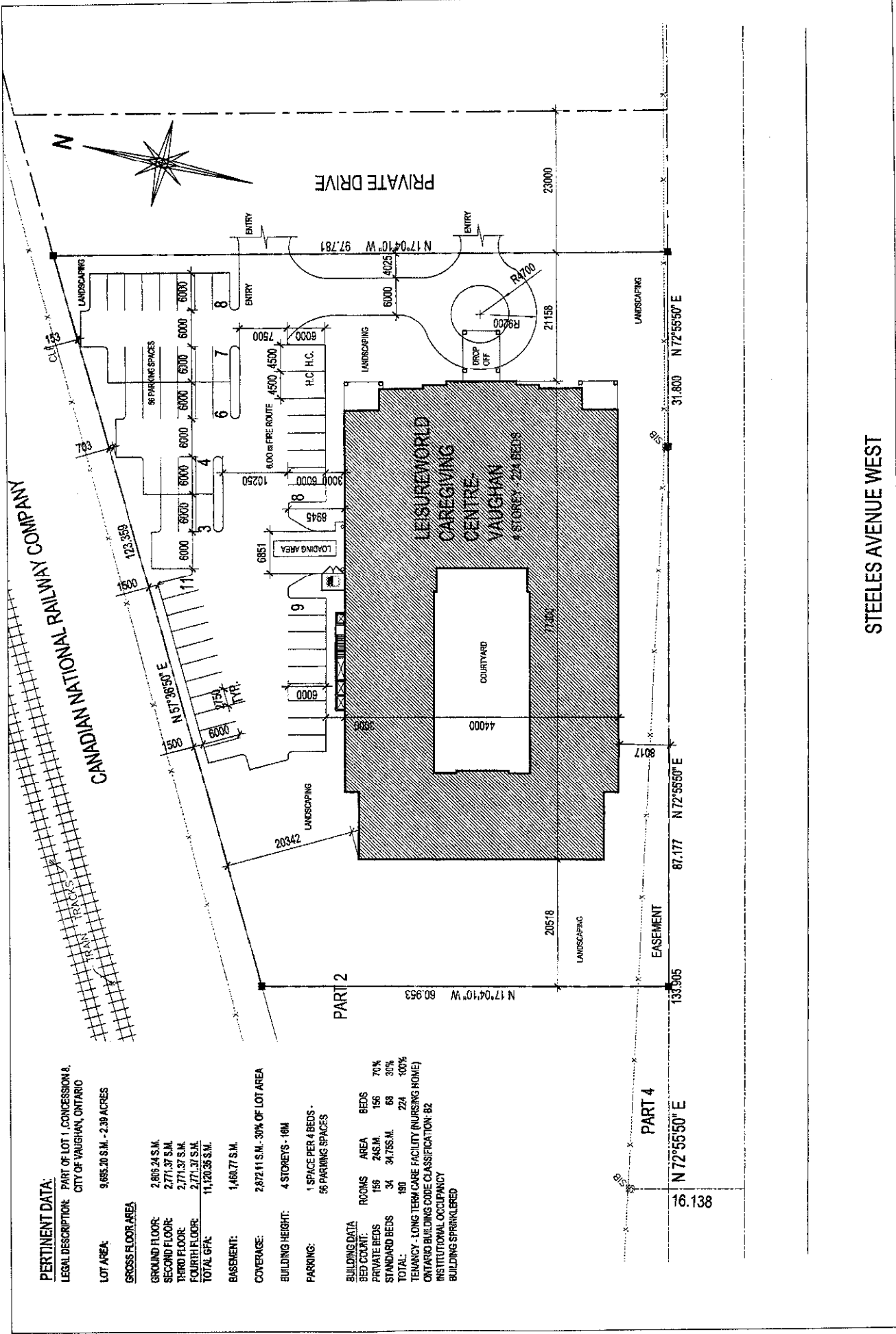
BUILDING HEIGHT: 4 STOREYS - 16M

PARKING: 1 SPACE PER 4 BEDS -  
56 PARKING SPACES

BUILDING DATA	ROOMS	AREA	BEDS
BED COUNT:	156	245.8 M.	156
PRIVATE BEDS	34	34,755.8 M.	68
STANDARD BEDS	190		224
TOTAL:			300

70%  
30%  
100%

TEMNACY - LONG TERM CARE FACILITY (NURSING HOME)  
ONTARIO BUILDING CODE CLASSIFICATION: B2  
INSTITUTIONAL OCCUPANCY  
BUILDING SPRINKLERED



STEELES AVENUE WEST

**ATTACHMENT '2'**  
**PROPOSED LONGTERM CARE FACILITY**

FILE #:  
Z.02.016  
OP.02.004

REPORT #:  
LOCATION:  
PART OF LOT 1,  
CONCESSION 8

APPLICANT:  
CITY OF VAUGHAN  
PLANNING DEPARTMENT

DATE: 02/25/2002  
SCALE: NOT TO SCALE  
MINGLEHAZE INVESTORS INC.