

COMMITTEE OF THE WHOLE JUNE 4, 2001

BY-LAW TO LIFT THE HOLDING SYMBOL (H) OAK RIDGES MORaine PROTECTION ACT MAPLEWOOD VILLAGES LIMITED (CENTRAL PARK LODGES) FILES Z.98.083 and DA.01.012

Recommendation

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

Whereas the proposed Maplewood Villages Ltd. Nursing Home site is affected by 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 the request for clarification from 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

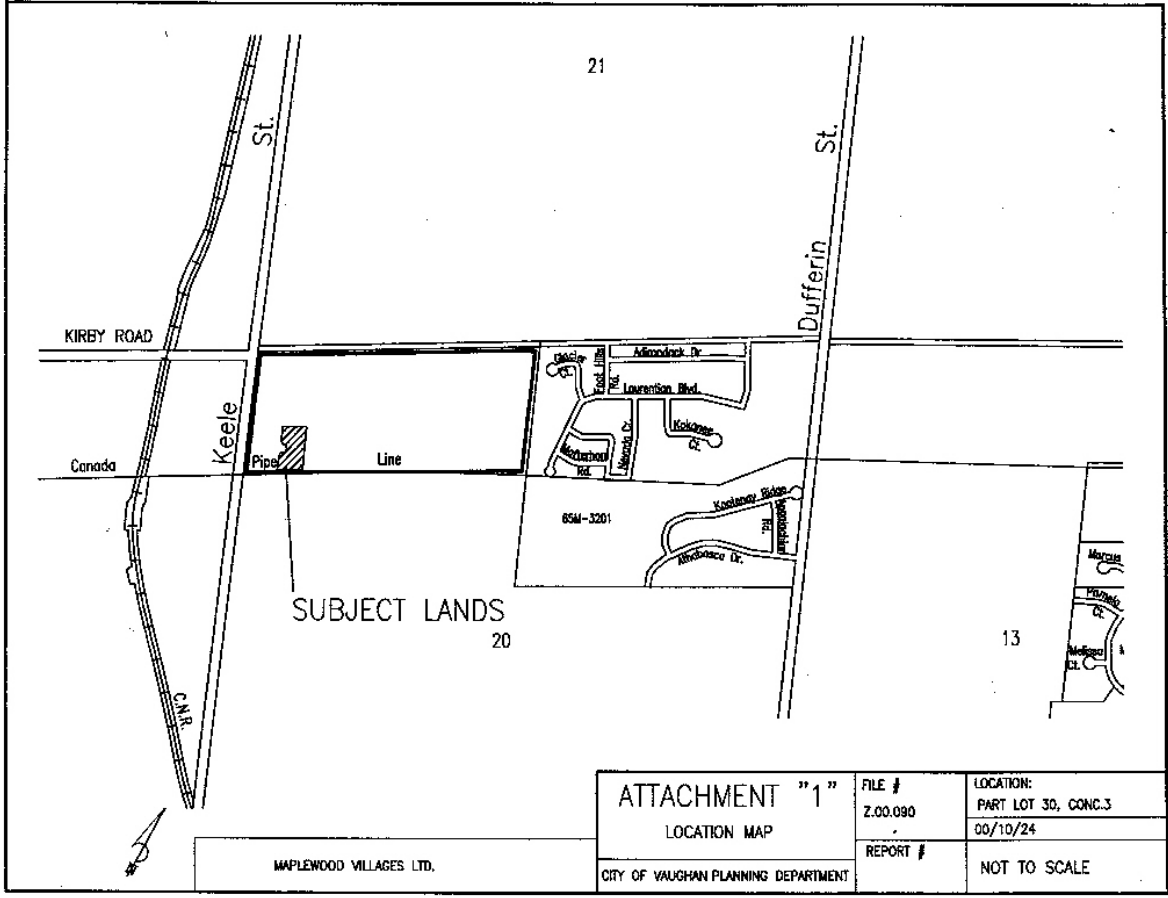
Report Prepared By:

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

Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

/CM



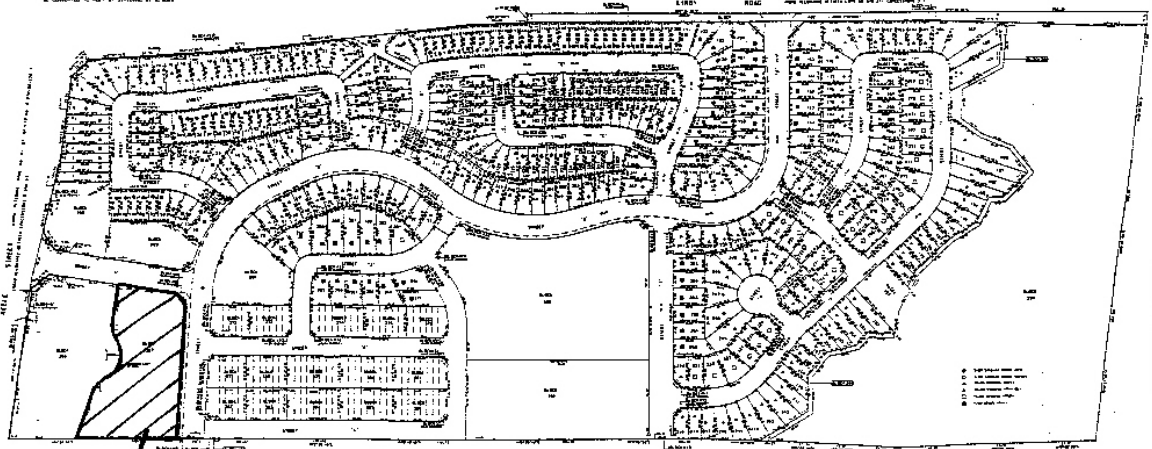
PLAN OF SUBDIVISION OF
 PART OF LOT 30, CONVESSION 2,
 (GEOGRAPHIC TOWNSHIP OF VAUGHAN),
 CITY OF VAUGHAN
 REGIONAL MUNICIPALITY OF YORK
 199T-99V05

DATE OF APPROVAL: 00/10/24
 PREPARED BY: MAPLEWOOD VILLAGES LTD.
 CITY OF VAUGHAN PLANNING DEPARTMENT

DATE OF 1:1000 CERTIFICATE: 00/10/24
 CITY OF VAUGHAN PLANNING DEPARTMENT

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 CITY OF VAUGHAN PLANNING DEPARTMENT



SUBJECT LANDS

TOTAL AREA OF SUBDIVISION: 1.00 ACRES
 100% OF THE AREA OF LOT 30



MAPLEWOOD VILLAGES LTD.

ATTACHMENT "2"
 DRAFT PLAN OF
 SUBDIVISION 19T-99V05

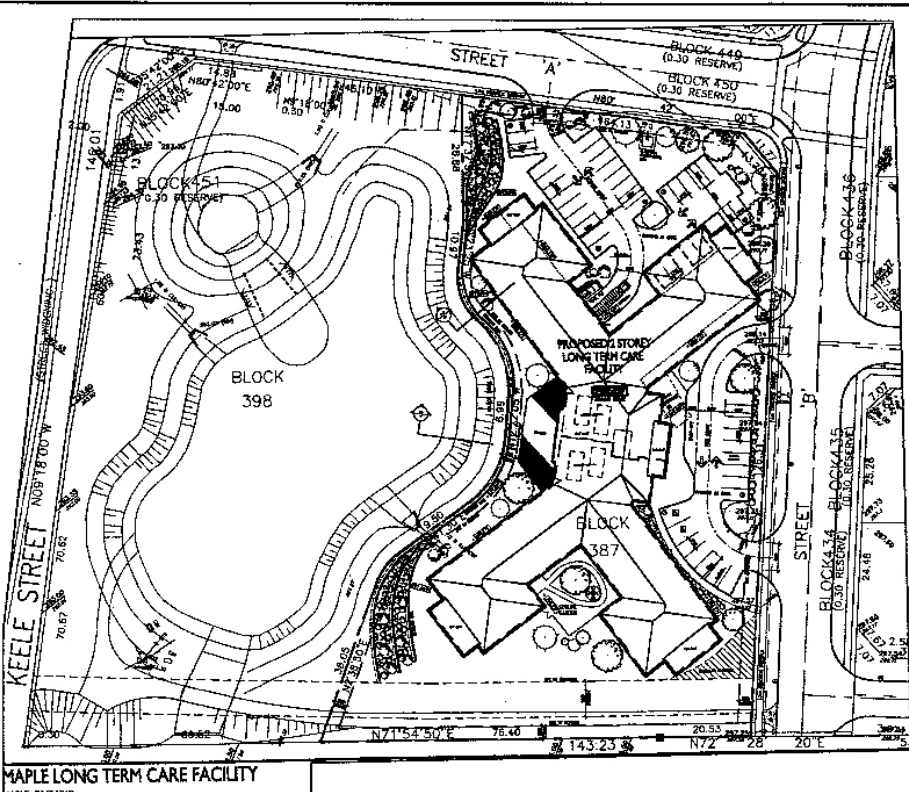
CITY OF VAUGHAN PLANNING DEPARTMENT

FILE #
 Z.00.090

REPORT #

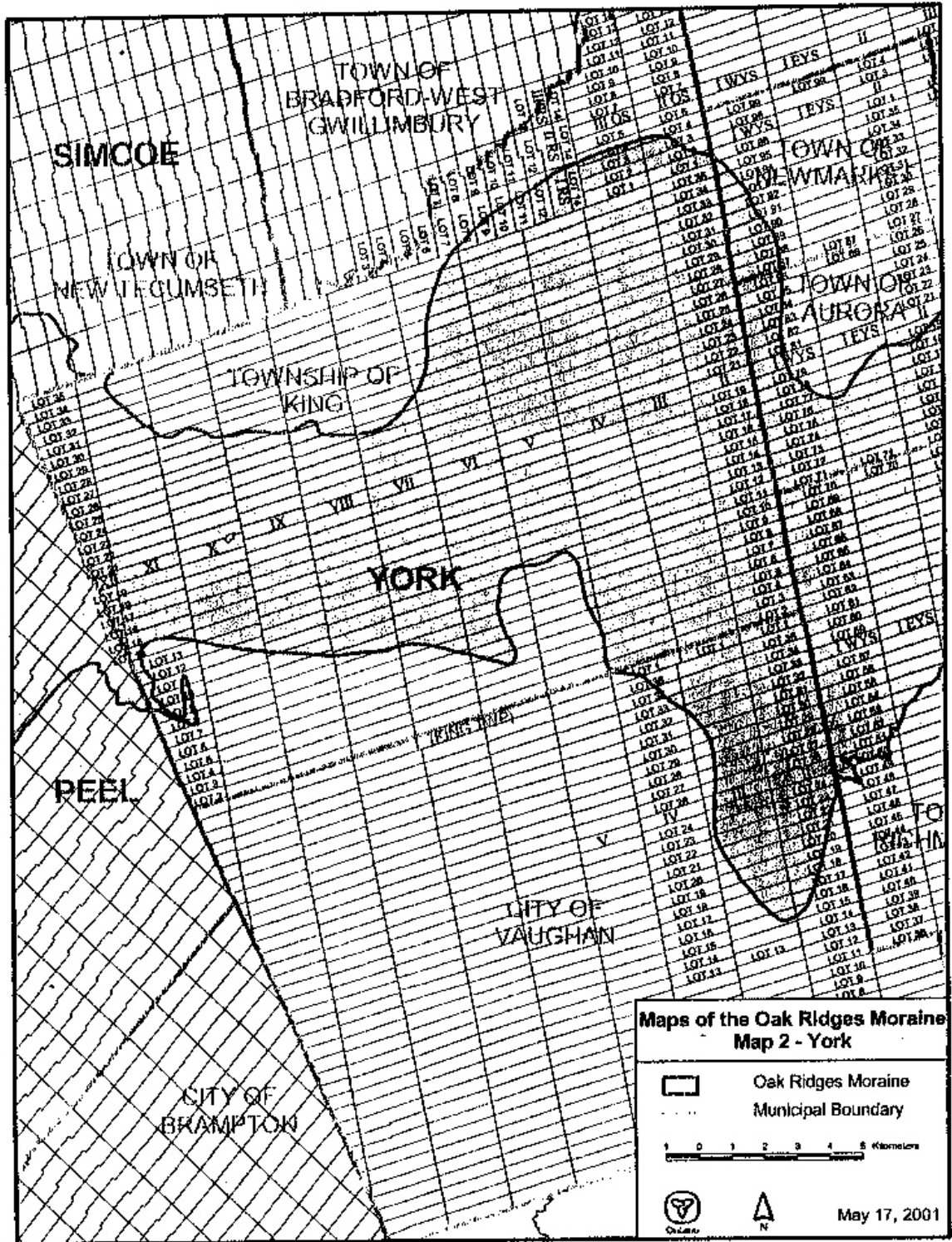
LOCATION:
 PART LOT 30, CONC.3
 00/10/24

NOT TO SCALE



MAPLE LONG TERM CARE FACILITY

<p>ATTACHMENT "3" SITE PLAN</p>	FILE #:	REPORT #:	DATE: 01/02/07
	DA.01.012	LOCATION: LOT 29.30 CONC. 3	SCALE: NOT TO SCALE
	CITY OF VAUGHAN PLANNING DEPARTMENT		APPLICANT: MAPLEWOOD VILLAGES LTD.



ATTACHMENT "4"

ATTACHMENT NO. 5

**DRAFT BY-LAW TO LIFT THE "H"
MAPLEWOOD VILLAGES LIMITED(CENTRAL PARK LODGES)
FILE: Z.98.083 (RELATED FILES: Z.99.056, Z.00.090 & 19T-99V05, DA.01.012)**

BY-LAW NUMBER -2001

A By-law to amend City of Vaughan By-law 1-88, as amended.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Official Plan adopted by Council and not approved at this time, with which the matters herein set out are not in conformity;


NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:


1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - a) Deleting Exception Paragraph 9(946)A, thereby deleting all reference to the Holding Symbol (H) in the said Exception Paragraph for Blocks 387 and 398 on the Preliminary M-Plan prepared by Rady-Pentek & Edward Surveying Ltd. dated July 17, 2000.
 - b) Deleting Schedule "E-1197" and substituting Schedule "E-1197" attached hereto, as Schedule "1".
 - c) Deleting Key Map "3F" and substituting Key Map "3F" attached hereto as Schedule "2".
2. Schedules "1" and "2" shall be and hereby form part of this By-law.


THIS IS SCHEDULE 'E-_____
TO BYLAW 1-88 SECTION 9(946)

LEGEND

----- SUBJECT LANDS

 Lands Subject to 9(946-A)

 Lands Subject to 9(946-B)

 Lands Subject to Schedule '1A'

LOCATION: LOT 30, CDN.3

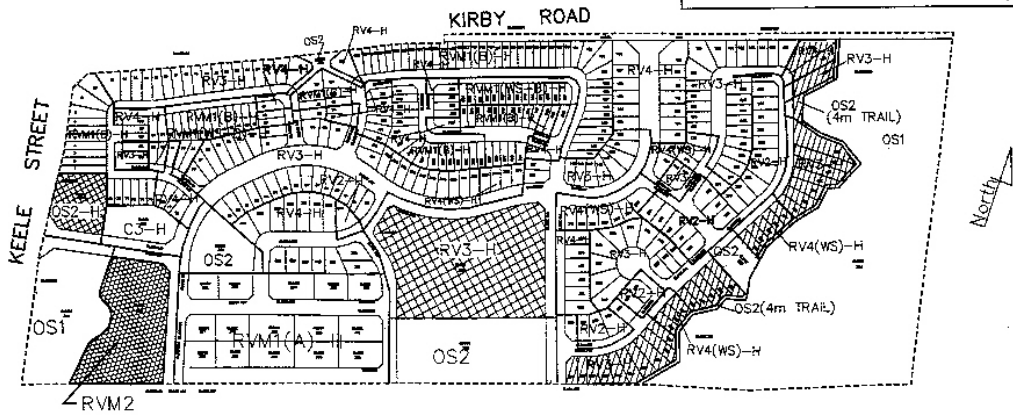
THIS IS SCHEDULE '1'
TO BY-LAW _____-2001

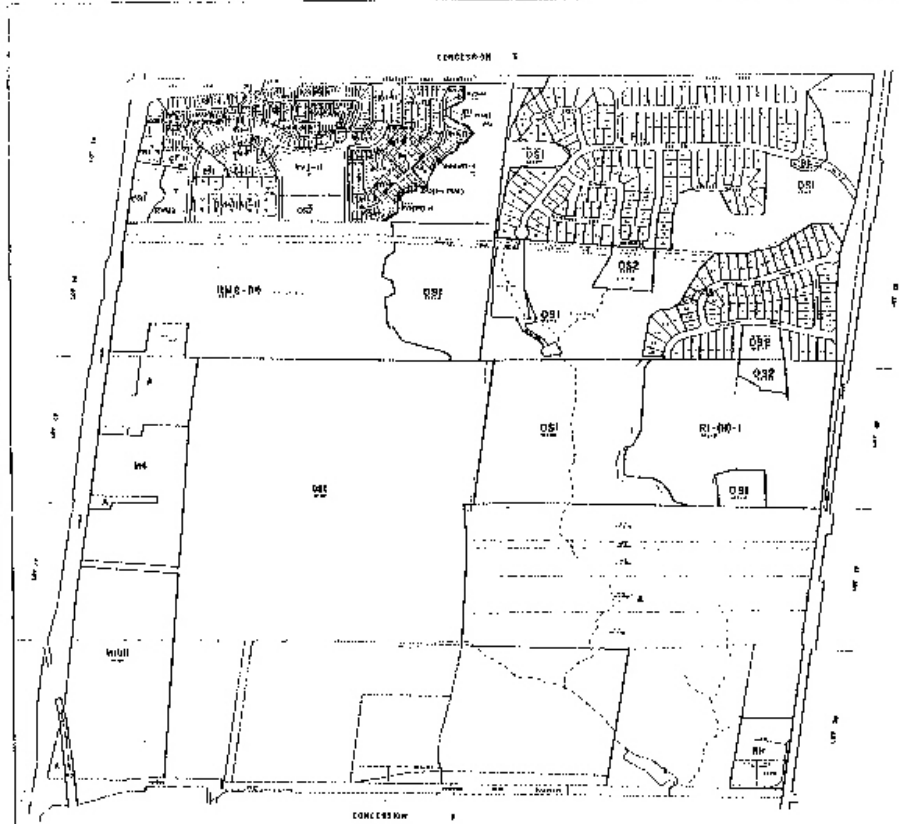
PASSED THE ___ DAY OF _____, 2001

SIGNING OFFICERS

_____ MAYOR

_____ CLERK





BY-LAW NO. 1-99

KEY MAP 3F

CITY OF VAUGHAN

DATE	BY	FOR

**THIS IS SCHEDULE '2'
TO BY-LAW**
PASSED THE _____ DAY OF _____

SIGNING OFFICERS

MAYOR

CLERK

FILE: 2.98.083
LOCATION Part of Lot 30, Con 3.

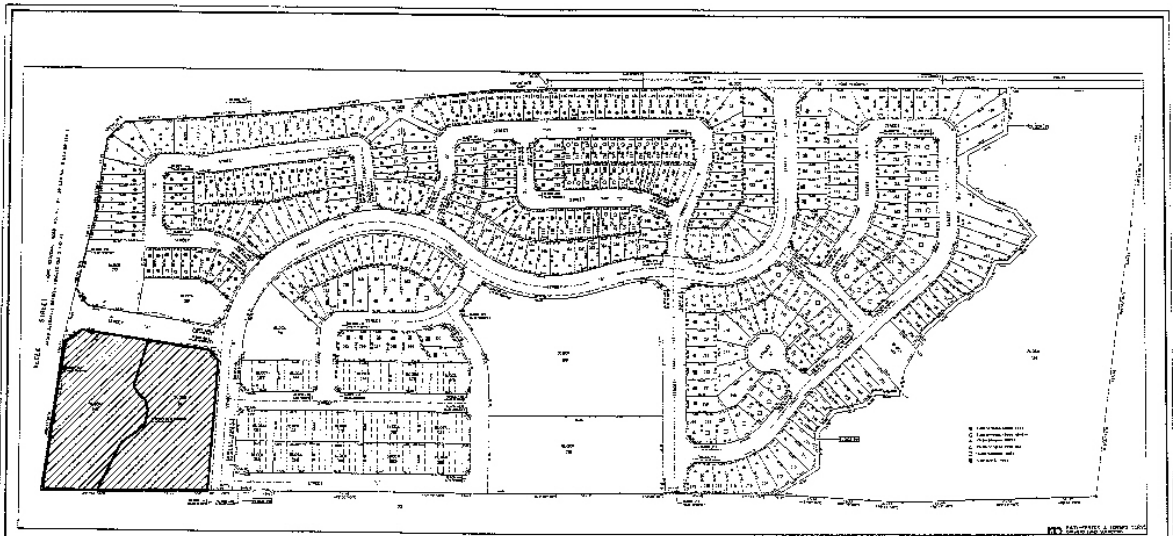
CITY OF VAUGHAN PLANNING DEPT.

SUMMARY OF BY-LAW -2001

The subject lands are located west of Keele Street and south Kirby Road (extension), in Part of Lot 30, Concession 3, City of Vaughan.

The purpose of this By-law is to remove the Holding Symbol (H) from Blocks 387 and 398 on the Preliminary M-Plan prepared by Rady-Pentek & Edward Surveying Ltd. dated July 17, 2000 in By-law 1-88, subject to Exception Paragraph 9(946), to facilitate a nursing home limited to 100 beds within Draft Approved Plan of Subdivision 19T-99V05.


In accordance with OPA #332, as amended, a Holding Symbol was placed on the overall lands to ensure that certain development issues were addressed prior to the removal of the Holding Symbol. The development issues included the execution of a bonusing agreement, submission and approval of sanitary sewers, water supply, storm water management and demographic/market studies and urban design guidelines by the City, and approval of urban design guidelines and the control architect by Council, which have been addressed to the satisfaction of the City of Vaughan.



NOT TO SCALE

LOCATION MAP TO BY-LAW _____ - 2001

FILE: Z.98.083
LOCATION: LOT 30, CONC. 3

 SUBJECT LANDS

CITY OF VAUGHAN PLANNING DEPT.