COMMITTEE OF THE WHOLE OCTOBER 6, 2008

SITE DEVELOPMENT FILE DA.04.029 HESPERUS FELLOWSHIP COMMUNITY OF ONTARIO

Recommendation

The Commissioner of Planning recommends:

- 1. THAT Site Development File DA.04.029 (Hesperus Fellowship Community of Ontario) BE APPROVED, to permit the development of the subject lands shown on Attachment #1 with an additional 62 seniors housing units (Phase 2) as shown on Attachment #2, subject to the following conditions:
 - a) That prior to the execution of the Site Plan Letter of Undertaking:
 - the final site plan, elevation drawings and landscape plan shall be approved to the satisfaction of the Vaughan Development Planning Department;
 - ii) the final site servicing and grading plans and stormwater management report, lighting plan and access driveways shall be approved to the satisfaction of the Vaughan Engineering Department;
 - iii) the Owner shall fulfill all hydro requirements to the satisfaction of PowerStream Inc;
 - iv) the Owner shall provide the Vaughan Engineering Department with confirmation of the Ministry of Environment's Registration of the Record of Site Condition:
 - v) the required consents and variances shall be obtained from the Committee of Adjustment and shall be final and binding:
 - vi) the Owner shall provide the City with confirmation from the Block 10 Landowners Group that cost sharing obligations have been addressed to their satisfaction:
 - b) That the Site Plan Letter of Undertaking include the following conditions:
 - garbage and recycling collection and snow removal shall be the responsibility of the Owner;
 - ii) the Owner acknowledges that garbage collection shall be limited to between the hours of 9:00 am and 7:00 pm;
 - the Owner acknowledges that the Hesperus 1 (existing) and Hesperus 2 (proposed) buildings will share one common address for emergency purposes;
 - iv) prior to the issuance of a building permit, Development Charges shall be paid to the City of Vaughan in accordance with the respective Development Charge By-laws for the City of Vaughan, Region of York, and Boards of Education;

- c) that prior to the release of the Letter of Credit for the Hesperus 2 (proposed) building, the following conditions must be addressed to the satisfaction of the Vaughan Engineering Department:
 - the Owner shall arrange to convey an easement to the City for access to Control Manhole #5. The access route should be clearly indicated on the Site Servicing Plan, to the satisfaction of the Vaughan Engineering Department; and,
 - ii) a by-law shall be passed dedicating the 0.3m reserve on Hesperus Road as public highway to the satisfaction of the Vaughan Engineering Department.

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

N/A

Purpose

The Owner has submitted a Site Development Application (File DA.04.029, Hesperus Fellowship Community of Ontario) on the subject lands shown on Attachment #1, to permit the development of a 3½ (north) to 4 (south) storey building addition (Hesperus 2 - 6,691m²) on the west side of an existing two-storey seniors residence (Hesperus 1 - 2,398m²) that is located north of the Toronto Waldorf School (TWS) at 9100 Bathurst Street as shown on Attachment #2. The proposed addition will provide for an additional 62 retirement suites, common lounge, and common dining and kitchen facilities. The Hesperus 1 (0.96 ha) and Hesperus 2 (1.19 ha) lands will have a combined site area of 2.15 ha.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located behind the Toronto Waldorf School (TWS), in Part of Lot 15, Concession 2, City of Vaughan. The irregular shaped lot is accessed from an easement over the TWS lands from Bathurst Street and has no actual road frontage. The surrounding land uses are shown on Attachment #1.

Previous Approvals

Approval for the original Hesperus Fellowship Community of Ontario, 2-storey, 19 unit (2,398m²) seniors residence was granted in 1985. The building has been renovated several times since the initial construction and a small medical clinic was approved within the building in 1997. In 2004, the Owner filed a site plan application to permit a 92 unit expansion to the seniors residence consisting of a mix of apartment and townhouse units with common areas. The application remained stagnant until January 2007. Hesperus has since revised their development proposal and obtained public funding approvals to proceed with the subject site plan application.

Current Proposal

The irregular shaped site is relatively flat with trees and shrubbery scattered throughout the property and mature trees and shrubs located along the north and east property lines. The easterly portion of the overall Hesperus site extends into lands zoned OS1 Open Space Conservation Zone and is heavily treed. The existing two-storey, 19 unit Hesperus seniors residence (Hesperus I), medical clinic and parking area is located close to the easterly boundary of the overall site. The westerly portion of the site is not developed.

The main entrance to the original seniors residence and parking area is currently located on the south side of the existing building and is accessed by the easement discussed earlier. The original building, parking area and driveway will remain.

The current application proposes a multi-floor addition on the west side of the original building to accommodate 62 seniors retirement suites. The individual seniors suites will not contain kitchen facilities. Food preparation and dining areas are provided as a centralized function/facility. Common lounge areas are provided within the building for use by the residents of the retirement residence.

Official Plan

The subject lands are designated "Low Density Residential" by Official Plan Amendment No. 600, which recognizes the existing Hesperus Seniors facility along with the Islamic Centre, Ner Israel Yeshiva Steiner Centre and the Toronto Waldorf School as an existing operating Institutional Use Campus in the policies of the Official Plan.

The Site Plan shown on Attachment #2 facilitates the proposed expansion to the existing seniors residence, which is an Institutional use that conforms to the Official Plan.

Zoning

The lands subject to the proposed development are zoned A Agricultural Zone by By-law 1-88, subject to Exception 9(715). The site-specific exception recognizes that the site does not have direct frontage onto a public road and recognizes an access easement over the TWS lands. By-law 1-88 permits non-profit Institutional uses. The proposed addition is a permitted institutional use.

During the review of the site plan application, it became apparent that exceptions would be necessary to address the requirements of By-law 1-88 for the proposed development and to recognize exceptions for the existing building as identified below:

- Section 3.8 of By-law 1-88 requires parking at a ratio of 1.5 parking spaces per unit and 0.25 visitor parking spaces per unit. A minimum of 109 parking spaces are required for the proposed Hesperus 2 addition (19 spaces are currently provided for Hesperus 1). A parking statement submitted by the applicant has been approved by the Vaughan Engineering Department for a reduction in the amount of parking to be provided for the combined Hesperus 1 and 2 seniors residences, to a minimum of 72 parking spaces; and,
- ii) Schedule "A" (zone standards) to By-law 1-88 restricts the maximum height of the building to 11.0 m measured to the mid-point of the pitched roof at the front elevation and the average finished grade. A variance to the maximum permitted building height from 11.0 m to 12.5 m (north side of building) will be required to address the change in roof height resulting from the change in the grade along the length of the building.

The proposed development requires a number of consents for severances. An explanation of the consents is discussed in the next section. Should the Committee of Adjustment approve these severances, additional variances from the provisions of By-law 1-88 will be required to implement the proposed development. Details of the additional variances are discussed later.

Hesperus Non-Profit Housing and Funding and Ownership

Hesperus Fellowship Community of Ontario is a registered charity and non-profit housing corporation. Hesperus has obtained funding for the proposed development and the funding, mortgage and financing arrangements necessitate the creation of separate Hesperus land ownership parcels, as shown on Attachment #3. Hesperus 1 is the existing seniors residence and will remain under the ownership of the Hesperus Fellowship Community of Ontario. The proposed new addition to the seniors residence will be owned by the Hesperus Fellowship Village (also a registered charity and non-profit organization) and herein referred to as Hesperus 2. There is a third vacant portion of the site, labeled as Hesperus 3, which the applicant has identified for possible future development. Hesperus Fellowship Community of Ontario is in the process of acquiring the lands to the west of their property for the Hesperus 3 future development, from the Toronto Waldorf School (TWS). The land areas for each portion of the Hesperus proposal as shown on Attachment #3 are as follows:

Hesperus 1: 0.96 hectares Hesperus 2: 1.19 hectares Hesperus 3: 1.09 hectares

Severances to Create Three Separate Hesperus Property Parcels

To facilitate the proposed development of the Hesperus lands as shown on Attachment #3, consents for land severances will be required to create separate ownership parcels to allow for the required mortgages and funding for Hesperus 1, Hesperus 2 and the future phase Hesperus 3. An additional consent for easements will also be required to permit parking and access amongst the parcels once they are separated. The creation of the parcels will also result in the need for variances from the existing A Agricultural Zone provisions of By-law 1-88. The following summarizes the consents proposed by the applicant.

a) Toronto Waldorf School Consent

An application will be filed by the Toronto Waldorf School to sever lands currently owned by TWS and permit the transfer of ownership of this parcel to Hesperus Fellowship Community for the future development of Hesperus 3. Access and parking for the Hesperus lands is provided for by an easement from TWS in favour of Hesperus.

b) Consent to Create Hesperus 2 Parcel

A consent application will be filed by Hesperus to create the Hesperus 2 parcel. This consent will permit the transfer of ownership from Hesperus Fellowship Community to Hesperus Fellowship Village to create the Hesperus 2 parcel shown on Attachment #3. In creating the Hesperus 2 parcel, a small sliver of land on the west side of the Hesperus 2 parcel will be transferred from Hesperus Fellowship Village to Hesperus Fellowship Community and added to the Hesperus 3 parcel.

The new east lot line for the Hesperus 2 parcel will abut the existing Hesperus I structure and jog further east, ensuring access to the existing driveway/easement across the TWS lands to Bathurst Street. The new east and west lot lines for the Hesperus 2 parcel will be as shown on Attachment #3.

c) Consent to Create the Hesperus 3 Parcel:

Hesperus 3 will gain a small lot addition from the lands to the east, which will facilitate the future development of these lands under a separate development application. To facilitate the Hesperus 2 development proposal, the Hesperus 3 lands will facilitate parking and a driveway connection to Hesperus Road located to the northwest as shown on Attachment #3.

d) Consent for Easements from Hesperus 2 in favour of Hesperus 1

With the creation of the Hesperus 2 parcel, there is a small portion of the Hesperus 1 driveway and parking area that will be located within the southeast corner of the Hesperus 2 land parcel. As a result of the consents discussed above, which have the effect of separating the Hesperus lands into separate ownerships, an easement will be required from Hesperus 2 in favour of Hesperus 1 to allow for the continued use of the existing parking area and driveway access for Hesperus 1 as shown on Attachment #2.

e) Consent for General Easement for Parking, Servicing and Access

The creation of the Hesperus 2 and Hesperus 3 parcels will also result in the need for a general easement over the entire Hesperus property (Hesperus 1, 2 and 3) to allow for parking areas, driveway access and servicing to be located on the Hesperus 1, 2 and 3 properties and provide for their general use amongst Hesperus 1, 2 and 3.

Variances

Due to the creation of separate ownership parcels, several variances will be required to implement the site plan approval. These variances are discussed below.

a) Hesperus 1 Variances

The A Agricultural Zone provisions of Schedule "A" of By-law 1-88 requires a minimum setback of 15 metres from all lot lines for an Institutional use. When the severances occur, new lot lines will be created for Hesperus 1. The proposed development will result in a zero metre (0.0m) setback to the west lot line of the Hesperus 1 parcel where the proposed addition connects to the original Hesperus 1 building, as shown on Attachment #2. Variances will be required for Hesperus 1 to recognize the 0.0m setback to the west lot line. As discussed earlier, a variance is required to the Section 3.8 "Parking" provisions of By-law 1-88 to permit off-site parking which results from the severance.

The A Agricultural Zone provisions regarding the minimum lot frontage requirement for Hesperus 1 would continue to be addressed through the existing Exception 9(715).

b) Hesperus 2 Variances

Variances will be required for Hesperus 2 from the A Agricultural Zone provisions of Schedule "A" of By-law 1-88, to recognize a 0.0m setback from the east lot line to the proposed building, whereas 15m is required; a 5.5m setback from the west lot line to the proposed building, whereas 15m is required; a variance to recognize a 0.0m lot frontage, whereas 15m is required; and, exceptions to the maximum height provisions and parking requirements as discussed in the earlier Zoning Section of this report to recognize the roof height relative to the site grades and to recognize a reduction in the amount of parking to be provided for Hesperus 2. In addition, as discussed earlier, general easements will allow for access to and off site parking for Hesperus 2.

c) Hesperus 3 Variances

Hesperus 3 will require variances from the minimum lot frontage (20m is required, whereas 7.5m is provided on Hesperus Road) requirements of By-law 1-88, and to allow parking for Hesperus 2 to be located on these lands without any other development on that site at this time.

Committee of Adjustment Applications

The Owner will need to file the necessary applications to the Committee of Adjustment to permit the proposed expansion of the existing seniors residence to address the consent and variances discussed above. The variances and consents are considered to be appropriate, and consistent with OPA #600 and with the proposed site plan application to facilitate the development of the proposed 62 unit addition to the existing Hesperus seniors residence. Should Council approve the site plan application, the applicant will be applying to the Committee of Adjustment for these variances and the related consents as discussed above.

Site Design

i) Access

The proposed site plan for the Hesperus 2 addition is shown on Attachment #2. The vehicular entrance to the Hesperus 1 site is presently over an easement from the Toronto Waldorf School (to the south) driveway and through the fields behind the school. The proposed Hesperus 2 addition will be accessed from Hesperus Road (to the northwest as shown on Attachment #3), which was designed to provide vehicular access for the future development of the Hesperus and TWS lands though the existing residential subdivision to the north. Parking for the Hesperus 2 addition and municipal servicing will also be accessed from this new driveway.

ii) Parking

Section 3.8 <u>Parking Requirements</u> of By-law 1-88 requires parking for the proposed addition at 1.75 spaces per unit (62 units at 1.75 spaces would require 109 spaces). A parking statement was prepared by Sernas-Transtec dated January 8, 2008, which justified a reduction in parking on the subject site. The parking statement addresses the existing Hesperus 1 parking for 19 units including an on-site medical clinic, as well as, the required parking for the Hesperus 2 addition. The parking statement calculates the parking required for the site at 0.67 spaces per unit. A total of 56 spaces will be provided for the Hesperus 2 addition (to be located on the Hesperus 2 and Hesperus 3 lands). The statement also recognizes that 19 spaces, including 1 handicapped space, will be retained for parking for Hesperus 1. Notwithstanding the number of ownership parcels, a minimum of 72 spaces will be required for Hesperus 1 and 2, however, a combined total of 75 spaces will be provided.

A portion of the parking area for the required Hesperus 2 parking spaces will be located on the lands owned by Hesperus 3. Future development of the Hesperus 3 lands will be required to provide additional parking in accordance with the City's parking standards in effect at the time of the future land use approvals for that development.

The Development Planning and Engineering Departments are satisfied that adequate parking for the proposed Hesperus 2 addition will be provided. As indicated earlier, the general easements between Hesperus 1, Hesperus 2 and Hesperus 3 will provide for shared use of the access and parking spaces.

Total Parking Required by By-law 1-88 for Hesperus 2:

Hesperus 2	62 units	1.75 spaces per unit	= 108.5
Total = 109			= 109

Total Parking Provided on Site:

Total Parking Spaces per the Parking Statement = 72 spaces
Total Parking Provided on the Site Plan = 75 spaces

iii) Landscape Plan

The landscape plan (Attachment #4) illustrates that a variety of trees and shrubs are to be planted in locations that maximize buffering and are consistent with the existing and proposed site grading. The existing trees and hedge row along the north property line are to be maintained. The final landscape plan and landscape cost estimate must be approved to the satisfaction of the Development Planning Department.

iv) Building Elevations

The proposed addition will be connected to the west elevation of the existing two-storey seniors residence as shown on Attachments #5 and #6. The addition is 3½-storeys in height on the north side of the building and is 4-storeys on the south side, given the grade of the property. The addition is oriented in an east west direction on the site. A combination of beige and brown brick and grey coloured stucco will be used to break up the massing of the building. Balconies add accent to the elevations and provide amenity areas for the retirement suites. The roof is to be finished in asphalt shingles in a driftwood colour to match the roof on the original building.

v) Site Sustainability

The site design has minimized the amount of grading and balances the amount of cut and fill to reduce site disturbance. The building design also takes advantage of the natural slopes. Parts of the building are set into the south facing slope and are buffered from the northern exposure.

Stormwater is managed on site through the use of a retention pond which reduces the flow of site drainage to an off-site system, thereby reducing the impact on the municipal infrastructure and downstream watercourses.

The site design maximizes areas for natural vegetation by minimizing the floor plate and building upwards, generally within the required height limitations. The use of lighter coloured roof finishes further reduces heat gain on the roof. The roof area is also reduced with a smaller floor plate. A large portion of the roof faces away from the southern exposure further reducing heat gain on the roof.

Low levels of overall site lighting are proposed with focus on those areas specifically needing coverage to reduce long term energy consumption.

As noted earlier, a reduced number of parking spaces is being proposed on site, thereby reducing the amount of paved parking area required on site allowing for an increased amount of landscaped site area.

The amount of landscaping requiring irrigation is being minimized and site disturbance is being minimized as much as possible by retaining the maximum amount of existing mature landscaping. The landscape design and plant selection incorporate the use of native species best suited to the site and requiring minimal irrigation.

To reduce water consumption, low water volume flush toilets and sensor controlled faucets will be used in the public washrooms.

The Hersperus 2 addition is designed to take advantage of the southern exposure thereby increasing heat gain during the winter and minimizing the need for artificial lighting. Landscaping with mature shade trees will provide a natural cooling of the southern exposure during hot weather, while still providing maximum natural light. The building schematics are designed to match usable building areas for their intended uses. Interior spaces are created for specific functions in contrast to standard rectangular space organization thereby reducing the need for circulation areas in traditional building designs, and reducing the overall building areas and possibly the long term energy demands.

Cash-in-Lieu of Parkland Dedication

The City's Cash-in-lieu of Parkland Dedication By-law specifically exempts institutional uses. The proposed development is therefore exempt from the cash-in-lieu of parkland requirement.

Vaughan Engineering Department

The Engineering Department has reviewed the site plan application and provides the following comments:

- Site Plan Application, DA.04.029 does not require allocation under the City's servicing protocol;
- ii) The final site servicing and grading plan and stormwater management report; on-site access design issues; and, easements for access and servicing shall be approved to the satisfaction of the Engineering Department, prior to the execution of the final Site Plan Letter of Undertaking;
- iii) The Vaughan Engineering Department has reviewed the Phase 1, Environmental Assessment Report and requires a Record of Site Condition, prior to the execution of the final Site Plan Letter of Undertaking;
- iii) The City will require confirmation from the Block 10 Landowners Group that cost sharing for servicing of the subject lands has been satisfactorily addressed. Typically, payment of cost sharing is a requirement prior to the execution of a site plan agreement or letter of undertaking. Should the Block 10 Landowners Group agree to defer receiving Hesperus' payment of cost sharing until the issuance of the building permit, rather than prior to the execution of a Site Plan Letter of Undertaking, the City will require written confirmation from the Block 10 Landowners Group that such arrangements are satisfactory and the City will use its best efforts to obtain the cost sharing prior to the issuance of a building permit;
- Prior to the release of the Letter of Credit of the Hesperus 2 building, the Owner shall arrange to convey an easement to the City for access to Control Manhole 5. The access route should be clearly indicated on the Site Servicing Plan. The Owner must also provide a copy of a draft reference plan for review by the Vaughan Engineering Department; and,
- v) Prior to the release of the Letter of Credit of the Hesperus 2 building, a by-law shall be passed dedicating the 0.3 metre reserve on Hesperus Road as public highway to the satisfaction of the Engineering Department. The Owner shall pay the cost of the registration of the road dedication by-law to the City of Vaughan, Clerks Department.

All hydro requirements must be addressed to the satisfaction of PowerStream Inc.

Snow removal and garbage/recycling pick-up for the seniors residence will be the responsibility of the Owner.

Vaughan Fire Services

The Fire Prevention Department has requested that the Hesperus 1 and 2 buildings have a common address for emergency purposes. The Fire Department has also requested that sprinkler and fire alarm system installations comply with the applicable codes and that adequate provisions for firefighting purposes are provided in accordance with the Ontario Building Code where applicable.

Toronto and Region Conservation Authority (TRCA)

The TRCA has provided technical comments on the stormwater management report and the site servicing and grading plans. Minor changes to these plans have been requested. The Owner must satisfy the requirements of the TRCA prior to the execution of the Site Plan letter of Undertaking.

Comments Received from Public

In a letter dated July 30, 2008, the neighboring property owner to the north outlined a concern that access to the site for the addition and construction access for the addition should be from Bathurst Street though the Toronto Waldorf School lands; that headlights from the parking area may impact on the property to the north; that noise from deliveries may disturb the residents to the north; and, that the building height should be limited to 3-storeys. City staff have reviewed both the design of the proposed addition and these concerns.

Access from Hesperus Road provides appropriate access for the development. Hesperus Road is a municipal road designed to provide access to the Hesperus and TWS lands through the approvals of the Block 10 Plan and the implanting subdivisions. Vaughan Fire Services has requested that the Hesperus project have one common address for emergency purposes.

Construction access from a municipal road rather than via the easement through the TWS lands is appropriate and has been recommended by the Vaughan Engineering Department.

The Development Planning Department has reviewed the tree preservation plan for the site. There is an existing hedgerow along the north property line, and the impact of headlights from the Hesperus parking lot should be minimized.

To minimize the impact of garbage pick-up, a noise clause will be included in the Site Plan Letter of Undertaking to limit the hours of pick-up to between 9am and 7pm.

The building height is generally as permitted by the City's Zoning By-law 1-88. However, due to the grades on the site, the roof height will be 12.5m in certain locations. The building will have the appearance of a 3-storey building on the north elevation.

The applicants hosted a community open house in May 2008 to present the proposal to the residents of the community. Although this concerned property owner did not attend the open house, the applicants have met directly with the property owner to discuss the concerns. The property owner has been advised of the subject Committee of the Whole meeting date for this application, and the Development Planning Department have also discussed and reviewed these concerns with the property owner.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The Region of York Development Services Department no longer requires municipal Council allocation of servicing capacity for retirement home type facilities where:

- i) individual units/rooms do not contain kitchen facilities:
- ii) food preparation and dining are a centralized function/facility; and
- iii) assisted living care and/or healthcare are offered to the residents who are dependent on this service (although the facilities do not necessarily need to be registered under the Nursing Home Act).

The proposed development meets these criteria and will not require assigned servicing capacity under the City's servicing protocol.

Conclusion

The Development Planning Department has reviewed the proposed Site Development Application (File DA.04.029) in accordance with the policies of the Official Plan and the requirements of the Zoning By-aw and is satisfied that the proposed 62 unit addition to the existing seniors retirement residence will facilitate an appropriate and compatible development on the site. The Development Planning Department can support the approval of the proposed site plan to facilitate the development of the proposed expansion of the seniors residence shown on Attachment #2, and therefore recommends that Council approve the site plan application subject to the conditions provided in the recommendation of this report. The required variances to the Zoning By-law and severances are also considered to be appropriate to facilitate the expansion of the seniors residence, and the Owner will be required to obtain the required variances and consents from the Committee of Adjustment to implement the proposed site plan, which must be final and binding, prior to the execution of the Site Plan Letter of Undertaking.

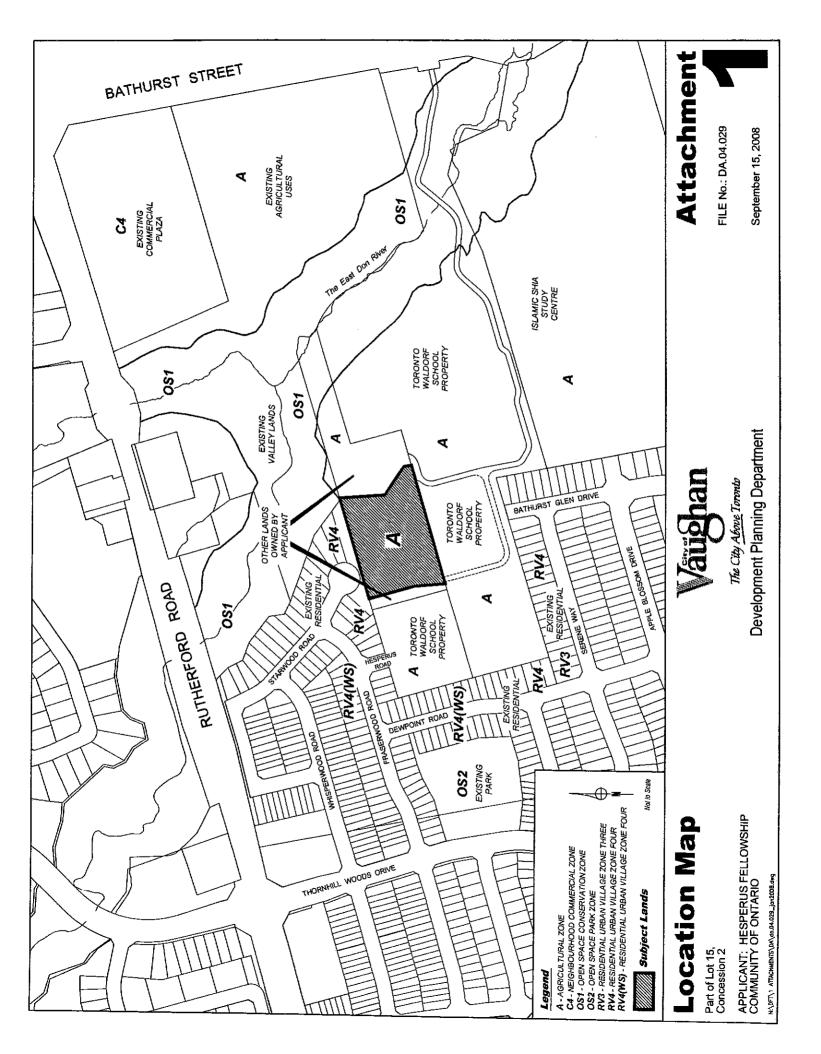
Attachments

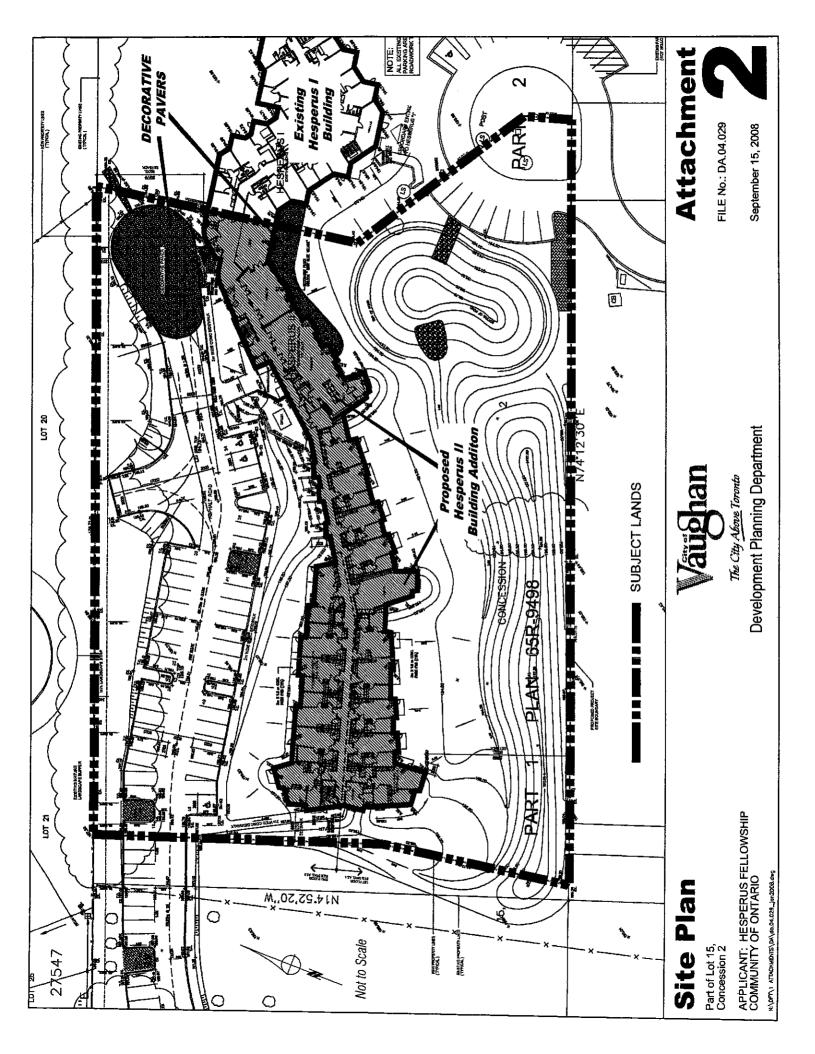
- 1. Location Map
- 2. Site Plan
- 3. Ownership Key Map
- 4. Landscape Plan
- 5. Proposed Elevations
- Proposed and Existing Elevations

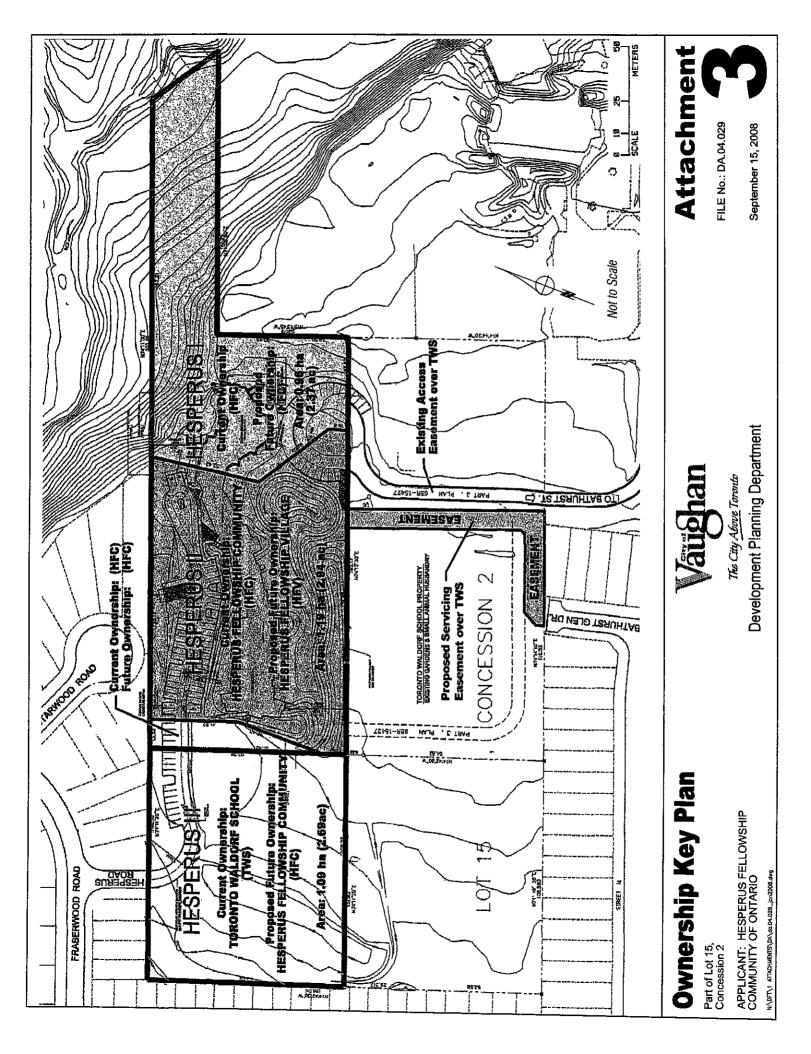
Report prepared by:

Laura Janotta, Planner, ext. 8634 Arto Tikiryan, Senior Planner, ext. 8212

Respectfully submitted,









Attachment

September 15, 2008

FILE No.: DA.04.029

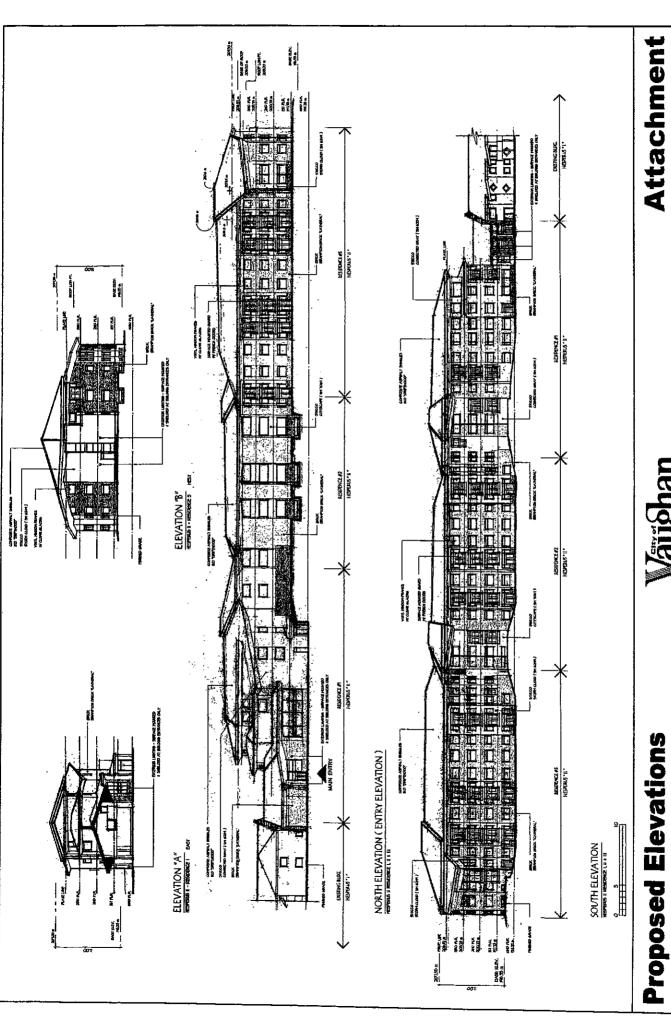
The City Above Toronto

Development Planning Department

APPLICANT: HESPERUS FELLOWSHIP COMMUNITY OF ONTARIO

N:\DFT\1 ATTACHMENTS\DA\do.04.029_jon2008.dwg

Part of Lot 15, Concession 2



Attachment

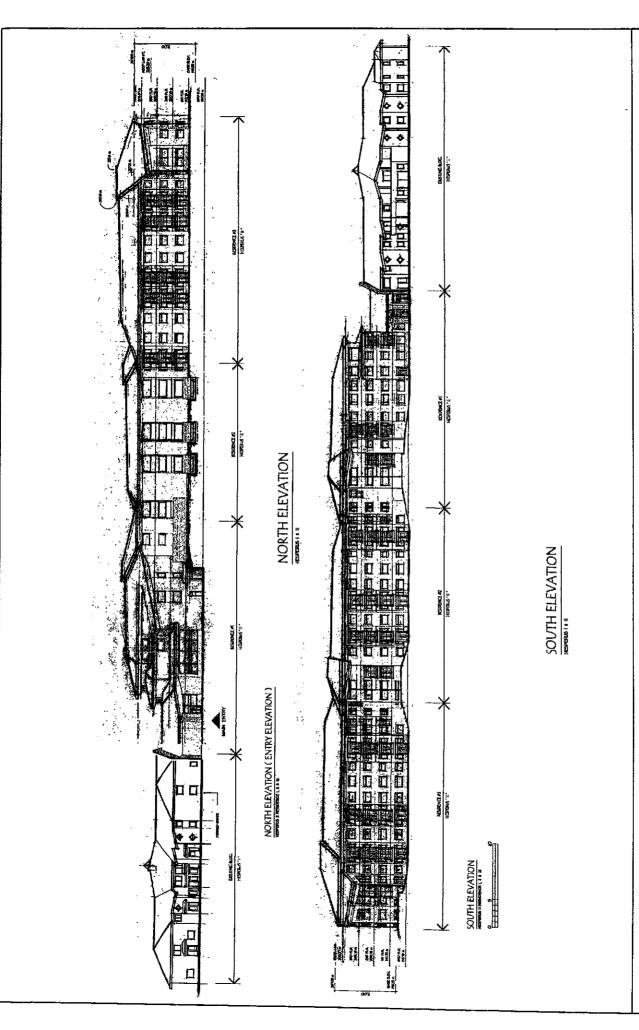
FILE No.: DA.04.029

September 15, 2008

Development Planning Department The City Above Toronto

> APPLICANT: HESPERUS FELLOWSHIP COMMUNITY OF ONTARIO N:\DFT\1 ATTACHMENTS\DA\da.04.029_jan2008.dwg

Part of Lot 15, Concession 2



Attachment

FILE No.: DA.04.029

September 15, 2008

N:\QFT\1 ATIACHMENTS\DA\do.04.029_jon2008.d#g

APPLICANT: HESPERUS FELLOWSHIP COMMUNITY OF ONTARIO

Part of Lot 15, Concession 2

Proposed & Existing Elevations

Development Planning Department /aïighan The City Above Toronto