

**571 Jarvis Street and 119 Isabella Street
Official Plan Amendment and Zoning Amendment
Applications – Final Report**

Date:	May 17, 2012
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	11 224619 STE 27 OZ

SUMMARY

The proposal is for the creation of an expanded facility for Casey House (a hospice for persons with AIDS). The proposal includes the demolition of the Coach House (119 Isabella Street) and development of a new four-storey addition behind and attached to 571 Jarvis Street (to a proposed maximum height of 19.8 metres) stepping down to three storeys along Isabella Street towards Huntley Street. The building would have a total proposed gross floor area of 4067 square metres (which includes 973 square metres of the gross floor area within the existing heritage building at 571 Jarvis Street).

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law. However, the recommended zoning by-law does not include permission for the proposed fourth floor projection over the existing heritage building to be retained.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 571 Jarvis Street and 119 Isabella Street substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6 to report dated May 17, 2012, from the Director, Community Planning, Toronto and East York District.
2. City Council amend Zoning By-law 438-86, for the lands at 571 Jarvis Street and 119 Isabella Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to report dated May 17, 2012, from the Director, Community Planning, Toronto and East York District.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council, City Council require the owner to execute one or more agreements pursuant to Section 37 of the *Planning Act* satisfactory to the Chief Planner and Executive Director of City Planning and the City Solicitor.
5. Although the following matters are not considered to be Section 37 contributions or benefits, City Council direct that they be secured in the Section 37 Agreement:
 - a. Incorporate in the construction of the building, and maintain exterior building and landscape materials satisfactory to the Chief Planner and Executive Director of City Planning.
 - b. Provide and maintain trees and a continuous soil trench within the Isabella Street and Huntley Street road allowance to the satisfaction of the Director of Urban Forestry in accordance with Landscape Plan, Drawing No. L1.01 prepared by Mark Hartley Landscape Architects date stamped June 24, 2011.
 - c. Provide and maintain an irrigation system for proposed trees within the public road allowance, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer irrigation system for all new trees in the public rights-of-ways, satisfactory to the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation.

- d. Build in conformity with the Green Development Standard Checklist received by the Chief Planner and Executive Director, City Planning Division on July 22, 2011.
- e. Enter into a Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director of City Planning, under Section 114 of the *City of Toronto Act, 2006*.
- f. Prior to final site plan approval the owner shall provide the following to the satisfaction of the Manager, Heritage Preservation Services:
 - 1. an as-found record of the existing buildings at 571 Jarvis Street and 119 Isabella Street, including photographs keyed to plans, floor plans and elevations of all the visible exteriors and interiors;
 - 2. a detailed Conservation Plan (including drawings and specifications for materials and finishes related to the heritage building and all new construction) for the rehabilitation and restoration work as described by the February 24, 2012 Heritage Impact Assessment and March 29, 2012 drawings, to be prepared by a qualified heritage consultant, detailing recommended interventions, exterior restoration, building protection measures during construction, estimated costs of all restoration work and a schedule of short and long term maintenance requirements; and
 - 3. a final detailed landscape plan that supports the heritage character of the heritage building.
- g. Prior to final site plan approval the owner shall enter into a Heritage Easement Agreement with the City for the protection and long term maintenance of the heritage property, subject to the approved alterations, to the satisfaction of the Manager, Heritage Preservation Services.
- h. Prior to final site plan approval the owner shall provide a Letter of Credit, in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure all restoration work included in the detailed Conservation Plan.
- i. Prior to the issuance of any permit pursuant to the Ontario Heritage Act for the heritage property located at 571 Jarvis Street the owner shall provide the following:
 - 1. full building permit drawings, including notes and specifications for the rehabilitation, restoration and protective measures keyed to the approved Conservation Plan, including a description of materials and finishes, to be prepared by the project architect and

heritage consultant to the satisfaction of the Manager, Heritage Preservation Services; and

2. that the zoning by-law amendment be in full force and the Section 37 Agreement and Heritage Easement Agreement have been entered into and registered to the satisfaction of the City Solicitor.

- j. Prior to the issuance of a demolition permit for the heritage property located at 119 Isabella Street, the owner shall to the satisfaction of the Chief Planner and the Manager, Heritage Preservation Services:

1. obtain final site plan approval for the proposed development at 571 Jarvis Street and 119 Isabella Street to the satisfaction of the Chief Planner and the Manager, Heritage Preservation Services; and
2. provide full documentation of the existing coach house, including archival quality photographs of all exterior elevations and features keyed to a location map, all existing interior floor plans and copies of original drawings as may be available.

- k. Prior to the release of the Letter of Credit, the owner shall:

1. complete the heritage rehabilitation and restoration work to the satisfaction of the Manager, Heritage Preservation Services;
2. provide a Letter of Substantial Completion for the heritage rehabilitation and restoration work signed by the project architect and heritage consultant to the satisfaction of the Manager, Heritage Preservation Services; and
3. submit final as-built photographs of the exterior and interior of the heritage building at 571 Jarvis Street to the satisfaction of the Manager, Heritage Preservation Services.

- l. Prior to final site plan approval, the owner will:

1. retain a consultant archaeologist, licensed by the Ministry of Culture under provisions of the Ontario Heritage Act (R.S.O 1990 as amended) to carry out a Stage 1 archaeological assessment of the entire development property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The assessment is to be completed in accordance with the Final Draft – Standards and Guidelines for

Consulting Archaeologists, September 2006, Ministry of Culture;
and

2. should the archaeological assessment process continue beyond a Stage 1 assessment, any recommendations for Stages 2-4 mitigation strategies must be reviewed and approved by Heritage Preservation Services prior to commencement of the site mitigation.
- m. Prior to final site plan approval, the owner will:
1. complete a Noise Attenuation study and employ the results of the study into the design of the building, satisfactory to the Chief Planner and Executive Director, City Planning Division; and
 2. submit to the Executive Director of Technical Services for review and acceptance, a site servicing review to demonstrate how this site will be serviced and whether the existing municipal infrastructure is adequate.
6. City Council authorize City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above-noted recommendations.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

ISSUE BACKGROUND

Proposal

The proposal by Casey House is for the demolition of an existing listed heritage building (William R. Johnston Coach House at 119 Isabella Street) and retention and development of a 4-storey Community Health Centre building attached to 571 Jarvis Street (a designated heritage building) stepping down to three storeys towards Huntley Street with a maximum building height of 19.87 metres behind 571 Jarvis Street.

The average height of the building is 3 storeys or 12.80 metres. The Community Health Centre building would have a gross floor area of approximately 4067 square metres and a floor space ratio of 2.6 times the area of the lot. The development would provide a total of 18 parking spaces, 1 loading space at Huntley Street and 18 bicycle parking spaces with 9 spaces located within a single level underground garage and 9 spaces located along Isabella Street. Pedestrian entrance is off Isabella Street and vehicular access to the site would occur from Huntley Street. An outdoor courtyard is proposed within the centre of the building.

The building is proposed to be setback a minimum of approximately 1.2 metres from the south, 15.8 metres from the west, and zero metres for the north and east side property lines.

For further statistical information refer to the Application Data Sheet found as Attachment 5 of this report.

Site and Surrounding Area

The subject property is located at the southwest corner of Huntley Street and Isabella Street and has an area of approximately 0.21 hectares (0.515 acres) with a frontage of 87.7 metres (288 feet) along Isabella Street and 23.76 metres (78 feet) along Huntley and Jarvis Streets.

The site contains two buildings, the "Coach House" on the east side of the property and 571 Jarvis Street on the west side with 14 existing on-site parking spaces between the buildings.

At 119 Isabella Street is a 1 ½ storey brick "Coach House" building located at the southwest corner of Huntley Street and Isabella Street. The primary access to the building is via an entrance gate on the Isabella Street side. A garden is found to the west (front) and south side of the building. A medium height brick wall divides the property at 119 Isabella Street from the street on the north side, enclosing a cobblestone courtyard and the principle entrance to the building. The eastern side of the lot has three paved parking spots at the north end and a small garden with cast iron fence at the southern end. The building was listed for architectural value in September 1991. The newer garage addition was added in 1947. The Casey House offices are located within the "Coach House".

At 571 Jarvis Street (The Grey Lady) is a 2 ½ storey brick and sandstone dwelling at the southeast corner of Jarvis Street and Isabella Street. A low sandstone and cast iron fence runs along Jarvis Street and onto Isabella Street terminating at the northwestern edge of the dwelling at 571 Jarvis Street. The building was designated a heritage building on August 12, 2002. The building is vacant.

The "Coach House" together with 571 Jarvis Street comprised one property which is now severed in land title and street address and together form the development site. Within the immediate context, the following uses surround the sites:

North: to the north along Isabella Street is a row of townhouses and further east along Isabella Street is a designated heritage building (122-124 Isabella Street). On the northeast corner of Isabella Street and Huntley Street is the four-storey Elementary Teacher's Federation of Ontario office building currently under construction; abutting Jarvis Street is Rogers Head Office and along Huntley Street are three, three-storey heritage homes (32-40 Huntley Street);

South: is a 20-storey residential apartment building (10 Huntley Street) with on-site parking at the rear of the property at-grade along Jarvis Street;

East: Casey House, a hospice for persons with AIDS, has buildings located at the southeast corner of Huntley Street and Isabella Street and further east is a 9-storey apartment building; and

West: across Jarvis Street are a number of multiple mid-rise (105 and 108 Isabella Street) and high-rise residential buildings (580 Jarvis Street).

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS. In addition, Section 2 of the Planning Act sets forth matters of provincial interest which City Council's planning decisions are required to have regard to.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The property is located within the "Downtown and Central Waterfront" area on Map 2 – Urban Structure and is designated as *Neighbourhoods* on Map 18 – Land Use Plan (see Attachment 4). *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, townhouses, as well as interspersed walk-up apartments that are no higher than four storeys.

The stability of Toronto's *Neighbourhoods'* physical character is one of the keys to Toronto's success. Developments in established neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular: heights, massing, scale and dwelling type of nearby residential properties; setbacks of buildings from the streets and property lines; and prevailing building types.

Long-term care facilities are permitted on properties in *Neighbourhoods* that legally contained such uses prior to the approval date of the Official Plan. New small-scale Long Term care facilities that are incidental to and support *Neighbourhoods* and that are compatible with the area and do not adversely impact adjacent residences may be permitted through an amendment to the Zoning By-law. To maintain the residential

amenity of *Neighbourhoods*, new small scale retail, service and offices uses will: serve the needs of area residents and potentially reduce local automobile trips; have minimal adverse impacts on adjacent or nearby residents; and have a physical form that is compatible with and integrated into the neighbourhood.

Chapter Two of the Official Plan – Shaping the City identifies that the downtown area offers opportunities for substantial employment and residential growth, but that this growth is not anticipated to be uniform. Rather, it is expected that the physical setting of many areas will remain unchanged and that design guidelines specific to districts of historic or distinct character will be implemented to ensure new development fits into the context of existing built form, streets, setbacks and heights.

Chapter Three – Building a Successful City identifies that most of the City’s future development will be infill and redevelopment and, as such, will need to fit in, respect and improve the character of the surrounding area. Development will be located, organized and massed to fit harmoniously with its existing and/or planned context. Development will limit its impacts on neighbouring properties and the public realm by respecting street proportions, creating appropriate transitions in scale, providing for adequate light and privacy, and limiting shadow and wind impacts. The Plan also provides that significant heritage resources, including listed buildings, will be conserved.

571 Jarvis Street is also subject to a Site and Area Specific Policy (No. 157) which permits a commercial-residential building within the neighbourhood designation.

The Toronto Official Plan is available on the City’s website at:
www.toronto.ca/planning/official_plan/introduction.htm

Zoning

The site is subject to Zoning By-law No. 438-86, as amended, and is zoned R3 Z1.0 H12.0 (see Attachment 3). This zone allows for a variety of residential uses to a maximum density of 1 times the area of the lot and a maximum height of 12.0 metres (40 feet). An Institutional (healthcare) type use is not listed as a permitted use.

Site Plan Control

An application for site plan control has not been submitted at this time but will be required.

Reasons for Application

An amendment to the Official Plan is required in order to permit the institutional use at the proposed scale, intensity and location. The *Neighbourhoods* land use designation does not permit small scale institutional use but does permit low scale local institutions like community centres, libraries, day nurseries and private home daycare and nursing homes. This specific type of institutional use is not permitted in the Official Plan and a site specific amendment is required.

An amendment to the zoning by-law is required in order to permit the proposed institutional (healthcare) land use in a residential zone.

Variances to the Zoning By-law include but are not limited to the following:

- the building height of 19.87 metres exceeds the permitted height of 12 metres; and
- the total permitted residential density of 1 times the area of the lot is exceeded as the applicant is proposing a density of 2.6 times the area of the lot.

Community Consultation

A community consultation meeting was held on Thursday July 7, 2011 and was attended by 27 people. Issues raised at the meeting and submitted on comment sheets distributed at the meeting include:

1. concerns about the demolition of the existing Coach House (listed heritage building) and the damage to Huntley Street;
2. concerns over the precedent the removal of a listed heritage building may have on the neighbourhood; and
3. concerns about traffic, loading and parking and the use of Huntley Street as the main access point.

The majority of people attending the meeting spoke in favour of the redevelopment. Some individuals expressed concern respecting the demolition of the Coach House. This matter is discussed further under the comments section in this report.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

The Ontario Planning Act and Provincial Policy Statement guides development in the province and includes provincial interests regarding heritage resources as described in Section 2(d) of the Planning Act and in the Provincial Policy Statement issued under the authority of Section 3 of the *Planning Act*.

The Planning Act requires that decisions under the Act shall have regard to matters of provincial interest and requires that all decisions affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

Amongst other matters, the Planning Act lists the conservation of features of significant architectural, cultural or historical interest (Section 2(d)) and the adequate provision and distribution of health facilities (Section 2(i)) as matters of provincial interest to be had regard to.

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development, and promotes the provincial policy-led planning system.

Provincial Policy Statement 1.1.1 g) provides that "Healthy, liveable and safe communities are sustained by ensuring that necessary public service facilities are or will be available to meet current and projected needs. "Public service facilities" are defined to include "land, buildings and structures for the provision of programs and services provide or subsidized by a government or other body, such as ...health programs".

Policy 2.6.1 of the PPS states that "significant built heritage resources and cultural heritage landscapes shall be conserved". Properties included on the City's Inventory of Heritage Properties and designated heritage properties are considered to be "significant" in this context. In the PPS 2005, "conserved" means "the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment."

Official Plan

Policy 3.1.5.2 of the Official Plan states that "heritage resources on properties listed on the City's Inventory of Heritage Properties will be conserved" and that "development adjacent to properties on the City's Inventory will respect the scale, character and form of the heritage buildings and landscapes.

Policy 3.2.2 of the Plan states that "Adequate and equitable access to community services and local institutions will be encouraged by...b) improving and expanding local community services and facilities and local institutions in established neighbourhoods that are under or poorly served; and c) ensuring that an appropriate range of community services and facilities and local institutions are provided in areas of major or incremental physical growth.

Consistency with Official Plan and Provincial Policy Statement

The proposal has regard to the relevant matters of provincial interest under Section 2 of the Planning Act and is consistent with the Provincial Policy Statement and the Official Plan. While this project includes the demolition of a listed building, it also includes the re-use and the restoration both of the interior and the exterior of the designated heritage building at 571 Jarvis Street, including the opportunity for certain members of the general public to have access to same. In addition, it provides the opportunity for an expanded and improved hospice program for people with AIDS at Casey House. Given the Residential Program requirements for the Casey House facility, it has been demonstrated that it would be very difficult to retain the "Coach House" without affecting the rest of the project. The new medical facility requirements for space and human comfort are integral to the success of this needed facility. While Planning and Heritage staff have accepted this rationale for demolition of the "Coach House", we continue to emphasize that the loss of the "Coach House" could only be supported if the "Grey Lady" is

sensitively integrated into the new facility, complies with the conservation strategy approved by Heritage Preservation Services, which includes interior and exterior restoration and the satisfactory entering into and registration of a Heritage Easement Agreement.

Location

The study area and subject site are located within the Downtown and Central Waterfront area of the City. The site is within walking distance of Bloor, Jarvis and Sherbourne Streets, and is well served by local retail and service uses and by public transit.

The 141 Jarvis Street bus operates from Queens Quay to Davisville Avenue. The 75 Sherbourne Street operates from Queens Quay to Rosedale, and the 94 Wellesley operates from Ossington Avenue to Castle Frank subway station.

In addition, the property is within a five minute walk of the Sherbourne subway station to the east, and a ten minute walk to the Yonge/Bloor subway station to the west, providing access to both the Yonge and Bloor subway lines.

The site is well served by the Sherbourne Street, Wellesley Street and new Jarvis Street bicycle lanes.

Land Use

The majority of the properties within the immediate area of this development are offices, low scale, low density residential uses, townhouses, mid-rise and high-rise apartment buildings, schools and an existing medical facility (original Casey House – 9 Huntley Street). The neighbourhood area is undergoing revitalization with the introduction of institutional, office and higher density residential uses along the perimeter of the area. Given the area's closeness to Bloor Street and Jarvis Street, proposed land uses along arterial roads like Jarvis Street and Sherbourne Street are slowly changing from *Neighbourhoods* type uses to other types of uses like offices, mid-rise to high-rise residential and institutional uses.

The subject site abuts Jarvis Street, a major arterial roadway within the City. The protection of the "Grey Lady" (571 Jarvis Street) and the underutilized nature of the site makes this an ideal site for redevelopment for an institutional use.

As noted earlier, "The Grey Lady" is vacant and will be upgraded to its original grandeur. The Coach House, currently used for offices will be demolished to make way for this new institutional building. The proposed materials, built form and massing will complement and emulate the current built form context.

Height and Density

Recently, City Planning staff undertook an Area Study for a 4-storey office development at 15 Huntley Street (09 144749 STE 27 OZ) located on the opposite side from Casey House (northeast corner of Huntley Street and Isabella Street). During that review, it was found that building heights in the immediate area ranged from 2 to 4 storeys (with the

exception of a twenty-storey building right adjacent to the subject property - 10 Huntley Street). The lots north and south of Isabella Street, from Huntley Street to Sherbourne Street have building heights up to 9 storeys.

The height of the proposed building is in keeping with the average heights found throughout the area. The *Neighbourhoods* designation in the Official Plan limits the height of buildings to 4-storeys. The proposed height for this development is 4-storeys stepping down to three storeys towards Huntley Street.

This same Area Study also found that the majority of properties accommodate buildings at a density of less than 2.0 times coverage. However, there are pockets of higher density buildings along the easterly edge east, of Jarvis Street (Rogers Communication) and along the south side of Isabella Street, from Huntley Street to Sherbourne Street, where mid-rise apartment buildings are predominant. Here densities range up to 4 times coverage. The applicant is proposing a density at 2.6 times coverage which is less than the average density for the area.

The height and density of the new building is in keeping with the characteristics of the surrounding buildings and adequately address the context of the neighbourhood. The new building will have a mixture of materials which will complement the finishes of the surrounding brick and glass buildings.

Siting and Massing

The building is setback a minimum of 0 metres from the north, 15.8 metres from the west, 1.2 metres from the south and 0 metres from the east property lines. The building covers approximately 50% of its lot and approximately 50% percent of the lot is devoted to soft landscaping (See attachment 1). The 4-storey (19.87 metre) high building steps down to 12.80 metres towards Huntley Street.

The proposed setbacks and stepbacks and maximum 4-storey height result in a building which is compatible with adjacent buildings and minimizes light, view and privacy impacts.

The building's north (side) setback aligns with the existing Casey House building (9 Huntley Street) to the east and the applicant proposes a landscaped boulevard along both Huntley and Isabella Streets.

A cantilever of the new building over "The Grey Lady" is being proposed. The cantilever will detract from the existing heritage features of "the Grey Lady". The attached zoning by-law does not include the cantilever (see Attachment 2b).

Shadow Analysis

The applicant has submitted a Shadow Analysis prepared by Hariri Pontarini architects dated May 27, 2011.

The proposed 4-storey office building will introduce minimal additional shadow impacts on the neighbouring properties designated *Neighbourhoods*, beyond that which would be anticipated under the as-of-right zoning conditions.

During the March 21/September 21 condition, the proposed building will cast no shadows on the rear yards of the residential buildings just north and northeast of the property. The majority of the shadows will fall on the front yards on the north side of Isabella Street.

119 Isabella Street – Coach House

The Coach House at 119 Isabella Street is proposed to be demolished. The programmatic requirements of the proposed structure are the major influence in the resulting demolition. The new medical facility requirements for space and human comfort are integral to the success of the facility. The proposed Casey House facility will require space for the following functions:

1. 12 beds for 24 hour direct care services;
2. 2 beds for respite care;
3. therapy and consulting rooms and related offices;
4. client and amenity spaces;
5. all residential rooms and nursing stations must be on the same floor;
6. a community kitchen and food services areas;
7. public and staff areas;
8. administrative services; and
9. support services and storage areas.

Several Options to integrate the existing building at 119 Isabella Street into the new addition were considered:

Option 1

Retains the entire 119 Isabella Street building including the garage addition (note addition is located immediately adjacent to the building).
<ul style="list-style-type: none">- Unable to achieve the residential program requirement where all functions must be on a single level with continuous circulation;- The linear floor plate and separation of 119 Isabella Street from the addition make it difficult to insert the required institutional programming;- The attic floor and sloped roof of 119 Isabella Street occupies the same space as the second floor of the proposed addition, making it difficult to program this space for bedrooms, without substantially altering 119 Isabella Street roof form;- The slope of the northern and eastern portions of 119 Isabella Street's roof terminate at the walls of the addition, creating undesirable conditions for both space programming, interior circulation and water drainage; and- Full retention of 119 Isabella Street substantially reduces the length of the interior courtyard, an important design component for Casey House's programming.

Option 2

Retains the majority of the 119 Isabella Street building and removed later garage addition. The northern and eastern portions of the building are removed to better integrate the proposed program.

- The residential program requirement where all functions must be on a single level with continuous circulation can be achieved;
- The attic floor and sloped roof of 119 Isabella Street occupies the same space as the second floor of the proposed addition, making it difficult to program this space for bedrooms, without substantially altering 119 Isabella Street's roof form; and
- Retention of 119 Isabella Street substantially reduces the length of the interior courtyard, an important design component for Casey House's programming.

Option 3

Retains a portion of the 119 Isabella Street building and removes the later garage addition. The east façade of the building is retained and the proposed addition is located immediately against the building.

- The residential program requirement where all functions must be on a single level with continuous circulation can be achieved;
- The attic floor and sloped roof of 119 Isabella Street occupies the same space as the second floor of the proposed addition, making it difficult to program this space for bedrooms on the east side of the building, without substantially altering 119 Isabella Street's roof form; and
- The form of 119 Isabella Street is substantially reduced diminishing its heritage attributes.

Given the residential program requirements for the Casey House facility, it has not been possible to retain the Coach House in-situ without affecting the rest of the project. Casey House has agreed to retain in situ all of 571 Jarvis Street and upgrade the building to its original grandeur and incorporate "The Grey Lady" into the new addition. The estimated cost of restoration for 571 Jarvis Street is approximately \$6.9 million.

Planning staff view the demolition of the Coach House as necessary and appropriate to enable the restoration of "The Grey Lady" and the proper functioning of the healthcare centre.

"The Grey Lady" – 571 Jarvis Street

The scale and architectural expression of the proposal is largely compatible with the heritage building with the exception of one particular expressive element: a cantilever projection over the top of the designated building (The Grey Lady) which staff have requested from the outset be removed entirely.

While the length of the cantilever has been reduced in order to address City Planning staff's opposition, City Planning is of the opinion that opportunities are available for slightly re-massing the structure in other areas to satisfy the program and therefore the cantilever is an unnecessary design element. At its current length it remains intrusive and compromises the preservation standard that directs additions to remain subordinate. The

attached zoning by-law does not include the cantilever over the heritage building nor the additional gross floor area (see Attachment 2b).

Traffic Impact, Access and Parking

A Traffic Impact Study prepared by BA Group and has been reviewed by Technical Services Division staff. The consultant has concluded that the project will not generate any significant change in traffic activity or have any undue adverse impact on the adjacent road system. Transportation Services staff are satisfied with the Study.

Technical Services staff further advised that the proposed provision of 18 parking spaces satisfies expected demand and the requirements of the Zoning By-law and is acceptable.

Ingress and egress to the parking and loading will be provided by a single driveway at Huntley Street. This driveway is located about 14.8 metres south of Isabella Street. The majority of vehicles will arrive and depart the site along Isabella Street to Huntley Street by way of Jarvis or Sherbourne Streets. Far fewer vehicles are expected to use Huntley Street because Huntley Street dead-ends at Earl Street to the south and is currently used for access by a 20-storey apartment building and a few townhouses.

The Official Plan encourages development at locations well served by a full range of transportation options so as to reduce reliance on the private automobile. As described previously, the site is in close proximity to public transit operations, particularly the Bloor/Danforth subway line, and its location in the downtown provides convenient walking and cycling opportunities to a range of destinations.

Loading

One Type "B" loading space is being proposed for the project. As the proposed healthcare building is not expected to generate a significant amount of truck activity, it is proposed that smaller delivery vehicles, such as cube vans and pick-up trucks, will share the use of the Type "B" space with larger delivery vehicles. All trucks will access the loading area via Huntley Street. Technical Services advise that the provision of one Type "B" loading space is acceptable.

Servicing

Staff are generally satisfied that the existing City infrastructure has adequate capacity to support the proposed development. Additional requirements will be secured in the Site Plan Agreement, including a site servicing plan, grading plan, and stormwater management report for review and acceptance by the Executive Director of Technical Services Division. The applicant is also requested to provide a revised water demand analysis and hydrant testing.

The costs of any municipal services upgrades required to support the development will be borne by the applicant.

Urban Forestry

An Arborist Report was submitted as part of the submission package. There are three city owned trees on or in close proximity of this site that qualify for protection under the City's Private Tree By-law and can be retained. During the site plan control process, a tree protection plan will be prepared in accordance with the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees. This plan will show locations where protective hoarding is to be installed i.e. tree protection zones, and reference or include details describing the manner in which hoarding is to be constructed and installed.

This project will require the removal of three privately owned trees. Trees protected under the Private Tree By-law that are to be removed, must be replaced at a ratio of three trees for each tree being removed.

Urban Forestry has further requested that the owner conduct as part of Site Plan control, an investigation of underground utilities prior to proposing new tree plantings within the City road allowance. During the Site Plan control process, Planning staff will secure street landscaping abutting this site.

Open Space/Parkland

The alternate park levy does not apply to Institutional uses. However the development is subject to a 2 per cent cash-in-lieu of parkland dedication payment required under Chapter 165 of the former City of Toronto Municipal Code to implement Section 42 of the Planning Act. The cash-in-lieu payment is part of the building permit application process.

Toronto Green Standard

The application is subject to the mandatory Green Development Standard. The Toronto Green Standard contains performance targets and guidelines that relate to site and building design to promote better environmental sustainability of development in Toronto. Based on the applicant's submission of the Toronto Green Standard Checklist, the proposed development is intended to achieve 25 targets. Some of the targets proposed to be met include:

- green roof installed with at least 75 per cent coverage of the roof;
- the primary entrance of the proposed building is within 200 metres of a transit stop and is directly integrated with existing pedestrian routes;
- bicycle parking that meets or exceeds 0.75 spaces per dwelling unit (residential) or 1 space per 1,250 square metres of non-residential floor space;
- water efficient plant material provided for 50% of landscaped area;
- building designed and constructed for 35% improvement over the Model National Energy Code for Buildings; and
- 50% reduction in potable water used for irrigation.

Section 37 – Community Benefits

Section 5.1.1.4 of the Official Plan states that Section 37 only applies to development which proposes more than 10 000 square metres of gross floor area. The 4-storey health care building proposes a total gross floor area of 4067 square metres which falls below the 10,000 square metre threshold. Therefore, the requirement for Section 37 community benefits does not apply to this development.

Although the following matters are not considered to be Section 37 contributions or benefits, they will be secured in a Section 37 Agreement:

- a. Incorporate in the construction of the building, and maintain exterior building and landscape materials satisfactory to the Chief Planner and Executive Director of City Planning.
- b. Provide and maintain trees and a continuous soil trench within the Isabella Street and Huntley Street road allowance to the satisfaction of the Director of Urban Forestry in accordance with Landscape Plan, Drawing No. L1.01 prepared by Mark Hartley Landscape Architects date stamped June 24, 2011.
- c. Provide and maintain an irrigation system for proposed trees within the public road allowance, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer irrigation system for all new trees in the public rights-of-ways, satisfactory to the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation.
- d. Build in conformity with the Green Development Standard Checklist received by the Chief Planner and Executive Director, City Planning Division on July 22, 2011.
- e. Enter into a Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director of City Planning, under Section 114 of the *City of Toronto Act, 2006*.
- f. Prior to final site plan approval the owner shall provide the following to the satisfaction of the Manager, Heritage Preservation Services:
 1. an as-found record of the existing buildings at 571 Jarvis Street and 119 Isabella Street, including photographs keyed to plans, floor plans and elevations of all the visible exteriors and interiors;
 2. a detailed Conservation Plan (including drawings and specifications for materials and finishes related to the heritage building and all new construction) for the rehabilitation and restoration work as described by the February 24, 2012 Heritage

Impact Assessment and March 29, 2012 drawings, to be prepared by a qualified heritage consultant, detailing recommended interventions, exterior restoration, building protection measures during construction, estimated costs of all restoration work and a schedule of short and long term maintenance requirements; and

3. a final detailed landscape plan that supports the heritage character of the heritage building.
-
- g. Prior to final site plan approval the owner shall enter into a Heritage Easement Agreement with the City for the protection and long term maintenance of the heritage property, subject to the approved alterations, to the satisfaction of the Manager, Heritage Preservation Services.
 - h. Prior to final site plan approval the owner shall provide a Letter of Credit, in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure all restoration work included in the detailed Conservation Plan.
 - i. Prior to the issuance of any permit pursuant to the Ontario Heritage Act for the heritage property located at 571 Jarvis Street the owner shall provide the following:
 1. full building permit drawings, including notes and specifications for the rehabilitation, restoration and protective measures keyed to the approved Conservation Plan, including a description of materials and finishes, to be prepared by the project architect and heritage consultant to the satisfaction of the Manager, Heritage Preservation Services; and
 2. that the zoning by-law amendment be in full force and the Section 37 Agreement and Heritage Easement Agreement have been entered into and registered to the satisfaction of the City Solicitor.
 - j. Prior to the issuance of a demolition permit for the heritage property located at 119 Isabella Street, the owner shall to the satisfaction of the Chief Planner and the Manager, Heritage Preservation Services:
 1. obtain final site plan approval for the proposed development at 571 Jarvis Street and 119 Isabella Street to the satisfaction of the Chief Planner and the Manager, Heritage Preservation Services; and
 2. provide full documentation of the existing coach house, including archival quality photographs of all exterior elevations and features keyed to a location map, all existing interior floor plans and copies of original drawings as may be available.

- k. Prior to the release of the Letter of Credit, the owner shall:
 - 1. complete the heritage rehabilitation and restoration work to the satisfaction of the Manager, Heritage Preservation Services;
 - 2. provide a Letter of Substantial Completion for the heritage rehabilitation and restoration work signed by the project architect and heritage consultant to the satisfaction of the Manager, Heritage Preservation Services; and
 - 3. submit final as-built photographs of the exterior and interior of the heritage building at 571 Jarvis Street to the satisfaction of the Manager, Heritage Preservation Services.
- l. Prior to final site plan approval, the owner will:
 - 1. Retain a consultant archaeologist, licensed by the Ministry of Culture under provisions of the Ontario Heritage Act (R.S.O 1990 as amended) to carry out a Stage 1 archaeological assessment of the entire development property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The assessment is to be completed in accordance with the Final Draft – Standards and Guidelines for Consulting Archaeologists, September 2006, Ministry of Culture; and
 - 2. Should the archaeological assessment process continue beyond a Stage 1 assessment, any recommendations for Stages 2-4 mitigation strategies must be reviewed and approved by Heritage Preservation Services prior to commencement of the site mitigation.
- m. Prior to final site plan approval, the owner will:
 - 1. Complete a Noise Attenuation study and employ the results of the study into the design of the building, satisfactory to the Chief Planner and Executive Director, City Planning Division; and
 - 2. Submit to the Executive Director of Technical Services for review and acceptance, a site servicing review to demonstrate how this site will be serviced and whether the existing municipal infrastructure is adequate.

Development Charges

Development charges are not applied to Institutional uses.

Conclusion

City Planning is supportive of the proposed 4-storey Community Health Centre and the required Official Plan and Zoning By-law amendments. The support is based on the following key factors:

1. The proposed 4-storey institutional building restores 571 Jarvis Street (The Grey Lady – heritage building) and will continue an employment use in the Downtown in close proximity to public transit and service uses;
2. The 4-storey building would be located in a mixed use *Neighbourhoods* area and be compatible with its physical context and not negatively affect nearby properties contrary to the *Neighbourhoods* protection policies of the Official Plan;
3. A Community Health Care building with its proposed height and density is consistent with the height and density within the area and would have comparable impacts;
4. The recommended development is unlikely to set a negative precedent for future development on the interior of the *Neighbourhoods* area as the subject property is located along Jarvis Street (a major arterial);

5. The demolition of the Coach House will not set a precedent. Planning staff view the demolition of the Coach House as necessary and appropriate to enable the restoration of the "Grey Lady" at 571 Jarvis Street and for the proper functioning of the healthcare centre.

CONTACT

Michael Hynes, Senior Planner

Tel. No. 416-397-1761

Fax No. 416-392-1330

E-mail: mhynes@toronto.ca

SIGNATURE

Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2a: South Elevation

Attachment 2b: North Elevation

Attachment 2c: East/West Elevations

Attachment 3: Zoning

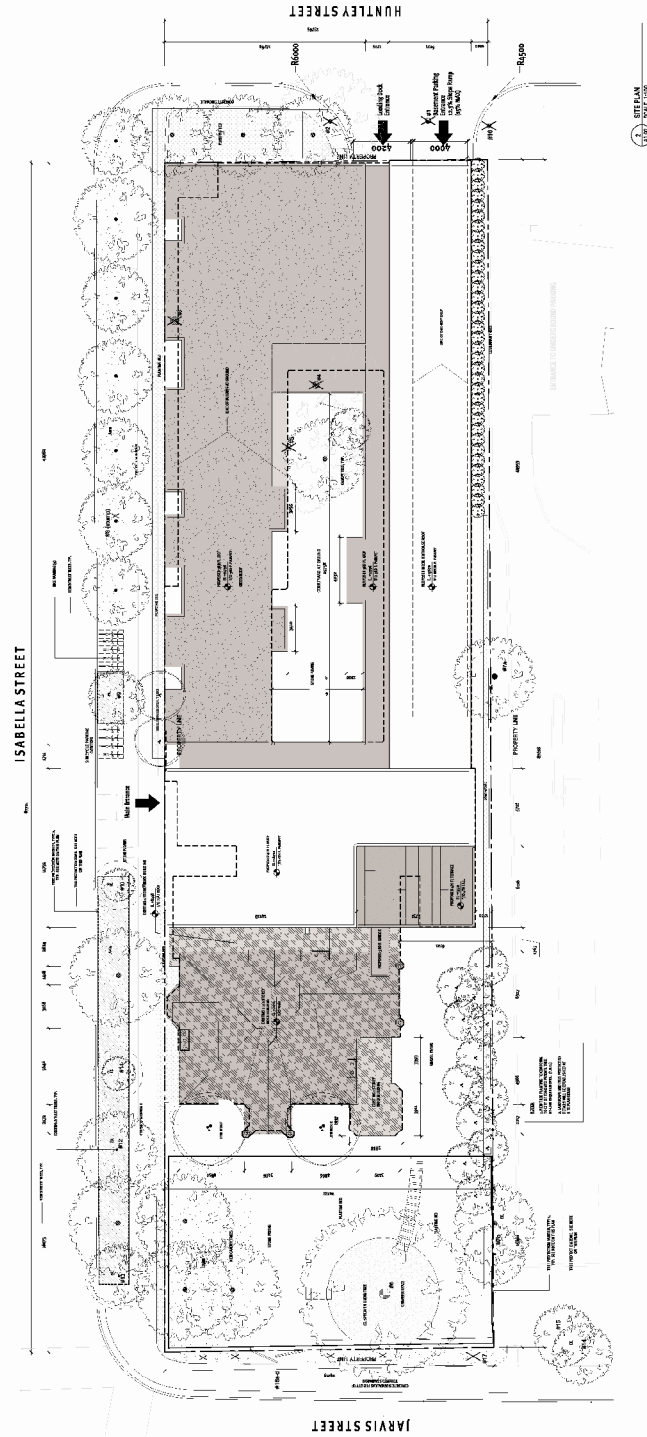
Attachment 4: Official Plan

Attachment 5: Application Data Sheet

Attachment 6: Draft Official Plan Amendment

Attachment 7: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

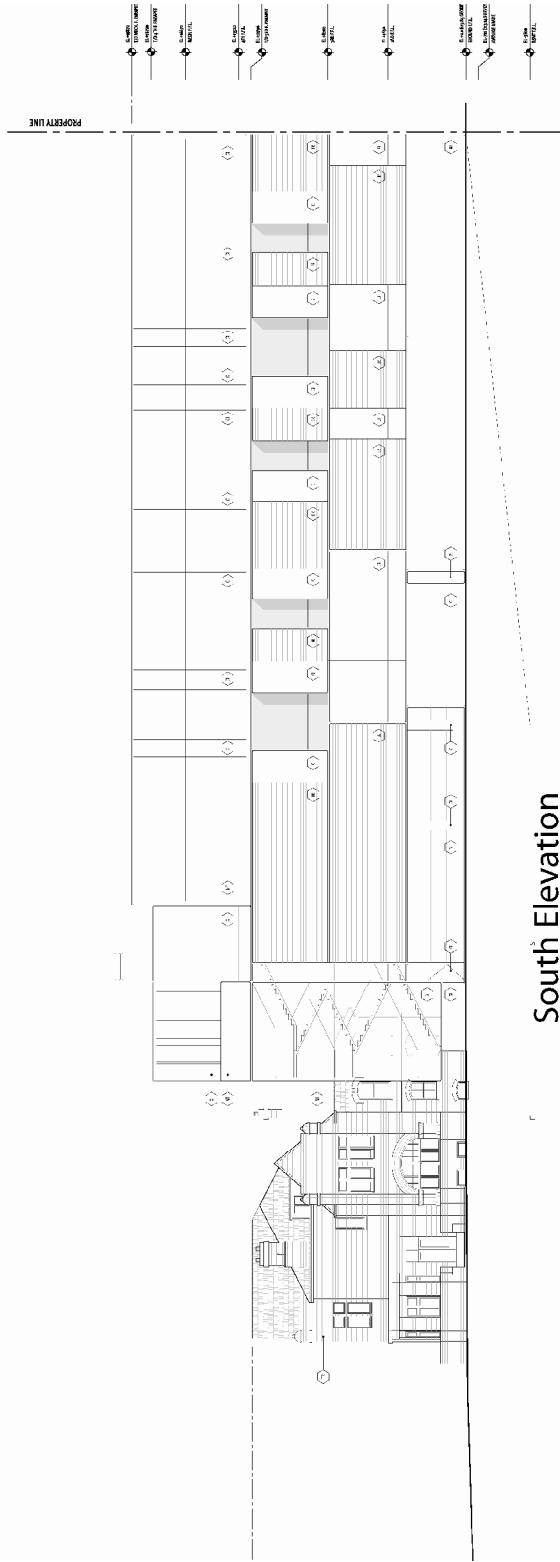
Not to Scale
04/27/2012



**571 Jarvis Street
119 Isabella Street**

File # 11_224619

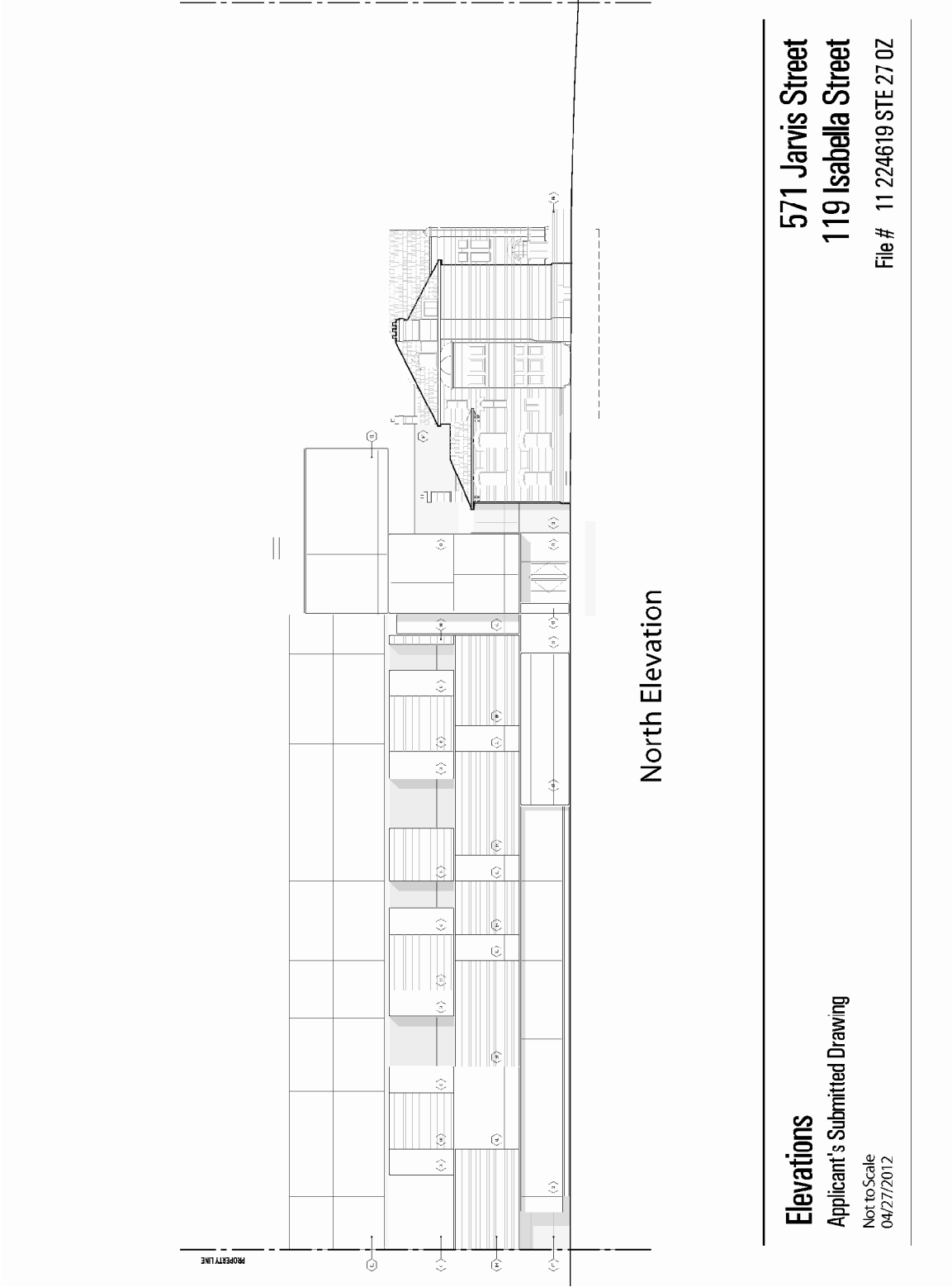
Attachment 2a: South Elevation



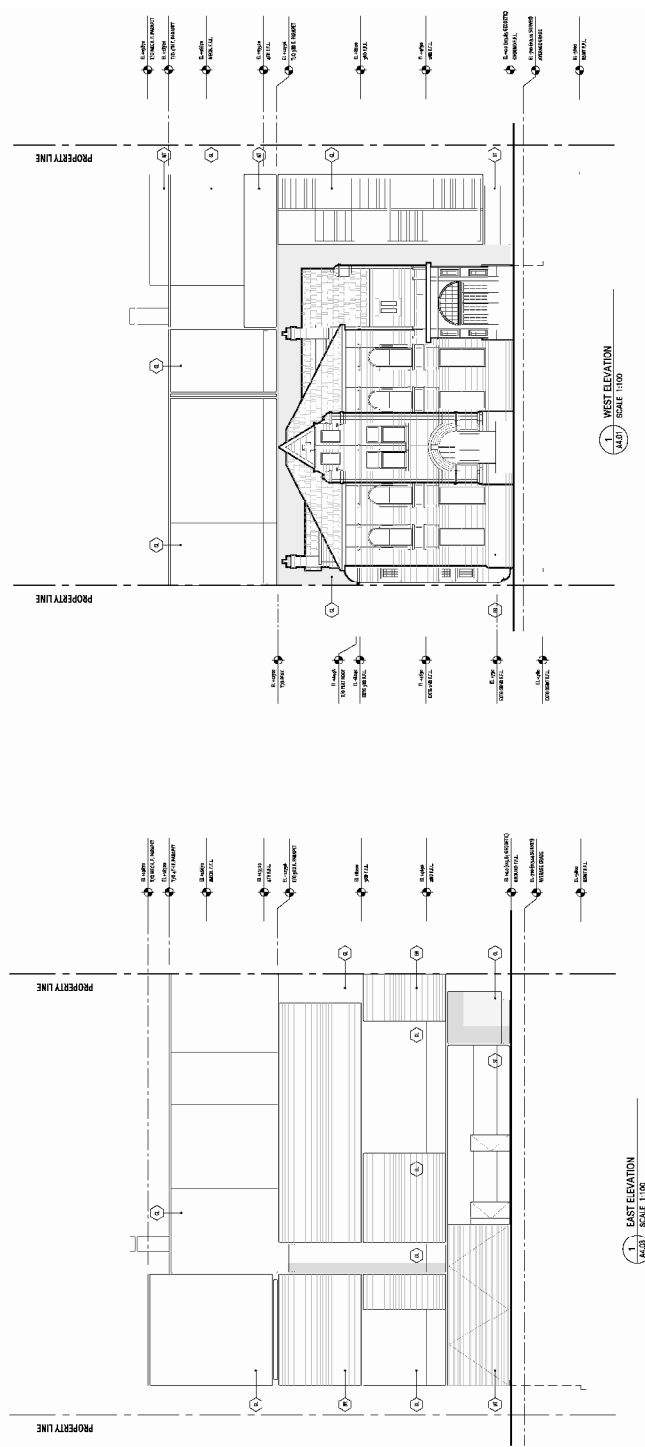
Elevations
Applicant's Submitted Drawing
Not to Scale
04/27/2012

571 Jarvis Street
119 Isabella Street
File # 11 224619 STE 27 02

Attachment 2b: North Elevation



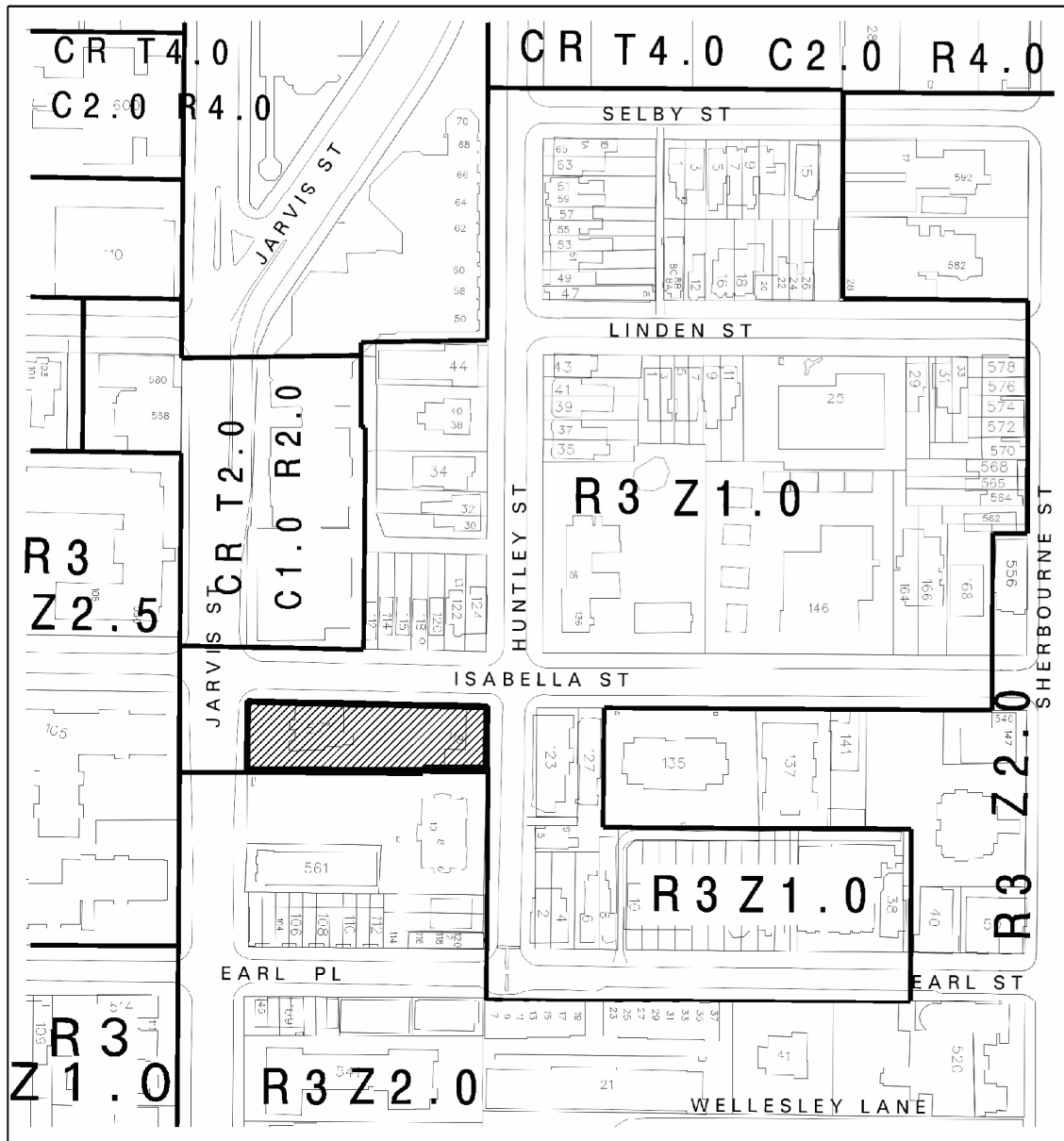
Attachment 2c: East/West Elevations



Elevations
Applicant's Submitted Drawing
Not to Scale
04/27/2012

571 Jarvis Street
119 Isabella Street
File # 11 224619 STE 27 02

Attachment 3: Zoning



571 Jarvis St. & 119 Isabella St.

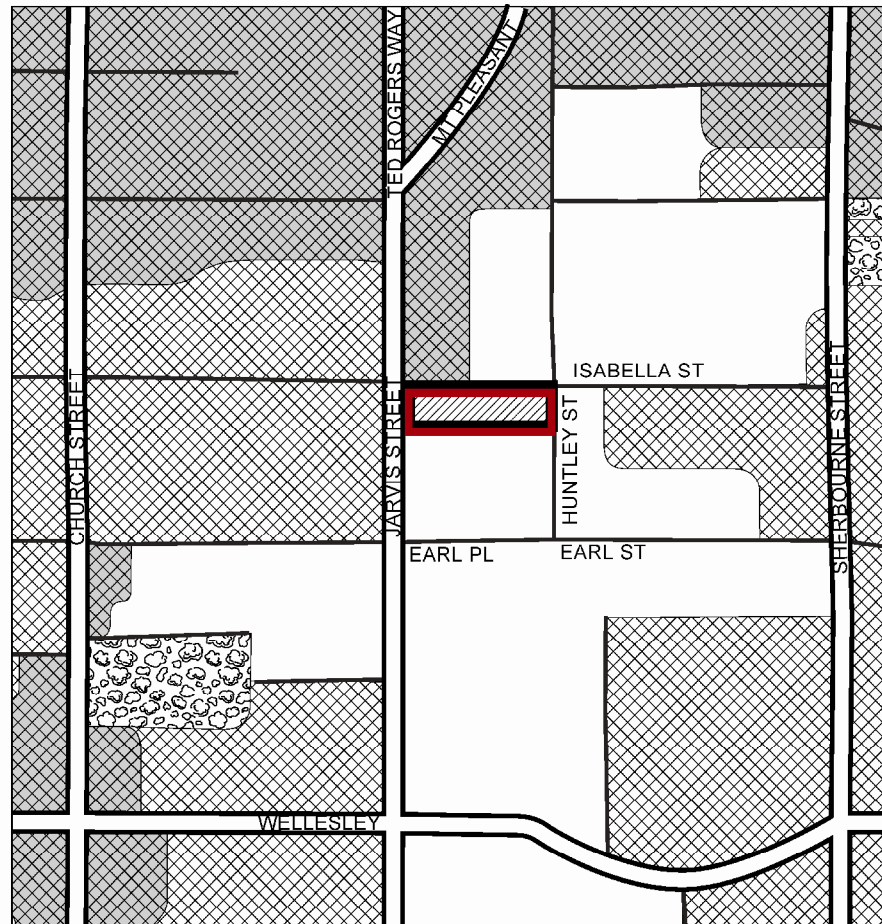
File # 11 224619 STE 27 0Z

R3 Residential District
R4 Residential District
CR Mixed-Use District



Not to Scale
Former Toronto Zoning By-law 438-86
Extracted 04/28/2012

Attachment 4: Official Plan



Toronto City Planning
Official Plan

571 Jarvis Street
119 Isabella Street

File # 11_224619



↑
Not to Scale
04/27/2012

Attachment 5: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	11 224619 STE 27 OZ
Details	OPA & Rezoning, Standard	Application Date:	June 22, 2011

Municipal Address: 571 Jarvis Street and 119 Isabella Street

Location Description: CON 1 FB PT PARK LOT 6 EXEMPT PER SEC 3(1)6 OF THE ASSM'T ACT & SEC.4(2) OF THE PUBLIC HOSPITALS ACT **GRID S2708

Project Description: Official Plan and Rezoning Application to permit the erection of a five-storey health care building stepping down to three storeys that incorporates the existing heritage building on the premises located at 571 Jarvis Street for hospice purposes (Casey House). The existing heritage Coach House on the premises would be demolished.

Applicant:	Agent:	Architect:	Owner:
Casey House 9 Huntley Street Toronto, ON M4Y 1M3	Urban Strategies 197 Spadina Avenue Toronto, ON M5T 2C8	Hariri Pontarini 602 King Street West Toronto, ON M5V 1M6	Casey House 9 Huntley Street Toronto, ON M4Y 1M3

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision: N
Zoning:	R3 Z1.0	Historical Status: Y
Height Limit (m):	12	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	2108.1	Height:	Storeys:	4	
Frontage (m):	23.77		Metres:	19.87	
Depth (m):	87.7				
Total Ground Floor Area (sq. m):	1057				Total
Total Residential GFA (sq. m):	0		Parking Spaces:	18	
Total Non-Residential GFA (sq. m):	4067		Loading Docks	1	
Total GFA (sq. m):	4067				
Lot Coverage Ratio (%):	50				
Floor Space Index:	2.6				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	3816	251

CONTACT: **PLANNER NAME:** **Michael Hynes, Senior Planner 416-397-1761 or mhynes@toronto.ca**

Attachment 6: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Report No. _____, Clause No. _____ as adopted by City of Toronto Council on _____, 2012.

CITY OF TORONTO

By-law No. _____-2012

To adopt Amendment No. 187 to the City of Toronto Official Plan respecting lands known municipally as 571 Jarvis Street and 119 Isabella Street.

WHEREAS authority is given to Council by the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

NOW THEREFORE, the Council of the City of Toronto HEREBY ENACTS as follows:

1. Amendment No. 187 to the City of Toronto Official Plan, consisting of the attached hereto, is hereby adopted.
2. This is Amendment No. 187.
3. This By-law shall come into force and effect on the day of the final passing thereof.

ENACTED AND PASSED this day of, A.D. 2012.

ROB FORD
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

AMENDMENT NO. 187

TO THE CITY OF TORONTO OFFICIAL PLAN

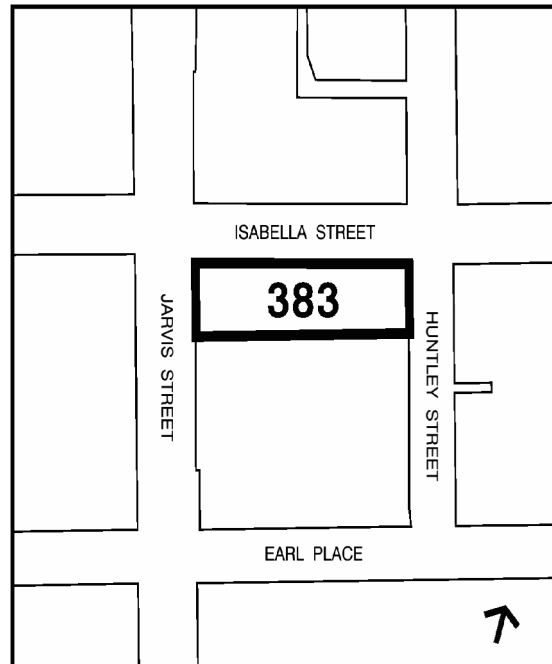
To adopt Amendment No. 187 to the City of Toronto Official Plan respecting lands known municipally as 571 Jarvis Street and 119 Isabella Street.

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7 of the City of Toronto Official Plan is hereby amended by adding the following section:

“383 571 Jarvis Street and 119 Isabella Street

- a) A 4-storey Community Health Centre and associated Offices of the Non-Profit Institution are permitted provided the designated heritage building at 571 Street is retained, conserved and restored and the owner enters into a heritage easement agreement.



Attachment 7: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item - as adopted by City of Toronto Council on _____, 2012

Enacted by Council: _____, 2012

BY-LAW No. XX-2012

To amend the General Zoning By-law No. 438-86 of the former City of Toronto, as amended, with respect to lands municipally known as 571 Jarvis Street and 119 Isabella Street

WHEREAS the Council of the City of Toronto has been requested to amend Zoning By-law No. 438-86 of the former City of Toronto, as amended, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally as 571 Jarvis Street and 119 Isabella Street;

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of the Municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize increases in the height or density of development beyond that otherwise permitted by by-law 438-86, as amended, in return for the provision of such facilities, services and matters as are set out in the by-law;

WHEREAS Subsection 37(3) of the *Planning Act* provides that, where an *owner* of land elects to provide facilities, services or matters in return for any increase in the height or density of development, the Municipality may require the *owner* to enter into one or more agreements with the Municipality dealing with the facilities, services and matters;

WHEREAS the *owner* of the lands hereinafter referred to has elected to provide the facilities, services and matters as are hereinafter set forth;

WHEREAS the increase in the height permitted hereunder, beyond that otherwise permitted on the lands by By-law No. 438-86, as amended, is to be permitted subject to the provision of the facilities, services and matters set out in this By-law and to be secured by one or more agreements between the *owner* of the lands and the City of Toronto (hereinafter referred to as the "City");

WHEREAS the Official Plan of the City of Toronto contains provisions relating to the authorization of the height and density of development;

WHEREAS Council has required the *owner* of the aforesaid lands to enter into one or more agreements to secure certain facilities, services and matters in connection with the aforesaid lands set forth in the By-law;

NOW THEREFORE the Council of the City of Toronto HEREBY ENACTS as follows:

NOW THEREFORE, the Council of the City of Toronto HEREBY ENACTS as follows:

1. Pursuant to Section 37 of the *Planning Act*, the *heights* and *density* of development permitted in this By-law are permitted subject to compliance with all of the conditions set out in this By-law including the provision by the *owner* of the *lot* of the facilities, services and matters set out in Appendix 1 hereof, to the City at the *owner's* sole expense and in accordance with and subject to the agreement referred to in Section 4(o) of this By-law.
2. Upon execution and registration of an agreement or agreements with the *owner* of the *lot* pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services or matters set out in Appendix 1 hereof, the *lot* is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the *owner* may not erect or use such building until the *owner* has satisfied the said requirements.
3. None of the provisions of Sections 4(2)(a), 4(2)(a)(i)C, 4(5)(I)(II), 4(8)(B), 4(10)(A), 4(10)(D), 6(1)(A), 6(3) Part I 1, 6(3) Part II 3.A(II), 6(3) Part II 3.G, 6(3) Part II 4, 6(3) Part II 5(I), 6(3)II 6(1), 6(3) Part IV 2 of By-law 438-86 of the former City of Toronto, being "A by-law to regulate the use of land and the erection, use, bulk, height, spacing of land and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection or use of an institutional building on the *lot* provided that:
 - (a) the *lot* comprises the lands delineated by heavy lines on Map "1" attached to and forming part of this By-law;
 - (b) only a *Community Health Centre* and administrative office uses are permitted;
 - (c) the total *non-residential gross floor area* of the building or buildings erected on the *lot* shall not exceed 4100 square metres;
 - (d) no person shall erect or use a building or structure on the *lot* having a greater *height* than the *height* limits specified by the numbers in metres as shown on Map 2 exclusive of the rooftop structures and equipment permitted by paragraphs 1(e) of this By-law;

- (e) notwithstanding subsection 1(d), but subject to subsection 1(e) hereof, the following structures may project from the maximum *height* to a maximum of 1.5 metres:
 - (i) a stair tower, elevator shaft, structures used for outside or open air recreation, maintenance, safety, or wind protection purposes, including chimney stack or other heating, cooling or ventilating equipment or window washing equipment on the roof of the building or a fence, wall or structure enclosing such elements;
- (f) the existing heritage building at 571 Jarvis Street be retained;
- (g) no portion of the building or structure erected on the *lot* or used above *grade* is located otherwise than wholly within the areas delineated by heavy lines on the attached Map 2 subject to the following:
 - (i) canopies, eaves, awnings and building cornices are permitted outside the heavy line shown on Map 2; and
 - (ii) balconies, lighting fixtures, ornamental or architectural elements, parapets, landings and associated railings, trellises, window sills, bay windows, guardrails, balustrades, mullions, railings, stairs, stair enclosures, wheelchair ramps, underground garage ramps, landscape and public art features which may extend beyond the heavy lines shown on the attached Map 2;
- (h) No person shall use any land or erect or use any building or structure on the *lot*, unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
 - (i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
- (i) a maximum building depth of 73 metres shall be provided and maintained on the *lot*;
- (j) at least one *loading space – type B* shall be provided and maintained on the *lot*;
- (k) a minimum of 18 *bicycle parking spaces* only shall be provided and maintained on the *lot* for the occupant of and visitors to the building in accordance with the following:

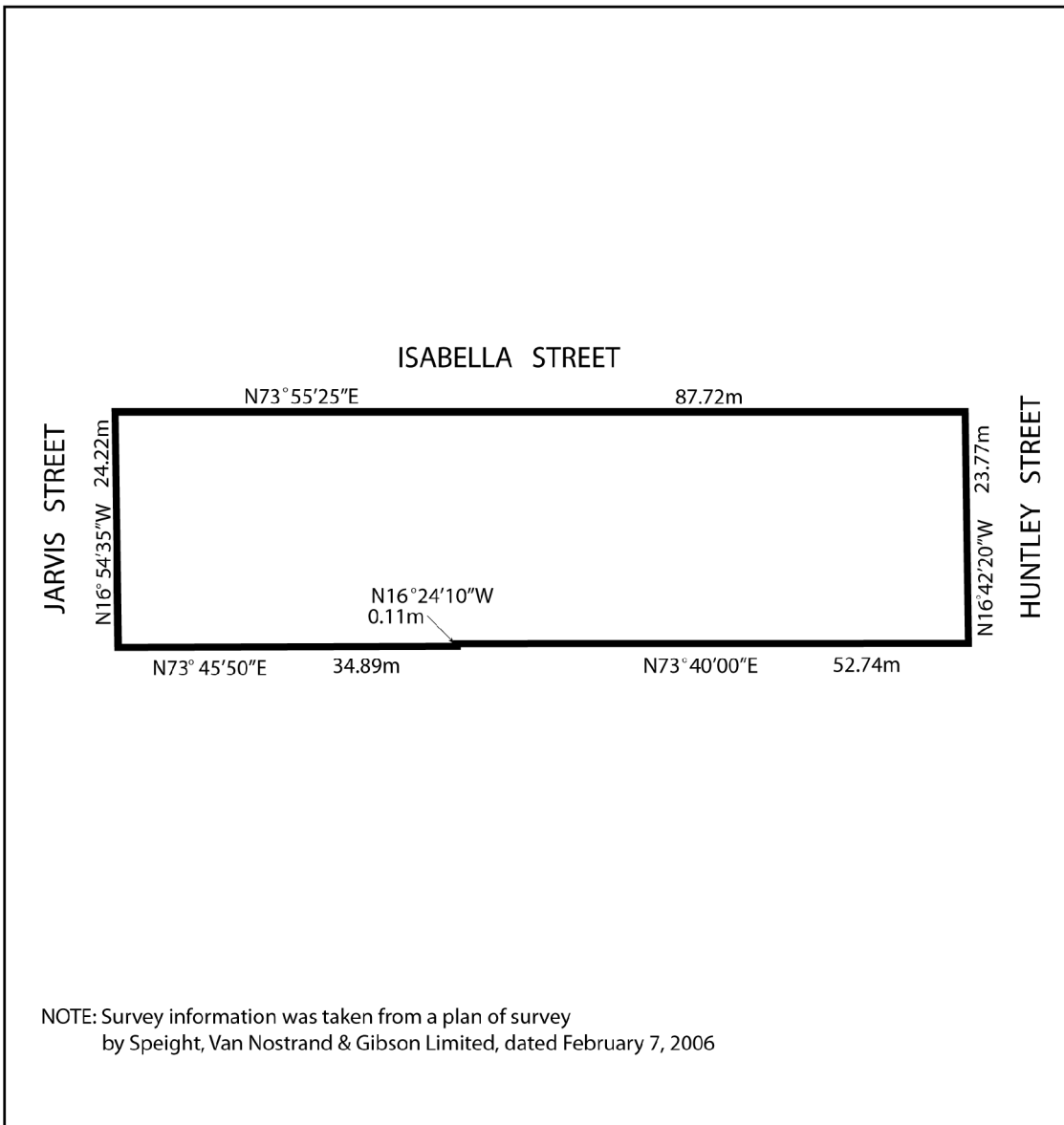
- (i) for occupants, not less than 6 *bicycle parking spaces – occupant*, to be provided below grade and 3 *bicycle parking spaces – occupant* be provided at *grade*; and
 - (ii) for visitors, not less than 9 *bicycle parking spaces – visitor* are provided and maintained only at *grade*.
 - (l) a maximum of 20 *parking spaces* be provide below *grade*;
 - (m) minimum one lane driveway width of 3.49 metres be permitted;
 - (n) maximum grade of one lane driveway is 15%;
 - (o) the *owner* of the *lot* enters into and registers on title to the *lot* an agreement with the City pursuant to Section 37 of the *Planning Act*, to the City Solicitor’s satisfaction, to secure the matters in Appendix 1.
2. For the purposes of this By-law,
- (a) "*community health centre*" as defined by by-law 438-86 but for greater clarification, a clinic includes a specialized hospital;
 - (b) "*height*" shall mean the vertical distance in metres between *grade* and the highest point of the building or structure;
 - (c) "*grade*" means 113.85 metres above Canadian Geodetic Datum;
 - (d) "*lot*" means the lands outlined by heavy lines on Map 1 attached to this By-law;
 - (e) each word or expression that is italicized in the By-law herein shall have the same meaning as each word or expression as defined in By-law No. 438-86, as amended.

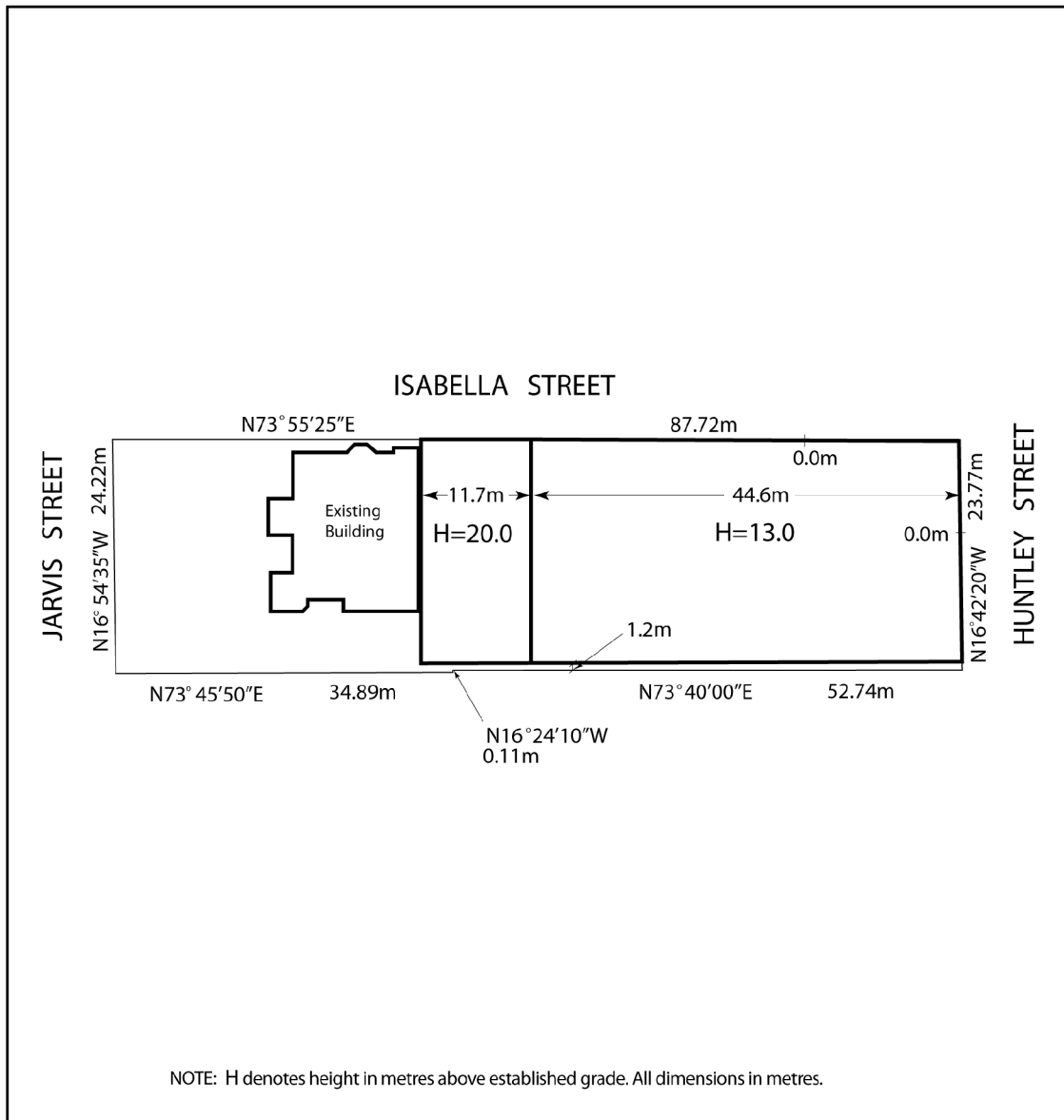
ENACTED AND PASSED this ~ day of ~, A.D. 2012.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)





Appendix “1” Section 37 Provisions

The facilities, services and matters set out herein are the matters required to be provided by the *owner* of the *lot* to the *City* in accordance with an agreement or agreements, pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the *City* with conditions providing for indexing escalating of the financial contributions, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement:

- a. Incorporate in the construction of the building, and maintain exterior building and landscape materials satisfactory to the Chief Planner and Executive Director of City Planning.
- b. Provide and maintain trees and a continuous soil trench within the Isabella Street and Huntley Street road allowance to the satisfaction of the Director of Urban Forestry in accordance with Landscape Plan, Drawing No. L1.01 prepared by Mark Hartley Landscape Architects date stamped June 24, 2011.
- c. Provide and maintain an irrigation system for proposed trees within the public road allowance, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer irrigation system for all new trees in the public rights-of-ways, satisfactory to the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation.
- d. Build in conformity with the Green Development Standard Checklist received by the Chief Planner and Executive Director, City Planning Division on July 22, 2011.
- e. Enter into a Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director of City Planning, under Section 114 of the *City of Toronto Act, 2006*.
- f. Prior to final site plan approval the owner shall provide the following to the satisfaction of the Manager, Heritage Preservation Services:
 1. an as-found record of the existing buildings at 571 Jarvis Street and 119 Isabella Street, including photographs keyed to plans, floor plans and elevations of all the visible exteriors and interiors;
 2. a detailed Conservation Plan (including drawings and specifications for materials and finishes related to the heritage building and all new construction) for the rehabilitation and restoration work as described by the February 24, 2012 Heritage

Impact Assessment and March 29, 2012 drawings, to be prepared by a qualified heritage consultant, detailing recommended interventions, exterior restoration, building protection measures during construction, estimated costs of all restoration work and a schedule of short and long term maintenance requirements; and

3. a final detailed landscape plan that supports the heritage character of the heritage building.
- g. Prior to final site plan approval the owner shall enter into a Heritage Easement Agreement with the City for the protection and long term maintenance of the heritage property, subject to the approved alterations, to the satisfaction of the Manager, Heritage Preservation Services.
- h. Prior to final site plan approval the owner shall provide a Letter of Credit, in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure all restoration work included in the detailed Conservation Plan.
- i. Prior to the issuance of any permit pursuant to the Ontario Heritage Act for the heritage property located at 571 Jarvis Street the owner shall provide the following:
 1. full building permit drawings, including notes and specifications for the rehabilitation, restoration and protective measures keyed to the approved Conservation Plan, including a description of materials and finishes, to be prepared by the project architect and heritage consultant to the satisfaction of the Manager, Heritage Preservation Services; and
 2. that the zoning by-law amendment be in full force and the Section 37 Agreement and Heritage Easement Agreement have been entered into and registered to the satisfaction of the City Solicitor.
- j. Prior to the issuance of a demolition permit for the heritage property located at 119 Isabella Street, the owner shall to the satisfaction of the Chief Planner and the Manager, Heritage Preservation Services:
 1. obtain final site plan approval for the proposed development at 571 Jarvis Street and 119 Isabella Street to the satisfaction of the Chief Planner and the Manager, Heritage Preservation Services; and
 2. provide full documentation of the existing coach house, including archival quality photographs of all exterior elevations and features keyed to a location map, all existing interior floor plans and copies of original drawings as may be available.

- k. Prior to the release of the Letter of Credit, the owner shall:
 - 1. complete the heritage rehabilitation and restoration work to the satisfaction of the Manager, Heritage Preservation Services;
 - 2. provide a Letter of Substantial Completion for the heritage rehabilitation and restoration work signed by the project architect and heritage consultant to the satisfaction of the Manager, Heritage Preservation Services; and
 - 3. submit final as-built photographs of the exterior and interior of the heritage building at 571 Jarvis Street to the satisfaction of the Manager, Heritage Preservation Services.
- l. Prior to final site plan approval, the owner will:
 - 1. Retain a consultant archaeologist, licensed by the Ministry of Culture under provisions of the Ontario Heritage Act (R.S.O 1990 as amended) to carry out a Stage 1 archaeological assessment of the entire development property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The assessment is to be completed in accordance with the Final Draft – Standards and Guidelines for Consulting Archaeologists, September 2006, Ministry of Culture; and
 - 2. Should the archaeological assessment process continue beyond a Stage 1 assessment, any recommendations for Stages 2-4 mitigation strategies must be reviewed and approved by Heritage Preservation Services prior to commencement of the site mitigation.
- m. Prior to final site plan approval, the owner will:
 - 1. Complete a Noise Attenuation study and employ the results of the study into the design of the building, satisfactory to the Chief Planner and Executive Director, City Planning Division. The City will require the owner to retain a third party reviewer at their expense; and
 - 2. Submit to the Executive Director of Technical Services for review and acceptance, a site servicing review to demonstrate how this site will be serviced and whether the existing municipal infrastructure is adequate.