



STAFF REPORT ACTION REQUIRED

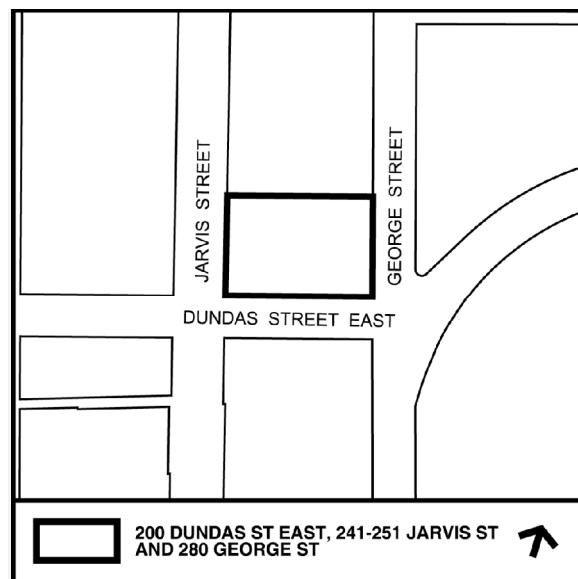
200 Dundas Street East, 241-251 Jarvis Street and 280 George Street - Zoning Amendment Application – Final Report

Date:	May 30, 2013
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 295873 STE 27 OZ

SUMMARY

This application proposes to construct a 45-storey mixed-use development with retail, cultural space and residential. It is comprised of a 29-storey tower atop a 16-storey base building that transitions to 14 storeys then 4 storeys on George Street. The application proposes 767 residential units, 560 vehicular parking spaces and 786 bicycle parking spaces.

City Planning Staff have reviewed the application against applicable policies and guidelines and find that the application conforms to Official Plan Policies and meets the intent of most applicable urban design guidelines. The applicant has responded to the comments of City Staff and made a number of changes to the overall design that achieves effective and appropriate transition to the *Neighbourhood* designated area and the Downtown East Study Area, while also mitigating issues arising from shadowing. The applicant has also proposed to provide the City of Toronto with 1,300 square metres of community space to support the goals of the Downtown East Revitalization Initiative.



The details of the Section 37 benefit will be brought forward in a supplementary report to Toronto and East York Community Council at its meeting of June 18, 2013. Consideration of this application could be deferred should the supplementary report not be finalized.

This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 200 Dundas Street East, 241-251 Jarvis Street and 280 George Street, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to report (May 30, 2013) from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into an Agreement pursuant to Section 37 of the *Planning Act*, securing certain community benefits, the details of which will be presented in a supplementary report to Toronto and East York Community Council at its meeting of June 18, 2013.

The following matters which are routinely secured as part of a Site Plan Agreement are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

- i. Require the owner to pay all costs of infrastructure improvements associated with their development including such improvements to utilities and transportation infrastructure as may be required.
- ii. The owner is required to obtain approval from Transportation Services for the road improvements required to accommodate projected site traffic levels.
- iii. The size of the residential waste room for the Tower shall be at least 113 square metres and the size of the residential garbage room for the base shall be at least 139 square metres.

- iv. A type G loading space shall be provided, which has minimum dimensions of 13m long x 4m wide with an unencumbered vertical clearance of 6.1m for the entire loading area.
 - v. A concrete staging pad abutting the front of the Type G loading space shall be provided with a minimum size of 75 square metres.
 - vi. All access driveways must have a minimum overhead travelling clearance of 4.4 metres including any overhead doors.
 - vii. A collection vehicle's minimum turning radius of 9.5 metres inside and 14 metres outside must be observed entering, exiting and travelling throughout the site. The access route and loading platform must be designed in such a way as to allow the collection vehicle to enter the site, collect the waste materials and exit in a forward motion without the need to backup onto a public road.
4. Before introducing the necessary Bills to City Council for enactment, require the applicant to file a Site Plan Application under Section 114 of the *City of Toronto Act*.
5. Community Council defer the report from the Director, City Planning, Toronto and East York District dated May 30, 2013 and headed: "200 Dundas Street East, 241-251 Jarvis Street and 280 George Street - Zoning Amendment Application – Final Report " If an agreement is not reached on the details of the Section 37 benefits and reported to the June 18, 2013 meeting of Community Council.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting on July 6, 2010 City Council directed staff to conduct a full local area review for the lands designated in the Official Plan as *Mixed Use Areas* fronting on Dundas Street East between George Street and Sherbourne Street and *Mixed Use Areas* and *Neighbourhoods* on Sherbourne Street between Dundas Street East and Shuter Street. The intent of the study was to examine the possibility of permitting higher density residential development in that area. In approving the preliminary report for the Downtown East Planning Study, City Council at its meeting of November 29, 2011, approved the following recommendations:

1. Expand the boundaries of the study to include Carlton Street as the northern boundary, Jarvis Street as the western boundary and Queen Street East as the southern boundary;

2. Upon adoption of *Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference*, direct City Planning to report back to Council seeking authority to initiate a Heritage Conservation District (HCD) Study under section 40. (1) of the *Ontario Heritage Act* for the area described in this report and to be paid for through the provision of Section 37 funds;
3. Direct staff to report to council upon completion of the HCD Study to report on conclusions and recommendations for next steps, including appropriate zoning, and Official Plan amendments required for the implementation of a revitalization strategy for the area of the study, as per Section 40 of the *Ontario Heritage Act*;
4. Request that City Planning Staff to bring forward by the fourth quarter of 2012 a Final Report and recommendations for the implementation of a revitalization strategy for the Study Area;
5. City Council direct City Planning staff to continue community consultation as part of the study process in co-ordination with the local councillor, including the formation of a George Street Working Group; and
6. City Council direct that an interdivisional working group be formed comprised of all necessary City divisions and agencies in consultation with the local councillor.

On October 2, 2012, Council directed staff to initiate the Heritage Conservation District (HCD) study of the Garden District, as a result of the application of the prioritization criteria for HCD study areas.

<http://www.toronto.ca/legdocs/mmis/2012/pg/bgrd/backgroundfile-49674.pdf>

On January 22, 2013 Toronto and East York Community Council received a status report from the Directors of Social Development, Finance and Administration and Community Planning, Toronto and East York District. The report dated December 20, 2012 outlined the work undertaken to date in the Downtown East.

(<http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-53970.pdf>)

ISSUE BACKGROUND

Proposal

The applicant's proposal has changed significantly from the original submission in October, 2011. A summary of the revisions are outlined below. The applicant is now proposing to construct a 45-storey (down from 48) mixed-use condominium building that includes a 16-storey base building. A second 35-storey tower has been removed. The proposed height of the building at the tallest point is 145 metres (down from 151.85 metres).

The applicant is now proposing 767 units (up from 693 units), amenity space has increased overall from 2,567 m² to 2,800 m², car parking has increased from 367 spaces to 405 spaces and bicycle parking has increased from 701 spaces to 786 spaces. The total proposed gross floor area ("GFA") of the project is 56,270 m² (down from 61,500 m²) and the floor space index ("FSI") has been reduced from 19.01 to 17.70.

The tower form would be rectangular in shape with a floor plate of approximately 900 m², which is an increase from 782 m² originally proposed with the two tower plan. The base of the building would transition to 14 storeys to the east and then would transition to four storeys going north along George Street. The base would also transition down to 3 storeys at the rear and 8 storeys as it meets the Jenny-Green Co-op on Jarvis Street.

Table 1 – Summary of Revisions to the Application

Category	First Submission October 20, 2011	Final Submission April 9, 2013
Site Area	3,223 m ²	3,223 m ²
Proposed Tower Setbacks		
Tower One	3 m Dundas Street East 5.73 m Jarvis Street 9 m North Property Line 40 m George Street	2 m Dundas Street East 2 m Jarvis Street 8 m North Property Line 38.7 m George Street
Tower Two	3 m Dundas Street East 1.5 m George Street 10 m North Property Line 47 m Jarvis Street	N/A
Proposed Base Setback on Ground Floor		
Jarvis Street	0 m	2 m
Dundas Street East	0 m	2 m
George Street	0 m	3 m
Tower Floorplate		
Tower One	782 m ²	900 m ²
Tower Two	612 m ²	N/A
Gross Floor Area		
Total Residential	57,905 m ²	54,250 m ²
Non-Residential	3,595 m ²	2,470 m ²
Total	61,500	56,720 m ²
Floor Space Index	19.01	17.70
Number of Units		
Bachelor	35 (5%)	46 (5%)
One-Bedroom	450 (65%)	440 (57%)
Two-Bedroom	139 (20%)	205 (28%)
Three-Bedroom	69 (10%)	76 (10%)
Total	693	767

Category	First Submission October 20, 2011	Final Submission April 9, 2013
Ground Floor Height	4.5 m	6.55 m
Sidewalk width Jarvis Street (4.5m existing)	5.0 m	7.0 m
Sidewalk width Dundas Street East (4.8m existing)	3.0 m	5.0 m
Sidewalk width George Street (2m existing)	5.0 m	8.0 m
Proposed Vehicular Parking (residential:visitor:non-residential)	367 (316:51:0)	405 (344:40:11) + provision for car share spaces
Proposed Bicycle Parking (residential:retail:other)	701 (693:2:6)	786 (767:8:11)
Loading Spaces	Description	1 Type 'G', 1 Type 'B', 2 Type 'C'
Amenity Space	Interior Residential	1,175 m ²
	Exterior Residential	1,392 m ²
	Total Amenity Space Provided	2,567 m ²
Building Height	151.85 m	145 m

Site and Surrounding Area

The subject site is located at the northeast corner of Jarvis Street and Dundas Street East, extending to George Street with frontage on the full block. The site is rectangular in shape with a frontage of 46.86 m and a depth of 68.33 m, with a total area of 3,223 m². A 9-storey hotel is currently on the site with retail uses at grade.

North: To the immediate north of the site is the Jenny Green and Jarvis-George Cooperative complex which ranges in height from 5 storeys to 10 storeys and the former courthouse building. To the north-east of the property is a *Neighbourhoods* designated area within the Official Plan, comprised primarily of rooming houses single storey houses and apartments on George Street and Pembroke Street. Both streets possess a significant heritage building inventory. Seaton House is also located on George Street.

East: George Street, beyond which are commercial uses fronting onto Dundas Street East, with the most prominent being Filmore's Hotel.

South: Dundas Street East, beyond which is low-rise commercial. Further south is the Grand Hotel (14-storeys) and low-rise residential uses. To the south-east is Ecole Gabrielle-Roy.

West: Jarvis Street, beyond which is the former Sears Canada Building (9-storeys) being redeveloped for office uses by the Ontario Government. Directly to the south of the Sears Building is a surface level parking lot owned by Ryerson University.

To the south-west of the site is a lot that City Council has approved for a 42-storey residential condominium (PACE Condominium, 11 144529 STE 27 OZ, under construction). Further south is a residential condominium building at 192 Jarvis Street (14-storeys).

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.

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 City of Toronto's Official Plan contains a number of policies that affect the proposed development.

Chapter 2 – Shaping the City

Section 2.2.1 Downtown: The Heart of Toronto

The proposed development is located in the *Downtown* area as defined by Map 2 of the City of Toronto Official Plan. Section 2.2.1 outlines the policies for development within the *Downtown*. The downtown is where most of the growth in the City of Toronto is expected to occur. The *Downtown* will continue to evolve as the premier employment area of the City of Toronto and provide a range of housing for those working in the area. The City will also explore opportunities to maintain and improve the public realm, promote an environment of creativity and innovation, support and enhance the specialty retail and entertainment districts, support business infrastructure and create business partnerships.

Although much of the growth is expected to occur in the *Downtown*, not all of the *Downtown* is considered a growth area. The City of Toronto Official Plan states that: "while we anticipate and want *Downtown* to accommodate growth, this growth will not be spread uniformly across the whole of *Downtown*. In fact, there are many residential communities *Downtown* that will not experience much physical change at all, nor should they."

Transportation within the *Downtown* is expected to be accommodated by transit. Priority will be given to transit improvements in the *Downtown* and transit vehicles will be given priority on streets within the *Downtown* particularly those with streetcars. A program of improvements will be implemented to enhance the pedestrian environment and efforts made to improve the safety of walking and cycling *Downtown*.

Section 2.3.1 Healthy Neighbourhoods

The proposed development is in proximity to a designated *Neighbourhood* in the Official Plan. Section 2.3.1 of the Official Plan states that "the diversity of Toronto's neighbourhoods, in terms of scale, amenities, local culture, retail services and demographic make up, offers a choice of communities to match every stage of life", neighbourhoods are where people connect and by focusing development into the centres and avenues we preserve the character of those neighbourhoods. Whether low-rise or apartment buildings, the policies in the plan are intended to apply equally to both. Policy 2.3.1.1 states that *Neighbourhoods* and *Apartment Neighbourhoods* are considered physically stable areas. Policy 2.3.1.2 states that Developments in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will: "be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towers and setbacks from those *Neighbourhoods*, maintain adequate light and privacy for residents in those *Neighbourhoods*, and attenuate resulting traffic and parking impacts."

Policy 2.3.1.3 goes on to state that intensification of land adjacent to *neighbourhoods* will be carefully controlled. The intent of which is such that *neighbourhoods* will be: "protected from negative impact".

Chapter 3 – Built Form

Section 3.1.3 Built Form – Tall Buildings

The applicant is proposing to construct a Tall Building. Policy 3.1.3 states that Tall Buildings come with larger civic responsibilities than buildings of a smaller scale. In addition to speaking about specific built form characteristics, the policy states that proposals for Tall Buildings clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet the other objectives of the Official Plan.

Chapter 4 – Land Use Designations

Section 4.5 Mixed Use Areas

The site of the proposed development is in an area designated *Mixed Use Areas* in the Official Plan. *Mixed Use Areas* are intended to provide a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings.

Development within *Mixed Use Areas* should provide for new jobs and homes on underutilized lands, while locating and massing new buildings to provide a transition between areas of different development intensity and scale.

Furthermore, development in *Mixed Use Areas* should be located and massed to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Development in *Mixed Use Areas* should also provide attractive, comfortable and safe pedestrian environments; have access to schools, parks and community centres as well as libraries and childcare. It should also take advantage of nearby transit services; provide good site access and circulation as well as an adequate supply of both visitor and resident parking. In addition, service areas should be located to minimize impacts on adjacent streets, and any new multi-unit residential development should provide indoor and outdoor amenity space for residents.

Compliance with other relevant policies of the Official Plan including the environment and transportation will also be addressed.

Zoning

The property is zoned CR in the City of Toronto By-law 438-86. This zoning permits a wide variety of residential, retail and commercial uses, with the exception of automobile related uses. A maximum of 2.5 times coverage is permitted with a maximum height of 18.0 m. There is a 44 degree angular plane along the Dundas Street East property line that starts at 16 metres above grade; the applicant also requires relief from this provision.

On May 9, 2013 Toronto City Council enacted City-wide Zoning By-law 569-2013. Lands that were subject to a rezoning application under the former general zoning by-law were not included in By-law 569-2013 in order to avoid interfering with the approval process as contemplated when the application was made. Once building permits have been issued and the development application is complete it is intended to bring the lands into by-law 569-2013 as part of a regularized work program for such sites. This process will be completed in collaboration with the owner of the lands.

Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

This project is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines (adopted by City Council in July 2012 and consolidated with the city-wide Tall Building Design Guidelines May 2013).

This document identifies where tall buildings belong Downtown, and establishes a framework to regulate their height, form and contextual relationship to their surroundings. The Downtown Vision and Supplementary Design Guidelines should be used together with the city-wide Tall Building Design Guidelines to evaluate new and current Downtown tall building proposals. The Downtown Tall Buildings Guidelines are available at <http://www.toronto.ca/planning/tallbuildingstudy.htm#guidelines>

The subject property is located on Jarvis Street which is identified as a High Street on Map 1. The site also abuts Dundas Street East which is also identified as a high street on Map 1 at this intersection. This portion of Jarvis Street and Dundas Street East falls within the 15 (47 metres) to 25 (77 metres) storey height range on Map 2 and is identified as tower base typology on Map 3. The street is not identified as a Priority Retail Street on Map 4.

Site Plan Control

The proposed development will be subject to site plan control. A site plan control application has not been submitted to date.

Reasons for Application

Although the uses are permitted by the zoning by-law, the applicant is seeking an amendment to the zoning by-law to permit the desired height and density which currently exceeds the permitted limits by 127 m and 15.2 times coverage respectively. The applicant is also seeking relief from the zoning by-law as it applies to the parking requirements, the angular plane provisions Dundas Street East and other standards.

Community Consultation

A Community Consultation Meeting was held on April 4, 2012 at the Metropolitan United Church. At the meeting the applicant presented a slightly revised proposal with slightly lower tower heights, a higher base building and some transition to the neighbourhood on George Street. At the meeting very few objections were raised with the majority of the community being in favour of redevelopment on this site. Many members of the community expressed hope that the redevelopment would help ameliorate conditions on George Street.

Subsequent to the Community Consultation Meeting a working group session was held with members of the community that included representation from the Jenny-Green Co-op, the Garden District Residents Association and the TCHC building on George Street (291 George Street).

During the working group process concerns were raised that the two tower scheme as proposed (48 and 35 storeys) did not represent a true transition from the development at 155 Dundas Street East (PACE). Staff also heard concerns that the mid-block connection behind the building be gated, that the sidewalks become larger and that the retail presence continue on George Street, where it was proposed only on Dundas Street East.

Further concerns were raised about shadow impacts, parking and servicing. City Planning Staff raised concerns about parking, amenity space and whether the building transitions effectively through scale and density to the stable *Neighbourhood* designation to the north.

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

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement promotes new development primarily through intensification and requires that new development create efficiencies in land use. The Provincial Policy Statement also states, in Section 4.5, that the Official Plan is the most important vehicle for implementing the Provincial Policy Statement. Section 1.1.3.3 of the Provincial Policy Statement also requires: "planning authorities to identify and promote opportunities for intensification redevelopment".

This application constitutes a significant redevelopment of a property. It serves to revitalize a portion of the downtown, represents an efficient use of land and conforms to the policies of the City of Toronto Official Plan. Therefore, the proposal is consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe designates Toronto as a growth area. The growth is primarily intended to occur through infill development and intensification. While the applicant's proposal represents a significant intensification of property, the proposed residential development is not necessary to meet the growth targets forecast by the Province of Ontario for the City of Toronto. The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed development is located in the *Mixed Use Areas* of the Official Plan. The uses proposed for the project are residential, community space, commercial and retail. This constitutes a true mixed-use building and complies with the land use provisions for *Mixed Use Areas* in the Official Plan.

Floor Space Index

The density or floor space index of the development is 17.7 times reduced from 19.01 times. The density proposed is significant but in keeping with recent approvals east of Church Street that includes: 155-163 Dundas Street East (19 times), 159 Wellesley Street East (19.2 times), and 568-580 Jarvis Street (15.4 times).

Built Form and Massing

In the report from the Director, Community Planning, Toronto and East York District, dated October 17, 2011 and titled: "155-163 Dundas Street East and 200 Jarvis Street, Zoning Amendment Application – Final Report" ("The PACE Report") it was stated that: "As one moves east, the built form fabric differs considerably from the east side of Jarvis to the west side, with the preponderance of tall buildings being located west of Jarvis Street. Lands on the east side of Jarvis Street have a more direct interface and potentially greater impact on lands designated Neighbourhoods. Height and scale transition will be important considerations in the event of further redevelopment as one moves east given these adjacencies." The report went on to state that: "new development to the east of Jarvis Street should transition down and away from 155-163 Dundas Street." The built form of 200 Dundas Street East needs to be understood within this context.

The development is composed of a single tower (29-storeys) with an articulated 900 square metre floor plate resting on a large base building of primarily 16 storeys. The tower is massed at the southwest corner of the site and rises above the base building that transitions to 14 storeys along Dundas Street East, as it approaches George Street and then transitions further to 4 storeys as it moves north along George Street.

In terms of the Tall Building Design Guidelines and Downtown Tall Buildings: Vision and Supplementary Design Guidelines ("the Guidelines"), the proposed building represents a podium and base typology which is recommended for the area. The tower portion of the building is setback approximately 15 metres from the adjacent *neighbourhood* and more than 12.5 metres from the George Street property line. There are some departures from the Guidelines, particularly regarding the height of the base building and the tower setback from the north property line.

The Guidelines recommend a maximum base building height of eighty percent of the street right-of-way with a step back. In the case of Dundas Street East this would normally require a base building of 16 metres stepping back to 20 metres. A 7-storey (22.76 metre) base is articulated, and the remaining 9-storeys appropriately step back from George Street. However, at the Dundas Street East frontage, while there is a stepback of one metre at the seventh storey, 8-storeys of the base building cantilever back over this reveal. This effectively creates a unified base building height of 52.65 metres. The base from the eighth storey to the sixteenth is also highly articulated and proposed to be clad in a different material such that it reads as separate structure from the base. Notwithstanding these design gestures, City Planning Staff believe that the top 8 storeys of the base building should be set back a further 2 metres such that they are in line with the tower and that a true 7 storey base building is created, the By-law schedule has been adjusted accordingly.

City Planning Staff believe that this setback will achieve the goal of preserving a human scale and sky view such that the proposed development occupies the whole block from Jarvis Street to George Street, with the tower occupying less than 28 percent of the site. Lastly, the proposed base building is similar to the current built form which is a large slab hotel building.

This approach, however, is very much based on an urban context, the fact that the property occupies an entire block, the fact that the area is designated *Mixed Use* within the Official Plan and because of the necessity to transition to a lower scale built form. Achieving the transition to a 16-storey base building along Dundas Street East allows for a gradual transition of scale and density towards the *Neighbourhood* while also implementing the direction given in the PACE report respecting the developing built form of Downtown East along Dundas Street East. This type of built form would not be appropriate in all instances, especially in areas of the City with more restrictive land use designations such as *Apartment Neighbourhoods*.

The proposed tower is setback 8 metres from the north property line as opposed to the recommended 12.5 metres. However, directly to the north of the proposed tower is a large co-operative rental housing complex, with four separate owners. Due to this complex relationship which would require full rental replacement and permission by applicable government agencies, this complex is unlikely to redevelop. The eight storey base of the co-op has a blank end wall which will have a party wall condition with the blank end wall of the proposed building.

The proposed tower floor plate of 900 square metres is larger than the recommended maximum floorplate of 743 square metres. However, given that two residential towers could be placed on the site and meet the applicable minimum separation distances, City Planning Staff considered that the larger floorplate, massed in a single articulated tower, is supportable in the circumstances and that it was more desirable to eliminate the second tower. The Guidelines further recommend a minimum stepback of 3 metres for the tower from the base. The proposed step back is 2 metres. While a departure, it is minimal and mitigated by the recessed first floor which increases sidewalk widths and improves the microclimatic condition at grade, with some limited impact on sky view.

Height

The proposed height of the building is 45 storeys. Although higher in storeys than 155 Dundas Street East ("PACE"), the building is lower in overall metres (140 metres versus 134 metres, or approximately 2 storeys, excluding mechanical). This begins the transition called for in the PACE report which is continued through to the 16 to 14-storey base building. While the proposed height is greater than that contemplated by the Dundas Street East and Jarvis Street height vision map, Planning Staff have previously recommended additional height at this major intersection, and the proposed height is in keeping with the evolving context of the area.

Stepbacks and Separation Distances

The Guidelines speak to separation distance from buildings and from *Neighbourhoods*. The proposed tower development is separated by more than 30 metres from the approved PACE development, would be at least 25 metres from any future development at the northwest corner of Dundas Street East and Jarvis Street and at least 22 metres from any development at the southeast corner of Dundas Street East and Jarvis Street (assuming a 0 metre tower stepback). Any future development on these sites should step back appropriately to achieve the desired 25 metre separation distances.

The *Neighbourhood* designated area to the north of the site contains many buildings which would not normally be located in a *Neighbourhood* designation. Large institutional uses are located on George Street such as Seaton House and the former provincial detention centre. Furthermore, many of the buildings (Jenny Green Co-op, 4 to 10-storeys, 291 George Street, 5 storeys) are larger than those that would otherwise be permitted in a *Neighbourhood* which has a height limit of four storeys.

City Planning Staff are currently undertaking a land use planning study in the Downtown East. One of the goals of the study is to determine whether the land use designations in this area are appropriate and should be changed. The *Neighbourhood* designated area is located approximately mid-way through the Jenny-Green and Jarvis George Cooperative complex. The tower is setback approximately 15 metres from this boundary. However, it is setback 24 metres from the face of the Jenny Green Co-op on George Street and approximately 66 metres from the first low-rise residential building which would typically be found in a *Neighbourhood* designated area.

Transition

As stated in the PACE report transition was a key consideration in permitting greater height into the area. The built form fabric differs significantly from the east side of Jarvis Street to the west. City Planning Staff are currently studying the built form tolerances of Dundas Street East through the Downtown East Planning Study. The shallow lots and odd lot configurations on Dundas Street East do not generally support tall buildings. As such, it was important for Staff to achieve a transition to a lower scale built form more in keeping with a mid-rise typology. The applicant has worked with Staff to create a transition on site from 45 to 16 to 14 and 4-storeys. This begins the work of transitioning the rest of the street to this lower scale built form on Dundas Street East.

The *Neighbourhood* the policies of the Official Plan are clear. The policies in regards to development in *Mixed Use Areas* state that new development must: "locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale Neighbourhoods."

Policy 2.3.1.2 further states that Developments in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will: "be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towers and setbacks from those *Neighbourhoods*."

The proposed building transitions gradually through scale and density to the *Neighbourhood* designated area in compliance with the policies of the Official Plan. The building is set back substantially from the *Neighbourhood* while simultaneously transitioning from 45 storeys to 16 storeys, transitioning further to 14 storeys at George Street and finally to 4 storeys where it meets the built form of the Jenny-Green Co-op.

Sun, Shadow, Wind

Elimination of the second tower has substantially improved the shadowing conditions on the adjacent *Neighbourhood* designated area. An analysis of the shadow impacts between the spring and fall equinoxes shows that the low-rise built form of the *Neighbourhood* only begins to experience shadowing at 3 p.m. and is off the *Neighbourhood* designated areas by 4 p.m. The courtyard of the Jenny-Green Co-op which is an important private amenity for the building has some minor shadowing impacts on a portion of the courtyard beginning at 10 a.m. It experiences significant shadowing at 1 p.m. By 2.00 p.m. the shadow of the building has moved off the courtyard and it is largely shadowed by its own built form.

Pedestrian Amenity

The applicant is proposing to provide continuous pedestrian level weather protection of 2 metres along the Jarvis Street, Dundas Street East and George Street frontages. Staff require a minimum of 3 metres for weather protection so that it can be effective. Staff are therefore recommending that the 2 metres proposed be augmented by a further 1 metre canopy which will be secured in the By-law. The base of the building is recessed at grade providing for large increases in the sidewalk widths and pedestrian right-of-way. The sidewalks on Jarvis Street will be widened from 5 metres to 7 metres; Dundas Street East will be widened from 3 metres to 5 metres and George Street from 5 metres to 8 metres. The Guidelines seek to achieve a minimum sidewalk width of 6 metres. The proposed development largely accomplishes this goal. There is a deficiency on Dundas Street East and Staff have secured an additional 1 metre setback in the By-law. The ground floor height is proposed to be 6.5 metres, which exceeds the minimum of 4.5 metres, and will help animate the streetscape on Jarvis Street, Dundas Street East and George Street.

Cycling Amenity

The applicant is currently proposing to oversupply the amount of resident and visitor bicycle parking. A total of 787 bicycle parking spaces are proposed. This goes beyond the City of Toronto Green Standard Checklist and is a welcome addition to the area given the proximity to the dedicated bicycles lanes on Sherbourne Street, and the lanes on Shuter Street and Gerrard Street East.

Traffic Impact, Access, Parking and Servicing

Transportation Services Staff have reviewed the traffic impact assessment supplied by the applicant's transportation consultant. Staff believe that the transportation impacts of the project can be mitigated subject to further review regarding potential signal timing and pavement marking modifications at adjacent intersections. The proponent will be required to pay for all costs associated with any approved signal timing or pavement marking modifications, to the satisfaction of Transportation Services. These conditions have been secured as part of the rezoning. The applicant has proposed 405 vehicular parking spaces consisting of 344 residential spaces, 40 visitor spaces and 11 retail spaces. Transportation Staff, however, do not agree with the proposed vehicular parking reduction nor do they agree with maintaining the laneway in the rear as a through access for vehicles.

The by-law has been adjusted to the City parking standards and the laneway will be examined as part of the site plan process. City Planning Staff believe the laneway should be maintained as a pedestrian throughway.

Garbage pickup for the proposed development is proposed to be in the rear accessed from the private lane. This is appropriate as it will screen servicing and reduce impacts on the neighbourhood.

Amenity Space

The applicant is proposing 1,240 square metres (1,536 square metres required) of indoor amenity space and 1,560 square metres of outdoor amenity space (1,536 square metres required). The total amount proposed is 2,800 square metres (3,072 square metres required). The amount of amenity space is slightly deficient from the by-law standard. City Staff have adjusted the By-law to meet the City Standard and Staff believe that the extra amenity space can be found. Staff believe this is appropriate considering the amount of units in the development and certain deficiencies of community space and parkland within the *Downtown and Central Waterfront* area. Although the development site is relatively well served by Parks and Community Centres, the area is experiencing a development pressure and it is important for this and all future developments in the Downtown East Study Area to include adequate amenity space to service the needs of its residents.

Provision of Family Sized Units

The applicant is proposing 76 three-bedroom units which achieves the recommended minimum amount of ten percent. The percentage of three bedroom units will be secured in the By-law.

Provision of Community Space

As part of the proposed Section 37 contribution for this area there is a large provision of community space (1,300 square metres, inclusive of 180 square metres of retail space and a 39 square metre lobby). The space will be administered by Social Development Finance and Administration and be tendered to groups in a competitive format. The proposed community space is a vital component of the development as it serves to further the revitalization goals of the Downtown East Revitalization Initiative. The details of this community space will be discussed in a supplementary report to be considered by Toronto and East York Community Council at its meeting of June 18, 2013 subject to a satisfactory conclusion being achieved. The details of the Section 37 benefit will be brought forward in a supplementary report to Toronto and East York Community Council at its meeting of June 18, 2013. Consideration of this application could be deferred should the supplementary report not be finalized.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City.

The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The application proposes 767 residential units and 2,800m² of non residential uses on a site with a net area of 3,223m². At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 1.023 hectares or 334% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 310m².

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as there is no location for an on-site parkland dedication that would be of a useable size and the site would be fully encumbered with below grade parking.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS.

The site specific zoning by-law will secure performance measures for the following Tier 1 development features: Automobile Infrastructure and Cycling Infrastructure, as well as, Storage and Collection of Recycling and Organic Waste.

Section 37

Section 37 of the Planning Act allows the City to grant increased density and/or height in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvements above and beyond the parkland dedication; public art; streetscape improvements on the public boulevard not abutting the site, Heritage Conservation District studies identified in the Official Plan; and other works detailed in Section 5.1.1.6 of the Official Plan. Section 37 may also be used as may otherwise be agreed upon, subject to the policies contained in Chapter 5 of the Official Plan.

The community benefits must bear a reasonable planning relationship to the proposed development including at a minimum, an appropriate geographic relationship and the addressing of planning issues associated with the development (e.g. local shortage of parkland, replacement rental apartment units).

The applicant has proposed to convey community space to the City of Toronto in furtherance of the revitalization goals in the Downtown East Study Area. The amount of space proposed is 1,300 square metres, inclusive of 180 square metres of retail space and a 39 square metre lobby. Real Estate Services and the City Solicitor are currently finalizing the details of how the space shall be conveyed and administered. A supplementary report will be brought forward to Toronto and East York Community Council with these details at its meeting of June 18, 2013. Should an agreement not be reached this report should be deferred.

When calculating the value of a Section 37 contribution that is public space for the City of Toronto, only the costs of construction are taken into account. In this case the proposed community space is being conveyed at nominal cost to the City of Toronto. The cost of construction is estimated to be \$250.00/square foot or \$2,688.17/ m², therefore the total value of the proposed Section 37 contribution is \$3,494,621.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

1. Require the owner to pay all costs of infrastructure improvements associated with their development including such improvements to utilities and transportation infrastructure as may be required.
2. The owner is required to obtain approval from Transportation Services for the road improvements required to accommodate projected site traffic levels.
3. The size of the residential waste room for the Tower shall be at least 113 square metres and the size of the residential garbage room for the base shall be at least 139 square metres.
4. A type G loading space shall be provided, which has minimum dimensions of 13m long x 4m wide with an unencumbered vertical clearance of 6.1m for the entire loading area.
5. A concrete staging pad abutting the front of the Type G loading space shall be provided with a minimum size of 75 square metres.
6. All access driveways must have a minimum overhead travelling clearance of 4.4 metres including any overhead doors.
7. A collection vehicle's minimum turning radius of 9.5 metres inside and 14 metres outside must be observed entering, exiting and travelling throughout the site. The access route and loading platform must be designed in such a way as to allow the collection vehicle to enter the site, collect the waste materials and exit in a forward motion without the need to backup onto a public road.

Tenure

The proposed tenure of the building is condominium ownership.

Conclusion

Staff have completed their review of the proposed development at 200 Dundas Street East. The application proposes a true mixed-use development comprised of retail, commercial space, community space and residential units. Furthermore, the applicant has worked with Staff to address issues of transition and *neighbourhood adjacency*.

Furthermore, the owner is proposing to convey to the City of Toronto a large amount of community space which will help further the larger revitalization goals of the Downtown East Revitalization Strategy.

Although the development does fall short of some of the objectives in the Tall Building Guidelines, the proposal does meet the majority of performance standards and where it falls short, staff believe that the intent of the Guidelines are met. This development also continues the renewal of the Downtown East. For this reason City Planning Staff recommend approval of the application and believe it constitutes good planning and is in the public interest.

CONTACT

Giulio Cescato, Planner
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Fax No. (416) 392-1330
E-mail: gcescat@toronto.ca

SIGNATURE

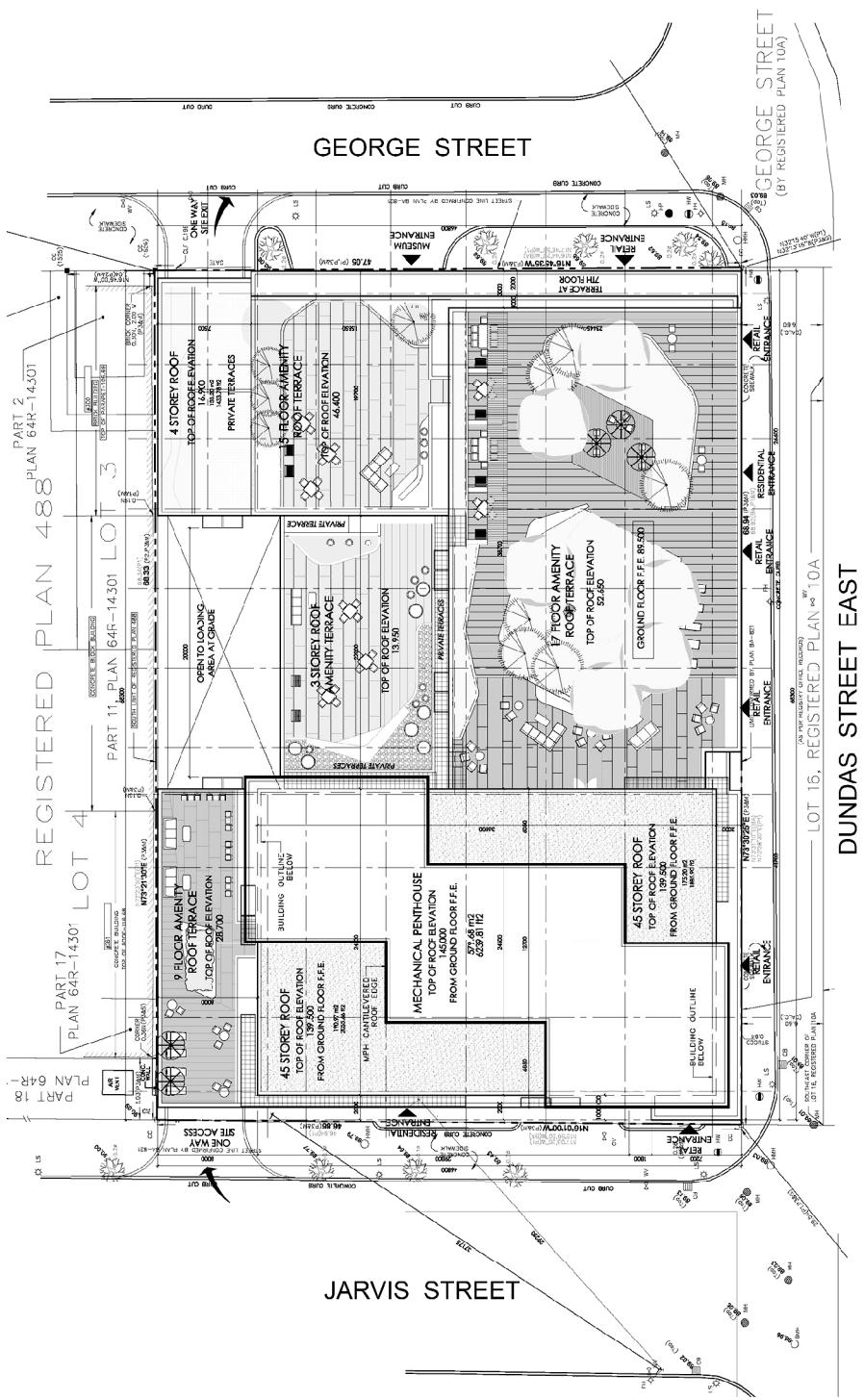
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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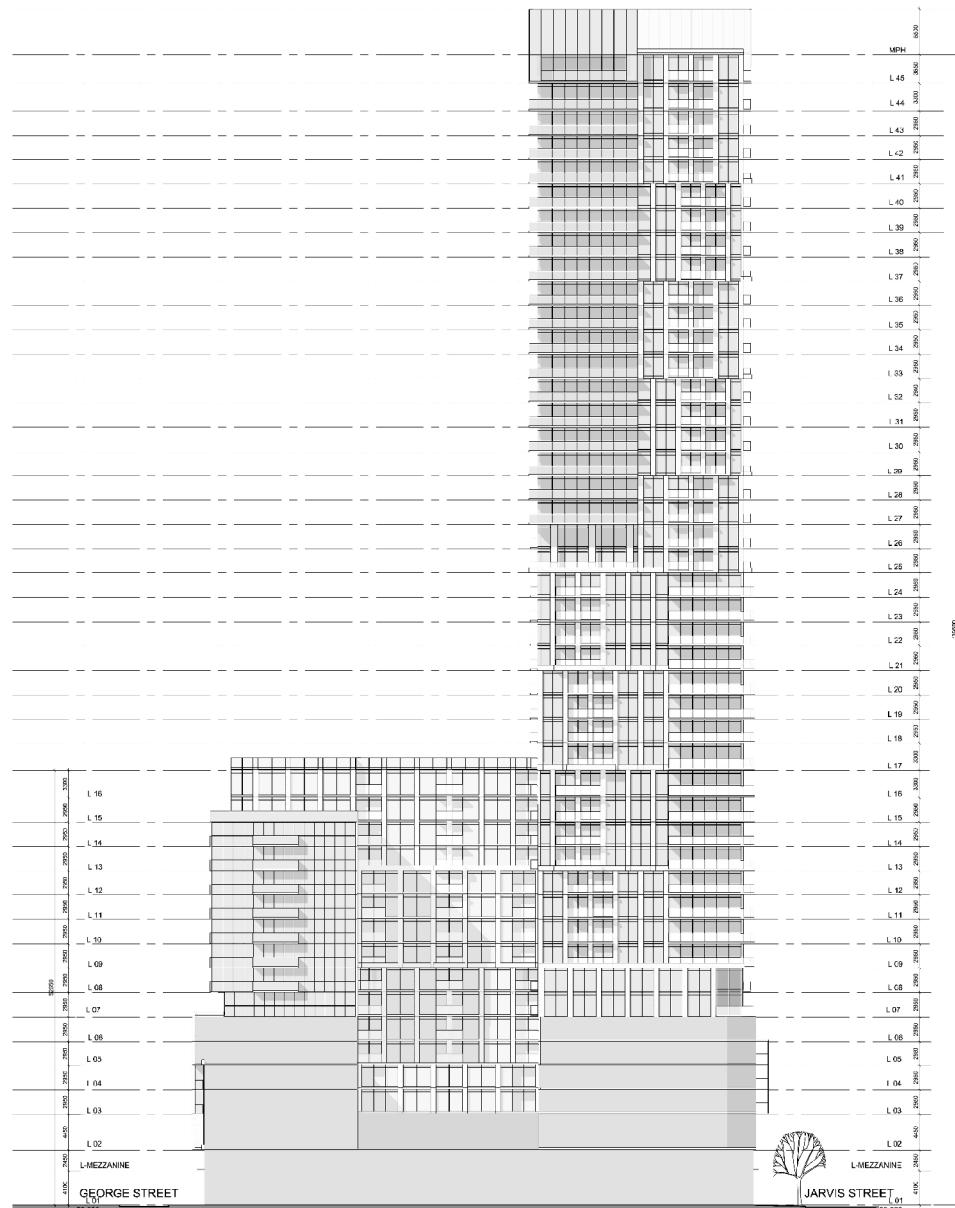
ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: North Elevation
- Attachment 3: East Elevation
- Attachment 4: South Elevation
- Attachment 5: West Elevation
- Attachment 6: Zoning
- Attachment 7: Application Data Sheet
- Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Attachment 2: North Elevation



North Elevation

Elevations

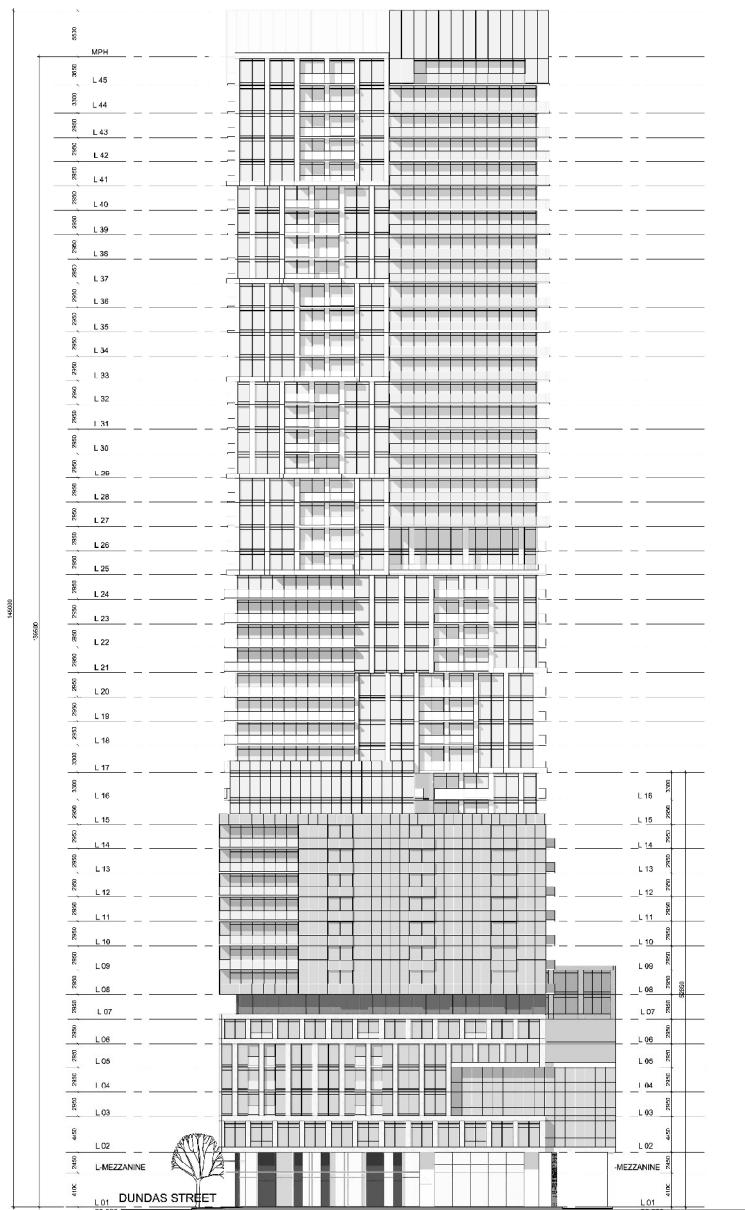
Applicant's Submitted Drawing

Not to Scale
05/09/2013

**200 Dundas Street East, 241-251 Jarvis Street
and 280 George Street**

File # 11 295873 0Z

Attachment 3: East Elevation



East Elevation

Elevations

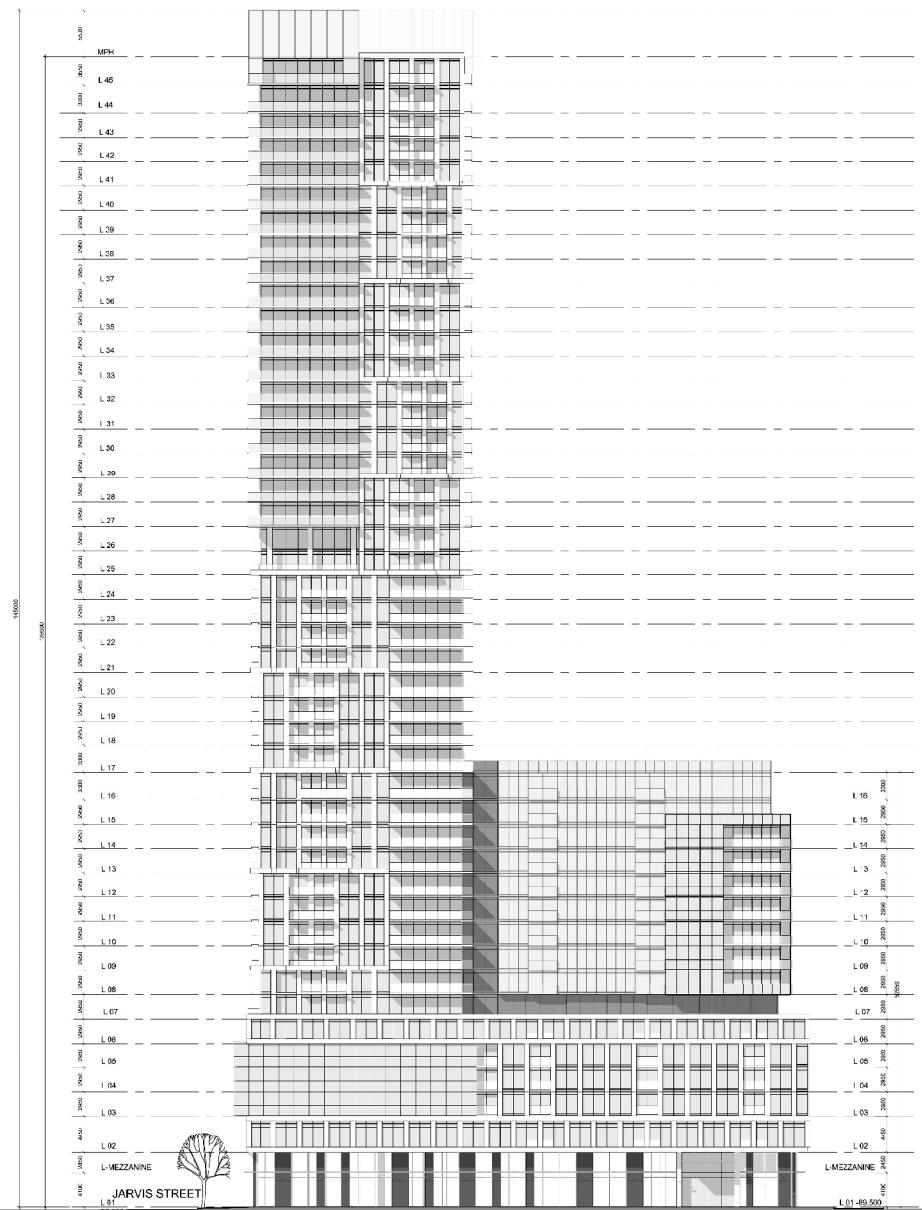
Applicant's Submitted Drawing

Not to Scale
05/09/2013

**200 Dundas Street East, 241-251 Jarvis Street
and 280 George Street**

File # 11 295873 0Z

Attachment 4: South Elevation



South Elevation

Elevations

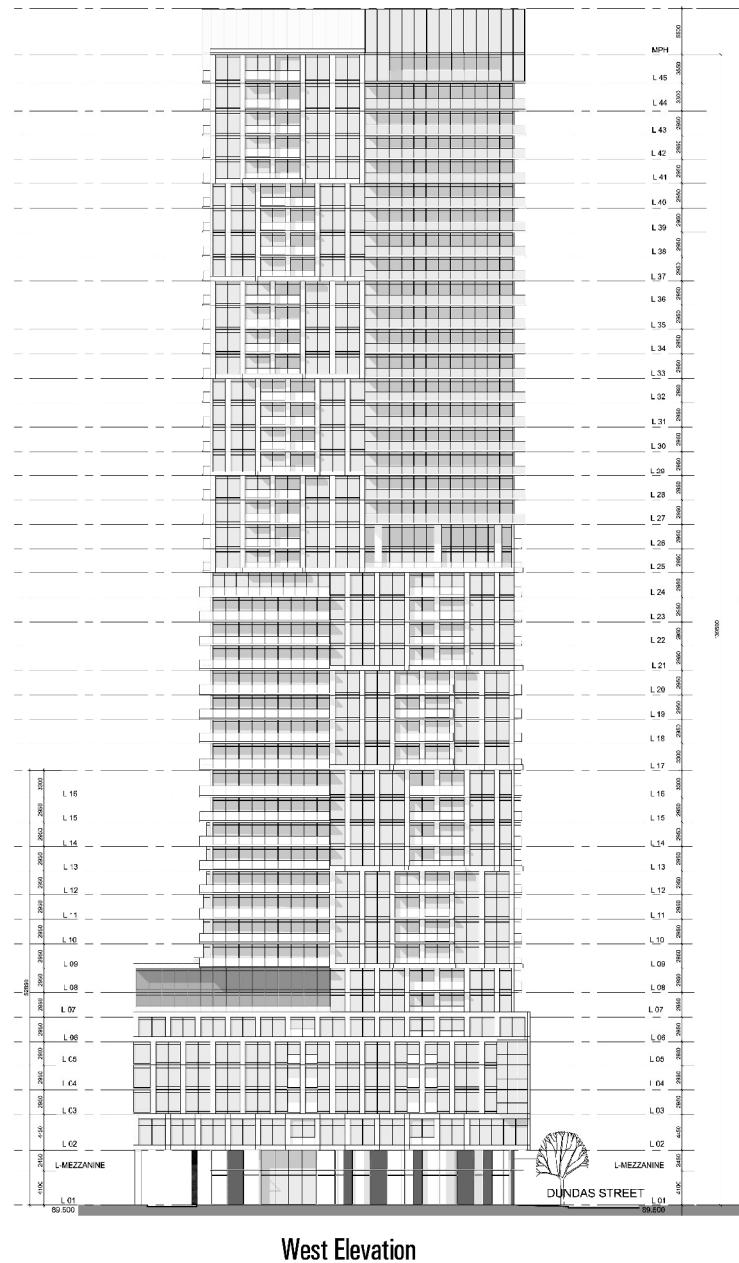
Applicant's Submitted Drawing

Not to Scale
05/09/2013

**200 Dundas Street East, 241-251 Jarvis Street
and 280 George Street**

File # 11 295873 0Z

Attachment 5: West Elevation



Elevations

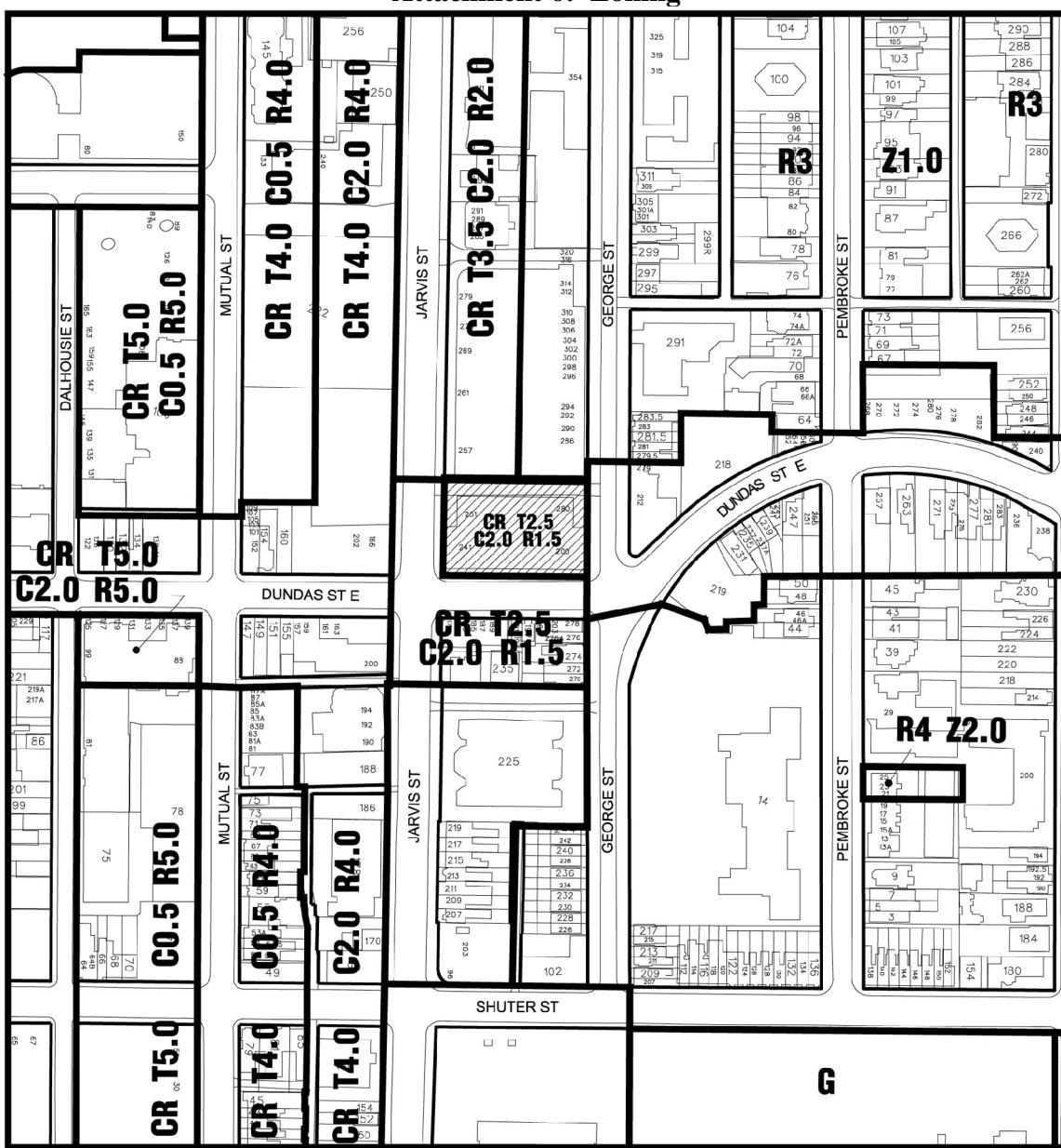
Applicant's Submitted Drawing

Not to Scale
05/09/2013

**200 Dundas Street East, 241-251 Jarvis Street
and 280 George Street**

File # 11 295873 0Z

Attachment 6: Zoning



City Planning

G Parks District
R3 Residential District
CR Mixed-Use District

**200 Dundas Street East, 241-251 Jarvis Street
and 280 George Street**

File # 11 295873 OZ

Not to Scale
Zoning By-law 438-86 (as amended)
Extracted 11/15/2011

Staff report for action – Final Report – 200 Dundas Street East, 241-251 Jarvis Street and 280 George Street

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	11 295873 STE 27 OZ
Details	Rezoning, Standard	Application Date:	October 20, 2011
Municipal Address:	200 DUNDAS STREET EAST, 241-251 JARVIS STREET AND 280 GEORGE STREET		
Location Description:	PL 240E PT LTS 1 TO 11 PL 10A PT LTS 15 & 16 << ENTRANCE ADDRESS FOR 241 JARVIS ST **GRID S2712		
Project Description:	Rezoning application to permit the redevelopment of the lands for a new mixed use building comprised of one tower at 45-storeys on a 16-storey base grade related retail. A total of 768 residential units and 405 parking spaces in a below grade parking structure.		

Applicant:	Agent:	Architect:	Owner:
Bousfields Inc. 300 Church St., Ste 300 Toronto, ON, M5E 1M2	Aird and Berlis 181 Bay St., Ste 1800 Toronto, ON, M5J 2T9	Page + Steele 95 St. Clair Ave. W, Ste. 200 Toronto, ON, M4V 1N6	1293446 Ontario Inc. 3100 Steeles Ave. E, Ste. 601 Markham, ON, L3R 8T3

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision: N
Zoning:	CR T2.5 C2.0 R1.5	Historical Status: N
Height Limit (m):	18	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	3223	Height:	Storeys:	45
Frontage (m):	47		Metres:	145
Depth (m):	68			
Total Ground Floor Area (sq. m):	1975			Total
Total Residential GFA (sq. m):	54,250		Parking Spaces:	405
Total Non-Residential GFA (sq. m):	2,800		Loading Docks	4
Total GFA (sq. m):	57,050			
Lot Coverage Ratio (%):	61.3			
Floor Space Index:	17.7			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo	Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	54,250
Studio:	46 (6%)	Retail GFA (sq. m):	920
1 Bedroom:	441 (57%)	Office GFA (sq. m):	2675
2 Bedroom:	205 (27%)	Industrial GFA (sq. m):	0
3 + Bedroom:	76 (10%)	Institutional/Other GFA (sq. m):	0
Total Units:	768		

CONTACT: **PLANNER NAME:** **Giulio Cescato, Planner**
TELEPHONE: **(416) 392-0459**
EMAIL: **gcescat@toronto.ca**

Attachment 8: Draft Zoning By-law

Authority: Toronto and East York Community Council Item ~ as adopted by City of
Toronto Council on ~, 201~

Enacted by Council: ~, 201~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-201~

To amend the General Zoning By-law No. 438-86, as amended of the former City of Toronto with respect to the lands municipally known as 200 Dundas Street East, 241-251 Jarvis Street and 280 George Street

WHEREAS authority is given to Council by Section 34 of 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*; and

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

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 an increase in height and density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters; and

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

WHEREAS the increases in the density or height permitted hereunder, beyond those otherwise permitted in the aforesaid lands by By-law 438-86 of the City of Toronto, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and are to be secured by one or more agreements between the owner of such lands and the City of Toronto (the “City”); and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in this By-law;

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 and in return for the provision by the *owner* of the *lot* of the facilities, services and matters, to the City at the *owner's* sole expense and in accordance with and subject to the agreement referred to in Appendix "1" 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 and 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. Except as otherwise provided herein, the provisions of By-law 438-86, as amended, shall continue to apply to the *lot*.
4. None of the provisions of Section 2(1) with respect to the definition of *grade* and *height* and Sections 4(2)(a), 4(5)(b), 4(8), 4(10), 4(12), 4(16), 8(3) Part I 1. and 3., 8(3) Part II 1.(a)(ii) and 8(3) Part II 2.(a) of By-law No. 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 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 a *mixed-use building*, including *accessory* uses thereto on the *lot* provided that:
 - (a) the *lot* on which the building is to be located comprises at least those lands delineated by a heavy line on Map 1, attached to and forming part of this By-law;
 - (b) the total aggregate *residential gross floor area* and *non-residential gross floor area* shall not exceed 57,250 square metres;
 - (c) the *residential gross floor area* shall not exceed 54,250 square metres;
 - (d) the *non-residential gross floor area* shall not exceed 2,800 square metres;
 - (e) the *height* of any building or structure, or portion thereof, including mechanical and elevator/stair overrun, shall not exceed those heights as indicated by the numbers following the symbol H on the attached Map 2, with the exception of the following:
 - (i) parapets, terrace or balcony guards and dividers, planters and railings extending to a maximum vertical projection of 2.0 metres above the *height* limits shown on Map 2; and,

- (ii) window washing equipment, landscape elements, lighting fixtures, vents, flues, pipes, access roof hatch, and structures located on the roof used for outside or open air recreation, safety or wind protection purposes may project above the *height* limits shown on Map 2;
 - (f) no portion of any building or structure erected and used above *grade* is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2 attached to and forming part of this By-law, subject to the following:
 - (i) cornices, eaves, guardrails, lighting fixtures and vents may extend beyond the heavy lines shown on Map 2; and,
 - (ii) awnings, and canopies may extend beyond the heavy lines shown on Map 2 to a maximum of 2.0 metres beyond the wall to which they are attached;
5. Provide a minimum number of resident parking spaces on the site to serve this development in accordance with the following minimum ratios:

Studio Units	0.30 spaces per unit
1-bedroom Units	0.50 spaces per unit
2-bedroom Units	0.75 space per unit
3+ bedroom Units	1.20 spaces per unit
Residential Visitor Parking	0.10 spaces per unit

Provided further that:

A reduction of four resident parking spaces will be permitted for each car-share parking space provided on the lot and that the maximum reduction permitted by this means be capped by the application of the following formula:

$4 \times (\text{Total No. of Units} \div 60)$, rounded down to the nearest whole number.

6. A minimum of 786 *bicycle parking spaces* shall be provided on the lot as follows:
- a. 632 resident *bicycle parking spaces*; and
 - b. 153 shared visitor and retail *bicycle parking spaces*.
7. Residential *dwelling units* shall be provided as follows:
- A minimum of 10% *three-bedroom units*.

8. *Residential amenity space* shall be provided on the *lot* as follows:
 - a. a minimum of 2 square metres of indoor *residential amenity space* per unit, and
 - b. a minimum of 1,560 square metres of outdoor *residential amenity space*.
9. A minimum of one *loading space – type “B”* shall be provided on the *lot*.
10. A minimum of two *loading space – type “C”* shall be provided on the *lot*.
11. A minimum of one *loading space – type “G”* shall be provided on the *lot*.
12. The minimum ground floor height shall be 6.5 metres.
13. Continuous pedestrian level weather protection shall be provided to a minimum depth of 3 metres along Jarvis Street, Dundas Street East and George Street.
14. Notwithstanding the provisions outlined on Map 2, the ground floor shall be setback as follows for a height of 6.5 metres:
 - a. 2 metres from Jarvis Street;
 - b. 3 metres from Dundas Street East; and
 - c. 3 metres from George Street.
15. For the purpose of this By-law:
 - a. “*car-share parking space*” means an unimpeded area that is readily accessible at all times for the parking and removal of a motor vehicle that is owned by a profit or non-profit car-sharing organization and where such organization may require that the use of cars be reserved in advance, charge fees based on time and/or kilometers driven, and set membership requirements;
 - b. “*grade*” shall mean 90.00 metres Canadian Geodetic Datum;
 - c. “*height*” shall mean the vertical distance between *grade* and the highest point of the roof, excluding permitted projections identified in section 4(e) of this By-law; and
 - d. each other word or expression that is italicized shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended.

16. Despite any existing or future severance, partition or division of the lot, the provisions of this by-law shall apply to the whole lot as if no severance, partition or division occurred.

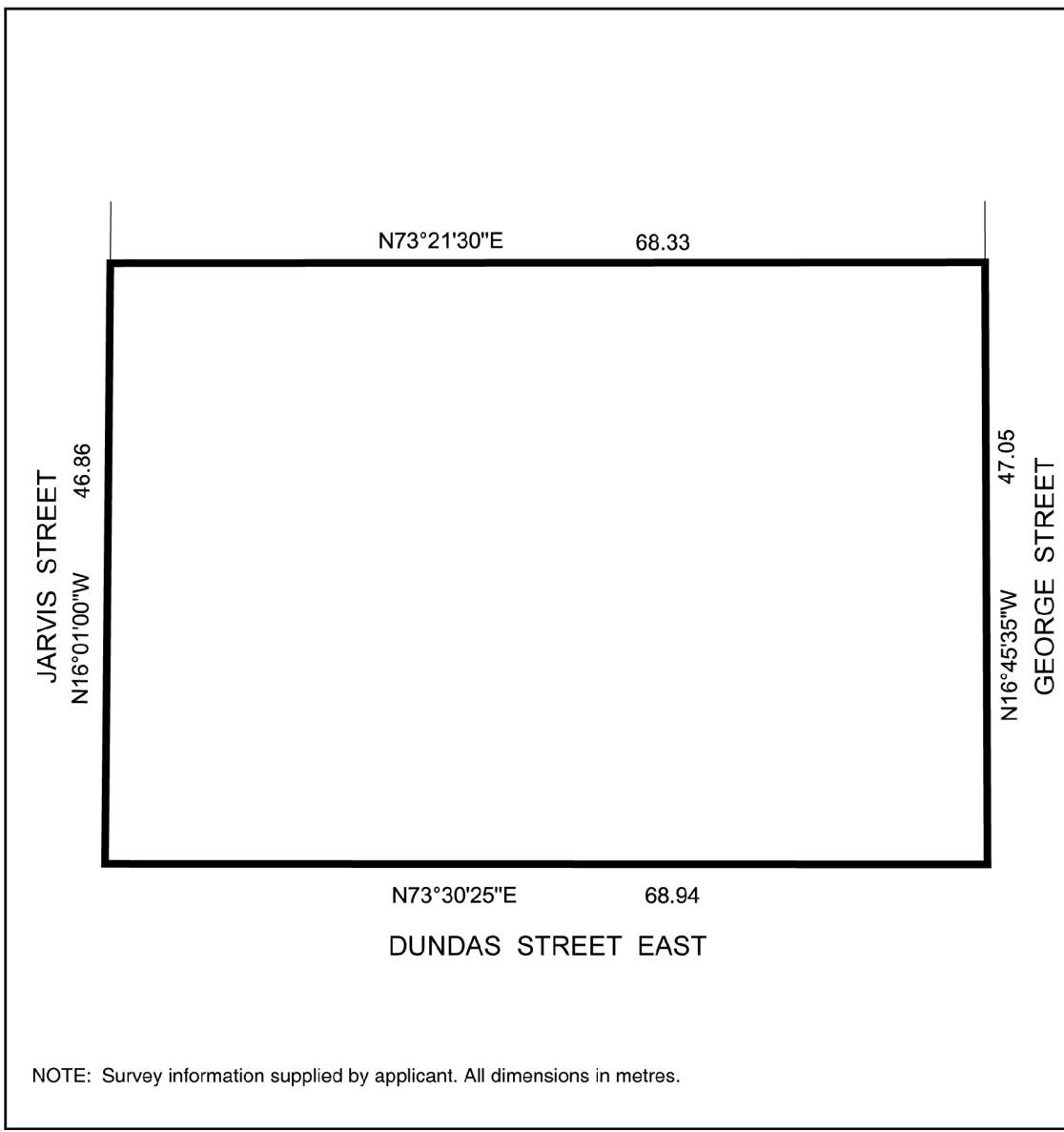
ENACTED AND PASSED this ~ day of ~, A.D. 201~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Map 1

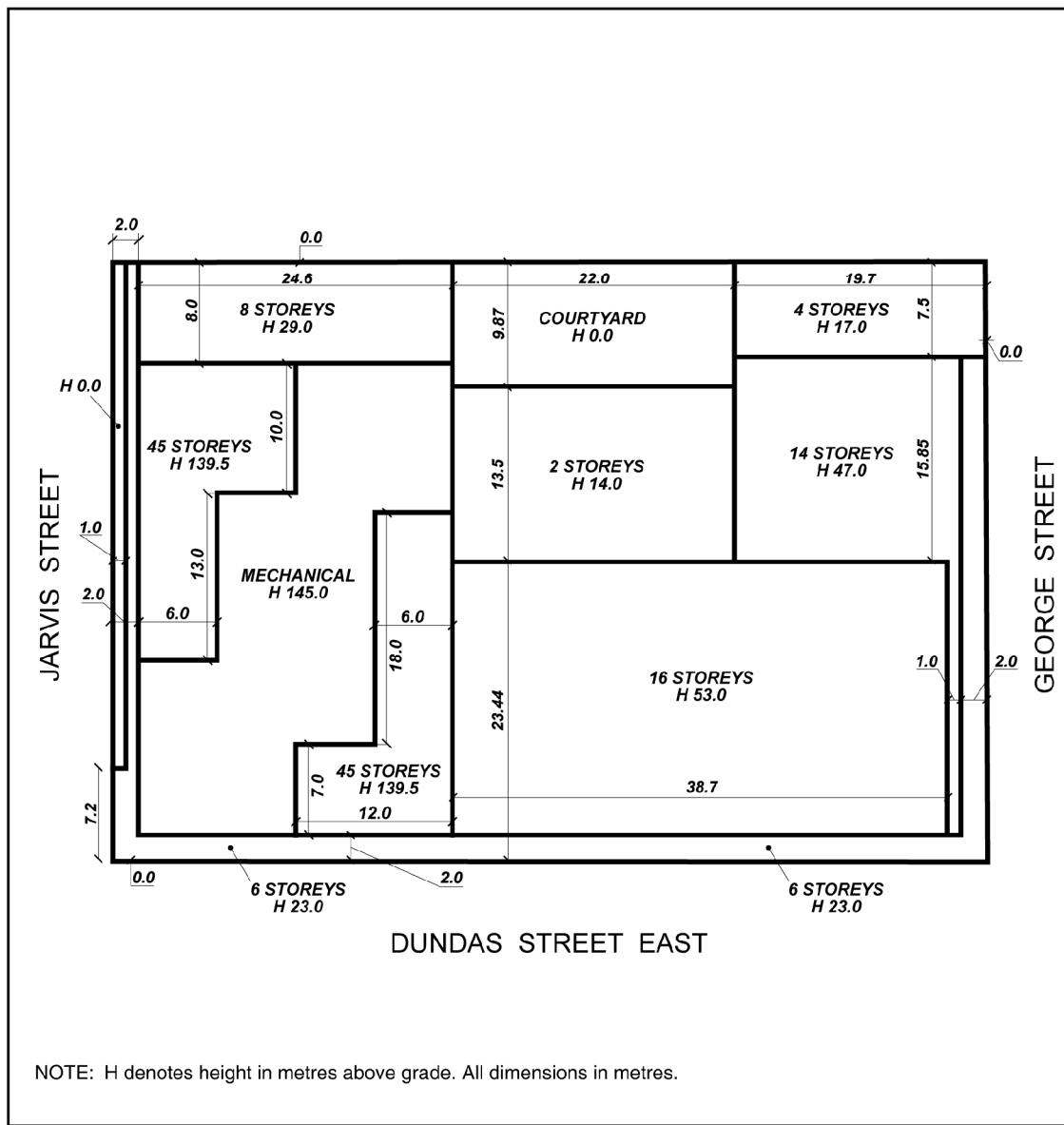


 **TORONTO**
City Planning
Map 1

**200 Dundas Street East, 241-251 Jarvis Street
and 280m George Street**
File # 11 295873 02

↗
Not to Scale
06/03/2013

Map 2



**200 Dundas Street East, 241-251 Jarvis Street
and 280m George Street**

File # 11 295873 OZ



Not to Scale
06/03/2013

Appendix 1: Council Authorities to Implement Matters Pursuant to the Section 37 Agreement

1. City Council authorize and direct the City Solicitor to enter into a Section 37 agreement to implement the matters discussed in the report from the Director, Community Planning, Toronto and East York District (dated May 30, 2013) headed "200 Dundas Street East, 241-251 Jarvis Street and 280 George Street - Zoning Amendment Application – Final Report".

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

1. Require the owner to pay all costs of infrastructure improvements associated with their development including such improvements to utilities and transportation infrastructure as may be required.
2. The owner is required to obtain approval from Transportation Services for the road improvements required to accommodate projected site traffic levels.
3. The size of the residential waste room for the Tower shall be at least 113 square metres and the size of the residential garbage room for the base shall be at least 139 square metres.
4. A type G loading space shall be provided, which has minimum dimensions of 13m long x 4m wide with an unencumbered vertical clearance of 6.1m for the entire loading area.
5. A concrete staging pad abutting the front of the Type G loading space shall be provided with a minimum size of 75 square metres.
6. All access driveways must have a minimum overhead travelling clearance of 4.4 metres including any overhead doors.
7. A collection vehicle's minimum turning radius of 9.5 metres inside and 14 metres outside must be observed entering, exiting and travelling throughout the site. The access route and loading platform must be designed in such a way as to allow the collection vehicle to enter the site, collect the waste materials and exit in a forward motion without the need to backup onto a public road.