

186 and 188 Jarvis Street Zoning Amendment Application – Final Report

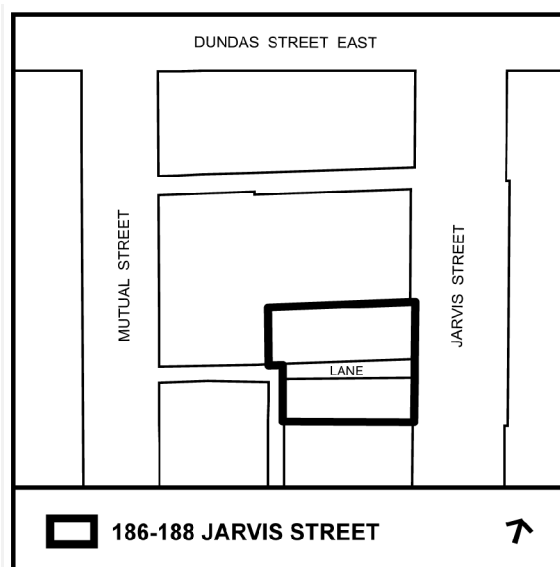
Date:	July 14, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	12 245456 STE 27 OZ

SUMMARY

This report recommends approval of a private 30-storey student residence for the benefit of Ryerson University. The project is proposed to contain 191 units (593 beds) with commercial uses on the ground floor on lands municipally known as 186 to 188 Jarvis Street, and a City-owned laneway. The City-owned laneway will need to be deemed surplus and purchased by the applicant prior to the issuance of any building permit.

Contributions under Section 37 of the *Planning Act* will be secured including cash contributions for: capital improvements towards Toronto Community Housing properties; local City-owned laneways, parklands, and streetscape improvements; construction of affordable housing; and community/cultural/recreational space improvements in the local area.

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 186 and 188 Jarvis Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to report (July 14, 2014) 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* as follows:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as identified below, and indexed upwardly in accordance with the Statistics Canada Non-residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made:
 - i. Prior to the issuance of the first above-grade building permit, a cash contribution of \$145,200 toward capital improvements for properties owned by Toronto Community Housing Corporation, to the satisfaction of the Chief Executive Officer, Toronto Community Housing Corporation, in consultation with the Ward Councillor;
 - ii. Prior to the issuance of the first above-grade building permit, a cash contribution of \$250,000 toward offsite local City-owned laneway improvements to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor;
 - iii. Prior to the issuance of the first above-grade building permit, a cash contribution of \$250,000 for local parklands and streetscape improvements to the satisfaction the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor; and
 - iv. Prior to the issuance of the first above-grade building permit, a cash contribution of \$806,800 toward the City's Capital Revolving Fund for Affordable Housing for the purpose of constructing new affordable rental housing units in Ward 27, and/or toward

community/cultural/recreational space improvements in the local area to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.

- b. In the event the cash contributions referred to in Recommendation 3 a. i., ii., iii., and iv. above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
- c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. Prior to the issuance of any building permit for the site, including shoring and excavation, the owner shall have obtained title to the lands shown on Attachment 5, Map 1 as “Lane to be Purchased by Applicant”;
 - ii. Prior to the issuance of any building permit for the site, including shoring and excavation, the owner shall have conveyed at no cost to the City a stratified overland flow stormwater easement, satisfactory to the Executive Director of Engineering and Construction Services in consultation with the City Solicitor, such easement to be in the location shown as "Proposed Easement Below" on Attachment 1, to be in compliance with the accepted design drawings in paragraph (iii) below and to include terms whereby the owner shall be responsible for maintenance of the overland flow corridor and shall insure and indemnify the City;
 - iii. Prior to the issuance of any building permit for the site, including shoring and excavation, the owner shall have submitted detailed design drawings showing the overland flow route corridor and patterns from the public east-west laneway to the overland flow route corridor to the satisfaction of the City’s Executive Director of Engineering and Construction; and
 - iv. Submission of a Construction Management Plan to the satisfaction of the Executive Director of Engineering and Construction prior to the issuance of any building permits for the site, including shoring and excavation.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On March 2, 1993, the former City of Toronto enacted site specific Zoning By-law 192-93 for the properties at 186 and 188 Jarvis Street. It permits the construction of a 45 metre (approximately 14-storeys) social housing apartment building, with no setbacks from the northern and southern property lines, and a slight stepback from the tower height at 41 metres to 45 metres.

On November 6, 2012, the Toronto and East York Community Council considered the Preliminary Report for the current rezoning proposal at 186-188 Jarvis Street. Direction was given to City staff to hold a community meeting. The Preliminary Report can be accessed at: <http://www.toronto.ca/legdocs/mmis/2012/te/bgrd/backgroundfile-51230.pdf>

ISSUE BACKGROUND

Original Proposal

The original application proposed a 27-storey student residence building, and a 2-storey base containing student residences, amenity space and street-related retail uses. The base building was to be constructed from the northern property line to the southern property line. The tower element was to rise from the approximate centre of the base building. It had a 10.5 metre separation distance from the north building face to the extent of the balconies at 192 Jarvis Street and a 6.5 metres separation distance from the south building face to the blank wall at 178 Jarvis Street. The tower was approximately rectangular in shape with a maximum height of 88.75 metres including the mechanical penthouse. The massing of the tower extended to the western limit of the property line. The proposed floor plate of the tower was 663 square metres.

Pedestrian access was proposed off of Jarvis Street, with secondary access off of the public laneway at the rear of the site. The building had a stepback of 1 metre from Jarvis Street which tapered to zero as it moves south. This condition created a sidewalk width of 4.5 metres or greater, and would have created an inconsistent pedestrian walkway width along Jarvis Street as the neighbouring buildings to the north and south provides a sidewalk width of 7 to 7.7 metres.

A ramp for the underground garage was located along the southern property line with access proposed from the laneway to the west. 16 vehicular parking spaces within a underground level was proposed. The City-owned laneway that bisects the site was declared surplus as part of the previous rezoning, but was never purchased for private use.

Revised Proposal No. 1

On November 14, 2013, City Planning received a revised application that addressed comments from various City divisions and the community consultation process. The revised proposal contemplated a 30-storey (97.6 metres including the mechanical penthouse) building with a 2-storey base, as opposed to a 27-storey building.

Beside the height increase, noted improvements to the built form involved the removal of the tower massing at the northwest corner of the site, whereas the original proposal had the massing to the limits of the western property line. Massing on the ground floor was also reduced along the Jarvis Street frontage, where the building face aligned with the building faces to the north and south on the ground floor. A cantilevered massing from the 2nd storey extending to the property line along Jarvis Street remained, with 5 load bearing columns to the ground floor.

The number of vehicular parking spaces has increased from 16 to 32, contained within a 2-level underground garage, and on the ground floor.

Current Proposal

On May 12, 2014, a revised application was submitted to provide for an open stormwater overland flow route corridor of 4.1 metres in width on the southern portion of the site, after ongoing discussions with City staff to mitigate stormwater impacts. The corridor allows the passage of stormwater to flow from the west to storm drains along Jarvis Street during major storm events. The massing of the 2-storey base building is now setback 4.1 metres from the south property line in order to accommodate the corridor. A cantilevered massing from the 2nd storey above the ground floor that extends to the south property line is proposed. (Please refer to Attachment 2a-d: Elevations).

In addition, an increase in 10 bicycle parking spaces is provided.

The pertinent details of the original site specific Zoning By-law, and the three iterations of the subject application are identified in the following table:

	Zoning By-law no. 192-93 Passed March 22, 1993	Original Proposal Dated September 12, 2012	Revised Proposal No. 1 Dated November 14, 2013	Current Proposal Dated May 12, 2014
Site Area	1,272.5 sq.m.	1,272.5 sq.m.	1,272.5 sq.m.	1,272.5 sq.m.
Gross Floor Area (GFA)	7,568 sq.m.	17,781.7 sq.m.	17,999.7 sq.m.	17,918.2 sq.m.
Tower Floor Plate	Approx. 660 sq.m.	663 sq.m.	Approx. 621 sq.m.	Approx. 621 sq.m.
Floor Space Index	5.95	13.97	14.15	14.15
Tower Height	45 m.	88.75 m.	97.6 m.	97.6 m.
Tower Stepbacks - North Property Line - South Property Line - West Property Line	0 m. 0 m. 20 m.	6.9 m. 6.5 m. 0 m.	6.9 m. 6.5 m. 8.1 m.	6.9 m. 6.5 m. 8.1 m.
Number of Units - 1 bedroom - 2 bedroom - 4 bedroom - Total	 102*	17 77 103 197 (583 beds)	19 57 115 191 (593 beds)	19 57 115 191 (593 beds)
No. of Vehicular Parking Spaces	160**	16	32	31
No. of Bicycle Parking Spaces	n/a	165	164	174

* For the purposes of social housing dwelling units as per By-law

** Based on Section 4(3)(a) of By-law 438-86

Site and Surrounding Area

The subject site is generally rectangular in shape, with an area of approximately 1,273 square metres. The site is bisected by the City-owned laneway, and is currently used as a surface level parking lot.

The surrounding uses are as follows:

North: 192 Jarvis Street - a 14-storey condominium tower. Further north is 155 Dundas Street East - the approved 43-storey condominium tower ("PACE Condominium") currently under construction. North of Dundas Street East, along Jarvis Street is 202 Jarvis Street - a vacant parking lot owned by the Province of Ontario, and 222 Jarvis Street – a 10-storey Provincial office building.

East: Jarvis Street. Across Jarvis Street is 225 Jarvis Street – the 14-storey Grand Hotel. Further east are low-rise residential buildings and Ecole Gabrielle Roy fronting on George Street and Pembroke Street.

South: 178 Jarvis Street – the 11-storey Hazelburn Co-operative building; 170 Jarvis street – a 2-storey building occupied by the Good Neighbours Club; and 90 Shuter Street – the 10-storey residential building containing administrative offices owned by Homes First. Across Shuter Street, is 160 Jarvis Street – the Salvation Army Harbour Light Centre.

West: A City-owned laneway that runs north-south; 77 Mutual Street – a 2-storey apartment building with surface parking; and a commercial parking lot to the north. Across Mutual Street is Arena Gardens Park.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and healthy communities. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan places the site within the *Downtown and Central Waterfront* on Map 2 – Urban Structure. Section 2.2.1 indicates that the *Downtown* is where most of the growth in the City of Toronto is expected to occur. Policy 1 indicates the *Downtown* will continue to evolve as the premier employment area of the City and provide a range of housing for those working in the area. Policy 11 indicates a program of improvements will be implemented to enhance the pedestrian environment and efforts made to improve the safety of walking and cycling in *Downtown*.

The site is designated *Mixed Use Areas* on Map 18 – Land Use Plan. Section 4.5 indicates *Mixed Use Areas* are intended to provide a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings. Policy 2 provides development criteria for *Mixed Use Areas*, which directs that development shall: locate and mass new buildings to provide a transition between areas of different development intensity and scale; locate and mass buildings to frame the edges of streets with good proportion, maintaining sunlight and comfortable wind conditions for pedestrians on adjacent streets; provide good access and circulation for vehicular activity; and provide indoor and outdoor recreation space for residents.

Development in *Mixed Use Areas* should also: provide new jobs and homes on underutilized lands; provide access to schools, parks and community centres; and take advantage of nearby transit services.

Section 3.1.2 – "Built Form" directs new development to fit within the existing and/or planned context of the neighbourhood. Policy 3 requires new development to be massed to fit harmoniously into its existing and/or planned context by creating appropriate transitions in scale to neighbouring buildings, providing for adequate light and privacy, and framing adjacent streets and open spaces in a way that respects the street proportion.

Section 3.1.3 – "Built Form – Tall Buildings" provides policy direction for tall buildings, which come with larger civic responsibilities than buildings of a smaller scale. Policy 2 requires tall building proposals to address key urban design considerations that include: demonstrating how the proposed building and site design will contribute to and reinforce the overall City structure; taking into account the relationship of the site to topography and other tall buildings; and providing high quality comfortable and usable publicly accessible open space areas.

Section 3.1.1 – "Public Realm" provides policy direction on creating great streets and public spaces. Policy 5 recognizes the City streets as significant public open spaces that provides view corridors, sky view and sunlight. Policy 6 indicates sidewalks shall be designed to provide safe, attractive, interesting and comfortable spaces for pedestrians.

Section 3.4 – "The Natural Environment" provides policy direction on improving the health of the natural and built environment. Policy 1 indicates the natural ecosystems shall be protected and improved by managing the quantity and quality of stormwater flows. Policy 2 requires new development to include best management practices for stormwater management.

This application was reviewed against all the policies of the Official Plan. The Official Plan is available at:

http://www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf

Zoning

The site is subject to site specific Zoning By-law 192-93. The site specific zoning was passed by the former City of Toronto in 1993 which permits a social housing apartment building of 45 metres in height, with a maximum gross floor area of 7,568 square metres, and a Floor Space Index (FSI) of 6. The building is massed from the northern property line to the southern property line with a height of 41 metres that steps up to the maximum height of 45 metres. (Please refer to Attachment 3: Zoning).

City-wide 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 on the City's website at:

http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/tall-buildings.pdf

The site 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 Guidelines May 2013. This document identifies where tall buildings belong Downtown, and establishes 7 supplementary design guidelines 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.

Jarvis Street is identified as a *High Street* on Map 1, with a height range of 15 to 25 storeys on Map 2, and within a *Tower – Base Form* typology on Map 3. The Downtown Vision and Supplementary Design Guidelines are available on the City's website at: http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/DowntownTallBuildingVisionGuidelines.pdf

Reasons for the Application

The applicant requires an amendment to the Zoning By-law to permit the proposed built form and uses. The applicant is seeking a height of 92.6 metres, with an additional 5 metres for the mechanical penthouse, where 45 metres is permitted, and a FSI of 14 where 6 is permitted. The applicant also requires relief from the parking and amenity space provisions of Zoning By-law 436-86.

Community Consultation

Two community consultation meetings were held. The first meeting was on January 22, 2013, at the Metropolitan United Church. Concerns raised on the original proposal include: the massing of the building at the northwest corner blocks southwest views for residents living at 192 Jarvis Street; noise from the rooftop outdoor amenity area situated on the 2nd storey; traffic concerns on the adjacent laneway; the framing of the base building fronting on Jarvis Street; and insufficient number of vehicular parking spaces.

The second meeting was on February 11, 2014, to provide an opportunity for members of the public to review the revised proposal and identify outstanding concerns. Although the increased overall height of the proposal was identified as a concern, the majority of those in attendance acknowledged that the revisions addressed the issues previously raised, and achieved a more desirable building as a whole.

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.

Site Plan Control

An application for Site Plan approval was submitted concurrently with the rezoning application, file no. 12 245474 STE 27 SA, and is currently being reviewed.

COMMENTS

Provincial Policy Statement and Provincial Plans

The 2014 PPS promotes new development through intensification, where such intensification recognizes the development's local context, and has a well-designed built form. Further, the PPS directs planning for stormwater management shall not increase risks to human health and safety. This application provides for a built form that fits within its local context, and will not negatively impact existing stormwater flows. As such, this application is consistent with the PPS 2014.

The Growth Plan for the Greater Golden Horseshoe designates the site within an urban growth centre. The Growth Plan recognizes urban growth centres as areas for development to accommodate intensification, to provide for a range of housing options, and to provide for appropriate transition of built form to adjacent areas. This application provides student accommodation within the urban growth centre within a building mass that achieves an appropriate transition to the adjacent areas. As such, this application does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed private student residence use, and street-related retail uses are consistent with the permissions for the *Mixed Use Areas* designation of the Official Plan.

The use of the dwelling units for students enrolled in Ryerson University is secured through the draft Zoning By-law Amendment. Flexibility to permit the use of the dwelling units for students in other universities or colleges is also stipulated in the draft Zoning By-law Amendment (refer to Attachment 5: Draft Zoning By-law Amendment).

Density, Height, Massing

The proposed building's GFA of 17,918.2 square metres is more than double the GFA permission of 7,567 square metres in Zoning By-law 192-93. City staff is of the opinion

the increase in density is acceptable in this instance as the overall built form achieved provides for better skyviews, and access to sunlight within the surrounding public realm compared to the as-of-right by-law. Also, the proposed GFA for street-related retail uses fronting on Jarvis Street will further animate Jarvis Street, fulfilling the Official Plan's policy direction to have ground floor uses that have direct access to streets. The street-related retail use meets the intent of section 3.1.2 of the Tall Building Guidelines in providing over 60% of active commercial/retail uses along the building's frontage on Jarvis Street.

The proposed 30-storey building of 92.6 metres (97.6 metres including the mechanical penthouse) is approximately twice the height permission of 45 metres in Zoning By-law 192-93. City staff finds the height of the tower on this mid-block site to be acceptable in this instance, and conforms to the development criteria for *Mixed Use Areas* in locating and massing the built form to provide a transition between areas of different intensity and scale. This proposal is south of the approved 43-storey (146.2 metres) condominium development at 155 Dundas Street East, which provides a gradual height transition to the south along Jarvis Street. Further, the site is situated on a 'High Street' in the Downtown Vision and Supplementary Design Guidelines, which recommends a height range of 15 to 25 storeys (or 47 to 77 metres). Although the 30-storey building exceeds the recommended height of the Downtown Guidelines, City staff finds this proposal acceptable as it maintains the existing and planned built form context on this section of Jarvis Street.

The tower portion of the building provides for a separation distance of 6.5 metres from the proposal's south facing wall to the north facing wall of the Hazelburn Co-op building at 178 Jarvis Street, and a separation distance of 10.5 metres from the proposal's north facing wall to the extent of the balconies of the residential condominium at 192 Jarvis Street. The as-of-right By-law had no setback provisions. City staff finds this proposal acceptable as it provides for a better condition than the as-of-right By-law. This proposal conforms to the development criteria for *Mixed Use Areas* in locating and massing the building in different intensity and scale by providing separation distances between neighbouring tall buildings. Also, the resulting separation distances meet the intent of section 3.2.3 of the Tall Building Guidelines in providing an increased sense of privacy for the residents on the site and neighbouring properties.

The floorplate size of 621 square metres creates a slender tower massing that improves sky view, views between buildings, and sunlight onto the public realm. The proposed floorplate size and location provides a better condition than the one permitted in the as-of-right By-law. The floorplate size meet the intent of section 3.2.1 of the Tall Building Guidelines in limiting the tower floorplate to 750 square metres or smaller.

The revised proposal eliminates the northwest massing of the building previously proposed. This change in massing provides for an increase setback from the west property line of 8.1 metres. City staff finds the elimination of the massing at the northwest portion of the site results in a better building envelope. The increased open

space on this portion of the site provides privacy, skyview and sunlight for the residents at 192 Jarvis Street, and thus conforms to the development criteria in the *Mixed Use Areas*, and meets the intent of section 3.2.3e of the Tall Building Guidelines in maximizing sunlight and skyview for surrounding properties.

Sun, Shadow, Wind

The duration of shadow impacts were identified as concerns throughout the review process. The Shadow Impact Study submitted in support of this application was reviewed by City staff. Although the massing of the proposal does increase net shadowing to the northwest and northeast, it does not place shadows over Arena Gardens Park situated west of the site, between 12:00pm to 2:00pm throughout the year. Staff finds the amount of shadows cast from this development is acceptable. The impact of shadowing is also partially mitigated by the stepbacks and setbacks of the development. This proposal conforms to the development criteria for *Mixed Use Areas* by locating and massing the building to maintain sunlight for pedestrians, and meets the intent of section 1.4 of the Tall Building Guidelines in protecting access to sunlight and skyview within the surrounding context.

The Pedestrian Wind Study and addendum letter submitted in support of the application tested 34 locations within and around the site. The report concluded all test locations fell within acceptable levels for pedestrian wind velocities.

Amenity Area

An indoor amenity space area of 671.25 square metres is proposed, containing a multi-purpose room and administrative office spaces on the 2nd storey, and a student lounge area on alternating floors beginning on the 4th storey. City staff finds the amount and arrangement of indoor amenity space acceptable, as the smaller sized amenity space areas on alternating floors are more conducive to the programming needs of a student residence.

No outdoor amenity space is proposed. Through the community consultation process, concerns were raised on the potential noise generated from occupants in outdoor amenity space. City staff finds the elimination of outdoor amenity space is appropriate in this instance due to the land use nature of this proposal, its proximity to neighbouring residential uses, and amenity facilities provided at Ryerson University.

Streetscape

This proposal provides for a pedestrian sidewalk width of 7 to 7.7 metres on Jarvis Street, where the building wall on street level aligns with the adjoining properties to the north and south. A cantilevered massing from the 2nd storey extending to the property line along Jarvis Street is proposed with 5 load bearing columns to the ground floor, which provides for weather protection for pedestrians. This proposal conforms to the development criteria for *Mixed Use Areas*, and the Public Realm policies of the Official Plan in providing a comfortable and safe pedestrian environment. The width of the sidewalk on Jarvis Street also meets the intent of section 4.2a of the Tall Building Guidelines to provide for a minimum sidewalk zone of 6 metres.

Detailed landscaping requirements along this section of Jarvis Street will be reviewed and secured through the associated Site Plan approval process.

Traffic Impact, Access, Parking

The Traffic Impact Study was submitted in support of this application, and is satisfactory to City staff.

There are no vehicular parking rates for a student resident use under Zoning By-law 436-86. At the request of City staff, the applicant provided a parking demand analysis as part of the Traffic Impact Study which included: parking counts of existing student residences within proximity to the site, projected parking demand for the proposal; and measures to implement the projected parking demand. The 31 vehicular parking spaces proposed for this development is satisfactory to City staff.

Proposed access for site servicing, the underground garage, and passenger drop-off are located at the rear of the site through the City-owned laneway. This configuration conforms to the development criteria of *Mixed Use Areas* and section 2.3a of the Tall Building Guidelines in allocating "back of house" activities at the rear of the building.

City-owned Public Laneway

The site is bisected by an east-west City-owned public laneway that connects Mutual Street to the west and Jarvis Street to the east. The applicant will be required to close and purchase the portion of the east-west laneway that bisects the site, which will be secured as a legal convenience in the Section 37 Agreement.

A north-south City-owned public laneway also abuts the site along the western property line. As part of the associated Site Plan approval, the applicant will be required to provide conveyances of a 1.18 metre wide strip of land abutting the eastern limit of the north-south laneway, and a 0.91 metre wide strip of land abutting the northern limit of the east-west laneway, on those portions not to be purchased by the applicant (refer to Attachment 1: Site Plan).

Sanitary and Water

A Municipal Servicing Report was submitted in support of this application. The report indicated the proposal can be adequately serviced by connections to the existing municipal sanitary sewer and watermain on Jarvis Street. City staff have reviewed the report and is satisfied with its findings.

Stormwater

The site, in conjunction with the City-owned public laneway that bisects the site, serves as part of the overland stormwater flow route for the surrounding lands. A Stormwater Management Report and addendums were submitted in support of this application. The latest revised proposal proposes an overland stormwater flow route be rechanneled via the southern portion of the site through to Jarvis Street during major storm events. This proposal is satisfactory to City staff. Requirements on securing the proposed route for

stormwater, and other engineering requirements on site will be secured as a legal convenience in the Section 37 agreement, and through the associated Site Plan Approval process.

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 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 191 student residential units and 321 square metres of non-residential uses on a site with a net area of 1,272.5 square metres. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.254 hectares or 204% 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 125 square metres.

The applicant would be required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as there is no location for an on-site parkland dedication, and a parkland dedication requirement of 63 square metres would not be of a usable size. 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 all new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the TGS will improve air and water quality, reduce greenhouse gas emissions and enhance the natural environment.

The site specific zoning by-law will secure performance measures for a Tier 1 development including: vehicular parking spaces within underground and ground levels; and secure bicycle parking spaces underground. Other applicable TGS performance measures will be secured through the Site Plan Approval process including: storage and collection areas for recycling and organic waste contained within the building; a recycling room area; glass treatment with appropriate density to attract migratory birds; and providing for a green roof in conformity with the Green Roof By-law.

Section 37

The community benefits recommended to be secured in the Section 37 agreement are as follows:

1. Prior to the issuance of the first above-grade building permit, a cash contribution of \$145,200 toward capital improvements for properties owned by Toronto Community Housing Corporation, to the satisfaction of the Chief Executive Officer, Toronto Community Housing Corporation, in consultation with the Ward Councillor, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment be made.
2. Prior to the issuance of the first above-grade building permit, a cash contribution of \$250,000 toward offsite local public laneway improvements to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment be made.
3. Prior to the issuance of the first above-grade building permit, a cash contribution of \$250,000 for local parklands and streetscape improvements to the satisfaction the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-residential Construction Price Index of Toronto, calculated from the date of the Section 37 Agreement to the date the payment be made.
4. Prior to the issuance of the first above-grade building permit, a cash contribution of \$806,800 toward the City's Capital Revolving Fund for Affordable Housing for the purpose of constructing new affordable rental housing units in Ward 27, and/or towards community/cultural/recreational space improvements within the local area to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment be made.

In the event the cash contributions referred to above has not been used for the intended purpose within 3 years of the site specific By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

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

1. Prior to the issuance of any building permit for the site, including shoring and excavation, the owner shall have obtained title to the land shown on Attachment 5, Map 5 as "Lane to be Purchased";
2. Prior to the issuance of any building permit for the site, including shoring and excavation, the owner shall have conveyed at no cost to the City a stratified overland flow stormwater easement, satisfactory to the Executive Director of Engineering and Construction Services in consultation with the City Solicitor, such easement to be in the location shown as "Proposed Easement Below" on Attachment 1, and be in compliance with the accepted drawings in paragraph (iii) below and to include terms whereby the owner shall be responsible for maintenance of the overland flow corridor and shall insure and indemnify the City;
3. Prior to the issuance of any building permit for the site, including shoring and excavation, the owner shall have submitted detailed design drawings showing the overland flow stormwater route and patterns from the public east-west laneway to the overland flow stormwater easement to the satisfaction of the City's Executive Director of Engineering and Construction; and
4. Submission of a Construction Management Plan to the satisfaction of the Executive Director of Engineering and Construction prior to the issuance of any building permits for the site, including shoring and excavation.

Tenure

This privately owned building is proposed to be tenanted to students attending Ryerson University, or any other university or college in the future should arrangements between the owner and the post-secondary institution be made.

Conclusion

Staff have analysed the proposal in the context of the policies of the Official Plan, the city-wide Tall Building Guidelines, the Downtown Tall Buildings Vision and Supplementary Design Guidelines, and Site Specific Zoning By-law 192-93. The revised proposal results in a slender tower with a floor plate of approximately 663 square metres that achieves the policy objectives of the Official Plan and urban design guidelines in ensuring a built form that provides for: privacy of residents within the area; adequate sunlight and sky view for residents and pedestrians; and minimal net shadows in the surrounding area. These objectives are better achieved through this proposal than the as-of-right building envelope permitted under the Zoning By-law 192-93.

Further, the application also provides Section 37 community towards capital improvements for: Toronto Community Housing properties; local City-owned laneways, parklands, and streetscape improvements; construction of affordable housing; and community/recreational/cultural space improvements in the local area.

CONTACT

Henry Tang, Planner
Tel. No. 416-392-7572
Fax No. 416-392-1330
E-mail: htang2@toronto.ca

SIGNATURE

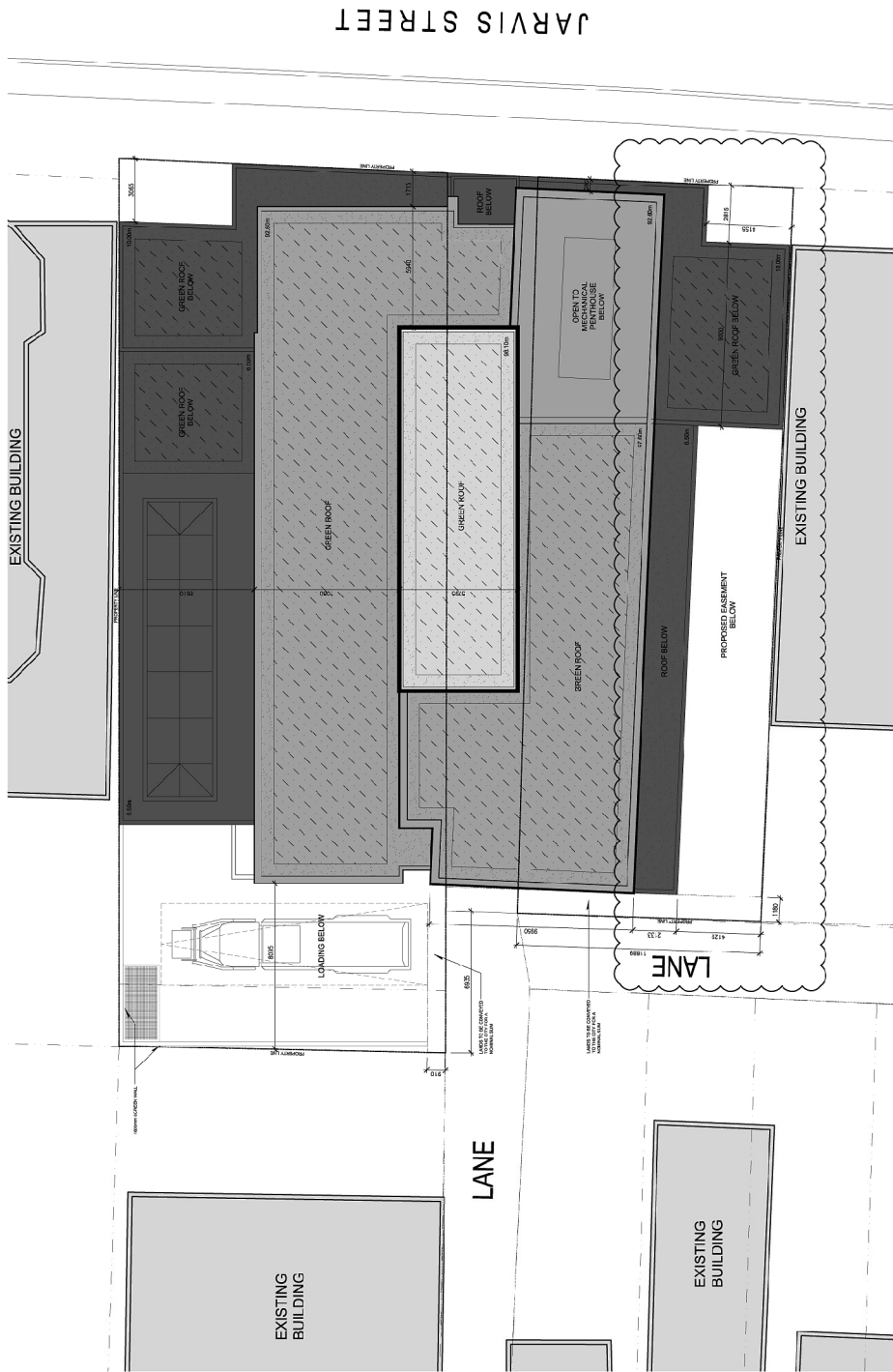
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2a-d: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet
Attachment 5: Draft Zoning By-law Amendment

Attachment 1: Site Plan



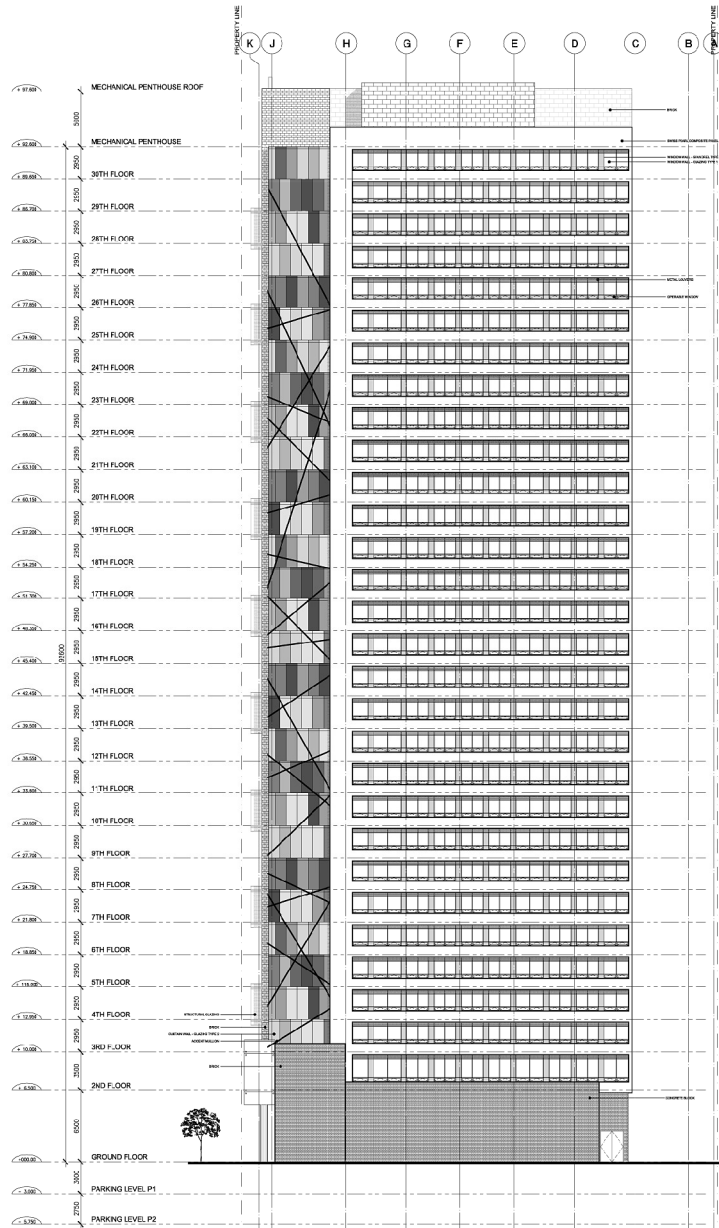
186-188 Jarvis Street

Site Plan
Applicant's Submitted Drawing

File # 12 245456 STE 27 0Z

Not to Scale
07/07/2014

Attachment 2a: North Elevation



North Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
07/07/2014

186-188 Jarvis Street

File # 12 245456 STE 27 0Z

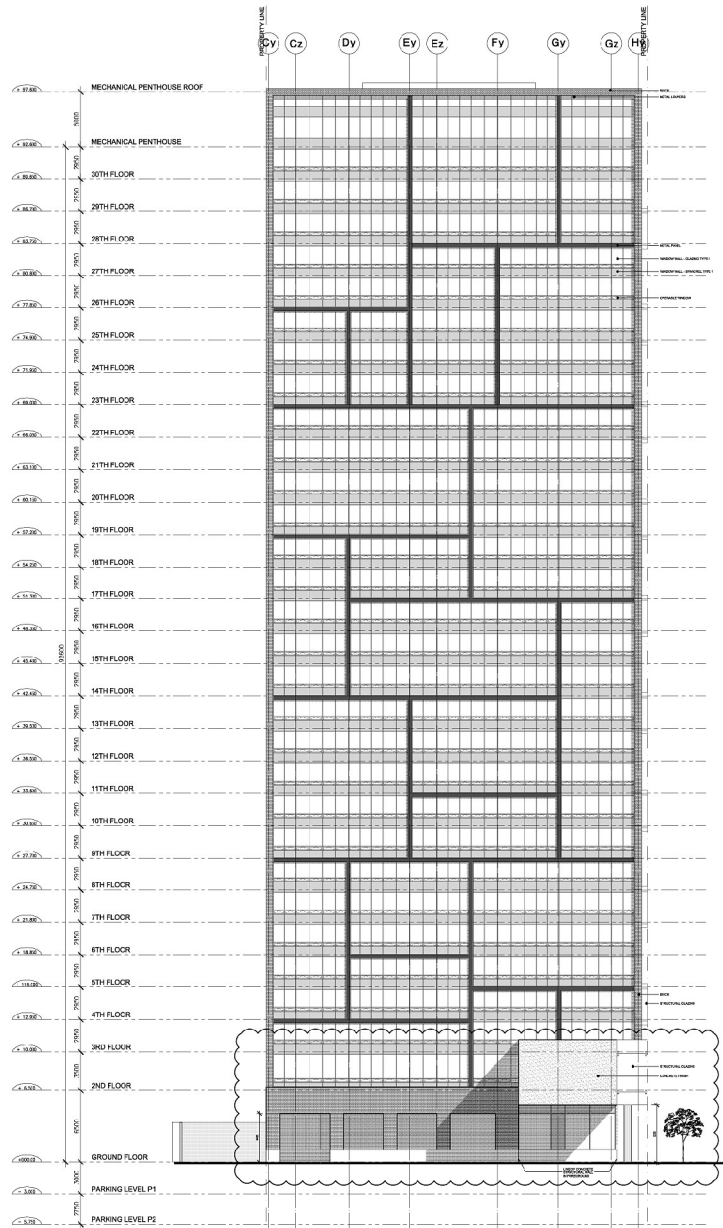
Elevations

Not to Scale
07/07/2014

186-188 Jarvis Street

File # 12 245456 STE 27 0Z

Attachment 2c: South Elevation



South Elevation

Elevations

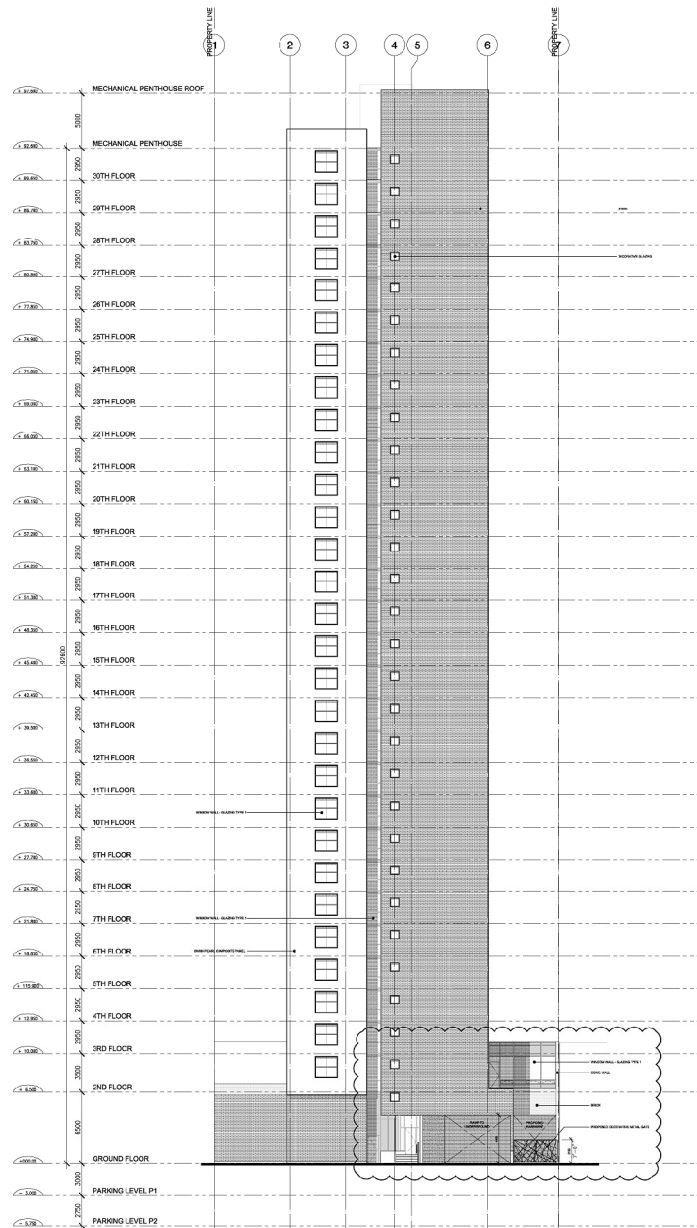
Applicant's Submitted Drawing

Not to Scale
07/07/2014

186-188 Jarvis Street

File # 12 245456 STE 27 0Z

Attachment 2d: West Elevation



West Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
07/07/2014

186-188 Jarvis Street

File # 12 245456 STE 27 02

[illegible]

File # 12 245456 0Z

Not to Scale
Zoning By-law 438-86 (as amended)
Extracted 10/11/2012

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	12 245456 STE 27 OZ
Details	Rezoning, Standard	Application Date:	September 12, 2012
Municipal Address:	186 and 188 JARVIS STREET		
Location Description:	PLAN 10A PT LOT 22 **GRID S2714		
Project Description:	Revised rezoning application for construction of a 30-storey private student residence in partnership with Ryerson University. The proposal contains 191 student units (593 beds), 31 parking spaces, and 174 bicycle parking spaces. Please also see 12 245474 STE 27 SA for site plan approval application.		

Applicant:	Agent:	Architect:	Owner:
Bousfields Inc. 3 Church St. Ste. 200 Toronto, ON M5E 1M2		Young+Wright/IBI Group 230 Richmond St. W., 5 th Fl. Toronto ON, M5V 1V6	1418297 Ontario Ltd.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	By-law 192-93
Zoning:	CR T4.0 C2.0 R4.0	Historical Status:	No
Height Limit (m):	45 metres	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1,272.5	Height:	Storeys:	30
Frontage (m):	32.8		Metres:	97.6
Depth (m):	43.4			
Total Ground Floor Area (sq. m):	620.4			Total
Total Residential GFA (sq. m):	18,020.8		Parking Spaces:	31
Total Non-Residential GFA (sq. m):	279.4		Loading Docks	1
Total GFA (sq. m):	18,300.2			
Lot Coverage Ratio (%):	48.8			
Floor Space Index:	14.4			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Other		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	18,020.8	0
Bachelor:	0	Retail GFA (sq. m):	279.4	0
1 Bedroom:	19 (10%)	Office GFA (sq. m):	0	0
2 Bedroom:	57 (30%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	115 (60%)	Institutional/Other GFA (sq. m):	0	0
Total Units:	191 (100%)			

CONTACT:	PLANNER NAME:	Henry Tang, Planner
	TELEPHONE:	(416) 392-7572
	E-MAIL:	htang2@toronto.ca

Attachment 5: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of
Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO Bill No. ~ BY-LAW No. --2014

To amend Zoning By-law No. 1992-93, With respect to the lands municipally known as, 186 and 188 Jarvis Street

WHEREAS authority is given to Council of the City of Toronto by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this by-law;

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

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

WHEREAS pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matter 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 and matters in return for an increase in the height or density of development, a 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 aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

WHEREAS the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by *By-law No. 192-93*, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the lands and the City of Toronto;

THEREFORE, the Council of the City of Toronto HEREBY ENACTS *By-law No 192-93* be further amended by deleting Section 1 and replacing with the following:

1. None of the provisions of Sections 4(2)(a), 4(5), 4(12), 4(13), 4(16), 8(3) Part I 1, 8(3) Part I 3, 8(3) Part II 1, 8(3) Part III 1(a) and 8(3) Part XI 2 of Zoning By-law

No. 438-86, as amended, 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 and use of a *university residence* and non-residential uses, on the *lot* delineated by heavy lines on the attached Map 1, provided that:

- a) the *lot* comprises the lands delineated by heavy lines on Map 1 attached hereto;
- b) the total combined *non-residential gross floor area* and *residential gross floor area* shall not exceed 18,000 square metres;
- c) the total *residential gross floor area* shall not exceed 17,700 square metres;
- d) the total *non-residential gross floor area* shall not exceed 300 square metres, including a *restaurant* or cafeteria on the ground floor;
- e) a maximum of 191 *dwelling units*, with a maximum of 593 beds are permitted on the lot;
- f) the *university residence* has the same meaning as in By-law 438-86, and in addition, the building must contain only *dwelling units*, and may be owned or operated by a college, and it may be owned or operated by another party on behalf of or for the use/benefit of one or more universities, polytechnical institutes or colleges;
- g) no portion of any building or structure erected on the *lot* and used above *grade* is located otherwise than wholly within the areas delineated by heavy lines on the attached Map 2, except for the following: cornices, eaves, vents, canopies, awnings, skylights, ornamental elements, trellises, lighting fixtures, balconies, fences, landscape elements, retaining walls, ramps to an underground garage, stairways and railings;
- h) no portion of the *building* on the *lot*, shall have a greater *height* in metres than the *height* limit specified by the numbers following the symbol “H”, shown on Map 2, with the exception of the following:
 - (i) parapets, including roof drainage, railings, thermal insulation and roof ballast, partitions dividing outdoor recreation areas, and trellises may have a maximum vertical projection of 2.0 metres;
 - (ii) window washing equipment, landscape elements, lighting fixtures, vents, pipes, access roof hatch, lightning rods and exhaust flues may project above the mechanical penthouse roof level *height* of 99.0 metres;

- i) no portion of the *building* on the *lot*, shall have more than 30 *storeys*;
- j) *residential amenity space* shall be provided on the *lot* as follows:
 - (i) a minimum of 382 square metres of indoor *residential amenity space* shall be provided; and,
 - (ii) No outdoor *residential amenity space* shall be required.
- k) Despite Section 4(5)(b) of Zoning By-law 438-86, the minimum number of *parking spaces* shall be provided and maintained on the *lot*, as follows:
 - (i) 0.16 *parking spaces* for each *dwelling unit*, with minimum of 31 *parking spaces*.
- l) a minimum of 174 *bicycle parking spaces* shall be provided and maintained on the *lot* as horizontal, vertical or stacked bicycle spaces, in accordance with the following:
 - (i) for residents, not less than 168 *bicycle parking spaces – occupant*, and may be provided underground;
 - (ii) for non-residential occupants and all visitors, not less than 6 *bicycle parking spaces - visitor*, and may be provided underground;
 - (iii) if a stacked bicycle parking space is provided, the minimum vertical clearance for each bicycle parking space is 1.2 metres;
 - (iv) an area used to provide stacked bicycle parking spaces must have a minimum vertical clearance of 2.4 metres.

2. For the purpose of this By-law:

- a) *By-law No. 192-93* means By-law No. 192-93 of the former City of Toronto, being a By-law to amend Zoning By-law No. 438-86 of the former City of Toronto, as amended, with respect to the lands known as 186 and 188 Jarvis Street,
- b) *grade* means 88.1 metres Canadian Geodetic Datum;
- c) *height* means the height above *grade* as shown on Map 2;
- d) *owner* means the registered owner of the lot;

- e) each other word or expression that is italicized in this By-law shall have the same meaning as that word or expression as defined in the said By-law No. 438-86, as amended.
3. Notwithstanding 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 had occurred.
 4. Pursuant to Section 37 of the *Planning Act* and subject to compliance with this By-law, the increase in height and density of development on the lot contemplated herein beyond the otherwise permitted in *By-law No. 192-93* is permitted in return for the provision by the *owner*, at the *owner's* expense certain facilities, services and matters set out in Schedule A hereof subject to and in accordance with an agreement pursuant to Section 37(3) of the *Planning Act* that is in a form and registered on title to the *lot*, to the satisfaction of the City Solicitor.
 5. Where Schedule A of this By-law requires the *owner* to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

SCHEDULE A

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the *lot* and in accordance with an agreement under Section 37(3) of the *Planning Act* whereby the *owner* agrees as follows:

- (1) Prior to issuance of an above grade building permit, the *owner* shall provide:
 1. Prior to the issuance of the first above-grade building permit, a cash contribution of \$145,200 toward capital improvements for properties owned by Toronto Community Housing Corporation, to the satisfaction of the Chief Executive Officer, Toronto Community Housing Corporation, in consultation with the Ward Councillor, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment be made.
 2. Prior to the issuance of the first above-grade building permit, a cash contribution of \$250,000 toward offsite local public laneway improvements to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment be made.

3. Prior to the issuance of the first above-grade building permit, a cash contribution of \$250,000 for local parklands and streetscape improvements to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-residential Construction Price Index of Toronto, calculated from the date of the Section 37 Agreement to the date the payment be made.
 4. Prior to the issuance of the first above-grade building permit, a cash contribution of \$806,800 toward the City's Capital Revolving Fund for Affordable Housing for the purpose of constructing new affordable rental housing units in Ward 27, and/or cultural/community/cultural space improvements in the local area to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment be made.
- (2) In the event the cash contributions referred to in Section (1) have not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the Ward Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lot.
- (3) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
5. Prior to the issuance of any building permit for the site, including shoring and excavation, the owner shall have obtained title to the land shown on this By-law, Map 1 as "Lane to be Purchased";
 6. Prior to the issuance of any building permit for the site, including shoring and excavation, the owner shall have conveyed at no cost to the City a stratified overland flow stormwater easement, satisfactory to the Executive Director of Engineering and Construction Services in consultation with the City Solicitor, such easement to be in the location shown as "Proposed Easement Below" on Attachment 1 to report dated July 14, 2014, from the Director, Community Planning, Toronto and East York District, reference no. 12 245456 STE 27 OZ and be in compliance with the accepted drawings in paragraph (iii) below and to include terms whereby the owner shall be responsible for maintenance of the overland flow corridor and shall insure and indemnify the City;
 7. Provision of detailed design drawings showing the overland flow route and patterns from the public east-west laneway to the overland flow route corridor

to the satisfaction of the City's Executive Director of Engineering and Construction prior to the issuance of any building permits for the site;

8. Construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee; and
9. Submission of a Construction Management Plan to the satisfaction of the Executive Director of Engineering and Construction prior to the issuance of any building permits for the site.

ENACTED AND PASSED this day of , A.D. 2014.

FRANCES NUNZIATA,
Speaker
(Corporate Seal)

ULLI S. WATKISS
City Clerk

