



## STAFF REPORT ACTION REQUIRED

### 203 Jarvis Street - Zoning Amendment Application - Preliminary Report

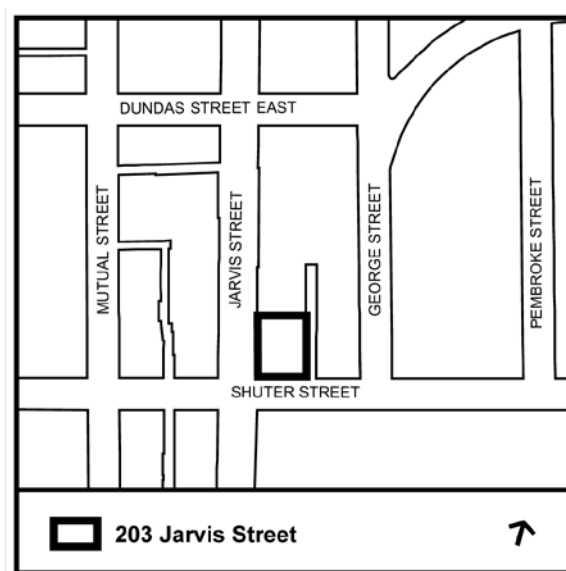
<b>Date:</b>	August 28, 2016
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 27 – Toronto Centre-Rosedale
<b>Reference Number:</b>	16 207248 STE 27 OZ

#### SUMMARY

This application proposes to redevelop the site at 203 Jarvis Street with a 35-storey mixed-use tower. The project is proposed to contain 242 hotel units and 227 dwelling units with a total gross floor area of 24,502 m<sup>2</sup>. The proposed building would have a height of 112.72 metres including the mechanical penthouse. The proposal also includes five levels of underground parking which would be used for vehicles and bicycles.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the applications and on the community consultation process.

It is anticipated that a Community Consultation meeting will be held in the fourth quarter of 2016. Staff anticipate submitting a final report on the application to Community Council in the third quarter of 2017. This target date assumes that the applicant will provide all required information in a timely manner.



## RECOMMENDATIONS

---

### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 203 Jarvis Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

### **DECISION HISTORY**

City Council at its meeting of August 25, 2010 approved a zoning amendment application for this site for a 20-storey hotel. This development did not proceed.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.TE36.17>

### **Pre-Application Consultation**

A pre-application meeting was held with the applicant during which staff itemized application submission requirements and identified initial concerns with the built form, height, shadows and heritage adjacency issues. The proposed height was reduced from an initial proposal of 42-stories to the 35-stories proposed in this application.

### **ISSUE BACKGROUND**

#### **Proposal**

The applicant is proposing a 35-storey mixed-use tower (112.72 m including mechanical penthouse). The project is proposed to contain 242 hotel units and 227 dwelling units with a total gross floor area of 24,502 m<sup>2</sup>. The development would be in a tower form with the hotel on the lower levels and the residential on the upper levels. Hotel uses would be located on floors 2 to 14 and 16; residential uses would be located on floors 17 to 35. Amenity space would be located on floors 15. The ground floor would include a combined residential/hotel lobby, restaurant area and an area for loading and garbage. Vehicular and bicycle parking would be located below grade.

There would be an at-grade on-site vehicle drop-off area at the south-east corner of the lot. The primary pedestrian entrance for the building would be at the south-west corner of the site with secondary entrance/exists fronting Jarvis and Shuter Street. The tower would step back at the second level; at levels 15 and 16 the floors would project beyond the tower face to the north and west. Projecting balconies are also proposed along each face of the tower. The proposed gross floor area would be 24,502 m<sup>2</sup> which equates to a Floor Space Index of 23.5 under Zoning By-law 569-2013.

Other details of the proposal are shown in Table 1 below and in Attachment 4

**Table 1 – Summary of Application**

Category	Proposed
Tower setbacks (Floor 2-14) <ul style="list-style-type: none"> <li>- west property line (Jarvis)</li> <li>- east to adjacent tower at 102 Shuter</li> <li>- north property line</li> <li>- south property line (Shuter)</li> </ul>	3 m 8.5 m 2.3 m 2.1 m
Base (podium) setback at grade <ul style="list-style-type: none"> <li>- west property line (Jarvis)</li> <li>- east property line (laneway)</li> <li>- north property line</li> <li>- south property line (Shuter)</li> </ul>	0.5 m 3 m (existing property line) 0.4 m 0.0 m
Sidewalk/pedestrian realm width <ul style="list-style-type: none"> <li>- west curb (Jarvis)</li> <li>- south curb (Shuter)</li> </ul>	6 m 3 m
Tower floorplate (approximate) <ul style="list-style-type: none"> <li>- Floors 2-14</li> <li>- Floors 17-35</li> </ul>	735 m <sup>2</sup> 735 m <sup>2</sup>
Ground floor height (approximate)	6.5 m
Vehicular parking <ul style="list-style-type: none"> <li>- Resident</li> <li>- Hotel</li> </ul>	58 28
Bicycle parking <ul style="list-style-type: none"> <li>- Long term</li> <li>- Short term</li> </ul>	225 31
Loading spaces <ul style="list-style-type: none"> <li>- Type G</li> </ul>	1
Amenity space <ul style="list-style-type: none"> <li>- Indoor</li> <li>- Outdoor</li> </ul>	546 m <sup>2</sup> 302 m <sup>2</sup>

## Site and Surrounding Area

The site is a square corner lot of 35.86 m by 29.48 m and frontage on Shuter and Jarvis Street. The lot area is 1,045 m<sup>2</sup>. The site is presently used as a commercial parking lot.

The surrounding uses are as follows:

North: 3-storey residential heritage building in a row/townhouse form.

South: 2-storey armoury and Moss Park to the south-east.

West: on the opposite side of Jarvis Street, a 10-storey apartment building.

East: a public laneway and to the east a 14-storey apartment building.

## **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 safety. 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, by the *Planning Act*, to be consistent with the PPS.

Key PPS policies include Policy 4.7 which states that the Official Plan is the most important vehicle for implementation of the PPS. Policy 1.1.3.4 refers to appropriate development standards to facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. Policy 1.1.1 c) refers to avoiding development which may cause public health and safety concerns. Policy 1.1.1 g) refers to ensuring that Public Service Facilities are or would be available to meet current and projected needs and Policy 1.1.3.6 refers to development that allows for the efficient use of Public Service Facilities to meet current and projected needs.

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, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The Official Plan places the site within the Downtown and Central Waterfront urban structure area. The site is designated "*Mixed Use Areas*" on Map 18 – Land Use Plan in the Official Plan. This designation permits a range of residential, commercial and institutional uses. The Plan includes criteria that direct the form and quality of development in this land use designation. The criteria state that new buildings: provide a transition between areas of different intensity and scale, including a stepping down of heights towards lower scale neighbourhoods; minimize shadow impacts; and provide an attractive, safe and comfortable pedestrian environment.

This application will be reviewed against the policies in the Official Plan including those in the "Downtown", "Public Realm", and "Built Form" sections of the Plan. Compliance with other relevant policies of the Official Plan including environment and transportation will also need to be addressed. Other key policies that are applicable to this development include: Policy 4.8.4 which states that buildings will be sited and massed to protect hospital helicopter flight paths; Policy 2.4.12 which states that hotels will make provisions for taxi stands on private property;

and Policy 3.1.5.5 which refers to development adjacent to properties on the Heritage Register will ensure that the integrity of the cultural heritage value and attributes will be retained.

## **Official Plan Amendment 82 – Downtown East Planning Study**

The site is subject to Official Plan Amendment 82 – Downtown East Planning Study which was approved by City Council March 31, 2015 and subsequently appealed to the Ontario Municipal Board. The applicants are one of the appellants and as such have not made an application to amend OPA 82 as OPA 82 is not in full force and effect.

The purpose of OPA 82 is to set the framework for new growth and development in the area while protecting those areas that should continue to remain stable. The site is within the Hazelburn Character Area. Tall buildings are only permitted on specified blocks within the character area, the subject site is not within any of those blocks and hence a tall building is not permitted. Staff have since determined that the omission of this site (which has existing tall building zoning approvals for a 20-storey hotel) was inadvertent. This omission will be dealt with through the OMB appeal process. The general policies of OPA-82 also require: a minimum provision of 10% affordable rental housing or affordable ownership housing; 10% of new units will be three bedroom or larger; no net new shadows will be permitted on the playground of Ecole Gabrielle Roy September 21 to June 21 from 10:00 am to 4:00 pm; and stepback, podium height, floor plate and tower separation distance standards.

## **Heritage**

The site is adjacent to existing heritage buildings. 207-219 Jarvis Street are listed on the Heritage Register, these being the adjacent buildings located to the north. The site is also very close to the L'Ecole Publique Gabrielle Roy which is located to the north east across George Street. The school property is listed on the City's Heritage Register.

The site is also adjacent to a proposed Garden District Heritage Conservation District which to date, has not received Council approval. The boundaries of the district show the Shuter Street frontage being part of the District although the actual property is not part of the District. On October 2, 3 and 4, 2012, City Council directed that the Chief Planner and Executive Director, City Planning initiate the Garden District Heritage Conservation District study. This study is currently in the plan phase.

## **Zoning**

The site is zoned CR T3.5 c2.0 R2.0 under By-law 438-86 and is not zoned under By-law 569-2013. The zoning permits a variety of commercial and residential uses with a maximum density of 3.5 and a maximum building height of 30 metres.

By-law 438-86 also includes a number of Permissive and Restrictive Exceptions and references prevailing By-laws 182-70, 517-76, 197-93 and 1118-2010. Key provisions include: restrictions on parking facilities and commercial garages as well as limits to non-residential gross floor area and retail space.

By-law 197-93 is a site specific By-law which would permit a social housing project with a maximum gross floor area of 9,800 m<sup>2</sup> and a height of 33.7 m. By-law 1118-2010 was approved for a subsequent development proposal for a hotel with a maximum gross floor area of 14,705 m<sup>2</sup> and height of 66.6 m (20-stories).

### **Minister's Zoning Order**

On May 3, 2016, the Minister of Municipal Affairs and Housing issued a Zoning Order – Protection of Public Health and Safety – Toronto Hospital Heliports. The purpose of this Order is to protect health and safety by ensuring the safe operation of air ambulance services provided in relation to St. Michael's Hospital and The Hospital for Sick Children. The Zoning Order identifies an obstacle limitation surface which structures or naturally growing objects shall not penetrate.

The Zoning Order reflects the most recent St. Michael's Hospital helicopter flight path. As previously cited, the Official Plan requires that all new buildings be sited and massed to protect helicopter flight paths. The Provincial Policy Statement also has a number of policies to protect against development which may negatively impact public health and safety as well as the efficient use of public service facilities. The provincial interests relate to the health care system in Ontario and the role of hospitals and emergency air ambulance services, including the hospital flight path for St. Michael's Hospital. In order to comply with the helicopter flight path and the related Official Plan policy, the proposed tower including all temporary and permanent structures such as parapets, antenna, light fixtures and crane activities would have to be below the protected flight path.

### **Site Plan Control**

The subject site and proposed development are subject to Site Plan Control. An application has not yet been submitted.

### **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 they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

### **Downtown Tall Buildings: Vision and Supplementary Design Guidelines**

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 Vision Height Map

shows anticipated maximum heights at this site as 47m to 77m (15 to 25 stories) subject to consistency with the other guidelines. The Downtown Tall Buildings Guidelines are available at <http://www.toronto.ca/planning/tallbuildingstudy.htm#guidelines>

## **TOcore**

On December 9, 2015, City Council adopted a staff report entitled 'TOcore: Planning Toronto's Downtown – Phase 1 – Summary Report and Phase 2 Directions'. The report outlined the deliverables of TOcore which will be a renewed planning framework through a Downtown Secondary Plan and a series of infrastructure strategies. The work for TOcore began on May 13, 2014 when Toronto and East York Community Council adopted a staff report regarding 'TOcore: Planning Toronto's Downtown', along with a related background document entitled 'Trends and Issues in the Intensification of Downtown'.

TOcore is looking at how Toronto's Downtown should grow, with both a renewed planning framework and the necessary physical and social infrastructure to remain a great place to live, work, learn, play and invest. TOcore is in its second phase, which involves drafting policies, plans and strategies. Reports to Toronto and East York Community Council are targeted by the end 2016 on the results of the second phase and the next steps of implementation.

As a component of TOcore's second phase, a Final Report for the City-initiated Official Plan and Zoning By-law amendments to update setback requirements for tall buildings in the *Downtown* is currently before Toronto and East York Community Council. The Official Plan and Zoning By-law amendments seeks to reinforce minimum tall building setback and separation distance requirements to ensure that future growth positively contributes to the liveability, sustainability and health of *Downtown*.

The TOcore website is [www.toronto.ca/tocore](http://www.toronto.ca/tocore).

## **Reasons for the Application**

The proposal requires an amendment to the Zoning By-law for an increase in density and height. Additional areas of non-compliance may be identified through the circulation and review process.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale (includes Community Services and Facilities Study)
- Stage 1 Archaeological Resource Assessment
- Site Servicing and Stormwater Management Report

- Transportation Review
- Qualitative Pedestrian Level Wind Assessment
- Shadow Studies
- Phase 1 Environmental Report
- Heritage Impact Statement
- Preliminary Geotechnical Investigation
- Draft Zoning By-law Amendments (438-86)
- Toronto Green Standard Checklist
- Tree Inventory and Preservation Plan Report

A Notification of Incomplete Application was issued September 6, 2016 this notice identified the following documents as missing from the application:

- Building Mass Model
- Draft Zoning By-law Amendment (569-2013)
- Noise Impact Study

### **Issues to be Resolved**

The site was approved for a 20-storey hotel in 2010. The proposed development subject to this application is very similar to the previous plans with the exception of adding additional height predominantly for residential uses. The extra height requested will be reviewed in the context of the overall development. Subsequent to the earlier approval, heritage policies have been revised (Official Plan Amendment 199) and the downtown East Planning Study (OPA 82) has been approved by City Council. The following issues have been identified for review through the application review process:

- Consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe particularly as it relates to providing managing and directing land use to achieve efficient and resilient development and land use patterns;
- Conformity with Official Plan policies particularly with respect to built form, setbacks and shadowing and transition to adjacent *Neighbourhoods, Parks and Other Open Space Areas*;



- Conformity to the Downtown East Area Specific Official Plan Policy (OPA 82), as outlined previously in this report, including but not limited to, the additional shadowing over and above existing permissions on L'Ecole Publique Gabrielle-Roy;
- Conformity with draft Official Plan Amendment 352 which among other things provides additional policy related to tower separation distances and clarification that not all sites have the potential to be re-developed as tower sites;
- Confirmation that the proposed development conforms with Official Plan Policy 2.4.12 which refers to hotels providing taxi stands;
- Confirmation that building heights do not interfere with the St. Mikes Hospital helicopter flight paths and that they conform to the Minister's Zoning Order, PPS, and Official Plan policy 4.8.4;
- Conformity with the Tall Buildings Design Guidelines and the Downtown Tall Buildings: Vision and Supplementary Design Guidelines, including sections on transition in scale, tower separation distances, step backs and setbacks and shadowing;
- Potential shadowing of Arena Gardens and Moss Park, adjacent *Neighbourhoods* designated lands and the heritage designated L'Ecole Publique Gabrielle-Roy;
- Confirmation that the impact on the adjacent heritage buildings and the Shuter Street frontage (which is within the Draft Heritage Conservation District) is appropriately addressed;
- Confirmation that the proposed lane widening meets City requirements;
- Confirmation there is sufficient sewer and water capacity to service the proposed development;
- Adequacy of community services and facilities in the area and whether there is a need for on-site services and facilities;
- Appropriateness of not providing the required number of vehicular parking spaces;
- Appropriateness of proposed public realm along Shuter and Jarvis and the need to provide a quantitative (as opposed to qualitative) wind study to assess wind impacts;
- Adequacy of the proposed amenity space and more specifically to what extent the space is shared between the hotel and residential units;
- Consideration of affordable housing and three bedroom units;
- Appropriate ways to address the Public Art Plan; and

- Identification and securing of public benefits pursuant to Section 37 of the *Planning Act* should the proposal in some form be recommended for approval.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

Derek Waltho, Planner  
Tel. No. 416-392-0412  
E-mail: dwaltho@toronto.ca

## **SIGNATURE**

---

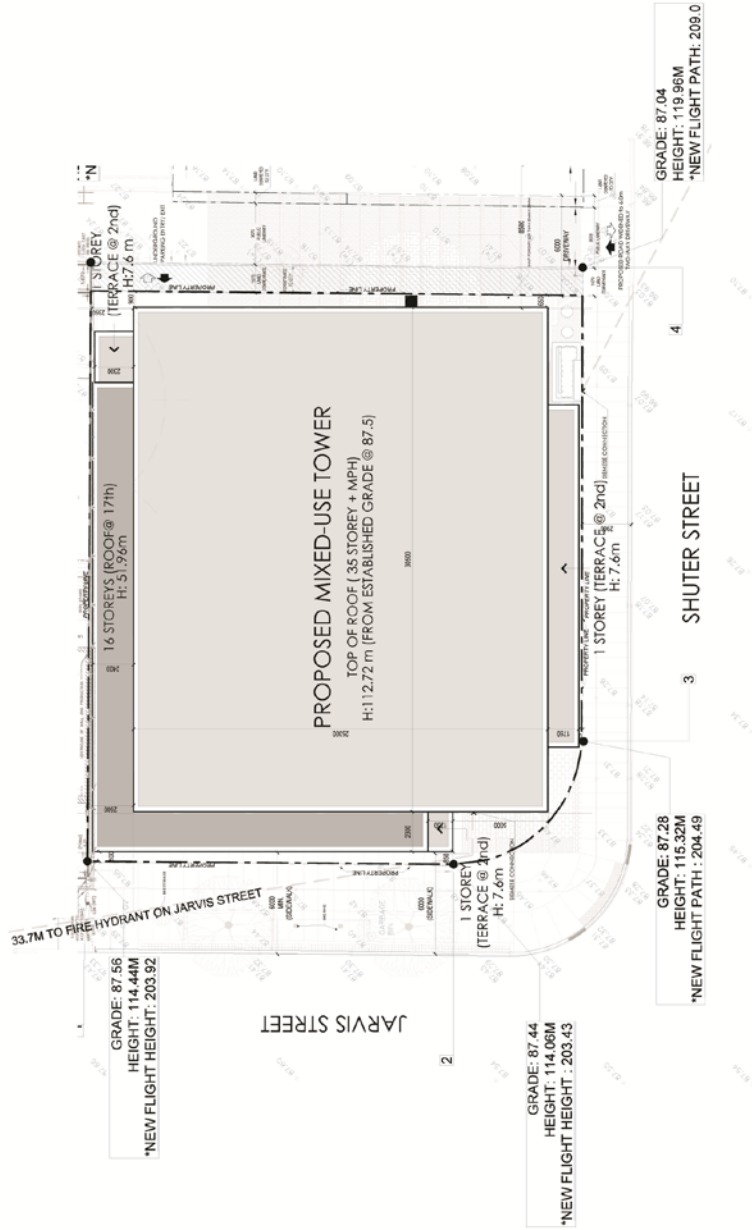
Gregg Lintern MCIP RPP  
Director, Community Planning  
Toronto and East York District

(P:\2016\Cluster B\pln\TEYCC\23034480072.doc) - vc

## **ATTACHMENTS**

Attachment 1: Site Plan/Subdivision Plan  
Attachment 2: Elevations  
Attachment 3: Zoning  
Attachment 4: Application Data Sheet

## Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

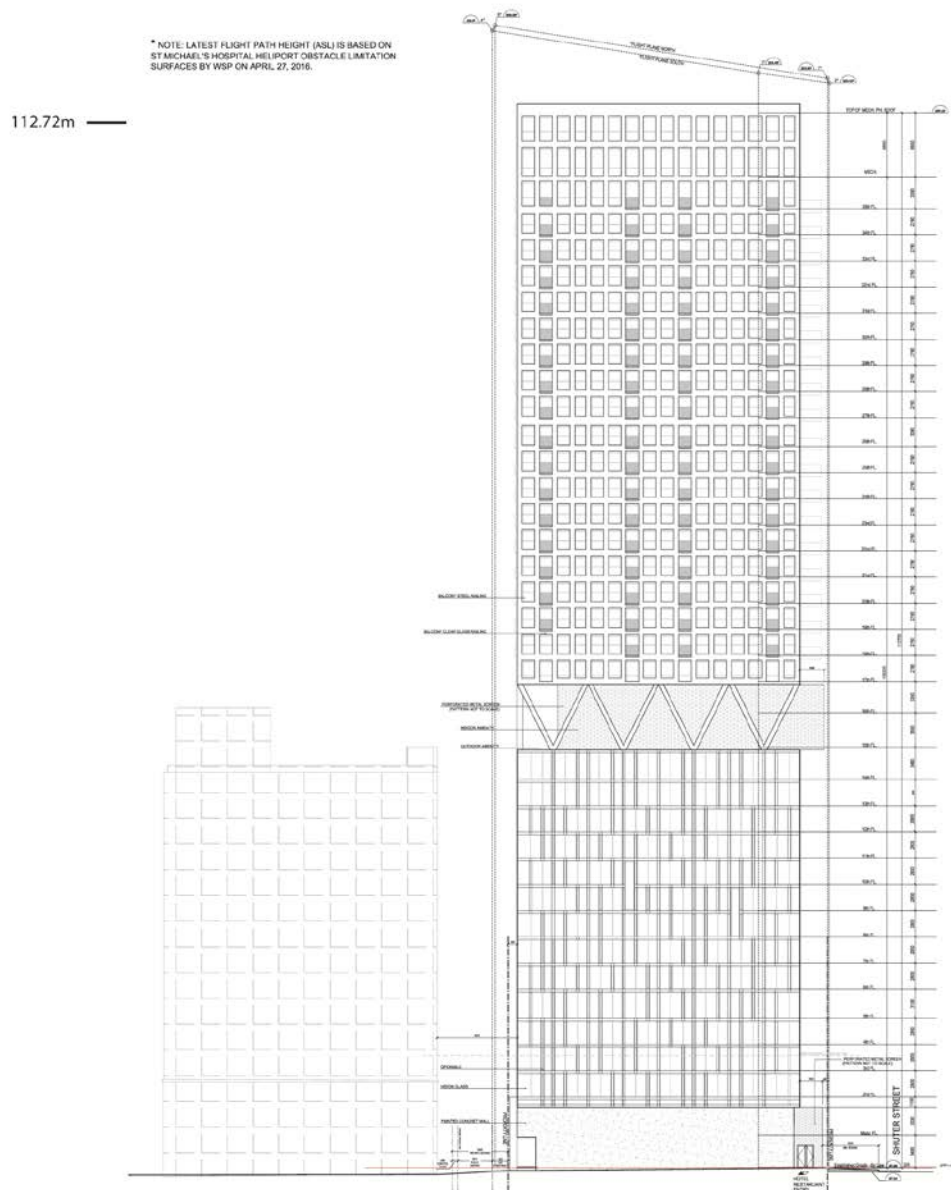
Not to Scale  
08/31/2016



203 Jarvis Street

File # 16 207248 STE 27 0Z

## Attachment 2: Elevations North Elevation



North Elevations

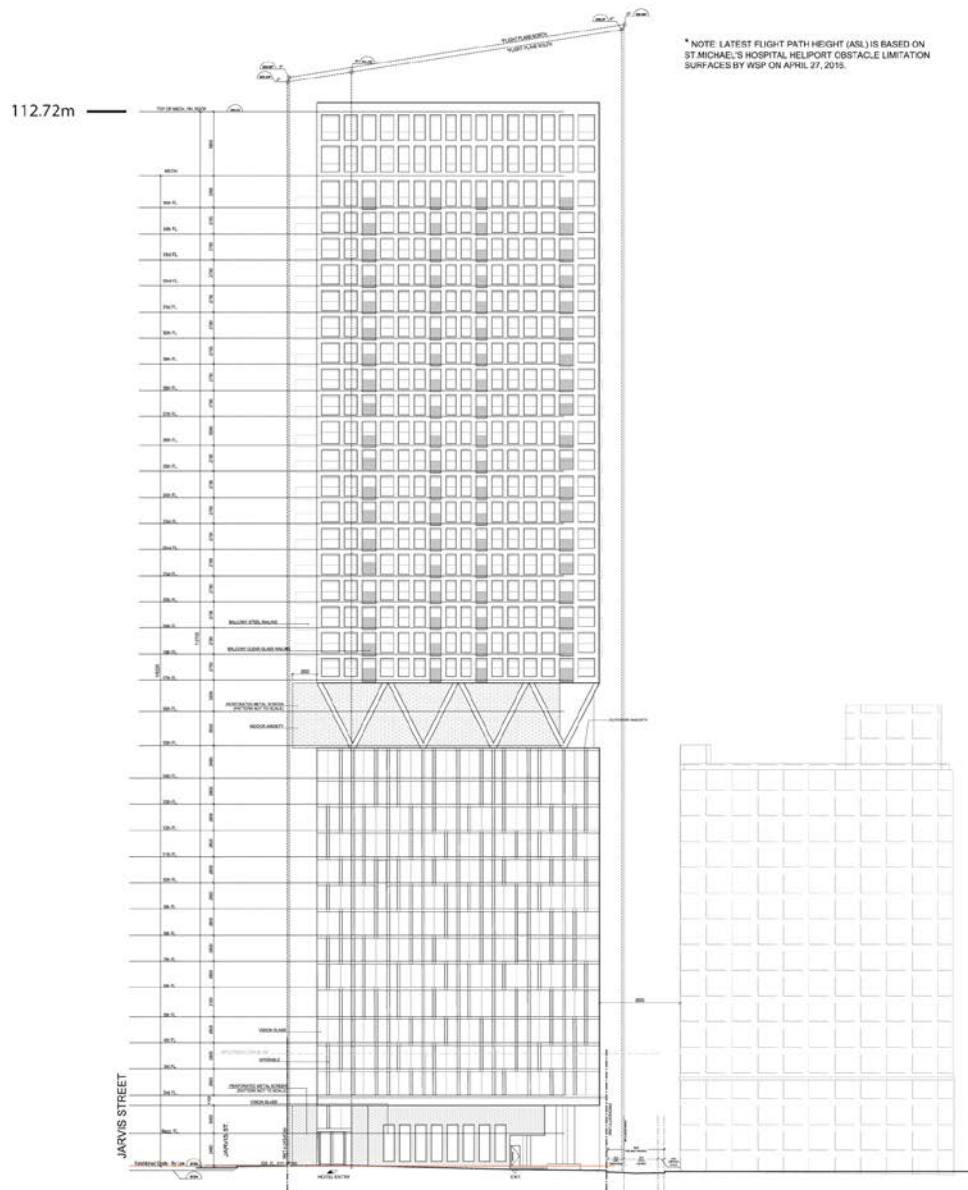
Applicant's Submitted Drawing

Not to Scale  
08/31/2016

203 Jarvis Street

File # 16 207248 STE 02

## South Elevation



### South Elevations

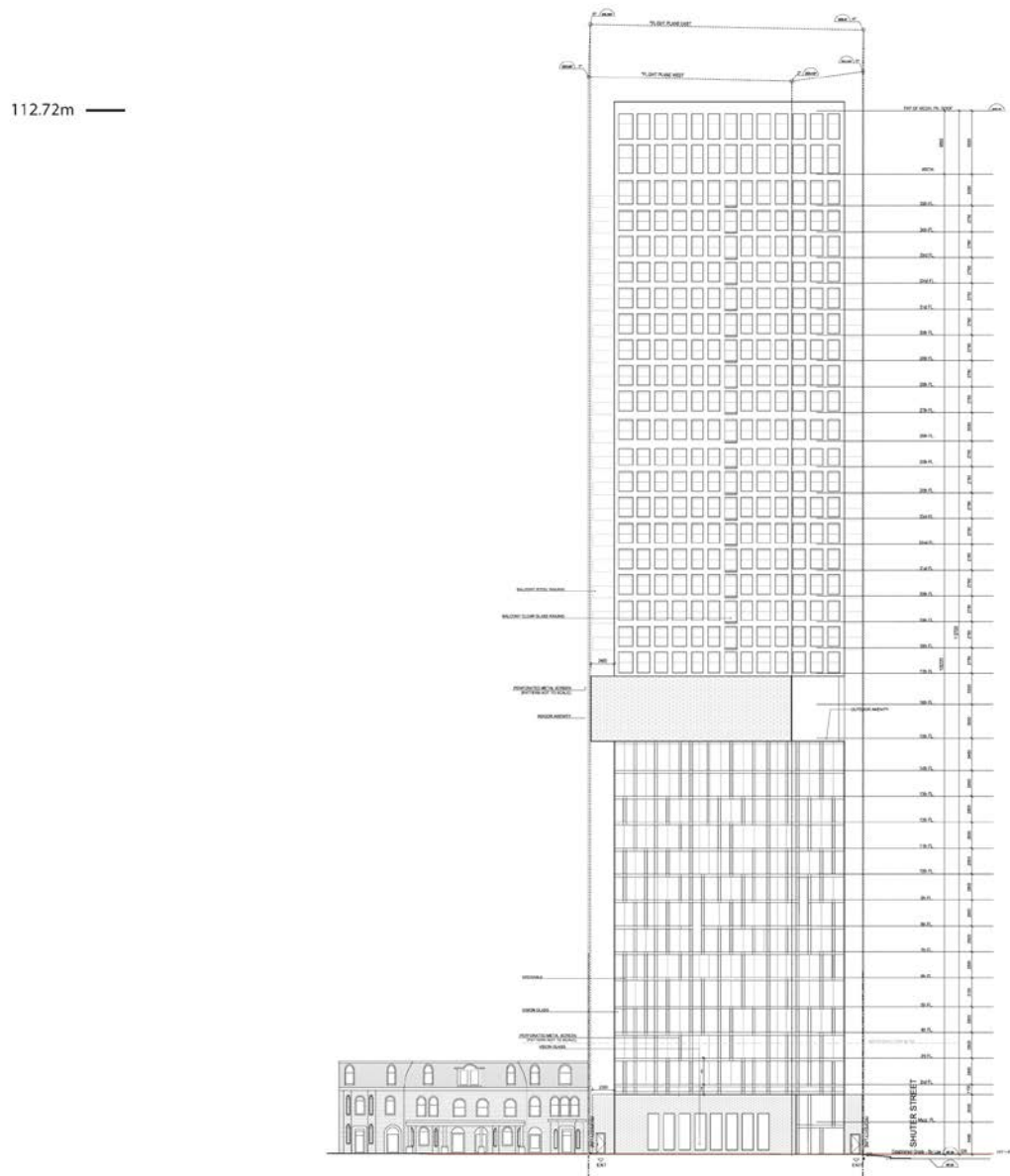
Applicant's Submitted Drawing

Not to Scale  
08/31/2016

203 Jarvis Street

File # 16 207248 STE 02

## West Elevation



### West Elevations

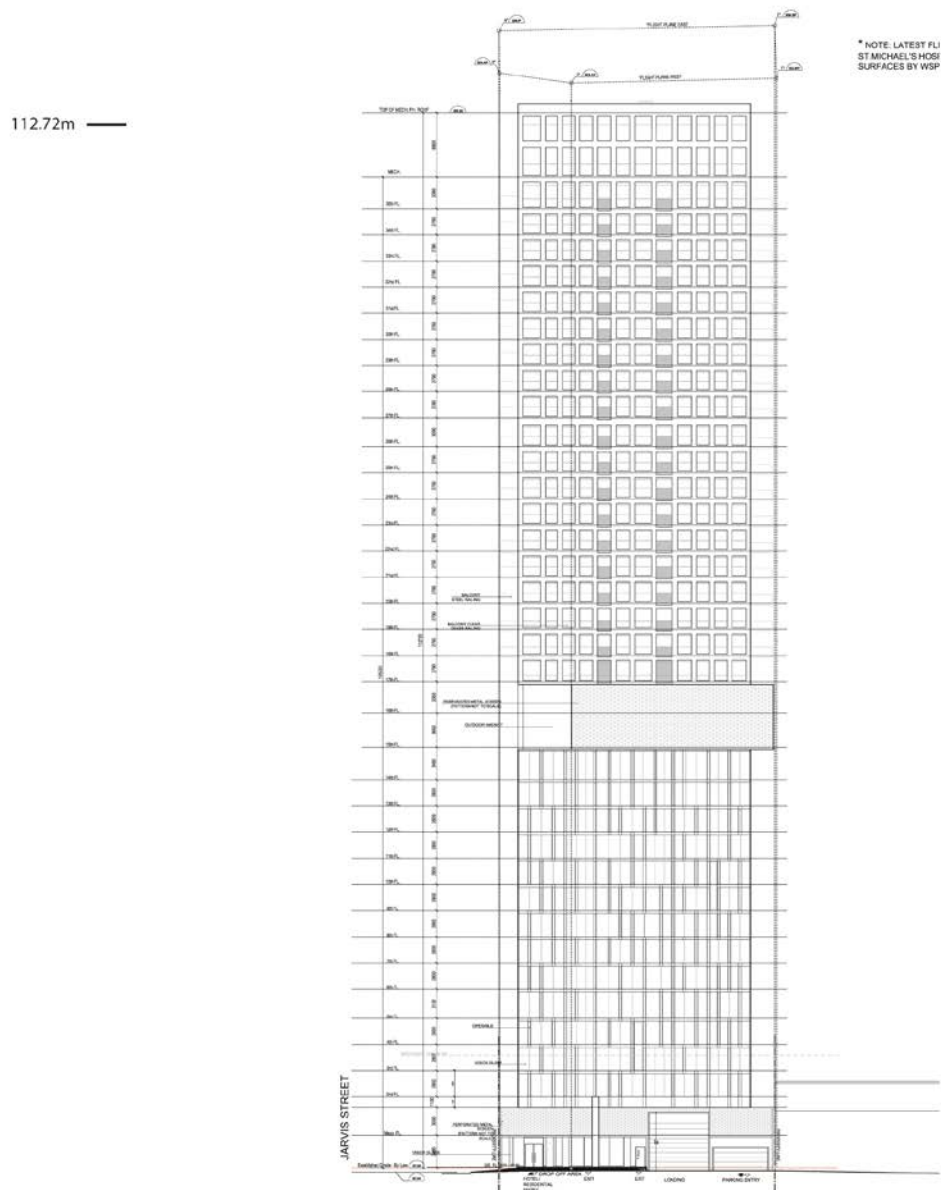
### Applicant's Submitted Drawing

Not to Scale  
08/31/2016

203 Jarvis Street

File # 16 207248 STE OZ

### East Elevation



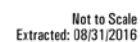
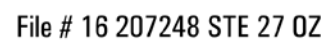
### East Elevations

Applicant's Submitted Drawing

Not to Scale  
08/31/2016

203 Jarvis Street

File # 16 207248 STE OZ





# Attachment 4: Application Data Sheet

## APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	16 207248 STE 27 OZ
Details	Rezoning, Standard	Application Date:	August 15, 2016
Municipal Address:	203 JARVIS ST		
Location Description:	PLAN 62 PT LOTS 1 TO 4 E JARVIS ST RP 64R13719 PARTS 1 AND 2 **GRID S2714		
Project Description:	Proposed 35 storey mixed-use tower with 242 hotel suites and 227 residential units		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
MANGA HOTEL (DOWNTOWN) INC		Page and Steele	MANGA HOTEL (DOWNTOWN) INC

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	1118-2010
Zoning:	CR T3.5 C2.0 R2.0	Historical Status:	
Height Limit (m):	30	Site Plan Control Area:	

### PROJECT INFORMATION

Site Area (sq. m):	1045	Height:	Storeys:	35
Frontage (m):	29.5		Metres:	113
Depth (m):	35.86			
Total Ground Floor Area (sq. m):	740			<b>Total</b>
Total Residential GFA (sq. m):	13929		Parking Spaces:	86
Total Non-Residential GFA (sq. m):	10303		Loading Docks	1
Total GFA (sq. m):	24502			
Lot Coverage Ratio (%):	70.8			
Floor Space Index:	23.45			

### DWELLING UNITS

Tenure Type:	Condo, Other
Rooms:	0
Bachelor:	57
1 Bedroom:	94
2 Bedroom:	57
3 + Bedroom:	19
Total Units:	227

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	13929	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	10303	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Derek Waltho, Planner</b>
	<b>TELEPHONE:</b>	<b>416-392-0412</b>