

**203 Jarvis Street
Rezoning Application - Preliminary Report**

Date:	May 8, 2008
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	08 110771 STE 27 OZ

SUMMARY

The application was made after January 1, 2007, and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

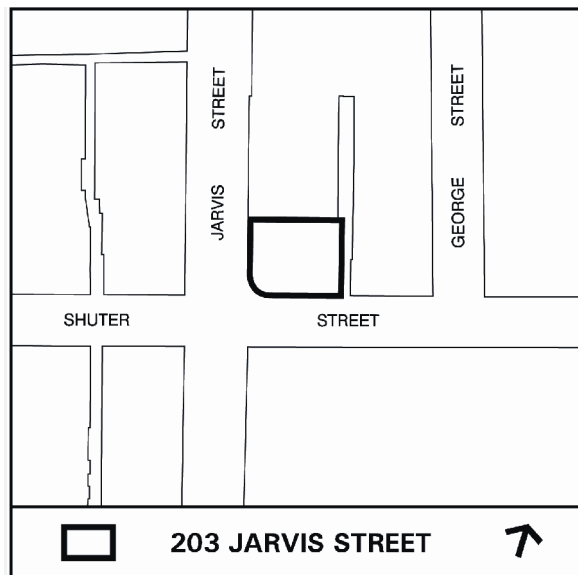
This application proposes to redevelop 203 Jarvis Street, which is a commercial surface parking lot at the north-east corner of Jarvis Street and Shuter Street, as a 20-storey hotel building containing 265 rooms and three levels of underground parking.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. staff be directed to schedule a community consultation meeting together with the Ward Councillor; and



2. notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On March 23, 1993, City Council passed By-law 197-93 for 203 and 207-219 Jarvis Street to permit an apartment building with a residential gross floor area of 9800 square metres containing 101 social housing dwelling units. This 1993 proposal was for a 12-storey building at the corner of Jarvis and Shuter Streets and preservation of the historic row houses at 207-219 Jarvis Street. As part of the Development Agreement, the owner and social housing provider were to enter into a Social Housing Agreement prior to the issuance of a building permit. The proposal was not pursued. For reference purposes, By-law 197-93 can be found as Attachment 5 in this report.

ISSUE BACKGROUND

Proposal

This May 2008 application proposes the redevelopment of 203 Jarvis Street, which is a commercial surface parking lot, as a 20-storey (66 metres, including mechanical penthouse) hotel containing 265 rooms with grade-related hotel uses including a restaurant.

Associated vehicular and loading operations are proposed from the adjacent north-south laneway to the east of the property. On-site parking is proposed in a three-level below grade garage, accessed by an elevator from the laneway and served by a dedicated valet service.

For further statistical information refer to the Application Data Sheet found as Attachment 4 of this report.

Site and Surrounding Area

The site was formerly a service station until 1993, when it was demolished and the site has since operated as a commercial surface parking lot. The site has a lot area of 1047 square metres with approximately 29.5 metres frontage on Jarvis Street and approximately 35.7 metres frontage on Shuter Street. The property's easterly frontage is defined by a north-south public lane, which serves the properties at 207 to 219 Jarvis Street, 102 Shuter Street (Walnut Hall) and 224 to 244 George Street.

Within the immediate context, the following uses surround the site:

North: 207 to 219 Jarvis Street, two-storey row houses, were listed on the City of Toronto Inventory of Heritage Properties on November 21, 1977, based on their architectural context.

Just north of these row houses is the Grand Hotel and Suites (225 Jarvis Street), which is a 13-storey building containing approximately 178 suites. This building was formerly the Toronto RCMP building, which was converted for hotel use in 1993;

South: Directly across Shuter Street is Moss Park Armory, which is identified in the Official Plan as an Institutional Area;

West: North-west corner of Jarvis and Shuter Streets is 90 Shuter Street, a 10-storey residential building with 17 units;

South-west corner of Jarvis and Shuter Streets is 148 Jarvis Street, Salvation Army Harbour Light Centre, a seven-storey building containing 98 dwelling units, 47 dwelling rooms, a place of worship, offices and retail;

East: Directly across the north-south public lane is 102 Shuter Street, Walnut Hall, which was a heritage building that collapsed and was demolished in 2007. A seven-storey residential building was approved by the OMB in 2002 on the basis of the preservation and retention of the heritage building. The Official Plan identifies the area east of the north-south public lane as Neighbourhood.

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 to conform, or not conflict, 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

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.

The property is located within the "Downtown and Central Waterfront" area on Map 2 – Urban Structure and is designated "Mixed Use Area" on Map 18 – Land Use Plan. This

designation permits a range of residential, commercial and institutional uses, and provides criteria to direct the form and quality of development.

The Plan provides a list of criteria which are intended to direct the design and orientation of new development proposals within the Mixed Use Area designation. The proposed development will be evaluated with respect to the full list of criteria found in Section 4.5.2 of the Official Plan. The criteria include:

- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale Neighbourhoods;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods, particularly during the spring and fall equinoxes;
- locate and mass new buildings 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;
- provide an attractive, comfortable and safe pedestrian environment;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

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

Zoning

No. 203 Jarvis Street is governed by Zoning By-law 438-86, as amended, and is zoned CR T3.2 C2.0 R2.0. The site is also subject to several permissive and restrictive exception provisions and a site-specific zoning by-law (197-93) for a social housing apartment building.

Under the "CR T3.2 C2.0 R2.0" land use designation, the Zoning By-law permits a full range of mixed uses for a combined residential and non-residential gross floor area of up to 3.5 times the area of the lot. The height limit is 30 metres.

Site Plan Control

The proposed development is subject to site plan control. An application for site plan approval has been submitted and is being reviewed concurrently with the Zoning By-law amendment application.

Tree Preservation

An arborist report prepared by Land Art Design Landscape Architects Inc. has identified one tree within the City road allowance adjacent to the site. The report proposes the removal of this City tree. The accompanying landscape plans identify the planting of three trees along Jarvis Street and four trees along Shuter Street. Urban Forestry staff are reviewing the submitted material.

Environmental Site Assessment

At the request of Imperial Oil, O'Connor Associates Environmental Inc. undertook a Phase 1 environmental site assessment (historical land use survey), a Phase 2 intrusive soil sampling program and monitored a Phase 3 remediation program at the site between 1993 and 1994.

The results of O'Connor Associates Environmental Inc. investigations of the soils and groundwater beneath the site indicated that there was no evidence of environmental contamination exceeding the referenced Ontario cleanup standards in the test locations, with the exception of two soil samples, which exhibited exceedances for pH. The pH values, however, were not considered to be environmentally significant. Based on the environmental consultant's judgement, no further environmental investigation is required. City staff are reviewing the submitted environmental reports.

Reasons for the Application

The applicant seeks to amend Zoning By-law 438-86, as amended, and repeal site specific zoning by-law 197-93.

The proposed 20-storey hotel building (66 metres, including mechanical penthouse) with a proposed density of 14.3, exceeds the Zoning By-law height limit of 30 metres and combined permitted residential and non-residential gross floor area of up to 3.5 times the area of the lot. In addition, the proposal does not comply with the site specific zoning by-law 197-93, which permits a social housing apartment with a height limit of 41.9 metres (to the top of mechanical penthouse) and a density of 9.3.

Additional areas of non-compliance with the Zoning By-law may be identified through further review of the application.

COMMENTS

Issues to be Resolved

Prior to presenting a Final Report to Toronto and East York Community Council, the following issues, as well as any other issues that may be identified by staff and the public, will need to be addressed by the applicant:

- appropriateness of the proposal's scale and massing in terms of the built form arrangement on the site, and compatibility and interface with the surrounding context;
- ability to provide an appropriate transition in building height along Jarvis Street, Shuter Street and towards the Neighbourhood, which begins east of the site;
- pedestrian and vehicular access to and movement on and through the site;
- the amount of parking and loading and their siting;
- assessment of traffic and transportation impacts;
- identification and security of community benefits under Section 37 of the Planning Act should the proposed development, or some variation thereof, advance; and
- ability to meet the intent and spirit of the Official Plan, Council policies and other applicable planning policies including the Provincial Policy Statement, and to represent good planning and community building.

Staff will be encouraging the applicant to review further sustainable development opportunities by utilizing the Toronto Green Development Standard, adopted by City Council in July 2006. The City's Green Development Standards are available on the City's website at: www.toronto.ca/environment/greendevlopment.htm

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

CONTACT

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Fax No. (416) 392-7990
E-mail: gpereir@toronto.ca

SIGNATURE

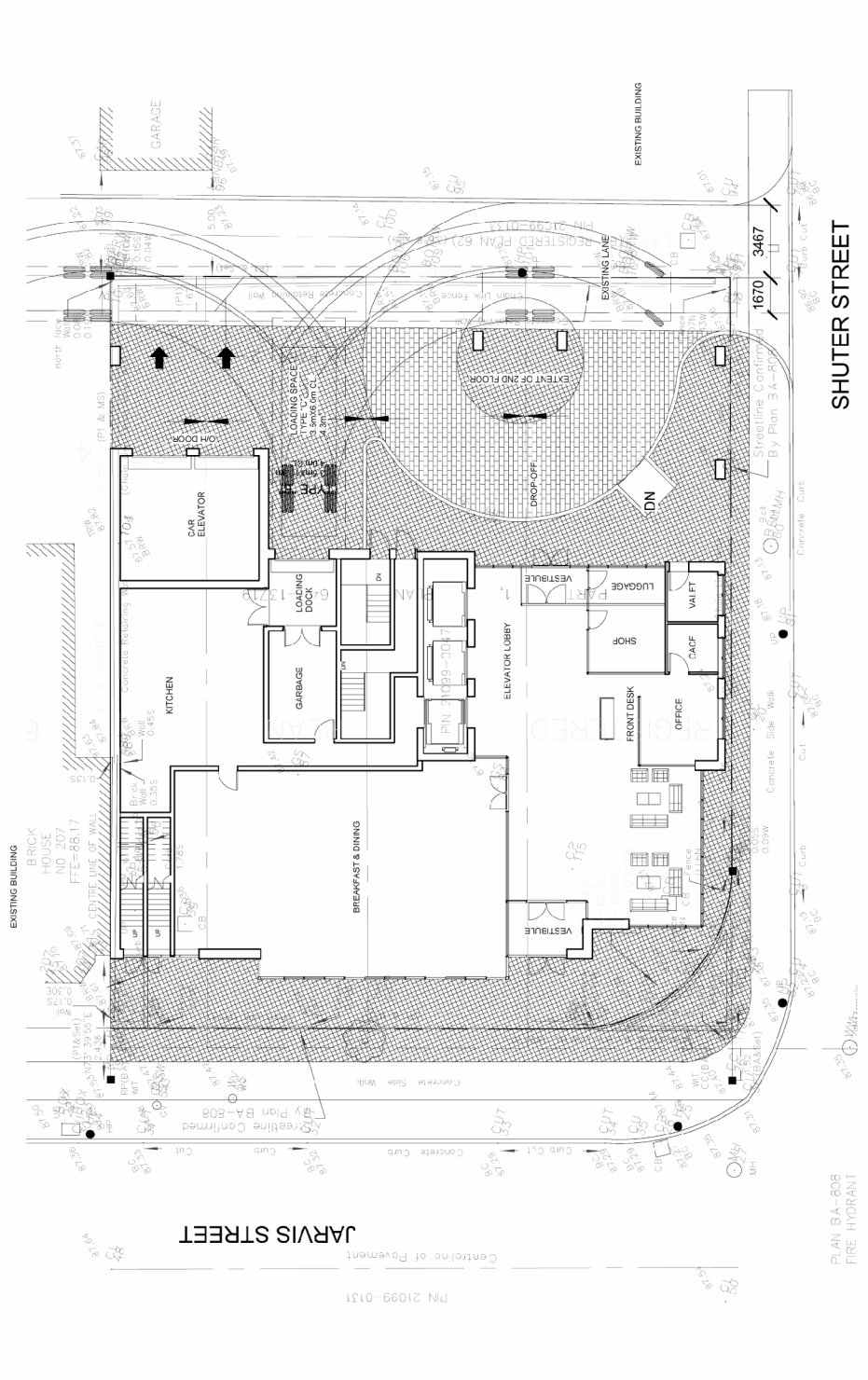
Raymond David, Acting Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan (Ground Floor Plan)
Attachment 2: Elevations
Attachment 3: Zoning By-law Excerpt
Attachment 4: Application Data Sheet
Attachment 5: By-law 197-93

Attachment 1: Site Plan



203 Jarvis Street

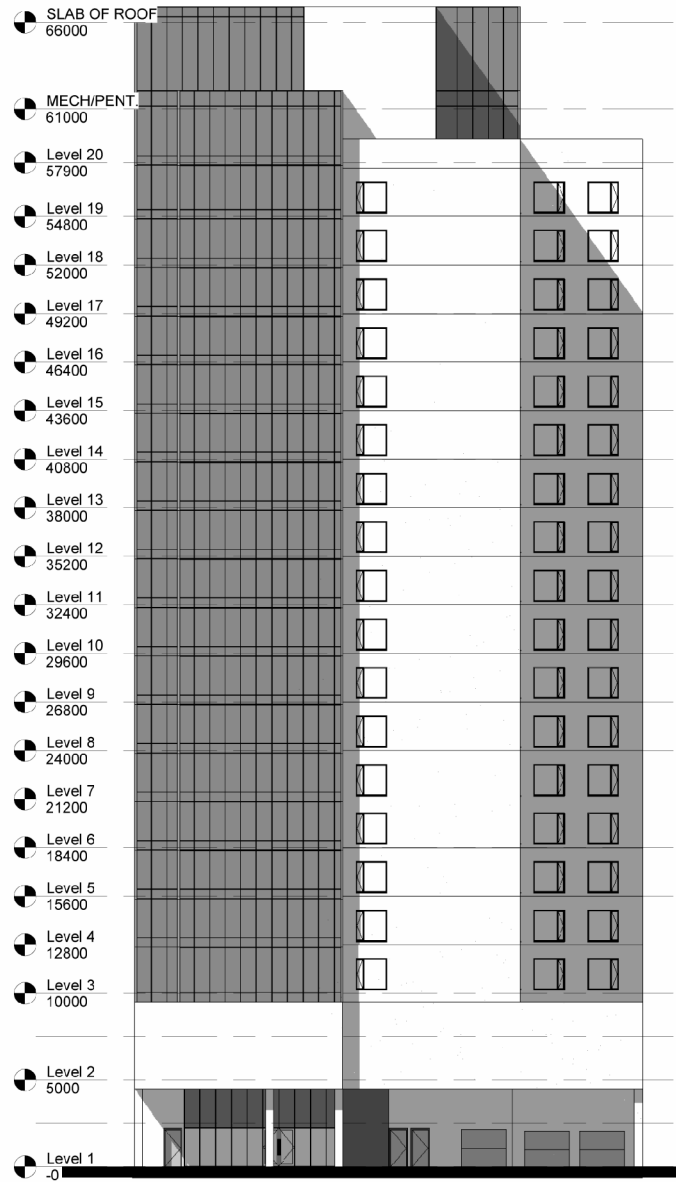
Ground Floor Plan

Applicant's Submitted Drawing

Not to Scale
04/21/08

File # 08_110771

Attachment 2: Elevations



East Elevation

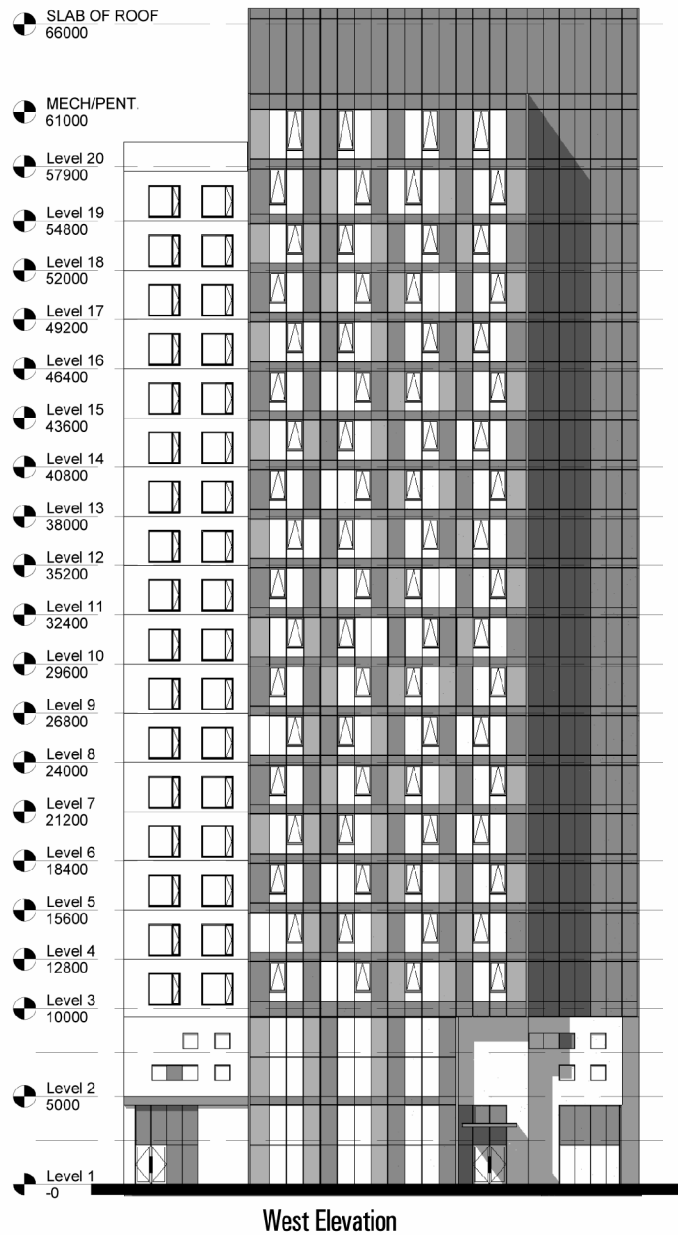
Elevations

Applicant's Submitted Drawing

Not to Scale
04/21/03

203 Jarvis Street

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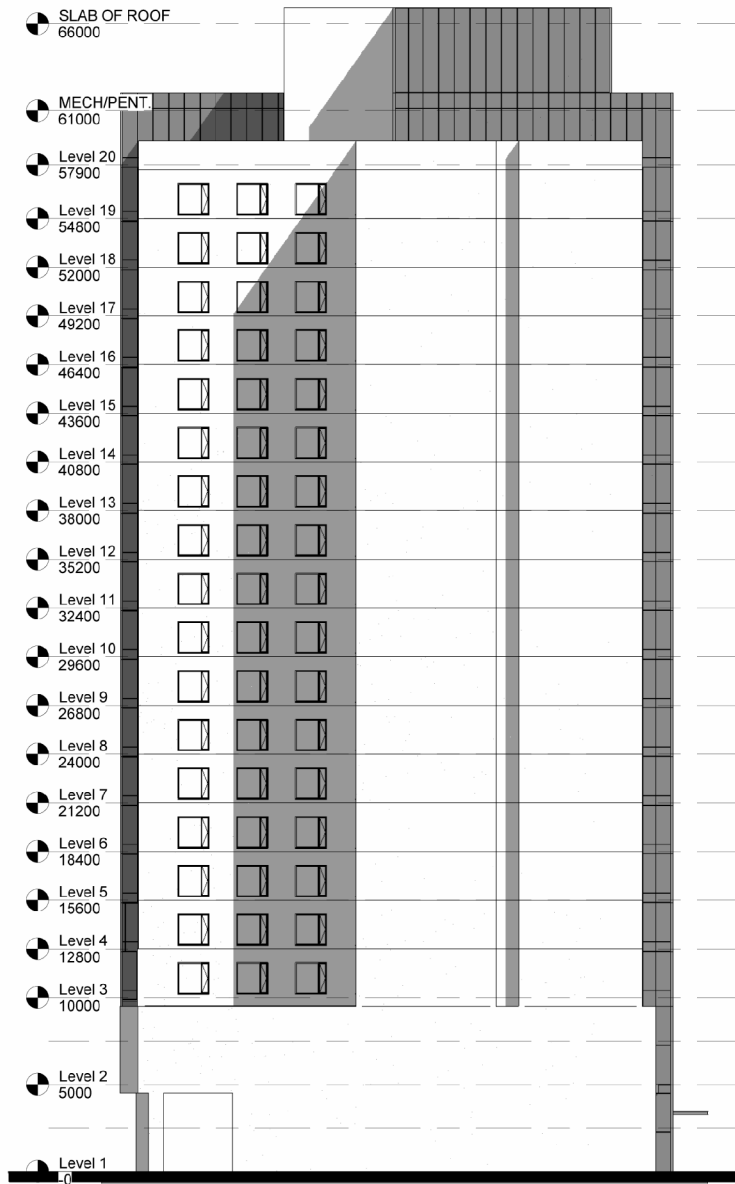
Elevations

Applicant's Submitted Drawing

Not to Scale
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203 Jarvis Street

File # 08_110771



North Elevation

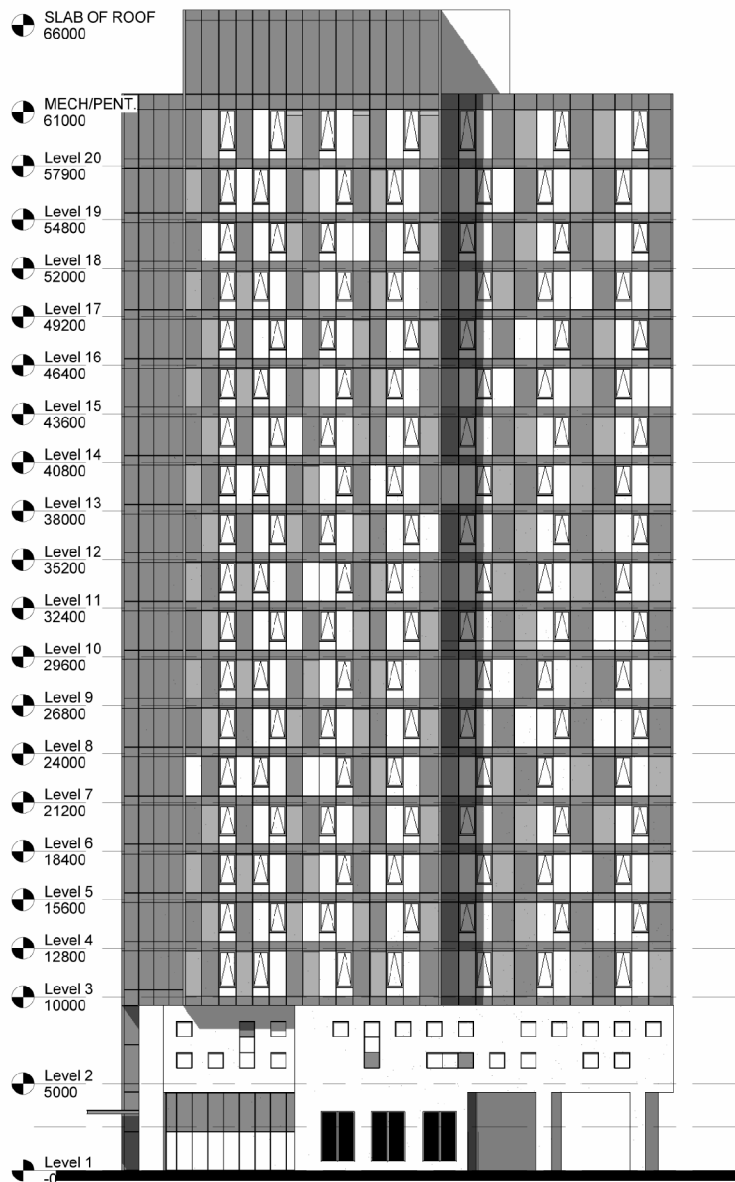
Elevations

203 Jarvis Street

Applicant's Submitted Drawing

Not to Scale
04/21/03

File # 08_110771



South Elevation

Elevations

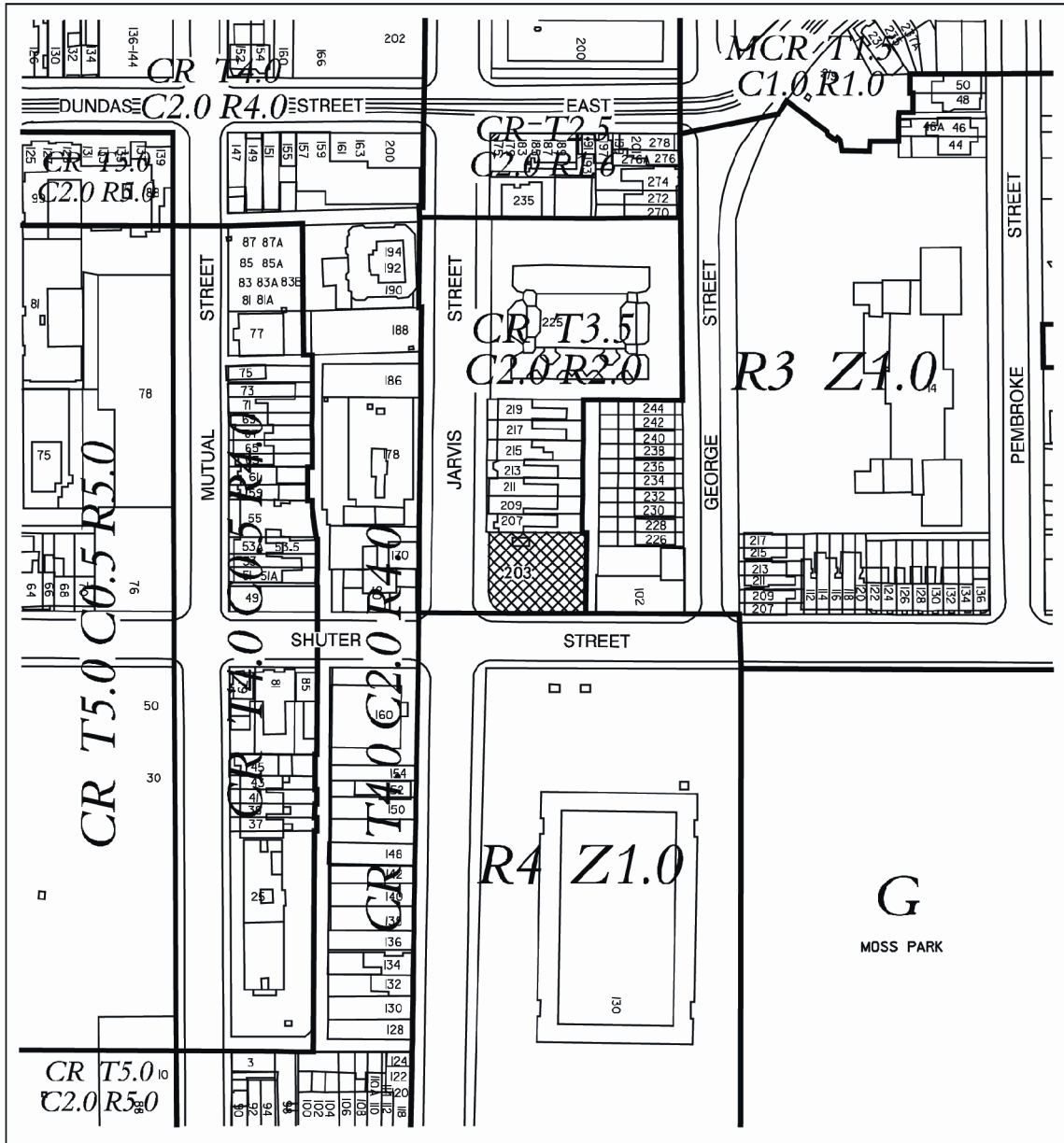
Applicant's Submitted Drawing

Not to Scale
 04/21/03

203 Jarvis Street

File # 08_110771

Attachment 3: Zoning By-law 438-86, as amended, Excerpt



203 Jarvis Street

File # 08_110771

- R3 Residential District
- R4 Residential District
- CR Mixed-Use District
- MCR Mixed-Use District
- G Parks District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 04/21/08 - TA

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	08 110771 STE 27 OZ
		Application Date:	February 12, 2008
Municipal Address:	203 Jarvis Street		
Project Description:	Proposed 20-storey hotel with 265 rooms with 3 levels of underground parking		
Applicant:	Architect:	Owner:	
Fraser Milner Casgrain LLP, Patrick Devine	Page + Steele Architects	Manga Hotels (Downtown) Inc.	

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Area	Site Specific Provision:	517-76, 182-70, 197-93
Zoning:	CR T3.5 C2.0 R2.0	Historical Status:	No
Height Limit (m):	33.7 metres plus mechanical penthouse	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1050	Height:	Storeys:	20
Frontage (m):	29.5		Metres:	66 metres includes mechanical penthouse
Depth (m):	35.8			
Total Ground Floor Area (sq. m):	584.5		Total	
Total Residential GFA (sq. m):	0	Parking Spaces:		71
Total Non-Residential GFA (sq. m):	15000	Loading Docks		1 Type B
Total GFA (sq. m):	15000			
Lot Coverage Ratio (%):	56			
Floor Space Index:	14.3			

DWELLING UNITS

Tenure Type: Hotel	
Double Queen:	125
Double Queen Suite:	17
King:	53
King Studio:	52
King-Accessible	9
Total Rooms:	265

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	0	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	15000	0

CONTACT: PLANNER NAME: Greg Pereira, Planner, Downtown Section
TELEPHONE: (416) 392-7363

Attachment 5: By-law 197-93

No. 197-93. A BY-LAW

*To amend By-law No. 438-86 respecting lands known as
Nos. 203 and 207-219 Jarvis Street.*

(Passed March 23, 1993.)

WHEREAS Council, at its meeting held on the 22nd and 23rd days of February, 1993, adopted Clause 14 of Land Use Committee Report No. 3;

AND WHEREAS Council at its meeting held on the 22nd and 23rd days of March, 1993, amended the authority granted by Council with respect to an amendment to By-law No. 438-86 by the adoption of Motion No. 8 on the Order Paper;

THEREFORE the Council of The Corporation of the City of Toronto enacts as follows:

1. None of the provisions of sections 4(2), 4(5), 4(16), 6(3) Part I 1, 6(3) Part II 2, 6(3) Part II 3, 6(3) Part II 4, 6(3) Part II 5, 6(3) Part III 1(b), 6(3) Part IX, 8(3) Part I 2(a) and that portion of Section 2(1) respecting the definition of "*lot*", of By-law No. 438-86, 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", shall apply to prevent the retention of buildings existing on the day of enactment of this By-law and the erection and use of an *apartment building* containing only *social housing dwelling units* on the *lot* shown within the heavy lines on Plan 1 attached hereto, provided:

- (1) the *lot* consists of at least the lands outlined by the heavy lines on the attached Plan 1;
- (2) no part of such *apartment building*, above *grade*, is located otherwise than wholly within the area outlined by heavy lines on Plan 2 attached hereto;
- (3) the heights, including all rooftop elements, structures and enclosures, above *grade*, of such *apartment building* do not exceed the heights shown on Plan 3 attached hereto;
- (4) the *residential gross floor area* of such *apartment building* does not exceed 9800 square metres;
- (5) such *apartment building* contains not more than 101 *dwelling units* and are used for no purpose other than *social housing*;
- (6) *shared recreation space* within such *apartment building* to the extent of at least 170 square metres is provided and maintained;
- (7) at least 56 *parking spaces* are provided and maintained within the *lot* for the use of the occupants of such *apartment building*, and for the use of the occupants of any buildings designated by Council as having historic or architectural value or interest under the Ontario Heritage Act on the *lot*, of which,
 - (a) 5 *parking spaces* are provided and maintained for visitors; and
 - (b) notwithstanding the dimensional requirements set out in the definition of parking space contained in the aforesaid By-law No. 438-86, not more than 2 *parking spaces* have a

minimum width of 2.6 metres and a minimum length of 5.0 metres and not more than 19 *parking spaces* have a minimum width of 2.5 metres and a minimum length of 5.9 metres.

2. For the purpose of this by-law:

(1)"*lot*" means the lands shown on Plan 1 attached hereto and on which may be located two or more buildings notwithstanding such buildings do not have a common basement and are not connected above the natural level of the ground;

(2)"*social housing*" means housing accommodation which is the subject of an agreement with The Corporation of the City of Toronto pursuant to section 2 of the City of Toronto Act, 1988 (No. 2) for the provision of a *social housing program*; and

(3)"*social housing program*" has the same meaning as the said expression has for the purposes of the City of Toronto Act, 1988 (No. 2).

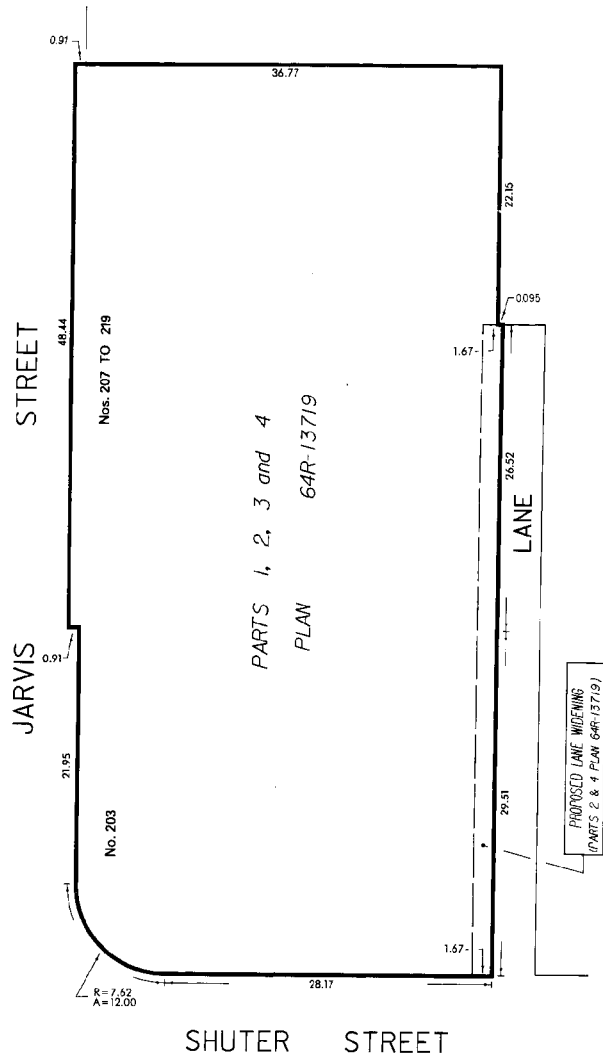
3. Except where otherwise provided in this by-law, the definition of the word "*grade*" and of the expressions "*parking space*", "*apartment building*", "*dwelling unit*", "*residential gross floor area*" and "*shared recreation space*" contained in the aforesaid By-law No. 438-86 shall apply to such word and expressions where used in this by-law.

JUNE ROWLANDS,
Mayor.

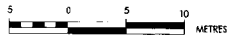
BARBARA G. CAPLAN
City Clerk.

Council Chamber,
Toronto, March 23, 1993.
(L.S.)

PLAN 1

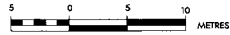
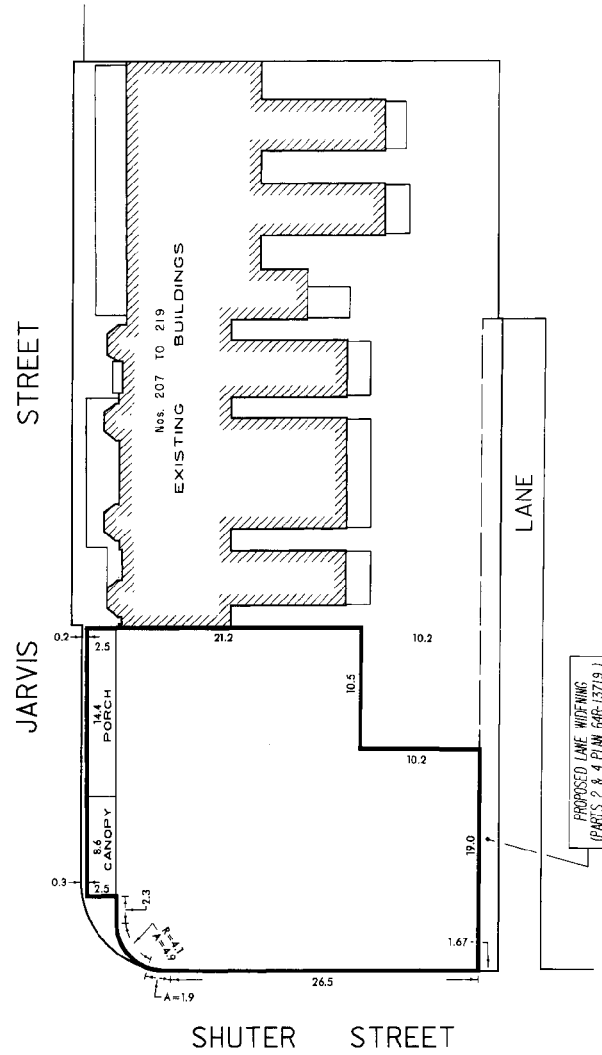


LANDS REFERRED TO AS THE "LOT"



DEPARTMENT OF PUBLIC WORKS
AND THE ENVIRONMENT
SURVEY AND MAPPING SECTION
TORONTO FEBRUARY, 1993
FILES: J9-213 & 2402.20
MAP No. 51H-312 DRAWN: M.G.R.

PLAN 2



DEPARTMENT OF PUBLIC WORKS
AND THE ENVIRONMENT
SURVEY AND MAPPING SECTION
TORONTO FEBRUARY, 1993
FILES: 19-213 & 2402.20
MAP No. 51H-312 DRAWN: M.G.R.

PLAN 3

