

TORONTO STAFF REPORT

August 25, 2006

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Subject: Refusal and Directions Report
Official Plan Amendment and Rezoning Application 04 130483 STE 27 OZ
Applicant: Tim Bermingham, Blake, Cassels & Graydon LLP
Architect: Graziani + Corazza Architects Inc.
444 Yonge Street
Ward 27, Toronto Centre-Rosedale

Purpose:

This report reviews and recommends refusal of an application to amend the Official Plan and the Zoning By-law for a 75-storey (227 metres to the roof line, plus 13 metres for the mechanical penthouse), 917-unit residential condominium building with 17,000 square metres of commercial space at 444 Yonge Street, specifically the Yonge-Gerrard lands on the northwest corner of Yonge Street and Gerrard Street West.

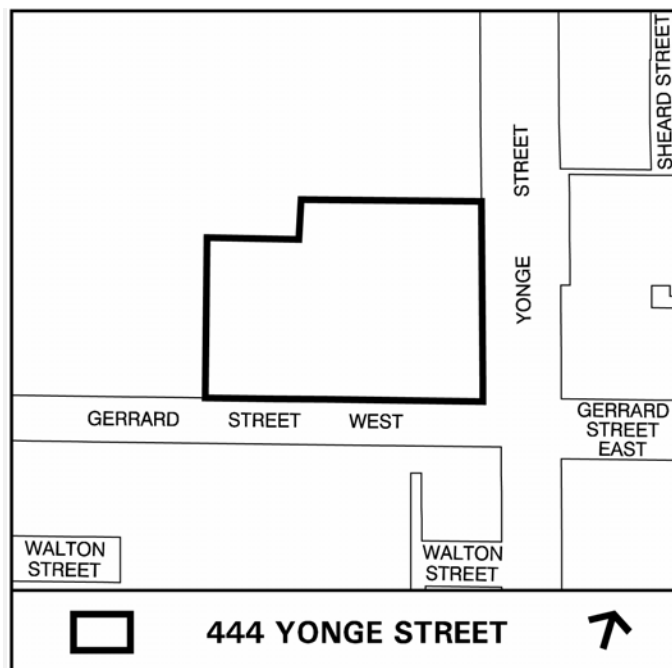
Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that City Council:

- (1) refuse the application to amend the Official Plan and Zoning By-law in its current form;
- (2) request the applicant to revise the application to address the planning issues identified in this report; and



- (3) authorize the City Solicitor and other appropriate City staff and experts as needed, to oppose any appeal of Council's refusal of the application to the Ontario Municipal Board.

Background:

The College Park block, bounded by Yonge Street, Bay Street, College Street and Gerrard Street West, is known for the historic former Eaton College Street store, the Barbara Ann Scott skating rink and College Park. The block has been redeveloped over the last 25 years for office, residential, retail, institutional and public uses. Most recently, two high-rise condominiums were approved on the Bay Street side of the block, known as 761 and 763 Bay Street. The last remaining development site within the block is the Yonge-Gerrard lands, located on the northwest corner of Yonge Street and Gerrard Street West.

The block is subject to Site Specific By-law 840-78 and under that By-law the entire block is considered as one lot. The College Park block has been subject to several recent development applications and related applications to the Committee of Adjustment.

The last Committee of Adjustment decision (File A0011/04TEY) resulted in the filing of a rezoning application for the College Park block. On February 4, 2004, the Committee of Adjustment approved, on condition, an increase in the number of residential units permitted on the lot.

The Committee's decision was subject to the following condition: "That within three months of the Committee of Adjustment approval of the application, the owner submit a rezoning application to address dwelling unit and gross floor area allocations for parcels of land within the College Park block, and overall planning objectives for the block."

In the absence of an actual development proposal, this condition was originally requested by staff to simplify the regulatory controls for this block. An application to amend the Zoning By-law was submitted to respond to this condition and a Preliminary Report was considered and adopted at the July 24, 2004 Toronto and East York Community Council meeting. A community consultation meeting was held on October 6, 2004.

Upon further review and in consultation with the applicant, Planning staff advised that the request to address dwelling unit and gross floor area allocations for parcels of land within the College Park block would be premature without an actual development proposal.

Subsequently, in January 2006, Planning staff received an application to amend the original application to incorporate a development proposal. The development proposal is located on the Yonge-Gerrard lands, the last remaining development parcel on the block. Planning staff have evaluated the proposal against the prevailing By-law (840-78).

Prior to the majority of the new Plan coming into effect on July 6, 2006, the entire College Park block was governed by Section 18.46 of the former City of Toronto Official Plan. Section 18.46 limited the overall density of development for the entire block to 7.58 times the lot area.

Site Description

The subject site should be understood as an individual development parcel, known as the Yonge-Gerrard lands, within a larger lot, referred to as the College Park block.

The College Park block is a rectangular five-hectare (12.3-acre) property with a minor slope down from the north to the south. The block is occupied by mixed-use buildings, College Park, Barbara Ann Scott skating rink, an at-grade commercial parking lot and the City-owned closed portion of the Hayter Street right-of-way. (See Attachment 6, Context Plan – College Park Block).

The Yonge-Gerrard lands, owned by Toronto College Park Limited (TCPL), are bounded by Yonge Street to the east, the Hayter Street closed road allowance to the north, the Liberties on Bay (44 and 71 Gerrard Street West and 717 Bay Street) to the west and by Gerrard Street West to the south. The site area is 6513 square metres, including the publicly-owned lane stub at the rear of 382 Yonge Street. The site is currently occupied by and utilized as a commercial parking lot.

Surrounding Land Uses

The following uses surround the Yonge-Gerrard lands:

North: The closed Hayter Street road allowance and College Park, beyond which is the TCPL Phase I mixed use development and the Oxford Phase II commercial development. Across College Street are commercial and mixed residential/commercial land uses with a variety of building forms.

South: Gerrard Street West, beyond which is the Delta Chelsea Hotel.

East: Yonge Street, beyond which are commercial and mixed residential/commercial land uses with a variety of building forms. Beyond the commercial strip is the McGill-Granby residential community.

West: Access to College Park, beyond which is the Liberties mixed use development.

Original Application (May 2004)

As discussed in the Background section of this report, the original application was filed in response to a condition of the Committee of Adjustment decision (A0011/04TEY), which stated: “That within 3 months of the Committee of Adjustment approval of the application, the owner submit a rezoning application to address dwelling unit and gross floor area allocations for parcels of land within the College Park block, and overall planning objectives for the block.” There was no development proposal associated with this application. A Preliminary Report, dated June 18, 2004, was considered and adopted at the July 24, 2004 Toronto and East York Community Council meeting and a community consultation meeting was held on October 6, 2004.

Revised Application (January 2006)

Planning staff advised the applicant that the request to address dwelling unit and gross floor area allocations for parcels of land within the College Park block would be premature without an actual development proposal. The original application was subsequently revised to include a development proposal.

A development proposal was submitted on January 13, 2006 for a mixed residential and commercial development on the Yonge-Gerrard lands. The proposed development consisted of two residential buildings, one 50-storey tower on Yonge Street and a second 10-storey building on Gerrard Street West, both above a 10-storey podium that extended over the entire parcel. Overall, the two proposed buildings had heights of 60 storeys (196.5 metres) and 20 storeys (75.5 metres), respectively.

The proposal had a gross floor area of 127,140 square metres, of which 29,585 square metres was for above-grade parking (floors 3 to 10), 83,610 square metres for residential area and 12,330 square metres for retail space (floors P2, P1, ground and 2nd). The resulting density was 19.5 times the area of the Yonge-Gerrard lands. The applicant also proposed to utilize and possibly purchase and privatize the surface and above-grade portion of the closed Hayter Street road allowance for its concierge/lobby drop-off. The applicant indicated a desire to seek property rights from the City for the below-grade portion of the closed Hayter Street road allowance for loading, waste collection and pedestrian linkages. Vehicular access for both the residential and retail component was proposed via three points along Gerrard Street West, in addition to the existing service and commercial/visitor underground parking garage ramp.

A revised Preliminary and Status Report, dated May 25, 2006, was considered and adopted at the June 13, 2006 Toronto and East York Community Council meeting. The report identified the following concerns with the proposal:

- (a) the ability to meet the intent and spirit of the existing and new Official Plan policies and other applicable planning policies, and to represent good planning and community building;
- (b) the appropriate height, massing and step-back of the towers, including an evaluative comparison to the approved massing for the site;
- (c) the spacing of buildings;
- (d) the mitigation of physical impact on the surrounding buildings, open spaces and uses, including but not limited to light, view, privacy, sunlight penetration, shadow, sky view and weather and wind protection;
- (e) the contribution to (or detraction from) the local urban environment and appropriate design and integration of the public and private realms;
- (f) the at-grade relationship of the building to the street;
- (g) the building functionality and need for the above-grade parking, given the ability to construct a below-grade parking facility;
- (h) the ability to be adequately serviced by existing municipal infrastructure;
- (i) the transportation/access issues;
- (j) the relationship to the abutting heritage building; and

- (k) the proposed re-configuration of the College Park entry on the former Hayter Street road allowance.

Current Proposal (June 2006)

On June 9, 2006, the applicant filed a revision to their application. The development proposal remains a mixed residential and commercial development on the Yonge-Gerrard lands. It now consists of a single 75-storey residential tower, with a height of 227 metres to the roof line, plus 13 metres for the mechanical penthouse, with 917 units on Yonge Street above a three-storey (20 metre) double height podium that extends over the entire parcel. The tower floor plate is 1250 square metres to the 45th storey and 975 square metres from the 46th to the 75th floor. For visual reference, please refer to the Site Plan and Elevations, Attachments 2, 3 and 4.

The revised proposal has an overall gross floor area of 100,017 square metres, comprising 82,977 square metres of residential and 17,040 square metres of commercial/retail space. The proposed density for the development is 8.64 times the area of the College Park block and 15.4 times the area of the Yonge-Gerrard lands.

Parking for the development is proposed underground, both in a new four-level garage under the Yonge-Gerrard lands and in the existing College Park garage.

The residential concierge/lobby and drop-off area has been relocated to the west end of the Yonge-Gerrard lands. Vehicular access for the residential component (resident parking and concierge/lobby and drop-off) is proposed via one access point along Gerrard Street West and visitor and commercial/retail will be accesses via Gerrard Street West through the existing access to the College Park garage.

The applicant is still seeking property rights from the City for the below-grade portion of the closed Hayter Street road allowance for loading, waste collection and pedestrian linkages. In addition, they have expressed interest in continuing real estate negotiations with the City with respect to College Park, Hayter Street and the City-owned lane stub at 382 Yonge Street.

Provincial Policy Framework

Issued under the authority of Section 3 of the Planning Act, the Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development. On March 1, 2005, a new PPS came into effect that replaces the policies that had been issued on May 22, 1996 and amended in 1997.

The 1997 PPS provides a number of policies relevant to this application including the provision of a full range of housing types and densities to meet the requirements of current and future residents, the provision of housing in locations with appropriate levels of infrastructure and services, long-term economic prosperity, and public spaces, parks and open space. Council is required to make decisions on planning matters that are consistent with PPS policies.

Official Plan

At its meeting of November 26, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new Plan, in part, with modifications. The Minister's decision has been appealed in its entirety. On July 6th, 2006, most of the new Official Plan was brought into force, except for policies related to housing, Section 37 and flood plain special policy areas.

The new Official Plan places the subject site within the Downtown and Central Waterfront urban structure area, and designates it as Mixed Use Area, which permits a range of residential, commercial and institutional uses. This designation's policies direct the form and quality of development in these areas and include development criteria for ensuring a new building's built form and massing provide a transition to lower scale areas and minimize potential shadow impacts. It is anticipated that Downtown will accommodate growth; however, this growth will not be spread uniformly across the whole of Downtown. There are many residential neighbourhoods throughout the Downtown, such as McGill-Granby nearby, and future development will have to mitigate impacts on these areas. The highest buildings and greatest intensity are expected to occur Downtown, particularly in the Financial District.

The eastern third of the site is subject to Site and Area Specific Policy 174, which sets out general planning objectives and built form principles for lands generally fronting on Yonge Street between Queen Street and just north of Gerrard Street West. This policy recognizes Downtown Yonge Street as a prominent area in the City, an important retail street and a major shopping focus within the Greater Toronto Area. Policies promote the retention and enhancement of street related retail and entertainment uses by attracting new investment to Downtown Yonge Street in the form of re-use of existing buildings and appropriate re-development. Policies focus on maintaining and enhancing the special physical and experiential character, including the low scale built form along Yonge Street and a high level of pedestrian comfort. Built form principles speak to new development being located along property lines fronting Yonge Street, with the scale of new buildings consistent with height limits in the area, and respecting the existing transition in height and scale between surrounding buildings.

Other Applicable Policies

The property is located within the boundaries of the Downtown Yonge Business Improvement Area and the Downtown Yonge Street Community Improvement Plan. Urban design guidelines have not been developed for this area.

Zoning

The prevailing by-law is Site Specific By-law 840-78. By-law 840-78 of the former City of Toronto was passed on October 24, 1978 to establish the zoning for the area known as the College Park block. The By-law uses a mixing formula approach to calculate the maximum mixed-use development potential for the block. There are also limits to the number of residential units and the non-residential gross floor area permitted on the block.

Appendix “B”, Schedule 5 of By-law 840-78, illustrates the permitted height limits for the entire lot. With respect to the Yonge-Gerrard lands, Area ‘B’, the area fronting Yonge Street, has a height limit of 19.6 metres; Area ‘A’ allows for a maximum height of 54.3 metres, however, under certain conditions the height limit can be increased to a maximum of 92.3 metres; and the remainder of the Yonge-Gerrard lands has a maximum height permission of 116 metres. Refer to Attachment 7 – Height Limits as per By-law 840-78.

Section 16 of By-law No. 840-78 contains specific criteria for shadow impacts on College Park. The By-law states that the “relevant total open area” must be in sunlight at 12:18 pm (Daylight Saving Time) on September 21 of each year and that an average of not less than 40 per cent of the relevant total open area, measured hourly, is in sunlight between the hours of 11:18 am and 3:18 pm (Daylight Saving Time) on the same day.

There have been a number of Committee of Adjustment decisions that have increased height permissions and density limits on the College Park block. The most recent decision (A0011/04TEY) includes allowances to increase the number of residential units (from 2,031 to 2,431) and increase total residential gross floor area (from 175,012 to 215,012 square metres) on the block.

As set out in By-law 438-86, as amended, the underlying as-of-right zoning is “CR”, or commercial-residential. The College Park block is zoned G, CR T7.8 C2.0 R7.8 and CR T4.0 C4.0 R1.5. On the eastern third of the Yonge-Gerrard lands there is a total density limit of 4.0 times the lot area, a commercial density limit of 4.0 times the lot area, a residential density limit of 1.5 times the area of the lot and a height permission of 20 metres. The remainder of the site has a total density limit of 7.8 times the area of the lot, a commercial density limit of 2.0 times the lot area, a residential density limit of 7.8 times the lot area and a height permission of 61 metres.

Site Plan Control

An application for Site Plan Approval has not been filed.

Reasons for the Application

The proposed development, in its present form, has been reviewed for compliance with the development criteria contained in the new Plan, including the Downtown (Sections 2.2.1, 2.3.1 and 2.3.2), Public Realm (Section 3.1.1), Built Form (Section 3.1.2), Built Form-Tall Buildings (Section 3.1.3), Parks and Open Space (Section 3.2.3) and Mixed Use Areas (Section 4.5), and does not conform with the intent of the Official Plan, thereby, requiring an amendment. Further, it does not meet the general intent of Site and Area Specific Policy 174 in the Official Plan, which contains built form principles for new development being located along property lines fronting Yonge Street, with the scale of new buildings consistent with height limits in the area, and respecting the existing transition in height and scale between surrounding buildings.

Subject to confirmation from the Chief Building Official, a preliminary review indicates that the applicant’s proposal exceeds the residential unit, height and gross floor area limits in Site

Specific By-law 840-78. Prior to the most recent Committee of Adjustment decision, the residual number of residential units that could be constructed as-of-right was nearly depleted. With the Committee of Adjustment decision, the applicant is permitted to build up to 480 residential units, where the application proposes 917 units. The Site Specific By-law regulates three different height limits within the Yonge-Gerrard lands, which are 19, 54 and 116 metres. The height of the proposed tower reaches 227 metres to the roof line, plus 13 metres for the mechanical penthouse. The application also exceeds the residential gross floor area limits within the Site Specific By-law.

In addition, the proposed density of 8.64 times the area of the College Park block and 15.4 times the area of the Yonge-Gerrard lands exceed the density of 7.8 and 4.0 times coverage as set out in By-law 438-86, as amended. The proposed height of 227 metres to the roof line, plus 13 metres for the mechanical penthouse exceeds the height limits set out in By-law 438-86, as amended, of 20 and 61 metres, respectively.

Community Consultation

A community consultation meeting on the original application was held on October 6, 2004. This meeting was attended by Councillor Rae, City staff, the applicant and architect, and two members of the public. Other than timing of a possible development on the Yonge-Gerrard lands, no other issues were raised at this meeting.

A second community consultation meeting on the current June 9, 2006 proposal was held on July 5, 2006. The meeting was attended by approximately 22 members of the public, as well as Councillor Rae, City staff and the applicant's development team. The applicant presented the revised proposal in response to issues and concerns previously raised by staff in the Revised Preliminary and Status Report. Primary concerns raised at the community meeting included the following:

- (a) the proposed built form, including height and massing, particularly with respect to its fit with the immediate area and its impacts;
- (b) the proposed density;
- (c) shadow impacts, specifically in relation to College Park, the Barbara Ann Scott skating rink and existing communities on the east side of Yonge Street and Church Street;
- (d) the proposal and its relationship to the local pedestrian environment, in particular setbacks along Yonge Street and College Park;
- (e) adherence to existing planning controls for the area;
- (f) wind impacts;
- (g) large size of the residential tower floor plates;
- (h) location of residential lobby and drop-off area and use of arcades; and
- (i) the traffic generated by the proposal and potential impacts on the local street network.

Councillor Kyle Rae suggested that a working group be formed to address these issues.

Comments:

The policy framework contained in the Official Plan does not support the proposal for a 75-storey residential building, which significantly exceeds the height limits of the governing planning controls. Official Plan and Zoning policies provide guidance for transitioning of heights and densities. Transitioning and stepping down allow for redevelopment to occur that is compatible with the surrounding area.

Each site presents its own set of opportunities and constraints that require careful review and consideration. In this case, the proposed development for the Yonge-Gerrard lands fails to provide a built form that fits into the surrounding built and approved planning context. It represents an attempt to over-develop the site.

This section identifies reasons for refusal of the application in its current form.

Policy Framework

Policies in the Official Plan reinforce transition of heights and densities. In the new Official Plan the site is designated Mixed Use Area, which are areas designated for growth of a wide array of land uses, including residential growth. Development criteria stated in the new Official Plan provide the guidance for review of new developments. Transition from areas of differing land use intensities and stepping down of heights is given important consideration.

Development Criteria in Mixed Use Areas:

“2. In Mixed Use Areas development will:

- c) locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale Neighbourhoods;
- d) locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods, particularly during the spring and fall equinoxes.”

The eastern portion of the site is subject to Site and Area Specific Policy 174, which sets out the general planning objectives and built form principles for lands generally fronting on Yonge Street between Queen Street and just north of Gerrard Street West. Policies focus on maintaining and enhancing the special physical and experiential character, including the low scale built form along Yonge Street and a high level of pedestrian comfort. Built form principles speak to new development being located along property lines fronting Yonge Street, with the scale of new buildings consistent with height limits in the area, and respecting the existing transition in height and scale between surrounding buildings.

Section 3.1.3, Built Form – Tall Buildings of the new Plan addresses built form policies for tall buildings. The prominence of tall buildings imposes larger civic responsibilities and obligations on their design. The policies contained in the new Plan are general and relate to form,

neighbourhood context and fit. To implement the built form policies of the City's Official Plan, design guidelines contained in a report entitled "Design Criteria for Review of Tall Building Proposals" was prepared by HOK Canada + Urbana Architects Corporation. This report was considered and adopted at the July 4, 2006 Planning and Transportation Committee, with Recommendation (1) stating that "the design guidelines contained in the attached report entitled "Design Criteria for Review of Tall Building Proposals" be applied to future tall building development applications in conjunction with the application of the Built Form policies of Section 3.1.3 of the City's Official Plan."

Any form of tall buildings, such as the Yonge-Gerrard proposal, can and should be measured against the criteria contained in the Plan and now in these guidelines, including:

- (a) building form;
- (b) transition in scale;
- (c) building placement and orientation;
- (d) open space;
- (e) scale;
- (f) floor plates;
- (g) spatial separation;
- (h) sun, shadow and sky view; and
- (i) pedestrian level wind effects.

Site Specific By-law 840-78 is the prevailing by-law for the site. The By-law permits residential and mixed use buildings. Appendix "B", Schedule 5 of By-law 840-78 illustrates the permitted height limits for the entire lot. The By-law is very specific about height limits for these lands, clearly illustrating a transition in height down moving west to east across the site.

City Planning staff acknowledge that the Yonge-Gerrard lands have the potential to accommodate a significant development. However, the massing and scale of the proposed 75-storey building greatly exceeds the development criteria of the Plan and does not meet the intent or objectives of the Plan. Further, it does not meet the intent or objectives of Site Specific By-law 840-78.

Site Context

The highest buildings on the College Park Block are located on Bay Street, specifically 777 Bay Street, 761 and 763 Bay Street, and 44 and 71 Gerrard Street West and 717 Bay Street, which is consistent with Official Plan policies. Immediately north of the Yonge-Gerrard lands is Toronto College Park Limited Phase 1, which has an approximate height of 20 metres along Yonge Street stepping up to approximately 56 metres moving west. To the east of the site, on Yonge Street, are commercial and mixed residential/commercial land uses with heights ranging between nine and 15 metres. The McGill-Granby residential community is located east of Yonge Street.

Transition

Tall buildings should be located and massed to provide a transition between areas of different development intensity and scale. Further, new buildings should be massed to fit harmoniously into their surroundings and respect and improve the local scale and character.

The proposed building does not conform to the City's policy framework with respect to height limits and massing. By-law 840-78 is specific about height limits for the Yonge-Gerrard lands and creating a transition down from Bay Street. Further, Site and Area specific Policy 174 sets out built form policies that speak to the appropriate scale of development along Yonge Street. The applicant has located the podium and tower adjacent to Yonge Street. This does not meet the prescribed building envelope and height limits set out in Site Specific By-law 840-78, nor does it conform to the intent and purpose of the Official Plan. Staff are also concerned with the impacts of locating a building of this scale adjacent to Yonge Street in this area, including shadow and wind impacts.

City Planning staff are concerned that the proposal introduces or establishes a higher scale and built form associated with the Bay Street corridor on Yonge Street, in absence of any larger or revised policy review for this area and Yonge Street, and it will not fit in with the transition pattern of heights for the area as described above.

Building Massing

The proposed tower has a floor plate of 1,250 square metres up to the 45th storey and 975 square metres from the 46th to the 75th storey. The recently adopted "Design Criteria for Review of Tall Building Proposals" recommends that floor plate size and shape for residential point towers must have appropriate dimensions for the site, locate and orient on the site and in relationship to the base building in a manner that minimizes the shadowing, loss of sky view and wind conditions in adjacent streets, parks, open spaces and buildings. The proposed tower location and typical floor plate sizes of 1,250 and 975 square metres are relatively large.

The design of tall buildings is considered to be of three parts, integrated in a single whole. There is the base building, the middle (shaft) and the top. The base building should be of an appropriate scale to adjacent streets, parks and open spaces and integrate with adjacent buildings. The middle should be designed so that floor plate size and shape have appropriate dimensions for the site and location. In addition, it should be oriented on the site in relationship to the base building in a manner that minimizes shadowing, loss of sky view and wind conditions. The top should have integrated mechanical systems and be sculpted to contribute to the skyline character. The proposed development does not have a base, middle or top that reflects the existing built form context, nor does it integrate well with surrounding development or the existing planning controls for the site.

Density

City Planning staff have reviewed the requested additional density, which is well beyond existing limits as amended and approved by the Committee of Adjustment, and believe it represents an over-development of the site.

Tall Building Address

Main building entrances should be located so that they are clearly visible and directly accessible from the public sidewalk and will provide ground floor uses that have views into and access to adjacent streets, parks and open spaces. The main residential entrance and lobby is proposed off of Gerrard Street West and is substantially setback from the street edge and covered. The proposed automobile drop-off is located in front of the residential entrance, rather than at the side or rear of the development site. The residential access is not clearly visible or easily accessible from the public sidewalk.

Open Space

The proposed development does not improve the existing open space network in the area. Further, it does not adequately relate to College Park and negatively impacts the access point from Gerrard Street West into the park, making it more imposing and unsafe.

Section 37

Section 37 is applicable to this proposal. A Section 37 valuation has not been completed for this proposal at this time as a supportable development has not been achieved, and therefore, a recommended contribution or benefits package has not been finalized.

Other

On August 15, 2006, Planning staff received subsequent correspondence from the applicant's solicitor, which included a report from Robert Glover of Bousfields Inc., both dated August 15, 2005. In his letter, Mr. Bermingham states that the report from Bousfields was prepared in response to a request from City Planning staff for an urban design rationale for a building of 75 storeys. The report states "...a process to ensure that the height is supported by exemplary architecture. This process is underway with a panel comprised of Mr. Eberhard's Zeidler and Mr. Rene Menkes. An invitation was extended to Gary Wright (Director, Community Planning) to have the City nominate a third eminent architect to the panel but there has been no indication of an interest by the City in doing so." Subject to Council's consideration of this report and its recommendations, City staff do not believe that a panel that focuses on the proposal's architecture as the means for support without better adherence or respect for Council's in-force planning approvals is advisable.

Conclusion:

The proposal in its current form is unacceptable and requires reconsideration in order to adequately address in-force policy and planning framework.

Should the applicant significantly revise the current proposal to be more in keeping with the governing planning controls for the Yonge-Gerrard lands, staff will advise accordingly. Further, should a revised proposal be submitted, staff will advise on the merits of establishing a working group and terms of reference for the group.

Contact:

Kelly Dynes, Senior Planner (Acting)

Ph: 416-392-7363

Fax: 416-392-1330

Email: kdynes@toronto.ca

Al Rezoski, Senior Planner

Ph: 416-392-0481

Fax: 416-392-1330

Email: arezosk@toronto.ca

Gary Wright

Director, Community Planning, Toronto and East York District

T:\20277042097 (fm)

List of Attachments:

- Attachment 1: Application Data Sheet
- Attachment 2: Site Plan
- Attachment 3: North and West Elevations
- Attachment 4: South and East Elevations
- Attachment 5: Official Plan (Map)
- Attachment 6: Context Plan – College Park Block
- Attachment 7: Height Limits as per By-law 840-78
- Attachment 8: Zoning (Map)

Attachment 1: Application Data Sheet

Application Type	Official Plan and Rezoning	Application Number:	04 130483 STE 27 OZ
Details	Official Plan and Rezoning, Standard	Application Date:	May 4, 2004, revised January 13, 2006 and June 9, 2006

Municipal Address: 444 YONGE ST, TORONTO ON
 Location Description: Northwest corner of Yonge Street and Gerrard Street West
 Project Description: The proposal is for a 75-storey mixed commercial and residential building.

Applicant:	Agent:	Architect:	Owner:
Blake, Cassels & Graydon LLP (Tim Bermingham)		Graziani + Corazza Architects Inc.	Toronto College Park Ltd.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Area	Site Specific Provision:	840-78, 41-79, 245-79, 834-79, 71-91
Zoning:	CR T7.8 C2.0 R7.8, CR T4.0 C4.0 R1.5, G	Historical Status:	N
Height Limit (m):	61	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	6513, includes public lane stub	Height: Storeys:	75
Frontage (m):	67 (approximate)	Metres:	226.78, plus a 13 metre mechanical penthouse
Depth (m):	112 (approximate)		
Total Ground Floor Area (sq. m):	Not provide by applicant		Total
Total Residential GFA (sq. m):	82977	Parking Spaces:	801
Total Non-Residential GFA (sq. m):	17040	Loading Docks	0 (provided off site)
Total GFA (sq. m):	100017		
Lot Coverage Ratio (%):			
Floor Space Index:	15.36		

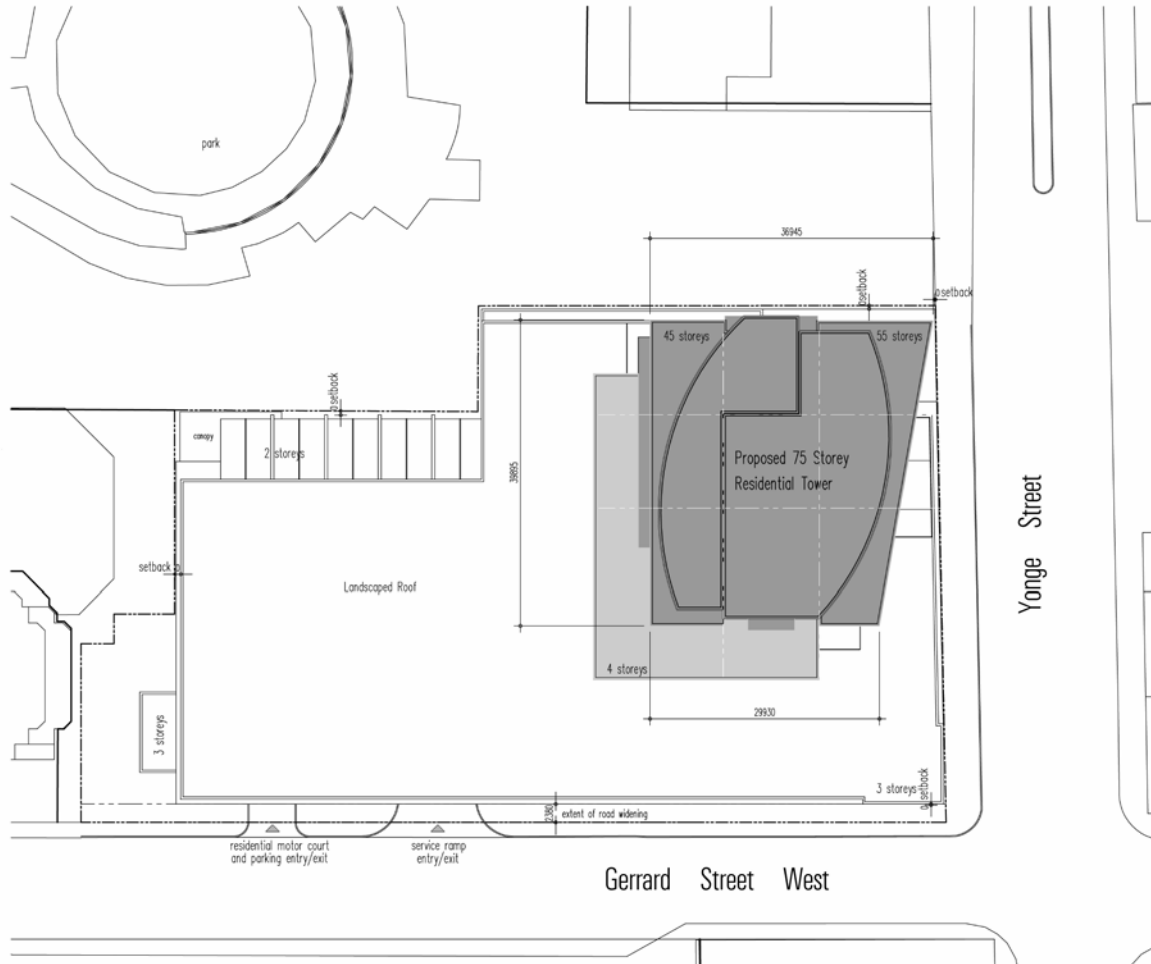
DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	82977	0
Bachelor:	51	Retail GFA (sq. m):	12900	4140
1 Bedroom:	373	Office GFA (sq. m):	0	0
2 Bedroom:	442	Industrial GFA (sq. m):	0	0
3 + Bedroom:	51	Institutional/Other GFA (sq. m):	0	0
Total Units:	917			

CONTACT: PLANNER NAME: Kelly Dynes, Senior Planner (Acting)
TELEPHONE: (416) 392-7363

Attachment 2: Site Plan



Site Plan

Applicant's Submitted Drawing

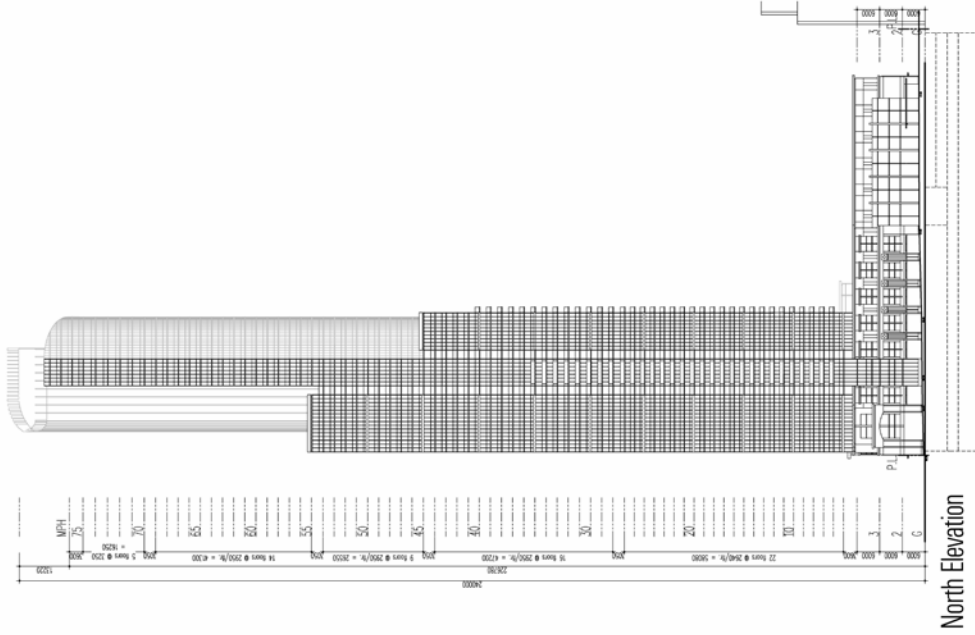
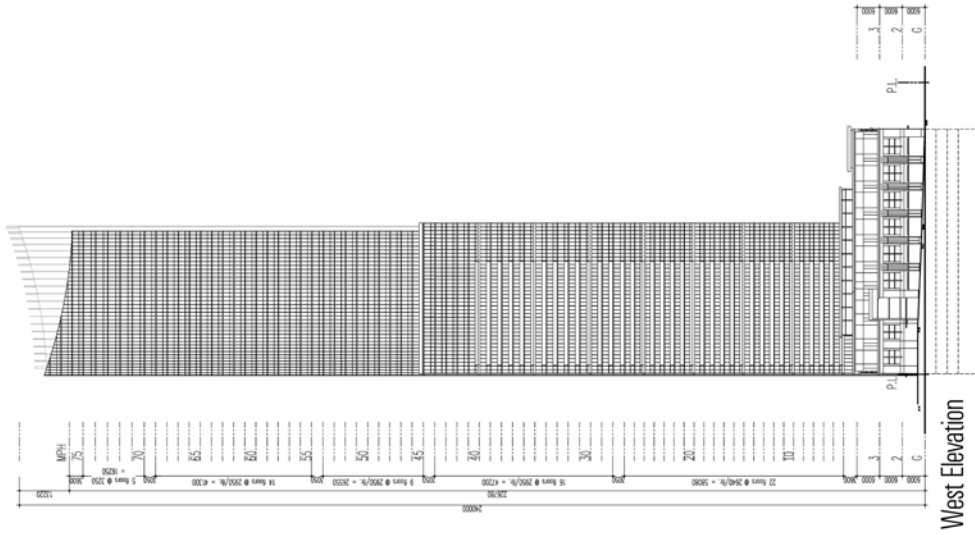
Not to Scale
08/21/06



444 Yonge Street

File # 04_130483

Attachment 3: North and West Elevations



444 Yonge Street

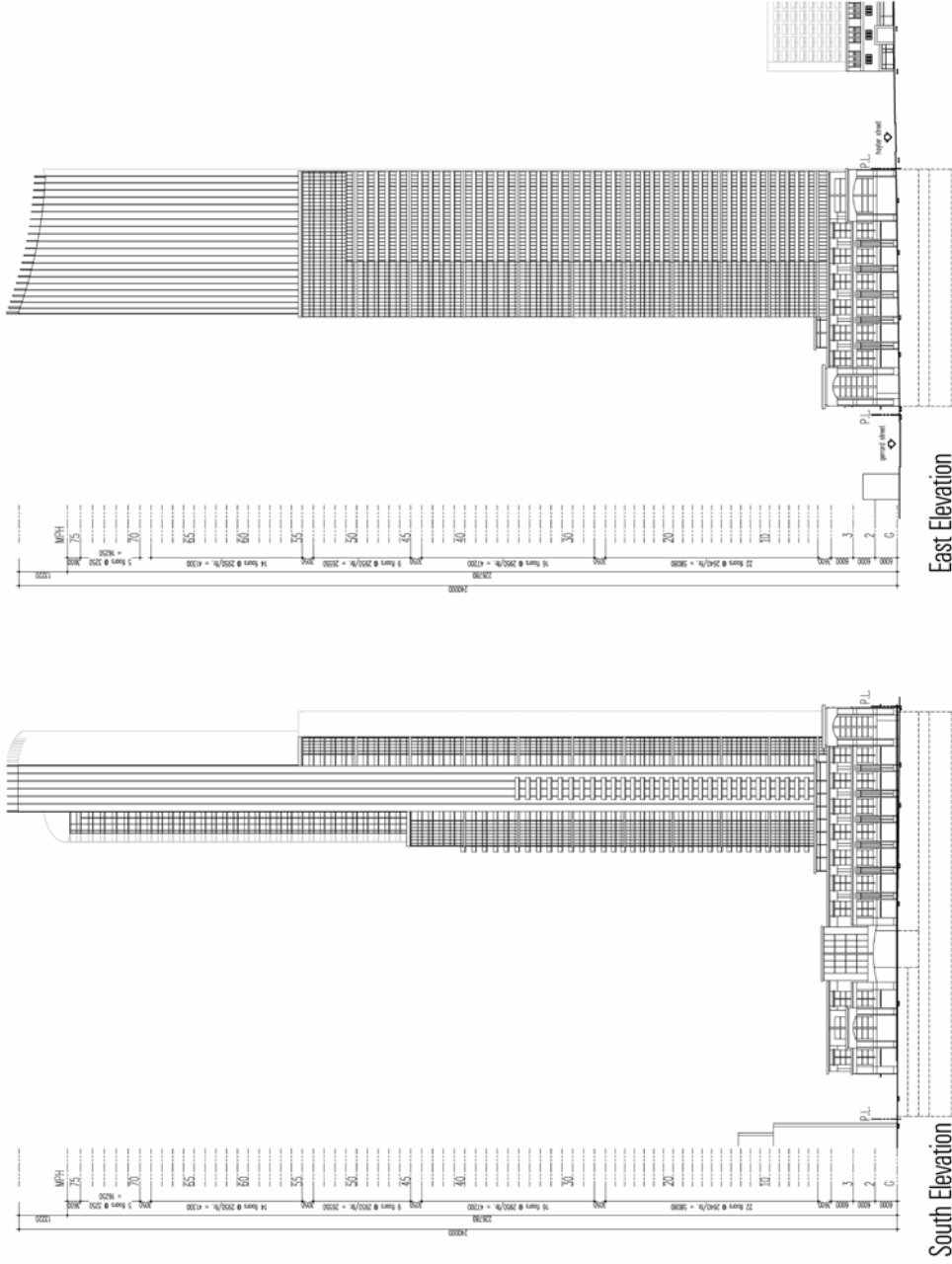
North and West Elevations

Applicant's Submitted Drawing

Not to Scale
08/21/06

File # 04_130483

Attachment 4: South and East Elevations



444 Yonge Street

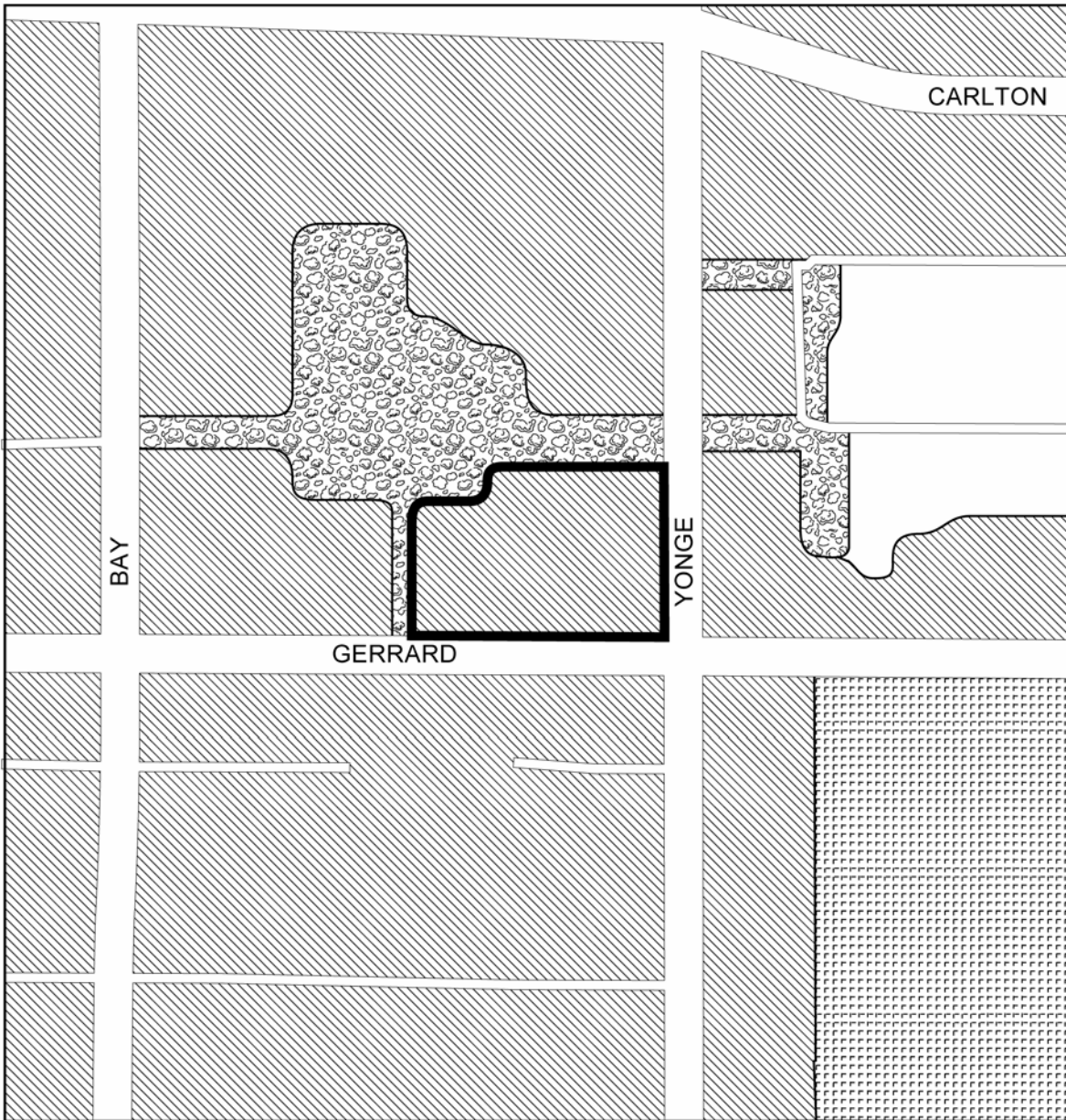
South and East Elevations

Applicant's Submitted Drawing

Not to Scale
08/21/06

File # 04_130483


Attachment 5: Official Plan (Map)



 **TORONTO** City Planning
Division
Official Plan

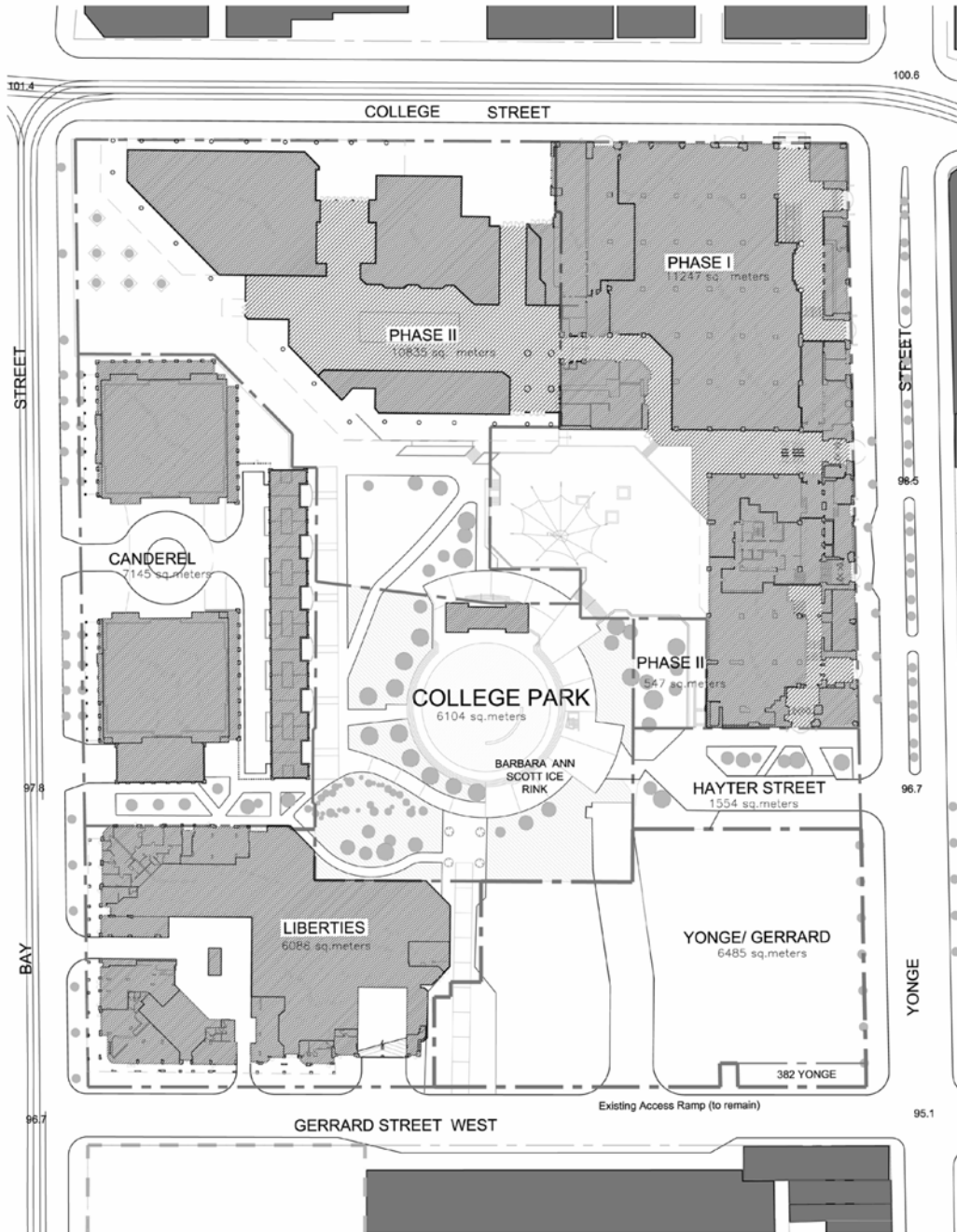
444 Yonge Street

File # 04_130483

- | | | |
|---|--|--|
|  Site |  Neighbourhoods |  Parks and Open Space Areas |
|  Mixed Use Areas |  Parks |  Institutional Uses |


Not to Scale
08/21/06

Attachment 6: Context Plan - College Park Block



Context Plan - College Park Block

444 Yonge Street

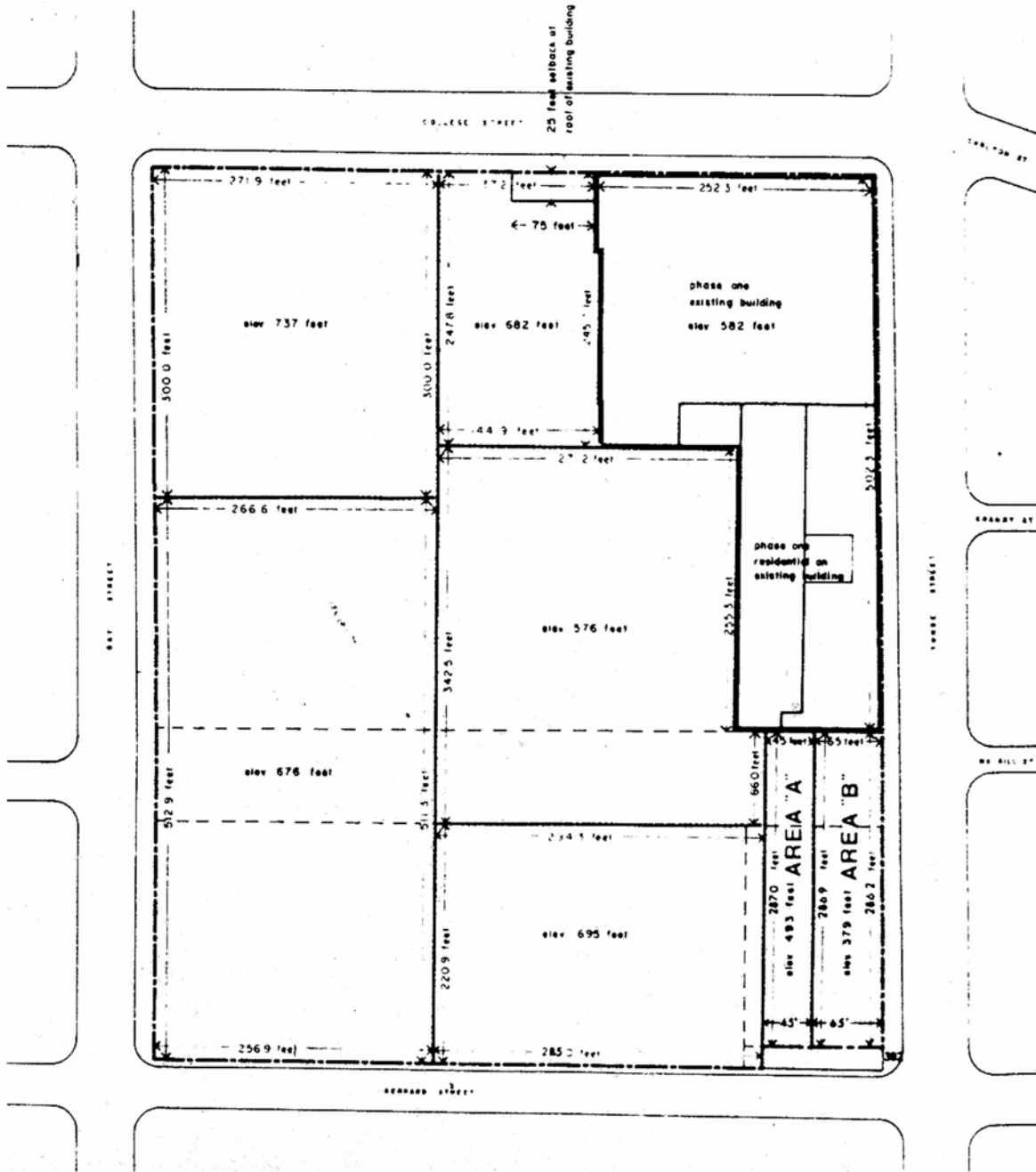
Applicant's Submitted Drawing

Not to Scale
05/17/06



File # 04_130483

Attachment 7: Height Limits as per By-law 840-78



Height limits as per By-Law 840-78

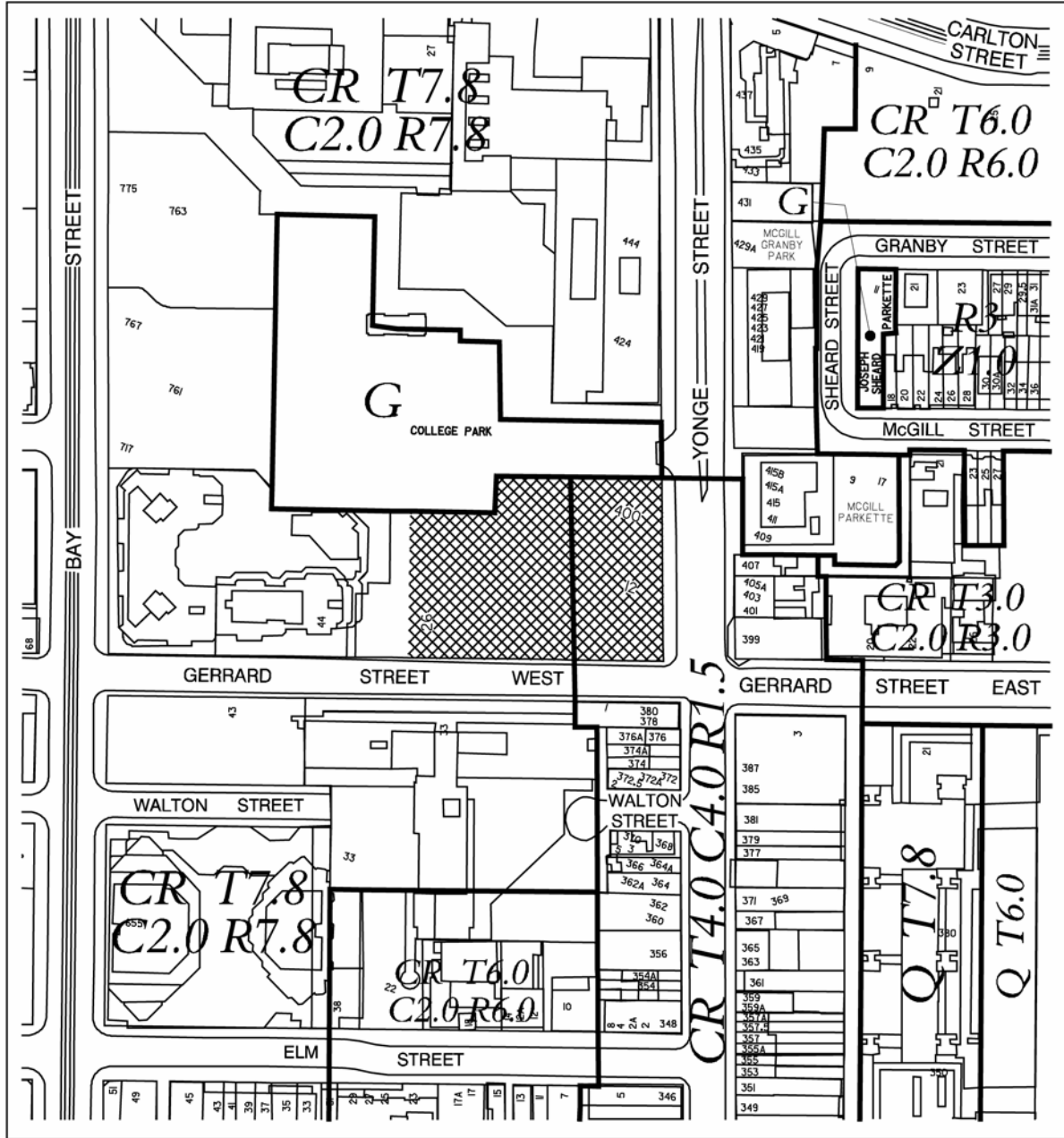
444 Yonge Street

Applicant's Submitted Drawing

Not to Scale
05/17/06

File # 04_130483

Attachment 8: Zoning (Map)



444 Yonge Street
File # 04_130483

- G Parks District
- R3 Residential District
- CR Mixed-Use District
- Q Mixed-Use District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 04/12/06 - TA