

TORONTO STAFF REPORT

June 20, 2005

To: Toronto and East York Community Council

From: Director, Community Planning, South District

Subject: Refusal and Directions Report
OPA & Rezoning Application 05 104157 STE 27 OZ
Applicant: Roslyn Houser, Goodmans LLP
Architect: Architects Alliance
590 Jarvis Street
Toronto Centre-Rosedale, Ward 27

Purpose:

This report reviews and recommends refusal of an application to amend the Official Plan and the Zoning By-law for a 45-storey (141.5 metre), 436-unit residential condominium building at 590 Jarvis Street.

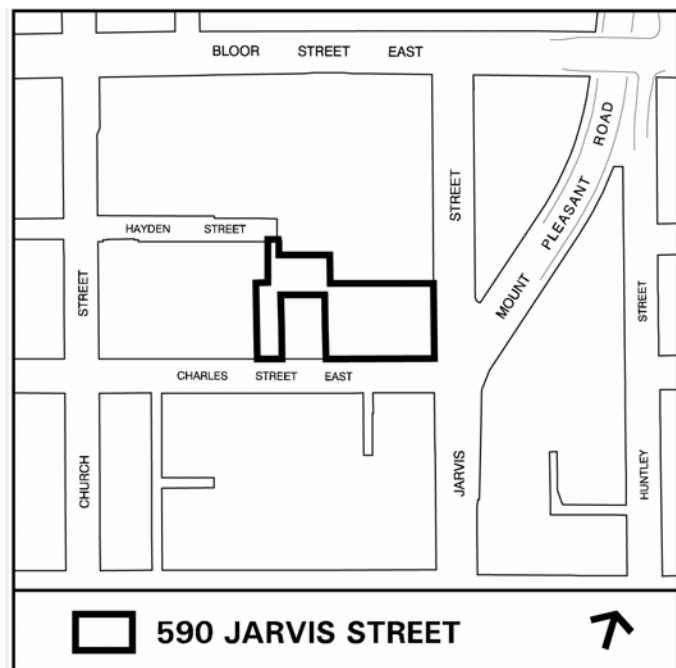
Financial Implications and Impact Statement:

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; and
- (2) request the applicant to revise the application to address the issues, in particular, a reduction in height, as discussed in this report.



Background:

The site is the former Metropolitan Toronto Police Headquarters, which was recently used by various City departments. The property was declared surplus by City Council at its meeting of October 10, 11, 12, 2000 and offered for sale. City Council, at its meeting of September 28, 29, 30 and October 1, 2004, accepted an offer to purchase from Great Gulf Limited.

Proposal

The proposal consists of a 45-storey, 436-unit residential condominium building with a mix of one and two bedroom units. A two-storey pavilion building designed for amenity space is located behind the main tower on Charles Street East. The tower floor plate is 783 square metres. Landscaped open space is proposed behind the Gerstein Centre, which is adjacent to proposed landscaped open space for the Bloorwalk condominium project to the north. Pedestrian walkways are provided that will connect the existing pedestrian system both north/south from Charles Street East to Hayden Street and east/west from Hayden Street to Jarvis Street.

Vehicular access to the site will be from the western edge of the property on Charles Street East and from Jarvis Street. A total of 335 parking spaces are provided in five levels of underground parking proposed at the City's Zoning By-law standard.

Site and Surrounding Area

The 0.43-hectare (1.06-acre) irregular shaped site is located at the northwest corner of Jarvis Street and Charles Street East. Mount Pleasant Road connects with Jarvis Street at this location. The site is an irregular shape that extends along Charles Street East and with a small frontage on Hayden Street to the north. The site wraps around the Gerstein Centre at 100 Charles Street East.

North: a three-storey office building formerly used by the Anglican Archdiocese of Toronto.

South: a three-storey office building that is the headquarters of Pizza Pizza.

East: across Jarvis Street is a 16-storey office building that is the headquarters of Rogers Communications.

West: eight and nine storey apartment buildings are to the west along Charles Street East.

Metropolitan Toronto Official Plan

The Metropolitan Toronto Official Plan designates the site as part of the Central Area. The Central Area is identified as the pre-eminent Centre. Metroplan supports initiatives to

increase the supply of housing in the Central Area in a way that promotes healthy and sustainable communities and enhances existing neighbourhoods.

Existing City of Toronto Official Plan

The site is designated Medium Density Mixed Use Commercial Residential. Under this designation, new developments should be compatible with existing buildings and open spaces and have mid-rise heights of six to ten storeys with a maximum density of four times the lot area, and ensure the physical form objectives of the Plan are achieved and ensuring compatibility with local conditions and objectives.

New Toronto 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. The Official Plan is now before the Ontario Municipal Board.

Once the Official Plan comes into full force and effect, the property will be designated Mixed Use Area. The Plan contains development criteria that will direct the form and quality of development. The criteria state that new buildings should provide a transition between areas of different intensity and scale including a stepping down of heights towards lower scale neighbourhoods; that shadow impacts on adjacent neighbourhoods be minimized; that an attractive, safe and comfortable pedestrian environment is provided; and that transit services are in close proximity and accessible to the site.

Zoning

The current zoning on the property is CR T 4.0 C1.0 R4.0. This allows for a density of four times the lot area. A maximum height of 30 metres is permitted on the site.

Site Plan Control

An application for Site Plan Approval has not been filed at this time, but would be required if the application went forward.

Reasons for the Application

The proposed height of 141.5 metres, excluding the rooftop mechanical penthouse, and a density of 7.8 times the lot area exceed the Official Plan and Zoning By-law height limit of 30 metres and density of four times the lot area.

Community Consultation

A Community Consultation Meeting was held on April 21, 2005. There were approximately 40 people in attendance with many from developments on the north side of Bloor Street East.

Primary concerns raised at the community meeting were shadows and views. Residents were concerned that this proposal may have potential shadow impacts on existing buildings on the north side of Bloor Street East. Residents were also concerned that views would be blocked. Traffic and parking concerns were raised. Some residents advised that the area is already congested and this proposal would aggravate that situation. Several residents also expressed concern with the potential for creating a streetwall along Jarvis Street, which was seen as undesirable. Residents also questioned the planning in the area, that there is no Secondary Plan that would guide growth.

Comments:

Policy Framework

The site is designated Medium Density Commercial Residential Area that allows a mix of uses in a mid-rise form of six to ten stories and a density of four times the lot area. The Zoning By-law implements these policies with a height of 30 metres and a density of four times the lot area. The magnitude of proposed height and density, above the existing permissions, is inconsistent with the overall policy objectives of the Official Plan.

The policy framework for the City embraces the concept of transition in both height and density, from areas of higher height and density to lower scale areas. Transition, rather than abrupt changes in land use, allows for the stepping of heights and densities which establishes compatibility between areas of different height and density and land uses and provides stability for sensitive land use areas.

Existing Official Plan policies:

Policy 3.14 in the existing Official Plan states:

“It is the policy of Council that ...the massing of buildings should respect the existing street proportions and provide a transition between areas of differing development intensity.”

Policy 13.10 in the existing Official Plan states:

“*Medium Density Mixed Commercial Residential Areas* are areas where primarily residential uses are to be promoted. New developments in these areas should be designed for compatibility with existing buildings and public open spaces, but should be of a mid rise form with heights generally in the range of 6-10 storeys.”

Policy 13.11 in the existing Official Plan:

“In *Medium Density Mixed Commercial and Residential Areas* Council may pass by-laws to permit buildings having a maximum total gross floor area of 4.0 times the area of the lot...and establish maximum heights in order to achieve the physical form objectives of this Plan and ensure appropriate compatibility with local conditions and objectives.”

Designations in the existing Official Plan implement these policies and create transition between areas of higher and lower density. Bloor Street is one of the major arterial streets in the City and is seen as an appropriate location for relatively high heights and density in the Downtown. Heights and densities should decrease southward from Bloor Street, in this area. Designations for this area in the Official Plan support this:

- High Density Mixed Commercial Residential designation for properties fronting onto Bloor Street East and the north side of Hayden Street; and
- Medium Density Mixed Commercial Residential designation for properties on the north and south sides of Charles Street East.

Policies in the in force Official Plan clearly indicate that there should be a transition in height and density from Bloor Street East, stepping down to the south into the residential neighbourhoods to the south.

Policies in the new Official Plan continue and 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 new 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, again, 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, particularly providing setbacks from and a stepping down of heights towards, lower scale *Neighbourhoods*.”

Buildings should step down from north to the south, and also from east to west, to transition from higher heights and densities to residential neighbourhoods to the east of Jarvis Street that are a lower scale character.

The proposal of a 45-storey (141.5 metres) building at this location is not compatible with the transition policies and does not meet the intent or objectives of the existing and new Official Plans. A proposal to the north at 600 Jarvis Street is approved at 37-storeys (112 metres). The proposal at 590 Jarvis Street does not step down or provide transition but rather proposes a substantial increase in height south of 600 Jarvis Street.

Site Context

The policies of the Official Plans have created the framework for review of land uses in the area. Currently, there is a 27-storey building on the corner of Jarvis Street and Bloor Street East and a church to the west. A 20-storey residential building exists on the north side of Hayden Street. To the west of the site, on Charles Street East, are eight and nine-storey residential buildings. Low and mid-rise residential buildings are located on the south side of

Charles Street. The existing land uses illustrate an area of generally residential character in the mid-rise height range.

In 1992, Council approved a rezoning for a mixed-use proposal for the church property to the north of the subject site, which included the site at 600 Jarvis Street. The rezoning created a predominantly residential building of 27-storeys on part of the site at 600 Jarvis Street. In 2001, the Committee of Adjustment approved a variance application that changed the proposal for 600 Jarvis Street from a 27-storey residential building to a 29 storey residential building. In 2004, the Committee of Adjustment granted a further variance to permit a 37-storey (112 metre) residential building at 600 Jarvis Street. Consequently, a revised height context, in terms of approvals if not actual built form, has been established to the immediate north. At a maximum, developments to the south of 600 Jarvis Street, including the application site, should be of a lesser height and density in order to meet the principles of transition into a lower density residential area.

Development Proposal

Height

As discussed above, staff are not in support of the proposed height of 45-storeys (141.5 metres) at this location. The site could support additional height above current permissions but such height would have to conform to the City's policy framework for transitioning and stepping down.

Building Massing

The applicant is proposing a tall building with a floor plate of 783 square metres. Planning advises that this size of floor plate, or smaller, would be acceptable in a building of lesser height at this location.

Building Location

The applicant has located the building close to the Jarvis Street line. Staff are concerned that this will create a 'streetwall' along Jarvis Street and result in wind impacts. One solution could be to create a podium. The applicant has responded that a podium would not be consistent with their design of the building. Moving the building to the west may be desirable in order to create a plaza at this location, which would reduce the streetwall effect along Jarvis Street, but potentially worsen impacts on St. Paul's Anglican Church. A plaza at this location could also begin to create a larger gateway at the intersection of Jarvis Street and Mount Pleasant Road that could create a landmark at this intersection. Creating a landmark building at this site is not necessarily about height, but its form and relationship to its location including its base condition. Consensus on the podium/plaza issue has not been reached with the applicant.

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 calculated contribution has not been finalized.

Conclusions:

The policy framework contained in the existing and new Official Plans does not support the proposal for a 45-storey (141.5 metre) residential building at this location. Policies for transitioning of heights and densities have provided guidance for development. Transitioning and stepping down allow for redevelopment to occur that is compatible with the surrounding area. This provides stability for areas of more sensitive land use. The height of the proposal at 141.5 metres exceeds the height of the approved development to the north of 112 metres and does not conform to the transitioning and stepping down of heights. Planning advises that the proposal, in its present form, not be supported.

Contact:

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List of Attachments:

Attachment 1: Application Data Sheet
Attachment 2: Site Plan
Attachment 3: Elevations 1
Attachment 4: Elevations 2
Attachment 5: Official Plan
Attachment 6: Zoning
Attachment 7: North/South Heights

Attachment 1: Application Data Sheet
APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	05 104157 STE 27 OZ
Details	OPA & Rezoning, Standard	Application Date:	January 24, 2005
Municipal Address:	590 JARVIS ST, Toronto ON		
Location Description:	CON 1 FB PT PARK LTS 6 & 7 PL E19 PT LT5 **GRID S2708		
Project Description:	Proposed 436 unit residential re-development of vacant office building formerly owned by City of Toronto.		

Applicant:	Agent:	Architect:	Owner:
GOODMANS LLP			
ROSLYN HOUSER			

PLANNING CONTROLS

Official Plan Designation:	Medium Density Mixed Use Commercial Residential	Site Specific Provision:	
Zoning:	CR T4.0 C1.0 R4.0	Historical Status:	
Height Limit (m):	30	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	4313	Height: Storeys:	45
Frontage (m):	0	Metres:	148.55
Depth (m):	0		
Total Ground Floor Area (sq. m):	1203		Total
Total Residential GFA (sq. m):	33630	Parking Spaces:	335
Total Non-Residential GFA (sq. m):	0	Loading Docks	1
Total GFA (sq. m):	33630		
Lot Coverage Ratio (%):	27.89		
Floor Space Index:	7.8		

DWELLING UNITS

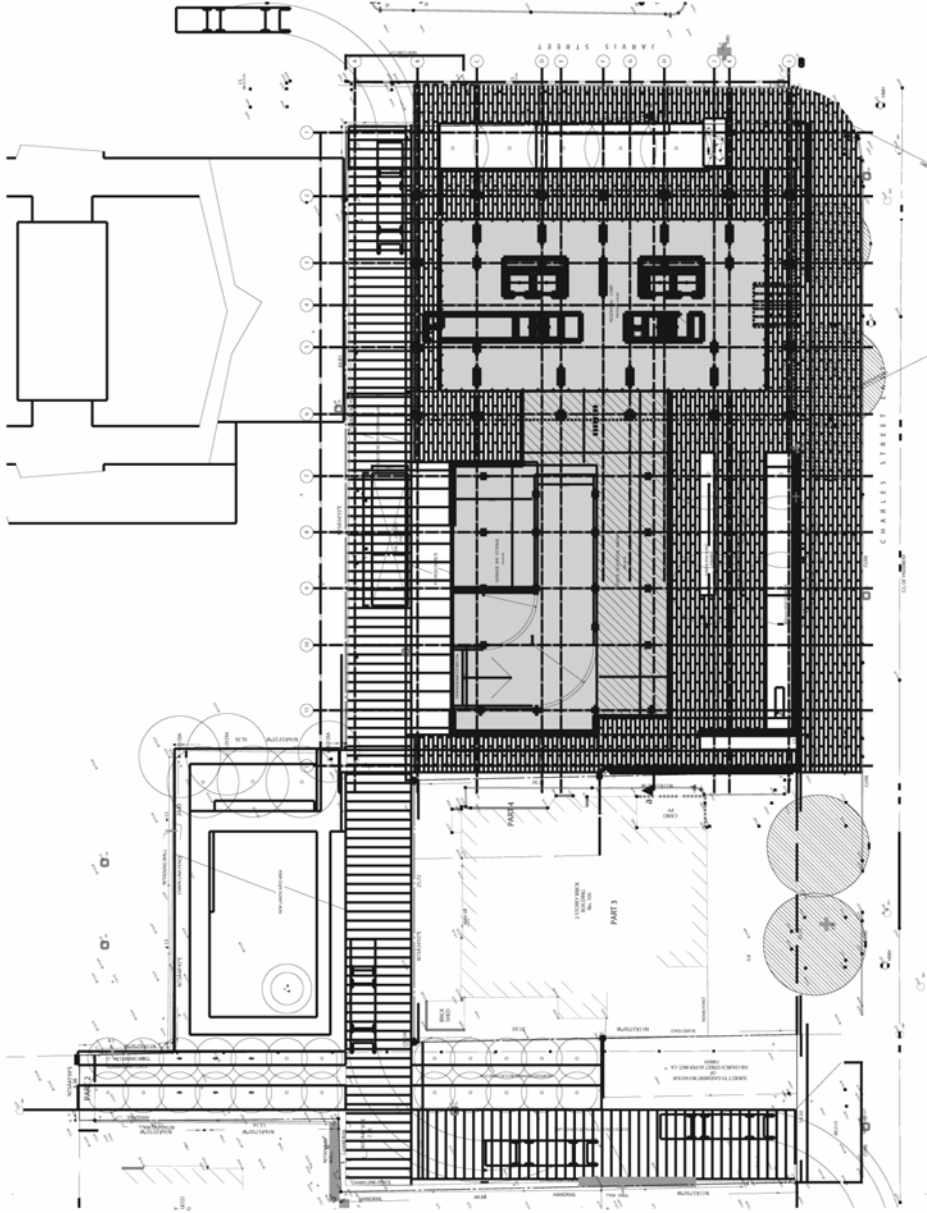
Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	244
2 Bedroom:	192
3 + Bedroom:	0
Total Units:	436

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	33630	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT:	PLANNER NAME:	Kathryn Thom, Senior Planner
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Attachment 2: Site Plan



590 Jarvis Street

File # 05_104157

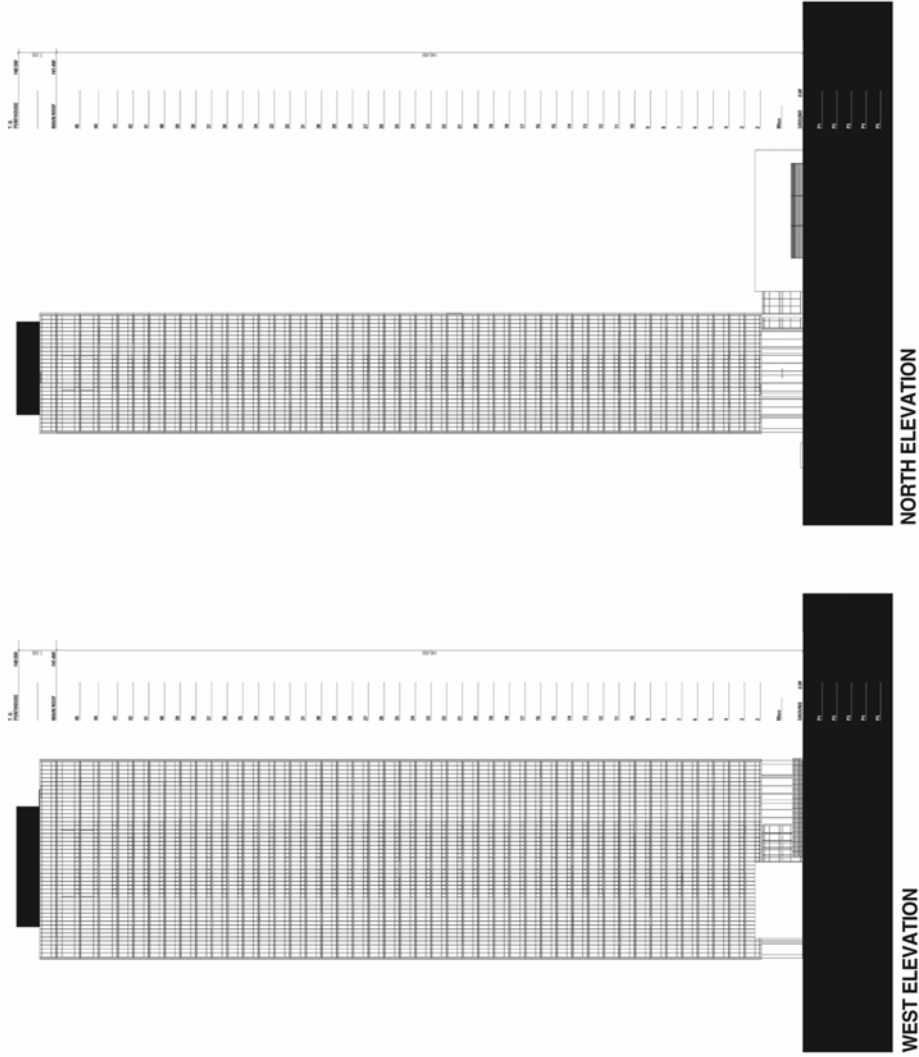
Site Plan

Applicant's Submitted Drawing

Not to Scale
06/03/05



Attachment 3: Elevation 1



590 Jarvis Street

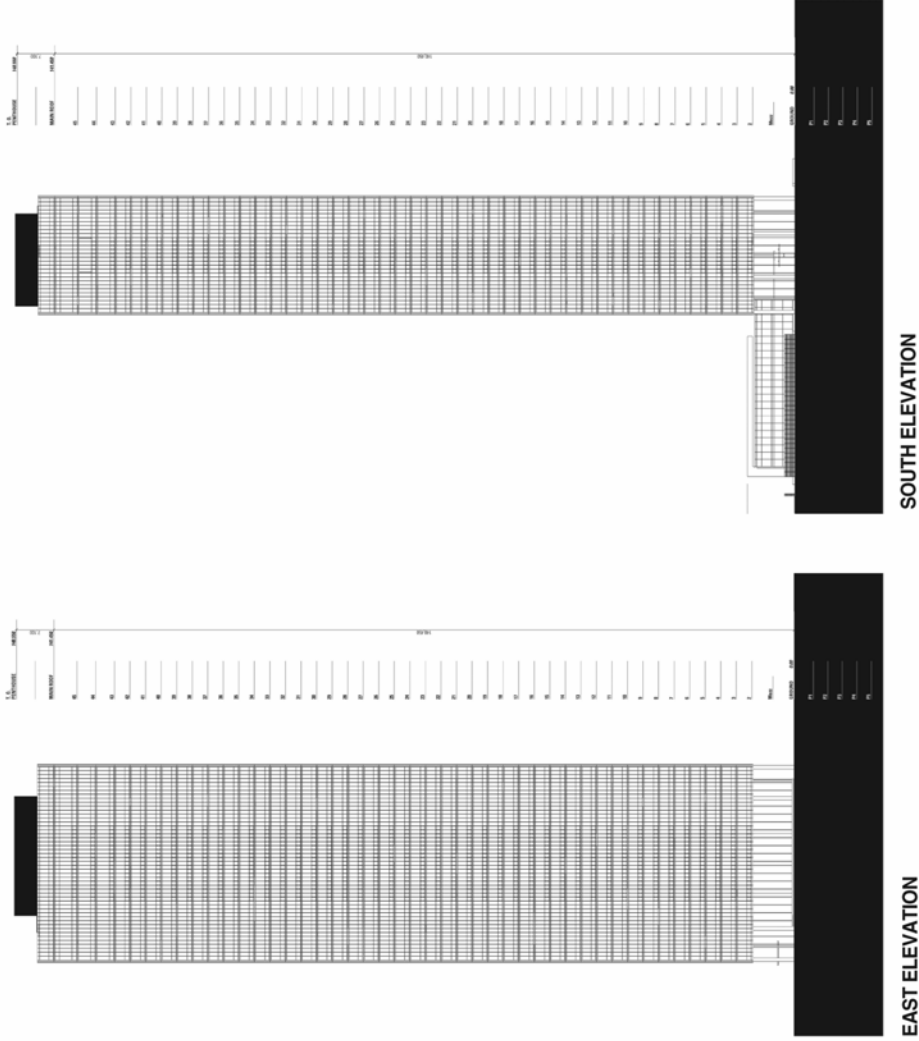
North & West Elevations

Applicant's Submitted Drawing

Not to Scale
06/03/05

File # 05_104157

Attachment 4: Elevation 2



SOUTH ELEVATION

EAST ELEVATION

590 Jarvis Street

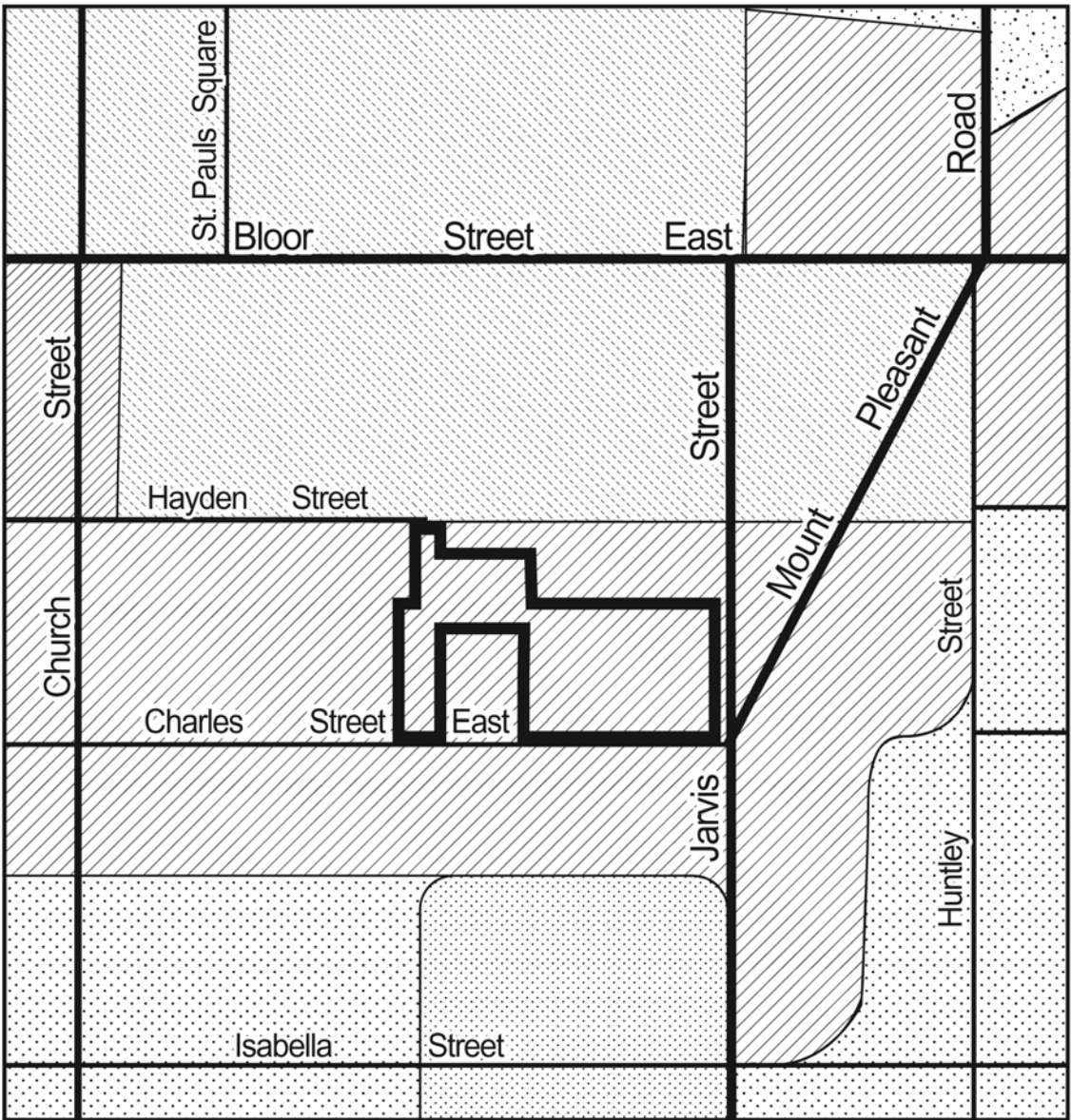
East & South Elevations

Applicant's Submitted Drawing

Not to Scale
06/03/05

File # 05_104157




Attachment 5: Official Plan (Map)



 **TORONTO** Urban Development Services
Official Plan

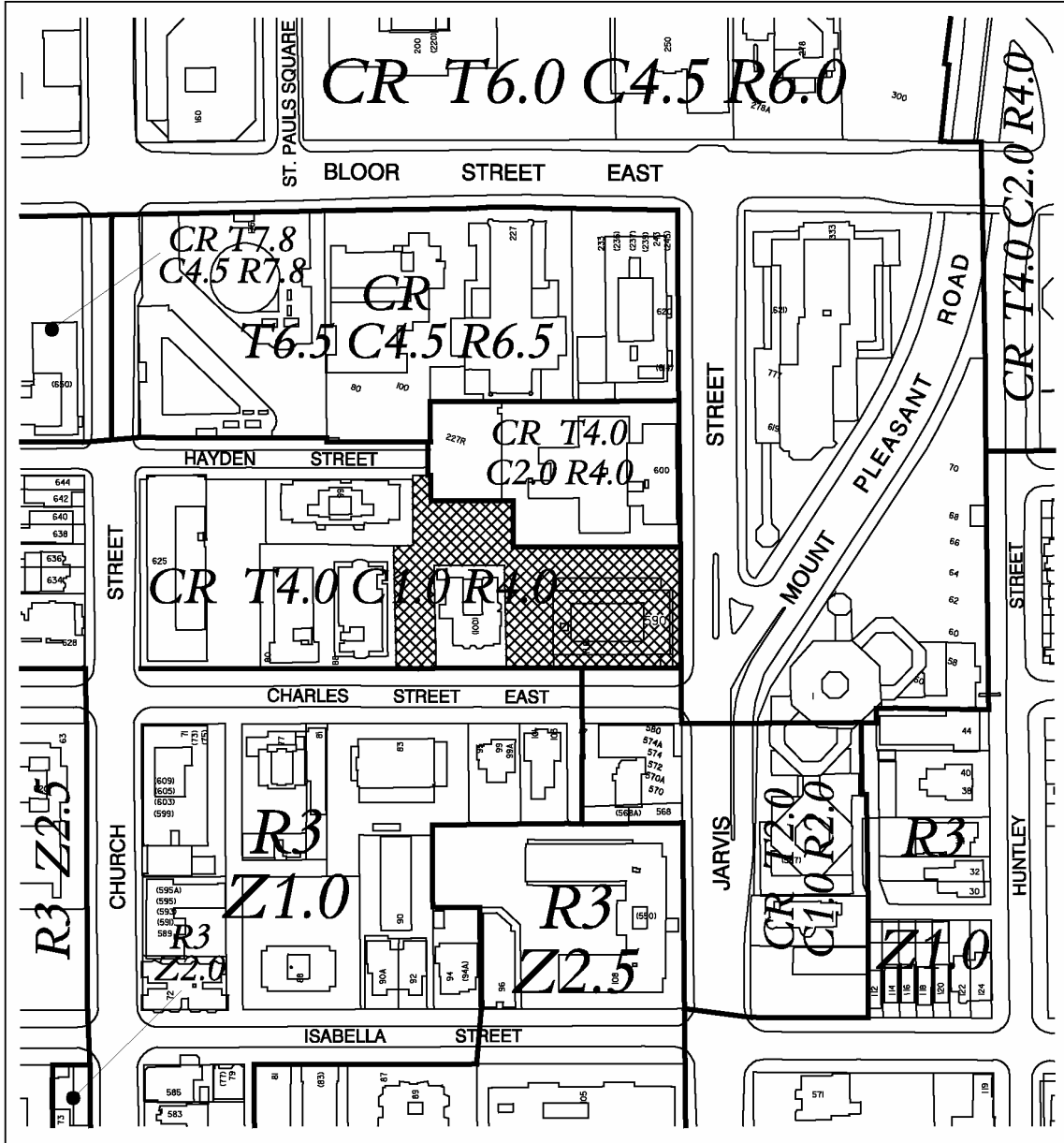
590 Jarvis Street

File # 05_104157

- | | | |
|--|---|---|
|  Site |  Medium Density Mixed Commercial - Residential Areas |  Natural Areas |
|  Medium Density Residence Areas |  High Density Mixed Commercial - Residential Areas 'A' | |
|  High Density Residence Areas |  High Density Mixed Commercial - Residential Areas 'B' | |


Not to Scale
06/03/05

Attachment 6: Zoning (Map)



 **TORONTO** Urban Development Services
Zoning

590 Jarvis Street
File # 05_104157

R3 Residential District
CR Mixed-Use District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 06/03/05 - TA

Attachment 7: North South Heights

