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TORONTO STAR FILES
The 1920s Eaton's store plans, with a tower that was never built, were taken into account by the review panel.

ARCHITECTURE

A new Aura ... a new era



BEFORE: Much of the original plan for the 75-storey tower at Yonge and Gerrard Sts. survived the design review.

Yonge-Gerrard tower is a 75-storey landmark on Toronto's long journey toward implementation of design review panels

SARAH BARMAK
SPECIAL TO THE STAR

Torontonians can be excused these days if their eyes glaze over with each successive announcement of skyline-altering condo towers.

But yesterday's was worthy of special attention, and not because the developer — Canderel Stoneridge — is claiming its 75-storey Aura condo on the northwest corner of Yonge and Gerrard Sts. will be "the tallest mixed-use residential tower in Canada."

What makes this 243-metre tower such a landmark for Toronto is that it truly brings the city into the era of the design review panel.

When this building is finished, locals won't have to ask the old question: "Who approved this?" The real question will be, who didn't?

Aura, the third phase of College Park Residences, will be tall, though not quite up there with One Bloor East and the Trump Tower. It will also have a high-performance fitness centre that includes NBA star Steve Nash and cyclist Lance Armstrong among its investors. With 17,000 square metres of commercial/retail space on the lower floors, it even aims to transform a less-than-lively part of Yonge St.

But it's different from the rest because of the way it was designed — by committee. After an application to up-zone the lot's 40-storey limits failed at the city and went to the Ontario Municipal Board, a panel of big-name architects was used to help reach a settlement and make alterations to the building.

A similar approach to ensuring excellence in design has achieved acclaim for cities such as Vancouver, Seattle and Denver, but it's the first time such a panel has been used to adjudicate a single structure in this city, much less to help a developer and the planning office reach a compromise.

For years, the city's architecture experts have been calling for the

DESIGN REVIEW continued on CO10



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AFTER: The review led to a repositioning of the tower, a taller podium and more emphasis on how it meets the street.

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RON BULL/TORONTO STAR

Panelist Bruce Kuwabara, with the Aura site in the background, says the real potential of design review is in re-envisioning the urban environment.

Developer initiated the review

DESIGN REVIEW from CO1

adoption of design review and the process is getting started on other fronts. Waterfront Toronto and the city, also without much fanfare, have both been busily convening voluntary assemblies of qualified experts for more than two years to advise on building and landscape developments.

They've had a tangible impact on the city's design aspirations and an official city panel was announced in April in an attempt to teach Toronto to "despise mediocrity."

"We have a chance to influence excellence in architecture," Mayor David Miller says about the city panel, which was assembled as a pilot project. "It's not fighting about height. It's about a city that works at the ground level."

The pilot panel was formed in the wake of recent changes to the Ontario Planning Act that removed language forbidding planners from critiquing designs. Headed by Toronto's department of urban design and its director, Robert Freedman, focus groups and a symposium were held to sketch out the panel's role. Members of Vancouver's panel acted as advisers for both the city and waterfront panels.

The panel now operates in six areas of the city, all of which have up-to-date secondary plans.

Freedman, a former lawyer who left the bar to study architecture, was not a fan of the direction many developments were taking at the OMB. "The OMB is a quasi-judicial body, it's like going to court, with each side putting forward its best case," he says. "It's an adversarial process; that process does not typically work well in fostering good creative design."

As a board settlement, the panel session was more productive, says Freedman, who attended the Canderel Stoneridge panel meetings and sits on the waterfront panel as a non-voting member.

"You get groups of people coming together to make something better, as opposed to arguing on opposite sides that it's either this or nothing," he says.

Barry Graziani, partner at Graziani and Corazza, Canderel's architects for the Aura, says at first he was a bit skeptical about the panel and potential for criticism. "But it turned out to be a great process to go through both for the project itself and our firm, which is relatively young," Graziani says. "The level of professionalism of the architects involved had a lot to do with it."

Graziani has now been involved in three panels, including two Etobicoke developments reviewed by the city's design review panel, and he says the pilot project could learn a lot from the Aura process.

"For the Aura project, there was a discourse that happened," he says. "With the city process, there isn't that chance for a discourse. You present it and they give you criticism and you leave."

The Aura design review was initiated by Canderel after its first proposal was rejected by the city in August 2006. Renowned architects Eberhard Zeidler and René Menkès were brought in to begin the process. Three more respected names — Bruce Kuwabara, Josh Chaiken and Jon Pickard — were added later when the panel became



The Aura's new podium design aims to enliven the intersection of Yonge and Gerrard Sts.



Architect Barry Graziani was wary at first, but now likes the process.

a joint process with the city.

Though originally recruited to scrutinize Canderel's point tower proposal, the panel soon wanted changes to the podium at Yonge and Gerrard, too. A fourth floor and a new, higher structural element were added to create a subtle visual link with the old College Park building to the north. The tower, with more than 900 units, had to retreat slightly west on the podium, in order to avoid wind tunnel effects on Yonge St.

There were other minor recommended touches that Canderel's architects, Graziani and Corazza, worked in. The result is meant to allude to the old and unrealized Eaton's vision from the early 20th century of College St. and Yonge as the central node of the city.

Canderel president Michael La Brier says he's enthusiastic about the finished design, which led to a settlement at the OMB last week.

"I would never have used low-iron glass if the panel hadn't suggested it," he says. "It's a more expensive, high-quality glass. It will mean that when you look up from the street, the windows will look very clear and transparent."

For Kuwabara, the review process only begins with buildings; the real potential is in re-envisioning the urban environment, extending to sustainability issues.

"Design review is everything," says Kuwabara, who has spent more than two years chairing the waterfront panel.

"It's the public realm, it's streetcars. One of the burning issues is the longevity and health of urban trees. The design of individual buildings, once you take that point of view, is relevant only in the way

that they support that vision."

Yet the crucial question of how much power panels actually have to implement their findings is a concept that remains nebulous. Of the two major Toronto panels, it would seem that the city panel has a greater position of influence. It makes its recommendations directly to the planning department, which then advises city council on whether to approve, reject or approve proposals with alterations. The Waterfront panel can only advise — it cannot force builders to change.

But developers who are not satisfied with the council's decision can still appeal it to the OMB.

"The panel doesn't change any of that," Freedman says. "All it does is provide another level of very valuable advice. There are some (cities) where the panels are actually given decision-making powers, but they're not the majority."

This doesn't mean that the panels' advisory nature makes them entirely toothless, however.

Let's think big, let's challenge ourselves

LANDSCAPE ARCHITECT
JANET ROSENBERG

"In Vancouver, the panel's advice is pretty powerful," says Freedman.

Years of operation have given the panel the prestige that encourages builders to adhere to its decisions. "I think people take it as a point of pride if they bring their project in front of the panel and it gets a glowing review."

After more than two years in operation, there are signs the Waterfront panel has already begun to command this kind of respect. In fact, there is talk the panel's stringent standards might be scaring developers away from the area.

"With the waterfront, we're waiting for buildings to come forward," says landscape architect Janet Rosenberg, who sits on the panel. "The only building that's come forward is the Corus building."

That proposed Jack Diamond media complex — presented to the panel earlier this year — drew sharp

criticism from the panel, sparking a public critique that most developers would prefer to avoid.

Rosenberg says she has heard that developers are now trying harder to get it right the first time, holding waterfront-related proposals until they've hired consultants. Meanwhile, the panel has cut its teeth on large-scale landscape projects that have allowed members to consider the look of entire precincts.

While peer-review might be an adjustment for developers, Freedman points out that it shouldn't be a new world for architects. "A critique of your work is how architecture schools work."

The lack of waterfront proposals to critique must be somewhat irksome even for Kuwabara, for whom the panel is "Toronto's last chance to do anything on the waterfront."

"We're at a very different place in the city of Toronto and how design is appreciated by the public," he says. "To me it's a discussion, it's using design review as a platform, to create deeper awareness of the issues as I see them. Never before in the history of Toronto have there been this many large-scale precinct plans going on. Regent Park, the West Donlands, East Bayfront, Ryerson. The cultural renaissance has changed the way people look at the city. Now people come to Toronto and actually look at the architecture."

The nature of design review is hard to pin down, tied as it is to issues as varied as the environment to ensuring the quality of materials. For Paolo Palamara, co-president of condo developer Diamante, reviews shouldn't lose sight of the details. He says they must put the needs of buildings' future inhabitants before "prettiness."

"Can design review — and I think this is still an open question — actually foster excellence in design?" Freedman asks. "It's often very good at avoiding really bad design. But the question of excellence gets tougher."

For Rosenberg, however, it's a prime opportunity.

"Let's get outside of the bounds what we would normally do," she says. "Let's think big, let's challenge ourselves. If we could have whatever we wanted, what would we get as a result of it?"

Insurance should protect directors

GERRY HYMAN
SPECIAL TO THE STAR

Q: Our superintendent needed to enter several units immediately to determine the source of a serious water leak. Neither the property manager nor any other staff member was available on that day. The superintendent was accompanied by a director when entering the only unit where the occupants were away. Later, the property manager advised the super that directors were not to enter a unit because they were not insured. Wouldn't the corporation's insurance coverage apply? Shouldn't the super be accompanied when entering a unit to protect against claims of theft or causing damage?

A: If the leak is serious and unit entry is necessary, entry is permitted notwithstanding that the unit occupants cannot be informed. It is certainly advisable for the superintendent, in the absence of the property manager, to be accompanied by a board member, if one is available. The corporation's directors and officers liability insurance should protect the director, except in the case of dishonesty. The coverage could be confirmed with the corporation's insurance broker.

Q: At our annual meeting, the chair announced the names of those elected to the board without specifying the length of the term for each or the number of votes each received, despite a request for the numbers. Are the owners and candidates not entitled to that information?

A: The vote numbers should be disclosed if requested. Directors are usually elected for three-year terms. Directors, however, will be elected to serve the balance of the terms of resigned directors, thus resulting in directors being elected for varying terms. The usual procedure is for the candidates with the most votes to receive the longest terms and for the chair to announce the term to be served by each elected director.

Q: Our board recently spent \$22,000 out of our general bank account to build lockers, which they intend to lease, in our parking garage. Shouldn't construction have required a bylaw approved by a majority of the owners?

A: Construction of the lockers did not require a bylaw, but may have required a vote of the owners. The \$22,000 almost certainly did not exceed 10 per cent of the annual budget. The work, therefore, did not constitute a substantial alteration or addition to the common elements, as defined by the Condominium Act, requiring approval at an owners' meeting by an affirmative vote of owners of at least two-thirds of the units.

Notice to the owners, however, was required unless the payment was spread over several months, so that the cost to the corporation in any month did not exceed 1 per cent of the annual budget. The notice would set out the estimated cost and how it was to be paid, and would advise that owners of 15 per cent of the units were entitled, within 30 days of receipt of the notice, to requisition an owners' meeting to vote on the installation of the lockers. If a meeting was requisitioned, the lockers could be approved by a simple majority of those voting at the meeting.

Renting the lockers, which are part of the common elements, requires a bylaw which must be approved by an affirmative vote of the owners of a majority of the units.

Q: Is it advisable to appoint the property manager as a scrutineer at an annual meeting?

A: The property manager usually has experience in the proper manner of counting and recording votes. While the manager is not usually appointed as a scrutineer and does not count the votes, the manager is often present to provide guidance during the counting.

Send questions to gerryhyman@bellnet.ca or fax to his attention at 416-925-8492. Volume prevents individual replies.

