

**Part of 55 Mill Street
Official Plan Amendment and Rezoning Application
06 189754 STE 28 OZ
Preliminary Report**

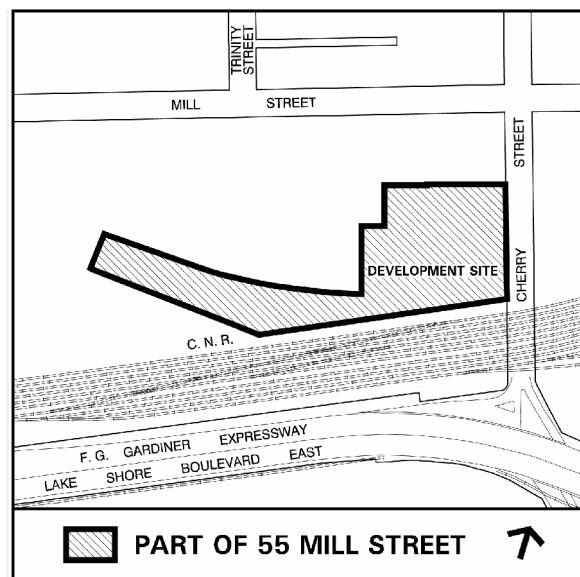
Date:	January 26, 2007
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	28 - Toronto Centre-Rosedale
Reference Number:	06 189754 STE 28 OZ

SUMMARY

An Official Plan amendment and rezoning application to permit a mixed use development consisting of two high-rise (40 and 48 storeys) residential buildings with commercial uses on the ground floor, incorporating two historic rack houses, and a three-to-four-storey non-residential building. The development site (outlined in the key map) forms the southeast quadrant of the historic Gooderham and Worts at 55 Mill Street.

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

The next step is to undertake a community engagement process, which will include an initial open house / information meeting for the public to review the applicant's submission, and ask questions of City staff and the applicant.



RECOMMENDATIONS

The City Planning Division recommends that:

1. staff be directed to schedule an open house / information meeting together with the Ward Councillor;
2. notice for the open house / information meeting be given to landowners and residents within 120 metres of the site; and
3. the applicant:
 - (i) submit a Heritage Impact Statement prepared by a qualified heritage professional at least three weeks before the first community consultation meeting; and
 - (ii) be advised that a Pedestrian Level Wind Study, and a Noise and Vibration Study will be requested as the review process advances.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

1994 Planning Framework

In 1994, the former City of Toronto Council approved Official Plan Amendment 2 to the King-Parliament Part II Official Plan and passed Zoning By-law 1994-0396 to implement a specific planning framework for the Gooderham and Worts site.

The 1994 planning approval permits a 210,000 square metre mixed use redevelopment of the Gooderham and Worts site. This includes the retention and adaptive re-use of a majority of the heritage buildings and construction of new buildings for residential, commercial and modern industrial uses. As part of the planning approvals, heritage easement agreements were registered to secure the preservation, renovation and re-use of the heritage buildings. As well, public benefits were secured related to public art, non-profit arts, affordable housing, daycare and heritage site interpretation.

The planning framework identifies five districts within Gooderham and Worts: Trinity Street Heritage District, Southern Open Space District, Cherry Street Commercial District, Parliament Street Residential District, and Mill Street Residential District. Each sub-area has specific development permissions (e.g. land use, building height, massing and density) and design guidelines.

Between 1997 and 2000, three residential condominium developments at 70 and 80 Mill Street and 39 Parliament Street were completed under the planning framework.

In 2003, Toronto City Council approved amendments to the 1994 planning framework to reconfigure the public benefits package to provide a better fit with the arts and culture vision for the site promoted by the then new owners (current applicant).

Recent Developments

Gooderham and Worts continues to evolve as a mixed use community. In addition to on-going restoration work to heritage buildings, such as the Stone Distillery building, recent development activities including:

- (i) at the southwest corner of Mill Street and Cherry Street, the Young Centre for the Performing Arts, a joint venture between the Soulpepper Theatre Company and George Brown College;
- (ii) new sidewalks, landscaping, pedestrian benches and lighting; and
- (iii) at the southeast corner of Parliament Street and Mill Street, the Pure Spirit condominium consisting of a five to eight storey base with a point tower (660 square metre floor plate). Currently under construction, the 32-storey, 99-metre condominium will contain approximately 382 residential units with at-grade retail uses.

Proposal

The application proposes a mixed use development consisting of the following built form components:

- (i) a one-storey base building incorporating portions of historic Rack Houses “J” and “G” with a 48-storey (145 m) tower at Cherry Street and Tank House Lane;
- (ii) a five-storey podium building (18 m) fronting Tank House Lane with a 40-storey (122 m) tower at the southerly end of the podium; and
- (iii) a three-to-four-storey (14 - 19 m) ‘ribbon’ building between Cherry Street and the terminus of Trinity Street along the southern edge of the site.

The 40 and 48-storey buildings are ‘point towers’ with floor plates of approximately 660 and 696 square metres, respectively. Commercial and retail uses are proposed on the ground floor of these buildings, and non-residential uses and indoor amenity space are proposed for the ‘ribbon’ building. A proposed pedestrian bridge links the indoor amenity space in the ‘ribbon’ building to the fourth floor of the 40-storey building. A combination of outdoor amenity space and green infrastructure is proposed on the roof of the ‘ribbon’ building while the roofs of the one-storey and five-storey podium buildings are proposed to accommodate green infrastructure only.

Market Lane, which runs south from Tank House Lane, is maintained in its current location and, under the proposed development concept, will lead to a central courtyard

connecting the buildings and linking to a lane running parallel to the 'ribbon' building. This lane's primary purpose is to facilitate pedestrian movements, but will also be used by service vehicles in off-peak periods.

Attachment 2 show the proposal's site plan. Attachments 3 – 7 show the various building elevations.

An underground parking facility is proposed to serve both the development and the parking needs of the larger Gooderham and Worts site with access from Cherry Street and Parliament Street. A centralized servicing area is proposed at the southeast corner of the site to serve both the development as well as the commercial and retail uses along Trinity Street and Tank House Lane.

Overall, the proposal has 54,634 square metres of residential gross floor area and 14,505 square metres of non-residential gross floor area. The proposed density is 4.63 times the area of the development site. Please see the Application Data Sheet in Attachment 1 for additional information on the proposal.

Gooderham and Worts, Development Site and Surrounding Area

Gooderham and Worts is located between Parliament Street and Cherry Street, from Mill Street to the rail corridor to the south. The 5.5 hectare (13 acre) site contains a collection of nineteenth century industrial buildings constructed between 1856 and 1927.

The development site occupies the southeast quadrant of Gooderham and Worts and includes a piece extending westerly parallel to the rail corridor. In October 2006, the Committee of Adjustment granted Consent Application No. B0095/06TEY to sever the development site from the adjacent lands.

The development site is approximately 1.5 hectares (3.68 acres) with frontage on Cherry Street and contains:

- (i) Rack House "J" (also known as Building 65) - a heritage designated one-storey building at the corner of Cherry Street and Tank House Lane;
- (ii) Rack House "G" (also known as Building 64) - a heritage designated one-storey building fronting Tank House Lane immediately to the west of Rack House "J";
- (iii) Rack House "M" (also known as Building 75) - an eight-storey building with rooftop billboard signage fronting Tank House Lane immediately to the west of Rack House "G"; and
- (iv) surface parking and open space along the southern portion adjacent to the rail corridor.

The proposed 48-storey building integrates Rack Houses "J" and "G" into its one-storey base. The proposed 40-storey building with a five-storey podium occupies the same

building footprint as Rack House “M”, which would be demolished as anticipated under the 1994 planning framework.

The area surrounding Gooderham and Worts is varied. To the west is the St. Lawrence neighbourhood, a diverse mixed use area. To the east and northeast is the West Don Lands, a 30 hectare brownfield area undergoing redevelopment led by the Toronto Waterfront Revitalization Corporation (TWRC). To the north and northwest is the King-Parliament area that is undergoing significant commercial and residential intensification and revitalization. To the south is a major rail corridor carrying freight, VIA and GO passenger traffic, and the Gardiner Expressway. Further south, the East Bayfront area is undergoing a comprehensive planning exercise led by the TWRC in preparation of this area’s redevelopment as part of Toronto’s waterfront revitalization efforts.

The West Don Lands Precinct Plan and the East Bayfront Precinct Plan are available on the TWRC’s website at: www.towaterfront.ca

Toronto Official Plan

The new Toronto Official Plan is now in force. This application will be reviewed against the policies in the Plan including the policies set out in the King-Parliament Secondary Plan.

The development site 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 in the Toronto Official Plan. This designation permits a range of residential, commercial and institutional uses, and provides criteria to direct the form and quality of development. Attachment 6 provides an excerpt of Map 18 - Land Use Plan for the development site and immediate area.

Other important policies include those in the “Downtown”, “Public Realm”, “Heritage”, and “Built Form” sections of the Plan. This includes the built form policies for tall buildings. To assist with the implementation of these policies, the City has prepared guidelines, Design Criteria for Review of Tall Building Proposals. The guidelines provide key urban design site specific criteria that should be considered in the evaluation of tall building applications. The City will review the proposed development for compliance with the guidelines. It is also expected that the applicant’s team will demonstrate how the proposal addresses the guidelines’ criteria.

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

The City’s Design Criteria for Review of Tall Building Proposals is also available on the City’s website at: www.toronto.ca/planning/urbdesign/index.htm

King-Parliament Secondary Plan

With the adoption of the new Toronto Official Plan, the King-Parliament Part II Plan was brought forward as a secondary plan, with minor amendments to be in synch with the new Plan.

Policy 11 designates the Gooderham and Worts as Mixed Use Area ‘B’ and recognizes this special identity area as one where commercial, institutional uses and light industrial uses environmentally compatible with residential uses are permitted.

Site and Area Specific Policy 1 in the King-Parliament Secondary Plan brings forward the 1994 planning framework for Gooderham and Worts. The five districts have been renamed, as identified below.

OPA 2 (to the King-Parliament Part II Plan)	Site and Area Specific Policy 1 (King-Parliament Secondary Plan)
Parliament Street Residential District	Mixed Use Area 1
Trinity Street Heritage District	Mixed Use Area 2
Cherry Street Commercial District	Mixed Use Area 3
Mill Street Residential District	Neighbourhood Apartment Area
Southern Open Space District	Parks & Open Space Area

The Secondary Plan policies encourage a vibrant mixed use area that is a focal point of activity at the local, city and regional levels. Celebration of Gooderham and Worts’ significant heritage resources is encouraged through the conservation, restoration and adaptive re-use of heritage buildings, a high level of public use and access, a site interpretation program, and compatible new development. Design guidelines for the entire Gooderham and Worts site as well as each district are provided in Appendix 3 to the Secondary Plan.

The development site straddles two districts: Mixed Use Area ‘3’ and the Parks & Open Space Area.

The Mixed Use Area ‘3’ is identified as the location of the major commercial development for Gooderham and Worts. Massing of buildings in this area will be sensitive to and respect the grid-pattern and provide a transition in scale from the historic buildings in Mixed Use Area ‘2’. The Parks & Open Space Area is to provide a variety of publicly accessible open spaces and a publicly accessible private road for service access.

The King-Parliament Secondary Plan (Tab 15, Chapter 6 of the Official Plan) is available on the City’s website at: www.toronto.ca/planning/official_plan/introduction.htm

Zoning

The development site is split between two zoning districts - Cherry Street Commercial District and Southern Open Space District - under site specific Zoning By-law 1994-0396

for Gooderham and Worts. Within the zoning regulations the names of the five districts have not changed since 1994, unlike in the Secondary Plan policies noted above.

The majority of the development site is zoned “Cherry Street Commercial District”. Up to 91,700 square metres of non-residential density is permitted in this district. The zoning contemplates four new buildings:

- (i) two 16-storey office buildings (up to 64 metres) at the southeast corner of the site incorporating Rack House “J” and “G” into the base of the easterly tower;
- (ii) a nine-storey office building (up to 37 metres) to the west of the 16-storey office buildings (today, the four-storey Case Goods Warehouse, which was anticipated to be demolished to permit the office building, has been refurbished and leased to Artscape); and
- (iii) a six-storey light industrial building (up to 28.5 metres) incorporating Tank Houses 4, 9 and 10 into its base (today, the Young Centre for the Performing Arts).

The proposed 40 and 48-storey buildings would replace the two buildings noted in item (i) above.

The portion of the development site parallel to the rail corridor between Cherry Street and Trinity Street is zoned “Southern Open Space District”. This district is intended to provide open space, pedestrian access, parking and limited service and emergency vehicular access to Gooderham and Worts. There are no building, density or height permissions in this district. The proposed ‘ribbon’ building is located within this district.

In the former City of Toronto’s Zoning By-law 438-86, as amended, the underlying zoning for the development site is “IC D2 N0.5”. This zoning category permits a limited range of industrial and commercial uses to a maximum density of 2.0 times the area of the lot and a height of 23 metres.

Section 37 Agreement

An existing Section 37 Agreement, as amended, secures a number of public benefits including heritage, public access, a site interpretation program, archaeological investigations, archival records, a daycare and public art. The Agreement also secures various development obligations such as rail protection, environment matters, and wind, noise and vibration studies and mitigation.

Site Plan Control

The proposed development is subject to Site Plan Approval. An application will be filed at a later date should the proposal, or some variation thereof, advance.

Heritage

Gooderham and Worts was designated under the Ontario Heritage Act in 1976 and designated a National Historic Site in 1988 because of the wealth of nineteenth century industrial buildings remaining on site.

As part of the comprehensive planning process in the 1990s, a 12-report Heritage Master Plan was prepared. Redevelopment within Gooderham and Worts shall be informed by and respect the Heritage Master Plan. In addition, seven heritage easement agreements are registered to secure the preservation, renovation and re-use of various heritage buildings within Gooderham and Worts.

With respect to the development site, Rack Houses “J” and “G” were constructed in 1889 as Tank House Nos. 11 and 12 for the storage of alcohol in barrels and later converted to rack houses. These buildings are subject to a Heritage Easement Agreement registered as Instrument No. CA397783 on April 3, 1996. Schedule “E” of the Agreement provides a framework for the adaptive re-use of these rack houses with the objective that any alterations are sensitive to and respect the heritage attributes of these buildings. The 1994 planning framework identified the incorporation of these two rack houses into a proposed office building.

The design guidelines in the secondary plan state that a representative portion of the interior rack structure within Rack House “G” should be retained to showcase its heritage features.

Rack House “M” is not protected by an easement and is permitted to be demolished under the 1994 planning framework.

Pre-application Discussions

At the request of the applicant, City Planning staff met with the applicant’s team regarding a preliminary development concept for the site in January, March and April 2006. At these meetings, City staff identified issues with the development concept including building height and scale, massing, transition and fit with the historical Gooderham and Worts, and relationship and appropriateness within the existing and planned surrounding context. The formal application considered in this Preliminary Report largely reflects the development concept presented to City staff during the pre-application discussions.

City Planning staff also met with representatives of the Gooderham and Worts Neighbourhood Association regarding the site, as-of-right development permissions and the planning framework for Gooderham and Worts. Representatives expressed their interest in participating on a working committee, which is discussed in the “Community Engagement Process” section of this Preliminary Report.

Reasons for the Application

The application requires amendments to the King-Parliament Secondary Plan and Zoning By-law 1994-0396, the site specific by-law for Gooderham and Worts. In general, amendments are required to permit residential uses on the portion of the development site designated "Mixed Use Area 3" of the Gooderham and Worts Special Identity Area, to permit commercial uses on the portion of the site designated "Parks and Open Space Area", and to allow increased height and increase the cap on the maximum number of residential units. Additional areas of non-compliance with the zoning standards will be assessed as the review of the application advances.

COMMENTS

Issues to be Resolved

During the pre-application discussions and since the application submission City staff and the applicant's team have discussed the proposed mixed use development concept as well as the development site's role within the urban context.

The proposal presents an opportunity to achieve a number of community planning objectives. Ultimately, the site's redevelopment should represent a balanced approach to city building. This is a key principle.

This section identifies general categories of issues. Prior to presenting a Final Report to Community Council, the following issues as well as any other issues that may be identified through the review of the application, agency comments and the community consultation process, must be addressed.

- (a) appropriateness of introducing residential permissions on the development site;
- (b) appropriateness of the proposed built form's ground plane, base buildings and tower elements, including an evaluation of:
 - (i) the height, massing, setbacks and stepbacks and interface with Gooderham and Worts, and Cherry Street;
 - (ii) the incorporation of designated Rack House "J" and "G";
 - (iii) tower placement and separation from each other and existing multi-storey buildings in the vicinity;
 - (iv) the 'ribbon' building including its scale, building footprint, relationship to heritage buildings and Trinity Street, impact on view corridor on Trinity Street and treatment of elevations including south elevations;
 - (v) site-specific design guidelines, and the appropriateness of any areas of inconsistency.

- (c) compatibility and interface with and conservation of significant heritage resources at Gooderham and Worts, a national historic site;
- (d) relationship and suitability of proposal's scale to the existing and planning context of the surrounding area including the West Don Lands and East Bayfront;
- (e) potential impacts on adjacent residential properties, including shadow, overlook and privacy;
- (f) potential impacts on the local urban environment including shadow and wind, and minimization and mitigation of such impacts;
- (g) assessment of potential traffic, transportation and pedestrian impacts including the environmental assessment for Cherry Street being done as part of the waterfront revitalization efforts;
- (h) appropriateness of the ground floor layout including building entrances and drop-off / pick-up areas;
- (i) location and suitability of the proposed amenity space dedicated to the residential condominium component;
- (j) suitability of the proposed unit sizes and mix of unit types;
- (k) assessment of land use compatibility with the abutting rail corridor and Gardiner Expressway including rail protection and noise and vibration mitigation measures;
- (l) assessment of land use compatibility with the non-residential uses at Gooderham and Worts (e.g. noise impacts from outdoor festivities);
- (m) pedestrian and vehicular access to and movement on and through the development site, and Gooderham and Worts;
- (n) addressing the City's Green Development Standards (available on the City's website at: www.toronto.ca/environment/greendevlopment.htm);
- (o) evaluation of the proposal against implementation matters set out in the registered Section 37 Agreement, as amended;
- (p) identification and security of community benefits under Section 37 of the Planning Act should the proposed development, or some variation thereof, advance; and
- (q) ability of the proposal to meet the intent and spirit of the Official Plan, Council policies and guidelines and other applicable planning policies including the

Provincial Policy Statement, and to represent good planning and community building.

Other Studies / Statements

A number of studies were submitted in support of the application, as required in the City's Building Toronto Together: A Development Guide. A Heritage Impact Statement was not part of the application package. At a December 5, 2006 meeting with the applicant's team, City staff discussed the outstanding heritage impact statement as well as the expectation that a pedestrian level wind study and a noise and vibration study will be prepared as the application advances. The applicant acknowledged the aforementioned. Recommendation 3(i) in this report requires that a heritage impact statement prepared and signed by a qualified heritage professional be submitted at least three weeks before the first community consultation meeting. Recommendation 3(ii) advises that the other studies noted above will be requested during the City's review of the proposal.

The City's Building Toronto Together: A Development Guide is available on the City's website at: www.toronto.ca/developing-toronto

Community Engagement Process

The applicant has expressed a desire to work with City Planning staff, the Councillor and the area stakeholders to hopefully achieve a supportable development.

This report recommends that an initial open house / information session to allow the public to review the applicant's submission, and ask questions of City staff and the applicant.

Given the complexity of the application, a working group of community stakeholders is proposed to be established after the initial open house / information session. The working committee will review the application and assist in the discussion on the built form including scale and massing of the proposal. The working committee's membership should include representatives from the Gooderham and Worts Neighbourhood Association, West Don Lands Committee, local condominium boards, TWRC, the applicant and the City. Committee membership and meeting schedule will be determined in consultation with the Ward Councillor.

It should be noted that while City Planning staff are willing to participate with a working committee, in the end, staff will report independently on the recommendations for this proposal.

Next Steps

The next steps in the review process include undertaking a community engagement process starting with an initial open house / information session, and working with the applicant's team and community stakeholders on the development concept for the site.

Once the review is complete and outstanding issues resolved, a Final Report will be prepared for consideration by Community Council.

CONTACT

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SIGNATURE

Gary Wright, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Application Data Sheet

Attachment 2: Site Plan

Attachment 3: North and South Elevations

Attachment 4: East and West Elevations

Attachment 5: ‘Ribbon’ Building - North and South Elevations

Attachment 6: Official Plan Excerpt

Attachment 1: Application Data Sheet

Application Type: Official Plan Amendment & Rezoning Application Number: 06 189754 STE 28 OZ
 Application Date: November 7, 2006

Municipal Address: 55 Mill Street, Toronto, ON
 Location Description: Gooderham and Worts (Distillery District)
 Project Description: Proposal includes two residential towers (40 and 48 storeys), a 3-to-4-storey building containing office and retail uses and underground parking.

Applicant:	Architect:	Owner:	Owner:
Goodmans LLP 250 Yonge Street, Suite 2400 Toronto, ON M5B 2M6	architectsAlliance 205-317 Adelainde St. W. Toronto, ON M5V 1P9	Dundee Distillery (GP) Inc. 30 Adelaide St E, Ste. 1600 Toronto, ON M5C 3H1	Cityscape Holdings Inc. Suite 300 , Building 32 55 Mill Street Toronto, ON M5A 3CA

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Area 3 Parks and Open Space	Site Specific Provision:	94-0396, 749-03 (Gooderham & Worts By-law)
Underlying Zoning:	IC D2 N0.5	Historical Status:	Y
Underlying Height Limit (m):	23	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	14921	Height:	Storeys:	48	40	3/4
Frontage (m):	83.68		Metres:	145	122	14.5/19.4 (excl. mechanical penthouses)
Depth (m):	0					
Total Ground Floor Area (sq. m):	7520					Total
Total Residential GFA (sq. m):	54634		Parking Spaces:	1089		
Total Non-Residential GFA (sq. m):	14505		Loading Docks	1		
Total GFA (sq. m):	69139					
Lot Coverage Ratio (%):	50.4					
Floor Space Index:	4.63					

DWELLING UNITS

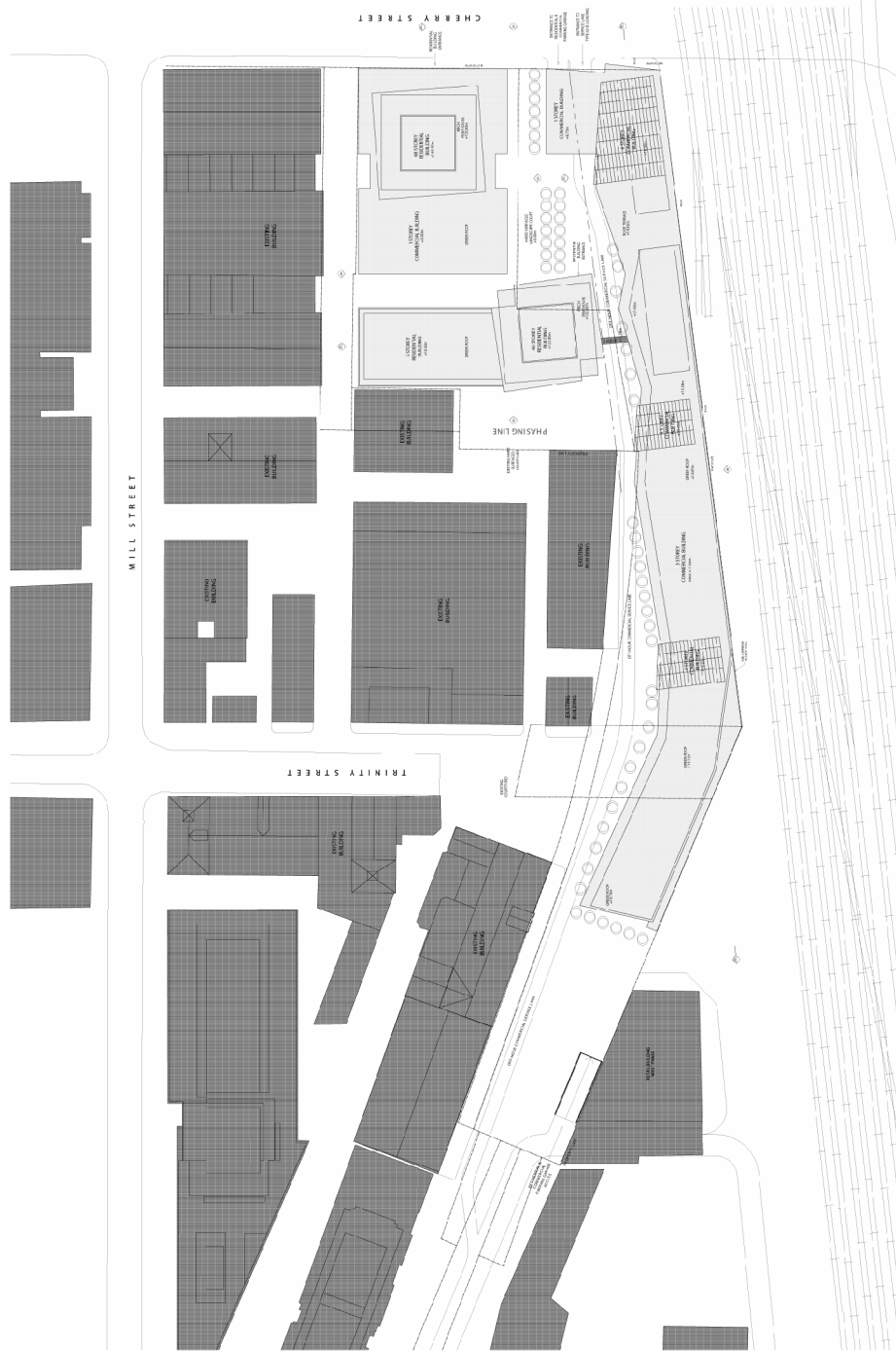
Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	505
2 Bedroom:	344
3 + Bedroom:	0
Total Units:	849

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	54634	0
Retail GFA (sq. m):	14505	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: Corwin Cambray, Planner
TELEPHONE: (416) 392-0459

Attachment 2: Site Plan (Proposed Buildings in Light Grey)



Site Plan

Applicant's Submitted Drawing

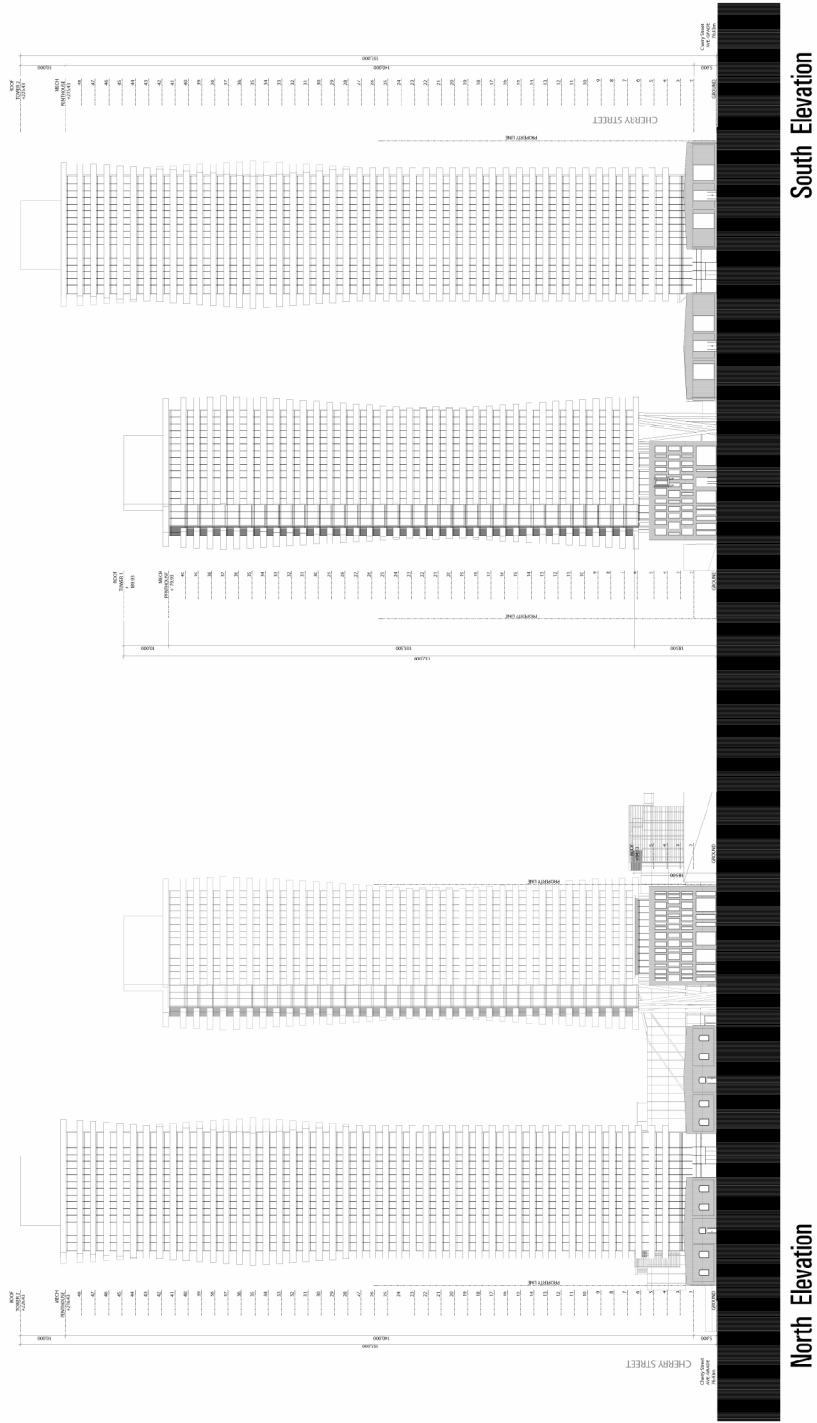
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55 Mill Street

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Attachment 3: North and South Elevations



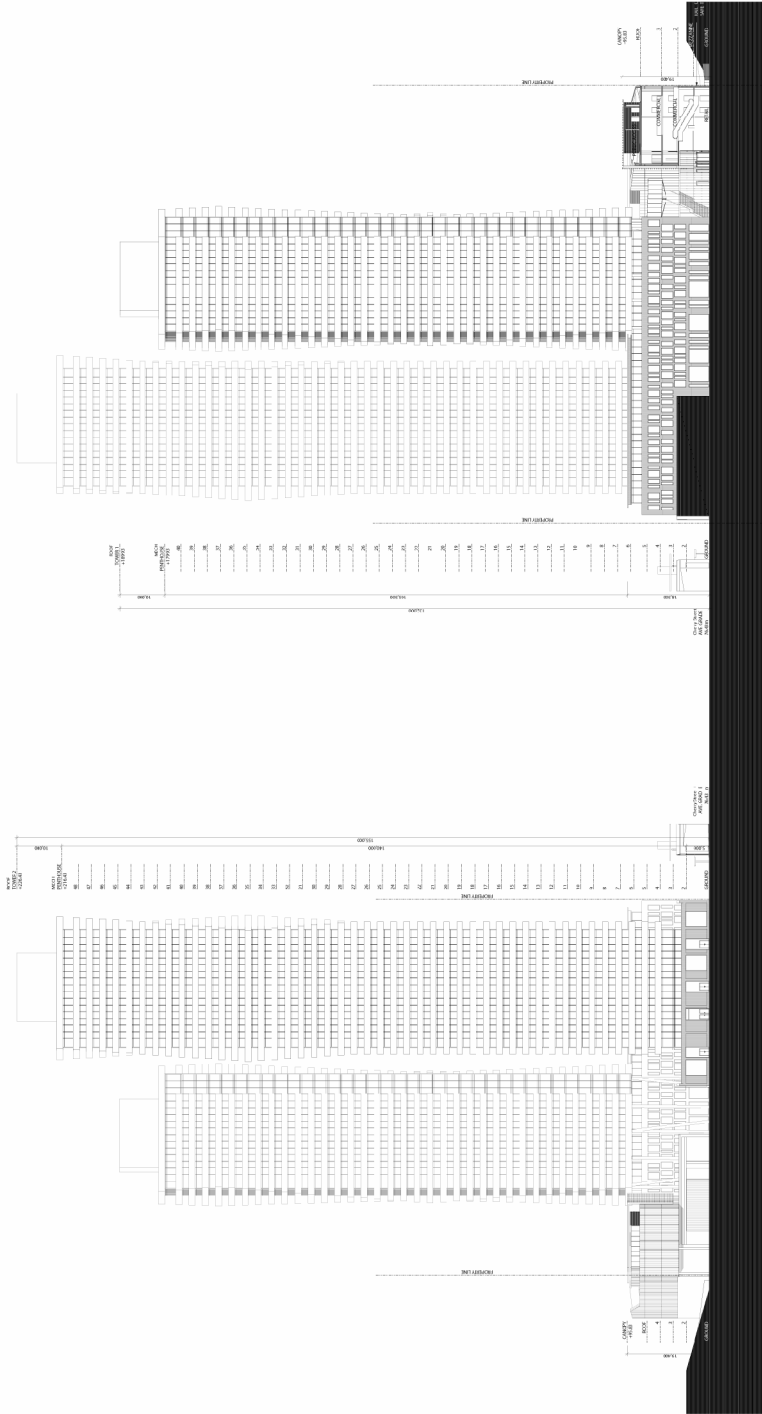
Elevations
55 Mill Street

Applicant's Submitted Drawing

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File # 06 189754

Attachment 4: East and West Elevations



West Elevation

East Elevation

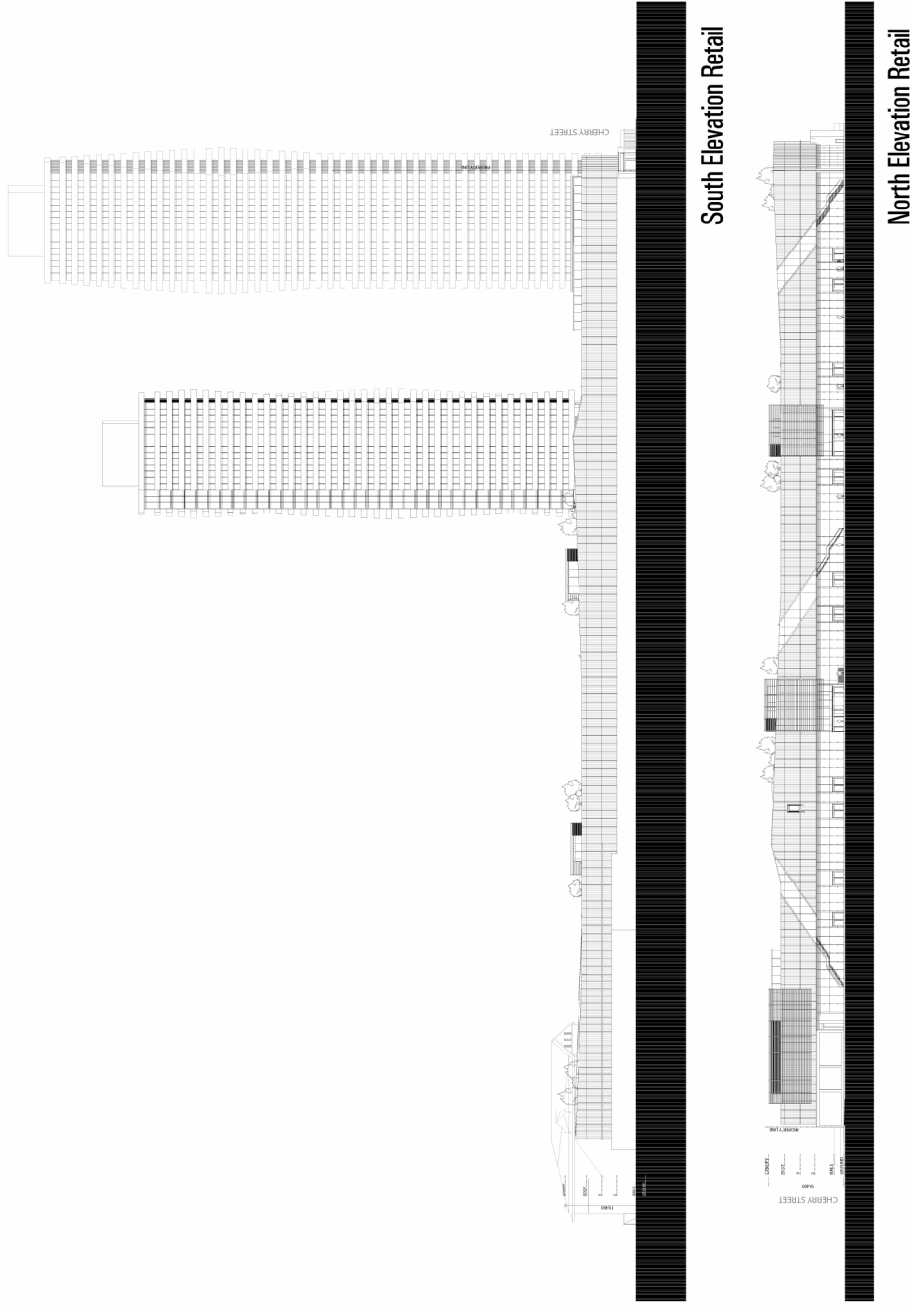
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Elevations
Applicant's Submitted Drawing

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Attachment 5: 'Ribbon' Building - North and South Elevations



Elevations

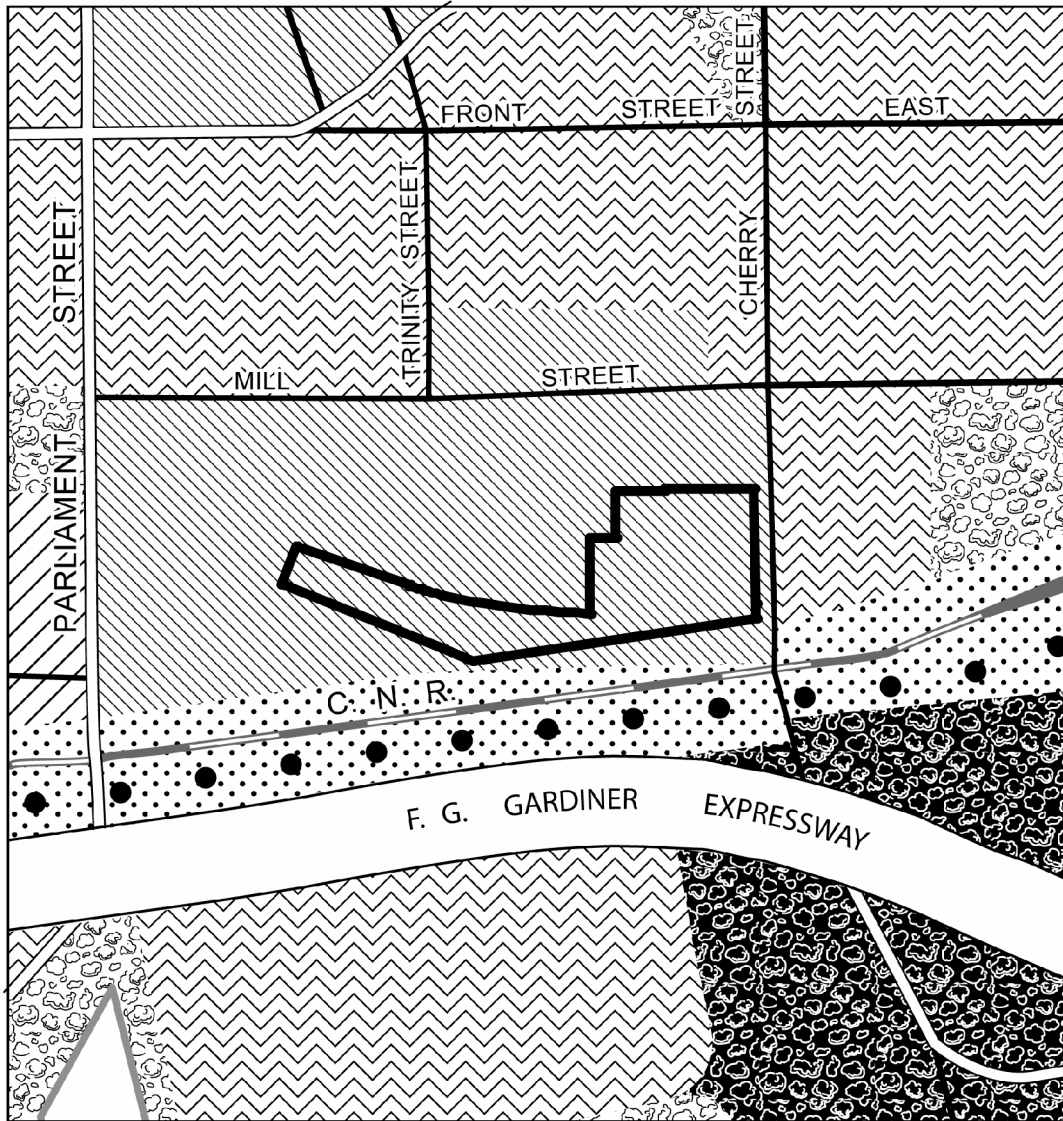
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Applicant's Submitted Drawing

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Attachment 6: Official Plan Excerpt



TORONTO City Planning Division
Official Plan

55 Mill Street

File # 06_189754

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|--|--|
|  Site Location |  Parks |
|  Apartment Neighbourhoods |  Regeneration Areas |
|  Mixed Use Areas |  Utility Corridors |
|  Natural Areas | |

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