

60 Mill Street - Official Plan Amendment and Zoning Amendment Applications - Preliminary Report

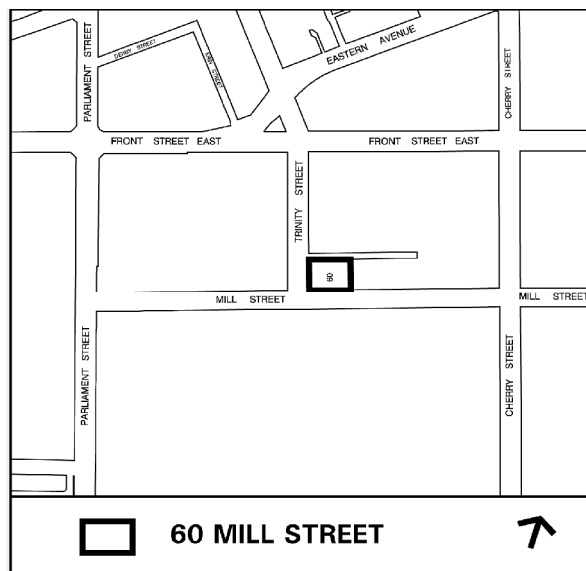
Date:	December 9, 2011
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	11 219591 STE 28 OZ

SUMMARY

This application proposes a 34-storey mixed-use building at 60 Mill Street, involving the retention of the heritage-designated six-storey 'Rack House D' Building with a 28-storey point tower above. An 88-suite hotel is contemplated as an adaptive re-use of the Rack House building, with 246 residential condominium units proposed in the tower. The ground floor is proposed for restaurant uses, while amenity space for the hotel/condominium would be in below-grade space and the seventh floor above the hotel. Parking is proposed to be secured through an off-site lease for 166 spaces. Total height for the building is 108 metres to the roof line, 118 metres to the top of the mechanical penthouse.

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

Staff recommend that a community consultation meeting be held in early January, consisting of a public open house / information meeting for the public to review the applicant's submission, and ask questions of City staff and the applicant. Also proposed is a presentation before the City's Design Review Panel in early 2012.



It is anticipated that a final report on the application will be submitted to Community Council for consideration in mid-2012. These target dates assume that the applicant will provide all required information in a timely manner.

The height and density proposed in this application are a significant departure from what was originally outlined in the original Gooderham & Worts Heritage Master Plan, as well as the King-Parliament Secondary Plan, neither of which contemplated any additions above the existing Rack House D building. Over the course of the review of this application careful consideration of the impacts of this proposal on the integrity of the historic core of the Distillery District, as well as the existing and planned built form immediately to the north and east, will be required. After a preliminary analysis of the application, it is unclear as to what necessitates such a deviation from the plan. There is a significant possibility that upon final consideration of the cumulative impacts that this application presents, a final report recommending refusal of this scheme or directing substantial modification, will be issued.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 60 Mill Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.
4. The applicant submit a detailed 3D visual analysis of the area with both pedestrian and view corridor assessments of the subject property, as well as modelling depicting the anticipated build-out of the entire Distillery District.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

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 mixed use redevelopment of the Gooderham and Worts site. This included 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 (see Attachment 8). 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).

Over the last eight years, several new developments have contributed to the evolution of the Distillery District as a mixed use community. In addition to on-going restoration work to heritage buildings, recent development activities include:

- (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;
- (iii) several new retail/commercial establishments;
- (iv) at the southeast corner of Parliament Street and Mill Street, the Pure Spirit condominium consisting of a five to eight-storey contemporary triangular-shaped podium with a point tower above; completed in 2008, the 32-storey condominium contains approximately 378 residential units with at-grade retail/commercial uses; and
- (v) an OMB-approved (2010) and under construction mixed use development consisting of two high-rise residential condominium buildings of 40 storeys (Clear Spirit) and 37 storeys (Gooderham Building), a four-storey commercial/office building (the 'Ribbon' Building) and retention of historic Rack Houses "G" and "J", all located in the southeast quadrant of the Distillery District, south of Tank-House Lane and west of Cherry Street; this development will include 669 residential units with permission for office/retail in the ribbon building and on the ground floor of the residential towers; as of December 2011, the Clear Spirit building is nearing structural completion, the Gooderham building is not yet above-grade and the ribbon building has not yet received site plan approval.

Pre-Application Consultation

In November 2010, the applicant had an informal discussion with City Staff and the Local Councillor to discuss the possibility of converting and adaptively reusing the existing 'Rack House D' building into a boutique hotel. This proposal was strongly supported as a means of diversifying the Distillery District and providing a viable use for this building, which had been vacant for several years.

In March and April 2011, City staff had the opportunity to tour the subject property as well as meet with the developer to discuss preliminary proposals, which included a residential condominium tower above the preserved heritage building housing a six-storey hotel. Several issues were raised at the time, the most important of which was the requirement for an Official Plan Amendment application for such a proposal, as the City's Official Plan (through the King-Parliament Secondary Plan) does not contemplate an addition to this building. Other concerns from staff included the height of the proposed tower, parking requirements, location of the loading space and the preservation of existing view corridors. The applicant was informed that a Heritage Impact Assessment would be required with the application and that the existing Heritage Easement Agreement would require an amendment to address any alterations or interventions to the existing building. Staff concurred that if all four walls of the existing building were preserved then off-site parking and loading would be necessary. Further, a detailed parking/loading study would be required with justification to prove how they could both be appropriately handled elsewhere. The existing parking situation at the Distillery District was also mentioned as an area of significant concern; it was recommended that the parking study include an investigation of how this problem would be improved, not exacerbated with this proposal.

The architect first presented the conceptual plans for the proposed development of the 34-storey tower, at two final pre-application meetings in June 2011. Staff advised that they did not support the proposed tower height, given the policies contained within the King-Parliament Secondary Plan restricting additions to the building. Other issues raised at these meetings stemmed from the constraints of this small site: the proposal's overall density, the lack of adequate setbacks for the tower above the Rack House podium and the lack of adequate separation distance between from the proposed tower to the existing building to the east and planned future development to the north. The effect of the proposed new tower on identified view corridors from the west looking east along The Esplanade towards the existing Pure Spirits building and in both directions on Trinity Street was an issue mentioned that required further study. The scope of interventions to the existing heritage building, particularly on the south façade was raised as another concern.

ISSUE BACKGROUND

Proposal

This application is proposing the conversion of an existing six-storey designated historic building, 'Rack House D', into a boutique hotel with a 28-storey residential condominium

above and restaurant/lobby uses at grade. Totalling 34 storeys, the proposal would contain 88 hotel suites and 246 residential units.

The Rack House building, currently vacant, contains six floors of traditional racking structures which formerly housed large barrels during the aging process. Given the low floor to ceiling heights within the existing building, the proposal would re-create five levels of hotel within the retained building, with a sixth hotel level added above. The seventh floor would contain amenity space for both the hotel and residential components.

The proposed tower consists of four five-storey boxes, each separated by two-storey sections, differentiated from the boxes by recessed or protruded building elements. The box sections are proposed to be clad with glass of different levels of transparency, while the intermediary two-storey elements would be corten steel with a rust-coloured tone. Balconies, terraces and floor layouts are all proposed to vary with each level.

The height of the proposed tower is 108 metres to the top of the roof slab, with a 10 metre mechanical penthouse above, creating an overall height of 118 metres. A typical floorplate of 666 square meters is proposed. The existing Rack House building is situated directly on the north, west and south property lines, and is approximately 2.4 metres from the east property line and 5.5 metres from the adjacent building to the east at 70 Mill Street. The tower above, while irregular in its dimensions, is proposed to be setback between 5.1 and 10.4 metres from the east property line and between 8.1 and 14.1 metres from the adjacent building to the east. Setbacks of the tower from the north, west and south property lines range from 0 to 3 metres. The unit mix for the residential condominium portion of the proposal consists of 49 bachelors (20%), 131 one-bedrooms (53%), 62 two-bedrooms (25%) and 4 three-bedrooms (2%).

In order to make the hotel/restaurant/lobby uses viable within the existing building, several interventions are proposed, particularly on the north and south facades, where there are few (south) or no (north) existing fenestrations. Ground floor entrances are proposed along Mill Street for the restaurant and hotel lobby, with the residential entrance on the east side of the building accessed from an improved walkway north off Mill Street.

Two levels of below-grade space are proposed to be allocated to back-of-house restaurant facilities, waste management space, resident bike parking and hotel/condominium amenity. The remaining amenity space is proposed for the seventh floor, as well as the rooftop adjacent to the mechanical penthouse. A total of 492 square meters of indoor amenity space and 285 square meters of outdoor amenity space are proposed to be shared between the hotel and condominium uses.

There is no on-site vehicular parking proposed as part of this project. A total of 166 vehicular parking spaces, of which 132 would be for residents, 15 for visitors and 19 for hotel uses, are proposed to be provided in an off-site venue to be determined. Resident bike parking is proposed in the second below-grade level, with provisions for 195 spaces, while 10 visitor bike parking spaces are proposed at-grade, east of the building.

The applicant is proposing to retain the two existing trees on the Mill Street frontage, add three additional trees adjacent to them to the north and add two new trees on the Trinity Street frontage. New unit pavers are proposed for the areas south and east of the existing building.

Overall, the project is proposing 23,997 square meters of combined residential and non-residential gross floor area, of which 17,020 square meters are residential and 6,977 square meters are non-residential (hotel/restaurant). The proposed density of the project is 19.9 times the area of the lot.

Attachments 1-6 show the applicant's proposed rendering, site plan and elevations for the project. Additional site and development statistics are included in the application data sheet, Attachment 10.

Site and Surrounding Area

Site

The site is located at the northeast corner of Trinity and Mill Streets, directly across from the main Trinity Street entrance to the Gooderham & Worts Distillery District. The property is rectangular in shape with approximately 39.5 metres of frontage along Mill Street and 30.5 metres on Trinity Street, creating a total lot area of 1,204 square meters. It is essentially flat and contains four existing trees, two in the City's boulevard along Trinity Street, one adjacent to the building at the southeast corner and one connected to the fire escape at the northeast corner.

The existing building, known as 'Rack House D' is identified as Building No. 42 in the Heritage Easement Agreement covering this property, among others. The Agreement identifies this building as an important component of the Distillery District, part of the grouping of historic buildings that frame Trinity Street, as well as the rack and tank houses east of Trinity Street. Constructed in 1895, it was designed by David Roberts Jr., the architect who designed the 'Flatiron' building at Church and Wellington Streets, and the York Club at the northeast corner of St. George and Bloor Streets.

This building was purpose-built for the storage of alcohol in barrels, which was done up until the distilling business was discontinued in 1990. It has a stone foundation and red brick walls separated into bays by prominent piers. Each façade has a different fenestration pattern: the north wall has no openings, the east and west facades have uniformly spaced openings with wood sash windows and green metal shutters, and the south wall has one column of loading doors with similar green metal shutters. There is a fire escape at the north end of the east wall and a pipe bridge which extends from the south wall across Mill Street to the Boiler House Building Group to the south.

Internally, the thick brick walls bear the load of the exterior structure, but are not connected to the internal racking structure, which is uniquely self-supporting. The timber racking fills the entire building and is surrounded by access walkways on the north and

west sides. The building also contains a freight elevator and rope hoist. Rack House D was designated under the Part IV of the Heritage in 1976, by Bylaw 154-76 and is subject to the above-referenced Heritage Easement Agreement, enacted on April 3, 1996. The entire Gooderham & Worts Distillery District was designated a National Historic Site of Canada in 1988. At present, the building is essentially vacant, with some ancillary storage use for special event materials.

Surrounding Area

The site, although officially part of the planning framework of the historic Distillery District, can also be considered within the context of West Donlands Precinct (Phase Three) to the north and west, the King-Parliament area to the north and west and the Corktown neighbourhood to the north. These areas, including the Distillery District, are important for their extensive fabric of architecturally significant historic buildings and emerging, contextually-appropriate contemporary buildings.

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

South: On the south side of Mill Street (and generally bounded by Parliament Street to the west, the CN rail corridor to the south and Cherry Street to the east, and properties on both sides of Mill Street to the north) is the historic Distillery District. This 5.3 hectare (13 acre) property was first established in 1832 when James Worts and William Gooderham built a windmill and grist mill on the shores of Lake Ontario near the mouth of the Don River. The Distilling operation was initiated in 1837 with subsequent periods of expansion in the 1860s and 1870s. At its peak, the distilling operation consisted of more than 70 buildings. Interestingly, the Rack House D building was actually erected on the site of the original Worts residence, called Lindenwold, from approximately 1851. At present, the Distillery District contains a diverse mix of residential, retail, cultural, and office uses in an area representing one of the largest and most well-preserved collection of Victorian industrial architecture in North America. The area consists of several adaptively reused historic buildings as well as a newly emerging assemblage of contemporary buildings, both mid and high-rise in scale. The area is well-known for its car-free, pedestrian-oriented interior area, with an intricate network of landscaped lanes and courtyards.

West: The building at the northwest corner of Trinity and Mill Streets is the provincially-owned General Distillery Company Building, also designated under the Ontario Heritage Act, but not considered part of the Distillery District. To the west of it is a commercial parking lot, operated by the Toronto Parking Authority. On the west side of Parliament Street, opposite the TPA lot, is the site of Canada's First Parliament Buildings from 1797, which were burned to the ground by American troops in the War of 1812. The site contained a number of other historically significant buildings, none of which remain, although below-grade evidence of their presence has been proven. This culturally and historically significant site is currently occupied by a parking lot, car wash, rental car

establishment and former car dealership, which is scheduled to be an interpretive centre commemorating the site's history and the War of 1812.

North: There is an existing laneway to the north of the subject property, providing access to vehicular parking and loading for the two adjacent buildings to the east, 70 and 80 Mill Street. North of the laneway, the lands are vacant, having recently been cleared of vacant and derelict industrial buildings. This area is scheduled to be developed as part of Phase Three of the West Donlands Precinct Plan, a brownfield remediation project. Phase Three consists of the lands south of Front Street East, north of Mill Street, between Parliament and Cherry Streets. The Council-approved Block Plan proposes a mid-rise, mixed-use community of four to eight-storey buildings on these lands. One of the parcels is being used temporarily as a stormwater management facility for Phase 2 of the West Donlands. North of Front Street East and Eastern Avenue is the Corktown neighbourhood, an eclectic low-rise mix of historic residential and institutional buildings, remnant industrial buildings and some recently constructed and approved residential projects.

East: Immediately east of the Rack House is a 5.5 metre wide pedestrian walkway, 2.5 metres of which is part of which is the subject property, the remainder being part of the adjacent property at 70 Mill Street. Both portions of this walkway are covered by easements in favour of each property. The residential building at 70 Mill Street is 12 storeys and incorporates the south and east facades of the one-storey 'Rack House I' building. East of this property is 80 Mill Street, a 14-storey residential building, which also integrates part of a former building, 'Rack House H', into its south and west facades. East of 80 Mill is a small, vacant parcel, owned by the Province. On the east side of Cherry Street is Phase Two of the West Donlands development, scheduled to be the site of the Athlete's Village for the 2015 Pan American and Para Pan American Games. These lands, upon build-out, will be a mixed-use community with building heights in the range of four to 14 storeys.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject property is located within the “*Downtown and Central Waterfront*” area on Map 2 – Urban Structure in the Official Plan and is designated “*Mixed Use Areas*” on Map 18 – Land Use Plan. This designation permits a range of residential, commercial, and institutional uses and provides criteria to direct the form and quality of development. Attachment 9 provides an excerpt of the Official Plan designations for the site and immediate area.

Living Downtown policies (Chapter 2) in the Official Plan encourage the provision of a full range of housing opportunities through residential intensification and the preparation of design guidelines specific to districts of distinct character to ensure that new development respects a development's fit with existing setbacks, heights and relationship to landmark buildings. The preservation of the cultural heritage of *Downtown* through the designation of districts and open spaces with heritage significance is also encouraged.

Built Form policies (Chapter 3) reference new development:

- being massed to fit harmoniously into its existing and/or planned context and limiting its impacts on neighbouring street, parks, open spaces and properties;
- creating appropriate transitions in scale to neighbouring existing or planned buildings;
- providing adequate light and privacy; and
- limiting shadow impacts on neighbouring streets, properties and open spaces.

Heritage Resources policies (Chapter 3) state that buildings listed on the City’s Inventory of Heritage Properties will be conserved and that development adjacent to Heritage properties will respect the scale, character and form of the heritage resources.

Chapter 4 contains policies respecting development within the *Mixed Use Areas* designation. It requires that new buildings be massed to provide a transition between areas of different development intensity and scale.

The proposal will be reviewed in more detail for compliance with these and other relevant policies within the Official Plan. The Toronto Official Plan is available on the City’s website at:

www.toronto.ca/planning/official_plan/introduction.htm

King-Parliament Secondary Plan and King-Parliament Community Improvement Plan

The proposed development is also subject to the criteria contained within the King-Parliament Secondary Plan. Policies within the plan speak to new development:

- providing adequate light, view and privacy for neighbouring properties;
- achieving a compatible relationship with their built form context through consideration of height, massing, scale, setback and stepbacks, roof line and profile, and architectural character and expression; and
- conserving of heritage resources.

The Distillery District is also identified as 'Mixed Use Area 'B'', the Gooderham & Worts Special Identity Area, which has its own Site and Area Specific Policy in the Secondary Plan. Within this policy, the subject property is considered part of 'Mixed Use Area 2', renamed in Official Plan Amendment 61 (Bylaw 4-2010) as the Trinity Street Heritage District, one of the five sub-areas (see Attachment 8) within the Site and Area Specific Policy. The heritage section of the Policy states that "additions to existing buildings in this area may be permitted only if it has been demonstrated that they respect the three dimensional integrity of the heritage building, and the quality and character of both the historic building being added to and its relationship to adjacent historic buildings within the Area."

In the section on Concept Plan Uses and Densities, the plan affirms that "Trinity Street is the focus of the major assembly of historic buildings to be retained, conserved, rehabilitated, restored and respectfully re-used." Within the Section discussing Mixed Use Area 2, the Plan identifies that this Area "will be regarded as the focus of the heritage resources" in the District. It states that the "physical character of the heritage buildings will be preserved" and that "additions to existing buildings may be permitted only where they: enable accessibility, reinstate a heritage element, are required to satisfy *Ontario Building Code* requirements and enhance the use of the existing heritage buildings."

Immediately adjacent to the subject property to the east, another of the five sub-areas is the Neighbourhood Apartment Area (renamed the Mill Street Residential District under OPA 61). A policy in this section requires that "the massing of new buildings will provide a transition in scale from Rack House D, with the highest building being located adjacent to the east limit of the Area" (closest to Cherry Street). It goes on to state that "buildings will be designed with consideration for possible future development of the lands to the north and east of the Gooderham & Worts Special Identity Area.

The Secondary Plan also contains Design Guidelines specific to the Distillery District. Referencing Mixed Use Area 2, it is recommended that "any permitted additions such as those required for Ontario Building Code purposes should respect the heritage character of the district and where physically possible, the additions should be set back from the

street edge on Trinity Street in order to minimize or eliminate their visibility from pedestrian grade level viewpoint on Trinity Street."

The King-Parliament Secondary Plan is available on the City's website at:
www.toronto.ca/planning/official_plan/pdf_secondary/15_king_parliament_aug2007.pdf

The King-Parliament Community Improvement Plan, adopted by Toronto City Council at its meeting September 22, 1997, discusses the cultural significance of the Gooderham and Worts redevelopment and the importance of appropriately commemorating this site through a heritage interpretation program. The Plan also provides several themes for redevelopment within the King-Parliament area, particularly with respect to streetscape improvements. This Plan will be reviewed as part of the assessment of this application.

Tall Building Guidelines

Toronto City Council approved the use of the document, "Design Criteria for Review of Tall Building Proposals" in June 2006 and in April 2010 extended authorization of its use. A tall building is generally defined as a building that is taller than the road right-of-way adjacent to the site. Given the existing 20 metre right-of-ways on both Mill and Trinity Streets adjacent to the property and the proposed 118 metre tower, this is considered a tall building proposal. Among other goals, the Tall Building guidelines seek to reduce the impacts of tall building proposals on adjacent development, while encouraging design excellence. Assessment using these guidelines is based on issues such as height transition, building placement and orientation, entrances, heritage conservation, massing of base buildings, tower floorplates, separation distances, pedestrian realm consideration, sustainable design, servicing, amenity space, massing, light and privacy, landscaping, weather protection and shadow impacts. This document will be used to evaluate the proposed building.

The City's Design Criteria for Review of Tall Building Proposals study will be reviewed in more detail during the review of this application. It is available on the City's website at:

<http://www.toronto.ca/planning/studies.htm#guidelines>

Zoning

The base zoning for the property is IC D2 N0.5, as identified in Attachment 7, an excerpt map from the Zoning Bylaw. This is a remnant industrial-commercial zone, which permits densities of two times the lot area with a maximum commercial density of 0.5 times the lot area. The entire Distillery District site (known then as the Gooderham and Worts Special Identity Area) was rezoned in 1994, by Bylaw 1994-0396, and subsequently amended twice, by bylaws 749-2003 and 5-2010 (OMB). Bylaw 1994-0396 divides the area into five distinct areas (See Attachment 8), corresponding to the districts identified in the King-Parliament Secondary Plan. The subject property is within the Trinity Street Heritage District and is restricted to a height limit of 16.5 metres, the height of the existing building.

Section 4 of Bylaw 1994-0396 contains provisions with respect to use, density and number of dwelling units. It states that despite the base IC zoning, the Distillery District may contain new or existing buildings, which contain residential and/or non-residential uses. Density for the entire Distillery District is limited in the bylaw to 167,000 square meters, with an added provision for a maximum of 1,549 dwelling units, including regulations with respect to unit mix and the provision of affordable housing. Site specific to the subject property are that uses are restricted to non-residential. There was also a clause in the original bylaw, which required that Rack House D be "used for non-profit, publicly accessible *cultural or arts related* uses", which was rescinded by bylaw 749-2003, when the required cultural and arts uses (through Artscape) were relocated to the Case Goods Warehouse.

Site Plan Control

The proposed development is subject to site plan control. An application for site plan control has not been submitted.

Section 37

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, environmental matters, and wind, noise and vibration studies and mitigation. This agreement would require an amendment should a redevelopment scheme be approved on the subject property.

Heritage Easement Agreement

The 'Trinity Street Buildings', including Rack House D, are subject to an existing Heritage Easement Agreement between the landowner and the City, registered on April 2, 1996. The agreement identifies all of the components of the existing building, while including additional descriptive information from Report H of Report No. 9 ("Building Descriptions") in the Gooderham & Worts Heritage Master Plan. Further details on equipment and fixtures is identified in Report No. 5 ("Heritage Equipment Registry"), also included in the Agreement. Any modification to the building as part of this proposal will require an amendment to the existing Heritage Easement Agreement.

Tree Preservation

There are four trees on or adjacent to the subject property. Two honey locusts are in the City's right-of-way along Trinity Street and are planned to be retained. A Manitoba maple near the fire escape at the northeast corner of the building is proposed to be removed. The fourth tree is at the southeast corner of the building does not meet the City's requirement for protection (it is less than 30 centimetres in diameter at breast height). Preservation details and application requirements for removal will be administered through the City's Urban Forestry Division at the site plan control stage.

Lower Don River Flood Protection

The subject property is within the Lower Don Special Policy Area, an area identified as being within a historical floodplain where stringent control of development would result in significant social and economic hardships to the community. Accordingly, development is permitted subject to addressing flood protection requirements.

In November 2002 Council adopted the new Official Plan which identified ten SPAs throughout Toronto including the Lower Don Special Policy Area. On March 17, 2003 the Official Plan was modified and approved, in part, by the Ministry of Municipal Affairs and Housing. The Minister withheld his decision on certain sections of the Official Plan including the Special Policy Areas section. The City's appeal to the Minister's decision with respect to the SPA policies remains outstanding pending the review of updated floodplain data and mapping, and the approval of revised Official Plan policies by the Minister of Municipal Affairs and Housing and the Minister of Natural Resources.

Under the 2005 Provincial Policy Statement (PPS), applications for development within SPAs that propose a change to the site-specific policies (i.e. an Official Plan or zoning/land use amendment) are permitted only upon the joint approval of the Minister of Municipal Affairs and Housing and Minister of Natural Resources. This approval is contingent on the provision of studies which demonstrate that the proposed use will satisfactorily meet provincial flood protection measures and reduce or eliminate the risks associated with flooding. Such approvals were granted in the case of the second and third towers approved at the Distillery District (Clear Spirit and Gooderham) at 390 Cherry Street by the Ontario Municipal Board in 2010.

At this time, the applicant has not submitted flood-related engineering studies to demonstrate that the proposed development meets the policy requirements of the former Official Plan and the 2005 PPS. It should be noted that under the 2005 PPS any request to the Ministry of Municipal Affairs and Housing and Ministry of Natural Resources to consider approving an amendment to the site-specific policies within the SPA must be municipally initiated. To date no such request by the City has been made to the province.

In 2006 the Ontario Realty Corporation, in cooperation with Waterfront Toronto, the City of Toronto, and the Toronto and Region Conservation Authority (TRCA), commenced the construction of flood remediation works to eliminate the flood risk associated with lands west of the Don River in the Lower Don SPA. This undertaking includes the construction of a landform feature on the east side of the West Donlands that, when completed, in conjunction with the widening of the railway bridge over the Don River (completed in 2007) will protect lands west of the Don River in the Lower Don SPA from flooding associated with a regional storm event. It is intended that upon completion of the flood remediation works, the SPA designation for the western portion of the Lower Don Area will no longer be required and may be removed from the Official Plan subject to the joint approval of the Ministers of Natural Resources and Municipal Affairs and Housing.

Waterfront Toronto and Infrastructure Ontario (formerly Ontario Realty Corporation) advise that the flood remediation works are estimated to be functional by mid to late 2012. Until the flood remediation works are complete the Lower Don SPA policies in the former City of Toronto Official Plan along with the relevant policies of the 2005 PPS remain in effect and are applicable to the proposal. Former Official Plan policies applicable to the site include but may not be limited to Sections 2.58 and 2.68, which require all development to be flood protected to at least the 1 in 350 year level. Relevant 2005 PPS policies are found in Section 3.13, which in essence require any planning approvals on this property be subject to the same ministerial approvals as was required for the two-tower development at 390 Cherry Street, if they were being sought prior to the SPA being lifted.

The site is also governed by the King-Parliament Secondary Plan, which identifies the property as being within the Gooderham and Worts Special Identity Area. Section 8 of the Gooderham and Worts Special Identity Area contains flood proofing requirements which are to be met by applicants seeking zoning or site plan approvals. The section states:

"In passing Zoning By-laws or approving site plan applications to permit development within the Gooderham and Worts Special Identity Area, site grading, building access and egress, the design of access ramps to underground parking garages and the floor levels within buildings will provide adequate flood proofing protection to at least the 1 in 350 regional flood level".

Reasons for the Application

This application proposes an amendment to both the Official Plan and Zoning Bylaw. The Official Plan amendment is required, as the site and area-specific provisions within the King-Parliament Secondary Plan do not permit either residential uses or an addition to the existing building, Rack House D. An amendment to the Zoning Bylaw is required because the proposed residential uses are not permitted and further since the proposed 118 metre height and 19.9 times density significantly exceed the 16.5 metre height limit and 2 times the lot area density limit on this property. Other areas of non-compliance with the Zoning Bylaw include the lack of on-site vehicle parking, as well as deficient loading, bike parking, and amenity space requirements. Further areas of non-compliance with the Official Plan, Secondary Plan and Zoning Bylaw will be identified upon review of this application by relevant City Divisions and Agencies.

COMMENTS

Application Submission

The following reports/studies were submitted with the application: planning and urban design rationale, heritage impact assessment, stage 1 archaeological resource assessment, site traffic comparison, arborist report, geotechnical investigation, noise impact study, site servicing report, waste management master report, pedestrian level wind study and Toronto Green Standards checklist and template.

A Notification of Complete Application was issued on December 9, 2011.

Results of Recent Discussions

City staff and the local councillor met with the applicant on November 23, 2011 to review the application proposal, identify staff concerns and highlight next steps. It was agreed by all parties that a full three-dimensional digital analysis of the area was warranted and that this analysis should include pedestrian level and bird's eye views of the site in context, as well as an examination of the relevant view corridors. Staff and the councillor also requested that the modelling encompass the entire Distillery District site, including the ribbon building and all remaining soft sites. The applicant and city staff will both be undertaking this analysis.

The height and density proposed in this application are a significant departure from what was originally outlined in the original Gooderham & Worts Heritage Master Plan, as well as the King-Parliament Secondary Plan, neither of which contemplated any additions above the existing Rack House D building. Staff require more fulsome rationale as to how the redevelopment of this site with the proposed scheme outweighs the previously approved plans. Without such justification, staff will likely recommend refusal or substantial modification of the current proposal.

Issues to be Resolved

1. Consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
2. conformity with Official Plan policies, particularly with respect to the sections on public realm, heritage, built form and built form for tall buildings;
3. conformity with the King-Parliament Secondary Plan, specifically policies within the sections on urban structure and built form, heritage and community improvement, Mixed Use Area B (Gooderham and Worts Special Identity Area), Site and Area Specific Policy #1 and the Gooderham & Worts Design Guidelines;
4. conformity with the King-Parliament Community Improvement Plan and its recommendations for the Gooderham and Worts area;
5. conformity with the Design Criteria for Review of Tall Building Proposals, namely the sections on transition in scale, prominent sites, views and vistas, heritage resources, spatial separation, and pedestrian realm;
6. appropriateness of any addition to the Rack House D building;
7. height and density of the proposal;
8. separation distance from the property to the east and future buildings to the north, including an assessment of window facing conditions from the building at 70 Mill Street;

9. other built form and massing issues including, but not limited to: setbacks, stepbacks, views, sky view, light penetration, privacy, wind mitigation and pedestrian realm weather protection;
10. the built form transition from this site into the surrounding neighbourhoods, including the historic core of the Distillery District immediately to the south, the residential buildings to the east and the proposed low-rise, mixed-use area within Phase Three of the West Donlands to the north;
11. shadow impacts on surrounding properties, proposed open space, and the public realm;
12. impacts on the historical integrity of the view corridor towards the subject property from the north and south along Trinity Street, as well as from the west along The Esplanade towards the Distillery District;
13. conformity with Parks Canada's "Standards and Guidelines for the Conservation of Historic Places in Canada", approved by City Council as the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City (March 3, 4, and 5, 2008);
14. sensitivity of the proposed interventions to the existing Rack House D, particularly those proposed for the south façade;
15. sensitivity of the proposed built form and materiality of the tower element to the surrounding heritage fabric to the east, west and south;
16. adequacy of the existing and planned heritage interpretation programs for both this building and the rest of the Distillery District;
17. traffic and neighbourhood parking impacts generated by the proposed restaurant, hotel and residential condominium uses;
18. location and supply of off-site vehicular parking;
19. location and effectiveness of the proposed sub-standard loading space;
20. type, location and supply of resident and visitor bike parking facilities;
21. assessment of the proposed indoor and outdoor amenity, particularly the proposed below-grade space and the concept of both exclusive and shared hotel/residential spaces;
22. mix of unit sizes and provision of family-sized units;

23. the proposed sustainability strategy for the project, including issues of energy modelling, stormwater management, the provision of car-share services and the potential for the applicant to pursue Tier Two of the Toronto Green Standard;
24. adequacy of the proposed pedestrian weather protection;
25. the presence of the subject property within the Lower Don Special Policy Area and the requirement for appropriate ministerial approvals prior to the finalization of the Flood Protection measures in the West Donlands; and
26. assessment of the public art contribution as well as identification and securing of public benefits pursuant to Section 37 of the Planning Act should there be recommendations for approval.

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

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

CONTACT

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Tel. No. 416-392-7572
Fax No. 416-392-1330
E-mail: wmacrae@toronto.ca

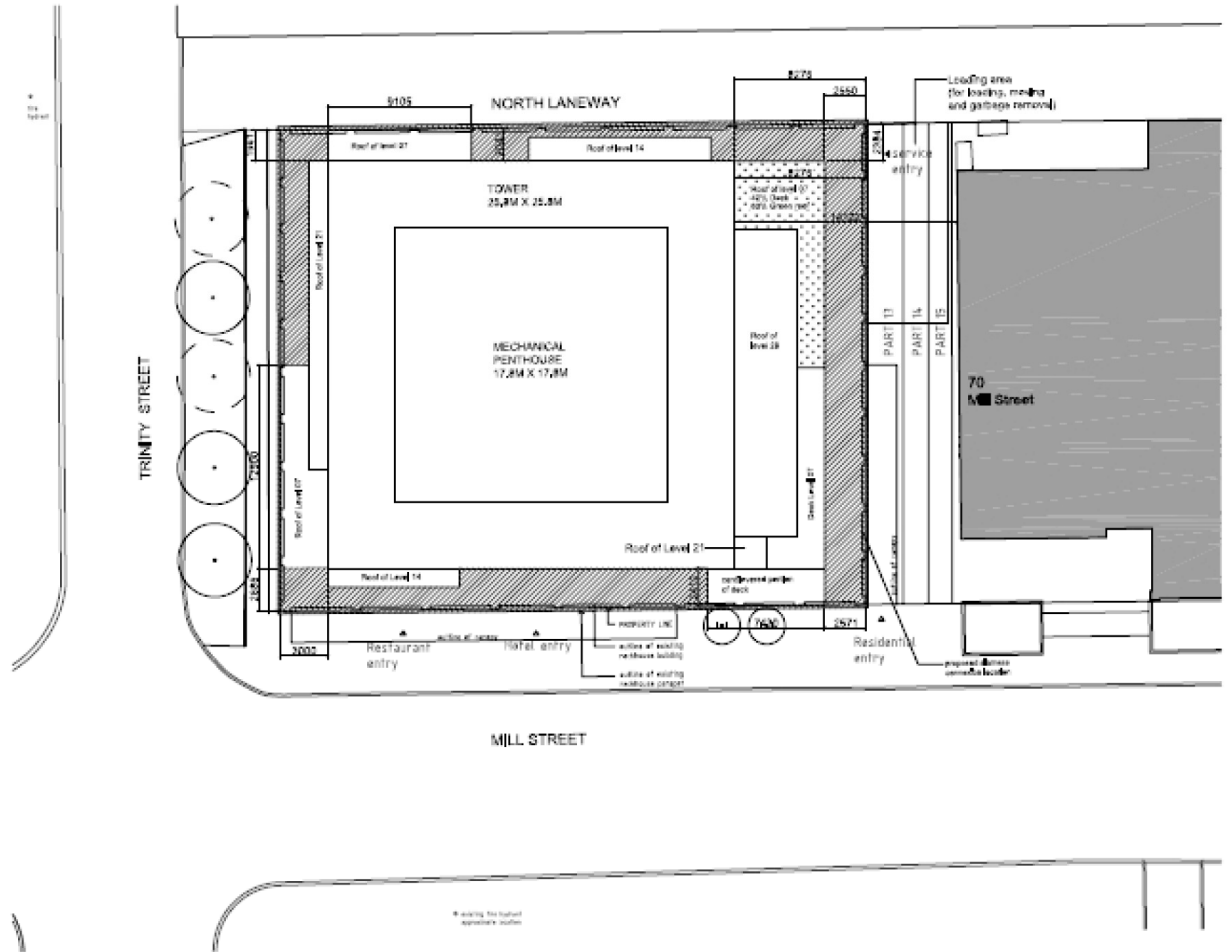
SIGNATURE

Gregg Lintern, Director, MCIP, RPP
Community Planning, Toronto and East York District

ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Applicant's Rendering from South
- Attachment 3: South Elevations
- Attachment 4: East Elevation
- Attachment 5: North Elevation
- Attachment 6: West Elevation
- Attachment 7: Existing Zoning
- Attachment 8: Distillery District Sub Areas
- Attachment 9: Existing Official Plan
- Attachment 10: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale
11/15/11



60 Mill Street

File # 11_219591_OZ

Attachment 2: Applicant's Rendering from the South



Applicant's Rendering - View Looking from South

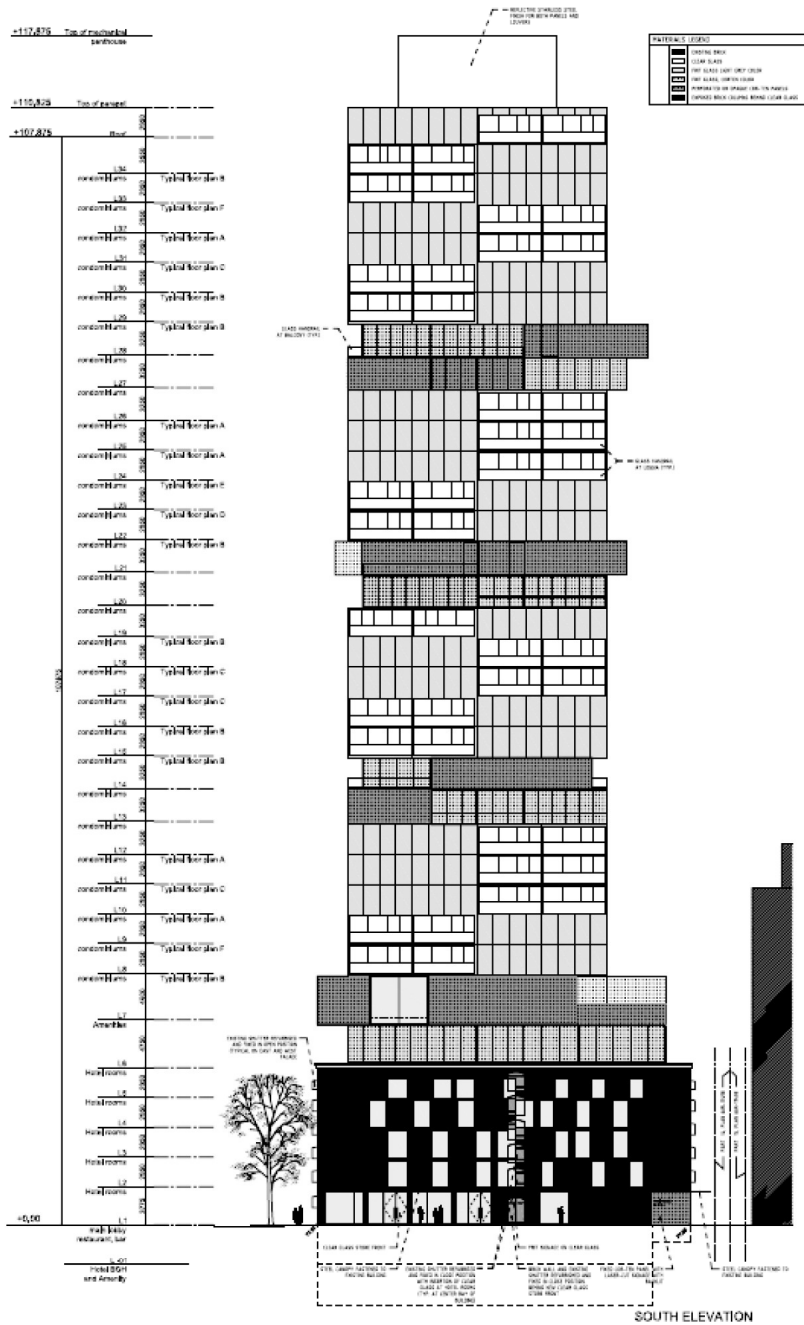
60 Mill Street

Applicant's Submitted Drawing

Not to Scale
11/15/11

File # 11_219591_OZ

Attachment 3: South Elevation



South Elevation

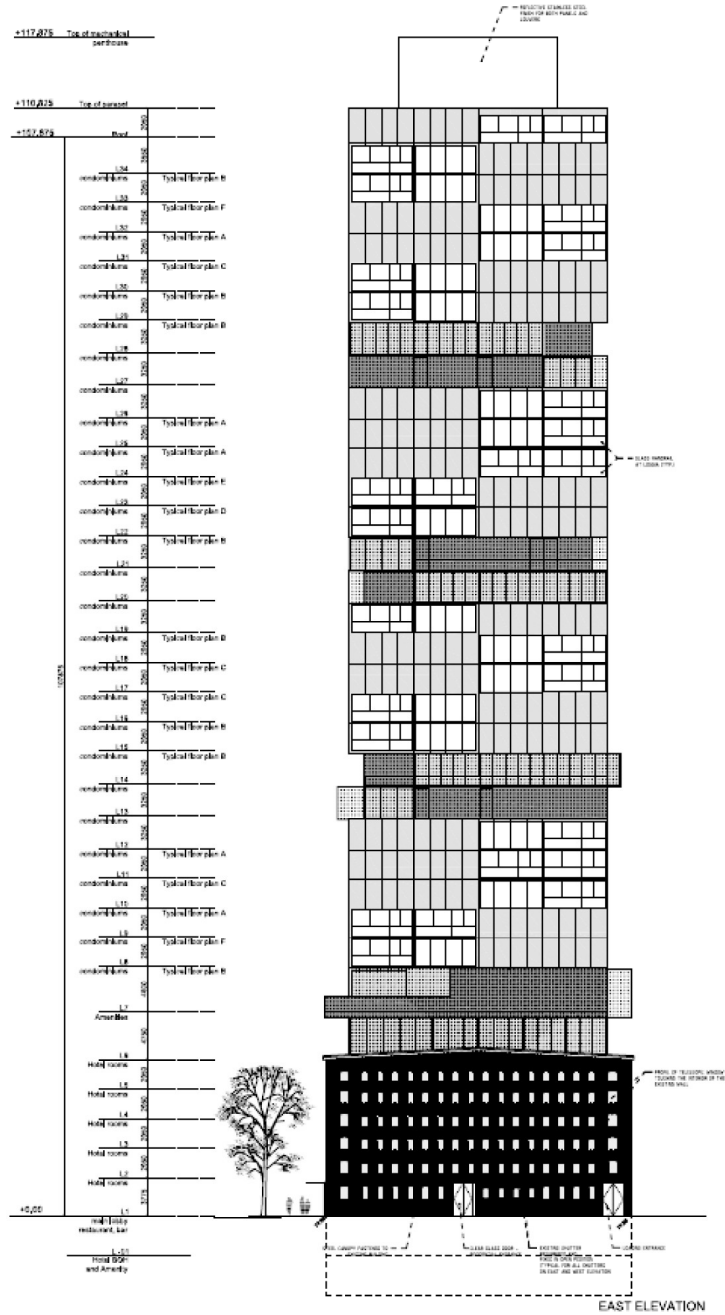
Applicant's Submitted Drawing

Not to Scale
11/15/11

60 Mill Street

File # 11_219591_0Z

Attachment 4: East Elevation



East Elevation

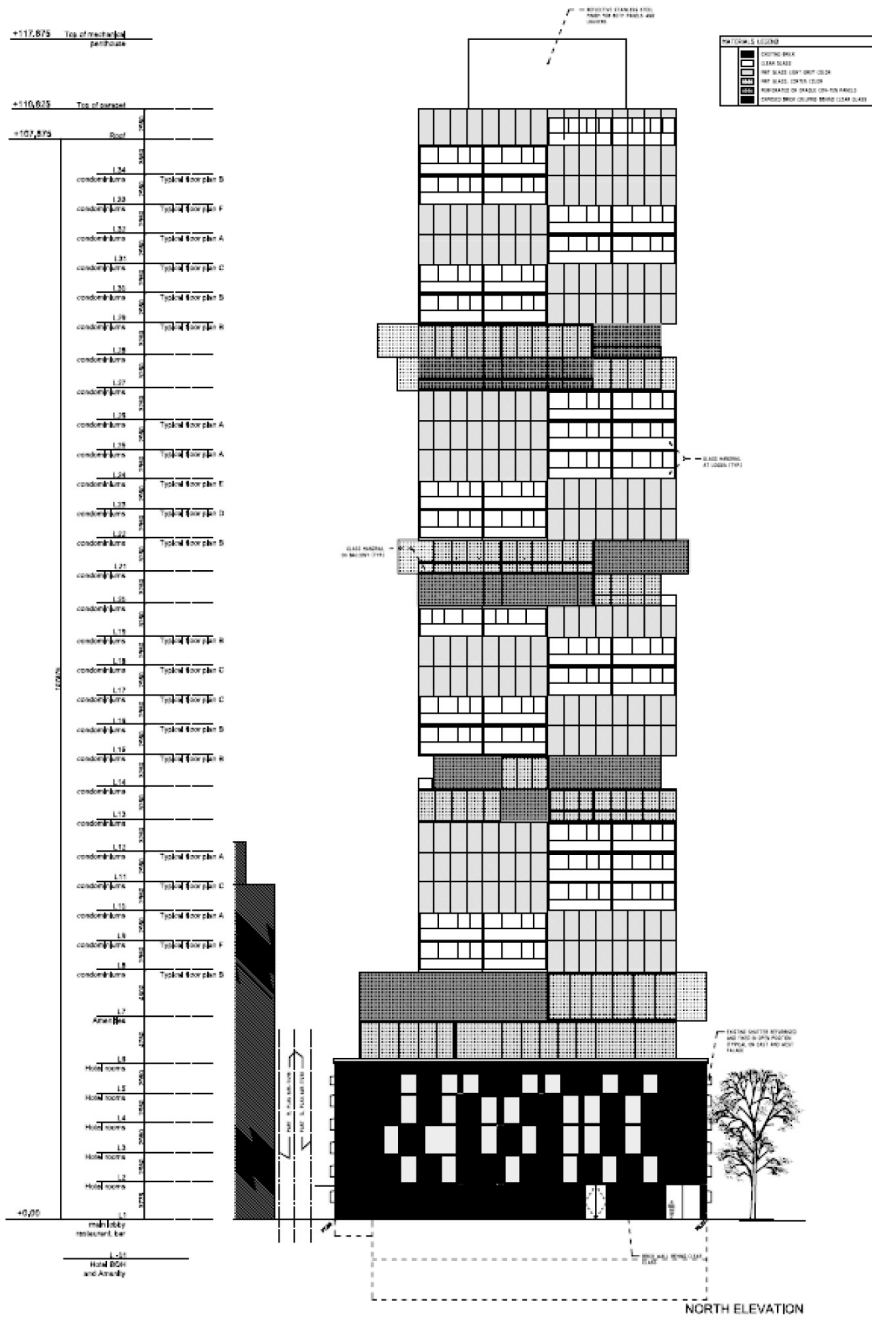
Applicant's Submitted Drawing

Not to Scale
11/15/11

60 Mill Street

File # 11_219591_02

Attachment 5: North Elevation



North Elevation

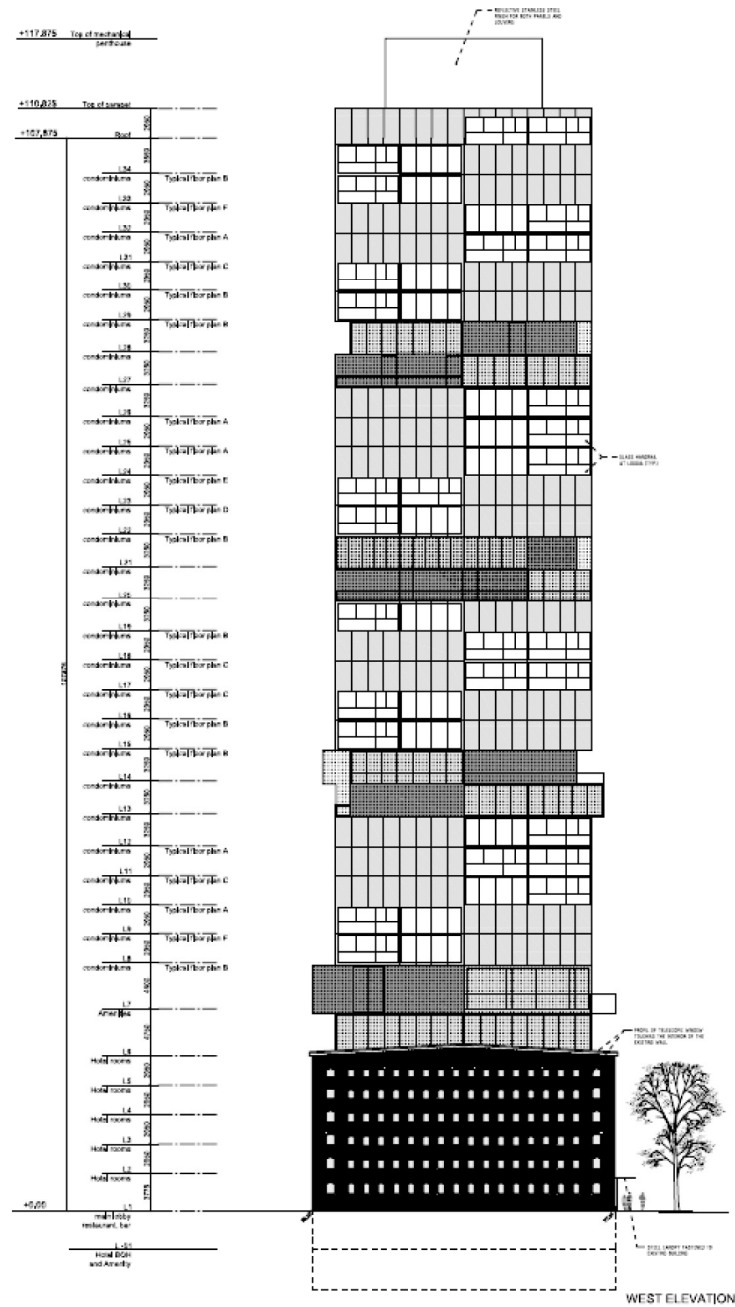
Applicant's Submitted Drawing

Not to Scale
11/15/11

60 Mill Street

File # 11_219591_OZ

Attachment 6: West Elevation



West Elevation

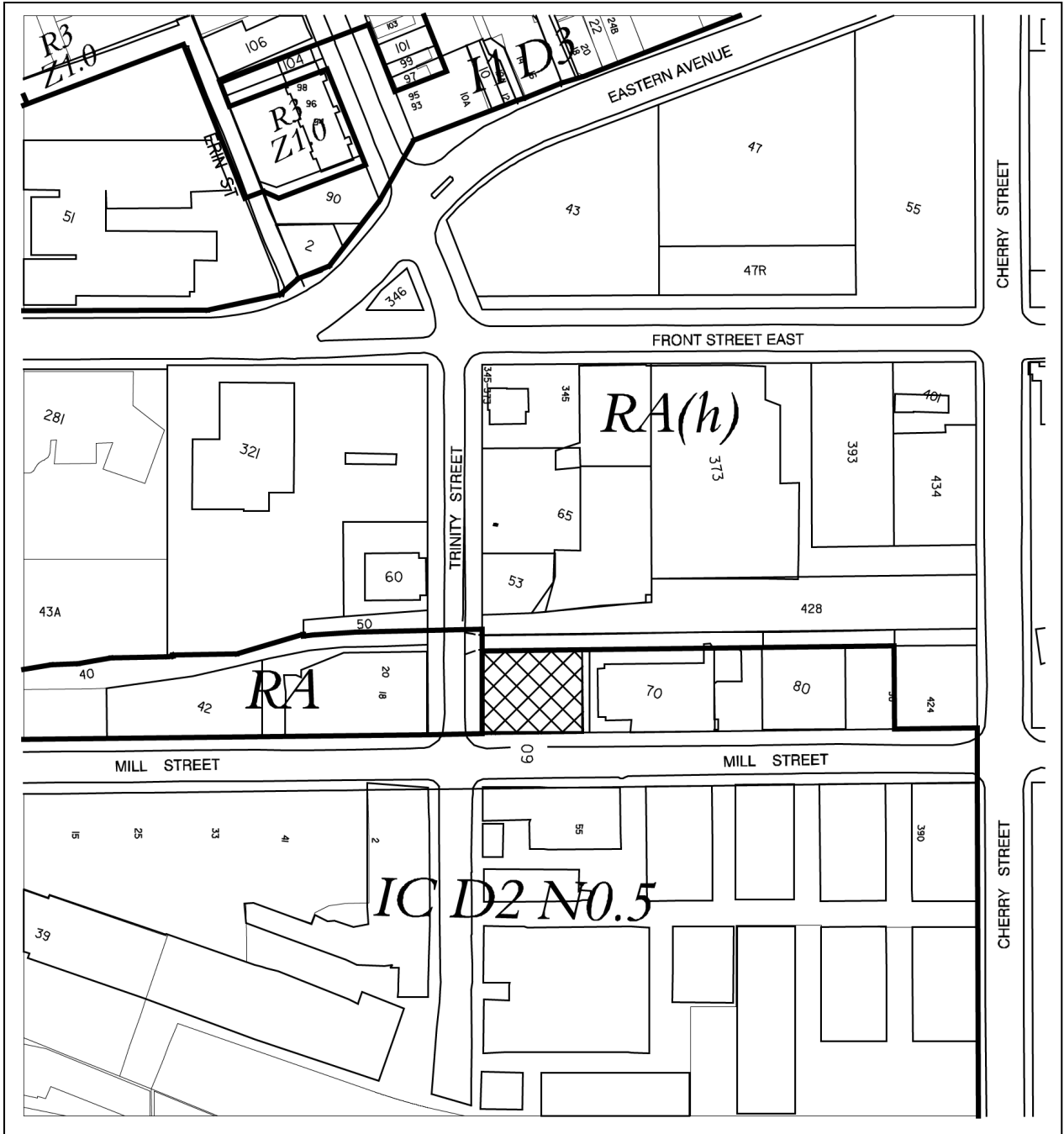
Applicant's Submitted Drawing

Not to Scale
11/15/11

60 Mill Street

File # 11_219591_0Z

Attachment 7: Zoning



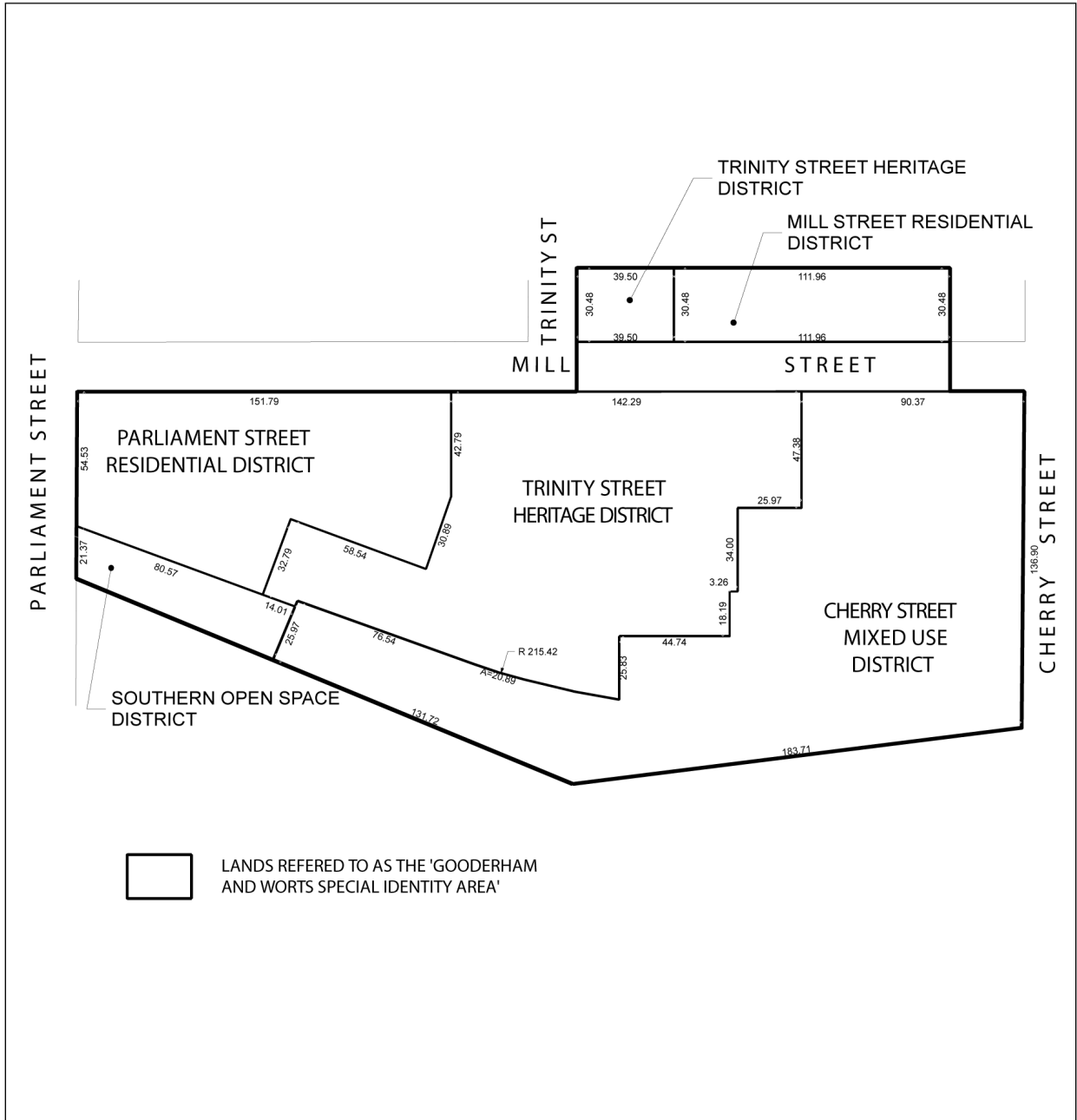
60 Mill Street
File # 11_219591_0Z

- R3 Residential District
- RA Mixed-Use District
- IC Industrial District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 11/15/2011

Attachment 8: Distillery District Sub Areas



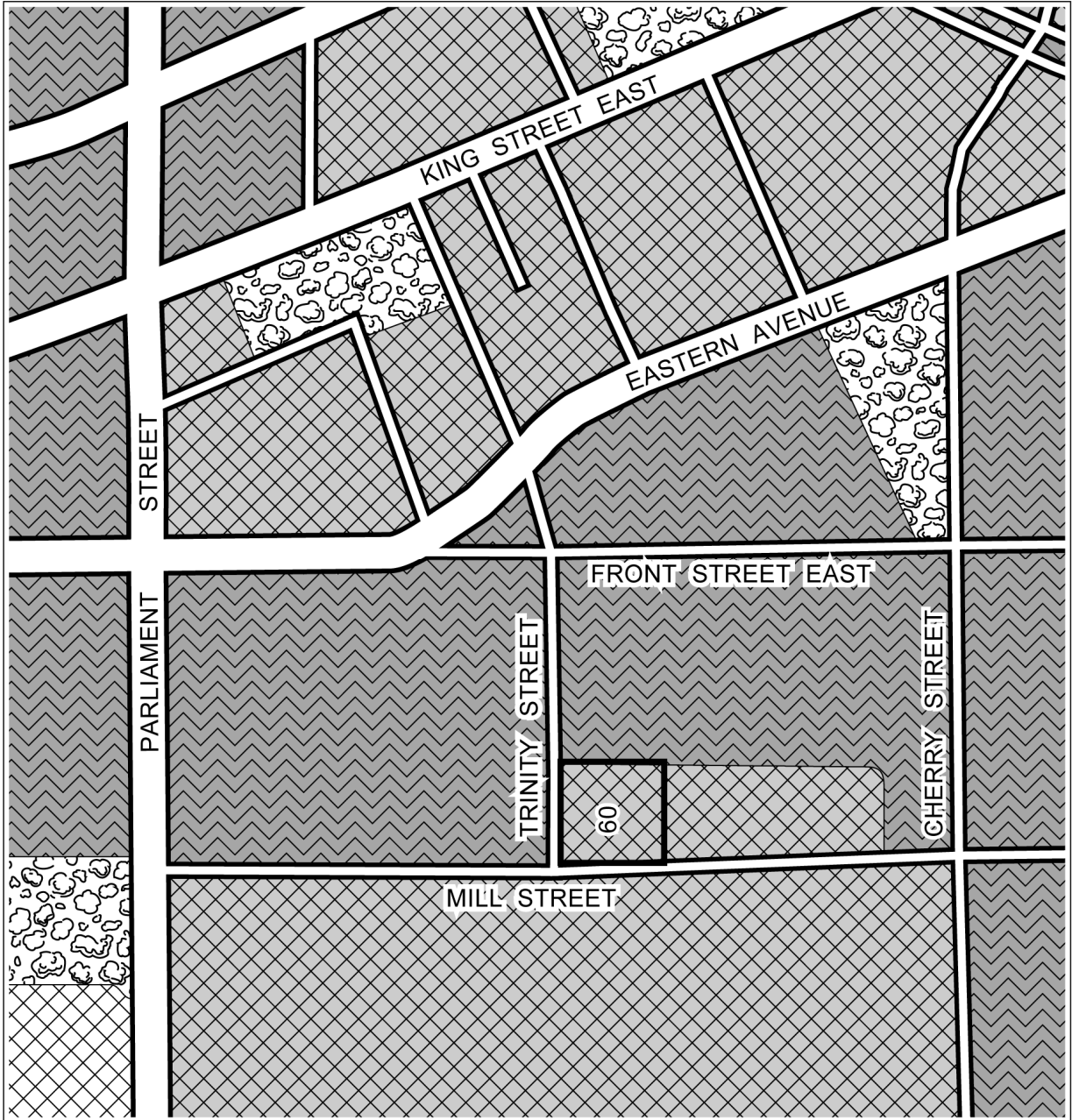
Plan 1

Amendment to Plan 1 of By-law 1994-0396

File # 06_189754


 Not to Scale
 04/29/09

Attachment 9: Official Plan



↑
Not to Scale
11/15/11

Attachment 10: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:
Details	OPA & Rezoning, Standard	Application Date:

Municipal Address: 60 MILL STREET
 Location Description: PLAN 108 PT LOTS 7 AND 8 RP 66R17498 PARTS 12 AND 13 **GRID S2813
 Project Description: OPA and Rezoning application to construct new 6-storey hotel within existing heritage building (Rack House D, at northeast corner of Mill Street and Trinity Street) and construct an additional 28 stories above for new condominium tower; 34 stories in total. A total of 88 hotel rooms and 246 residential condo units are proposed, with retail uses at-grade, and 166 parking spaces leased off-site.

Applicant:	Agent:	Architect:
GOODMANS LLP 333 Bay Street, Suite 3400 Toronto, ON M5H 2S7		Saucier & Perotte Architectes 7403 Waverly Montreal, QC H2S 3J1

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision: Yes
Zoning:	IC D2 N0.5	Historical Status: Designated
Height Limit (m):	23	Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq. m):	1203.8	Height:	Storeys:
Frontage (m):	39.5		Metres:
Depth (m):	30.5		
Total Ground Floor Area (sq. m):	1114.8		
Total Residential GFA (sq. m):	17020		Parking Spaces:
Total Non-Residential GFA (sq. m):	6977		Loading Docks
Total GFA (sq. m):	23997		
Lot Coverage Ratio (%):	92.6		
Floor Space Index:	19.9		

DWELLING UNITS

Tenure Type:	Condo
Rooms:	88 (Hotel)
Bachelor:	49 (20%)
1 Bedroom:	131 (53%)
2 Bedroom:	62 (25%)
3 + Bedroom:	4 (2%)
Total Units:	246

FLOOR AREA BREAKDOWN (upon project completion)

Residential GFA (sq. m):	
Retail GFA (sq. m):	
Office GFA (sq. m):	
Industrial GFA (sq. m):	
Institutional/Other GFA (sq. m):	

CONTACT:	PLANNER NAME:	Willie Macrae, Planner, wmacrae@toronto.ca
	TELEPHONE:	416-392-7572

