



**STAFF REPORT
ACTION REQUIRED**

Authorization to Study the Distillery District as a potential Heritage Conservation District

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| Date: | March 24, 2014 |
| To: | Toronto Preservation Board Toronto and East York Community Council |
| From: | Director, Urban Design, City Planning Division |
| Wards: | 28 – Toronto Centre-Rosedale |
| Reference Number: | P:\2014\Cluster B\PLN\TEYCC\TE14037 |

SUMMARY

This report recommends that City Council authorize the Gooderham & Worts Distillery District as an area to study for potential designation as a Heritage Conservation District, under Section 40.(1) of the Ontario Heritage Act.

From its peak as the largest distilling operation of its kind in 1875, the Distillery District has evolved into a lively historic precinct centred around cultural, retail and emerging residential uses. The conservation and adaptive re-use of the existing heritage properties, as well as the addition of several contemporary residential buildings, have for the most part, been in accordance with the original Master Plan and existing planning framework for the area. In recent years however, there has been considerable pressure for development of a nature and scale that was not previously contemplated for certain parcels. The cumulative impact of additional development in the area could significantly impact the historic integrity and feel of the District. Although designated as a National Historic Site, the Distillery District does not have a comprehensive in-force planning framework conducted through a heritage lens. As a result, City Planning staff feel that undertaking a Heritage Conservation District study for the Distillery District is an important exercise that would provide a more suitable planning framework for the review of future development applications.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize that a study be undertaken of the Distillery District as a potential heritage conservation district under Section 40.(1) of the Ontario Heritage Act, as indicated by the boundary with additions on the map in Attachment 1 of the report (March 24, 2014) from the Director of Urban Design.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Study Area

The study area for the potential Distillery District Heritage Conservation District (HCD) is recommended to be bound by Parliament Street to the west, the CN Rail tracks to the south, Cherry Street to the east and the properties on the north side of Mill Street to the north (see Attachment 1). This area includes the core of the historic Distillery District, two provincially-owned parcels on Mill Street and several under-utilized parcels fronting on Parliament Street. It also includes the planned linear park at the northeast corner of Parliament and Mill Streets, which is proposed to replace the existing parking lot.

In re-evaluating the planning framework for the Distillery District, staff and stakeholders will consider the impacts of development in surrounding areas on the Distillery District as well as the impact of development within this area on surrounding communities, including the West Don Lands to the north and east, Corktown to the north, the St. Lawrence Neighbourhood to the west, the remainder of King-Parliament to the northwest and the proposed East Bayfront and Keating precincts to the south.

Distillery District History

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 in 1875, the Gooderham and Worts whisky distilling operation consisted of more than 70 buildings and was the largest of its kind in the world. In 1927, new ownership created a merging of Gooderham and Worts with Hiram Walker. Following dwindling production, the last distilling operations closed in 1990 and the area became a popular destination for film production throughout the 1990s.

Recent Evolution

The Gooderham & Worts Distillery District was designated a National Historic Site of Canada in 1988. 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 Distillery District site. The 1994 planning approval was based on 12 Heritage Master Plan Reports, which contemplated a mixed use redevelopment of the area, including the retention and adaptive re-use of a majority of the heritage buildings and construction of new buildings for residential, commercial, office and light-industrial uses. As part of the planning approvals, seven heritage easement agreements were registered to secure the conservation and adaptive re-use of the heritage buildings. As well, public benefits related to public art, non-profit arts, affordable housing, daycares and heritage site interpretation were secured through a Section 37 agreement. The 1994 planning framework for the area was rolled into the City's new Official Plan and King-Parliament Secondary Plan when it was adopted by City Council in 2002 and approved by the Ontario Municipal Board in 2006. This OPA was also approved prior to changes to the Ontario Heritage Act in 2005 which afforded greater authority to Council to protect HCDs.

The Distillery District has seen a great deal of growth and change in the last 15 years. Several new developments have contributed to the evolution of the Distillery District as a mixed use community. In addition to on-going restoration and rehabilitation work on heritage buildings, recent development activities include:

- between 1997 and 2000, three residential condominium developments at 70 Mill Street, 80 Mill Street and 39 Parliament Street were completed;
- in 2001, the entire area was purchased by Cityscape Holdings Inc (who would later partner with Dundee Realty Corporation) and officially opened to the public as an arts and cultural historic precinct in 2003;
- in 2006, the Young Centre for the Performing Arts, a joint venture between the Soulpepper Theatre Company and George Brown College, was opened;
- new sidewalks, landscaping, pedestrian benches, lighting and public art installations;
- several new retail/commercial establishments;
- in 2008, the 'Pure Spirit' condominium (33 Mill Street), a 32-storey mixed-use building was completed; and
- a large project at 390 Cherry Street consisting of 'Clear Spirit', a 40-storey mixed-use condominium, 'Gooderham', a 37-storey mixed use condominium, and the 'Ribbon' Building (4-storey office) complex was approved in 2010; as of February 2014, the Clear Spirit building is completed and fully occupied, the Gooderham building is structurally complete and nearing occupancy and no application has been brought forward for site plan approval on the Ribbon building.

In June 2011, Official Plan amendment and rezoning applications were submitted for a 34-storey hotel/condominium project at 60 Mill Street at the northeast corner of Mill Street and Trinity Street. The development proposed the partial retention of the existing six-storey, heritage-designated 'Rack House D' building. An Official Plan amendment was required as the Secondary Plan does not permit any additions above this building.

Staff, the City's Design Review panel and local residents appreciated the innovative design of the proposal, but struggled with the application being a significant departure

from the intent of the original Heritage Master Plan from 1994, as well as the existing King-Parliament Secondary Plan. The proposal was not consistent with the policies of the Trinity Street Heritage District, one of sub-areas within the precinct (Attachment 4). Staff also raised the issue of the overall build out and capacity of the area, and whether this application, in addition to development of other soft sites, would contribute to an erosion of the historic character of the precinct. This application has not proceeded beyond this initial review at the request of the applicant.

Existing Planning Framework for the Area

The Distillery District is currently regulated by a patchwork of planning documents, including the City's Official Plan, the King-Parliament Secondary Plan, the King-Parliament Community Improvement Plan, the former City of Toronto Zoning Bylaw 438-86, individual building heritage designations and several heritage easement agreements.

At present, most of the proposed study area is designated *Mixed Use Areas* in the Official Plan (Attachment 2). The only exceptions are two of the properties on the north side of Mill Street which are designated *Regeneration Areas*. Both *Mixed Use Areas* and *Regeneration Areas* permit a range of residential, commercial, and institutional uses and provide criteria to direct the form and quality of development.

Within the King-Parliament Secondary Plan, the Gooderham and Worts Special Identity Area is one of six sub-areas (Attachment 3). It is governed by its own set of site and area-specific policies. These policies speak to the overall redevelopment objectives of the area, the guidelines for each of the five unique sub-areas within the Distillery District (Attachment 4), as well the criteria for the re-use of each individual historic building. There are several sites adjacent to the Distillery District in the West Don Lands and Triangle Lands (Attachment 3), which are currently not covered by the same set of policies.

The area is zoned IC D2 N0.5 (Attachment 5) a remnant industrial-commercial zone, which permits densities two times the lot area with a maximum commercial density of 0.5 times the lot area. The two provincially-owned parcels on the north side of Mill Street are zoned RA or Reinvestment Area, which permits a variety of uses and defines a building envelope in place of density provisions. The height limit for both zones is 26 metres.

All of the existing heritage buildings are individually designated under Part IV of the Ontario Heritage Act and are also regulated by one of seven heritage easement agreements for the area.

COMMENTS

Heritage Conservation Districts

In late 2013, Planning staff were preparing to initiate a review of the King-Parliament Secondary Plan focussed on the Distillery District. The goal of this process was to update

the existing planning policies and provide criteria to evaluate future applications in the area. Upon further deliberation, however, it was decided that this area, being a National Historic Site, warranted a more heritage-focussed approach. A Heritage Conservation District study for the Distillery District would accomplish a number of key objectives that would not otherwise be possible through a Secondary Plan review. HCDs can implement a plan that allows for the predictable and transparent development of the area in a way that protects the unique and fragile heritage character and cultural heritage value of the area. In particular:

- HCDs studies and plans use a heritage lens to evaluate the impact of future development on an area – an appropriate consideration for this area;
- HCDs look not only at buildings, but also the open space and landscapes surrounding and between them;
- Development on sites adjacent to existing heritage buildings and districts can be more appropriately evaluated for their impact with the benefit of HCD policies;
- HCDs provide a more stringent planning tool than Secondary Plans and Zoning Bylaws.

In addition to the work that would be conducted with the initiation of a Heritage Conservation District study for the area, it is likely that staff will undertake a simultaneous, complimentary study to look at issues that won't necessarily be addressed through an HCD study, such as the provision of community services and facilities and the dedication of parkland or open space.

Process and Timeline

This report is aiming to secure City Council approval for the authorization of the Distillery District for study as a potential HCD. Subsequent to this report, Heritage Preservation Services staff will be bringing forward a prioritization report to the Toronto Preservation Board and Planning and Growth Management Committee identifying the top priority areas that are in most urgent need of moving forward for HCD study. City Council has approved the City Planning 2014 budget, which accommodates three areas to be considered for Study in 2014, with five additional areas likely to be considered in 2015.

HCDs are typically evaluated over a two year period from initial study to plan implementation. It is anticipated that because of the relatively narrow scope of the Distillery District and the plethora of background heritage information previously conducted, that a HCD study and plan could be completed within a reduced time frame. Regardless of any reduced timeframe, Heritage Preservation Services will undertake any HCD Study and/or Plan for the distillery District in accordance with the Council adopted *Heritage Conservation Districts in Toronto: Procedures, Policies and Terms of Reference*.

Conclusions

The Distillery District has undergone considerable change since the existing planning framework was adopted for the area in 1994. It has become a national success story with

new development integrating itself into the 19th century Victorian industrial architecture. The area has evolved into a lively mixed-use precinct focused on small-format retail and the creation of an arts and cultural hub. The Official Plan amendment and rezoning proposals for 60 Mill Street, as well as the potential for additional development proposals in the vicinity, have created a concern that the historic integrity of the area could be severely eroded should additional development proceed without a comprehensive, heritage focussed assessment of the area's heritage character and development capacity. Staff have concluded that the Distillery District is a good candidate for an HCD Study and has a high likelihood of satisfying the Council adopted criteria for determining cultural heritage value in HCDs, especially given that it is a National Historic Site.

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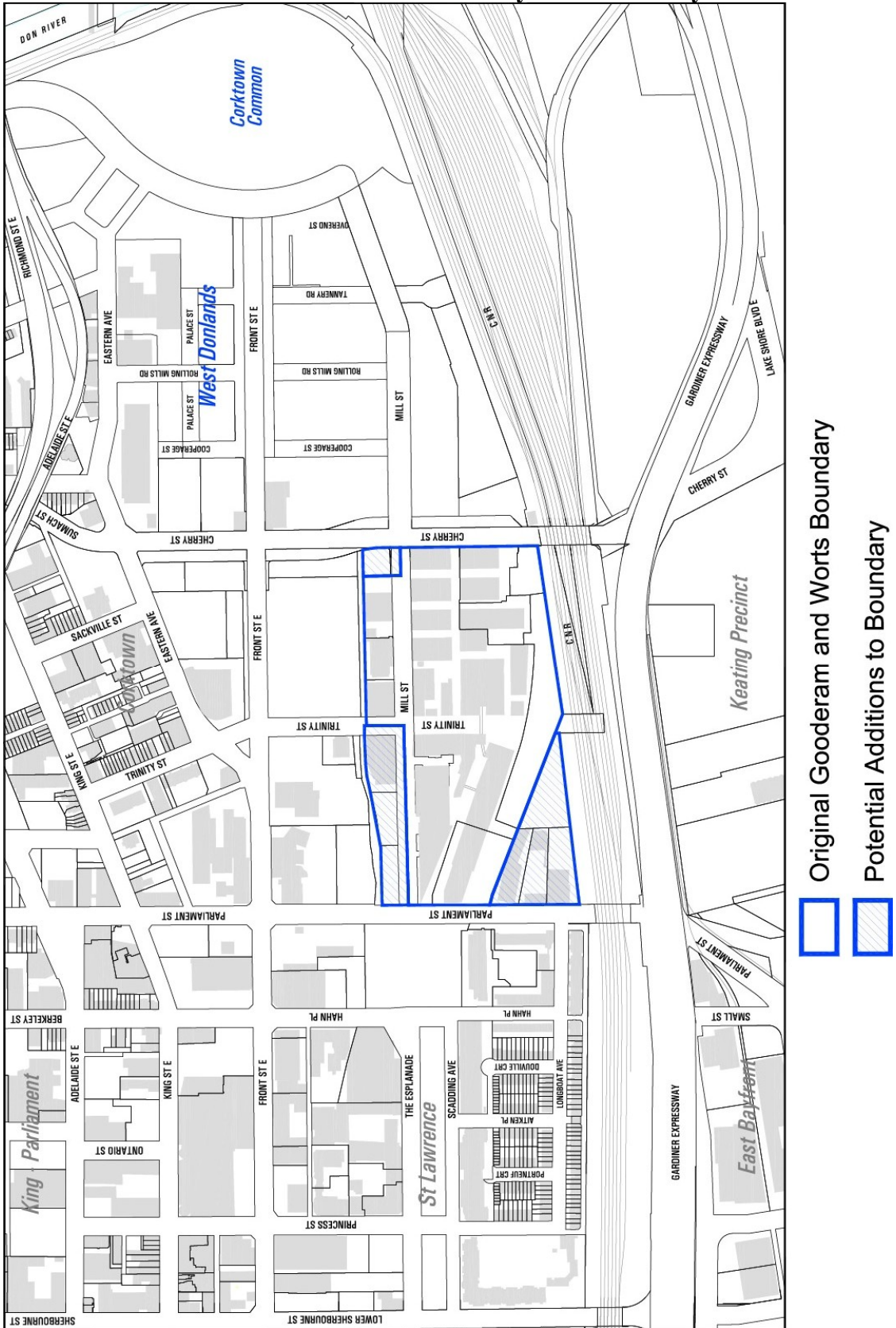
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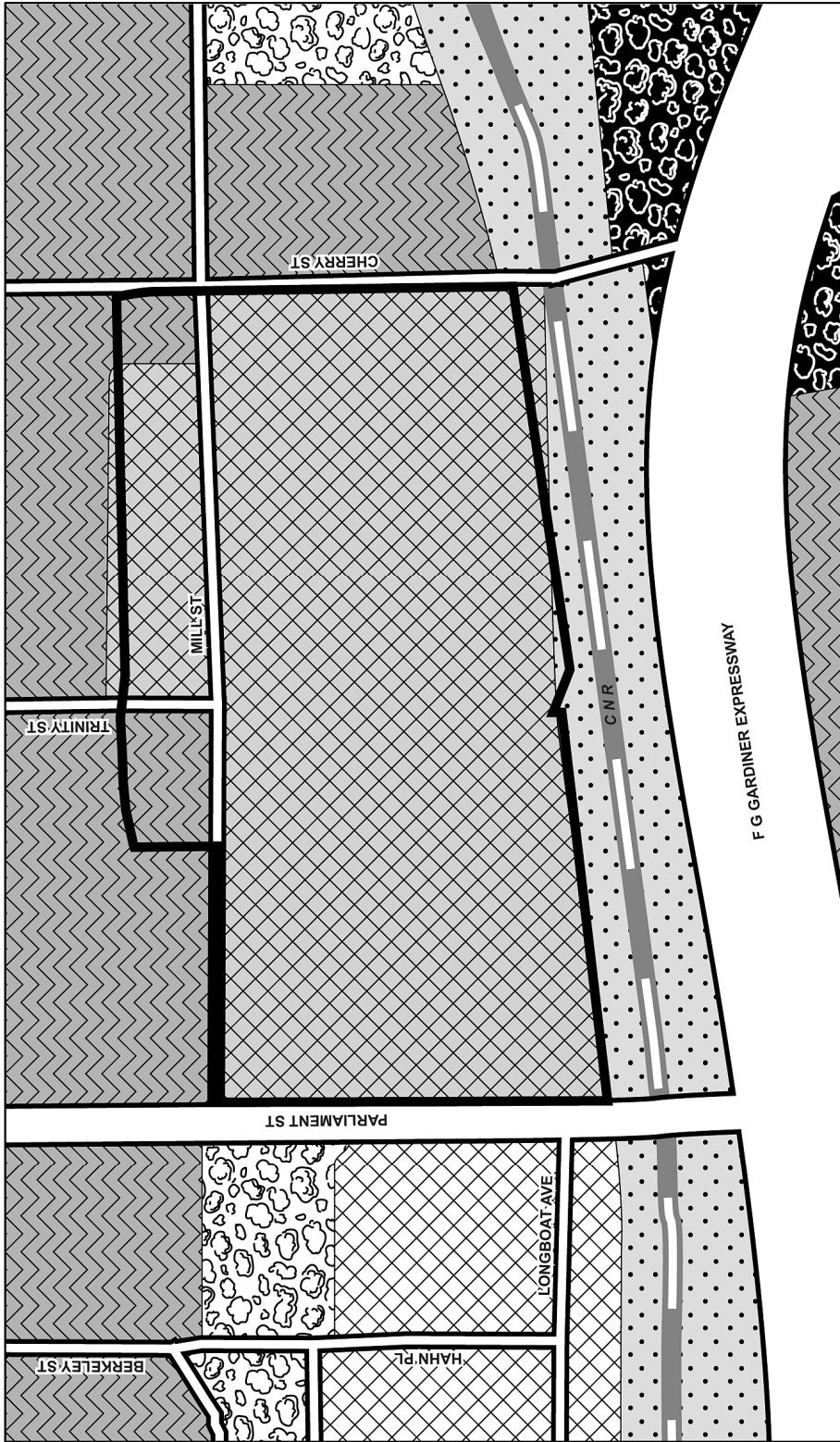
ATTACHMENTS

Attachment 1: Potential Study Area Boundary
Attachment 2: Distillery District Official Plan Designations
Attachment 3: King-Parliament Secondary Plan Sub Areas
Attachment 4: Distillery District Sub-Areas from Site and Area Specific Policy 1 within King-Parliament Secondary Plan
Attachment 5: Existing Distillery District Zoning

Attachment 1: Potential Study Area Boundary



Attachment 2: Distillery District OP Designations



Toronto City Planning
Gooderham and Worts Distillery District
 Extract from Official Plan Map 18 Land Use Plan
 File # 14 102593 SPS 00 02

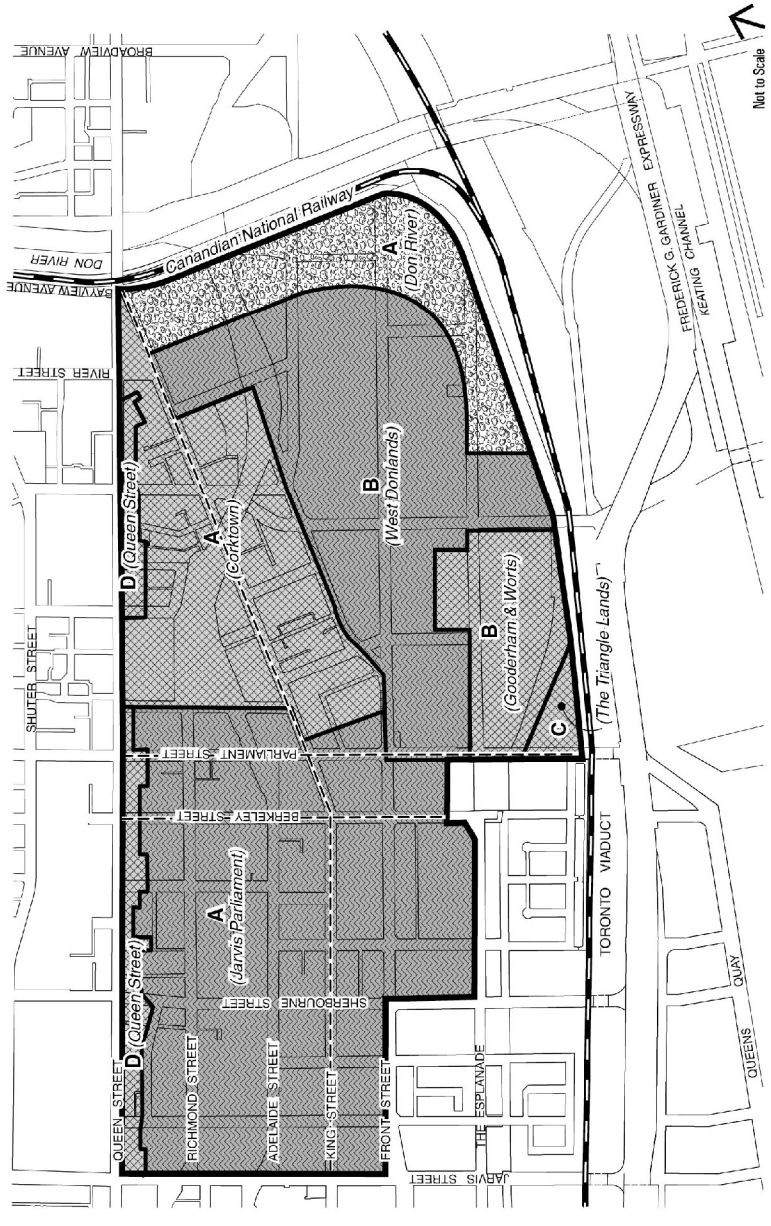
Toronto City Planning
Gooderham and Worts Distillery District
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- Site Location
- Apartment Neighbourhoods
- Mixed Use Areas
- Regeneration Areas
- Parks & Open Space Areas
- Natural Areas
- Parks
- Utility Corridors



Not to Scale
 Extracted 03/05/2014

Attachment 3: King-Parliament Secondary Plan Sub-Areas



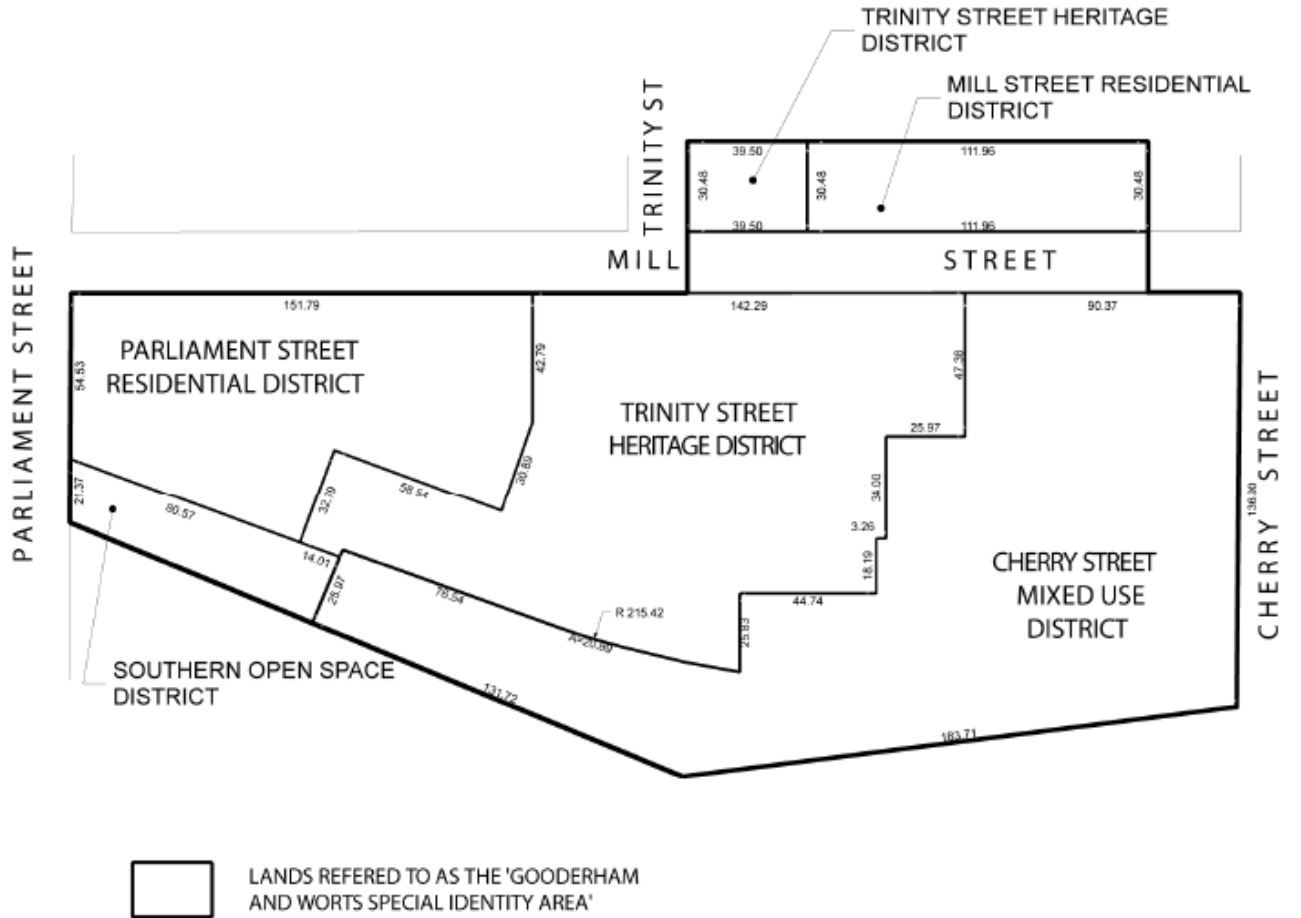
TORONTO
City Planning Division

King-Parliament Secondary Plan
MAP 15-1 Land Use Plan

- Secondary Plan Boundary
- Special Streets
- ▨ Mixed Use Areas
- ▨ Regeneration Areas
- ▨ Parks and Open Space Areas

June 2006

**Attachment 4: Distillery District Sub-Areas from
Site and Area Specific Policy 1 within King-Parliament Secondary Plan**



Attachment 5: Existing Distillery District Zoning



Gooderham and Worts Distillery District

File # 14 102593 SPS 00 0Z

Toronto City Planning Zoning By-law 569-2013

- Boundary of Study Area
- See Former City of Toronto Bylaw No. 438-86
- RA Residential District
- RA(h) Residential District
- IC D2 Industrial District
- IC D3 Industrial District
- T Industrial District
- CRE Commercial Holding District
- O Residential Employment
- R (d2.5) Residential Employment
- R (d1.0) Residential Employment
- O (x190) Open Space
- R (d2.5) (x855) Residential Employment
- O (x181) Open Space
- R (d2.5) (x855) Residential Employment
- CRE (x71) Commercial Holding District
- CRE (x34) Commercial Holding District

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