



Toronto Preservation Board

Meeting No. 31 Contact Ellen Devin, Committee Administrator
Meeting Date Tuesday, February 22, 2022 Phone 416-392-7033
Start Time 9:30 AM E-mail hertpb@toronto.ca
Location Video Conference Chair Sandra Shaul

Table with 5 columns: PB31.4, ACTION, Adopted, (empty), Ward: 13

Alterations to a Heritage Property and Authority to Amend a Heritage Easement Agreement - 60 Mill Street

Board Decision

The Toronto Preservation Board recommends to the Toronto and East York Community recommends that:

1. City Council approve the alterations to the heritage property at 60 Mill Street in accordance with Section 33 of the Ontario Heritage Act, to allow for alterations substantially in accordance with the Interim Decision and Order issued on September 23, 2021 by the Ontario Land Tribunal and the plans and drawings, dated June 28, 2021, prepared by IBI Group, submitted with the Revised Heritage Impact Assessment, dated December 17, 2021, prepared by ERA Architects Inc., and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning, and subject to the following additional conditions:

a. Prior to issuance of the Tribunal's final Order in connection with the Zoning By-law Amendment appeal for the property at 60 Mill Street, the owner shall:

1. Amend the Heritage Easement Agreement with the City for the property at 60 Mill Street substantially in accordance with the Interim Decision and Order issued on September 23, 2021 by the Ontario Land Tribunal and the plans and drawings, dated June 28, 2021, prepared by IBI Group, submitted with the Revised Heritage Impact Assessment, dated December 17, 2021, prepared by ERA Architects Inc., subject to and in accordance with the approved Plan required in Recommendation 1.a.2 below, all to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning including execution of such agreement to the satisfaction of the City Solicitor.

2. Provide a detailed Conservation Plan prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Revised Heritage Impact Assessment, dated December 17, 2021, prepared by ERA Architects Inc., all to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

b. That prior to final Site Plan approval for the proposal, for the property located at 60 Mill Street, the owner shall:

1. Provide final site plan drawings that are substantially in accordance with the approved Conservation Plan and which are to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

2. Provide an Interpretation Plan for the subject property, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, .

3. Provide a Heritage Lighting Plan that describes how the exterior of the heritage property will be sensitively illuminated to enhance its heritage character to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager Heritage Planning, Urban Design, City Planning .

4. Provide a Signage Plan to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

c. That prior to the issuance of any permit for all or any part of the property at 60 Mill Street, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Planning, Urban Design, City Planning the owner shall:

1. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.a.2 above, including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

2. Provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning to secure all work included in the approved Conservation Plan, Lighting Plan and Interpretation Plan.

3. Provide full documentation of the existing heritage property, including two (2) printed sets of archival quality 8" x 10" colour photographs with borders in a glossy or semi-gloss finish and one (1) digital set on a USB flash drive in tiff format and 600 dpi resolution keyed to a location map, elevations and measured drawings, and copies of all existing interior floor plans and

original drawings as may be available, to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

d. That prior to the release of the Letter of Credit required in Recommendation 1.c.2 above, the owner shall:

1. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work and the required interpretive work has been completed in accordance with the Conservation Plan and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

2. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning, Urban Design, City Planning.

2. City Council authorize the City Solicitor to amend the existing Heritage Easement Agreement, registered on the title for the heritage property at 60 Mill Street, Instrument Number CA397771, and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, in a form and content satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

3. City Council authorize the City Solicitor to introduce the necessary Bill in Council authorizing the amendment of the heritage easement agreement for the property at 60 Mill Street.

Decision Advice and Other Information

Erin Smith, Planner, Heritage Preservation, Urban Design, City Planning gave a presentation on Alterations to a Heritage Property and Authority to Amend a Heritage Easement Agreement - 60 Mill Street.

Origin

(January 31, 2022) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

Summary

At its meeting on February 22, 2022, the Toronto Preservation Board considered Item [PB31.4](#) and made recommendations to City Council.

Summary from the report (January 31, 2022) from the Senior Manager, Heritage Planning, Urban Design, City Planning:

This report recommends that City Council approve the proposed alterations to the designated heritage property at 60 Mill Street under Section 33 of the Ontario Heritage Act and give authority to amend the existing Heritage Easement Agreement, in accordance with the Interim Decision and Order issued on September 23, 2021 by the Ontario Land Tribunal (OLT) to permit the construction of a 31 storey hotel building on the subject site, consisting of the

alteration and retention of the existing Rack House D elevations as a podium with a 28 storey addition above.

Heritage Planning staff attended the OLT hearing in opposition of the proposed development. However, City staff continued to work with the applicant to revise elements of the proposal prior to the hearing, achieving a conservation strategy for the Rack House D building elevations that could be supported. The OLT Interim Decision and Order approved the development in principle. The Tribunal found that both the Zoning By-law Amendment and the Site Plan application adequately conserve the on-site heritage property and the surrounding Distillery District in accordance with the City's Official Plan Heritage Policies and the existing Provincial land-use planning policy framework.

In addition to approvals under the Planning Act, which were considered by the OLT, City Council's approval of the proposed alterations to the heritage property and authority to amend the existing Heritage Easement Agreement are required under the Ontario Heritage Act. In accordance with the OLT Interim Decision and Order and its conditions, this report recommends that City Council approve the proposed alterations under Section 33 of the Ontario Heritage Act and give authority to amend the existing Heritage Easement Agreement for the property to the satisfaction of the Senior Manager, Heritage Planning.

Background Information

(January 31, 2022) Report and Attachments 1-3 from the Senior Manager, Heritage Planning, Urban Design, City Planning - Alterations to a Heritage Property and Authority to Amend a Heritage Easement Agreement - 60 Mill Street

<https://www.toronto.ca/legdocs/mmis/2022/pb/bgrd/backgroundfile-199371.pdf>

(February 18, 2022) Staff Presentation - Alterations to a Heritage Property and Authority to Amend a Heritage Easement Agreement - 60 Mill Street

<https://www.toronto.ca/legdocs/mmis/2022/pb/bgrd/backgroundfile-222144.pdf>

Speakers

Andrew Pruss, ERA Architects Inc.