

Authority: Toronto Community Council Report No. 8, Clause No. 24, as adopted by City of Toronto Council on May 9, 10 and 11, 2000; and Toronto Community Council Report No. 18, Clause No. 48, adopted as amended, by City of Toronto Council on October 3, 4 and 5, 2000
Enacted by Council: October 5, 2000

CITY OF TORONTO

BY-LAW No. 874-2000

To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as Nos. 100, 104, 120 and 130 Adelaide Street West, 12 and 22 Sheppard Street and 85 and 111 Richmond Street West.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The text and map annexed hereto as Schedule "A" are hereby adopted as an amendment to the Official Plan for the former City of Toronto.

2. This is Official Plan Amendment No. 162.

ENACTED AND PASSED this 5th day of October, A.D. 2000.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)

SCHEDULE “A”

1. Section 18 of the Official Plan, for the former City of Toronto is hereby amended by adding the following Section 18.509 and the attached Map 18.509;

“18.509 Lands known as Nos. 100, 104, 120 and 130 Adelaide Street West, 12 and 22 Sheppard Street and 85 and 111 Richmond Street West

Notwithstanding any of the provisions of this Plan, Council may pass by-laws applicable to the lands delineated by heavy lines on Map 18.509, to permit increases in the density and height of development otherwise permitted, to permit the erection and use on Parcel A, as shown on Map 18.509, of a building containing *commercial* uses and on Parcel B, as shown on Map 18.509, of an atrium provided that:

- (1) the lands, being the *lot*, consist of Parcels A and B, which Parcels are shown on Map 18.509;

Notwithstanding the definition of “*lot*”, contained in the Plan, Parcels A and B shall comprise a “*lot*” notwithstanding more than one building is or is to be erected thereon, and all such buildings shall be deemed to have a common basement;

- (2) the *non-residential gross floor area* of the building to be erected on Parcel A does not exceed 66 716 square metres;
- (3) the *non-residential gross floor area* of the atrium to be erected on Parcel B does not exceed 1200 square metres;
- (4) the total *non-residential gross floor area* of all buildings on the *lot* does not exceed 211 500 square metres including any *non-residential gross floor area* exempted from such calculation through any heritage density exemption pursuant to Section 5.10 of this Plan;
- (5) a by-law is enacted to designate the building known as No. 111 Richmond Street West under Section 37 of the Ontario Heritage Act;
- (6) the owner of the lands is required by by-law to:
- A. retain, restore, conserve and maintain the buildings located at Nos. 85 and 111 Richmond Street West and the building or portion of the building at No. 100 Adelaide Street West, in accordance with an approved Restoration Plan and in a manner that respects their quality and character and which is secured and further defined through one or more agreements pursuant to Section 37 of the *Ontario Heritage Act* and Section 37 of the *Planning Act*, including:

- (i) for the lands known in the year 1999 as No. 100 Adelaide Street West:
 - (a) that any new building constructed on such lands, which requires the demolition of the building features described in the aforesaid Heritage Easement Agreement, will be designed to respect the existing façade of that building;
 - (b) that any of the exterior art work that is not relocated onto the new building façade, is restored and placed on public display on the *lot*;
 - (c) that the existing facades of the lower three floors facing the Adelaide Street West and Sheppard Street frontages are retained, including the arched entry-way from Adelaide Street West;
 - (d) that the significant art work located in the lobby of the building be restored, reinstated or replicated on the lands known as No. 100 Adelaide Street West;
 - (e) where any portions or heritage pieces of the existing building are to be relocated off of the lands known as No. 100 Adelaide Street West, the Heritage Easement Agreement include the lands to which such pieces are relocated;
 - (f) prior to the issuance of a demolition permit for all or a portion of the existing building located on the lands known as No. 100 Adelaide Street West, and subject to the conditions of the Heritage Easement Agreement, the following shall occur:
 - 1. a building permit must be issued for a new office building which utilizes any of the provisions of this By-law, to be constructed on such lands; and
 - 2. the retention, restoration, conservation and maintenance of the building and or the portions of the building referred to in the Heritage Easement Agreement applicable to such lands, is included in an executed Undertaking pursuant to Section 41 of the *Planning Act* for the building for which a building permit is being issued;

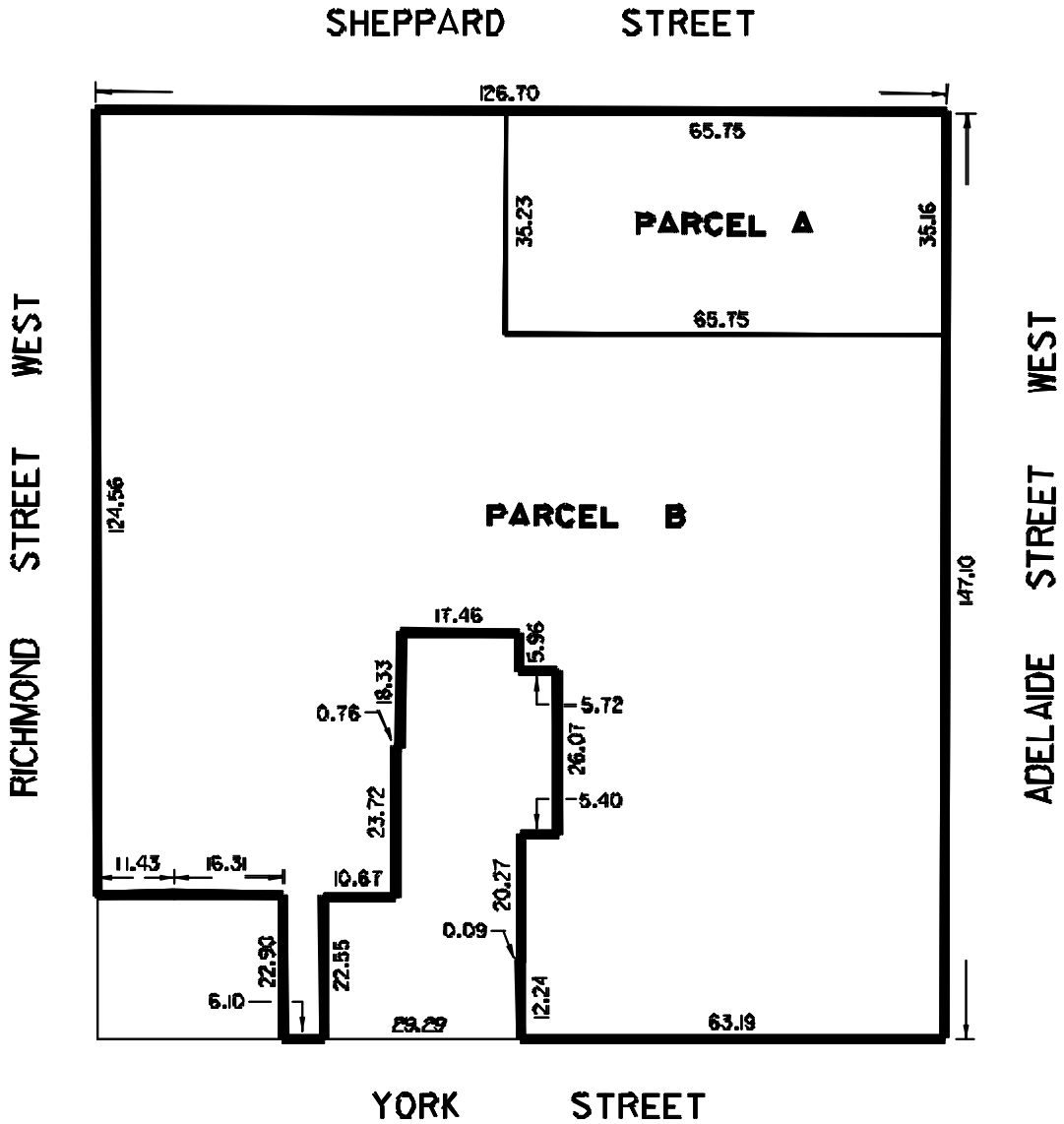
- (ii) for the lands known as No. 111 Richmond Street West the retention, restoration, conservation and maintenance of the existing building, including the retention, restoration, conservation and maintenance of the lobby of the building to the appearance which existed in the ten year period between 1950 and 1960;
 - (iii) for the lands known as No. 85 Richmond Street West, the retention, restoration, conservation and maintenance of the existing building;
- B. deposit with the City, a letter of credit in the amount of 2.0 million dollars, prior to the issuance of a building permit in respect of Parcel A and which would require the demolition of all or any portion of the building known as No. 100 Adelaide Street West, to secure the retention, restoration, conservation and maintenance of the historic elements of such building;
- C. provide and maintain one or more works of art pursuant to a public art program in publicly accessible portions of the *lot* of a value not less than one per cent of the cost of construction of all new buildings, structures and additions erected on Parcel A on or after the date of passing of this By-law, provided that the costs related to obligations under the agreements drawn pursuant to Section 37 of the *Ontario Heritage Act* and costs related to public art and the daycare facility, shall not be included in such valuation;
- D. provide and maintain publicly accessible open space pursuant to an undertaking under Section 41 of the *Planning Act*;
- E. provide, maintain and operate the development in accordance with the Noise Impact Statement and Material Recovery and Waste Reduction Plan approved by the Commissioner of Works and Emergency Services; and
- F. provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes, sewer maintenance holes and any other collateral matters which are required in connection with this development;
- G. provide and maintain a non-profit workplace daycare facility on the *lot* or the lands known municipally in the year 1999 as No. 165 York Street at least in accordance with the provisions of Section 13.17 of the Official Plan including:
 - (i) the construction, furnishing, finishing and equipping of the daycare facility;

- (ii) providing a minimum of 530 square metres of interior space and 330 square metres of exterior space for such daycare facility;
 - (iii) providing a lease for an initial term of 25 years, renewable for up to four terms of 25 years each;
 - (iv) a nominal rental fee to the daycare provider who shall be approved by the Commissioner of Urban Development Services;
 - (v) full compensation for operating expenses including, but not limited to, heating, water and municipal taxes;
 - (vi) a grant of \$100,000 to be provided to the daycare provider for operational expenses, within two months of the approval of such provider as set out in clause (iv);
 - (vii) provision for a minimum of 52 children to be accommodated in the daycare facility; and
 - (viii) the submission of satisfactory studies related to wind mitigation, sunlight conditions and noise, at the time of an application pursuant to Section 41 of the *Planning Act*, detailing the impacts these factors have on the interior and exterior areas dedicated to the daycare facility and that the design and proposed location meet with the satisfaction of the Commissioner of Urban Development Services and to be detailed in an Undertaking pursuant to the aforesaid Section 41;
- H. ensure the complete accessibility of the development on Parcel A and the atrium on Parcel B for persons with disabilities;
- I. connect the development on Parcel A to the District Heating and Cooling System;
- J. design the development to provide for a future underground P.A.T.H. easterly connection along or near the Temperance Street alignment, such connection to be activated at the City's request once the development of the block(s) east of the *lot* are approved and implemented; and
- K. enters into one or more agreements with the City pursuant to Section 37 of the *Planning Act* to secure all the facilities, services and matters referred to in this By-law, and such

agreement or agreements are appropriately registered against the title of the lands.

Council recognizes the heritage qualities reflected through Nos. 85 and 111 Richmond Street West, and No. 100 Adelaide Street West. It is the policy of Council to ensure that the important heritage features of these buildings are retained, restored, conserved and maintained. Accordingly, the Heritage Easement Agreements should reflect, in detail, these heritage features, with particular attention to the elements of No. 100 Adelaide Street West.”

MAP 18.509



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO SEPTEMBER, 2000
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FILE: AE-214
MAP No. 506-323 DRAWN: PG