

**Draft By-laws - Official Plan Amendment and Rezoning -
100, 120 and 130 Adelaide Street West,
12 and 22 Sheppard Street and
85 and 111 Richmond Street West (Downtown)**

(City Council on May 9, 10 and 11, 2000, adopted this Clause, without amendment.)

The Toronto Community Council recommends that:

- (1) the report (March 8, 2000) of the Commissioner of Urban Development Services be adopted, subject to;**
 - (a) the applicant ensuring the complete accessibility of the project for persons with disabilities;**
 - (b) the proposed day care centre being operational prior to the issuance of the demolition permit for 100 Adelaide Street West;**
 - (c) the Official Plan being amended to provide for the requirement that the project be connected to the District Heating and Cooling System;**
 - (d) the development being designed in such a way as to provide for a future underground P.A.T.H. easterly connection along or near the Temperance Street alignment, such a connection to be activated at the City's request once redevelopment plans for the block(s) east of the site are approved and implemented;**

- (2) the Draft By-laws attached to the report (March 17, 2000) of the City Solicitor be approved and that authority be granted to introduce the necessary Bills in Council to give effect thereto substantially in the form of the by-laws attached to the report, which introduction is subject to receipt of:**
 - (a) the Heritage Easement Agreements and an Agreement under s. 37 of the Planning Act securing the matters described in the draft by-laws and the report (March 8, 2000) of the Commissioner of Urban Development Services in a form satisfactory to the City Solicitor in consultation with the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture & Tourism ;**
 - (b) postponements of all encumbrances on title to ensure that the Heritage Easement Agreements and the S. 37 Agreement constitute a first charge against title;**
 - (c) submit to and have approved by the Commissioner of Works and Emergency Services the following:**

- (i) **a Material Recovery and Waste Reduction Plan addressing strategies for material recovery and waste reduction within the development;**
 - (ii) **a noise impact statement;**
 - (iii) **at least three weeks before introduction of bills, a reference plan of survey in metric units and integrated with the Ontario Co-ordinate System, delineating thereon by separate parts the lands under application and any appurtenant rights of way and the remainder of the site, as well as dimensioned plans of the development for the purpose of preparing site-specific exemption by-laws; and**
- (3) **City Council request the Minister of Citizenship, Culture and Recreation to amend the Ontario Heritage Act to strengthen the provisions regarding demolition and to provide fiscal incentives to support preservation.**

Recommendation No. (1) carried on the following division of votes:

Yeas: Councillors McConnell, Adams, Chow, Disero, Johnston, Korwin-Kuczynski, Miller, Pantalone, Rae and Silva – 10

Nays: Councillors Bussin, Bossons, Layton and Walker – 4

The Toronto Community Council reports, for the information of Council, that notice of the public meeting was given in accordance with the Planning Act. The public meeting was held on March 23 and May 2, 2000. The following addressed the Community Council:

On March 23, 2000:

- Ms. Catherine Nasmith, Toronto Preservation Board;
- Mr. Paul McGaw, Toronto, Ontario
- Ms. Joan Miles, Toronto Panel of Preservation Board;
- Mr. Tim Morawetz, Toronto, Ontario;
- Mr. Terry Russell, Toronto Historical Association;
- Ms. Edna Hudson, Toronto Region Architectural Conservancy;
- Ms. Sharon Vattay, Instructor, University of Toronto;
- Mr. Jon Harstone, Toronto, Ontario;
- Ms. Margaret Zeidler, President, Zeidler Realty Corporation;
- Ms. Shirley Morris, Member, Heritage Toronto;
- Mr. Michael Tippin, Tippin Corporation;
- Ms. Edith Geduld, North York LACAC;
- Mr. Bob Barnett, Toronto, Ontario;
- Mr. Steve Russell, Toronto, Ontario;
- Mr. Robert Cash, Lawyer;
- Mr. Stephen Diamond, McCarthy, Tetrault, on behalf of Oxford Properties;

- Mr. Michael McClelland, ERA Architects Inc.;
- Mr. Allan Lai, Agree Property Management Limited; and
- Mr. David Hanna, Toronto, Ontario:

On May 2, 2000:

- Mr. Stuart H.B. Smith, Oxford Properties;
- Mr. Steve Diamond, McCarthy Tetrault, Barristers & Solicitors;
- Ms. Catherine Nasmith, Chair, Toronto Preservation Board;
- Mr. Tim Norawetz, Toronto's Art Deco Architecture Expert;
- Ms. Margaret McBurney, Arts & Letters Club;
- Mr. Louis Temporale, Toronto, Ontario;
- Ms. Margaret Zeidler, President, 401 Richmond Ltd.;
- Mr. T.M. Russell, President, Toronto Historical Association;
- Ms. Jane Burgess, Partner, Stevens Burgess Arch. Ltd.;
- Mr. Eric Meerkamper, Toronto, Ontario; and
- Mr. Nicholas Holman, Toronto, Ontario.

The Toronto Community Council submits the following report (March 17, 2000) from the City Solicitor:

Purpose:

This report provides the necessary draft Official Plan and Zoning By-law amendments to permit a proposed 41-storey office tower at the north-west corner of Adelaide Street West and Sheppard Street.

Financial Implications and Impact Statement :

There are no financial implications resulting from the adoption of this report.

Recommendations :

It is recommended that:

- (1) the Toronto Community Council hold a public meeting in respect of the Draft By-laws in accordance with the provisions of the *Planning Act*.

Following the public meeting and in the event the Toronto Community Council wishes to approve the Draft By-laws, it could recommend that:

- (2) the Draft By-laws attached to the report (March 17, 2000) of the City Solicitor be approved and that authority be granted to introduce the necessary Bills in Council to give effect thereto substantially in the form of the by-laws attached to the report, which introduction is subject to receipt of:

- (a) the Heritage Easement Agreements and an Agreement under s. 37 of the *Planning Act* securing the matters described in the draft by-laws and the report (March 8, 2000) of the Commissioner of Urban Development Services in a form satisfactory to the City Solicitor in consultation with the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture & Tourism ;
 - (b) postponements of all encumbrances on title to ensure that the Heritage Easement Agreements and the S. 37 Agreement constitute a first charge against title;
 - (c) submit to and have approved by the Commissioner of Works and Emergency Services the following:
 - (i) a Material Recovery and Waste Reduction Plan addressing strategies for material recovery and waste reduction within the development;
 - (ii) a noise impact statement;
 - (iii) at least three weeks before introduction of bills, a reference plan of survey in metric units and integrated with the Ontario Co-ordinate System, delineating thereon by separate parts the lands under application and any appurtenant rights of way and the remainder of the site, as well as dimensioned plans of the development for the purpose of preparing site-specific exemption by-laws;
- (3) that the recommendations in the report (March 8, 2000) of the Commissioner of Urban Development Services be adopted.

Council Reference/Background/History:

Toronto Community Council will have before it at its meeting of March 23, 2000 the Final Report of the Commissioner of Urban Development Services (March 8, 2000) recommending, inter alia, a draft official plan amendment and zoning by-law respecting a proposed 41-storey office tower at the north-west corner of Adelaide Street West and Sheppard Street.

Comments:

The Draft By-laws will, if enacted, implement the recommendations of the planning report. Heritage Easement Agreements and the Section 37 Agreement are to be prepared and the owner is required to satisfy various conditions prior to the introduction of Bills, should Council approve the Draft By-laws.

Conclusions:

N/A

Contact:

William Hawryliw, Solicitor

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Attachment No. 1

DRAFT BY-LAW (1)

Authority: Toronto Community Council Report No.____ clause No.____
as adopted by City of Council on _____.

Enacted by Council:

CITY OF TORONTO

BY-LAW No.____-2000

To adopt an amendment to the Official Plan for the former City of Toronto
respecting lands known as Nos. 100, 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._____.

SCHEDULE “A”

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

“18.____ Lands known as Nos. 100, 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.____, 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.____, of a building containing *commercial* uses provided that:

- (1) the lands, being the *lot*, consist of Parcels A and B, which Parcels are shown on Map 18.____;

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 total *non-residential gross floor area* of all buildings on the *lot* does not exceed 210 300 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;
- (4) a by-law is enacted to designate the building known as No. 111 Richmond Street West under Section 37 of the *Ontario Heritage Act*;
- (5) a by-law is enacted to amend the existing designating by-law for the building known as No. 100 Adelaide 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 a manner that respects their quality and character and which is secured 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 be similar to 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 retained 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) that By-law 514-75, which designates No. 100 Adelaide Street West, will be amended to provide for the retention, restoration, conservation and maintenance of the elements described in the Heritage Easement Agreement and include a requirement that the existing conditions of the designation as set out in By-law 514-75 will remain in effect until such time as the owner obtains a building permit as described in clause (g); and
- (g) 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;

- 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 the *lot* 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 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* 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 54 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; and

H. 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.”

(Maps to be attached)

Attachment No. 2

DRAFT BY-LAW (2)

Authority: Toronto Community Council Report No. , Clause No. ,
as adopted by City of Council on
Enacted by Council:

CITY OF TORONTO

BY-LAW No. -2000

To amend By-law No. 438-86 of the former City of Toronto as amended, respecting lands known as Nos. 100, 120 and 130 Adelaide Street West, 12 and 22 Sheppard Street and 85 and 111 Richmond Street West.

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may in a By-law passed under Section 34 of the *Planning Act*, authorize increases in the height or density of development beyond those otherwise permitted by the by-law in return for the provision of such facilities, services or matters as are set out in the by-law;

AND WHEREAS Subsection 37(3) of the *Planning Act* provides that, where an owner of land elects to provide facilities, services or matters in return for an increase in height and density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters;

AND WHEREAS the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters as hereinafter set forth;

AND WHEREAS the increases in the density or height permitted hereunder, beyond those otherwise permitted on the aforesaid lands by By-law No. 438-86, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and are to be secured by one or more agreements between the owner of such lands and the City of Toronto;

AND WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in this By-law.

NOW THEREFORE the Council of the City of Toronto enacts as follows:

1. None of the provisions of section 2 of By-law No. 512-78, being “A By-law To amend By-law No. 20623, as amended, respecting certain lands known as the Richmond-Adelaide Centre”, and none of the provisions of sections 4(2)(a), 4(5)(b) as it pertains to subsection (6) below, 8(3) PART II and 12(2)276 (ii) of Zoning By-law No. 438-86, being “A By-law To regulate the use of land and the erection, use, bulk, height, spacing of and other

matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection or use of a non-residential building on Parcel A of the *lot* shown on Plan 1 attached to and forming part of this by-law provided:

- (1) the *lot* comprises those lands delineated by a heavy line and consisting of Parcels A and B, all as shown on Plan 1 attached hereto;

Notwithstanding the definition of “*lot*” contained in section 2(1) of the aforesaid By-law No. 438-86, Parcels A and B as shown on the attached Plan 1, 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) no part of the building to be erected on Parcel A, above *grade*, is located otherwise than wholly within the area shown delineated by a heavy line on Plan 1 attached hereto;
- (3) the *non-residential gross floor area* of the building to be erected on Parcel A does not exceed 66 716 square metres;
- (4) the total *non-residential gross floor area* of all buildings on the *lot* does not exceed 210 300 square metres, of which 14 682 square metres and 21 392 square metres shall consist of existing *non-residential gross floor area* contained with the buildings known as No. 85 Richmond Street West and No. 111 Richmond Street West respectively;
- (5) the area delineated on Plan 2 as “public open space” is used for no other purpose than an open recreation area, accessible to the public, except for those areas used for a non-profit daycare facility, and shall contain no structure other than vents or access to the underground non-residential uses or ornamentation provided in accordance with a “public art program”;
- (6) the number of *parking spaces* required by section 4(5)(b) of the aforesaid By-law No. 438-86, to serve the existing retail uses, may be reduced by twenty *parking spaces* for a period of three years from the date a building permit is issued for the building subject to the provisions of this By-law; and
- (7) no part of any building or structure within Parcel A shall exceed a *height* of 182 metres, including the mechanical penthouse.

2. Section 12(2) of the aforesaid By-law No. 438-86 is amended by adding the following exception:

“___ No person shall, on the lands known municipally in the year 1999 as No. 100, 120 and 130 Adelaide Street West and 85 and 111 Richmond Street West and 12 and 22 Sheppard Street, following demolition of any building or structure thereon and

prior to the erection of the building permitted by section 1 of By-law No. -2000, erect or use such lands for the purpose of a surface parking facility.”

3. Notwithstanding Section 1 hereof, the density and height of development permitted by Section 1 is permitted subject to compliance with the conditions set out therein and in return for the provision by the owner of the *lot* referred to in Section 1 of the following facilities, services and matters to the City of Toronto, namely:

- (1) 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 a manner that respects their quality and character and which is secured 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 be similar to 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 retained 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) that By-law 514-75, which designates No. 100 Adelaide Street West, will be amended to provide for the retention, restoration, conservation and maintenance of the elements described in the Heritage Easement Agreement and include a requirement that the existing conditions of the designation as set out in By-law 514-75 will remain in effect until such time as the owner obtains a building permit as described in clause (g); and

- (g) 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;
- (2) 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;
- (3) 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 the *lot* 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 the daycare facility, shall not be included in such valuation;
- (4) provide and maintain publicly accessible open space pursuant to an undertaking under Section 41 of the *Planning Act*;
- (5) 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
- (6) 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;

- (7) provide and maintain a non-profit workplace daycare facility on the *lot* 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 54 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; and
- (8) 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.

4. For the purposes of this By-law, each word or expression which is italicized herein shall have the same meaning as each word and expression as defined in the aforesaid By-law No. 438-86, as amended.

(Plans to be attached)

The Toronto Community Council also submits the following report (March 8, 2000) from the Commissioner of Urban Development Services:

Purpose:

To recommend an Official Plan amendment and a site specific zoning by-law to permit the construction of an office tower and other at grade changes to a portion of the Richmond - Adelaide Centre and adjacent lands at 100 Adelaide Street West and 12 Sheppard Street, and Nos. 85 and 111 Richmond Street West.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) Part I of the Official Plan for the former City of Toronto be amended to enact a site specific amendment for Nos. 100, 120 and 130 Adelaide Street West, 85 and 111 Richmond Street West, 12 and 22 Sheppard Street, substantially as set out in Appendix B, which would permit the amount of non-residential gross floor area on those lands to exceed the amount permitted, up to a total of 210,300 m²;
- (2) Zoning By-law 438-86 for the former City of Toronto be amended to enact a site specific by-law amendment for those properties noted in recommendation 1, substantially as set out in Appendix C, which would permit the following amendments to the zoning provisions:
 - a non-residential gross floor area, exceeding the current limit of eight times the lot area, of up to 210,300 m²;
 - a height of 182 metres including the mechanical penthouse;
 - a deficiency of 20 parking spaces in the required parking during the construction phase;
 - the amount of street related retail uses being provided is less than the 60 % required; and
 - adding a Section 12(1) restriction on the lands that prohibits any parking structure on the property unless it is accessory to a principal use on the lot and in no case is a surface parking lot permitted;
- (3) the zoning amendment, referred to in recommendation 2, include provisions related to the implementation of a Section 37 agreement which permits the variances noted, provided the following on-site matters are secured:

- the maintenance, restoration and conservation of the historically significant buildings at 85 and 111 Richmond Street West;
 - the maintenance, restoration and conservation of certain historical and architecturally significant portions of the historically designated building at 100 Adelaide Street West (the Concourse Building);
 - any new building constructed on the site of the Concourse Building which requires the demolition of the components of the building other than those described in the heritage easement agreement to be designed to be similar to the existing façade of that building;
 - heritage easement agreements for Nos. 85 and 111 Richmond Street West and 100 Adelaide Street West to be entered into, detailing the extent of the heritage program for each building;
 - provision for a public art program; and
 - the construction, furnishing, finishing and equipping of a non-profit workplace daycare centre including:
 - a minimum interior space of 530 square metres and a minimum exterior space of 330 square metres;
 - a lease for an initial term of 25 years, renewable for up to 4 terms of 25 years each;
 - a nominal rental fee;
 - compensation for the full amount of operating expenses (heating, water, etc.) and municipal taxes;
 - \$100,000 to be provided to the non-profit daycare provider for operational expenses;
 - provision for a minimum of 54 children;
- (4) as a condition of approval, the owner enter into heritage easement agreements for the buildings at Nos. 85 and 111 Richmond Street West and 100 Adelaide Street West, including the required supporting documentation detailing restoration/preservation work, to the satisfaction of Heritage Preservation Services (Appendix A);
- (5) as a condition of approval, the owner enter into an agreement pursuant to Section 37 of the Planning Act to implement the matters set out in recommendations No. 2 and 3 and includes the following:

- specific design criteria relating to the wind and shadow impacts for the daycare space;
 - standards to which the daycare space is to be finished and equipped;
 - the applicant will not apply for a demolition permit for the Concourse Building until such time as a building permit has been issued for a new building on that site;
 - the criteria by which a competition will be implemented for the design of the public spaces throughout the site;
 - a Letter of Credit in the amount of two million dollars, to be deposited prior to the building permit being issued for an office building which would require any demolition of all or a portion of the Concourse Building;
 - the details of the heritage preservation to occur on the site including a requirement that the façade of the proposed building reflect the design of the Concourse Building as shown on the drawings submitted;
 - the owner will undertake all necessary measures to ensure the Concourse Building is maintained in good working order until such time as a demolition permit is obtained;
 - the restoration of the lobby of No. 111 Richmond Street West, to reflect the design of this space as it appeared in the 1950's; and
 - the interior condition of the lobby decorations of No. 100 Adelaide Street West, created as part of the original building and the extent to which they may be restored;
- (6) authority be provided to introduce the Bills in Council to designate the building known as No. 111 Richmond Street West, under the provisions of the Ontario Heritage Act, and also a by-law which amends the current historical designation of 100 Adelaide Street West and that such Bills be introduced prior to, or coincidentally with, the Official Plan amendment and rezoning by-law;
- (7) the City Solicitor be authorized to introduce the necessary Bills in Council to give effect to these recommendations and to prepare the agreements referred to, and to ensure the agreements are executed prior to the introduction of such Bills; and
- (8) should any issues arise in the process of drafting and signing the various agreements referred to in these recommendations, I be requested to report directly to Toronto Community Council on those issues and their impact on the proposed development.

Background :

1. Site

The site includes the majority of the block bounded by Richmond Street West to the north; Adelaide Street West to the south; York Street to the west; and Sheppard Street to the east. The only properties not included in the application are 121 Richmond Street West and 165 York Street. The majority of the lands are known as the Richmond - Adelaide Centre.

2. Previous Application

In the early 1990's, Council approved an earlier scheme by the owner for an office tower located on Sheppard Street, generally where the above grade parking garage is now located. At that time 100 Adelaide Street West was not under the same ownership. The application was approved by City Council, however, the owner abandoned the application.

3. Proposal

The applicant has applied for both an Official Plan amendment and a rezoning to permit the construction of a 41 storey office tower at the north-west corner of Adelaide Street West and Sheppard Street. To accommodate the construction of the tower, the existing historically designated office building known as the Concourse Building at No. 100 Adelaide Street West is proposed to be demolished. The façade below the third floor would be retained and artwork on the exterior and within portions of the interior of the building would be preserved. The existing 345 space parking garage at No. 22 Sheppard Street would also be demolished and replaced with a 436 space underground garage.

The applicant is seeking to have the existing office building at No. 111 Richmond Street West designated under the Ontario Heritage Act. In doing so, the floor area of the retained historic building would be exempted from the calculation of gross floor area for purposes of determining compliance with the Official Plan.

A revised entry way from Adelaide Street West to the underground PATH system is also proposed and the at grade pedestrian spaces are proposed to be redesigned through a design competition.

Comments:

4. Reason for the Application

The lands are designated under the Official Plan as being within the Financial District. Both the Official Plan and the Zoning By-law permit a total density of 12 times the lot area, of which eight times coverage can be used for non-residential purposes.

The Official Plan amendment and rezoning application have been filed as the proposed non-residential floor area total exceeds the eight times coverage permitted for non-residential floor area. Additional variances to the zoning are required for other matters including height.

5. Heritage Issues

The applicant has requested that the Concourse Building be demolished, with the exception of a portion of the façade and interior below the third floor, and that No. 111 Richmond Street West be designated as an historical structure. Other heritage issues include the need to secure heritage easement agreements for all three heritage properties and the replacement of detailing from the Concourse Building façade onto the reconstructed façade of the new office building.

5.1 The Concourse Building

The Concourse Building has been the focus of the heritage discussions. This building is considered an important architectural link to a member of the “Group of Seven” painters. J. E. MacDonald, together with Thoreau MacDonald, created the decorations for the building, which were considered to be the prime example of the use of colour in architecture in Toronto at the time of construction.

An article in the Toronto Telegram from March of 1929, described the building as follows. “Large stylised eagles, sunbursts and geometric forms executed in brightly hued tiles adorned the exterior upper facades. Over the entrance was a mosaic representing in symbolic form the gathering of elements, air, earth, fire and water, as suggested by the name Concourse - a gathering together. This general symbolism is extended by smaller panels in the soffit of the entrance arch, where emblems of various industries or phases of Canada associated with these elements are used - the steam shovel, the plough and wheat sheaf, the airplane, electric power and the wild life of Canada.”

In addition to these exterior features, the interior also included artwork in the entrance and lobby of the building. The ceiling was decorated with Canadian motifs in gold mosaic, and quotations from Canadian poets were engraved into the marble of the upper walls within the lobby. While the exterior elements are clearly visible, the interior features are not as accessible. Renovations to the lobby have obscured much of the interior decoration.

As part of the discussions with the applicant, efforts were made to determine if the Concourse Building, or a greater part of it, could be retained and integrated into the new development. The following options were explored:

- adaptive re-use of the entire building, finding users for the building that could adapt to the existing floor to ceiling heights and size of the floor plate;
- saving the façade and a substantial portion of the interior of the building, adjacent to the new building; and

- constructing the new tower further north along Sheppard Street, to where the owner had originally proposed an office building in the early 1990's.

Throughout the discussions the owner has maintained that there are several reasons for not being able to retain the existing building. First, the floor to ceiling heights of the building are too low to meet the demands of prospective office tenants. Secondly, these floor to ceiling heights make retrofit to current mechanical standards difficult. Thirdly, the size of the floor plate of the building does not meet the needs of current office tenants as it is too small.

The owner has also stated that one of the reasons the approved 1990 proposal did not go ahead was that it lacked an address on a major street in close proximity to the major intersection of King and Bay Streets. The 1990 scheme was located approximately where the parking garage is currently located on Sheppard Street. At the time, the applicant did not own the Concourse Building.

5.2 Heritage Benefits

The applicant is proposing heritage benefits, other than the retention of the Concourse Building. These include the following:

- saving the architectural detailing from the façade of the Concourse Building by placing some of the detailing back into the reconstructed façade while providing for the public display of other detailing such as the “Eagle” tiling design at the top of the building;
- the historical designation of No. 111 Richmond Street East;
- entering into heritage easement agreements for Nos. 85 and 111 Richmond Street East and 100 Adelaide Street, detailing restoration programs for the buildings, and in the case of the Concourse Building, the elements to be saved;
- retaining the Adelaide Street West and Sheppard Street façades of the building below the third level;
- reconstructing a façade similar to the Concourse Building, of the same height and dimensions, with fewer floors as a result of the increase in the floor to ceiling heights.

The lower floors of the proposed building will reflect the appearance of the historic structure. I am recommending that the Section 37 agreement include provisions to ensure that any new structure, which requires the demolition of the building, take on the appearance of the Concourse Building as shown in the current application.

Appendix A lists some of the historic features that the applicant has agreed to include in the heritage easement agreements. This list will be expanded to include other matters, such as the lobby of the Concourse Building, as part of the process of preparing these agreements. The recommendations concerning the signing of heritage easement agreements prior to the

introduction of Bills in Council, provide the opportunity to finalize the list of features of the building that are to be retained.

5.3 Position of Heritage Toronto

Both the Toronto Preservation Board and the Toronto Community Local Architectural Conservation Advisory Committee (LACAC) have considered the proposal within the last two months.

Heritage staff presented the following three options:

Option 1

- accept partial retention of the Concourse Building
- request restoration of 85 Richmond Street West
- agree to the designation of 111 Richmond Street West

Option 2

- do not support the application and request preservation of the entire Concourse Building

Option 3

- request that a greater portion of the Concourse Building be retained
- request that the benefits secured under the Section 37 Agreement be targeted for restoration of the Concourse Building
- investigate tax incentives
- lobby both the owners and City Council for the preservation of the Concourse Building

After presentations by the owner, the motions adopted by both groups were similar, as follows:

- “1. that the Toronto Preservation Panel support the proposal for the area known as the Oxford block with the exception of the demolition of the Concourse Building;
2. that the Panel request the applicants to continue to explore alternatives to demolition;
3. that the Toronto Preservation Board confirm the position of the Toronto Preservation Panel;
4. that the building at 111 Richmond Street West be researched for inclusion on the City of Toronto Inventory of Heritage Properties; and

5. that the owner agree to prepare restoration plans for and enter into Heritage Easement Agreements to protect the properties at, 100 Adelaide Street West, and 85 and 111 Richmond Street West, and that the Concourse Building be retained in its entirety.”

5.4 Conclusions Regarding Heritage Matters

Planning staff have worked with staff from Heritage Preservation Services throughout the process. The application involves complex heritage issues. While the proposal would bring a degree of certainty to the future of both 85 and 111 Richmond Street West, an important heritage building is to be demolished.

The owner has indicated that a smaller building could be proposed with fewer zoning changes, but it would still require demolition of the Concourse Building. Given the nature of the currently proposed office tower, the proposed level of restoration / reconstruction becomes more economically feasible.

Accordingly, planning staff are reluctantly accepting the demolition request, and have focussed on balancing the benefits of the new office construction with increased security for the historical elements to be retained and other public benefits.

Securing the historical elements also raises the issue of premature demolition of the Concourse Building. A recommendation for approval of this development should avoid the Concourse Building suffering the same fate as other historical buildings within the Financial District (i.e.:being demolished without being replaced by a new development). Several of my recommendations address this matter, including the following:

- a Letter of Credit will be provided in the amount of two million dollars, to secure the retention of the artwork and portions of the façade;
- the Section 37 agreement will specify that no demolition permit can be applied for until such time as a building permit is obtained for a new office building at 100 Adelaide Street West and that such office building will reflect the design of the Concourse Building as shown on the drawings submitted;
- no surface parking or stand alone parking structure is permitted on the site;
- By-law 514-75 which designated the Concourse Building as an historic structure, will be amended to reflect the heritage easement agreements recommended in this report, however, the current designation criteria will only be superceded by the revised criteria, when the owner has obtained a building permit for the new office tower
- the owner will undertake all necessary means to ensure that the Concourse Building is maintained in good working order until such time as a demolition permit is obtained.

The decision to recommend approval of the application is based partly on the heritage plan agreed upon by the owner. The Letter of Credit is a commitment by the owner to implement the scheme based upon the information presented in support of the applications. The Letter of Credit would only have to be submitted to the City prior to the issuance of a building permit for an office building that requires demolition of all, or a portion of, the Concourse Building.

5.5 Floor Area Exemption for Heritage Buildings and Project Density

There are two properties on the site which are designated under the Ontario Heritage Act. These properties are No. 85 Richmond Street West and 100 Adelaide Street West. The applicant has requested that a third building at No. 111 Richmond Street West be designated.

Under the policies of the Official Plan, floor space contained within a designated building may be exempted from the total floor area calculation in determining compliance with the Official Plan floor area limits. In the Financial District, this exemption however, cannot exceed two times the area of the lot.

If City Council adopts the recommendation to designate No. 111 Richmond Street West under the Ontario Heritage Act, then the floor area of that building and 85 Richmond Street West would be exempt from the calculation of gross floor area for the purposes of the Official Plan. This amount is almost equal to the two times coverage exemption limit. However, a zoning amendment would still be required, as a similar exemption does not exist in the Zoning By-law. There would be no floor area exemption for the Concourse Building since the applicant is not proposing to retain any of the floor area.

To determine the permitted density, it is necessary to blend the permission granted under the existing site specific zoning amendments for the Richmond - Adelaide Centre and the floor area permitted on the properties included in the current application that are not included in that by-law. The proposal includes the construction of 66,716 m² of new non-residential floor area. This amount would bring the total floor area, including the existing buildings on the subject lands, to a total of 210,297 m². The amount permitted is 143,966 m², which means the development exceeds the Zoning By-law limit by 66,331 m².

Consistent with the Official Plan policies, the amount of floor area being retained in Nos. 85 and 111 Richmond Street West would be deducted from the proposed density (if No. 111 Richmond Street West is designated), bringing the coverage down to approximately 11.2 times the lot area. The overall density would be less than the total permitted density of 12 times the lot area, although it would exceed the eight times coverage permitted for non-residential uses. The amount of gross floor area between the eight times coverage and the proposed 11.2 times coverage is assessed for the purposes of determining a contribution under Section 37 of the Planning Act.

6. Height

The site is located within two height districts. The proposed office tower is located within a height district of 137 metres, while it is proposed to be 182 metres to the top of the mechanical

penthouse. The wind effects of the building have been considered and the conclusion is that no adverse conditions result.

The potential shadowing situation is mitigated by the surrounding buildings including the Bank of Montreal. Shadow analysis indicates the proposal presents no significant addition to the existing shadowing situation.

As part of the site plan approval process, the wind and shadowing effects will be considered relevant to the location of the interior and exterior areas of the proposed daycare facility and the design of the publicly accessible open space.

7. Application of Section 37 Principles - Density & Height Increases

The proposed development requires an increase in both height and density. Therefore, the policies of the Official Plan relating to securing public benefits in exchange for these increases are being applied. More specifically, staff have evaluated the proposal in the context of the Official Plan statements related to the historic bonus policy discussed above, and daycare facilities.

8. Official Plan Policy Regarding Work Place Daycare

Section 13.17 of the Official Plan sets out the framework to consider density increases in exchange for workplace daycare facilities. Specifically, the policies require the following matters:

- a minimum of 54 children to be accommodated in the facility in accordance with provincial standards;
- the facility is fully equipped and furnished;
- the facility is offered for a nominal rent to a non-profit provider approved by Council;
- the facility is free from occupancy costs; and
- safe, adequate space is provided with appropriate microclimatic conditions.

The policy also requires a direct relationship between the cost to the owner of providing this space, and the net present value of the additional non-residential gross floor area.

The owner has agreed to provide a workplace daycare facility that complies with these Official Plan policies. The facility would be available for 54 children, and be fully equipped and furnished. All other requirements of the Official Plan policy, including the calculation of the value of the additional floor area being granted compared to the cost of providing and operating the facility, would be complied with.

In addition, the owner has agreed to provide \$100,000.00 in funding to the daycare operator, to assist in the day to day operations of the facility.

Matter including the exact location of the interior and exterior areas of the daycare will be determined during the site plan application stage. As noted by the Official Plan, the design and location of the space must meet safety concerns and meet objectives for provision of sunlight and minimal wind effects.

The proposed Section 37 agreement will set out the requirements for the daycare space as outlined in the recommendations of this report.

9. Public Art Program

There are several elements of the proposal that involve the preservation of artwork from the Concourse Building. This includes portions of the lobby and tile work on the building. Some of the decorative elements will be placed back onto the façade of the new building while others will be relocated elsewhere in the development.

As plans develop for the public art program as described in both the zoning amendment and the Section 37 By-law, the best opportunities for preserving and making this artwork accessible will be explored. The owner is seeking to include this restoration as part of their public art program, counting towards the financial obligation for public art. There may be merit in this approach, considering that the art work would be kept on site.

Ultimately it is the decision of the Public Art Commission to determine whether or not these elements can be considered as part of the owner's commitment. Prior to the issuance of a building permit, the owner must have a public art program approved by the Commission.

10. Open Space

The proposal includes a redesign of the publicly accessible open spaces throughout the block. Features of the development including a new enclosed entry to the "PATH" system and the removal of the parking garage on Sheppard Street, provide opportunities to improve the access and use of these spaces.

The owner has agreed to undertake a design competition to develop a plan that provides improved integration of this space with the public areas. The goal is to achieve well designed and inviting spaces, with appropriate microclimatic conditions and excellent design quality.

The owner has initiated the process and a selection committee has been identified. Five firms will be invited to submit designs, and be provided with funds from the owner to assist in the preparation phase. A project manager has been selected to oversee the project. The selection committee includes representatives from the owner, the architect and the City. Once the winning design is selected, the proposal will be refined and secured through a site plan agreement.

11. Comments from Other Departments

The applications do not include a request for site plan approval. The applicant has indicated this application will be submitted at a later date. When this application is received a broader circulation of the drawings will occur.

Staff from the Works and Emergency Services department have reviewed the plans for traffic, parking, loading and servicing issues. The proposal meets the criteria for these functions, although more detailed plans will be required at the time of a site plan application, with an outline of interim servicing arrangements.

The access arrangements to both the existing buildings and the new construction will be made available either from Sheppard Street or York Street. There will be a shortfall of 20 parking spaces during construction. The proposed zoning amendment addresses this issue.

12. 165 York Street

The Movenpick restaurant is located in the building known as 165 York Street. While this site is included in the existing Richmond - Adelaide by-laws, the lands are under separate ownership and do not form part of the application covered by this report.

The ramp to the existing underground garage travels across this property. There is a legal agreement between property owners with respect to the use of this ramp. The proposed new office tower has a separate entrance / exit ramp to service the new building. While the existing garage and the proposed garage will be connected below grade, legal arrangements over the use of the ramp via 165 York Street are a private matter between property owners. From a planning perspective, access is being provided to the new tower from Sheppard Street, and meets the zoning requirements for width to accommodate two-way traffic.

13. Public Meeting

A public meeting was held at City Hall to discuss the application, in June 1999. Approximately 35 members of the public attended. Concerns were raised about the heritage aspects of the proposal, with many questions relating to the possibilities of adaptive re-use of the existing buildings. The objections expressed related to the proposed demolition of the Concourse Building, citing the tie to the "Group of Seven" artists.

Since the public meeting, several letters have been received, generally expressing objection to the demolition of the building.

14. Implementation

The recommendations of this report outline the by-laws and agreements that are required to establish the framework for the project to proceed. The various agreements must be signed by the owner, prior to the introduction of any Bills in Council. In summary, there will be several agreements and by-laws as follows:

1. an Official Plan amendment permitting the proposed floor area and describing the benefits to be secured through a Section 37 agreement;

2. a site specific zoning by-law providing exemptions to the height and floor area limits and briefly setting out the requirements for public benefits and the public art program;
3. Heritage Easement Agreements for Nos. 85 and 111 Richmond Street West and 100 Adelaide Street West;
4. a Section 37 agreement detailing the public benefits being provided;
5. a Letter of Credit to be provided to the City in the amount of two million dollars, prior to the issuance of a building permit for a new office building which requires the demolition of a portion or all of the Concourse Building;
6. a by-law designating No. 111 Richmond Street West under the Ontario Heritage Act and an amending by-law to the designation of 100 Adelaide Street West; and
7. a detailed public art program to be approved by the Public Art Commission.

Conclusions:

The proposed office tower to be erected on portions of the Richmond - Adelaide Centre block has many positive elements. A new office tower may be built, adding to Toronto's inventory of class "A" office space. The development will make it possible to achieve some heritage protection and a much needed workplace daycare facility. As well, there will be an opportunity through an urban design competition to redesign the now less than optimal public spaces associated with this project.

The recommended legal agreements are intended to ensure the Concourse Building remains in place and in good working order until such time as a building permit is obtained. In assessing the merits of the application, there have been trade-offs but I am recommending approval of the application based on the requirements outlined in this report.

A site plan application is still required, and that is the stage where many of the details of the proposal will be specified in the form of an Undertaking. Should there be any difficulty in negotiating the various agreements referred to in this report, prior to the introduction of the Bills, I will report to Toronto Community Council directly on the matter.

Contact:

Rollin Stanley, West Section

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Application Data Sheet

Site Plan Approval: No
Rezoning: Yes
O.P.A.: Yes

File Number: 199015
Application Number: CMB19990015
Application Date: 04/20/1999

Municipal Address: 120 Adelaide St W
111 Richmond St W
22 Sheppard St
85 Richmond St W
12 Sheppard St
130 Adelaide St W
100 Adelaide St W

Nearest Intersection:

Project Description: To construct an office, retail and commercial service complex.

Applicant: Stephen Diamond
Agent: McCarthy
Architect: Tetrault
Owner: The Webb Zerafa Oxford Properties
416-601-8400 416-601-8400 Menkes Housden Oxford Properties Cdn. Ltd., 1331430
Ont. Ltd. 416-961-4111

Planning Controls (For verification refer to Chief Building Official)

Official Plan Designation: Financial District Site Specific Provision: 512-78; 511-78
Zoning District: CR T12.0 C8.0 R11.7 Historical Status: Designated - 2 buildings
85 Richmond St W
100 Adelaide St W

Height Limit (m): 76/137 Site Plan Control Area: Yes

Project Information

Site Area: 17996 Height: Storeys: 40
Frontage: 0 Meters: 267.4

Depth:

Ground Floor GFA: 11355 Parking Spaces: Indoor 792 Outdoor 0
Residential GFA: 0 Loading Docks: 13
Non-Residential GFA: 66715.86 Loading Docks Type:
Total GFA: 66715.86

Dwelling Units

Floor Area Breakdown

Tenure Type: Other Above Grade / Below Grade
Rooms: 0 Residential GFA: 0

Bachelor:	0	Retail GFA:	0
1 Bedroom:	0	Office GFA:	203127.2
2 Bedroom:	0	Industrial GFA:	0
3+ Bedroom:	0	Industrial/Other GFA:	0
Total Units:	0		
Total Proposed Density:	11.2		

Comments

Comments: Density calculation excludes public gallery. Status: Preliminary Report dated May 7, 1999 adopted by TCC on May 26 & 27, 1999. 136385m2 existing, 65031m2 new, and 1711.2 public gallery. Application revised January 08, 2000.

Current Status:	Open	<u>Latest Event</u>	<u>Target Date</u>	<u>Actual Date</u>	<u>Outcome</u>
		Received		04/20/1999	

Data Valid:	Jan 11, 2000 8:31:46 AM	Planner: R. Stanley	Phone: 392-0424
Area:	South	Planning Office: CP South	

Appendix A

Heritage Elements to be Described in the Heritage Easement Agreements

The following list includes elements from the three heritage properties on the development site that will be undertaken by the owner. These works will be set out in Heritage Easement Agreements for Nos. 85 and 111 Richmond Street West and portions of 100 Adelaide Street West. This list is not to be considered exhaustive as further refinement is required including investigation into the decorations originally located within the lobby of the Concourse Building.

1. 85 Richmond Street West - Federal Building
 - full retention
 - damaged areas of the exterior masonry will be repaired
 - missing sheet metal cornice areas to be restored
 - replacement of the windows and tiled spandrels on the ground floor will be replaced with a more compatible design

2. 111 Richmond Street West - Dickenson Building
 - full retention

- original windows and exterior limestone to be repaired and maintained although future energy conservation measures may require the replacement of the windows in a manner compatible with the historic character of the building
 - restoration of the lobby to the 1950's appearance
3. 100 Adelaide Street West - Concourse Building
- retention and restoration of the decorative and artistic elements of the building including the tiling patterns on the exterior of the building; the arched entrance to the building including the decorative artwork; and as much of the lobby decoration as originally constructed as is possible, to be determined prior to the introduction of the Bills in Council
 - saving the lower three floors of the façade, for the full width of the Adelaide Street West and Sheppard Street frontages, including the artificial stone and the mosaic entrance which will remain intact and be restored
 - rebuilding of the upper floors to match the original Baldwin and Greene design with increased floor to ceiling heights
 - providing the original colouring of the spandrel panels and the lighting for the parapet
 - repair and restoration of the elements of the parapet
 - dismantling and reconstructing the "Eagle" glazed masonry patterns on the west façade, to a location on the site, to be determined as part of the Heritage Easement Agreement and the public art program

Appendix B
Proposed Official Plan Amendment

No. 2000-___ A BY-LAW

To amend the Part I Official Plan for the former City of Toronto to secure Section 37 benefits related to heritage preservation, day care facilities & public art, in exchange for increased non-residential floor area

WHEREAS Council, at its meeting held on the ___ and __ days of ____, 2000, adopted Clause __ of Toronto Community Council Report No. __, adopted Communication No. __;

THEREFORE the Council of The Corporation of the City of Toronto enacts as follows:

1. That Section 18 of the Part I Official Plan for the former City of Toronto, is hereby amended by inserting a new Section ____, as follows:

“18._ Lands known municipally as 100, 120 and 130 Adelaide Street West, 12 and 22 Sheppard Street and 85 and 111 Richmond Street West

Despite Section 13.15 of this Plan which limits the “non-residential gross floor area” on a lot within the Financial District to eight times the lot area, and the provisions of By-law 511-78, Council may pass by-laws to permit the total “non-residential gross floor area” to be erected on the lands known as Nos. 100, 120 and 130 Adelaide Street West, 12 and 22 Sheppard Street and 85 and 111 Richmond Street West to exceed the amount set out in s. 13.15, provided:

- (i) the total “non-residential gross floor area” on those lands does not exceed 210,300 square metres, including any “non-residential gross floor area” that is exempted from the calculation through any heritage density exemption as provided for in section 5.10 of this Plan;
- (ii) the owner agrees to the historical designation of No. 111 Richmond Street West under the provisions of the Ontario Heritage Act;
- (iii) the owner of the lands enters into Heritage Easement Agreements, pursuant to Section 37 of the Ontario Heritage Act, securing the conservation and maintenance of Nos. 85 and 111 Richmond Street West, and certain portions of No. 100 Adelaide Street West;
- (iv) the owner of the lands agrees to the following requirements to be secured through a Section 37 agreement:
 1. to retain, restore, conserve and maintain the historic buildings as set out in the Heritage Easement Agreements for Nos. 85 and 111 Richmond Street West and No. 100 Adelaide Street West;
 2. to provide the City with a Letter of Credit in the sum of two million dollars, under the terms set out in the Section 37 agreement, to secure the retention, restoration, conservation and maintenance of the historic elements of No. 100 Adelaide Street West;
 3. to provide a day care facility complying with the provisions of Section 13.17 of this Plan;
 4. to ensure that any new building is constructed so as to replicate the street facades of the existing building at No. 100 Adelaide Street West in accordance with the heritage easement agreement;

5. to enter into a public art program as defined in the agreement. provide and maintain works of public art within the development lands, of a value of not less than one per cent of the cost of construction of all new buildings, structures and additions erected on such lands on or after the date of passing of this By-law, provided that the costs related to the restoration of the building elements included in the Heritage Easement Agreements and the daycare facility, shall not be included in such valuation;
6. to provide and maintain publicly accessible open space pursuant to the requirements set out in an Undertaking pursuant to Section 41 of the Planning Act;

Council recognizes the heritage qualities reflected through Nos. 82 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.

Appendix C

Proposed Amendment to Zoning By-law 438-86

To amend the Zoning By-law No. 438-86 of the former City of Toronto to secure Section 37 benefits related to heritage preservation, daycare facilities & public art, in exchange for increased non-residential floor

WHEREAS Council, at its meeting held on the ___ days of ____, 2000, adopted Clause ___ of Toronto Community Council Report No. __;

AND WHEREAS this By-law is passed in implementation of Section ___ of the Official Plan of the former City of Toronto, respecting the lands known as Nos. 100, 120 and 130 Adelaide Street West, 12 and 22 Sheppard Street and Nos. 85 and 111 Richmond Street West;

AND WHEREAS pursuant to Section 37 of the Planning Act, the Council of a municipality may in a by-law passed under Section 34 of the Planning Act, authorize increases in height or density of development beyond those otherwise permitted by the by-law that will be permitted in return for the provision of such facilities and matters as are set out in the by-law;

AND WHEREAS Subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services or matters in return for an increase in height and density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters;

AND WHEREAS the owners of the lands hereinafter referred to have elected to provide the facilities, services and matters as hereinafter set forth;

AND WHEREAS the increases in density and height permitted hereunder, beyond those otherwise permitted on the aforesaid lands by By-law 438-86, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and are to be secured by one or more agreements between the owners of such lands and The Corporation of the City of Toronto, hereinafter referred to as the City;

AND WHEREAS Council has required the owners of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increase in height and density in connection with the aforesaid lands as permitted in this By-law;

NOW THEREFORE, the Council of the City of Toronto enacts as follows:

1. This By-law applies to the lands municipally known in the year 2000 as Nos. 100, 120 and 130 Adelaide Street West, 12 and 22 Sheppard Street and Nos. 85 and 111 Richmond Street West, shown bounded by the heavy lines on Plan 1 attached hereto and forming part of this By-law, referred to as the development lands.

2. Except as otherwise provided herein, the provisions of By-law No. 438-86, being “A By-law To regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, and the provisions of By-law 512-78, being a By-law to amend By-law 20623 as it affects the development lands, shall continue to apply to the lands to which this By-law applies.

3. Despite Sections 4(2)(a), 4(5)(b) as it pertains to clause (vi) below, 8(3) PART I 1 and 12(2)276(ii), of By-law 438-86, the conservation, retention and re-use of historic buildings or structures, together with the erection and use of one or more buildings or structures, within the development lands, is permitted, provided:

- (1) the aggregate amount of “non-residential gross floor area” erected or used within the development lands, does not exceed 210,300 square metres, of which 14,682 square metres and 21,392 square metres shall consist of the existing floor area contained within Nos. 85 Richmond Street West and 111 Richmond Street West respectively;
- (2) no buildings are erected except within the lands delineated by the building envelope lines on Plan 2;
- (3) the area delineated on Plan 2 as “public open space” is used for no other purpose than an open recreation area, accessible to the public, except for those areas used for a non-profit day care facility, and shall not contain a structure other than vents

or access to the underground non-residential uses or ornamentation provided in accordance with a “public art program”;

- (4) no part of any building or structure located within Area A as shown on Plan 2, shall exceed a “height” of 182 metres including the mechanical penthouse;
- (5) the number of “parking spaces” as required by Section 4(5)(b) of the aforesaid By-law No. 438-86, to serve the existing retail uses, is reduced by twenty spaces for a period of three years from the date a building permit is issued for a building subject to the provisions of this By-law; and
- (6) no parking facilities are located above grade on any of the development lands excluding the parking garage that exists on the date of passing of this By-law, on the lands known as No. 22 Sheppard Street;

4. Section 12(2) of the aforesaid By-law No. 438-86, is amended by adding thereto the following exception:

“____. No person shall, on the lands known municipally in the year 2000 as No. 100 Adelaide Street West, 85 and 111 Richmond Street West and 12 and 22 Sheppard Street, following demolition of any building or structure and prior to the erection of the building permitted by s.3 of By-law No. _____, erect or use such lands for the purpose of a surface parking facility.”

5. Pursuant to Section 37 of the Planning Act, the maximum “non-residential gross floor area” and the maximum “height” permitted on the “development lands”, is increased, provided:

Density and Height

- (1) the maximum “non-residential gross floor area” does not exceed the limits set out in Section 3(i) of this By-law;
- (2) the maximum “height” does not exceed the limits set out in Section 3(iv) of this By-law;
- (3) in all other respects the provisions of Section 3 of this By-law are complied with;

Heritage Easement Agreements

- (4) the “owners”, at their expense and in accordance with, and subject to the agreement referred to in Section 5(5) of this By-law:
 - (a) have entered into and registered on title to the lands, all of the Heritage Easement Agreements referred to in Section 3(7) of this By-law;

- (b) 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 such Heritage Easement Agreements, including:
 - (i) that for the lands known 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 be similar to 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 “development lands”;
 - (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 retained on site;
 - (e) where any portions or heritage pieces of the existing building are to be relocated off the lands known as No. 100 Adelaide Street West, then the Heritage Easement Agreement must include the lands to which such pieces are relocated;
 - (f) that By-law 514-75, which designates No. 100 Adelaide Street West, will be amended to provide for the retention, restoration, conservation and maintenance of the elements described in the Heritage Easement Agreement and include a requirement that the existing conditions of the designation as set out in By-law 514-75 will remain in effect until such time as the “owner” obtains a building permit as described in clause (g); and
 - (g) 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 referred to in Section 3(7), 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 in Section 3(7) 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) that for the lands known as No. 85 Richmond Street West, the retention, restoration, conservation and maintenance of the existing building; and
 - (iii) that 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 restore the appearance of such to that which existed in the ten year period between 1950 and 1960;

Daycare Facilities

- (c) provide and maintain a non-profit workplace daycare facility on the “development lands” 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 (vi);

- (vii) provision for a minimum of 54 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;

Public Art Program

- (d) provide and maintain works of public art within the development lands, of a value of not less than one per cent of the cost of construction of all new buildings, structures and additions erected on such lands on or after the date of passing of this By-law, provided that the costs related to the restoration of the building elements included in the Heritage Easement Agreements referred to in Section 3(7) of this By-law and the daycare facility, shall not be included in such valuation;

Publicly Accessible Space

- (e) provide and maintain publicly accessible open space pursuant to the requirements set out in an Undertaking pursuant to Section 41 of the Planning Act;
- (5) the “owners” enter into an agreement with the City, pursuant to Section 37 of the Planning Act, to secure the facilities, services and matters referred to in Section 5(4) of this By-law, and consent to such agreement being registered on title to the “development lands”.

6. Definitions

- (1) For the purposes of this By-law, the terms set forth in *italics* shall, subject to subsection (2), have the same meaning as such terms have for the purposes of the aforesaid By-law No. 438-86, as amended;
- (2) For the purposes of this By-law, the terms:

“development lands” means the properties known in the year 2000 as No. 100 Adelaide Street West, Nos. 12 and 22 Sheppard Street and Nos. 85 and 111 Richmond Street West; and

“owners” means those persons or corporations having a proprietary right in the lands to which this By-law applies.

The Toronto Community Council also submits the following communication (April 19, 2000) from the City Clerk, Toronto Community Council:

The Toronto Community Council, on March 23, 2000, had before it a report (March 17, 2000) from the City Solicitor submitting draft by-laws respecting Application No. 199015 For An Official Plan Amendment and Rezoning to Permit the Construction of an Office Building and other Construction Work on a Portion of the Block including The Lands Known as The Richmond - Adelaide Centre (Nos. 100, 120 And 130 Adelaide Street West, 85 And 111 Richmond Street West, 12 And 22 Sheppard Street) (Downtown).

The Toronto Community Council also had before it the following reports/communications:

- (March 8, 2000) from the Commissioner of Urban Development Services – Final Report recommending an Official Plan amendment and a site specific zoning by-law to permit the construction of an office tower and other at grade changes to a portion of the Richmond - Adelaide Centre and adjacent lands at 100 Adelaide Street West and 12 Sheppard Street, and Nos. 85 and 111 Richmond Street West;
- (March 6, 2000) from Mr. Randall Speller;
- (March 17, 2000) from Ms. Linda Barnett;
- (March 16, 2000) from Mickey Smith;
- (undated) from Paul Yau;
- (undated) from Mr. David Wistow, Art Gallery of Ontario;
- (March 9, 2000) from Mr. Don Adams;
- (March 7, 2000) from Mrs. R. Walmsley;
- (March 10, 2000) from President, Vice-President, Administration, Vice-President, Academic, Dean, Faculty of Art, Dean, Faculty of Design and Dean, Faculty of Foundation Studies, Ontario College of Art & Design;
- (March 10, 2000) from Ms. Jill Patrick, Director of Library Services, Dorothy H. Hoover Library, Ontario College of Art & Design;
- (March 16, 2000) from Ms. Mary F. Williamson;
- (March 20, 2000) from Ms. Margaret McBurney, The Arts and Letters Club of Ontario;
- (March 21, 2000) from Mr. Ross Gorrie;

- (March 21, 2000) from Mr. Joseph A. G. Berkovits;
- (March 21, 2000) from Mr. Anthony Belcher;
- (March 20, 2000) from Ms. Audrey Hutchison Fox, Chair, Bracondale Hill Residents' Association;
- (March 21, 2000) from Ms. Joyce S. Feinberg;
- (March 22, 2000) from Ms. Diane Dyer, on behalf of Ms. Rachel Grover, Mr. Lou Taylor Pamenter and Mr. Edward Pamenter;
- (March 22, 2000) from Mr. Dave LeBlanc, Production Director, CFRB 1010;
- (March 22, 2000) from Ms. Karin Stephens;
- (March 22, 2000) from Mr. Paul Oberst, Architect;
- (March 22, 2000) from Mr. Phillip H. Carter, Architect;
- (March 22, 2000) from Ms. Heather Wilson;
- (March 22, 2000) from Mr. Michael Tippin, Tippin Corporation, and Ms. Margie Zeidler, Zeidler Realty Corporation;
- (March 22, 2000) from Mrs. Joyce K. Sowby;
- (March 22, 2000) from Mr. David Peters, Architect Inc., and Mr. Scott Roper;
- (March 21, 2000) from Mr. Tim Morawetz;
- petition (March 7, 2000) from the Board of Directors, Ontario College of Art & Design Faculty Association, signed by 105 Faculty Members, staff, students and alumni;
- (March 20, 2000) from Mr. William Hall;
- (March 19, 2000) from Ms. Margaret E. McKelvey;
- (undated) from Ms. Irene M. Devlin;
- (March 23, 2000) from Ms. Danielle Waxer;
- (March 23, 2000) from Mr. John Gibson;
- (March 22, 2000) from Mr. Walter Daschko, Architect;

- (March 22, 2000) from Ms. Marcia Cuthbert;
- (March 23, 2000) from Ms. Ann Percival;
- (March 23, 2000) from Catherine Nasmith, Toronto Preservation Board;
- (March 19, 2000) from Ms. Ruth Vellis;
- (March 17, 2000) from George Smitherman, MPP, Toronto Centre-Rosedale;
- (March 23, 2000) from Ms. Edith Geduld;
- (March 22, 2000) from Ms. Catherine Seymour;
- (March 23, 2000) from Mr. Dennis Reid, Chief Curator, Art Gallery of Ontario;
- presentation material (March 23, 2000) from Mr. Stephen Diamond, McCarthy Tetrault, Barristers and Solicitors, on behalf of Oxford Properties Group Inc.; and
- presentation material (undated) from Mr. Michael McClelland, E.R.A. Architects Inc..

Notice of the public meeting was given in accordance with the Planning Act. The public meeting was held on March 23, 2000, and the following addressed the Toronto Community Council:

The following addressed the Toronto Community Council:

- Ms. Catherine Nasmith, Toronto Preservation Board;
- Mr. Paul McGaw;
- Ms. Joan Miles, Toronto Panel of Preservation Board;
- Mr. Tim Morawetz;
- Mr. Terry Russell, Toronto Historical Association;
- Ms. Edna Hudson, Toronto Region Architectural Conservancy;
- Ms. Sharon Vattay, Instructor, University of Toronto;
- Mr. Jon Harstone;
- Ms. Margaret Zeidler, President, Zeidler Realty Corporation;
- Ms. Shirley Morris, Member, Heritage Toronto;
- Mr. Michael Tippin, Tippin Corporation;
- Ms. Edith Geduld, North York LACAC;
- Mr. Bob Barnett;
- Mr. Steve Russell;
- Mr. Robert Cash, Lawyer;
- Mr. Stephen Diamond, McCarthy, Tetrault, Barristers & Solicitors, on behalf of Oxford Properties;

- Mr. Michael McClelland, ERA Architects Inc.;
- Mr. Allan Lai, Agree Property Management Limited; and
- Mr. David Hanna.

The Toronto Community Council:

- (1) adjourned the Public Meeting held pursuant to the provisions of the Planning Act, to be reconvened on May 2, 2000;
- (2) requested the Commissioner of Urban Development Services to report on:
 - (a) other ways to accommodate the increase in density, recognizing an appropriate bonus if the Concourse Building is preserved; and
 - (b) the reorganization of the new density in such a way that the Concourse Building can be preserved;
- (3) agreed that any approval of the final report on Application No. 199015 be conditional on ensuring complete accessibility of the project for persons with disabilities; and
- (4) deferred consideration of the following motion from Councillor Chow:

“That City Council request the Minister of Citizenship, Culture and Recreation to amend the Ontario Heritage Act to strengthen the provisions regarding demolition and to provide fiscal incentives to support preservation.”

The Toronto Community Council reports, for the information of Council, having also had before it during consideration of the foregoing matter, the following communications, which have been submitted to members of Council under separate cover:

- (March 6, 2000) from Mr. Randall Speller;
- (March 17, 2000) from Ms. Linda Barnett;
- (March 16, 2000) from Mickey Smith;
- (undated) from Paul Yau;
- (undated) from Mr. David Wistow, Art Gallery of Ontario;
- (March 9, 2000) from Mr. Don Adams;
- (March 7, 2000) from Mrs. R. Walmsley;

- (March 10, 2000) from President, Vice-President, Administration, Vice-President, Academic, Dean, Faculty of Art, Dean, Faculty of Design and Dean, Faculty of Foundation Studies, Ontario College of Art & Design;
- (March 10, 2000) from Ms. Jill Patrick, Director of Library Services, Dorothy H. Hoover Library, Ontario College of Art & Design;
- (March 16, 2000) from Ms. Mary F. Williamson;
- (March 20, 2000) from Ms. Margaret McBurney, The Arts and Letters Club of Ontario;
- (March 21, 2000) from Mr. Ross Gorrie;
- (March 21, 2000) from Mr. Joseph A. G. Berkovits;
- (March 21, 2000) from Mr. Anthony Belcher;
- (March 20, 2000) from Ms. Audrey Hutchison Fox, Chair, Bracondale Hill Residents' Association;
- (March 21, 2000) from Ms. Joyce S. Feinberg;
- (March 22, 2000) from Ms. Diane Dyer, on behalf of Ms. Rachel Grover, Mr. Lou Taylor Pamenter and Mr. Edward Pamenter;
- (March 22, 2000) from Mr. Dave LeBlanc, Production Director, CFRB 1010;
- (March 22, 2000) from Ms. Karin Stephens;
- (March 22, 2000) from Mr. Paul Oberst, Architect;
- (March 22, 2000) from Mr. Phillip H. Carter, Architect;
- (March 22, 2000) from Ms. Heather Wilson;
- (March 22, 2000) from Mr. Michael Tippin, Tippin Corporation, and Ms. Margie Zeidler, Zeidler Realty Corporation;
- (March 22, 2000) from Mrs. Joyce K. Sowby;
- (March 22, 2000) from Mr. David Peters, Architect Inc., and Mr. Scott Roper;
- (March 21, 2000) from Mr. Tim Morawetz;
- petition (March 7, 2000) from the Board of Directors, Ontario College of Art & Design Faculty Association, signed by 105 Faculty Members, staff, students and alumni;

- (March 20, 2000) from Mr. William Hall;
- (March 19, 2000) from Ms. Margaret E. McKelvey;
- (undated) from Ms. Irene M. Devlin;
- (March 23, 2000) from Ms. Danielle Waxer;
- (March 23, 2000) from Mr. John Gibson;
- (March 22, 2000) from Mr. Walter Daschko, Architect;
- (March 22, 2000) from Ms. Marcia Cuthbert;
- (March 23, 2000) from Ms. Ann Percival;
- (March 23, 2000) from Catherine Nasmith, Toronto Preservation Board;
- (March 19, 2000) from Ms. Ruth Vellis;
- (March 17, 2000) from George Smitherman, MPP, Toronto Centre-Rosedale;
- (March 23, 2000) from Ms. Edith Geduld;
- (March 22, 2000) from Ms. Catherine Seymour;
- (March 23, 2000) from Mr. Dennis Reid, Chief Curator, Art Gallery of Ontario;
- presentation material (March 23, 2000) from Mr. Stephen Diamond, McCarthy Tetrault, Barristers and Solicitors, on behalf of Oxford Properties Group Inc.;
- presentation material (undated) from Mr. Michael McClelland, E.R.A. Architects Inc.;
- (March 23, 2000) from Ms. Barbara Gauthier;
- (March 23, 2000) from Ms. Debbie Lis;
- (April 19, 2000) from the City Clerk, Toronto Community Council, forwarding the Community Council's action of March 23, 2000;
- (April 29, 2000) from Mr. Joseph Lukjanec;
- (April 29, 2000) from M. Mackie;
- (April 30, 2000) from Paul Reuber, Paul Reuber Incorporated Architect;

- (May 1, 2000) from Peter Hamilton;
- (May 1, 2000) from Walter Daschko;
- (May 1, 2000) from the Commissioner of Urban Development Services;
- (May 1, 2000) from Edna Hudson, President, Toronto Region Architectural Conservancy;
- (May 1, 2000) from H. Carolyn Purden, President, Purden Communications;
- (May 2, 2000) from Tim Morawetz, Toronto's Art Deco Architecture Expert;
- (May 1, 2000) from Joseph Ashley Berkovits;
- (May 2, 2000) from Brian Anthony, Executive Director, Heritage Canada;
- (May 2, 2000) from Allan Gotlieb, Chairman, Ontario Heritage Foundation;
- (May 1, 2000) from Bernard Rasch;
- (May 2, 2000) from Sandra Lewis;
- (May 2, 2000) from Irene M. Devlin;
- (May 1, 2000) from Nicholas Holman;
- (May 2, 2000) from Catherine Nasmith, Chair, Toronto Preservation Board;
- (May 2, 2000) from Margaret Zeidler; and
- (May 2, 2000) from Stuart Smith, Oxford Properties.

Insert Map 1 – Adelaide Richmond Sheppard

Insert Map 2 – Adelaide Richmond Sheppard

Insert Map 3 – Adelaide Richmond Sheppard

Insert Map 4 – Adelaide Richmond Sheppard

Insert Map 5 – Adelaide Richmond Sheppard

(City Council on May 9, 10 and 11, 2000, had before it, during consideration of the foregoing Clause, the following communications:

(i) (May 4, 2000) from the City Clerk, forwarding submissions received from the following with respect to Draft By-laws pertaining to an Official Plan Amendment and Rezoning for 100, 120 and 130 Adelaide Street West, 12 and 22 Sheppard Street and 85 and 111 Richmond Street West (Downtown):

- *(March 6, 2000) from Mr. Randall Speller;*
- *(March 17, 2000) from Ms. Linda Barnett;*
- *(March 16, 2000) from Mickey Smith;*
- *(undated) from Mr. Paul Yau;*
- *(undated) from Mr. David Wistow, Art Gallery of Ontario;*
- *(March 9, 2000) from Mr. Don Adams;*
- *(March 7, 2000) from Mrs. R. Walmsley;*
- *(March 10, 2000) from the President, Vice-President, Administration, Vice-President, Academic, Dean, Faculty of Art, Dean, Faculty of Design, and Dean, Faculty of Foundation Studies, Ontario College of Art & Design;*
- *(March 10, 2000) from Ms. Jill Patrick, Director of Library Services, Dorothy H. Hoover Library, Ontario College of Art & Design;*
- *(March 16, 2000) from Ms. Mary F. Williamson;*
- *(March 20, 2000) from Ms. Margaret McBurney, The Arts and Letters Club of Ontario;*
- *(March 21, 2000) from Mr. Ross Gorrie;*
- *(March 21, 2000) from Mr. Joseph A. G. Berkovits;*
- *(March 21, 2000) from Mr. Anthony Belcher;*
- *(March 20, 2000) from Ms. Audrey Hutchison Fox, Chair, Bracondale Hill Residents' Association;*
- *(March 21, 2000) from Ms. Joyce S. Feinberg;*
- *(March 22, 2000) from Ms. Diane Dyer, on behalf of Ms. Rachel Grover, Mr. Lou Taylor Pamenter and Mr. Edward Pamenter;*
- *(March 22, 2000) from Mr. Dave LeBlanc;*
- *(March 22, 2000) from Ms. Karin Stephens;*
- *(March 22, 2000) from Mr. Paul Oberst, Architect;*
- *(March 22, 2000) from Mr. Phillip H. Carter, Architect;*
- *(March 22, 2000) from Ms. Heather Wilson;*
- *(March 22, 2000) from Mr. Michael Tippin, Tippin Corporation, and Ms. Margie Zeidler, Zeidler Realty Corporation;*
- *(March 22, 2000) from Mrs. Joyce K. Sowby;*
- *(March 22, 2000) from Mr. David Peters, David Peters Architect Inc., and Mr. Scott Roper;*
- *(March 21, 2000) from Mr. Tim Morawetz;*
- *petition (March 7, 2000) from the Board of Directors, Ontario College of Art & Design Faculty Association, signed by 105 Faculty Members, staff, students and alumni;*
- *(March 20, 2000) from Mr. William Hall;*

- (March 19, 2000) from Ms. Margaret E. McKelvey;
- (undated) from Ms. Irene M. Devlin;
- (March 23, 2000) from Ms. Danielle Waxer;
- (March 23, 2000) from Mr. John Gibson;
- (March 22, 2000) from Mr. Walter Daschko, Architect;
- (March 22, 2000) from Ms. Marcia Cuthbert;
- (March 23, 2000) from Ms. Ann Percival;
- (March 23, 2000) from Ms. Catherine Nasmith, Toronto Preservation Board;
- (March 19, 2000) from Ms. Ruth Vellis;
- (March 17, 2000) from Mr. George Smitherman, MPP, Toronto Centre-Rosedale;
- (March 23, 2000) from Ms. Edith Geduld;
- (March 22, 2000) from Ms. Catherine Seymour;
- (March 23, 2000) from Mr. Dennis Reid, Chief Curator, Art Gallery of Ontario;
- presentation material (March 23, 2000) from Mr. Stephen Diamond, McCarthy Tetrault, Barristers and Solicitors, on behalf of Oxford Properties Group Inc.;
- presentation material (undated) from Mr. Michael McClelland, E.R.A. Architects Inc.;
- (March 23, 2000) from Ms. Barbara Gauthier;
- (March 23, 2000) from Ms. Debbie Lis;
- (April 19, 2000) from the City Clerk, Toronto Community Council, forwarding the Community Council's action of March 23, 2000;
- (April 29, 2000) from Mr. Joseph Lukjanlec;
- (April 29, 2000) from M. Mackie;
- (April 30, 2000) from Mr. Paul Reuber, Paul Reuber Incorporated Architect;
- (May 1, 2000) from Mr. Peter Hamilton;
- (May 1, 2000) from Mr. Walter Daschko;
- (May 1, 2000) from Ms. Edna Hudson, President, Toronto Region Architectural Conservancy;
- (May 1, 2000) from H. Carolyn Purden, President, Purden Communications;
- (May 2, 2000) from Mr. Tim Morawetz;
- (May 1, 2000) from Mr. Joseph Ashley Berkovits;
- (May 2, 2000) from Mr. Brian Anthony, Executive Director, Heritage Canada;
- (May 2, 2000) from Mr. Allan Gotlieb, Chairman, Ontario Heritage Foundation;
- (May 1, 2000) from Mr. Bernard Rasch;
- (May 2, 2000) from Ms. Sandra Lewis;
- (May 2, 2000) from Ms. Irene M. Devlin;
- (May 1, 2000) from Mr. Nicholas Holman;
- (May 2, 2000) from Ms. Catherine Nasmith, Chair, Toronto Preservation Board;
- (May 2, 2000) from Ms. Margaret Zeidler; and
- (May 2, 2000) from Mr. Stuart Smith, Oxford Properties;

(ii) *eight communications received expressing concern with respect to the demolition of 100 Adelaide Street West, 85 and 111 Richmond Street West;*

- (iii) *(May 8, 2000) from Ms. Sharon Koskoff, President, Art Deco Society of the Palm Beaches (ADSPB), in opposition to the demolition of the 1928 Art Deco Concourse building;*
- (iv) *(May 8, 2000) from Mr. Nick Holman on behalf of Friends of the Concourse, requesting that Council refer the proposed demolition of 100 Adelaide Street West, 85 and 111 Richmond Street West;*
- (v) *(May 8, 2000) from Kim and Gavin Buchanan, New Zealand, requesting that Council defer the decision and ultimately stop the demolition of the concourse building;*
- (vi) *(May 8, 2000) from Mr. Steve Russell, expressing concern respecting the proposed demolition of 100 Adelaide Street West, 85 and 111 Richmond Street West;*
- (vii) *(May 10, 2000) from Mr. Stephen H. Diamond, McCarthy Tetrault, Barristers and Solicitors, on behalf of Oxford Properties Group Inc., respecting the Oxford Properties Richmond-Adelaide Centre; and*
- (viii) *Colour diagram submitted by Friends of The Concourse, depicting the Richmond-Adelaide Centre.)*
- (ix) *(undated) information package submitted by Councillor Layton on The Concourse Building, copy of which is on file in the office of the City Clerk.)*