

Appendix 2

497 Richmond Street West – Ward 20

BACKGROUND

The Crown granted the lands know as the St Andrews Market Block to the City in 1837 for the purpose of establishing and keeping a public market. The original grant included a condition that if the land was sold or put to other uses, ownership would return to the Crown. In 1911, the Province of Ontario released the City from the original restrictions, but required the southern portion of the block continue to be used as a public playground. The buildings in the northern portion continue to be occupied by a number of City divisions, market tenants and below-market tenants. There are a number of convenience addresses by which various components of the buildings are known including 505 and 511 Richmond Street West, 60 Brant Street and 17 Maud Street. The lands and buildings (Waterworks Buildings) have been designated under the Ontario Heritage Act as a public works complex distinguished by Art Deco detailing and decorative stonework.

Approximate Site Area: 6,694.6 m² (1.65 acres)

PROPERTY

Current Legal Description: Part of Lot Section West Plan, Military Reserve, Toronto and Part of Brant St, Richmond Street and Maud Street, Plan Military Reserve, closed by WF17729, shown as Part 1 on Sketch PS-2011-099 ("the Sketch"), subject to the reservation of an easement on and in Part 4 on Plan 66R-26783 for loading purposes and for vehicle access to the loading area and pedestrian access to the pedestrian entrance to 60 Brant Street.

Stratification: Transfer limited to 47.5 metres above grade (the "Property")

TERMS AND CONDITIONS OF TRANSFER

1. Build Toronto will address the affordable housing interest in this Property subject to the terms of a Memorandum of Understanding entered into by Build Toronto and the Deputy City Manager responsible for the Affordable Housing Office dated May 20, 2010, as it may be amended from time to time.
2. Build Toronto will acknowledge that:
 - a. The Property is designated Regeneration Areas and zoned Reinvestment Area (RA) with a height limit of 23 m; and
 - b. Any development proposal for the Property will be subject to the City's established planning approval process.
3. Build Toronto will acknowledge that 497 Richmond Street West and the adjoining St Andrews Playground have been designated under Part IV, Section 29 of the Ontario Heritage Act and are subject to Official Plan Section 3.1.5 Heritage Resources, Policy 6, and that a Heritage Easement will be registered in relation to the Property.

4. Build Toronto will allow City divisions that have staff or equipment operating in the Property to continue to operate without payment of rent and with the minimum of disruption from site preparation or construction activities until such City staff and equipment are relocated off-site. Build Toronto agrees that PMMD staff currently located within the 60 Brant Street portion of the Property will continue to occupy until such time as alternative permanent premises are available to PMMD (planned to be 799 Islington Avenue). Build Toronto will otherwise provide at least 6 months notice of the date that vacant possession of any other area of the Property is required.

5. Build Toronto will be required to pay the cost of relocating City divisions to alternative facilities including moving costs, and fit-out (both design and construction) of new premises, to accommodate the renovation of 60 Brant Street and the redevelopment of the remainder of the Property. The City will work co-operatively with Build Toronto to minimize these costs wherever possible. The following table summarizes the estimated budget to be funded by Build Toronto for these division relocations:

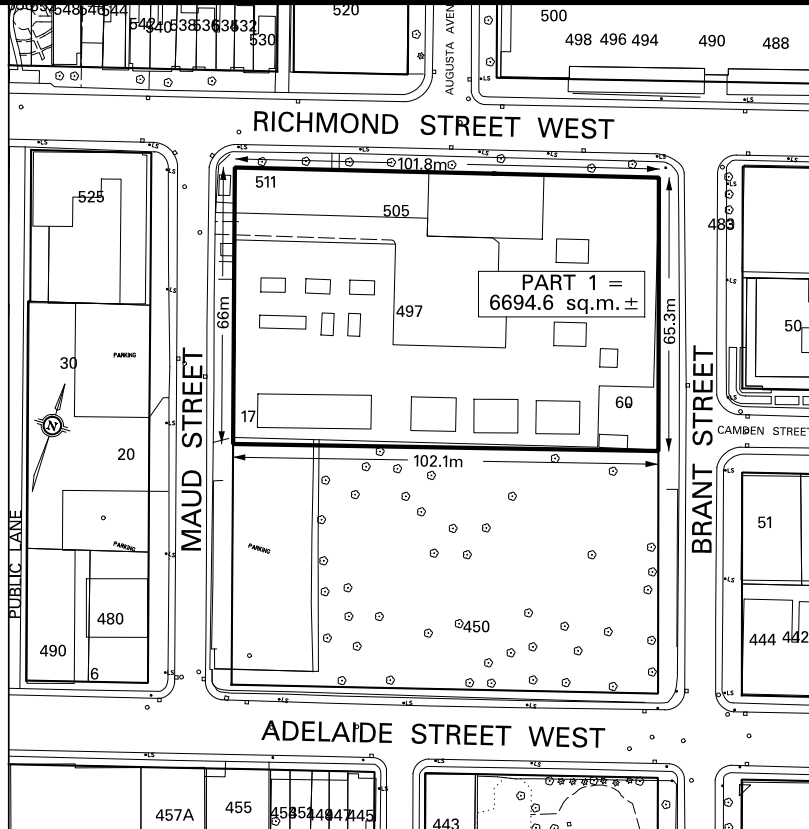
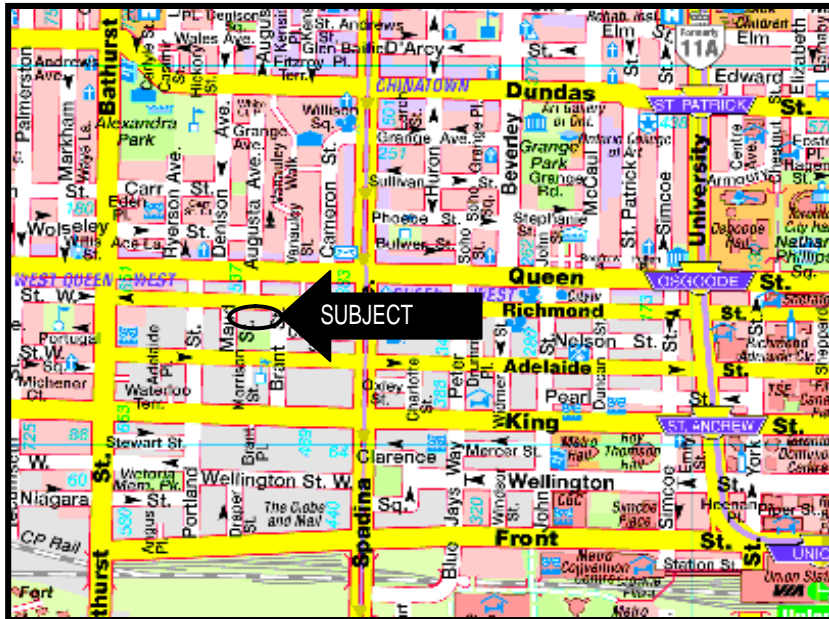
Division	Type of Move	New Location	Timeline	Estimated Cost
Solid Waste	Recycling and green bins and other SW-related materials	Bins – Keele Valley landfill admin office, Other materials – Ingram Yard	Move to be completed by mid May, 2013	\$32,500
Solid Waste	Relocation of 18 staff and renovations to accommodate work stations	Ingram Yard (86 Ingram Drive) Renovation required to accommodate more offices.	Renovations to be completed by the end of June so that staff can be relocated by July 1, 2013.	\$300,000
IT	Relocation of 10 staff	Metro Hall	Renovations to be completed by the end of June, 2013.	\$55,000
PMMD	Relocation of PMMD stores	799 Islington Avenue	Move on or about December 31, 2013	\$25,000 * * <i>preliminary</i>
Toronto Water	Relocation of network hub	Alternative downtown location	Move on or about July 31, 2013	Nil
All Tenanted Divisions	Removal of ALL office furniture and equipment as per PMMD regulations			\$50,000

6. Build Toronto will ensure that storm, sanitary sewer and all other required services are provided at all times to those portions of the Property occupied or used by City staff and other tenants assumed by Build Toronto, and that such services are maintained in a manner that does not interfere with the operations of such divisions or tenants.

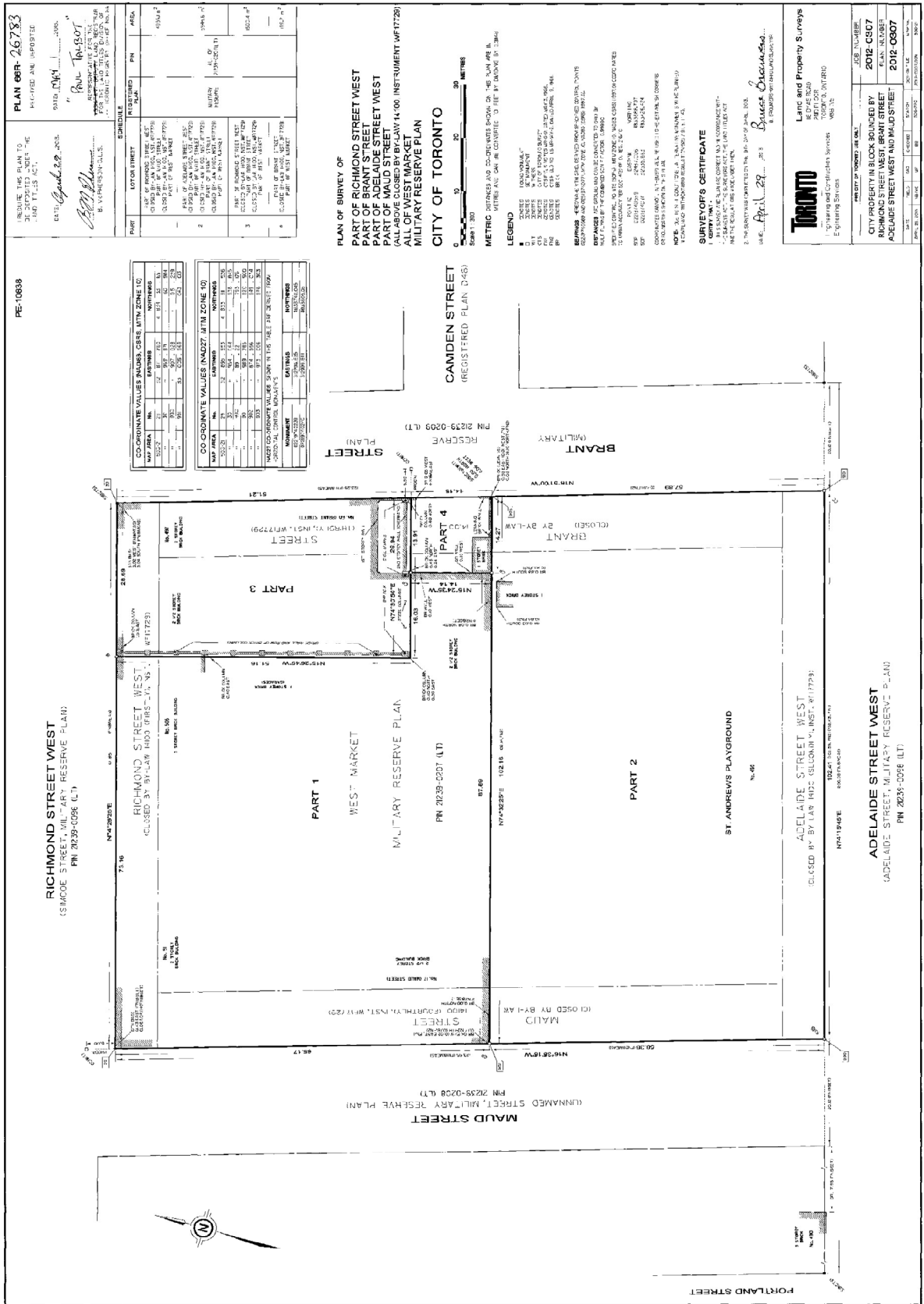
7. Build Toronto will ensure that the City's Health and Safety standards continue to be met throughout the occupation of City divisions and tenants.

8. Build Toronto will ensure that PMMD staff have ongoing use of the loading dock area adjoining Brant Street on such terms as are reasonably required by PMMD during the period its staff continue to occupy the Property.
9. Build Toronto will ensure the installation of a permanent wall along the southerly limit of the 60 Brant Street building in order to complete the enclosure and physical separation of this building from the remainder of the Property in a manner that meets Building and Fire Code requirements, and any other standards for an external building wall of a stand-alone building.
10. Build Toronto will be responsible to permanently close-up window openings on the west elevation of the 60 Brant Street building, with appropriate materials to match the rest of the wall prior to the occupancy of this building by Eva's. Build Toronto should secure the required approvals of the Manager of Heritage Preservation Services for this alteration to this interior wall face, if required.
11. Build Toronto will re-convey the 60 Brant Street portion of the Property, together with such easements as may be reasonably required, to the City and at no cost to the City upon completion of the renovation of this building by Eva's and prior to the commencement of occupancy by Eva's. Build Toronto shall be responsible for payment of any taxes associated with such transfer. Eva's will then become a tenant of the City under a new lease agreement based on the terms set out in Appendix 3.
12. Build Toronto will assume the existing leases on the Property to deal with as it determines:
 - a. Westside Montessori School pays market rent and has a lease term ending August 2013, which will be extended to the end of the year.
 - b. Youth Employment Services YES is a BMR tenant at a rent of \$2.00 per year plus HST and operating costs with a lease term ending June 30, 2015.
 - c. Riverside Foundation is a BMR tenant at a rent of \$2.00 per year plus HST and operating costs with a lease term ending June 30, 2015.
13. Build Toronto, or its successor on title, will provide and reserve 3 parking spaces and provide an easement for access or other similar arrangements to these parking spaces in the underground garage in its redevelopment project on the remainder of the Property for the use of the City's 60 Brant Street occupants. Such parking spaces will be provided at no cost to the City, whether by long term lease at nominal rent or, if condominium units, by transfer of title to the City at its option for nominal consideration.
14. Title to the Property will be taken "as is" and will be subject to existing interests and to such easements or other interests as are required for existing and future utility installations and municipal services on the property including, but not limited to:
 - d. Crown patent dated 1837;
 - e. Order in Council 18954D and any subsequent registrations related thereto;
 - f. WF17729; and
 - g. A Heritage Easement Agreement as provided for above.

497 Richmond Street West



<p>Toronto TECHNICAL SERVICES DIVISION SURVEY & UTILITY MAPPING</p> <p>NOTE: THIS SKETCH HAS BEEN COMPILED FROM OFFICE RECORDS, MEASUREMENTS ARE APPROXIMATE</p> <p>CHECK BY JOHN HOUSE PREPARED BY DWAYNE PITT</p>	<p>PROPERTY INFORMATION SHEET</p> <p>CITY OWNED LAND</p> <p>NO. 497 RICHMOND STREET WEST</p>	
	<p>WARD 20 - TRINITY-SPADINA</p>	
	<p>DATE: OCTOBER 24, 2011</p>	
	<p>SKETCH No. PS-2011-099</p>	



Appendix 2 – Transfer of 497 Richmond St W to Build Toronto