

CITY OF TORONTO

BY-LAW No. 354-2003(OMB)

To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 180 Queen Street West.

WHEREAS the Ontario Municipal Board in a decision issued on March 6, 2003 approved an Official Plan Amendment and Zoning By-law Amendment with respect to lands known as 180 Queen Street West;

NOW THEREFORE pursuant to the Order of the Ontario Municipal Board issued April 25, 2003 in Board Case No. PL020658 being Decision/Order No. 0514:

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. 256.

PURSUANT TO THE ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED ON April 25, 2003 IN BOARD FILE NO. PL020658.

SCHEDULE “A”

1. Section 18 of the Official Plan, for the former City of Toronto is hereby amended by adding Section 18.591 and the attached Map 18.591 as follows:

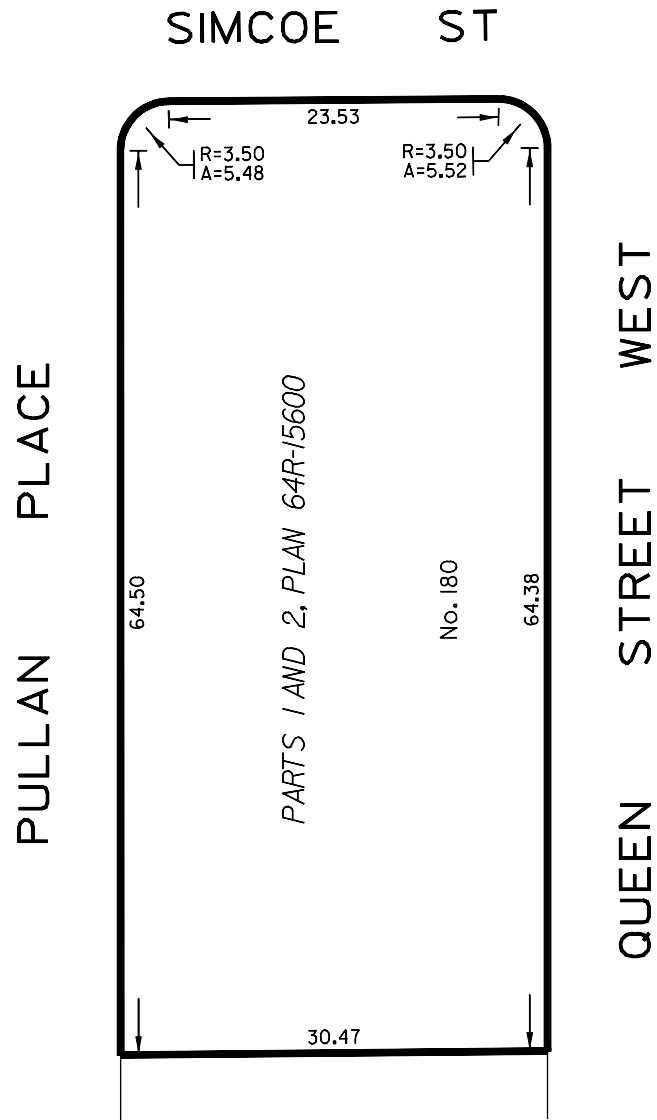
“18.591 Lands known as 180 Queen Street West.

Notwithstanding any other provisions of this Plan, including Section 19.14 of this Plan, being the Part II Plan for South-East Spadina, Council may pass by-laws applicable to the lands shown on Map 18.591 to permit the erection and use of a building containing non-residential uses, including courthouse uses and accessory uses, including but not limited to, a parking garage on the lot, provided that:

- (i) the *lot* on which such building or buildings are erected and used comprises at least the lands outlined by heavy lines as shown on Map 18.591;
 - A. total gross floor area of the building or buildings does not exceed 25,200 square metres;
- (ii) the owner of the lot enters into an agreement, pursuant to Section 37 of the *Planning Act* to secure the following facilities, services or matters:
 - A. a payment of \$800,000.00 on terms set out in the Section 37 Agreement, of which:
 - (a) \$150,000.00 is for the explicit purpose of a Heritage Study for Queen Street West, from University Avenue to Bathurst Street;
 - (b) \$650,000.00 is for the sole purpose of providing artists’ housing in the Queen Street West area in a proportion which has been determined by the Commissioner of Urban Development Services to be \$490,000.00 to Artscape and \$160,000.00 to Beaver Hall;
 - (c) in respect of such payment to the City, the owner shall pay \$400,000.00 prior to the issuance of the first above grade building permit and \$400,000.00 upon the determination of the Commissioner of Urban Development Services that the building is substantially completed;

- B. provide for a public art contribution in the amount of 1% of the gross construction costs; and
- C. in the event that the building proposed at 180b Simcoe Street and described as part of Phase Two of the Phasing Plans contained in the Section 37 Agreement associated with By-law No. 1997-0599 is not substantially completed within 5 years of an above grade building permit being issued for the non-residential building permitted by this official plan amendment, the owner will not object to the City reopening that part of Simcoe Street north of Pullan Place, shown as Part 1 on the Phase One Phasing Plans.

MAP 18.591



WORKS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO APRIL, 2003
 OPA03/18591.DGN
 FILE: S69-Z4
 MAP No. 50H-312 DRAWN: D.R