

Authority: Toronto and East York Community Council  
Item TE34.14, as adopted by City of Toronto Council on  
July 19 and 20, 2022

## CITY OF TORONTO

### Bill 978

### BY-LAW -2022

**To amend the Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 29, 35, 41, and 75 Basin Street as shown on Diagram 1 to this By-law being a portion of the Port Lands located in the City of Toronto.**

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone labels to these lands: EL 2.5 (x20) and ON (x24) as shown on Diagram 2 attached to this By-law;
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Section 995.10.1, and applying the following Policy Area label to these lands: PA 1, as shown on Diagram 3 attached to this By-law;
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height label to these lands: HT 42.0 and HT 12.0 as shown on Diagram 4 attached to this By-law;
6. Zoning By-law 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Section 995.30.1 with no value;
7. Zoning By-law 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Section 995.40.1 with no value; and
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.21.10 Exception Number 20 so that it reads:

**(20) Exception EL 20**

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 29, 35, 41, and 75 Basin Street, as shown zoned EL 2.5 (x20) on Diagram 2 of By-law ###-2022 [Clerks to insert By-law Number], **buildings** or **structures** may be constructed, used or enlarged in compliance with Sections (B) to (V) below;
- (B) For the purposes of this exception, the **lot** is comprised of the lands identified as EL 2.5 (x20) on Diagram 2 of By-law ###-2022 [Clerks to insert By-law Number];
- (C) In accordance with Clause 5.10.30.20, the **lot line** abutting Basin Street is the **front lot line**;
- (D) Despite Regulations 60.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between Canadian Geodetic Datum of 76.85 metres and the elevation of the highest point of the **building** or **structure**;
- (E) Despite Regulation 60.5.40.60(1), a canopy, awning or similar structure may encroach into a required minimum **building setback** that is not a **street yard**, regardless of how high it is above the elevation of the ground directly below it;
- (F) In addition to the uses permitted in Regulation 60.10.20.10(1), the following uses are also permitted:
  - (i) **Art Gallery**;
  - (ii) **Club**;
  - (iii) **District Heating and Cooling Plant**;
  - (iv) **Library**;
  - (v) **Massage Therapy**;
  - (vi) **Medical Office**;
  - (vii) **Museum**;
  - (viii) **Personal Service Shop**;
  - (ix) **Recreation Use**;
  - (x) **Retail Service**;

- (xi) **Software Development and Processing; and**
  - (xii) **Wellness Centre;**
- (G) Despite Regulations 60.10.20.10(1) and 60.10.20.20(1), the following uses are not permitted:
- (i) **Crematorium;**
  - (ii) Dry Cleaning or Laundry Plant;
  - (iii) **Open Storage;**
  - (iv) Plastic Product **Manufacturing Use;** and
  - (v) **Self-storage Warehouse;**
- (H) Despite the uses permitted in Regulations 60.10.20.10(1) and 60.10.20.20 (1), the following uses are also permitted if they comply with the specific conditions associated with each use:
- (i) **Cabaret** provided the **interior floor area** does not exceed 1,000 square metres;
  - (ii) **Contractor's Establishment** provided a **contractor's establishment** must store loose materials such as sand, gravel or concrete in an enclosed **building;**
  - (iii) **Eating Establishment** provided the individual **interior floor area** does not exceed 3,500 square metres and must comply with the specific use regulations in Section 150.100;
  - (iv) **Entertainment Place of Assembly** provided the individual **interior floor area** does not exceed 1,000 square metres;
  - (v) **Financial Institution** provided this use is not within 20.0 metres of an intersection of two **streets;**
  - (vi) **Nightclub** provided the individual **interior floor area** does not exceed 1,000 square metres;
  - (vii) Office provided this use shall include production office, general office, and executive production office areas that will not exceed a floor space index of 0.85 over the entire **lot;**
  - (viii) **Outdoor Patio** provided it is an **ancillary** use associated with a **cabaret, eating establishment, entertainment place of assembly, nightclub,**

**recreation use, and a take-out eating establishment;**

- (ix) **Parking Garage** provided it is in one or two **parking garages** and collectively will not contain more than 1.25 parking spaces per 100 square metres of provided **gross floor area** on the **lot** and be located in the within the area depicted on Diagram 5 of By-law ###-2022 [**Clerks to insert By-law Number**];
  - (x) **Retail Store** provided the individual **interior floor area** does not exceed 3,500 square metres;
  - (xi) **Take-out Eating Establishment** provided the individual **interior floor area** does not exceed 3,500 square metres;
  - (xii) **Transportation Use** despite Regulation 60.12.20.100 (19), this use is a permitted use if it is operated by, or on behalf of, the Toronto Transit Commission;
  - (xiii) **Warehouse** despite Clause 60.10.20.10, this use is a permitted use if it is not used for the purpose of, or in association with, a postal or courier service; and
  - (xiv) **Wholesaling Use** despite Clause 60.10.20.10, this use is a permitted use if it is not used for the purpose of, or in association with, a postal or courier service;
- (I) For the purposes of this exception, **Artist Studio, Custom Workshop, Entertainment Place of Assembly, Office, Performing Arts Studio, Production Studio, Software Development and Processing, and Warehouse** shall be considered "studio-oriented uses".
  - (J) For the purposes of this exception, "base camp" means an **ancillary** activity to the "studio-oriented uses" that involve the temporary parking and storage of fleet, production, and studio operation vehicles and are not considered **parking spaces** for the purposes of Clauses (H)(ix) and (U) of this exception.
  - (K) Canopies, awnings, wind screens, snow screens, or similar **structures** over pedestrian entrances must be no less than 2.5 metres above the elevation of the ground directly below it. Canopies, awnings, or similar **structures** over **production studio** stage doorways must be no less than 6.1 metres above the elevation of the ground directly below it.
  - (L) Any pedestrian and utility service bridge **structures** must be located no less than 6.1 metres above the elevation of the ground directly below it.
  - (M) Any pedestrian and utility service bridge **structures** in (L) above must have no more than one **storey** and must not exceed a height of 5.5 metres, as measured floor to ceiling

- (N) On the **lot** with a "studio-oriented use", a barrier, such as a fence, gate, berm, retaining wall, or landscaped buffer may be provided for areas:
- (i) between a **lot line** that abuts a **street** and an area that is used for a "studio-oriented use", located a maximum of 3.0 metres from the **lot line** that abuts a **street**, except for the portions used for **vehicle** and pedestrian access; or
  - (ii) along the entire perimeter of the portion of the **lot** that is used for a "studio-oriented use"; and
  - (iii) along all **lot lines** that abut the ON (x24) zone.
- (O) Despite Clause 60.5.40.10 and Regulation 60.10.40.10(1), the following **structures** and equipment may project beyond the permitted height of a **building**:
- (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts and equipment, chimneys, and vents to a maximum of 2.5 metres;
  - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, may project above the height limits to a maximum of 3.0 metres;
  - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof** may project above the height limits to a maximum of 2.0 metres;
  - (iv) **building** maintenance units and window washing equipment may project above the height limits to a maximum of 2.5 metres;
  - (v) planters, landscaping features, guard rails, and divider screens on a balcony and/or terrace may project above the height limits to a maximum of 2.0 metres;
  - (vi) trellises, pergolas, and unenclosed structures providing safety or wind protection to rooftop **amenity space** may project above the height limits to a maximum of 2.5 metres; and
  - (vii) architectural signage and associated **structures** may project above the height limits to a maximum of 5.0 metres
- (P) Despite Regulation 60.10.40.10(1) and Diagram 4 attached to this By-law, any **buildings** or **structures** may have a height limit of 46.0 metres on the **lot**, so long as the cumulative area to which this height limit applies does not exceed 15 percent of the **lot** area for the 42.0 metre height limit area as indicated on Diagram 4 attached to this By-law.

- (Q) Despite Clause 60.10.40.10(1) and Diagram 4 attached to this By-law, the required minimum height of all **main walls** facing a **lot line**, with the exception of the former Sun Oil heritage **building** identified on Diagram 5 of By-law [Clerks to insert By-law number], is 10.0 metres.
- (R) Despite Regulations 60.10.40.70(1), (2), and (3), on the **lot** abutting a **street** or a **lot line** abutting the ON (x24) zone, the required minimum **front yard setback**, minimum **side yard setback**, and minimum **rear yard setback** is 0.0 metres.
- (S) Regulation 60.10.50.10(1), with regards to **soft landscaping**, does not apply to a **lot line** abutting a **street**.
- (T) Despite Regulation 60.5.80.10(1) and (2), a **parking space** may not be located in the **front yard**, **side yard** abutting a **street**, or in a **side yard** or **rear yard** abutting the ON (x24) zone.
- (U) Despite Regulation 200.5.10.1(1) and Table 200.5.10, for all permitted uses identified in Regulations 60.10.20.10(1) and 60.10.20.20(1) as amended by (F), (G), and (H) above, **parking spaces** may not exceed a maximum rate of 1.25 **parking spaces** per 100 square metres of **gross floor area**. No minimum **parking spaces** are required.
- (V) Despite Regulation 230.5.10.1(1) and Table 230.5.10.1(1), for all permitted uses identified in Regulations 60.10.20.10(1) and 60.10.20.20 (1) as amended by (F), (G), and (H) above, **bicycle parking spaces** must be provided at a minimum rate of 0.25 **bicycle parking spaces** per 100 square metres of **interior floor area**, allocated as follows:
  - (i) 10 percent "short-term" **bicycle parking spaces**; and
  - (ii) 90 percent "long-term" **bicycle parking spaces**.

Prevailing By-laws and Prevailing Sections: (None Apply)

9. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.41.10 Exception Number 24 so that it reads:

**(24) Exception ON 24**

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) In addition to the uses listed in Clause 90.20.20.10, the following additional uses are permitted:

- (i) **Take-out eating Establishment**
- (B) Despite the uses listed in Clause 90.10.20.10 and 90.10.20.20, the following uses are not permitted:
  - (i) **Transportation Use; and**
  - (ii) **Entertainment Place of Assembly**

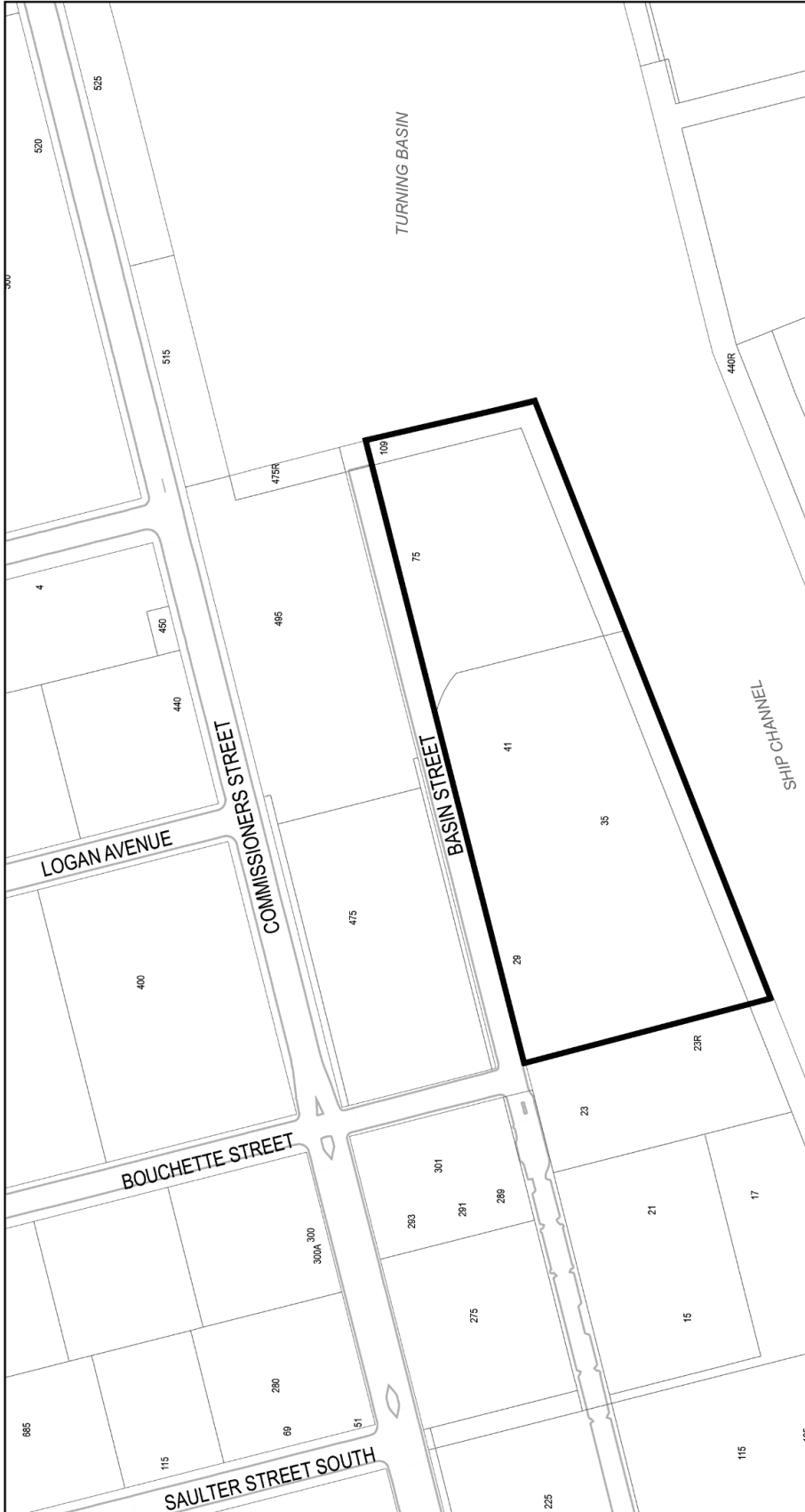
Prevailing By-laws and Prevailing Sections: (None Apply)

Enacted and passed on July , 2022.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

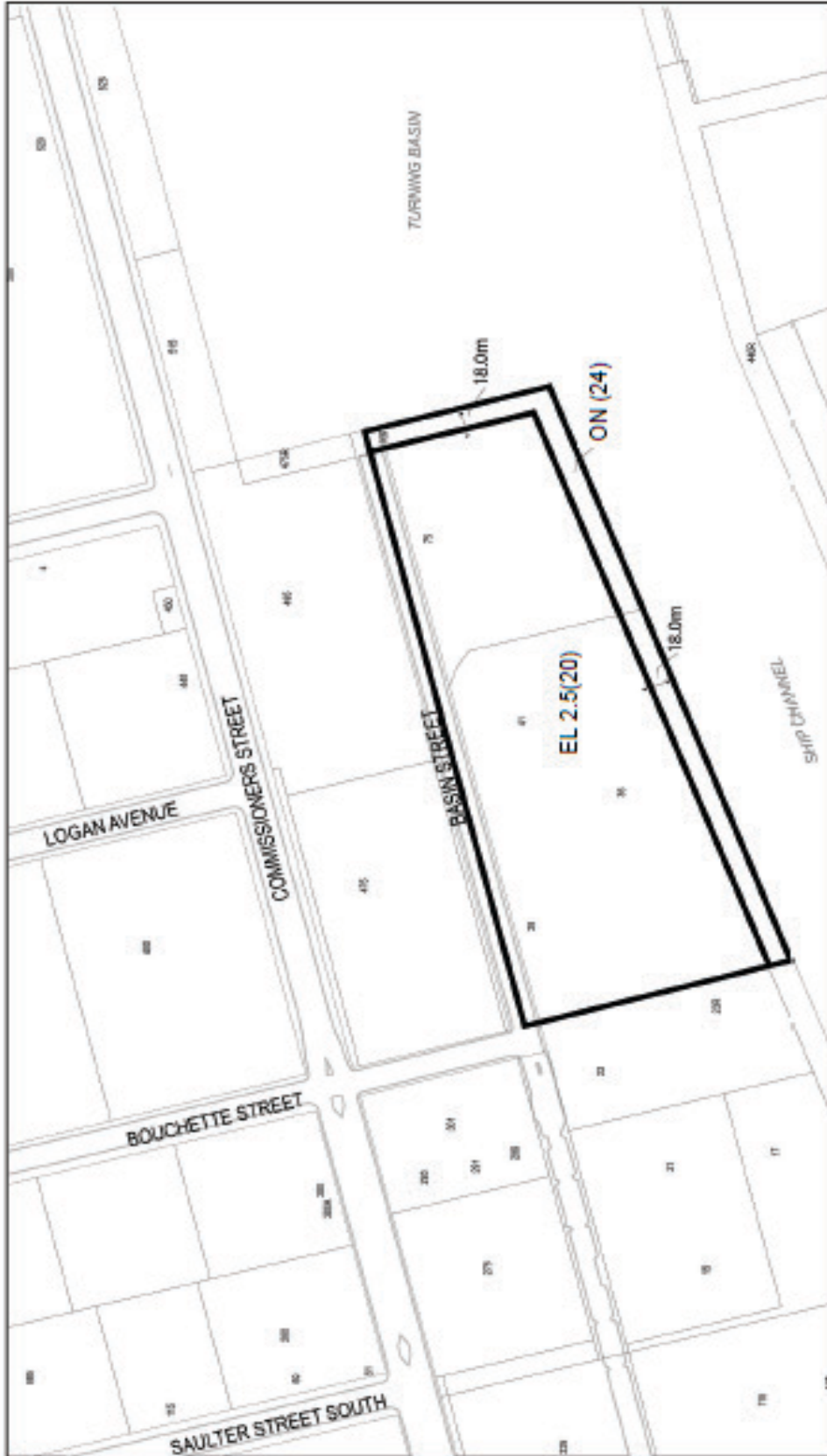
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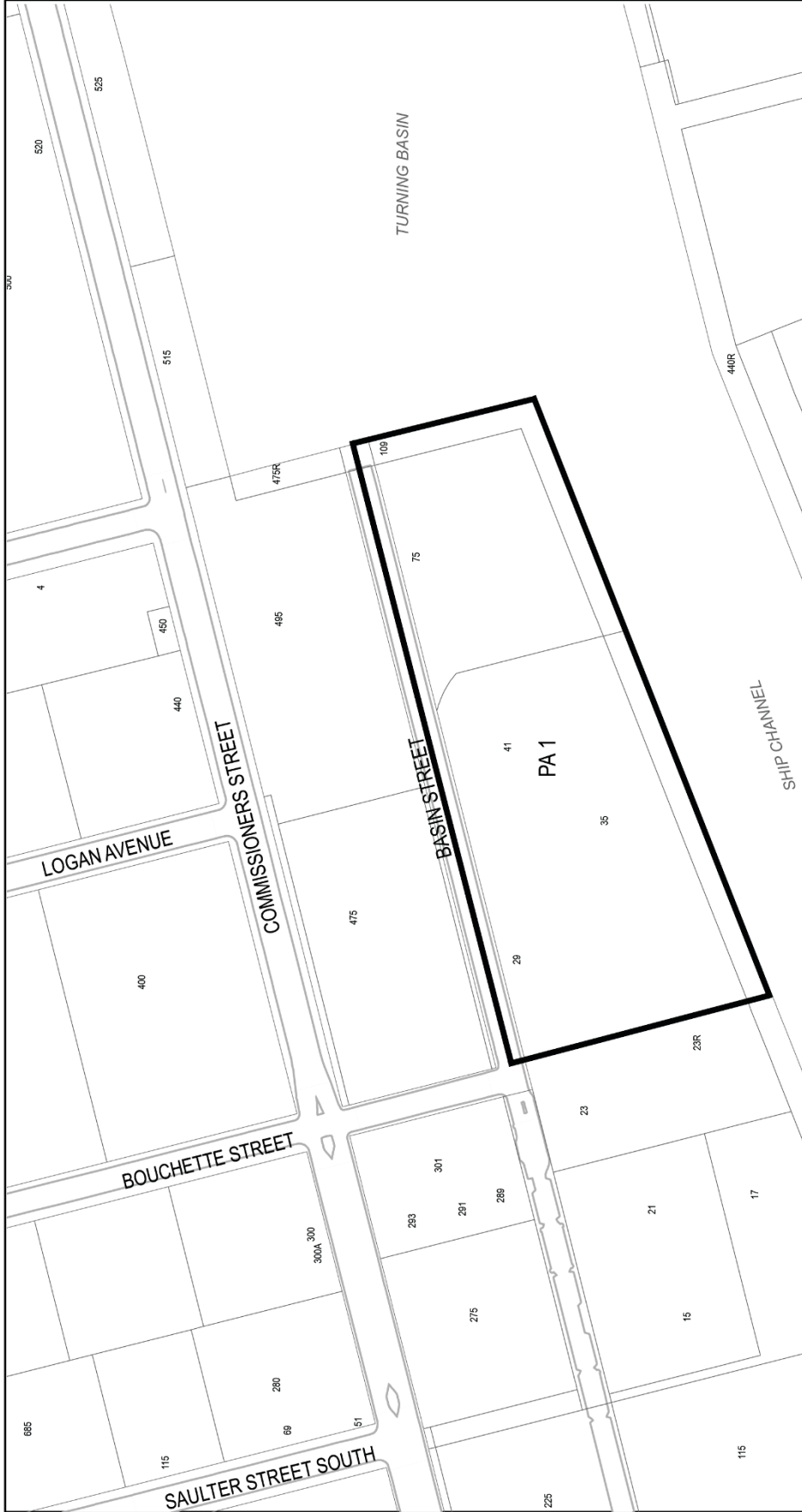
**29, 35, 41, and 75 Basin Street**  
Not to Scale  
05/27/2022

**Toronto**  
Diagram 1 - Lands Subject to Zoning By-law



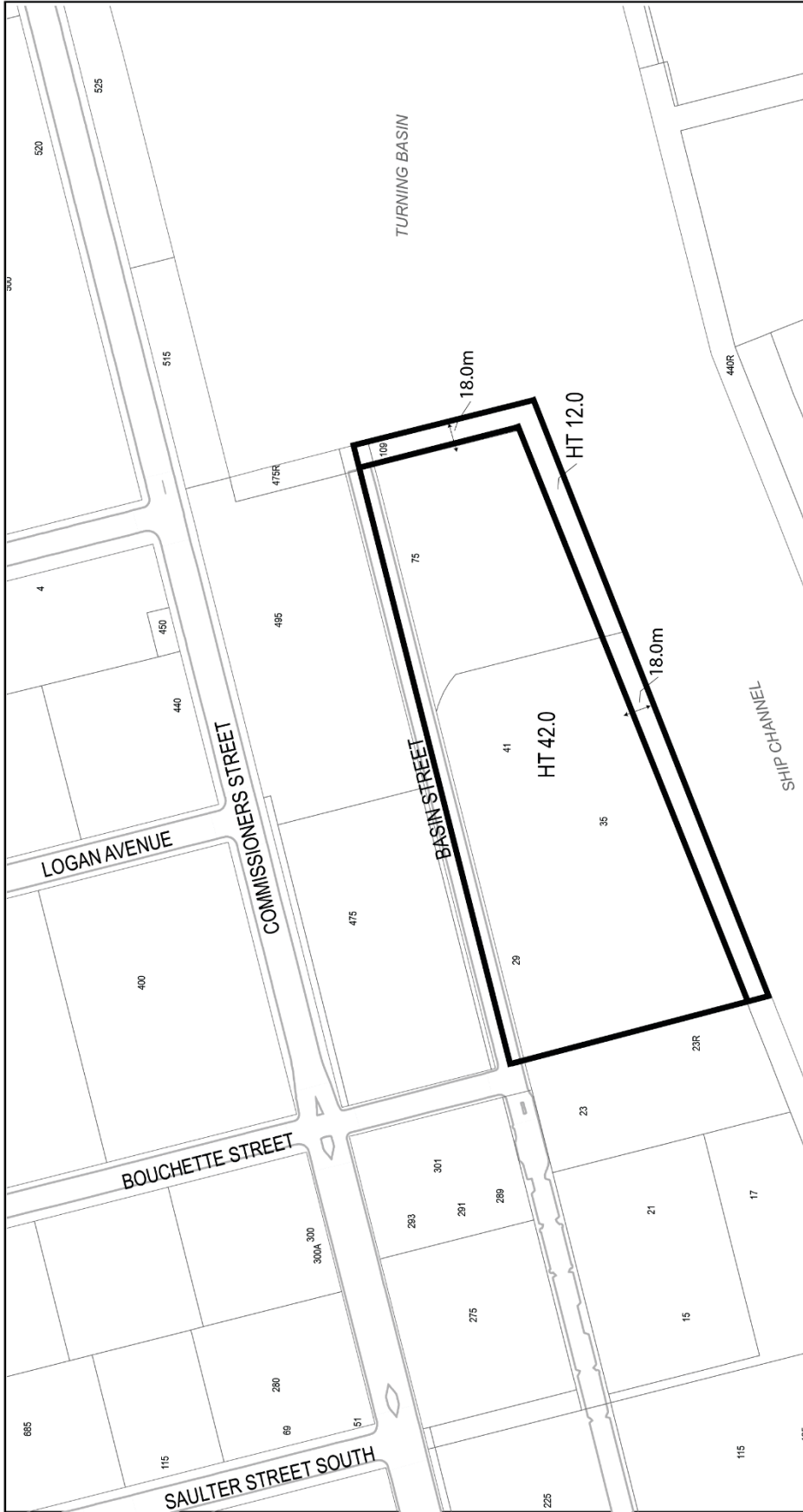


**Toronto**  
Diagram 2 - Zoning Area  
29, 35, 41, and 75 Basin Street  
Not to Scale  
05/27/2022



**Toronto**  
Diagram 3 - Policy Area

29, 35, 41, and 75 Basin Street  
Not to Scale  
05/27/2022



**Toronto**  
Diagram 4 - Maximum Building Height

**Toronto**  
Diagram 4 - Maximum Building Height

Not to Scale  
05/27/2022

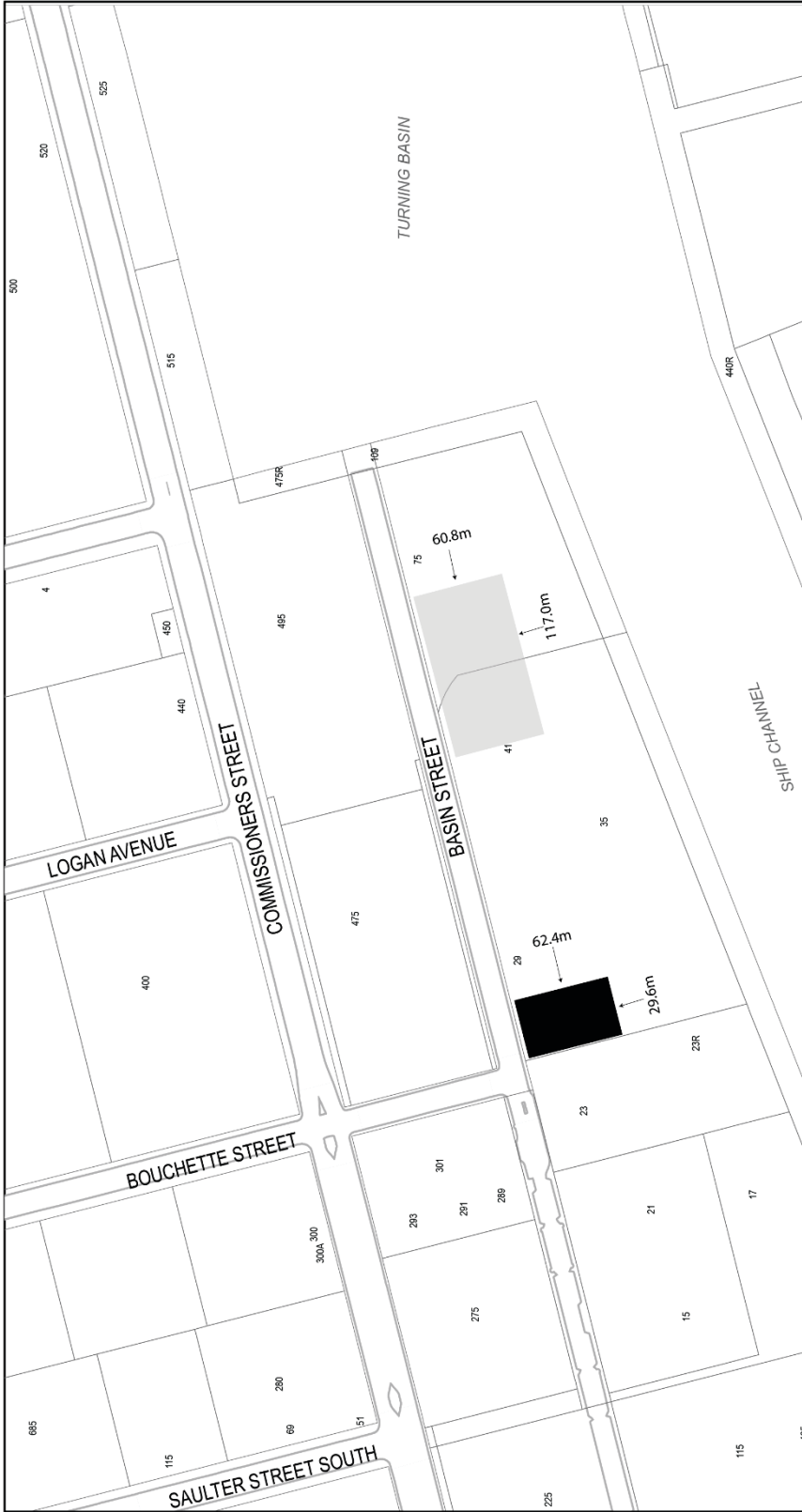


Diagram 5 - Specific Use Location

29, 35, 41, and 75 Basin Street

Not to Scale  
05/27/2022

-  Former Sun Oil Heritage Building
-  Parking Garage(s) Location Envelope