

Authority: Toronto and East York Community Council Item 36.6,
as adopted by City of Toronto Council on August 25, 26 and 27, 2010
Enacted by Council: August 27, 2010

CITY OF TORONTO

BY-LAW No. 1015-2010

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 180 Shaw Street.

WHEREAS authority is given to Council by 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*;

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

1. None of the provisions of Sections 2(1) with respect to the definition of *artist's or photographer's studio, lot, or restaurant*, 4(6), 6 (1), 6(3) Part I, 6(3)Part II 3, 6(3) Part II 4 and 6(3) Part III 1(A), of By-law No. 438-86, as amended, shall apply to prevent the retention, renovation and use of the former Shaw Street School, as existing on the *lot* in the year 2010, for the purposes of a centre for non-profit arts and community programming on the lands outlined by heavy lines on Map 1 of this By-law, provided that:
 - (1) the total *non-residential gross floor area* does not exceed 7,200 square metres;
 - (2) in addition to all other uses permitted in Section 6 (1), the following uses are permitted: *artist's or photographer's studios, multi-purpose rooms, multi-purpose area, performing arts studios, non-profit community use, gallery space, meeting, classroom and administration spaces*;
 - (3) one *loading space - type B* and one *loading space - type C* are provided and maintained on the lot;
 - (4) notwithstanding the parking requirement in Section 4(4)(b), no parking spaces are required for the uses identified in paragraph (2).
2. For the purposes of this By-law:
 - (a) "*artist's or photographer's studio*" shall mean a studio or workshop used for the production and display of art and photography, or a *designer's studio*;
 - (b) "*lot*" shall mean the area delineated by heavy lines on Map 1;
 - (c) "*multi-purpose rooms*" or "*multi-purpose area*" shall mean rooms or areas used for the display and exhibition of art, cultural and community events, a meeting, classroom and administration spaces;

- (d) "*non-profit community use*" shall mean a use operated by a *non-profit organization* as office or meeting space and such office or meeting space may also be used for cultural and artistic or educational activities;
 - (e) "*non-profit organization*" shall mean:
 - (i) a corporation without share capital to which the provisions of Part III of the *Corporations Act*, R.S.O. 1990, c.C.38, as amended, apply; or
 - (ii) a *non-profit organization*, a charitable organization or registered charity, as those terms are defined in the *Income Tax Act*, R.S.C. 1985, Chapter 1 (5th Supp.), as amended.
 - (f) "*restaurant*" shall mean a portion of a building used for the preparation and cooking of meals and the sale of food and beverages to the public while they are seated, for consumption on the premises and incidental take-out service and is subject to the following restrictions:
 - (i) only one *restaurant* shall be permitted on the *lot*;
 - (ii) the *restaurant* use shall be to a maximum of 100 sq.m of *non-residential gross floor area*;
 - (iii) no outdoor or rooftop patio shall be permitted;
3. Each word or expression which is italicized herein shall have the same meaning as such word or expression as defined in the aforesaid By-law No. 438-86, as amended, unless otherwise defined in this By-law.
4. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this 27th day of August, A.D. 2010.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

