

Port Lands Zoning Review Study - Supplementary Report

Date: September 27, 2019

To: City Council

From: Chief Planner and Executive Director, City Planning Division

Wards: Ward 14 - Toronto -Danforth

SUMMARY

The purpose of the Supplementary Report is to recommend revisions to the Warehouse District Zoning By-law Amendment, East Port Zoning By-law Amendment and Maritime Hub Zoning By-law Amendment in response to deputations and communications received at the September 16, 2019 Toronto and East York Community Council meeting. These revisions 1) further clarify open storage regulations; 2) remove day nursery as a permitted use from the Maritime Hub By-law; 3) add recreational boating use and public harbour works use to the Maritime Hub By-law; and 4) remove post-secondary school as a permitted use from the Warehouse District By-law.

The report explains these proposed by-law revisions to the draft zoning by-law proposed to Toronto and East York Community Council on September 16, 2019 as Item TE8.13 (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE8.13>).

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning Division recommends that:

1. City Council delete Recommendation 1 from Toronto and East York Community Council and replace with the following:

City Council amend Zoning By-law 569-13, as amended, for the lands identified in the Port Lands Planning Framework as Warehouse District substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 1.

2. City Council delete Recommendation 2 from Toronto and East York Community Council and replace with the following:

City Council amend Zoning By-law 569-13, as amended, for the lands identified in the Port Lands Planning Framework as East Port and South Port, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 2.

3. City Council delete Recommendation 3 from Toronto and East York Community Council and replace with the following:

City Council amend Zoning By-law 569-13, as amended, for the lands identified in the Port Lands Planning Framework as Maritime Hub substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 3.

4. City Council determine pursuant to Subsection 34 (17) that no further notice is required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

COMMENTS

City Planning staff met several times with the Toronto Industry Network, which represents many of the port and industrial users in the Port Lands, to discuss several concerns and request for clarification regarding the proposed Port Lands Zoning Study by-laws. These discussions focused on land use compatibility concerns, vehicle access, parking regulations, and clarification of Open Storage regulations. As well, several other comments and requested changes to the by-laws were made once the Port Lands Zoning Review Study - Final Report, dated August 19, 2019, was publically available. The proposed revisions of the by-laws in this report consider the comments that were received from these stakeholders, landowners and users.

Warehouse District Zoning By-law Amendment

Post-Secondary School

Post-secondary educational uses are permitted on the frontage of Carlaw Avenue, to a depth of 30 metres, but are prohibited on other Warehouse District street frontages due to potential land use compatibility conflicts. Educational facilities are identified as a "noise sensitive land use" in the Ontario Environmental Noise Guideline: Stationary and Transportation Sources - Approval and Planning (NPC-300).

The Toronto and Region Conservation Authority (TRCA) recently advised that post-secondary school uses cannot be permitted within the Lower Don Special Policy Area designation due to Provincial Policy Statement (2014) policy 3.1.5 which does not permit institutional uses within hazardous lands, including flood plains. The post-secondary use has been removed from the By-law and may be reconsidered once the Lower Don Special Policy Designation has been removed from the Port Lands following flood protection works now underway.

East Port and South Port Zoning By-law Amendment

Open Storage

As an outcome of the Zoning Review, staff recommend that storage must be enclosed within a building or, if openly stored on a lot, must be screened with an opaque visual barrier. Although not defined in the by-law, an opaque visual barrier may include a vegetated buffer such as a row of trees, retaining wall, berm, wall or fence. A series of stakeholder requested for clarification regarding when and where the opaque visual barrier would apply to port-oriented uses, including along the dockwall. Community Planning staff recommend a revised by-law that includes the following more specific regulations for opaque visual barriers:

- Open storage on lots that **do not have** frontage on a street, which will only require an opaque visual barrier on lot lines that abut an Open Space category (such as a park); and,
- Open storage on lots that **have** frontage on a street, which require an opaque visual barrier: a) within a 9 metre buffer on a lot line that abuts a street, **or along the perimeter of the open storage. In addition to this requirement**, an opaque visual barrier is required on lot lines that abut an Open Space category (such as a park).

The Open Storage regulation does not require an opaque visual barrier to be along the dock wall within the East Port and South Port.

Maritime Hub Zoning By-law Amendment

Permitted Uses

Day nursery uses are permitted within Maritime Hub and are identified as a "noise sensitive land use" in the Ontario Environmental Noise Guideline: Stationary and Transportation Sources - Approval and Planning (NPC-300). Due to the proximity of heavy port and industrial uses, the revised Maritime Hub Zoning By-law Amendment removes this use to avoid any potential land use conflicts with industry.

The Royal Canadian Yacht Club facility at 130-150 Cherry Street is an existing recreational boating use. Recreational boating uses and public wharves have been added as permitted uses to the by-law to further clarify that these uses are existing and are encouraged in the Maritime Hub.

Conclusion

The recommended changes to the revised Port Lands Zoning Review Study further clarify zoning regulations and reflect further stakeholder input that was received after the Zoning Review Study Final Report was publically posted. The proposed revised by-laws, attached as Attachments 1, 2 and 3, include slight modifications that further clarify and refine few zoning regulations in consideration of stakeholder, landowner and user concerns and requests for clarification.

CONTACT

Anthony Kittel, Project Manager, Community Planning, Toronto and East York District, 416-392-0758, Anthony.Kittel@toronto.ca

Colin Wolfe, Planner, Community Planning, Toronto and East York District, 416-398-1857, Colin.Wolfe@toronto.ca

SIGNATURE

Gregg Lintern, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Revised Warehouse District Zoning By-law Amendment
Attachment 2: Revised East Port and South Port Zoning By-law Amendment
Attachment 3: Revised Maritime Hub Zoning By-law Amendment

Attachment 1: Revised Warehouse District Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO WAREHOUSE DISTRICT

Bill No. ~

BY-LAW No. [XXXX- 2019]

To amend the Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as 500 – 650 Commissioners Street (north side); 675 Commissioners Street; 885 – 1015 Lake Shore Boulevard Street (south side), 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 if 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 if in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 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 label to these lands: EL 2.5 (x9) as shown on Diagram 2 attached to this By-law; and
4. Zoning By-law No. 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; and
5. Zoning By-law No. 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 and storey label to these lands: HT 30.0 as shown on Diagram 4 attached to this By-law; and
6. Zoning By-law No. 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, as shown on Diagram 5 attached to this By-law; and
7. Zoning By-law No. 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, as shown on Diagram 6 attached to this By-law; and

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September 22, 2019

8. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.21.10 Exception Number 9 so that it reads:

(9) Exception EL 9

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 uses permitted in Clause 60.10.20.10, the following additional uses are permitted:
 - (i) **District Heating and Cooling Plant;**
 - (ii) **Public Works Yard;**
- (B) Despite the uses listed in Clause 60.10.20.10 and 60.10.20.20, the following uses are not permitted:
 - (i) Dry Cleaning or Laundry Plant
 - (ii) Self-storage Warehouse
 - (iii) Crematorium
 - (iv) Plastic Product Manufacturing Use
- (C) Despite Regulation 60.12.20.100 (19), a **Transportation Use** is only permitted if it is operated by the Toronto Transit Commission;
- (D) In addition to Regulation 60.10.20.100 (7), a **Contractor's Establishment** may not store loose materials such as sand, gravel or concrete on the lot unless enclosed in a **building**;
- (E) On 650 Commissioners Street, despite Regulation 60.10.20.100(12), **Open Storage**:
- (F)
 - (i) may be associated with a permitted use;
 - (ii) may be greater than 10% of the lot area;
 - (iii) may not be in the front yard; and,
 - (iv) must have a minimum setback of 3.0 metres from any lot line;

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September 22, 2019

- (G) In addition to Clause 60.10.20.100, the following conditions apply to **Open Storage**:
- (i) On a lot with **Open Storage**, an opaque visual barrier, such as a fence, must be provided:
- (a) along all lot lines that abut a street, except for the portions used for vehicle and pedestrian access; or
- (b) along the entire perimeter of the portion of the lot that is used for **Open Storage**; and,
- (c) along all lot lines that abut a lot in the Open Space Zone Category;
- (H) Despite Clause 60.10.20.10, a **Warehouse** use is permitted if the use does not exceed the lesser of:
- (i) 50 percent of the interior floor area of the building; or
- (ii) 2,000 square meters of interior floor area of the building;
- (I) Despite Clause 60.10.20.10, a **Warehouse** use may not be used for the purposes of, or in association with, a postal or courier service;
- (J) Despite (G) above, on 600 Commissioners Street, a **Warehouse** may be used for the purposes of, or in association with a postal or courier service;
- (K) Despite Clause 60.10.20.10, a **Wholesaling Use** is permitted if the use does not exceed the lesser of:
- (i) 50 % of the interior floor area of the building; or
- (ii) 2,000 square meters of interior floor area of the building;
- (L) Despite (F) and (I) above, the cumulative interior floor area of all portions of a building used for **Wholesaling Use** and **Warehouse** use within a building may not exceed 50 percent of the interior floor area of the building;
- (M) Despite Clause 60.10.20.10, an **Office** use is permitted if the use does not exceed 75% of the interior floor area of a building;
- (N) Despite Regulation 60.10.20.20.(1), a **Marihuana Production Facility** is a permitted use if it complies with the specific use regulations in Section

150.60;

- (O) Despite Regulation 60.10.20.20(1), all **Manufacturing Uses** are permitted, except:
- (i) Abattoir, Slaughterhouse or Rendering of Animals Factory; Ammunition, Asphalt Plant; Cement Plant; Concrete Batching Plant; Firearms or Fireworks Factory; Crude Petroleum Oil or Coal Refinery; Explosives Factory; **Industrial Gas Manufacturing**; Large Scale Smelting or Foundry Operations for the Primary Processing of Metals; **Pesticide or Fertilizer Manufacturing**; **Petrochemical Manufacturing**; Plastic Product manufacturing use, Primary Processing of Gypsum; Primary Processing of Limestone; Primary Processing of Oil-based Paints, Oil-based Coatings or Adhesives; Pulp Mill, using pulpwood or other vegetable fibres; **Resin, Natural or Synthetic Rubber Manufacturing**; and Tannery; and
 - (ii) A **Manufacturing Use** may not exceed 5,000 square metres of **interior floor area of the building**;
- (P) Despite Regulation 60.10.20.100 (5) and (6), a **Retail Store, Eating Establishment and Take-out Eating Establishment** are permitted, if they do not exceed 3,500 square metres of **interior floor area of a building**, comply with (U) and (V) below, and any **eating establishment** must comply with the specific use regulations in 150.100;
- (Q) Despite Clause 60.10.20.10, a **Financial Institution** is not permitted within 20 metres of a an intersection of streets and must comply with (U) and (V) below;
- (R) Despite Regulation 60.10.20.20(1), the following additional uses are permitted if they comply with the conditions set out (U) and (V) below:
- (i) **Art Gallery**;
 - (ii) **Personal Service Shop**;
 - (iii) **Pet Services**;
 - (iv) **Amusement Arcade**;
 - (v) **Library**;
 - (vi) **Museum**;
 - (vii) **Performing Arts Studio**;

- (viii) **Recreation Use;**
- (S) Despite Regulation 60.10.20.100(11), an **outdoor patio** must:
- (i) be combined with the following uses:
 - (a) **Cabaret**
 - (b) **Place of Assembly**
 - (c) **Entertainment Place of Assembly**
 - (d) **Nightclub**
 - (e) **Recreation Use**
 - (f) **Take-out Eating Establishment**
 - (ii) not be used to provide entertainment such as performances, music and dancing;
 - (iii) be located entirely within 5 metres of a **lot line** abutting Leslie Street, Commissioners Street or Carlaw Avenue; and
 - (iv) comply with the conditions set out in (U) and (V) below;
- (T) Despite Clause 60.10.20.20, **Place of Assembly, Entertainment Place of Assembly, Cabaret and Nightclub** are permitted uses, if the cumulative area these uses does not exceed 600 square metres of **interior floor area** of a **building** and that they comply with the conditions set out in (U) and (V) below;
- (U) No **building** or **structure** with a **lot line** abutting Carlaw Avenue may be erected or used on a **lot** unless the following conditions are satisfied:
- (i) Despite Clauses 60.10.20.10 and 60.10.20.20, a minimum of 60 percent of the cumulative length of the exterior **main walls** of the **building** or **structure** at the first storey above ground must be used for the purpose of one or more of the following:
 - (a) **Art Gallery;**
 - (b) **Artist Studio;**
 - (c) **Financial Institution;**

- (d) **Personal Service Shop;**
 - (e) **Pet Services;**
 - (d) **Retail Store;**
 - (e) **Eating Establishment;**
 - (f) **Take-out Eating Establishment.**
 - (g) **Amusement Arcade**
 - (h) **Custom Workshop;**
 - (i) **Library;**
 - (j) **Museum;**
 - (k) **Performing Arts Studios;**
 - (l) **Recreation Use;**
 - (n) **Place of Assembly;**
 - (o) **Entertainment Place of Assembly;**
 - (p) **Cabaret; and**
 - (q) **Nightclub;**
- (ii) Of the uses set out in (U)(i), a lobby of a **building** may be used for up to 20 percent of the required 60 percent of the cumulative length of the exterior **main walls** of the **building** or **structure** at the first storey above ground;
- (iii) The permitted maximum unit widths for uses on the first storey above ground is:
- (a) 7.0 metres for uses listed in (U)(i) above; and
 - (b) A total of one unit may be 14.0 metres for the uses listed in (U) above, provided this unit is able to be demised into two 7.0 metre wide units at a future date; and
- (iv) The uses in (U)(i) above are permitted on any storey of a **building**, if

the use is located entirely within 30.0 metres of a **lot line** abutting Carlaw Avenue, except that this location restriction does not apply to any **artist studio, custom workshop or performing arts studio** use;

(v) The floor level of the first storey of a **building** must be within 0.2 metres of the ground measured at the **lot line** abutting the street directly opposite each pedestrian entrance; and

(vi) Any use located in the first storey must have a principal entrance accessed from Carlaw Avenue which, if not level with the public sidewalk closest to the entrance, is accessed by a ramp which rises no more than 0.04 metres vertically for every 1.0 metre horizontally;

(V) Despite Clauses 60.10.20.10 and 60.10.20.20, the following additional uses are permitted on any storey of a **building**, if the use is located entirely within 30.0 metres of a **lot line** abutting Lake Shore Boulevard East, Leslie Street, Commissioners Street, or the future Caroline Extension

(i) **Art Gallery;**

(ii) **Artist Studio;**

(iii) **Financial Institution;**

(iv) **Personal Service Shop;**

(v) **Pet Services;**

(vi) **Retail Store;**

(vii) **Eating Establishment;**

(viii) **Take-out Eating Establishment;**

(ix) **Amusement Arcade;**

(x) **Custom Workshop;**

(xii) **Library;**

(xiii) **Museum;**

(xiv) **Performing Arts Studios;**

(xv) **Recreation Use;**

- (xvi) **Post Secondary School;**
 - (xvii) **Place of Assembly;**
 - (xviii) **Entertainment Place of Assembly;**
 - (xix) **Cabaret; and**
 - (xx) **Nightclub;**
- (W) Despite (V) above, and Clauses 60.10.20.10 and 60.10.20.20, no **building** or **structure** with a **lot line** abutting Lake Shore Boulevard East, Leslie Street, Commissioners Street or a future extension of Caroline Avenue may be erected or used on a **lot** unless the following conditions are satisfied:
- (i) The 30.0 metre location restriction for uses described in (V) above does not apply to **Artist Studio, Custom Workshop or Performing Arts Studio** uses;
 - (ii) The permitted maximum unit widths for uses described in (V) above on the first storey above ground must be:
 - (a) 7.0 metres for uses listed in (V) above; and
 - (b) A total of one unit may be 14.0 metres for the uses listed in (V) above, provided this unit is able to be demised into two 7.0 metre wide units at a future date; and
 - (c) Unit width restrictions in (a) and (b) in do not apply to **Artist Studio, Custom Workshop or Performing Arts Studio** uses; and.
 - (iii) The floor level of the first storey must be within 0.2 metres of the ground measured at the **lot line** abutting the street directly opposite each pedestrian entrance; and
 - (iv) Any use located in the first storey must have principal entrances accessed from Lake Shore Boulevard East, Leslie Street, Commissioners Street, or a future extension of Caroline Avenue which, if not level with the public sidewalk closest to the entrance, is accessed by a ramp which rises no more than 0.04 metres vertically for every 1.0 metre horizontally;
- (X) Any portion of a **building** or **structure** located within 30.0 metres of a **lot line** abutting Leslie Street, Commissioners Street, Carlaw Avenue and a future extension of Caroline Avenue must:

- (i) have a required minimum height of 12.0 metres and have at least 3 storeys;
 - (ii) have a required minimum first storey height of 5.0 metres, measured between the top of the floor of the first storey and the underside of the ceiling of the first storey;
- (Y) Despite Regulation 60.10.40.70 (1) for a **building** located on a **lot** with a **front lot line** abutting Carlaw Avenue, Leslie Street, Commissioners Street and a future extension of Caroline Avenue, a minimum of 60 percent of the total width of the **front walls** meeting the height requirements in (V)(i) above must be located within 0 metre of the **front lot line**;
- (Z) Despite Regulation 60.10.40.70 (1), above, any **main wall** of a **building** not exceeding 12.0 metres in height and facing a **lot line** abutting one of the streets below must be located within 0 metre of the portion of a **lot line** located less than 30.0 metres from the intersections of the following streets:
- (i) Lake Shore Boulevard East and Carlaw Avenue; and
 - (ii) Lake Shore Boulevard East and Leslie Street; and
 - (iii) Lake Shore Boulevard East and a future extension of Caroline Avenue; and
 - (iv) Commissioners Street and Carlaw Avenue; and
 - (v) Commissioners Street and a future extension of Caroline Avenue; and
 - (vi) Commissioners Street and Leslie Street;
- (AA) Despite Regulation 60.10.40.70 (2), the required minimum **building setback** from a **side lot line** excludes any part of the **building** or **structure** that is less than 30.0 metres from a **lot line** abutting a street, in which case no **side yard setback** is required. Regulation 60.10.40.70(2) continues to apply to any part of a **building** or **structure** that is further than 30 metres from a **lot line** abutting a street;
- (BB) Despite Clause 60.10.40.70, on any **lot** abutting Carlaw Avenue or Caroline Avenue, the required minimum **building setback** from a **lot line** that abuts that street is 5.0 metres for any portion of the **building** or **structure** which exceeds a height of 18.0 metres

- (CC) Despite Regulation 60.10.50.10(1), a lot abutting Carlaw Avenue, Leslie Street, Commissioners Street or a future extension of Caroline Avenue are not subject to **minimum front yard landscaping** requirements;
- (DD) Despite Clause 60.5.80.10, a **parking space** may not be in:
- (i) A **front yard**; or
 - (ii) A **side yard** abutting a street; or
 - (iii) be located in a **side yard** not abutting a street, if the **parking space** is set back a minimum of 5.0 metres from a **front lot line**;
- (EE) Despite Regulation 60.10.94.40(1):
- (i) where a lot abuts a **lane**, **vehicle** access to a **loading space** or **parking space** must be from the **lane**; and
 - (ii) if the **corner lot** does not abut a **lane** and has at least one **lot line** abutting a **street** which is not a **major street** on the Policy Overlay Map, **vehicle** access to a **loading space** or a **parking space** must be from the **street** which is not a **major street**; and,
 - (iii) Only one vehicle access is permitted;
- (FF) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, for a **Bindery, Building Supply Yard, Carpenter's Shop, Cold Storage, Custom Workshop, Laboratory, Manufacturing Use, Marijuana Production Facility, Metal Factory, Printing Establishment, Cold Storage, Production Studio, Public Works Yard, Warehouse and Wholesaling Use**, **parking spaces** must be provided at a minimum rate of 0.15 for each 100 square metres of **gross floor area** and a maximum rate of 0.75 for each 100 square metres of **gross floor area**;
- (GG) Despite Regulation 230.5.10.1(1) and Table 230.5.10.1(1), a **Bindery, Building Supply Yard, Carpenter's Shop, Cold Storage, Custom Workshop, Laboratory, Manufacturing Use, Marijuana Production Facility, Metal Factory, Printing Establishment, Cold Storage, Production Studio, Public Works Yard, Warehouse and Wholesaling Use** must provide 0.25 **bicycle parking spaces** per 100 square metres of **interior floor area**, with the following 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:

- (A) Section 12(1) 221 of the former City of Toronto By-law No. 438-86;
- (B) On 1025 Lake Shore Blvd E, former City of Toronto by-law 198-2005;
and
- (C) On 675 Commissioners St, former City of Toronto by-law 522-2018.

Enacted and passed on **month ##, 20##.**

Name,

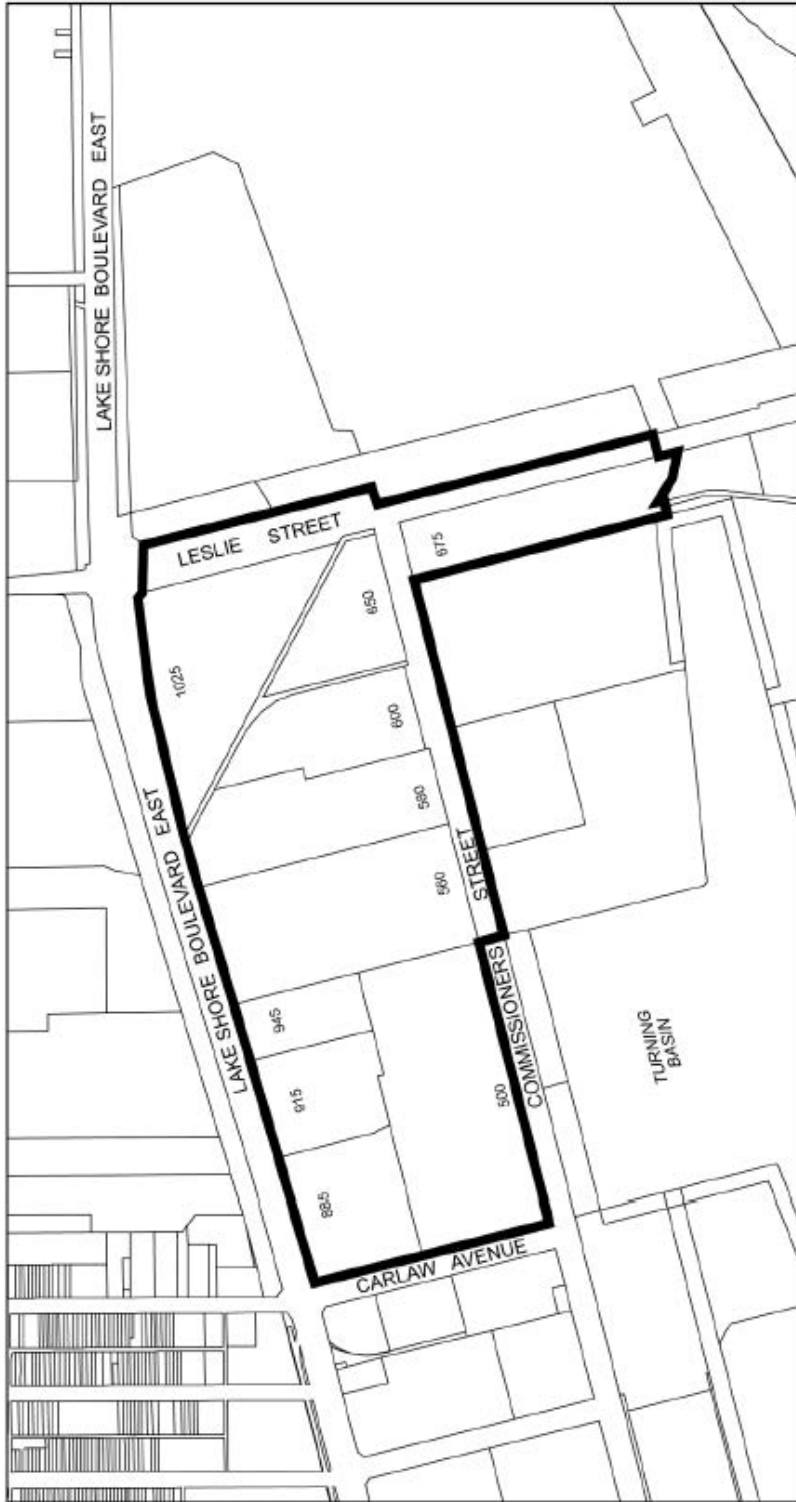
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

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September 22, 2019



Toronto
Diagram 1

Warehouse District

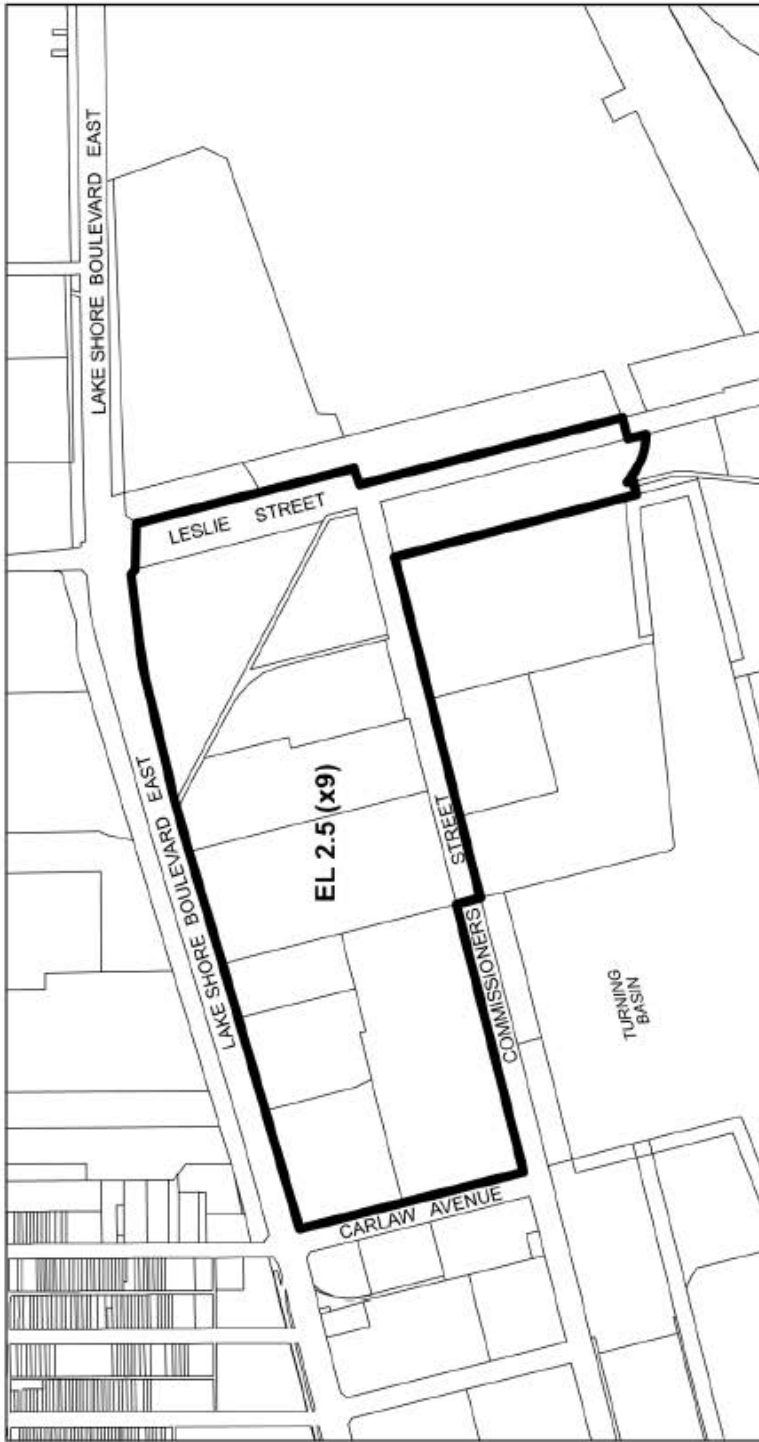
File # 14 266183 STE 30 0Z

City of Toronto Bylaw 569-2013
Not to Scale
8/22/19



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September 22, 2019



TORONTO
Diagram 2

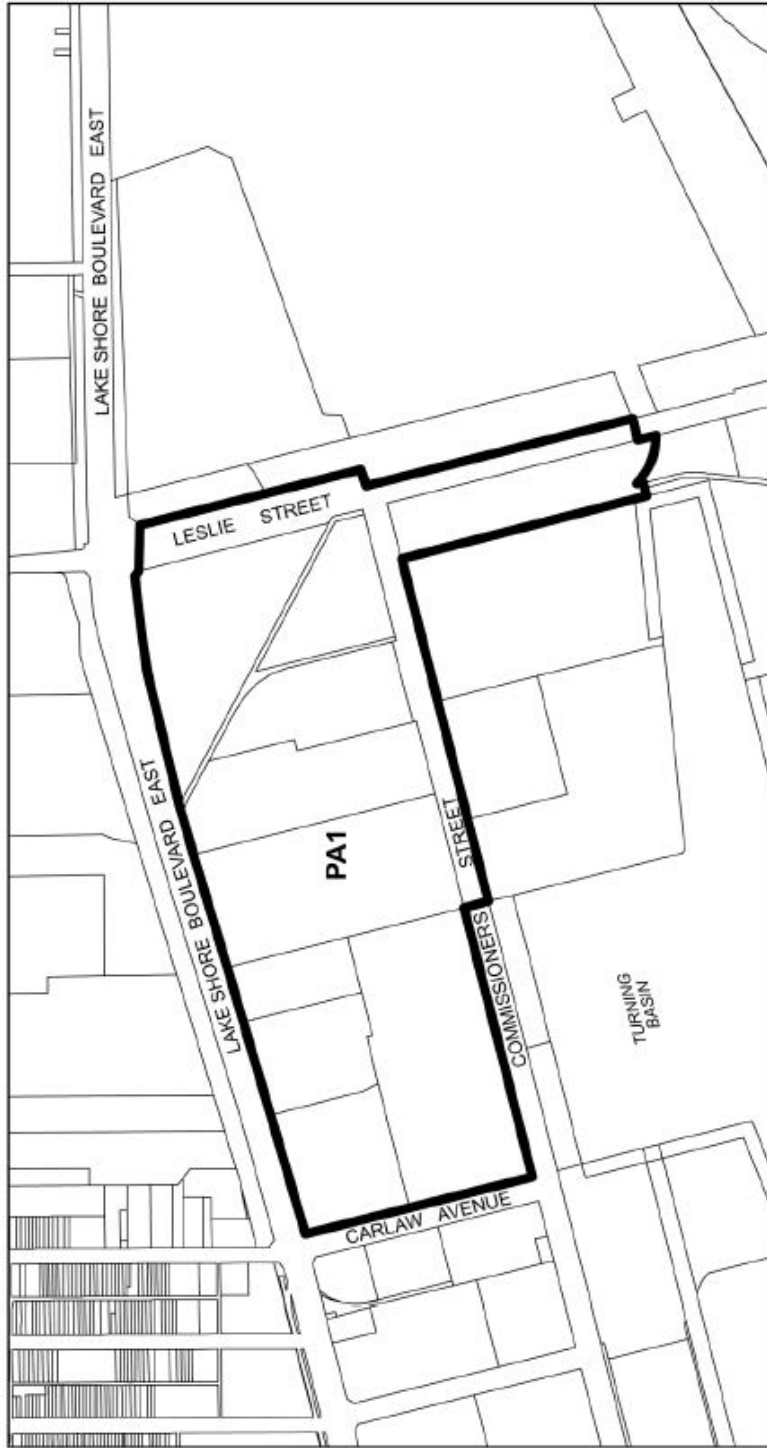
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City of Toronto By-law 569.2013
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September 22, 2019

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Diagram 3

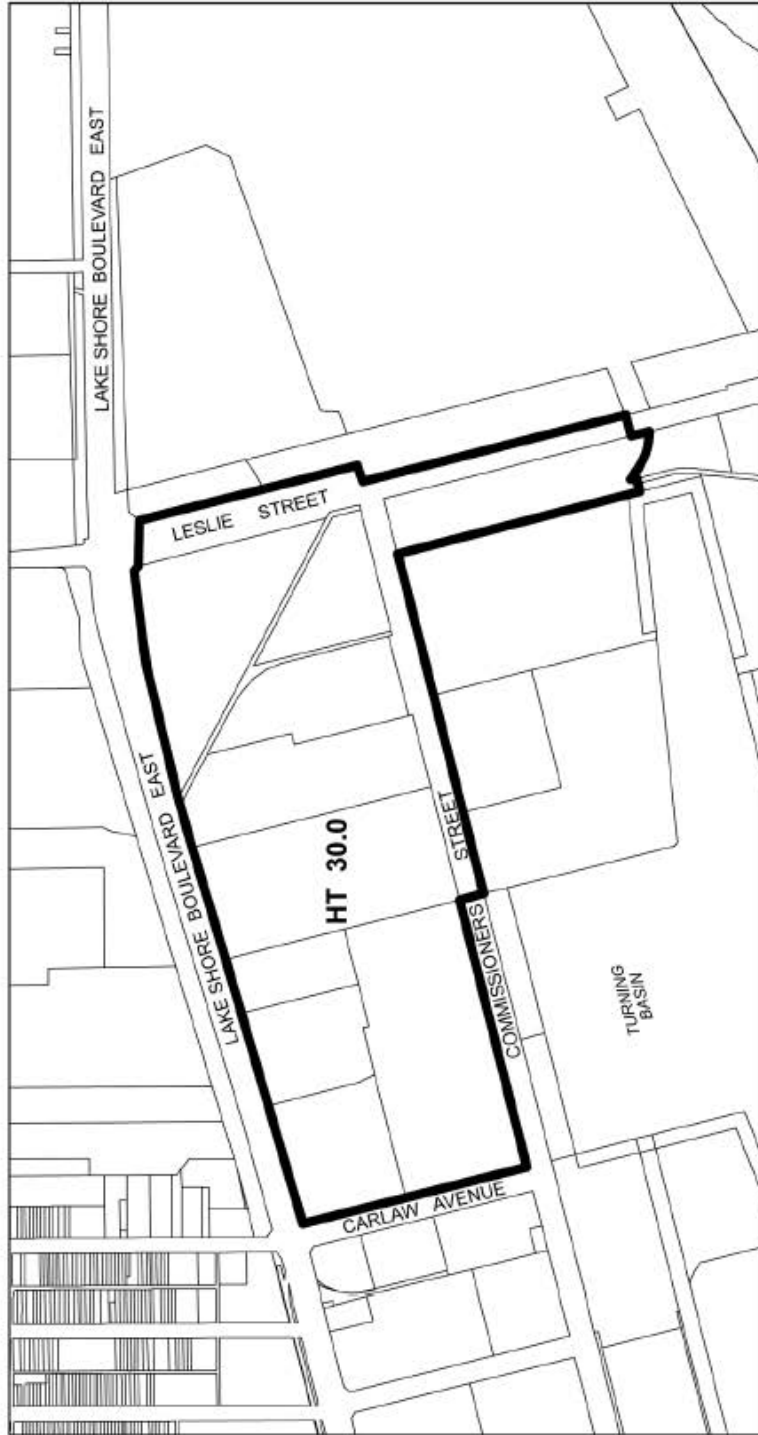
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City of Toronto By-law 569 2013
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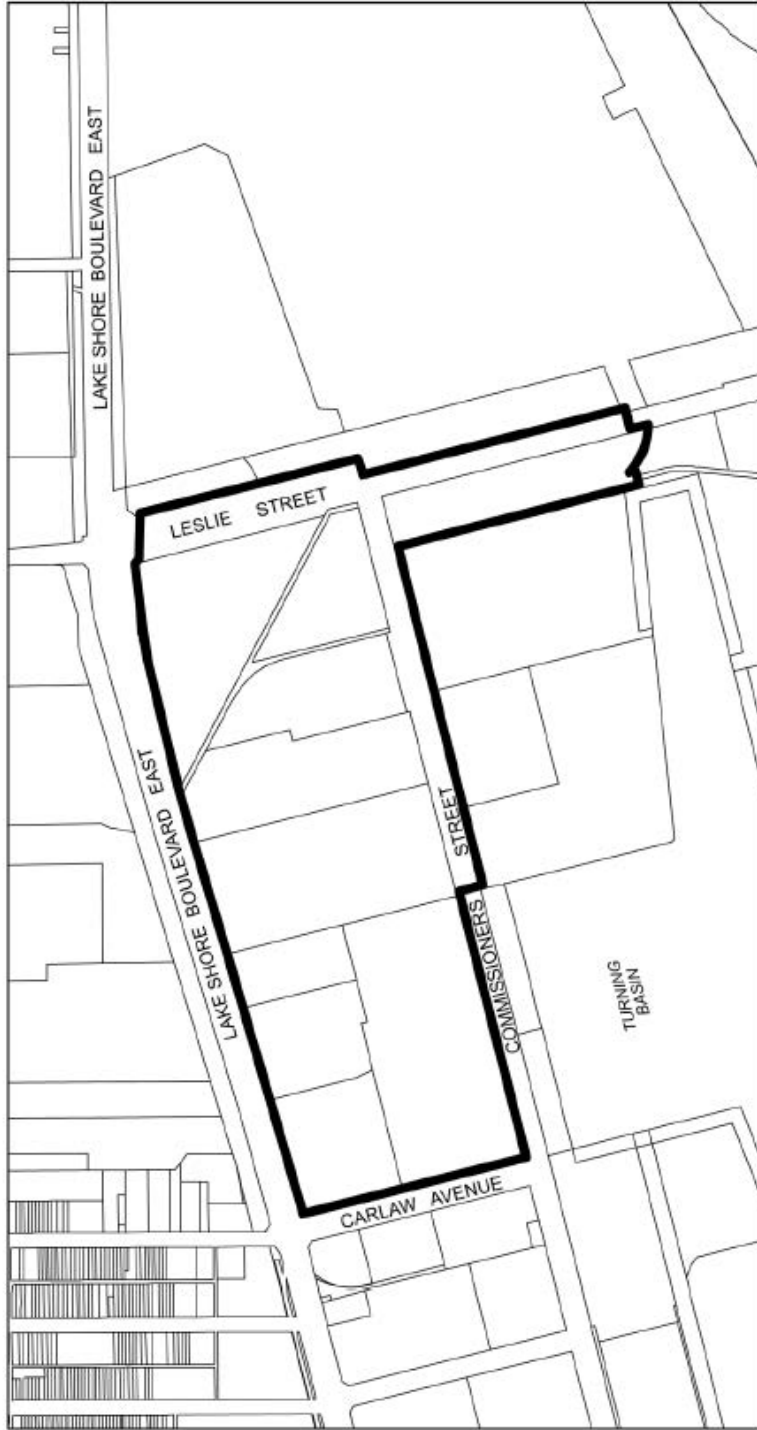
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Diagram 4

Warehouse District

File # 14 266183 STE 30 0Z

City of Toronto By-law 569-2013
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Warehouse District

Toronto
Diagram 5

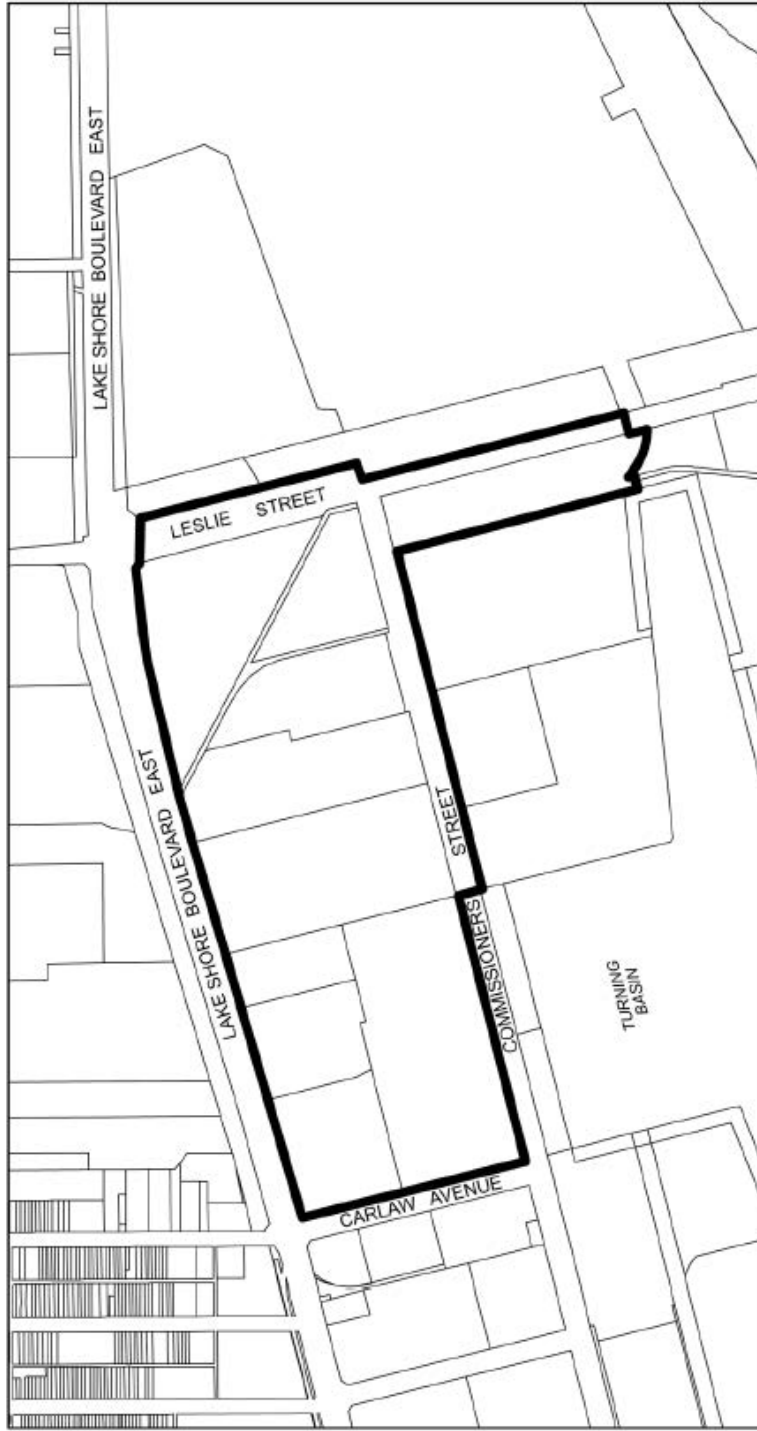
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 City of Toronto By-law 569-2013
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September 22, 2019



Warehouse District

Toronto
Diagram 6

File # 14 266183 STE 30 0Z


 City of Toronto By-law 569/2013
 Not to Scale
 08/22/19

September 22, 2019

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Attachment 2: Revised East Port and South Port Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO EAST PORT and SOUTH PORT

Bill No. ~

BY-LAW No. [XXXX- 2019]

To amend the Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as 100 – 400 Unwin Avenue (north side) 600 Unwin Avenue; 515 – 675 Commissioners Street (south side); 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; and
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions; and
3. Zoning By-law No. 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 label to these lands: E 2.0 (x39) as shown on Diagram 2 attached to this By-law; and
4. Zoning By-law No. 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 Bylaw; and
5. Zoning By-law No. 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, as shown on Diagram 4 attached to this By-law, and
6. Zoning By-law No. 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, as shown on Diagram 5 attached to this By-law; and
7. Zoning By-law No. 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, as shown on Diagram 6 attached to this By-law; and

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8. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.20.10 Exception Number 39 so that it reads:

(39) Exception E 39

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) For the purposes of this site-specific exception, Port-oriented Use means:
 - i. docks, piers, wharves, passenger ship and ferry terminals, dry-docks, boat and ship building yards and marine service stations; and,
 - ii. **Marine Shipping Terminal, Warehouse, Wholesaling Use and Open Storage** that includes bulk and/or warehouse storage and loading facilities where cargo is received and/or departs by commercial marine shipping activities; and,
 - iii. **Manufacturing Uses** that are directly dependent upon marine shipping for the transportation of raw materials or finished products;
- (B) In addition to uses permitted in Clause 60.10.20.10, the following uses are permitted:
 - (i) **District Heating and Cooling Plant**
 - (ii) Port-oriented Use
 - (iii) **Waste Transfer Station** that only receives **recyclable materials** and has a front lot line that abuts Unwin Avenue
- (C) Despite Regulation 60.20.20.10(1), an Asphalt Plant, Cement Plant and Concrete Batching Plant are permitted uses ;
- (D) Despite the uses listed in Clause 60.20.20.10 and 60.20.20.20, the following uses are not permitted:
 - (i) **Animal Shelter**
 - (ii) **Artist Studio**
 - (iii) **Dry Cleaning or Laundry Plant**
 - (iv) **Financial Institution**

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September 22, 2019

- (v) **Kennel**
 - (vi) **Office**
 - (vii) **Performing Arts Studio**
 - (viii) **Pet Services**
 - (ix) **Printing Establishment**
 - (x) **Production Studio**
 - (xi) **Software Development and Processing**
 - (xii) **Body Rub Service**
 - (xiii) **Crematorium**
 - (xiv) **Drive Through Facility**
 - (xv) **Recreation Use**
 - (xvi) **Transportation Use**
 - (xvii) **Vehicle Depot**
 - (xviii) **Vehicle Fuel Station**
 - (xix) **Vehicle Repair Shop**
 - (xx) **Vehicle Service Shop**
 - (xxi) **Vehicle Washing Establishment**
- (E) **Despite Regulation 60.20.20.100(10), Open Storage:**
- (i) **may be associated with a Recovery Facility;**
 - (ii) **may be greater than 30% of the lot area;**
 - (iii) **may not be in the front yard; and,**
 - (iv) **must have a minimum setback of 3 metres from any lot line;**

- (F) In addition to the conditions in Regulation 60.20.20.100(10), storage must be:
- (i) Enclosed within a **building**; or,
 - (ii) On a lot with **Open Storage** that does not have a **lot line** that abuts a **street**, an opaque visual barrier such as a fence, berm, retaining wall, or landscaped buffer must be provided along all **lot lines** that abut a **lot** in the **Open Space** category;
 - (iii) On a lot with **Open Storage** with a **lot line** that abuts a **street**, an opaque visual barrier such as a fence, berm, retaining wall, or landscaped buffer must be provided:
 - (a) between a **lot line** that abuts a **street** and the area used for **open storage**, located a maximum of 9.0 metres from the **lot line** that abut a **street**, except that such barrier is not required in areas used for **vehicle** and pedestrian access; or
 - (b) along the entire perimeter of the portion of the **lot** that is used for **Open Storage**; and,
 - (c) along all **lot lines** that abut a **lot** in the **Open Space** category;
- (G) Despite Clause 60.20.20.10, storage associated with a **Public Works Yard** must be within a wholly enclosed **building**.
- (H) Despite Clause 60.20.20.10, a **Wholesaling Use** must not exceed 50 percent of the **interior floor area** of a **building**;
- (I) Despite the uses permitted by Clause 60.20.20.10 and Clause 60.20.20.20, **Port-oriented Uses** and **Park** uses are the only uses permitted in the areas shown in heavy black lines on the **Port-oriented Use Overlay Map**, as shown on **Diagram 7** attached to By-law **[Clerks to insert]**;
- (J) In addition to the conditions in Regulation 60.20.20.20(11), a **Shipping Terminal** is permitted only if cargo is received and/or departs by commercial marine shipping activities;
- (K) Despite Regulation 60.20.40.70(1) and Clause 60.20.40.10, **buildings** or **structures** located 3.0 metres or less from a **lot line** abutting **Commissioners Street** must:
- (i) Have a required minimum height of 12.0 metres and at least 3 **storeys**; and

- (ii) Have a required minimum first storey height of 5.0 metres, measured between the top of the floor of the first storey and the underside of the ceiling of the first storey; and
 - (iii) Have a permitted maximum building setback of 3.0 metres from a lot line abutting Commissioners Street; and
 - (iv) Have a minimum depth of 30 metres from the building setback from a lot line abutting Commissioners Street;
- (L) Despite Regulation 60.20.40.10 (1)(B)(i), the permitted maximum height of an ancillary office building or portion of a building used as an office is 30.0 metres.
- (M) Where (K) above is not satisfied, buildings or structures with a front lot line on Commissioners Street must:
 - (i) Have a required minimum building setback of 9.0 metres from a front lot line abutting Commissioners Street, despite 60.20.40.70(1); and
 - (ii) Have a minimum 3.0 metres wide strip of soft landscaping along the entire length of the lot line, excluding land used for driveways and walkways;
- (N) Despite Clause 60.20.40.70, buildings or structures with a front lot line on Unwin Avenue must:
 - (i) Have a required minimum building setback of 9.0 metres from a front lot line abutting Unwin Avenue; and
 - (ii) Have a minimum 3.0 metres wide strip of soft landscaping along the entire length of the lot line, excluding land used for driveways and walkways;
- (O) In addition to Clause 60.20.40.70, the required minimum building setbacks from a lot line abutting the Shipping Channel is 18 metres, as shown on Diagram 8 attached to By-law [Clerks to insert];
- (P) Despite Clause 60.5.80.10, a required parking space may not be in:
 - (i) A front yard; or
 - (ii) A side yard abutting a street; or
 - (iii) If in a side yard, not within 9 metres of a front lot line.

- (Q) Despite Regulation 60.10.94.40(1),
- (i) where a lot abuts a lane, vehicle access to a loading space or parking space must be from the lane; and
 - (ii) if the corner lot does not abut a lane and has at least one lot line abutting a street which is not a major street on the Policy Overlay Map, vehicle access to a loading space or a parking space must be from the street which is not a major street.
- (R) Despite Clause 200.5.10.1, parking spaces must be provided for a Port-oriented Use, Bindery, Building Supply Yard, Carpenter's Shop, Custom Workshop, Laboratory, Manufacturing Use, Marijuana Production Facility, Metal Factory, Printing Establishment, Cold Storage, Public Works Yard, Warehouse and Wholesaling Use, at a minimum rate of 0.15 for each 100 square metres of gross floor area and a maximum rate of 0.75 for each 100 square metres of gross floor area.
- (S) Despite Regulation 230.5.10.1(1) a, Port-oriented Use, Bindery, Building Supply Yard, Carpenter's Shop, Contractor's Establishment, Custom Workshop, Laboratory, Manufacturing Use, Marijuana Production Facility, Metal Factory, Printing Establishment, Cold Storage, Public Works Yard, Warehouse and Wholesaling Use will provide 0.25 bicycle parking spaces per 100 square metres, with following 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)

Enacted and passed on month ##, 20##.

Name,

Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

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September 22, 2019



Toronto
Diagram 2

East Port / South Port

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TORONTO
Diagram 3

East Port / South Port

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Diagram 4

East Port / South Port

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September 22, 2019



East Port / South Port

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September 22, 2019



TORONTO
Diagram 5

East Port / South Port

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Diagram 6

East Port / South Port

File # 14 266183 STE 30 0Z



City of Toronto By-law 568-2013
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Toronto
Diagram 7

Port Oriented Use

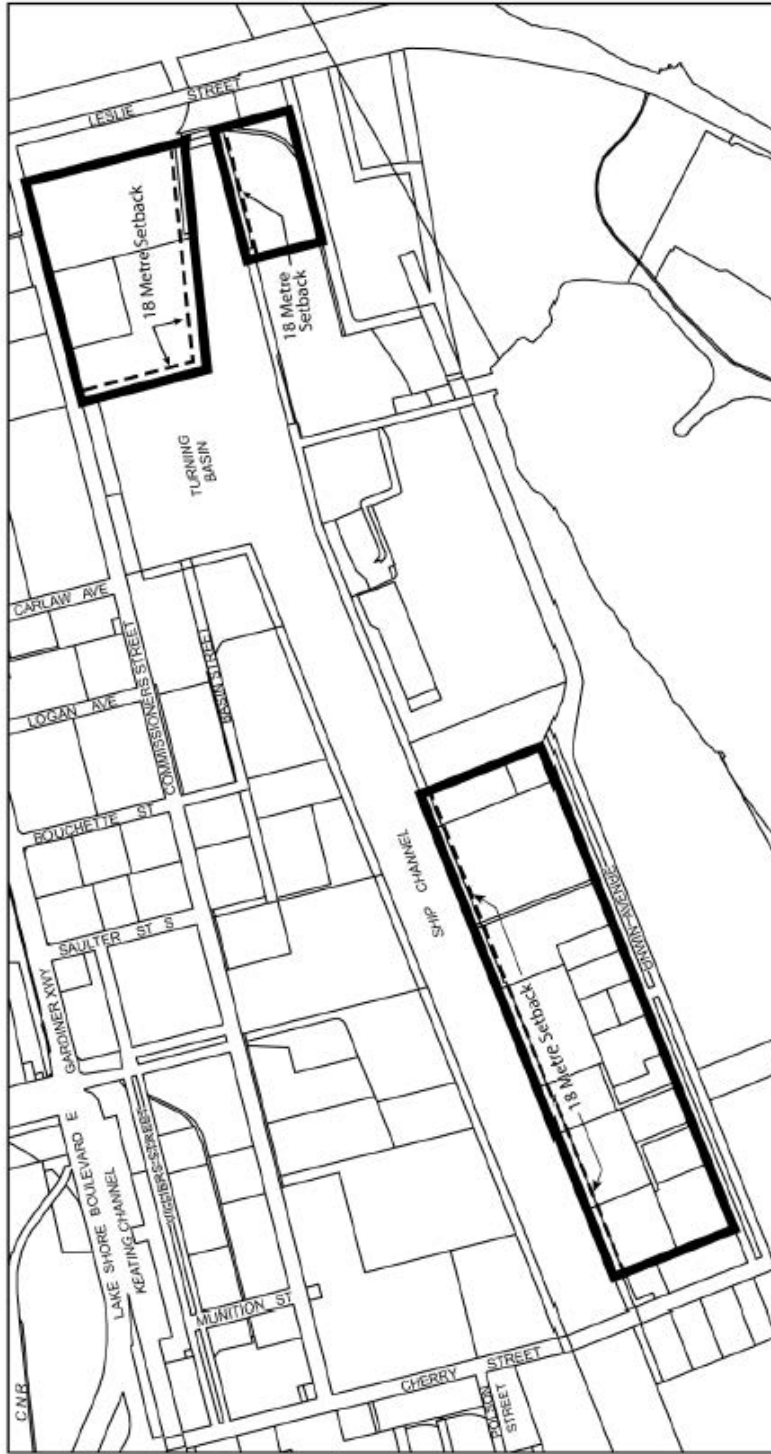
East Port / South Port

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East Port / South Port

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Attachment 3: Revised Maritime Hub Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO MARITIME HUB

Bill No. ~

BY-LAW No. [XXXX- 2019]

To amend the Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as 100, 120, 130, 150, 151 and 171 Cherry Street, as shown on Diagram 1 to this By-law being a portion of the Port Lands located in the City of Toronto.

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*; and

The Council of the City of Toronto enacts as follows:

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 No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 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 label to these lands: EO 1.0 (e1.0; o1.0) (x12) as shown on Diagram 2 attached to this By-law; and
4. Zoning By-law No. 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; and
5. Zoning By-law No. 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 and storey label to these lands: HT 30.0 metres as shown on Diagram 4 attached to this By-law;
6. Zoning By-law No. 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, as shown on Diagram 5 attached to this By-law;
7. Zoning By-law No. 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, as shown on Diagram 6 attached to this By-law; and

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July 5, 2019

8. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.24.10 Exception Number 12 so that it reads:

(12) Exception EO 12

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 uses permitted in Clause 60.40.20.10, the following additional uses are permitted, subject to compliance with (C) below, as applicable:
 - (i) **Outdoor Sales or Display;**
 - (ii) **Sports Place of Assembly;**
 - (iii) **Amusement Arcade;**
 - (iv) **Cabaret;**
 - (v) **Entertainment Place of Assembly;**
 - (vi) **Nightclub;**
 - (vii) **Recreational boating use, including, but not limited to: a boating club, school, rentals, launchings and storage;**
 - (vi) **Public wharves;**
- (B) Despite the uses listed in Clause 60.40.20.10 and 60.40.20.20, the following uses are not permitted:
 - (i) **Animal Shelter;**
 - (ii) **Apparel and Textile Manufacturing Use;**
 - (iii) **Beverage Manufacturing Use;**
 - (iv) **Clay Product Manufacturing Use;**
 - (v) **Computer, Communications, Electronics or Optical Media Manufacturing Use;**

- (vi) **Contractor's Establishment;**
- (vii) **Drive-through Facility;**
- (viii) **Food Manufacturing Use;**
- (ix) **Financial Institution;**
- (x) **Hotel;**
- (xi) **Laboratory;**
- (xii) **Medical Office;**
- (xiii) **Medical Products Manufacturing Use;**
- (xiv) **Municipal Shelter;**
- (xv) **Open Storage;**
- (xvi) **Pharmaceutical and Medicine Manufacturing Use;**
- (xvii) **Plastic Products Manufacturing Use;**
- (xviii) **Place of Worship;**
- (xix) **Public Parking;**
- (xx) **Self-storage Warehouse;**
- (xxi) **Service Shop;**
- (xxii) **Software Development and Processing;**
- (xxiii) **Transportation Product and Vehicle Manufacturing Use;**
- (xxiv) **Transportation Use;**
- (xxv) **Vehicle Fuel Station;**
- (xxvi) **Veterinary Hospital;**
- (xxvii) **Warehouse;**
- (xxviii) **Wholesaling Use;**

- (C) Despite Clause 60.40.20.20 a **Cabaret, Club, Eating Establishment, Entertainment Place of Assembly, Nightclub, Recreation Use and Take-out Eating Establishment** are permitted if they do not exceed 400 square metres of **interior floor area of a building**;
- (D) Despite Regulation 60.40.20.100 (3), a **Manufacturing Use** is permitted if it does not exceed 1,500 square metres of **interior floor area of a buildings**;
- (E) Despite Regulations 60.40.20.100 (11) and 60.40.20.100 (19), a **Place of Assembly** is permitted if it does not exceed 400 square metres of **interior floor area of a building**;
- (F) Despite Clause 60.40.40.70, the required minimum **building setback from a lot line** that abuts 8 Unwin Avenue is 7.5 metres;
- (G) In addition to Table 230.5.10.1(1), a **Manufacturing Use, Artist Studio, Bindery, Carpenter's Shop, Custom Workshop, Printing Establishment, Production Studio, Service Shop, Place of Assembly, Sporting Place of Assembly, Entertainment Place of Assembly, Club, Performing Arts Studio, Amusement Arcade, Nightclub, Cabaret, and Recreation Use** must provide 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**;
- (H) A **surface parking space** may:
- (i) not be located in a **front yard**;
 - (ii) not be located in a **side yard** abutting a **street**;
 - (iii) be located in a **side yard** not abutting a **street**, if the **parking space** is set back a minimum of 5.0 metres from a **front lot line**; and
 - (iv) be located in a **rear yard**;

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

Enacted and passed on month ##, 20##.

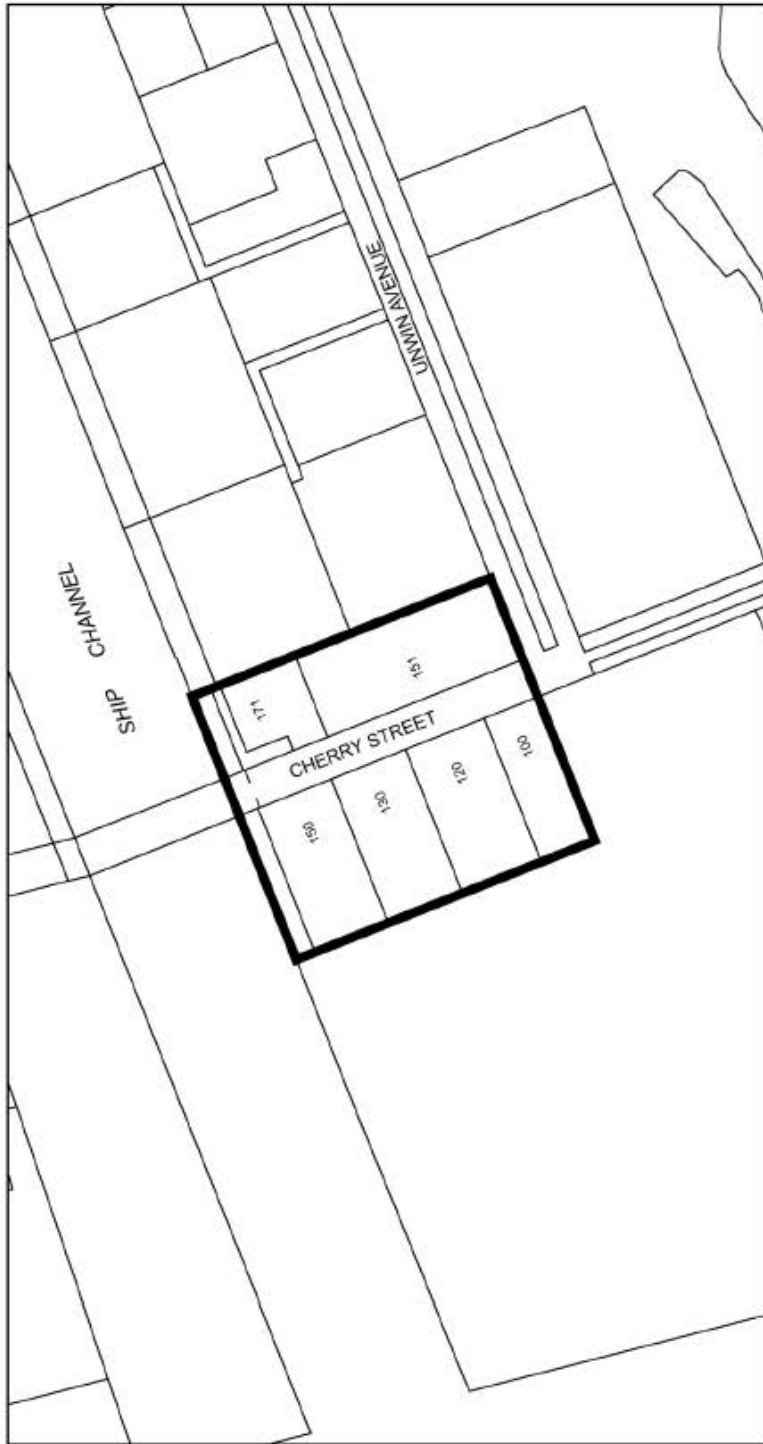
Name,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

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July 5, 2019



Maritime Hub

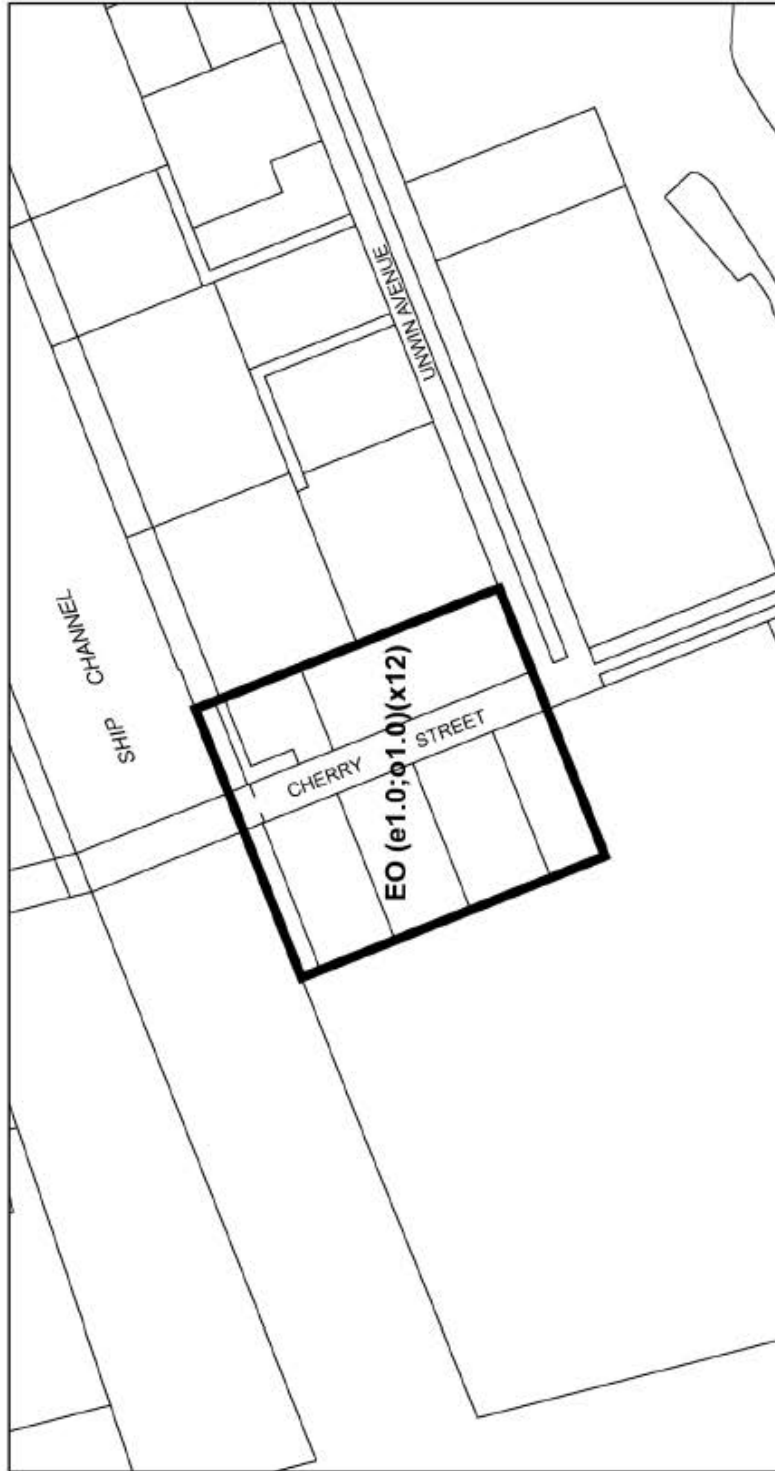
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Diagram 1

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Diagram 2

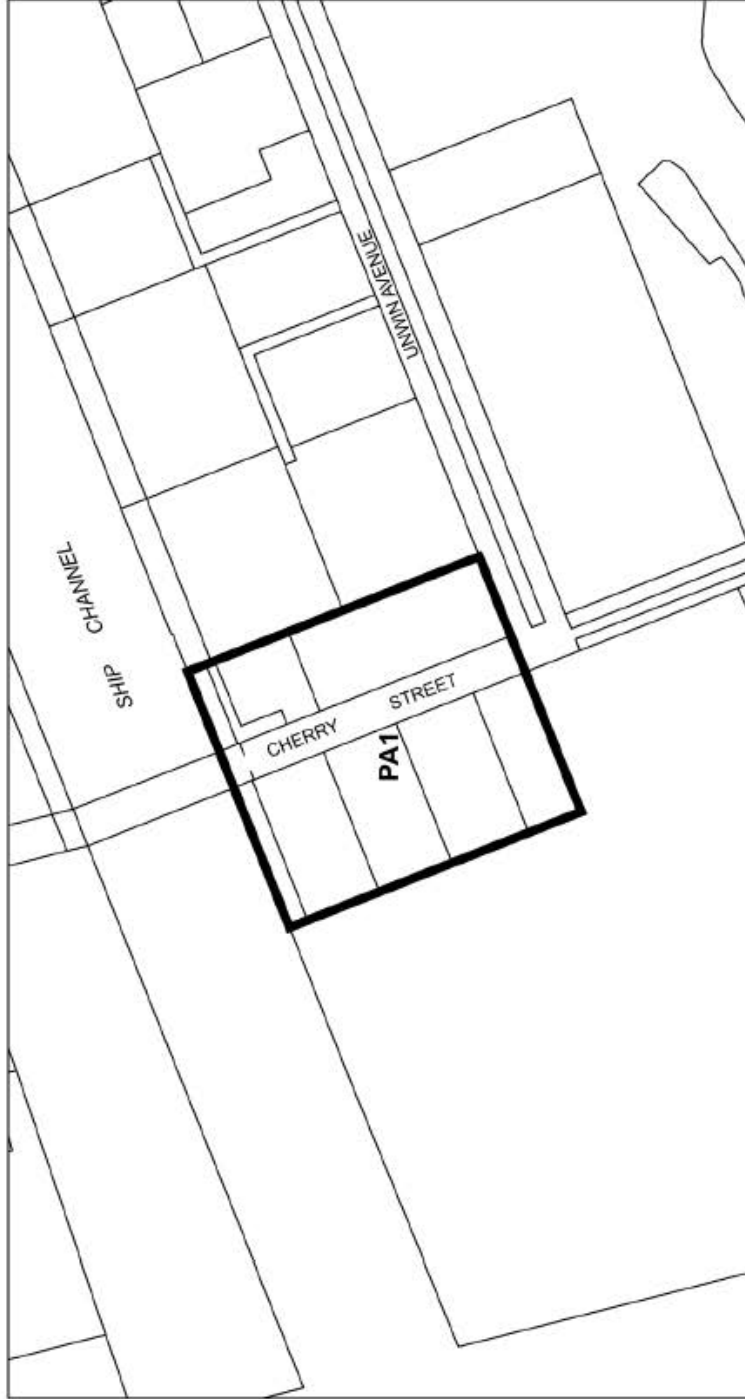
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Diagram 3

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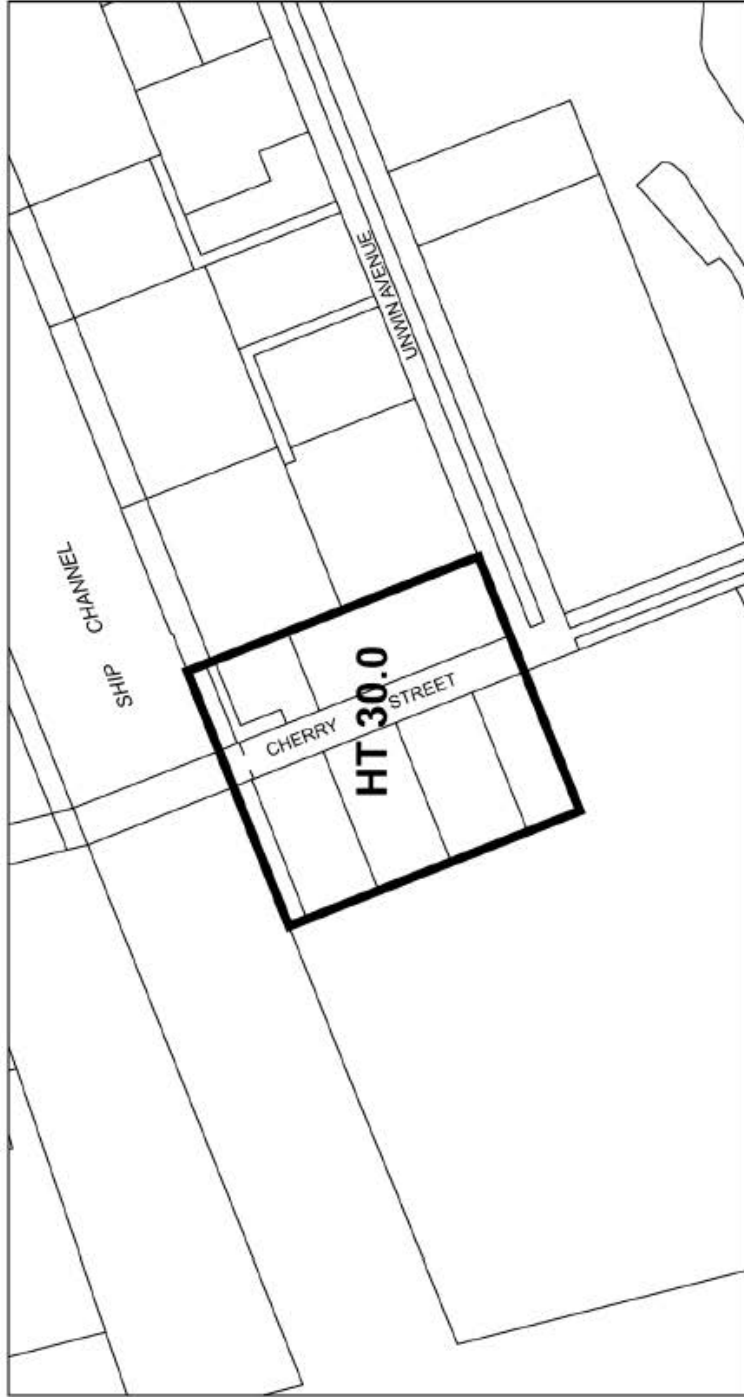
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Diagram 4

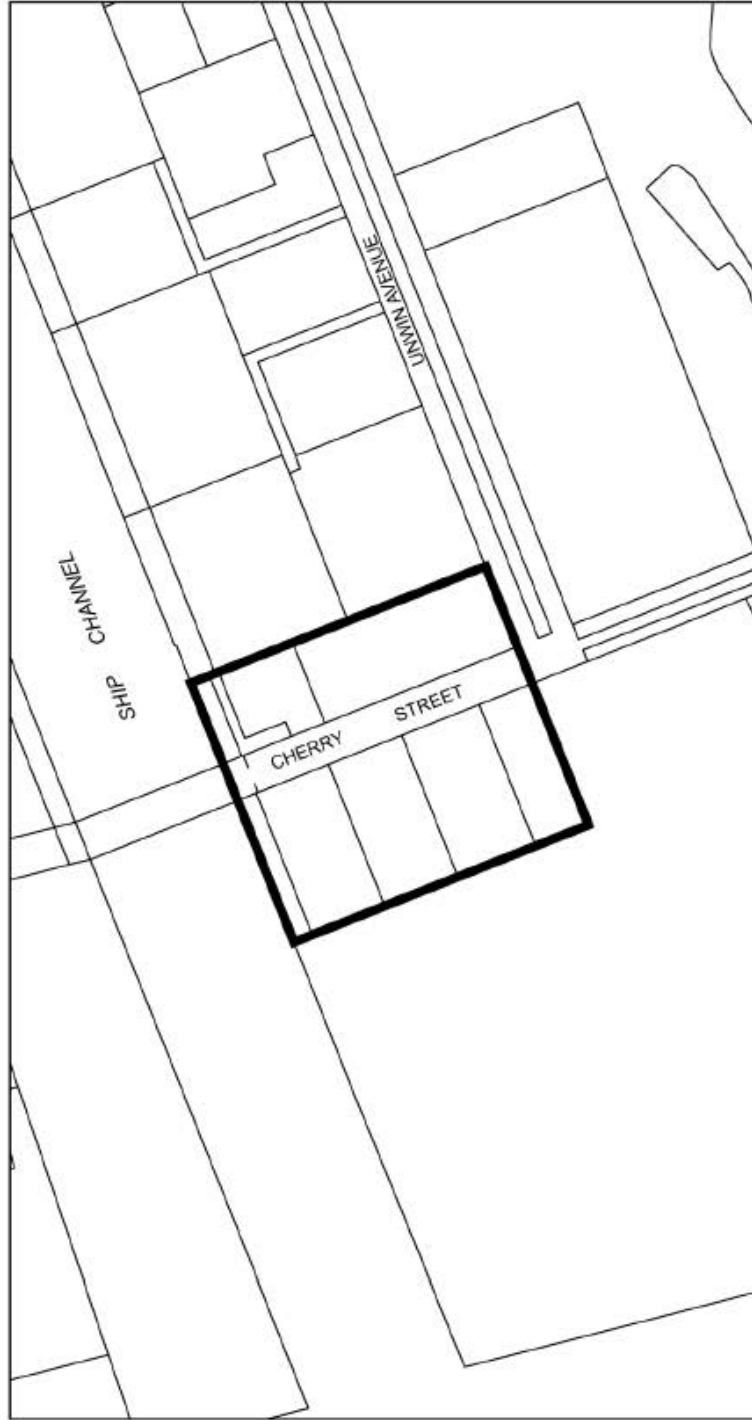
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Diagram 5

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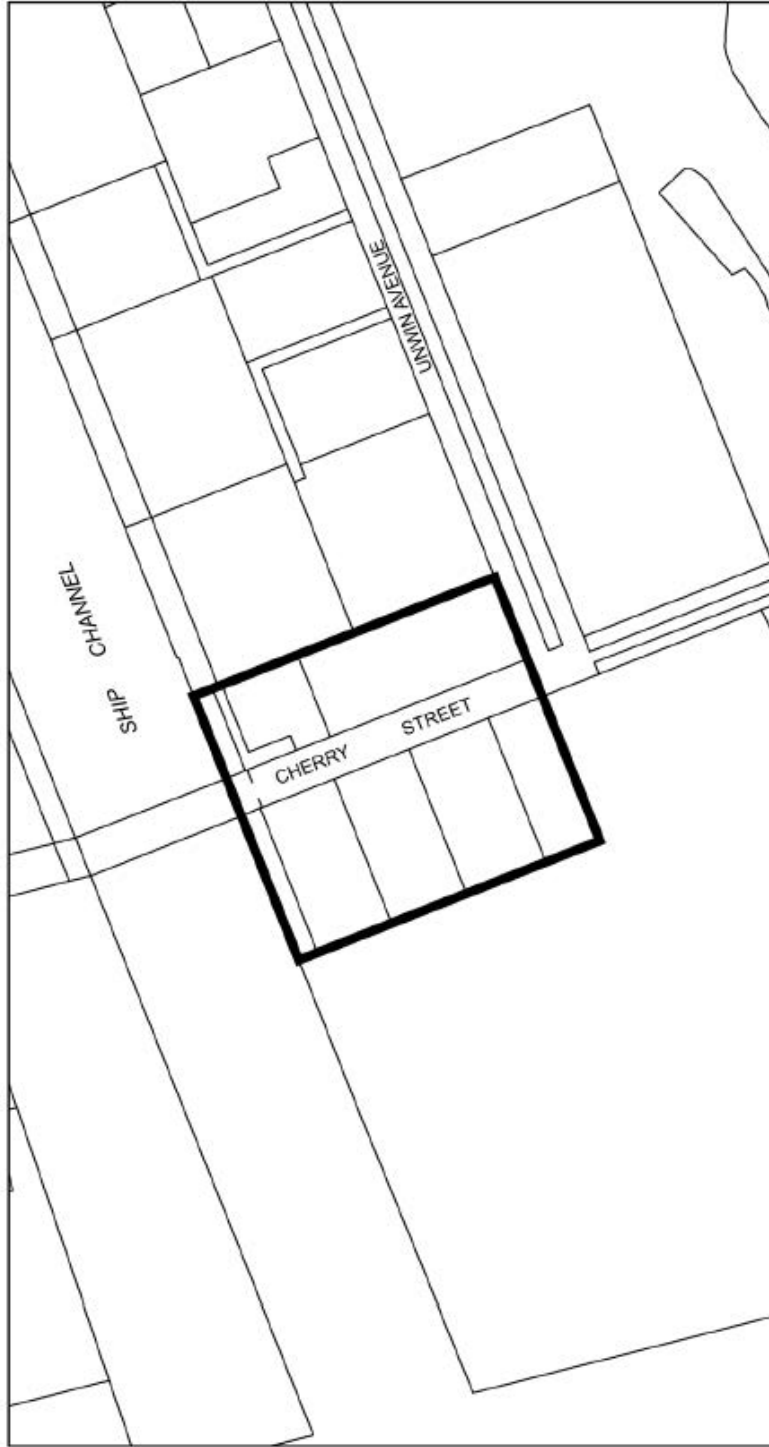
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Diagram 6

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