



TE8.12.5

TORONTO STUDIOS™

October 1, 2019

Delivered by Email

Mayor John Tory and Members  
Toronto City Council  
12<sup>th</sup> Floor, West Tower, City Hall  
100 Queen St. W.  
Toronto, ON M5H 2N2

Attention: Marilyn Toft ([councilmeeting@toronto.ca](mailto:councilmeeting@toronto.ca))

Dear Mayor John Tory and Members of Toronto City Council:

**Re: *Item: TE8.12 – October 2, 2019  
City-Initiated Zoning By-law Amendment –  
McCleary, Media City, Turning Basin - Port Lands***

On behalf of Pinewood Toronto Studios (“PTS”) and its development arm, Toronto Waterfront Studios Development Inc. (“TWSDI”), as the long-term lessee of the property municipally known as 101 and 225 Commissioners Street and 1-17 Basin Street, in the City of Toronto, I am writing to you with respect to the City-initiated Zoning By-law Amendment for the Port Lands Districts – McCleary District, Turning Basin District, and Media City District (the “ZBA”).

For the reasons set out in the attached letter to Toronto East York Community Council (“TEYCC”) from Aird & Berlis on TWSDI’s behalf, dated September 13, 2019, and the attached letter to TEYCC from TWSDI, dated September 15, 2019 (both attached as Schedule “A”), we continue to object the ZBA as amended and approved by TEYCC on September 16, 2019.

It is our position that the proposed ZBA should be deferred by Council to allow for meaningful consultation between City Planning and PTS/TWSDI with respect to same. Alternatively we request that the PTS/TWSDI lands (aka Media City) be removed altogether from the proposed ZBA and that the ZBA for the PTS/TWSDI be addressed once PTS/TWSDI has had a reasonable opportunity to review the proposed by-law and its potential impact on our expansion plans and current operations.

Notwithstanding the above, we have prepared an amended ZBA in both clean and redline drafts (attached to this letter as Schedule “B”). The redline shows the differences between our draft ZBA and the City’s Revised ZBA as presented in the September 13, 2019 Supplementary Report. Our draft ZBA includes all of the uses permitted under our our long-term Option/Lease

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Agreements with the City of Toronto agency CreateTO, as well as those that we currently enjoy as-of-right with respect to our site.

Our position is that any by-law governing our lands should mirror the rights we have under our long-term Option/Lease Agreements with the City.

We should note that upon the imminent receipt of our site plan approval/permits, PTS/TWSDI anticipated commencing construction on an exciting and ambitious expansion that would make PTS the largest purpose-built film and television facility in Canada.

In light of the City's proposed ZBA, our investor group is calling our Expansion into question, and is considering postponing the significant investment being made on the site - particularly considering the lack of consultation afforded to PTS with respect to the ZBA, and the advancement of a by-law that is not aligned with our rights under our long term Option/Lease Agreement with the City.

Yours very truly,

**PINEWOOD TORONTO STUDIOS**

Per: 

Name: Sarah Farrell

Title: General Counsel

cc: Pinewood Toronto Studios Board of Directors  
Toronto Waterfront Studios Development Inc. Board of Directors  
Sidonia Tomasella  
Nanci MacLean  
Geoff Grant  
Jasmine Frolick  
Elsa Fancello

## SCHEDULE "A"

**AIRD BERLIS**

Sidonia J. Tomasella  
Direct: 416.865.7763  
E-mail: [stomasella@airdberlis.com](mailto:stomasella@airdberlis.com)

September 13, 2019

BY EMAIL

**Councillor Gord Perks, Chair and Members**  
Toronto and East York Community Council  
2nd floor, West Tower, City Hall  
100 Queen St. W.  
Toronto, ON M5H 2N2

Attention: Ellen Devlin ([teycc@toronto.ca](mailto:teycc@toronto.ca))

Dear Councillor Gord Perks and Members of TEYCC Community Council:

**Re: Item: TE8.12 – September 16, 2019**  
City-Initiated Zoning By-law Amendment – McCleary, Media City, Turning  
Basin - Port Lands

Aird & Berlis LLP represents Toronto Waterfront Studios Development Inc., the development arm of Pinewood Toronto Studios, the long-term leasee of the property municipally known as 101 and 225 Commissioners Street and 1-17 Basin Street, in the City of Toronto (the "Site"). My client's 34-acre site is referred to as Media City in the City's Port Lands Planning Framework.

We, along with our clients and its planning consultants, have had an opportunity to review the staff report with respect to the City-Initiated Zoning By-law Amendment in the Port Lands dated August 19, 2019 and the proposed draft Zoning By-law Amendment for the Port Lands Districts – McLeary District, Turning Basin District and Media City (the "Draft ZBA").

On behalf of our clients, please accept this correspondence as formal objection to the Draft ZBA as drafted on both procedural and substantive grounds. For reasons that follow, we request that the Draft ZBA be amended so that it excludes Media City. In the alternative, and rather than pursue a protracted appeal process before the Local Planning Appeal Tribunal, we request that this matter be referred back to City staff to allow a meaningful opportunity to assess and comment on the impacts of the Draft ZBA, and to allow staff to remedy the substantive defects which exist.

Our clients' concerns with the Draft ZBA, include, but are not limited to, the following:

Our clients have been actively involved in the ongoing appeal of the Central Waterfront Secondary Plan related to the Port Lands. As part of this proceeding, our clients have raised a number of land use planning issues related to the proposed range of uses permitted in the Media City District. In fact, the first phase of this proceeding (scheduled to commence in September, 2020) will address issues of Land Use and Street Network. In light of the ongoing comprehensive Secondary Plan planning process and related appeals, we submit that it would be inappropriate and premature to be considering the appropriateness of land uses in a zoning context in advance of completing the Secondary Plan appeal proceeding.

September 13, 2019

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We acknowledge that the Site is subject to an Interim Control By-law which expires on October 2, 2019. The Interim Control By-law served to prohibit a number of undesirable industrial uses that, in the City's opinion, are not compatible with the City's vision for waterfront revitalization. Staff have taken the position that upon expiration of this Interim Control By-law, such "undesirable" uses will once again be permitted unless a new zoning amendment is enacted by City Council. We can confirm that any such noxious uses would not support our clients' vision for the film and television complex and would therefore not be pursued. Furthermore, such uses are not permitted pursuant to the agreement entered into with the City of Toronto, which governs the terms of the long-term lease of the Site. Accordingly, there is no threat to such uses being incorporated on the Site and therefore it is unnecessary for the Draft ZBA to apply to the Site.

City staff had not consulted with or sought input from our clients in a meaningful manner prior to finalizing the Draft ZBA and therefore, we submit, the Draft ZBA has not been the subject of a fair process. On August 27, 2019, the City Clerk's notice of this public meeting was received. Our clients first learned of staff's intention to bring forward the Draft ZBA for approval just a few short days earlier. Prior to this conversation with staff, our clients had no awareness of this Draft ZBA. Had our clients been meaningfully consulted well in advance of drafting the Draft ZBA, we believe the issues being raised herein may have been addressed to our clients' satisfaction.

We also formally request that the undersigned be provided with notice of any meetings of Council, Community Council or any Community Consultation Meetings where reports related to the subject zoning by-law amendment are to be considered. Finally, we request that the undersigned be notified of any decision of City Council respecting this matter.

Should you have any questions or require any further information, please do not hesitate to contact the undersigned.

Yours truly,

AIRD & BERLIS LLP



Sidonia J. Tomasella  
SJT

C. Pinewood Toronto Board of Directors  
Nanci MacLean  
Geoff Grant  
Sarah Farrell  
Jasmine Frolick  
Elsa Fancelio

**TORONTO WATERFRONT STUDIOS DEVELOPMENT INC.**  
225 Commissioners Street, Suite 100, Toronto, ON Canada M4M 0A1  
t. 416.406.1235 f. 416.406.6964

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September 15, 2019

Councillor Gord Perks, Chair and Members  
Toronto and East York Community Council  
2nd floor, West Tower, City Hall  
100 Queen St. W.  
Toronto, ON M5H 2N2

Attention: Ellen Devlin ([teycc@toronto.ca](mailto:teycc@toronto.ca))

Dear Councillor Gord Perks and Members of TEYCC Community Council:

**Re: Item: TE8.12 – September 16, 2019**

***City-Initiated Zoning By-law Amendment – McCleary, Media City, Turning Basin - Port Lands***

On behalf of Toronto Waterfront Studios Development Inc. ('TWSDI'), the development arm of Pinewood Toronto Studios ("PTS"), the long-term lessee of the property municipally known as 101 and 225 Commissioners Street and 1-17 Basin Street, in the City of Toronto, I am writing to advise that TWSDI has reviewed the City's Supplementary Report, dated September 13, 2019, and we continue to object the proposed draft Zoning By-law Amendment for the Port Lands Districts – McLeary District, Turning Basin District and Media City (the "Draft ZBA").

Our concerns outlined in the letter provided to you from Aird & Berlis on our behalf, dated September 13th, 2019 remain.

Amongst other matters of concern, in particular the revised Draft ZBA has attempted to reflect the 2005 Committee of Adjustment decision currently enjoyed by PTS, but it has failed to properly capture all of the development rights granted to support the film and television studio.

We continue to request that the Draft ZBA be amended so that it excludes Media City or that this matter be referred back to City staff to allow for a meaningful consultation.

Yours very truly,

**TORONTO WATERFRONT STUDIOS DEVELOPMENT INC.**

Per:   
Name: Sarah Farrell  
Title: General Counsel

cc: Pinewood Toronto Studios Board of Directors  
Sidonia Tomasella  
Nanci MacLean  
Geoff Grant  
Jasmine Frolick  
Elsa Fancello

**SCHEDULE "B"**

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

**CITY OF TORONTO  
MCCLEARY DISTRICT, MEDIA CITY AND TURNING BASIN  
DISTRICT**

Bill No. ~

**BY-LAW No. [XXXX- 2019]**

**To amend Zoning By-law No. 438-86, as amended, with respect to the lands municipally known in the year 2019 as 185 – 450 Commissioners Street (north side); 101 – 495 Commissioners Street (south side); 625 – 811 Lake Shore Boulevard East (south side); 17, 21, 23, 29, 35, 41, 75 Basin Street; 185 Villiers Street; 115 Saulter Street; 120 Bouchette Street, 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. District Maps 52G-311, 52G-312, 52G-322, and 52G-323 of By-law 438-86 are hereby amended by designating the lands delineated by heavy lines to the "I2 D2" zone as shown on Map A attached to and forming part of this by-law.
2. Section 12(1) of By-law 438-86 is amended by adding the following **Exception** ###:
  - (a) On the lands outlined by heavy lines on Map, no person shall use any land or erect or use any building or structure that does not comply with the following:
    - (3) Section 9(1)(f) of Zoning By-law No. 438-86, as amended, is replaced such that following uses listed in subsection (i) below and accessory uses thereto are permitted:

CHART

(i)

<u>(a)</u>	<u>RESIDENTIAL USES</u>	<u>Acc.</u>	<u>I2</u>	<u>I3</u>	<u>I4</u>
	<i>live-work unit (1994-0532)</i>	*		q8	q8
<u>(b)</u>	<u>NON-RESIDENTIAL USES</u>	<u>Acc.</u>	<u>I2</u>	<u>I3</u>	<u>I4</u>
(i)	PARKS, RECREATION, PLACES OF AMUSEMENT AND ASSEMBLY				
	<i>club</i>	*	P		
	commercial and municipal baths	*			
	<i>concert hall</i>			P	P
	<i>cultural &amp; arts facilities</i>	*		P	P
	<i>entertainment facilities</i>			P	P
	<i>performing arts studio</i>	*		P	P
	<i>place of amusement</i>	*	P		
	<i>place of assembly (1994-0601)</i>	*	P	P	P
	arena, stadium, race track (1994-0601)	*			
	<i>public park</i>	*	P	P	P
(ii)	COMMUNITY SERVICES, CULTURAL AND ARTS FACILITIES				
	<i>clinic</i>	*	P	P	P
	<i>community centre</i>	*	P		
	<i>community health centre</i>	*	P	P	
	<i>day nursery</i>	*	P	P	P
	<i>fire hall</i>	*	P	P	
	<i>Place of worship (1994-0532)</i>	*			
	<i>police station</i>	*	P	P	
(iii)	GENERAL INSTITUTIONS				
	<i>post office</i>	*	P	P	P
	<i>union hall</i>	*	P	q6P	q6
	<i>college or university, Royal Conservatory of Music, and any use that is naturally and normally incidental or subordinate and devoted to the principal use of the institution (1994-0532)</i>	*		P	P
(iv)	RETAIL AND SERVICE SHOPS				
	auctioneer's premises	*		P	P
	<i>bake-shop</i>			P	P
	<i>branch of a bank or financial institution</i>	*	P	P	P
	<i>brew-on-premises establishment</i>	*	P	P	P
	<i>caterer's shop (1977-0422)</i>	*	P	P	P
	<i>dry-cleaning distribution station</i>	*	P	P	P
	<i>dry-cleaning shop</i>	*			
	<i>duplicating shop</i>	*	P	P	P
	<i>laundry shop</i>	*	P		
	<i>medical dental office</i>			P	P
	newsstand	*	P	P	P

**"Without Prejudice"**  
**Sept. 2410,**

	<i>pawnbroker's shop</i>	*			
	<i>personal grooming establishment</i>	*	P	P	<u>P</u>
	<i>pet shop</i>	*		<u>P</u>	<u>P</u>
	<u><i>public art gallery</i></u>	*		<u>P</u>	<u>P</u>
	<i>private art gallery</i>	*		<u>P</u>	<u>P</u>
	<i>restaurant (1996-0028)</i>		q2	<u>q2P</u>	<u>q2P</u>
	<i>retail store</i>	*		<u>q7P</u>	<u>q7P</u>
	<i>showroom (527-1998)</i>	*	q29	<u>q29</u>	<u>q29</u>
	<i>service, rental or repair shop</i>	*	P	P	P
	<i>tailoring shop</i>	*	P	P	<u>P</u>
	<i>take-out restaurant</i>	*	q2	<u>q2P</u>	<u>q2P</u>
(v)	<b>WORKSHOPS AND STUDIOS</b>				
	<i>artist live/work studio</i>			<u>q8</u>	<u>q8</u>
	<i>artist's or photographer's studio</i>	*	P	P	P
	<i>communications and broadcasting establishment</i>	*	P	<u>q4P</u>	<u>q4P</u>
	<i>custom workshop</i>	*	P	P	P
	<i>data processing establishment(1997-0422)</i>	*	P	P	<u>P</u>
	<i>designer's studio (1997-0422)</i>	*	P	P	<u>P</u>
	<i>industrial computer service</i>	*	P	P	<u>P</u>
	<i>laboratory, class A</i>	*	P	P	<u>P</u>
	<i>performing arts studio</i>	*	P	P	<u>P</u>
	<i>publisher</i>	*	P	P	<u>P</u>
	<i>software, design and development establishment</i>	*	P	P	<u>P</u>
(vi)	<b>OFFICES</b>				
	<i>office</i>	*		P	P
(vii)	<b>AUTOMOBILE RELATED USES</b>				
	<i>automobile services and repair shop (1997-0280)</i>	*			
	<i>automobile service station (1997-0280)</i>	*			
	<i>car washing establishment</i>	*			
	<u><i>commercial parking garage</i></u>			<u>q3</u>	<u>q3</u>
	<i>commercial parking lot (581-93)</i>	*	P	<u>q3</u>	<u>q3</u>
	<i>motor vehicle repair shop, class A (1997-0280)</i>	*			
	<i>motor vehicle repair shop, class B (1997-0280)</i>	*			
	<i>parking area (1994-0532)</i>	*	P	P	P
	<i>parking garage</i>	*	P	P	P
	<i>parking station</i>	*		<u>q3P</u>	<u>q3P</u>
	<i>private commercial garage</i>	*			
	<i>private garage</i>	*			
	<i>sales or hire garage</i>	*			
	<i>taxicab stand or station</i>	*	P	P	P
(viii)	<b>PUBLIC</b>				
	<i>city yard, class A</i>	*	P	P	<u>P</u>



	<i>city yard, class B</i>	*			
	<i>generating station</i>	*			
	public commercial scales	*			
	public incinerator or refuse destructor	*			
	public harbour works including public wharves, lighthouses and beacons	*			
	pumping station	*	P	P	P
	<i>sewage disposal plant</i>	*			
	waterworks	*	P	<del>P</del>	
(ix)	<b>WAREHOUSING AND STORAGE</b>				
	<i>cold storage locker plant</i>	*			
	cold storage plant	*	P	<del>P</del>	
	<i>contractor's yard</i>	*	P	<del>P</del>	
	<i>food warehouse</i>	*	P	<del>P</del>	
	<i>food wholesaling establishment</i>	*	P	<del>P</del>	
	<i>fuel storage tank</i>	*			
	<i>open storage of raw materials yard</i>	*			
	<i>open storage yard</i>	*	P	<del>P</del>	
	<i>recycling shop</i>	*			
	<i>recycling yard</i>	*			
	<i>storage warehouse – class A</i>	*		<del>P</del>	<del>P</del>
	<i>storage warehouse – class B</i>	*			
	<i>wholesale fuel supply yard</i>	*			
	<i>wholesaling establishment - general</i>	*	P	<del>P</del>	
(x)	<b>INDUSTRIAL WORKSHOPS</b>				
	bookbinder's shop	*	P	P	<del>P</del>
	carpenter's shop	*	P	P	<del>P</del>
	<i>cleaning plant</i>	*	P	<del>P</del>	
	contractor's shop, class A	*	P	<del>P</del>	
	contractor's shop, class B	*	P	<del>P</del>	
	laboratory, class B	*			
	sheet metal shop	*	P	<del>P</del>	
	welder's shop	*	P	<del>P</del>	
(xi)	<b>SALES OUTLET</b>				
	<i>builder's supply yard</i>	*	P	<del>P</del>	
	<i>outdoor open air market</i>	*	P		
(xii)	<b>TRANSPORTATION, DISTRIBUTION AND RELATED USES</b>				
	any administrative, engineering, maintenance, repair or storage use related to the operation of the Toronto Transit Commissioner or GO Transit (1995-0492)	*			
	bread distribution depot	*			
	bus station	*			
	cartage, express or truck transport yard or terminal for one or more highway transportation companies or organizations	*			

	<i>commercial stable</i>	*			
	<i>courier service</i>	*		<u>P</u>	<u>P</u>
	<i>industrial catering company</i>	*	P	<u>P</u>	
	<i>postal sorting station</i>	*			
	<i>public transit</i>	*	P	<u>P</u>	
	<i>rail, including service and repair yards</i>	*			
	<i>railway station</i>	*			
	<i>railway tracks</i>	*	P	<u>P</u>	
	<i>retail coal, coke and wood yard</i>	*			
	<i>security services and business equipment</i>	*		<u>P</u>	<u>P</u>
	<i>shipping, trans-shipping or distributing yard</i>	*			
(xiii)	MANUFACTURING AND RELATED USES				
	<i>animal by-products plant</i>				
	<i>animal food factory</i>	*			
	<i>bakery</i>	*		<u>P</u>	<u>P</u>
	<i>brewery</i>	*	P	<u>P</u>	
	<i>canning factory (fruits, vegetables)</i>	*	P	<u>P</u>	
	<i>ceramics factory</i>	*	P	<u>P</u>	
	<i>cereal food products factory</i>	*	P	<u>P</u>	
	<i>chemical products factory</i>	*			
	<i>concrete batching and mixing yard</i>	*			
	<i>dairy products plant</i>	*	P	<u>P</u>	
	<i>distillation plant</i>	*			
	<i>electronic equipment factory</i>	*	P	<u>P</u>	<u>P</u>
	<i>fur goods factory</i>	*			
	<i>garment factory</i>	*	P	<u>PP</u>	<u>P</u>
	<i>gas plant, class A</i>	*			
	<i>gas plant, class B</i>	*			
	<i>gelatine factory</i>	*			
	<i>manufacturing plant</i>	*	P	<u>P</u>	
	<i>meat products plant</i>	*			
	<i>metal products plant</i>	*	P	<u>P</u>	
	<i>metal wares factory</i>	*	P	<u>P</u>	
	<i>non-metallic minerals plant</i>	*			
	<i>packaging plant</i>	*	P	<u>P</u>	
	<i>pharmaceutical factory</i>	*			
	<i>pharmaceutical factory – secondary</i>	*	P	<u>P</u>	
	<i>photographic plant</i>	*	P	<u>P</u>	
	<i>plastic products factory</i>	*			
	<i>plastic products factory - secondary</i>	*			
	<i>printing plant</i>	*	P	<u>P</u>	
	<i>rubber products factory</i>	*			
	Soft drink bottling works (1997-0422)	*	P	<u>P</u>	
	<i>tannery</i>	*			
	<i>textile factory</i>	*	P	<u>P</u>	
	<i>vegetable food products factory</i>	*	P	<u>P</u>	

	<i>vegetable oils plant</i>	*			
	<i>wholesale dyeing plant</i>	*	P	<u>P</u>	
	<i>winery</i>	*	P	<u>P</u>	
	<i>wood products factory</i>	*	P	<u>P</u>	
(xiv)	MISCELLANEOUS				
	<i>animal hospital (1997-0422)</i>	*			
	<i>commercial school</i>	*		<u>P</u>	<u>P</u>
	<i>crisis care facility</i>	*			
	<i>drive-through facility (779-2002)</i>	*		<u>q5</u>	<u>q5</u>
	<i>market garden</i>	*	P	P	
	<i>newspaper plant</i>	*	P	P	
	<i>ornamental structure</i>	*	P	P	P
	<i>pinball or electronic game machine establishment</i>	*	P	P	P
	<i>trade school (581-93)</i>	*	P	P	<u>P</u>
	<u><i>pinball or electronic game machine establishment</i></u>	<u>*</u>		<u>P</u>	<u>P</u>
	<u><i>hotel</i></u>	<u>*</u>		<u>q9</u>	<u>q9</u>

(2) QUALIFICATIONS TO BE COMPLIED WITH BEFORE CERTAIN USES ARE PERMITTED

q1 *A branch of a bank or financial institution, a dry-cleaning shop, a newsstand, a Personal grooming establishment, a post office, a service, rental or repair shop and a tailoring shop are permitted provided they are at, partly above or partly below grade. (425-93)*

q2 *A restaurant, take-out restaurant and a metal wares factory are permitted uses provided:*

A. *in the case of a restaurant and a take-out restaurant in an 12 and 13 district and a metal wares factory in an 11 district, the use does not exceed a non-residential gross floor area of 475 square metres and only one restaurant or take-out restaurant is provided; ( 1996-0028)*

B. *in the case of a restaurant or take-out restaurant, a patio is permitted except on any lot that abuts a lot in an R district or that is separated from a lot in an R district by a street less than 5 metres in width, no person shall use for the purposes of a patio:*

(a) *any portion of the lot located between the rear wall of a building containing a restaurant or take-out restaurant and the rear lot line; or*  
(a)(b) *any part of the roof of a building containing a restaurant or take-out restaurant; and( 1996-0028)( 425-93)*

C. *in the case of a restaurant or take-out restaurant on any lot that abuts a lot in an R district or that is separated from a lot in an R district by a street of 6.1 metres or less in width, no person shall use any building or portion of a building for the purpose of a restaurant or take-out restaurant or combination of them where the non-residential gross floor area of the building or portion thereof used for restaurant or take-out restaurant purposes exceeds 400 square metres.( 1996- 0028)*

q3 *A parking station or a commercial parking lot are permitted uses provided:*

- a) deleted by By-law 1944-0532.
- b) any lights used for illumination are so arranged as to divert the light away from adjacent premises;
- c) a non-flexible guard rail or fence, or a wall is erected along the portions of the boundary abutting a street, excluding the portions used for access; or
- \*)d) a fence or opaque construction, between 1.68 metres and 2 metres in height is erected on any boundary abutting a lot in an R district or a lot on which a dwelling unit is located.( 425-93)

q4 Studios in a communication and broadcasting establishment shall be limited to 20,000 sq ft each

q5 A drive-through facility is a permitted use where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of any lot in any use district permitting residential uses. (779-2002)

q6 A union hall must be for employees related to the film, media and IT sector.

q7 No retail store can exceed a non-residential gross floor area of 10,000 sq. ft. except that a larger retail store may be considered as a Permitted Use where it comprises an ancillary use within a larger building, the primary use of which is not retail.

q8 live-work units cannot occupy more than 20% of the maximum allowable gross floor area permitted on the I3 and I4 Lands.

q9 Conference facilities in any hotel shall not be limited to 10% of the gross floor area of the hotel.

q29 A showroom is a permitted use, provided it does not include sales to the public.

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- (10) If any of the uses that are listed in Clause 2(a)(1) correspond to defined terms set out in By-law 438-86, then such defined terms in By-law 438- 86 shall apply.

"Without Prejudice"  
Sept. 2410,

**"Without Prejudice"**  
**Sept. 2410,**

|  
|  
Enacted and passed on ~ , 201~~9~~.

**"Without Prejudice"**  
**Sept. ~~24~~10,**

|  
Frances Nunziata,  
Speaker

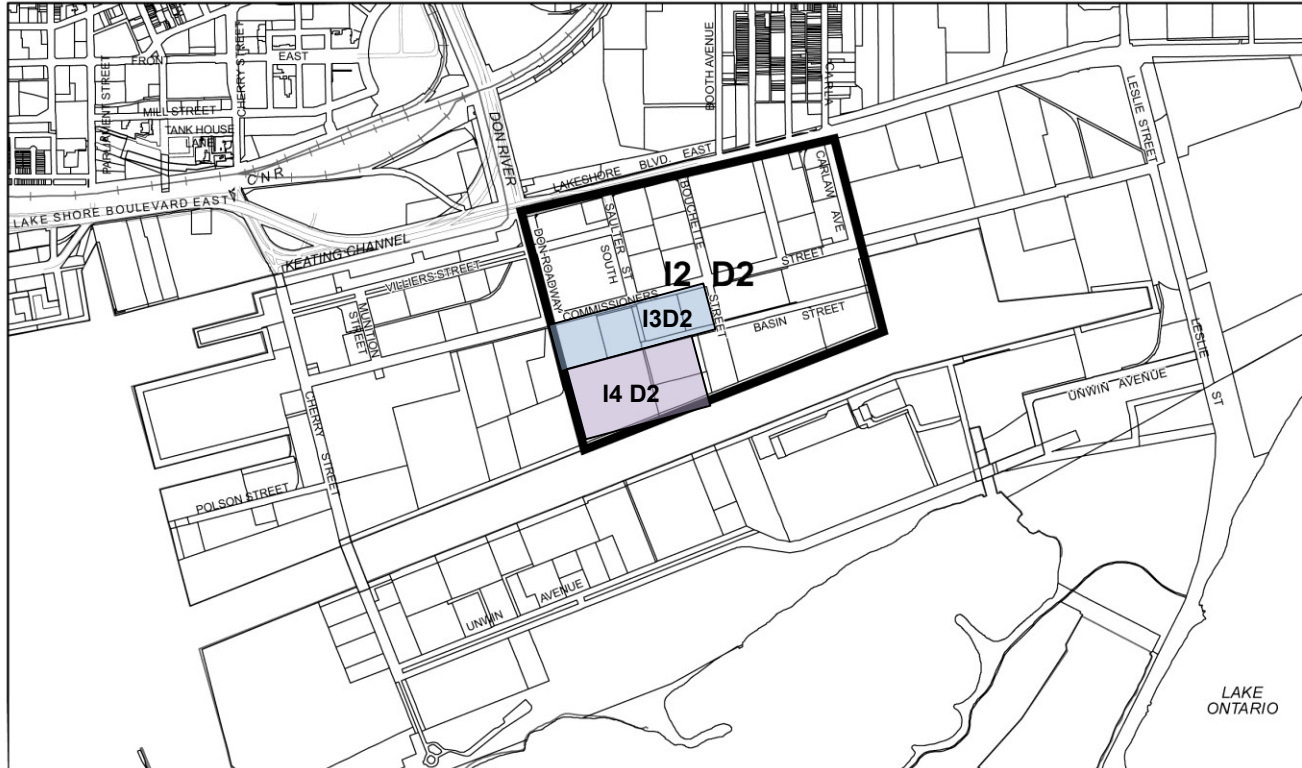
Ulli S. Watkiss,  
City Clerk

(Seal of the City)

DRAFT



Attachment 1: Map A: Zoning By-law Amendment Area and Zone



Proposed Zoning  
File # 19 204405 SPC 30 0Z

 Zoning Change Location

  
Not to Scale  
Extracted: 08/12/19

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

**CITY OF TORONTO  
MCCLEARY DISTRICT, MEDIA CITY AND TURNING BASIN  
DISTRICT**

**Bill No. ~**

**BY-LAW No. [XXXX- 2019]**

**To amend Zoning By-law No. 438-86, as amended, with respect to the lands municipally known in the year 2019 as 185 – 450 Commissioners Street (north side); 101 – 495 Commissioners Street (south side); 625 – 811 Lake Shore Boulevard East (south side); 17, 21, 23, 29, 35, 41, 75 Basin Street; 185 Villiers Street; 115 Saulter Street; 120 Bouchette Street, 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. District Maps 52G-311, 52G-312, 52G-322, and 52G-323 of By-law 438-86 are hereby amended by designating the lands delineated by heavy lines to the "I2 D2" zone as shown on Map A attached to and forming part of this by-law.
3. Section 12(1) of By-law 438-86 is amended by adding the following **Exception** ###:
  - (a) On the lands outlined by heavy lines on Map, no person shall use any land or erect or use any building or structure that does not comply with the following:
    - (3) Section 9(1)(f) of Zoning By-law No. 438-86, as amended, is replaced such that following uses listed in subsection (i) below and accessory uses thereto are permitted:

CHART

(i)					
(a)	RESIDENTIAL USES	Acc.	I2	I3	I4
	<i>live-work unit (1994-0532)</i>	*		q8	q8
(b)					
(b)	NON-RESIDENTIAL USES	Acc.	I2	I3	I4
(i)	PARKS, RECREATION, PLACES OF AMUSEMENT AND ASSEMBLY				
	<i>club</i>	*	P		
	commercial and municipal baths	*			
	<i>concert hall</i>			P	P
	<i>cultural &amp; arts facilities</i>	*		P	P
	<i>entertainment facilities</i>			P	P
	<i>performing arts studio</i>	*		P	P
	<i>place of amusement</i>	*	P		
	<i>place of assembly (1994-0601)</i>		P	P	P
	arena, stadium, race track (1994-0601)	*			
	<i>public park</i>	*	P	P	P
(ii)	COMMUNITY SERVICES, CULTURAL AND ARTS FACILITIES				
	<i>clinic</i>	*	P	P	P
	<i>community centre</i>	*	P		
	<i>community health centre</i>	*	P		
	<i>day nursery</i>		P	P	P
	<i>fire hall</i>	*	P		
	<i>Place of worship (1994-0532)</i>	*			
	<i>police station</i>	*	P		
(iii)	GENERAL INSTITUTIONS				
	<i>post office</i>	*	P	P	P
	<i>union hall</i>	*	P	q6	q6
	college or university, Royal Conservatory of Music, and any use that is naturally and normally incidental or subordinate and devoted to the principal use of the institution (1994-0532)	*		P	P
(iv)	RETAIL AND SERVICE SHOPS				
	auctioneer's premises	*		P	P
	<i>bake-shop</i>			P	P
	<i>branch of a bank or financial institution</i>	*	P	P	P
	<i>brew-on-premises establishment</i>	*	P	P	P
	<i>caterer's shop (1977-0422)</i>	*	P	P	P
	<i>dry-cleaning distribution station</i>	*	P	P	P
	<i>dry-cleaning shop</i>	*			
	<i>duplicating shop</i>	*	P	P	P
	<i>laundry shop</i>	*	P		
	<i>medical dental office</i>			P	P
	newsstand	*	P	P	P

	<i>pawnbroker's shop</i>	*			
	<i>personal grooming establishment</i>	*	P	P	P
	<i>pet shop</i>	*		P	P
	<i>public art gallery</i>	*		P	P
	<i>private art gallery</i>	*		P	P
	<i>restaurant (1996-0028)</i>		q2	q2	q2
	<i>retail store</i>			q7	q7
	<i>showroom (527-1998)</i>	*	q29	q29	q29
	<i>service, rental or repair shop</i>		P	P	P
	<i>tailoring shop</i>	*	P	P	P
	<i>take-out restaurant</i>	*	q2	q2	q2
(v)	<b>WORKSHOPS AND STUDIOS</b>				
	<i>artist live/work studio</i>			q8	q8
	<i>artist's or photographer's studio</i>	*	P	P	P
	<i>communications and broadcasting establishment</i>		P	q4	q4
	<i>custom workshop</i>	*	P	P	P
	<i>data processing establishment(1997-0422)</i>	*	P	P	P
	<i>designer's studio (1997-0422)</i>	*	P	P	P
	<i>industrial computer service</i>	*	P	P	P
	<i>laboratory, class A</i>	*	P	P	P
	<i>performing arts studio</i>	*	P	P	P
	<i>publisher</i>	*	P	P	P
	<i>software, design and development establishment</i>	*	P	P	P
(vi)	<b>OFFICES</b>				
	<i>office</i>			P	P
(vii)	<b>AUTOMOBILE RELATED USES</b>				
	<i>automobile services and repair shop (1997-0280)</i>	*			
	<i>automobile service station (1997-0280)</i>	*			
	<i>car washing establishment</i>	*			
	<i>commercial parking garage</i>			q3	q3
	<i>commercial parking lot (581-93)</i>	*	P	q3	q3
	<i>motor vehicle repair shop, class A (1997-0280)</i>	*			
	<i>motor vehicle repair shop, class B (1997-0280)</i>	*			
	<i>parking area (1994-0532)</i>	*	P	P	P
	<i>parking garage</i>		P	P	P
	<i>parking station</i>			q3	q3
	<i>private commercial garage</i>	*			
	<i>private garage</i>	*			
	<i>sales or hire garage</i>	*			
	<i>taxicab stand or station</i>	*	P	P	P
(viii)	<b>PUBLIC</b>				
	<i>city yard, class A</i>	*	P	P	P

	<i>city yard, class B</i>	*			
	<i>generating station</i>	*			
	public commercial scales	*			
	public incinerator or refuse destructor	*			
	public harbour works including public wharves, lighthouses and beacons	*			
	pumping station	*	P	P	P
	<i>sewage disposal plant</i>	*			
	waterworks	*	P		
(ix)	<b>WAREHOUSING AND STORAGE</b>				
	<i>cold storage locker plant</i>	*			
	cold storage plant	*	P		
	<i>contractor's yard</i>	*	P		
	<i>food warehouse</i>	*	P		
	<i>food wholesaling establishment</i>	*	P		
	<i>fuel storage tank</i>	*			
	<i>open storage of raw materials yard</i>	*			
	<i>open storage yard</i>	*	P		
	<i>recycling shop</i>	*			
	<i>recycling yard</i>	*			
	<i>storage warehouse – class A</i>	*		P	P
	<i>storage warehouse – class B</i>	*			
	<i>wholesale fuel supply yard</i>	*			
	<i>wholesaling establishment - general</i>	*	P		
(x)	<b>INDUSTRIAL WORKSHOPS</b>				
	bookbinder's shop	*	P	P	P
	carpenter's shop	*	P	P	P
	<i>cleaning plant</i>	*	P		
	contractor's shop, class A	*	P		
	contractor's shop, class B	*	P		
	laboratory, class B	*			
	sheet metal shop	*	P		
	welder's shop	*	P		
(xi)	<b>SALES OUTLET</b>				
	<i>builder's supply yard</i>	*	P		
	<i>outdoor open air market</i>	*	P		
(xii)	<b>TRANSPORTATION, DISTRIBUTION AND RELATED USES</b>				
	any administrative, engineering, maintenance, repair or storage use related to the operation of the Toronto Transit Commissioner or GO Transit (1995-0492)	*			
	bread distribution depot	*			
	bus station	*			
	cartage, express or truck transport yard or terminal for one or more highway transportation companies or organizations	*			

	<i>commercial stable</i>	*			
	<i>courier service</i>	*		P	P
	<i>industrial catering company</i>	*	P		
	<i>postal sorting station</i>	*			
	<i>public transit</i>	*	P		
	<i>rail, including service and repair yards</i>	*			
	<i>railway station</i>	*			
	<i>railway tracks</i>	*	P		
	<i>retail coal, coke and wood yard</i>	*			
	<i>security services and business equipment</i>	*		P	P
	<i>shipping, trans-shipping or distributing yard</i>	*			
(xiii)	MANUFACTURING AND RELATED USES				
	<i>animal by-products plant</i>				
	<i>animal food factory</i>	*			
	<i>bakery</i>	*		P	P
	<i>brewery</i>	*	P		
	<i>canning factory (fruits, vegetables)</i>	*	P		
	<i>ceramics factory</i>	*	P		
	<i>cereal food products factory</i>	*	P		
	<i>chemical products factory</i>	*			
	<i>concrete batching and mixing yard</i>	*			
	<i>dairy products plant</i>	*	P		
	<i>distillation plant</i>	*			
	<i>electronic equipment factory</i>	*	P	P	P
	<i>fur goods factory</i>	*			
	<i>garment factory</i>	*	P	P	P
	<i>gas plant, class A</i>	*			
	<i>gas plant, class B</i>	*			
	<i>gelatine factory</i>	*			
	<i>manufacturing plant</i>	*	P		
	<i>meat products plant</i>	*			
	<i>metal products plant</i>	*	P		
	<i>metal wares factory</i>	*	P		
	<i>non-metallic minerals plant</i>	*			
	<i>packaging plant</i>	*	P		
	<i>pharmaceutical factory</i>	*			
	<i>pharmaceutical factory – secondary</i>	*	P		
	<i>photographic plant</i>	*	P		
	<i>plastic products factory</i>	*			
	<i>plastic products factory - secondary</i>	*			
	<i>printing plant</i>	*	P		
	<i>rubber products factory</i>	*			
	Soft drink bottling works (1997-0422)	*	P		
	<i>tannery</i>	*			
	<i>textile factory</i>	*	P		
	<i>vegetable food products factory</i>	*	P		

	<i>vegetable oils plant</i>	*			
	<i>wholesale dyeing plant</i>	*	P		
	<i>winery</i>	*	P		
	<i>wood products factory</i>	*	P		
(xiv)	MISCELLANEOUS				
	<i>animal hospital (1997-0422)</i>	*			
	<i>commercial school</i>	*		P	P
	<i>crisis care facility</i>	*			
	<i>drive-through facility (779-2002)</i>	*		q5	q5
	<i>market garden</i>	*	P	P	
	<i>newspaper plant</i>	*	P	P	
	<i>ornamental structure</i>	*	P	P	P
	<i>pinball or electronic game machine establishment</i>	*	P	P	P
	<i>trade school (581-93)</i>	*	P	P	P
	<i>pinball or electronic game machine establishment</i>	*		P	P
	<i>hotel</i>	*		q9	q9

(2) QUALIFICATIONS TO BE COMPLIED WITH BEFORE CERTAIN USES ARE PERMITTED

- q1 *A branch of a bank or financial institution, a dry-cleaning shop, a newsstand, a Personal grooming establishment, a post office, a service, rental or repair shop and a tailoring shop are permitted provided they are at, partly above or partly below grade. (425-93)*
- q2 *A restaurant, take-out restaurant and a metal wares factory are permitted uses provided:*
- A. *in the case of a restaurant and a take-out restaurant in an 12 and 13 district and a metal wares factory in an 11 district, the use does not exceed a non-residential/gross floor area of 475 square metres and only one restaurant or take-out restaurant is provided; ( 1996-0028)*
- B. *in the case of a restaurant or take-out restaurant, a patio is permitted except re, on any lot that abuts a lot in an R district or that is separated from a lot in an R district by a street less than 5 metres in width, no person shall use for the purposes of a patio:*  
~~(b)(c)~~ *any portion of the lot located between the rear wall of a building containing a restaurant or take-out restaurant and the rear lot line; or*  
~~(e)(d)~~ *any part of the roof of a building containing a restaurant or take-out restaurant; and( 1996-0028)( 425-93)*
- C. *in the case of a restaurant or take-out restaurant on any lot that abuts a lot in an R district or that is separated from a lot in an R district by a street of 6.1 metres or less in width, no person shall use any building or portion of a building for the purpose of a restaurant or take-out restaurant or combination of them where the non-residential gross floor area of the building or portion thereof used for restaurant or take-out restaurant purposes exceeds 400 square metres.( 1996- 0028)*
- q3 *A parking station or a commercial parking lot are permitted uses provided:*  
~~b)e~~ *deleted by By-law 1944-0532.*

*e)f) any lights used for illumination are so arranged as to divert the light away from adjacent premises;*

*e)g) \_\_\_\_\_ a non-flexible guard rail or fence, or a wall is erected along the portions of the boundary abutting a street, excluding the portions used for access; or*

*e)h) \_\_\_\_\_ a fence or opaque construction, between 1.68 metres and 2 metres in height is erected on any boundary abutting a lot in an R district or a lot on which a dwelling unit is located.( 425-93)*

q4 *Studios in a communication and broadcasting establishment shall be limited to 20,000 sq ft each*

q5 *A drive-through facility is a permitted use where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of any lot in any use district permitting residential uses. (779-2002)*

q6 *A union hall must be for employees related to the film, media and IT sector.*

q7 *No retail store can exceed a non-residential gross floor area of 10,000 sq. ft. except that a larger retail store may be considered as a Permitted Use where it comprises an ancillary use within a larger building, the primary use of which is not retail.*

q8 *live-work units cannot occupy more than 20% of the maximum allowable gross floor area permitted on the I3 and I4 Lands.*

q9 *Conference facilities in any hotel shall not be limited to 10% of the gross floor area of the hotel.*

q29 *A showroom is a permitted use, provided it does not include sales to the public.*



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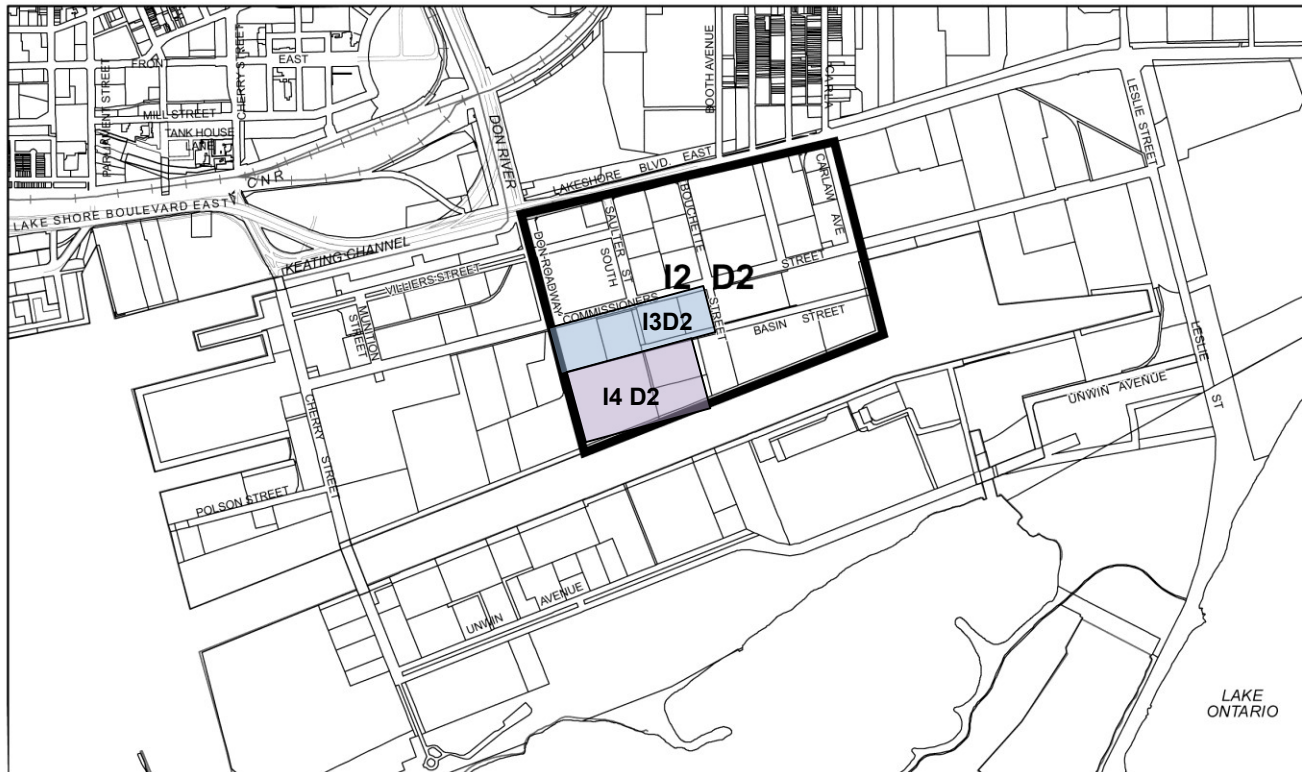
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