

Authority: Ontario Land Tribunal Decision issued on March 4, 2025 and Ontario Land Tribunal Order issued on June 1, 2026 in Tribunal File OLT-24-000835

CITY OF TORONTO

BY-LAW 609-2026(OLT)

To amend Zoning By-law 569-2013, as amended, with respect to the lands generally bounded by Keating Channel, Inner Harbour and Future Don River, also known as Villiers Island, in the year 2023.

Whereas the Ontario Land Tribunal, by its Decision issued on March 4, 2025 and its Order issued on June 1, 2026 , in respect of Tribunal File OLT-24-000835, upon hearing an appeal under Section 34(11) of the Planning Act, R.S.O. 1990, c. P.13, as amended, determined to amend Zoning By-law 569-2013, as amended, with respect to the lands generally bounded by Keating Channel, Inner Harbour and Future Don River, also known as Villiers Island, in the year 2023; and

Whereas the Ontario Land Tribunal has the authority pursuant to Section 34 of the Planning Act, as amended, to pass this By-law; and

Whereas pursuant to Section 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol ("H") in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once Council removes the holding symbol ("H") by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol ("H");

The Ontario Land Tribunal Orders:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 (Lands to be Rezoned) attached to this By-law, with the exception of the areas that are cross-hatched and identified as "not part of this by-law".
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, as amended, 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 the lands: (H)CRE (x91), ON (x30), and OR (x46) as shown on Diagram 2 (Land Use Zones), 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: 1 including designation of major streets, as shown on Diagram 3 (Policy Areas) 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 to the lands: HT 88, HT 100, HT 109, as shown on Diagram 6 (Height Overlay) attached to this Bylaw.
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 and applying no value.
7. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.12.10 exception Number 91 so that it reads:

Exception CRE 91

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

Site Specific Provisions

- (A) On the lands generally bounded by Keating Channel, Inner Harbour and Future Don River, also known as Villiers Island in the year 2024, if the requirements of By-law 609-2026(OLT), are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with regulations (B) to (QQQ) below;
- (B) For the purpose of this exception, each Block as shown on Diagram 4 (Block Plan), of By-law 609-2026(OLT), is a **lot**;
- (C) For the purpose of this exception, the following terms have the following meanings:
 - (i) "Mid-block connection" means a privately owned publicly accessible space that creates an exterior pedestrian route at **street** level, providing a connection through a block or to improve pedestrian access to a block;
 - (ii) "Tower" for the purposes of this exception means the tower portion of a **building** located within a Tower Area as shown on Diagrams 7A-E (Tower Areas Overlay) of By-law 609-2026(OLT) that will be in excess of the height of a building permitted on Diagrams 6 (Height Overlay) of By-law 609-2026(OLT);
 - (iii) "Urban Farm – Class A" means the use of **premises**, with or without a principal **building**, for the commercial growing, harvesting and cultivation of horticultural crops and may include the **ancillary** keeping of bees. A **marihuana production facility** use is not an "urban farm - class A"; and

- (iv) "Urban Farm – Class B" means a premises for controlled environment agriculture (CEA) **Manufacturing use** where everything from temperature and humidity to light, irrigation and nutrients are precisely controlled. The "urban farm - class B" use is specifically for the commercial cultivation of food or horticultural crops that takes place in a greenhouse or similar **structure, building**, or portion of a **building**. A **Marihuana Production Facility** use is not an "urban farm - class B".
- (D) In addition to the permitted uses listed in regulation 50.10.20.10(1)(A), a **market garden** is also permitted;
- (E) In addition to the permitted uses listed in regulation 50.10.20.10(1)(A), municipally owned **public parking** is also permitted;
- (F) Despite regulation 50.10.20.10(1)(A), a **Financial Institution** is not permitted within 10 metres of any **lot lines** abutting the intersection of **streets**;
- (G) Despite regulation 50.10.20.20(1)(A), the following uses are not permitted:
 - (i) **Funeral Home**;
 - (ii) **Vehicle Dealership**;
 - (iii) **Vehicle Fuel Station**;
 - (iv) **Vehicle Service Shop**; and
 - (v) **Vehicle Washing Establishment**;
- (H) In addition to the uses listed in regulation 50.10.20.10(1)(C), the following uses are also permitted:
 - (i) **Agricultural Use**;
 - (ii) "Urban Farm – Class A"; and
 - (iii) "Urban Farm – Class B";
- (I) Despite regulation 50.10.20.10(1)(C), the following uses are not permitted:
 - (i) Cold Storage;
 - (ii) Dry Cleaning or Laundry Plant;
 - (iii) **Industrial Sales or Service Use**;
 - (iv) Metal Products **Manufacturing Use**; and

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- (v) **Self-Storage Warehouse;**
- (J) In addition to the permitted uses listed in regulation 50.10.20.20(1)(B), a **home occupation** is also permitted, if it complies with section 150.5, as amended and (K) below;
- (K) In addition to the requirements of Section 150.5, a **home occupation**:
- (i) must be located on the first **storey** of a **building**;
 - (ii) is not permitted within 5 metres of a portion of a **lot line** within a Ground Floor Commercial Activation Area, as shown on Diagram 5 (Ground Floor Commercial Activation Areas) of By-law 609-2026(OLT); and
 - (iii) must have a principal access from a **street, lane**, a privately owned publicly accessible space, or be within 3 metres of a **lot line** abutting the OR zone;
- (L) In addition to the requirements of regulation 50.10.20.100(6), a **retail store** may not exceed 3,500 square metres of **interior floor area**;
- (M) In addition to the requirements of regulation 50.10.20.100(6), a **retail store** combined with an "urban farm - class A" or "urban farm – class B" must be associated with a permitted "urban farm – Class A" or "urban farm – class B" use on the same **lot**;
- (N) Despite Clauses 50.10.20.10 and 50.10.20.20, all **manufacturing uses** are permitted, in compliance with the conditions specified in Clause 50.10.20.100, as amended, for each **manufacturing use**, except for the following **manufacturing uses**:
- (i) abattoir, slaughterhouse or rendering of animals factory; asphalt plant; cement plant; concrete batching plant; ammunition, 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;
- (O) For the purposes of this exception, a **manufacturing use** must be fully enclosed within a **building**;
- (P) Despite regulation 50.10.20.20(1)(C), a contractor's establishment is not permitted;

- (Q) Despite regulation 50.10.20.100(2)(A), a **cabaret, club, eating establishment, entertainment place of assembly, nightclub, place of assembly, recreation use, and take-out eating establishment** may not exceed 1,000 square metres of **interior floor area**;
- (R) For the purpose of this exception, an **amusement arcade, eating establishment, entertainment place of assembly, place of assembly, sports place of assembly, and recreational use** do not permit any gaming or lottery device regulated under Province of Ontario legislation;
- (S) Despite regulation 50.10.20.100(3)(A), a **nightclub** may be located in a **non-residential building** or a **mixed-use building**;
- (T) Despite regulation 50.10.20.100(6), a **retail store** or **eating establishment** may be **ancillary** to a beverage **manufacturing use** for beer, cider, or wine, if the **interior floor area** of the beverage **manufacturing use**, including a **retail store** or **eating establishment**, does not exceed 2,000 square metres;
- (U) Despite regulation 50.10.20.100(10), a **laboratory** may be in a **building** with a **dwelling unit**;
- (V) In addition to regulation 50.10.20.100(13), a **retail store** or **eating establishment** may be ancillary to a food **manufacturing use**, if the **interior floor area** of the food **manufacturing use**, including **retail store** or **eating establishment**, does not exceed 2,000 square metres;
- (W) Despite regulation 50.10.20.100(16), a beverage, food, pharmaceutical, medicine, plastic, or clay **manufacturing use** may be located in a **building** that has a **dwelling unit**;
- (X) Despite regulation 50.10.20.100(21)(A), an **outdoor patio** may also be combined with:
 - (i) **Community centre**;
 - (ii) **Eating establishment** ancillary to a beverage **manufacturing use** for beer, cider, or wine;
 - (iii) **Eating establishment** ancillary to a food **manufacturing use**; and
 - (iv) **Library**;

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- (Y) For the purposes of this exception, the following commercial uses may be located within Ground Floor Commercial Activation Areas identified on Diagram 5 (Ground Floor Commercial Activation Areas) of By-law 609-2026(OLT), and are considered "ground floor commercial activation use": **amusement arcade, art gallery, artist studio, cabaret, club, community centre, custom workshop, eating establishment, entertainment place of assembly, financial institution, library, medical office, museum, nightclub, recreational use, retail service, retail store, pet services, performing arts studio, personal service shop, place of assembly, service shop, sports place of assembly, take-out eating establishment and veterinary hospital**;
- (Z) For the purposes of this exception and in addition to (Y) above, a food **manufacturing use** and beverage **manufacturing use** are considered "ground floor commercial activation uses" if the following conditions are met:
- (i) An **eating establishment** and **retail store** are **ancillary** to a food **manufacturing use** and beverage **manufacturing use**;
 - (ii) An **eating establishment** and **retail store**, cumulatively, do not exceed 50 percent of the **interior floor area** of a food **manufacturing use** or beverage **manufacturing use**; and
 - (iii) An **eating establishment** and **retail store** ancillary to a food **manufacturing use** or beverage **manufacturing use** must along a portion of **street** subject to a Ground Floor Commercial Activation Area as shown on Diagram 5 (Ground Floor Commercial Activation Areas) of By-law 609-2026(OLT);
- (AA) For the purposes of this exception, no **building** or **structure** may be within 0.2 metres of a portion of a **lot line** within a Ground Floor Commercial Activation Area, as shown on Diagram 5 (Ground Floor Commercial Activation Areas), unless the following conditions are met:
- (i) At least 60 percent of the length of the **main wall** of the first **storey** of the **building** within 3 metres of a Ground Floor Commercial Activation Area is used for no purpose other "ground floor commercial activation uses";
 - (ii) the floor level of the first **storey** of a **building** must be within 0.2 metres of the ground, measured at the **lot line** abut a **lot line** abutting the **street** directly opposite each pedestrian entrance; and
 - (iii) any use located in the first **storey** must have a principal entrance accessed from a **street** 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 metres horizontally;

- (BB) For the purpose of this exception, a non-residential unit that is separated from other units or uses by demising walls and is used for "ground floor commercial activation uses" may have a maximum permitted frontage width of 10.0 metres, measured at **the exterior wall** of the first storey of a **building**, with the exception of:
- (i) units located on the corner of a **building**, are permitted a width of 10 metres for each **exterior wall** facing a **street**;
 - (ii) a maximum frontage width of 50 metres, measured at **the exterior wall** of the first storey of a **building**, for a **retail store** that is a grocery store;
 - (iii) a maximum frontage width of 50 metres for an **eating establishment**, measured at **the exterior wall** of the first storey of a **building**, that is within 25 metres of an OR Zone; and
 - (iv) units located on the corner of a **building** are permitted a width of 25 metres for each **exterior wall** facing a **street** or an OR Zone for an **eating establishment** or a **retail store** that is a grocery store;
- (CC) For the purposes of this exception, the **exterior wall** of a **building** abutting a **street** may not exceed 85 metres in length;
- (DD) Despite regulation 50.5.40.10(4), and in compliance with regulation 50.5.40.10(5), the following equipment and **structures** located on the roof of a portion of **building** that is not a "tower" may exceed the permitted maximum permitted **building** height, as shown on Diagram 6 (Height Overlay Map) of By-law 609-2026(OLT):
- (i) equipment used for the functional operation of the **building**, such as electrical, renewable energy, utility, mechanical and ventilation equipment, and **structures** or parts of the **building** used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities, to a maximum of 7.0 metres;
 - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (DD)(i) above, to a maximum of 7.0 metres;
 - (iii) screens or other unenclosed **structures** used to mitigate wind or noise, balustrades, railings, guards, dividers, pergolas, trellises, eaves, privacy screens, skylights, access hatches, window washing equipment, lightning rods, terraces, landscaping elements, and **structures** located on the roof used for outdoor **amenity space** and outside or open air recreation, to a maximum of 3.0 metres;
 - (iv) transparent or translucent **structures**, such as greenhouses, that permit the growing of horticultural crops, to a maximum of 7.0 metres;

- (EE) For the purposes of this exemption, regulation 50.10.40.30(1) does not apply;
- (FF) For the purposes of this exemption, Clause 50.5.40.71 does not apply;
- (GG) Despite regulation 50.10.40.1(2), a building with a **dwelling unit** may be located so that another **building** is between any **main wall** of the **building** and the **street** on which the **building** fronts;
- (HH) For the purposes of this exception, regulation 50.10.40.1(4), regarding building orientation to a street does not apply;
- (II) For the purposes of this exception, Clause 50.10.40.70, regarding setbacks, does not apply;
- (JJ) For the purposes of this exception, a **building** or **structure** may be no closer from a **lot line** as shown on Diagram 8 (Setbacks) of By-law 609-2026(OLT);
- (KK) Despite regulations 50.5.40.10(1) and (2), the height of a building or structure is the distance between the Canadian Geodetic Vertical Datum 2013 (CGVD2013) of 0 metres and the elevation of the highest point of the building or structure;
- (LL) Despite regulation 50.5.40.10(8), equipment and structures on the roof of a "tower" may not exceed the permitted maximum building height as shown on Diagram 7A-E (Tower Areas Overlay) of By-law 609-2026(OLT);
- (MM) Despite regulation 50.10.40.10(1)(A), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagrams 6 (Height Overlay Map) of By-law 609-2026(OLT);
- (NN) For the purposes of this exception, and despite (MM) above, the "tower" portion of a **building** located within a Tower Area as shown on Diagrams 7A-E (Tower Areas Overlay) of By-law 609-2026(OLT) may exceed the permitted maximum height of a **building**, provided that the permitted maximum height does not exceed the number in metres following the letters "HT", as shown in Diagrams 7A-E (Tower Areas Overlay) of By-law 609-2026(OLT);
- (OO) For the purposes of this exception, the required minimum height of a first **storey** above ground is 4.8 metres, measured between the average elevation of the ground along the **lot line**. The minimum height of a first **storey** does not apply to:
 - (i) areas used for the purposes of **loading spaces, bicycle parking spaces, or shower change facilities**;
 - (ii) elements for the functional operation of the **building**, such as storage rooms, corridors, electrical, utility, mechanical, and ventilation rooms; and
 - (iii) **dwelling units** that have two levels within the minimum height required by (OO);

- (PP) For the purposes of this exception and (OO) above, the required minimum height of a first **storey** above ground does not apply to a **lawfully existing building** or a **building** that has a **gross floor area** of less than 50 square metres;
- (QQ) For the purposes of this exception, the required minimum height of a portion of a **storey** containing **dwelling units** above the first **storey** above ground is 3.0 metres;
- (RR) For the purposes of this exception, the required minimum height for the portion of a **storey** containing non-residential uses above the first **storey** above ground is 4.0 metres;
- (SS) The permitted maximum Floor Space Index (FSI) on each block, as shown on Diagram 4 (Block Plan) of By-law 609-2026(OLT) is:
- (i) on Block P03:
 - (a) a combined maximum floor space index of 8.5 for non-residential and residential uses is permitted on Block P03;
 - (ii) on Block P04:
 - (a) a combined maximum floor space index of 7.9 for non-residential and residential uses is permitted on Block P04;
 - (iii) on Block P05:
 - (a) a combined maximum floor space index of 6.4 for non-residential and residential uses is permitted on Block P05;
 - (iv) on Block P06:
 - (a) a combined maximum floor space index of 2.1 for non-residential and residential uses is permitted on Block P06;
 - (v) on Block P07:
 - (a) a combined maximum floor space index of 8.8 for non-residential and residential uses is permitted on Block P07;
 - (vi) on Block P08:
 - (a) a combined maximum floor space index of 10.6 for non-residential and residential uses is permitted on Block P08;
 - (vii) on Block P10B:

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- (a) a combined maximum floor space index of 9.6 for non-residential and residential uses is permitted on Block P10B;
 - (viii) on Block P11:
 - (a) a combined maximum floor space index of 8.5 for non-residential and residential uses is permitted on Block P11;
 - (ix) on Block P12:
 - (a) a combined maximum floor space index of 8.0 for residential and residential uses is permitted on Block P12;
 - (x) on Block P14:
 - (a) a combined maximum floor space index of 9.6 for non-residential and residential uses is permitted on Block P14;
 - (xi) on Block P15:
 - (a) a combined maximum floor space index of 7.4 for non-residential and residential uses is permitted on Block P15; and
 - (xii) on Block P16:
 - (a) a combined maximum floor space index of 8.1 for non-residential and residential uses is permitted on Block P16;
 - (TT) For the purposes of this exception, the blocks, as shown in Diagram 4 (Block Plan), are equivalent to the proposed lots;
 - (UU) Despite regulation 50.5.40.40(2), the floor space index of a **non-residential building** is the result of the **gross floor area** minus the areas listed in regulation 50.5.40.40(1) and (VV) below divided by the area of the block;
 - (VV) In addition to the elements which reduce **gross floor area**, listed in regulation 50.5.40.40(1), in the Commercial Residential Employment Zone category, **gross floor area** of a **non-residential building** is also reduced by the area in a **building** used for:
 - (i) **Parking spaces, loading spaces, and bicycle parking spaces;**
 - (ii) storage rooms, electrical, utility, mechanical and ventilation rooms and
 - (iii) rooms for the collection, compaction, storage and removal of refuse;

- (WW) Despite regulation 50.5.40.40(4), the floor space index of a **mixed use building** is the result of the **gross floor area** minus the areas listed in regulation 50.5.40.40(3) and (XX) below divided by the area of the block;
- (XX) In addition to the elements which reduce **gross floor area** listed in regulation 50.5.40.40(3), in the Commercial Residential Employment Zone category the **gross floor area** of a **mixed-use building** is also reduced by the area in a **building** used for:
- (i) **Parking spaces, loading spaces, and bicycle parking spaces;**
 - (ii) all interior **amenity space**;
 - (iii) storage rooms, electrical, utility, mechanical and ventilation rooms; and
 - (iv) rooms for the collection, compaction, storage and removal of refuse;
- (YY) Despite regulation 50.5.40.40(6), the floor space index of an **apartment building** is the result of the **gross floor area** minus the areas listed in regulation 50.5.40.40(5) and (ZZ) below divided by the area of the block;
- (ZZ) In addition to the elements which reduce **gross floor area** listed in regulation 50.5.40.40 (5), in the Commercial Residential Employment Zone category the **gross floor area** of an **apartment building** is also reduced by the area in a **building** used for:
- (i) **Parking spaces, loading spaces, and bicycle parking spaces;**
 - (ii) all interior **amenity space**;
 - (iii) storage rooms, electrical, utility, mechanical and ventilation rooms; and
 - (iv) rooms for the collection, compaction, storage and removal of refuse;
- (AAA) For the purposes of this exception, no location restriction shall apply to elements listed in (VV), (XX) and (ZZ) above, and 50.5.40.40(1), 50.5.40.40(3), and 50.5.40.40 (5);
- (BBB) For the purposes of this exception, the permitted location of the "tower" portion of **buildings** are identified by Tower Areas as shown on Diagrams 7A-E (Tower Areas Overlay) of By-law 609-2026(OLT);
- (CCC) For the purposes of this exception, a maximum of one "tower" may be located within each Tower Area shown as shown on Diagrams 7A-E (Tower Areas Overlay) of By-law 609-2026(OLT);

- (DDD) In addition to the requirements of Clause 50.10.40.80, a minimum **main wall** separation distance of 40 metres is required between "towers" on the same block or on a different block;
- (EEE) For the purposes of this exception, the minimum "tower" step back distance from the **main wall** of the base building which abuts a **street** is:
- (i) 10.0 metres on the south side of Villiers Street;
- (FFF) For the purposes of this exception, the minimum **main wall** separation distance from a **lot line** that abuts a **street** is 2.5 metres on the north side of Commissioners Street, from Old Cherry Street to Villiers Park Street;
- (GGG) Despite Clauses 50.5.40.10 and 50.10.40.60, public art features may encroach into the required minimum **building setbacks** and project beyond the permitted maximum height;
- (HHH) For the purposes of this exception, a "mid-block connection" must have a minimum total width, measured from the **main wall** of a **building**, of 11.0 metres;
- (III) For the purposes of this exception, where a **building** abuts a "mid-block connection", the building's main walls of **storeys** that contain a **dwelling unit** must be a minimum of 15.0 metres from the **main walls** of another **building**;
- (JJJ) In addition to the requirements of regulation 50.10.80.10(1), an outdoor parking area with more than 3 **parking spaces** is not permitted if there is a **building** with a **gross floor area** of greater than 50 square metres on the **lot** where the **parking spaces** are proposed;
- (KKK) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** may be provided for all non-residential uses at a maximum rate of 0.75 **parking spaces** per 100 square metres of **gross floor area** and no minimum **parking spaces** are required;
- (LLL) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** may be provided for all residential uses at a maximum rate of 0.4 **parking spaces** per **dwelling unit** for residential occupants and no minimum **parking spaces** are required;
- (MMM) The visitor **parking space** requirements in regulation 200.5.10.1(1) and Table 200.5.10.1 continue to apply;
- (NNN) In addition to the requirements of regulation 50.10.100.10(1), **vehicle** access to Blocks P12, P14, P15 and P16, as shown on Diagram 4 (Block Plan) of By-law 609-2026(OLT), is not permitted from Commissioners Street;

- (OOO) In addition to the requirements of regulation 50.10.100.10(1) **vehicle** access to Blocks P02, P03, P07, P08, P12 and P16, as shown on Diagram 4 (Block Plan) of By-law 609-2026(OLT), is not permitted from New Cherry Street;
- (PPP) Despite regulation 220.5.1.10(1), the calculation of required **loading spaces** is based on the total **gross floor area** of each Block as shown on Diagram 4 (Block Plan) of By-law 609-2026(OLT);
- (QQQ) For the purpose of this exception, required **loading spaces** are permitted to be provided above, at, or below ground level on all Blocks as shown on Diagram 4 (Block Plan) of By-law 609-2026(OLT), provided the **loading spaces** are located inside a **building**;

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

8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.42.10 exception Number 46 so that it reads:

Exception OR 46

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 purpose of this exception, each word or expression that is in bold font in this exception shall have the same meaning as each word or expression as defined in Chapter 800 of this By-law, as amended, except for the following:
- (i) "Marine Terminal or Berth" means a **premises** for the mooring of boats, ships, ferries and other water vessels, but not including pleasure craft, for the land or water transshipment of goods or transfer of passengers, for the operation of a water taxi service, ferry service, boat rental, charter service, or for related marine services.
 - (ii) "Urban Farm – Class A": means the use of land, with or without a principal **building**, for the commercial cultivation of horticultural crops and may include the accessory keeping of bees. A **marihuana production facility** use is not an "urban farm - class A.
- (B) In addition to the uses listed in Clause 90.30.20.10, the following uses are also permitted.
- (i) **Agricultural Use;**
 - (ii) **Artist Studio;**
 - (iii) **Market Garden;**

- (iv) Outdoor Sales and Display;
 - (v) **Performing Arts Studio**;
 - (vi) "Marine Terminal or Berth"; and
 - (vii) "Urban Farm – Class A";
- (C) Despite regulation 90.30.20.100(3), an **eating establishment, retail store, or take-out eating establishment** do not need to be associated with other uses;
- (D) Despite regulation 90.30.20.100(1), an **amusement arcade, club, education use, or stable** do not need to be associated with other uses;
- (E) In addition to regulation 90.30.20.100(5)(A), an outdoor patio may also be combined with a **community centre, retail store, and sports place of assembly** use;
- (F) For the purpose of this exception, a **place of assembly, sports place of assembly and recreational use** do not permit any gaming or lottery device regulated under Province of Ontario legislation; and
- (G) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** are not required for non-residential uses.

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 30 so that it reads:

Exception ON 30

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 purpose of this exception, each word or expression that is in bold font in this exception shall have the same meaning as each word or expression as defined in Chapter 800 of this By-law, except for the following:
- (i) "Marine Terminal or Berth" means a **premises** for the mooring of boats, ships, ferries and other water vessels, but not including pleasure craft, for the land or water transshipment of goods or transfer of passengers, for the operation of a water taxi service, ferry service, boat rental, charter service, or for related marine services.

- (B) In addition to the permitted uses listed in Clauses 90.20.20.10 and 90.20.20.20, the following uses are also permitted:
 - (i) **Artist Gallery;**
 - (ii) **Artist Studio;**
 - (iii) "Marine Terminal or Berth"; and
 - (iv) **Public Works Yard;**
- (C) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** are not required for non-residential uses.

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

10. Holding provisions:

The lands that are delineated with heavy lines and zoned CRE with the ("H") symbol, pursuant to Section 36 of the Planning Act, and as shown on Diagram 2 of By-law 609-2026(OLT) attached to and forming part of this By-law shall comply with the provisions of section 7 of this By-law.

The ("H") symbol may be removed from any portion of the area of lands covered by the exception in accordance with this regulation and any such portion will be considered a phase of development:

- (A) Lands zoned with the ("H") symbol shall not be used for any purpose other than those provided in this regulation until the ("H") symbol is removed;
- (B) The following "meanwhile uses" are permitted prior to the removal of the ("H") symbol, subject to the requirements specified in regulations (C) to (L) below have been satisfied to the satisfaction of the Chief Planner and Executive Director, City Planning and the Executive Director, Development Review, or their designate:
 - i. **Agricultural Use;**
 - ii. Ambulance Depot;
 - iii. **Amusement Arcade;**
 - iv. Animal Shelter;
 - v. **Art Gallery;**
 - vi. **Artist Studio;**
 - vii. **Automated Banking Machine;**

- viii. **Cabaret;**
- ix. **Club;**
- x. **Community Centre;**
- xi. **Contractor's Yard;**
- xii. **Crisis Care Centre;**
- xiii. **Custom Workshop;**
- xiv. **Eating Establishment;**
- xv. **Education Use;**
- xvi. **Entertainment Place of Assembly;**
- xvii. **Financial Institution;**
- xviii. **Fire Hall;**
- xix. **Laboratory;**
- xx. **Library;**
- xxi. **Market Garden;**
- xxii. "Marine Terminal or Berth";
- xxiii. **Massage Therapy;**
- xxiv. Medical Office;
- xxv. **Municipal Shelter;**
- xxvi. **Museum;**
- xxvii. **Nightclub;**
- xxviii. Office;
- xxix. **Open Storage;**
- xxx. **Outdoor Patio;**
- xxxi. Outdoor Sales or Display;

- xxxii. **Park;**
- xxxiii. **Passenger Terminal;**
- xxxiv. **Performing Arts Studio;**
- xxxv. **Personal Service Shop;**
- xxxvi. **Production Studio;**
- xxxvii. **Place of Assembly;**
- xxxviii. **Public Parking;**
- xxxix. **Public Utility;**
- xl. **Public Works Yard;**
- xli. **Recreational Use;**
- xl.ii. **Retail Service;**
- xl.iii. **Retail Store;**
- xl. iv. **Service Shop;**
- xl. v. **Software Development and Processing;**
- xl. vi. **Sports Place of Assembly;**
- xl. vii. **Take-out Eating Establishment;**
- xl. viii. Sales centre for the purpose of the sale or lease of **dwelling units** or commercial space;
- xl. ix. **Transportation Use;**
- l. "Urban Farm – Class A";
- li. "Urban Farm – Class B";
- lii. **Warehouse;**
- liii. **Wholesaling Use;** and
- liv. **Wellness Centre;**

- (C) Prior to the erection of a **building** that exceeds 50 square metres of **interior floor area**, confirmation of water, wastewater and stormwater servicing capacity is required, to the satisfaction of the Executive Director, Engineering and Construction Services and General Manager, Toronto Water;
- (D) Land uses permitted prior to the removal of the ("H") symbol must be on a **lot** that abuts a **street**;
- (E) Prior to the removal of the ("H") symbol, an **amusement arcade, art gallery, artist studio, cabaret, club, community centre, custom workshop, eating establishment, entertainment place of assembly, financial institution, library, medical office, museum, nightclub, recreational use, retail store, retail service, performing arts studio, personal service shop, place of assembly, service shop, sports place of assembly, and take-out eating establishment** are considered "ground floor commercial activation uses";
- (F) Prior to the removal of the ("H") symbol, at least 40 percent of the length of the **exterior wall** of the first storey of the **building** that is located in a Ground Floor Commercial Activation Area, as shown on Diagram 6, must be used for no purpose other than "ground floor commercial activation uses", as specified in (F) above;
- (G) Prior to the removal of the ("H") Symbol, a **community centre, entertainment place of assembly, recreation use, retail store, sports place of assembly or take-out eating establishment** may also have an **outdoor patio**;
- (H) Prior to the removal of the ("H") symbol, the permitted maximum area of an **outdoor patio** that is located above the first **storey** of a **building** is the greater of:
 - (i) 50 square meters, or
 - (ii) 50 percent of the **interior floor area** of the **premises** it is associated with;
- (I) Prior to the removal of the ("H") symbol, and despite regulation 50.10.20.100(21)(C), an **outdoor patio** may be used to provide entertainment such as performances and music, with the following to occupy a maximum of 20 percent of the **outdoor patio** floor area:
 - (i) stage; and
 - (ii) dance floor;
- (J) Prior to the removal of the ("H") symbol, a **Retail Store** combined with an "Urban Farm - Class A" or "Urban Farm – Class B" must be associated with a permitted "Urban Farm - Class A" or "Urban Farm – Class B" use on the same **lot**;
- (K) Prior to the removal of the ("H") symbol, a **parking space** may not be provided:

- (i) within 5 metres of a **front yard**;
 - (ii) within 5 metres of a **side yard** abutting a **street**; and
 - (iii) within 5 metres of a **rear yard** abutting a **street**;
- (L) Prior to the removal of the ("H") symbol, **vehicle** access to a permitted use, **loading space**, or a **parking space** must be from a **street** which is not a **major street** on the Policy Areas Overlay Map in Section 995.10;
- (M) An amending by-law to remove the ("H") symbol in whole or in part, and in respect of specific uses, shall be enacted by City Council or through delegated authority when the implementation of the following conditions at the owner's sole expense have been secured to the satisfaction of the Chief Planner and Executive Director, City Planning, and the Executive Director, Development Review, or their designate, through the execution and registration on title of an agreement, or agreements pursuant to Section 37, 51, and/or 53 of the Planning Act or Section 114 of the City of Toronto Act, 2006, as appropriate:
 - (i) Satisfactory arrangements are in place to secure the provision of local municipal infrastructure, including sewer, water, and stormwater networks to service the proposed development, to the satisfaction of the General Manager, Toronto Water and the Chief Engineer and Executive Director, Engineering and Construction Services;
 - (ii) Resolution of sanitary servicing capacity issues through completion of any necessary capital improvements, or through any "interim" condition as detailed by the owner, to the satisfaction of the General Manager, Toronto Water and the Chief Engineer and Executive Director, Engineering and Construction Services;
 - (iii) The location, design, and provision of transportation infrastructure to support redevelopment have been secured to the satisfaction of the General Manager, Transportation Services, and the Chief Planner and Executive Director, City Planning, and the Executive Director, Development Review, or their designate, including any additional required easements, setbacks or roadway conveyances;
 - (iv) The owner shall provide a noise study, air quality study, and a detailed design plan in support of a Site Plan Control application for any sensitive land use which demonstrate that appropriate noise and/or air quality mitigation works will be implemented. The noise study and air quality study shall be submitted by the owner to the City of Toronto. The City of Toronto will undertake a peer review of such studies at the owner's expense. The owner shall be requested to provide a copy to all industrial and port operators, utilities or major facilities that have been identified within the noise and air quality study within the Port Lands. Such studies shall demonstrate:

- (a) That the requirements of Ministry of Environment, Conservation and Parks regulation and guidelines, including NPC-300, in accordance with the July 11, 2022 Ontario Land Tribunal Decision, have been satisfactorily addressed; and
 - (b) That the requirements of any agreements with the City and third parties, as well as the July 11, 2022 Ontario Land Tribunal Decision respecting noise and air quality mitigation, have been satisfactorily addressed;
- (v) Confirmation that the Waterfront East Light Rail Transit (LRT) will be completed prior to the occupancy or, and if the LRT cannot be completed prior to occupancy, the following shall be provided:
 - (a) To the satisfaction of the Executive Director, Transportation Services or their designate, the submission of a transit impact assessment that demonstrates how access to/from the site and Villiers Island will be provided in advance of Waterfront East Light Rail Transit being implemented; or
 - (b) To the satisfaction of the Executive Director, Transportation Services, confirmation of the implementation of any interim on-site and off-site improvements to the transportation network that are identified in the traffic impact study as required to accommodate site traffic in advance of Waterfront East Light Rail Transit being completed;
- (vi) The owner has provided written confirmation from the Toronto and Region Conservation Authority that:
 - (a) the Port Lands flood protection infrastructure is complete and functional, and the Special Policy Area designation is removed; or
 - (b) that the requirements of the Protocol Regarding the Lower Don Special Policy Area have been satisfied;
- (vii) Acceptance by the Chief Planer and Executive Director, City Planning and the Executive Director, Housing Secretariat, of a Housing Plan that identifies:
 - (a) the percentage of **dwelling units** that will be two and three bedrooms in size for both the market units and for the affordable housing units;
 - (b) how the target of 30 percent affordable housing articulated in the Official Plan Amendment is being met for the specific development phase and the entire Plan Area, including through which delivery mechanism(s);

- (c) the proposed number, unit types, and location of affordable housing units in a development, and
- (d) and the proposed number, unit types and location of the affordable housing units in a development;
- (viii) Acceptance by the Chief Planner and Executive Director, City Planning, and the Executive Director, Development Review, or their designate, of a Community Services and Facilities (CS&F) Implementation Plan that identifies what facilities have been delivered and what remaining facilities are required;
- (ix) Approval by the Executive Director, Toronto Emergency Management, or their designate, of emergency servicing, including fire, paramedic and fire service capacity for a development; and
- (x) Acceptance by the Chief Planner and Executive Director, City Planning and the Executive Director, Development Review, or their designate, of a parking needs assessment and implementation plan that identifies the **public parking** required on Blocks P07, P12, P11 and P15 to support the adjacent **parks** and catalytic uses.

Ontario Land Tribunal Decision issued on March 4, 2025 and Ontario Land Tribunal Order issued on June 1, 2026 in Tribunal File OLT-24-000835.

Diagram 1

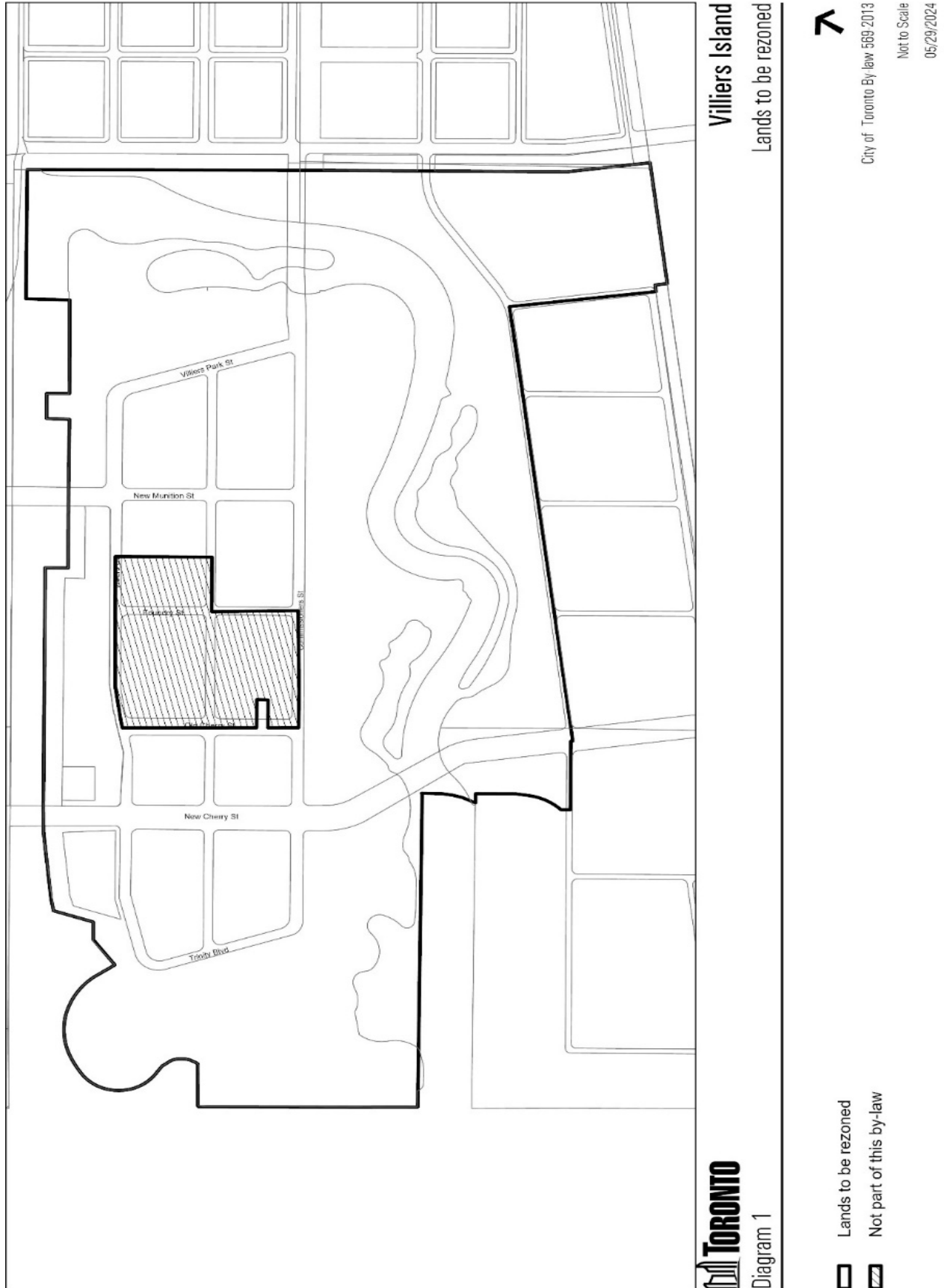
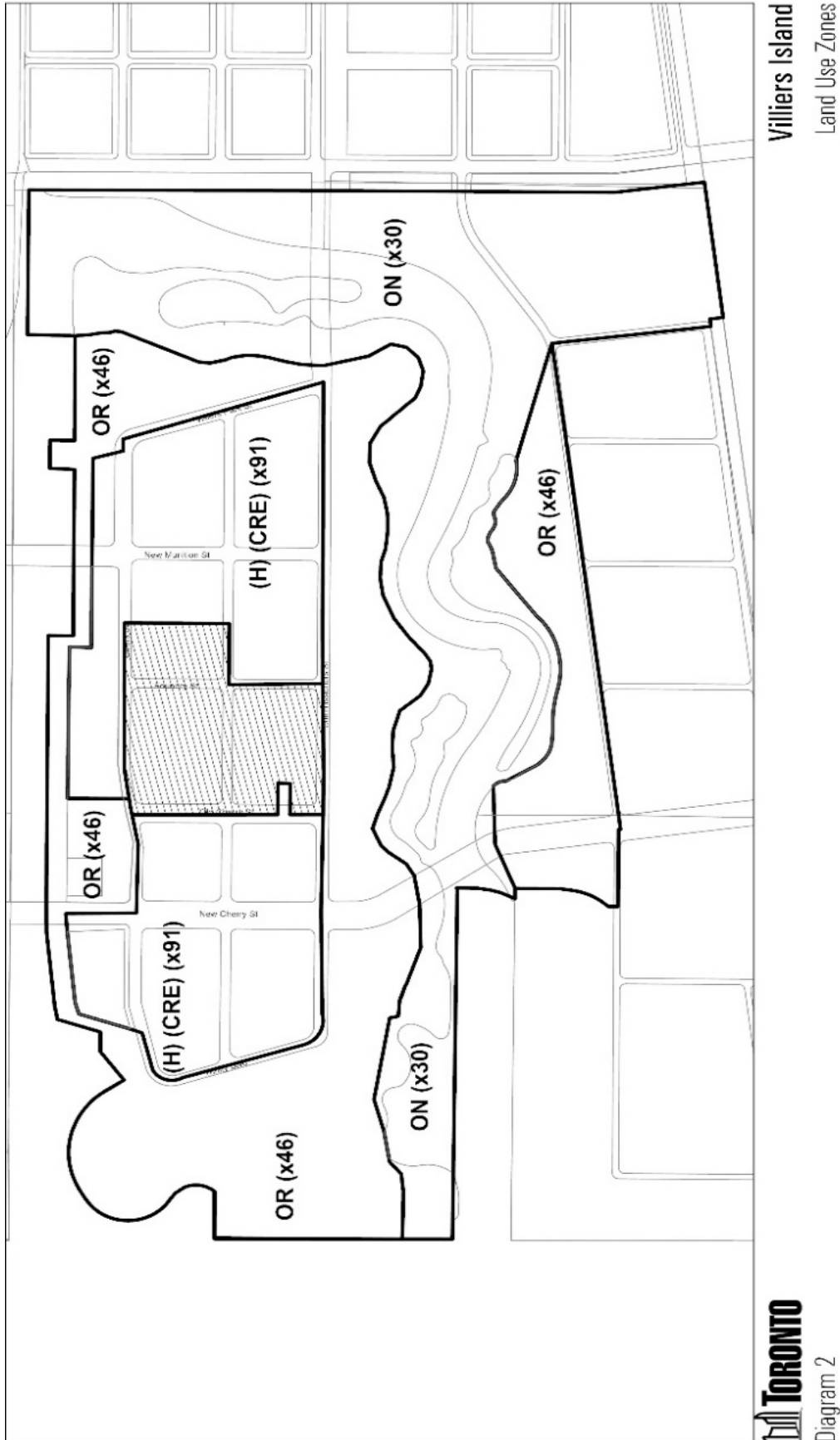


Diagram 2



7

City of Toronto By-law 609-2026(OLT)

Not to Scale

06/25/2024

Diagram 3

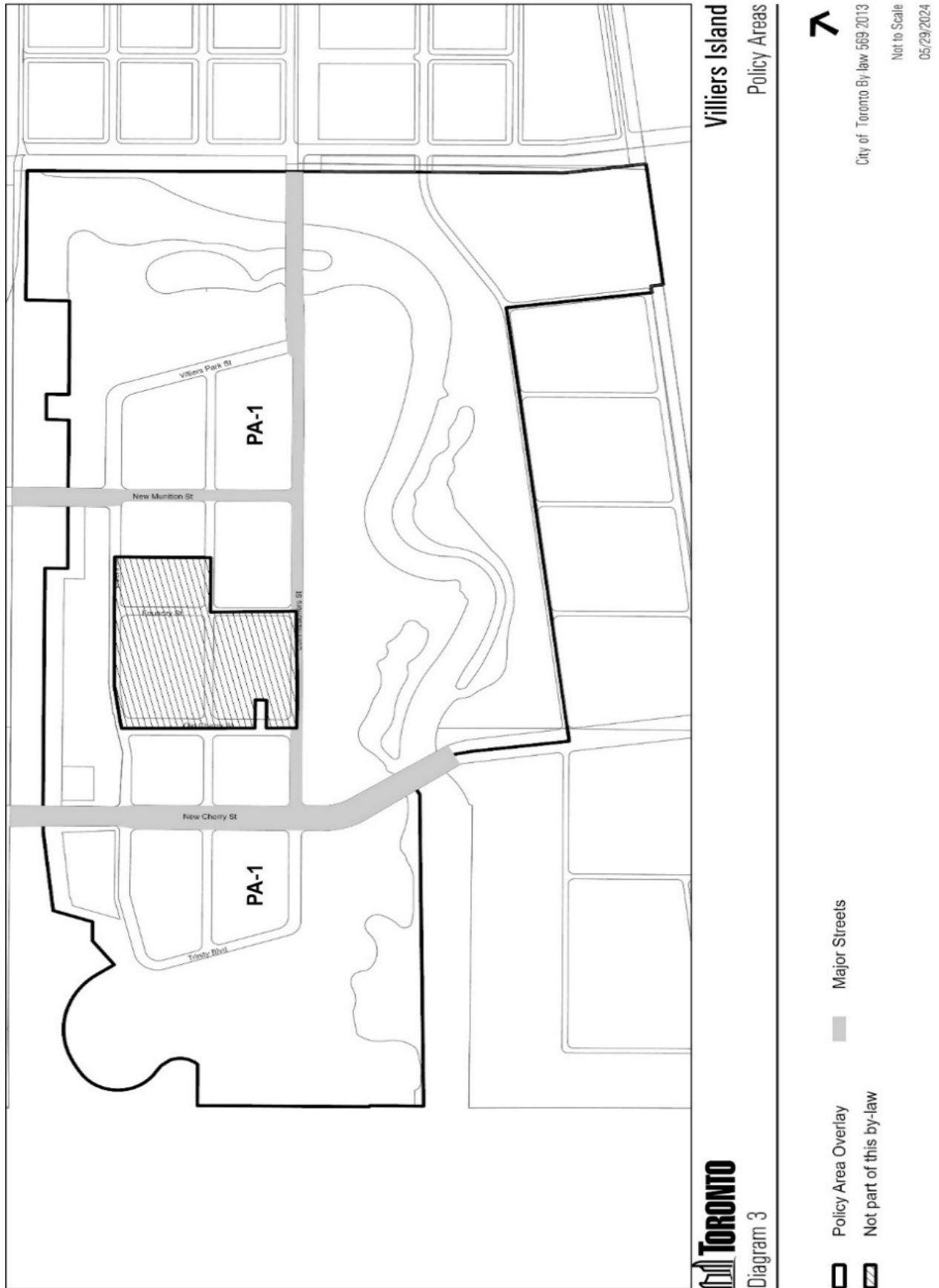


Diagram 4



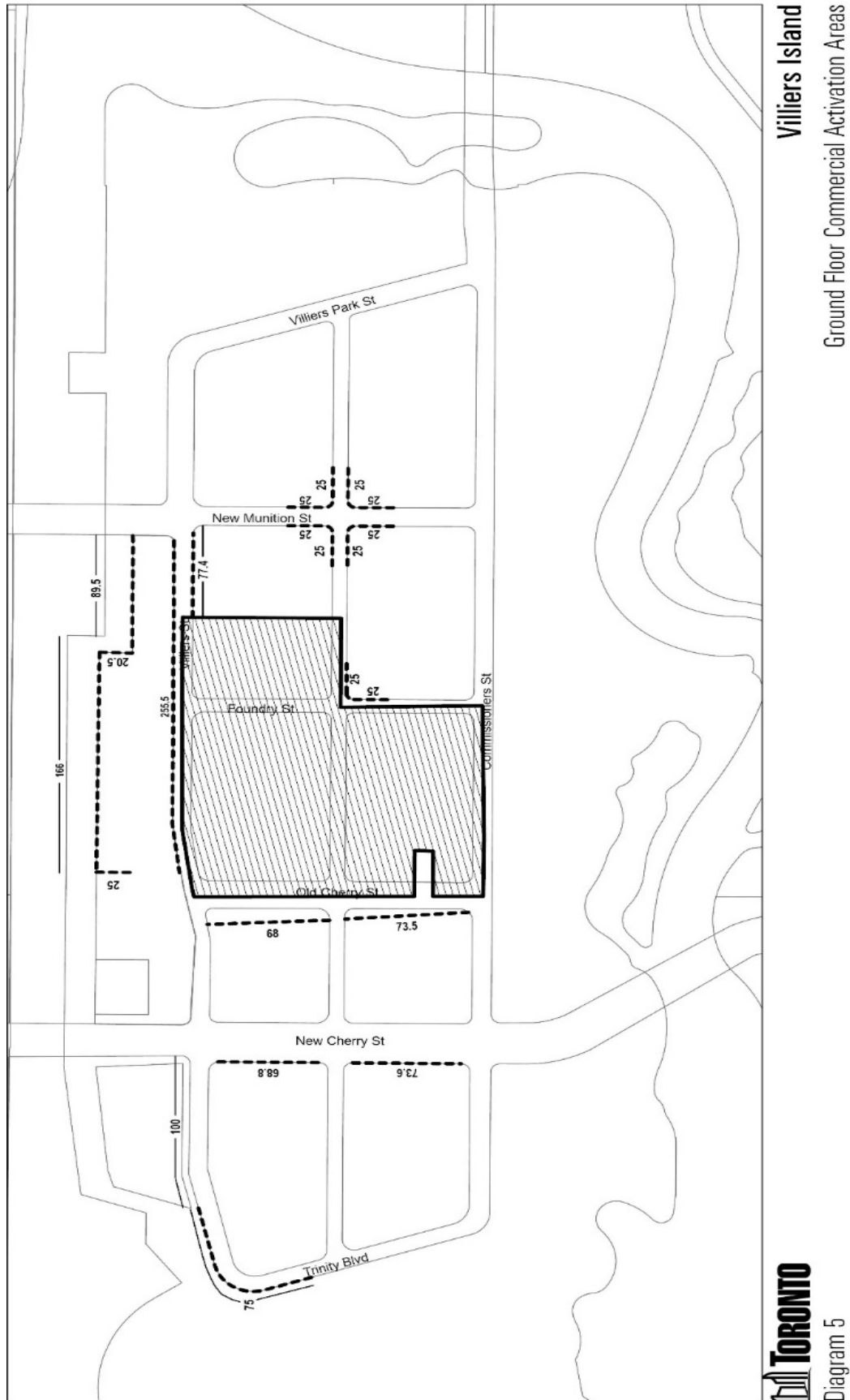
Legend:

- Blocks
- Not part of this by-law

North Arrow:

City of Toronto By-law 569-2013
Not to Scale
05/29/2024

Diagram 5



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City of Toronto By-law 569-2013

Not to Scale

05/29/2024

Ground Floor Commercial Activation Areas

Not part of this by-law

Diagram 6



Diagram 6

**Villiers Island
Height Overlay Map**

 Not part of this by-law



City of Toronto By-law 559-2013

Not to Scale

06/05/2026

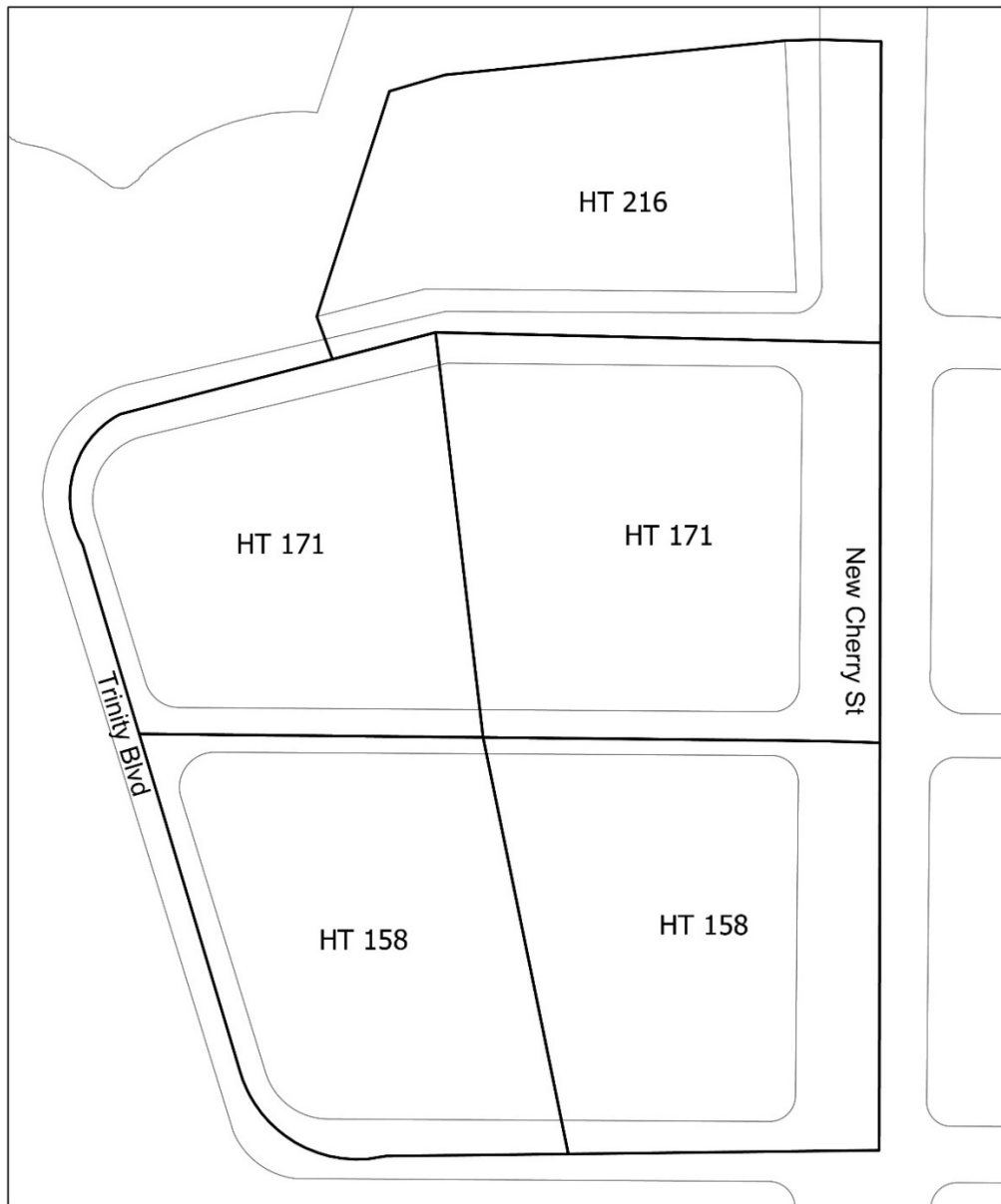
Diagram 7A

Diagram 7B



Diagram 7C

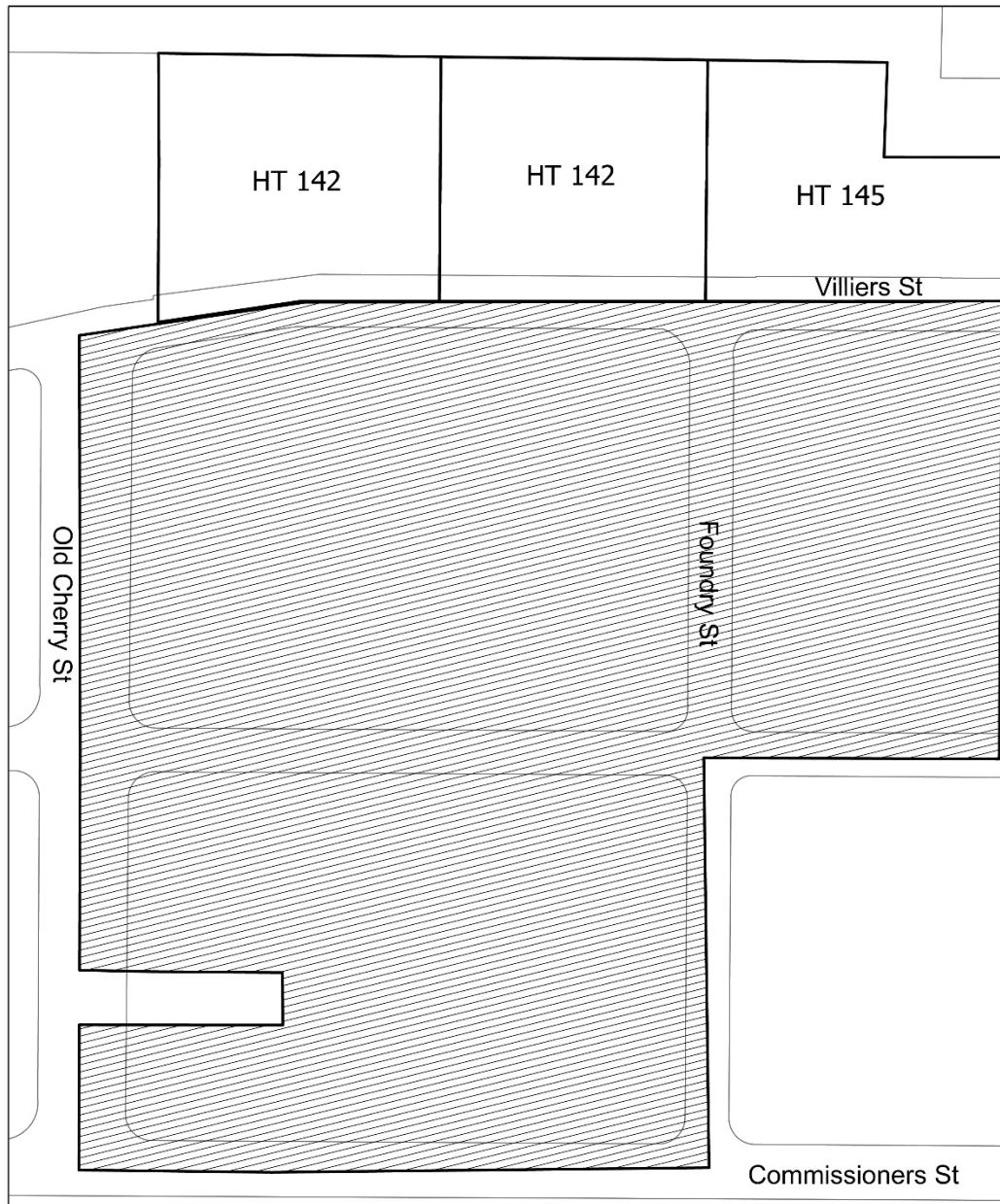


Diagram 7D

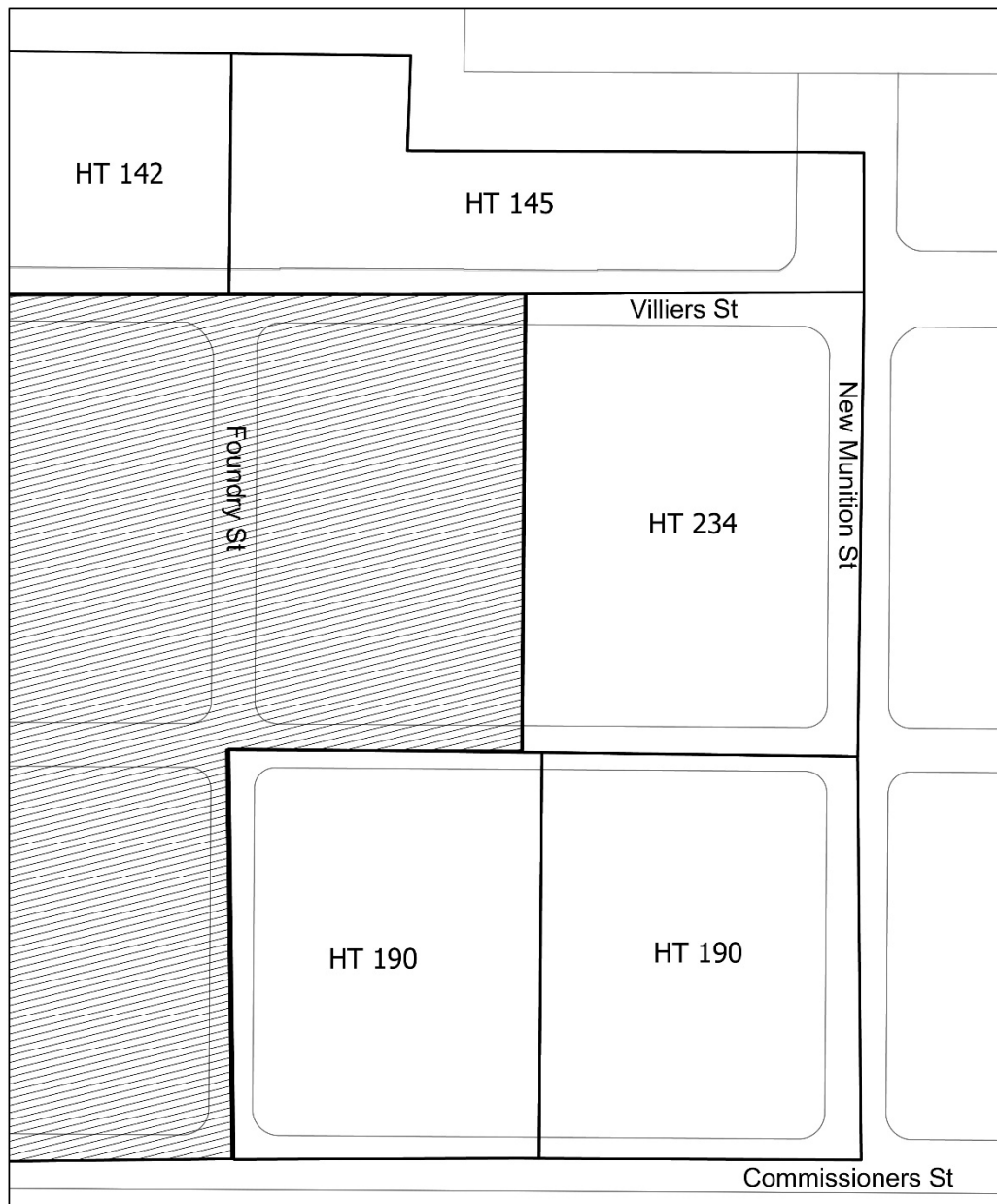


Diagram 7E

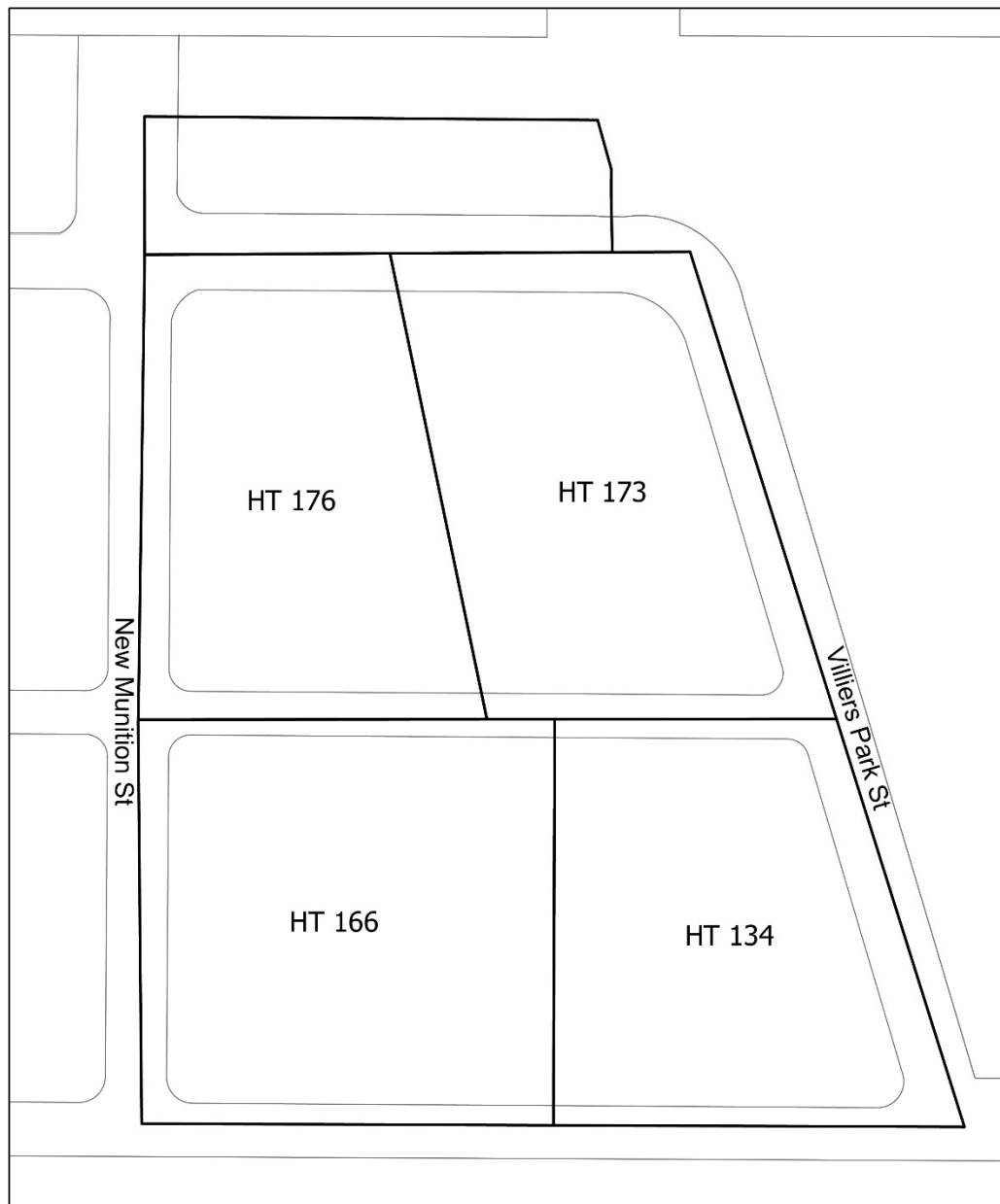


Diagram 8

