

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

CITY OF TORONTO

Bill No. ~

BY-LAW No. [####-2022]

To amend the Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 29, 35, 41, and 75 Basin Street as shown on Diagram 1 to this By-law being a portion of the Port Lands located in the City of Toronto.

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

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

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning 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 labels to these lands: EL 2.5 (x####) and ON (x####) as shown on Diagram 2 attached to this By-law;
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;
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 label to these lands: HT 42.0 and HT 12.0 as shown on Diagram 4 attached to this By-law;
6. Zoning By-law 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 with no value;
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 with no value; and

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

Exception EL

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

Site Specific Provisions:

- (A) On 29, 35, 41, and 75 Basin Street, as shown zoned EL 2.5 (x###) on Diagram 2 of By-law ###-2022 [Clerks to insert By-law Number], **buildings** or **structures** may be constructed, used or enlarged in compliance with Sections (B) to (V) below;
- (B) For the purposes of this exception, the **lot** is comprised of the lands identified as EL 2.5 (x###) on Diagram 2 of By-law ###-2022 [Clerks to insert By-law Number];
- (C) In accordance with Clause 5.10.30.20, the **lot line** abutting Basin Street is the **front lot line**;
- (D) Despite Clauses 60.5.40.10 (1) and (2), the height of a **building** or **structure** is the distance between Canadian Geodetic Datum of 76.85 metres and the elevation of the highest point of the **building** or **structure**;
- (E) Despite Clause 60.5.40.60 (1), a canopy, awning or similar structure may encroach into a required minimum **building** setback that is not a **street yard**, regardless of how high it is above the elevation of the ground directly below it;
- (F) In addition to the uses permitted in Clause 60.10.20.10 (1), the following uses are also permitted:
 - (i) **Art Gallery**
 - (ii) **Club**
 - (iii) **District Heating and Cooling Plant**
 - (iv) **Library**
 - (v) **Massage Therapy**
 - (vi) **Medical Office**
 - (vii) **Museum**
 - (viii) **Personal Service Shop**
 - (ix) **Recreation Use**
 - (x) **Retail Service**
 - (xi) **Software Development and Processing**
 - (xii) **Wellness Centre**
- (G) Despite Clauses 60.10.20.10 (1) and 60.10.20.20 (1), the following uses are not permitted:

- (i) **Crematorium**
 - (ii) Dry Cleaning or Laundry Plant
 - (iii) **Open Storage**
 - (iv) Plastic Product **Manufacturing Use**
 - (v) **Self-storage Warehouse**
- (H) Despite the uses permitted in Clauses 60.10.20.10 (1) and 60.10.20.20 (1), the following uses are also permitted if they comply with the specific conditions associated with each use:
- (i) **Cabaret** provided the **interior floor area** does not exceed 1,000 square metres.
 - (ii) **Contractor's Establishment** provided a **contractor's establishment** must store loose materials such as sand, gravel or concrete in an enclosed **building**.
 - (iii) **Eating Establishment** provided the individual **interior floor area** does not exceed 3,500 square metres and must comply with the specific use regulations in Clause 150.100.
 - (iv) **Entertainment Place of Assembly** provided the individual **interior floor area** does not exceed 1,000 square metres.
 - (v) **Financial Institution** provided this use is not within 20.0 metres of an intersection of two streets.
 - (vi) **Nightclub** provided the individual **interior floor area** does not exceed 1,000 square metres.
 - (vii) Office provided this use shall include production office, general office, and executive production office areas that will not exceed a floor space index of 0.85 over the entire **lot**.
 - (viii) **Outdoor Patio** provided it is an **ancillary** use associated with a **cabaret, eating establishment, entertainment place of assembly, nightclub, recreation use, and a take-out eating establishment**.
 - (ix) **Parking Garage** provided it is in one or two **parking garages** and collectively will not contain more than 1.25 parking spaces per 100 square metres of permitted **gross floor area** on the **lot** and be located in the within the area depicted on Diagram 5 of By-law ###-2022 [**Clerks to insert By-law Number**].
 - (x) **Retail Store** provided the individual **interior floor area** does not exceed 3,500 square metres.
 - (xi) **Take-out Eating Establishment** provided the individual **interior floor area** does not exceed 3,500 square metres.
 - (xii) **Transportation Use** despite Clause 60.12.20.100 (19), this use is a permitted use if it is operated by, or on behalf of, the Toronto Transit Commission.
 - (xiii) **Warehouse** despite Clause 60.10.20.10, this use is a permitted use if it is not used for the purpose of, or in association with, a postal or courier service.
 - (xiv) **Wholesaling Use** despite Clause 60.10.20.10, this use is a permitted use if it is not used for the purpose of, or in association with, a postal or courier

service.

- (I) For the purposes of this exception, **Artist Studio, Custom Workshop, Entertainment Place of Assembly, Office, Performing Arts Studio, Production Studio, Software Development and Processing, and Warehouse** shall be considered “studio-oriented uses”.
- (J) For the purposes of this exception, “base camp” means an **ancillary** activity to the “studio-oriented uses” that involve the temporary parking and storage of fleet, production, and studio operation vehicles and are not considered **parking spaces** for the purposes of Clauses (H) (9) and (U) of this By-law.
- (K) Canopies, awnings, wind screens, snow screens, or similar **structures** over pedestrian entrances must be no less than 2.5 metres above the elevation of the ground directly below it. Canopies, awnings, or similar **structures** over **production studio** stage doorways must be no less than 6.1 metres above the elevation of the ground directly below it.
- (L) Any pedestrian and utility service bridge **structures** must be located no less than 6.1 metres above the elevation of the ground directly below it.
- (M) Any pedestrian and utility service bridge **structures** in Clause (L) of this By-law must be no taller than one storey and 5.5 metres, as measured floor to floor.
- (N) On the **lot** with a “studio-oriented use”, a barrier, such as a fence, gate, berm, retaining wall, or landscaped buffer may be provided for areas:
 - (i) between a **lot line** that abuts a **street** and an area that is used for a “studio-oriented use”, located a maximum of 3.0 metres from the **lot line** that abuts a **street**, except for the portions used for **vehicle** and pedestrian access; or
 - (ii) along the entire perimeter of the portion of the **lot** that is used for a “studio-oriented use”; and
 - (iii) along all **lot lines** that abut the ON (x###) zone.
- (O) Despite Clauses 60.5.40.10 and 60.10.40.10 (1), the following **structures** and equipment may project beyond the permitted height of a **building**:
 - (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts and equipment, chimneys, and vents to a maximum of 2.5 metres;
 - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, may project above the height limits to a maximum of 3.0 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with

- a green roof may project above the height limits to a maximum of 2.0 metres;
- (iv) **building** maintenance units and window washing equipment may project above the height limits to a maximum of 2.5 metres;
 - (v) planters, landscaping features, guard rails, and divider screens on a balcony and/or terrace may project above the height limits to a maximum of 2.0 metres;
 - (vi) trellises, pergolas, and unenclosed structures providing safety or wind protection to rooftop amenity space may project above the height limits to a maximum of 2.5 metres; and
 - (vii) architectural signage and associated **structures** may project above the height limits to a maximum of 5.0 metres
- (P) Despite Clause 60.10.40.10 (1) and Diagram 4 attached to this By-law, any **buildings** or **structures** may have a height limit of 46.0 metres on the **lot**, so long as the cumulative area to which this height limit applies does not exceed 15% of the **lot** area for the 42.0 metre height limit area as indicated on Diagram 4 attached to this By-law.
- (Q) Despite Clause 60.10.40.10 (1) and Diagram 4 attached to this By-law, the required minimum height of all **main walls** facing a **lot line**, with the exception of the former Sun Oil heritage **building** identified on Diagram 5 attached to this By-law, is 10.0 metres.
- (R) Despite Clause 60.10.40.70 (1), (2), and (3), on the **lot** abutting a **street** or a **lot line** abutting the ON (x###) zone, the required minimum **front yard setback**, minimum **side yard setback**, and minimum **rear yard setback** shall be 0.0 metres.
- (S) Regulation 60.10.50.10 (1), with regards to **soft landscaping**, does not apply to a **lot line** abutting a **street**.
- (T) Despite Clause 60.5.80.10 (1) and (2), a **parking space** may not be located in the **front yard**, **side yard** abutting a **street**, or in a **side yard** or **rear yard** abutting the ON (x###) zone.
- (U) Despite Clause 200.5.10.1 (1) and Table 200.5.10, for all permitted uses identified in Clauses 60.10.20.10 (1) and 60.10.20.20 (1) as amended by provisions (F), (G), and (H) above, **parking spaces** may not exceed a maximum rate of 1.25 **parking spaces** per 100 square metres of **gross floor area**. No minimum **parking spaces** are required.
- (V) Despite Clause 230.5.10.1 (1) and Table 230.5.10.1 (1), for all permitted uses identified in Clauses 60.10.20.10 (1) and 60.10.20.20 (1) as amended by provisions (F), (G), and (H) above, **bicycle parking spaces** must provide at a minimum rate

of 0.25 **bicycle parking spaces** per 100 square metres of **interior floor area**, with the following allocated as follows:

- (i) 10% short-term **bicycle parking spaces**; and
- (ii) 90% long-term **bicycle parking spaces**.

Prevailing By-laws and Prevailing Sections: None

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

(#) Exception ON [x###]

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

Site Specific Provisions:

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

(i) **Take-out eating Establishment**

- (B) Despite the uses listed in Clause 90.10.20.10 and 90.10.20.20, the following uses are not permitted:

- (i) **Transportation Use**
- (ii) **Entertainment Place of Assembly**

Prevailing By-laws and Prevailing Sections: None

Enacted and passed on **month ##, 2022**.

Name,

Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

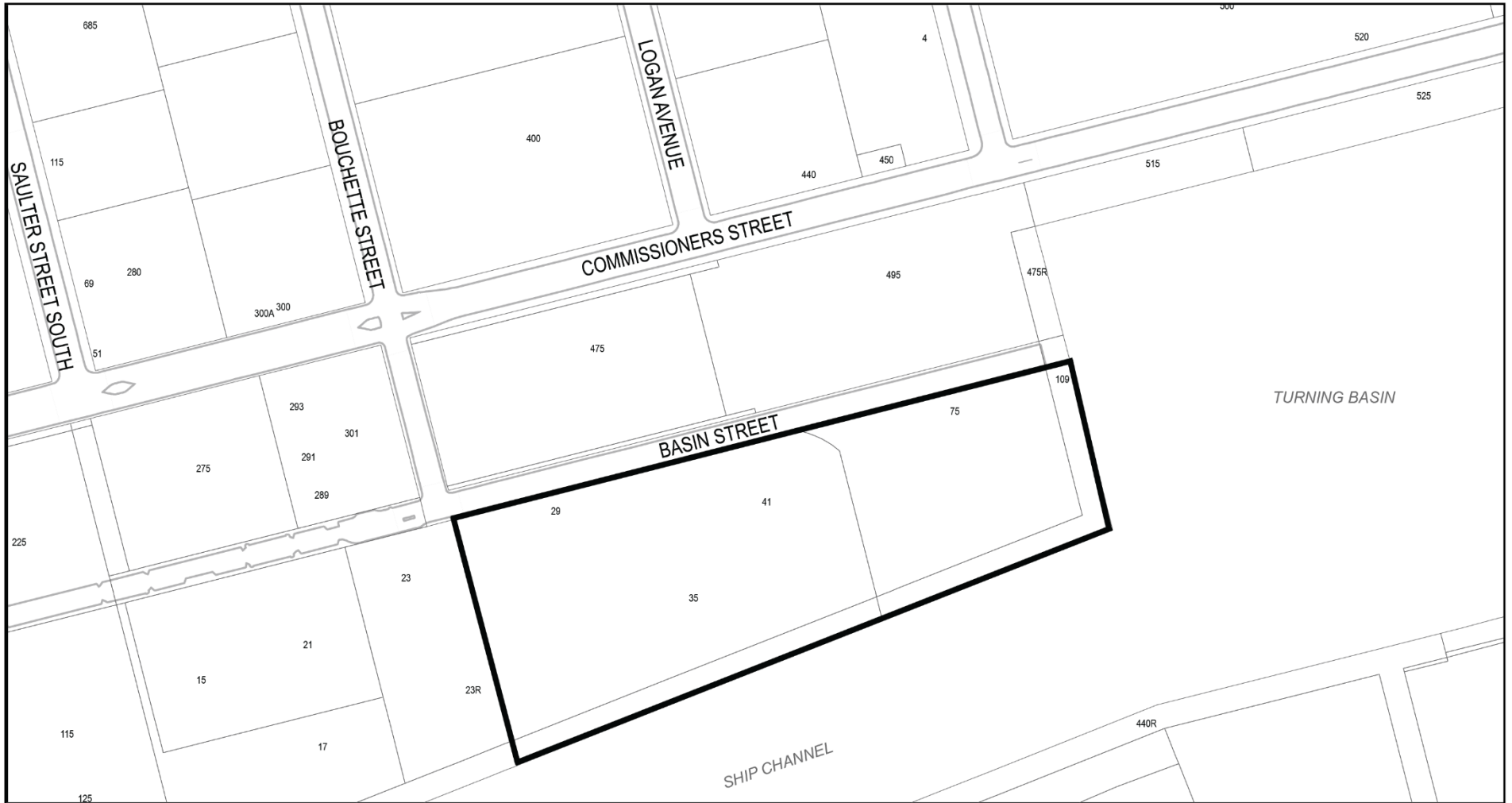
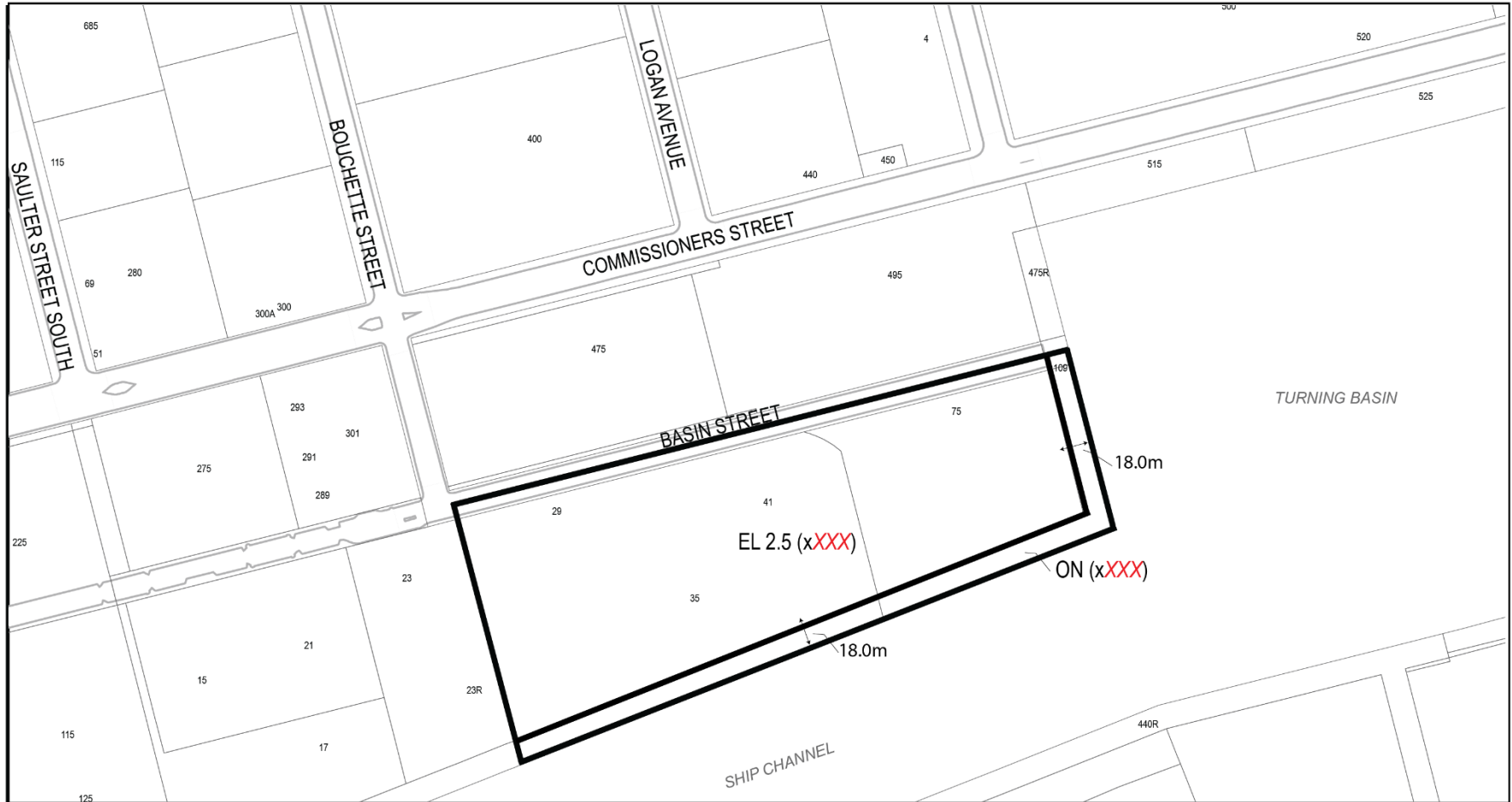


Diagram 1 - Lands Subject to Zoning By-law

29, 35, 41, and 75 Basin Street

Not to Scale

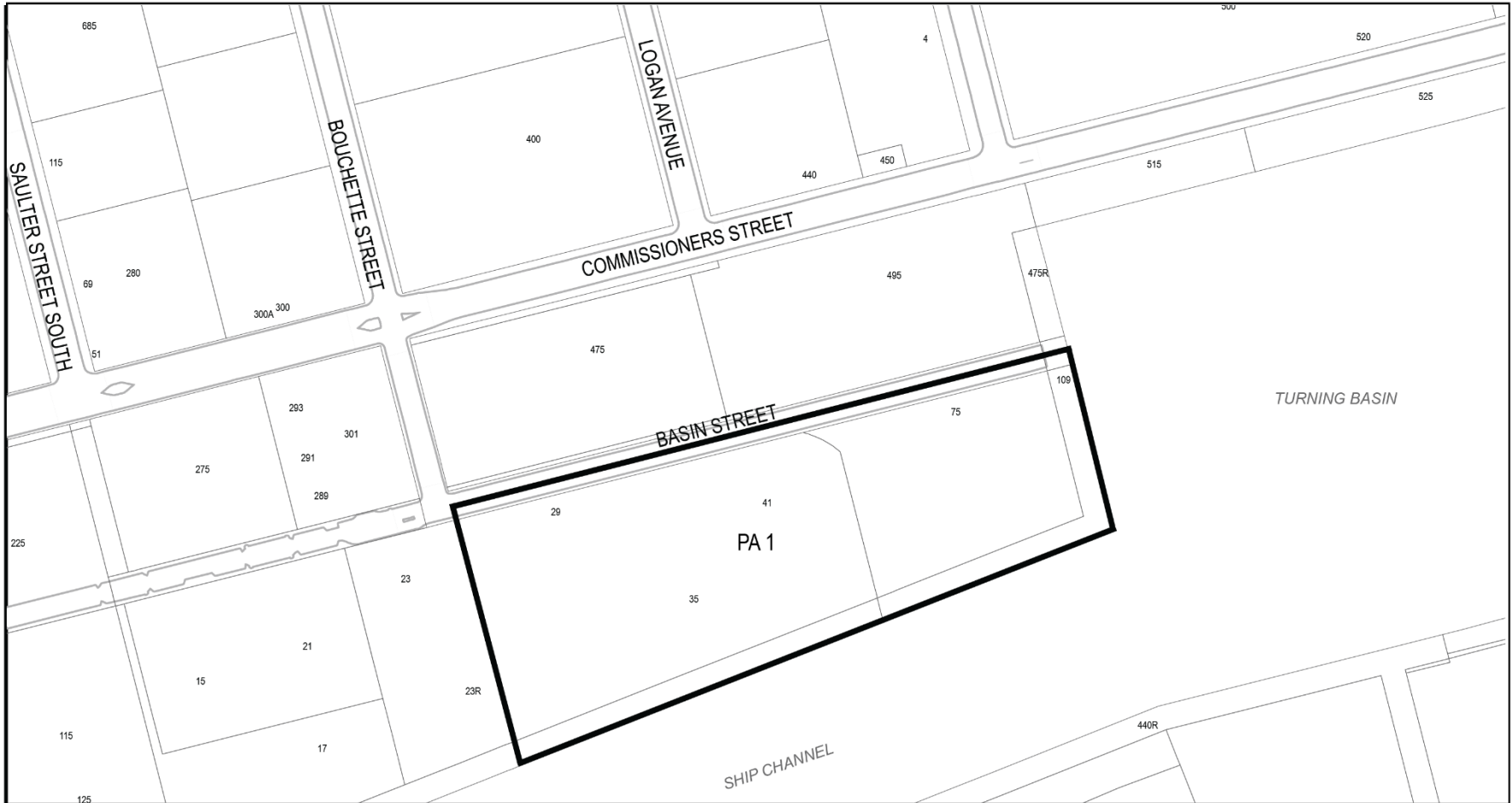
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 **TORONTO**
Diagram 2 - Zoning Area

29, 35, 41, and 75 Basin Street

Not to Scale
05/27/2022



 **Toronto**
Diagram 3 - Policy Area

29, 35, 41, and 75 Basin Street

Not to Scale
05/27/2022

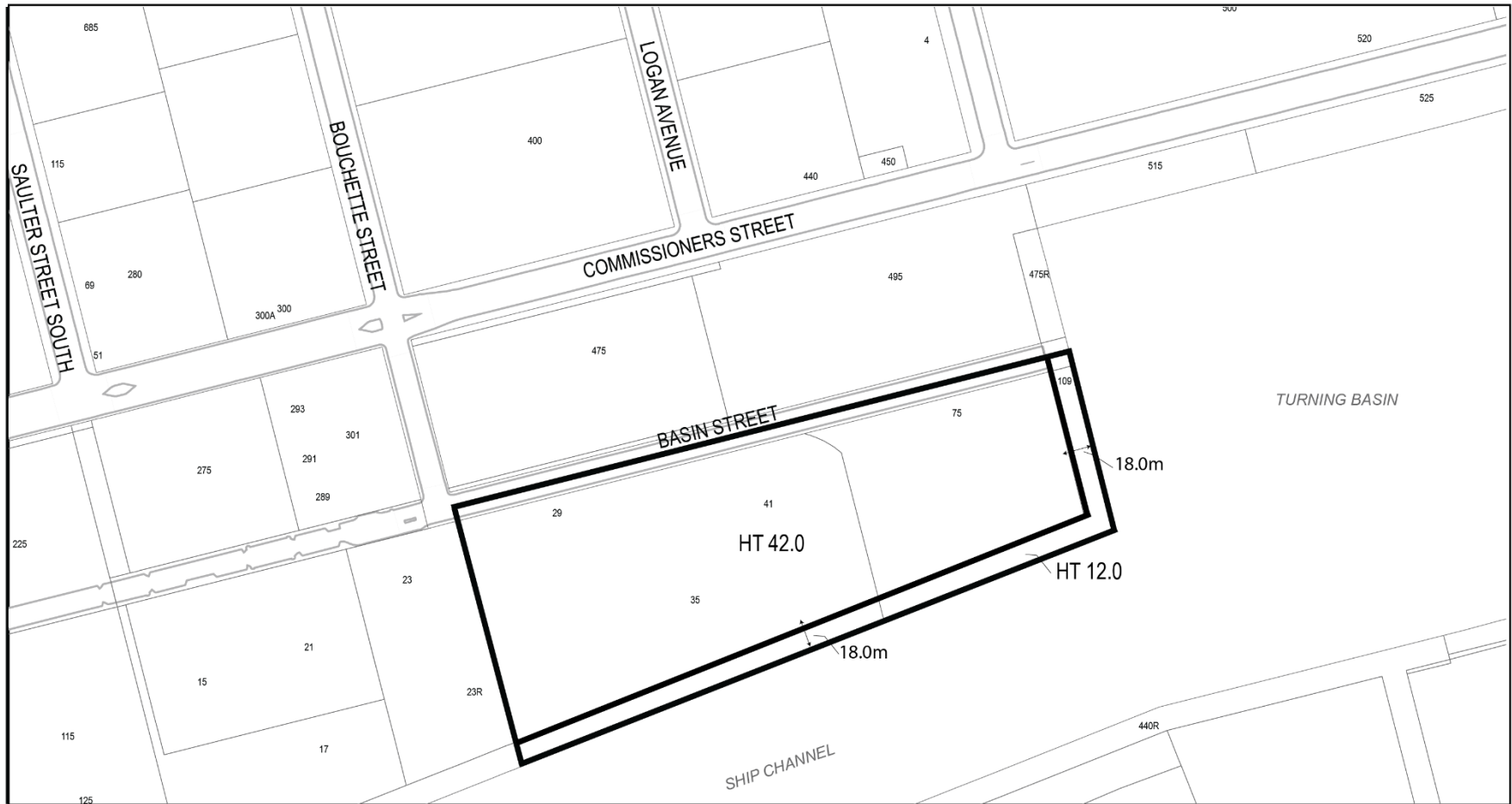


Diagram 4 - Maximum Building Height

29, 35, 41, and 75 Basin Street

Not to Scale
05/27/2022

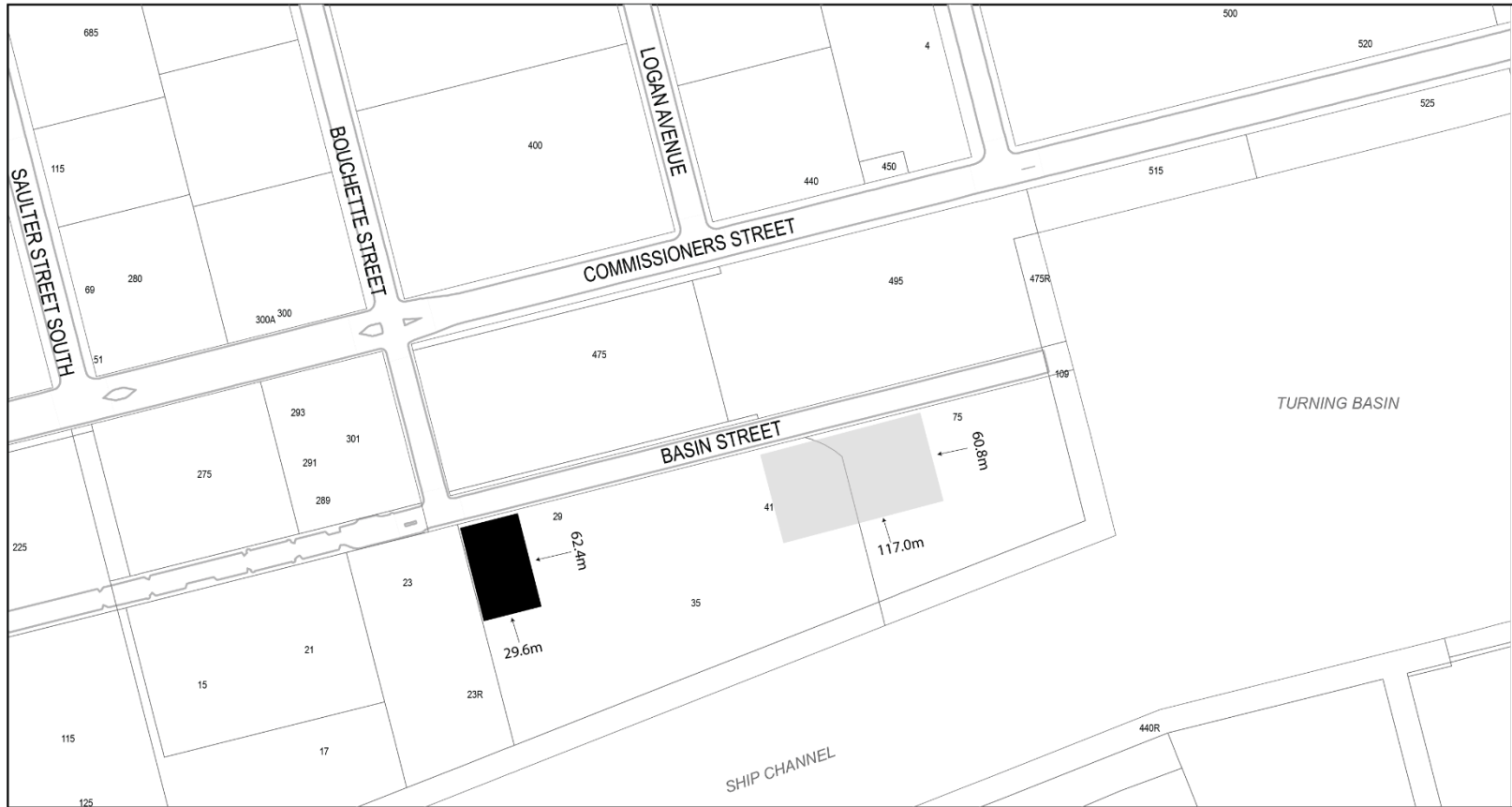




Diagram 5 - Specific Use Location

29, 35, 41, and 75 Basin Street

Not to Scale
05/27/2022

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