

Authority: **Toronto and East York Community Council** Item [-], as adopted by City of Toronto Council on [-]

CITY OF TORONTO

BY-LAW [Clerks to insert By-law number]

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2025 as 115 Saulter Street South.

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

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, as amended;

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 the holding symbol "(H)" is removed 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 Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Map 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 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 label to these lands: (H) CRE (XXX) as shown on Map 2 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 Article 995.10.1 and applying the following Policy Area label to these lands: PA1 as shown on Map 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1 and applying no value.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 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 [XXX] so that it reads:

(XXX) Exception CRE XXX

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 lands municipally known as 115 Saulter Street South if the requirements of By-law [Clerks to insert By-law number] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (U) below;
- (B) Despite Regulation 50.10.20.20(1)(A), the permitted non-residential uses with conditions under the “c” in the zone label are those listed in regulation 50.10.20.20(1)(A), except for the following uses which are not permitted:
- (i) **Vehicle Dealership;**
 - (ii) **Vehicle Fuel Station;**
 - (iii) **Vehicle Service Shop;** and
 - (iv) **Vehicle Washing Establishment**
- (C) In addition to the permitted uses listed in regulation 50.10.20.10(1)(A), “car-share parking spaces” are permitted as a non-residential use;
- (D) In addition to the permitted non-residential uses with conditions listed in regulation 50.10.20.20(1)(A), the following additional uses with conditions are permitted:
- (i) **home occupation**, provided:
 - (a) it is located within the first **storey** of a **building**;
- (E) In addition to the permitted non-residential uses under the “e” in the zone label listed in regulation 50.10.20.10(1)(C) the following additional uses are permitted:
- (i) “Alternative Low Carbon Energy System”;
 - (ii) “Caterer’s Kitchen”
- (F) The permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 76,000 square metres, of which:

- (i) the permitted maximum gross floor area for residential uses is 70,000 square metres;
 - (ii) the required minimum gross floor area for non-residential uses is 6,000 square metres.
- (G) For 4,600 square metres of the **gross floor area** referred to in 7(F)(ii), all uses are prohibited except for those listed in (a) below:
- a) Apparel and Textile **Manufacturing Use**
 - Art Gallery**
 - Artist Studio**
 - Alternative Low Carbon Energy System**
 - Amusement Arcade**
 - Carpenter's Shop
 - Caterer's Kitchen
 - Clay Product **Manufacturing Use**
 - Club**
 - Cogeneration Energy**
 - Computer, Communications, Electronics, or Optical Media **Manufacturing Use**
 - Custom Workshop**
 - Day Nursery**
 - Dry Cleaning or Laundry Plant
 - Education Use**
 - Entertainment Place of Assembly**
 - Food **Manufacturing Use**
 - Glass Product **Manufacturing Use**
 - Financial Institution
 - Furniture **Manufacturing Use**
 - Hotel**
 - Industrial Sales and Service

Metal Products **Manufacturing Use**

Museum

Office

Performing Arts Studio

Personal Service Shop

Pet Services

Plastic Product **Manufacturing Use**

Printing Establishment

Production Studio

Public Utility

Recreation Use

Renewable Energy

Service Shop

Software Development and Processing

Sports Place of Assembly

Transportation Use

Warehouse

Wholesaling

Wood Product **Manufacturing Use**

- (H) The following conditions apply to the permitted uses in (G):
- (i) An Apparel and Textile **Manufacturing Use** may not involve leather products or chemical dyeing of cloth;
 - (ii) A Food **Manufacturing Use** must be fruit and vegetable preserving, specialty food manufacturing and dairy product manufacturing, only in batch processing;
 - (iii) A Clay Product **Manufacturing Use** must be for the manufacturing of pottery, ceramics and plumbing fixtures and may not be for the manufacturing of blocks, bricks, beams, pipes, artificial abrasives, clay pit mining or other mined materials.
 - (iv) A Glass Product **Manufacturing Use** may only use purchased glass;

- (v) A Plastic Product **Manufacturing Use** may be for the assembly or manufacture of previously processed materials; must not process or combine materials that alter the structure of the material; and must not include the manufacture of celluloid or pyroxylin; and
 - (vi) A Wood Product **Manufacturing Use** may not be a saw mill; planing mill; or wood distillation plant.
- (I) The provision of **dwelling units** is subject to the following:
- (i) a minimum of 25 per cent of the total number of dwelling units must have at least two or more bedrooms, of which a minimum of 10 per cent must be 3 or more bedrooms; and,
 - (ii) if the calculation of the number of required dwelling units with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number.
- (J) Despite Regulations 50.5.40.10(1) and (2), the height of a building or structure is the distance between the Canadian Geodetic Datum of 77.25 metres and the elevation of the highest point of the building or structure;
- (K) Despite Regulation 50.10.40.10(1), the permitted maximum height of a building or structure is the number in metres following the letters “HT” as shown on Map 3 of By-law [Clerks to insert By-law ##];
- (L) The permitted average “floorplate” size for each **storey** of a **building**, that is above a metric height of 34.0 metres, is 760.0 square metres;
- (M) Despite Regulations 50.5.40.10(3) to (8) and (J) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Map 3 of By-law [Clerks to insert By-law ##];
- (i) lightning rods, lightning fixtures, cornices, stairs, ornamental or architectural features, garbage enclosures, parapets, air conditioners and roof assembly, including water proofing, insulation, drainage layers and surface finish to a maximum of 6.0 metres;
 - (ii) equipment used for the functional operation of the building including combined heating and cooling systems, electrical, utility, mechanical and ventilation equipment, transformers, and associated enclosures, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 6.0 metres;
 - (iii) structures that enclose, screen or cover the equipment, structures and parts of a building listed in (ii) above, including of a mechanical penthouse, by a maximum of 7.0 metres;
 - (iv) trellises, pergolas, and unenclosed structures providing safety or wind protection for outdoor amenity space or open-air recreation, by a

- maximum of 6.0 metres;
 - (v) structures used for noise, air quality or wind mitigation purposes, by a maximum of 6.0 metres;
 - (vi) building maintenance units and window washing equipment, by a maximum of 3.0 metres;
 - (vii) planters, landscaping features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
 - (viii) structures used for open air recreation or safety, by a maximum of 3.0 metres;
 - (ix) chimneys, vent stacks and flues and associated enclosures, by a maximum of 5.0 metres; and,
 - (x) canopies and awnings, by a maximum height of 8.0 metres above the finished ground surface.
- (N) Despite Clause 50.10.40.70, the required minimum **building setbacks** are as shown in metres on Map 3 of this By-law [Clerks to insert By-law ##];
- (O) Despite regulation 50.10.40.80(1), the required separation of **main walls** are as shown in metres on Map 3 of By-law [Clerks to insert By-law number];
- (P) Despite Clause 50.5.40.60 and Regulation (M) and (N) above, the following elements of a building or structure may encroach into the required minimum **building setbacks** and required **main wall** separation distances, as follows:
- (i) balconies, by a maximum of 3.0 metres;
 - (ii) platforms with no **main walls**, such as a deck, porch or similar structure, attached to or less than 0.3 metres from a **building**, to a maximum extent of 3.0 metres;
 - (iii) canopies and awnings, by a maximum of 3.0 metres;
 - (iv) exterior stairs, access ramps and elevating devices, by a maximum of 2.5 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.5 metres;
 - (vi) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.0 metres; and
 - (vii) screens for gas and hydro metres, by a maximum extent of 3.0 metres
- (Q) Despite regulation 200.5.1.10(2), a maximum of 10% of the total number of **parking spaces** may have the following minimum dimensions:

- (i) minimum width of 2.6 metres;
 - (ii) minimum length of 5.2 metres; and,
 - (iii) minimum vertical clearance of 2.0 metres
- (R) Despite Regulation 200.25.15(1) and 200.25.2(1), accessible **parking spaces** must be provided at a minimum rate of 5% of the total parking supply.
- (S) Despite Regulations 230.5.1.10(9) and (10), and Clause 230.40.1.20, “long-term” **bicycle parking spaces** may be:
- (i) located in a stacked bicycle parking space arrangement, in any combination of vertical, horizontal, or stacked positions, provided a minimum of 40% of the “long-term” **bicycle parking spaces** are horizontal;
 - (ii) located outdoors or indoors in a secure or enclosed room or enclosure on any floor of a building above or below ground level; and
 - (iii) located no more than 100 metres from a pedestrian entrance;
- (T) The minimum width for an aisle accessing a stacked bicycle parking space shall be 1.8 metres;
- (U) For the purpose of this exception, each word or expression that is in bold font will have the same meaning as such word or expression as defined in Chapter 800 of Zoning By-law 569-2013, as amended, except for the following:
- (a) “Car-share” or “car-sharing” means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car sharing organization, including the payment of a membership fee that may or may not be refundable.
 - (b) “Car-share parking space” means a parking space that is reserved and actively used for car-sharing.
 - (c) “Caterer’s Kitchen” means premises for the preparation of food and beverages to service special events and functions.
 - (d) “Floorplate” means the total area of floor level of a building
 - (e) “Alternative low-carbon energy system” means devices and supporting equipment a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling for a building or complex of related buildings that significantly reduces the amount of harmful emissions to the

environment when compared to conventional energy systems. An “alternative energy system” includes, but is not limited to, systems that use renewable energy produced or converted on the premises.

8. None of the provisions of this By-law will apply to prevent the use and expansion of uses that are legally established and permitted on the lot as of the date of passage of this by-law.
9. Nothing in this By-law shall apply to prevent the phased construction of the development, provided that the minimum requirements of the By-law are complied with upon completion of the full development.
10. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
11. Holding Symbol Provisions:
 - (A) The lands zoned with the holding symbol “(H)” delineated by heavy lines on Diagram 1 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol “(H)” has been removed; and
 - (B) An amending by-law to remove the holding symbol “(H)” referred to in (A) above may be enacted when the following are fulfilled:
 - (i) A Functional Servicing Report demonstrating satisfactory arrangements to secure the provision of local municipal infrastructure, and/or acceptable interim arrangements and infrastructure including sewer, water, and stormwater networks to service the proposed development, has been submitted to the satisfaction of the General Manager, Toronto Water and the Executive Director, Development Review;
 - (ii) Sanitary servicing capacity issues have been addressed through completion of any necessary capital improvements, or through any interim improvements and arrangements as detailed by the owner, to the satisfaction of the General Manager, Toronto Water and the Executive Director, Development Review;
 - (iii) A revised noise study, air quality study, and a detailed design plan for any sensitive land use, which demonstrate that appropriate noise and air quality mitigation works will be implemented, which may include non-operational windows and/or a prohibition on balconies, and the noise and air quality studies have been peer reviewed at the owner’s expense to the satisfaction of the Executive Director, Development Review, the Chief Planner and Executive Director, City Planning, the Executive Director of Environment, Climate and Forestry, and the Medical Officer of Health. The owner may be requested to provide a copy to industrial operators within the Port Lands;

- (iv) The owner has provided a revised Pedestrian Level Wind Study including a Wind Tunnel Study, with recommendations implemented to address the findings of the studies, to the satisfaction of the Executive Director, Development Review and the Chief Planner and Executive Director, City Planning;
- (v) The location, design, and provision of transportation infrastructure to support the redevelopment have been secured to the satisfaction of the Executive Director, Development Review, including:
 - (a) The conveyance of lands to the City of Toronto required for the extension of Villiers Street east of Saulter Street South and Broadview Avenue; and
 - (b) All lands conveyed to the City of Toronto are free and clear of all obstructions and encumbrances, save for tie backs as determined to be necessary during the site plan approval process, other such encumbrances as may be accepted by the City Solicitor as permitted encumbrances and subject to a temporary easement above and below ground in favour of the owners of 115 Saulter Street South at no cost to provide for pedestrian and vehicular access purposes, including construction access, construction staging, and crane swings, until such time as the said lands have been laid out and dedicated for public highway purposes, all to the satisfaction of the Executive Director, Development Review and the City Solicitor;
- (vi) The owner has provided written confirmation that:
 - (a) The Toronto and Region Conservation Authority has confirmed that any necessary flood protection infrastructure is complete and functional, and the Special Policy Area designation is removed; or
 - (b) That the requirements of the public authorities referred to in the Protocol Regarding the Lower Don Special Policy Area have been satisfied, which may include terms of indemnification and the development of an emergency management plan;
- (vii) The owner has entered into an agreement with the City, 1990 to secure the provision of affordable rental housing units to the satisfaction of the City Solicitor and Chief Planner and Executive Director, City Planning; and
- (viii) Acceptance by the Chief Planer and Executive Director, City Planning and the Executive Director, Housing Secretariat, of a Housing Plan that identifies:
 - (a) the approach to meeting the affordable rental housing requirements, including the proportion of the total residential

gross floor area provided for affordable rental housing;

- (b) the percentage of dwelling units that will be two and three bedrooms in size for both the market units and for the affordable rental housing units; and,
- (c) the proposed number, unit types, unit sizes, unit mix, layouts, location of affordable rental housing units, and all related facilities to support the affordable rental housing units in a development.

12. Meanwhile uses

(A) Despite clause 11(A) and 11(B), the following “meanwhile uses” are permitted prior to the removal of the “(H)” symbol, subject to the requirements specified in regulations (D) to (J) below having been met to the satisfaction of the Executive Director, Development Review and the Chief Planner and Executive Director, City Planning:

- (i) Ambulance Depot;
- (ii) Amusement Arcade;
- (iii) Animal Shelter;
- (iv) Art Gallery;
- (v) Artist Studio;
- (vi) Automated Banking Machine;
- (vii) Cabaret;
- (viii) Club;
- (ix) Community Centre;
- (x) Contractor's Yard;
- (xi) Crisis Care Centre;
- (xii) Custom Workshop;
- (xiii) Eating Establishment;
- (xiv) Education Use;
- (xv) Entertainment Place of Assembly;
- (xvi) Financial Institution;
- (xvii) Fire Hall;
- (xviii) Laboratory;
- (xix) Library;
- (xx) Market Garden;
- (xxi) Massage Therapy;
- (xxii) Medical Office;
- (xxiii) Municipal Shelter;
- (xxiv) Museum;
- (xxv) Nightclub;
- (xxvi) Office;
- (xxvii) Outdoor Patio;
- (xxviii) Outdoor Sales or Display;
- (xxix) Park;
- (xxx) Performing Arts Studio;
- (xxxi) Personal Service Shop;

- (xxxii) Production Studio;
- (xxxiii) Place of Assembly;
- (xxxiv) Municipally owned Public Parking;
- (xxxv) Public Utility;
- (xxxvi) Public Works Yard;
- (xxxvii) Recreational Use;
- (xxxviii) Retail Service;
- (xxxix) Retail Store;
- (xl) Service Shop;
- (xli) Software Development and Processing;
- (xlii) Sports Place of Assembly;
- (xliii) Take-out Eating Establishment;
- (xliv) Sales centre for the purpose of the sale or lease of dwelling units or commercial space;
- (xlv) Transportation Use;
- (xlvi) Warehouse;
- (xlvii) Wholesale use; and
- (xlviii) Wellness Centre.

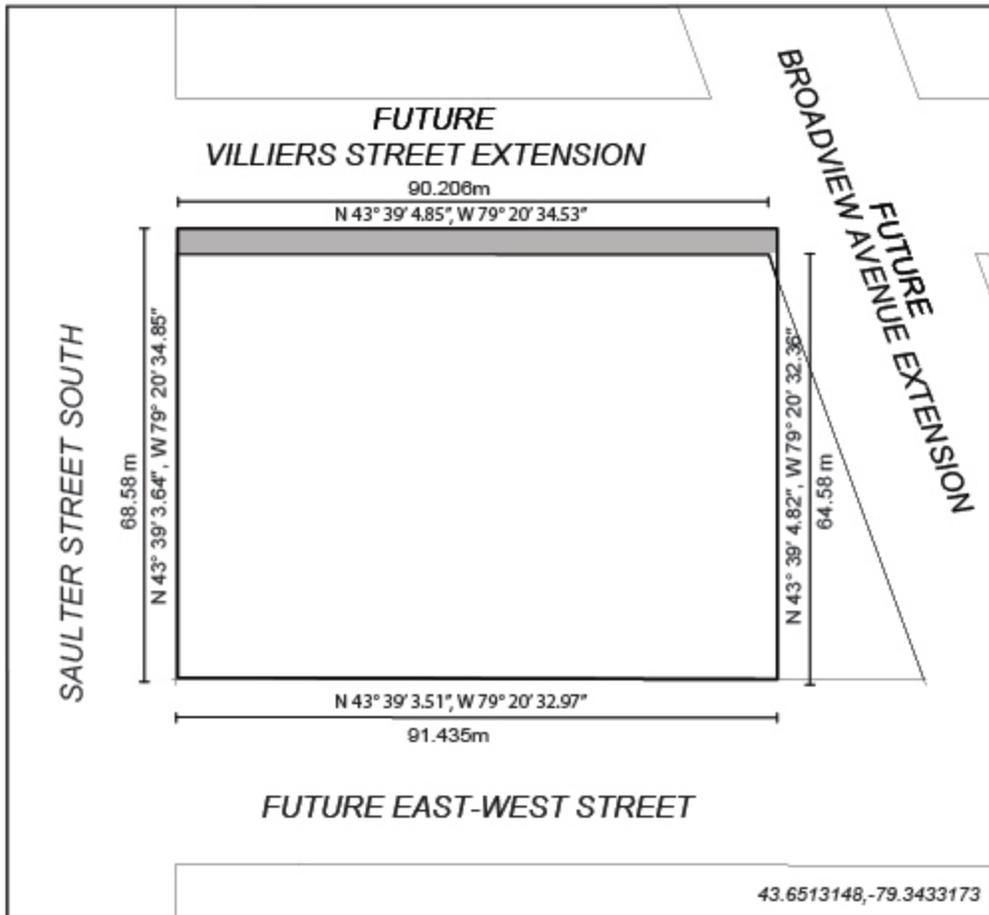
- (B) Land uses permitted prior to the removal of the “(“H”)” symbol must be on a lot that abuts a street;
- (C) A transportation use is only permitted prior to the removal of the “(“H”)” symbol if it is operated by the Toronto Transit Commission;
- (D) Prior to the removal of the “(“H”)” Symbol, a community centre, entertainment place of assembly, recreation use, retail store, sports place of assembly or take-out eating establishment may also have an outdoor patio.
- (E) 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% of the interior floor area of the premises it is associated with.
- (F) 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% of the outdoor patio floor area:
 - (i) stage; and,
 - (ii) dancefloor;
- (G) 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.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)



115 Saulters Street S, Toronto

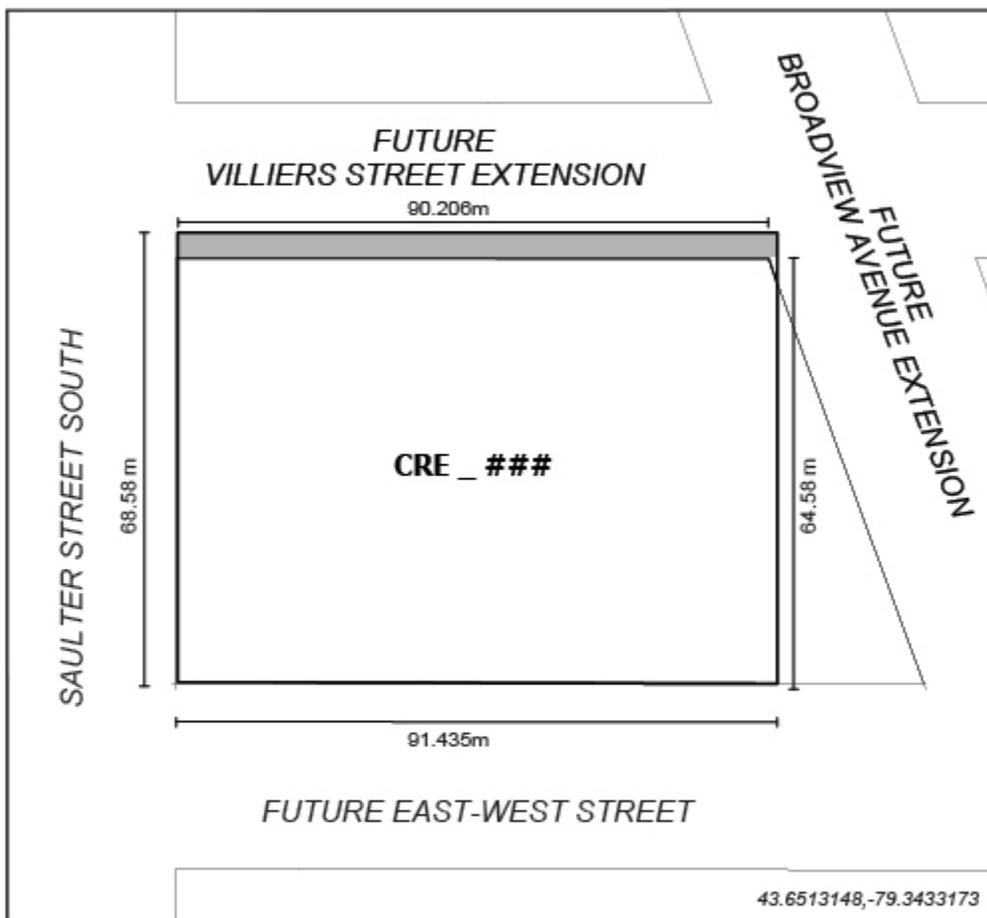
Map 1

File #25 151703 STE 14 02

Land Conveyance for Right-of-Way



Not to Scale



115 Saulter Street S, Toronto

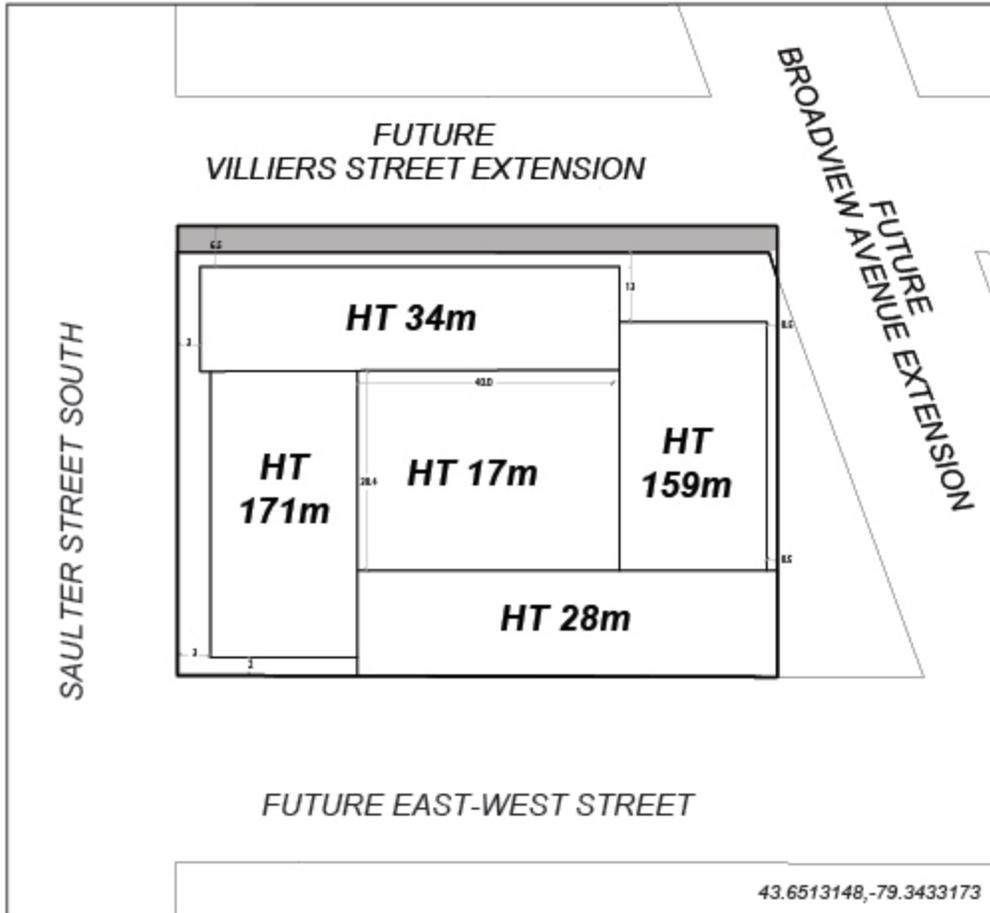
Map 2

File #25 151703 STE 14 02

■ Land Conveyance for Right-of-Way



Not to Scale



115 Saulters Street S, Toronto

Map 3

File #25 151703 STE 14 02

■ Land Conveyance for Right-of-Way



Not to Scale