

Authority: Scarborough Community Council Report 2, Clause 6,  
as adopted by City of Toronto Council on February 14, 2006  
Enacted by Council: February 14, 2006

**CITY OF TORONTO**

**BY-LAW No. 194-2006**

**To amend former City of Scarborough Birchcliff Community Zoning By-law No. 8786,  
as amended, with respect to lands municipally known as 1206, 1208 and 1210 Kingston Road.**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedule 'A' of the Birchcliff Community Zoning By-law is amended by deleting the current Zoning and Performance Standards for lands on the northwest corner of Kingston Road and Fallingbrook Road and substituting the following Zoning and Performance Standards as shown on Schedule '1' so that the amended zoning shall read as follows:

A and CC – 149 – 201 – 233 – 234 – 235 – 260 – 261 – 280

2. Schedule 'B', **PERFORMANCE STANDARDS CHART**, is amended by adding following performance standards:

**INTENSITY OF USE**

260. One suite (individual dwelling unit) per 37 m<sup>2</sup> of lot area.

261. Maximum non-residential gross floor area: 0.37 times the lot area.

**BUILDING SETBACK FROM THE STREET LINE**

280. Main wall building setbacks from the street line:

- Minimum 1.7 m from the Kingston Road street line at the ground floor.
- Minimum 2.2 m from the Kingston Road street line at the third floor.
- Minimum 6 m from the Kingston Road street line at the sixth floor.
- Minimum 0.3 m from Fallingbrook Road.

## **BUILDING SETBACK FROM LOT LINES OTHER THAN STREET LINES**

149. Main wall building setback from the north property line:

- Minimum 1.8 m at the third floor.
- Minimum 7 m at the sixth floor.

## **PARKING**

- A minimum of one enclosed parking space per dwelling unit.
- Notwithstanding the minimum parking space dimensions required in the zoning by-law, five (5) of the required parking spaces for dwelling units are permitted having minimum dimensions of 2.7 m width x 5.5 m length.

## **MISCELLANEOUS**

233. Minimum interior amenity space to be provided: 1.9 m<sup>2</sup> per dwelling unit

234. An outdoor balcony or deck is to be provided for each dwelling unit.

235. Maximum height for building – 6 storeys above finished grade level at the main wall of the building along the Kingston Road frontage.

3. Schedule 'C', **EXCEPTIONS LIST**, is amended by adding the following Exception No. 35 to lands on the northwest corner of Kingston Road and Fallingbrook Road, as shown on Schedule '2':

4. On those lands identified as Exception No. 35 on the accompanying Schedule 'C' map, the following provisions shall apply:

(a) Only the following uses are permitted in the **Community Shopping Commercial (CC)** zone:

- Retail Stores
- Personal Services Shops
- Banks
- Restaurants
- Business, Professional and Medical Offices

(b) Maximum **gross floor area** for all restaurant uses shall be 150 m<sup>2</sup>.

(c) Residential uses are not permitted in the area of the ground floor of the building situated within the area identified as Part A of Exception 35 on Schedule 'C'.

(d) The following uses are prohibited in the (A) Apartment Zone

- **Multiple Family Dwellings**

(e) The general building coverage provisions of **CLAUSE VI – PROVISIONS FOR ALL**

**ZONES, Section 13 – Coverage**, shall not apply to the lands encompassed by Exception 35.

- (f) The definition of **Main Wall** in **CLAUSE V – INTERPRETATION (f)** shall not apply to the lands encompassed by Exception 35.
- (g) The following definition of Main Wall shall apply to the lands encompassed by Exception 35:
- Main Wall shall mean the exterior, front, side or rear wall of a building and all structural members essential to the support of a fully or partly enclosed space or roof.
  - The maximum projections from the Main Wall for the roof overhang or canopies shall be as follows:
 

Roof Overhang	1.7 m
Canopies	1.0 m
- (h) The following provisions shall apply to balconies and decks:
- A balcony or deck is not permitted to project into the minimum setback for the main wall required by the by-law.
  - No balcony or deck is permitted on the south side of the building on the ground floor or second floor.
  - A balcony or deck on one floor cannot project beyond the outer edge of a balcony or deck that is situated immediately below it on a lower floor.
- (i) Notwithstanding the provisions of **CLAUSE VI – PROVISIONS FOR ALL ZONES – Section 11 Underground Structures in “NC”, “CC” and “HC”** the main wall for underground structures may be setback a minimum of 1.3 metres from the street line of Kingston Road.

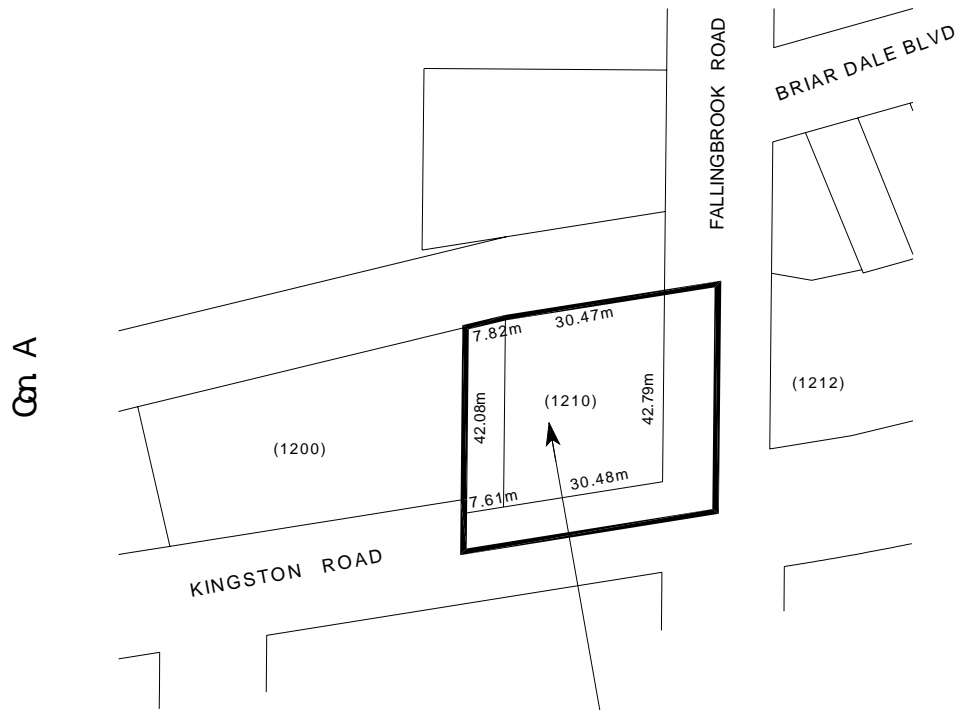
ENACTED AND PASSED this 14th day of February, A.D. 2006.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

Schedule '1'  
Lot 35



A and CG-149-201-233-234-  
235-260-261-280

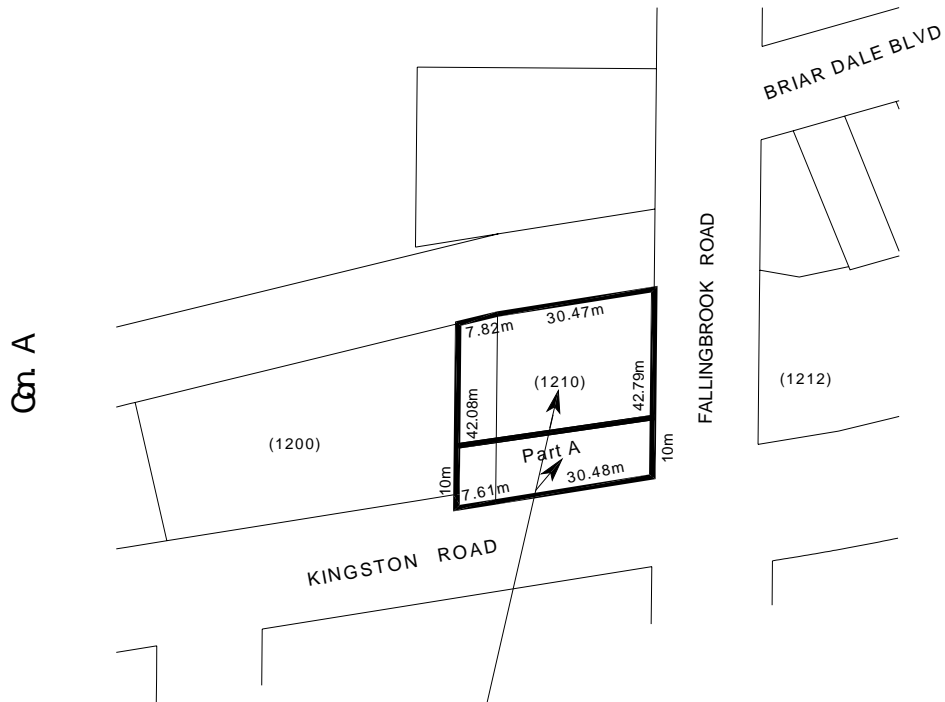
**Toronto** City Planning  
Division  
Zoning By-Law Amendment

1206-1210 Kingston Road  
File # 05-142094 OZ

 Area Affected By This By-Law

Birchcliff Community By-law  
Not to Scale  
01/16/06  


Schedule '2'  
Lot 35



Exception No. 35

**Toronto** City Planning Division  
Zoning By-Law Amendment

1206-1210 Kingston Road  
File # 05-142094 OZ

 Area Affected By This By-Law

Birchdell Community By-law  
Not to Scale  
01/16/06