

**CITY OF TORONTO**

**BY-LAW No. 1115-2013(OMB)**

**To amend the former City of Scarborough Highland Creek Community Zoning By-law No. 10827, as amended, with respect to the lands municipally known as 6039 Kingston Road.**

Whereas the Ontario Municipal Board, pursuant to an order issued on June 12, 2012, in Board File No. PL101376, following an appeal pursuant to section 34(11) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, determined to amend the former City of Scarborough Highland Creek Community Zoning By-law No. 10827, as amended, with respect to the lands municipally known as 6039 Kingston Road;

Therefore By-law No. 10827, the former City of Scarborough Highland Creek Community By-law, as amended, is further amended by the Ontario Municipal Board as follows:

1. **SCHEDULE "A"** is amended by deleting the zoning for the lands outlined in Schedule "1" and adding the following zoning to the lands outlined in Schedule "1" as shown thereon:

A – 20O - 20P - 60E - 60F – 153 – 154 – 212- 213 – 214 - 270 - 276 – 411 - 412

2. **SCHEDULE "B", PERFORMANCE STANDARDS CHART**, is amended by adding the following Performance Standards:

**INTENSITY OF USE**

20O. Maximum 30 **dwelling units**.

20P. Maximum 4 units for **personal service shops**, business and professional offices and retail stores. The maximum **gross floor area** for **personal services shops**, business and professional offices and retail stores shall not exceed a total of 200 m<sup>2</sup>.

**SIDE YARD SETBACKS**

60E. For buildings having frontage on Highway 2A, excluding buildings having frontage on Kingston Road, the minimum building **setback** from the north lot line is 14 m, including a minimum landscape strip of 2.8 m. Lands along the north lot line used for a hammerhead turnaround and garbage storage are excluded from the landscape requirement.

60F. 0 m for the common lot line shared by **dwelling units**.

**BUILDING SETBACKS FROM STREETS**

153. Minimum building **setback** from the lot line abutting Kingston Road is 1.5 m for **personal service shops**, business and professional offices and retail stores. Minimum building setback of 3.0 m from the lot line abutting Kingston Road for all **dwelling units** on the first floor of a building having frontage on Kingston Road.
154. Minimum building **setback** from the lot line abutting Highway 2A is 5 m.

**HEIGHT**

411. Maximum building **height** of 12 m and 3 storeys (excluding basements) for buildings having frontage on Kingston Road.
412. Maximum building **height** of 15 m and 3 storeys (excluding basements) for buildings having frontage on Highway 2A, excluding buildings having frontage on Kingston Road.

**MISCELLANEOUS**

276. Where a 0.3 m reserve exists, the lands shall be deemed to abut the street.
3. **SCHEDULE "C", EXCEPTION MAP**, is amended by deleting Exceptions 1 and 39 and by adding Exception 53 to the lands as outlined on Schedule '2'.
4. **SCHEDULE "C", EXCEPTION LIST**, is amended by adding by adding Exception 53 to the lands outlined on Schedule '2' as follows:
53. On those lands identified as Exception 53 on the accompanying **SCHEDULE "C"** map, the following provisions shall apply:
1. Additional permitted uses for buildings having frontage on Kingston Road, excluding buildings having frontage on Highway 2A:
    - **Personal Service Shops**
    - Business and Professional Offices
    - Retail Stores
    - **Dwelling Units**
  2. **Personal service shops**, business and professional offices and retail up to and including 200 m<sup>2</sup> of **gross floor area** shall be subject to 0 parking spaces and shall be located only on the first floor of a building fronting Kingston Road.

3. **Dwelling units or dwellings** in buildings having frontage on Kingston Road shall only be permitted on or above the second **storey** of buildings unless:
  - a) **dwelling units or dwellings** in buildings are located on the first floor of the building; and
  - b) **dwellings units or dwellings** are located a minimum of 0.6 m above the average finished grade at the streetline and a maximum of 0.9 m above the average finished grade at the streetline
4. Notwithstanding, **CLAUSE V – INTERPRETATION, Section (f), Definitions, Apartment Building, Apartment Building** shall mean a building that has five or more **dwelling units**, with at least **one dwelling unit** entirely or partially above another, and each **dwelling unit** has a separate entrance directly from outside or through a common inside area.
5. Sunken patios are not permitted.

PURSUANT TO ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD ISSUED ON JUNE 12, 2012 UNDER OMB FILE NO. PL101376.



6039 Kingston Road  
File # 09 198718 ESC 44 0Z



Highland Creek Community Bylaw  
Not to Scale  
05/15/12

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

6039 Kingston Road  
File # 09 198718 ESC 44 0Z



Highland Creek Community Bylaw  
Not to Scale  
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