



## REPORT FOR ACTION

# 1212 to 1238 Kingston Road - Zoning By-law Amendment – Decision Report – Approval

**Date:** December 19, 2025

**To:** Scarborough Community Council

**From:** Director, Community Planning, Scarborough District

**Ward:** 20 - Scarborough Southwest

**Planning Application Number:** 24 214095 ESC 20 OZ

### **SUMMARY**

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This Report recommends approval of the application to amend the Zoning By-law for the site municipally known as 1212 to 1238 Kingston Road to permit the redevelopment of the subject lands with a 10 storey mixed use building, comprised of a total of 13,276 square metres of gross floor area. A total of 200 residential units are proposed, including 10 rental replacement units. A total 596 square metres of commercial gross floor area is proposed on the ground floor and 101 vehicular parking spaces are proposed to be provided in two levels of underground parking. Access to the underground garage is proposed from one driveway to the rear of the site off Fallingbrook Road.

The proposed development is consistent with the Provincial Planning Statement (2024). The proposed development also conforms to the City's Official Plan. It would provide housing options in a mid-rise form, intensifying an underutilized site along Kingston Road consistent with the emerging context. It also replaces the majority of the existing commercial space on site, providing local services for existing and new residents.

This report reviews and recommends approval of the application to amend the Zoning By-law.

### **RECOMMENDATIONS**

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The Director, Community Planning, Scarborough District recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013, as amended for the lands municipally known as 1212-1238 Kingston Road substantially in accordance with the draft Zoning By-law Amendment included as Attachment 7 to this Report.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council allow the owner to provide a public art installation at the northeast corner of Kingston Road and Fallingbrook Road, to the satisfaction of the Executive Director, Development Review, as an in-kind contribution pursuant to subsection 37(6) of the *Planning Act*.
4. City Council attribute a value to the in-kind contribution set out in Recommendation 3 above, equal to 100 per cent of 4 percent of the value of the land (net of any exclusions or exemptions authorized under the Community Benefits Charge By-law), as determined the day before the day the first building permit is issued in respect of the development.
5. City Council authorize the Executive Director, Development Review to enter into an Agreement pursuant to subsection 37(7.1) of the *Planning Act* (the "In-kind Contribution Agreement") to address the provision of the in-kind contribution identified in Recommendation 3 above to the satisfaction of the Executive Director, Development Review, and the City Solicitor.

## **FINANCIAL IMPACT**

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The Development Review Division confirms that there are no financial implications resulting from the recommendations included in this Report in the current budget year or in future years.

### **Community Benefits Charge**

This Report requests Council approval of a Community Benefits Charge (CBC) in-kind contribution of Public Art to be located within the public boulevard at the northeast corner of Kingston Road and Fallingbrook Road. The estimated value of the proposed CBC in-kind contribution is equal to 4% value of the land that is the subject of the development or redevelopment in accordance with the CBC By-law. The percentage ascribed to the in-kind contribution will not be a direct CBC payment to the City.

## **DECISION HISTORY**

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At its meeting on November 30, December 1 and 2, 2004 Council adopted a motion directing the initiation of a Revitalization Study of Kingston Road within the Birch Cliff Community (the "Revitalization Study"). The broad study area aligned with the boundaries of the Birch Cliff Community, however, the study focused on properties that fronted onto the north and south sides of Kingston Road (from Victoria Park Avenue to east of Glen Everest Road).

A final Staff Report on the Revitalization Study was brought forward to Council in January 2010 and included three key implementation documents which were recommended to implement the vision outlined in the Revitalization Study: an Official Plan Amendment, a Zoning By-law Amendment and area specific Urban Design Guidelines. [Kingston Road Revitalization Study – City of Toronto](#)

## THE SITE AND SURROUNDING LANDS

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### Description

The subject site is located at the northeast corner of Kingston Road and Fallingbrook Road and is municipally known as 1212 to 1238 Kingston Road. The subject site is approximately 2,201 square metres in size and is generally rectangular in shape, with the exception of the west property line which flares from south to north following the orientation of Fallingbrook Road, and the north property line, which angles slightly at the westernmost portion of the property. It has frontages of approximately 81.8 metres along Kingston Road and 33.7 metres along Fallingbrook Road. See Attachment 2 for the Location Map. The subject site contains an existing 2 storey mixed-use building with multiple commercial tenants on the ground floor and 10 residential rental units above. It is proposed to be demolished.

### Surrounding Uses

**North:** To the immediate north of the site are five 1-2 storey single detached dwellings fronting Briar Dale Boulevard. North of this is a residential neighbourhood generally characterized by 1 to 2 storey single-detached dwellings.

**South:** The south side of Kingston Road is characterized by 1-2 storey single family dwellings. South of this is a residential neighbourhood generally characterized by 1 to 2 storey single-detached dwellings.

**East:** To the east of the subject lands are one storey single detached dwellings fronting the north side of Kingston Road.

**West:** On the immediate west side of Fallingbrook Road, there is a recently constructed 6 storey mixed use building with commercial uses at grade. Northwest of the subject site is Blantyre Park, a 2.5 hectare City park containing a baseball diamond, changeroom facility, fieldhouse, outdoor pool, playground and washroom facility, in addition to large areas of open space.

## THE APPLICATION

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### Description

The proposal is for a 10 storey (33.5 metre, excluding mechanical penthouse) mixed-use building, comprised of a total of 13,276.5 square metres of gross floor area. A total of 200 residential units are proposed (including 10 rental replacement units) totaling 12,680 square metres of residential gross floor area. A total 596 square metres of commercial gross floor area is proposed on the ground floor together with 101 vehicular parking spaces proposed in two levels of underground parking. Access to the underground garage is proposed from one driveway to the rear of the site off Fallingbrook Road.

### Density

The proposal has a density of 6.03 times the area of the lot.

### Existing Rental Housing and New Dwelling Units

The existing buildings at 1212-1238 Kingston Road contain a total of 10 rental dwelling units consisting of 1 studio unit, 4, one-bedroom units, and 5, two-bedroom units. All 10 units will be replaced within the new development with the same unit types and sizes. These units are included in the proposed total of 200 residential units.

### Residential Component

The proposal includes 200 rental residential dwelling units, 8 studio (4%), 129 one-bedroom (65%), 43 two-bedroom (21%), and 20 three-bedroom units (10%).

### Non-Residential Component

The proposal includes 596 square metres of commercial space along both the Kingston Road and Fallingbrook Road frontages.

### Access, Parking and Loading

The primary pedestrian entrance to the residential lobby is on Fallingbrook Road. Entrances to the individual retail units are located on Kingston Road, and Fallingbrook Road, as appropriate. Vehicular access for loading and parking is provided through the rear of the site via access taken from Fallingbrook Road. One Type-B and G loading space is proposed at-grade, and a total of 101 vehicular parking spaces are located within two levels of underground parking, including 85 residential, 12 residential visitor and 4 retail spaces. A total of 150 bicycle parking spaces are proposed, with 14 short-term spaces on the ground floor level and 136 long-term spaces below-grade.

## **Additional Information**

See the attachments of this Report for the Application Data Sheet, Location Map, site plan, elevations, and 3D massing views of the proposal. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: [Application Information Centre - 1212-1238 KINGSTON RD](#)

## **Reasons for Application**

An application to amend the Zoning By-law is required to establish appropriate performance standards including building height, density, building setbacks, amenity space and minimum commercial / retail space.

## **APPLICATION BACKGROUND**

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A pre-application consultation (PAC) meeting was held on September 3, 2024. The Planning Application Checklist Package resulting from the PAC meeting is available on the Application Information Centre.

The current application was submitted on September 17, 2024 and deemed complete on November 18, 2024 satisfying the City's minimum application requirements. The reports and studies submitted in support of this application are available on the Application Information Centre [Application Information Centre - 1212-1238 KINGSTON RD](#)

## **Agency Circulation Outcomes**

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law amendments, including associated conditions of approval.

## **POLICY & REGULATION CONSIDERATIONS**

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### **Provincial Land-Use Policies**

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement (2024), and shall conform to provincial plans, including the Greenbelt Plan (2017), and others.

## Official Plan

The Official Plan Urban Structure Map 2 designates the site as Mixed Use Areas. See Attachment 3 of this Report for the Land Use Map. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

Kingston Road at this location is identified as an *Avenue* on Map 2 - Urban Structure in the Official Plan. The Plan provides that growth will be directed to the Centres, Avenues, Employment Areas and Downtown.

Map 4 of the Official Plan (Higher Order Transit Corridors) identifies Kingston Road at this location as a Transit Corridor.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

## Kingston Road Revitalization Study

The Kingston Road Revitalization Study was completed with a final Staff Report on the considered by City Council in January 2010 which included three key implementation documents which were recommended to implement the vision outlined in the Revitalization Study: an Official Plan Amendment, a Zoning By-law Amendment and area specific Urban Design Guidelines.

In terms of built form, the Revitalization Study recommended that new buildings have maximum heights which range from 4 storeys (14 metres) to 8 storeys (27 metres), depending on the lot depth and location of each site relative to the surrounding context, and that the majority of the built form is encouraged at 2 to 6 storeys. The Area Study also recommended the application of a 45-degree angular plane from rear property lines abutting Single-Family, Two-Family and Multiple-Family Zones to provide a transition from established adjacent low-rise neighbourhoods and to minimize privacy impacts and overlook. A minimum rear yard setback of 7.5 metres was prescribed to much of the corridor, with no minimum side-yard setbacks prescribed for buildings along Kingston Road to create a consistent building face along Kingston Road and a minimum 1.5-metre flankage yard setback prescribed along key streets such as Fallingbrook Road.

The Revitalization Study's implementing Zoning By-law Amendment (By-law 222-2010, as technically amended by various By-laws) deleted the existing zone categories along the corridor and introduced a Commercial Residential zone category.

The new zoning permitted a mixture of land uses consistent with the *Mixed Use Areas* policies of the Official Plan, including residential and commercial uses (excluding single-family and two-family residential uses, duplex uses, place of worship uses and various auto-related uses) to implement the vision for the Kingston Road Corridor. The By-law also introduced site-and area-specific development standards as necessary to implement the built form and land use vision of the Revitalization Study.

The Revitalization Study has created a framework for mid-rise, mixed-use development along much of the roadway throughout the Birch Cliff Community. Since the approval of the revitalization study and the enactment of its implementing zoning by-law, a number of development applications have been approved in accordance with the City's vision for the reurbanization of this corridor.

### **Site and Area Specific Policy No. 325**

Official Plan Amendment 83 containing Site and Area Specific Policy No. 325 (SASP 325) was adopted by City Council on January 26 and 27, 2010 and applies to various parcels on the north and south sides of the Kingston Road corridor between Victoria Park Avenue and Danforth Avenue. SASP 325 was a City-initiated Official Plan Amendment following the Kingston Road Revitalization Study (Birch Cliff) and included language related to municipal parking and landscaping for patio space. In addition to bringing forward SASP 325, OPA 83 redesignated the subject site from *Neighbourhoods to Mixed Use Areas*.

### **Zoning**

Zoning By-law 222-2010 introduced a Commercial Residential Zone category to the subject site and broader Kingston Road corridor, and upzoned the corridor in a manner which implemented the findings of the Kingston Road (Birch Cliff) Revitalization Study. The Commercial Residential zone permits a wide range of residential building types, including dwelling units, recreational uses, financial institutions, day nurseries, medical centres, offices, retail stores, restaurants and a number of additional non-residential uses.

See Attachment 4 of this Report for the existing Zoning By-law Map.

### **Design Guidelines**

The following design guidelines have been used in the evaluation of this application:

- Pet Friendly Design Guidelines for High Density Communities
- Percent for Public Art Program
- Retail Design Manual
- Toronto Accessibility Design Guidelines
- Kingston Road Revitalization Study and Urban Design Guidelines
- Official Plan
- Complete Streets Guidelines
- Mid-rise Building Performance Standards (2010) and Addendum (2016)
- Toronto Green Standard V4 (2022)
- Growing Up: Planning for Children in New Vertical Communities Guidelines (2020)
- Other relevant City policies and guidelines

## **Toronto Green Standard**

The Toronto Green Standard (TGS) is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the TGS. Tiers 2 and above are voluntary, higher levels of performance with financial incentives (partial development charges refund). Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

## **Site Plan Control**

The proposal is subject to Site Plan Control. A Site Plan Control application has not been submitted.

## **PUBLIC ENGAGEMENT**

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### **Community Consultation**

On April 9, 2025, a community consultation meeting took place, and was attended by approximately 120 members of the public, City staff and the applicant's team.

At the meeting, City staff and the applicant's team gave presentations on the site context and an overview of the application. Feedback and questions relating to the application that were raised by the community were primarily positive and included:

- Appropriate height and density for the proposal;
- Provision of housing options in the vicinity that will be provided for in this project;
- Retail replacement: and the type of retail tenants that might be expected in the new proposal;
- Approximate cost of the units;
- Vehicular access;
- Parking supply; and
- Replacement of the rental units that exist currently on site.

The issues raised through the community consultation process have been considered through the review of the application and commented on as necessary in the body of this Report.

### **Tenant Consultation**

On October 14, 2025, staff held an in-person consultation meeting with impacted tenants to provide an overview of the City's housing policies, the impact of the rental demolition proposal on tenants, and the proposed Tenant Assistance Plan. The meeting was attended by approximately 10 tenants, representatives of the applicant, City

Planning and Development Review staff. Tenants asked questions and raised concerns related to the project timeline, the proposed replacement rental units, eligibility requirements for the proposed tenant relocation and assistance plan, access to parking and amenities in the new building, and how rent will be calculated in the new building.

### **Statutory Public Meeting Comments**

In making their decision with regard to this application, Council members have an opportunity to hear the oral submissions made at the statutory public meeting held by the Scarborough Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

## **COMMENTS**

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### **Provincial Planning Statement and Provincial Plans**

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the *Planning Act*. Staff has reviewed the current proposal for consistency with the PPS (2024). Staff find the proposal consistent with the PPS (2024).

### **Official Plan Policies and Design Guidelines**

This application has been reviewed against the Official Plan policies, Secondary Plan policies, planning studies, and design guidelines described in the Policy and Regulation Considerations Section of this Report.

### **Land Use**

The application has been reviewed against the Official Plan policies described in the Policy & Regulation Considerations section of the report. The subject property is located in a designated *Mixed Use Areas* and along an *Avenue* where an Avenue Study has been completed.

The proposed residential/mixed-use development conforms with the applicable *Mixed Use Areas* designation in the Official Plan, which permits a broad range of residential and non-residential uses on the subject site.

The proposed mix of residential and retail uses on the subject site is appropriate and will implement the overall planning objectives of the *Mixed Use Areas* designation. The proposal will implement the development criteria set out in Policy 4.5(2) of the Official Plan by creating a balance of high quality commercial and residential uses in a manner that reduces automobile dependency and meets the needs of the local community.

The proposal will accommodate additional job opportunities through the proposed retail/commercial floor space on the site and provide for new homes for Toronto's growing population.

The proposed mixed-use building is in keeping with the City's Official Plan policies for Avenues and *Mixed Use Areas* as it is deployed with appropriate scale and massing and proposes to combine residential and non-residential uses.

The proposal includes a total of 576 square metres of ground floor retail space on the ground floor, a similar amount of non-residential gross floor area as what exists on the site today. This will replace a portion of the retail uses that currently exist on the site, and provide for opportunities for the local residents in the community and the new residents of the building, for shopping and services. These commercial uses will also animate the ground floor of the new building, connecting the building to both street frontages.

City staff supports the mix of uses proposed. The proposed land use is appropriate subject to addressing the balance of the comments of this Report.

## **Housing**

The Official Plan directs that a full range of housing in terms of form, tenure and affordability be provided to meet the current and future needs of residents. The proposal includes 200 rental residential dwelling units, 8 studio (4%), 129 one-bedroom (65%), 43 two-bedroom (21%), and 20 three-bedroom units (10%). This proposed unit mix that meets the Growing Up Guidelines.

## **Rental Housing Demolition and Replacement**

A related Rental Housing Demolition application will be considered at the January 13, 2026 Community Council meeting. That Report includes review and analysis of the rental housing demolition and replacement matters, including assistance to impacted tenants.

The existing building at 1212-1238 Kingston Road contains a total of 10 rental dwelling units consisting of 1 studio unit, 4 one-bedroom units and 5 two-bedroom units.

All 10 units are proposed to be replaced within the new development with the same unit types and sizes.

## **Public Art**

The City's Official Plan states that Public Art has broad appeal and can strengthen a community's identity and character. The Kingston Road Revitalization Study identifies the northeast corner of Fallingbrook Road and Kingston Road as a potential location for a public art installation in the community. Accordingly, the applicant has indicated a

willingness to provide for a public art installation at as an in kind contribution as part of the Community Benefits Charge associated with this proposal.

The public art is proposed to be installed in a prominent location on the northeast corner of Fallingbrook Road and Kingston Road. This location is prominent, and accessible, either physically and/or visually, and intends to be a highly impactful feature of the overall development. The public art objectives will encourage and consider the following: quality, site specificity, integration, technical review, public use, scale, safety standards, and maintenance durability.

The proposed public art will be highly visible on this site. The selection of the final artist will be commissioned through a two-stage invitational competitive process. This process is supported by City Planning staff and the Toronto Public Art Commission.

In accordance with City policy, City Planning and Development Review staff continue to encourage applicants to seek artistic excellence and expertise with broad representation from the art community in the selection of artists and jury members, including representation from the Indigenous, Black and equity-deserving groups or communities.

## **Amenity Space**

The proposal includes 800 square metres of amenity space, with 400 square metres of indoor amenity space and 400 square metres of outdoor space.

## **Density, Height, Massing**

Staff have reviewed the proposal against the relevant Official Plan policies and the Mid-Rise Building Design Guidelines (2024), as well as the Kingston Road Birch Cliff Urban Design Guidelines and Conceptual Master Plan (2010), as described in the Policy Considerations section of this report.

The proposed building height is 34.34 metres, representing about 127% of the existing 27-metre right-of-way width of Kingston Road. While the proposed height exceeds the 1:1 height-to-right-of-way ratio recommended by the Mid-Rise Guidelines, it is considered acceptable because the depth of the site allows the building to be massed to fit within its context. Additional rear and side stepbacks are provided that ensure appropriate transitions and result in shadow impacts similar to those of an eight-storey Mid-Rise-Guidelines compliant building.

Setbacks of varying amounts along the Kingston Road and Fallingbrook Road frontages are provided that are consistent with the existing street context and provide flexibility for the design features of the building to be implemented on an irregularly shaped site. A 1.0 to 2.2-metre ground floor setback is provided along Kingston Road, resulting in an approximately 7.0 to 9.0-metre sidewalk zone from the ground floor main wall to the road curb. This supports the existing sidewalks, street trees, as well as public realm

enhancements such as bicycle parking and café-style patio seating. Along Fallingbrook Road, a 1.8-metre ground floor setback is provided, resulting in an approximately 6.8-metre sidewalk zone that can accommodate a sidewalk, street trees, landscaping, and potential outdoor café seating.

The proposed street wall height along Kingston Road is six storeys (20.35 metres) at the Fallingbrook Road intersection, stepping down to four storeys (14.2 metres) along the eastern property line to transition down to the adjacent low-rise residential buildings further east. This approach is consistent with the 21.6-metre street wall height (i.e. 80% of the existing 27-metre right-of-way width) recommended by the Mid-rise Guidelines and also reflects the four-storey street wall height recommended in the original Kingston Road Birch Cliff Urban Design Guidelines. The balconies are recessed into the street walls along Kingston Road and Fallingbrook Road to limit their impact on the public realm. 2.4 to 2.9-metre stepbacks are provided above the street walls, mitigating the impact of the upper levels and supporting a pedestrian friendly streetscape. Strategic rear yard setbacks and stepbacks are provided to enhance compatibility with the adjacent *Neighbourhoods* properties to the north, in keeping with the Mid-rise Guidelines.

The proposal includes a 7.5-metre setback from the north property line, including a 1.5-metre landscape buffer. This 7.5-metre setback is maintained for the first six storeys, with Juliette balconies provided in lieu of inset or projecting balconies to limit privacy and overlook concerns. Three rear stepbacks are provided, including two 2.5-metre stepbacks above the 6th and 8th storey, and a 2.8-metre step back above the 9th storey, mitigating the impact of the upper levels of the building.

Along the east property line, a 1.8-metre side yard setback is provided, with a six-storey blank wall condition with no windows. From the 7th to 10th storey, a 5.5-metre step back is introduced with windows facing the east property line, consistent with the Mid-Rise Guidelines.

The proposed 6.03 FSI density is considered acceptable. Overall, staff are satisfied that the proposal conforms to the Official Plan policies and meets the intent of the Mid-Rise Building Design Guidelines. City staff will continue to work with the applicant through the Site Plan Control Approval process to resolve detailed design matters, including street tree placement in relation to the building and potential utility conflicts along Fallingbrook Road.

### **Shadow Impact**

The Official Plan requires that new development in *Mixed Use Areas* be located and massed so as to adequately limit shadows on properties in lower scale *Neighbourhoods* particularly during the spring and fall equinoxes; and that new buildings be located and massed to frame the edges of streets and parks to maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Staff reviewed the Sun/Shadow Study submitted by the applicant, which included the shadows of the proposed development, the as-of-right condition, as well as an 8-storey (27-metre) Mid-Rise Guidelines compliant building. Staff focused on the shadow impact on the public realm including Kingston Road, Fallingbrook Road, and Blantyre Park, as well as the *Neighbourhoods* properties to the north and east, with particular attention to conditions on March 21 and September 21.

As the proposed building is located on the north side of Kingston Road, it generally does not shadow the street until late afternoon. There are limited early-morning shadows on the west sidewalk of Fallingbrook Road and on Blantyre Park, and these shadows are off the sidewalk and park by approximately 11:18am.

Shadowing on the *Neighbourhoods* properties to the north is limited due to the three rear stepbacks.

In addition, the majority of mechanical penthouse is set back at least five metres from the 10th storey main wall. As a result, the overall shadow impact on the adjacent *Neighbourhoods* properties is similar to that of a Mid-Rise Guidelines compliant building. On March 21st and September 21st, shadowing affects approximately four to seven properties north of the subject site until about 3:18pm. There is also some afternoon shadowing on about three *Neighbourhoods* properties east of the subject site from 1:18pm to approximately 4:18pm.

Staff worked with the applicant to undertake detailed built form testing and shadow analysis to ensure impacts were adequately limited pursuant to Official Plan policy and urban design guidance.

## **Wind Impact**

A Pedestrian Level Wind Study was submitted in support of the application. The wind study indicates that wind conditions at all grade-level pedestrian wind-sensitive areas within and surrounding the site will be acceptable for the intended uses throughout the year.

## **Public Realm**

The proposal will include elements to enhance the public realm. The proposal allows for a 2.1 metre wide sidewalk along both the Kingston Road and the Fallingbrook Road frontages. This will create an expanded pedestrian realm with co-ordinated landscaping along both frontages. The expanded public realm will be animated by retail uses at grade along both frontages.

A row of eight street trees are being preserved along the Kingston Road frontage as part of this application. A number of existing amenities including publicly accessible bicycle parking, a Canada Post mail box and a concrete bench are intended to remain along the Kingston Road frontage. The existing TTC shelter along the Kingston Road

frontage is being maintained. It has been confirmed that there is appropriate space for Wheel Trans pick up and drop off along the Fallingbrook frontage.

A 1.0 to 2.2-metre ground floor setback is provided along Kingston Road, resulting in an approximately 7.0 to 9.0-metre sidewalk zone from the ground floor main wall to the road curb, which supports the existing sidewalks, street trees, as well as public realm enhancements such as bicycle parking and café-style patio seating.

Along Fallingbrook Road, a 1.8-metre ground floor setback is provided, resulting in an approximately 6.8-metre sidewalk zone that can accommodate a sidewalk, street trees, landscaping, and potential outdoor café seating.

Further improvements to the streetscape and public realm along both frontages will be secured through the Site Plan Control approval process.

### **Traffic, Access, Vehicular and Bicycle Parking and Loading**

The subject property is currently accessed by one entrance off Fallingbrook Road. The proposal continues to provide vehicular access by one driveway at the rear of the site on Fallingbrook Road frontage at a similar location.

The applicant submitted a Transportation Impact Study which estimates the project is expected to generate:

- 50 and 55 two-way vehicle trips during the morning and afternoon peak hours respectively; and
- 28 and 31 two-way transit trips during the weekday morning and afternoon peak hours respectively.

Two levels of below grade parking is proposed as part of this development, providing 101 parking spaces, including 85 resident parking spaces, 12 visitor parking spaces, and 4 retail parking spaces. One type B and G loading space is provided at the rear of the building. A total of 150 bicycle parking spaces is provided, including 136 resident long-term, and 14 resident short-term.

The assessment concludes the new site traffic generation by the proposal development can be accommodated in the existing area road network and no improvement or mitigation measures are required or necessary. Staff concur with the results of Traffic Impact Study.

### **Parkland**

The site is approximately 60 metres from Blantyre Park, a 3,221 square metre park which contains a baseball diamond, 2 washroom buildings, a horseshoe pit, a playground, an outdoor pool, a horticulture bed, an outdoor parking lot, and benches.

In accordance with Section 42 of the *Planning Act*, the owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

## **Amenity Space**

Policy 3.1.2.6 of the Official Plan requires that every significant new multi-unit residential development provide indoor and outdoor amenity space for residents of the new development.

The proposed development has 200 residential units and provides 400 square metres of indoor amenity space and 400 square metres of outdoor amenity space. The applicant is proposing a minimum rate of 2.0 square metres each of outdoor and indoor amenity space per unit, to be secured through the site-specific zoning by-law. This is consistent with the City of Toronto's Zoning By-law 569-2013.

## **Servicing**

Development Engineering staff have reviewed the application and have confirmed that adequate servicing is available for the subject property. If any existing easements are in place the owner is to confirm them, and they will be assessed and dealt with through the Site Plan Review process.

If any stormwater management and or servicing issues arise the will be resolved at the Site Plan Review process. The application will be required to comply with the relevant stormwater management and water quality elements of the Toronto Green Standard (TGS).

## **Tree Preservation**

**Tree Preservation** This application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law).

A row of eight street trees are being preserved along the Kingston Road frontage as part of this application. One more city tree is being preserved along the Fallingbrook Road frontage.

The locations of utilities and services are to be confirmed through the Site Plan review process and should be planned and coordinated with planting plans early in the development process, to ensure that sufficient tree planting can be accommodated and that new (or existing) utilities will not conflict with tree plantings.

Urban Forestry has no objection to the Zoning By-law amendment application. The application appears to comply with TGS Version 4, Tier 1, Ecology requirements.

### **Toronto Green Standard**

The applicant is required to meet Tier 1 of the TGS in force at the time of a complete application for Site Plan Control. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner.

### **Community Services and Facilities**

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, livable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods, foundational to creating complete communities and include matters such as recreation, libraries, childcare, schools, public health, and human and cultural services. Providing a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

### **School Boards**

The application was circulated to the publicly funded school boards for review. The Toronto District School Board (TDSB) schools currently assigned to this development are Blantyre Public School and Malvern Collegiate Institute. TDSB staff have determined that there is insufficient capacity at the local schools to accommodate students from new residential developments.

When this application progresses to the site plan stage, The Toronto Lands Corporation and TDSB may request site plan approval conditions requiring the applicant to erect signs on the development site and include warning clauses in all offers of purchase and sale/lease/rental/tenancy agreements to inform new residents of the student accommodation situation. Site plan conditions may also include a requirement to provide estimated occupancy dates and a commitment for periodic updates on expected occupancy to provide the TLC and TDSB with information for enrolment projections.

The TCDSB has indicated that this development falls within the fixed attendance boundary of St John Catholic Elementary School. The closest Catholic Secondary schools serving this area are Notre Dame High School and Neil McNeil High School.

At this time, the Toronto Catholic District School Board (TCDSB) has indicated sufficient space exists within the local Catholic elementary and secondary schools to accommodate additional students from the development as proposed. As part of the site plan approvals process, the TCDSB has requested that warning clauses indicating that school spaces are potentially subject to change be included within any agreements of

purchase and sale for the proposed units of this plan. A Notice Sign should also be erected on site to this effect.

## **CONCLUSION**

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The proposal has been reviewed against the policies of the PPS (2024) and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2024) and conforms to the Official Plan, particularly as it relates to the development criteria for *Mixed Use Areas*.

The proposal will permit a 10-storey mixed-use building that adds density to an underutilized site within an area that is designated for growth in the Official Plan, while replacing the existing non-residential uses and creating a built form that is respectful of the emerging and planned context of Kingston Road. The proposal is on a prominent corner site on Kingston Road, a corridor designated as a Transit Corridor, and is in an area that has been designated for growth through the Kingston Road Revitalization study.

The proposal is an example of good planning and City staff recommend that Council support its approval.

## **CONTACT**

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John Lyon, Senior Planner, Community Planning, Scarborough District, Tel. No. (416) 396-7011, E-mail: [John.Lyon@toronto.ca](mailto:John.Lyon@toronto.ca)

## **SIGNATURE**

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Christian Ventresca, M.Sc.PI, MCIP, RPP  
Director, Community Planning  
Scarborough District

## **ATTACHMENTS**

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### **City of Toronto Information/Drawings**

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Site and Area Specific Policy 325
- Attachment 5: Existing Zoning By-law Map
- Attachment 6: Exception No. 38
- Attachment 7: Draft Zoning By-law Amendment

### **Applicant Submitted Drawings**

- Attachment 8: Site Plan
- Attachment 9: Ground Floor Plan
- Attachment 10: East Elevation
- Attachment 11: North Elevation
- Attachment 12: South Elevation
- Attachment 13: West Elevation
- Attachment 14: 3D Massing Model Looking Southeast
- Attachment 15: 3D Massing Model Looking Northwest

## Attachment 1: Application Data Sheet

Municipal Address: 1212-1238 KINGSTON RD Date Received: September 17, 2024

Application Number: 24 214095 ESC 20 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Rezoning application to permit the redevelopment of the subject lands with a 10 storey (33.5 metre) mixed use development comprised of a total of 13,276.5 square metres of Gross Floor Area, including 12,680.5 square metres of residential GFA and 596 square metres of non-residential GFA. 200 residential units are proposed, including 10 rental replacement units. 101 parking spaces are proposed.

Applicant	Agent	Architect	Owner
DAVID MORSE			1066470 ONTARIO INC

### EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:  
Zoning: CR Heritage Designation:  
Height Limit (m): Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 2,201 Frontage (m): 82 Depth (m): 34

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,542	1,542
Residential GFA (sq m):			12,686	12,686
Non-Residential GFA (sq m):	1,345		577	577
Total GFA (sq m):	1,345		13,263	13,263
Height - Storeys:	2		10	10
Height - Metres:			33	33

Lot Coverage Ratio (%) : 70      Floor Space Index: 6.03

Floor Area Breakdown      Above Grade (sq m)      Below Grade (sq m)

Residential GFA: 12,686

Retail GFA: 577

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	10		10	10
Freehold:			190	190
Condominium:				
Other:				
Total Units:	10		200	200

#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:	8		129	43	20
Total Units:	8		129	43	20

#### Parking and Loading

Parking Spaces: 187      Bicycle Parking Spaces: 150      Loading Docks: 1

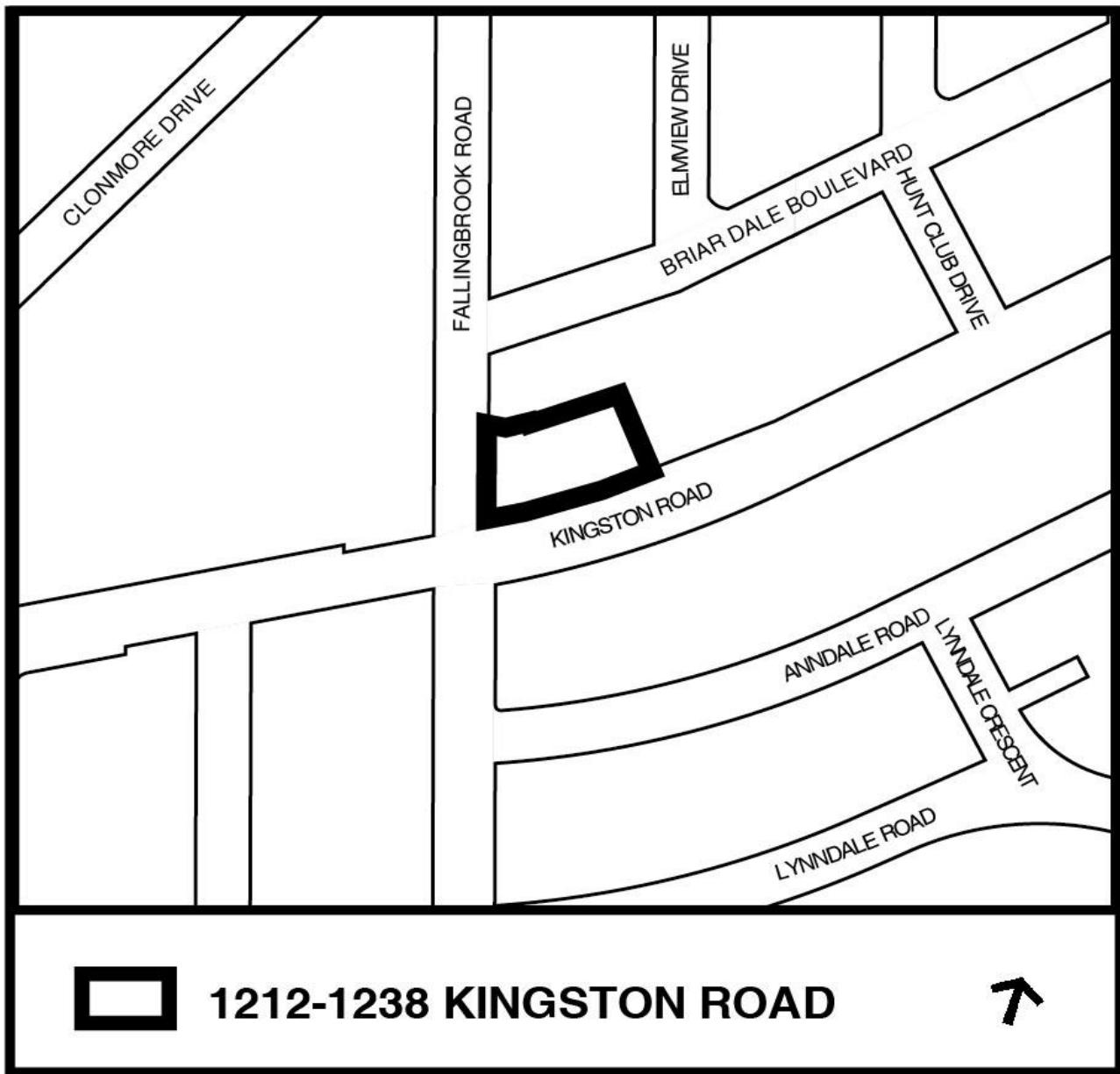
#### CONTACT:

John Lyon, Senior Planner

(416) 396-7011

[John.Lyon@toronto.ca](mailto:John.Lyon@toronto.ca)

## Attachment 2: Location Map



## Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #21

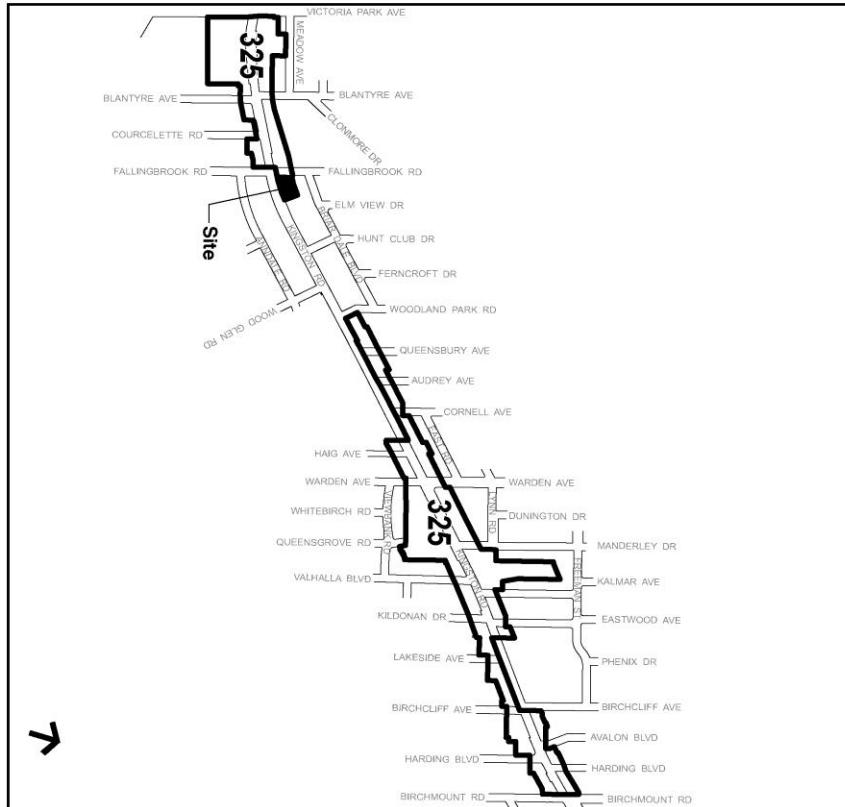
1212-1238 Kingston Road

File # 24 214095 ESC 20 0Z

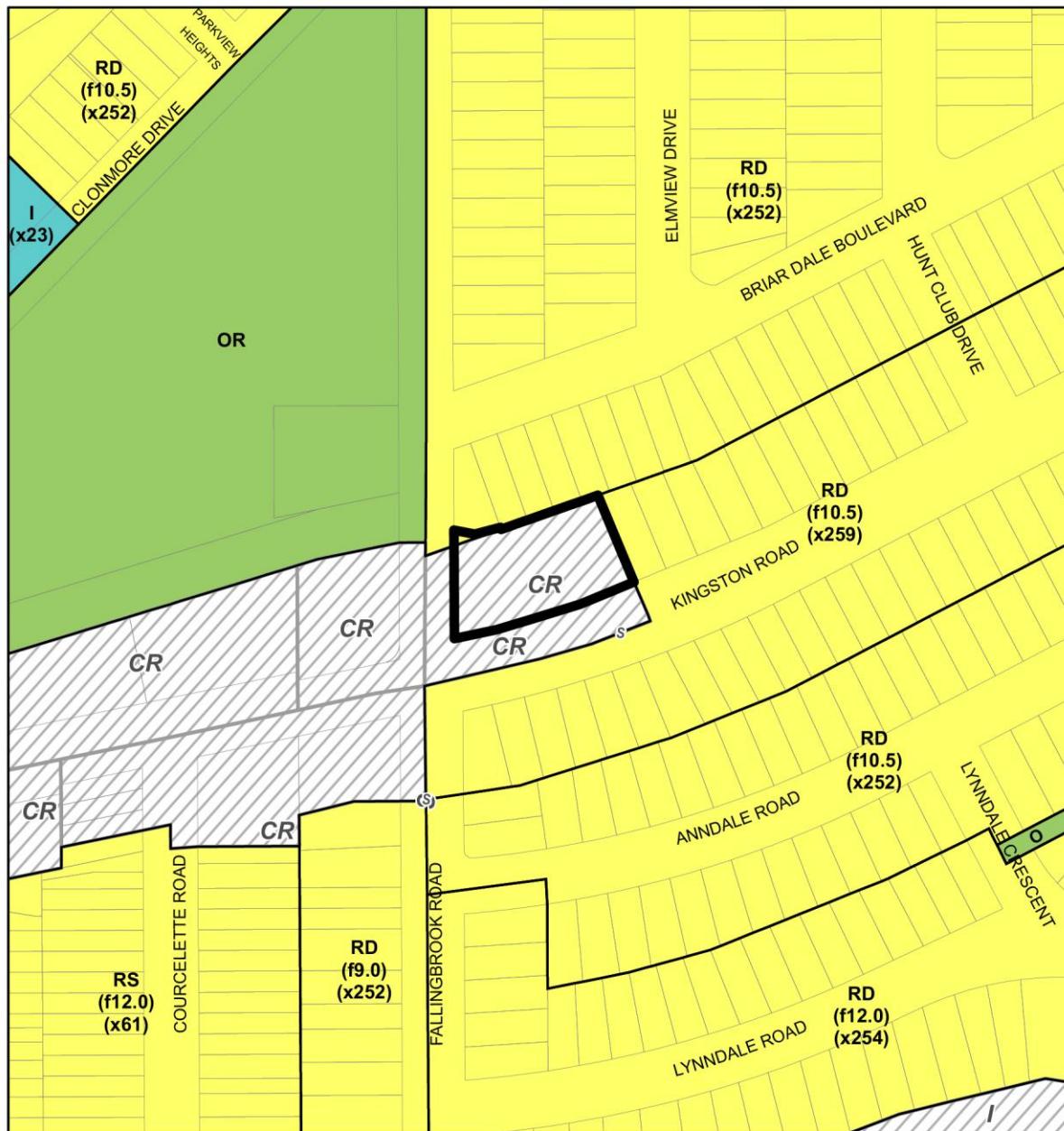


↑  
Not to Scale  
Extracted: 09/23/2024

## Attachment 4: Site and Area Specific Policy 325



## Attachment 5: Existing Zoning By-law Map



Zoning By-law 569-2013

1212-1238 Kingston Rd

File # 24 214095 ESC 20 0Z



Location of Application

**RD** Residential Detached

**RS** Residential Semi-Detached

**I** Institutional

**O** Open Space

**OR** Open Space Recreation



See Former City of Scarborough Birchcliff Community  
By-law No. 8786

**S** Single-Family Residential

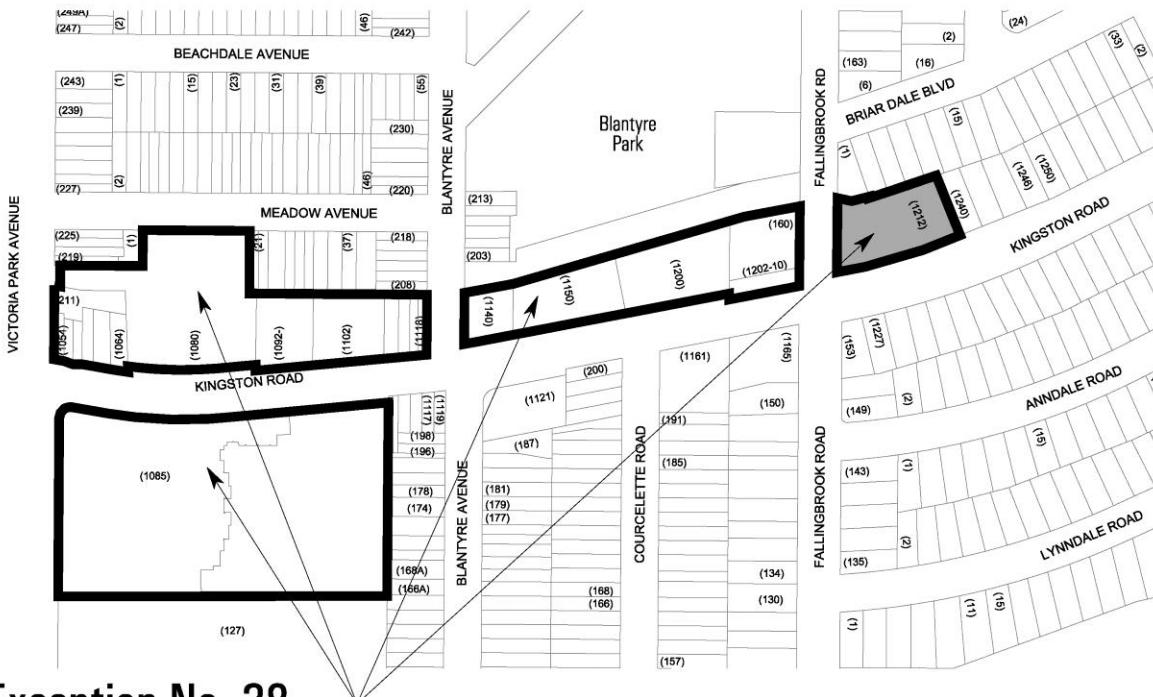
**CR** Commercial-Residential

**I** Institutional Uses



## Attachment 6: Exception No. 38

### Schedule '4'



### Exception No. 38



### Zoning By-Law Amendment

Kingston Road Revitalization Area - Birchcliff Community



Area Affected By This By-Law



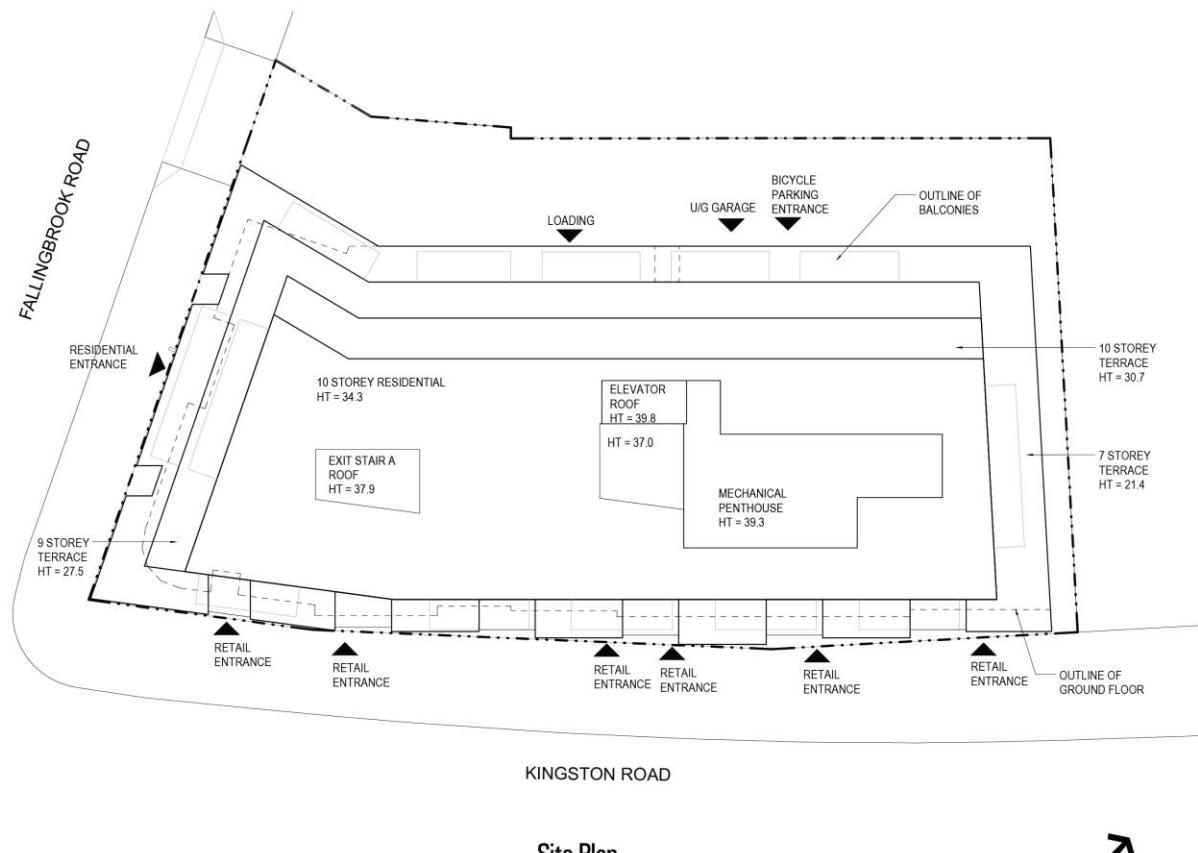
Site Location

Birchcliff Community By-law  
Not to Scale  
2/18/10

**Attachment 7: Draft Zoning By-law Amendment**

(Attached separately as a PDF)

## Attachment 8: Site Plan

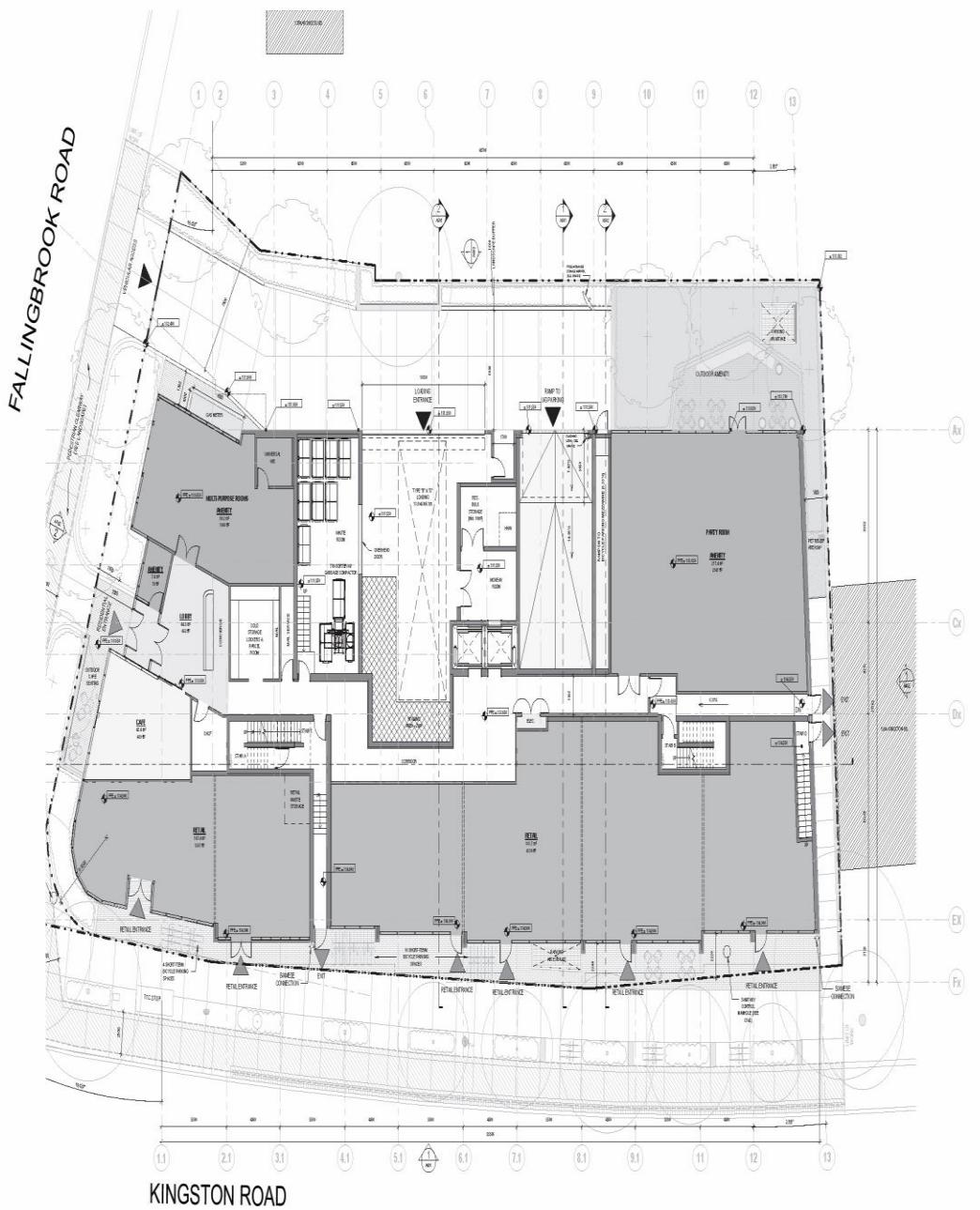


KINGSTON ROAD

Site Plan



## **Attachment 9: Ground Floor Plan**

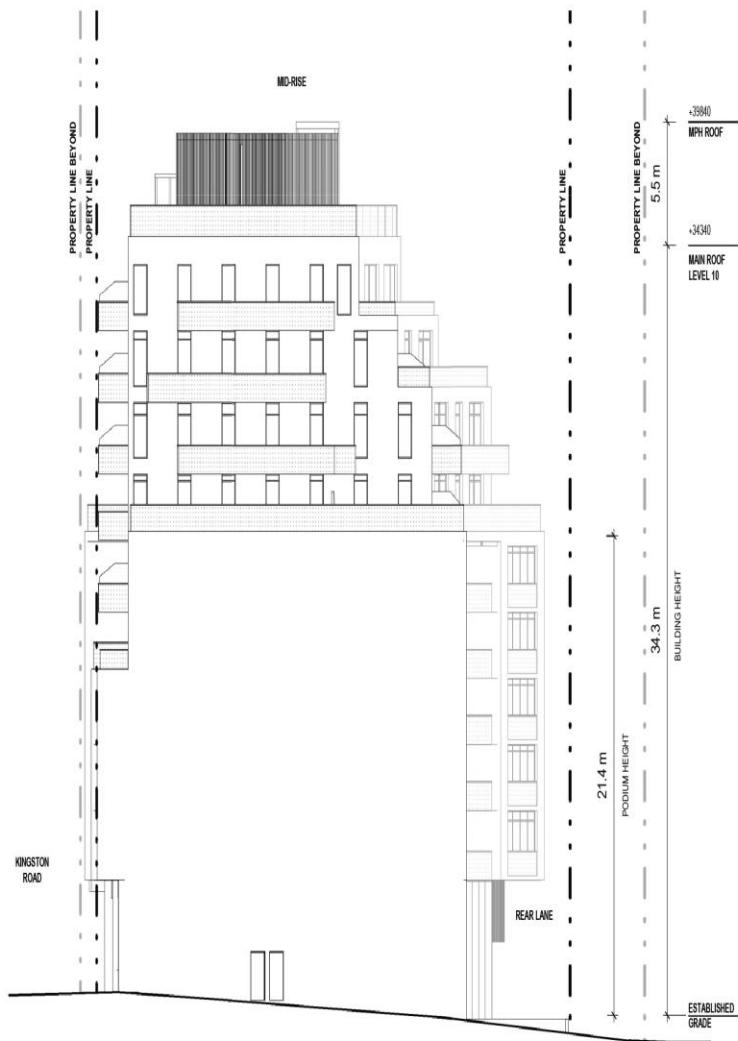


## Ground Floor Plan

Decision Report - Approval - 1212 to 1238 Kingston Rd

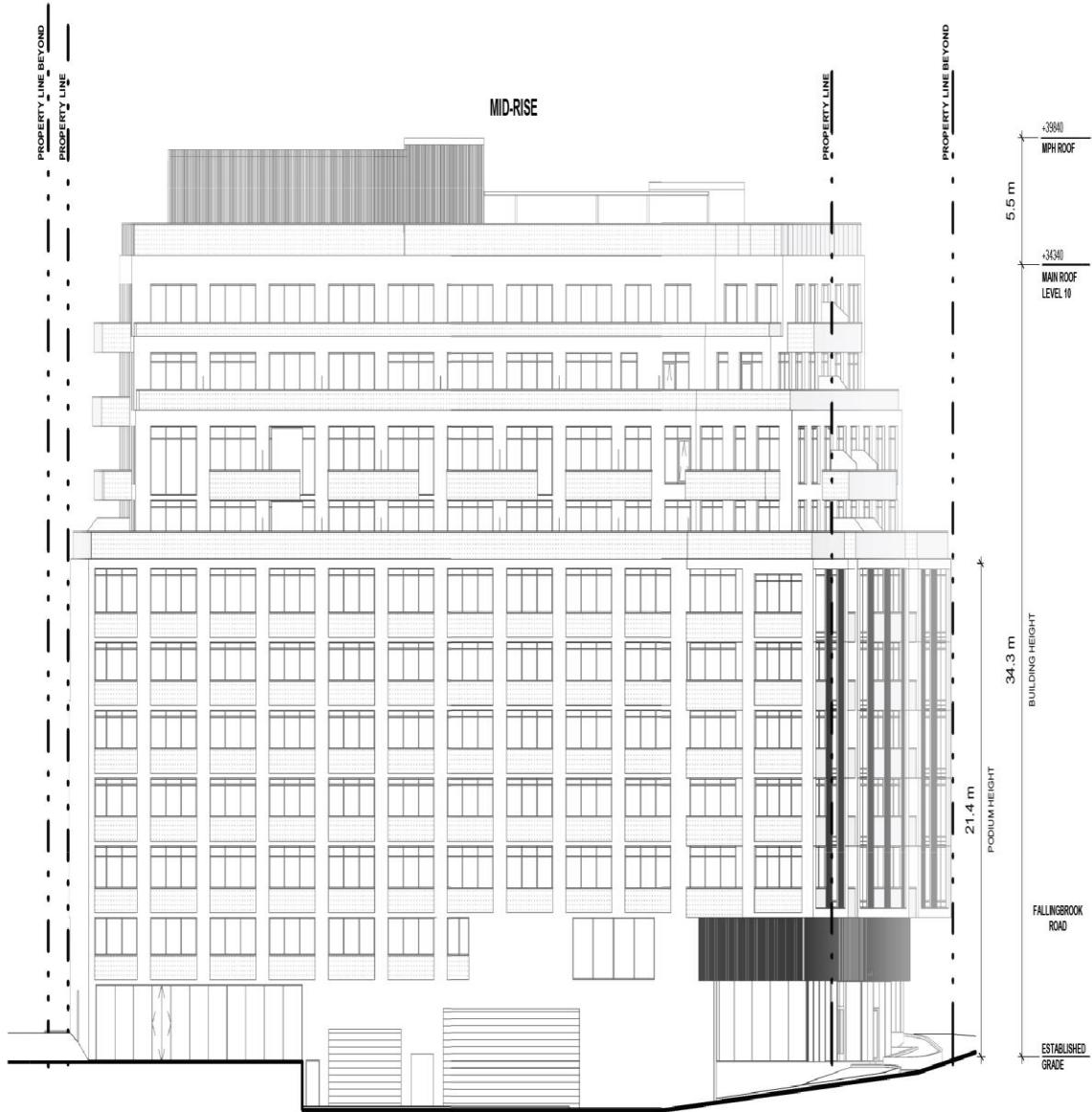
Page 28 of 34

## **Attachment 10: East Elevation**

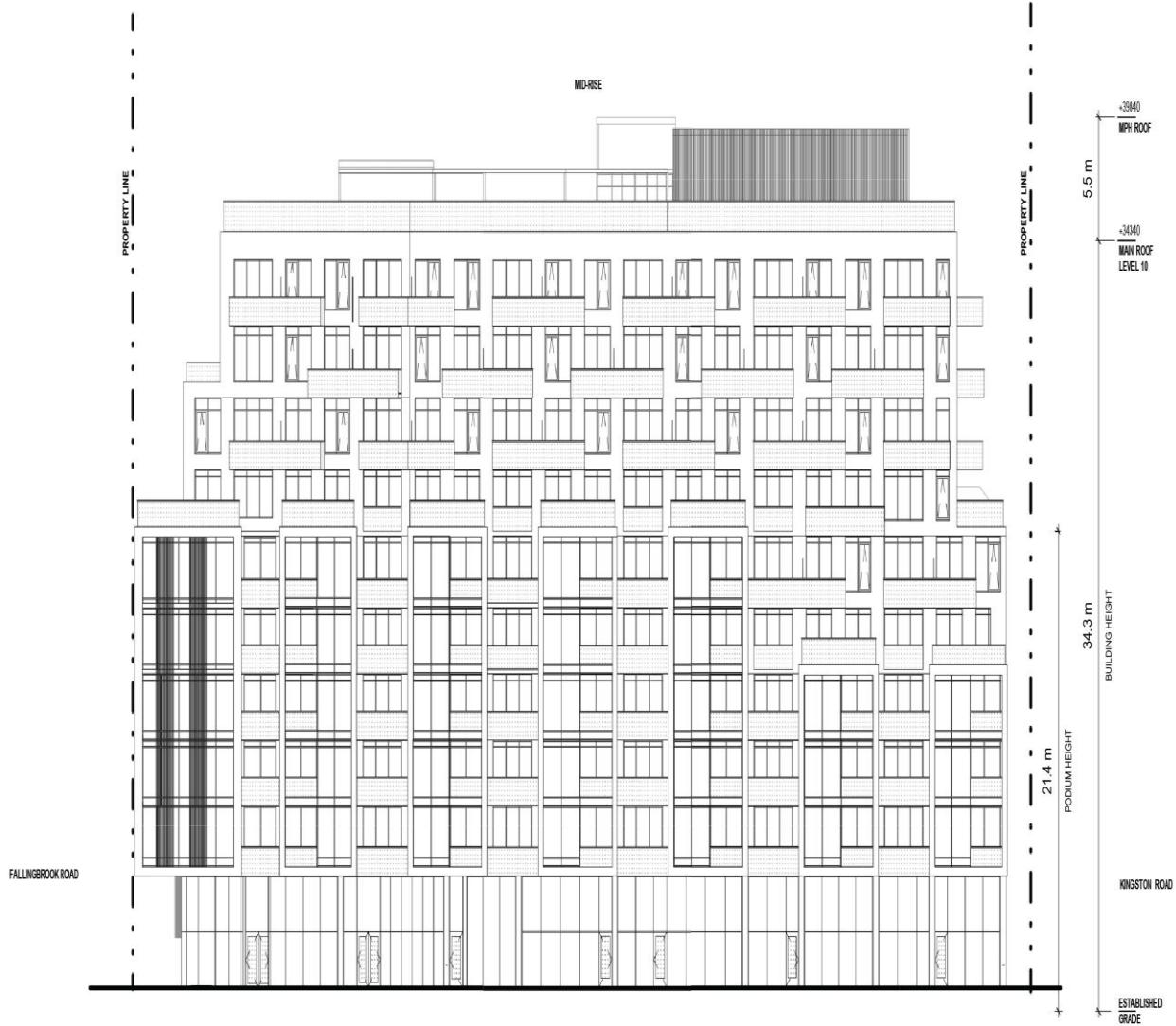


## East Elevation

## Attachment 11: North Elevation

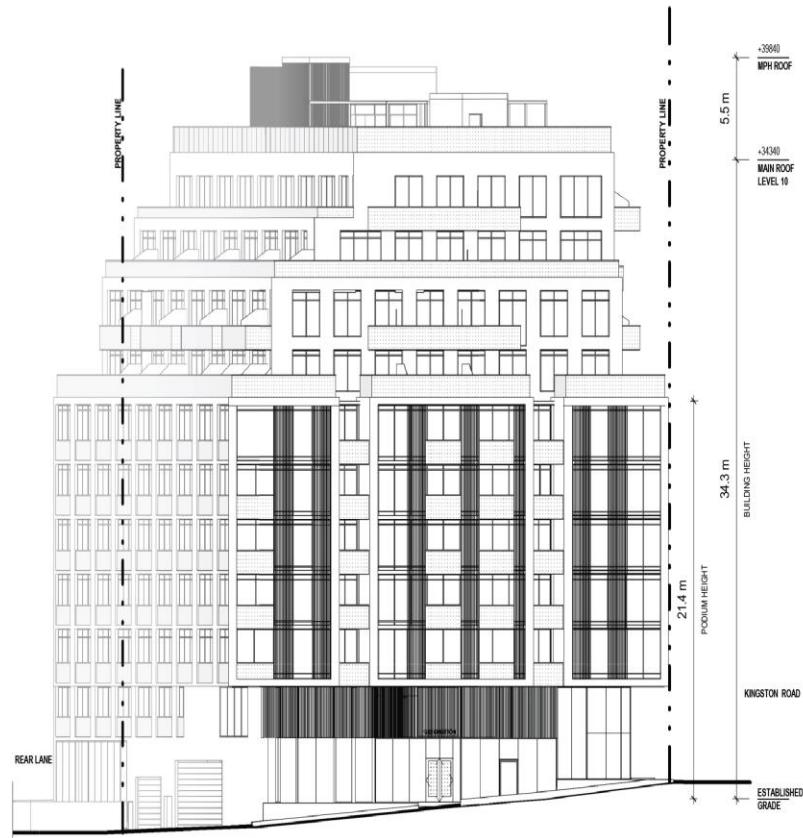


## Attachment 12: South Elevation



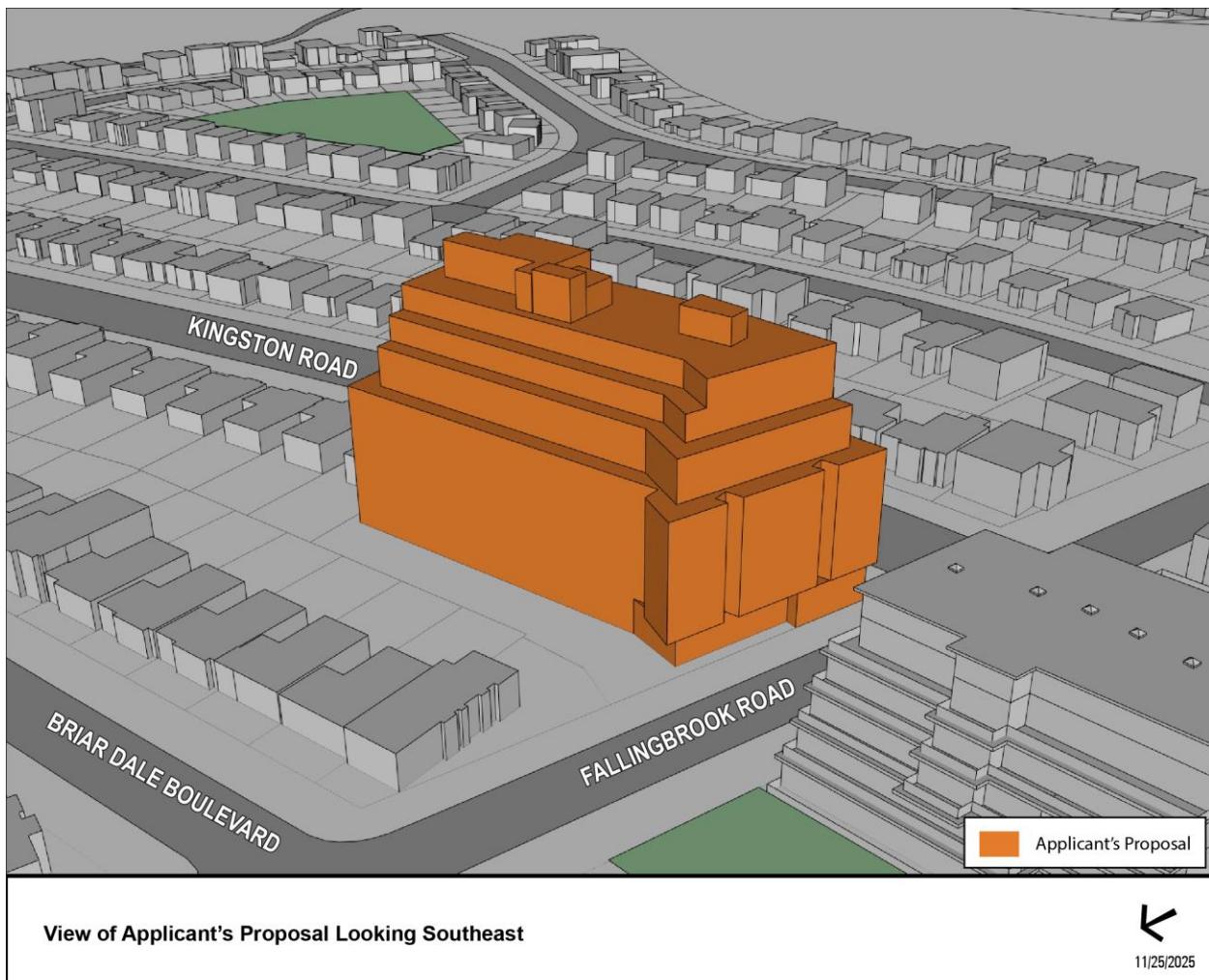
South Elevation

## Attachment 13: West Elevation



West Elevation

## Attachment 14: 3D Massing Model Looking Southeast



## Attachment 15: 3D Massing Model Looking Northwest

