

Attachment 7: Draft Zoning By-law Amendment

Authority: Scarborough 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 1212 – 1238 Kingston Road and 155 and 159 Fallingbrook Road.

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; 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, as amended; and

Whereas pursuant to Section 39 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law.

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 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: CR 3.5 (c3.5; r3.5) SS2 (x1196) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands municipally known in the year 2025 as 1212 – 1238 Kingston Road and 155 and 159 Fallingbrook Road from a zone label of RD (f10.5) (x252) to a zone label of CR 3.5 (c3.5; r3.5) SS2 (x1196) as shown on Diagram 2 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 the following height and

storey label to these lands: HT 20, ST 6 as shown on Diagram 3 attached to this By-law.

6. 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: 4 as shown on Diagram 4 attached to this By-law.
7. 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.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1196 so that it reads:

(1196) Exception CR (x1196)

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 1212 – 1238 Kingston Road and 155 and 159 Fallingbrook Road, if the requirements of By-law [Clerks to insert Bylaw number] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (P) below;
- (B) Despite regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 133.86 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 5 of By-law [Clerks to insert By-law number];
- (D) Regulation 40.10.40.10(7) does not apply;
- (E) Despite regulations 40.5.40.10(3) to (8) and (C) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 5 of By-law [Clerks to insert By-law number]:
 - (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance

equipment storage, elevator shafts, chimneys, and vents, by a maximum of 7.0 metres;

- (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, including a mechanical penthouse, by a maximum of 2.0 metres;
- (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.0 metres;
- (iv) **building** maintenance units and window washing equipment, by a maximum of 2.5 metres;
- (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.5 metres; and
- (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 2.5 metres;

(F) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 13,400 square metres, of which:

- (i) the permitted maximum **gross floor area** for residential uses is 12,800 square metres;
- (ii) the required minimum **gross floor area** for non-residential uses is **575** square metres;

(G) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];

(H) Despite regulation 40.10.40.80 (2), the required separation of **main walls** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];

(I) Despite Clause 40.10.40.60 and (G) and (H) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:

- (i) decks, porches, and balconies, by a maximum of 2.9 metres;
- (ii) canopies and awnings, by a maximum of 1.5 metres;
- (iii) exterior stairs, access ramps and elevating devices, by a maximum of 2.5 metres;

- (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.0 metres;
- (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metres; and
- (vi) terraces may project to the extent of the **main wall** below it;

(J) Despite regulation 200.5.1.10(2)(A)(iv), 10% of the required **parking spaces** may be obstructed as described in regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed sides of the **parking space**;

(K) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:

- (i) a maximum of 0.43 residential **parking spaces** for each **dwelling unit**;
- (ii) a minimum of 2 residential visitor **parking spaces** plus 0.05 parking spaces for each **dwelling unit**;
- (iii) a minimum of 0.69 **parking spaces** for each 100 square metres of gross floor area for non-residential (commercial) uses;
- (iv) a minimum of 1 "car-share **parking space**"; and

(L) For the purpose of this exception:

- (i) "Car-share" means the practice where a number of people share the use of one or more motor vehicles that are owned by a profit or non-profit carsharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometers driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable; and
- (ii) "Car-share parking space" means a parking space that is exclusively reserved and actively used for car-share."

(M) Despite regulation 200.15.10.10 and Table 200.15.10.5, accessible Parking Spaces must be provided in accordance with the following:

- (i) a minimum of 0.025 **parking spaces** for each **dwelling unit**;
- (N) Despite regulation 200.15.1(4), an accessible **parking space** must be located within 15.0 metres of the closest passenger elevator that provides access to the first **storey** of the building;
- (O) Despite regulation 230.5.1.10 (9) **bicycle parking spaces** may be located on the first storey and on levels of the building located below-ground;
- (P) Despite regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;

Prevailing By-laws and Prevailing Sections: (None Apply)

9. Despite any severance, partition or division of the lands, the provisions of this Bylaw shall apply as if no severance, partition or division occurred.

10. Temporary Use:

- (A) None of the provisions of Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a temporary **building**, **structure**, facility or trailer on the lands to which this By-law applies for a period of 3 years from the date this By-law comes into full force and effect, after which this temporary use permission expires.

Enacted and passed on [Clerks to insert date].

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

City of Toronto By-law No. ____ - 2025

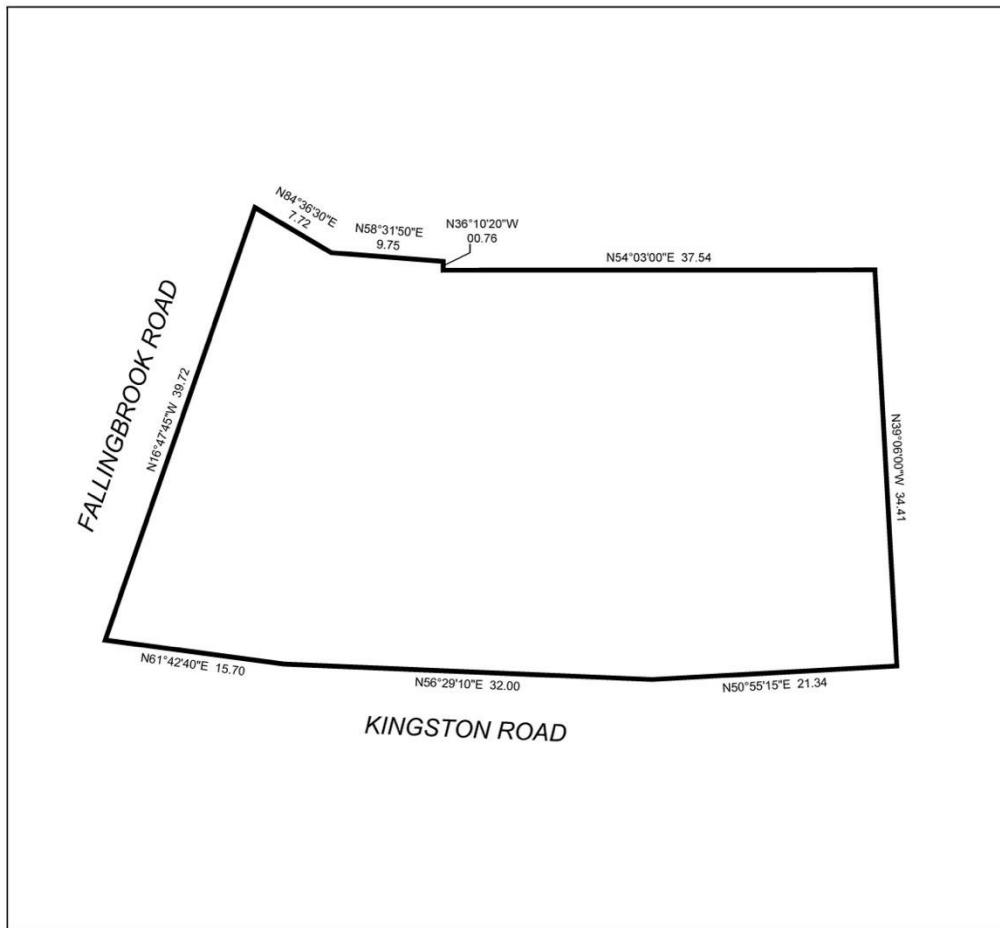


Diagram 1

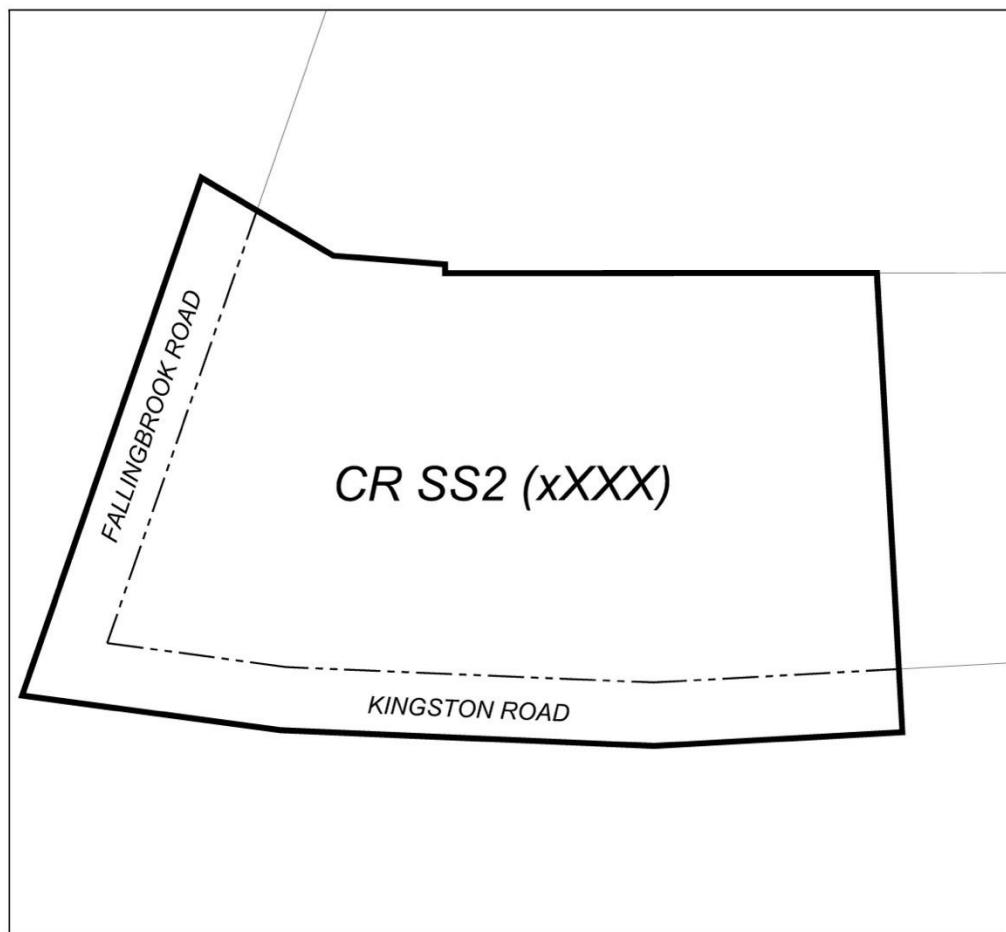
1212 - 1238 Kingston Road

File #24_____



Not to Scale

City of Toronto By-law No. ____ - 2025

**Diagram 2****1212 - 1238 Kingston Road**

File #24_____



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City of Toronto By-law No. ____ - 2025

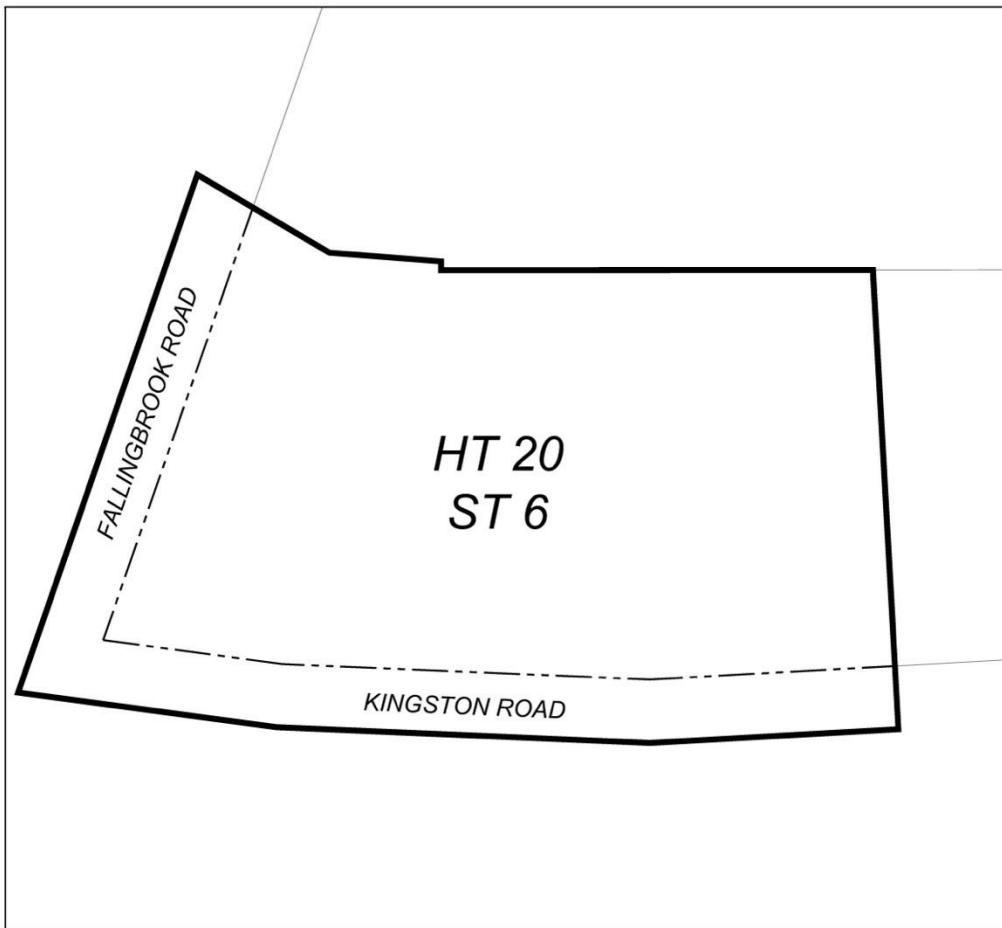


Diagram 3

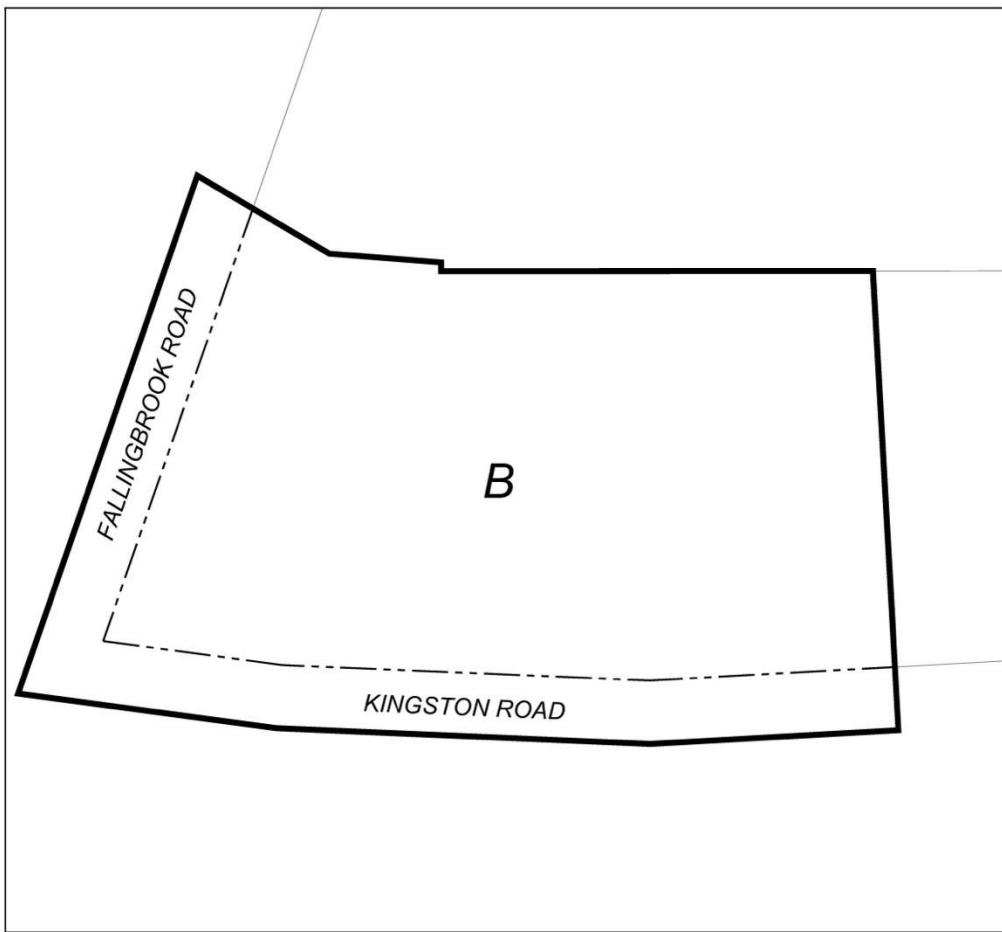
1212 - 1238 Kingston Road

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City of Toronto By-law No. ____ - 2025

**TORONTO****Diagram 4****1212 - 1238 Kingston Road**

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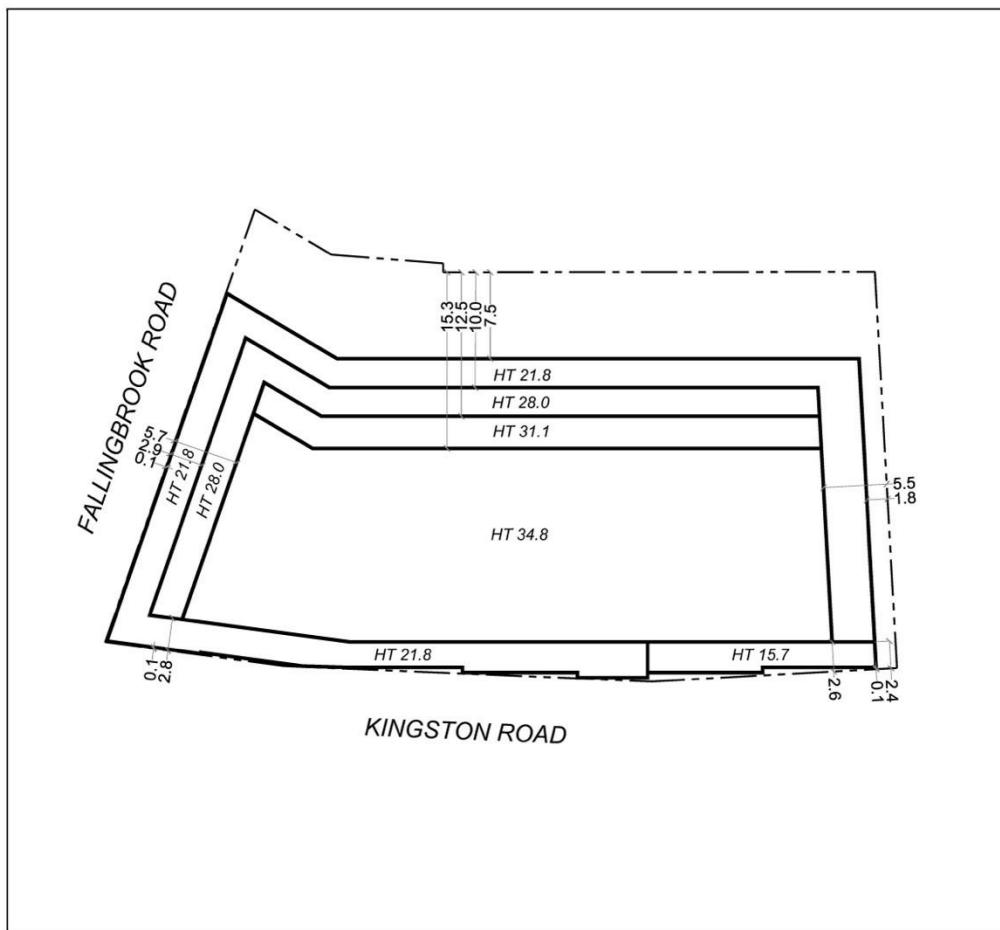


Diagram 5

1212 - 1238 Kingston Road

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