

## Attachment 5: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item [-], as adopted by City of Toronto Council on ~, 20~

### 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 3718 and 3730 Kingston 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

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 amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines from a zone label of CR 0.4 (c0.4; r.0.0) SS3 (x661) to a zone label of CR 0.4 (c 0.4; r 2.0) SS3 (x1217) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number (1217) so that it reads:

(1217) Exception CR (1217)

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 3718 and 3730 Kingston Road, 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 (Q) 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 160.47 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Clause 40.10.30.40(1), the permitted maximum **lot coverage** does not apply;
- (D) Despite Regulation 40.10.40.10(3), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (E) Despite Regulation 40.10.40.10(7), the permitted maximum number of **storeys** in a **building** is the number following the letters "ST" as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (F) Despite Regulations 40.5.40.10(3) to (8) and (D) and (E) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 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 5.0 metres;
  - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, by a maximum of 6.0 metres;
  - (iii) architectural features, parapets, elements and **structures** associated with a **green roof**, trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
  - (iv) **building** maintenance units and window washing equipment, by a maximum of 3.0 metres;
  - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;

- (vi) antennae, flagpoles and satellite dishes, by a maximum of 2.0 metres; and
  - (vii) **Structures** on any roof used for outdoor **amenity space**, by a maximum of 4.0 metres;
- (G) Regulation 40.10.40.1(1)(B)(i), regarding the location of residential use portions of a **mixed use building**, shall not apply;
- (H) Despite Regulation 40.10.40.40(1), the permitted maximum total combined residential **gross floor area** and non-residential **gross floor area** on the lot may not exceed 31,000 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 30,500 square metres;
  - (ii) the required minimum **gross floor area** for non-residential uses is 640 square metres;
  - (iii) the required maximum **gross floor area** for non-residential uses is 1000 square metres;
- (I) The provision of **dwelling** units is subject to the following:
- (i) A minimum of 15 percent of the total number of **dwelling units** must have two or more bedrooms;
  - (ii) A minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms; and
  - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
- (J) Despite Regulation 40.10.40.70(3):
- (i) minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
  - (ii) no **angular plane** requirement shall apply to any portion of a **building** or **structure** on the lot;
- (K) Despite Regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (L) Despite Clause 40.10.40.60 and (J) and (K) 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 2.0 metres;
  - (ii) canopies and awnings, by a maximum of 3.7 metres;
  - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 2.0 metres;
  - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 2.0 metres;
  - (v) eaves, by a maximum of 2.0 metres;
  - (vi) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.0 metres;
- (M) Despite Regulations 40.10.50.10(1).(B).(i) and (3), a minimum **soft landscaping** strip is not required along any part of a front lot line or any part of a **lot** line abutting a Residential or Residential Apartment Zone Category;
- (N) Despite Regulations 970.10.15.5(5) and (11), and Table 970.10.15.5, **parking spaces** must be provided in accordance with the following:
- (i) a maximum of 0.7 residential **parking space** for each Bachelor **dwelling unit** up to 45 m<sup>2</sup>;
  - (ii) a maximum of 1.0 residential **parking space** for each Bachelor **dwelling unit** greater than 45 m<sup>2</sup>;
  - (iii) a maximum of 0.8 residential **parking space** for each One-Bedroom **dwelling unit**;
  - (iv) a maximum of 0.9 residential **parking space** for each Two-Bedroom **dwelling unit**;
  - (v) a maximum of 1.1 residential **parking spaces** for each Three-Bedroom or more **dwelling unit**;
  - (vi) a minimum of 2.0 residential visitor **parking spaces** plus 0.05 **parking spaces** for each **dwelling unit**, up to a maximum rate of 1.0 **parking spaces** per **dwelling unit** for the first five **dwelling units**; and 0.1 **parking spaces** per **dwelling unit** for the sixth and

subsequent **dwelling units**;

- (vii) a minimum of 0.5 and a maximum of 4.0 non-residential **parking spaces** per 100 square metres of non-residential **gross floor area**; and
  - (viii) a minimum of 2 “car-share” **parking spaces** shall be required.
- (O) Despite Regulation 200.15.1(4), up to 40 percent of the required accessible **parking spaces** must be located no more than 30 metres from a barrier free entrance to a **building** or to a passenger elevator that provides access to the first **storey** of the **building**;
- (P) Despite Clause 220.5.10.1, the minimum loading space requirement for all uses:
- (i) with less than 325 dwelling units is one Type “G” **loading space**; and
  - (ii) a minimum of one Type “C” **loading space** shall be added where the proposed residential unit count exceeds 325 dwelling units;
- (Q) 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:
- (i) “car-share” or “car-sharing” 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 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 operator, including payment of a membership fee that may or may not be refundable;
  - (ii) “car-share” **parking space** means a **parking space** that is exclusively reserved and actively used for “car-sharing”.

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

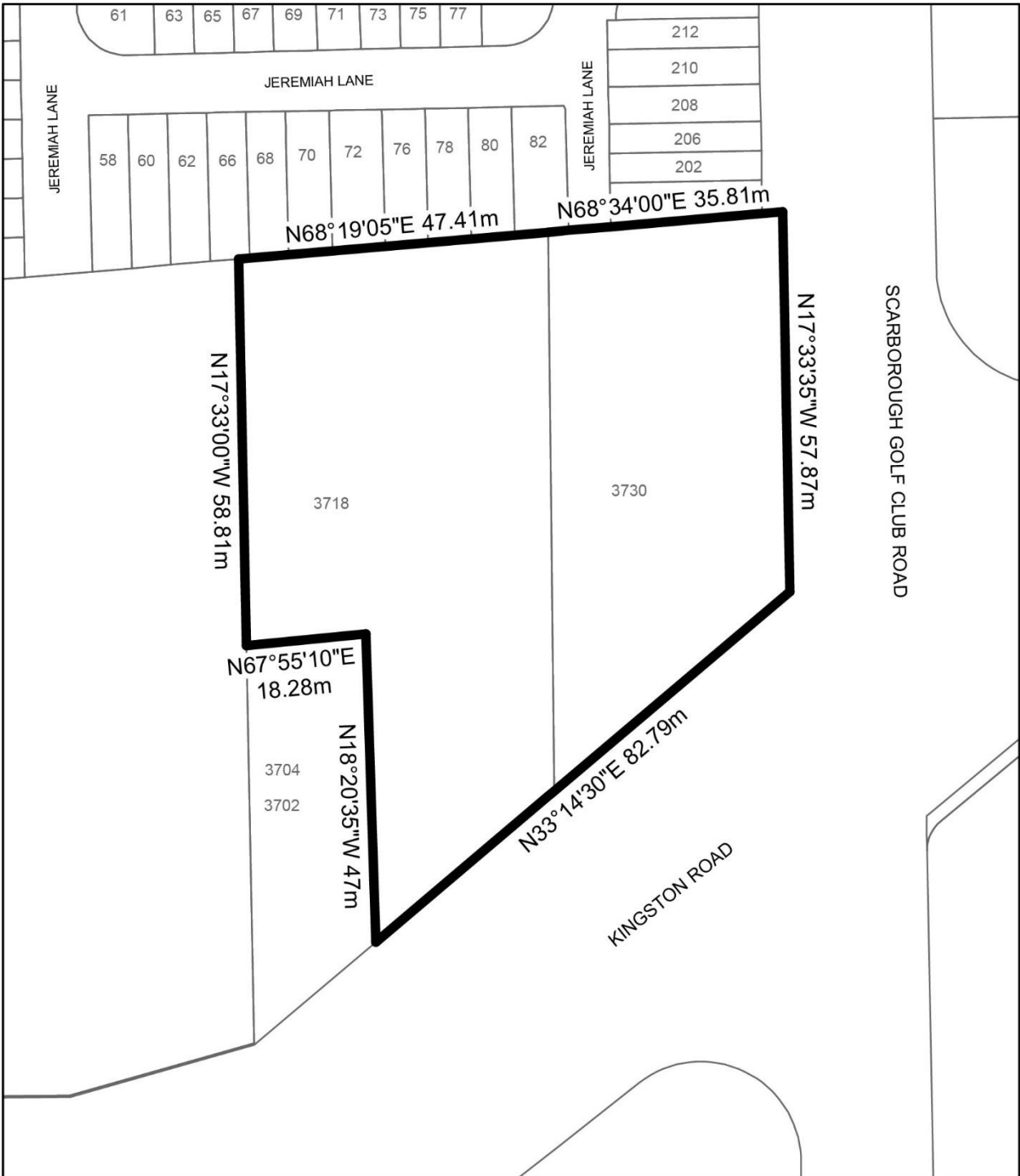
6. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

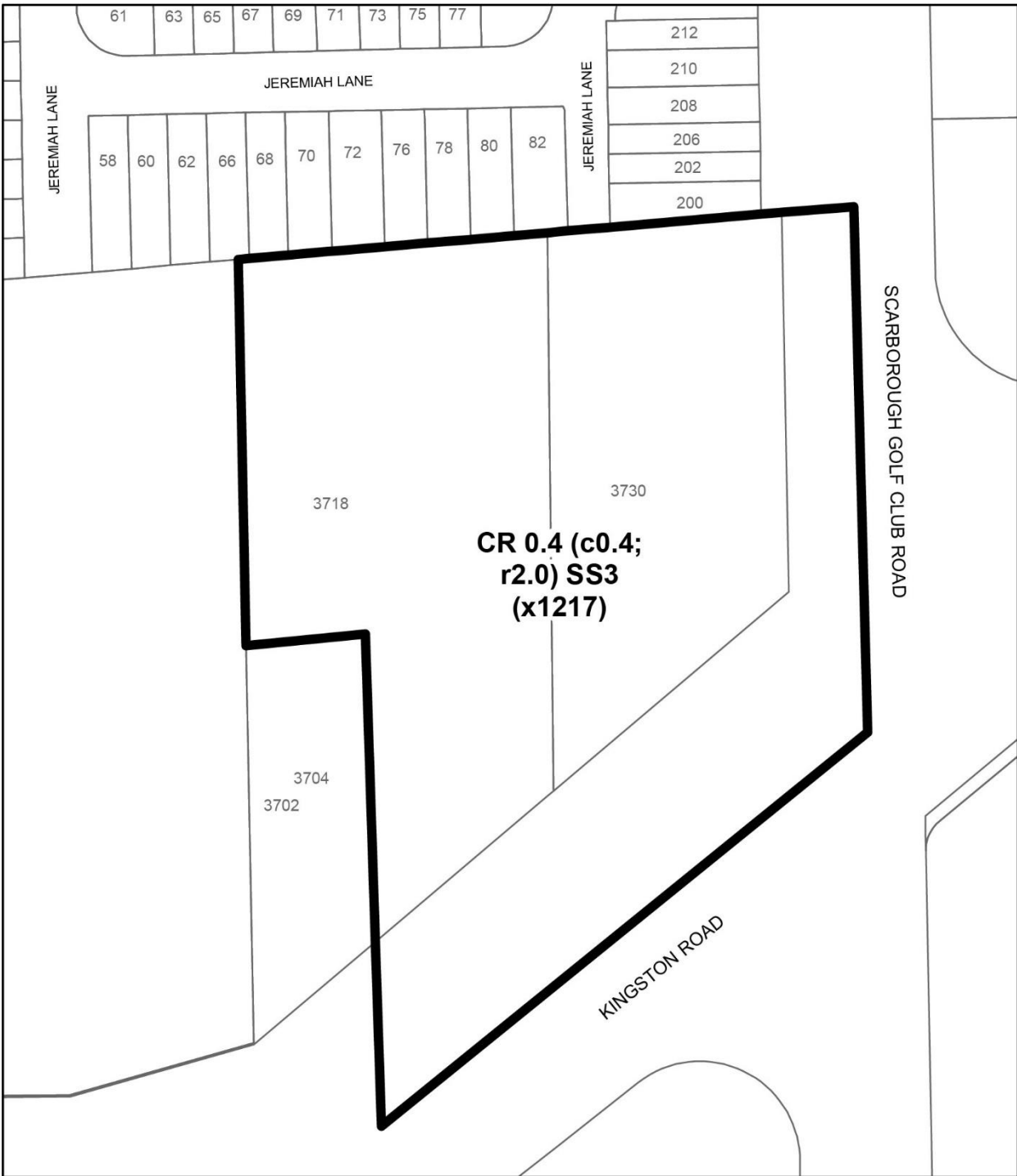
Enacted and passed on [Clerks to insert date].

[full name],  
Speaker

[full name],  
City Clerk

(Seal of the City)





 **TORONTO**  
Diagram 2

**3718-3730 Kingston Road**

File # 21 192052 ESC 24 0Z

