

Authority: Scarborough Community Council Item SC16.1,
adopted as amended by City of Toronto Council on
October 9 and 10, 2024

CITY OF TORONTO

Bill 1146

BY-LAW -2026

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2025 as 565 Kennedy 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 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use that lands, buildings or structures may be put once Council removes the holding symbol "(H)" by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)";

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 990.1 respecting the lands outlined by heavy black lines from a zone label of RM (u9) (x169) to a zone label of (H) CR 4.3 (c0.2; r4.1) SS5 (x1318) 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 1318 so that it reads:

(1318) Exception CR 1318

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 565 Kennedy 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 (U) 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 151.50 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Clause 40.10.30.40, the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 48 percent;
- (D) Despite regulation 40.10.40.10(9), 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(5)(A), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 3.95 metres;
- (F) Despite regulations 40.5.40.10(3) to (8) and (D) 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 6.0 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 2.5 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 6.0 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 4.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.5 metres;
 - (vi) antennae, flagpoles and satellite dishes, by a maximum of 4.0 metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 2.5 metres;

- (G) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 8,600 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 8,250 square metres; and
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 250 square metres;
- (H) Despite regulation 40.10.40.50(1) and (2), **amenity space** must be provided at the following rate:
- (i) at least 2.0 square metres for each **dwelling unit** as indoor **amenity space**; and
 - (ii) at least 1.75 square metres of outdoor **amenity space** for each **dwelling unit** of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**;
- (I) Despite regulation 40.10.40.70(8), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (J) Despite Clause 40.10.40.60 and (I) 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 1.8 metres;
 - (ii) canopies and awnings, by a maximum of 1.8 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 1.8 metres;
 - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metre;
 - (v) window projections, including bay windows and box windows, by a maximum of 1.0 metre;
 - (vi) eaves, by a maximum of 0.6 metres;
 - (vii) dormers, by a maximum of 1.0 metre; and
 - (viii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.5 metres;
- (K) Despite regulation 40.10.80.20(1), a **parking space** that is not in a **building** or **structure** must be set back at least 0.3 metres from a **lot line**;

- (L) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, a minimum of 60 **vehicle parking spaces** must be provided on the **lot**, of which a minimum of 8 **vehicle parking spaces** must be for visitors;
- (M) Despite regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 3.4 metres; and
 - (iii) vertical clearance of 2.0 metres;
- (N) Despite regulation 200.15.1(3), the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (O) Despite regulation 200.15.1(4), an accessible **parking space** must be the **parking spaces** closest to a barrier free:
 - (i) entrance to a **building**;
 - (ii) passenger elevator that provides access to the first **storey** of the **building**; and
 - (iii) shortest route from the required entrances in (i) and (ii) above;
- (P) Despite regulations 230.5.10.1(5) and 970.30.15.5(4) and Table 970.30.15.5, **bicycle parking spaces** must be provided in accordance with the following minimum rates:
 - (i) 0.68 "long-term" **bicycle parking spaces** for each **dwelling unit**;
 - (ii) 0.07 "short-term **bicycle parking spaces** for each **dwelling unit**; and
 - (iii) no "short-term" **bicycle parking spaces** for all non-residential uses on the **lot**;
- (Q) Despite regulation 230.5.1.10(4)(A), the required minimum size of a **bicycle parking space** is:
 - (i) length of 1.2 metres;
 - (ii) width of 0.6 metres; and
 - (iii) vertical clearance of 1.2 metres;
- (R) Despite regulation 230.5.1.10(4)(A) and (Q) above, the required minimum size of a **stacked bicycle parking space** is;

- (i) length of 1.8 metres;
 - (ii) width of 0.46 metres; and
 - (iii) vertical clearance of 1.2 metres;
- (S) Despite regulation 970.30.15.5(3), no shower and change facilities are required;
- (T) In addition to the locations a "long-term" **bicycle parking space** may be located in listed in regulations 230.5.1.10(9)(A)(i), (ii), and (iii), "long-term" **bicycle parking spaces** may also be located in the following locations:
 - (i) "long-term" **bicycle parking spaces** may be located on any level of a **building** at or below ground;
- (U) The provision of **dwelling units** is subject to the following:
 - (i) a minimum of 20 percent of the total number of **dwelling units** on the **lot** must contain two or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must contain a minimum of three bedrooms;
 - (iii) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and
 - (iv) if the calculations of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number will be rounded down to the nearest whole number;

Prevailing By-laws and Prevailing Sections: None Apply

- 5. 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.
- 6. Holding Provisions:
 - (A) The lands zoned with the "(H)" symbol delineated by heavy lines on Diagram 2 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the "(H)" symbol has been removed; and
 - (B) An amending by-law to remove the "(H)" symbol referred to in (A) above may be enacted when the following are fulfilled:

- (i) the owner or applicant, at their sole cost and expense, has submitted a Functional Servicing and Stormwater Management Report for review and acceptance to the satisfaction of the Director, Engineering Review, Development Review.

Enacted and passed on July , 2026.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

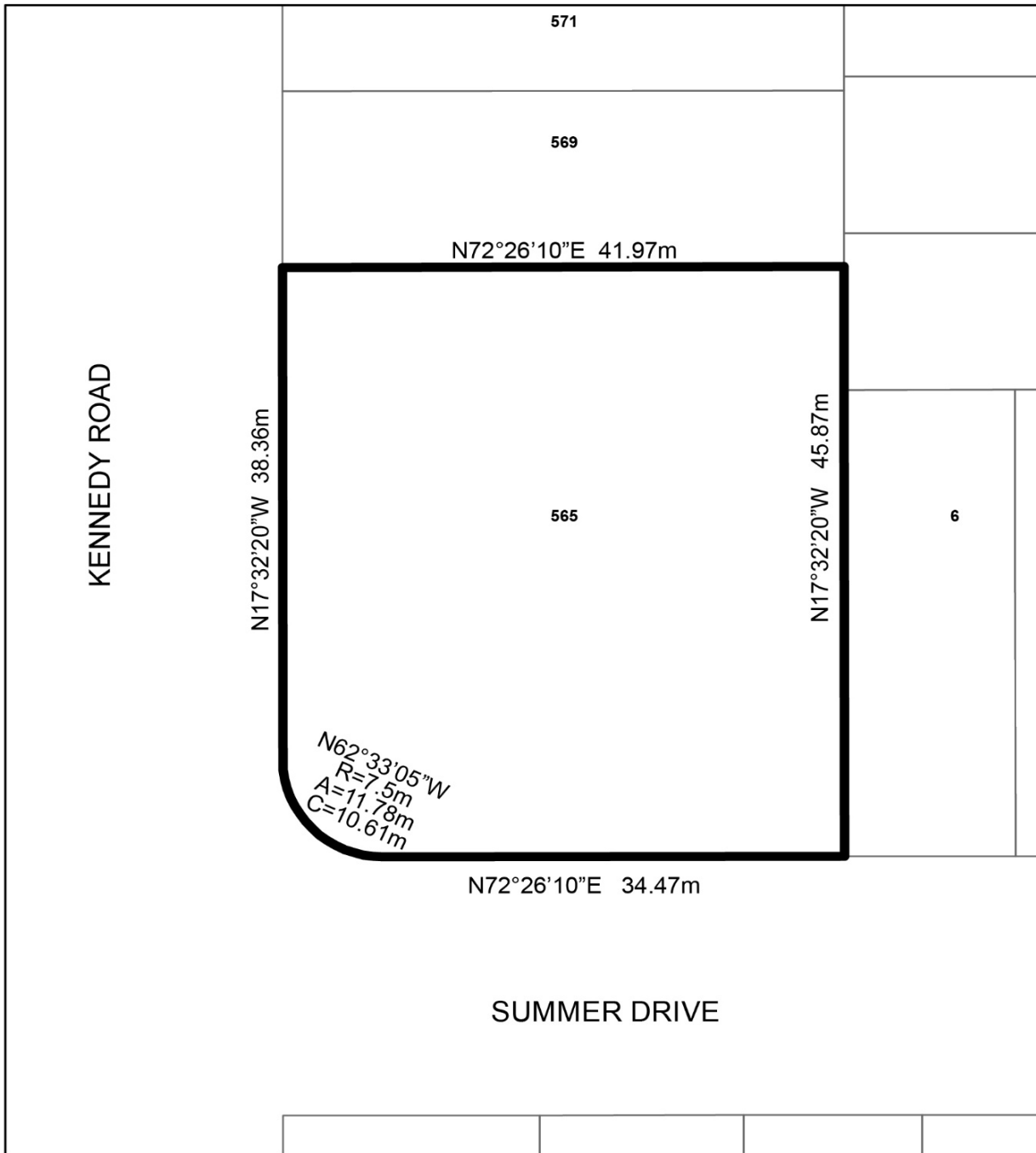
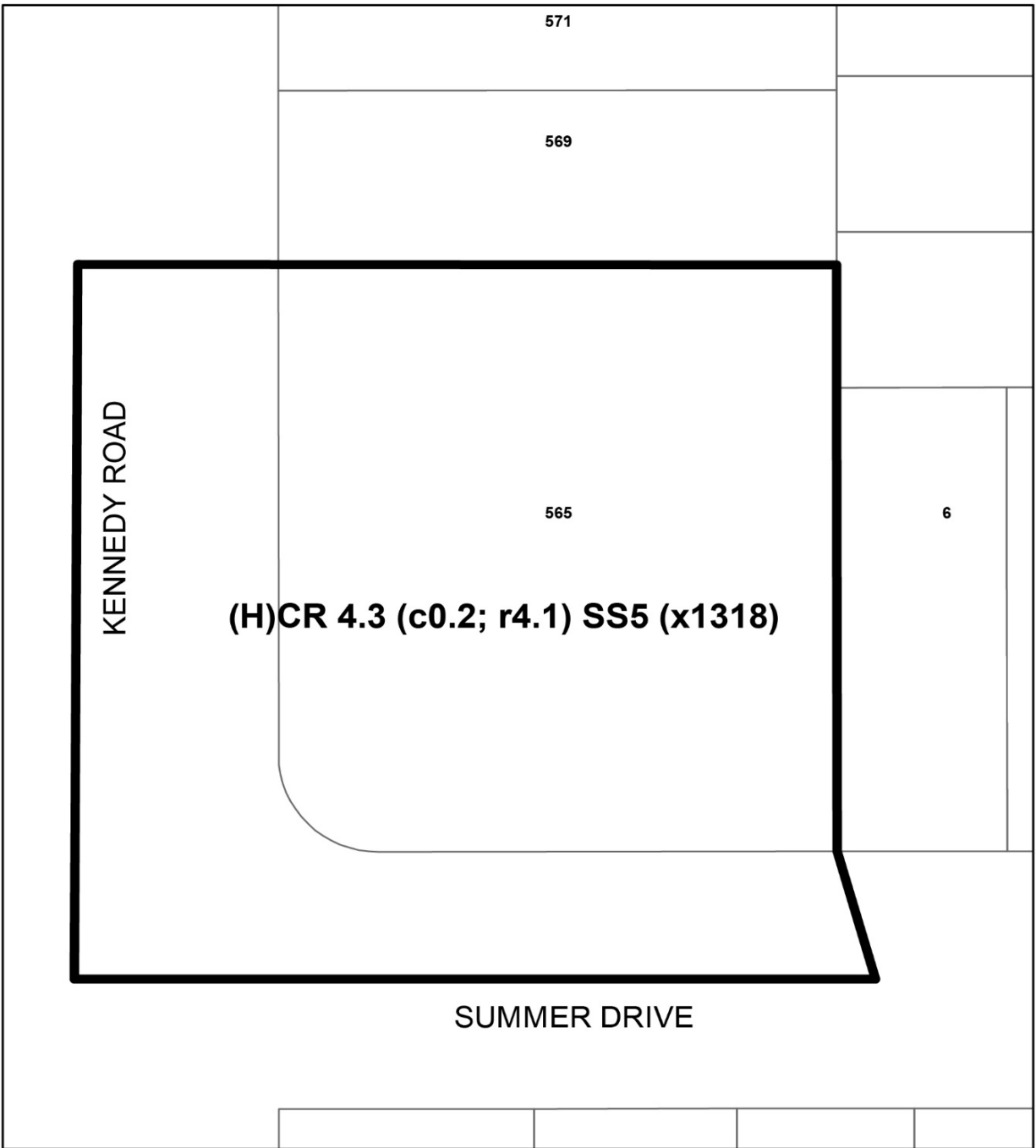


Diagram 2



 **TORONTO**
Diagram 2

565 Kennedy Road

File # 23 233851 ESC 20 02

Diagram 3

