

## Attachment 6: Draft Zoning By-law Amendment

Authority: Scarborough Community Council / Planning and Housing Committee Item  
[-], as adopted by City of Toronto Council on ~, 2023

### 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 2023 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;

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 **CR (x XXX)** 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 **XXX** so that it reads:

**(XXX) Exception CR (XXX)**

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 ([insert final letter of these Site Specific Provisions]) 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 [-] 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(1)(2) or (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(5), 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 4.5 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 5.0 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 2.5 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 7,400 square metres, of which:
  - (i) the permitted maximum **gross floor area** for residential uses is 7,250 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 1.95 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(1)(2) or (3), 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) 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;
  - (vi) window projections, including bay windows and box windows, by a maximum of 1.0 metres;
  - (vii) eaves, by a maximum of 0.6 metres;

- (viii) dormers, by a maximum of 1.0 metres; and
- (ix) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.5 metres; and
- (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 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**;
- (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(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).
- (O) Despite regulations 230.5.10.1(1)(3) and (5) and Table 230.5.10.1(1), **bicycle parking spaces** must be provided in accordance with the following minimum rates:
  - (i) 0.9 "long-term" **bicycle parking spaces** for each **dwelling unit**;
  - (ii) 0.2 "short-term **bicycle parking spaces** for each **dwelling unit**;
  - (iii) no "short-term" **bicycle parking spaces** for all non-residential uses on the **lot**;
- (P) Despite regulation 230.5.1.10(4)(A), the required minimum width 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;

- (Q) Despite Regulation 230.5.1.10(4)(A)(ii), the required minimum width 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;
- (R) Despite Regulation 230.5.1.10(7), 0 shower and change facilities are required;
- (S) 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 provided in horizontal, vertical and/or **stacked bicycle parking spaces**, or any combination thereof; and
  - (ii) "long-term" **bicycle parking spaces** and may be located any floor of a building at, or below, grade, on a mezzanine level, and/or on the second floor.
- (T) In addition to the places a "long-term" **bicycle parking space** may be located in listed in Regulations 230.5.1.10(9)(B)(i)(ii) and (iii), "long-term" **bicycle parking spaces** may also be located in the following locations:
- (i) long-term **bicycle parking spaces** and/or **stacked bicycle parking spaces** may be located within a secured room, enclosure, or any combination thereof.
- (U) Despite Regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;
- (V) A minimum of 20 percent of the total number of **dwelling units** on the lot must contain a minimum of two bedrooms and a minimum of 10 percent of the total number of **dwelling units** must contain a minimum of three bedrooms;
- (W) For the purposes of this By-law, the following terms shall have the following meaning:
- (a) "Car-share" means the practice where a number of people share the use of one or more cars 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 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

- (b) "Car-share parking space" means a parking space that is exclusively reserved and actively used for car-sharing.

Prevailing By-laws and Prevailing Sections:

- (A) None

5. Despite any severance, partition or division of the lands, the provisions of this Bylaw 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 and forming part of this By-law shall not be used for any purpose other than those uses and buildings as existing on the site as of 2023 until the "(H)" symbol has been removed; and

- (B) An amending by-law to remove the "(H)" symbol shall be enacted by City Council when the following condition has been fulfilled to the satisfaction of City Council:

- (i) Before removing the (H) symbol, require the owner to submit a Functional Servicing and Stormwater Management Report for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

Enacted and passed on [Clerks to insert date].

[full name],  
Speaker

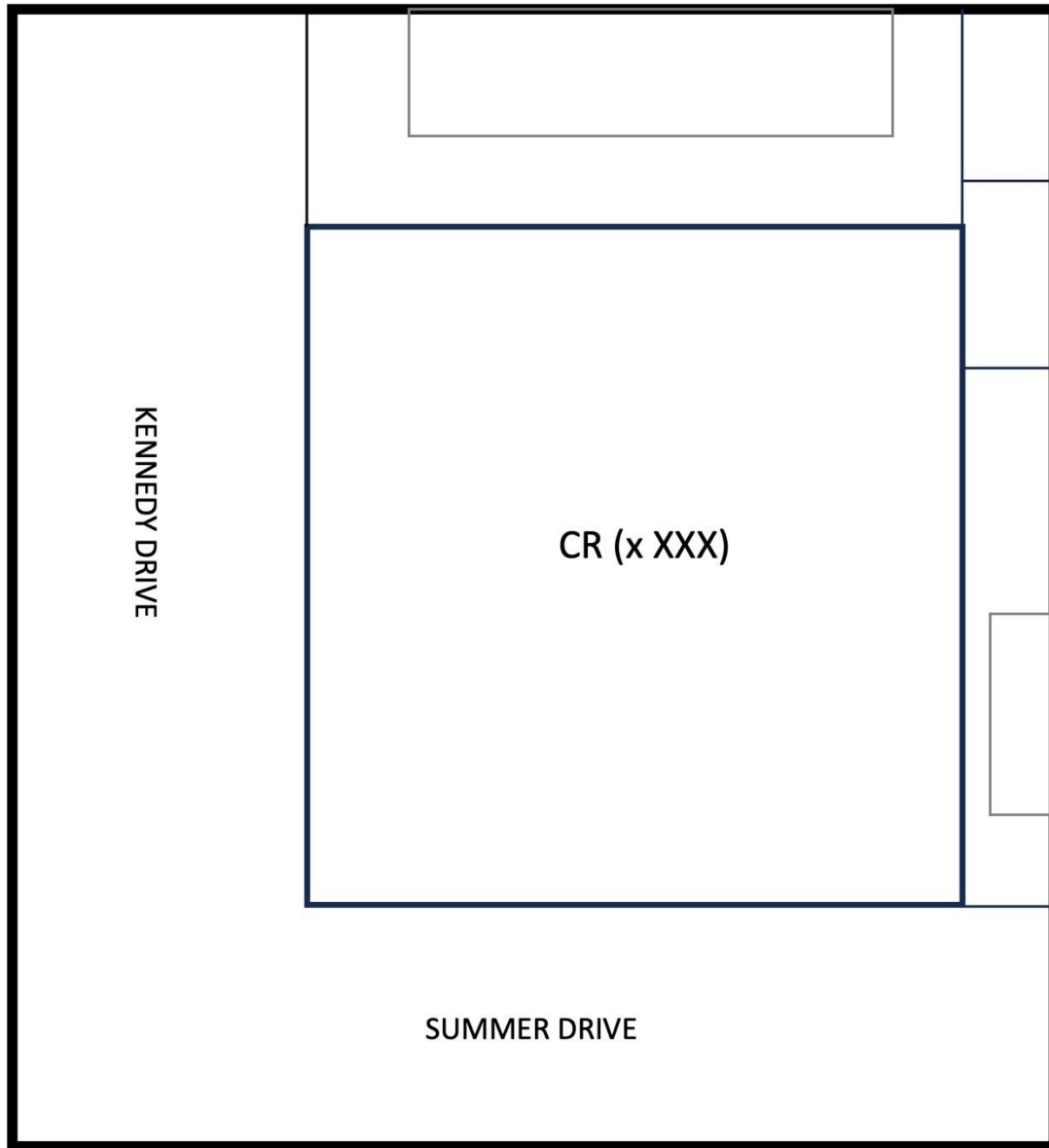
[full name],  
City Clerk

(Seal of the City)



565 Kennedy Road

File #



 **TORONTO**  
Diagram 1

565 Kennedy Road

File #



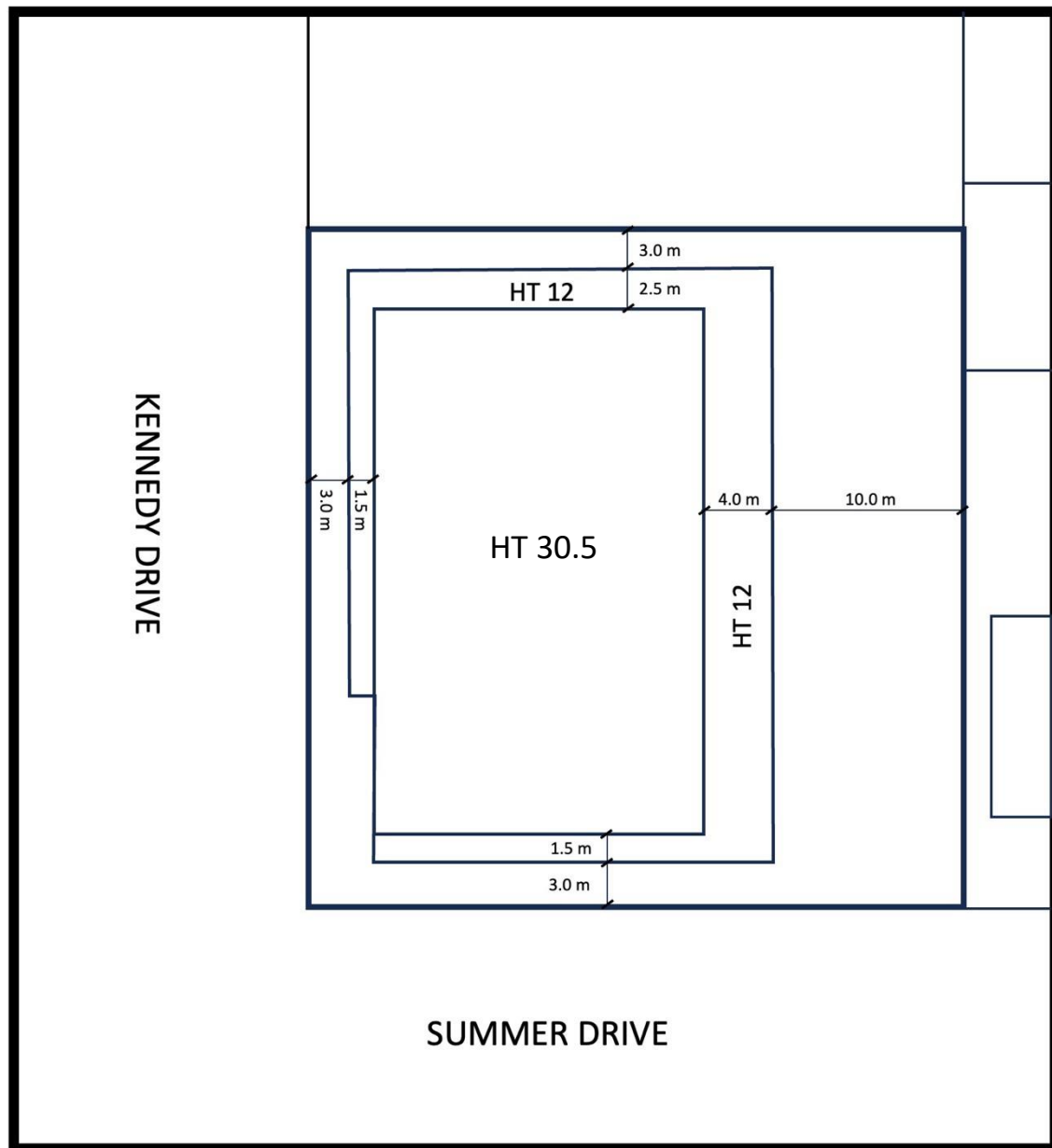


Diagram 3

565 Kennedy Road

File #

