

Authority: Toronto and East York Community Council  
Item TE12.7, adopted as amended, by City of Toronto  
Council on April 17 and 18, 2024  
City Council voted in favour of this by-law on July 25,  
2024  
Written approval of this by-law was given by Mayoral  
Decision 17-2024 dated July 25, 2024

## **CITY OF TORONTO**

### **BY-LAW 876-2024**

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 34, 36 and 42 Maitland Street.**

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 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 R (d2.0) (x875) and R (d2.5) (x82) to a zone label of R (d2.5) (x195) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number 195 so that it reads:

(195) Exception R 195)

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 34, 36, and 42 Maitland Street, if the requirements of By-law 876-2024 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (Y) below;
- (B) Despite regulation 10.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 106.20 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulations 10.10.40.10(1), 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 876-2024;
- (D) Despite regulations 10.5.40.10(2), (3), and (4) and 10.10.40.10(8), (9), and (10) and (C) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law 876-2024:
  - (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 10.0 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 10.0 metres;
  - (iii) architectural features, parapets, landscape features and planters associated with a **green roof**, retaining walls, thermal and waterproofing assembly and elements, and **structures** associated with a **green roof** or outdoor **amenity space** by a maximum of 3.5 metres;
  - (iv) **building** maintenance units and window washing equipment, by a maximum of 10.0 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 3.5 metres; and
  - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, privacy screens, wind mitigation features and acoustic screens , by a maximum of 6.0 metres;
- (E) Regulation 10.10.40.30(1)(A) restricting the maximum **building depth** of an **apartment building** does not apply;
- (F) Regulation 10.10.40.80(1) with respect to the minimum distance between **main walls** of an **apartment building** does not apply;

- (G) Despite regulation 10.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 38,250 square metres;
- (H) Despite clauses 10.5.40.70 and 10.10.40.70, and regulation 600.10.10(1), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 876-2024;
- (I) Despite clause 10.5.40.60, regulations 600.10.10(1)(D) and (E), and Provision (H) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
  - (i) balconies, guards, railings, balustrades, and screens, to a maximum extent of 1.8 metres;
  - (ii) despite (i) above, balconies shall not be within the areas labelled "No balcony zone" on Diagram 4 of By-law 876-2024;
  - (iii) Juliet balconies, to a maximum extent of 0.6 metres;
  - (iv) window washing equipment, building maintenance unit, awnings, canopies, bollards, roof overhang, trellises, and siamese connections and a dormer, decks and porches, to a maximum of 2.5 metres;
  - (v) lighting fixtures, parapets, parapet flashing, bollards, chimneys, cornices, eaves, stacks, roof and terrace scuppers, vents, roof overhang, gutter, downspout, trellises, window sills, siamese connections, and ornamental elements, to a maximum extent of 1.5 metres;
  - (vi) architectural features, and structural/non-structural architectural columns/piers, to a maximum extent of 0.8 metres from (i) and (iii) above; and
  - (vii) stairs, stair enclosures, air shafts, gas meters, wheel chair ramps, mechanical exhaust and intake components and vents, underground garage ramps and their associated structures and elements, retaining walls and fences, to a maximum extent of 4.5 metres;
- (J) Despite regulation 10.5.50.10(4), a lot with an apartment building must have:
  - (a) a minimum of 20 percent of the area of the **lot** for **landscaping**; and
  - (b) a minimum of 15 percent of the area required in (a), must be **soft landscaping**;
- (K) Despite regulation 10.5.50.10(5), a strip of **soft landscaping**, will not be required on any part of a **lot line** abutting another **lot** in the Residential Zone category;

- (L) Despite regulations 200.5.1(2) and 200.5.1.10(10) and 200.5.10.1(1), 200.10.1(1) and (2), 200.15.1(1), and Table 200.5.10.1 parking spaces must be provided and maintained in accordance with the following:
- (i) a minimum rate of 2 plus 0.01 parking spaces per dwelling unit for residential visitors;
  - (ii) in addition to (i) above, a minimum of 2 residential visitor **parking spaces** on the ground; and
  - (iii) a minimum of 2 car-share spaces shall be provided;
- (M) Despite regulation 200.5.1.10(2), a maximum of 10 percent of the required **parking spaces** may have minimum dimensions of:
- (i) a length of 5.1 metres;
  - (ii) a width of 2.6 metres; and
  - (iii) a vertical clearance of 1.7 metres;
- (N) Despite regulation 200.5.1.10(2)(A)(iv), 10 percent of the **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**;
- (O) Despite regulations 200.15.10.10(1), a minimum of 11 of the required **parking spaces** on the **lot** are required to be accessible **parking spaces**;
- (P) 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 2.1 metres;
- (Q) Despite regulation 200.15.1(4), the nearest point of an accessible **parking space**, where such a point is adjacent to a **drive aisle**, must be located along a path that is not more than 30.0 metres of a barrier free entrance to a **building** or passenger elevator that provides access to the first **storey** of a **building**. The path may include doors or overhead doors, but must not be obstructed by **parking spaces**, **bicycle parking spaces**, walls, fences, parking curbs, and other immovable **structures** or fixtures;
- (R) Despite regulation 230.5.1.10(4)(A), the required minimum dimensions of a **bicycle parking space** is:

- (i) length of 1.8 metres;
  - (ii) width of 0.6 metres; and
  - (iii) vertical clearance of 1.9 metres;
- (S) Despite regulation 230.5.1.10(4)(A) and (5), the required minimum dimensions of a **stacked bicycle parking space** are;
  - (i) length of 1.65 metres;
  - (ii) width of 0.2 metres; and
  - (iii) vertical clearance of 1.2 metres for each **bicycle parking space**;
- (T) Despite regulation 230.5.1.10(4)(B), the minimum dimensions of a **bicycle parking space** if placed in a vertical position on a wall, structure or mechanical device is:
  - (i) a minimum length or vertical clearance of 1.7 metres;
  - (ii) a minimum width of 0.2 metres; and
  - (iii) a minimum horizontal clearance from the wall of 1.2 metres;
- (U) Despite regulations 230.5.1.10(9) and 230.5.1.10(10) and "long-term" and "short term" **bicycle parking spaces** may be located on any floor up to and including the first level of the **building** and anywhere below ground, within an enclosed room and in a **stacked bicycle parking space**; and
- (V) Despite regulations 230.5.1.10(10) and 230.10.1.20(1), "short-term" and "long-term" **bicycle parking spaces** may be located in a building in an enclosed room, and in a **stacked bicycle parking space**;
- (W) 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;
  - (iii) An additional 15 percent of the total number of **dwelling units** must have a combination of two and three bedrooms, or units that can be converted to two and three bedroom units through the use of accessible or adaptable design measures;

- (iv) Any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and
- (v) If the calculation of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number.
- (X) Regulation 10.5.100.1(5) with respect to the provision of an unobstructed **vehicle** access is not required;
- (Y) Despite Regulation (W) above, 55 **dwelling units**, provided for the purposes of rental replacement, shall not be included in the calculation of the number of required **dwelling units** with two or three bedrooms.

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. Temporary use:
  - (A) None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of sales office on the lot for a period of not more than 3 years from the date this By-law comes into full force and effect.
- 7. 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" 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 to be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable.
  - (ii) "Car-share parking space" means a parking space that is reserved and actively used for car-sharing.

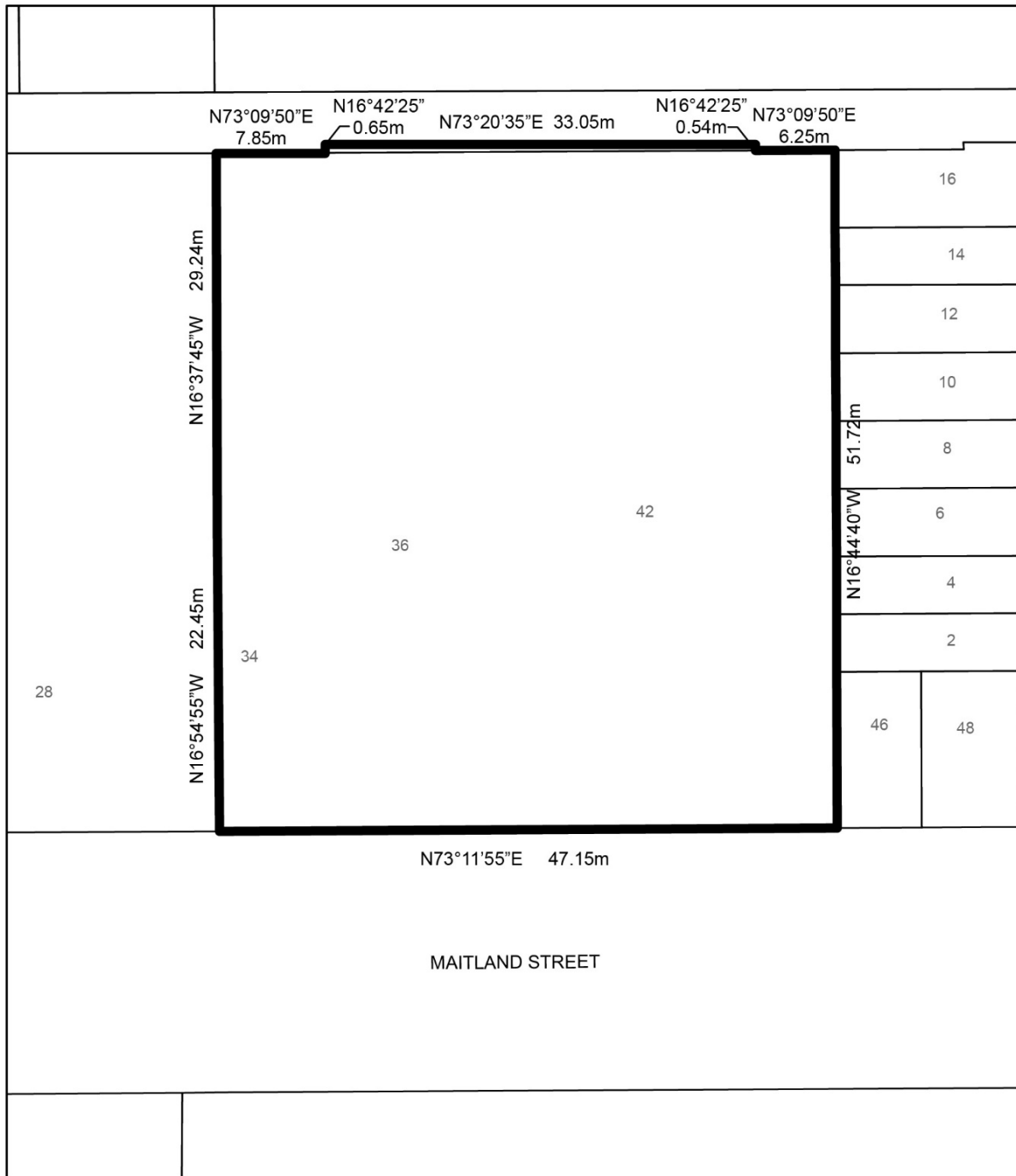
Enacted and passed on July 25, 2024.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

Diagram 1



**Diagram 2**

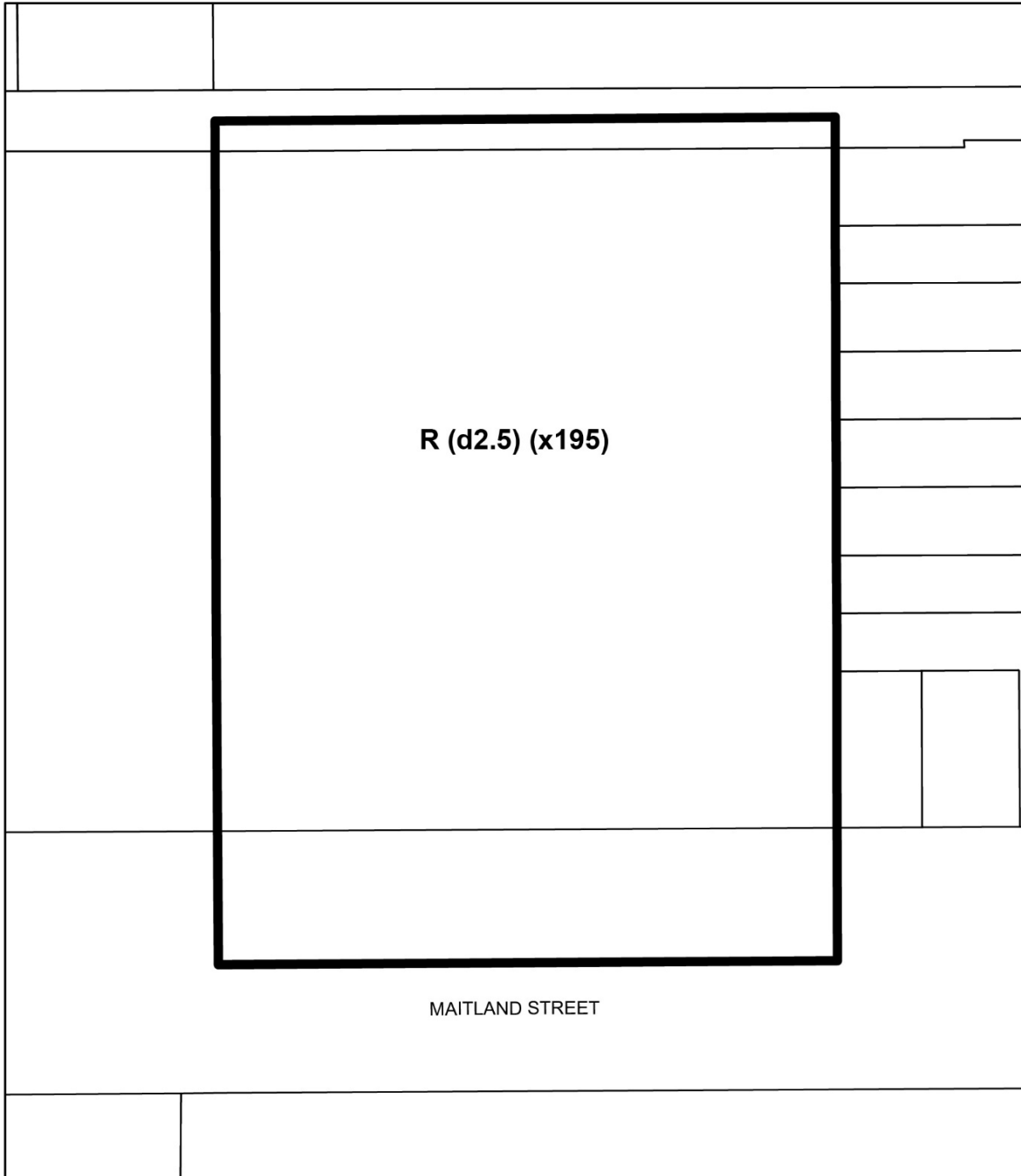




Diagram 3

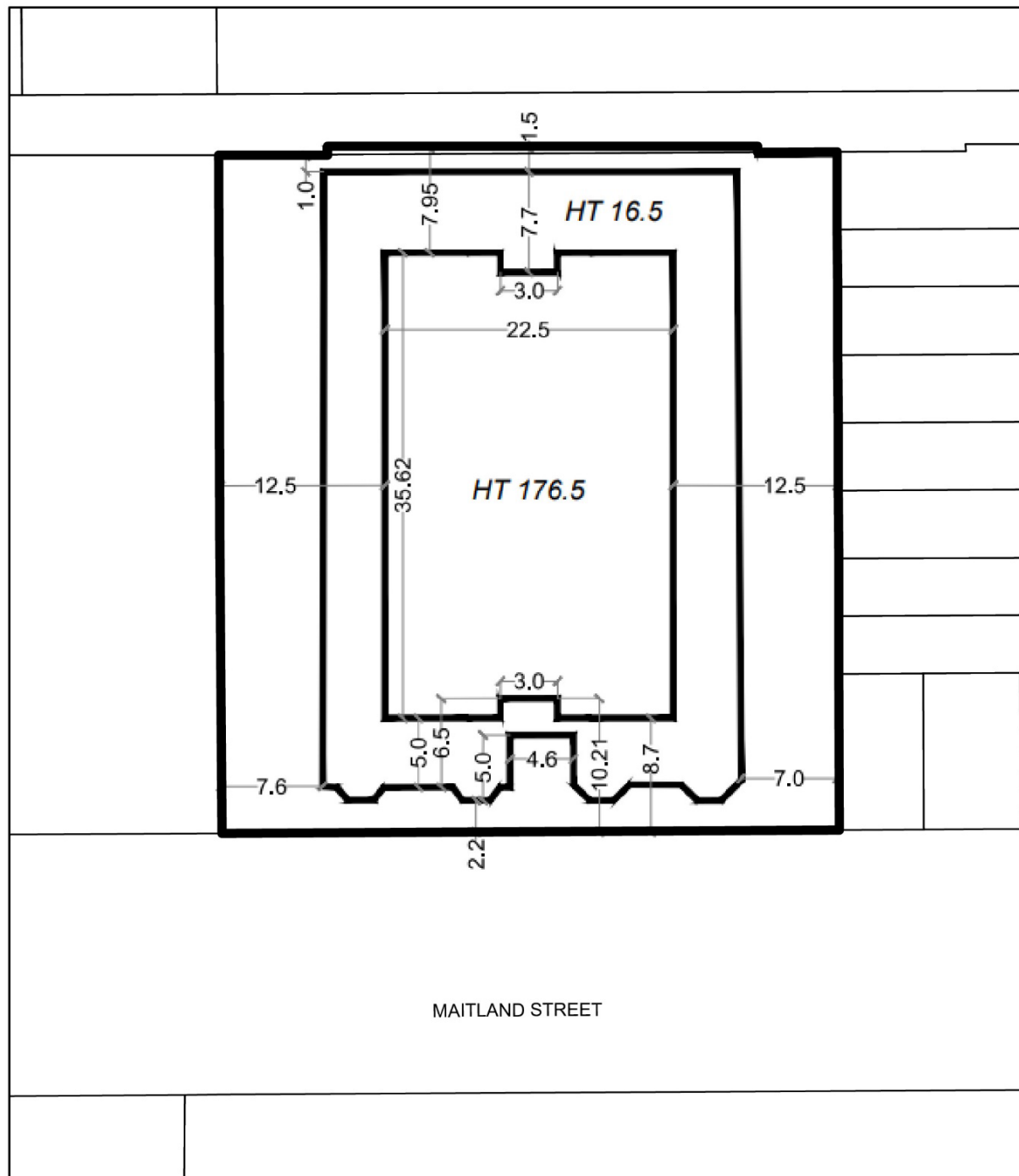
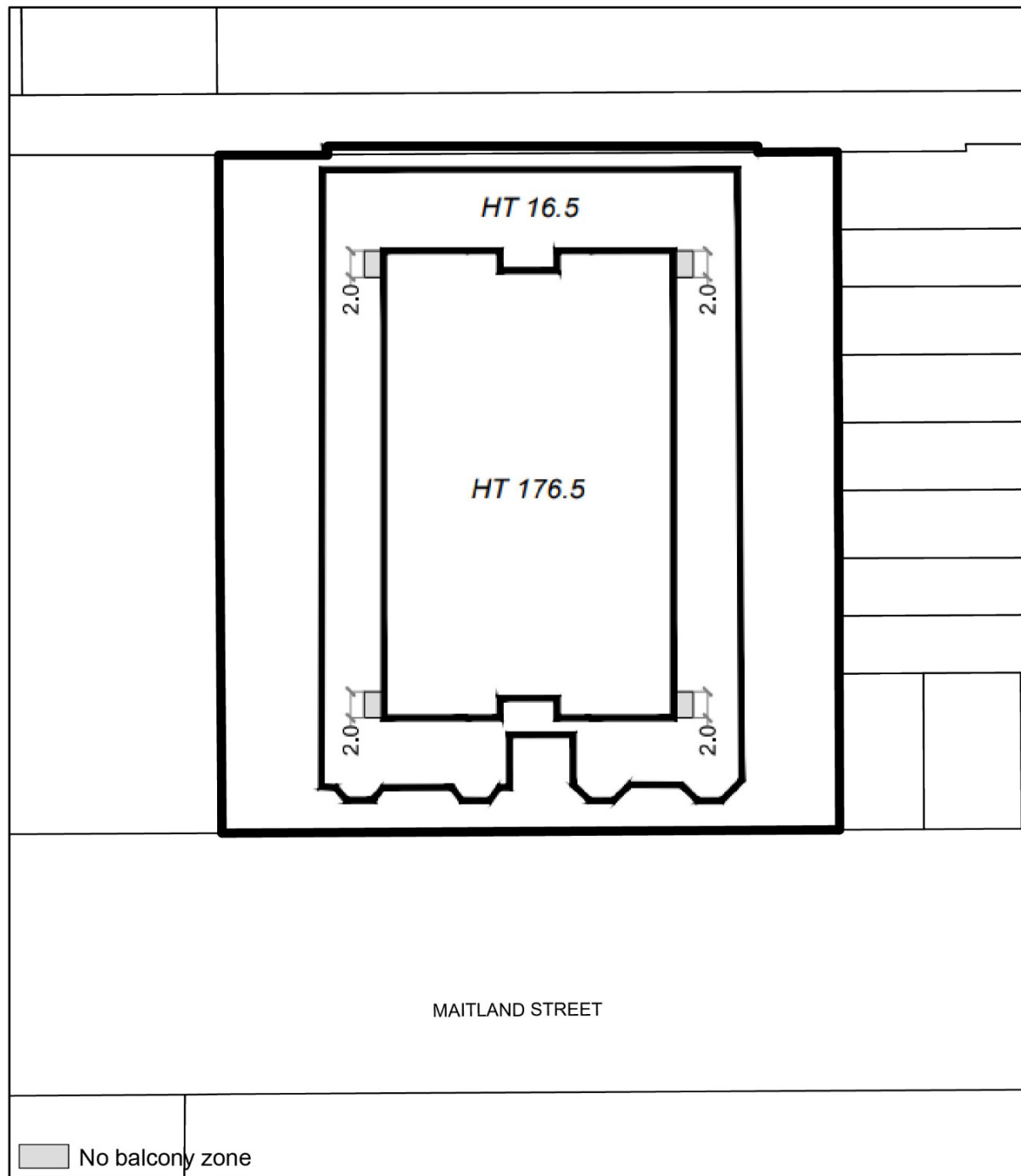


Diagram 4



 **TORONTO**  
Diagram 4

34, 36 & 42 Maitland Street

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