

**Attachment 9: Draft Zoning By-law 438-86  
(21-27, 29, 31 and 33 Sherbourne Street North)**

Authority: Toronto and East York Community Council Item TE29.7 as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**BY-LAW No. [XXXX-2018]**

**To amend General Zoning By-law No. 438-86 of the former City of Toronto respecting the lands municipally known in 2018 as 21-27, 29, 31 and 33 Sherbourne Street North**

WHEREAS authority is given to Council by 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*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Except as otherwise provided herein, the provisions of By-law No. 438-86 shall continue to apply to the *lot*.
2. None of the provisions of Section 2(1) with respect to the definition of '*converted house*', '*lot*', '*semi-detached house*' and '*parking garage*', and Sections 4(2)(a), 6(2)1., 6(3) Part I 1., 6(3) Part II, 6(3) Part VI, 6(3) Part IX 1., and 12(2)210. of By-law 438-86 of the former City of Toronto, being "A by-law to regulate the use of land and the erection, use, bulk, height, spacing of land and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection or use of an addition to an existing *detached house* and the construction of a pair of *semi-detached houses* on the lands municipally known in 2018 as 21-27, 29, 31 and 33 Sherbourne Street North (hereinafter referred to as the *lot*), provided that:
  - (a) the *lot* comprises the lands delineated by heavy lines on Map 1, attached to and forming part of this By-law and, in the event of a severance, the newly created lots will mutually comply with this By-law;
  - (b) notwithstanding Section 6(1) to By-law 438-86, permitted uses on the *lot* shall also include a *below-grade parking garage*, *coach house/studio*, *converted house* and *semi-detached house*;

- (c) a maximum total of 11 *dwelling units* shall be permitted on the *lot*, and shall be contained in Buildings A, B, C, D and F, as shown on Map 2, attached and forming part of this By-law;
- (d) the total *residential gross floor area* of any building or structure on the *lot* shall not exceed 2,960 square meters, inclusive of the *coach house/studio* and the two enclosed parking garage stairwells comprising part of Building D as shown on Map 2, attached to and forming part of this By-law;
- (e) no portion of any building or structure erected or used above *grade* shall exceed the *height* limits above *grade* in metres specified by the numbers following the symbol "H" as shown on Map 2, attached to and forming part of this By-law, but this paragraph does not prevent the erection or use of a skylight, provided the maximum *height* of the top of such element is no higher than the sum of 0.3 metres and the applicable *height* limit;
- (f) no portion of any building or structure erected or used above *grade* is located otherwise than wholly within the areas delineated by heavy lines as shown on Map 2, attached to and forming part of this By-law;
- (g) the minimum required number of *parking spaces* for the *residential buildings* on the *lot* shall be provided and maintained in a *below-grade parking garage*, to serve the residents of the *lot* and the *detached house* on the property municipally known in 2018 as 35 Sherbourne Street North.

3. For the purposes of this By-law:

- (a) '*below-grade parking garage*' shall mean a below-grade, one level portion of a building, accessory to the principal use or uses permitted on the whole of the *lot*, and accommodating the required parking for all *dwelling units* on the *lot* and the *detached house* on the property municipally known in 2018 as 35 Sherbourne Street North;
- (b) '*coach house/studio*' shall mean a 2-storey accessory building, shown as Building E on Map 2, attached to and forming part of this By-law, to be used exclusively for artistic pursuits and containing only sanitary facilities and a kitchenette therein;
- (c) '*converted house*' shall mean a building which is altered to contain two or more *dwelling units*;
- (d) '*semi-detached house*' shall mean one of a pair of attached buildings:
  - (i) each building comprising one *dwelling unit*; and
  - (ii) each building divided vertically from the other by a party wall;

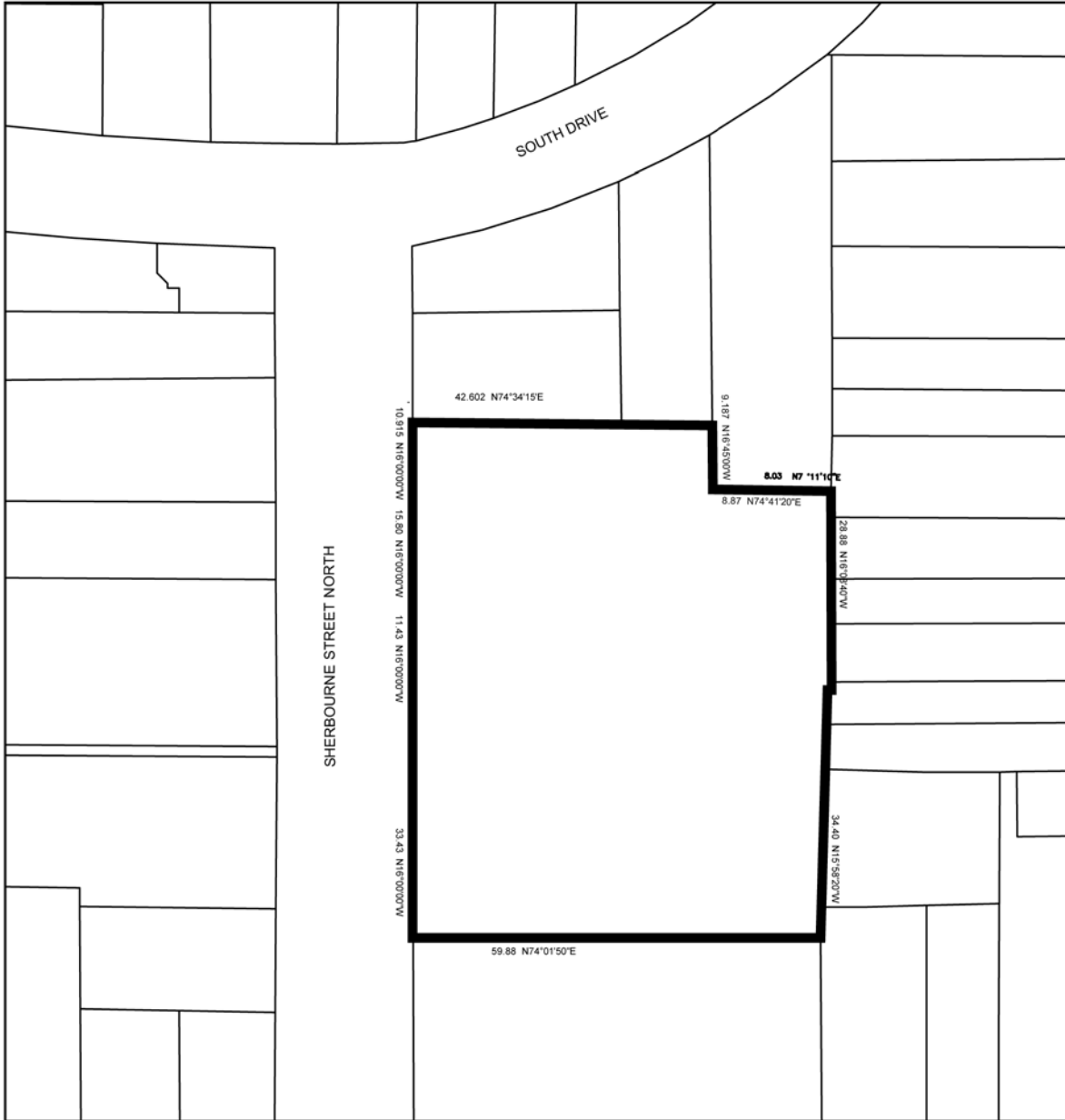
- (e) Each word or expression that is italicized in this By-law shall have the same meaning as each word or expression as defined in By-law 438-86, as amended, except that the terms '*below-grade parking garage*', '*coach house/studio*', '*converted house*', '*lot*' and '*semi-detached house*' shall be as defined in this By-law.
- 4. Notwithstanding any division of lands subject to this exception, the regulations of this Section shall continue to apply to the whole of the lands.

ENACTED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2018.

JOHN TORY  
Mayor

ULLI S. WATKISS  
City Clerk


(Corporate Seal)

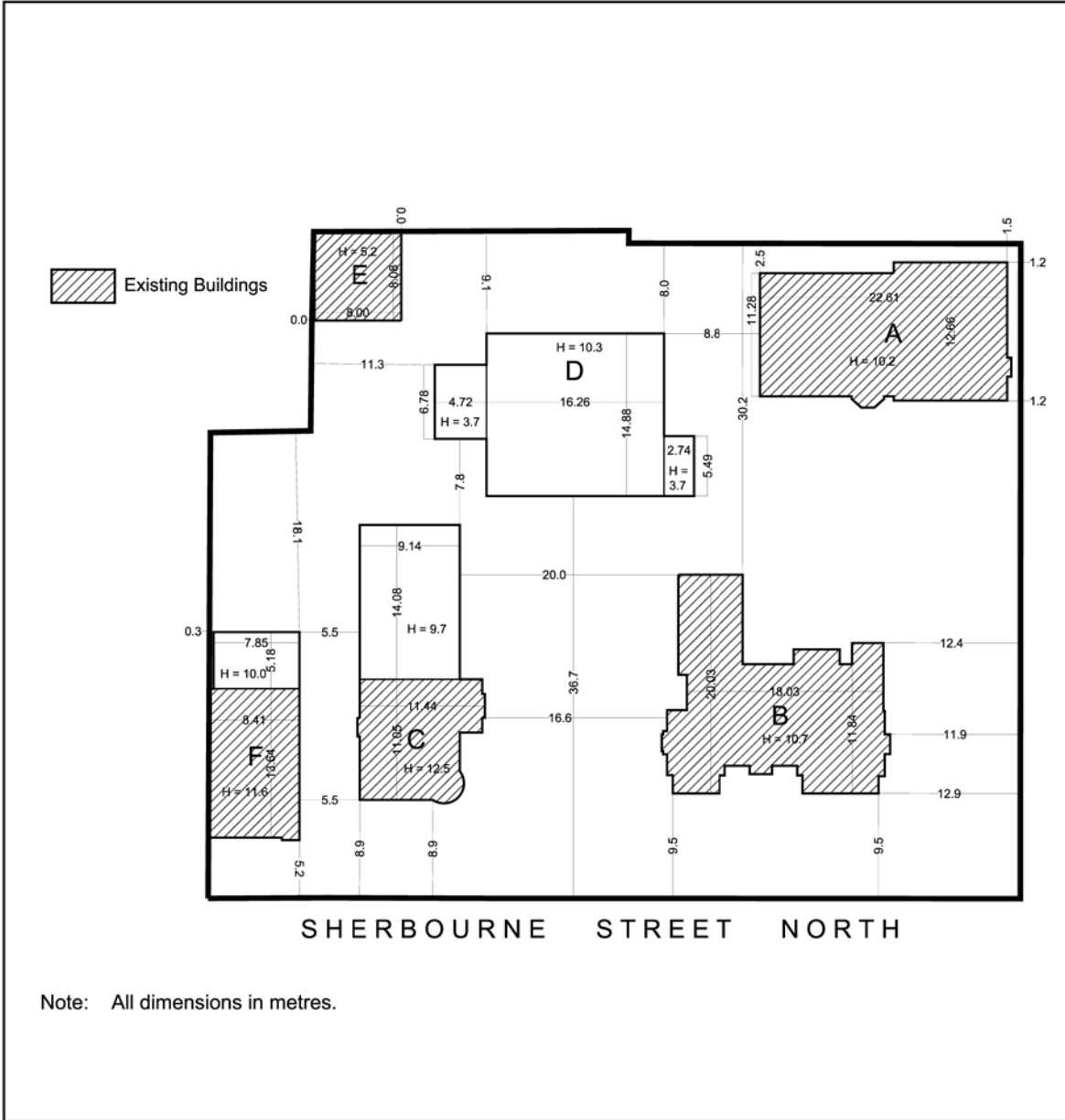


 **TORONTO**  
Map 1

**21-33 Sherbourne Street**

File # 13 109447 STE 27 OZ

  
City of Toronto By-Law 438-86  
Not to Scale  
01/D/2017



**Attachment 1b: Draft Zoning By-law 438-86  
(35 Sherbourne Street North)**

Authority: Toronto and East York Community Council Item TE29.7 as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**BY-LAW No. [XXXX-2018]**

**To amend General Zoning By-law No. 438-86 of the former City of Toronto respecting the lands municipally known in 2018 as 35 Sherbourne Street North**

WHEREAS authority is given to Council by 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*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Except as otherwise provided herein, the provisions of By-law No. 438-86 shall continue to apply to the *lot*.
2. None of the provisions of Sections 12(2) 210(ii) of By-law 438-86 of the former City of Toronto, being "A by-law to regulate the use of land and the erection, use, bulk, height, spacing of land and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection or use of an *accessory elevator structure* or *below-grade parking garage* on the lands municipally known in 2018 as 35 Sherbourne Street North (hereinafter referred to as the *lot*), provided that:
  - (a) notwithstanding Section 6(1) of By-law 438-86, permitted uses on the *lot* shall also include an *accessory elevator structure* and a *below-grade parking garage*;
  - (b) notwithstanding Sections 6(3) Part I 1. and 6(3) Part II 7(i) of By-law 438-86, an *accessory elevator structure* and attached shed having a total floor area of not more than 18.0 square metres may be located 0.0 metres from the east and south *lot* lines;

- (c) notwithstanding Section 6(3) Part II 7(ii) A. of By-law 438-86, an *accessory elevator structure* and attached shed may be located at a minimum distance of 2.5 metres from a *residential building*;
  - (d) notwithstanding Section 4(4)(b) of By-law 438-86, the required motor vehicle *parking space* may be accommodated on the *lot*, or off-site in a *below-grade parking garage* permitted on adjacent lands to the south, municipally known in 2018 as 21-27, 29, 31 and 33 Sherbourne Street North, in accordance with By-law No. \_\_\_\_-2018.
2. For the purposes of this By-law:
- (a) '*accessory elevator structure*' shall mean a structure accommodating an elevator connecting to an off-site *below-grade parking garage*, as defined in By-law No. \_\_\_\_-2018;
  - (b) '*below-grade parking garage*' shall mean a below-grade, one level portion of a building accessory to the principal use or uses permitted on the whole of the *lot*, and accommodating required parking for the *detached house* on the *lot* and the required parking, or a portion thereof, for the *dwelling units* on the lands municipally known in 2018 as 21-27, 29, 31 and 33 Sherbourne Street North; and
  - (c) each word or expression that is italicized in this By-law shall have the same meaning as each word or expression as defined in By-law 438-86, as amended, except that the terms '*accessory elevator structure*' and '*below-grade parking garage*' shall be as defined in this By-law.
3. Notwithstanding any division of lands subject to this exception, the regulations of this Section shall continue to apply to the whole of the lands.

ENACTED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2018.

JOHN TORY  
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