

CITY OF TORONTO

BY-LAW No. 563-2004(OMB)

To amend former City of North York By-law No. 7625, as amended, with respect to lands known municipally as 3400 Victoria Park Avenue.

WHEREAS the Ontario Municipal Board pursuant to its Order No. 0976, dated May 28, 2004, upon hearing the appeal of Imperial Oil Limited, under Section 34(11) of *the Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the former City of North York Zoning By-law No. 7625, as amended;

THEREFORE By-law No. 7625, the former City of North York By-law, as amended, is further amended by the Ontario Municipal Board as follows:

1. Section 64.34 (3) of By-law No. 7625, as amended, is hereby amended by adding the following subsection following subsection 64.34(3)(c) and renumbering the subsequent subsections accordingly:

64.34 (3) MO(3)

PERMITTED USES

- (d) Notwithstanding the uses permitted in (a) and (c), automotive uses, a retail store and a drive through facility are permitted on Parcel 7 as shown on Schedule MO(3) and municipally described as 3400 Victoria Park Avenue.
2. Section 64.34 (3) of By-law No. 7625, as amended, is hereby amended by adding the following subsection following subsection 64.34(3)(e)(iii):

EXCEPTION REGULATIONS

- (e) **Yard Setbacks**
 - (iv) On Parcel 7 as shown on Schedule MO(3)
 - (a) There shall be a minimum side yard setback of 1.2m from the north property line.
3. Schedule MO(3) shall be replaced with the Schedule "1" attached and forming part of this by-law.

PURSUANT TO THE ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED ON MAY 28, 2004 IN BOARD FILE NO. PL031118.

