

CITY OF TORONTO

BY-LAW No. 1143-2004(OMB)

To adopt Amendment No. 541 of the Official Plan for the former City of North York in respect of lands known municipally as 85 and 87 Finch Avenue East.

WHEREAS the Ontario Municipal Board pursuant to its Decision/Order No. 0707 issued on April 5, 2004, upon hearing the appeal of Equilateral Investments Inc., under Section 34(11) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the Official Plan of the former City of North York;

THEREFORE the Official Plan of the former City of North York is amended by the Ontario Municipal Board as follows:

1. Amendment No. 541 to the Official Plan of the former City of North York, consisting of the attached text is hereby adopted.
2. This By-law shall come into force and effect on the day of the issuance of the Ontario Municipal Board's Order thereto.

PURSUANT TO DECISION/ORDER NO. 0707 OF THE ONTARIO MUNICIPAL BOARD ISSUED ON APRIL 5, 2004 IN BOARD FILE NO. PL030641.

PREFACE AND EXPLANATORY NOTES**TO AMENDMENT NO. 541****TO THE OFFICIAL PLAN OF THE FORMER CITY OF NORTH YORK****LANDS AFFECTED BY THIS AMENDMENT**

This amendment concerns the lands located on the southeast corner of Finch Avenue East and Dudley Avenue, known municipally as 85 and 87 Finch Avenue East.

EFFECTS OF AMENDMENT

The site is designated Central Finch Mixed Use - Two (CFMU-2) of the Central Finch Area Secondary Plan. The amendment application TB ZBL 2002 0005 is for a 8-unit residential townhouse building fronting on Dudley Avenue.

The effect of this amendment would be to permit a townhouse building with a minimum horizontal setback of 8.6 metres from the residential property line that coincides with the boundaries of the Secondary Plan, a height which exceeds 70% of the horizontal distance separating the building from that nearest residential property line and a maximum height of 11 metres.

AMENDMENT NO. 541**TO THE OFFICIAL PLAN****OF THE FORMER CITY OF NORTH YORK**

The following text constitutes Amendment No. 541 to the Official Plan for the former City of North York.

ITEM I**Clause 1**

Part D.12, Section 3.6 Site Specific Policies, of the Central Finch Area Secondary Plan is amended by adding the following subsection:

“3.6.8 Despite Section 3.1, on the lands located at the southeast corner of Finch Avenue East and Dudley Avenue, identified as Lots 2 and 3 of Registered Plan 2399 and known municipally as 85 and 87 Finch Avenue East, an 8-unit townhouse building shall be permitted with a minimum horizontal setback of 8.6 metres, a height which exceeds 70% of the horizontal distance separating the building from the nearest property line that coincides with the boundaries of the Secondary Plan and with a maximum building height of 11 metres.”