

CITY OF TORONTO

BY-LAW No. 1171-2008(OMB)

**To amend the General Zoning By-law No. 438-86 of the former City of Toronto
with respect to lands municipally known as 2709 - 2741 Yonge Street.**

WHEREAS the Ontario Municipal Board in a decision issued on May 4, 2007 (Decision/Order No. 1256) and by its Order issued on September 3, 2008, approved a zoning by-law amendment as a result of a zoning By-law appeal with respect to certain lands municipally known as 2709-2741 Yonge Street;

THEREFORE, pursuant to the Ontario Municipal Board Orders, general Zoning By-law No. 438-86, is amended as follows:

1. None of the Provisions of 12(2) 107 (iii) or any other provisions of By-law No. 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height spacing of and other matters relating to buildings and structures and to prohibit certain uses of land in various areas of the City of Toronto”, as amended, shall apply to prevent the use on the lot within the existing mixed use building, provided:
 - (i) the non-residential gross floor area:
 - a. is used only for the purpose of a artist or photographer’s studio; bake shop; branch of a bank, or financial institution; brew-on premises; caterer’s shop; clinic; day nursery; dry-cleaning distribution station; duplicating shop; office; personal grooming establishment; pet shop; post office; private art gallery; restaurant; retail store, service, rental or repair shop; tailoring shop; or take-out restaurant.
 - b. is located within units which have grade related entrances that comprise part of Metropolitan Toronto Condominiums Corporation 1194.

PURSUANT TO DECISION/ORDER NO. 1256 OF THE ONTARIO MUNICIPAL BOARD ISSUED ON MAY 4, 2007 AND ITS DECISION/ORDER ISSUED ON SEPTEMBER 3, 2008 IN BOARD CASE NUMBER PL061102.