

Authority: Ontario Municipal Board Order/Decision issued on February 2, 2012 in Board File No. PL080073

CITY OF TORONTO

BY-LAW No. 1558-2012(OMB)

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 840-842 York Mills Road and 16 Lesmill Road.

WHEREAS the Ontario Municipal Board pursuant to its Order dated February 2, 2012 deems it advisable to amend the former City of North York Zoning By-law No. 7625 as amended with respect to lands known municipally as 840-842 York Mills Road and 16 Lesmill Road;

NOW THEREFORE pursuant to the Order of the Ontario Municipal Board issued on February 2, 2012, in Board File No. PL080073, By-law No. 7625, as amended, of the former City of North York, is amended as follows:

1. Schedules "B" and "C" of By-law No. 7625 of the former City of North York are amended in accordance with Schedule 1 of this by-law by deleting the existing Industrial Office Business Park Zone - MO(6) and replacing it with the Industrial Commercial Zone - MC (Exception No. 104).
2. Section 64.33, Exceptions to the MC Zone, is amended by adding the following Exception No. 64.33(104) to the lands outlined on the attached Schedule 1:

EXCEPTION REGULATIONS

i. Gross Floor Area

- a. The maximum floor space index as set out in Sections 33(5)(b) shall not apply.
- b. The maximum gross floor area for all uses shall be 29,212 m².
- c. The total gross floor area on a lot for retail stores, personal service shops and office uses may exceed 5,000 m².
- d. For clarification, parking decks and structures shall not be considered Gross Floor Area.

ii. Yard Setback

The minimum yard setbacks shall be as shown on Schedule MC(104).

iii. Building Envelope

The maximum above ground building envelope(s) excluding mechanical structures shall be as set out on Schedule MC(104).

iv. **Outside Sales and Outside Display**

Outside sales and outside display of items is permitted as an accessory use on the subject lands if:

- a. The temporary outside sales and display is in conjunction with a home improvement use that occupies space in the building or buildings on the lot;
- b. The temporary outside sales and display is located immediately adjacent to the building or portion of the building that the home improvement use is located in, and;
- c. The temporary outside sales and display occupies no more than 3,000 m² of area.

v. **Parking and Loading**

- a. Parking shall be provided at a minimum rate of one (1) parking space for each 28 m² of gross floor area.
- b. No loading spaces shall be required for multi-unit buildings less than 750 m².

vi. **Division of Lands**

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

vii. **Other**

- a. The existing buildings and existing uses located within the buildings existing on the date of enactment of the By-law shall continue to be permitted so long as that portion of the building has not been demolished.
- b. No person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - i. All new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - ii. All water mains and sanitary sewers and appropriate appurtenances have been installed and are operational.

3. Section 64.33(104) of By-law No. 7625 is amended by adding Schedule MC(104) attached to this By-law.

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD
ISSUED ON FEBRUARY 2, 2012 UNDER BOARD FILE NO. PL080073.



