

FILE COPY

Friday, December 22, 2006

**NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)**

File Number:	A0817/06NY	Zoning	C2 - Commercial Zone, RM6 - Multiple Family Dwelling Zone
Owner(s):	SKYLINE YORKGATE MALL INC	Ward:	York West (08)
Agent:	FIRST GULF GROUP INC		
Property Address:	1 YORK GATE BLVD	Community:	
Legal Description:	PLAN M-1994 PT BLKS 1 2 5 PT YORK GATE BLVD CLOSED RP 66R 15013 PARTS 1 TO 5		

Notice was given and a Public Hearing was held on Thursday, December 14, 2006, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

This is an application under Section 45 of the Planning Act, for variance from the provisions of the North York Zoning By-law 7625, as amended, to allow the construction of a one storey building located at the rear of the property.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW :

1. Proposed building to be located outside of the required building envelope
WHEREAS all additional buildings separate from the existing mall may be constructed only in the location shown as required building envelope on the attached site plan;
2. Proposed west side yard setback of 16m to the proposed building
WHEREAS a minimum of 60m is required.
3. Proposed north (rear) yard setback of 6m to the proposed building
WHEREAS a minimum of 63m is required;
4. Proposed 16 parking spaces located in the yard setback between the proposed building envelope and York Gate Boulevard
WHEREAS no parking spaces shall be permitted in the yard setback between the proposed building envelope and York Gate Boulevard; and
5. Proposed front yard setback from Finch Avenue West to the proposed building of 240m
WHEREAS a maximum of 3m is permitted.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Refused

It is the decision of the Committee of Adjustment to **NOT** approve this variance application for the following reasons:

- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

SIGNATURE PAGE

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PARTS 1 TO 5

David Peacock (signed)

Gordon Sterling (signed)

Isaac Lallouz (signed)

Robert Pletsch (signed)

DATE DECISION MAILED ON: Friday, December 22, 2006

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, January 3, 2007

CERTIFIED TRUE COPY

A. Evangelista (signed)
Manager & Deputy Secretary Treasurer
North York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$125.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Municipal Board web site at www.omb.gov.on.ca