

Friday, December 22, 2006

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

File Number:	A0816/06NY	Zoning	RM6(103)
Owner(s):	PREMIUM PROPERTIES LTD	Ward:	Willowdale (23)
Agent:	BRUCE ENGELL WEIR FOULDS,LLP		
Property Address:	18 POYNTZ AVE	Community:	
Legal Description:	PLAN 1743 LOT 765 PT LOT 764	REG	

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 permit a Car Rental Agency use and an ancillary paid parking lot use on an interim basis.

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

1. Proposed interim Car Rental Agency use and ancillary paid parking lot use
WHEREAS a Car Rental Agency use and ancillary paid parking lot uses are not permitted;
2. Proposed maximum 107 surface parking spaces, of which 73 surface parking spaces are devoted to an ancillary paid parking lot
WHEREAS 4 surface parking spaces are permitted; and,
3. Existing setback of 5m from Bogert Avenue to the existing trailer in association with an interim car rental agency use and ancillary paid parking lot use
WHEREAS 0.0 m is required.

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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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.