

FILE COPY

Thursday, November 23, 2006

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

| | | | |
|--------------------|--|------------|-----------------|
| File Number: | A0788/06NY | Zoning | R4(73) |
| Owner(s): | JOVI HOLDINGS CORPORATION | Ward: | Willowdale (24) |
| Agent: | JOE MAFFEI | | |
| Property Address: | PROPOSED LOT #3 (PROPOSED 6 GERANIUM CRESENT) 2920298 CUMMER AVENUE | Community: | |
| Legal Description: | | | |

Notice was given and a Public Hearing was held on Thursday, November 16, 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 the construction of a new single detached two storey dwelling with a below grade garage.

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

1. The elevation of the floor entrance of the garage to be located below the elevation of the centre line of the road (established grade)
WHEREAS the elevation of the floor entrance of the garage shall be located at or above the elevation of the centre line of the road (established grade).

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

File Number: A0788/06NY Zoning R4(73)
Owner: JOVI HOLDINGS CORPORATION Ward: Willowdale (24)
Agent: JOE MAFFEI
Property Address: **PROPOSED LOT #3 (PROPOSED 6 GERANIUM CRESENT)** Community:
2920298 CUMMER AVENUE
Legal Description:

David Peacock (signed)

Gordon Sterling (signed)

Isaac Lallouz (signed)

Robert Pletsch (signed)

DATE DECISION MAILED ON: Friday, November 24, 2006

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, December 6, 2006

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.