

FILE COPY

Wednesday, January 21, 2009

NOTICE OF DECISION
CONSENT
(Section 53 of the Planning Act)

File Number:	B0087/08NY	Zoning	R4 - Single Family Detached Dwelling Zone
Owner(s):	NATLE MALTESE IN TRUST	Ward:	Willowdale (24)
Agent:	PETER BARTON AVTECH DESIGNS		
Property Address:	100 CRESTHAVEN DR	Community:	North York
Legal Description:	PLAN M1057 LOT 449		

Notice was given and the application considered on Wednesday, January 21, 2009, as required by the Planning Act.

THE CONSENT REQUESTED:

This is an application for the division of a parcel of residential lands into two parts for conveyance purposes for the creation of a new residential building lot.

The lands concerned are irregular in shape having 24.55m fronting onto the west side of Cresthaven Drive, an average depth of 35.73m and an area of 766.9m². The lands are described as Lot 449, Registered Plan M-1057 and are designated as Parts 1 and 2 on the Draft Reference Plan attached to this notice.

Part 1 would be irregular in shape, having 12.28m fronting on the west side of Cresthaven Drive, an average depth of 35.73m and an area of 379.7m².

Part 2 would have 12.28m fronting onto the west side of Cresthaven Drive, an average depth of 35.73m and an area of 387.2m².

The existing dwelling would be demolished and a new two storey dwelling is proposed to be constructed on each of the proposed lots.

This application is being considered in connection with Minor Variance applications A0721/08NY and A0722/08NY.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**The Consent Application is Refused**

In the opinion of the Committee, the application does not satisfy the requirements of Section 51(24) of the Planning Act and is **NOT** approved for the following reason(s):

- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.

SIGNATURE PAGE

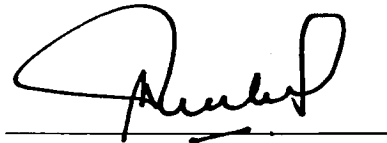
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David Gurin (signed)

Donald Di Prospero (signed)

Robert Pletsch (signed)



Ronald Forbes (signed)

DATE DECISION MAILED ON: Thursday, January 29, 2009

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, February 17, 2009

CERTIFIED TRUE COPY

Denise Rundle (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.

NOTE: Only individuals, corporations and public agencies may appeal a decision to the Ontario Municipal Board. The appeal may not be filed by an unincorporated association or group. However, the appeal may be filed in the name of an individual who is a member of the association or group on its behalf