



City Planning Division  
Gary Wright, Chief Planner and Executive Director

North York Civic Centre  
5100 Yonge Street  
Toronto, Ontario  
M2N 5V7

FILE COPY

Phone (416) 395-7000  
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Wednesday, October 5, 2011

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

File Number:	A452/11NY	Zoning	RM6(97) - Exception to Multiple Family Dwelling Zone (WAIVER)
Owner(s):	DANIELS HR CORPORATION	Ward:	Willowdale (24)
Agent:	BOUSFIELDS INC		
Property Address:	2885 BAYVIEW AVE	Community:	North York
Legal Description:	CON 2 EY PT LOT 16 AND RP 64R7548 PT PARTS 1-9 RP 64R16040 PARTS 5 TO 7 29 TO 37 AND RP 66R232387 PART 40		

Notice was given and a Public Hearing was held on Wednesday, October 5, 2011, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

This is an application to permit a restaurant having an area of 105m<sup>2</sup> to be located on the ground floor of the above noted mixed use condominium building.

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

**North York By-law 7625 and Site Specific By-law 336-2001**

1. Proposed to locate a restaurant on the ground floor of the existing building  
WHEREAS a restaurant is not a permitted use.

**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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~~Isaac Lallouz (signed)~~

Donald Di Prospero (signed)

Ronald Forbes (signed)

DATE DECISION MAILED ON: Thursday, October 13, 2011

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Monday, October 24, 2011

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](http://www.omb.gov.on.ca).

