



City Planning Division  
Gary Wright, Chief Planner and Executive Director

Committee of Adjustment  
100 Queen Street West  
Toronto ON M5H 2N2  
Tel: 416-392-7565  
Fax: 416-392-0580

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

File Number:	A0423/09TEY	Zoning	R1A (PPR)
Owner(s):	MULE & MULE GROUP OF COMPANIES INC.	Ward:	Beaches-East York (31)
Agent:	MULE & MULE GROUP OF COMPANIES INC.		
Property Address:	40 FAIRSIDE AVE	Community:	East York
Legal Description:	PL 2998 PT LT16		

Notice was given and a Public Hearing was held on **Wednesday, August 26, 2009**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To enclose the existing first and second floor balconies on the south side of the existing two-storey detached dwelling.

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

**Section 7.2.3, By-law 6752**

The maximum permitted floor space index is 0.45 times the area of the lot (138.23 m<sup>2</sup>).

The altered dwelling will have a floor space index equal to 0.59 times the area of the lot (181.04 m<sup>2</sup>).

**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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Robert Brown

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Gillian Burton

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George Vasilopoulos

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Kay Gardner

DATE DECISION MAILED ON: **Tuesday, September 1, 2009**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, September 15, 2009**

CERTIFIED TRUE COPY

Anita M. MacLeod  
Manager & Deputy Secretary Treasurer  
Toronto and East 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).