



City Planning Division  
Gary Wright, Acting, Chief Planner and Executive Director

Committee of Adjustment  
100 Queen Street West  
Toronto ON M5H 2N2  
Tel: 416-392-7565  
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**NOTICE OF DECISION  
MINOR VARIANCE/PERMISSION  
(Section 45 of the Planning Act)**

File Number:	A0503/09TEY	Zoning:	R2 Z0.6 (PPR)
Owner(s):	JOE FARRUGGIO	Ward:	Trinity-Spadina (19)
Agent:	IAN CUNHA		
Property Address:	363 GRACE ST	Community:	
Legal Description:	PL 1223 P1 L18		

Notice was given and a Public Hearing was held on **Wednesday, September 23, 2009**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To legalize and to maintain a rear two-storey addition, and two, third floor dormer additions on the south side of the existing 2½-storey dwelling. These alterations were constructed without a building permit.

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

- Section 6(3) Part I 1, By-law 438-86**  
The residential gross floor area shall not exceed 0.60 times the area of the lot (161.92 m<sup>2</sup>).  
The existing residential gross floor area is equal to 0.91 times the area of the lot (246.5 m<sup>2</sup>).
- Section 4(2), By-law 438-86**  
The maximum permitted height of a building is 10.0 m.  
The existing height of the dwelling is 10.89 m.

**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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Owner(s):	JOE FARRUGGIO	Ward:	Trinity-Spadina (19)
Agent:	IAN CUNHA	Community:	
Property Address:	363 GRACE ST		
Legal Description:	PL 1223 PT LT8		

**DISSENTED**

Fernando Costa (signed)

Heather Gardiner

Kay Gardner (signed)

Corinne Muccilli (signed)

DATE DECISION MAILED ON: **Tuesday, September 29, 2009**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, October 13, 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).