

Thursday, June 6, 2019

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

File Number: A0871/17EYK
Property Address: 37 BLUE SPRINGS RD – PART 1
Legal Description: PLAN 3470 LOT 61
Agent: MICHAEL MANETT
Owner(s): LISA CAETANO NELSON CAETANO
Zoning: RD & R4
Ward: York South-Weston (05)
Community:
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, June 6, 2019, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an attached garage.

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

- 1. Section 10.20.30.10.(1)(A), By-law 569-2013**
The minimum required lot area is 550 m².
The new lot area will be 380.2 m².
- 2. Section 10.20.30.40.(1)(A), By-law 569-2013**
The maximum permitted lot coverage is 30% of the lot area (114.06 m²).
The new dwelling will cover 32% of the lot area (122 m²).
- 3. Section 13.2.3.(a), By-law 7625**
The minimum required front yard setback is 7.5 m.
The new dwelling will be located 6 m from the front lot line.

4. **Section 10.20.40.70.(2)(A), By-law 569-2013**
The minimum required rear yard setback is 7.5 m.
Section 13.2.3.c, By-law 7625
The minimum required rear yard setback is 9.5 m.
Section 10.20.40.70.(2)(A), By-law 569-2013 and Section 13.2.3.c, By-law 7625
The new dwelling will be located 7 m from the rear lot line.
5. **Section 900.3.10.(5)(A), By-law 569-2013 and Section 13.2.3.(b), By-law 7625**
The minimum required east side yard setback is 1.8 m.
The new dwelling will be located 1.2 m from the east side lot line.
6. **Section 10.20.40.10.(4)(A), By-law 569-2013**
The maximum permitted dwelling height is 7.2 m.
The new dwelling will have a height of 7.98 m.
7. **Section 10.5.80.40.(3)(B), By-law 569-2013**
Vehicle access to a parking space on a corner lot must be from a flanking street that is not a major street (Blue Springs Road).
The proposed vehicle access to a parking space will be along the Falstaff Avenue frontage.

File Numbers B0090/17EYK, A0871/17EYK, A0872/17EYK AND A0873/17EYK will be considered jointly.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **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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Heritage: Not Applicable

Allan Smithies (signed)

Dominic Gulli (signed)

DATE DECISION MAILED ON: Friday, June 14, 2019

LAST DATE OF APPEAL: Wednesday, June 26, 2019

CERTIFIED TRUE COPY

Barbara Bartosik
Manager & Deputy Secretary Treasurer
Etobicoke York Panel

Appeal Information

All appeals must be filed with the Deputy Secretary-Treasurer, Committee of Adjustment by the last date of appeal as shown on the signature page.

Your appeal to the Toronto Local Appeal Body (TLAB) should be submitted in accordance with the instructions below unless there is a related appeal* to the Local Planning Appeal Tribunal (LPAT) for the same matter.

TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

To appeal this decision to the TLAB you need the following:

- a completed TLAB Notice of Appeal (Form 1) in **digital format** on a CD/DVD or USB;
- \$300 for each appeal filed regardless if related and submitted by the same appellant;
- Fees are payable to the **City of Toronto** by cash, certified cheque or money order (Canadian funds).

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB web site at www.toronto.ca/tlab.

LOCAL PLANNING APPEAL TRIBUNAL (LPAT) INSTRUCTIONS

To appeal this decision to the LPAT you need the following:

- a completed LPAT Appellant Form (A1) in **paper format**;
- \$300.00 with an additional reduced fee of \$25.00 for each connected appeal filed by the same appellant
- Fees are payable to the Minister of Finance by certified cheque or money order (Canadian funds).

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Environmental & Lands Tribunals Ontario (ELTO) website at <http://elto.gov.on.ca/tribunals/lpat/forms/>.

*A **related appeal** is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the Application Information Centre and contact the assigned planner if necessary. If there is a related appeal, your appeal to the **Local Planning Appeal Tribunal (LPAT)** should be submitted in accordance with the instructions above.