

Thursday, June 6, 2019

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

**File Number:** A0873/17EYK  
**Property Address:** 37 BLUE SPRINGS RD – PART 3  
**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 m<sup>2</sup>.  
The new lot area will be 361.7 m<sup>2</sup>.
- 2. Section 10.20.30.40.(1)(A), By-law 569-2013**  
The maximum permitted lot coverage is 30% of the lot area (108.51 m<sup>2</sup>).  
The new dwelling will cover 37% of the lot area (133.17 m<sup>2</sup>).
- 3. Section 10.20.40.70.(1), By-law 569-2013**  
The minimum required front yard setback is 6.8 m.  
**Section 13.2.3.(a), By-law 7625**  
The minimum required front yard setback is 7.5 m.  
**Section 10.20.40.70.(1), By-law 569-2013 and Section 13.2.3.(a), By-law 7625**  
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 side yard setback is 1.8 m.  
The new dwelling will be located 1.2 m from the east and west side lot lines.
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 10.20.40.10.(6), By-law 569-2013**  
The maximum permitted height of the first floor above established grade is 1.2 m.  
The new dwelling will have a first floor height of 1.22 m above established grade.

**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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Ward: York South-Weston (05)  
Community:  
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](http://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.