

**Kyle Knoeck, M.Sc.Pl., MCIP, RPP**  
Director, Zoning and Secretary-Treasurer  
Committee of Adjustment  
City Planning Division

Committee of Adjustment  
Etobicoke York  
2 Civic Centre Court  
Toronto, Ontario  
M9C5A3

416-394-8060  
coa.ey@toronto.ca

Thursday, April 27, 2023

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

**File Number:** A0281/22EYK  
**Property Address:** 29 DE MARCO BLVD  
**Legal Description:** PLAN 5082 L 155 NRRS  
**Agent:** SVETOMIR STOJANOVIC  
**Owner(s):** SVETOMIR STOJANOVIC MANUEL ANTONIO F SOUSA  
**Zoning:** RD (WAIVER)  
**Ward:** York South-Weston (05)  
**Community:**  
**Heritage:** Not Applicable

Notice was given and a Public Hearing was held on Thursday, April 27, 2023, 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 lot area will be 303.46 m<sup>2</sup>.
- 2. Section 10.20.30.40.(1)(A), By-law 569-2013**  
The maximum permitted coverage is 30% of the lot area (91 m<sup>2</sup>).  
The proposed dwelling will cover 37.84% of the lot area (114.83 m<sup>2</sup>).
- 3. Section 10.5.40.70.(1)(B), By-law 569-2013**  
The minimum required front yard setback is 6.72 m.  
The proposed dwelling will be located 5.2 m from the front lot line.
- 4. Section 900.3.10.(5)(A), By-law 569-2013**  
The minimum required side yard setback is 1.8 m.  
The proposed dwelling will be located 1.2 m from the west side lot line and 0.61 m from the east side lot line.

**5. Section 10.20.40.70.(2)(A), By-law 569-2013**

The minimum required rear yard setback is 7.5 m.

The proposed dwelling will be located 5.88 m from the rear yard lot line.

**6. Section 10.5.40.60.(1)(C), By-law 569-2013**

A platform without main walls attached to or less than 0.3 m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required rear yard setback 2.5 m, if it is no closer to a side lot line than 1.91 m.

The proposed platform will encroach 4.10 m into the required rear yard setback and will be located 0.61 m from the east side lot line.

**File numbers B0026/22EYK, A0281/22EYK and A0282/22EYK 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 Consent Application is Refused**

In the opinion of the Committee, the application does not satisfy the requirements of Section 51(24) of the Planning Act and is **NOT** approved for the following reason(s):

- The proposed land division is premature.
- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.

## SIGNATURE PAGE

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Laura Alderson (signed)



Neil Palmer (signed)



Stan Kumorek (signed)

DATE DECISION MAILED ON: Friday, May 5, 2023

LAST DATE OF APPEAL: Wednesday, May 17, 2023

CERTIFIED TRUE COPY

**Barbara Bartosik**

Manager and Deputy Secretary-Treasurer

### Appeal Information

Only the applicant, the Minister, or a specified person or public body that has an interest in the matter may appeal this decision.

All appeals must be filed by e-mail with the Deputy Secretary-Treasurer, Committee of Adjustment to [coa.ey@toronto.ca](mailto:coa.ey@toronto.ca) and [Barbara.Bartosik@toronto.ca](mailto:Barbara.Bartosik@toronto.ca) 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 Ontario Land Tribunal (OLT) for the same matter.

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 should be submitted in accordance with the Ontario Land Tribunal (OLT) appeal instructions.

### **TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS**

To appeal this decision to the TLAB, you must submit the following:

- A completed TLAB Notice of Appeal (Form 1).
- \$300 for each appeal filed regardless if related and submitted by the same appellant.
- Fees are payable to the **City of Toronto**. Once your appeal has been received by e-mail by the Deputy Secretary-Treasurer you will receive payment instructions.

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

### **ONTARIO LAND TRIBUNAL (OLT) APPEAL INSTRUCTIONS**

To appeal this decision to the OLT, you must submit the following:

- A completed OLT Appellant Form (A1).
- \$400 for each appeal type with an additional fee of \$25 for each connected appeal of the same type filed by the same appellant.
- Fees are payable by certified cheque, money order, or credit card, and must be in Canadian funds. Certified cheques and money orders should be made payable to the Minister of Finance. If you would like to pay the fee by credit card, please indicate this on the appeal form and staff will phone you to complete the transaction – do not record any credit card details on the appeal form.

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the OLT website at <https://olt.gov.on.ca/appeals-process/>