



BRATTYS ^{LLP}
BARRISTERS AND SOLICITORS

PLEASE REFER TO:
Barry Horosko (Ext: 339)
Email: bhorosko@brattys.com
Caterina Facciolo (Ext: 293)
Email: cfacciolo@brattys.com
Telephone: (905)760-2700

March 4, 2013

Planning and Growth Management Committee
Council Chambers, City Hall
100 Queen Street West
Toronto, Ontario
M5H 2N2

Attention: Chair and Members of the Committee

Dear Mr. Chair and Members of the Committee:

**Re: Item No. PG21.1 – Final Report on the City-wide Zoning By-law
City File No: A108/12EYK**

We are the solicitors acting on behalf of Calsper Developments (“Calsper”) with respect to the above referenced matter. Calsper is the registered owner of a lot in an established residential area, being municipally known as 52 Edenbrook Hill, Etobicoke (the “Site”).

The Etobicoke York Panel of the Committee of Adjustment recently authorized a variance application for the Site approving a number of variances which would allow the Site to be developed with a new detached dwelling with an attached garage. We enclose the decision hereto for ease of reference.

Calsper is currently in the midst of applying for a building permit to construct the new detached dwelling approved by the Committee of Adjustment on December 6, 2012.

We are writing herein to request that the Committee of Adjustment approval referenced herein be carried forward into the new City-wide Zoning By-law.

Should you have any questions or concerns with respect to the foregoing, please do not hesitate to contact the undersigned.

Yours truly,
BRATTYS LLP

Barry A. Horosko

encl:

cc: M. Bratty, Calsper Developments

Thursday, December 6, 2012

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

File Number:	A108/12EYK	Zoning:	R1
Owner(s):	CALSPER DEVELOPMETS	Ward:	Etobicoke Centre (04)
Agent:	LUCH OGNIBENE		
Property Address:	52 EDENBROOK HILL	Community:	
Legal Description:	PLAN 5773 LOT 21		

Notice was given and a Public Hearing was held on Thursday, December 6, 2012, 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:

- Section 1.(b)(1), By-law 1992-24**
The maximum permitted gross floor area, including an attached or detached garage, is 165 m² plus 25% of the lot area (721.5 m²).
The new dwelling will have a gross floor area equal to 165 m² plus 34.9% of the lot area (941.5 m²).
- Section 320-40.C.1.**
The minimum required front yard setback is 24.45 m.
The new dwelling will be located 16 m from the south front lot line.
- Section 1.c(3), By-law 1992-24**
The minimum required side yard setback is 2.1 m.
The new dwelling will be located 1.5 m from the east side lot line.
- Section 1.a(1), By-law 1992-24**
The maximum permitted height of a dwelling is 9.5 m to the top of the roof.
The new dwelling will have a height of 10.67 m, measured from the average grade to the top of the roof.
- Section 1.a(2), By-law 1992-24**
The maximum permitted height, measured from the average grade to the underside of the eaves overhang, is 6.5 m.
The new dwelling will have a height of 7.2 m, measured from the average grade to the underside of the eaves overhang.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

A108/12EYK

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.


This decision is subject to the following condition(s):

The following conditions shall be fulfilled to the satisfaction of Urban Forestry Ravine and Natural Feature Protection:

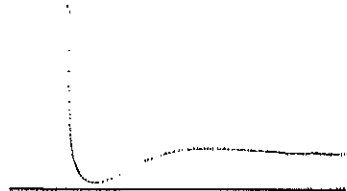
1. The applicant shall obtain a permit to injure and remove trees under Chapter 658 from RNFP. The permit will be subject to conditions.
2. The applicant shall protect all trees on the property and adjacent properties, not approved for removal or injury, to the satisfaction of RNFP.
3. The applicant shall plant native trees to the satisfaction of RNFP as compensation for any ravine protected trees removed or injured and for loss of protected area to permanent hard surface features.

SIGNATURE PAGE

File Number:	A108/12EYK	Zoning	R1
Owner:	CALSPER DEVELOPMETS	Ward:	Etobicoke Centre (04)
Agent:	LUCH OGNIBENE	Community:	
Property Address:	52 EDENBROOK HILL		
Legal Description:	PLAN 5773 LOT 21		



Dominic Gulli (signed)



Douglas S. Colbourne
(signed)

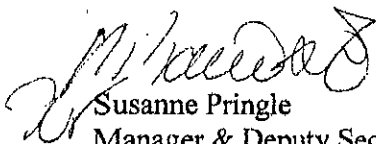


Mary-Anne Popescu (signed)

DATE DECISION MAILED ON: Friday, December 14, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Thursday, December 27, 2012

CERTIFIED TRUE COPY



Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke 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.