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Memorandum

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TO: Sabrina Salatino, Manager and Deputy Treasurer, Committee of Adjustment, Toronto & East York Panel, City Planning, 1 W, Toronto City Hall **Attn:** Jakob Cockerill

FROM: Pat F. Scanga, P. Eng., FEC, Manager, Development Engineering Toronto & East York District, **Attn:** Ana Maria Luciani

DATE: November 10, 2021

SUBJECT: Pre-Hearing – (REVISED) Minor Variance Application No.: A0813/20TEY
Owner: 1569121 Ontario Limited
Location: Michael Goldberg of Goldberg Group
Premises No.: 21 Valley View
Meeting Date: To be determined

Ward: 11

This is in reference to the above-noted revised application submitted by the applicant Michael Goldberg of Goldberg Group, on behalf of the Owner, 1569121 Ontario Limited, for variances to the Zoning By-law related to proposed alterations to the existing two-storey detached dwelling by constructing a rear one-storey addition at premises No. 21 Valley View.

The original Minor Variance application for this site included lands that were being conveyed from 15 Valley View (subject to a separate application) for a lot addition to this property (21 Valley View). The lands originally being conveyed from 15 Valley View to 21 Valley View contains an existing 300 mm combined sewer system which runs between the two (2) existing lots and continues to traverse across the rear of 21 Valley View. In our memorandum of January 13, 2021, we requested that the Committee refuse the minor variance application given that the structures were proposed over the existing combined sewer. In the interim, the Owner of 15 Valley View withdrew their application for the Consent to Sever and related Minor Variance Application (B-0812-20TEY and A9812-20TEY).

In view of the above, the Owner of 21 Valley View revised the plans to now exclude the lands that were originally proposed to be conveyed from 15 Valley View to 21 Valley View, and to only continue with the application for 21 Valley View. The proposal is to alter the existing two-storey detached dwelling at 21 Valley View that consists of construction of a rear one-storey addition. While the review of this revised proposal has not been completed, the application was scheduled for a hearing. The Committee of Adjustment, at its hearing of October 18, 2021, deferred the matter until such time as our review is finalized and comments on the revised proposal are provided.

Consistent with what was previously indicated in the earlier memorandum, there is an existing (north/south) 300 mm diameter combined sewer that is located on the abutting property at 15 Valley View adjacent to the property line of 15 and 21 Valley View and continues to traverse in an east/west direction at the rear of 21 Valley View. For clarify, the "Proposed Site Plan" Drawing No. A0, dated May 19, 2021, prepared by Taylor Hannah Architect Inc., has been marked-up copy to illustrate the location of the north/south and east/west sewer and the clearances that are required around it.

City design standards require that a 6 m wide easement, centred at the existing sewer be provided to the City for operation and maintenance purposes. However, in this case, we recognize that there are existing structures (i.e. house/garage/retaining wall/pool, etc.) on each property limit (15 and 21 Valley View) that restricts the total 6 m width of the easement lands from being provided. Given that the existing structures are not being demolished, a total 5 m easement width, centred at the existing sewer between the existing structures of each property will be acceptable where a 6 m easement is not feasible to be provided, for the existing 300mm combined sewer. All other areas where the existing 300mm combined sewer is located, a 6 m wide easement is required to be provided, free and clear of all encumbrances. To further clarify the total width of the easement lands must be collectively provided from 15 and 21 Valley View, and any other abutting property at the rear of 15 Valley View, to the center of the sewer.

Given the complexity of this application and that the main concern with it is the location of the existing combined sewer pipes and the need to provide an easement to ensure that the City has sufficient, unobstructed space, to carry out the operation and maintenance of the east/west, north/south 300 mm combined sewer, it is recommended that the Committee continue to **defer** the hearing to a future date so as to provide the Owner with the opportunity to discuss the items below and make the necessary changes. However, should the Committee proceed with scheduling the hearing and recommend approval of the Minor Variance Application, it must be subject to the Owner:

1. Submitting revised site plan drawings for further review and comment, to show:

- (a) The location of the existing 300 mm (north/south) combined sewer that is located on 15 Valley View (abutting the property line between 15 and 21 Valley View and traverses in an east/west direction at the rear to 21 Valley View), and provide all dimensions between the property lines and center of the existing sewer, as illustrated on the marked-up copy of the "Proposed Site Plan" Drawing No. A0, dated May 19, 2021, prepared by Taylor Hannah Architect Inc.;

- (b) The dimensions between the property line and the existing house, between the rear property line and all existing structures at the rear (i.e. pool, planter etc.) that are to remain, and label whether any of the existing structures in the vicinity of the existing sewer are to also remain;
- (c) The widths of the lands noted below, complete with dimensions, as follows:
 - (a) The portion of lands between the existing structures that are to remain on 21 Valley View Avenue and 15 Valley View that collectively achieves the ultimate 5 m total width easement, centered on the existing 300 mm combined sewer. Such lands to be free and clear of all encumbrances; and
 - (b) The portions of land of sufficient width to provide for a total combined width of 6 m, centered on the existing 300 mm combined sewer (east/west and north/south directions) for the length of the sewer that are not obstructed by existing structures; and,
- (d) Delete all proposed structures/encroachments that are to be located within the required easement lands including any proposed tree plantings.

Once the revised drawings are submitted to address the above, the proposal will be further reviewed and the Committee will be advised of the conditions to be imposed such as the need to among other things but not limited to, the Owner entering into an Easement Agreement and submitting a draft R-Plan prior to it being registered on title.



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HT-AML/Valley View -21-MV – REVISED - NOV. 2021 – AML

Attach: - Marked-up Copy of Drawing No. A0, dated May 19, 2021,
prepared by Taylor Hannah Architect Inc.

Copy to: Committee of Adjustment – Sabrina Salatino