

RECEIVED

By Committee of Adjustment at 12:05 pm, Feb 16, 2022



Memorandum

Pat F. Scanga, P. Eng., FEC
Manager, Development Engineering
Engineering & Construction Services

Metro Hall
55 John Street, 16th Floor
Toronto, Ontario M5V 3C6

Tel: 416.392.8320
Fax: 416.392.4426
Pat.Scanga@toronto.ca

Reply to: Ana Maria Luciani
Engineering Technical Co-ordinator
Tel: 416.392.3986
AnaMaria.Luciani@toronto.ca

TO: Sabrina Salatino, Manager and Deputy Secretary-Treasurer, Committee of Adjustment, Toronto & East York Panel, 1st Floor, West Tower, City Hall
Attn: Jakob Cockerill

FROM: Pat F. Scanga, P. Eng., FEC, Manager, Development Engineering
Toronto & East York District, 16th Floor, Metro Hall
Attn: Ana Maria Luciani

DATE: November 23, 2021

SUBJECT: **(SUPPLEMENTARY) - Pre-Hearing – Minor Variance and Consent to Sever Application Nos.: B0094/21TEY, A1227/21TEY, and A1228/21TEY**
Owner: Lucas Anthony Porco
Applicant: Same
Location: 59R Hepbourne Street (Rear)
Meeting Date: March 2, 2022

Ward: 09

This is in reference to the above-noted applications submitted by the property Owner, Lucas Anthony Porco, to sever the lands at 59R Hepbourne Street (rear) into two lots (Part lots 1 and 2) and for variances to the Zoning By-law related to the construction of the following new dwellings on each of the newly created lots:

- Retained Lot (Part lot 1-59R Hepbourne Street) – A new three-storey detached dwelling with a rear integral garage and side third-storey terrace; and,
- Conveyed Lands (Part of Lot 2) – A new three-storey detached dwelling with a rear integral garage and a front third storey terrace.

This property municipally known as 59R Hepbourne Street, is a landlocked rear lot that fronts on a named public lane known as Cameron Bill Lane, with no frontage on Hepbourne Street. The property is currently used for surface parking. As indicated above, the Owner intends to construct a new dwelling on each of the newly severed lots that will front Cameron Bill Lane (public lane).

Comments with respect to these applications were provided to your Committee on November 23, 2021. While that information remains applicable, it did not include requirements for lands to be conveyed to the City for lane widening purposes.

Accordingly, this memorandum supersedes the memorandum of November 23, 2021, to include the additional requirements.

Each separate parcel of land must be served with its own individual water and sewer service and be connected from the existing street's municipal services. City records indicate that there is no existing municipal infrastructure (water, sanitary) in the named public lane, Cameron Bill Lane, and none will be permitted to be installed to service the proposed severed lots.

A Functional Servicing and Stormwater Management Report, prepared by Masongsong Associates Engineering Limited, sealed dated September 2021, was submitted in support of the applications. However, this report does not demonstrate an acceptable servicing design for the proposed severed lots that front on Cameron Bill Lane (a public lane), in accordance with City By-laws, policies, and design criteria and standards. As well, there is no detail of how the dwellings fronting the named public lane will be provided with City refuse collection and fire protection for the proposal. Please note that the lanes in this area are not wide enough to accommodate EMS vehicles, Fire Trucks or Solid Waste Management trucks.

The above report also makes reference to the proposed severances of 59R Hepbourne Street, as "The site comprises the proposed vertical severances of 59R Hepbourne Street as approved under TLAB Decision Nos. 18 125238 S53 20, 18 125239 S45 20, 18 125240 S45 20, and 18 125241 S45 20". The approval reference is not related to 59R Hepbourne Street but to a property known as 1 Croft Street and must be corrected as well.

Based on the above, we are not in support of this development and recommend that the Consent to Sever and Minor Variance Applications be **REFUSED**. However, should your Committee grant approval of these applications, it must be subject to the Owner satisfying the following:

1. Demonstrating how the newly created lots is to be serviced by City municipal water and sanitary infrastructure from existing City's municipal infrastructure on the public road, and how fire protection and refuse collection is to be provided, all in accordance with City Policies, Standards, Design Criteria and By-laws, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.
2. Revising the plans to:
 - (a) Show a 0.37 m wide strip of land along the west side of the site abutting Cameron Lane for lane widening purposes of Bill Cameron Lane, which is required to satisfy the Official Plan requirement for a 5 m wide public lane. Such lands to be free and clear of all encumbrances including easements/rights-of-ways, and subject to a right-of-way for access purposes in favour of the Grantor until such time as the said lands have been laid out and dedicated for public highway purposes; and,

- (b) Include a notation on all applicable plans to reflect the requirements of the land conveyance complete with all dimensions to illustrate same.
3. Preparing all documents and conveying to the City, prior to the issuance of the Certificate of Official for nominal consideration, a 0.37 m wide strip of land along the west side of the site abutting Cameron Lane for lane widening purposes of Bill Cameron Lane. Such lands to be free and clear of all encumbrances, save and except for utility poles, and subject to a right-of-way for access purposes in favor of the Grantor until such time as the said lands have been dedicated for public highway or lane widening purposes, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the City Solicitor.
 4. Submitting a draft Reference Plan of Survey to the Chief Engineer and Executive Director, Engineering and Construction Services, for review and approval, prior to depositing in the Land Registry Office. The plan must:
 - i. Be in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System and the 3° Modified Transverse Mercator Projection);
 - ii. Delineate by separate PARTS the lands to be conveyed to the City identified in Condition No. 2(a), the remainder of the site, and any appurtenant rights-of-way or easements; and,
 - iii. Show the coordinate values of the main corners of the subject lands in a schedule on the face of the plan.
 5. Pay all costs for the preparation and registration of Reference Plan(s).
 6. Submitting written confirmation from City Legal Services that the Owner has satisfied Condition No. 3 (conveyance). Please contact the Supervisor, Law Clerks Conveyancers, Legal Services Office at 416.392-5830, to initiate this process.

In addition to the above, the Committee is also advised that City Planning has also been reviewing these applications and are not in support of the proposal. It is our understanding that City Planning will be or has provided the Committee with comments in this regard.



Pat F. Scanga, P. Eng., FEC.
Manager, Development Engineering
Engineering & Construction Services

AML/Hepbourne St – 59R –CS-MV-SUPPL-FEB 2022-AML

Copy to: Committee of Adjustment – (Sabrina Salatino)
City Planning – (Cecilia Wong)