

## City Council

### Notice of Motion

MM12.5	ACTION			Ward: 20
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### **1 and 21 Lochleven Drive - Request for the City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Paul Ainslie, seconded by Councillor Jennifer McKelvie**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Scarborough Community Council. A two-thirds vote is required to waive referral.*

*\* This Motion relates to a Toronto Local Appeal Body Hearing and has been deemed urgent.*

### **Recommendations**

Councillor Paul Ainslie, seconded by Councillor Jennifer McKelvie, recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Toronto Local Appeal Body on the appeal of Committee of Adjustment applications respecting 1 and 21 Lochleven Drive (B0014-22SC, B0015-22SC, B0016-22SC, A0103-22SC, A0104-22SC, A0105-22SC, and A0106-22S) to request that, in the event the Toronto Local Appeal Body approves the applications, it impose the conditions in the report (June 1, 2023) from the Manager, Development Engineering, Scarborough District, Engineering and Construction Services and the report (July 19, 2023) from the Supervisor, Tree Protection and Plan Review, Urban Forestry - East District.

### **Summary**

On July 26, 2023, the Committee of Adjustment (the "Committee") refused seven applications brought by the agent of the owners of 1 and 21 Lochleven Drive. Three of these applications proposed, between the two properties, five severances and one lot addition, such that four residential lots would ultimately be created, with a detached dwelling proposed on each proposed lot. The other four refused applications proposed minor variances from City-wide Zoning By-law 569-2013 for each of the four proposed dwellings (these seven applications are hereinafter the "Applications"). Copies of the Committee's decisions on the Applications are attached as Attachment 1.

On September 8, 2023, the owner and its representative appealed the Committee's decisions to refuse the Applications to the Toronto Local Appeal Body.

In a report from the Manager, Engineering and Construction Services, Scarborough District dated June 1, 2023, Engineering and Construction Services Staff recommended that several conditions be imposed on any Consent Approval. A copy of the Engineering and Construction Services report is attached as Attachment 2. Similarly, in a report from the Supervisor, Urban Forestry, East District dated July 19, 2023, Urban Forestry Staff also recommended that several

conditions be imposed on approval of the Applications. A copy of the Urban Forestry report is attached as Attachment 3.

The hearing date is Monday, January 8, 2024. The Toronto Local Appeal Body's Notice of Hearing containing the procedural deadlines for the hearing is attached as Attachment 4.

This Motion will authorize the City Solicitor, along with appropriate City Staff, to attend the Toronto Local Appeal Body to request that, in the event the Toronto Local Appeal Body approves the applications, it impose the conditions requested by Engineering and Construction Services in its report dated June 1, 2023 and the conditions requested by Urban Forestry in its report dated July 19, 2023.

### **Background Information (City Council)**

Member Motion MM12.5

<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-240406.pdf>

Attachment 1: Notices of Decision of the Committee of Adjustment regarding Applications B0014-22SC, B0015-22SC, B0016-22SC, A0103-22SC, A0104-22SC, A0105-22SC, and A0106-22S dated July 26, 2023

<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-240407.pdf>

Attachment 2: Engineering and Construction Services Staff Report to the Committee of Adjustment dated June 1, 2023

<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-240408.pdf>

Attachment 3: Urban Forestry Staff Report to the Committee of Adjustment dated June 19, 2023

<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-240409.pdf>

Attachment 4: Toronto Local Appeal Body Notice of Hearing issued September 11, 2023

<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-240410.pdf>