

**THE CORPORATION OF THE CITY OF TORONTO**

**Clerk's Department**

**Minutes of the Scarborough Community Council**

**Meeting No. 5**

**Tuesday, May 23, 2000**

The Scarborough Community Council met on Tuesday, May 23, 2000, in the Meeting Hall, Scarborough Civic Centre, commencing at 9:39 a.m.

Members present:

	<u>9:39 a.m. - 11:30 a.m.</u>	<u>2:09 p.m. - 3:30 p.m.</u>
Councillor Bas Balkissoon, Chair	X	X
Councillor Gerry Altobello	X	X
Councillor Brian Ashton	X	X
Councillor Lorenzo Berardinetti	X	X
Councillor Raymond Cho	X	-
Councillor Brad Duguid	X	X
Councillor Norm Kelly	X	X
Councillor Doug Mahood	X	X
Councillor Ron Moeser	X	X
Councillor Sherene Shaw	X	X
Councillor David Soknacki	X	X
Councillor Mike Tzekas	X	X

Members were present for some or all of the time period indicated.

Councillor Cho introduced visitors from the Seoul Grand Park Zoo: Mr. Kim Young Geun, Zoo Director, Mr. Suk Sung Keun, General Affairs Division Chief, Mr. Kim Sun Heung, Animal Management Team Leader and Mr. Chung Young Ja. The Chairman welcomed them to the Community Council, and wished them an enjoyable visit to the City.

**Confirmation of Minutes**

On a motion by Councillor Berardinetti, the Minutes of the meeting of the Scarborough Community Council held on May 2, 2000, were confirmed.

**5.1 Proposed Solid Waste Management Services  
Requirements for Developments and Redevelopments**

The Community Council had before it a report (March 9, 2000) from the General Manager, Solid Waste Management Services, submitting, for the information of Community Council, the draft document entitled: "Requirements for City of Toronto Garbage and Recycling Collection at Developments and Redevelopments", and requesting that any comments the Community Council may have with respect thereto be forwarded to the Senior Analyst, Policy Development, Solid Waste Management Services.

The Community Council conducted a Public Meeting respecting this matter, and no deputations appeared.

On a motion by Councillor Altobello, the Community Council received the aforementioned document without comment.

**(Clause No. 14(a), Report No. 6)**

**5.2 Proposed Residential Solid Waste Collection By-law**

The Community Council had before it the following reports:

(March 9, 2000) from the General Manager, Solid Waste Management Services, submitting, for the information of Community Council, the proposed Residential Solid Waste Collection By-law, and requesting that any comments the Community Council may have with respect thereto be forwarded to the Senior Analyst, Policy Development, Solid Waste Management Services, by April 12, 2000.

(May 5, 2000) from the General Manager, Solid Waste Management Services, advising as requested by Scarborough Community Council, of the results of the garbage set out study undertaken in the Scarborough Community Council Area for purposes of evaluating the garbage container limit identified in the proposed Residential Solid Waste Collection By-law, and recommending that this report be received for information.

The Community Council conducted a Public Meeting respecting this matter, and no deputations appeared.

- A. Councillor Berardinetti moved that the General Manager, Solid Waste Management Services be advised that the Community Council supports eight bags per week for pick-up, instead of six.
- B. Councillor Balkissoon moved that Motion A. by Councillor Berardinetti be amended by adding:

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“..... in view of the fact that the former City of Scarborough adopted the eight bags pickup when it adopted the once a week garbage collection schedule.”

- C. Councillor Altobello moved that the General Manager, Solid Waste Management Services, be advised that Community Council will support six bags per week when garbage collection across the City has been harmonized.
- D. Councillor Duguid moved that the Community Council request the Commissioner of Works and Emergency Services to report to Scarborough Community Council at its meeting of July 18, 2000, respecting a policy to accommodate exceptional circumstances, such as house cleaning or moving house, which result in more than the maximum number of items being placed at the curb side for collection.
- E. Councillor Kelly moved that Motion D. by Councillor Duguid be amended by adding:

“..... such report to also include the issue of charges for bags over the maximum.”

Upon the question of the adoption of Motions B. by Councillor Balkissoon and C. by Councillor Altobello, the vote was taken, as follows:

Yeas: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Mahood, Moeser, Shaw, Soknacki, Tzekas –9  
Nays: Councillors Duguid, Kelly –2

Decided in the affirmative by a majority of 7.

Upon the question of the adoption of Motion A. by Councillor Berardinetti, as amended by Councillors Altobello and Balkissoon, a vote was taken, as follows:

Yeas: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Moeser, Shaw, Soknacki –7  
Nays: Councillors Duguid, Kelly, Mahood, Tzekas –4

Decided in the affirmative by a majority of 3.

Upon the question of the adoption of Motion D. by Councillor Duguid, the vote was taken, as follows:

Yeas: Councillor Altobello, Ashton, Balkissoon, Berardinetti, Duguid, Kelly, Mahood, Moeser, Shaw, Soknacki, Tzekas – 11  
Nays: Nil

Decided unanimously in the affirmative.

Upon the question of the adoption of Motion E. by Councillor Kelly, the vote was taken, as follows:

Yeas: Councillors Kelly, Soknacki –2

Nays: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Duguid, Mahood, Moeser, Shaw, Tzekas –9

Decided in the negative by a majority of 7.

**(Clause No. 14(b), Report No. 6)**

**5.3 Alteration of a Public Highway  
Morningside Avenue  
(Ward 16 – Scarborough Highland Creek)**

The Community Council pursuant to Clause No. 18 of Report No. 6 of the Works Committee, as adopted by Council on April 11, 2000, conducted a public hearing with respect to the proposed by-law to construct a pedestrian refuge island on Morningside Avenue between Lawrence Avenue and Kingston Road and published in the Toronto Sun newspaper on May 2, 8, 15 and 22, 2000 notice of this public hearing. No one appeared to address the Community Council.

On a motion by Councillor Moeser, the Scarborough Community Council recommended to City Council that, as the requirements of the Municipal Act were fulfilled and no evidence was presented to the Community Council to persuade it that the proposed by-law should not be enacted, the by-law to give effect to the Pedestrian Refuge Island on Morningside Avenue between Lawrence Avenue and Kingston Road in the form of the draft by-law attached be enacted.

**(Clause No. 1, Report No. 6)**

**5.4 Request for All-way Stop Signs on  
Oakridge Drive at Randall Crescent and Allister Avenue  
(Ward 13 – Scarborough Bluffs)**

The Community Council had before it a report (May 12, 2000) from the Director of Transportation Services, District 4, advising that all-way stop controls are not warranted on Oakridge Drive at either Randall Crescent or Allister Avenue, and therefore, recommending that this report be received for information.

Councillor Ashton moved that:

- (1) the recommendation embodied in the aforementioned report be struck out; and

- (2) all-way stop controls be installed at the intersections of Oakridge Drive and Randall Crescent and Oakridge Drive and Allister Avenue.

**(Carried)**

Mr. Todd Train appeared before the Community Council in connection with the foregoing matter.

The Community Council also received:

- communication from Councillor Brian Ashton, submitting a copy of communication from Mr. Todd Train enclosing a 99-signature petition from area residents requesting the installation of all-way stop controls at the intersections of Oakridge Drive and Randall Crescent and Oakridge Drive and Allister Avenue, and requesting that Community Council give consideration thereto;
- communication (May 16, 2000) from David and Sandra Ramsay, area residents, in support; and
- communication (May 18, 2000) from Bryan Webster in opposition;

a copy of which was provided to all Members of the Community Council, and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre.

**(Clause No. 2, Report No. 6)**

**5.5 Parking Concerns on Brimorton Drive  
West of Orton Park Road  
(Ward 16 – Scarborough Highland Creek)**

The Community Council had before it a report (May 8, 2000) from the Director of Transportation Services, District 4, recommending that:

- (1) the standing regulations identified in Appendix 1 of this report be adopted; and
- (2) the appropriate by-law be amended accordingly.

On a motion by Councillor Soknacki, the Community Council recommended to City Council the adoption of the aforementioned report.

**(Clause No. 3, Report No. 6)**

**5.6 Parking Prohibition on Port Royal Trail  
between Brimley Road and Lorna Rae Boulevard  
(Ward 17 – Scarborough Agincourt)**

The Community Council had before it a report (May 8, 2000) from the Director of Transportation Services, District 4, recommending that:

- (1) the parking regulation identified in Appendix 1 of this report be adopted; and
- (2) the appropriate by-law be amended accordingly.

On a motion by Councillor Shaw, the Community Council recommended to City Council the adoption of the aforementioned report.

**(Clause No. 4, Report No. 6)**

**5.7 Proposed Pedestrian Crossover on Hupfield Trail  
at Lady Bower Crescent  
(Ward 18 – Scarborough Malvern)**

The Community Council had before it a report (May 8, 2000) from the Director of Transportation Services, District 4, recommending that:

- (1) a pedestrian crossover be installed on Hupfield Trail at the west intersection of Lady Bower Crescent to replace the existing school crossing; and
- (2) the appropriate by-law be amended accordingly, as listed in Appendix 1.

On a motion by Councillor Cho, the Community Council recommended to City Council the adoption of the aforementioned report.

**(Clause No. 5, Report No. 6)**

**5.8 Preliminary Evaluation Report  
Zoning by-law Amendment Application SC-Z20000006  
Morningard Development Limited  
South side of Milner, East of Morningside Avenue  
(Ward 18 – Scarborough Malvern)**

The Community Council had before it a report (May 5, 2000) from the Director of Community Planning, East District, recommending that:

- (1) staff be directed to schedule a Community Consultation Meeting, together with the Ward Councillors;

- (2) staff be authorized to schedule a Public Meeting under the Planning Act to consider this application; and
- (3) notices for the community consultation meeting be given to landowners with 120 metres (400 feet) of the subject site; and, for the Public Meeting under the Planning Act, be given accordingly to the Regulations under the Planning Act.

On a motion by Councillor Cho, the Community Council approved the aforementioned report.

**(Clause No. 14(c), Report No. 6)**

### **5.9 Technical Amendments to various Zoning By-laws**

The Community Council had before it a report (May 9, 2000) from the Director of Community Planning, East District, recommending that Scarborough Community Council:

- (1) authorize staff to issue Notice of a public Meeting for July 18, 2000 to consider technical amendments to various Community and Employment District Zoning By-laws; and
- (2) authorize staff to issue Notices of Public Meetings as required and direct staff to bring forward additional reports on similar technical amendments as required.

On a motion by Councillor Ashton, the Scarborough Community Council approved the aforementioned report.

**(Clause No. 14(d), Report No. 6)**

### **5.10 Request for Direction Minor Variance Application A012/00-SC Meadowsweet Homes Inc. 93 Moreau Trail Clairlea Community (Ward 13 – Scarborough Bluffs)**

The Community Council had before it a report (April 24, 2000) from the Director of Community Planning, East District, recommending that Council direct the City Solicitor not to attend any Ontario Municipal Board hearing with respect to Minor Variance Application No. A12/00-SC.

On a motion by Councillor Altobello, the Community Council recommended to City Council the adoption of the aforementioned report.

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A copy of the Committee of Adjustment Decision referred to in the foregoing report was included in the Community Council Agenda for May 23, 2000, and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre.

**(Clause No. 6, Report No. 6)**

**5.11 Request for Direction  
Minor Variance Application A038.00-SC  
Mary Whitaker  
49 MacDuff Crescent  
Cliffcrest Community  
(Ward 13 – Scarborough Bluffs)**

The Community Council had before it a report (May 9, 2000) from the Director of Community Planning, East District, recommending that Council direct the City Solicitor not to attend any Ontario Municipal Board hearing with respect to Minor Variance Application No. A38/00-SC.

On a motion by Councillor Ashton, the Community Council recommended to City Council the adoption of the aforementioned report.

**(Clause No. 8, Report No. 6)**

**5.12 New Applications Received (All Scarborough Wards)**

The Community Council had before it a report (May 8, 2000) from the Director of Community Planning, East District, advising of the new applications received during the three-week period ending May 3, 2000, and recommending that this report be received for information.

On a motion by Councillor Moeser, the Community Council received the aforementioned report.

**(Clause No. 14(e), Report No. 6)**

**5.13 Ontario Municipal Board Hearings (All Scarborough Wards)**

The Community Council had before it a report (May 8, 2000) from the Director of Community Planning, East District, advising the status of current appeals before the Ontario Municipal Board, and recommending that this report be received for information.

On a motion by Councillor Moeser, the Community Council received the aforementioned report.

**(Clause No. 14(f), Report No. 6)**



**5.14 Consent Approvals (All Scarborough Wards)**

The Community Council had before it a report (May 8, 2000) from the Director of Community Planning, East District, advising of the Consent Decisions granted by the Director of Community Planning, East District, and recommending that this report be received for information.

On a motion by Councillor Moeser, the Community Council received the aforementioned report.

**(Clause No. 14(g), Report No. 6)**

**5.15 Site Plan Control Approvals (All Scarborough Wards)**

The Community Council had before it a report (May 8, 2000) from the Director of Community Planning, East District, advising of the Site Plan Control Approvals granted by the Director of Community Planning, East District, and recommending that this report be received for information.

On a motion by Councillor Moeser, the Community Council received the aforementioned report.

**(Clause No. 14(h), Report No. 6)**

**5.16 Assumption of Services**

**Carma Developers Ltd. and Coscan Development Corporation  
Pumping Station – Block 526, R.P. 66M-2292  
(Ward 16 – Scarborough Highland Creek)**

The Community Council had before it a report (April 17, 2000) from the City Solicitor, recommending that:

- (1) the services installed in relation to the pumping station be assumed;
- (2) the Legal Services Department be authorized to release the performance guarantee currently held in accordance with the Pumping Station Agreement; and
- (3) the City Clerk and Treasurer be authorized to sign any release or other documentation necessary to give effect thereto.

Councillor Soknacki moved that Scarborough Community Council recommend to City Council the adoption of the aforementioned report.

**(Refer also to Minute No. 5.20)**

**(Clause No. 9, Report No. 6)**

**5.17 Maintenance of Area between Post and Cable Barrier and the edge of Scarborough Bluffs at Grey Abbey Park (Ward 13 – Scarborough Bluffs)**

The Community Council has before it a report (May 8, 2000) from the Commissioner of Economic Development, Culture and Tourism, advising, as requested, on the approach to maintaining the green space between the edge of the Scarborough Bluffs and the newly installed post and cable barrier, and recommending that this report be received for information.

On a motion by Councillor Ashton, the Community Council received the aforementioned report.

**(Clause No. 14(1), Report No. 6)**

**5.18 Sale of Surplus Parcel of Vacant Land North-West Corner of Ashtonbee and Thermos Roads (Ward 14 – Scarborough Wexford)**

The Community Council had before it a report (May 18, 2000) from the Commissioner of Corporate Services, recommending that:

- (1) the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer to Purchase for the parcel of land at the north-west corner of Ashtonbee and Thermos Roads from Marsan Foods Limited in the amount of \$100,000.00 as detailed herein;
- (2) the City Solicitor be authorized to complete this transaction on behalf of the City including payment of any necessary expenses and amending the closing date to such earlier or later date as considered reasonable; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On a motion by Councillor Tzekas, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report.

**(Clause No. 13, Report No. 6)**

**5.19 Official Plan Amendment SC-P19990029  
Zoning By-law Amendment Application SC-Z19990050  
Site Plan Control Application SC-S19990113  
955159 Ontario Ltd.  
11 Grand Marshall Drive  
Rough Employment District  
(Ward 18 – Scarborough Malvern)**

The Community Council conducted a statutory public meeting, in accordance with Section 17 and Section 34 of The Planning Act; appropriate notice of this meeting having been given in accordance with The Planning Act and the regulations thereunder; and had before it a report (April 17, 2000) from the Director of Community Planning, East District, recommending that City Council:

(A) Official Plan Amendment:

amend the Rouge Employment Secondary Plan with respect to 11 Grand Marshall Drive by adding the following Policy Number 10, as follows:

“10. South side of Grand Marshall Drive, east of Milner Avenue

Retail uses shall also be provided for in addition to General Industrial Uses with High Performance Standards”.

(B) Zoning By-law Amendment:

amend the Employment District Zoning By-law Number 24982 (Rouge Employment District), as amended, with respect to 11 Grand Marshall Drive and abutting City-owned lands to the east, to be acquired by the applicant, being Parts of Lots 16 and 17, Registered Plan 66M-2249, by adding the following to the list of permitted uses:

Retail Uses

(C) Miscellaneous:

authorize such unsubstantive, technical, stylistic or format changes to the Official Plan and Zoning By-law Amendments as maybe necessary to give effect to this resolution.

(D) Site Plan Control

support the concept for the proposed retail use of the site as generally indicated on the drawing entitled “Recommended Site Plan (Figure 1)”, subject to the owner

and the City amending and registering on title the City's Site Plan Control Agreement incorporating the following provisions:

- (1) all refuse is to be contained within the buildings;
- (2) site lighting is to be constructed such that the angle of illumination does not extend onto the adjacent public streets;
- (3) the applicant to satisfy staff of the Toronto and Region Conservation Authority in regard to the requirements for the retrofit of the downstream stormwater pond;
- (4) the applicant to obtain any permits required under Ontario Regulation 158 prior to the issuance of building permits;
- (5) the owner is to enter into a servicing agreement with the Works and Emergency Services Department with respect to the enclosure of the open channel on the land to be acquired from the City of Toronto; and
- (6) all work required by this approval is to be completed within two years from the date the agreement is registered on title.

On a motion by Councillor Berardinetti, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report.

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**The Scarborough Community Council also had before it the following communications:**

**(May 11, 2000) from Sonja Joknic, Corridor Management Office:**

We have reviewed this proposal and have no objections to the rezoning. We advise that access to and from the proposed development shall be via Milner Avenue or Grand Marshall Drive.

The owner is further advised that Ministry permits are required for all buildings located within a radius of 396m (1300 feet) from the centre point of the intersection of Highway 401 and Morningside Avenue prior to any construction being undertaken. Permits must be obtained from Mr. Ken Sherbanowski, Permits Officer at our Downsview office located at 1201 Wilson Avenue, 1st Floor, Atrium Tower (416) 235-5560.

If you have any questions, please feel free to call me at (416) 235-3527.

**(May 17, 2000) from Karl D. Jaffary, Q.C., on behalf of Stauff Canada Ltd.:**

I act for Stauff Canada Ltd., the owner of the property at 886 Milner Avenue, immediately adjoining the subject lands to the south-west. My client's land and the subject property were developed at the same time, under a common site plan agreement, and traffic circulation around the two buildings is achieved with shared rights-of-way.

My client became aware of this application only a few days ago, through the notice of public meeting.

When my client purchased its property from the owner of 11 Grand Marshall Drive it was aware that the vendor was considering a rezoning application, which might have included my client's lands. That application was to permit an increase in the proportion of the buildings which might be used for showroom and ancillary retail purposes. My client agreed not to oppose such an application provided that the rezoning does not require any alteration to the Site Plan Agreement respecting 866 Milner Avenue, or any changes to parking or access.

We had no idea that a change to the Official Plan was contemplated.

My client is very pleased with the industrial context of this area. It would not wish to see the area transformed from industrial to retail commercial, and suggests that the centre of a shared driveway is an inappropriate boundary between two major land-use classifications.

At this stage, my client must object to the proposal. It has no information as to the retail uses that are proposed, or the effect of the application on the common access driveway that is shared by the two properties. It is clear that the uses at 11 Grand Marshall Drive will attract more cars, as is shown by the need for more parking. Some of those cars will use the common drive between the two properties, perhaps overloading it. Some cars seeking the retail uses will be bound to park on my client's land, regardless of any signs to the contrary. Scarborough parking standards for industry are by no means unduly generous. Business visitors and staff of my client's business may find their parking being used by others, creating exactly the conflicts that were designed to be avoided by planning the combined site as one development, with one zoning. This proposal would permit a number of parking-intense retail uses, and could change the feel of the area from that of a high-quality industrial subdivision to a rather mixed bag of uses.

We are particularly disturbed that the applicant would propose an Official Plan change covering part of the driveway we share without speaking to my client about the proposal.

We suggest that this matter be deferred until we can meet with the applicant, and determine whether our concerns can be met satisfactorily.

**(May 19, 2000) from R.V. Anderson Associates Limited in response to the foregoing communication from Karl D. Jaffary, Q.C.:**

Reference is made to Mr. Karl Jaffary's letter of May 17, 2000 addressed to your attention written on behalf of his client, Stauff Canada Ltd.

In 1998, Stauff Corporation purchased from 955160 Ontario Limited, a sister company to 955159 Ontario Ltd., the property known as 886 Milner Avenue which immediately abuts the property of 955159 Ontario Ltd. at 11 Grand Marshall Drive.

In this regard, we enclose herewith a copy of the "Amendment" dated September 16, 1998 to the Offer of Purchase and Sale dated July 28, 1998 between the parties.

Paragraph 9 – "Rezoning" of the Amendment clearly states the agreement between the parties that Stauff is aware of the intention of 955160 Ontario Limited and neighbouring landowners to make applications for "a broader range of commercial uses" and that "the Purchaser agrees that it will not, either directly or indirectly, oppose or negatively affect either the minor variance application or the OPA/Rezoning/Site Plan".

On the basis of this Agreement, Stauff has no basis to object to our client's application or to request any deferral of the application.

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The following persons appeared before the Community Council in connection with the foregoing matter:

- Ms. Kim Kovar, Solicitor representing the applicant, in support of the staff recommendations; and
- Mr. Karl D. Jaffary, Q.C., Solicitor representing Stauff Canada Ltd., indicating that his client is content to have the staff recommendations proceed to City Council at this time.

**(Clause No. 10, Report No. 6)**

**5.20 Assumption of Services  
Carma Developers Ltd. and Coscan Development Corporation  
Pumping Station – Block 526, R.P. 66M-2292  
(Ward 16 – Scarborough Highland Creek)**

**(Refer to Minute No. 5.16)**

Councillor Moeser moved that the Community Council reopen the matter for questions of staff.

**(Carried)**

Councillor Moeser moved that Scarborough Community Council recommend to City Council the adoption of the aforementioned report.

**(Carried)**

**(Clause No. 9, Report No. 6)**

**5.21 Acceptance of Services – 1198152 Ontario Limited  
2533 Gerrard Street East  
(Ward 13 – Scarborough Bluffs)**

The Community Council had before it a report (May 12, 2000) from the City Solicitor, recommending that:

- (1) the services installed for the above Development be accepted and the City formally assume the road within this development;
- (2) on payment of all outstanding accounts, which are in the amount of \$8,275.26, the Legal Services Division be authorized to release the balance of the performance guarantee; and
- (3) the City Clerk and Treasurer be authorized to sign any release or other documentation necessary to give effect thereto.

On a motion by Councillor Ashton, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report.

**(Clause No. 11, Report No. 6)**

**5.22 Request for Direction  
Draft Plan of Subdivision Application SC-T19990011  
Canada Lands Company  
North Side of McLevin Avenue, East & West of Tapscott Road  
Malvern Community  
(Ward 18 – Scarborough Malvern)**

The Community Council had before it a report (May 12, 2000) from the Director of Community Planning, East District, recommending that City Council give direction to staff regarding a request by Canada Lands Company for relief from Condition (10) of their Draft Plan approval, specifically, the cash payment in lieu of on-site stormwater quality controls, as there is currently no City policy with regard to the acceptance of cash-in-lieu for stormwater management improvements.

Councillor Balkissoon moved that Scarborough Community Council recommend that:

- (1) City Council approve a request by Canada Lands Company for relief from Condition (1) of their Draft Plan approval, specifically, the cash payment in lieu

of on-site stormwater quality controls, as there is currently no City policy with regard to the acceptance of cash-in-lieu for stormwater management improvements; and

- (2) Condition (10) for the approval of the draft plan of subdivision SC-T19990011 for Canada Lands Company be amended by deleting all references to cash contributions so that the condition will read as follows:

“10. the owner shall be required to provide sufficient land in the appropriate area of Block 19 for storm water quantity treatment satisfactory to the Commissioner of Works and Emergency Services.”

(Carried)

(Clause No. 12, Report No. 6)

**5.23 Request for Direction  
Minor Variance Application A037/00-SC  
S. Sinopoli  
67 Victoria Park Avenue  
Birchcliff Community  
(Ward 13 – Scarborough Bluffs)**

The Community Council had before it a report (April 20, 2000) from the Director of Community Planning, East District, recommending that Council direct the City Solicitor not to attend any Ontario Municipal Board hearing with respect to Minor Variance Application No. A037/00-SC.

On a motion by Councillor Ashton, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report.

A copy of the Committee of Adjustment Decision respecting the foregoing report was included in the Community Council Agenda for May 23, 2000, and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre.

(Clause No. 7, Report No. 6)

**5.24 Hep Kwong Tien Dao Temple Ontario Inc.  
3471 Kennedy Road  
(Ward 17 – Scarborough Agincourt)**

The Community Council had before it a report (May 12, 2000) from the Director and Deputy Chief Building Official, submitting further information, as requested by



Community Council, with respect to the application by Hep Kwong Tien Dao Temple for the waiver of building permit fees.

On a motion by Councillor Soknacki, the Scarborough Community Council deferred consideration of the matter pending the City Council decision on the recommendations of the Policy and Finance Committee respecting a City-Wide policy on the waiving of building permit fees.

Councillor Shaw requested that the minutes indicate her opposition to the deferral.

**(Clause No. 14(k), Report No. 6)**

### **5.25 Harmonization of Fence By-law**

The Community Council had before it the following:

(March 23, 2000) from the City Clerk, forwarding the report (March 1, 2000) from the Commissioner of Urban Development Services regarding the Harmonization of the Fence By-law, with a request that the Community Council submit its comments thereon to the Planning and Transportation Committee.

(April 17, 2000) from the City Solicitor, recommending that:

- (1) sections 11 and 12 of the draft harmonized fence by-law be re-worded as outlined in this report; and
- (2) Ward Councillors be informed when a property standards officer or the Chief Building Official has made an emergency order under the Building Code Act, 1992, requiring that a fence be erected that does not comply with the harmonized fence by-law.

(May 23, 2000) from the Commissioner of Urban Development Services, providing a comparison between the proposed By-law and the former City of Scarborough By-laws.

- A. Councillor Mahood moved that the proposed by-law be amended by striking out under "Part 2 Fences, Section 3. Fence Height", subsection (3) in its entirety.

**(Carried)**

- B. Councillor Balkissoon moved that Scarborough Community Council:

- (i) recommend to City Council that the proposed By-law be amended by striking out all references to 800 mm as it affects front yard or flankage

yards on corner lots and substituting therefor, as was previously permitted in the former City of Scarborough, "1.2 metres (4 feet)"; and further

- (ii) that the Commissioner of Urban Development Services in his report to City Council on June 7, 2000 be also requested to consider corner lots that have no sidewalks and recommend fences of 2 metres be permissible except for the safety issue regarding driveways.

**(Carried)**

**(Clause No. 14(i), Report No. 6)**

#### **5.26 Harmonization of the Division Fence By-law**

The Community Council had before it a communication (March 23, 2000) from the City Clerk, forwarding the report (March 1, 2000) from the Commissioner of Urban Development Services regarding the Harmonization of the Division Fence By-law, with a request that the Community Council submit its comments thereon to the Planning and Transportation Committee.

The Scarborough Community Council received the aforementioned report and made no comment thereon.

**(Clause No. 14(j), Report No. 6)**

#### **5.27 Any Other Matters – No. 45 Greencrest Circuit (Ward 16 – Scarborough Highland Creek)**

The Scarborough Community Council, by a unanimous vote of the Members present and voting, approved a request by Councillor Soknacki to hear a deputation and consider the emergency matter concerning a broken elevator in a five-storey apartment building at No. 45 Greencrest Circuit.

A. Councillor Soknacki moved that Scarborough Community Council request:

- (1) that the Executive Director, Municipal Licensing and Standards report to the next meeting of Planning and Transportation Committee on the progress of tracking which apartment buildings in the City have only one elevator, and how Municipal Licensing and Standards plan to implement a programme to minimize any disruption of service caused by the removal from service of such elevators;
- (2) that the Manager, Municipal Licensing and Standards, East Division, report to Ward Councillors Soknacki and Moeser on or before May 25, 2000, on:

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- (a) a realistic estimated time required to complete the elevator repair, based on whether the property owner or City undertakes the work;
  - (b) what plans are in place to keep actively involved during the time of repairs to make sure the repairs are done as expeditiously as possible;
  - (c) when the Division plans to undertake a full inspection of No. 45 Greencrest Circuit with respect to the issues raised by the Tenants Association and Community Legal Aid worker on their behalf; and
- (3) that the Commissioner of Community and Neighbourhood Services, in consultation with the City Solicitor, report to Ward Councillors Soknacki and Moeser on or before May 25, 2000 on what steps can be taken to relocate any disabled tenants and whether the property owner can be made to reimburse the City.

**(Carried)**

- B. Councillor Ashton moved that Motion A. by Councillor Soknacki be amended by adding the following:

“The Medical Officer of Health be requested to review the current conditions at No. 45 Greencrest Circuit and take all necessary action under her authority;

that the Fire Chief be requested to inspect No. 45 Greencrest Circuit and take all necessary action under his authority; and

that the East District Manager, Municipal Licensing and Standards, be requested to co-ordinate a response, in consultation with appropriate Departments, that all necessary actions to meet health and safety issues have been undertaken and report thereon to the Community Council.”

**(Carried)**

- C. Councillor Berardinetti moved that Motion A. by Councillor Soknacki be amended by adding the following:

“That the City Solicitor be requested to assist where possible in this matter, in consultation with the Ward Councillors and Ontario Legal Aid, to pursue legal remedies which may be available to recover damages.”

**(Carried)**

- D. Councillor Balkissoon moved that Scarborough Community Council request the Commissioner of Urban Development Services to reinstate the former City of Scarborough Apartment Building Inspection Program reporting structure to the

Scarborough Community Council and also report to the Scarborough Community Council Meeting on June 20, 2000 as to why this regular reporting has been stopped.

**(Carried)**

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Ms. Gil Brereton, Community Legal Aid Worker, appeared before the Community Council in this regard and tabled the following document:

“The tenants demand:

- (1) the City issue to the landlord today an emergency work order with a deadline of compliance in two weeks;
- (2) the City immediately relocate the disabled tenants to self-contained units and charge the landlord for this expense;
- (3) the City put in place emergency measures to protect the safety of the remaining tenants;
- (4) the City arrange for a suite-by-suite inspection of the units in the building by both Property Standards and Health Department;
- (5) the City officials meet with the Councillor and legal representative of the tenants to discuss what outstanding work orders have not been complied with by the landlord and to draw up a schedule for compliance.”

**(Clause No. 14(m), Report No. 6)**

#### **5.28 Any Other Matters – City-Wide Basketball League**

On a motion by Councillor Tzekas, the Scarborough Community Council requested the Director of Parks and Recreation, East District, to report directly to Policy and Finance Committee with respect to the financing for the City-Wide Basketball League and the establishment of a venue for their games in the Scarborough community.

**(Clause No. 14(n), Report No. 6)**

The Community Council adjourned its meeting at 3:30 p.m.

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Chair.