

THE CORPORATION OF THE CITY OF TORONTO

Clerk's Department

Minutes of the Scarborough Community Council

Meeting No. 14

Wednesday, October 14, 1998

The Scarborough Community Council met on Wednesday, October 14, 1998, in the Meeting Hall, Scarborough Civic Centre, commencing at 9:40 a.m.

Members present:

Councillor Lorenzo Berardinetti, Chair
Councillor Gerry Altobello
Councillor Brian Ashton
Councillor Bas Balkissoon
Councillor Raymond Cho
Councillor Brad Duguid
Councillor Frank Faubert
Councillor Norm Kelly
Councillor Doug Mahood
Councillor Ron Moeser
Councillor Sherene Shaw

Confirmation of Minutes.

On a motion by Councillor Moeser, the Minutes of the meeting of the Scarborough Community Council held on September 16, 1998, and the Minutes of the Special meeting of the Scarborough Community Council held on September 22, 1998, were confirmed.

395. Introduction and Congratulations to Staff

The Chair introduced Mr. Gary Stoner, Director of Parks and Recreation, East District, and welcomed him to his first Scarborough Community Council meeting.

**396. Parking Prohibition on Savarin Street
Ward 15 - Scarborough City Centre**

The Community Council had before it a report (July 9, 1998) from the Director, Transportation Services, District 4, recommending that:

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

On a motion by Councillor Duguid, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report, subject to a direction that staff review this matter in twelve months and report back if further action is required.

(Clause 1, Report No. 10)

**397. Parking on Cosentino Drive
Ward 15 - Scarborough City Centre**

The Community Council had before it a report (September 22, 1998) from the Director of Transportation Services, District 4, recommending that:

- (1) the parking regulations identified in Appendix 1 of this report be rescinded;
- (2) the parking regulations identified in Appendix 2 of this report be adopted; and
- (3) the appropriate by-laws be amended accordingly.

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

(Clause 2, Report No. 10)

**398. Stop Signs on Suraty Avenue at Kencliff Crescent
Ward 15 - Scarborough City Centre**

The Community Council had before it a report (September 15, 1998) from the Director of Transportation Services, District 4, recommending that:

- (1) the stop sign identified in Appendix 1 of this report be adopted; and
- (2) the appropriate by-laws be amended accordingly.

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

(Clause 3, Report No. 10)

**399. Stop Signs on Wetherby Drive at Shaddock Crescent
Ward 15 - Scarborough City Centre**

The Community Council had before it a report (September 25, 1998) from the Director of Transportation Services, District 4, recommending that:

- (1) the stop sign identified in Appendix 1 of this report be adopted; and
- (2) the appropriate by-laws be amended accordingly.

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

(Clause 4, Report No. 10)

400. Parking in Front of Golf Road Junior Public School and Tecumseh Senior Public School, Scarborough Golf Club Road Ward 16 - Scarborough Highland Creek

The Community Council had before it a report (September 25, 1998) from the Director of Transportation Services, District 4, recommending that:

- (1) the parking regulations identified in Appendix 1 of this report be rescinded;
- (2) the stopping regulations identified in Appendix 2 of this report be adopted; and
- (3) the appropriate by-laws be amended accordingly.

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

(Clause 5, Report No. 10)

401. 40 Kilometre Per Hour Speed Limit on Waldock Street Ward 16 - Scarborough Highland Creek

The Community Council had before it a report (September 25, 1998) from the Director of Transportation Services, District 4, recommending that:

- (1) the 40 kilometre per hour speed limit identified in Appendix 1 of this report be adopted; and
- (2) the appropriate by-laws be amended accordingly.

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

(Clause 6, Report No. 10)

**402. Request for a 40 Kilometre Per Hour Speed Limit
on Bellefontaine Street and Southlawn Drive
Ward 17 - Scarborough Agincourt**

The Community Council had before it a report (August 28, 1998) from the Director of Transportation Services, District 4, recommending that:

- (1) the 40 kilometre per hour speed limit identified in Appendix 1 of this report be adopted; and
- (2) the appropriate by-laws be amended accordingly.

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

(Clause 7, Report No. 10)

**403. Heavy Trucks Prohibition on Neilson Road and Passmore Avenue
Ward 18 - Scarborough Malvern**

The Community Council had before it a report (September 22, 1998) from the Director of Transportation Services, District 4, recommending that:

- (1) the heavy truck prohibitions identified in Appendix 1 of this report be adopted; and
- (2) the appropriate by-laws be amended accordingly.

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

(Clause 8, Report No. 10)

**404. Bus Passenger Shelter Installations
Progress Avenue, Milner Avenue to Sheppard Avenue
(Aspen Ridge Homes Subdivision)
Ward 18 - Scarborough Malvern**

The Community Council had before it a report (September 30, 1998) from the Director of Transportation Services, District 4, recommending that the two new bus passenger shelters be installed on the southwest corner of Milner Avenue and Progress Avenue in accordance with the terms of the subdivision agreement for Aspen Ridge Homes (Markham Gardens) Inc., for the development of the lands on Progress Avenue between Milner Avenue and

Sheppard Avenue.

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

(Clause 9, Report No. 10)

**405. Preliminary Evaluation Report
Zoning By-law Amendment Application SZ98022
1234115 Ontario Limited, 2131 Lawrence Avenue East
Wexford Employment District
Ward 14 - Scarborough Wexford**

The Community Council had before it a report (September 28, 1998) from the Director of Community Planning, East District, recommending that Community Council convene a Public Meeting to consider this application at the December 1998 Community Council meeting.

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

(Clause 20(c), Report No. 10)

**406. Preliminary Evaluation Report
Zoning By-law Amendment Application SZ98026
Mondeo Developments Inc., 740 Ellesmere Road
Dorset Park Community
Ward 14 - Scarborough Wexford**

The Community Council had before it a report (September 28, 1998) from the Director of Community Planning, East District, recommending that Community Council convene a public meeting targeted for the fourth quarter of 1998, to consider the following:

- (1) removal of the Holding Provision (H) to allow development of the single-family and semi-detached dwelling component of the Phase II lands of the Mondeo Community, subject to:
 - (a) the execution of the Subdivision Agreement; and
 - (b) staff providing Notice of the said public meeting to all owners and tenants within 120 metres (400 feet) of the subject property, at the applicant's expense;
- (2) convening a public meeting or meetings, targeted for the first quarter of 1999, to consider removing the Holding Provision (H) to allow the development of the live/work and commercial components of this application, subject to:

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- (a) staff concluding the review of the traffic study and the satisfactory completion of the transportation improvements necessary to accommodate development;
- (b) the execution of the Subdivision Agreement;
- (c) staff completing the review of the Site Plan control applications for the live/work and commercial components; and
- (d) staff providing notice of the said public meeting or meetings to all owners and tenants within 120 metres (400 feet) of the property, at the applicant's expense.

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

(Clause 20(c), Report No. 10)

**407. Preliminary Evaluation Report
Zoning By-law Amendment Application SZ98020
Green Desk Developments Inc., Claresholme Drive
Highland Creek Community
Ward 16 - Scarborough Highland Creek**

The Community Council had before it a report (September 29, 1998) from the Director of Community Planning, East District, recommending that Community Council convene a Public Meeting to consider this application targeted for the first quarter of 1999; Notice of the Public Meeting to be provided to all assessed persons within 120 metres (400 feet) of the subject property and the Highland Creek Community Association.

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

(Clause 20(d), Report No. 10)

**408. Site Plan Control Application S97161
Petro Canada, 70 Guildwood Parkway
Ward 13 - Scarborough Bluffs**

The Community Council had before it the following reports:

- (a) (September 22, 1998) from the Director of Community Planning, East District, recommending that Community Council support the approval of Site Plan Control Application S97161, as shown on Figures 2, 3, 4 and 5; and
- (b) (August 24, 1998) from the Director of Transportation Services, District 4, responding to Community Council's request, at its July 22nd meeting, that

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transportation staff report on access to and impact on Guildwood Parkway traffic as a result of this development, and recommending:

- (1) with respect to the specific suggestion of a potential median opening on Guildwood Parkway, immediately west of Rowatson Road, to facilitate left turn movements at the proposed development site, that it not be permitted due to operational safety concerns; and
- (2) that Transportation Services staff be directed to conduct additional traffic counts at the intersection of Guildwood Parkway and Rowatson Road during the Fall of 1998, and again, following occupancy of the proposed residential development, and submit a report to Scarborough Community Council regarding appropriate mitigating measures, as required.

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

(Clause 20(f), Report No. 10)

**409. Part Lot Control Exemption Application PL98007
Winburn Investments Inc., Warden Avenue
and St. Clair Avenue, Clairlea Community
Ward 13 - Scarborough Bluffs**

The Community Council had before it a report (September 29, 1998) from the Director of Community Planning, East District, recommending that:

- (1) City Council enact a Part Lot Control Exemption By-law with respect to Lots 36 to 43 and 49 to 61 on Registered Plan 66M-2312;
- (2) the Part Lot Control Exemption By-law be repealed one (1) year from the date of the passing of the By-law;
- (3) all conveyances which occur after the exemption from Part Lot Control be in accordance with Reference Plan(s) approved by the Director of Community Planning, East District, prior to the plan(s) being deposited in the Land Registry Office, and generally in accordance with the lots as laid out in Registered Plan 66M-2312 as shown on Figure 1; and
- (4) City Council authorize such unsubstantive, technical, stylistic or format changes to the by-law as may be required to properly carry out the intent of this resolution.

On a motion by Councillor Altobello, the Scarborough Community Council recommended to City Council approval of the foregoing report.

(Clause 12, Report No. 10)

**410. Request for Direction
Minor Variance Appeal - A252/97
Andre Adams, 128 Scarboro Avenue
Ward 16 - Scarborough Highland Creek**

The Community Council had before it a report (September 18, 1998) from the Director of Community Planning, East District, recommending that City Council direct the City Solicitor not to attend any Ontario Municipal Board hearing with respect to Minor Variance Application A252/97.

On a motion by Councillor Moeser, the Scarborough Community Council recommends that City Council:

- (1) strike out the recommendation contained in the foregoing report; and
- (2) direct the City Solicitor to attend any Ontario Municipal Board hearing with respect to Minor Variance Application A252/97.

(Clause 14, Report No. 10)

411. New Applications Received - All Scarborough Wards

The Community Council had before it a report (September 22, 1998) from the Director of Community Planning, East District, advising Community Council of the new applications received during the four-week period ending September 16, 1998, and recommending that this report be received for information.

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

(Clause 20(i), Report No. 10)

412. Site Plan Control Approvals - All Scarborough Wards

The Community Council had before it a report (September 29, 1998) from the Director of Community Planning, East District, advising Community Council of the various 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 Faubert, the Scarborough Community Council received the aforementioned report.

(Clause 20(j), Report No. 10)

413. Ontario Municipal Board Hearings - All Scarborough Wards

The Community Council had before it a report (September 29, 1998) from the Director of Community Planning, East District, advising Community Council of the status of current appeals before the Ontario Municipal Board and recommending that this report be received for information.

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

(Clause 20(k), Report No. 10)

**414. Ontario Municipal Board Decision - Variance Appeal
135 Zaph Avenue, Highland Creek Community
Ward 16 - Scarborough Highland Creek**

The Community Council had before it a report (October 1, 1998) from the City Solicitor, advising Community Council of the Decision of the Ontario Municipal Board with respect to an appeal by the owners of 135 Zaph Avenue against the refusal of the Committee of Adjustment to grant a variance from the provisions of the Highland Creek Community Zoning By-law No. 10827, and recommending that this report be received for information.

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

(Clause 20(m), Report No. 10)

**415. Restricting the Standing of Vehicles on
Belmore Avenue near 31 Townley Avenue
Ward 14 - Scarborough Wexford**

The Community Council had before it a report (October 5, 1998) 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 Kelly, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report.

(Clause 10, Report No. 10)

416. Consent Applications - All Scarborough Wards

The Community Council had before it a report (September 28, 1998) from the Director of Community Planning, East District, advising Community Council of the various 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 Scarborough Community Council reports having:

- (1) received the aforementioned report; and
- (2) requested that the Director of Community Planning, East District, report further on the status of the process respecting Committees of Adjustment and the procedure for severance applications.

(Clause 20(1), Report No. 10)

**417. Traffic Concerns on Scarden Avenue
Ward 14 - Scarborough Wexford**

The Community Council had before it a report (January 23, 1998) from the Director of Transportation Services, District 4, recommending that:

- (1) additional all-way stop controls not be installed for traffic on Scarden Avenue;
- (2) turn restrictions not be installed to restrict access to Scarden Avenue; and
- (3) the Toronto Police Service, 42 Division, receive a copy of this report and provide a period of concentrated enforcement on Scarden Avenue.

On a motion by Councillor Kelly, the Scarborough Community Council recommended to City Council the following:

- (1) strike out recommendation (1) and insert in lieu thereof the following:
 - “(1) an all-way stop control be installed at the intersection of Scarden Avenue and Arkona Drive/Heaslip Terrace;” and
- (2) add the following recommendation (4):
 - “(4) the appropriate by-law be amended accordingly.”.

(Clause 11, Report No. 10)

**418. Site Plan Control Application S96112
Joseph Furfari Investments Limited, 1159 Tapscott Road
Ward 18 - Scarborough Malvern**

The Community Council had before it, the following reports:

- (a) (August 27, 1998) from the Director of Community Planning, East District, recommending that Community Council support the approval of the final Site Plan Control Application S96112, as shown on Figures 3 and 4 of this report; and
 - (b) (October 13, 1998) from the Director of community Planning, East District, recommending that Community Council support the approval of the final site plan control approval as shown in Figures 3 and 4, subject to the following conditions:
 - (1) conveyance for nominal consideration of an approximately 3.5 metre (12 feet) widening of Tapscott Road;
 - (2) conveyance for nominal consideration of a maintenance easement 30 metres (100 feet) either side of the watercourse, and a general right-of-way across the entire property to access the easement;
 - (3) installation of a sanitary sewer connection;
 - (4) the eastern portion of the site to remain undeveloped for possible future development in conjunction with adjacent lands;
 - (5) replacement of the words “broken asphalt and broken concrete” on the site plan with “used aggregate stockpile area”;
 - (6) a financially-secured agreement to ensure the operation of the plant, including the crusher, in an environmentally acceptable manner so as to minimize the impact upon properties in the vicinity; and
 - (7) other standard conditions of site plan control approval as may be deemed appropriate by the Director of Community Planning, East District.
- A. Councillor Shaw moved that this matter be stood down until 3:30 p.m.
 - B. Councillor Altobello moved that this matter be stood down until the end of the meeting.
 - C. Councillor Duguid moved that the report be amended by requesting that Legal staff consult with the Ward Councillors prior to finalization of the financially-secured agreement.

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D. Councillor Mahood moved that the following reports:

- (i) (August 27, 1998) from the Director of Community Planning, East District, recommending that Community Council support the approval of the final Site Plan Control Application S96112, as shown on Figures 3 and 4 of this report; and
- (ii) (October 13, 1998) from the Director of Community Planning, East District, recommending that Community Council support the approval of the final site plan control approval as shown in Figures 3 and 4, subject to the conditions contained in the Director's report dated October 13, 1998,

be approved, subject to adding to recommendation (6) the words"

"to be approved by City Council", so that such recommendation shall now read as follows:

- "(6) a financially-secured agreement to ensure the operation of the plant, including the crusher, in an environmentally acceptable manner so as to minimize the impact upon properties in the vicinity, such agreement to be approved by City Council."

Upon the question of the adoption of the foregoing motion A. by Councillor Shaw, it was lost.

Upon the question of the adoption of the foregoing motion B. by Councillor Altobello, it was lost.

Upon the question of the adoption of the foregoing motion C. by Councillor Duguid, it was carried.

Upon the question of the adoption of the foregoing motion D. by Councillor Mahood, it was carried.

Mr. Adam Brown, Solicitor, representing Furfari Investments Limited, appeared before Community Council in connection with the foregoing matter.

(Clause 20(h), Report No. 10)

**419. Neighbourhood Complaints - Plaza at 261 Port Union Road
Ward 16 - Scarborough Highland Creek**

The Community Council had before it, the following reports:

- (a) (October 1, 1998) from the Director, Municipal Standards, advising of the action taken by the Municipal Standards Division since Community Council deferred this matter; the result of the Fence Viewer's Decision on the appeal by the homeowners and the associated costs; and recommending that this report be received for information; and
- (b) (May 28, 1998) from the Director, Municipal Standards, responding to Community Council's request that staff investigate property standards complaints at Ravine Park Plaza, and recommending that this report be received for information.
 - A. Councillor Moeser moved that:
 - (i) the Ward Councillors consult further with Sun Life and the residents to explore increasing the height of the fence abutting this Plaza; and
 - (ii) the Director of Community Planning, East District, report to Scarborough Community Council on the process necessary to amend the zoning.
 - B. Councillor Faubert moved that Sun Life be requested to explore alternative uses to the Public Garage Uses including considering the rezoning of this site.
 - C. On a motion by Councillor Faubert, the Scarborough Community Council received the aforementioned reports.

Upon the question of the adoption of the foregoing motion A. by

Councillor Moeser, it was carried.

Upon the question of the adoption of the foregoing motion B. by Councillor Faubert, it was carried.

Upon the question of the adoption of the foregoing motion C. by Councillor Faubert, it was carried.

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

- Mr. Richard Ferrell, Property Management Director, Sun Life; and
- Mr. William Brock, representing residents of Pendermere Parkway, who also tabled a petition and further background information respecting residents' complaints.

(Clause 20(o), Report No. 10)

420. Introduction of Works and Emergency Services Directors

Mr. Barry Gutteridge, Commissioner, Works and Emergency Services, appeared before the Community Council to advise the Chair and Members of the structure now in place for his Department, to respond to any questions thereon, and to introduce the following senior officials appointed to his staff:

Angelo Bacopoulos, General Manager, Solid Waste Management Services;
David Kaufman, General Manager, Transportation Services;
Michael Price, General Manager, Water and Wastewater Services;
Tom Denes, Executive Director, Technical Services;
Gary Welsh, Director, Transportation Services, District 4;
Dev Tyagi, Director, Technical Services, District 4;
Mario Crognale, Director, Water and Wastewater Services, District 4; and
Ron Gordon, Director, Solid Waste Management Services, District 4.

(Clause 20(g), Report No. 10)

Councillor Berardinetti vacated the Chair and appointed Councillor Altobello as Acting Chair.

421. Request for Fence Exemption
Marie de Billancourt, Robert French
361 Lawson Road
Ward 16 - Scarborough Highland Creek

The Community Council had before it a report (September 13, 1998) from the Director of Municipal Standards, recommending that City Council:

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- (1) not approve the application by the owners of 361 Lawson Road to permit a board on board fence at a height of 3.1 metres on the east and west side lot lines; and
 - (2) permit the applicant's street yard fence on the east property line to remain at the existing 1.35 metres.
- A. Councillor Kelly moved that the staff recommendation in the aforementioned report be struck out and the following substituted therefor:
- (1) approve the application by the owners of 361 Lawson Road to permit a board on board fence at a height of 3.1 metres on the east and west side lot lines; and
 - (2) permit the applicant's street yard fence on the east property line to remain at the existing 1.35 metres.
- B. Councillor Mahood moved that the aforementioned report (September 13, 1998) from the Director of Municipal Standards, be approved.

Upon the question of the adoption of the foregoing motion A. by Councillor Kelly, it was carried.

The foregoing motion B. by Councillor Mahood was not voted on as the motion of Councillor Kelly carried.

(Clause 15, Report No. 10)

**422. Preliminary Evaluation Report
Official Plan Amendment Application SP98015
Zoning By-law Amendment Application SZ98027
Shell Canada Limited, 2650 Brimley Road
Agincourt Community
Ward 17 - Scarborough Agincourt**

The Community Council had before it a report (September 28, 1998) from the Director of Community Planning, East District, recommending that Community Council convene a public meeting to consider this application at the December 1998 Community Council meeting, subject to:

- (1) planning staff consulting with the local Councillors regarding the necessity of a Community Information Meeting prior to the December 1998 Community Council Meeting; and
- (2) the applicant submitting a Site Plan Control application and a Noise Study, recommending measures which mitigate the noise generated by the drive-thru facility

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onto abutting residential properties.

- A. Councillor Mahood moved that the Scarborough Community Council approve the aforementioned report, subject to adding the following recommendation:

“(3) that Shell Canada be requested to consider removing the drive-thru facility proposed in this application.”

- B. Councillor Shaw moved that the motion of Councillor Mahood be amended as follows:

(1) strike out recommendation (1) and insert in lieu thereof the following:

“(1) that Planning staff convene a Community Information Meeting in November, 1998, and the Public Meeting take place at the Scarborough Community Council meeting scheduled to be held on December 9, 1998, at 5:00 p.m.”

- C. Councillor Kelly moved that the report be amended by adding the following recommendation:

“(4) that the Toronto Police Service be requested to provide a report to Scarborough Community Council on any statistics that may be available to support or justify community concerns respecting crime in the area.”

Upon the question of the adoption of the foregoing motion A. by Councillor Mahood, it was carried.

Upon the question of the adoption of the foregoing motion B. by Councillor Shaw, it was carried.

Upon the question of the adoption of the foregoing motion C. by Councillor Kelly, it was carried.

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

- Mr. Bruce McLeod, Area Resident; and

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- Ms. Sharon Vincent, Vincent Planning and Associates, representing Shell Canada.

(Clause 20(e), Report No. 10)

The Community Council recessed at 12:30 p.m. and attended an informal reception in Committee Rooms 3 and 4 where Mr. Paul Bedford, Executive Director and Chief Planner, Urban Planning and Development Services, introduced Senior Urban Planning and Development Services staff responsible for the East District.

The Community Council reconvened at 2:00 p.m.

Members Present:

Councillor Lorenzo Berardinetti, Chair
Councillor Gerry Altobello
Councillor Brian Ashton
Councillor Bas Balkissoon
Councillor Raymond Cho
Councillor Brad Duguid
Councillor Norm Kelly
Councillor Doug Mahood
Councillor Sherene Shaw

**423. Public Meeting under The Planning Act,
City-Initiated Official Plan Amendment Application W98009,
Road Allowance Linking Metropolitan Road and Continental Place,
Ward 14 - Scarborough Wexford**

(Refer also to Minute No. 328)

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 (June 19, 1998) of the former Commissioner of Planning and Buildings, Scarborough recommending that City Council:

(A) Official Plan:

amend Schedule "C" of the Official Plan, the Roads Plan of the former City of Scarborough, by identifying a new 23 metre (75 foot) road right-of-way connection linking the eastern terminus of Metropolitan Road southerly to Warden Avenue through Continental Place, and by amending Schedule "A" of the Official Plan, the Land Use Plan, to also reflect the proposed road; and

(B) authorize such unsubstantive technical, stylistic or format changes to the Official Plan amendment as may be required to properly carry out the intent of this resolution.

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

(Clause No. 16, Report No. 10)

**424. Public Meeting under The Planning Act,
Zoning By-law amendment Application SZ98003,
Bozian Holdings Inc. (Brimell Toyota),
5060 Sheppard Avenue,
Marshalling Yard 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 (September 22, 1998) of the Director, Community Planning, East District, recommending that City Council:

A) Zoning By-law:

amend the Employment Districts Zoning By-law Number 24982 (Marshalling Yard Employment District), as amended, with respect to the lands located at 5060 Sheppard Avenue, being Part of Lot 19, Concession 3, 64R-4429, as follows:

(1) that the existing "Agricultural Zone (AG)" be deleted and replaced with a "Mixed Employment Zone (ME)" which permits the following:

- Day Nurseries;
- Educational and Training Facility Uses;
- Financial Institutions;
- Industrial Uses;
- Offices;
- Personal Service Shops;
- Places of Worship;
- Recreational Uses;
- Restaurants; and
- Retail Stores;

(2) add the following development standards:

- (a) gross floor area of all buildings shall not exceed 0.75 times the area of the lot;
- (b) gross floor area of all Retail Stores, Restaurants, Personal Service Shops and Financial Institutions shall not exceed 0.25 times the total built gross floor area, shall be restricted to the ground floor and be

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located within 120 metres (400 feet) of Sheppard Avenue;

- (c) minimum street yard setback 3 metres (10 feet);
- (d) minimum rear yard setback 7.5 metres (25 feet);
- (e) minimum side yard setback 3 metres (10 feet);
- (f) all uses shall be subject to the minimum parking requirements of the Zoning By-law; and
- (g) ground and wall signs which are non-accessory shall be prohibited.

(B) Other Matters:

Prior to the enactment of the Zoning By-law the owner is to enter into a financially secured agreement which is to be registered on title with the City of Toronto, which requires the owner to make satisfactory arrangements with the Director of Transportation Services in consultation with the Director of Community Planning, East Office regarding vehicular access to the site. The agreement shall ensure that the owner provide physical barriers (raised concrete islands) and all necessary pavement markings to ensure that through traffic is prohibited from travelling southbound from the subject site.

(C) Miscellaneous:

Authorize such unsubstantive technical, stylistic or format changes to the Zoning By-law amendment as may be required to properly carry out the intent of this resolution.

Councillor Balkissoon moved that the report of the Director, Community Planning, East District dated September 22, 1998, be approved, subject to the following:

- (i) Under Recommendation (A) Zoning By-law, (2) Development Standards, add the following new Development Standard (c):
 - “(c) gross floor area of any individual Restaurant shall not exceed 465 square metres (5,000 square feet)”.
- (ii) Under Recommendation (B) Other Matters,

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- (a) strike out the words “a financially-secured agreement” in the first line of the paragraph and insert in lieu thereof the words “an agreement”; and
- (b) add the following to the end of the paragraph: “In addition, the owner is to submit a Letter of Credit prior to the issuance of a building permit in order to secure the aforementioned transportation improvements.”

Upon the question of the adoption of the foregoing motion, it was carried.

Ms. Elizabeth Howson, Macauley Shiomi Howson Limited, the applicant, appeared before the Community Council in connection with the foregoing matter and expressed support for the staff recommendation, including the proposed amendment.

(Clause No. 18, Report No. 10)

**425. Public Meeting under The Planning Act,
Zoning By-law Amendment Application Z95032,
Aspen Ridge Homes (Markham Gardens) Incorporated,
South of Sheppard Avenue, East of Markham Road,
Ward 18 - Scarborough Malvern**

(Refer also to Minute No. 329)

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 (June 22, 1998) of the former Commissioner of Planning and Buildings, Scarborough recommending that City Council repeal the Malvern East Agricultural Holding Zoning By-law No. 13219, as amended, and incorporate Blocks 2 and 3, Registered Plan 66M-2300, in the Malvern Community Zoning By-law No. 14402, as amended, and zone them as follows:

- (A) Block 2:
- (1) Permitted uses: Apartment Residential (A) Zone and Neighbourhood Commercial (NC) including retail stores, personal service shops, financial institutions, business and professional offices;
 - (2) Development Standards:
 - (2.1) maximum 326 dwelling units;
 - (2.2) minimum 3 metre (10 foot) building setback from the streetlines; canopies and supporting columns may be erected to the street line;
 - (2.3) maximum 2,323 square metres (25,000 square feet) of gross floor area for commercial uses;
 - (2.4) parking to be provided on the following basis:
 - (a) prior to the operation of the SRT to Sheppard Avenue:
 - (i) minimum 1.4 parking spaces per dwelling unit to be provided on the basis of 1.2 spaces per unit for residents and 0.2 spaces per unit for visitors;
 - (ii) minimum 3 parking spaces per 100 square metres (1,076 square feet) of gross floor area for other uses;
 - (b) when the SRT is in operation to Sheppard Avenue:
 - (i) minimum 1.2 parking spaces per dwelling unit on the basis of 1 space for residents and 0.2 for visitors;
 - (ii) minimum 1 parking space per 100 square metres (1,076 square feet) of gross floor area for other uses;
 - (2.5) maximum height 16 storeys (excluding mechanical penthouses);
 - (2.6) minimum of 1 square metre (10.76 square feet) enclosed recreation space to be provided for each dwelling unit;
 - (2.7) parking for the Scarborough Community Complex may be provided;
 - (2.8) general zoning by-law provisions with respect to coverage and building height shall not apply;
 - (2.9) all provisions of this By-law shall apply collectively to the site

notwithstanding its future division into two or more parcels;

(B) Block 3:

(1) Permitted uses: Apartment Residential (A) Zone;

(2) Development Standards:

(2.1) maximum 417 dwelling units;

(2.2) minimum 3 metre (10 foot) building setback from the streetlines;

(2.3) parking to be provided on the following basis:

(a) prior to the operation of the SRT to Sheppard Avenue:

(i) minimum 1.4 parking spaces per dwelling unit to be provided on the basis of 1.2 spaces per unit for residents and 0.2 spaces per unit for visitors;

(b) when the SRT is in operation to Sheppard Avenue:

(i) minimum 1.2 parking spaces per dwelling unit on the basis of 1 space for residents and 0.2 for visitors;

(2.4) maximum height 12 storeys (excluding mechanical penthouses) within 30 metres (100 feet) of the streetline of Markham Road and 16 storeys (excluding mechanical penthouses) on the balance of the block;

(2.5) minimum of 1 square metre (10.76 square feet) enclosed recreation space to be provided for each dwelling unit;

(2.6) general zoning by-law provisions with respect to coverage and building height shall not apply;

(2.7) all provisions of this By-law shall apply collectively to the site notwithstanding its future division into two or more parcels; and

(C) Miscellaneous:

authorize such unsubstantive technical, stylistic or format changes to the Zoning By-law amendment as may be required to properly carry out the intent of this resolution.

A. Councillor Altobello moved that the City Solicitor

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report directly to City Council on October 28, 1998, providing a legal opinion on whether the City is attracting liability with respect to the density transfer.

B. Councillor Balkissoon moved that the report of the former Commissioner of Planning and Buildings, Scarborough, dated June 22, 1998, be approved, subject to the following amendments:

(1) Under (A), Block 2 (1) Permitted Uses,

(a) insert the words “which shall not permit the preparation of food for consumption off the premises” following the words “retail stores”; and

(b) add the words “and parking for the Scarborough Community Complex”.

(2) Under (A), Block 2 Development Standards:

strike out the words “may be provided” in (2.7) and insert in lieu thereof the words “shall be provided on Block 2, to a minimum of sixty (60) spaces”.

(3) That the City and the Landowner approach the Ontario Municipal Board for clarification of the Board’s decision regarding the “density transfer” statement in the Official Plan approved by the Board.

(4) That the Bills enacting this application not be presented to City Council pending resolution of this matter,

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which was not voted on as it was
redundant.

Upon the question of the adoption of motion A. by Councillor Altobello, the vote was taken, as follows:

Yeas: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Cho, Duguid, Kelly, Mahood, Shaw -9

Nays: Nil

Decided in the affirmative by a unanimous vote of the members present and voting.

Upon the question of the adoption of motion B. by Councillor Balkissoon, the votes were taken, as follows:

Re Motion (1)(a) - Consumption of Food off the Premises

Yeas: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Cho, Duguid, Mahood, Shaw -8

Nays: Councillor Kelly -1

Decided in the affirmative by a majority of 7.

Re Motion (1)(b) - Parking

Yeas: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Cho, Duguid, Kelly, Mahood, Shaw -9

Nays: Nil

Decided unanimously in the affirmative.

Re Motion - Block 2 Development Standards - "shall be provided"

Yeas: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Cho, Duguid, Kelly, Mahood, Shaw -9

Nays: Nil

Decided unanimously in the affirmative.

Re Motion (3) - Clarification of Ontario Municipal Board Decision

Yeas: Councillors Balkissoon, Cho, Mahood, Shaw -4

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Nays: Councillors Altobello, Ashton, Berardinetti, Duguid, Kelly -5

Decided in the negative by a majority of 1.

Upon the question of the adoption of the report of the former Commissioner of Planning and Buildings, Scarborough, dated June 22, 1998, as amended, the vote was taken, as follows:

Yeas: Councillors Altobello, Ashton, Berardinetti, Duguid, Kelly, Shaw -6

Nays: Councillors Balkissoon, Cho, Mahood -3

Decided in the affirmative by a majority of 3.

The Scarborough Community Council submits, for the information of Council, the following communication (July 8, 1998) received from Mr. David Yeung, area resident:

I refer to the Notice of Public Meeting in relation to the captioned premises and I would like to submit hereby my written comments:

I hereby strongly oppose the intended conversion and rezoning of the subject lands from Agricultural uses to Apartments and Neighbourhood Commercial by the owner (developer of Markham Garden). The following are some of the reasons for my opposition, namely:

1. The density of townhouses and apartments now erected and to be erected by the owner in the Markham Garden project is too high and over crowded and it is, therefore, not appropriate to increase a total 743 apartments in this area which may cause a lot of unforeseen social problems; and
2. Save and except the existing small park/playground next to Markham Garden, there was no other park/garden/playground nearby. On each and every holiday, you can see a lot of residents, not only from Markham Garden, but also from the neighbouring lots crowded together in the existing small park/playground to share the limited facilities.

The Scarborough Community Council submits, for the information of Council, the following communication (July 8, 1998) received from Ms. Jennifer Chan, area resident:

I hereby strongly oppose the rezoning of the subject lands from "Agricultural Uses" to "Apartment" and "Neighbourhood Commercial".

The reasons of my objection to increase a total of 743 apartments in this area are as follows:

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1. There are already 300 units of townhouses (both Phase one and Phase two of Markham Garden) on 29 Rosebank Drive and Progress Avenue. The density of these townhouses is already too high. There is no reason the owner should increase the total 743 apartments in the adjacent area.
2. The area is already crowded with high raised condominiums and townhouses at Markham Road and Sheppard Avenue and at Burrows Hall Boulevard. A high density neighbourhood already exists.
3. A huge capacity of educational facilities or schools to be considered for such high population.
4. This may cause social problems in such high density housing.
5. There is no other agriculture area next to Markham Garden.
6. Remember when I put my offer of purchasing my property, the owner only mentioned that phase 2 of Markham Garden to be built in the area. It is, therefore, not suitable for the Council to grant approval to the application for conversion of neighbourhood commercial to help directly or indirectly the owner deceiving consumers.

The Scarborough Community Council submits, for the information of Council, the following communication (July 8, 1998) received from Mr. Wilmot Procope, area resident:

I am in agreement with the owner of these two blocks of land to have them rezoned; however, I am not in agreement with the proposed uses. The land is too small to fit six apartment buildings. It would be far better to build townhouses. More apartments would create a wall around this newly developed community. Townhouses would give this new neighbourhood a harmonious appearance. With townhouses, there would be less traffic, people, crime and a greater community spirit because each family owns or is responsible for the land their home is on.

The Scarborough Community Council submits, for the information of Council, the following communication (July 8, 1998) received from Kwok. C. Chan, area resident:

This is an objection to the request to amend the Malvern Community and the Malvern East Agricultural Holding Zoning By-law. This will block off the sunlight coming into my unit at 39 Kimbercroft Court which is facing Markham Road and increase the traffic flow. A 417 apartments is too big and should be reduced.

The Scarborough Community Council submits, for the information of Council, the following communication (July 8, 1998) received from Mr. Lorne Ross, Lorne Ross Planning and Development Services:

Please be advised that I have been retained by Aspen Ridge Homes to provide planning services with respect to the above-referenced rezoning applications.

I have been advised by Planning Staff that a concern has arisen with respect to the interpretation of the 'High Density Residential' policies of the Official Plan, more particularly the policy which requires that an owner consent to the transfer or consolidation of density.

The pertinent paragraph of Policy 3.3 reads as follows:

This policy provides for a maximum net residential density of 150 apartment and townhouse units per hectare over the lands so used to a maximum of 1600 units. In order to achieve a variety of building heights and to respond to adjacent uses, this density may be consolidated or transferred within the designated lands, *provided that the owner of the lands that the density is transferred from consents to such transfer* and provided that the height restrictions set out below are maintained. (Italics are mine)

To interpret this clause in today's context, it is essential to understand the public policy objectives which underlie the densities policy.

When the Board inserted these words into the densities policy, the Aspen Ridge lands were entirely vacant: no streets, no development blocks, no park, no library, no recreation centre. The entire area was zoned for agricultural uses. The City's Plan provided for the consolidation or transfer of densities in order to achieve several very desirable public objectives:

to allow for a variety of building forms and densities across the six proposed development Blocks;

to allow for a variety of building heights across these same Blocks, subject to the specific height policies set out in the Plan;

to achieve a better 'fit', both functionally and aesthetically, with adjacent development, being higher density apartments west of Markham Road and north of Sheppard Avenue, and lower densities of development generally to the East across what is now Rosebank Park.

The Policy, as passed by Scarborough Council, provided flexibility and latitude to subsequent Councils through the passage of zoning By-laws, to achieve both urban design and socio-economic diversity within this emerging neighbourhood, avoiding the possibility of monotonous built forms and a "project" feel for the area.

Everyone knew that the development would proceed through a plan of subdivision. Indeed the Official Plan before the Board required development to proceed through a plan of subdivision. The Board was considering a Draft Plan of Subdivision which proposed a number of development Blocks. It was conceivable that the owner would proceed to sell some or all of these Blocks prior to zoning to different builders/developers. In that circumstance, the City could have been approached by several developers seeking simultaneous rezonings with a very strong possibility of competition for the “available” overall density of 1600 units. The Board, in an abundance of caution, inserted the consent to transfer density policy in all likelihood to deal with such a situation should it have occurred.

It has not.

The Blocks created by the subdivision were not sold to separate builders/developers. No competition has erupted among competing zoning applications from different builders/developers. Aspen Ridge as successor in title to CMS Investments Inc., has proceeded in an orderly fashion to create the Blocks, apply for zoning, secure Site Plan Control approval and construct the housing on Blocks 4, 5 and 6. Block 1, the former Metro now City Block, and Block 7 the Park were zoned at the same time as the first three development Blocks. Aspen Ridge has constructed and is in the process of constructing very high quality townhousing on Blocks 4, 5 and 6 at densities below those provided in the Official Plan. The residual density is therefore available to be consolidated on Aspen Ridge’s two remaining Blocks through the rezoning applications, which are before Community Council on October 14th, 1998.

No “consent” is required from the parties who have purchased homes within Block 6 after it was zoned, Site Plan approved and built by Aspen Ridge.

Neither could Aspen Ridge have granted any such “consent” to itself in 1994-95 when these first three Blocks were zoned.

I urge Community Council to adopt the latitude and breadth of interpretation, which is so often urged on municipal Councils in Ontario. It is indeed incumbent on Council to do so when Council recollects the important public policy objectives of variety and diversity which are so clearly the objective of Policy 3.2.

Lastly I would urge Community Council to interpret Policy 3.2 in the context of the important public policy objectives which underlie the entire planning initiative for this emerging neighbourhood: the creation of a lively, intense, diverse and attractive mix of residential plus office, commercial and cultural activities at the intersection of two major arterial roads and a planned terminus for the Scarborough RT.

Blocks 2 and 3 are the last two Blocks within the subdivision still zoned Agricultural. The number of units requested in our application will complete the residential development of the subdivision at 1600 units, **which is exactly the total provided in the Official Plan for this neighbourhood.**

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In conclusion I recommend that Community Council adopt the view that the “consent” portion of Policy 3.2 was adopted by the OMB out of an excess of caution for a situation which has not occurred and is not occurring in the applications made by Aspen Ridge before you on October 14th, 1998.

The Scarborough Community Council submits, for the information of Council, the following communication (July 8, 1998) received from A. Kulenthiran, area resident:

Please find enclosed a copy of your letter. As a resident at the above address, we would like to object to the proposed developments in block 2 and block 3. We have resided at the above address for nearly 12 years.

Over the last 12 years, a vast amount of construction has taken place in and around our neighbourhood. This has resulted in a high density of population in the area. There is a vast number of cars passing through our street at high speeds making it unsafe for our children. There is traffic congestion at the intersection of Sheppard and Malvern during rush hours. Malvern Street and Ormerod Street were never meant to handle such high volume of traffic. People who purchased homes in this area never expected this high density of population.

Further high density developments in block 2 and 3 will only result in more problems. The donut shop at the corner of Sheppard and Malvern attracts a high volume of traffic. During summer, some of the patrons to the donut shop hang around in the parking lot even late at night.

The Scarborough Community Council submits, for the information of Council, the following additional communication (July 8, 1998) received from Ms. Jennifer Chan, area resident:

Upon receipt of your second notice about the same matter as the letter dated July 22, 1998 issued by the City Clerk of Scarborough Community Council, I hereby assert my same status and opinion as the letter wrote to Ms. Margaret O’Neil on July 8, 1998.

I hereby fax the letter to you again in case you did not receive it or you and Ms. O’Neil are from different departments.

In addition to the six reasons stated on my previous letter regarding my opposition to the amendments, there are some more facts I would like the Council to realize:

1. There are more than 450 units of townhouses instead of 300 units on 29 Rosebank Drive and Progress Avenue (as Phase three of Markham Garden is now under construction). The density of these townhouses is really too high.
2. The traffic condition is already busy at Markham Road and Sheppard Avenue. When the proposed subway station to be built on the same location, there will be a severe traffic burden in this area.
3. I really recognize the builder paid a lot of money to buy the land as a representative

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from Aspen Ridge phoned me to withdraw my opposition. I understand that business is business; however, I assure that everyone should have the sense of social responsibility and also keep the society a harmonious status.

I understand there is a meeting to be held on October 14, 1998. I hope this letter will not be too late for your preparation. If so, I apologize for any inconvenience caused and I appreciate every effort will be made to forward my letter to the meeting.

The Scarborough Community Council submits, for the information of Council, the following additional communication (July 30, 1998) received from Mr. Iain Singer, area resident:

On July 15th I purchased the above condominium on the north east corner of Markham Road and Sheppard Avenue after noticing the townhouses being built on the south side of Sheppard Avenue, and being advised by the real estate agent that the vacant lot there was going to be more of the same, and after seeing that they were advertising the final phase at \$169,000. The prime reasons for the purchase were price, location and the view of the City and the lake. At no time was I ever advised that the lots were to be occupied by high rises. I was therefore very dismayed to see last week a rezoning notice application sign on the south side of Sheppard Avenue talking about 742 apartments, and your fax of the proposed site plan for Block 2 file Z95032, S95026 from Aspen Ridge homes proposing 4, 16, 14 and 10 story buildings that will block my view. And this does not even count the other block for which you did not send a site plan. Yesterday I checked with the sales office for the townhouses and they are not disclosing the proposed high rises with any of their prospective purchasers, and have no information at all publicly posted. When I showed them your fax they said too bad, you missed the public meeting and so can not complain. I also checked last night with the Superintendent of my condo building and they were not aware of the application, and said as far as they know other people are not either (the building is over 50% sold and many of the occupants may not be the registered owners).

Please put me on the mailing list for all matters pertaining to these two lots on the south east corner of Markham Road and Sheppard Avenue so that I can provide my input and/or protests at public meetings and file this letter as a notice of objection. Also please provide, or advise where I can obtain a profile plan of the two lots with the proposed buildings, that would also include 5580 Sheppard Avenue East, and the townhouses, so that I can verify what sightlines are being blocked, what the visual pollution will be, and how sunlight will be affected.

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

- Mr. Lorne Ross, Lorne Ross Planning and Development Services, on behalf of the applicant, and with respect to the concerns contained in his aforementioned communication; and
- Mr. Ben Loughlin, area resident, who requested clarification on the type of commercial usage that might be anticipated in this development.

(Clause No. 17, Report No. 10)

**426. Preliminary Evaluation Report,
Official Plan Amendment Application SP98014,
Loblaw Properties Limited, Various Properties,
Clairlea Community and Golden Mile Employment District,
Wards 13 and 14,
Scarborough Bluffs and Scarborough Wexford**

The Community Council had before it a report (September 28, 1998) from the Director of Community Planning, East District, recommending that Community Council convene a public meeting to consider this application, targeted for the second quarter of 1999, subject to:

- (1) all technical agencies concluding the review of the application and the planning report submitted in support of the application;
- (2) staff, in consultation with the four Ward councillors, conducting a Community Information Meeting to discuss the proposal with the affected property owners and with residents in the abutting Clairlea Community; and
- (3) staff providing notice for the public meeting to all owners and tenants within the proposed amendment areas, to all owners within 120 metres (400 feet) of these areas, and to all parties attending the Community Information Meeting requesting notice.

Councillor Altobello moved that the report of the Director, Community Planning, East District, dated September 28, 1998, be approved, subject to staff negotiating with the landowner to consider medium density on these lands.

Upon the question of the adoption of Councillor Altobello's motion, the vote was taken, as follows:

Yeas: Councillors Altobello, Balkissoon, Berardinetti, Duguid, Kelly, Mahood -6

Nays: Councillor Ashton -1

Decided in the affirmative by a majority of 5.

Upon the question of the adoption of report from the Director of Community Planning, East District, dated September 28, 1998, as amended, the vote was taken, as follows:

Yeas: Councillors Altobello, Balkissoon, Berardinetti, Duguid, Faubert, Kelly, Mahood
-7

Nays: Councillor Ashton -1

Decided in the affirmative by a majority of 6.

(Clause No. 20(a), Report No. 10)

**427. Request for Direction,
Ontario Municipal Board Appeal,
Zoning By-law Amendment Application Z97047,
Sevendon Holdings Limited, 1900 Eglinton Avenue,
Golden Mile Employment District,
Ward 13 - Scarborough Wexford**

The Community Council had before it a report (September 28, 1998) from the Director of Community Planning, East District, that City Council direct the City Solicitor to support the owner's proposed Zoning By-Law Amendment before the Ontario Municipal Board with respect to the above property, subject to the following conditions:

- (1) that the owner revise the proposed By-Law Amendment to incorporate a Holding Provision (H) for the 4,645 m² (50,000 square feet) of commercial space which has not been addressed by the supporting Traffic Impact Study;
- (2) that the location and implementation of the new public road through the subject property be finalized to the satisfaction of the City prior to the conclusion of the Municipal Board hearing;
- (3) that the owner enter into an agreement with the City to pay the appropriate Transportation System Improvement (TSI) Charge, including the dedication of the lands for the new public road, prior to the conclusion of the Municipal Board hearing; and
- (4) should any of the above Conditions not be met, that the City Solicitor recommend the proposed By-Law Amendment be revised to incorporate a Holding Provision (H) for the entire 27,870 m² (300,000 square feet) of commercial space requested by the owner.

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

(Clause No. 13, Report No. 10)

**428. Legal Department Practice on Files without In-House Planning Support:
Caroline Huaping Chiang, 43 Alanbull Square;
Juhan Holdings Limited, 5739-5745 Finch Avenue East; and
1248161 Ontario Limited, 255 Blantyre Avenue**

The Community Council had before it report of the City Solicitor dated October 2, 1998 recommending:

- (1) that \$25,000.00 be allocated to the Legal Department from the Corporate Contingency Account to retain planning witnesses with respect to the pending Ontario Municipal Board appeals on 5739 and 5745 Finch Avenue East and 255 Blantyre Avenue; or
- (2) in the alternative, that Council direct the City Solicitor to appear at the Ontario Municipal Board in support of the pending appeals.

Councillor Balkissoon moved that the report of the City Solicitor dated October 2, 1998, as it relates to 43 Alanbull Square, be referred back to the City Solicitor with a request that he report further with a full accounting for the time period between April 16 and July 16, 1998 as to why the Legal Department did not identify to the Scarborough Community Council, the City Council, nor the local Councillors respecting the issue of funding and the lack of planning evidence at the Ontario Municipal Board hearing with respect to 43 Alanbull Square.

Upon the question of the adoption of Councillor Balkissoon's motion, it was carried.

(Clause No. 19, Report No. 10)

**429. BFC Construction Corporation,
3660 Midland Avenue,
Mixed Use Redevelopment,
Milliken Employment District,
Ward 17 - Scarborough Agincourt**

The Community Council had before it a report (October 13, 1998) from the Managing Director, Economic Development Division, responding to Community Council's request, at its last meeting, respecting the economic development implications of the proposed mixed use development application by BFC Construction Corporation at 3660 Midland Avenue.

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

(Clause No. 20(n), Report No. 10)

**430. Lawrence Avenue East Study between
Pharmacy Avenue and Birchmount Road
Ward 14 - Scarborough Wexford**

The Community Council had before it a communication from Councillor Norm Kelly requesting the Director, Community Planning, East District, to submit a report to the next scheduled meeting on the status of the Lawrence Avenue Study and the request to beautify Lawrence Avenue as requested by Mr. Kaysar Nasr.

Councillor Kelly moved that staff be directed to:

- (1) report to the next meeting of Scarborough Community Council scheduled to be held on Thursday, November 12, 1998, on the status of the Lawrence Avenue Study;
- (2) to consider also the request from Councillor Kelly that consideration be given regarding the beautification of Lawrence Avenue by Mr. Keysar Nasr; and
- (3) to consider the feasibility of One Hour Parking sign restrictions on the north side of Lawrence Avenue East from Birchmount Road to Pharmacy Avenue from Friday evening from 6:00 p.m. to Sunday at 12:00 midnight.

Upon the question of the adoption of Councillor Kelly's motion, it was carried.

(Clause No. 20(p), Report No. 10)

The Community Council recessed at 5:00 p.m.

The Community Council reconvened at 5:30 p.m.

Members present:

Councillor Lorenzo Berardinetti
Councillor Gerry Altobello
Councillor Brian Ashton
Councillor Bas Balkissoon
Councillor Raymond Cho
Councillor Brad Duguid
Councillor Frank Faubert
Councillor Sherene Shaw

431. Presentation by Toronto Arts Council

The Scarborough Community Council received a presentation by the Toronto Cultural Advisory Corporation (Toronto Arts Council) represented by Ms. Anne Collins, President, accompanied by various Members of the Council, together with Councillor Mario Silva and Special Guest speaker, Ms. Doris McCarthy.

On a motion by Councillor Balkissoon, the
Community Council continued past 6:00 p.m.

The Community Council recessed at 6:10 p.m.

The Community Council reconvened at 7:45 p.m.

Members present:

Councillor Lorenzo Berardinetti, Chair
Councillor Brian Ashton
Councillor Raymond Cho
Councillor Brad Duguid
Councillor Bas Balkissoon

Due to a lack of quorum, and pursuant to the City of Toronto Procedure By-law No. 23-1998, Section 8, the following matters will be considered at the next meeting of The Scarborough Community Council, scheduled to be held on Thursday, November 12, 1998:

- (1) Public Meeting under the Planning Act respecting the former Scarborough Transportation Corridor Lands Study, Phase 3, St. Clair Avenue to Eglinton Avenue;
and
- (2) Public Consultation respecting the Draft Municipal Animal Care and Control Legislation and the Uniform Policy for Leashed and Unleashed Dogs in Parks.

Chair.