

**THE CORPORATION OF THE CITY OF TORONTO**

**Clerk's Department**

**Minutes of the Scarborough Community Council**

**Meeting No. 4**

**Tuesday, May 2, 2000**

The Scarborough Community Council met on Tuesday, May 2, 2000, in the Meeting Hall, Scarborough Civic Centre, commencing at 9:36 a.m.

Members present:

	9:36 a.m. <u>12:30 p.m.</u>	2:10 p.m. – <u>7:18 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	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.

**Confirmation of Minutes**

On a motion by Councillor Altobello, the Minutes of the meeting of the Scarborough Community Council held on March 23, 2000, were confirmed.

**4.1 Steeles Avenue Boundary Road Agreement  
with the Region of York**

The Community Council had before it a report (April 17, 2000) from the City Clerk forwarding a copy of Clause No. 3 of Report No. 3 of the Planning and Transportation Committee, headed 'Steeles Avenue Boundary Road Agreement with Region of York',

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which was struck out and referred to the Etobicoke, North York and Scarborough Community Councils for further consideration and report thereon to the Planning and Transportation Committee.

- A. Councillor Balkissoon moved that the Scarborough Community Council advise the Planning and Transportation Committee that it concurs in the recommendations put forward by the Planning and Transportation Committee, subject to adding a request that the Steeles Avenue Sub-Committee undertake consultation with the Scarborough community east of Markham Road, such that this community is made well aware of the intentions of York Region.

**(Carried)**

- B. Councillor Cho moved that the motion of Councillor Balkissoon be amended by including the Rouge Park Alliance, Save the Rouge Park Group and the Friends of the Rouge Watershed be included in such consultation.

Upon the adoption of Motion B. by Councillor Cho, the vote was taken, as follows:

Yeas: Councillors Altobello, Balkissoon, Berardinetti, Cho, Duguid, Kelly, Mahood, Moeser, Soknacki, Tzekas - 10

Nays: Councillor Ashton - 1

Decided in the affirmative by a majority of 9.

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

- Mr. Tom Mulligan, Director, Transportation Programming and Policy, who answered Councillors' questions respecting the aforementioned report; and
- Ms. Lois James, Toronto.

**(Clause No. 22(a), Report No. 5)**

#### **4.2 Public Consultation for the Proposed Residential Solid Waste Collection By-law and the Requirements for the City of Toronto Garbage and Recycling Collection at new Developments and Redevelopments**

The Community Council had before it a report (April 18, 2000) from the General Manager, Solid Waste Management Services, recommending that Scarborough Community Council defer consideration of the two reports (March 9, 2000) until the

May 23, 2000 meeting of Scarborough Community Council to allow for appropriate planning of the public meeting and completion of the requested studies.

On a motion by Councillor Ashton, the Scarborough Community Council deferred consideration of the two reports (March 9, 2000) until the May 23, 2000 Community Council meeting to allow for appropriate planning of the public meeting and completion of the requested studies.

**(Clause No. 22(b), Report No. 5)**

**4.3 Proposed Lane Designation on Lebovic Avenue  
Approaching Eglinton Avenue East  
(Between Pharmacy and Warden)  
(Ward 13 – Scarborough Bluffs)**

The Community Council had before it a report (April 11, 2000) from the Director of Transportation Services, District 4, recommending that:

- (1) the westerly lane of northbound Lebovic Avenue be designated for left turns only, from Eglinton Avenue to 60 metres south thereof, as identified in Appendix 1;
- (2) the centre lane of northbound Lebovic Avenue be designated for straight through movements only, from Eglinton Avenue to 60 metres south thereof, as identified in Appendix 1;
- (3) the easterly lane of northbound Lebovic Avenue be designated for right turns only, from Eglinton Avenue to 60 metres south thereof, as identified in Appendix 1; and
- (4) the appropriate by-law(s) be amended accordingly.

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

**(Clause No. 1, Report No. 5)**

**4.4 Proposed Turn Prohibition at Private Driveway at  
1910 Kennedy Road just North of Ellesmere  
(Ward 14 – Scarborough Wexford)**

The Community Council had before it a report (April 13, 2000) from the Director of Transportation Services, District 4, recommending that:

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- (1) the driveway on the west side of Kennedy Road, approximately 140 metres north of Ellesmere Road, operate as a right-turn exit only, with northbound and eastbound left turns and southbound right turns prohibited at all times, as identified in Appendix 1 of this report;
- (2) all costs associated with signing the northbound, eastbound and southbound turn prohibitions and “Do Not Enter” condition at the driveway be borne by the developers of the property serviced by the driveway, namely Bill Christ Investments Limited; and
- (3) 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 No. 2, Report No. 5)**

**4.5 Speed Limit on Palmdale Drive  
(Ward 14 – Scarborough Wexford)**

The Community Council had before it a report (April 11, 2000) 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-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 No. 3, Report No. 5)**

**4.6 Proposed Left-Turn Prohibition from the Ellesmere-Statton  
Public School Driveway on Ellesmere Road  
(Ward 15– Scarborough City Centre)**

The Community Council had before it a report (April 11, 2000) from the Director of Transportation Services, District 4, recommending that:

- (1) northbound left-turn movements be prohibited at all times exiting the easterly driveway at Ellesmere-Statton Public School, as identified in Appendix 1; and
- (2) the appropriate by-law be amended accordingly.

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

**(Clause No. 4, Report No. 5)**

**4.7 Parking Prohibition on Charlottetown Boulevard at  
Sir Oliver Mowat Collegiate Institute  
(Ward 16 – Scarborough Highland Creek)**

The Community Council had before it a report (April 11, 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 Moeser, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report.

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

**4.8 Stopping Prohibition on Military Trail in front of  
Pope John Paul II Catholic School  
(Ward 16 – Scarborough Highland Creek)**

The Community Council had before it a report (April 11, 2000) from the Director of Transportation Services, District 4, recommending that:

- (1) the stopping regulation 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 Scarborough Community Council recommended to City Council the adoption of the aforementioned report.

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

**4.9 Parking on Fundy Bay Boulevard at David Lewis Public School  
(Ward 17 – Scarborough Agincourt)**

The Community Council had before it a report (April 11, 2000) from the Director of Transportation Services, District 4, recommending that:

- (1) the stopping 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-law be amended accordingly.

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

**(Clause No. 7, Report No. 5)**

**4.10 Traffic and Parking Concerns on Wintermute Boulevard  
at Terry Fox Junior Public School  
(Ward 17 – Scarborough Agincourt)**

The Community Council had before it a report (April 11, 2000) from the Director of Transportation Services, District 4, recommending that:

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

On a motion by Councillor Shaw, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report, subject to the following amendments:

- (a) that the dimensions of the parking and stopping regulations identified in Appendix 2 of this report be amended to read:

“On the West side, that parking be prohibited from Triangle Villas Drive to 105 metres further North;  
and

On the East side, that stopping be prohibited from Triangle Villas Drive to 140 metres further North.”  
and

- (b) that a further recommendation be added to read as follows:

“that the Toronto Police Services, Parking Enforcement Unit, provide parking enforcement following the sign alterations at Terry Fox P.S.”

**(Clause No. 8, Report No. 5)**

**4.11 Pedestrian Refuge Island on Birchmount Road at the  
Scarborough Hospital – Grace Division  
(Ward 17 – Scarborough Agincourt)**

The Community Council had before it a report (April 11, 2000) from the Director of Transportation Services, District 4, recommending that construction of a pedestrian refuge island on Birchmount Road in front of The Scarborough Hospital – Grace Division be approved and authority be granted to commence advertising for the highway alteration.

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

**(Clause No. 9, Report No. 5)**

**4.12 U-Turns on Progress Avenue North of Milner Avenue  
(Ward 18 – Scarborough Malvern)**

The Community Council had before it a report (April 11, 2000) from the Director of Transportation Services, District 4, recommending that:

- (1) U-turns be prohibited on Progress Avenue, north of Milner Avenue and Milner Avenue, east of Progress Avenue at all times, as identified in Appendix 1 of this report;
- (2) the appropriate by-law be amended accordingly.

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

**(Clause No. 10, Report No. 5)**

**4.13 Preliminary Evaluation Report  
Official Plan Amendment Application SC-P20000001  
Zoning By-Law Amendment Application SC-Z20000003  
1335777 Ontario Limited, 3197 Kingston Road  
Cliffcrest Community  
(Ward 13 – Scarborough Bluffs)**

The Community Council had before it a report (March 23, 2000) from the Director of Community Planning, East District, recommending that:

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

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- (2) staff be authorized to schedule a Public Meeting under the Planning Act to consider this application; and
- (3) notices for the Community Information Meeting and for the Public Meeting under the Planning Act be given according to the Regulations under the Planning Act.

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

**(Clause No. 22(c), Report No. 5)**

**4.14 Site Plan Control Application SC-S19990022  
1290494 Ontario Ltd.  
1232 Birchmount Road  
Wexford Employment District  
(Ward 14 – Scarborough Wexford)**

The Community Council had before it a report (April 17, 2000) from the Director of Community Planning, East District, recommending that Council approve the proposed Place of Worship, as indicated on the drawing entitled "Recommended Site Plan" (Figure 2), subject to the owner and the City entering into and registering on title, the City's Site Plan Control Agreement incorporating the following provisions:

- (1) all refuse storage is to be contained within the building;
- (2) site lighting is to be constructed such that the angle of illumination does not extend onto adjacent roads or public streets;
- (3) all mechanical and other equipment located on the roof must be screened or integrated into the profile of the building to the satisfaction of the Director, Community Planning, East District, and any changes to the roofline as denoted on the drawings shall constitute a change to the site plan, which must have prior written approval of the Director, Community Planning, East District;
- (4) all work required by this agreement is to be completed within two years from the date the agreement is registered on title.
  - A. Councillor Mahood moved that Scarborough Community Council refer the aforementioned report back to the Director of Community Planning, East District, with the following requests:
    - (1) that the Director of Community Planning, East District, be requested to consult with the applicant to amend the Site Plan to include day nursery uses as originally proposed; and



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- (2) that the Director and Deputy Chief Building Official, East District, be requested to apply to this application the same interpretation of the Zoning By-law as was applied to the property immediately to the south, municipally known as No. 1228 Birchmount Road.

**(Carried)**

- B. Councillor Shaw moved that Scarborough Community Council recommend to City Council the adoption of the aforementioned report.

Motion B. by Councillor Shaw was not voted upon as Motion A. by Councillor Mahood carried.

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The Rev. Kelly, Senior Pastor of the East Toronto Church of God, appeared before the Community Council in connection with the foregoing matter.

**(Clause No. 22(d), Report No. 5)**

**4.15 Extension – Part Lot Control Exemption Application SC-L2000002  
Meadowsweet Homes Inc.  
35 and 37 Georgina Gate and 2-8 Lioba Drive  
Clairlea Community  
(Ward 13 – Scarborough Bluffs)**

The Community Council had before it a report (April 18, 2000) from the Director of Community Planning, East District, recommending that City Council:

- (1) enact a one year extension to the Part Lot Control Exemption By-law with respect to Lots 9, 34 and 35, Registered Plan 66-2312; and
- (2) 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 the adoption of the aforementioned report.

**(Clause No. 12, Report No. 5)**

**4.16 Ontario Municipal Board Hearings  
Variance Application SA2000039  
Evelyn and Eddie Gasparotto  
133 Atlee Avenue  
Cliffside Community  
(Ward 13 – Scarborough Bluffs)**

The Community Council had before it a report (April 17, 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.

Councillor Altobello moved that Scarborough Community Council receive the aforementioned report; save and except item 2(c), and that City Council be requested to instruct the City Solicitor to defend the position of the Committee of Adjustment at the OMB regarding Application SA2000039 by Evelyn and Eddie Gasparotto at 133 Atlee Avenue in the Cliffside Community.

**(Carried)**

**(Clause No. 11, Report No. 5)**

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

The Community Council had before it a report (April 17, 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 Soknacki, the Scarborough Community Council received the aforementioned report.

**(Clause No. 22(f), Report No. 5)**

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

The Community Council had before it a report (April 17, 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 Ashton, the Community Council received the aforementioned report.

**(Clause No. 22(g), Report No. 5)**

**4.19 Toronto Free Presbyterian Church  
Whitefield Christian School, 5808 Finch Avenue East  
(Ward 18 – Scarborough Malvern)**

The Community Council had before it a report (March 8, 2000) from the Director and Deputy Chief Building Official, responding to a request by The Rev. Frank McClelland, on behalf of the Toronto Free Presbyterian Church and its Whitefield Christian School, for refund of building permit fees and development charges respecting the building of this school, and recommending that:

- (1) the fees for the building permit collected according to the Building Permit By-law not be refunded; and
- (2) development charges, which were collected as per the Development Charges By-law of the former City of Scarborough, be refunded.

On a motion by Councillor Balkissoon, the Scarborough Community Council deferred the aforementioned report pending resolution of the discussions between staff and the Whitefield Christian School and report thereon to the Scarborough Community Council; and requested that the Rev. Frank McClelland be invited to attend Scarborough Community Council when the staff report is submitted.

**(Clause No. 22(k), Report No. 5)**

**4.20 Communication – The Guild Renaissance Group**

The Community Council had before it a report (April 10, 2000) from Councillor David Soknacki, requesting that Community Council recommend to City Council that Councillor Soknacki be confirmed to the appointment of an ex officio member of the Board for the Guild Renaissance Group.

On a motion by Councillor Ashton, the Scarborough Community Council recommended to City Council that Councillor David Soknacki be appointed an ex officio member of the Board for the Guild Renaissance Group, for a term ending November 30, 2000, or until his successor is appointed.

**(Clause No. 14, Report No. 5)**

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

The Community Council had before it a report (April 17, 2000) from the Director and Deputy Chief Building Official, responding to a request by Mr. Albert Lai, on behalf of Hep Kwong Tien Dao Temple Ontario Inc., for refund of building permit fees and development charges respecting this temple building, and recommending that:

- (1) the fees for the building permit collected according to the Building Permit By-law not be refunded; and
  - (2) development charges, which were collected as per the Development Charges By-law of the former City of Scarborough, be refunded.
- A. Councillor Shaw moved that the Scarborough Community Council recommend to City Council the adoption of Recommendation (2) of the foregoing report.

**(Carried)**

- B. Councillor Ashton moved that the report of the Director and Deputy Chief Building Official dated April 17, 2000, as it pertains to the building permit fee (Recommendation No. 1) only, be referred back to the Director with the request that a more detailed report respecting potential community uses be provided to the Scarborough Community Council at its meeting scheduled to be held on May 23, 2000.

**(Carried)**

- C. Councillor Mahood moved that Motion B. of Councillor Ashton be amended by requesting that the new report address the issue of private school use in portions of the Temple, and the question of potentially exempting the School Boards from building permit fees.

**(Carried)**

- D. Councillor Duguid moved that Motion B. of Councillor Ashton be amended by requesting that the new report include an analysis of what has been approved in the past and the precedents that have been set by such approvals.

**(Carried)**

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Mr. Albert Lai, representing Hep Kwong Tien Dao Temple Ontario Inc., appeared before the Community Council in support of the request for refund.

**(Clause No. 13, Report No. 5)**

**4.22 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.

On a motion by Councillor Moeser, the Scarborough Community Council deferred consideration of the aforementioned report to its next regular meeting scheduled to be held on May 23, 2000.

**(Clause No. 22(j), Report No. 5)**

**4.23 Street Post Banner Program  
Scarborough East 2000 Festival**

The Community Council had before it a report (May 1, 2000) from the Commissioner, Urban Development Services, recommending that:

- (1) the organizers of the Scarborough East 2000 Festival be permitted to erect up to 600, 26 inch by 72 inch double-sided banners on street posts throughout the East District, comprising the former City of Scarborough, for the period of June 1, 2000 to October 30, 2000;
- (2) the Organizing Committee of the Scarborough East 2000 Festival be responsible for all costs associated with the installation and removal of banners;
- (3) the Organizing Committee carry insurance in an amount sufficient to indemnify and save harmless the City against all losses, costs, damages, charges and expenses; and
- (4) prior to the commencement of the program, the Transportation Division of the Works and Emergency Services Department be consulted as to appropriate locations and method of installation within the defined area.

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- A. Councillor Moeser moved that Scarborough Community Council recommend to City Council the adoption of the foregoing report.

(Carried)

- B. Councillor Ashton moved that Motion A. of Councillor Moeser be amended as follows:

“That the organizers of the Scarborough East 2000 Festival be requested to submit the names of sponsors to Mr. Gary Welsh, Director of Transportation, District 4, for his information, and any action he deems necessary.”

(Carried)

(Clause No. 21, Report No. 5)

**4.24 Official Plan Amendment SC-P19990026 and  
Zoning By-Law Amendment Application SC-Z19990046  
Inaugural Source Inc.  
901 Kennedy Road  
Ionview Community  
(Ward 15– Scarborough City Centre)**

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 (March 21, 2000) from the Director of Community Planning, East District, recommending that City Council:

- (1) Official Plan:

amend the Ionview Community Secondary Plan with respect to the property located on the east side of Kennedy Road south of the Jack Goodlad Park, by deleting the Highway Commercial Uses designation and incorporating a High Density Residential designation.

- (2) Zoning By-law Amendment

amend the Ionview Community Zoning By-law Number 9089, as amended, with respect to 901 Kennedy Road, being Part of Lot 28, Concession D by deleting the existing zoning, replacing it as follows:

- (a) permitted use: Apartment Residential (A) Zone;
- (b) one dwelling unit per 80 square metres (861 square feet) of lot area;

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- (c) minimum building setback 3 metres (10 feet) from the street line;
- (d) minimum side yard setback 4 metres (13 feet);
- (e) minimum building setback of 12 metres (40 feet) abutting the Single-Family Residential (S) Zone;
- (f) buildings shall not cover more than 40 percent of the area of the lot;
- (g) maximum building height 4 storeys;
- (h) a minimum of one parking space per dwelling unit shall be provided for residents and a minimum of 0.1 parking spaces per dwelling unit shall be provided for visitors; and
- (i) an enclosed refuse storage room shall be provided on the site;

(3) Miscellaneous:

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

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 Community Council also had before it the following communications (April 15 and March 20, 2000) from Dr. Michael J. Kidd:

I represent the 28 families next door to the proposed 43 stacked townhouses at 901 Kennedy Road in Scarborough. Unfortunately I will be out of town on May 2nd and will not be able to attend. I have attached the neighbourhood concerns to be entered into the minutes of the meeting.

Please notify me of any amendments to the proposed official plan and zoning by-law amendments.

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As a follow up to the community meeting on March 22, 2000, at Goodlad Park Community Centre, re: Zoning Bylaw Amendment Application for 901 Kennedy Road.

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We the owners of 895 Kennedy, as well as other property owners in the area, believe the city plan to construct 43 stacked townhouses has not been reviewed thoroughly enough:

1. Present sewage problems
2. Electrical grid in the area is poor
3. Water pressure is poor
4. Traffic congestion in area is already heavy
5. Parking problem in area and at property location
6. Garbage pick-up at proposed site
7. Education and police fire requirement with closing of schools and your down sizing of city services
8. Environmental impact (where is the study)

I believe we are all in agreement that something has to be done with this property since the city has not over the past few years, as discussed at the general meeting.

Hoping consideration is paid to the above.

Mr. A. Paton, Solicitor for the applicant, appeared before the Community Council in connection with the foregoing matter and in support of the staff recommendations.

**(Clause No. 15, Report No. 5)**

**4.25 Zoning By-Law Amendment Application SC-Z19990041**

**Abramo and Giovanna Deacetis**  
**46 Scarboro Avenue**  
**Highland Creek Community**  
**(Ward 16 – Scarborough Highland Creek)**

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 (March 28, 2000) from the Director of Community Planning, East District, recommending that City Council:

- (A) amend the Highland Creek Community Zoning By-law No. 10827, as amended, with respect to the lands at 46 Scarboro Avenue, being Part of Lot 70, Registered Plan 2098 (Figure 1), by deleting the existing performance standards applicable to these lands and replacing them with the following:
  - (1) One single-family dwelling per parcel of land with a minimum of 13.7 metres (45 feet) frontage on a public street and a minimum lot area of 412 square metres (4,430 square feet), for Parts 1, 2, 3, 5, 6 and 7.



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- (2) One single-family dwelling per parcel of land with a minimum of 15 metres (49.2 feet) frontage on a public street and a minimum lot area of 690 square metres (7,427 square feet), for Part 8.
- (3) Minimum side yards of one metre (3 feet) on one side only except that Part 8 fronting Scarboro Avenue shall have a minimum side yard of one metre (3 feet) from each side.
- (4) Maximum ground floor area of all dwellings of 50 per cent of the lot area.
- (5) A garage with minimum inside dimensions of 2.7 metres by 5.7 metres shall be erected with each dwelling unit.
- (6) Minimum front yard building setback of 5.25 metres (17 feet) from the streetline, except that Part 8 fronting Scarboro Avenue shall have a minimum front yard building setback of 6 metres (19.7 feet) from the streetline.
- (7) Minimum rear yard of 8.25 metres (27 feet) except that Part 8 fronting Scarboro Avenue shall have a minimum rear yard of 7.5 metres (25 feet) plus 60 per cent of lot depth greater than 33.5 metres (110 feet).
- (8) Chimneys, pilasters, projecting columns, balconies, unenclosed porches and canopies shall not project into the required side yard.
- (9) Existing standards with respect to maximum building height, maximum basement height, maximum number of storeys excluding basement, and maximum total floor area per dwelling, shall continue to apply; and

(B) Miscellaneous

authorize such unsubstantive, technical, stylistic or format changes to the Zoning By-law Amendment as may be necessary to give effect to this resolution.

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

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

- Mr. Abramo DeAcetis, the applicant, in support of the staff recommendations;
- Mr. Fred Ho, area resident, expressing concerns respecting the proposed lot

configurations and the impact on the residents of the extension northerly of Starfire Drive; and

- Mr. Loma Sheobaran, area resident, also expressing concerns respecting the impact on existing property owners of the proposed land use intensification.

**(Clause No. 16, Report No. 5)**

**4.26 City-Initiated Official Plan Amendment SW1994073 and Lands in and Abutting East Metro Transportation Corridor Malvern, Rouge and Upper Rouge Communities and Rouge 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 (November 12, 1999) from the Director of Community Planning, East District, recommending that City Council:

(1) Official Plan:

- (a) amend the Rouge Employment District Secondary Plan by deleting the words “in view of special Provincial transportation proposals” from Policy 4.47.2.4;
- (b) amend the Rouge Community Secondary Plan by deleting all references to the EMTC and replacing Numbered Policy 2 with the following:

“2. North Side of Highway 401, East of Conlins Road

If the subject lands are not required for transportation purposes in the future, the land may be used for Low Density Residential purposes without further amendment to this plan.”;

- (c) amend the Malvern Community Secondary Plan by:
  - (i) redesignating the Milne House property and the lands designated as EMTC, save and except for the portion referenced in Clause 1.3.(c)(iii) affected by Numbered Policy 6, as Regional Natural Environment and transferring them to the Upper Rouge Community;

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- (ii) deleting Neighbourhood No. 3 Policy 14.1 and renumbering the remainder of Policy 14;
  - (iii) replacing Numbered Policy 6 with the following:
    - “6. South Side of Old Finch Avenue, west of Sewells Road:  
  
Low Density Residential uses are permitted on these lands unless the privately-owned property is acquired for Rouge Park, in which case a Regional Natural Environment designation will apply and the lands will be incorporated into the Upper Rouge Community without further amendment to this plan.”;
  - (iv) deleting the Special Uses Area designation west of Sewells Road, the Temporary Connection designation for Old Finch Avenue, and the Neighbourhood Park designation within the former EMTC;
  - (d) amend the Upper Rouge Community Secondary Plan by incorporating the lands referenced in Clause 1(c) above;
- (2) authorize such unsubstantive technical, stylistic or format changes to the Official Plan as may be necessary to give effect to this resolution; and
  - (3) request the Ministry of Municipal Affairs and Housing to now repeal Minister’s Zoning Order 20/74 as it applies to lands within the City of Toronto.

The Community Council also had before it the following reports:

(November 26, 1999) from the Director of Community Planning, East District, advising of the concerns of the Ministry of Municipal Affairs with respect to the aforementioned proposed City-initiated Official Plan amendments and recommending that this report be received for information;

(February 1, 2000) from the Chief Financial Officer and Treasurer, responding to Community Council’s request and advising of the balance in the Beare Road Account;

- A. Councillor Cho moved that the aforementioned reports be deferred to the next meeting of Scarborough Community Council to be held on May 23, 2000.
- B. Councillor Moeser moved that the East Metro Transportation Corridor lands be designated “Regional Natural Environment”.
- C. Councillor Balkissoon moved that the Scarborough Community Council recommend to City Council the adoption of the aforementioned report

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(November 12, 1999) from the Director of Community Planning, East District, subject to recommendations (1)(c) and (d) being replaced with the following:

- “(c) amend the Malvern Community Secondary Plan by:
- (i) redesignating the Milne House property and the lands designated as EMCT as Regional Natural Environment and transferring them to the Upper Rouge Community;
  - (ii) deleting Neighbourhood No. 3 Policy 14.1 and renumbering the remainder of Policy 14;
  - (iii) replacing Numbered Policy 6 with the following:
    - ‘6. South Side of Old Finch Avenue, west of Sewells Road and east of the former EMTC
    - Low Density Residential uses may be developed on these lands unless the privately-owned property is acquired for Rouge Park, in which case a Regional Natural Environment designation will apply and the lands will be incorporated into the Upper Rouge Community without further amendment to this plan.’;
  - (iv) deleting the Special Uses Area designation west of Sewells Road, the Temporary Connection designation for Old Finch Avenue, and the Neighbourhood Park designation within the former EMTC;
- (d) amend the Upper Rouge Community Secondary Plan by incorporating the lands referenced in Clause 1(c)(i) above;”.

Upon the adoption of Motion A. by Councillor Cho, a recorded vote was taken, as follows:

Yeas: Councillors Cho, Moeser –2

Nays: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Duguid, Kelly, Shaw, Soknacki, Tzekas –9

Defeated in a majority of 7.

Upon the question of the adoption of Motion B. by Councillor Moeser, a recorded vote was taken, as follows:

Yeas: Councillors Cho, Moeser –2

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Nays: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Duguid, Kelly, Shaw, Soknacki, Tzekas –9

Defeated in a majority of 7.

Upon the question of the adoption of Motion C. by Councillor Balkissoon, a recorded vote was taken, as follows:

Yeas: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Duguid, Kelly, Shaw, Soknacki, Tzekas –9

Nays: Councilors Cho, Moeser –2

Decided in the affirmative by a majority of 7.

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

- Mr. Glenn De Baeremaeker, President, Save the Rouge Valley System; and
- Mr. Jim Robb, Friends of the Rouge Watershed;

both in support of designating these lands “Regional Natural Environment”.

**(Clause No. 17, Report No. 5)**

**4.27 Preliminary Evaluation Report  
Zoning By-law Amendment Application SC-Z19990045  
Draft Plan of Subdivision SC-T19990014  
Anndale Properties Limited  
South of Old Finch Avenue, East of EMTC Corridor  
(Ward 18 – Scarborough Malvern)**

The Community Council had before it a report (November 25, 1999) from the Director of Community Planning, East District:

- (1) that Community Council direct the Director of Community Planning, East District, to:
  - (a) process the applications by Anndale Properties Limited in the normal manner;
  - (b) schedule a community information meeting in consultation with the Ward Councillors, for the first quarter of 2000; and

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- (2) that City Council request the Province of Ontario to consider the acquisition of the Anndale lands and their conveyance to the Toronto and Region Conservation Authority as part of the Rouge Park.
- A. Councillor Cho moved that the aforementioned report be deferred to the next meeting of Scarborough Community Council to be held on May 23, 2000.
- B. Councillor Moeser moved that the Anndale lands be designated "Regional Natural Environment".
- C. Councillor Balkissoon moved that Scarborough Community Council recommend to City Council the adoption of the aforementioned report.

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

Yeas: Councillors Cho, Moeser -2

Nays: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Duguid, Kelly, Shaw, Soknacki, Tzekas -9

Defeated in a majority of 7.

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

Yeas: Councillors Cho, Moeser -2

Nays: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Duguid, Kelly, Shaw, Soknacki, Tzekas -9

Defeated in a majority of 7.

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

Yeas: Councillors Altobello, Ashton, Balkissoon, Beraardinetti, Duguid, Kelly, Shaw, Soknacki, Tzekas -9

Nays: Councillors Cho, Moeser -2

Decided in the affirmative by a majority of 7.

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

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- Mr. Ron Kanter, Solicitor for Anndale Properties Limited, in support of the staff recommendations to proceed on this application. A copy of a communication (May 1, 2000) from Mr. Kanter in this regard was provided to all Members of Community Council and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre;
- Mr. Glenn De Baeremaeker, President, Save the Rouge Valley System; and
- Mr. Jim Robb, Friends of the Rouge Watershed;

both in support of designating these lands “Regional Natural Environment”.

The Scarborough Community Council also received a communication (May 1, 2000) from Mr. Don Sinclair, Director of Development Law, York Region, expressing the view that consideration of the aforementioned application is premature pending the Ontario Municipal Board’s consideration of Official Plan Amendment No. 722; a copy of which was provided to all Members of Community Council and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre.

**(Clause No. 18, Report No. 5)**

**4.28 Official Plan Amendment Application SC-P19990011  
Village Securities Ltd., c/o Neamsby Investments Inc.  
Morningside Heights Community  
(Formerly Tapscott Employment District)  
(Ward 18 – Scarborough Malvern)**

The Community Council conducted a statutory public meeting, respecting the Official Plan Amendment Application SC-P19990011 by Village Securities Ltd., 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 27, 2000) from the Director of Community Planning, East District, recommending that City Council:

**(A) OFFICIAL PLAN AMENDMENT:**

- (1) amend the Morningside Heights Community Secondary Plan with respect to the properties bounded by the Ontario Hydro corridor to the north and south and the Rouge River to the east, as shown on Figure 4, by:
  - (a) deleting part of the land use designation, “OS – Open Space” and substituting this with the following land use designations, “LD – Residential-Low Density”, “MD – Residential-Medium Density” and “P – Open Space”; and

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- (2) Support any unsubstantive, technical, stylistic or format changes to the official plan amendment to properly carry out these recommendations.

(B) ZONING BY-LAW

- (1) Direct Urban Development Service staff to bring forward an implementing zoning by-law following a final and binding decision by the Ontario Municipal Board with respect to the following subdivision applications:

SC-T1999003 - Village Securities Ltd.

SC-T1999006 - 554056 Ontario Limited

SC-T1999007 - Silvercore Properties Inc.

SC-T1999008 - M & R Holdings

SC-T1999009 - Mattamy (Neilson) Limited  
(successors in title to The Neilson Development Corporation)

SC-T1999010 - Mattamy (Staines) Limited  
(successors in title to The Staines Development Corporation)

SC-T1999015 - 1385917 Ontario Limited and

SC-T1999016 - Trans-Gate Inc.

(Note: The Zoning By-law shall contain provisions prohibiting use of the Morningside Tributary corridor, Neilson and Pitchfork corridors and the Rouge River top-of-bank for buildings or active recreational uses. The subject properties shall be zoned in accordance with the uses proposed on the draft plans of subdivision prior to the registration of the plans of subdivisions); and

- (2) Support any unsubstantive, technical, stylistic or format changes to the By-law to properly carry out these recommendations.

(C) DRAFT PLANS OF SUBDIVISION

- (1) Recommend deferral of draft approval for subdivision:

SC-T1999003 -Village Securities Ltd. until such time as a decision by the Ontario Municipal Board becomes final and binding with respect to the following subdivision applications:

SC-T1999006 - 554056 Ontario Limited



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SC-T1999007 - Silvercore Properties Inc.

SC-T1999008 - M & R Holdings

SC-T1999009 - Mattamy (Neilson) Limited  
(successors in title to The Neilson Development Corporation)

SC-T1999010 - Mattamy (Staines) Limited  
(successors in title to The Staines Development Corporation)

SC-T1999015 - 1385917 Ontario Limited and

SC-T1999016 - Trans-Gate Inc.

- (2) Adopt, in principle, the interim conditions of draft approval, as set out below, for SC-T1999003 - Village Securities Ltd.;
- (3) Direct Urban Development Services staff to bring forward these interim conditions of draft approval to Council, along with any necessary modifications or additions arising from the Ontario Municipal Board's decision, as the recommended draft conditions of approval for SC-T1999003 - Village Securities Ltd.;
- (4) Authorize Corporate Services, Legal Services Division to enter into appropriate Agreements required to develop the plans of subdivision SC-T1999003 - Village Securities Ltd. SC-T1999006 - 554056 Ontario Limited, SC-T1999007 - Silvercore Properties Inc., SC-T1999008 - M & R Holdings, SC-T1999009 -Mattamy (Neilson) Limited (successors in title to The Neilson Development Corporation), SC-T1999010 - Mattamy (Staines) Limited (successors in title to The Staines Development Corporation), SC-T19990151385917 Ontario Limited and SC-T1999016 - Trans-Gate Inc. and to authorize the Commissioner of Works and Emergency Services to implement all relevant operating Agreements;
- (5) Authorise the Corporate Services, Legal Services Division to secure bicycle and trail system rights over the Ontario Hydro Corridor; and
- (6) Support approval of the following Draft Plans of Subdivision, as per Figures 3, stamped April 26, 2000:

SC-T1999006 - 554056 Ontario Limited

SC-T1999007 - Silvercore Properties Inc.

SC-T1999008 - M & R Holdings

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- SC-T1999009 - Mattamy (Neilson) Limited  
(successors in title to The Neilson Development Corporation)  
SC-T1999010 - Mattamy (Staines) Limited  
(successors in title to The Staines Development Corporation)
- SC-T1999015 - 1385917 Ontario Limited and
- SC-T1999016 - Trans-Gate Inc.

subject to the following conditions, which are applicable to all draft plans of subdivision. Except as otherwise noted, these conditions must be fulfilled prior to release by the City of Toronto of the plans of subdivision for registration or any phase thereof of registration.

NOTE: These conditions also apply to SC-T1999003 - Village Securities Ltd.

- 6.1 A Joint Cost Sharing Agreement shall be executed by all Owners in conjunction with the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services and satisfactory to the City Solicitor regarding all cost sharing for the development of the plans of subdivision. This Joint Cost Sharing Agreement shall protect the City of Toronto in the case of the default or non-performance of one or more of the Owners that will require the other Owners to fulfil the requirements of the defaulting or non-performing Owner or Owners.
- 6.2 The Owners shall make arrangements regarding supplying adequate trunk/core services as deemed necessary by the Commissioner of Works and Emergency Services to service the plans of subdivision and to ensure the orderly development of the subdivisions satisfactory to the Commissioner of Works and Emergency Services. These core services include, but are not necessarily limited to, the following:
- (i) The construction of the Neilson Road grade separation at the Canadian Pacific Railway Havelock line to an operational level satisfactory to the Commissioner of Works and Emergency Services.
  - (ii) Operational trunk watermain looping through the neighbourhood, between Neilson Road on the west, to north of the HEPC corridor lands, to Staines Road and south to Morningside Avenue, south of the Canadian Pacific Railway Belleville Line.
  - (iii) The construction of an operational secured storm drainage outlet to the Morningside Tributary, including all storm water management

- related issues to service the entire neighbourhood community of Morningside Heights.
- (iv) The construction of the extension of the sanitary trunk sewer from Staines Road to the north west corner of the community at Passmore Road and the Canadian Pacific Rail Havelock Line.
  - (v) Supplying a fully serviced operational road linkage between Neilson Road and Staines Road to the east, north of the HEPC corridor and south to the existing Morningside Avenue north of the Canadian Pacific Rail Belleville line.
- 6.3 The Owners shall enter into the appropriate Subdivision Agreements with the City of Toronto.
- 6.4 The Owners shall grant such easements as may be required for utilities, drainage and servicing purposes to the appropriate authorities.
- 6.5 The Owners shall obtain approval of all the necessary grading plans from the Commissioner of Works and Emergency Services and the Commissioner of Economic Development, Culture and Tourism.
- 6.6 The Owners shall enter into an Agreement with Toronto Hydro for the installation of an underground hydro and streetlighting system.
- 6.7 The Owners shall construct the plans of subdivision in accordance with the final and approved Master Environmental Servicing Plan (MESP) and the Master Open Space Trail Plan by Schaeffer & Associates Ltd. These works shall be in accordance with an approved phasing and implementation strategy prepared by the Owners, both completed satisfactory to the Toronto and Region Conservation Authority and the Commissioner of Works and Emergency Services. The submission and approval of an implementation strategy of the works required by the Master Environmental Servicing Plan shall include the following satisfactory to the Toronto and Region Conservation Authority and the Commissioner of Works and Emergency Services:
- (i) provisions for contract management and project administration which will include the issuance of permits under Ontario Regulation 158 among other matters;
  - (ii) a construction phasing and scheduling program that sets out servicing requirements and other site preparations in relation to timing and phasing of the tableland development; and
  - (iii) a construction program that minimizes the need for modified, interim strategies on a site specific basis.

- 6.8 The Owners shall obtain all permits required under Ontario Regulation 158 from the Toronto Region Conservation Authority and particularly for the proposed channel realignment and stream crossings prior to approval of the engineering designs by the Commissioner of Works and Emergency Services or any phase thereof. (Note: All works must be undertaken within the time period for construction prescribed by the Ministry of Natural Resources).
- 6.9 Prior to approval of the engineering designs by the Commissioner of Works and Emergency Services or any on-site grading, the Owners shall provide report(s) for the review and approval of the Toronto and Region Conservation Authority and the Commissioner of Works and Emergency Services describing the storm drainage system for the proposed development as follows:
- (i) the manner in which stormwater will be conveyed, including how each subdivision ties into existing development and how it conforms with the Master Environmental Servicing Plan being prepared by Schaeffer & Associates Ltd.;
  - (ii) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to ensure no negative impact on the quality and quantity of ground and source water resources;
  - (iii) the location and description of all outlets and other facilities which may require permits under provincial regulations;

The plans shall be redlined revised to accommodate the requirements of the Stormwater Management Reports, MESP and Master Open Space Trail Plan satisfactory to the Commissioner of Works and Emergency Services, the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Urban Development Services.

- 6.10 The Owners shall submit Hydrogeological reports satisfactory to the Toronto and Region Conservation Authority and the Commissioner of Works and Emergency Services demonstrating and addressing treatment of shallow subsurface flows during and after construction.
- 6.11 (i) The Owners shall convey open space and valleylands to an appropriate public agency for nominal consideration satisfactory to the City of Toronto and the Toronto and Region Conservation Authority.
- (ii) Open space and valleylands shall be conveyed in a condition satisfactory to the City of Toronto and the Toronto and Region Conservation Authority.

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- (iii) The Owners shall enter into an Agreement with the Toronto and Region Authority and the City of Toronto with respect to maintenance of the stream corridor and woodlots as required by the Commissioner of Economic Development, Culture and Tourism.
- 6.12 The Owners shall provide detailed planting and restoration plans for all woodlots satisfactory to the Toronto and Region Conservation Authority, the Commissioner of Works and Emergency Services and the Commissioner of Economic Development, Culture and Tourism prior to or in conjunction with engineering design approvals for development of abutting lands. These plans must include proposed method(s) of interior forest enhancement on the subject lands along with other works (additional valleyland and tableland plantings).
- 6.13 The Owners shall provide edge management plans for all areas adjacent to defined woodlands and include recommendations dealing with grading, fencing and access satisfactory to the Toronto and Region Conservation Authority and the City of Toronto.
- 6.14 The Owners shall ensure that the works proposed within the open space valley corridors associated with the Rouge River, Morningside Tributary and Neilson Tributary shall be consistent with the goals and objectives of the Rouge Park Management Plan satisfactory to the Toronto and Region Conservation Authority and the Commissioner of Works and Emergency Services in consultation with the Commissioner of Economic Development, Culture and Tourism.
- 6.15 The Owners shall forward copies of the subdivision agreements for each and any phase of the development to the Toronto and Region Conservation Authority and shall agree in the subdivision agreement(s), in wording acceptable to the Authority:
- (i) to obtain all necessary permits referred to in condition 6.7 above;
  - (ii) to cause to be carried out works referred to in condition 6.9 above ;
  - (iii) to maintain all storm water management and erosion and sediment control structures operating and in good repair during the construction period in a manner satisfactory to the Toronto and Region Conservation Authority; and
  - (iv) to erect chain link fencing at the edge of the stream corridor and at the perimeter of the woodlands to the satisfaction of the Toronto and Region Conservation Authority.
- 6.16 The Owners shall obtain approval of the Ministry of Citizenship, Culture and Recreation of archaeological assessments for the subject properties and mitigate, through preservation or resource removal and

documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject properties prior to the City of Toronto and the Ministry of Citizenship, Culture and Recreation confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

- 6.17 The Owners shall agree, in the Subdivision Agreements, to include in all offers of purchase and sale or lease, the following warning clause for a period of 10 years after registration of the subdivision plan:

“Until adequate funds are available for the construction of local school facilities, accommodation will be provided at facilities outside of the area. If bussing is provided by the Toronto District School Board, children will not be bussed from home to school and/or from school to home, but will meet the bus at designated locations in the area.”

- 6.18 The Owners shall agree that a clause be included in the Subdivision Agreement prohibiting the stockpiling of any soils or materials on blocks identified as school sites.
- 6.19 The Owners shall obtain written approval of the Toronto and Region Conservation Authority and the Ontario Hydro Services Company regarding storm drainage, storm water management facilities and outfall designs prior to approval of engineering designs by the Commissioner of Works and Emergency Services.
- 6.20 The Owners shall make satisfactory arrangements with the City of Toronto and the Railway regarding the Finch Avenue and the Morningside Avenue grade separation and road improvements.
- 6.21 The Owners shall make satisfactory arrangements with the City of Toronto and the Railway regarding the construction of the Neilson Road grade separation. The Owners shall provide the necessary lands and bear the full cost of constructing the Neilson grade separation.
- 6.22 The Owners shall make satisfactory arrangements with the City of Toronto regarding intersection and/or road improvements as deemed necessary by the Commissioner of Works and Emergency Services to service the plans of subdivision.
- 6.23 The Owners shall obtain written approval of the Toronto Region and Conservation Authority and Ontario Hydro Services Company for those stormwater management facility designs associated to properties abutting these facilities and the watercourse open space lands, prior to the

Commissioner of Works and Emergency Services approving any Lot Grading and House Siting Control plans.

- 6.24 The Owners shall obtain written approval from the Ontario Hydro Services Company that the storm water management facilities have been constructed to their satisfaction prior to the City of Toronto assuming these facilities.
- 6.25 The Owners shall ensure that all yards abutting all watercourse lands, open space, Ontario Hydro Corridor lands, parkland and woodlots are fenced with a 1.8 metres (6 feet) high black vinyl chainlink fence to City of Toronto standards satisfactory to the Commissioner of Works and Emergency Services, the Commissioner of Economic Development, Culture and Tourism and the Toronto and Region Conservation Authority.
- 6.26 The Owners shall obtain all necessary easements and/or permits from the various authorities, Toronto Region and Conservation Authority, CPR, Ontario Hydro Services Company and Pipe Line Companies as required by these agencies to secure drainage design satisfactory to the Commissioner of Works and Emergency Services.
- 6.27 The Owners shall secure and undertake necessary downstream improvements to the Morningside Tributary of the Rouge River for the lands south of the CPR Belleville line and Old Finch Avenue satisfactory to the Commissioner of Works and Emergency Services.
- 6.28 (a) The Owners shall revise the draft plans of subdivision so that all local double loaded street rights-of-way shall be a minimum of 18.5 metres (61 feet) width and that all single loaded street rights-of-way shall be a minimum of 16.5 metres (54 feet) width.
- (b) The Owners shall also revise the draft plans of subdivision to accommodate the rights-of-ways and as follows:
- (i) Lanes BB, BC, BD and BE shall have rights-of-way of 8 metres (26 feet) width;
  - (ii) Streets D, E, AJ, AT, AU, H (from Street B to Street J), U, S, K (from Street G to Street J), M (from Street G to Street L), AB (from Street B to Street AA) AD (from Staines Road to Street AE) shall have rights-of-way of 20 metres (66 feet) width; and
  - (iii) Street F, Staines Road, Street B (from Staines Road to Street G), Street G (from Street B to Street H) shall have rights-of-way of 21 metres (69 feet) width.

- (c) The Owners shall revise the draft plans of subdivision to ensure that Streets B and G (beyond Streets G and H) require transition tapers from 30 metres (100 feet) to 21 metres (69 feet) satisfactory to the Commissioner of Works and Emergency Services.
- 6.29 The Owners shall make satisfactory arrangements with the City of Toronto regarding the acquisition and/or closure and/or reconstruction of the alignment of Staines Road, Neilson Road, Morningside Avenue, Passmore Avenue and Finch Avenue.
- 6.30 The Owners shall enter into the Ontario Hydro and/or appropriate Pipe Line Company Standard Easement Documents and/or CP Railway Agreements satisfactory to the Commissioner of Works and Emergency Services.
- 6.31 The Owners shall ensure that parkland dedication and timing of parkland dedication to the City of Toronto for each of the plans of subdivision are satisfactory to the Commissioner of Economic Development, Culture and Tourism. The statutory 5% parkland requirement shall be met over the combined area of the plans of subdivision.
- 6.32 Final location, configuration and development of all parkland fulfilling the statutory parkland dedication, to be conveyed to the City of Toronto, shall be free and clear, above and below grade of all easements, encumbrances and encroachments, satisfactory to the Commissioner of Economic Development, Culture and Tourism.
- 6.33 That, prior to dedication of the parkland, the Owners shall be responsible for an Environmental Assessment of the lands to be conveyed as parkland to the City and any associated costs or remediation works required as a result of that assessment. Such assessment or remediation shall ensure the lands for parkland dedication, at the time of dedication, will meet all applicable laws, regulations and guidelines respecting sites to be used for public park purposes, including City Council policies respecting soil remediation of sites to be acquired by the City. The Environmental Assessment shall be prepared by a qualified environmental consultant acceptable to the Commissioner of Economic Development, Culture and Tourism.
- 6.34 The Owners shall provide, satisfactory to the City Solicitor, all legal descriptions and applicable reference plans of survey for the parkland dedication lands.
- 6.35 The Owners shall be responsible for the following base park improvements of those lands to be dedicated as park:



- (i) grading, sodding and fencing (inclusive of topsoil supply and placement);
- (ii) all necessary drainage systems;
- (iii) electrical and water connections to the street line; and
- (iv) street trees and other plantings shall be provided by the Owners along all public road allowances abutting City owned parkland.

The above noted works shall be completed satisfactory to the Commissioner of Economic Development, Culture and Tourism in consultation with the Commissioner of Works and Emergency Services. Timing and installation of fencing will be determined prior to registration of the plans of subdivision. No credit shall be given towards the Parks and Recreation component of the Development Charges for the costs associated with the above noted works.

- 6.36 The Owners shall make arrangements for timing and amount of Letters of Credit for base park installation, parkland improvements and boulevard trees and other plantings that permits the rotation of Letters of Credit satisfactory to the Commissioner of Economic Development, Culture and Tourism.
- 6.37 The Owners shall be responsible for the design, construction and installation of all park land improvements, above and beyond the base park improvements (as noted in Condition No. 38) satisfactory to the Commissioner of Economic Development, Culture and Tourism in consultation with the Commissioner of Works and Emergency Services. The Owners shall be entitled to a credit against the Parks and Recreation Service component of the development charges for these improvement up to the total amount of the development charge payable for that service component.
- 6.38 The Owners shall make satisfactory arrangement with the City of Toronto to permit the City to obtain an option to purchase the Block 406 (in the Mattamy (Staines) Limited plan of subdivision) and 866 (in the 554056 Ontario Limited plan of subdivision) reserved for elementary school purposes in the event that the Toronto District Separate School Board or the Toronto District School Board do not exercise their options to purchase these sites. The option to purchase shall be satisfactory to the City Solicitor in consultation with the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services.

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- 6.39 Subject to the terms of an Occupancy Permit, the parkland sites shall be made available to the Owners for use as an interim construction staging area.
- 6.40 Final design and programming of all parkland conveyed to the City of Toronto shall be at the discretion of the Commissioner of Economic Development, Culture and Tourism in consultation with the Commissioner of Works and Emergency Services.
- 6.41 The Owners shall contribute \$50,000 towards a Recreational Impact Assessment, which will be administered by the Economic Development Culture and Tourism Department.
- 6.42 All plans for re-naturalization of the top-of-bank feature or the Morningside Tributary Valley System shall be completed satisfactory to the Commissioner of Economic Development Culture and Tourism in consultation with the Commissioner of Works and Emergency Services.
- 6.43 Final details of the trails in the Morningside, Neilson and Pitchfork Tributaries and along the top-of-bank setback area shall be completed satisfactory to the Commissioner of Economic Development Culture and Tourism and the Toronto Region Conservation Authority prior to final approval of engineering designs by the Commissioner of Works and Emergency Services.
- 6.44 The Owners shall secure an agreement with Ontario Hydro Services Company regarding the use of the Ontario Hydro Services Company corridor for a bike trail, running east and west from the Morningside Avenue Extension prior to the registration of the plans of subdivision.
- 6.45 Prior to the issuance of the first building permit, the Owners shall provide plans showing the itemised methods of protecting trees during construction beside and around woodlots in order to minimize impacts on trees being retained. The plan shall be completed satisfactory to the Commissioner of Economic Development, Culture and Tourism in consultation with the Commissioner of Works and Emergency Services.
- 6.46 Prior to approval by the Commissioner of Works and Emergency Services of municipal servicing, the Owners shall provide vegetation management plans that shall include the identification of certain areas that require immediate silvicultural management, and recommendation of proposed management methods, including:
- (i) areas that are changing in their site use;
  - (ii) areas that will be disturbed by development;

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- (iii) areas of high priority for invasive species management;
  - (iv) areas of identified rare species that may be under threat due to changing site use, due to invasive plants or due to changing ecological conditions; and
  - (v) areas of hazard tree management areas where changes to moisture gradients will result from development.
- 6.47 The Owners shall provide detailed plans and Arborist Reports, which shall be prepared by a certified or registered consulting arborist or registered professional forester. These reports and plans shall indicate location of existing trees that meet the criteria of the Tree Protection and Conservation By-law No. 25150 and shall be prepared in consultation with the Commissioner of Works and Emergency Services, at no cost to the City, prior to the approval of engineering designs by the Commissioner of Works and Emergency Services.
- 6.48 The Owners shall provide planting plans or landscape plans satisfactory to the Commissioner of Economic Development, Culture and Tourism that indicates the species, size, and location of all proposed boulevard trees and other plantings, and location of any roads, sidewalks, driveways, streetlines and utilities prior to the approval of engineering designs by the Commissioner of Works and Emergency Services.
- 6.49 The Owners shall make satisfactory arrangements regarding boulevard street plantings and associated plantings with the Commissioner of Works and Emergency Services Department and the Commissioner of Economic Development, Tourism and Recreation. as per the approved planting plans or landscape plans. There shall be a two-year maintenance period, with an annual inspection involving Urban Forestry and the Developer (and their agents). At the end of that period, upon acceptance, the City shall accept maintenance responsibilities, and return the Letter of Credit
- 6.50 The Owners shall agree that wording be added to all Agreements of Purchase and Sale for:
- (i) lots abutting City owned parkland or open spaces maintained by the City that prohibit the installation of any form of screening or fencing along their abutting property lines other than the standard fencing required by the City;
  - (ii) lots abutting City owned parkland or open spaces maintained by the City that prohibit gates or private accesses onto parkland or open spaces; and
  - (iii) lots abutting City owned parkland or open spaces maintained by the City that warn that there may be a trail in the abutting parkland or open spaces.

(NOTE: No wording in any agreement of purchase and sale shall be included to guarantee that there will be one street tree per lot, or words to that effect.)

- 6.51 Bell Canada shall confirm that satisfactory arrangements, financial and otherwise, have been made with Bell Canada for any Bell Canada facilities serving the draft plans of subdivision which are required by the City of Toronto to be installed underground; a copy of such confirmation shall be forwarded to the City of Toronto.
- 6.52 The Owners shall agree, in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services.
- 6.53 The Owners shall ensure that Bell Canada requirements related to one or more conduits of sufficient size from each unit to the electrical room and one or more conduits from the electrical room to street line are secured.
- 6.54 The Owners shall provide easements as required on the plans of subdivision at no cost to Bell Canada. The Owners shall ensure that such easements are registered on title immediately following registration of the final plans of subdivision.
- 6.55 The Owners shall make satisfactory arrangements with the City of Toronto regarding:
- (i) the conveyance to the City of Toronto of all services and easements as required by the Commissioner of Works and Emergency Services; and
  - (ii) the conveyance of all lands to the City of Toronto shall be free and clear, above and below grade, of all easements, encumbrances and encroachments, except those existing already on the lands that are for the benefit of the City of Toronto.
- 6.56 The Owners shall prepare the final plans of subdivision in metric units related to the Ontario Co-Ordinate System and shall submit a digital plan to the Commissioner of Works and Emergency Services.
- 6.57 The Owners shall satisfy all requirements, financial and otherwise, of the Commissioner of Works and Emergency Services including, among other matters, selected inspection fees and the provision of geodetic and aerial surveys.

- 6.58 The Owners shall locate any required acoustical fence(s) satisfactory to the Commissioner of Urban Development Services in consultation with the Commissioner of Works and Emergency Services.
- 6.59 The Owners shall submit and agree in the Subdivision Agreement to administer architectural control guidelines satisfactory to the Commissioner of Urban Development Services. All building plans shall be reviewed and approved by The MBTW Group, or mutually acceptable architect(s), prior to the issuance of building permits by the City of Toronto.
- 6.60 The Owners shall make the necessary red-line changes to the plans of subdivision regarding rights-of-way, corner roundings, sight lines and 0.3 metre (1 foot) reserves satisfactory to the Commissioner of Works and Emergency Services in consultation with the Commissioner of Urban Development Services.

**(7) Conditions pertaining only to SC-T19990003 (Village Securities Ltd.):**

- 7.1 The Owner shall revise the plan of subdivision so that residential lots shall be set back 10 metres from the Trans-Northern Pipelines Inc. right-of-way limit satisfactory to the Trans-Northern Pipelines Inc. and the Commissioner of Urban Development Services. This will avoid fencing within the Trans-Northern Pipelines Inc. right-of-way. Any facility crossings of the Trans-Northern Pipeline shall be designed and implemented in accordance with Section 112 of the National Energy Board Act and with the Pipeline Crossing Regulations, Part I.
- 7.2 The Owner shall be required to provide a letter of approval from the Trans-Northern Pipelines Inc. prior to approval of engineering designs by the Commissioner of Works and Emergency Services.
- 7.3 Those portions of Block 83 and Block 85 as defined by the Commissioner of Economic Development, Culture and Tourism that are not within the 30 metre (100 feet) top-of-bank setback on the plan of subdivision dated June 1, 1999 shall be dedicated, free and clear of all encumbrances, to the City of Toronto as parkland.
- 7.4 The Owners shall ensure that there will be no soil disturbance of any nature within the proposed boundaries of the draft plan of subdivision prior to determining a clear definition of boundaries for AkGT-17 (Archie Little II). The boundary definition for the Ak-Gt-17 (Archie Little II) site shall be established through an archaeological assessment by a licensed archaeological consultant satisfactory to the Ministry of Citizenship, Culture and Recreation.

7.5 The Owner shall enter into an Agreement satisfactory to the Toronto Region Conservation Authority and the City of Toronto regarding the conveyance of the stream corridor and woodlots (that portion of Block 85 within the 30 metre setback to Block 89 inclusive) to an appropriate public agency for a nominal consideration.

8. **Conditions pertaining only to SC-T19990006 (554056 Ontario Limited), SC-T19990007 (Silvercore Properties Inc.) and SC-T19990016 (Trans-Gate Inc.):**

8.1 Berm or combination berm and noise attenuation fence, having extensions or returns at the ends, to be erected prior to occupancy of residential units associated with the berm on the adjoining property, parallel to the railway right-of-way with construction according to the following satisfactory to the Commissioner of Development Services staff in consultation with the Commissioner of Works and Emergency Services:

- (i) Minimum total height of 5.5 metres (18 feet) above the top-of-rail;
- (ii) Berm minimum height of 2.5 metres (8 feet) and side slopes not steeper than 2.5 to 1;
- (iii) Fence, or wall, to be constructed without openings and of a durable material weighing not less than 20 kilograms per square metre (44 pounds per square foot) of surface area; and
- (iv) No part of the berm or noise barrier is to be constructed on railway property.

8.2 The Owner shall bear the full construction costs of the berm, or combination berm and noise attenuation fence satisfactory to the Railway and the Commissioner of Urban Development Services.

8.3 The Owner shall include in all offers of purchase and sale or lease, and have registered on title or included in the lease for each dwelling affected by any noise and vibration attenuation measures, a clause advising that any berm, fencing or vibration isolation features implemented are not to be tampered with or altered, and that the Owner and successors in title shall have the sole responsibility for and shall maintain these features.

8.4 The Owner shall ensure that dwellings be constructed such that the interior noise levels meet the criteria of the appropriate Ministry. A noise study should be carried out by a professional noise consultant to determine what impact, if any, railway noise would have on residents of proposed subdivisions and to recommend mitigation measures, if required in consultation with Works and Emergency Services staff and to the satisfaction of the Railway and the Commissioner of Urban Development Services.

- 8.5 Dwellings shall be set back from the railway right-of-way a minimum 30 metres (100 feet). While no dwelling should be closer to the right-of-way than the specified setback, an unoccupied building, such as a garage, may be built closer in consultation with Works and Emergency Services staff and Urban Development staff. The 2.5 metres (8 feet) high berm adjacent to the right-of-way shall be provided in all instances.
- 8.6 Ground vibration transmission is to be estimated through site tests. If such vibration is in excess of the acceptable levels, all dwellings within 75 metres (246 feet) of the nearest track shall be protected. The measures employed may include, but are not limited to the following:
- (i) support the building on rubber pads between the foundation and the occupied structure so that the maximum vertical natural frequency of the pads is 12 Hz;
  - (ii) insulate the building from the vibration originating at the railway tracks by an intervening discontinuity or by installing adequate insulation outside the building, protected from the compaction that would reduce its effectiveness so that vibration in the building became unacceptable; or
  - (iii) other suitable measures that will retain their effectiveness over time in consultation with Urban Development Services staff.
- 8.7 The Owner shall include in all offers of purchase and sale or lease and in the title deed or lease of each dwelling within 300 metres (984 feet) of the railway right-of-way a warning to prospective purchasers or tenants of the existence of the Canadian Pacific Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansions may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations.
- 8.8 The Owner shall ensure that any proposed alterations to the existing drainage pattern affecting the railway property must receive prior concurrence from the Railway, and be substantiated by a drainage report to be reviewed and approved by the Railway and in consultation with Works and Emergency Services and Urban Development Services staff.
- 8.9 A 1.8 metres (6 feet) high chain-link fence shall be constructed and maintained in consultation with Urban Development Services and Works and Emergency Services staff along the common property line of the Railway and the development by the developer at his expense, and the

developer shall include a covenant running with the lands, in all deeds, obliging the purchasers of the land to maintain the fence in a satisfactory condition at their expense.

- 8.10 Any proposed utilities prior under or over Railway property to serve the development shall be approved by the Railway in consultation with the Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services prior to their installation and be covered by the Railway's standard agreement.
- 8.11 The Owner shall enter into a Development Agreement with Canadian Pacific Railway Company, which addresses the Railway's concerns and will pay all of the Railway's administrative costs.

**(9) Conditions pertaining only to SC-T19990006 (554056 Ontario Limited):**

- 9.1 The Owner shall defer development of Lot 635 to Lot 661 inclusive and Blocks 852 and 854 on Plan SC-T19990006 until the Toronto and Region Conservation Authority staff and Commissioner of Works and Emergency Services are satisfied in consultation with the Commissioner of Economic Development, Culture and Tourism that the stormwater management ponds proposed within the Morningside Tributary corridor can be accommodated.
- 9.2 The Owner shall make arrangements satisfactory to the Toronto District School Board and the Toronto Catholic School Board for the possible acquisition of Block 866 for elementary school purposes.
- 9.3 In the event that Block 866 is conveyed to the Toronto District School Board and the Toronto Catholic School Board, the Owner shall ensure that this block will meet all applicable laws, regulations and guidelines respecting site to be used for school and public park purposes including, City of Toronto and any Ministry policies. Such opinion shall be prepared by a qualified environmental consultant acceptable to the Medical Officer of Health.
- 9.4 That the Owner shall ensure that any clearing, including the removal of any structures or trees and grading of blocks for school purposes be undertaken satisfactory to the Toronto District School Board, the Toronto Catholic School Board, the Commissioner of Urban Development Services, the Commissioner of Works and Emergency Services and the Commissioner of Economic Development, Culture and Tourism.
- 9.5 Issuance of building permits shall be restricted for lots north of Street F off Staines Road until a secondary road access and/or watermain looping



is adequately provided satisfactory to the Commissioner of Works and Emergency Services.

- 9.6 The Owner shall revise the plan of subdivision so that residential lots shall be set back 10 metres from the Trans-Northern Pipelines Inc. right-of-way limit satisfactory to the Trans-Northern Pipelines Inc. and the Commissioner of Urban Development Services. This will avoid fencing within the Trans-Northern Pipelines Inc. right-of-way.
- 9.7 Any facilities crossings of the Trans-Northern Pipeline would have to be designed and implemented in accordance with Section 112 of the National Energy Board Act and with the Pipeline Crossing Regulations, Part I. The Owner shall be required to provide a letter of approval from the Trans-Northern Pipelines Inc. prior to approval of final engineering designs by the Commissioner of Works and Emergency Services.
- 9.8 Block 867 to Block 871 inclusive and Block 876 on the plan of subdivision dated July 9, 1999, shall be dedicated, free and clear of all encumbrances, to the City of Toronto for park purposes.
- 9.9 Block 877 on the plan of subdivision dated July 9, 1999 shall be dedicated to the Toronto and Region Conservation Authority.
- 9.10 The Owner shall revise the draft plan of subdivision to eliminate the turning circle at the intersection of Street A, Street AM, Street D and Street F and replace this road section with a typical 4-leg intersection satisfactory to the Commissioner of Works and Emergency Services.
- 9.11 The Owner shall defer development of Lot 797 to Lot 824 inclusive pending completion of redline changes to the plan satisfactory to the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Urban Development Services.

**(10) Conditions pertaining only to SC-T19990007 (Silvercore Properties Ltd.):**

- 10.1 The Owner shall defer development of Lot 1 to Lot 29 inclusive and Blocks 242 and 254 as shown on the plan of subdivision until the Toronto and Region Conservation Authority staff and Commissioner of Works and Emergency Services are satisfied in consultation with the Commissioner of Economic Development, Culture and Tourism that the stormwater management ponds proposed within the Morningside Tributary corridor can be accommodated.

- 10.2 Block 246 to Block 248 inclusive on the plan of subdivision dated July 9, 1999 shall be dedicated, free and clear of all encumbrances, to the City of Toronto for park purposes.

**(11) Conditions pertaining only to SC-T19990008 (M & R Holdings) and SC-T19990010 (Mattamy (Staines) Limited):**

- 11.1 The Owner shall ensure that dwellings be constructed such that the interior noise levels meet the criteria of the appropriate Ministry. A noise study shall be carried out by a professional noise consultant to determine what impact, if any, railway noise would have on residents of proposed subdivisions and to recommend mitigation measures if required. The Railway may consider other measures recommended by the Study in consultation with the Commissioner of Works and Emergency Services.
- 11.2 The Owner shall include in all offers of purchase and sale or lease and in the title deed or lease of each dwelling within 300 metres (1,000 feet) of the railway right-of-way, a clause warning prospective purchasers or tenants of the existence of the Canadian Pacific Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansions may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations.
- 11.3 The Owner shall enter into a Development Agreement with Canadian Pacific Railway Company, which addresses the Railway's concerns and will pay all of the Railway's administrative costs.

**(12) Conditions pertaining only to SC-T19990008 (M & R Holdings):**

- 12.1 Block 218 to Block 220 inclusive on the plan of subdivision dated July 8, 1999, shall be dedicated, free and clear of all encumbrances, to the City of Toronto for park purposes.

**(13) Conditions pertaining only to SC-T19990009 (Mattamy (Neilson) Limited):**

- 13.1 The Owner shall defer development of Lot 1 to Lot 25 inclusive and Lot 110 to Lot 112 inclusive and portions of Street AM on Plan SC-T19990009 until the Toronto and Region Conservation Authority and Commissioner of Works and Emergency Services are satisfied that the stormwater management ponds proposed within the Morningside Tributary corridor can be accommodated and that the limit of the woodlot

is sufficiently justified satisfactory to the Toronto and Region Conservation and the City of Toronto.

- 13.2 The Owner shall prepare edge management plans satisfactory to the Toronto and Region Conservation Authority and the City of Toronto addressing how the woodlot at the north portion of the site will be protected during and after construction.
- 13.3 Any facilities crossings of the Trans-Northern Pipeline shall have to be designed and implemented in accordance with Section 112 of the National Energy Board Act and with the Pipeline Crossing Regulations, Part I. The Owner shall be required to provide a letter of approval from the Trans-Northern Pipelines Inc. prior to approval of final engineering designs by the Commissioner of Works and Emergency Services.
- 13.4 The Owner shall grant all necessary easements satisfactory to the Trans-Northern Pipelines Inc.
- 13.5 Block 129 on the plan of subdivision dated January 24, 2000, shall be dedicated, free and clear of all encumbrances, to the City of Toronto for parkland.
- 13.6 Block 130 on the plan of subdivision dated January 24, 2000, shall be dedicated to the Toronto and Region Conservation Authority.

**(14) Conditions pertaining only to SC-T19990010 (Mattamy (Staines) Limited):**

- 14.1 The Owner shall make arrangements satisfactory with the Toronto District School Board for Block 406 for elementary school purposes.
- 14.2 In the event that Block 406 is conveyed to the Toronto District School Board, the Owner shall ensure that Block 406 will meet all applicable laws, regulations and guidelines respecting site to be used for school and public park purposes including, City of Toronto and any Ministry policies. Such opinion shall be prepared by a qualified environmental consultant acceptable to the Medical Officer of Health.
- 14.3 The Owner shall ensure that the clearing, including the removal of any structures of trees and grading of blocks for school purposes be undertaken satisfactory to the Toronto District School Board, the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services.
- 14.4 The Owner shall install a 1.8 metres (6 foot) City of Toronto standard chainlink fence satisfactory to the Commissioner of Works and

Emergency Services along the Lane abutting Lot 286, Lot 287, Lot 302 and Lot 303.

- 14.5 The Owner shall defer development of those lots south of Street O, north of the southern limit of Block 477, east of Block 472 and west of the Block 478 pending the completion of redline changes to the plan of subdivision to include a linear open space block abutting single loaded, one-way streets. Such redline changes shall be satisfactory to the Commissioner of Economic Development, Culture and Tourism in consultation with the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services.
- 14.6 The Owner shall defer development of Lots 180 to Lot 186 inclusive, Lots 194 to Lot 204 inclusive pending the completion of redline changes to the plan of subdivision satisfactory to the Commissioner of Economic Development, Culture and Tourism in consultation with the Commissioner of Urban Development Services.
- 14.7 Block 472 on the plan of subdivision dated February 2, 2000, shall be dedicated, free and clear of all encumbrances to the City of Toronto for parkland.
- 14.8 The Owner shall reserve lands within the Business Park on the south-west corner of Street B and the proposed Morningside Avenue extension satisfactory to the Chief General Manager or Manager of Service Planning of the Toronto Transit Commission for a future bus loop.
- 14.9 The Owners shall make satisfactory arrangements with the Toronto Transit Commission in consultation with the City of Toronto regarding the funding and construction of the proposed bus loop to be located on the south-west corner of Street B and the proposed Morningside Avenue extension.
- 14.10 The Owner shall defer development of Blocks 456, 457, 458, 459, 468, Street B (from the possible Finch Avenue extension to Street X), Lane BD and Lane BE and that portion of Street B and the proposed Morningside Avenue extension satisfactory to the Commissioner of Works and Emergency Services pending the completion of the Morningside Avenue and Finch Avenue Class Environmental Assessment satisfactory to the Commissioner of Works and Emergency Services in consultation with the Commissioner of Urban Development Services.
- 14.11 The Owner shall defer development of Los 64 to Lot 68 inclusive, Block 462 and Block 459 until the Toronto and Region Conservation Authority and the Commissioner of Economic Development, Culture and Tourism

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staff are satisfied that the storm water management ponds proposed within the stream corridor can be accommodated.

- (15) Direct Urban Development Services staff to report back to Council for further direction if ongoing negotiations on outstanding matters as outlined in this report are unsuccessful.
- A. Councillor Cho moved that Scarborough Community Council defer consideration of the Village Securities Application to the meeting of the Scarborough Community Council scheduled to be held on June 20, 2000.
- B. Councillor Soknacki moved that Scarborough Community Council recommend to City Council the adoption of the Official Plan Amendment Application SC-P19990011 by Village Securities Ltd. as recommended in the report (April 27, 2000) from the Director of Community Planning, East District.

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

Yeas: Councillor Cho –1

Nays: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Duguid, Kelly, Mahood, Shaw, Soknacki, Tzekas –10

Defeated in a majority of 9.

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

Yeas: Councillors Balkissoon, Berardinetti, Duguid, Kelly, Mahood, Soknacki, Tzekas –7

Nays: Councillor Cho –1

Decided in the affirmative by a majority of 6.

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

- Mr. Lorne Ross, Lorne Ross Planning Services Inc., representing Village Securities Ltd., requesting that Community Council recommend to City Council the adoption of his client's Official Plan Amendment Application and not include this matter in any deferral of the other applications included in the staff report;

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- Mr. Jim Robb, Friends of the Rouge Watershed, in support of the group's position contained in his communication provided hereunder;
- Mr. Glenn De Baeremaeker, President, Save the Rouge Valley System, in support of the SRVS position contained in his communication provided hereunder; and
- Mr. Chris Evans, Toronto resident, requesting that Community Council not recommend approval of the aforementioned application, but defer consideration to provide an opportunity for further comment from the Rouge Park Alliance.

Communication (May 2, 2000) from Glenn De Baeremaeker, President, Save the Rouge Valley System:

Please accept this letter as a request for the Scarborough Community Council to maintain an Open Space designation on the Village Securities property in the Morningside Heights area.

We believe this site should retain its open space designation for several reasons, including:

- (1) A professional biologist testified at the OMB that this parcel should remain as open space. The biologist cited extensive scientific literature regarding the size of wildlife migration corridors required to ensure the continuation of a healthy, functioning wildlife area and testified that the Village Securities property should remain as Open Space. Severing the open space connection between the Rouge River and the Morningside Stream would have negative impacts on the sustainability of wildlife in both river systems and would reverse decades of citizen and government efforts to protect the Rouge Park.
- (2) The two co-chairs of the OMB, after hearing the expert testimony of the biologist, ruled that the site should remain Open Space and removed the proposed residential designation that was submitted to them. While it is true that the Board did rule that it would consider future applications, there has been no planning evidence submitted to the City that would justify why an urban designation meets the requirements of Toronto's Official Plan more than the current designation of Open Space.
- (3) The Rouge Park Alliance unanimously approved a motion stating, "that the Rouge Park Alliance inform the City of Toronto/Scarborough Community Council that it supports retaining that area (Village Securities) as open space, as it is currently shown in the Official Plan" (Res. #29/00). The City of Scarborough has long been at the forefront of protecting the Rouge Park area and should continue to support the efforts of the Rouge Park Alliance in its efforts to protect the largest urban park in Canada.

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We urge Council to add its voice to those supporting the protection of this open space area.

Communication (May 2, 2000) from Jim Robb, Friends of the Rouge Watershed:

Friends of the Rouge Watershed respectfully requests that you:

- Defer consideration of the draft Plan of Subdivision for Morningside Heights pending the satisfactory completion and public review of plans for stormwater management, woodland protection, stream corridor and green space protection and other planning matters;
- Decline the suggested re-designation of the Village Securities properties and retain the existing designation of major Open Space.

Attached please find additional information in support of these requests.

Thank you for your ongoing leadership to protect and enhance the Rouge Park as one of the finest urban wild land parks in North America. Current and future generations will appreciate your leadership and vision.

#### Important Steps before Draft Plan of Subdivision Approval

With respect to our first request, it is premature to approve the draft Plan of Subdivision until:

- the Morningside Tributary Subwatershed Plan has been completed and publicly-reviewed to correct past water quality, flooding and erosion problems, and to prevent the aggravation of these problems;
- the stormwater management agreement between Scarborough and Markham has been re-negotiated to reduce the amount of flood waters coming into Scarborough;
- the Master Servicing Plan referred to in the OMB decision has been finalized with respect to on-site stormwater management, the location of facilities outside of the flood plain, and the protection and enhancement of water quality, stream base flow and habitat for the nationally-vulnerable red-side dace;
- the woodland Edge Management Plan referred to in the OMB decision protects all woodlands and a minimum 10 metre buffer from the drip-line around the woodlands;
- the Morningside Avenue extension is ready to handle the additional traffic;

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- the Village Securities property is protected as an open space corridor for the movement of people and wildlife at the pinch point between the Morningside Tributary and Rouge Valley portions of the Rouge Park;
- the radio-active soil at Neilson and Passmore Roads has been removed from the area or the prospective residents of Morningside Heights are given legal notice of its presence;
- the phasing of school capacity and development have been publicly resolved to prevent overcrowding of Heritage Park, St. Bede and other local schools;
- archaeological studies and direct consultation with First Nations has occurred to understand and protect the rich Native heritage of this area; and
- other planning and environmental matters have been reasonably addressed.

Village Securities Properties should Retain their Open Space Designation

- the 1999 OMB decision retained an open space designation for these lands at the pinch point between the Morningside Tributary and Rouge Valley portions of the Rouge Park;
- the Rouge Park biologist attended the OMB hearing and emphasized the importance of the Village Securities properties as a wildlife and greenspace linkage;
- there are significant archaeological sites and artifacts on the Village Securities property;
- in March of 1999, the RPA placed the Village Securities properties on a priority list for acquisition and the owner (Mr. R. Braddi) has apparently written to the RPA to express a willingness to sell the property;
- despite the clear OMB decision which retained the open space designation for the Village Securities properties, the OPA map (Schedule MH4) produced by Morningside Heights showed these lands as low density residential;
- although they were continuing to work on the file, Toronto Planning staff and the former City of Scarborough Planning Director (now a planning consultant for Morningside Heights and Village Securities) did not notice or report the OPA Map (Schedule MH4) error to the Board;



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- FRW noticed the error in the OPA Map (Schedule MH4) and reported it to the OMB and a corrected Map was released showing the Village Securities property as Open Space; and
- the optics of this situation and the subsequent staff recommendation are not good and they appear contrary to the OMB decision and the interests of the Rouge Park.

**(Clause No. 19, Report No. 5)**

- 4.29. Zoning By-law Amendment Applications SC-Z19990019 and SC-Z19990027 to SC-Z19990031, inclusive, SC-Z1999048 and SC-Z1999049 Draft Plan of Subdivision Applications SC-T19990003 and SC-T1999006 to SC-T19990010, inclusive, SC-T1999015 and SC-T1999016 Village Securities Ltd., c/o Neamsby Investments Inc. 554056 Ontario Limited Silvercore Properties Inc. M & R Holdings The Neilson Development Corporation (Mattamy Development Company) The Staines Development Corporation (Mattamy Development Company) 1385917 Ontario Limited Trans-Gate Inc. Steeles Avenue; Rouge River; CPR Havelock, Belleville and Connector Lines Morningside Heights Community (formerly Tapscott Employment District) and Upper Rouge Community (Ward 18 – Scarborough Malvern)**

The Scarborough Community Council, having regard for the action described in the foregoing Minute Item 4.28 respecting the Official Plan Amendment Application by Village Securities Limited, also had before it the aforementioned applications, as described in Recommendations (B) Zoning By-law, and (C) Draft Plans of Subdivision, embodied in the report (April 27, 2000) of the Director of Community Planning, East District, and the following related reports:

(May 1, 2000) from the Director of Community Planning, East District, recommending minor modifications to certain proposed conditions of draft approval, at the suggestion of the Legal and Works and Emergency Services staff; and

(May 1, 2000) from the Director of Transportation Services, District 4, proposing an alternative alignment for a small portion of Staines Road which would reduce speeds and lessen future traffic infiltration.

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Councillor Cho moved that Scarborough Community Council defer consideration of the aforementioned reports to its meeting scheduled to be held on June 20, 2000, to be considered at 7:30 p.m.

Upon the question that Community Council extend beyond 6:30 p.m. to complete the Agenda, it was carried by a two-thirds vote of the members of Community Council present and voting.

Upon the question of the adoption of Motion A. by Councillor Cho, to consider this matter at 7:30 p.m. on June 20, 2000, the vote was taken, as follows:

Yeas: Councillor Cho –1

Nays: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Duguid, Kelly, Mahood, Shaw, Soknacki, Tzekas –10

Decided in the negative by a majority of 9.

Upon the question that this matter be considered at 10:00 a.m. on June 20, 2000, and the Director submit a new report encompassing all aspects of these applications, the vote was taken, as follows:

Yeas: Councillors Altobello, Ashton, Balkissoon, Cho, Mahood, Soknacki, Tzekas –7

Nays: Councillors Berardinetti, Duguid, Kelly, Shaw -4

Decided in the affirmative by a majority of 3.

By its adoption of the foregoing motion, the Community Council thereby deferred the Public Meeting under The Planning Act on the Zoning By-law Amendment Application by Village Securities Limited.

Councillor Duguid moved that, in the interim, the Director of Community Planning, East District, be requested to meet with the representatives of J & K Shopping Centre Inc., Ipsco Inc. and the environmental groups, and include their concerns in the report to be submitted on June 20, 2000.

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

Yeas: Councillors Altobello, Ashton, Balkissoon, Berardinetti, Cho, Duguid, Kelly, Mahood, Shaw, Soknacki, Tzekas – 11

Nays: Nil

Adopted unanimously by the Members present and voting.

The following persons appeared before the Community Council in connection with the foregoing matter, and speaking to the motion to defer Recommendations (B) and (C):

- Mr. Lorne Ross, Lorne Ross Planning Consultants Inc., representing Village Securities Limited, and voicing no objection to the deferral of Recommendations (B) and (C), provided that Recommendation (A) respecting his clients' Official Plan Amendment application be forwarded to Council for consideration at its next meeting;
- Mr. Michael Bowman, Solicitor, representing Ipsco Inc., advising that he would reluctantly support the deferral motion, given the complexity of the report and the lack of sufficient time for study of its recommendations;
- Mr. Jim Robb, Friends of the Rouge Watershed, in support of the deferral.; and
- Mr. Michael Melling, Solicitor, representing all the applicants, with the exception of Anndale Properties Ltd., in opposition to the deferral.

The Community Council also received communications from:

- Bela and Patricia Kaposi, Toronto;
- Jasvinder Singh, J & K Shopping Center Inc.;
- Steve Goldberger, President, The Aldgate Group; and
- Michael Bowman, Solicitor, representing IPSCO Inc.,

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

**(Clause No. 22(m), Report No. 5)**

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

The Community Council had before it a report (April 17, 2000) from the Director of Community Planning, East District, advising of the new applications received during the five-week period ending April 12, 2000, and recommending that this report be received for information.

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

**(Clause No. 22(e), Report No. 5)**

#### **4.31 Freedom of Information Act**

The Community Council had before it a communication (April 26, 2000) from Councillor Ron Moeser, providing a copy of the communication (March 30, 2000) from the East District Manager, Municipal Licensing and Standards, advising that Scarborough Councillors will no longer be receiving Notices of Violation and other By-law Notification letters as this practice has been deemed a breach of the Freedom of Information Act; and a copy of the e-mail (April 11, 2000) from Councillor Moscoe to the Director, Corporate Access and Privacy, respecting Teela listings, and the Director's response thereto, together with a memorandum (July 5, 1999) from the City Clerk to Councillor Altobello, respecting Mailing Lists and Labels, and requesting that the Community Council consider these matters.

On a motion by Councillor Soknacki, the Scarborough Community Council:

- (1) endorsed the concerns raised by Councillor Moeser; and
- (2) requested City Council to consider these concerns at the same time it considers the Notice of Motion presented to City Council by Councillors Moscoe and Soknacki.

**(Clause No. 22(n), Report No. 5)**

#### **4.32 Harmonization of Fence By-Law**

The Community Council had before it a report (March 23, 2000) from 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.

The Community Council also had before it a report (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.

On a motion by Councillor Balkissoon, the Scarborough Community Council deferred consideration of the aforementioned report to its next meeting scheduled to be held on May 23, 2000.

**(Clause No. 22(h), Report No. 5)**

#### **4.33 Harmonization of the Division Fence By-Law**

The Community Council had before it a report (March 23, 2000) from 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.

On a motion by Councillor Balkissoon, the Scarborough Community Council deferred consideration of the aforementioned report to its next meeting scheduled to be held on May 23, 2000.

**(Clause No. 20(i), Report No. 5)**

#### **4.34 Design Guidelines and Development Standards for Infill Housing**

The Community Council had before it a report (March 10, 2000) from the City Clerk (Planning and Transportation Committee) advising that at the Planning and Transportation Committee Agenda briefing meeting on March 8, 2000, the Chair directed that the communication (February 23, 2000) from the City Clerk forwarding a joint report (January 31, 2000) from the Director, Community Planning, West District, and the Director of Urban Design, entitled: "Design Guidelines and Development Standards for Infill Housing" be forwarded to all Community Councils for consideration and comment thereon to the Planning and Transportation Committee.

On a motion by Councillor Balkissoon, the Scarborough Community Council:

- (1) requested that the Director of Community Planning, East District, submit a report to Community Council at its meeting scheduled to be held on June 20, 2000, outlining the impact on the Scarborough community of the proposed city-wide standards for Infill Housing; and

- (2) directed that the Planning and Transportation Committee be requested to defer its recommendations concerning the city-wide standards until the Scarborough Community Council has considered the impact on the East District and commented thereon to the Planning and Transportation Committee.

**(Clause No. 22(1), Report No. 5)**

#### **4.35 Any Other Matters - Use of Church Buildings**

Councillor Kelly moved that the Director of Parks and Recreation, East District, be requested to report to the Scarborough Community Council on the question of community use of Church buildings and methods of promoting the use of such spaces.

Councillor Kelly, with the permission of Community Council, withdrew his motion, having regard for the advice that City Council, at its meeting to be held on May 9, 2000, will have on its Agenda a Notice of Motion by Councillor Soknacki, seconded by Councillor Ashton, embodied in which will be a similar request.

#### **4.36 Any Other Matters - Berner Trail Community Centre (Ward 18 – Scarborough Malvern)**

The Community Council approved a request by Councillor Balkissoon that the following motion be approved and recommended to City Council for adoption:

WHEREAS a number of meetings have been held with the community being served by the Berner Trail Community Centre to obtain their input on proceeding with the previously approved installation of an elevator; and

WHEREAS the community is supportive of proceeding, subject to their concerns being addressed;

THEREFORE BE IT RESOLVED THAT:

- (1) the Berner Trail Community Centre not be available for rental for private functions at any time;
- (2) the Berner Trail Community Centre not be available for rental for community functions at any time involving liquor; and
- (3) no changes to this policy occur without full consultation with the public and Ward Councillor.

**(Clause No. 20, Report No. 5)**

**4.37 Any Other Matters - Definitions in the Zoning By-laws**

Councillor Tzekas moved that the Director of Community Planning, East District, the Director and Deputy Chief Building Official, East District, in consultation with the Legal Department, report to Scarborough Community Council on:

- (1) the definitions and interpretation of Places of Worship and Day Nurseries, and the related parking standards, to clearly define the permitted uses, including related uses, and the application of the appropriate parking standards; and
- (2) the definitions in the Zoning by-law respecting Places of Worship in all zones and the need to clarify the performance standards specifically identifying “Ancillary Uses” to ensure that the intent of Zoning By-law is interpreted in a consistent and coherent manner.

**(Clause No. 22(o), Report No. 5)**

**4.38 Any Other Matters - Space for Basketball Teams in the East District**

Councillor Tzekas moved that having regard that the creation of a City-wide basketball league results in Scarborough basketball teams having to travel to a downtown location for playing space, that the Director of Parks and Recreation, East District, be directed to obtain designated space in the Scarborough community, preferably in the Wexford area, for “home games” of the East District basketball teams.

**(Clause No. 22(p), Report No. 5)**

Upon the question of the adjournment of the Community Council meeting, the vote was taken, as follows:

Yeas: Councillors Altobello, Balkissoon, Berardinetti, Cho, Duguid, Kelly, Soknacki, Tzekas -8

Nays: Nil

Decided unanimously by the Members present and voting.

The Community Council adjourned its meeting at 7:18 p.m.

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Chair.