

THE CORPORATION OF THE CITY OF TORONTO

Clerk's Department

Minutes of the Scarborough Community Council

Meeting No. 10

Tuesday, November 12, 2002

The Scarborough Community Council met on Tuesday, November 12, 2002, in the Meeting Hall, Scarborough Civic Centre, commencing at 9:35 a.m.

Members present:

	9:35 a.m. - <u>12:05 p.m.</u>	2:19 p.m. - <u>3:16 p.m.</u>
Councillor Ron Moeser, Chair	x	x
Councillor Norm Kelly, Vice Chair	x	x
Councillor Gerry Altobello	x	x
Councillor Brian Ashton	x	x
Councillor Bas Balkissoon	x	x
Councillor Lorenzo Berardinetti	x	x
Councillor Raymond Cho	x	x
Councillor Brad Duguid	x	x
Councillor Sherene Shaw	x	x
Councillor David Soknacki	x	x

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

Declarations of Interest

Councillor Shaw declared an interest in Minute No. 10.21 (McCowan Centre Inc., North-East Corner of McCowan Road and Ellesmere Road) in that her family own property in the vicinity, and took no part in the discussion or vote thereon.

Confirmation of Minutes

On a motion by Councillor Berardinetti, the Minutes of the meeting of the Scarborough Community Council held on October 15, 2002, were confirmed.

**10.1 Year 2002 New Transit Shelter Installation Program
(All Scarborough Wards)**

The Community Council had before it a report (October 28, 2002) from the Director of Transportation Services, District 4, recommending that:

- (1) the proposed new transit shelter locations identified in Tables 1 and 2 of this report, consisting of 10 sites, be approved for installation; and
- (2) the locations identified in Table 3 of this report, consisting of 6 sites, be identified as inappropriate for transit shelter installations and be reconsidered only if and when additional public right-of-way lands become available at these locations.

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

(Clause No. 1, Report No. 10)

**10.2 Cost-Sharing Agreement with CP Rail and CN Rail
Proposed Addition of Safety Warning Gates
CP Rail Crossings on Beare Road and Reesor Road and
CN Rail Crossing on Reesor Road
(Ward 42 – Scarborough Rouge River)**

The Community Council had before it a report (October 23, 2002) from the Director of Transportation Services, District 4, recommending that:

- (1) the City of Toronto enter into a cost-sharing agreement with Canadian Pacific Railway, substantially in the form attached hereto, including the payment of 12.5 percent of the cost of the installation of safety warning gates and approximately 50 percent of the ongoing maintenance costs at the Canadian Pacific Railway Crossing on Beare Road, between Plug Hat Road and Finch Avenue East (Mile 192.48 Belleville Subdivision);
- (2) the City of Toronto enter into a cost-sharing agreement with Canadian Pacific Railway, substantially in the form attached hereto, including the payment of 12.5 percent of the cost of the installation of safety warning gates and approximately 50 percent of the ongoing maintenance costs at the Canadian Pacific Railway Crossing on Reesor Road just south of Passmore Avenue (Mile 193.54 Belleville Subdivision);
- (3) the City of Toronto enter into a cost-sharing agreement with Canadian National Railway Company, substantially in the form attached hereto, including the payment of 12.5 percent of the cost of the installation of safety warning gates and approximately 50 percent of the ongoing maintenance costs at the Canadian

National Railway Crossing on Reesor Road between Old Finch Avenue and the CN Rail crossing south of Passmore Avenue (Mile 7.69 York Subdivision); and

- (4) the appropriate City officials(s) be authorized to take all necessary action, including the execution of the cost-sharing agreements at all of the subject crossing locations.

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

(Clause No. 2, Report No. 10)

**10.3 Traffic Operations Issues on
Sylvan Avenue and Rogate Place in the
Vicinity of Elizabeth Simcoe Junior Public School
(Ward 43 – Scarborough East)**

The Community Council had before it a report (October 23, 2002) from the Director of Transportation Services, District 4, recommending that:

- (1) the parking regulations identified in Appendix 1 of this report be rescinded;
- (2) the parking regulations identified in Appendices 2 and 3 of this report be adopted; and
- (3) the appropriate by-laws 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. 3, Report No. 10)

**10.4 Winter Maintenance Parking Restrictions
(Ward 44 – Scarborough East)**

The Community Council had before it a report (October 23, 2002) from the Director of Transportation Services, District 4, recommending that:

- (1) the parking regulations identified in Appendices 1 and 2 of this report be adopted; and
- (2) the appropriate by-law(s) 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. 4, Report No. 10)

**10.5 Acceptance of Services – Cutterwood Developments Ltd.
915 and 965 Middlefield Road
(Ward 41 – Scarborough Rouge River)**

The Community Council had before it a report (October 16, 2002) from the City Solicitor, recommending that:

- (1) the services installed for the above Development be assumed and the City formally assume the road within the Development;
- (2) Legal Services be authorized to release the performance guarantee in the form of a Letter of Credit, with the exception of a cash settlement in the amount of \$13,500.00, as set out in the attached report; 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 Balkissoon, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 5, Report No. 10)

**10.6 Agincourt Centre Secondary Plan Review – TF W2002 0001
(Wards 39, 40 and 41)**

The Community Council had before it the following reports:

(November 8, 2002) from the Director of Community Planning, East District, recommending that City Council:

- (1) receive this report for information; and
- (2) receive the recommendations in the September 10, 2002 staff report; and

(September 10, 2002) from the Director of Community Planning, East District, recommending that:

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- (1) City Council endorse the key findings of this report and direct staff to prepare an amendment to the Agincourt Centre Secondary Plan which reflects those conclusions; and
 - (2) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act, such meeting to be held in November, 2002.
- A. Councillor Kelly moved that the report (November 8, 2002) from the Director of Community Planning, East District, be amended as follows:
- (1) that recommendation No. (2) be struck out;
 - (2) that the recommendations in the report dated September 10, 2002 be struck out; and
 - (3) that City Council strike out key finding No. 7 and endorse the remaining key findings of the Agincourt Centre Secondary Plan Review as embodied in the report of the Director of Community Planning, East District, dated September 10, 2002, and that such principles form the basis for a further, more expanded study of the Sheppard Avenue Corridor, encompassing such elements as:
 - (a) the widening of Sheppard Avenue;
 - (b) the need for enhanced public transit;
 - (c) improvements to the internal local road network;
 - (d) the aggressive utilization of Section 37; and
 - (e) the importance of mixed land use.

(Carried)

- B. Councillor Shaw moved that the report (November 8, 2002) from the Director of Community Planning, East District, be deferred that:
- (1) staff be directed to consult with the local community about the key findings in the report; and
 - (2) the input from the community be included in the future review and that staff report back to Community Council as soon as possible.

(Lost)

The Community Council, during its consideration of the foregoing matter, also had before it the following communications:

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- (September 17, 2002) from Richard C. Ducharme, Chief General Manager, Toronto Transit Commission, submitting the comments of the TTC respecting the Agincourt Secondary Plan Review and the application by Canderel Stoneridge Equity Group; and
- (November 8, 2002) from N. Jane Pepino, C.M., Q.C., Aird & Berlis, Barristers and Solicitors, requesting deferral of the review.

Mr. Pino Di Mascio, Urban Strategies, on behalf of Canderel Stoneridge Equity Group, appeared before the Community Council in connection with the foregoing matter.

(Clause No. 6, Report No. 10)

**10.7 Request for Direction
Upcoming OMB Hearing
Combined Application TF CMB 2001 0005
Canderel Stoneridge Equity Group, 2055 Kennedy Road
Agincourt Centre
(Wards 39, 40 and 41)**

The Community Council had before it a report (September 10, 2002) from the Director of Community Planning, East District, recommending that the City Solicitor be instructed to appear at the upcoming Ontario Municipal Board hearing in opposition to the applications by Canderel Stoneridge Equity Group to amend the Official Plan and Employment Districts Zoning By-law (South Agincourt).

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

The Community Council, during its consideration of the foregoing matter, also had before it the following communications:

- (November 8, 2002) from N. Jane Pepino, C.M., Q.C., Aird & Berlis, Barristers and Solicitors, representing Canderel Stoneridge Equity Group;
 - (November 11, 2002) from Dan Francey, Senior Project Engineer, GO Transit; and
 - (November 8, 2002) from Chris Lund, General Manager, Delta Toronto East.
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The following persons appeared before the Community Council in connection with the foregoing matter:

- Mr. Pino Di Mascio, Urban Strategies, on behalf of Canderel Stoneridge Equity Group; and
- Mr. Chris Lund, General Manager, Delta Toronto East Hotel.

(Clause No. 7, Report No. 10)

**10.8 Site Plan Control Application TF SPC 2002 0069
Pointe of View Developments Inc.
710 Warden Avenue
(Ward 35 – Scarborough Southwest)**

The Community Council had before it a report (October 28, 2002) from the Director of Community Planning, East District, recommending that Community Council:

- (1) give direction to staff regarding a community consultation meeting on the proposed development;
- (2) direct staff to report back to Community Council on the outcome of the meeting and provide a final recommendation on the application, upon resolution of outstanding matters; and
- (3) identify the source of funding needed to defray the expenses incurred by organizing a community consultation meeting.

Councillor Altobello moved that:

- (1) the Director of Community Planning, East District, be directed to undertake a community consultation meeting with respect to the Site Plan Control Application by Pointe of View Developments Inc.;
- (2) the outcome of this meeting be reported to Community Council, together with a final recommendation on the application, upon resolution of outstanding matters; and
- (3) the cost of conducting the community consultation meeting be borne by the applicant.

(Carried)

(Clause No. 21(a), Report No. 10)

**10.9 Preliminary Evaluation Report
Zoning By-law Amendment Application TF ZBL 2002 0013
Imperial Oil Limited, 1641 Markham Road
Malvern Community (Ward 42 – Scarborough Rouge River)**

The Community Council had before it a report (October 28, 2002) from the Director of Community Planning, East District, recommending that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

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

(Clause No. 21(b), Report No. 10)

10.10 Sheppard Avenue Study (WTF WPS 2002 0004)

The Community Council had before it a report (October 29, 2002) from the Director of Community Planning, East District, responding to a request by Community Council, on a motion by Councillor Ashton made at its meeting held on September 17, 2002, that the Director of Community Planning report to this meeting on the potential for a Sheppard Avenue Study, including the definition of the boundaries and terms of reference; advising that the new Official Plan, the existing Metropolitan Toronto Official Plan and the Agincourt Secondary Plan all call for a review of the Sheppard Avenue corridor; that Planning staff will report further on the nature and timing of such a review, and recommending that this report be received for information.

Councillor Kelly moved that:

- (1) the recommendations in the report (October 29, 2002) from the Director of Community Planning, East District, be struck out; and
- (2) the Commissioner of Urban Development Services be directed to include this study in the Urban Development Services 2003 workplan and 2003 Budget process.

(Carried)

(Clause No. 8, Report No. 10)

**10.11 Phase 4 Scarborough Transportation Corridor
Land Use Study – SC-W19990005
(Ward 36 – Scarborough Southwest)**

The Community Council had before it the following:

(October 29, 2002) report from the Director of Community Planning, East District, responding to City Council's direction at its June 2002 meeting that a further report be submitted to Community Council to be considered in conjunction with the referred back Clause 1, Report No. 5 of the Scarborough Community Council respecting the Phase 4 Scarborough Transportation Corridor Land Use Study, and recommending that Community Council direct staff:

- (1) to circulate a revised land use plan shown as Figure 3 with the Phase 4 STC Land Use Study Discussion Paper considered by Council in June, 2002, to City Departments, agencies, the Scarborough Village South Community Association, and others requesting a copy;
- (2) to convene a Community Information Meeting, in consultation with the Ward Councillor, to update the community on staff discussions and present the revised land use plan and discussion paper; and
- (3) to report further on the comments received through the circulation and the Community Information Meeting; and

(June 21, 2002) communication from the City Clerk, advising that City Council, at its meeting held on June 18, 19 and 20, 2002, struck out and referred back to Community Council, Clause 1 in Report No. 5 of the Scarborough Community Council for further consideration, with the request that the Director of Community Planning, East District, submit a further report to Community Council outlining the outcome of discussions with the General Manager of Shelter, Housing and Support, the Director of Real Estate and the Director of Policy and Planning, Parks Division.

On a motion by Councillor Ashton, the Scarborough Community Council approved the aforementioned report, dated October 29, 2002, from the Director of Community Planning, East District.

(Clause No. 21(c), Report No. 10)

**10.12 Final Report – Removal of a Holding Provision (H)
Bionvest Investments Limited – TF ZBL 2002 0015
Lands North of Borough Drive
South of the Scarborough Centre Rapid Transit Station
(Ward 38 – Scarborough Centre)**

The Community Council had before it a report (October 28, 2002) from the Director of Community Planning, East District, recommending that City Council:

- (1) amend the Zoning By-law to delete the Holding Provision (H) on the subject lands, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 4;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
- (3) before introducing the necessary Bill to City Council for enactment, require the owner to enter into a registered road and servicing agreement which provides for construction by the owner and conveyance to the City of the new public street, including the implementation of streetscape improvements, and all necessary servicing and infrastructure improvements to serve the development.

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

The Community Council, during its consideration of the foregoing matter, also had before it a communication (November 8, 2002) from Guy D'Onofrio, Director of Planning & Government Relations, Bionvest Investments Limited, The Goldman Group, concurring with the comments and conclusions contained in the staff report.

(Clause No. 9, Report No. 10)

**10.13 Limiting Distance Agreement – Terraview Park
Adjacent to 1609 Pharmacy Avenue
(Ward 40 – Scarborough Agincourt)**

The Community Council had before it a report (November 7, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) the City enter into a Limiting Distance Agreement with the property owner(s) at 1609 Pharmacy Avenue for approximately 15.1 m² (162.5 sq. ft.) of Terraview Park located immediately to the south of 1609 Pharmacy Avenue, for the amount of \$1,200.00 and subject to the property owner(s) paying an administration fee of

\$600.00, plus any applicable GST, on such terms and conditions, as are satisfactory to the Commissioner of Economic Development, Culture & Tourism, and in a form and content acceptable to the City Solicitor; and

- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

(Clause No. 10, Report No. 10)

**10.14 Grant of a Permanent Easement to
Enbridge Gas Distribution Inc. over
a Portion of 4362 Sheppard Avenue East
(Ward 41 – Scarborough Rouge River)**

The Community Council had before it a report (October 28, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) authority be granted to convey a permanent easement to Enbridge Gas Distribution Inc. (“Enbridge”) over a portion of 4362 Sheppard Avenue East designated as Part 22, 64R-4910, on terms detailed herein;
- (2) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

(Clause No. 11, Report No. 10)

10.15 Third Party Advertising Signs (Billboards)

The Community Council had before it the following:

(October 30, 2002) report from the Director and Deputy Chief Building Official, recommending that:

- (1) the Commissioner of Urban Development Services be directed to prepare a draft by-law for consideration at the Scarborough Community Council meeting

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scheduled for April 1, 2003 to make the following proposed amendments to the former Scarborough By-law No. 22980:

- (a) to increase the minimum distance separation between billboards on the same side of the street from 125 to 150 metres;
 - (b) to delete the exception from the minimum distance separation requirement for billboards at or near intersections that are located adjacent to and face different streets, so that the separation requirement applies to all billboards located on the same side of a street;
 - (c) to prohibit billboards from being erected within 30 metres of an intersection, i.e., from the point at which two street lines intersect;
 - (d) to reinstate the cap of 20 new billboard permits per year;
 - (e) to issue billboard permits on a first-come, first-served basis; and
 - (f) any other amendments to the billboard provisions that the Commissioner considers necessary or desirable;
- (2) the City Clerk be directed to publish notice of the draft bylaw and the Community Council meeting at which it will be discussed in a newspaper of general circulation at least 14 days prior to the meeting; and that notice also be given in accordance with any notice by-law that may be in force at the time the notice is published;
- (3) the Commissioner of Urban Development Services be directed to consult with the public and the sign industry on the proposed amendments and report back to Scarborough Community Council on the results of the consultation at the same meeting at which the draft by-law is to be considered; and
- (4) the appropriate City Officials be authorized and directed to take the necessary actions to give effect thereto; and

(October 31, 2002) communication from the City Clerk, advising that City Council, at its meeting held on October 29, 30 and 31, 2002, struck out Clause 2 in Report No. 9 of the Scarborough Community Council and referred it back to the Community Council for further consideration.

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

(Clause No. 12, Report No. 10)

10.16 Request For Direction

**Appeal of Minor Variance Application A175/02SC
Irene and Theodore Keroglidis, 61 Wolcott Avenue
Oakridge Community (Ward 35 – Scarborough Southwest)**

The Community Council had before it a report (November 1, 2002) from the Director of Community Planning, East District, recommending that:

- (1) City Council appeal the Committee of Adjustment, East District Panel's decision of October 30, 2002, which approved minor variance application TF VAR 2002 0175; and
- (2) the City Solicitor and Planning staff be directed to attend any Ontario Municipal Board hearing related to the appeal of the minor variance.

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

The Community Council, during its consideration of the foregoing matter, also had before it a communication (November 8, 2002) from Andrew and Cynthia Hetherington, area residents, expressing their opposition to the approval of the minor variance.

(Clause No. 13, Report No. 10)

10.17 Request for Direction

**Appeal of Minor Variance Application A154/02SC
Kerry's Place Autism Services, 37 Bridlington Street
Woburn Community (Ward 38 – Scarborough Centre)**

The Community Council had before it a report (November 1, 2002) from the Director of Community Planning, East District, recommending that:

- (1) City Council appeal the Committee of Adjustment, East District Panel's decision of October 30, 2002, which approved minor variance application TF VAR 2002 0154; and
- (2) the City Solicitor and Planning staff be directed to attend any Ontario Municipal Board hearing related to the appeal of the minor variance.

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

(Clause No. 14, Report No. 10)

10.18 Final Report

Part Lot Control Exemption Application

Fernbrook Homes (McLevin Woods) Limited – TF PLC 2002 0006

Various Addresses – North-East Corner of Tapscott Road

and McLevin Avenue – Malvern Community

(Ward 42 – Scarborough Rouge River)

The Community Council had before it a report (November 8, 2002) from the Commissioner of Community Planning, East District, recommending that City Council:

- (1) enact a part Lot Control Exemption By-law for Lots 1 to 35 inclusive and Blocks 36, 37, 40 and 41 of Plan 66M-2378, at the north-east corner of Tapscott Road and McLevin Avenue;
- (2) deem that the Part Lot Control Exemption By-law shall expire one (1) year from the date of its passing;
- (3) direct that all conveyances which occur after the exemption from Part Lot Control shall be in accordance with the reference plan(s) approved by the Commissioner of Urban Development Services prior to the plan(s) being deposited in the Land Registry Office and generally in accordance with the lots as laid out on the draft reference plans;
- (4) require staff to obtain proof of payment of all current property taxes for the subject site from the owner prior to registration of the Part Lot Control Exemption By-law; and
- (5) authorize the City Solicitor to make such stylistic and technical changes to the draft Part Lot Control Exemption By-law as may be required.

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

(Clause No. 15, Report No. 10)

10.19 Adult Video Stores

The Community Council had before it the following Motion by Councillor Altobello:

WHEREAS the adult video store by-law for the former City of Scarborough expired in April, 2002; and

WHEREAS the Scarborough Community Council area does not have an adult video store by-law; and

WHEREAS staff are working on a City-wide adult video store by-law;

THEREFORE BE IT RESOLVED that Scarborough Community Council recommend to City Council that staff be directed to reinstate the former Scarborough adult video store by-law until such time as a new City-wide By-law comes into effect.

(Carried)

On a motion by Councillor Ashton, the Scarborough Community Council requested the City Solicitor to submit to City Council at its meeting to be held on November 26, 2002, a by-law that defines the geographical area as being within the boundaries of the former City of Scarborough.

(Clause No. 20, Report No. 10)

The Community Council recessed at 12:05 p.m. and reconvened at 2:19 p.m.

10.20 Final Report

Official Plan Amendment Application SC-P20000018
Zoning By-law Amendment Application SC-Z20000033
P.H.Y. Investments Company Limited
3443 Finch Avenue East
L'Amoreaux Community
(Ward 40 – Scarborough Agincourt)

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 the following reports:

(September 19, 2002) from the Director of Community Planning, East District, recommending that City Council:

- (1) amend the Official Plan for the former City of Scarborough substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 4;
- (2) amend the Zoning By-law for the L'Amoreaux Community substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5; and

- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required; and

(November 6, 2002) from the Director of Community Planning, East District, recommending that City Council adopt the recommendations of the staff report dated September 19, 2002 with respect to these applications.

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

The Community Council, during its consideration of the foregoing matter, also had before it the following communications:

- (November 6, 2002) from Cindy Tam, Owner and Manager of Operations, Quantum Medical Imaging Services Inc., commenting on the substantial parking shortage within the subject property and asking about the possibility of relaxing the parking restriction on Bridletowne Circle just east of the building to allow vehicles to park on the street; and
- (November 7, 2002) from William Copeland, P. Eng., Tranplan Associates, indicating that there is still surplus parking capacity in the lot.

Mr. Peter Chee, Agent for the applicant, appeared before the Community Council in connection with the foregoing matter, submitting the aforementioned communication from William Copeland, P. Eng., in support of his contention that the proposed parking will be sufficient to support his client's application.

(Clause No. 16, Report No. 10)

10.21 Final Report

**Zoning By-law Amendment Application TF ZBL 2002 0008
McCowan Centre Inc.
North-East Corner of McCowan Road and Ellesmere Road
Progress Employment District
(Ward 38 – Scarborough Centre)**

The Community Council had before it a report (October 23, 2002) from the Director of Community Planning, East District, recommending that City Council:

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- (1) amend the Employment Districts Zoning By-law No. 24982 (Progress) for the former City of Scarborough substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
- (3) before introducing the necessary Bill to City Council for enactment, require the applicant to enter into a Site Plan Agreement under Section 41 of the Planning Act.

On a motion by Councillor Duguid, the Scarborough Community Council deferred its Public Meeting under the Planning Act on the foregoing report to its next regular meeting to be held on January 21, 2003 at 2:00 p.m., to permit further consultation with the Ward Councillor, staff and the applicant.

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

- Mr. Carl Janusczak, on behalf of the applicant, requesting deferral for further consultation with the Ward Councillor and staff; and
- Mr. Mark Resnick, Walker Nott Dragicevic Associates Limited, Urban Design Planners.

(Clause No. 21(d), Report No. 10)

10.22 Final Report

**Zoning By-law Amendment Application TF ZBL 2002 0014
Viva Magnetics (Bird Design Build Corporation)
South Side of Finch Avenue East, East of Scottfield Drive
Marshalling Yard Employment District
(Ward 41 – Scarborough Rouge River)**

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 (October 29, 2002) from the Director of Community Planning, East District, recommending that City Council:

- (1) amend the Employment Districts Zoning By-law No. 24982 (Marshalling Yard) for the former City of Scarborough substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 4; and

- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

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

Mr. Patrick Tsang, Project Manager, appeared before the Community Council on behalf of the applicant and in support of the staff recommendations.

(Clause No. 17, Report No. 10)

10.23 Final Report

**Zoning By-law Amendment Application TF ZBL 2002 0001
Traks Communications Ltd.
5500 Finch Avenue East
Tapscott Employment District
(Ward 41 – Scarborough Rouge River)**

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 (October 22, 2002) from the Director of Community Planning, East District, recommending that City Council:

- (1) amend the Employment Districts Zoning By-law No. 24982 (Tapscott) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5; and
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- A. Councillor Cho moved that the report (October 22, 2002) from the Director of Community Planning, East District, be deferred to the next meeting scheduled to be held on January 21, 2003, representatives from Yee Hong Centre be invited to attend at that time to express their opinion on this application.

(Lost)

- B. Councillor Balkissoon moved that the report (October 22, 2002) from the Director of Community Planning, East District, be approved.

(Carried)

The Scarborough Community Council also had before it a communication (November 8, 2002) from Mr. Donald J. Cresswell, Solicitor for the Scarborough Automotive Centre Ltd., objecting to the application.

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

- Mr. Rick Merrill, The Planning Partnership, agent for the applicant, in support of the staff recommendations; and
- Mr. Donald J. Cresswell, Solicitor, on behalf of Scarborough Automotive Centre Ltd., in opposition to the staff recommendations and reiterating his concerns expressed in the aforementioned communication, that approval of this application would represent a major change in the planning intent of the city which previously wished to prohibit automotive dealerships on major arterial roads; that such approval would be to the detriment of, and a major economic loss to, the Scarborough Automotive Centre, and furthermore, the proposed location at such a busy intersection could result in congestion and potential danger and damage to life and property.

(Clause No. 18, Report No. 10)

10.24 Final Report

**City-Initiated Zoning By-law Amendment TF WPS 2002 0003
Scarborough Community Complex
South-East Corner of Sheppard Avenue and Progress Avenue
Malvern Community
(Ward 42 – Scarborough Rouge River)**

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 that no person appeared before the Community Council in this regard.

The Community Council had before it a report (October 29, 2002) from the Director of Community Planning, East District, recommending that City Council:

- (1) amend the Malvern Community Zoning By-law No. 14402 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1;

- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
- (3) direct the Director of Community Planning, East District, in consultation with operating agencies, to monitor parking for the community complex at the south-east corner of Progress Avenue and Sheppard Avenue during the year after the opening of Phase 2 of the Chinese Cultural Centre of Greater Toronto, and to submit a report thereon to the Scarborough Community Council.

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

(Clause No. 19, Report No. 10)

10.25 Development Charges – East District

On a motion by Councillor Berardinetti, the Scarborough Community Council requested the Chief Financial Officer and Treasurer to report, for the information of the Scarborough Community Council, to its meeting scheduled to be held on January 21, 2003, respecting:

- (1) the current status of development charge accounts for the East District;
- (2) the amount of development charges collected in the East District which has been allocated to the East District;
- (3) the current policy with respect to the collection and allocation of development charges;
- (4) the amount of development charges collected in the former City of Scarborough and their allocation post-amalgamation; and
- (5) the current balance of development charges collected by the former City.

(Clause No. 21(e), Report No. 10)

10.26 Request for Report on Outstanding Planning Studies

On a motion by Councillor Moeser, the Scarborough Community Council requested the Director of Community Planning, East District, to report to the Community Council meeting scheduled to be held on January 21, 2003, submitting a list of the Planning studies remaining to be either started or completed in the East District.

(Clause No. 21(f), Report No. 10)

10.27 Assessment and Restoration of Memorials and Cenotaphs

On a motion by Councillor Ashton, the Scarborough Community Council requested the Commissioner of Economic Development, Culture and Tourism, to report on the current status of assessment and restoration of memorials and cenotaphs in the City of Toronto, and further, whether the provincial government participated in the funding of the restoration of the Scarborough Cenotaph, such report to be submitted to the meeting of the Community Council scheduled to be held on January 21, 2003.

(Clause No. 21(g), Report No. 10)

The Community Council adjourned its meeting at 3:16 p.m.

Chair.