

THE CORPORATION OF THE CITY OF TORONTO

Clerk's Department

Minutes of the Scarborough Community Council

Meeting No. 5

Tuesday, June 10, 2003

The Scarborough Community Council met on Tuesday, June 10, 2003, in the Meeting Hall, Scarborough Civic Centre, commencing at 9:35 a.m.

Members present:

	9:35 a.m. - <u>11:05 a.m.</u>	2:10 p.m. - <u>3:57 p.m.</u>	7:40 p.m. <u>10:10 p.m.</u>
Councillor Ron Moeser, Chair	-	-	-
Councillor Norm Kelly, Vice Chair	-	-	-
Councillor Gerry Altobello	x	x	x
Councillor Brian Ashton	x	x	x
Councillor Bas Balkissoon	x	x	x
Councillor Lorenzo Berardinetti	x	x	-
Councillor Raymond Cho	x	x	x
Councillor Brad Duguid	x	x	x
Councillor Sherene Shaw	x	x	-
Councillor David Soknacki	x	x	x

In the absence of Councillors Moeser and Kelly, Councillor Soknacki assumed the Chair.

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

Declarations of Interest

Councillor Shaw declared an interest in Minute No. 5.12 (The Governing Council of the University of Toronto, north-east corner of Ellesmere Road and Military Trail), in that she teaches part-time at the Centennial College of Applied Arts and Technology which is a partner in this initiative, and took no part in the discussion or vote thereon.

Confirmation of Minutes

On a motion by Councillor Shaw, the Minutes of the meeting of the Scarborough Community Council held on May 6, 2003, were confirmed.

**5.1 Naming of Proposed Private Lane at 689 Danforth Road as “ASA MEWS”
(Ward 35 – Scarborough Southwest)**

The Scarborough Community Council, pursuant to Clause 3, Report No. 1 of the Scarborough Community Council, as adopted by the Council of the City of Toronto at its regular meeting held on February 4, 5 and 6, 2003, held a public meeting and notice, in accordance with the Municipal Act, 2001, of the proposed enactment of the draft by-law to name the proposed private lane at 689 Danforth Road as “Asa Mews”, was advertised in a daily newspaper on May 26, 2003 and posted on the City’s web site for two weeks. No one addressed the Scarborough Community Council.

Councillor Altobello moved that the Scarborough Community Council recommend to City Council that, as the requirements of the Municipal Act were fulfilled and no evidence was presented to the Community Council to persuade it that the proposed by-law should not be enacted, the By-law to rename the proposed private lane at 689 Danforth Road as “Asa Mews”, be enacted by Council.

(Carried)

(Clause No. 1, Report No. 5)

5.2 Naming of Proposed Private Streets located East of Kennedy Road and South of Lawrence Avenue East as “Brisby Mews”, “Jenkinson Way”, “Kiriakou Street” and “Pat Brooks Terrace” (Ward 37 – Scarborough Centre)

The Scarborough Community Council, pursuant to Clause 4, Report No. 3 of the Scarborough Community Council, as adopted by the Council of the City of Toronto at its regular meeting held on April 14, 15 and 16, 2003, held a public meeting and notice, in accordance with the Municipal Act, 2001, of the proposed enactment of the draft by-law to name the private streets located east of Kennedy Road and south of Lawrence Avenue East as “Brisby Mews”, “Jenkinson Way”, “Kiriakou Street” and “Pat Brooks Terrace” was advertised in a daily newspaper on May 26, 2003 and posted on the City’s web site for two weeks. No one addressed the Scarborough Community Council.

Councillor Berardinetti moved that the Scarborough Community Council recommend to City Council that, as the requirements of the Municipal Act were fulfilled and no evidence was presented to the Community Council to persuade it that the proposed by-law should not be enacted, the by-law to name the private streets located east of Kennedy Road and south of Lawrence Avenue East as “Brisby Mews”, “Jenkinson Way”, “Kiriakou Street” and “Pat Brooks Terrace”, be enacted by Council.

(Clause No. 2, Report No. 5)

5.3 Request for All-Way Stop Controls on Huntsmill Boulevard at Carl Crescent, West Intersection, Carl Crescent, east intersection, Manilow Street and Souter Court (Ward 39 – Scarborough Agincourt)

The Community Council had before it a report (May 22, 2003) from the Director of Transportation Services, District 4, recommending that:

- (1) all-way stop control not be installed on Huntsmill Boulevard at Carl Crescent, West Intersection;
- (2) all-way stop control not be installed on Huntsmill Boulevard at Carl Crescent, East Intersection;
- (3) all-way stop control not be installed on Huntsmill Boulevard at Manilow Street; and
- (4) all-way stop control not be installed on Huntsmill Boulevard at Souter Court.

Councillor Shaw moved that the report (May 22, 2003) from the Director of Transportation Services, District 4, be approved subject to striking out Recommendation No. (3) and inserting in lieu thereof the following:

- “(3) all-way stop control be installed on Huntsmill Boulevard at Manilow Street, and the appropriate by-law be amended accordingly.”

(Carried)

(Clause No. 3, Report No. 5)

5.4 Proposed Extension of Parking Regulations on the south side of Bonis Avenue between Kennedy Road and Carabob Court/King Henry’s Boulevard (Ward 40 – Scarborough Agincourt)

The Community Council had before it a report (May 23, 2003) from the Director of Transportation Services, District 4, recommending that:

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

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

(Clause No. 4, Report No. 5)

5.5 Proposed Parking Regulation Changes on Glen Watford Drive between Sheppard Avenue and Dennett Drive (Ward 41 – Scarborough Rouge River)

The Community Council had before it a report (May 22, 2003) from the Director of Transportation Services, District 4, recommending that:

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

A. Councillor Shaw moved that the Director of Transportation Services, District 4, be requested to monitor the impact of tour buses on residential neighbourhoods in the East District, and report back with recommendations to Community Council in 2004.

(Carried)

B. Councillor Balkissoon moved that the report (May 22, 2003) from the Director of Transportation Services, District 4, be approved.

(Carried)

(Clause No. 5, Report No. 5)

5.6 Proposed Changes to Parking Regulations on the south side of Milner Avenue between Markham Road and Scunthorpe Road (Ward 42 – Scarborough Rouge River)

The Community Council had before it a report (May 26, 2003) from the Director of Transportation Services, District 4, recommending that:

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

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

(Clause No. 6, Report No. 5)

5.7 Proposed Parking Regulation changes on Highcastle Road in the vicinity of St. Edmond Campion Catholic School (Ward 43 – Scarborough East)

The Community Council had before it a report (May 22, 2003) from the Director of Transportation Services, District 4, recommending that:

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

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

(Clause No. 7, Report No. 5)

5.8 Designation under Part IV of the Ontario Heritage Act - 2262 Meadowvale Road (George Pearse House) (Ward 42 – Scarborough Rouge River)

The Community Council had before it a communication (May 15, 2003) from the City Clerk (The Toronto Preservation Board) advising that the Toronto Preservation Board, at its meeting held on May 15, 2003, recommended to the Scarborough Community Council, and Council, the adoption of the report (May 6, 2003) from the Commissioner of Economic Development, Culture and Tourism, regarding the intention to designate the property at 2262 Meadowvale Road (George Pearse House) under Part IV of the *Ontario Heritage Act*.

On a motion by Councillor Cho, the Scarborough Community Council recommended to City Council the adoption of the report (May 6, 2003) from the Commissioner of Economic Development, Culture and Tourism.

(Clause No. 8, Report No. 5)

5.9 Request for Exemption – Chapter 591, Toronto Municipal Code, Noise, Capital Works Projects (All Wards within Scarborough Community Boundaries)

The Community Council had before it a report (May 20, 2003) from the Director of District Engineering Services, recommending that Council grant an exemption to the provisions of Toronto Municipal Code, Chapter 591, regarding noise, to facilitate capital works projects as described in this report.

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

subject to adding the direction that the Ward Councillor be provided with a copy of the notice to residents and a description of the circulation area in advance.

(Clause No. 9, Report No. 5)

5.10 Preliminary Report – Zoning By-law Amendment Application TF ZBL 2003 0006 - 2023057 Ontario Limited (Omniplan Design Group Limited, Architect) – 2040 Eglinton Avenue East - Golden Mile Employment District (Ward 37 – Scarborough Centre)

The Community Council had before it a report (May 26, 2003) from the Acting Director of Community Planning, East District, recommending that notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

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

(Clause No. 32(a), Report No. 5)

5.11 Preliminary Report – Official Plan Amendment Application TF OPA 2003 0004 – Zoning By-law Amendment Application TF ZBL 2003 0005 – Vineland Estates Inc. Tideswell Boulevard, west of Vandorf Street – Rouge Community (Ward 44 – Scarborough East)

The Community Council had before it a report (May 27, 2003) from the Acting 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 Shaw, the Scarborough Community Council approved the aforementioned report.

(Clause No. 32(b), Report No. 5)

5.12 Status Report – Zoning By-law Amendment Application TF ZBL 2003 0007 -The Governing Council of the University of Toronto, north-east corner of Ellesmere Road and Military Trail - Highland Creek Community (Ward 44 – Scarborough East)

The Community Council had before it a report (May 26, 2003) from the Acting Director of Community Planning, East District, advising that the University has requested that the Public Meeting under the Planning Act, proposed for this meeting, be deferred to the July 8, 2003, meeting of Community Council to provide time for the University to hold a further community meeting, and recommending that this report be received.

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

(Clause No. 32(c), Report No. 5)

5.13 Request for Direction – Zoning By-law Amendment Application TF ZBL 2002 0006 Draft Plan of Subdivision TF SUB 2002 0001 – 2009836 Ontario Limited (Lakeview Homes) – south side of Highway 401, west of Morningside Avenue (Ward 43 – Scarborough East)

The Community Council had before it a report (May 27, 2003) from the Acting Director of Community Planning, East District, recommending that:

- (1) City Council direct the City Solicitor to support the approval of the current Zoning By-law amendment application (TF ZBL 2002 0006) and Plan of Subdivision (TF SUB 2002 0001), subject to the Conditions of Draft Plan of Subdivision as generally set out in Attachment No. 3;
- (2) staff be directed to attend and make representation at any future Ontario Municipal Board proceedings with respect to Council's direction on these applications; and
- (3) Council request the appropriate civic officials to take the necessary actions to modify the new City of Toronto Official Plan, adopted by Council on November 26, 27 and 28, 2002, to reflect any changes resulting from the Ontario Municipal Board Decision with respect to the proposed amendment to the Morningside Community Zoning By-law and a Draft Plan of Subdivision for the lands on the west side of Morningside Avenue, south of Highway 401.

On a motion by Councillor Soknacki, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report, subject to adding the words "and the Medical Officer of Health" to Condition No. 5 on Attachment No. 3, so that Condition No. 5 now reads, as follows:

- “5. The owner will be required to construct a Stormwater Management pond on Block 99 to the satisfaction of the Commissioner of Works and Emergency Services and the Medical Officer of Health.”

The Scarborough Community Council also had before it a communication dated June 9, 2003, submitted by Councillor Soknacki, from Vishal Sharma, expressing various concerns from community residents, and attaching a 199-signature petition in support of such concerns, such petition to be retained in the Office of the City Clerk, Scarborough Civic Centre.

(Clause No. 10, Report No. 5)

5.14 Final Report – Part Lot Control Exemption Application TF PLC 2003 0003 - Mattamy (Staines) Limited (Viljoen Architects) - Various Properties on Flycatcher Avenue, Wharnsby Drive, Staines Road, Salamander Street and Jacques Road – Morningside Heights Community (Ward 42 – Scarborough Rouge River)

The Community Council had before it a report (May 26, 2003) from the Acting Director of Community Planning, East District, recommending that City Council:

- (1) enact a Part Lot Control Exemption By-law for Blocks 123 to 126 (inclusive) and Blocks 151 to 153 (inclusive) of Plan 66M-2401;
- (2) deem that the Part Lot Control Exemption By-law shall expire one (1) year from the date of its passing;
- (3) 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
- (4) 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. 11, Report No. 5)

5.15 Assumption of Services – Walia & Walia Enterprises Inc. and Rohit Walia, In Trust 644 and 646 Birchmount Road (Ward 35 – Scarborough Southwest)

The Community Council had before it a report (May 28, 2003) from the City Solicitor recommending that:

- (1) the services installed for the above development be assumed and that the City formally assume the road within the development;
- (2) the Legal Services Division be authorized to release the performance guarantee with the exception of a cash settlement in the amount of \$2,040.00 as set out in the 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 Altobello, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 12, Report No. 5)

5.16 Assumption of Services – Sisters of St. Joseph for the Diocese of Toronto in Upper Canada/832591 Ontario Limited – west of Warden Avenue, north of St. Clair Avenue East (Ward 35 – Scarborough Southwest)

The Community Council had before it a report (May 28, 2003) from the City Solicitor recommending that:

- (1) the services installed for Registered Plan 66M-2320 be assumed and that the City formally assume the road within the Plan of Subdivision;
- (2) the Legal Services Division be authorized to release the performance guarantee with the exception of a cash settlement in the amount of \$6,000.00 as set out in the 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 Altobello, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 13, Report No. 5)

**5.17 Assumption of Services – Scarborough Bluffs Developments Limited
6100/6150 Lawrence Avenue East (Ward 44 – Scarborough East)**

The Community Council had before it a report (May 28, 2003) from the City Solicitor recommending that:

- (1) the services installed for the above development be assumed and that the City formally assume the road within the development;
- (2) the Legal Services Division be authorized to release the performance guarantee with the exception of a cash deposit in the amount of \$20,000.00 as set out in this 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. 14, Report No. 5)

**5.18 Assumption of Services – Iaboni Construction Limited
3688 Ellesmere Road (Ward 44 – Scarborough East)**

The Community Council had before it a report (May 28, 2003) from the City Solicitor recommending that:

- (1) the services installed for the above development be assumed and that the City formally assume the road within the development;
- (2) the Legal Services Division be authorized to release the performance guarantee; and
- (3) the City Clerk and Treasurer be authorized to sign any release or other documentation necessary to give effect thereto.

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

(Clause No. 15, Report No. 5)

5.19 Assumption of Services – Midov Developments Ltd., 647346 Ontario Inc., 387179 Ontario Ltd., Morrish Road Management Inc. – East of Morrish Road, North of Kingston Road, West of Deep Dene Drive, South of Ellesmere Road (Ward 44 – Scarborough East)

The Community Council had before it a report (May 28, 2003) from the City Solicitor recommending that:

- (1) the services installed for Registered Plan 66M-2329 be assumed and that the City formally assume the road within the Plan of Subdivision;
- (2) the Legal Services Division be authorized to release the performance guarantee; and
- (3) the City Clerk and Treasurer be authorized to sign any release or other documentation necessary to give effect thereto.

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

(Clause No. 16, Report No. 5)

**5.20 Sale of Surplus Vacant Land - 3575 Danforth Avenue
(Ward 35 – Scarborough Southwest)**

The Community Council had before it a report (May 26, 2003) from the Commissioner of Corporate Services, recommending that:

- (1) the Offer to Purchase from Walton Advocates in Trust to purchase the City-owned property known municipally as 3575 Danforth Avenue in the amount of \$401,000.00, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of necessary expenses and amending the due diligence and closing dates to such earlier or later dates as she considers reasonable;
- (4) City Council approve, as the approving authority under the provisions of the Expropriations Act, the disposal of the site without giving the original owners from whom the lands were expropriated the first chance to repurchase the lands; and

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

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

(Clause No. 17, Report No. 5)

5.21 Sale of Surplus Vacant Land – Westerly Portion of 90 Morningside Avenue East of Portia Street, Rear of 56 Tivoli Court (Ward 43 – Scarborough East)

The Community Council had before it a report (May 27, 2003) from the Commissioner of Corporate Services, recommending that:

- (1) the Offer to Purchase from Rhonda Joice Dickson, to purchase the City-owned land located at the rear of 56 Tivoli Court, described as part of Parcel B-1, Section M929, also shown as Part 4 on Sketch No. PS-2003-014, in the amount of \$6.00 per square foot be accepted on the terms outlined in the body of this report, and be conditional on the sale of the property not being prohibited under the Official Plan in effect as of the closing date, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (4) 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. 18, Report No. 5)

5.22 Proposed Landscaping and Fencing around the existing Air Conditioning Unit at Scarborough Civic Centre and Proposed Installation of one additional Air Conditioning Unit (Ward 38 – Scarborough Centre)

The Community Council had before it a report (May 26, 2003) from the Commissioner of Corporate Services advising of the Toronto District School Board's request to install landscaping and fencing around the existing condenser unit located outside the parking garage at the Scarborough Civic Centre and to install one additional air conditioning unit on the roof, and recommending that this report be received for information.

Councillor Balkissoon moved that the recommendation in the report (May 26, 2003) from the Commissioner of Corporate Services, be struck out and Scarborough Community Council recommended to City Council that the Commissioner of Corporate Services be directed to take no further action in the matter of landscaping and fencing around the air conditioning unit at the Scarborough Civic Centre.

Trustee Scott Harrison, Toronto District School Board, appeared before the Community Council in connection with the foregoing matter.

(Clause No. 29, Report No. 5)

5.23 Request for Direction – The Estate of Annie Bayko, 642 Birchmount Road (Ward 35 – Scarborough Southwest)

The Community Council had before it a report (June 3, 2003) from the Acting Director of Community Planning, East District, recommending that City Council:

- (1) confirm its authorization of the appeal of the decision of the Committee of Adjustment, East District Panel, for approving Consent Application B11/03SC; and
- (2) direct the City Solicitor to attend any OMB hearing in support of the appeal and in support of a condition requiring a conveyance for road widening and corner rounding purposes.

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

(Clause No. 26, Report No. 5)

**5.24 Final Report – Part Lot Control Exemption Application TF PLC 2003 0002
Apple Ridge Developments – Malvern Community
(Ward 42 – Scarborough Rouge River)**

The Community Council had before it a report (June 10, 2003) from the Acting Director of Community Planning, East District, recommending that City Council:

- (1) enact a Part Lot Control Exemption By-law for Block 139, Plan 66M-2244, and Block 154, Plan 66M-2243, respectively;
- (2) deem that the Part Lot Control Exemption By-law shall expire one (1) year from the date of its passing;
- (3) 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
- (4) 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. 27, Report No. 5)

5.25 Indianapolis Peace Games

The Scarborough Community Council recommended to City Council the adoption of the following Motion by Councillor Soknacki:

WHEREAS the Scarborough Indianapolis Peace Games have been cancelled this year due to fears from Severe Acute Respiratory Syndrome (SARS), and

WHEREAS the Medical Officer of Health continues to encourage visitors to Toronto,

THEREFORE BE IT RESOLVED that Scarborough Community Council request that:

- (1) the Mayor of the City of Toronto contact the Mayor of the City of Indianapolis to urge the rescheduling of the Games for this year;
- (2) the Medical Officer of Health for the City of Toronto contact officials at the Marion County Health Department to discuss the SARS situation in Toronto and an appropriate date to reschedule the Games, in consultation with the Commissioner of Economic Development, Culture and Tourism; and

- (3) the Mayor's 'Toronto You Belong Here' Task Force be advised of this matter.

The Scarborough Community Council further requested the Commissioner of Economic Development, Culture and Tourism report to the Scarborough Community Council at its meeting to be held on July 8, 2003, on the potential for rescheduling the Games and the goals and objectives associated therewith.

(Clause No. 28, Report No. 5)

The Community Council recessed at 11:05 a.m. and reconvened at 2:10 p.m.

5.26 Final Report – Combined Application TF CMB 2002 0010 - 1507656 Ontario Limited, 27 Leyton Avenue - Oakridge Community (Ward 35 – Scarborough Southwest)

Pursuant to City Council's adoption of Clause 7, Report No. 4 of the Scarborough Community Council respecting the aforementioned application, 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 (May 26, 2003) from the Acting 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. 1;
- (2) amend the Toronto Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 2;
- (3) amend the Zoning By-law for the Oakridge Community Zoning By-law No. 9812 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 3;
- (4) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendments and draft Zoning By-law Amendment as may be required;
- (5) before introducing the necessary Bills to City Council for enactment, require the owner to submit a site environmental report to the City, prepared in accordance with the Ministry of the Environment's guidelines for use of contaminated soils, and submit to the Acting Director of Community Planning, East District, a Record

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of Site Condition acknowledged by the Ministry of the Environment, together with a letter from the Ministry indicating that no audit will be undertaken, or if an audit is required, that the owner submit a letter from the Ministry advising that the Record of Site Condition has passed the audit; and

- (6) before introducing the necessary Bills to City Council for enactment, require the owner to submit a noise and vibration report, prepared in accordance with the Ministry of the Environment's noise guidelines, to the satisfaction of the City and Canadian National Railway.

On a motion by Councillor Altobello, the Scarborough Community Council recommended to City Council the adoption of the report (May 26, 2003) from the Acting Director of Community Planning, East District.

The Community Council also had before it the following:

- Clause 7, Report No. 4 of the Scarborough Community Council, adopted by the Council of the City of Toronto at its meeting held on May 21, 22 and 23, 2003; and
- a communication (June 2, 2003) from Geoff Woods, Development Review Coordinator, Canadian National Railway Properties, stating that the Railway's previous comments in regard to these applications, contained in its communication dated September 13, 2002, are still valid, i.e., that a noise and vibration report be submitted to the satisfaction of the City prior to the enactment of the Bills, a copy of which was provided to Members of the Community Council and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre.

Mr. Adam Brown, Solicitor for the applicant, appeared before the Community Council in connection with the foregoing matter.

(Clause No. 19, Report No. 5)

**5.27 Final Report – Combined Application TF CMB 2003 0001 – Nicholas Christoforidis
807 Midland Avenue – Eglinton Community (Ward 35 – Scarborough Southwest)**

The Community Council had before it a report (May 27, 2003) from the Acting Director of Community Planning, East District, recommending that City Council **refuse** the application to amend the Official Plan and the Eglinton Community Zoning By-law for the former City of Scarborough to permit six residential units.

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

The Scarborough Community Council gave statutory public notice of this matter under the Planning Act but for the reason that the applicant failed to post the requisite notice on the site, and that the staff recommendation is to refuse the application, no statutory public meeting was held.

Mr. Adam Brown, Solicitor for the applicant, appeared before the Community Council in connection with the foregoing matter.

(Clause No. 20, Report No. 5)

5.28 Final Report – Official Plan Amendment Application TF OPA 2003 0002 - Zoning By-law Amendment Application TF ZBL 2003 0001 - Annie Patasar - Lots 18 and 19, Registered Plan 1936 (August Avenue) - Oakridge Community (Ward 35 – Scarborough Southwest)

The Community Council had before it a report (May 12, 2003) from the Acting Director of Community Planning, East District, recommending that City Council:

- (1) amend the Oakridge Community Secondary Plan for the former City of Scarborough substantially in accordance with the draft Official Plan Amendment attached as Attachment 5;
- (2) amend the Oakridge Community Zoning By-law No. 9812 for the former City of Scarborough substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6;
- (3) enact the By-law to remove Site Plan Control from the subject lands attached as Attachment 7; and
- (4) 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.

On a motion by Councillor Altobello, the Scarborough Community Council deferred the Public Meeting under the Planning Act to the meeting to be held on July 8, 2003, at 2:00 p.m. for the reason that, notwithstanding the requisite Public Notice was given by the Office of the

City Clerk, the required notice under the Planning Act was not posted on the site by the applicant.

The Scarborough Community Council also had before it a communication (June 2, 2003) from Geoff Woods, Development Review Coordinator, Canadian National Railway Properties, requesting insertion of a warning clause in all development agreements, offers to purchase, agreements of Purchase and Sale or Lease and in a Noise Impact Statement to the effect that CN Rail has a 300 metre right-of-way from the subject lands; that there may be future alterations or expansions which may affect the living environment of the residents and that CNR will not be responsible for any complaints or claims arising; and further, that the owner is required to engage a consultant to undertake a noise analysis and provide adequate abatement measures.

(Clause No. 32(d), Report No. 5)

5.29 Final Report – Combined Application TF CMB 2003 0002 – Devco Group (In House Designs, Designer) – 1483-1485 Birchmount Road – Dorset Park Community (Ward 37 – Scarborough Centre)

The Community Council had before it a report (May 26, 2003) from the Acting Director of Community Planning, East District, recommending that City Council **refuse** the application on the basis that the proposal represents an over-development of the subject lands and is not in keeping with the City's Urban Design Guidelines for Infill Townhouses.

On a motion by Councillor Berardinetti, the Scarborough Community Council deferred consideration of the aforementioned report to the next meeting scheduled to be held on Tuesday, July 8, 2003 at 2:00 p.m., at the request of the applicant.

Mr. Adam J. Brown, Solicitor for the applicant, appeared before the Community Council in connection with the foregoing matter.

(Clause No. 32(e), Report No. 5)

5.30 Final 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 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 (May 26, 2003) from the Acting Director of Community Planning, East District, recommending that City Council:

- (1) amend Zoning By-law 14402 for the Malvern Community substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 3; 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 Cho, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report.

Mr. Murray Evans appeared before the Community Council in connection with the foregoing matter and on behalf of Imperial Oil Limited.

(Clause No. 21, Report No. 5)

**5.31 New Official Plan – Avenues Study – Implementation Study Report (Phase 3)
Kingston Road between the Guildwood GO Station and Highland Creek
(Ward 43 – Scarborough East)**

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 (May 28, 2003) from the Acting 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. 2;
- (2) amend the Zoning By-law for the former City of Scarborough substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 3;
- (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;
- (4) adopt, by resolution, the Urban Design Guidelines included as Attachment No. 4 to this report, as an indication of Council's support for the urban design objectives relating to the opportunities for improvement, reinvestment and growth along this

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section of Kingston Road; these guidelines shall remain in effect until the new Toronto Official Plan is in effect;

- (5) support in principle the Streetscape Improvements Plan included as Attachment No. 5 to this report, as an indication of Council's support for the general streetscape improvements along the Kingston Road *Avenue*;
- (6) direct the Urban Development Services Department staff to amend the Official Plan to designate the Kingston Road *Avenue* a Community Improvement Area, and further, to prepare a Community Improvement Plan for the Kingston Road *Avenue*, in consultation with local owners;
- (7) direct the Urban Development Services Department, in consultation with other City departments and relevant agencies to prioritize future improvement projects along the Kingston Road *Avenue* and recommend and set aside funds, including through the Community Improvement Plan, for items such as streetscape improvements, bicycle lanes and pavement striping;
- (8) direct the Urban Development Services Department, in consultation with the Toronto Parking Authority, to assess feasibility and formulate an action plan to accommodate off-street parking facilities along *Avenues*; and
- (9) direct the Urban Development Services Department, in consultation with the Works and Emergency Services Department and the Toronto Parking Authority, to explore a cash-in-lieu of parking program for *Avenues*.

On a motion by Councillor Soknacki, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report, subject to amending the zoning by-law to provide a minimum 30 metre dwelling setback from the railway right-of-way, in conjunction with a 2.5 metre high earthen berm.

The Scarborough Community Council received written submissions from:

- (June 2, 2003) Geoff Woods, Development Review Coordinator, Canadian National Railway Properties, commenting that residential development adjacent to the railway right-of-way is not appropriate without impact mitigation measures, and specifically requesting that the zoning by-law amendment specify a minimum of 30 metre dwelling setback from the right-of-way, in conjunction with a 2.5 metre high earthen berm; and
- (May 28, 2003) Edward R. Fleury, Solicitor, on behalf of Dr. J.A. Corson and Mr. J. W. Corson, owners of premises at 4614 Kingston Road and 21 Old Kingston Road;

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

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

- David McKay, MacNaughton Hermsen Britton Clarkson Planning Limited, on behalf of Palmar Holdings Limited and Sun Life Assurance Company of Canada, owners of Morningside Mall; and
- Mike Bissett, Planner, Cassels Brock, who submitted a communication from Stanley Makuch, Solicitor, representing the Ontario Restaurant Hotel and Motel Association, the TDL Group Limited, McDonald's Restaurants of Canada Limited, Burger King Restaurants of Canada Inc., and Cara Operations Limited, a copy of which is on file in the Office of the City Clerk, Scarborough Civic Centre.

(Clause No. 22, Report No. 5)

5.32 Final Report – Zoning By-law Amendment Application TF ZBL 2002 0021 – Stanley & Doris Burkholder and Barchester Investments Limited – 289 Conlins Road and Block 10, Registered Plan 66M-2126, and Blocks 117, 119 & 120, Registered Plan 66M-2108 (between Good Road and Canmore Boulevard) – Highland Creek Community (Ward 44 – Scarborough East)

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 (May 20, 2003) from the Acting Director of Planning, East District, recommending that City Council:

- (1) amend the Zoning By-law for the Highland Creek Community 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.

On a motion by Councillor Soknacki, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report, subject to adding Recommendations Nos. (3) and (4) as follows:

- “(3) authorize the inclusion of City-owned lands described as Blocks 119 and 120, Registered Plan 66M-2108, to be incorporated with

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the lands subject to consent applications B069/02SC and B033/03SC; and

- (4) authorize the applicant or designate to act on the City's behalf with respect to Blocks 119 and 120, Registered Plan 66M-2108, as they pertain to consent applications B069/02SC and B033/03SC."

The Scarborough Community Council received the following communications:

- (June 3, 2003) from Bertram Rajaram; and
- (June 9, 2003) from Manzur and Feroza Rahman;

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

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

- Karl Januszczak, Planning Consultant, on behalf of the applicant;
- Alma Machado; and
- Riad Rahman.

(Clause No. 23, Report No. 5)

5.33 Request for Withdrawal of the Property Standards Order Issued with respect to 39 Howden Road (Ward 37 – Scarborough Centre)

The Community Council had before it a report (June 2, 2003) from the City Solicitor, responding to a communication (May 2, 2003) from Mr. Adam J. Brown, solicitor for the owner of the property at 39 Howden Road, requesting withdrawal of the above-referenced Order to Comply; advising that there is no legal basis for Council to direct staff to withdraw this Order which has been appealed to the Superior Court of Justice, and recommending that the communication from Mr. Brown be received.

Councillor Berardinetti moved that Scarborough Community Council recommend to City Council that:

- (1) the recommendation in the report (June 2, 2003) from the City Solicitor be struck out;
- (2) the City's Municipal Code Chapter 629 be reviewed and amended or clarified so certain requirements do not apply to particular classes of property in particular circumstances; and

- (3) in the event that the Superior Court of Justice matter referred to herein is scheduled prior to the issue being clarified or amended, the City Solicitor be instructed to consent to an adjournment until such time as the Municipal Code issue has been resolved.

(Carried)

(Clause No. 31, Report No. 5)

5.34 OMB Decision - Transmetro Properties Limited - Southwest Corner of Brimley Road and Highway 401 and 350 Progress Avenue (Ward 38 – Scarborough Centre)

The Community Council had before it a confidential report (June 9, 2003) from the City Solicitor, having regard that the subject matter may involve litigation or potential litigation.

The Scarborough Community Council recommended to City Council the adoption of the aforementioned confidential report.

(Clause No. 30, Report No. 5)

The Community Council recessed at 3:57 p.m. and reconvened at 7:40 p.m.

Councillor Altobello assumed the Chair.

5.35 Final Report - Combined Application TF CMB 2001 0009 - The Muslim Welfare Centre of Toronto, 24, 26 and 28 Rural Avenue - Agincourt Community (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 (March 18, 2003) from the Acting 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 9;
- (2) amend the Zoning By-law Number 10076 for the Agincourt Community substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 10;

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- (3) amend the Site Plan Control By-law Number 21319 for the Agincourt Community substantially in accordance with the draft Site Plan Control By-law attached as Attachment 11; and
- (4) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment, draft Zoning By-law Amendment and draft Site Plan Control By-law as may be required.

The Scarborough Community Council also had before it a report (May 29, 2003) from the Acting Director of Community Planning, East District, providing additional information respecting the community consultation which has taken place on this application, and recommending that the staff recommendations in the Final Report (March 18, 2003) be adopted.

- A. Councillor Soknacki moved that the Muslim Welfare Centre of Toronto be strongly encouraged to have significant community representation on the Governing Board of the Seniors residence.

(Carried)

- B. Councillor Balkissoon moved that the recommendations contained in the report (March 18, 2003) from the Acting Director of Community Planning, East District, be not adopted and the applications be refused for the following reasons:

Section 3.1.5, Land Use Designations of the former Scarborough Official Plan reads as follows:

“Within the above residential designations, accommodation for senior citizens may be provided at densities exceeding those of the respective designations, as long as the overall height and massing of the buildings does not exceed the height and massing of other conventional buildings permitted within these designations.”

Having regard that this statement may by Council decision provide accommodation for seniors within residential designations in buildings that did not exceed height and massing, i.e., scale of development of other buildings within the designated zone, which is currently Singles and Townhouses;

Zoning By-law 10076, Pages 25 – 27, Clause VIII – Zone Provisions, Sections 1-4, clarifies Council’s intent of the Official Plan Policy 3.1.5 by providing for Senior Citizens Homes in only Apartment Residential (A) Zone, and its intent is further made clear in the detailed Permitted Uses of other residential zone by not including the Senior Citizen Homes Use; and

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This development, given its apartment-like mass and scale, does not match the character of the residential properties/buildings to the west and south of this site, and threatens the stability of the neighbourhood; and

The entire Agincourt Community Secondary Plan in the proximity of this site only provides for (RL) Residential Low Density and the only (RH) Apartment Zone in this Plan is provided for quite a distance away on McCowan Road; and further

In developing the new City of Toronto Official Plan, City Council has clearly stated its intent to protect existing stable residential neighbourhoods with clear, concise policies on Page 72 of the new Plan, which does not allow this development in the Agincourt Secondary Plan Area.

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

Yeas: Councillors Altobello, Ashton, Balkissoon -3

Nays: Councillors Cho, Duguid, Soknacki -3

The Motion was lost on an equality of votes.

C. Councillor Duguid moved that the recommendations contained in the report (March 18, 2003) from the Acting Director of Community Planning, East District, be approved.

On the question of the adoption of the foregoing Motion B. by Councillor Duguid, a vote was taken, as follows:

Yeas: Councillor Cho, Duguid -2

Nays: Councillors Altobello, Ashton, Balkissoon, Soknacki -4

Decided in the negative by a majority of 2.

The Scarborough Community Council recommended that the report (March 18, 2003) from the Acting Director of Community Planning, East District, be not adopted.

The Scarborough Community Council received written submissions from:

- (March 7, 2003) Lynn Wilkinson;
- (March 13, 2003) Helen Chow;
- (April 15, 2003) G. Iwasiw attaching a 500-signature petition, the original of which is on file in the Office of the City Clerk, Scarborough Civic Centre;

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- (April 21, 2003) V. J. Thompson, Chairman, Board of Trustees, Knox United Church;
- (June 4, 2003) Shirley and John Rallis;
- (June 2, 2003) M. Azmatulla;
- (June 8, 2003) Firaaz Azeez;
- (June 7, 2003) Muhammad Gohar Ali Syed, Farrukh Shams, Seema Javaid and Anwar Javaid;
- (June 19, 2003) Elaine Horton;
- (June 10, 2003) Tasnim Iqbal-Ali and Muhammad I. Ali;
- (June 9, 2003) Kurban Manji;
- (June 10, 2003) Sahar Khan; and
- (June 10, 2003) Talat Khan.

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

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

- Terry Liu;
- George Iwasiw, on behalf of the 500 signatories to the aforementioned petition;
- Daniel Wong;
- Lynn Wilkinson;
- David Wilkinson;
- Shahnaz Kiyani;
- Eric Chou;
- Norm Bohunicky;
- M. Azmatulla;
- Karim Arida;
- Jim Ellis;
- Paul Whittington;
- Jim Tennant;
- Ayesha Alam;
- Younus Khan;
- Ruth Chou;
- Mary Eng;
- Elisabeth Borgers;
- Syed Ashfaque;
- Seema De Costa;
- Zain Khan;
- Winnie Lin;
- Raymond Dean;
- Shiu Tam;
- Ani Harding;

- Owen Harding;
- Finiesleda Deen; and
- Greg Walsh.

(Clause No. 24, Report No. 5)

5.36 Feasibility of Installing an Overhead Flashing Beacon – Glen Watford Drive at Rural Avenue/Agincourt Recreation Centre Driveway (Ward 41 – Scarborough Rouge River)

The Community Council had before it a report (March 12, 2003) from the Director of Transportation Services, District 4, recommending that an overhead flashing beacon not be installed at the intersection of Glen Watford Drive and Rural Avenue/Agincourt Recreation Centre Driveway.

Councillor Balkissoon moved that the recommendation in the report (March 12, 2003) from the Director of Transportation Services, District 4, be struck out and that an overhead flashing beacon be installed at the intersection of Glen Watford Drive and Rural Avenue/Agincourt Recreation Centre Driveway.

(Carried)

(Clause No. 25, Report No. 5)

The Community Council adjourned its meeting at 10:10 p.m.

Chair.