

**TORONTO EAST COMMUNITY COUNCIL
AGENDA
MEETING No. 3**

Date of Meeting:	Tuesday, February 17, 2004	Enquiry:	Margaret O’Neil
Time:	9:30 a.m.		Administrator
Location:	Meeting Hall Scarborough Civic Centre 150 Borough Drive Toronto, Ontario		416-396-7288 oneil@toronto.ca

Declarations of Interest Pursuant to the Municipal Conflict of Interest Act.

Confirmation of January 5, 2004 Minutes.

Deputations:

Item 1 – 10:30 a.m. Public Meeting under the Municipal Act
Items 2 and 3 – 10:45 a.m.
Items 27 – 29 – 2:00 p.m. Public Meeting under the Planning Act

9:45 a.m. Presentations:

- (1) Betty Carr, Publisher, Scarborough Mirror, will address Community Council with respect to the “Stand Up for Scarborough” initiative; and
- (2) Ed Castro, WSNCC, and Alimamy Bangura, MENTORS, will address Community Council with respect to the “Scarborough Community Summit” held on September 10, 2003. (A copy of the report from the Summit has previously been provided to Members of Community Council.)

10:15 a.m.

Ron Gordon, Director, Solid Waste Management, Districts 3 and 4, will attend to answer Members’ questions with respect to the pick-up of white goods at the curb (as requested by Community Council at its previous meeting).

(There is no agenda material for these presentation items.)

Communications/Reports:

10:30 a.m. PUBLIC MEETING UNDER THE MUNICIPAL ACT

- 1. Closing of a Portion of Portia Street located at the rear of 34, 36, 38, 40, 42, 44, 46 and 48 Tivoli Court (Ward 43 – Scarborough East)**

In accordance with Clause 17, Report No. 7 of the Scarborough Community Council, adopted by City Council at its meeting held on September 22, 23, 24 and 25, 2003, the Community Council will hear in person or by his or her counsel, agent or solicitor, any person who wishes to speak to this matter.

10:45 a.m. Deputation (Items 2 and 3)

- 2. Request for Approval of Variances from the Former Scarborough Sign By-law No. 22980, as amended, for Two Wall Signs and One Ground Sign at 9390 Sheppard Avenue East – Pizza Pizza Limited (Ward 42 – Scarborough Rouge River)**

(Deferred from January 5, 2004)

Report (December 11, 2003) from the Director of Building and Deputy Chief Building Official.

Recommendation:

That the request for variances be refused for the reasons outlined in this report.

- 3. Request for Approval of Variances from the former Scarborough Sign By-law No. 22980, as amended, for the installation of a Ground Sign for a Pizza Pizza Store at 575-579 Markham Road – Pizza Pizza Limited (Ward 43 – Scarborough East)**

(Deferred from January 5, 2004)

Report (December 4, 2003) from the Director of Building and Deputy Chief Building Official.

Recommendation:

That the request for variances be refused for the reasons outlined in this report.

4. 5933 Steeles Avenue East (Underwood House) – Inclusion on the City of Toronto Inventory of Heritage Properties (Ward 41 – Scarborough Rouge River)

Report (January 13, 2004) from the Commissioner of Economic Development, Culture and Tourism.

Recommendation:

- (1) that City Council include the property at 5933 Steeles Avenue East (Underwood House) on the City of Toronto Inventory of Heritage Properties; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

4(a). Communication (January 22, 2004) from the City Clerk (Toronto Preservation Board) recommending the adoption of the aforementioned report.

5. Recommended Candidates for Nomination to the Toronto East Community Preservation Panel (All Toronto East Wards)

Report (January 30, 2004) from the Commissioner of Economic Development, Culture and Tourism.

Recommendations:

- (1) the Toronto East Community Council nominate the selected individuals listed in Attachment No. 1 to the Toronto East Preservation Panel for a period of three (3) years or until their successors are appointed in accordance with Section 103-18 of the Municipal Code; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

6. Ontario Municipal Board Proceedings – City Appeal of Consent Approval – 642 Birchmount Road (Ward 35 – Scarborough Southwest)

Report (January 27, 2004) from the City Solicitor advising the outcome of the Ontario Municipal Board proceedings related to an appeal of a decision of the Committee of Adjustment by the City of Toronto.

Recommendation:

That this report be received for information.

7. Budgetary and Staffing Implications of City Council’s Amendments to the Revised Organization Structure for the Committees of Adjustment

Communication (January 12, 2004) from the City Clerk (Planning and Transportation Committee) referring the issue of the starting times of the Committees of Adjustment meetings to the Community Councils for consideration and report back, as soon as possible, to the Planning and Transportation Committee.

8. Conveyance of Vacant Land Located on the North Side of Tarsus Crescent (Ward 44 – Scarborough East)

Report (January 29, 2004) from the Commissioner of Corporate Services.

Recommendations:

- (1) Blocks 119 and 120 on Plan 66M-2108 be conveyed to the owner of the abutting lands to the north, for nominal consideration of Two Dollars (\$2.00), on the terms and conditions outlined in the body of this report;
- (2) Block 121 on Plan 66M-2108, being a .3m reserve, be retained by the City and be dedicated to form part of the public highway Tarsus Crescent, on the terms outlined in the body of this report;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills necessary.

9. Naming of Proposed Public Street Located between Milner Avenue and Morningside Avenue – “Cinemart Drive” (Ward 42 – Scarborough Rouge River)

Report (February 2, 2004) from the City Surveyor.

Recommendations:

- (1) the proposed public street located between Milner Avenue and Morningside Avenue, as shown on Attachment No. 1, be named “Cinemart Drive”; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

10. Proposed Parking Regulation Changes on Falmouth Avenue in the Vicinity of Walter Perry Junior Public School (Ward 35 – Scarborough Southwest)

Report (February 2, 2004) from the Director of Transportation Services, East District.

Recommendations:

- (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.

11. Proposed Stop Signs on Donalds Crescent at Roker Crescent (north and south intersections) and Tanya Place (Ward 41- Scarborough Rouge River)

Report (February 2, 2004) from the Director of Transportation Services, East District.

Recommendations:

- (1) the “compulsory stops” regulation, as identified in Appendix 1 of this report be adopted; and
- (2) the appropriate by-law be amended accordingly.

12. Proposed Parking Regulation Changes on Charlottetown Boulevard in the vicinity of Charlottetown Junior Public School (Ward 44 – Scarborough East)

Report (February 2, 2004) from the Director of Transportation Services, East District.

Recommendations:

- (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;
- (3) the appropriate by-laws be amended accordingly.

13. Unauthorized Excavation of City Road Rights-of-Way (All Wards)

Report (February 2, 2004) from the Director of Transportation Services, East District.

Recommendations:

- (1) Council concur in the actions of staff taken during Council's adjournment for the 2003 Municipal Election to make the impacted City road rights-of-way safe, and to minimize public inconvenience;
- (2) the appropriate City staff be delegated the authority to regulate similar type events in the future as outlined in the body of this report; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto including the introduction in Council of any bills necessary to give effect thereto.

14. Request for Direction – Minor Variance Application A145/02SC – Word of Life World Outreach Ministries – 40 Barbados Boulevard – Knob Hill Employment District (Ward 35 – Scarborough Southwest)

Report (January 29, 2004) from the Acting Director of Community Planning – East.

Recommendation:

That the City Solicitor and appropriate staff be directed to attend any Ontario Municipal Board hearing related to the appeal of minor variance application TF VAR 2002 0145, in support of the Committee of Adjustment, Scarborough Panel's decision of December 17, 2003, to refuse the application.

15. Request for Direction – Official Plan Amendment Application SP19980012 Zoning By-law Amendment Application SZ19980024 – Site Plan Control Application SS19980068 – Birchmount Boarding Kennels Limited – 1563 Birchmount Road – Dorset Park Community (Ward 37 – Scarborough Centre)

Report (February 3, 2004) from the Acting Director of Community Planning – East.

Recommendations:

Further to City Council's directions contained in Clause 12, Report No. 1 of the Scarborough Community Council, adopted as amended, on February 2, 3 and 4, 1999, that City Council direct the Director of Real Estate Services to:

- (1) abandon all actions to acquire that portion of the former Ontario Hydro lands abutting, and now owned by, Birchmount Boarding Kennels Limited at 1563 Birchmount Road; and

- (2) continue negotiations with Hydro One, Real Estate Services on the City's potential acquisition of the remnant former Hydro corridor lands immediately west of Kennedy Road.

16. Request for Direction – City-Initiated Study – 04 103376 000 00 TM – East Side of Birchmount Road from 1459 to 1555 Birchmount Road – Dorset Park Community (Ward 37 – Scarborough Centre)

Recommendation:

That Toronto East Community Council direct the Acting Director of Community Planning, East District, to initiate the Birchmount Road Study, in accordance with the terms of reference contained in this report.

17. Request for Direction – Rezoning Application 03 179866 000 00 OZ – Kennedy Self, PMG Planning Consultants – (Architect: N/A) 5318 Finch Avenue East, Units 1-4, MTCC No. 1064, Units 40-43 – Tapscott Employment District (Ward 41 – Scarborough Rouge River)

Report (February 3, 2004) from the Acting Director of Community Planning – East.

Recommendation:

That City Council instruct the City Solicitor and appropriate staff to attend any future Ontario Municipal Board Hearing(s) to oppose the proposed zoning by-law amendment application.

18. Request for Direction – Official Plan Amendment Application 03 035176 ESC 44 OZ - Rezoning Application 03 035266 ESC 44 OZ – Sundance Development Corporation (Viljoen Architect Inc.) – 4 Tideswell Boulevard – Rouge Community (Ward 44 – Scarborough East)

Report (February 4, 2004) from the Acting Director of Community Planning – East.

Recommendations:

- (1) the City Solicitor and the appropriate Staff attend the Ontario Municipal Board hearing to represent the City's interests to oppose the application as currently proposed; and,
- (2) continue to negotiate with the applicant in an attempt to improve the application.

19. Final Report – Part Lot Control Exemption Application 03 197457 E00 00 PL –

Pinery Trail – Eden Oak (Woodside Trail) – Malvern Community (Ward 42 – Scarborough Rouge River

Recommendations:

That City Council:

- (1) enact a part Lot Control Exemption By-law for Parts 1 to 16 inclusive of Block 42 and Parts 1 to 28 inclusive of Block 43, Plan 66M-2378;
- (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 direct the owner 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.

20. Preliminary Report – Official Plan Amendment Application 03 184828 000 00 OZ – Rezoning Application 03 035184 ESC 41 OZ – Carl Januszczak, Lorne Ross Planning Services – 3330 Markham Road – Tapscott Employment District (Ward 41 – Scarborough Rouge River)

Report (January 30, 2004) from the Acting Director of Community Planning – East.

Recommendations:

- (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.

21. Preliminary Report – Rezoning Application 03 196121 ESC 43 OZ – PMG Planning Consultants (Tony Dicarolo, Hunt Design Assoc. Inc., Architect) – 232-234 Galloway Road – West Hill Community (Ward 43 – Scarborough East)

Report (January 29, 2004) from the Acting Director of Community Planning – East.

Recommendations:

- (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.

22. Preliminary Report – Rezoning Application 03 193615 E00 00 OZ – Warren Beasley and June Mary Fleury – Immediately West of 6502 Kingston Road – Highland Creek Community (Ward 44 – Scarborough East)

Report (February 2, 2004) from the Acting Director of Community Planning – East.

Recommendations:

- (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.

23. Preliminary Report – Rezoning Application 03 193949 E00 00 OZ – Noreen Beasley and Edward Fleury – Immediately East of 6490 Kingston Road – Highland Creek Community (Ward 44 – Scarborough East)

Report (February 2, 2004) from the Acting Director of Community Planning – East.

Recommendations:

- (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.

24. Surplus Land Declaration and Proposed Closing of a portion of Schick Court Road Allowance (Ward 37 – Scarborough Centre)

Joint report (February 2, 2004) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services.

Recommendations:

- (1) subject to compliance with the requirements of the *Municipal Act, 2001*, and following Council's approval of a long-term lease of the Southerly Highway, the Highway be permanently closed as a public highway;
- (2) following Council's approval of a long-term lease of the Southerly Highway, notice be given to the public of a proposed by-law to permanently close the Highway, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and notice of the proposed by-law be published once in a local newspaper, at the sole cost of the applicant, Transmetro Properties Inc. ("Transmetro");
- (3) the Toronto East Community Council hear any member of the public who wishes to speak to the matter of the proposed by-law to permanently close the Highway;
- (4) following closure of the Highway, easements be granted to any affected utility companies, for the existing utilities plant located in the Highway, or with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of Transmetro, with such costs to be determined by the appropriate utility companies;
- (5) the Southerly Highway be declared surplus to the City's requirements with the intended method of disposal to be by way of a long-term lease to the adjoining property owner and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;
- (6) the Commissioner of Corporate Services be authorized to enter into negotiations for a long-term lease of the Southerly Highway with the adjoining property owner, Kraft Canada Inc. ("Kraft"), for nominal consideration;
- (7) following closure of the Highway, the Northerly Highway be placed under the jurisdiction of the Commissioner of Economic Development, Culture and Tourism, for parks purposes; and
- (8) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills necessary to give effect thereto.

25. Surplus Land Declaration and Proposed Closing of a portion of the Neilson Road, Oasis Boulevard (formerly Neilson Road), Passmore Avenue, and Staines Road Road Allowances (Ward 42 – Scarborough Rouge River)

Joint Report (February 2, 2004) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services.

Recommendations:

- (1) subject to compliance with the requirements of the *Municipal Act, 2001*, and following Council's approval of a sale of the Surplus Highways, the Highways be permanently closed as public highways;
- (2) Notice of Completion be published in accordance with the requirements of the Municipal Class Environmental Assessment ("Class EA") for a Schedule "B" project, at an estimated cost of \$1,500.00 to be paid by the Owners referred to in the body of this report, on the understanding that any such costs paid by the Owners will not be refunded to the Owners unless the Surplus Highways are closed and sold to a party other than the Owners, their successors or assigns;
- (3) following Council's approval of a sale of the Surplus Highways, notice be given to the public of a proposed by-law to permanently close the Highways, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and, in addition, by publishing one notice of the proposed by-law in a local community newspaper, at the cost of the Owners referred to in the body of this report;
- (4) the Toronto East Community Council hear any member of the public who wishes to speak to this matter;
- (5) following closure of the Highways, easements be granted to any affected utility companies for the existing utilities plant located in the Highways or, with respect to the Surplus Highways, with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of the purchaser of the Surplus Highways, with such costs to be determined by the appropriate utility companies;
- (6) following closure of the Highways, the Highways for EDCT Jurisdictional Transfer be placed under the jurisdiction of the Commissioner of Economic Development, Culture and Tourism and the Highways to remain under WES Jurisdiction remain under the jurisdiction of the Commissioner of Works and Emergency Services;
- (7) the Surplus Highways be declared surplus to the City's requirements and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;

- (8) the Commissioner of Corporate Services be authorized to invite an offer to purchase the portion of the Surplus Highways shown as Part 1 on Sketch No. PS-2003-045 from the adjoining property owners and to invite an offer to purchase the remainder of the Surplus Highways from the Owners referred to in the body of this report; and
- (9) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills necessary to give effect thereto.

26. Status Report – Warning Clause within Monarch Condominium Declaration for Development Adjacent to Albert Campbell Square (Ward 38 – Scarborough Centre)

Report (February 3, 2004) from the Acting Director of Community Planning – East, responding to a direction of Community Council at its last meeting.

Recommendation:

That City Council request the City Solicitor, in consultation with Community Planning, Urban Development Services, to report to the Planning and Transportation Committee on a recommended policy and practice for warning clause requirements in City planning approvals.

2:00 P.M. PUBLIC MEETING UNDER THE PLANNING ACT

27. Carnforth Christian Centre (Scarborough Hope Centre) – 3576 St. Clair Avenue East – Kennedy Park Community (Ward 35 – Scarborough Southwest)

Report (February 3, 2004) from the Acting Director of Community Planning – East.

Recommendations:

- (1) amend the Kennedy Park Community Zoning By-law No.9276 for the former City of Scarborough substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 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.

Communications with respect to this matter:

- 27(a).** (January 29, 2004) from Jim Wright, Assistant Pastor, Commonwealth Avenue Baptist Church, in support of the Scarborough Hope Centre.

- 27(b).** (January 30, 2004) from Danny Mui, Executive Director, Centre for Information and Community Services (CICS), and enclosing a copy of a study that CICS and Agincourt Community Services Association undertook in 2002 to identify needs for a transitional housing/shelter for single persons in Agincourt. (The copy is available for perusal in the City Clerk's Office, Scarborough.)
- 27(c).** (January 30, 2004) from Jane Robson, Executive Director, Agincourt Community Services Association – Information Scarborough.
- 27(d).** (February 2, 2004) from Johanna and Dan Heisler and enclosing their communication (February 2, 2004) addressed to Councillor Gerry Altobello.
- 27(e).** (February 2, 2004) from Fong Yan Tung and others.
- 27(f).** (February 2, 2004) from Constance Stojkov, submitting a petition containing approximately 754 signatures, a copy of which is on file in the City Clerk's Office, Scarborough.
- 27(g).** (February 2, 2004) from Foong Chiao Chung.
- 27(h).** (February 3, 2004) from Vito Mangialardi.
- 27(i).** (February 3, 2004) from "one neighbour on Magnolia Avenue".

28. Final Report – Official Plan Amendment and Rezoning Application TF CMB 2003 0003 (03 035235 ESC 37 OZ) – Goodmans LLP – Page & Steele Architects – 2650 Lawrence Avenue East - Bendale Community (Ward 37 – Scarborough Centre)

Report (February 3, 2004) from the Acting Director of Community Planning – East.

Recommendations:

- (1) amend the Official Plan for the former City of Scarborough substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5;
- (2) amend the Zoning By-law for the Bendale Community Zoning By-law No. 9350 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6;
- (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

- (4) before introducing the necessary Bills to City Council for enactment, require the owner to enter into a Section 37 agreement with the City.

**29. Final Report – Official Plan Amendment Application 03 03529 ESC 44 OZ
Zoning By-law Amendment Application 03 035183 ESC 44 OZ – Scott Kapuscinski,
Plantactics (Architect – N/A) – Tideswell Boulevard, west of Vandorf Street – Rouge
Community (Ward 44 – Scarborough East)**

Report (February 2, 2004) from the Acting Director of Community Planning – East.

Recommendations:

- (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 Rouge 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.



**TORONTO EAST COMMUNITY COUNCIL
SUPPLEMENTARY AGENDA
MEETING No. 3**

Date of Meeting: February 17, 2004
Time: 9:30 a.m.
Location: Meeting Hall
Scarborough Civic Centre

Enquiry: Margaret O'Neil
Administrator
396-7288
oneil@toronto.ca

NEW BUSINESS

30. OMB Hearing – Appeal of the Committee of Adjustment (East District) decision refusing a minor variance application – 40 Danilack Court (Ward 41 – Scarborough Rouge River)

Report (February 5, 2004) from the City Solicitor advising of the outcome of an appeal to the OMB from a decision of the Committee of Adjustment (East District) to refuse a minor variance application.

Recommendation:

That this report be received for information.

IN CAMERA

In accordance with the Municipal Act, a motion is required for the Community Council to meet privately and the reason must be stated.

31. Policy to Govern and Regulate the Erection of Banners and Pennants by Unincorporated or Non-BIA Groups

Confidential report (February 3, 2004) from the City Solicitor.

This report to be considered in camera to receive advice that is subject to solicitor-client privilege.