
**SCARBOROUGH COMMUNITY COUNCIL
AGENDA
MEETING 9**

Date of Meeting: October 12, 2004
Time: 9:30 a.m.
Location: Council Chamber
Scarborough Civic Centre
150 Borough Drive
Toronto, Ontario

Enquiry: Margaret O'Neil
Committee Administrator
416-396-7288
oneil@toronto.ca

Under the *Municipal Act, 2001*, the Scarborough Community Council must adopt a motion to meet in camera (privately) and the reason must be given.

Declarations of Interest under the *Municipal Conflict of Interest Act*

Confirmation of Minutes – September 14, 2004

Deputations/Presentations – A complete list will be distributed at the meeting.

9:45 a.m. - Item 1
10:00 a.m. - Item 8
2:00 p.m. - Items 17 and 18

Communications/Reports:

**1. Naming of Cricket Mews and Culver Lane
(Ward 42 – Scarborough Rouge River)**

(Public Meeting under the *Municipal Act, 2001* – 9:45 a.m.)

In accordance with Clause 3, Report 6 of the Scarborough Community Council, adopted by City Council at its meeting on July 20, 21 and 22, 2004, 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.

**2. Rescinding of Lease Agreement with Scarborough Children’s Safety Village
(Ward 36 – Scarborough Southwest)**

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

Recommendations :

It is recommended that:

- (1) Report 19 (8) of the Corporate Services Committee, December 16 and 17, 1998 be rescinded; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”

**3. Request for Approval of Variances from the Scarborough Sign By-law No. 22980, as amended, for one Ground Sign at 462 Birchmount Road (Key Investments Ltd.)
(Ward 35 – Scarborough Southwest)**

(Deferred from September 14, 2004)

Report (August 31, 2004) from the Director of Building and Deputy Chief Building Official.

Recommendations :

It is recommended that:

- (1) the request for variances be refused for the reasons outlined in this report; and
- (2) should Council decide to grant the requested variances, the granting be subject to the following:
 - (a) all illegal signs on the property are to be removed;
 - (b) the abandoned existing ground sign base and sign structure, facing Birchmount Road, are to be removed;
 - (c) a permit must be obtained from the Building Division for the existing ground sign.

4. Request for Approval of Variances from the Scarborough Sign By-law No. 22980, as amended, for one Ground Sign at 3051 Lawrence Avenue East (Ward 38 – Scarborough Centre)

Report (September 28, 2004) from the Director of Building and Deputy Chief Building Official.

Recommendations:

It is recommended that the request for variances be granted for the reasons outlined in this report.

5. Request for Approval of a Variance from the Scarborough Sign By-law No. 22980, as amended, for one Ground Sign at 135 Milner Avenue (Yamaha Canada Music) (Ward 42 – Scarborough Rouge River)

(Deferred from September 14, 2004)

Report (August 31, 2004) from the Director of Building and Deputy Chief Building Official.

Recommendations:

It is recommended that the request for variance be refused for the reasons outlined in this report.

5(a). Report (September 28, 2004) from the Director of Building and Deputy Chief Building Official, responding to Community Council's direction of September 14, 2004, regarding ground sign heights on Highway 401 frontage, and recommending that this report be received for information.

6. Request for Approval of Variances from the Scarborough Sign By-law No. 22980, as amended, for one Ground Sign at 6758 Kingston Road (Ward 44 – Scarborough East)

Report (September 28, 2004) from the Director of Building and Deputy Chief Building Official.

Recommendations:

It is recommended that the request for variances be refused for the reasons outlined in this report.

7. Sign By-law Enforcement

Report (September 28, 2004) from the Director of Building and Deputy Chief Building Official, responding to the request by the Scarborough Community Council at its meeting on September 14, 2004, on the status of enforcement of the former City of Scarborough Sign By-Law, and in particular mobile signs and banners; and Divisional requirements to increase enforcement with a view to recommending to City Council that the 2005 Budget include a fee increase to support additional Sign By-Law enforcement staff. and recommending that this report be received for information.

8. Elimination of Sidewalks on Starry Crescent and Boulderbrook Drive (Ward 42 – Scarborough Rouge River)

Report (September 28, 2004) from the Director, Development Engineering.

Recommendations:

It is recommended that the developer be directed to construct the sidewalks on Starry Crescent and Boulderbrook Drive (Hepatica Street to west end) in accordance with the Subdivision Agreement.

9. Traffic Operations Review – Kennedy Commons Inc. and Lansing Building Supply Limited – 1997, 2021 and 2031 Kennedy Road and 50 Progress Avenue (Ward 40 – Scarborough Agincourt)

Report (September 30, 2004) from the Director, Transportation Services, East District.

Recommendations:

It is recommended that this report be received for information.

9(a). Assumption of Services – Kennedy Commons Inc. and Lansing Building Supply Limited – 1997, 2021 and 2031 Kennedy Road and 50 Progress Avenue (Ward 40 – Scarborough Agincourt)

Report (December 18, 2003) from the City Solicitor.

Recommendations:

It is recommended 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.

10. Proposed Turn Prohibition – 1279 Kennedy Road (Ward 37 – Scarborough Centre)

Report (September 23, 2004) from the Director, Transportation Services, East District.

Recommendations:

It is recommended that:

- (1) a northbound right-turn and westbound left-turn prohibition be enacted at all times at the driveway located on the east side of Kennedy Road, at a point 67 metres north of and opposite from the centre of Shropshire Drive, as identified in Appendix 1 of this report;
- (2) all costs associated with signage in support of the prohibitions at the subject driveway be borne by the owner of the property serviced by the driveway; and
- (3) the appropriate by-law be amended accordingly.

11. Proposed Parking Regulations Changes on Cowdray Court East of Kennedy Road (Ward 40 – Scarborough Agincourt)

Report (September 22, 2004) from the Director, Transportation Services, East District.

Recommendations:

It is recommended that:

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

12. Request to Prohibit Parking at All Times on Rural Avenue (Ward 41 – Scarborough Rouge River)

Report (September 22, 2004) from the Director, Transportation Services, East District.

Recommendations:

It is recommended that:

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

13. Proposed Parking Regulation Changes on Brimwood Boulevard in the Vicinity of Brimwood Boulevard Junior Public School and Our Lady of Grace Catholic School (Ward 41 – Scarborough Rouge River)

Report (September 22, 2004) from the Director, Transportation Services, East District.

Recommendations:

It is recommended that:

- (1) the changes, additions and deletions to the various traffic by-laws outlined in the attached Appendixes be adopted; and
- (2) the appropriate by-laws be amended accordingly.

14. Proposed Minor Street Stop Signs intersecting Leameadow Way and Rotary Drive (Ward 44 – Scarborough East)

Report (September 22, 2004) from the Director, Transportation Services, East District.

Recommendations:

It is recommended that:

- (1) the minor stop signs intersecting Leameadow Way and Rotary Drive identified in Appendix 1 of this report be adopted; and
- (2) the appropriate by-laws be amended accordingly.

15. Request for Direction – OPA and Rezoning Application 02 035460 ESC 40 OZ – Site Plan Control Application 04 166362 ESC 40 SA – Verbana Construction Ltd. – 10 Chichester Place – L’Amoreaux Community (Ward 40 – Scarborough Agincourt)

REPORT TO FOLLOW.

16. Status Report – Rezoning Application 03 035266 ESC 44 OZ – Official Plan Amendment Application 03 035176 ESC 44 OZ – Site Plan Control Application 04 116702 ESC 44 SA – Sundance Development Corporation – 4 Tideswell Boulevard, West Side – Rouge Community (Ward 44 – Scarborough East)

REPORT TO FOLLOW.

- 17. Final Report – Rezoning Application 03 195543 ESC 39 OZ – Mon Sheong Foundation – 2020 McNicoll Avenue – Milliken Employment District (Ward 39 – Scarborough Agincourt)**

(Deferred from September 14, 2004)

(Public Meeting under the *Planning Act* – 2:00 p.m.)

Report (August 31, 2004) from the Acting Director, Community Planning, East District.

Recommendations:

It is recommended that City Council:

- (1) amend the Employment Districts Zoning By-law No. 24982 (Milliken) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6; and
 - (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- 17(a). Supplementary Report - Rezoning Application 03 195543 ESC 39 OZ – Mon Sheong Foundation – 2020 McNicoll Avenue – Milliken Employment District (Ward 39 – Scarborough Agincourt)**

REPORT TO FOLLOW.

- 18. Final Report – Rezoning Application 04 141413 ESC 40 OZ – Dr. Jarmila Filipko – 3717 Sheppard Avenue East – Tam O’Shanter Community (Ward 40 – Scarborough Agincourt)**

(Deferred from September 14, 2004)

(Public Meeting under the *Planning Act* – 2:00 p.m.)

Report (August 31, 2004) from the Acting Director, Community Planning, East District.

Recommendations:

It is recommended that City Council:

- (1) amend the Zoning By-law for the Tam O'Shanter Community No. 12360 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.
- 18(a).** Communication (August 31, 2004) from Philip Bradshaw, Solicitor on behalf of Ella Ng, owner of the property at 2255 Birchmount Road, objecting to the application.



**SCARBOROUGH COMMUNITY COUNCIL
SUPPLEMENTARY AGENDA
MEETING 9**

Date of Meeting: October 12, 2004
Time: 9:30 a.m.
Location: Meeting Hall
Scarborough Civic Centre

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

15. Request for Direction – OPA and Rezoning Application 02 035460 ESC 40 OZ – Site Plan Control Application 04 166362 ESC 40 SA – Verbana Construction Ltd. – 10 Chichester Place – L'Amoreaux Community (Ward 40 – Scarborough Agincourt)

Report (October 4, 2004) from the Acting Director, Community Planning, East District.

Recommendations:

It is recommended that City Council:

- (1) refuse the Official Plan and Zoning By-law amendment applications in their current form;
- (2) direct the City Solicitor and appropriate City staff to attend the Ontario Municipal Board Hearing to represent the City's interest to oppose the Official Plan and Zoning By-law amendment applications in their current form;
- (3) direct the City Solicitor and appropriate City staff to attend the Ontario Municipal Board Hearing to represent the City's interest to oppose the Site Plan Control application in its current form in the event it is also appealed to the Ontario Municipal Board;
- (4) direct staff to continue to negotiate with the applicant in an attempt to arrive at a development proposal that can be considered compatible infill development, secures appropriate community benefits and represents good planning. These negotiations are to include, but not be limited to, the following matters:

- (a) requirement that the recreation room within the existing rental apartment building at 10 Chichester Place be reinstated by the owners for the use of tenants in accordance with the L'Amoreaux Community Zoning By-law No. 12466, with no pass through of the costs to the tenants; and
- (b) in return for any increase in the height and/or density of development otherwise permitted by the existing zoning, that the Owners be required to enter into a Section 37 agreement to secure the provision of facilities, services or matters including, but not limited to, the following:
 - (i) protection of the rental tenure of the existing apartment building on the site for as long as possible from the date any by-law to permit additional development comes into effect, and agreement by the owner that during this time period no application for condominium conversion or application to demolish the existing building will be made;
 - (ii) seek improvements to the existing rental building that create a net benefit to the existing residents on the site, while enhancing the long term viability of the rental housing, with no pass through of related costs to the tenants; and
 - (iii) that the Owner develop and implement an appropriate construction mitigation and communications strategy for the tenants of 10 Chichester Place, at the owner's cost and expense.
- (5) amend Site Plan Control By-law 21319 to designate the lands at 10 Chichester Place as a Site Plan Control Area, substantially in accordance with the draft by-law attached as Attachment 5; and
- (6) authorize the City Solicitor to make such stylistic and technical changes to the draft designating Site Plan Control By-law as may be required.

(IN CAMERA – litigation or potential litigation)

16. Status Report – Rezoning Application 03 035266 ESC 44 OZ – Official Plan Amendment Application 03 035176 ESC 44 OZ – Site Plan Control Application 04 116702 ESC 44 SA – Sundance Development Corporation – Viljoen Architect Inc. - 4 Tideswell Boulevard, West Side – Rouge Community (Ward 44 – Scarborough East)

Confidential report (October 5, 2004) from the Acting Director, Community Planning, East District, to be considered in camera as it relates to litigation or potential litigation.

**17(a). Supplementary Report - Rezoning Application 03 195543 ESC 39 OZ – Mon Sheong Foundation – Louis Cheung Architect Inc. - 2020 McNicoll Avenue – Milliken Employment District
(Ward 39 – Scarborough Agincourt)**

Report (October 5, 2004) from the Acting Director, Community Planning, East District.

Recommendations:

It is recommended that City Council:

- (1) amend the Employment Districts Zoning By-law No. 24982 (Milliken) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 3 in this Supplementary Report rather than the Zoning By-law contained in the Final Report dated August 31, 2004; and
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

NEW ITEMS

19. Request for Direction – Designation of Site Plan Control Areas – City-initiated File No. 04 178744 TM – 447 Port Union Road and 67-75 Kirkdene Drive – Centennial Community (Ward 44 – Scarborough East)

Report (October 4, 2004) from the Acting Director, Community Planning, East District.

Recommendations:

It is recommended that City Council:

- (1) enact a Site Plan Control By-law pursuant to Section 42 of the Planning Act to designate 447 Port Union Road and 67-75 Kirkdene Drive as areas subject to Site Plan Control, substantially in accordance with the draft Site Plan Control By-law attached as Attachment 1; and
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Site Plan Control By-law as may be required.