

THE CORPORATION OF THE CITY OF TORONTO

Clerk's Department

Minutes of the Toronto East Community Council

Meeting No. 3

Tuesday, February 17, 2004

The Toronto East Community Council met on Tuesday, February 17, 2004, in the Meeting Hall, Scarborough Civic Centre, commencing at 9:35 a.m.

Members present:

	<u>9:35 a.m. - 12:40 p.m.</u>	<u>2:09 p.m. - 6:54 p.m.</u>
Councillor Raymond Cho, Chair	x	x
Councillor Michael Thompson, Vice Chair	x	x
Councillor Gerry Altobello	x	x
Councillor Brian Ashton	x	x
Councillor Bas Balkissoon	x	x
Councillor Gay Cowbourne	x	x
Councillor Glenn De Baeremaeker	x	x
Councillor Mike Del Grande	x	x
Councillor Norm Kelly	x	x
Councillor David Soknacki	x	-

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

Confirmation of Minutes

On a motion by Councillor Del Grande, the Minutes of the meeting of the Scarborough Community Council held on January 5, 2004, were confirmed.

3.1 Stand up for Scarborough – Scarborough Community Summit

The Community Council received a presentation by Betty Carr, Publisher, Scarborough Mirror, with respect to the “Stand Up for Scarborough” initiative and from Ed Castro, WSNCC, and Alimamy Bangura, MENTORS, with respect to the “Scarborough Community Summit” held on September 10, 2003.

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- A. Councillor Kelly moved that the Toronto East Community Council request the Chief Administrative Officer to submit a report to Community Council, or the appropriate Standing Committee, on a system and cost of monitoring and analyzing the “health” of the Scarborough Community.

(Carried)

- B. Councillor Del Grande moved that the organizers of the Scarborough Summit be requested to submit their presentation to the Chair and that the Chair direct their recommendations to the various Scarborough elected officials who will bring forth those recommendations to the appropriate Standing Committees, and further, that the Chair be requested to organize, with the co-operation of “Stand Up for Scarborough” and the “Scarborough Summit”, a “Politicians’ Summit” to include Scarborough MP’s and MPP’s to discuss the recommendations brought forward today.

(Carried)

- C. Councillor De Baeremaeker moved that the Toronto East Community Council request the Commissioner of Corporate Services to notify community groups of:

- (1) all summer job opportunities for students;
- (2) the process for applying for these jobs; and
- (3) the deadline for applying for these jobs; and

that an advertisement be placed in the local community newspapers inviting applications.

(Carried)

- D. Councillor Del Grande moved that Toronto East Community Council request:

- (1) the Chief Administrative Officer to prepare a report analyzing all services and facilities and the dollar allocations provided to Scarborough relative to other parts of the City; and
- (2) that City Council request the School Boards to create a permanent supervisory position to deal with school permits.

(Carried)

(Clause No. 20, Report No. 2)

3.2 Pick-Up of White Goods at the Curb

The Community Council received a presentation by Ron Gordon, Director, Solid Waste Management, Districts 3 and 4, with respect to the pick-up of white goods at the curb (as requested by Community Council at its previous meeting).

- A. Councillor Cowbourne moved that the Toronto East Community Council recommend that the Commissioner of Works and Emergency Services be directed to ensure that stickers are provided to major retailers across the City which include the City telephone number for appliance pick-ups and an explanation of the cost associated with unscheduled pick-ups.

(Carried)

- B. Councillor De Baeremaeker moved that City Council request the Ministry of the Environment to implement legislation that would require retailers and/or manufacturers to either pick up old appliances at the same time as they deliver new appliances or pay a City pick-up fee.

(Carried)

(Clause No. 21, Report No. 2)

3.3 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)

The Toronto East Community Council, pursuant to Clause 17, Report No. 7 of the Scarborough Community Council, as adopted by City Council at its meeting held on September 22, 23, 24 and 25, 2003, held a public meeting and notice, in accordance with the Municipal Act, 2001, of the proposed enactment of the draft by-law was posted on the City's web site. Mr. Edward Fleury appeared before the Community Council in support of the closure.

On a motion by Councillor Balkissoon, the Toronto East Community Council recommended to City Council the enactment of the proposed draft by-law to close a portion of Portia Street located at the rear of 34, 36, 38, 40, 42, 44, 46 and 48 Tivoli Court.

(Clause No. 1, Report No. 2)

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

The Community Council had before it a 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 and recommending that this report be received for information.

On a motion by Councillor Altobello, the Toronto East Community Council received the aforementioned report.

(Clause No. 23(c), Report No. 2)

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

The Community Council had before it a report (January 29, 2004) from the Commissioner of Corporate Services, recommending that:

- (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.

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

(Clause No. 4, Report No. 2)

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

The Community Council had before it a report (February 2, 2004) from the Director of Transportation Services, East District, 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 Altobello, the Toronto East Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 5, Report No. 2)

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

The Community Council had before it a report (February 2, 2004) from the Director of Transportation Services, East District, recommending that:

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

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

(Clause No. 6, Report No. 2)

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

The Community Council had before it a report (February 2, 2004) from the Director of Transportation Services, East District, 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;
- (3) the appropriate by-laws be amended accordingly.

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

(Clause No. 7, Report No. 2)

3.9 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)

The Community Council had before it a report (January 29, 2004) from the Acting Director of Community Planning – East, recommending 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.

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

(Clause No. 9, Report No. 2)

3.10 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)

The Community Council had before it a report (February 3, 2004) from the Acting Director of Community Planning – East, recommending that 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.

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

(Clause No. 10, Report No. 2)

3.11 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)

The Community Council had before it a report (February 3, 2004) from the Acting Director of Community Planning – East, recommending 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.

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

(Clause No. 11, Report No. 2)

3.12 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)

The Community Council had before it a report (February 2, 2004) from the Acting Director of Community Planning – East, recommending 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.

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

(Clause No. 13, Report No. 2)

3.13 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)

The Community Council had before it a report (January 30, 2004) from the Acting Director of Community Planning – East, 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 Balkissoon, the Toronto East Community Council approved the aforementioned report.

(Clause No. 23(g), Report No. 2)

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

The Community Council had before it a report (January 29, 2004) from the Acting Director of Community Planning – East, 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 Soknacki, the Toronto East Community Council approved the aforementioned report.

(Clause No. 23(h), Report No. 2)

3.15 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)

The Community Council had before it a report (February 2, 2004) from the Acting Director of Community Planning – East, 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 Cowbourne, the Toronto East Community Council approved the aforementioned report.

(Clause No. 23(i), Report No. 2)

3.16 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)

The Community Council had before it a report (February 2, 2004) from the Acting Director of Community Planning – East, 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 Cowbourne, the Toronto East Community Council approved the aforementioned report.

(Clause No. 23(j), Report No. 2)

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

The Community Council had before it a joint report (February 2, 2004) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, recommending that:

- (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.

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

(Clause No. 14, Report No. 2)

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

The Community Council had before it a report (February 3, 2004) from the Acting Director of Community Planning – East, responding to a direction of Community Council at its last meeting, recommending 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.

On a motion by Councillor De Baeremaeker, the Toronto East Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 16, Report No. 2)

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

The Community Council had before it a 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 and recommending that this report be received for information.

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

(Clause No. 23(l), Report No. 2)

3.20 Final Report - Part Lot Control Application 03 196788 E00 00 PL – Lands west of Morningside Avenue, South of Highway 401 – Petunia Valley Developments Inc. (Ward 43 – Scarborough East)

The Community Council had before it a report (February 10, 2004) from the Acting Director of Community Planning – East, recommending that the City Solicitor be authorized to introduce the necessary Bills after such time that the Owner has registered a Section 118 Restriction under the Land Titles Act agreeing not to convey or mortgage

any part of the lands without the prior written consent of the Chief Planner or his designate.

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

(Clause No. 19, Report No. 2)

3.21 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)

The Community Council had before it a report (December 11, 2003) from the Director of Building and Deputy Chief Building Official, recommending that the request for variances be refused for the reasons outlined in this report.

Councillor Balkissoon moved that the recommendations in the report (December 11, 2003) from the Director of Building and Deputy Chief Building Official, be struck out and the following substituted therefor:

- (1) the variance for the Ground Sign be approved at 6.0 metres;
- (2) the variance for the Wall Sign to the south be approved; and
- (3) the matter of the variance for the Wall Sign to the west be referred back to staff for further discussion with the applicant with a view to achieving a sign more closely compatible with the by-law, and a report thereon be submitted to Community Council at its meeting scheduled to be held on April 7, 2004.

(Carried)

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

- David Brown, on behalf of the applicant; and
- Howard Tuchman, Architect.

(Clause No. 2, Report No. 2)

3.22 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)

The Community Council had before it a report (December 4, 2003) from the Director of Building and Deputy Chief Building Official, recommending that the request for variances be refused for the reasons outlined in this report.

- A. Councillor Balkissoon moved that the report (December 4, 2003) from the Director of Building and Deputy Chief Building Official, be deferred for consideration at its next meeting scheduled to be held on April 7, 2004, with the request that further consultation take place between the applicant and the Ward Councillor.

(Carried)

- B. Councillor Soknacki moved that the report of the Director of Community Planning, East District, dated December 4, 2003, be approved, which was not voted upon as Motion A. by Councillor Balkissoon carried.

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

- David Brown, on behalf of the applicant; and
- Howard Tuchman, Architect.

(Clause No. 23(a), Report No. 2)

The Community Council recessed at 12:40 p.m., having agreed, by a two-thirds vote of the Members present and voting, to continue beyond 12:30 p.m. to complete discussion of the foregoing matter.

The Community Council reconvened at 2:09 p.m.

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

Members of the Community Council were advised by the Committee Administrator that the applicant failed to post the requisite notice under the Planning Act on the site,

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therefore, a new Notice of Public meeting must be issued for a future meeting of the Toronto East Community Council.

The Community Council had before it a report (February 3, 2004) from the Acting Director of Community Planning - East, recommending that City Council:

- (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.

Councillor Altobello moved that:

- (1) the Public Meeting under the Planning Act on the report (February 3, 2004) from the Acting Director of Community Planning – East, be convened on Wednesday, April 7, 2004, at 7:00 p.m.; and
- (2) notice of the rescheduled meeting be provided to all persons previously invited, the cost for such notice to be borne by the applicant, and further, the Chief of Police be requested to report to the meeting on April 7, 2004, on:
 - (i) the number of times the Police Service has visited the Scarborough Hope Shelter over the past year, and the reasons for so doing, and further, that if an FOI application is required to obtain this information, appropriate staff be directed to make such application, and if necessary, submit such information to Community Council in a confidential report; and
 - (ii) the opinion of the Police Service as to the suitability of a shelter at this location.

(Carried)

The Toronto East Community Council also had before it written submissions from the following, copies of which were provided to Members of Community Council and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre:

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

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Agincourt Community Services Association undertook in 2002 to identify needs for a transitional housing/shelter for single persons in Agincourt;

- (January 30, 2004) from Jane Robson, Executive Director, Agincourt Community Services Association – Information Scarborough;
- (February 2, 2004) from Johanna and Dan Heisler and enclosing their communication (February 2, 2004) addressed to Councillor Gerry Altobello;
- (February 2, 2004) from Fong Yan Tung and others.
- (February 2, 2004) from Constance Stojkov, submitting a petition containing approximately 754 signatures in opposition to the shelter, the original of which is on file in the City Clerk's Office, Scarborough;
- (February 2, 2004) from Foong Chiao Chung;
- (February 3, 2004) from Vito Mangialardi;
- (February 3, 2004) from "one neighbour on Magnolia Avenue";
- (February 12, 2004) e-mail communication from Chaplain Mary Ann Grant, OMC Re-integration Program, re. the Scarborough Hope Shelter;
- (February 16, 2004) from Bev Duncan, President, B. Duncan Marketing Ltd.; and
- (February 16, 2004) from Susan Browne, Program Manager, East Team, Community Rehabilitation Services, Community Resources Consultants of Toronto.

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

- Calvin Lantz, McCarthy Tetrault LLP, on behalf of the applicant;
- Lindsay Dale-Harris, Bousfields, Planning Consultant;
- Cindy Cowan, Nellie's Hostel;
- Nick Diplas;
- Peter Petrasek, Cardinal Newman High School;
- Darnell Chambers, student, Cardinal Newman High School;
- Rev. Dr. Basil Miller, Founder and Executive Director, Scarborough Hope Shelter;
- Constance Stojkov;
- Rosemary Falsetti;
- Ray Scott;

- Steven Hamburger, Scarborough Baptist Church (Member of the Board, Birchmount Residence);
- Jeff Atkins;
- Simon McNichol, Executive Co-ordinator, Native Mens' Residence;
- Richard De Gaetano, Community Social Planning Council of Toronto;
- Beverly Griffiths, Manager, Scarborough Hope Shelter;
- Rev. Jim Wright, Commonwealth Avenue Baptist Church;
- Horace Mitchener, Agincourt Community Services;
- Angela Russher;
- Alex Cywink, Manager, Streethelp Outreach Services, Native Mens' Residence;
- Douglas Shaver;
- Brian Stephenson;
- Robert Bailey;
- Tazio Clarke;
- Dr. Kelly, Ph.D.; and
- Stephen Jennex.

(Clause No. 23(k), Report No. 2)

3.24 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)

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

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Councillor Thompson moved that the report (February 3, 2004) from the Acting Director of Community Planning – East, be approved, subject to adding a further recommendation that the Site Plan Control Agreement include the following Condition:

“The owner agrees to include the following warning clause in all future offers of purchase and sale for the new housing units, as well as in any future Condominium Declarations:

‘The purchaser acknowledges that the commercial plaza will continue to operate on the lands to the south of this residential condominium project and that loading activities, including the storage and pick-up of garbage for the commercial plaza, will continue to take place on the north side of the commercial plaza, adjacent to this residential project. These activities may involve noise, vibration, and odours and may occasionally cause nuisance, discomfort or disruption to the normal daily activities of the residents’”.

(Carried)

Paul Mailer, Goodmans LLP, appeared before the Community Council in connection with the foregoing matter, and indicated his agreement to the proposed amendment.

(Clause No. 17, Report No. 2)

**3.25 Final Report – Official Plan Amendment Application 03 035249 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)**

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 (February 2, 2004) from the Acting Director of Community Planning - East, recommending that City Council:

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

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

Scott Kapuscinski, Plantactics, appeared before the Community Council in support of the staff recommendations.

(Clause No. 18, Report No. 2)

3.26 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)

The Community Council had before it a report (February 4, 2004) from the Acting Director of Community Planning – East, recommending 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.

On a motion by Councillor Thompson, the Toronto East Community Council approved the aforementioned report.

(Clause No. 23(f), Report No. 2)

3.27 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)

The Community Council had before it a report (February 4, 2004) from the Acting Director of Community Planning – East, recommending that:

- (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.
- A. Councillor Cowbourne moved that the report (February 4, 2004) from the Acting Director of Community Planning – East, be approved.

(Carried)

- B. Councillor De Baeremaeker moved that the report (February 4, 2004) of the Acting Director of Community Planning – East, be further amended to request the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services, in consultation with the TRCA, to identify those areas which would be required to restore the Rouge Swamp, and that environmental issues and concerns be given priority in considering this application.

(Carried)

(Clause No. 12, Report No. 2)

3.28 5933 Steeles Avenue East (Underwood House) – Inclusion on the City of Toronto Inventory of Heritage Properties (Ward 41 – Scarborough Rouge River)

The Community Council had before it a report (January 13, 2004) from the Commissioner of Economic Development, Culture and Tourism, recommending that.

- (1) 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.

On a motion by Councillor Balkissoon, the Toronto East Community Council deferred the aforementioned report to its next regular meeting scheduled to be held on April 7, 2004, to permit the owner of the property to be in attendance.

The Community Council also had before it a communication (January 22, 2004) from the City Clerk (Toronto Preservation Board) recommending the adoption of the aforementioned report.

(Clause No. 23(b), Report No. 2)

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

The Community Council had before it a report (January 30, 2004) from the Commissioner of Economic Development, Culture and Tourism, recommending that:

- (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.

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

(Clause No. 3, Report No. 2)

3.30 Budgetary and Staffing Implications of City Council's Amendments to the Revised Organization Structure for the Committees of Adjustment

The Community Council had before it a 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.

- A. Councillor Balkissoon moved that the Toronto East Community Council recommend to Planning and Transportation Committee that the meetings of the Toronto East Committee of Adjustment commence at 9:30 a.m.

(Carried)

- B. Councillor Altobello moved that the Toronto East Community Council recommend to Planning and Transportation Committee that the meetings of the Toronto East Committee of Adjustment commence at 2:00 p.m., which was not voted upon as Motion A. by Councillor Balkissoon carried.

(Clause No. 23(d), Report No. 2)

3.31 Naming of Proposed Public Street Located between Milner Avenue and Morningside Avenue – "Cinemart Drive" (Ward 42 – Scarborough Rouge River)

The Community Council had before it a report (February 2, 2004) from the City Surveyor, recommending that:

- (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.

On a motion by Councillor Ashton, the Toronto East Community Council deferred consideration of the aforementioned report to the next Community Council meeting scheduled to be held on April 7, 2004, with the request that the City Surveyor report thereto with respect to naming this street "Eric McCormack Drive".

(Clause No. 23(e), Report No. 2)

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

The Community Council had before it a report (February 2, 2004) from the Director of Transportation Services, East District, recommending that:

- (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.

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

(Clause No. 8, Report No. 2)

3.33 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)

The Community Council had before it a joint report (February 2, 2004) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, recommending that:

- (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

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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.
- A. Councillor De Baeremaeker moved that the joint report (February 2, 2004) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services be approved subject to amending Recommendations Nos. (6), (7) and (8) to read as follows:

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- “(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, including Part 1 on Sketch PS-2003-045, remain under the jurisdiction of the Commissioner of Works and Emergency Services;
- (7) the Surplus Highways, more particularly described as Part 4 on Sketch PS-2003-048, Part 1 on Sketch PS-2003-049 and Parts 1, 3 and 7 on Sketch PS-2003-050 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 Surplus Highways more particularly described as Part 4 on Sketch PS-2003-048, Part 1 on Sketch PS-2003-049 and Parts 1, 3 and 7 on Sketch PS-2003-050 from the Owners referred to in the body of this report;”.

(Lost)

The Community Council agreed, by a two-thirds vote of the Members present and voting, to continue beyond 6:30 p.m. to complete discussion of the foregoing matter.

- B. Councillor De Baeremaeker moved that the joint report (February 2, 2004) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services be approved, subject to adding the following recommendation:

“that the Commissioner of Corporate Services be directed to approach the adjoining property owners to Part 1 on Sketch PS-2003-045 in an effort to negotiate a land exchange of equal size and/or value adjacent to the Morningside Tributary, and in the event negotiations are not successful within six months of commencing negotiations, that Part 1 on PS-2003-045 be sold.”

(Carried)

(Clause No. 15, Report No. 2)

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

The Community Council had before it a confidential report (February 3, 2004) from the City Solicitor regarding the policy to govern and regulate the erection of banners and pennants by unincorporated or Non-BIA groups.

The Community Council met privately in accordance with the Municipal Act, to receive advice from the City Solicitor.

Councillor Cowbourne moved that:

- (1) Recommendations Nos. (1) and (3) contained in the confidential report (February 3, 2004) from the City Solicitor be struck out; and
- (2) Recommendation No. (2) be adopted.

(Clause No. 22, Report No. 2)

The Community Council adjourned its meeting at 6:54 p.m.

Chair.