

THE CORPORATION OF THE CITY OF TORONTO

Clerk's Division

Minutes of the Scarborough Community Council

Meeting 7

Tuesday, July 6, 2004

The Scarborough Community Council met on Tuesday, July 6, 2004, in the Meeting Hall, Scarborough Civic Centre, commencing at 9:34 a.m.

Members present:

	<u>9:34 a.m. - 12:42 p.m.</u>	<u>2:06 p.m. - 6:00 p.m.</u>
Councillor Raymond Cho, Chair	-	-
Councillor Michael Thompson, Acting 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	x

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

Councillor Thompson assumed the Chair.

Confirmation of Minutes

On a motion by Councillor Ashton, the Minutes of the meeting of the Toronto East Community Council held on June 8, 2004, were confirmed.

7.1 Harmonized City-wide Private Tree By-law (All Wards)

The Community Council had before it a communication (June 1, 2004) from the City Clerk advising that the Planning and Transportation Committee referred the report (May 7, 2004) from the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism to the Community

Scarborough Community Council Minutes
Tuesday, July 6, 2004

Councils for further public consultation and report back to the Planning and Transportation Committee for its meeting to be held on September 7, 2004.

- A. Councillor Cowbourne moved that an information/educational brochure regarding the proposed By-law be produced and be made available before the Fall Environment Days.

(Carried)

- B. Councillor Del Grande moved that the by-law be amended to provide that:

- (1) any property owners who have trees on their lot be responsible for the maintenance, i.e. pruning, of the trees, as they impact on the abutting neighbours;
- (2) upon payment of a permit fee, the City will review and process an application within thirty days or the permit shall be deemed to be accepted; and
- (3) staff provide statistical information on the increase/decrease in tree planting, as well as the number of enquiries concerning tree issues in Scarborough.

(Carried)

- C. Councillor Balkissoon moved that Scarborough Community Council request the Planning and Transportation Committee not to forward their recommendations to City Council until February, 2005, to permit individual Councillors the opportunity to share the proposed Harmonized City-wide Private Tree By-law with their communities through community consultation meetings.

(Carried)

- D. Councillor De Baeremaeker moved that Scarborough Community Council recommend that:

- (1) the City charge a Tree Replacement Fee to ensure the planting of a minimum of three new trees for every mature tree cut down;
- (2) the City require circulation of a notice to cut a mature tree to all property owners within 120 metres of the site and provide thirty days notice of the application;
- (3) the City structure its tree permit fees to ensure full cost recovery of both administrative costs and new tree planting costs;

Scarborough Community Council Minutes
Tuesday, July 6, 2004

- (4) there be no \$50 per tree discount given to developers for cutting more than 10 trees, that there be no maximum Tree Permit Fee, and further, that the Tree Permit fee be:
 - (i) a minimum of \$300 per tree for the first ten trees cut down;
 - (ii) a minimum of \$600 per tree after the first ten trees;

- (5) the City increase the minimum fine for a person convicted of an offence under the by-law, and request the Province of Ontario to amend the Municipal Act to permit a fee structure, as follows:
 - (i) \$2,000 per tree on a first conviction for an individual;
 - (ii) \$5,000 per tree on any subsequent conviction for an individual;
 - (iii) \$10,000 per tree on a first conviction for a corporation; and
 - (iv) \$20,000 per tree on any subsequent conviction for a corporation;

- (6) there be no maximum fine for people convicted of an offence under the tree preservation by-law and no maximum Tree Permit Fee.

Recommendation (3) of the motion by Councillor De Baeremaeker carried. Recommendations (1), (2), (4), (5) and (6) of the motion lost.

E. Councillor Soknacki moved that the Commissioners of Urban Development Services and Economic Development, Culture and Tourism, be requested to report to the Planning and Transportation Committee on:

- (1) action thresholds by communities or community zoning by-law;
- (2) action thresholds by size or type of trees or other parameters which accommodate differences throughout the City; and
- (3) enabling fee application and payment through the City's website.

(Carried)

The Community Council received a presentation on the Harmonized City-wide Private Tree By-law by staff of Parks and Recreation, Forestry Division.

Scarborough Community Council Minutes
Tuesday, July 6, 2004

The Community Council received the following communications:

(June 23, 2004) from Shelley Petrie, Executive Director, Toronto Environmental Alliance in support of the Harmonized City-wide Private Tree By-law;

(June 30, 2004) from Seana Irvine, Program Director, Evergreen – Bring Nature Back to Your City, in support of the Harmonized City-wide Private Tree By-law;

(June 30, 2004) from John Wilson, Chair, Task Force to Bring Back the Don, in support of the Harmonized City-wide Private Tree By-law;

(July 1, 2004) from Mack Williams, attaching a copy of a communication to Councillor Pantalone from Janet McKay of LEAF in support of the Harmonized City-wide Private Tree By-law; and

(June 29, 2004) from Janet McKay of LEAF in support of the Harmonized City-wide Private Tree By-law and attaching a list of 57 groups and individuals in support.

The following persons appeared before the Community Council:

- Alan Burke, President, East Beach Community Association;
- Sandra Iseman, Project Co-ordinator, LEAF (local Enhancement and Appreciation of Forests) and on behalf of FLAP (Fatal Light Awareness Program);
- Patricia Thomson, Kelly's Tree Care Ltd.;
- Betty Smith; and
- Ann Smith.

(Clause 27(a), Report 6)

**7.2 Application for Demolition under Section 34 of the Ontario Heritage Act
21 Old Kingston Road (Richardson-Corson House) (Ward 44 – Scarborough East)**

The Scarborough Community Council held a public meeting under the provisions of Section 34 of the *Ontario Heritage Act*, the required notice having been given. No one addressed the Community Council.

The Community Council had before it a report (June 14, 2004) from the Commissioner of Economic Development, Culture and Tourism, recommending that:

- (1) the application made under Section 34 of the Ontario Heritage Act to demolish the building located at 21 Old Kingston Road be refused; and

Scarborough Community Council Minutes
Tuesday, July 6, 2004

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

A. Councillor Cowbourne moved that the staff recommendations in the Recommendations Section of the report (June 14, 2004) from the Commissioner of Economic Development, Culture and Tourism, be approved.

(Carried)

B. Councillor Del Grande moved that the report (June 14, 2004) from the Commissioner of Economic Development, Culture and Tourism, be deferred to the Community Council meeting on September 14, 2004, with the request that, in the interim, Preservation Services staff meet with the property owner to attempt to resolve issues involved with this property and assist this property owner and report back to Community Council.

The Scarborough Community Council consented to the withdrawal of Motion B. by Councillor Del Grande.

(Clause 1, Report 6)

7.3 Nomination of Two Citizen Representatives from the Scarborough Community Council Area to The Heritage Toronto Board of Directors

The Community Council had before it a report (June 18, 2004) from the Executive Director of Heritage Toronto, recommending that:

(1) the Scarborough Community Council recommend to City Council the appointment of the selected individuals listed in Attachment 1, to the Heritage Toronto Board of Directors for a term commencing once Council passes the by-law making the new Heritage Toronto Board composition effective, and expiring on November 30, 2006, or until a successor is appointed; 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 Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

(Clause 2, Report 6)

7.4 Naming of Private Lanes – Development on West Side of Staines Road, North and South of Seasons Drive (Ward 42 – Scarborough Rouge River)

The Community Council had before it a report (June 16, 2004) from the City Surveyor, recommending that:

- (1) the proposed private lanes at the residential development on the west side of Staines Road, north and south of Seasons Drive, as shown on Attachment No. 1, be named "Cricket Mews" and "Culver Lane";
- (2) Rangemanner Estates be required to pay the costs estimated to be in the amount of \$500, for the fabrication and installation of the street name signs; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On a motion by Councillor Cho, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

(Clause 3, Report 6)

7.5 Proposed All-Way Stop Control on Denton Avenue at Byng Avenue (Ward 35 – Scarborough Southwest)

The Community Council had before it a report (June 7, 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;
- (2) coincident with the installation of the stop signs on Denton Avenue at Byng Avenue, the existing pedestrian crossover be removed; and
- (3) the appropriate by-laws be amended accordingly.

On a motion by Councillor Altobello, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

(Clause 5, Report 6)

7.6 Proposed Installation of Traffic Control Signals on Progress Avenue - approximately 250 metres east of Brimley Road - at the proposed driveways to Scarborough Town Centre (Ward 38 – Scarborough Centre)

The Community Council had before it a report (June 18, 2004) from the Director of Transportation Services, East District, recommending that:

- (1) traffic control signals be approved at the intersection of Progress Avenue and the proposed private driveways to the retail development at Scarborough Town Centre, located approximately 250 metres east of Brimley Road;
- (2) all costs associated with the installation of this traffic control signal, including one-time maintenance fees, be borne by OMERS Realty Holdings (STC2) Inc. and 1564497 Ontario Inc., the developers of the retail development at Scarborough Town Centre, in accordance with conditions of Zoning Approval for Planning Application No. 03 190808 ESC 38 OZ; and
- (3) the appropriate City Officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that may be required.

On a motion by Councillor De Baeremaeker, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

(Clause 6, Report 6)

7.7 Proposed Installation of Traffic Control Signals on Steeles Avenue East at the relocated Redlea Avenue/Pacific Mall driveway (Ward 39 – Scarborough Agincourt)

The Community Council had before it a report (June 18, 2004) from the Director of Transportation Services, East District, recommending that:

- (1) traffic control signals be approved at the intersection of Steeles Avenue East and the relocated Redlea Avenue (subject to the realignment of Redlea Avenue), approximately 25 metres east of the current intersection of Steeles Avenue East and Redlea Avenue;
- (2) all costs associated with the installation of this traffic control signal be borne by landowners on the north side of Steeles Avenue in the Town of Markham, and GO Transit in accordance with pending conditions of approval for Planning Application No. 04 123511 ESC 39 SA; and

- (3) the appropriate City Officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that may be required.

On a motion by Councillor Balkissoon, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report, subject to adding the following recommendation:

“That the Commissioners of Corporate Services (Facilities and Real Estate Division) and Works and Emergency Services, be requested to assign priority to the future surplus Redlea Avenue road allowance adjacent to and west of the realigned Redlea Avenue so that it is stopped up, closed and declared surplus and offered for sale to the abutting landowner, and submit a status report to Scarborough Community Council in January, 2005.”

(Clause 7, Report 6)

7.8 Request to implement overnight parking restrictions in the Heathwood Community (Ward 39 – Scarborough Agincourt)

The Community Council had before it a report (June 17, 2004) from the Director of Transportation Services, East District, recommending that:

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

On a motion by Councillor Del Grande, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

(Clause 8, Report 6)

7.9 Proposed Minor-Street Stop Signs at New Intersections in the Centennial Community (Ward 44 – Scarborough East)

The Community Council had before it a report (June 18, 2004) from the Director of Transportation Services, East District, recommending that:

- (1) the “Compulsory Stops” and “Heavy Truck Prohibition” regulations, as identified in Appendix 1 of this report, be adopted; and
- (2) the appropriate by-laws be amended accordingly.

On a motion by Councillor Cowbourne, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

(Clause 11, Report 6)

7.10 Proposed Installation of a Traffic Control Signal on Military Trail - between Morningside Avenue and Ellesmere Road - at the central driveway to the University of Toronto-Scarborough College Car Park (Ward 44 – Scarborough East)

The Community Council had before it a report (June 18, 2004) from the Director of Transportation Services, East District, recommending that:

- (1) a traffic control signal be approved on Military Trail, between Morningside Avenue and Ellesmere Road, at the central driveway to the University of Toronto-Scarborough College car park, approximately 230 metres northwest of Ellesmere Road;
- (2) all costs associated with the installation of this traffic control signal, including one-time maintenance fees, be borne by the University of Toronto-Scarborough College, which is a condition of Approval for Planning Applications No. TF SPC 2002 0084 and TF SPC 2003 0027; and
- (3) the appropriate City Officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that may be required.

On a motion by Councillor Cowbourne, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

(Clause 12, Report 6)

7.11 Request for an All-Way Stop Control on Dean Park Road at the east intersection of Braymore Boulevard (Ward 44 – Scarborough East)

The Community Council had before it a report (June 16, 2004) from the Director of Transportation Services, East District, recommending that:

- (1) an all-way stop control be installed on Dean Park Road at the east intersection of Braymore Boulevard;
- (2) the “Compulsory Stops” regulation, as identified in Appendix 1 of this report, be adopted; and

- (3) the appropriate by-law be amended accordingly.

On a motion by Councillor Cowbourne, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

(Clause 13, Report 6)

7.12 Preliminary Report – OPA & Rezoning Applications 04 131709 000 00 OZ and 04 102315 ESC 44 OZ – Janice and Paul Slighte – 53 Old Kingston Road – West Hill Community (Ward 44 – Scarborough East)

The Community Council had before it a report (June 22, 2004) from the Acting Director, 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 Cowbourne, the Scarborough Community Council approved the staff recommendations in the Recommendations Section of the report.

(Clause 27(d), Report 6)

7.13 Final Report – Part Lot Control Application 04 138646 ESC 42 PL – Neilson-Finch Residential Developments Inc. – East Side Polarlights Way – Morningside Heights Community (Ward 42 – Scarborough Rouge River)

The Community Council had before it a report (June 17, 2004) from the Acting Director, Community Planning, East District, recommending that City Council:

- (1) enact a Part Lot Control Exemption By-law for Blocks 226, 227 and 228 of Plan 66M-2400;
- (2) deem that the Part Lot Control Exemption By-law shall expire one (1) year from the date of its passing;

Scarborough Community Council Minutes
Tuesday, July 6, 2004

- (3) require staff to obtain proof of payment of all current property taxes for the subject site from the owner prior to the 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 adoption of the staff recommendations in the Recommendations Section of the report.

(Clause 15, Report 6)

7.14 Road Closure - To permanently close portions of the public highways Neilson Road and Staines Road (Ward 42 – Scarborough Rouge River)

The Scarborough Community Council, in accordance with Clause 16, Report 5 of the Toronto East Community Council, adopted by City Council at its meeting held on June 22, 23 and 24, 2004, 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. No one addressed the Community Council.

On a motion by Councillor Cho, the Scarborough Community Council recommended to City Council the enactment of the by-law to permanently close portions of the public highways Neilson Road and Staines Road.

(Clause 21, Report 6)

7.15 Final Report – Part Lot Control Application 04 129497 ESC 36 PL – Nick Alcaro, 1525400 Ontario Inc. – 3197 Kingston Road (Ward 36 – Scarborough Southwest)

The Community Council had before it a report (June 30, 2004) from the Acting Director, Community Planning, East District, recommending that City Council:

- (1) request the owner of the subject lands to first register a Section 118 Restriction under the Land Titles Act, to the satisfaction of the City Solicitor, agreeing not to convey or mortgage any part of the lands without the prior written consent of the Chief Planner or his designate;
- (2) a Part Lot Control Exemption By-law, with respect to the subject lands, be prepared to the satisfaction of the City Solicitor, then be enacted by City Council, such by-law to expire two years after it has been enacted;

Scarborough Community Council Minutes
Tuesday, July 6, 2004

- (3) authorize the City Solicitor to take the necessary steps to delete the Section 118 Restriction from title to the subject lands, upon receipt of written confirmation by the Owner that the Common Element Condominium Plan has been registered; and
- (4) require staff to obtain from the owner confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Section, Finance Division, Corporate Services Department, prior to the enactment of this part lot control by-law.

On a motion by Councillor Ashton, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

(Clause 23, Report 6)

7.16 Preliminary Report – OPA and Zoning By-law Amendment Application 04 135572 ESC 36 OZ – 1607546 Ontario Inc. – Norma Walton, Walton Advocates (Architect: Carson Woods Architects) – 3771-3775 St. Clair Avenue East – Cliffcrest Community (Ward 36 – Scarborough Southwest)

The Community Council had before it a report (June 30, 2004) from the Acting Director, 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 Ashton, the Scarborough Community Council approved the staff recommendations in the Recommendations Section of the report.

(Clause 27(e), Report 6)

7.17 Status Report – Scarborough Transportation Corridor Land Use Study – Phase 3 Knob Hill Employment District and Cliffcrest Community – City-initiated W19960052 (Ward 36 – Scarborough Southwest)

The Community Council had before it a report (June 30, 2004) from the Acting Director, Community Planning, East District, recommending that City Council:

- (1) endorse the direction and approach outlined in this report and further detailed on Attachments 2, 3 and 4 (preliminary land use plan and zoning by-law and draft urban design guidelines) for the Phase 3 STC lands between Midland Avenue and Brimley Road;
- (2) direct that a Public Meeting be held at the September meeting of the Scarborough Community Council to consider Official Plan (Scarborough and new Toronto Official Plan) and Zoning By-law amendments for the Phase 3 STC lands from Midland Avenue to Brimley Road; and
- (3) direct that notice for the Public Meeting under the Planning Act be given to all landowners and residents within 120 metres of the subject lands, all persons who requested further notice through the study process, and by newspaper advertisement.

On a motion by Councillor Ashton, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

(Clause 24, Report 6)

7.18 Policy – Assumption of Services

On a motion by Councillor Balkissoon, the Scarborough Community Council recommended to City Council that the City Solicitor be requested to report to the Policy and Finance Committee on a policy for the Assumption of Services being conditional upon the traffic projections by a proponent being accurate, and further report on the legality of the City holding security to ensure compliance within five years after completion of a subdivision and/or development.

(Clause 14, Report 6)

The Community Council recessed at 12:42 p.m. and reconvened at 2:06 p.m.

7.19 Final Report – OPA and Rezoning Application 03 035242 ESC 38 OZ PIC Property Management Limited – Architect: Paul S. Anderson – 555 Brimorton Drive – Woburn Community (Ward 38 – 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

Scarborough Community Council Minutes
Tuesday, July 6, 2004

been given in accordance with The Planning Act and the regulations thereunder; and had before it reports:

(May 25, 2004) from the Acting Director, 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 7;
- (2) amend the Woburn Community Zoning By-law 9510 for the former City of Scarborough substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8;
- (3) amend Site Plan By-law 21319 to designate the lands at 555 Brimorton Drive as a Site Plan Control Area, substantially in accordance with the draft By-law attached as Attachment 9;
- (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 designating Site Plan Control Area by-law as may be required;
- (5) before introducing the necessary Official Plan and Zoning By-law amendment Bills to City Council for enactment, require the owner to provide written confirmation that the recreation rooms required by Woburn Community Zoning By-law 9510 have been provided, with no pass through of the costs to the tenants; and
- (6) before introducing the necessary Official Plan and Zoning By-law amendment Bills to City Council for enactment, require the owner to enter into a site plan control agreement, registered on title, pursuant to Section 41 of the Planning Act;

(June 23, 2004) from the Acting Director of Community Planning, East District, responding to Community Council's request for further information comparing the size of the new units to the size of the original units in this building, recommending that City Council:

- (1) receive this report; and
- (2) adopt the report dated May 25, 2004, from the Acting Director, Community Planning, East District;

(June 18, 2004) from the Acting Manager, East District Investigations, Municipal Licensing and Standards, responding to Community Council's request for further information on the history of the property standards issues and violations at 555 Brimorton Drive, recommending that this report be received for information; and

Scarborough Community Council Minutes
Tuesday, July 6, 2004

(June 22, 2004) from the Director of Building and Deputy Chief Building Official, responding to Community Council's request for further information on the status of enforcement under the Building Code Act and on the results of the Building Division's inspection of the unauthorized construction of the apartment units in this building, recommending that this report be received for information.

A. Councillor De Baeremaeker moved that:

- (1) the staff recommendations in the Recommendations Section of the report (May 25, 2004) from the Acting Director of Community Planning, East District, not be approved;
- (2) the application by PIC Property Management Limited, be refused with confidential instructions to the City Solicitor.

(Carried)

B. Councillor De Baeremaeker moved that:

- (1) a communication be forwarded to City Council, under confidential cover, recommending instructions to the City Solicitor, such instructions to be made public following City Council's consideration of this matter; and
- (2) the Manager of Municipal Licensing and Standards, East District, be requested to report to the September 14, 2004 Community Council meeting on the status of the property standards issues at 555 Brimorton Drive.

(Carried)

The Community Council also received a confidential report (July 5, 2004) from the City Solicitor, responding to Community Council's request for a report outlining the City's rights and potential liabilities respecting the building at 555 Brimorton Drive and what tools are available to Council to prevent someone from undertaking this type of illegal construction, a copy of which has been provided to City Council under confidential cover as it relates to potential litigation.

The Community Council received the following communications:

- (May 19, 2004) from Brenda Roberts, submitting a petition containing 27 signatures;

Scarborough Community Council Minutes
Tuesday, July 6, 2004

- (June 6, 2004) from Angela Rees, in opposition to the application;
- (June 21, 2004) from Susan Anderson of Toronto Public Health, responding to Community Council's request for comments respecting any deficiencies recorded against the building at 555 Brimorton in contravention of the Health Protection and Promotion Act; and
- (June 30, 2004) from John S. Wenus, Solicitor, responding to Community Council's request that the owner of the property at 555 Brimorton Drive attend Community Council's July 6 meeting, advising that the owner is unable to attend in person and that Mr. Zul Premji is authorized to be his representative.

The following persons appeared before the Community Council:

- Paul Anderson, Architect; and
- Zul Premji, representing the owner of the property at 555 Brimorton Drive.

(Clause 16, Report 6)

7.20 Final Report – OPA and Rezoning Application TF CMB 2002 0013 – Process Matters Inc. (Architect: McGillivray, Architect) – 1757 Kingston Road – Birchcliff Community (Ward 36 – Scarborough Southwest)

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 (June 22, 2004) from the Acting Director, 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 5;
- (2) amend the Official Plan for the City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment 6;
- (3) amend the Zoning By-law for the Birchcliff Community substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 7;
- (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; and

Scarborough Community Council Minutes
Tuesday, July 6, 2004

- (5) direct the City Solicitor to prepare a Site Plan Control By-law to add this property in the area subject to Site Plan Control.

On a motion by Councillor Ashton, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report, subject to adding the following:

- “(1) the Commissioner of Works and Emergency Services be requested to report directly to City Council at its meeting on July 20, 2004, with regard to the acceptability of garbage collection from Kingston Road for this proposal, particularly on enforcement of the six bag collection limit; and
- (2) the Toronto and Region Conservation Authority be requested to report directly to City Council on July 20, 2004, on the impact of this development on Bluffs erosion and any mitigative processes that may be required.”

The Community Council received a communication (July 5, 2004) from June Crampton, in opposition to the application, a copy of which was provided to Members of Community Council and is on file in the City Clerk’s Office, Scarborough Civic Centre.

The following persons appeared before the Community Council:

- Paul Allen, on behalf of Process Matters Inc., the owner;
- David Bradley, Consulting Engineer, Cumming Cockburn;
- June Crampton, area resident, in opposition;
- Ariel Lang, area resident, in opposition;
- Jacques Carrier, area resident, in opposition; and
- Linda Attridge, area resident, in opposition.

(Clause 17, Report 6)

7.21 Final Report – Rezoning Application 03 187830 ESC 43 OZ – Robert Segarra, Robert Segarra Architect Inc. – 80 Mornelle Court – Morningside Community (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 (June 22, 2004) from the Acting Director, Community Planning, East District, recommending that City Council:

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

On a motion by Councillor Soknacki, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

Timothy Campbell appeared before the Community Council in support of the application.

(Clause 18, Report 6)

7.22 Final Report – Rezoning Application 04 105059 ESC 44 OZ – Governing Council of the University of Toronto (Architect: Jon Neuert, Baird Sampson Neuert) - 1036 Military Trail – 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 (June 22, 2004) from the Acting Director, Community Planning, East District, recommending that City Council:

- (1) amend the Zoning By-law 10827 for the Highland Creek Community substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 5;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required;

Scarborough Community Council Minutes
Tuesday, July 6, 2004

- (3) not introduce the necessary bills for enactment of the Zoning By-law amendment, until the applicant submits a final remedial plan and revised site plan that incorporates the mitigation measures recommended by the applicant's environmental consultant and the City's peer reviewer regarding the former Morningside landfill to the satisfaction of the Commissioners of Urban Development Services and Works and Emergency Services; and
- (4) authorize staff to enter into a crossing agreement(s) with the University of Toronto to provide for the future installation of electrical services across Military Trail and Ellesmere Road to connect between the parking lots on either side of Military Trail, and the main campus grounds, the agreement(s) to be to the satisfaction of the Commissioner of Works and Emergency Services and the City Solicitor.

On a motion by Councillor Cowbourne, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

The Scarborough Community Council received the following communications:

(June 18, 2004) from Gwo-Lue Shyu; and

(July 3, 2004) from Councillor Howard Moscoe requesting that Community Council, in its recommendations to City Council respecting the Zoning By-law Amendment Application by the University of Toronto, include the following:

“That staff report directly to Council on the agreement made by the University of Toronto with respect to the provision of lands for an emergency services facility on Bayview Avenue in connection with the expansion of Sunnybrook Hospital.”.

Jon Neuert, Architect, appeared before Community Council on behalf of the University of Toronto.

(Clause 19, Report 6)

7.23 Final Report - Official Plan Amendment & Rezoning Application 03 159003 ESC 44 OZ - Plan of Subdivision Application 03 159020 ESC 44 SB - Stone Manor Developments Inc. – 6363 – 6405 Kingston Road - 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 (June 22, 2004) from the Acting Director, Community Planning, East District, recommending that City Council:

- (1) amend the Official Plan Highland Creek Secondary Plan for the former City of Scarborough substantially in accordance with the draft Official Plan Amendment attached as Attachment 2;
- (2) amend the Zoning By-law 10827 for the Highland Creek Community substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 3;
- (3) amend the Official Plan for the City of Toronto, substantially in accordance with the draft Official Plan Amendment attached as Attachment 4;
- (4) support the approval of the plan of subdivision subject to the Draft Conditions of Subdivision Plan Approval as generally set out in Attachment 5;
- (5) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required; and
- (6) authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

On a motion by Councillor Cowbourne, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

The Community Council received the following communications:

- (June 20, 2004) from Mr. and Mrs. C. Kitchen, in opposition to the application;
- (June 21, 2004) from Dorothy Dutkoski, in opposition to the application; and

- (July 2, 2004) from Clancy Delbarre, Highland Creek Community Association, listing some concerns from the community respecting the application.

Adam Brown, Solicitor, appeared before the Community Council on behalf of the applicant in support of the staff recommendations.

(Clause 20, Report 6)

7.24 Proposed Minor Street Stop Signs at New Intersections in the Morningside Community (Ward 43 – Scarborough East)

The Community Council had before it a report (June 16, 2004) from the Director of Transportation Services, East District, recommending that:

- (1) the “Compulsory Stops” and “Heavy Truck Prohibition” regulations, as identified in Appendix 1 of this report, be adopted; and
- (2) the appropriate by-laws be amended accordingly.

On a motion by Councillor Soknacki, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

(Clause 10, Report 6)

7.25 Preliminary Report – OPA & Rezoning Application 04 126266 ESC 35 OZ – Herron Gardens Inc. (Architect: Rafael & Bigauskas) – 25 Herron Avenue – Clairlea Community (Ward 35 – Scarborough Southwest)

The Community Council had before it a report (May 25, 2004) from the Acting Director, 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.

Councillor Altobello moved that:

- (1) the Acting Director, Community Planning, East District, be directed to continue processing the application, having particular regard for environmental and natural heritage concerns, a form and intensity of development more compatible with the neighbourhood and with the natural heritage features on and near to the site, and opportunities for the City or Conservation Authority to acquire some or all of the property; and
- (2) notice for the community consultation meeting be expanded to include owners and residents in the area bounded by St. Clair Avenue East, Pharmacy Avenue, the northerly limit of Byng Park and Taylor-Massey Creek, the cost of such expanded notice to be borne by the applicant.

Tom Cundill, Regent Heights Neighbourhood Association, appeared before Community Council, and tabled a 216 signature petition in support of the City acquiring the property.

(Clause 27(b), Report 6)

7.26 Ina Grafton Gage Home for the Aged - OPA and Rezoning Application 04 113582 ESC 35 OZ - Stafford Homes Ltd. (The Goldman Group) Architect: Gail E. Lamb – 671-679 Warden Avenue – Oakridge Employment District (Ward 35 – Scarborough Southwest)

The Community Council had before it a communication (June 23, 2004) from the Minister of Health and Long-Term Care, responding to City Council's request that the Ina Grafton Gage Home for the Aged be granted an extension to the timeline for the redevelopment of their home, indicating that the Minister is not prepared to grant an extension past the program deadline of March 31, 2006.

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

WHEREAS City Council, at its meeting held on May 18, 19 and 20, 2004, adopted the Recommendations of the Toronto East Community Council that the processing of the subject application and community consultation be co-ordinated with the Warden Corridor Land Use Planning Study, and further, that the Ministry of Health and Long Term Care be requested to extend the funding timeline for the Ina Grafton Gage facility until February, 2007, which would allow the proposal to be considered as part of the Warden Corridor Land Use Planning Study; and

Scarborough Community Council Minutes
Tuesday, July 6, 2004

WHEREAS the Minister of Health and Long Term Care has responded to Council's request by indicating in his letter, dated June 23, 2004, that he is not prepared to grant an extension past the program deadline of March 31, 2006;

THEREFORE BE IT RESOLVED that Scarborough Community Council recommend to City Council that this application not be co-ordinated with the Warden Corridor Land Use Planning Study, but rather, that the Acting Director of Community Planning, East District, be directed to process the application and arrange for the community consultation so that the Public Meeting under the Planning Act can take place at the Scarborough Community Council on the condition that the ownership of the Bell Estate property be turned over to the City of Toronto for the nominal fee of \$1.00.

(Carried)

Councillor Balkissoon moved that the motion by Councillor Altobello be forwarded to City Council with the request that the Commissioners of Corporate Services and Urban Development Services report directly to Council on July 20, 2004, with respect to the condition expressed in Councillor Altobello's motion, i.e. that the ownership of the Bell Estate property be turned over to the City of Toronto for the nominal fee of \$1.00.

(Carried)

On a motion by Councillor Altobello, the Scarborough Community Council reopened this matter for consideration.

Councillor Altobello moved that his motion be amended to delete the words "on the condition that the ownership of the Bell Estate property be turned over to the City of Toronto for the nominal fee of \$1.00."

(Carried)

The Scarborough Community Council consented to the withdrawal of the Motion by Councillor Balkissoon.

The following persons appeared before the Community Council:

- Bruce Hemphill, Member of the Board, Ina Grafton Gage Home for the Aged; and
- Guy D'Onofrio on behalf of The Goldman Group.

(Clause 26, Report 6)

**7.27 Removal of Nine Private Trees – 135 Beechgrove Drive
(Ward 44 – Scarborough East)**

The Community Council had before it a report (July 5, 2004) from the Commissioner of Economic Development, Culture and Tourism, recommending that:

- (1) Scarborough Community Council approve the request for the removal of nine (9) privately owned trees at 135 Beechgrove Road conditional on:
 - (a) the owner submitting landscape plans satisfactory to the Commissioner of Economic Development, Culture and Tourism; and
 - (b) the trees in question not be removed until permitted construction activities in accordance with plans approved under the site plan application for the site commence which warrant the destruction of the trees; or
- (2) Scarborough Community Council deny the request for the removal of nine privately owned trees located at 135 Beechgrove Drive.

On a motion by Councillor Cowbourne, the Scarborough Community Council recommended to City Council adoption of staff recommendation (1) in the recommendations section of the report dated July 5, 2004, from the Commissioner of Economic Development, Culture and Tourism.

(Clause 25, Report 6)

**7.28 Removal of Interlocking Block Retaining Wall and Fence - 629 Warden Avenue
(Ward 35 - Scarborough Southwest)**

The Community Council had before it a report (June 17, 2004) from the Director of Transportation Services, East District, recommending that Council authorize staff to undertake any necessary action(s), including the introduction in Council of any bills necessary to give effect thereto, to remove the interlocking block retaining wall and fence/structure constructed within the road allowance of Mack Avenue, on the flankage of 629 Warden Avenue in accordance with the former City of Scarborough's policy

Scarborough Community Council Minutes
Tuesday, July 6, 2004

contained in Clause 16 of Report No. 8 of the Administrative Committee, entitled, "Policy on Minor Encroachment", adopted as amended by Council at its meeting held on March 30, 1992.

- A. Councillor Del Grande moved that the staff recommendations in the Recommendations Section of the report (June 17, 2004) from the Director of Transportation Services, East District, be approved.

(Carried)

- B. Councillor Altobello moved that:

- (1) the staff recommendations in the Recommendations Section of the report (June 17, 2004) from the Director of Transportation Services, East District, be deleted;
- (2) the interlocking block retaining wall and fence/structure constructed within the road allowance of Mack Avenue, on the flankage of 629 Warden Avenue, be permitted to remain; and
- (3) the appropriate City officials be authorized to take the necessary action to give effect thereto, including the entering into an encroachment agreement with the property owner.

(Lost)

(Clause 4, Report 6)

7.29 Request for All-Way Stop Controls on Bridlewood Boulevard at Batterswood Drive, Bowater Drive and Ravencliff Crescent (Ward 40 – Scarborough Agincourt)

The Community Council had before it a report (June 7, 2004) from the Director of Transportation Services, East District, recommending that:

- (1) an all-way stop control not be installed on Bridlewood Boulevard at Batterswood Drive;
- (2) an all-way stop control not be installed on Bridlewood Boulevard at Bowater Drive; and
- (3) an all-way stop control not be installed on Bridlewood Boulevard at Ravencliff Crescent.

Scarborough Community Council Minutes
Tuesday, July 6, 2004

Councillor Kelly moved that:

- (1) the staff recommendations in the Recommendations Section of the report (June 7, 2004) from the Director of Transportation Services, East District, be deleted;
- (2) all-way stop controls be installed on Bridlewood Boulevard at Batterswood Drive, Bowater Drive and Ravenscliff Crescent; and
- (3) the appropriate by-laws be amended accordingly.

The Motion by Councillor Kelly carried with the deletion of the words “Ravenscliff Crescent” in (2).

(Clause 9, Report 6)

7.30 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)

The Community Council had before it reports:

(December 18, 2003) from the City Solicitor, recommending that:

- (1) the services installed for the above development be assumed and the City formally assume the road within the development;
- (2) 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; and

(June 21, 2004) from the Commissioner of Works and Emergency Services, responding to Community Council’s request for further information, in six months’ time, on the safety of the intersection where William Kitchen Road meets the internal driveway of the Kennedy Commons development, and the issue of who should be responsible for installing traffic controls at this intersection, recommending that this report be received for information.

- A. Councillor Del Grande moved that the report (December 18, 2003) from the City Solicitor, be deferred, and the Director of Transportation Services, East District, be directed to undertake a traffic review of the roadways within the Kennedy Commons development, both public and private, with a view to recommending

potential solutions to the safety issues, and that the road not be assumed until the results of such review are presented to Community Council.

(Carried)

- B. Councillor Kelly moved that the report (December 18, 2003) from the City Solicitor, be approved, with the further direction that staff meet with the proponents of the Kennedy Commons plaza to negotiate solutions to the traffic safety issues raised at this meeting with respect to the public and private roadways within Kennedy Commons.

(Lost)

Chris Barre, Director of Development, First Gulf Development Corporation, appeared before the Community Council.

(Clause 27(f), Report 6)

**7.31 Preliminary Report – Rezoning Application 04 141413 ESC 40 OZ
Jarmila Filipko – 3717 Sheppard Avenue East – Tam O’Shanter Community
(Ward 40 – Scarborough Agincourt)**

The Community Council had before it a report (June 8, 2004) from the Acting Director, 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 Kelly, the Scarborough Community Council deleted staff recommendations (1) and (2) in the Recommendations Section of the report and approved staff recommendation (3).

(Clause 27(c), Report 6)

7.32 Request for Direction – Variance Application TF VAR 2004 A060/04SC - Ronald Wu, Daniel Executive Holding Inc. - 3195 Sheppard Avenue - Tam O’Shanter Community (Ward 40 – Scarborough Agincourt)

The Community Council had before it a report (June 17, 2004) from the Acting Director, Community Planning, East District, recommending that the City Solicitor and Planning staff be directed to attend any Ontario Municipal Board hearing related to the appeal of minor variance application A060/04SC in support of the Committee of Adjustment, East District Panel’s decision of June 7, 2004 to refuse the application.

On a motion by Councillor Kelly, the Scarborough Community Council recommended to City Council adoption of the staff recommendations in the Recommendations Section of the report.

(Clause 22, Report 6)

7.33 Selected Avenue Studies for 2004 (Ward 35)

The Community Council had before it a communication (June 28, 2004) from the Planning and Transportation Committee referring the report (June 14, 2004) from the Commissioner of Urban Development Services to Community Council with the request that Community Council endorse the planning study for Danforth Avenue between Warden Avenue and Victoria Park Avenue and report directly to the City Council meeting of July 20, 21 and 22, 2004, for consideration with Report 5, Clause 9 of the Planning and Transportation Committee.

On a motion by Councillor Altobello, the Scarborough Community Council advised City Council that the Scarborough Community Council endorses the proposed planning study for Danforth Avenue between Warden Avenue and Victoria Park Avenue.

(Clause 27(g), Report 6)

The Community Council adjourned its meeting at 6:00 p.m.

Acting Chair.