



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachment**

17 Island Road

Date:	May 19, 2010
To:	Scarborough Community Council
From:	City Solicitor
Wards:	Ward 44 – Scarborough East
Reference Number:	

SUMMARY

This report is an update on the ongoing investigation into potential by-law infractions at 17 Island Road.

RECOMMENDATIONS

The City Solicitor recommends that:

1. Scarborough Community Council receive the confidential attachment for information and maintain the information in the attachment as confidential pursuant to solicitor-client privilege.

FINANCIAL IMPACT

There is no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

At its meeting on November 10, 2009, Scarborough Community Council directed the City Solicitor to report to Scarborough Community Council on the ongoing investigation of property standards, tree by-law and illegal water discharge at the above-noted property. On January 22, 2010, the City Solicitor provided an update on the ongoing investigation. At its meeting of April 27, 2010, Scarborough Community Council requested a further report on the investigation and possible prosecution on this site.

ISSUE BACKGROUND

Legal Services has now consulted with staff in Municipal Licencing and Standards, Parks, Forestry and Recreation and Toronto Water and has prepared this report on the outcome of those discussions.

COMMENTS

Toronto Water staff have inspected the property at 17 Island Road and the catch basin located adjacent to the property after receiving a complaint regarding water being pumped into the catch basin. Staff did not find any contravention at the time of inspection and therefore, did not lay any charges.

Municipal Licensing and Standards staff have inspected the property. At the time of inspection there were no property grading issues and the site was properly fenced and secure and therefore, no charges were laid.

Parks, Forestry and Recreation staff have inspected the property. At the time of inspection it was determined that one Willow tree of 120 cm diameter had been removed, one Norway Maple tree of 45 cm diameter had been removed, and one 40 cm Willow had been removed. All of these trees required permits to remove and a review of the City's IBMS system has confirmed that no application to remove these trees at this location has been submitted. As such, a discussion regarding the investigation and enforcement of a potential tree by-law infraction is contained in the Confidential Attachment.

CONTACT

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SIGNATURE

Anna Kinastowski
City Solicitor

Attachment 1 – Confidential Attachment