

THE CORPORATION OF THE CITY OF TORONTO

Clerk's Department

Minutes of the Scarborough Community Council

Meeting No. 7

Wednesday, July 17, 2002

The Scarborough Community Council held a special meeting on Wednesday, July 17, 2002, in the Meeting Hall, Scarborough Civic Centre, commencing at 9:35 a.m., for the purpose of considering various time-critical matters.

Members present:

	9:35 a.m. - <u>10:55 a.m.</u>
Councillor Ron Moeser, Chair	x
Councillor Norm Kelly, Vice Chair	x
Councillor Gerry Altobello	x
Councillor Brian Ashton	x
Councillor Bas Balkissoon	x
Councillor Lorenzo Berardinetti	x
Councillor Raymond Cho	x
Councillor Brad Duguid	x
Councillor Sherene Shaw	-
Councillor David Soknacki	x

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

7.1 Surplus Land Declaration and Proposed Closing and Conveyancing of a Portion of Borough Drive, between Triton Gate and Progress Avenue (Ward 38 – Scarborough Centre)

The Community Council had before it a joint report (June 10, 2002) from the Commissioner of Works and Emergency Services and Commissioner of Corporate Services, recommending that the Community Council consider the following recommendations and forward its comments thereon to City Council, to be considered in conjunction with the recommendations of the Administration Committee:

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- (1) that the portion of Borough Drive shown as Part 1 on the attached Sketch No. PMC-2000-080 (the "Highway") be declared surplus and be sold, that:
 - (a) subject to compliance with the requirements of the Municipal Act and upon compliance by OMERS Realty Corporation ("OMERS") with the following terms and conditions, the Highway be stopped up and closed as a public highway:
 - (i) OMERS, together with such other persons as the City Solicitor may require, shall indemnify the City against all loss, cost, damage or action arising as a result of the closing of the Highway;
 - (ii) OMERS shall pay the cost of the four (4) weeks of statutory advertising, and the requirement under the Municipal Class Environmental Assessment to advertise a road closing twice during two separate phases of the closing process, estimated to be \$5,000.00, on the understanding that all such expenses paid for by OMERS will not be refunded in the event that the transaction is not ultimately completed;
 - (iii) OMERS shall obtain and deposit in the appropriate Land Registry Office, at its sole cost and expense, a reference plan of survey, integrated with the Ontario Coordinate System, satisfactory to the City Surveyor, as may be required in connection with this transaction;
 - (iv) OMERS shall comply with any other terms and conditions related to the closing of the Highway as the City Solicitor may deem advisable to protect the City's interests;
 - (b) notice be given to the public of the proposed by-law to stop up, close and sell the Highway, in accordance with the requirements of the *Municipal Act*; and
 - (c) the Scarborough Community Council hold a public hearing concerning the proposed by-law if any person who claims that the person's land will be prejudicially affected by the proposed by-law applies to be heard, in accordance with the requirements of the *Municipal Act*; and
- (2) that the appropriate City Officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any necessary bills to give effect thereto.

On a motion by Councillor Duguid, the Scarborough Community Council recommended to City Council the adoption of the foregoing joint report,

such recommendation to be considered in conjunction with the Administration Committee recommendations in this regard (Clause 16, Administration Committee Report No. 10), subject to a further recommendation that proceeds from the sale of this property be directed to the City Centre Development Reserve Fund, as per previously approved policy.

(Clause No. 10(a), Report No. 7)

7.2 Sale of Surplus Property – Vacant Land on the East Side of Leyton Avenue (Ward 35 – Scarborough Southwest)

The Community Council had before it a report (June 17, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) the Offer to Purchase submitted by Mohammed Kafil Uddin and Rafiqul Islam Chowdhury to purchase the vacant parcel of land located on the east side of Leyton Avenue be accepted on the terms and conditions outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On a motion by Councillor Altobello, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report, subject to amending the irrevocable date for the purchase of this property from August 2, 2002 to August 9, 2002.

The Community Council also had before it a communication (July 12, 2002) from Mohammed Kafil Uddin and Rafiqul Islam Chowdhury, indicating agreement to the extension of the irrevocable date, for the purchase of the aforementioned property, to August 9, 2002, due to the rescheduling of the Community Council meeting.

(Clause No. 1, Report No. 7)

**7.3 Sale of a Parcel of Vacant Land – 14 Byng Avenue
(Ward 35 – Scarborough Southwest)**

The Community Council had before it a report (June 14, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) the Offer to Purchase submitted by Romano Canada Enterprises to purchase the City-owned property known municipally as 14 Byng Avenue, in the amount of \$100,000.00, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On a motion by Councillor Altobello, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report, subject to amending the irrevocable date for the purchase of this property from July 30, 2002 to August 9, 2002.

The Community Council also had before it a communication (July 15, 2002) from Romano Canada Enterprises, indicating agreement to the extension of the irrevocable date, for the purchase of the aforementioned property, to August 9, 2002, due to the rescheduling of the Community Council meeting.

(Clause No. 2, Report No. 7)

**7.4 Proposed Through Traffic Prohibitions for Westbound Traffic
on Eagledance Drive/Port Royal Trail at Brimley Road and for
Southbound Traffic on Ashcott Street at Steeles Avenue East
(Ward 41 – Scarborough Rouge River)**

The Community Council had before it a report (June 17, 2002) from the Director of Transportation Services, District 4, recommending that:

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- (1) westbound through traffic be prohibited on Eagledance Drive/Port Royal Trail at Brimley Road between the hours of 7:00 a.m. and 9:00 a.m.;
- (2) southbound through traffic be prohibited on Ashcott Street at Steeles Avenue East between the hours of 7:00 a.m. and 9:00 a.m.; 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 the adoption of the aforementioned report, subject to inserting the words “Monday to Friday” after the time “9:00 a.m.” in Recommendations Nos. (1) and (2).

(Clause No. 3, Report No. 7)

7.5 Proposed Through Traffic Prohibition for Northbound Traffic on Progress Avenue/Malvern Street at Sheppard Avenue East and All-Way Stop Control – Malvern Street at Robbinstone Drive (Ward 42 – Scarborough Rouge River)

The Community Council had before it a report (June 18, 2002) from the Director of Transportation Services, District 4, recommending that:

- (1) northbound through traffic be prohibited on Progress Avenue/Malvern Street at Sheppard Avenue East between the hours of 7:00 a.m. and 9:00 a.m. and 4:00 p.m. and 6:00 p.m., as identified in Appendix 1 of this report;
- (2) 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; and
- (3) an all-way stop control not be installed at the intersection of Malvern Street and Robbinstone Drive.

Councillor Cho moved that the report of the Director of Transportation Services, District 4, be approved, subject to:

- (a) striking out the words “and 4:00 p.m. and 6:00 p.m.” in Recommendation No. (1); and
- (b) striking out the word “not” in Recommendation No. (3).

Item (a) of the Motion by Councillor Cho was not carried, and Item (b) of the Motion by Councillor Cho was carried.

The Scarborough Community Council also had before it an e-mailed communication (July 16, 2002) from S. Sivarajah, in opposition to the staff recommendations, a copy of which was provided to Members of the Community Council, and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre.

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

- Ruho Paluoja;
- Ben J. Loughlin;
- John Pomponio;
- Neeraja Sivarajah, who submitted a 119-signature petition in opposition to the staff recommendations, which is retained on file in the Office of the City Clerk, Scarborough Civic Centre;
- Carol Henderson;
- Ignac Kranjec; and
- Italia Altobelli.

(Clause No. 4, Report No. 7)

7.6 Traffic Operations Issues on Dearham Wood/Cumber Avenue at Poplar Road in the Vicinity of Poplar Road Junior P.S. (Ward 43 – Scarborough East)

The Community Council had before it a report (June 18, 2002) from the Director of Transportation Services, District 4, 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;
- (4) an all-way stop control not be installed at the intersection of Poplar Road and Dearham Wood/Cumber Avenue; and
- (5) the existing pedestrian crossover not be removed.

Councillor Soknacki moved that the report of the Director of Transportation Services, District 4, be approved, subject to deleting the word “not” in Recommendation No. (4) and deleting Recommendation No. (5) in its entirety.

(Carried)

The Scarborough Community Council also had before it a communication, dated July 15, 2002, from Lisa Bartram, Community Resident and Past School Council Representative from Poplar Road Junior Public School, in favour of the proposed signage changes and requesting the installation of a four-way stop at Dearham Wood and Poplar Road, a copy of which was provided to Members of the Community Council, and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre.

(Clause No. 5, Report No. 7)

**7.7 Upcoming OMB Hearing - Request for Direction
Combined Application TF CMB 2001 0007
Royal Keele Developments Inc., 932 Danforth Road
(Ward 35 – Scarborough Southwest)**

The Community Council had before it a report (June 14, 2002) from the Director of Community Planning, East District, seeking City Council’s direction for an upcoming, yet unscheduled, OMB hearing on an appealed Official Plan Amendment and Zoning By-law Amendment application by Royal Keele Developments Inc., and recommending that:

- (1) staff attend the Ontario Municipal Board in support of a settlement based on the applicant’s revised proposal as shown by Attachment 2;
- (2) the OMB withhold its final Order on the amendments until such time as: Works and Emergency Services staff have reviewed the recently submitted Phase III environmental report and any further actions required have been undertaken; the Ministry of the Environment has acknowledged the Record of Site Condition and has indicated that it does not intend to audit the RSC, or, if the Ministry requires an audit, a further letter stating that the RSC has passed the audit has been received; and
- (3) staff be authorized to remove the subject property from Site Plan Control once the OMB has issued its Order.

Councillor Altobello moved that the report, dated June 14, 2002, from the Director of Community Planning, East District, be adopted, subject to the following amendments:

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- (1) Attachment 2, the Revised Site Plan, be further amended by deleting Unit 13 and identifying Units 11 and 12 as semi-detached dwellings; and
- (2) Attachment 4, the Proposed Zoning By-law Standards, be amended by deleting under (2), item (f), viz: “(f) maximum height of 10.2 metres (33.1 feet);” and inserting in lieu thereof:

“(f) maximum height of 9.0 metres (30 feet);”.

(Carried)

The Scarborough Community Council also had before it communications:

- (undated) from Mr. R.A. Donaghey, owner of the abutting property to the north, expressing various concerns; and
- (July 16, 2002) from area residents, expressing various concerns;

a copy of which was provided to Members of the Community Council, and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre.

Mr. Andrew Paton, representing Royal Keele Developments Inc., appeared before the Community Council in connection with the foregoing matter.

(Clause No. 6, Report No. 7)

**7.8 Request For Direction
Chinese Cultural Centre – Phase Two Expansion
Proposed Addition of Theatre/General Purpose Hall
5183 Sheppard Avenue East, Malvern Community
(Ward 42 – Scarborough Rouge River)**

The Community Council had before it a report (June 18, 2002) from the Director of Community Planning, East District, recommending that:

- (1) Planning staff, in conjunction with other Departments, be directed to investigate parking options relating to full development of the site, the Tri-Party Agreement and the Toronto Catholic District School Board lands, and report back to Scarborough Community Council with appropriate recommendations in the fourth quarter of 2002;

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- (2) staff be authorized to initiate a rezoning for the site, if required, to address parking issues associated with full development of the Community Complex site and to schedule a Public Meeting in the fourth quarter of 2002; and
- (3) staff be authorized to schedule a community consultation meeting, in conjunction with the Ward Councillor and the Chinese Cultural Centre of Greater Toronto, for landowners and residents within 120 metres of the site.

On a motion by Councillor Cho, the Scarborough Community Council approved the aforementioned report.

(Clause No. 10(b), Report No. 7)

**7.9 Preliminary Report – Request for Direction
Zoning By-Law Amendment Application TF ZBL 2002 0005
Trivest Development Corporation, 66 Byng Avenue
Oakridge Community
(Ward 35 – Scarborough Southwest)**

The Community Council had before it a report (May 28, 2002) from the Director of Community Planning, East District, seeking Community Council's direction on the further processing of this application, and recommending that Community Council:

- (1) require the submission of a specific development concept in support of the application; and
- (2) staff be directed not to process this application until the information in Recommendation No. (1) is received.

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

The Scarborough Community Council also had before it a communication (July 16, 2002) from Mr. Ira Kagan, Kagan, Zucker, Feldbloom, Shastri, Barristers and Solicitors, a copy of which was provided to Members of the Community Council, and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre.

(Clause No. 7, Report No. 7)

**7.10 Request For Direction – OMB Appeal
Zoning By-Law Amendment Application TF ZBL 2002 0005
Trivest Development Corporation, 66 Byng Avenue
Oakridge Community
(Ward 35 – Scarborough Southwest)**

The Community Council had before it a report (July 15, 2002) from the Director of Community Planning, East District, recommending that:

- (1) the City Solicitor be instructed to attend the Ontario Municipal Board in support of the staff position outlined in the Preliminary Report dated May 28, 2002; and
- (2) this report be considered together with the Preliminary Report dated May 28, 2002.

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

(Clause No. 8, Report No. 7)

**7.11 Request For Direction – OMB Appeal
Site Plan Control Application SC-S2000 0027
Aldgate Construction (1988) Ltd.
2040-2050 Ellesmere Road
(Ward 38 – Scarborough Centre)**

The Community Council had before it a report (July 15, 2002) from the Director of Community Planning, East District, recommending that the City Solicitor be instructed to attend the Ontario Municipal Board to oppose the appeal of the application for the reasons outlined in this report.

On a motion by Councillor Duguid, the Scarborough Community Council recommended to City Council the adoption of the aforementioned report.

(Clause No. 9, Report No. 7)

The Community Council adjourned its meeting at 10:55 a.m.