

THE CITY OF TORONTO

Clerk's Department

Minutes of the Meeting of the North York Community Council

Wednesday, October 14, 1998.

The North York Community Council met on Wednesday, October 14, 1998, in the Council Chamber, North York Civic Centre, commencing at 10:00 a.m.

Members Present:

Councillor Berger, Chair
Councillor Augimeri
Councillor Chong
Councillor Feldman
Councillor Filion
Councillor Flint
Councillor Gardner
Councillor King
Councillor Li Preti
Councillor Mammoliti
Councillor Minnan-Wong
Councillor Sgro
Councillor Shiner

Confirmation of Minutes.

On motion by Councillor Sgro, North York Humber, the Minutes of the meeting of the North York Community Council held on September 16, 1998, were confirmed.

405 1998 LOCAL IMPROVEMENT INITIATIVE PROGRAM - OBJECTIONS.

The North York Community Council had before it a report (September 18, 1998) from the Chief Financial Officer and Treasurer, recommending that:

- (1) the local improvement projects for the construction of asphalt pavements with curbs in the following locations be approved:
 - (a) Alfred Avenue from Dudley Avenue to the west end;
 - (b) Greenfield Avenue from Dudley Avenue to 62 metres west;
 - (c) Maplehurst Avenue from Willowdale Avenue to the west end;
 - (d) Stafford Road from Betty Ann Drive to Ellerslie Avenue;
 - (e) Wimpole Drive from Bayview Avenue to Forest Heights Boulevard; and
 - (f) York Downs Drive from Almore Avenue to Yeomans Road; and

- (2) the following local improvement project for the construction of asphalt pavements with curbs be cancelled in response to objections from affected owners:
 - (a) Fenn Avenue from York Road to south limit of 31/32 Fenn Avenue.

The North York Community Council recommended to Council the adoption of the foregoing report.

(Clause 1, Report No. 11)

406 PROPOSED PARKING PROHIBITIONS - WEDGEWOOD AVENUE - NORTH YORK CENTRE.

The North York Community Council had before it a report (October 2, 1998) from the Director, Transportation Services, District 3, recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on both sides of Wedgewood Avenue, between the hours of 9:00 a.m. to 5:00 p.m., Monday to Friday, from a point 91.5 metres east of Yonge Street to Tobruk Crescent.

The North York Community Council recommended to Council the adoption of the foregoing report.

(Clause 3, Report No. 11)

407. PROPOSED STOPPING RESTRICTIONS - HILDA AVENUE, ADJACENT TO NEWTONBROOK SECONDARY SCHOOL - NORTH YORK CENTRE.

The North York Community Council had before it a report (October 2, 1998) from the Director, Transportation Services, District 3, recommending stopping be prohibited between the hours of 8:00 a.m. to 6:00 p.m., Monday to Friday, on the east side of Hilda Avenue, from a point 47 metres north of Moore Park Avenue to the southerly limit of Greenbush Road.

The North York Community Council recommended to Council the adoption of the foregoing report.

(Clause 4, Report No. 11)

408. PRELIMINARY EVALUATION REPORT - ZONING AMENDMENT APPLICATION UDZ-98-25 - 1240967 ONTARIO INC. (PETRO CANADA) - 3374 KEELE STREET - BLACK CREEK.

The North York Community Council had before it a report (September 22, 1998) from the Director, Community Planning Division, North District, reporting on an application to amend the Zoning By-law to permit the construction of a three storey medical office building containing ground floor commercial uses; and recommending that staff continue processing the application in the manner outlined in the report.

The North York Community Council received the foregoing report.

(Clause 18(b), Report No. 11)

409. PRELIMINARY EVALUATION REPORT - ZONING AMENDMENT APPLICATION UDZ-98-22 - IDELS ARCHITECT INC. - 135 FINCH AVENUE EAST - NORTH YORK CENTRE.

The North York Community Council had before it a report (September 30, 1998) from the Director, Community Planning, North District, reporting on an application to amend the Zoning By-law to permit a three storey, semi-detached dwelling; and recommending that staff continue processing the application in the manner outlined in the report.

The North York Community Council received the foregoing report.

(Clause 18(c), Report No. 11)

410. PRELIMINARY EVALUATION REPORT - ZONING AMENDMENT APPLICATION UDZ-98-21 - IDELS ARCHITECT INC. - 129 FINCH AVENUE EAST - NORTH YORK CENTRE

The North York Community Council had before it a report (September 30, 1998) from the Director, Community Planning, North District, reporting on an application to amend the Zoning By-law to permit a three storey semi-detached dwelling; and recommending that staff continue processing the application in the manner outlined in the report.

The North York Community Council received the foregoing report.

(Clause 18(d), Report No. 11)

411. ZONING BY-LAW AMENDMENT - GARLAND'S BUSH - LAWRENCE PARK COMMUNITY - WEST OF MILDENHALL ROAD - EXEMPTION TO R3 ZONING - NORTH YORK CENTRE SOUTH.

The North York Community Council had before it the following Resolution (October 14, 1998) from Councillor Flint, North York Centre South:

WHEREAS the residential subdivision known as Garland's Bush, which generally comprises Registered Plan 4458 west of Mildenhall Road, has substantially different lot dimensions and built-character than most of the Lawrence Park Residential Community in which it is located; and

WHEREAS many of the lots in Garland's Bush have much larger frontages than the lots in the blocks to its north, and have larger lot areas than in the blocks to the south, resulting in a lower density of development within Garland's Bush compared to the community around it; and

WHEREAS Garland's Bush and the community around it currently have the same "R3" zoning; and

WHEREAS the Housing Policies of the Official Plan for the former City of North York contain Specific Residential Land Use Policies for the RD-1 designation, which includes this area, stating,

"In many areas, the Residential Density One (RD-1) designation has been applied to lands developed with residential lots substantially larger than the typical residential lots historically developed in the City ... resulting in a lower density of development in these areas. It is the intent of this Plan that the existing low density

of such areas shall be maintained and that no new lots be created by severance which have lot sizes substantially smaller than the general lot size in the surrounding area.”;

NOW THEREFORE BE IT RESOLVED THAT the Director of Community Planning - North District study and report on the suitability of a zoning bylaw amendment to establish an Exception to the R3 zoning for the Garland’s Bush area to bring the zoning regulations such as lot frontage, lot width, and lot area, more in line with the existing lot configurations and the existing built form.

On motion by Councillor Flint, North York Centre South, the North York Community Council recommended to Council the adoption of the foregoing Resolution from Councillor Flint, North York Centre South.

(Clause 7, Report No. 11)

412. SIGN BY-LAW VARIANCE REQUEST - PATTISON OUTDOOR SIGNS - 4640 JANE STREET - BLACK CREEK.

The North York Community Council had before it a report (October 14, 1998) from the Director and Deputy Chief Building Official, recommending approval of the requested minor variance from North York Sign By-law No. 30788 to permit the erection of an illuminated off-premise roof sign.

Mr. Just Cole, Pattison Outdoor Signs, appeared before the North York Community Council in connection with the foregoing matter.

On motion by Councillor Li Preti, Black Creek, the North York Community Council deferred consideration of the foregoing report to its next meeting scheduled for November 12, 1998.

(Clause 18(a), Report No. 11)

413. SIGN BY-LAW VARIANCE REQUEST - SIGNAGE SYSTEMS - 1825 WILSON AVENUE - NORTH YORK HUMBER.

The North York Community Council had before it the following:

- (a) report (October 14, 1998) from the Director and Deputy Chief Building Official, recommending that the request for a minor variance from North York Sign By-law No. 30788 to permit the erection of a ground sign, be refused; and

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- (b) communication (October 9, 1998) from Mr. Bob Muir, Account Executive, Signage Systems, forwarding a copy of the Ministry of Transportation permit.

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

- Mr. Bob Muir, Account Executive, Signage Systems; and
 - Mr. John Ruberto, Stephenson's Rental.
- A. Councillor Mammoliti, North York Humber, moved that the report (October 14, 1998) from the Director and Deputy Chief Building Official not be approved and that the request by Signage Systems for a minor variance from the Sign By-law be approved subject to the sign not being any larger than the largest neighbouring sign within a distance of 1000 feet.
- B. Councillor Feldman, North York Spadina, moved in amendment that the aggregate area of each side of the sign be not greater than any neighbouring sign within a distance of 1000 feet.
- C. Councillor Shiner, Seneca Heights, moved in amendment that the maximum size of the sign be 250 sq. ft. per side.

Upon the question of the adoption of motion C. by Councillor Shiner, it was carried.

Upon the question of the adoption of motion A., as amended, it was carried.

(Clause 10, Report No. 11)

414. STREET ADS ON PRIVATE PROPERTY.

The North York Community Council had before it a report (August 25, 1998) from Mr. Sid Catalano, Director of Legislation, Pattison, requesting the opportunity to address the North York Community Council with respect to the provision of street ad advertising devices at certain locations.

Mr. Sid Catalano, Director of Legislation, Pattison Outdoor Signs, appeared before the North York Community Council in connection with the foregoing matter.

- A. Councillor Shiner, Seneca Heights, moved that:

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- (1) the foregoing communication be referred to the Commissioner of Works and Emergency Services to develop a city policy regarding advertising on road allowances and abutting properties; and
 - (2) a policy be developed based on the current sign by-laws of the six former municipalities and that a report be brought back to the respective Community Councils prior to the issue being considered by the appropriate standing committee.
- B. Councillor Mammoliti, North York Humber, moved that this matter be referred to the Commissioner of Economic Development, Culture and Tourism to investigate the use of street ad devices at recreation centres and provide a report to the User Fee Committee as soon as possible with respect to the potential for a revenue source for the City.
- C. Councillor Filion moved that this matter be received and no action taken.

A recorded vote on motion A. by Councillor Shiner, was as follows:

FOR: Councillors Mammoliti, Li Preti, Feldman, Berger, Gardner, Chong, Shiner

AGAINST: Councillors Augimeri, Flint, Filion, King

ABSENT: Councillors Sgro, Moscoe, Minnan-Wong

Carried

Upon the question of the adoption of motion B. by Councillor Mammoliti, it was carried.

(Commissioner of Economic Development, Culture and Tourism and Commissioner of Works and Emergency Services - October 19, 1998)

(Clause 18(f), Report No. 11)

415. SIGN BY-LAW VARIANCE REQUEST - FIRST FLOOR WALL SIGNAGE AND ROOF LEVEL SIGNAGE - TRIMARK TRUST AND STEEL ART SIGNS - 5140 YONGE STREET - NORTH YORK CENTRE.

The North York Community Council had before it revised reports (October 2, 1998) from the Director and Deputy Chief Building Official, recommending approval of the requested minor variances from North York Sign By-law No. 30788 to permit the erection of four wall signs on the first floor of the subject property and two wall signs on the roof level of the subject property.

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The North York Community Council also had before it reports (September 2, 1998) from the Director and Deputy Chief Building Official recommending approval of the requested minor variances.

Ms. Filo Costa, Project Manager, Trimark Trust, appeared before the North York Community Council in connection with the foregoing matter.

A. Councillor Filion, North York Centre, moved that:

- (1) the three signs on the first floor of 5140 Yonge Street (east elevation) be approved;
- (2)
 - (i) the two signs on the north and south side of 5140 Yonge Street be approved; and
 - (ii) the approval of the two signs on the north and south side of 5140 Yonge Street be for a period of two years;
- (3) the illumination be such that it not disturb residents of the existing condominiums or those presently under construction; and
- (4) the sign on Mel Lastman Square not be approved but that Trimark Trust be permitted to erect a temporary sign for one week prior to and one week after its opening in 1998.

B. Councillor Gardner, North York Centre, moved that the size of the south facing sign on 5140 Yonge Street be amended to 30 feet long by 4'10" in height.

A recorded vote on part (1) of motion A. by Councillor Filion, North York Centre, was as follows:

FOR: Councillors Mammoliti, Sgro, Li Preti, Feldman, Flint, Gardner, Chong, Shiner, King

AGAINST: Councillors Augimeri, Berger, Filion

ABSENT: Councillors Moscoe, Minnan-Wong

Carried

A recorded vote on part (2)(ii) of motion A. by Councillor Filion, North York Centre, was as follows:

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FOR: Councillors Mammoliti, Li Preti, Augimeri, Chong, Filion

AGAINST: Councillors Sgro, Feldman, Berger, Flint, Gardner, Shiner, King

ABSENT: Councillors Moscoe, Minnan-Wong

Part (2)(ii) of motion A. by Councillor Filion, North York Centre, was declared by the Chair to be lost.

A recorded vote on part (4) of motion A. by Councillor Filion, North York Centre, was as follows:

FOR: Councillors Mammoliti, Li Preti, Augimeri, Flint, Filion, King

AGAINST: Councillors Sgro, Feldman, Berger, Gardner, Chong, Shiner

ABSENT: Councillors Moscoe, Minnan-Wong

Part (4) of motion A. by Councillor Filion, North York Centre, was declared by the Chair to be lost on a tie vote.

A recorded vote on motion B. by Councillor Gardner, North York Centre, was as follows:

FOR: Councillors Sgro, Feldman, Berger, Gardner, Chong, Shiner, King

AGAINST: Councillors Mammoliti, Li Preti, Augimeri, Flint, Filion

ABSENT: Councillors Moscoe, Minnan-Wong

Carried

(Commissioner of Urban Planning and Development - October 19, 1998)

(Clause 2, Report No. 11)

416. NORTH YORK HARVEST FOOD BANK.

The North York Community Council had before it a communication (September 17, 1998) from Ms. Mary Lynn Trotter, Agency Relations Coordinator, North York Harvest Food

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Bank, requesting the opportunity to address the North York Community Council to provide information on the North York Basic Needs Action Network.

The North York Community Council received the presentation by Ms. Mary Lynn Trotter, Agency Relations Coordinator, North York Harvest Food Bank, on the work of the North York Basic Needs Action Network - a coalition of agencies and organizations primarily in the north-west section of the former City of North York, whose mandate includes addressing hunger issues.

(Clause 18(g), Report No. 11)

The North York Community Council recessed at 12:55 p.m. and reconvened at 2:22 p.m. in the Council Chamber, North York Civic Centre.

Members Present:

Councillor Berger, Chair
Councillor Augimeri
Councillor Chong
Councillor Feldman
Councillor Filion
Councillor Flint
Councillor King
Councillor Li Preti
Councillor Mammoliti
Councillor Minnan-Wong
Councillor Sgro
Councillor Shiner

Councillor Berger assumed the Chair.

- 417. ZONING AMENDMENT AND SITE PLAN APPLICATION UDZ-97-12 AND UDSP-97-042 - EDILCAN DEVELOPMENT CORPORATION - 16, 18, 20, 26 AND 30 BYNG AVENUE - NORTH YORK CENTRE.**

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As directed by the North York Community Council at its meeting held on July 22, 1998, appropriate notice of this public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it the following reports:

- (a) Supplementary Report No. 1 (September 22, 1998) from the Director, Community Planning, North District; and
- (b) (July 8, 1998) from the Acting Commissioner of Planning, North York Civic Centre.

The North York Community Council also had before it the following communications:

- (i) (September 30, 1998) from Ms. Shirley Gordon, advising of her opposition to the application; and
- (ii) (undated) from Mr. Bert Yu Hsiang, expressing his concerns.

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

- Ms. Shirley Gordon who spoke in opposition to the application. Her primary objections with respect to the service road and increased noise and traffic. She was also concerned about her property being isolated and undevelopable given the location of the proposed service road.
- Mr. Jim Morwood who spoke in opposition to the application. His primary concerns were with respect to the lack of comprehensive development and the fact that no attempts were made to include his property and others on Holmes Avenue. He was also concerned about the City not encouraging the developer to incorporate additional properties. The extension of the ring road was also of concern to him and he was of the opinion that no development should occur until such time as the ring road is in place.
- Mr. Sal Vitiello, architect, on behalf of the applicant, who commented on the merits of the application. During his submission he indicated that the applicant concurred with the recommendations contained in the staff reports. He also stated that in March of 1997, planning staff requested the applicant to consider comprehensive development. In doing so, the applicant proceeded to acquire the property municipally known as 30 Byng Avenue, a portion of which would be used for the Uptown Service Road and the widening of Byng Avenue. Insofar as the concerns

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raised by the property owners on Holmes Avenue were concerned, he explained that the reasons for not incorporating them was because the blocks are too small.

- Mr. Barry Horosko, Bratty and Partners, Solicitor on behalf of the applicant, who indicated that the applicant has attempted on three separate occasions to acquire property in the vicinity of their development in order to fulfill their parkland dedication requirement. However to date no agreement has been reached with any of the property owners. The Parks and Recreation Division has now recommended that the applicant be subject to a 5 percent residential cash-in-lieu of parkland dedication payment and the applicant would be amenable to that. In light of the request to search for properties in the area that can be used for parkland he suggested that a condition could be imposed by the Community Council that the applicant continue to work with City staff on the acquisition of parkland to satisfy the parkland dedication up to the date of the issuance of the building permit.

On motion by Councillor Filion, the North York Community Council recommended to Council that:

- (1) the reports (July 8, 1998) from the Acting Commissioner of Planning, North York Civic Centre, and Supplementary Report No. 1 (September 22, 1998) from the Director, Community Planning, North District, be adopted; and that application UDSP-97-042 - Edilcan Development Corporation, be approved, as set out in the supplementary report; and
- (2) the applicant, Edilcan Development Corporation, continue to work with City staff on the acquisition of parkland to satisfy the parkland dedication requirement up to the time of the issuance of the building permit.

(Clause 11, Report No. 11)

418. ZONING AMENDMENT AND SITE PLAN APPLICATION UD0Z-98-04 AND UDSP-98-015 - OXFORD HILLS DEVELOPMENTS (HORSHAM) INC. - 24, 26, 36, 38 AND 44 HORSHAM AVENUE - NORTH YORK CENTRE.

As directed by the North York Community Council at its meeting held on July 22, 1998, appropriate notice of this public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it the following reports:

- (a) Supplementary Report No. 1 (September 23, 1998) from the Director, Community Planning, North District; and

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- (b) (July 7, 1998) from the Acting Commissioner of Planning, North York Civic Centre.

The North York Community Council also reports had before it communications (October 13, 1998 and September 29, 1998) from Mr. Eli Levy, the most recent of which indicated that his concerns with the builder had been resolved and he was withdrawing his objections to the project.

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

- Mr. Steve Mullins, who expressed concern with respect to the future extension of the ring road. In his opinion, the City must insist that the developers acquire the necessary lands for the extension of the service road otherwise this service road will never be completed. At the present time traffic is increasing primarily because the flow of traffic is northerly. The service road is needed in order to facilitate this flow of traffic to Finch Avenue. The service road also re-confirms and re-establishes the boundary between the residential area and the redevelopment area.
- Ms. Joanne Barnett, Planning Consultant, on behalf of the applicant, addressed the concerns raised. During her submission she pointed out that one of the conditions of approval is that the applicant convey a 6 metre strip of land at the west end of the site to the City until such time at the Uptown Service Road is constructed.

On motion by Councillor Filion, North York Centre, the North York Community Council recommended to Council that the reports (July 7, 1998) from the Acting Commissioner of Planning, North York Civic Centre, and Supplementary Report No. 1 (September 23, 1998) from the Director, Community Planning, North District, be adopted; and that application UDZ-98-04 and UDSP-98-015 - Oxford Hills Developments (Horsham) Inc., be approved, as set out in the supplementary report and subject to the following:

- (1) that Recommendation (1) (b) of the supplementary report be amended to read as follows:

“the Owner has paid to the City in cash or certified cheque or other means acceptable to the Chief Financial Officer and Treasurer, the Yonge Centre Development Charges in accordance with Council policy as amended from time to time.”;

- (2) that the requirement relating to the 6 metre strip of land referred to in Recommendation (1) (c) of the supplementary report be incorporated as part of the site plan agreement; and

- (3) that the requirements of the Park and Recreation Division of the Economic Development, Culture and Tourism Department, referred to in Recommendation (1) (d) of the supplementary report be fulfilled prior to final approval of the site plan by the the Director, Community Planning, North District.

(Clause 12, Report No. 11)

419. ZONING AMENDMENT APPLICATION UDZ-98-12 - TAK ON DEVELOPMENTS LTD. - 221 FINCH AVENUE EAST - NORTH YORK CENTRE.

As directed by the North York Community Council at its meeting held on July 22, 1998, appropriate notice of this public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (September 23, 1998) from the Director, Community Planning, North District, providing recommendations with respect to the subject application.

No individuals appeared before the North York Community Council in connection with the foregoing matter.

On motion by Councillor Filion, North York Centre, the North York Community Council recommended to Council that the report (September 23, 1998) from the Director, Community Planning, North District, be adopted; and that application UDZ-98-12 - Tak On Developments Ltd., be approved as set out in the foregoing report.

(Clause 13, Report No. 11)

420. OFFICIAL PLAN AND ZONING AMENDMENT APPLICATION AND PART LOT CONTROL EXEMPTION BY-LAW APPLICATION UD0Z-98-01 AND UD 54 98 11 REL - B.Y. GROUP LTD. - 111 BARBER GREENE ROAD - DON PARKWAY.

As directed by the North York Community Council at its meeting held on April 1, 1998, appropriate notice of this public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it the following:

- (a) report (September 19, 1998) from the Director, Community Planning, North District, providing recommendations with respect to the subject application; and

- (b) communication (October 6, 1998) from Mr. Ken Dunsmore, President, Don Mills Residents Inc. and Mr. Karl Frank, Chairman, Don Mills Residents Inc. Planning Review Committee, advising of their concerns with the application.

Mr. Julius DeRuyter appeared before the North York Community Council on behalf of the applicant and indicated that the applicant concurred with the recommendations contained in the staff report.

On motion by Councillor Minnan-Wong, Don Parkway, the North York Community Council recommended to Council that the report (September 19, 1998) from the Director, Community Planning, North District, be adopted; and that application UDOZ-98-01 and UD 54 98 11 REL - B.Y. Group Ltd., be approved as set out in the foregoing report.

(Clause 14, Report No. 11)

421. TEMPORARY USE BY-LAW APPLICATION UD52-98-01 - ALYSSE FOGEL - 31 FOURSOME CRESCENT - NORTH YORK CENTRE SOUTH.

As directed by the North York Community Council at its meeting held on September 16, 1998, appropriate notice of this public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (September 24, 1998) from the Director, Community Planning, North District, providing recommendations with respect to the subject application.

The North York Community Council also had before it the following communications:

- (a) (October 8, 1998) from Jean Roy forwarding a petition signed by 19 area residents in opposition to the application;
- (b) (October 7, 1998) from Ms. Josephine Cosentino, expressing her concerns with the application;
- (c) (October 6, 1998) from D. Badger, concurring with the staff recommendation of refusal of the application;

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- (d) (September 30, 1998) from Mr. John H. Stevens, advising of his opposition to the application;
- (e) (September 30, 1998) from Macgregor and Diane Small, advising of their objections to the application;
- (f) (September 29, 1998) from Ms. Merle Lightbound, expressing her views with the application;
- (g) (September 29, 1998) from Mr. Peter Scats, expressing his opposition to the application;
- (h) (September 29, 1998 and September 3, 1998) from Ms. Carolyn J. Hopkins, expressing her concerns and objections to the application;
- (i) (September 28, 1998) from Stephen and Deborah Dunn advising of their opposition to the application; and
- (j) (undated) from Ms. Ida Jacobs, advising of her opposition to the application.

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

- Mr. Murray Chusid, Solicitor on behalf of the applicant, who commented on the merits of the application. During his submission he indicated that one of the reasons he believes that there is opposition from both the Planning Department and the neighbours is because this application goes against the traditional suburban view of planning. With advancement in computer technology many people find it easier to work from their home rather than going to the office. In his opinion the City should be conducting a study of this and determining how prevalent this is throughout residential areas. In this particular case his client spends two days a week in her home seeing people for dietician type of advice. This type of use does not create a dangerous situation.

Mr. Chusid requested that this matter be deferred until such time as an appropriate study is conducted by staff. He also pointed out that Community Council could, as a condition of approval, regulate the hours for this dietician's office. He believed however that since there is a trend in the direction of mixed uses and a return of vitality within neighbourhoods, that home occupations uses such as this be studied within a different kind of planning context.

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- Mr. Gordon Sterling, Board Member, on behalf of the St. Andrew's Ratepayers Association, who expressed the Association's concerns with the application. During his submission he indicated that prior to submitting this application, the applicant sought the Association's support. The Executive Committee suggested some ideas that would resolve problems with parking, traffic and influx of patients or alternatively look for office space in the nearby plaza. After considerable deliberation the St. Andrew's Ratepayer Association is of the opinion that a professional medical office is not appropriate in their community and support the conclusions of the planning report which states that a dietician's office is inappropriate in this stable residential area. The Association is also concerned about the precedent setting nature of this application.

In concluding Mr. Sterling requested that the Community Council refuse the application; ensure that the existing by-law be enforced and the business operation cease while this application is under review.

- Mr. Gordon Weinstein, on behalf of the Foursome Neighbourhoods; who spoke in opposition to the application. During his submission, Mr. Weinstein indicated that the Association supported the recommendations of planning staff and requested that the Community Council refuse the application. In his opinion the introduction of a business in a stable residential neighbourhood is neither good planning or good sense. He further indicated that a deferral of the application would only allow the applicant to continue her business without the necessary approvals until the study referred to by the applicant's solicitor has been completed. While he was sympathetic to the applicant, he believed that an alternate location should be explored.
- Ms. Jane Stephens, who commented in opposition to the application. During her submission she indicated that since this business has been in operation, the traffic on Foursome Crescent has increased. She has also noted that since some of these patients are running late for their appointments, they speed through stop signs thereby creating a hazardous situation for children living on this street.

Ms. Stephens further indicated that the existing by-law does not allow this type of use and the application should be refused. She also requested that the current by-law be enforced and the applicant be encouraged to look for another location for her business.

- Mr. Mel Schwartz, who spoke in opposition to the application. During his submission he indicated that there is an almost unanimous rejection of this application by the residents. In his opinion, any business that generates client traffic of approximately 20 to 35 patients per day at approximately 15 minute intervals

belongs in a commercially zoned setting and not an established residential neighbourhood. He believed that allowing this use would jeopardize the stability of this residential neighbourhood. In his opinion there are real human concerns which go beyond planning concerns. The City should cherish and promote this type of residential community. To defer consideration of this application for a study is merely a delay tactic.

Mr. Schwartz concluded by requesting the Community Council to support the planning recommendations and the residents.

On motion by Councillor Flint, North York Centre South, the North York Community Council recommended to Council that the report (September 24, 1998) from the Director, Community Planning, North District, be adopted; and that application UD52-98-01 - Alysse Fogel, be refused.

A recorded vote on the foregoing motion by Councillor Flint, North York Centre South, was as follows:

FOR: Councillors Sgro, Li Preti, Augimeri, Berger, Flint, Chong, Filion, King

AGAINST: Councillor Feldman

ABSENT: Councillors Mammoliti, Moscoe, Gardner, Minnan-Wong, Shiner

Carried

(Clause 15, Report No. 11)

422. FEASIBILITY STUDY - YORKWOODS COMMUNITY CENTRE - BLACK CREEK.

The North York Community Council had before it a report (October 1, 1998) from the Commissioner of Economic Development, Culture and Tourism, recommending that:

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- (a) Parks and Recreation staff immediately convene a public consultation meeting to get community input into the question “should the existing building be a) retained for community uses other than recreation, or b) demolished and the green space/outside play amenities upgraded?”;
- (b) if a) is their preference, “should the feasibility study be undertaken within the conditions previously approved by Council?”;
- (c) if b) is their preference, Council’s prior approval to demolish and redevelop the site at a cost not to exceed \$80,000.00 be carried out; and
- (d) the General Manager of Parks and Recreation and District Director North, be authorized to carry out all things necessary to give effect thereto.

The North York Community Council also had before it a communication (September 30, 1998) from Mr. Barry Rieder, Jane Finch Community Minister, Network of Community Based Organizations, forwarding comments regarding the study.

On motion by Councillor Li Preti, Black Creek, the North York Community Council recommended to Council:

- (1) the adoption of the foregoing report (October 1, 1998) from the Commissioner, Economic Development, Culture and Tourism;
- (2) that the public consultation meeting be held at the Yorkwoods Community Centre; and
- (3) that the Commissioner of Economic Development, Culture and Tourism report back to the North York Community Council on November 12, 1998.

(Commissioner of Economic Development, Culture and Tourism - October 21, 1998)

(Clause 6, Report No. 11)

423. AVAILABILITY OF GRANTS AND PROGRAMS FROM FEDERAL AND PROVINCIAL MINISTRIES FOR THE ACQUISITION OF LANDS FOR PARKS AND COMMUNITY RELATED PURPOSES AT THE NORTHWEST CORNER OF FINCH AVENUE WEST AND YORK GATE BOULEVARD - BLACK CREEK.

The North York Community Council had before it a report (September 30, 1998) from the Commissioner of Economic Development, Culture and Tourism, recommending that the Commissioner of Economic Development, Culture and Tourism:

- (1) report back to North York Community Council at a future meeting when the final outstanding response from the Ministry of Municipal Affairs and Housing is received, only if the information received is favourable towards acquiring lands for parks and community purposes; and
- (2) provide the two local Councillors with a copy of the letter from the Ministry of Municipal Affairs and Housing when it is received.

On motion by Councillor Li Preti, Black Creek, the North York Community Council recommended to Council the adoption of the foregoing report.

(Clause 5, Report No. 11)

424. PROPOSED PAY PARKING - CIVIC GARDEN CENTRE - NORTH YORK CENTRE SOUTH.

The North York Community Council had before it a report (October 5, 1998) from Councillor Flint, North York Centre South, and Councillor Berger, North York Centre South, recommending that Edwards Gardens be removed from the list of City parks identified by the Economic Development, Culture and Tourism Department for pay parking; and forwarding a motion regarding the pay parking initiative.

The North York Community Council also had before it the following communications:

- (a) (October 13, 1998) from Ms. D. Susan Gibson, President, The Garden Club of Toronto, on behalf of 472 volunteers members of the Garden Club of Toronto, in support of the recommendation that the Civic Garden Centre be removed from the list of facilities that are identified for pay parking;
- (b) (October 8, 1998) from Mr. J. Winters, expressing his opposition to the pay parking proposal;
- (c) (October 8, 1998) from Ms. Mara Arndt, in support of Council's rejection of pay parking at the Civic Garden Centre/Edwards Gardens;
- (d) (October 5, 1998) from Ms. Mary Wahl, Glenorchy Residents Association, expressing objections to the proposal;
- (e) (October 5, 1998) from Ms. Anna Leggatt, Chairman, Ontario Rock Garden Society, in support of the recommendation that the Civic Garden Centre be removed from the list of facilities that are identified for pay parking;

- (f) (September 30, 1998) from Mr. Ken Dunsmore, President, Don Mills Residents Inc., expressing objections to the proposal and forwarding a survey of the origins of visitors to Edwards Gardens; and
- (g) (September 28, 1998) petition from approximately 58 residents of the South Banbury community expressing their concerns with the pay parking proposal.

On motion by Councillor Flint, North York Centre South, the North York Community Council recommended to Council the adoption of the foregoing report.

(Clause 8, Report No. 11)

425. SUBDIVISION APPLICATION UDSB-1235 - GRAYWOOD DEVELOPMENTS LIMITED - PROPOSED RESIDENTIAL SUBDIVISION - PROPOSED ROAD ALLOWANCES - FERRAND DRIVE AND ROCHEFORT DRIVE - DON PARKWAY.

The North York Community Council had before it a report (October 5, 1998) from the Director, Engineering Services, Districts 3 and 4, recommending that:

- (1) Council give direction with respect to the owner's proposal to provide 18.5 metre wide road allowances for the plan of subdivision internal roads; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to effect thereto.

On motion by Councillor Minnan-Wong, Don Parkway, the North York Community Council recommended to Council approval of the 18.5 metre wide road allowances for the subject plan of subdivision internal roads as outlined in the foregoing report.

(Clause 9, Report No. 11)

426. TRAFFIC MANAGEMENT PLAN - ST. LUCIE DRIVE - NORTH YORK HUMBER.

The North York Community Council had before it a report (October 14, 1998) from the Director, Transportation Services, District 3, recommending that:

- (1) two gateway narrowings, and a pinch point, be installed on St. Lucie Drive;
- (2) By-law No. 31878, of the former City of North York, be amended to designate the vehicle speed limit on St Lucie Drive and Franson Crescent at 40 km/h; and

- (3) staff of the Transportation Services Division report back to Council at the completion of the six month trial period.

On motion by Councillor Sgro, North York Humber, the North York Community Council recommended to Council the adoption of the foregoing report.

(Clause 16, Report No. 11)

427. COMMEMORATIVE STREET NAME - BEVERLY HILLS DRIVE - NORTH YORK HUMBER.

The North York Community Council had before it a report (October 13, 1998) from the Director, Transportation Services, District 3, recommending that:

- (1) Beverly Hills Drive be commemoratively dedicated to Padre Pio;
- (2) the existing and legally designated 'Beverly Hills Drive' street name remain and that the emergency services be advised; and
- (3) staff be directed to install the City's historic style street name signs, indicating the commemoration, along with the official street name of Beverly Hills Drive, at the intersections of Beverly Hills Drive with Jane Street and Wilson Avenue.

On motion by Councillor Sgro, North York Humber, the North York Community Council recommended to Council the adoption of the foregoing report.

(Clause 17, Report No. 11)

428. 3885 YONGE STREET, KNOWN AS "THE JOLLY MILLER" - REPORT ON RFP RESPONSES - NORTH YORK CENTRE SOUTH.

The North York Community Council had before it a report (October 1, 1998) from the Commissioner of Economic Development, Culture and Tourism, Commissioner of Corporate Services and Chief Financial Officer and Treasurer, recommending approval in principle to negotiate a lease with a single proponent for the tenancy of the property at 3885 Yonge Street, known as "The Jolly Miller".

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

- Mr. Ken Lipson, Principal, Prime Asset Management; and

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- Ms. Barbara Wilkes, Management Initiatives Inc.
- A. Councillor King, Seneca Heights, moved that the concept outlined in the joint report (October 1, 1998) from the Commissioner of Economic Development, Culture and Tourism, Commissioner of Corporate Services and Chief Financial Officer and Treasurer, be approved in principle but that the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer be requested to defer any negotiations until a detailed review of the partners involved in Prime Asset Management Corporation is conducted by the Finance Department and the Legal Division.
- B. Councillor Berger, North York Centre South, moved that:
 - (1) the foregoing report be deferred to an In Camera meeting of the North York Community Council to be held at 9:30 a.m., at its next meeting scheduled for November 12, 1998;
 - (2) the regular portion of the Community Council meeting commence at 10:30 a.m.; and
 - (3) a report on the review requested by Councillor King be brought forward to the In Camera meeting.

Upon the question of the adoption of the foregoing motion B. by Councillor Berger, it was carried.

Councillor Feldman, North York Spadina, declared his interest in the foregoing matter as he resides in the immediate vicinity.

(Commissioner of Corporate Services, Commissioner of Economic Development, Culture and Tourism, Chief Financial Officer and Treasurer and City Solicitor - October 19, 1998)

(Clause 18(e), Report No. 11)

429. MUNICIPAL ANIMAL CARE AND CONTROL LEGISLATION.

The North York Community Council had before it the following:

- (i) report (July 9, 1998) from the Interim Contact, Board of Health for the City of Toronto Health Unit, advising that the Board of Health at its special meeting on July 6, 1998, requested that each Community Council consider the report (June 19, 1998) and draft by-law from the Medical Officer of Health for public consultation at their

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October 14, 1998 meeting, and provide comments to the Medical Officer of Health for inclusion into a consolidated report and draft by-law for submission to the Board of Health's November 10, 1998 meeting for public hearings;

- (ii) report (September 16, 1998) from the Interim Contact, Board of Health for the City of Toronto Health Unit forwarding the following reports:
 - (a) (September 1, 1998) from the Medical Officer of Health regarding "Policy Directions: Harmonizing Animal Care and Control Legislation", and requesting that it be forwarded to each Community Council to be considered at their October 14, 1998 meeting, and comments be forwarded to the Board of Health by October 23, 1998; and
 - (b) (August 26, 1998) from the Medical Officer of Health and City Solicitor recommending that the attached by-law be forwarded to the Community Councils for consideration at their meetings on October 14, 1998 and that the recommendations from those meetings be forwarded to the Board of Health by October 23, 1998;

The North York Community Council also had before it the following communications:

- (i) (October 14, 1998) from the Director, Animal Alliance of Canada, the Programme Director, Animal Protection Institute, the Director of Canadian Alliance for Furbearing Animals and the Director, Zoocheck Canada Inc., submitting comments on the harmonized animal care and control legislation;
- (ii) (October 14, 1998) from Ms. Natalie Karvonen, Executive Director, Toronto Wildlife Centre, submitting comments regarding the new harmonized by-law;
- (iii) (October 2, 1998) from Daniela Quaglia, Public Affairs Advisor, the Toronto Humane Society, submitting the Toronto Humane Society's responses to the Department of Public Health's Municipal Animal Care and Control Legislation and the City of Toronto By-law regarding Animals;
- (iv) (August 13, 1998) from Mr. George F. Evens, Managing Director, Creatures, Land, Air, Water Advocacy, advising of their organization.

The following persons addressed the North York Community Council in connection with the foregoing matter:

- Ms. Liz White, Director, Animal Alliance of Canada;

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- Ms. Nathalie Karvonen, Executive Director, Toronto Wildlife Centre; and
 - Ms. Daniela Quaglia, Public Affairs Advisor, the Toronto Humane Society, who also filed a copy of her deputation with the City Clerk.
- A. Councillor Mammoliti, North York Humber, moved that:
- (1) WHEREAS our recreational parks are being overrun by irresponsible dog owners who are allowing their dogs to run loose; and

WHEREAS the responsible dog owner has become increasingly fed up with the conduct of the irresponsible dog owner; and

WHEREAS the irresponsible dog owner has put the City in a very difficult situation; and

WHEREAS it has contributed in the public having less faith in trusting loose dogs; and

WHEREAS the City's enforcement of the dog loose leash by-law should become heightened;

THEREFORE BE IT RESOLVED THAT the City's Health Department carry out aggressive enforcement of the following by-laws as they relate to dogs and dog owners:

Dog loose leash, stoop and scoop, noise and biting.;
- AND BE IT FURTHER RESOLVED THAT:
- (i) should an offence be acknowledged by the City's Health Department, the dog owner be given written warning on a first and second offence of the by-law; and
 - (ii) should a third offence be acknowledged by the City's Health Department, that a fine be set for the dog owner at a minimum fine of \$1,000.00;
- (2) each household in the new City of Toronto be permitted a maximum of two dogs; and

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- (3) WHEREAS our recreational parks are being overrun by irresponsible dog owners who are allowing their dogs to run loose; and

WHEREAS it has contributed in the public having less faith in trusting loose dogs; and

WHEREAS the irresponsible dog owner has now put the City in a very difficult situation; and

WHEREAS the responsible dog owner has become increasingly fed up with the conduct of the irresponsible dog owner; and

WHEREAS it is my belief that there is now a loose dog crisis;

THEREFORE BE IT RESOLVED THAT:

- (a) the City establish and run a doggie and doggie owner obedience school that would be set up so that the doggie school provide educational opportunities for both the dog and the dog owner as it relates to their own respective behaviour; and
- (b) the City provide all dog owners with pertinent information with respect to obedience school when it issues out dog permits;

AND BE IT FURTHER RESOLVED THAT:

- (a) the Health Department immediately begin advertising these new initiatives; and
- (b) this advertisement be sent to all pet stores and any other establishment known for the breeding and selling of dogs.

B. Councillor Filion, North York Centre, moved that:

- (1) Part II, Prohibited Animals, Section 3, of the draft by-law be amended to add the Toronto Wildlife Centre to the list of facilities exempt from the prohibition; and
- (2) a new section be added to the draft by-law to read:

“No one shall be permitted to set a snare, leghold, body-gripping or similar trap in the City of Toronto.”.

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- C. Councillor Flint, North York Centre South, moved that Recommendation (4) embodied in the joint report (June 30, 1998) from the Commissioner of Economic Development, Culture and Tourism and the Medical Officer of Health, as amended by Clause 1 of Report No. 7 of the Community and Neighbourhood Services Committee, be amended to provide for the following:

“That the off-leash area in Sherwood Park be discontinued pending the fast track evaluation that is currently under way.”;

and that this amendment also be forwarded to the Economic Development Committee.

- D. Councillor King, Seneca Heights, moved that the following submissions be referred to the Medical Officer of Health for a report to the Board of Health:
- (i) (October 14, 1998) - recommendations 2. - 6. contained in the joint submission from the Animal Alliance of Canada, Animal Protection Institute, Canadian Alliance for Furbearing Animals and Zoocheck Canada Inc.,
 - (ii) (October 14, 1998) from Toronto Wildlife Centre; and
 - (iii) (October 14, 1998) from The Toronto Humane Society.

A recorded vote on Part (3) of motion A. by Councillor Mammoliti, North York Humber, was as follows:

FOR: Councillors Mammoliti, Li Preti

AGAINST: Councillors Sgro, Augimeri, Feldman, Berger, Flint, Filion, Minnan-Wong, King

ABSENT: Councillors Moscoe, Gardner, Chong, Shiner

Upon the question of the adoption part (3) of motion A. by Councillor Mammoliti, it was lost.

The North York Community Council reports having approved the foregoing motions with the exception of Part (3) of motion A. by Councillor Mammoliti, and referred them to the Board of Health for inclusion in a consolidated report.

(Board of Health for the City of Toronto Health Unit and Medical Officer of Health - October 19, 1998)

Clause 18(h), Report No. 11)

The North York Community Council adjourned its meeting at 6:32 p.m.

Chair.