

CITY OF TORONTO

Clerk's Division

Meeting No. 5

May 2, 2000

The York Community Council held a meeting on Tuesday, May 2, 2000 in the Council Chamber, York Civic Centre, 2700 Eglinton Avenue West at 9:30 a.m.

Members present: Councillor R. Davis, Chair
Councillor J. Mihevc
Councillor F. Nunziata
Councillor B. Saundercook

Confirmation of Minutes.

On motion by Councillor Mihevc, the Minutes of the meeting held on March 23, 2000, were confirmed.

5.1 Request to Change Parking Regulations on Edmund Avenue Ward 27, York Humber.

The York Community Council had before it the following communications:

- (i) (April 12, 2000) from the Director, Transportation Services, District 1, responding to a request from the York Community Council to consider changing the parking regulations on Edmund Avenue to "No Stopping" on the north and south sides of Edmund Avenue for a distance of approximately 60 metres (200 feet); that as an alternative the following changes are recommended:
 - (1) to ensure unobstructed entry to and from Edmund Avenue, the current day time parking prohibition be extended to be in effect at all times on the south side of Edmund Avenue from Weston Road to a point 60 metres west thereof ;
 - (2) a "No Parking Any time" regulation be posted on the north side of Edmund Avenue for a distance of 15 metres west of Weston Road to ensure the intersection is unobstructed. No by-law amendment is required for this to be done; and
 - (3) that the Toronto Police Services be requested to strictly enforce the parking regulations in this area, including the towing of unlicensed vehicles;

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that the funds associated with the adjustment of parking regulations on Edmund Avenue, estimated at \$200.00 are contained in the Transportation Services Division 2000 Operating Budget interim appropriations; and recommending that:

- (1) the Uniform Traffic By-law Nos. 196-84 and 2958-94 be amended to change the existing "No Parking 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulations to prohibit parking at all times on the south side of Edmund Avenue from Weston Road to a point 60 metres west thereof; and
- (2) the Toronto Police Services be requested to monitor and take the appropriate enforcement action to eliminate the illegal parking activities currently occurring on Edmund Avenue in the vicinity of Weston Road, including the towing of unlicensed vehicles.
 - (ii) (February 24, 2000) from the Rev. Ross Gilroy, President and Mr. Stewart Hill, Vice President, Humber Community Seniors' Services; and
 - (iii) (March 22, 2000) from Mr. Dave Bennett, 14 Edmund Avenue.

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

- Mr. Dave Bennett, 14 Edmund Avenue;
- Rev. Ross Gilroy, President, Humber Community Seniors' Services and submitted a brief in regard thereto;
- Ms. Gayle Christie, on behalf of R&E Simonizing, 1530 Weston Road; and
- Mr. Chris Eftimousk, 24 Edmund Avenue.

On motion by Councillor Nunziata, the York Community Council deferred consideration of the foregoing report to its next regular meeting, pending a meeting with Transportation Services staff, area businesses and residents, and a report back to the Community Council.

(Clause No. 9(a), Report No. 5)

5.2 3715 Dundas Street West, Site Plan Approval, Redevelopment of Loblaws Grocery Store Parking Lot; File SPA98-005 Ward 27, York Humber.

The York Community Council had before it the following communications:

- (i) (April 17, 2000) from the Director, Community Planning, West District, reporting on a site plan application which has been requested by Councillor Nunziata to be referred to City Council; advising that through minor revisions to the proposed plans, all outstanding concerns have been addressed and satisfied; concluding that the proposed amendment to the site plan application addresses all department

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concerns as a result of the site plan circulation process; that as all technical and substantive issues have been satisfied, it is recommended that the amendment to the site plan be approved subject to the conditions outlined in the attached Statement of Approval, which includes posting of financial securities to guarantee completion of the landscaped works; that there are no financial implications associated with the application; and recommending that:

- (1) site plan approval of the plans and drawings No. A1, A3, A3b, A6a and L1 as listed in Attachment No. 6, Statement of Approval, be granted as a minor amendment to the approved site plans and drawings for 3671 to 3701 Dundas Street West, in so far as the amendment relates to the parking area and access on these lands adjoining 3715 Dundas Street West; and,
 - (2) site plan approval of the plans and drawings No. A1, A3, A3b, A6a and L1 be granted for the access driveway extension across 3715 Dundas Street West subject to conditions, as listed in Attachment 6, Statement of Approval.
- (ii) (April 11, 2000) from Mr. Ernie Victor, Land Use Planner, Aird & Berlis to the City Clerk, advising of their client's referral of its Application for Site Plan Approval for 3671 Dundas Street West; providing reduced copies of the proposed Site Plan drawings, a copy of a description of the subject lands, copies of relevant documents relating to the traffic review undertaken by DS-Lea Associates, and a copy of their referral letter (April 11, 2000) to the Ontario Municipal Board.
 - (iii) (May 2, 2000) from Ms. Margo Duncan, 82 Gooch Avenue, advising of opposition to the recommendations in the planning staff report and recommending that the York Community Council receive the report and request the City Solicitor to appear at the OMB to oppose the proposal by Loblaw's and the City's planning staff's recommendations and that outside planning and traffic consultants be hired to assist at the OMB and provide support to the position of the community that this driveway not be permitted; and
 - (iv) Mr. Ray Dickie, Warren Park Ratepayers Association, expressing concerns regarding this proposal.

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

- Ms. Sandra Melville, Co-Chair, Warren Park Ratepayers Association and submitted a brief in regard thereto;
- Mr. Ray Dickie, Warren Park Ratepayers Association and submitted a brief in regard thereto; and

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- Ms. Sharyn Vincent, Planning and Development Consultants, agent for Loblaw Properties Limited.

Councillor Saundercook moved:

THAT this matter be deferred, to allow planning staff to hold another public consultation meeting to determine public reaction to the one-way situation proposed by staff today, which is a compromise position, and that at the same time it is critical that staff address a report on the intersection of Gooch Avenue, Scarlett Road and Dundas Street West.

Yes: Councillor Saundercook (1)
No: Councillors Davis, Mihevc and Nunziata (3)

Motion lost.

Councillor Davis appointed Councillor Saundercook, Acting Chair, and vacated the Chair.

Councillor Davis moved:

THAT the Community Council recommend to City Council the adoption of the report (April 17, 2000) from the Director, Community Planning, West District.

Yes: Councillor Davis (1)
No: Councillors Mihevc, Nunziata and Saundercook (3)

Motion lost.

Councillor Davis moved:

THAT the Director, Community Planning, West District, be requested to report directly to Council detailing the difference between the applicant's proposal with respect to the parking and driveway access, and the recommendations submitted by planning staff.

Carried unanimously.

Councillor Davis returned to the Chair.

Councillor Mihevc moved:

That the Forestry Division, in consultation with the Legal Division, if necessary, seek appropriate compensation from Loblaws for the cutting down of trees on City property, in accordance with policy, and report back to the Community Council on the action taken.

Carried unanimously.

Councillor Nunziata moved:

That the Community Council recommended to City Council that:

- (1) the report (April 17, 2000) from the Director, Community Planning, West District, not be adopted;**
- (2) the City Solicitor be authorized to:**
 - (a) appear at the Ontario Municipal Board to oppose the proposal by Loblaws Properties Limited and the City Planning staff's recommendations; and**
 - (b) hire outside planning and traffic consultants to assist at the Ontario Municipal Board, providing support to the position of the community that this driveway not be permitted; and**
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto:**

Yes: Councillors Mihevc, Nunziata and Saundercook (3)

No: Councillor Davis (1)

Motion carried.

(Clause No. 1, Report No. 5)

5.3 Request for Disabled Person's Parking Space in front of No. 87 Clovelly Avenue – Ward 28, York Eglinton.

The York Community Council had before it a report (March 31, 2000) from the Director, Transportation Services, District 1, reporting on the introduction of a designated disabled person's parking space in front of 87 Clovelly Avenue, as requested by Mr. Ernest Mirabelli on behalf of his father who possesses a valid Province of Ontario Disabled Person's Parking Permit; that the funds associated with the establishment of a designated disabled parking space and relevant signage, estimated at \$200.00, are contained in the

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Transportation Services Division 2000 Operating Budget interim appropriation; and recommending that:

- (1) Uniform Traffic By-law Nos. 196-84 and 2958-94 be amended to prohibit parking any time on the south side of Clovelly Avenue for one vehicle length, in front of 87 Clovelly Avenue;
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto; and
- (3) a copy of this report be forwarded to Ernest Mirabelli, 87 Clovelly Avenue, Toronto, Ont. M6E 2E7.

On motion by Councillor Mihevc, the Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 4, Report No. 5)

**5.4 Request for Parking Prohibition at 2490 St. Clair Avenue West
Ward 27, York Humber.**

The York Community Council had before it (April 10, 2000) from the Director, Transportation Services, District 1, Responding to a request from the York Community Council to consider implementing a parking prohibition directly in front of the garbage collection area at 2490 St. Clair Avenue West; as requested by the Supportive Housing Coalition; that sufficient authority is already provided for the enforcement of illegally parked vehicles on the north side of St. Clair Avenue West at No. 2490 and no further changes are required; and recommending that this report be received for information.

Mr. Ray Fortune, Supportive Housing Coalition, appeared before the Community Council in connection with the foregoing matter.

On motion by Councillor Nunziata, the Community Council:

- (1) **requested the Director, Transportation Services, District 1, to post additional signage near the curb cut, ramp and garbage bin locations emphasizing clearly that the No Standing regulations are in effect and enforceable; and**
- (2) **received the foregoing report.**

Absent: Councillors Davis and Saundercook.

(Clause No. 9(b), Report No. 5)

5.5 Request for a Pedestrian Crossover and Bus Shelter on Weston Road at Dora Spencer Road – Ward 27, York Humber.

The York Community Council had before it the following communications:

- (i) (March 30, 2000) from the Director, Transportation Services, District 1, responding to a request from the York Community Council to evaluate the need for a pedestrian crossover and bus shelter on Weston Road at Dora Spencer Road, as requested by Our Lady of Victory Place Seniors through Councillor Nunziata; advising of the results of an eight-hour pedestrian and vehicular count undertaken and that based on the study results a pedestrian crossover is not warranted at the intersection of Weston Road and Dora Spencer Road; that the development agreement for these lands requires the developers to undertake a number of road and traffic improvements on Weston Road, one of which is the installation of traffic control signals at the intersection of Weston Road and Sidney Belsey Crescent; that the Toronto Transit Commission will be requested to relocate the current bus stop, located on the east side of Weston Road at Dora Spencer Road, to the intersection of Sidney Belsey Crescent, and the need for a transit shelter will be evaluated; and recommending that this report be received for information.
- (ii) (May 1, 2000) from Ms. Susan Reynolds, Administrator, Ms. Edith Ostler and Mr. Shawn Michael Kernaghan, representatives of the Resident Advisory Group, Our Lady of Victory Place Seniors Residence.

On motion by Councillor Nunziata, the Community Council deferred consideration of the foregoing report to its next meeting, pending a meeting with staff on these matters.

Absent: Councillors Davis and Saundercook.

(Clause No. 9(c), Report No. 5)

5.6 Lauder Avenue Road Reconstruction – Traffic Calming Survey Results Ward 28, York Eglinton.

The York Community Council had before it a report (April 14, 2000) from the Director, Transportation Services, District 1, reporting on survey results on the introduction of traffic calming on Lauder Avenue between Rogers Road and Vaughan Road; advising that the York Community Council at its meeting of October 14, 1998; directed Transportation staff to review the feasibility of traffic calming on streets that are currently scheduled for road and sidewalk reconstruction work; that this directive was made in an effort to co-ordinate traffic calming implementation with road reconstruction work, if deemed warranted and supported by affected area residents; that staff undertook a survey of affected area residents, to determine majority support for the attached traffic calming proposal; that under present policy, traffic calming is deemed to be supported if more than 50 percent of those surveyed respond and more than 50 percent of those

responses are favourable; that since 43 percent of the residents surveyed responded, and of those, 73 percent were opposed to traffic calming, it can be concluded that the majority of residents oppose the installation of traffic calming on Lauder Avenue between Rogers Road and Vaughan Road; and recommending that this report be received for information.

The Community Council received the foregoing report.

(Clause No. 9(d), Report No. 5)

**5.7 Alterations to Traffic Calming Measures on Winona Drive
Ward 28, York Eglinton.**

The York Community Council had before it a report (April 11, 2000) from the Director, Transportation Services, District 1, Providing estimated costs to remove and replace the existing traffic calming measures on Winona Drive, as requested by the York Community Council; for:

- (a) removing the three pinch points and speed humps on Winona Drive, north of Vaughan Road, and replacing them with asphalt speed humps; and
- (b) altering the intersections of Winona Drive and Belvidere Avenue and Winona Drive and Ava Road, by the installation of raised intersections;

advising of the costs associated with these proposals and that if York Community Council should decide to remove and reconstruct the traffic calming measures on Winona Drive, the following recommendations should be approved:

- (1) the City Solicitor be authorized to submit by-laws authorizing the alteration of sections of the roadway on Winona Drive from Vaughan Road to Ava Road for traffic calming purposes, generally as shown in attached plan 421F-5685 and described as follows:

“The removal of the three combination road narrowings/speed humps to be replaced with speed humps only, from Vaughan Road to Belvidere Avenue; and

removal of the raised pedestrian crossings at the intersections of Winona Drive and Belvidere Avenue and Winona Drive and Ava Road to be replaced with raised intersections”;

- (2) the City Clerk provide the necessary public notice to introduce the above-noted traffic calming measures; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;

and recommending that this report be received for information.

Councillor Saundercook moved:

THAT the requests for (a) the removal of three pinch points and speed humps on Winona Drive, north of Vaughan Road, and replacement with asphalt speed humps; and (b) altering the intersections of Winona Drive and Belvidere Avenue and Winona Drive and Ava, by the installation of raised intersections, be referred to the Works Committee, having regard to that Committee's request for staff to report on a moratorium with respect to traffic calming measures:

Yes: Councillor Saundercook (1)
No: Councillors Davis, Mihevc and Nunziata (3)

Motion lost.

On motion by Councillor Mihevc, the Community Council recommended to City Council that:

- (1) the three combination road narrowings/speed humps on Winona Drive between Vaughan Road and Belvidere Avenue be removed and replaced with 8 cm speed humps only;**
- (2) the City Solicitor be authorized to submit a by-law authorizing the alteration of sections of the roadway on Winona Drive between Vaughan Road and Belvidere Avenue for traffic calming purposes generally, as shown in attached plan 421F-5685 and described as follows:**

“The removal of the three combination road narrowings/speed humps to be replaced with speed humps only, from Vaughan Road to Belvidere Avenue”;
- (3) the City Clerk provide the necessary public notice to introduce the above-noted modified traffic calming measures; and**
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto; and**

FURTHER, that the request for the removal of the raised pedestrian crossings at the intersections of Winona Drive and Ava Road and Winona Drive and Belvidere Avenue and replacement with raised intersections, be referred to the Works Committee, for staff to report on various design options for the construction of raised intersections with textured concrete, including height reduction, appropriate alternatives and estimated costs, having regard to the Works Committee's request for staff to report on a moratorium on traffic calming and in consideration of proposed City-wide standards for the implementation of traffic calming measures.

**5.8 Eileen Avenue – Traffic Calming Survey Results
Ward 27, York Humber.**

The York Community Council had before a report (April 14, 2000) from the Director, Transportation Services, District 1, reporting on survey results on the feasibility of installing traffic calming on Eileen Avenue between Scarlett Road and Florence Crescent as directed by the York Community Council; advising of the volume and speed studies conducted over a seven day period in September 1999; that based on these results staff undertook a survey of affected area residents, to determine majority support for the traffic calming proposal; that under present policy, traffic calming is deemed to be supported if more than 50 percent of those surveyed respond and more than 50 percent of those responses are favourable; that survey results reveal the total number of responses received (24 percent) was less than the 50 percent response rate set out in the policy; that it can, therefore, be concluded that the majority of residents do not support the installation of traffic calming on Eileen Avenue between Scarlett Road and Florence Crescent at this time; and recommending that this report be received for information.

On motion by Councillor Nunziata, the Community Council:

- (1) requested the Director, Transportation Services, District 1, to report on the installation of stop signs on Eileen Avenue; and**
- (2) received the foregoing report.**

(Clause No. 9(e), Report No. 5)

**5.9 99 Humber Boulevard, Fire Route Application,
Archbishop Romero Secondary School,
Ward 27, York Humber.**

The York Community Council had before it a report (March 13, 2000) from the District Chief, Fire Prevention Division, West Command, advising that Archbishop Romero Secondary School is requesting that a portion of two private driveways at 99 Humber Boulevard be designated as fire routes; that at present, fire department access to the school is by means of Humber Boulevard only; that school officials wish to provide additional access into the site by way of fire routes at the east and west sides of the buildings; that fire routes will improve fire department access to the site and designation will allow the school to control parking; and recommending that the City Solicitor be authorized to draft an amendment to Fire Route By-law No. 3387-79 to designate a portion of the private driveways as fire routes and forward the amending by-law to Council.

On motion by Councillor Saundercook, the Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 5, Report No. 5)

5.10 St. Matthew's Church, 706 Old Weston Road, Request for Exemption from Noise Control By-law No. 3453-79, Ward 27, York Humber.

The York Community Council had before it a report (March 21, 2000) from the District Manager, West District, Municipal Licensing and Standards Division, reporting on a request for an exemption from former City of York Noise Control By-law No. 3453-79; advising that the former City of York Noise By-law No. 3453-79 prohibits the emission of amplified sound from electronic devices incorporating one or more loudspeakers if the noise is audible in residential areas on any day after 5:00 p.m.; that the by-law also provides that Council may grant exemptions from the provisions of the noise by-law; that the exemption being requested is for evening concerts for two religious festivals which attract a large number of parishioners and are held in the St. Matthew's schoolyard directly to the rear of the church; that the exemption would only be in effect to 12:00 midnight on the dates indicated and, given that there have been no reported problems associated with festivals held in previous years, the event is unlikely to have any adverse impact on the surrounding community; that there are no financial implications for the City; and recommending that:

- (1) St. Matthew's Church be granted an exempt from the provision of Noise Control By-law No. 3453-79 for the following dates and times:

Date:	Times:
Saturday, July 1, 2000	From 8:00 p.m. to 12:00 midnight
Sunday, July 2, 2000	From 8:00 p.m. to 12:00 midnight
Friday, September 1, 2000	From 8:00 p.m. to 12:00 midnight
Saturday, September 2, 2000	From 8:00 p.m. to 12:00 midnight
Sunday, September 3, 2000	From 8:00 p.m. to 12:00 midnight
Monday, September 4, 2000	From 8:00 p.m. to 12:00 midnight; and

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

On motion by Councillor Nunziata, the Community Council recommended to City Council the adoption of the foregoing report.

(Clause No. 6, Report No. 5)

5.11 Display of Merchandise on Public Sidewalks.

The York Community Council had before it a report (April 10, 2000) District Manager, West District, Municipal Licensing & Standards Division, reporting on the need for interim measures to strengthen former City of York By-law No. 3343-79, as amended as it pertains to the display of merchandise on public sidewalks; advising that the City of Toronto is in the process of harmonizing a multitude of by-laws of the former municipalities including a variety of 'street' by-laws that regulate, among other things,

the placement of merchandise on City sidewalks; that given the complexities of the issues pertaining to the management of road allowances, there remains a great deal of work to be done before a harmonized by-law is ready for consideration by Council; that until such time as a harmonized streets by-law is in place, the by-laws of the former municipalities remain in full force and effect; concluding that the Municipal Licensing and Standards Division has demonstrated that the applicable provisions of the former City of York by-law regulating the display of merchandise on the sidewalk can be enforced; that it is not necessary, as an interim measure, to further amend former City of York By-law No. 3343-79, as amended; and recommending that the Municipal Licensing and Standards - West District staff take a proactive approach to the enforcement of regulations prohibiting the display of merchandise on sidewalks in the Community of York where a permit to display merchandise has not been obtained.

On motion by Councillor Mihevc, the Community Council:

- (1) concurred with the recommendation in the foregoing report; and**
- (2) requested the District Manager, West District, Municipal Licensing and Standards Division, to ensure vigorous enforcement of By-law No. 3343-79.**

Absent: Councillors Davis and Saundercook.

(Clause No. 9(f), Report No. 5)

5.12 130 Cedric Avenue, Request for Tree Removal related to Blocked Drains – Ward 28, York Eglinton.

The York Community Council had before it a report (April 3, 2000) from the Commissioner of Economic Development, Culture and Tourism, Reporting on the removal and replacement of the City tree fronting 130 Cedric Avenue as directed by the York Community Council on February 15, 2000; advising that the property owner requested that the City take action to ensure that there would be no future damage to her drain system, which could include removal of the tree; that the City owned 60 cm diameter Norway maple fronting 130 Cedric Avenue is in fair condition and does not qualify for removal as it is not dead, dying, or hazardous; that roots from City trees blocking drains is a common problem and does not qualify a tree for removal; that tree roots are generally found in the top 30 cm of soil and seepage from a broken drain may attract tree roots, resulting in a blocked drain; that the former City of York's Operations Department, denied the 1997 claim submitted by the owner of 128 Cedric Avenue as the claim was for repairs to the internal plumbing system, which was not covered by City policy; that the City's current Tree Root Removal and Grants Policy allows for reimbursement up to \$1,500 for the complete replacement of a drain between the City property line and the residence, where drain blockage has been verified by City staff to have been caused by roots from a City tree; concluding that qualifying City trees for removal based on their possible or actual blockage of drains will set a precedent that will qualify 1000's of City tree for removal; that replacement of broken or worn drain

components using modern materials provides a long-term resolution while retaining the tree; and recommending that:

- (1) the City owned 60 cm diameter Norway maple tree fronting 130 Cedric Avenue be retained; and
- (2) if Council approves removal of the tree, that it be with the stipulation that the applicant pay for the removal, replacement and value of the tree, which totals \$4,126.00.

The York Community Council recommended to City Council the adoption of recommendation (1) in the foregoing report.

(Clause No. 7, Report No. 5)

**5.13 148 Humbercrest Boulevard, Request for Drain Repair Costs
Ward 27, York Humber.**

The York Community Council had before it a report (April 4, 2000) from the Commissioner, Economic Development, Culture & Tourism, reporting on reimbursing the owner of 148 Humbercrest Boulevard in the amount of \$1,500.00 for blocked drain repairs caused by the oak tree at 152 Humbercrest Boulevard as directed by the York Community Council on February 15, 2000; advising that the City of Toronto denied a request for removal of the tree when it was explained by the owner that the roots were causing damage to the owner's driveway; that the City permitted the owner to park on Humbercrest Boulevard instead of his driveway; and requesting that Mr. Griffin be reimbursed for expenses incurred in repairing the damage to his drains caused by the tree roots; that there are a number of private woody shrubs located immediately adjacent to the sanitary clean-out, which are believed to be the source of the roots that blocked the drain and provided the basis for denying the claim; concluding that drains blocked by roots from private vegetation, on private property, do not qualify for any reimbursement under the City's Tree Root Removal and Grants Policy; and recommending that this report be received for information.

On motion by Councillor Mihevc, the Community Council received the foregoing report.

Absent: Councillors Davis and Saundercook.

(Clause No. 9(g), Report No. 5)

5.14 Design Guidelines and Development Standards for Infill Housing:

The York Community Council had before it a communication (March 10, 2000) from the City Clerk, advising that at the Planning and Transportation Committee agenda briefing meeting on March 8, 2000, the Chair of Planning and Transportation Committee directed

that the transmittal letter (February 23, 2000) from the City Clerk forwarding a joint report (January 31, 2000) from the Director, Community Planning, West District and the Director of Urban Design, City Planning, entitled "Design Guidelines and Development Standards for Infill Housing" be forwarded to all Community Councils for consideration and comment to the Planning and Transportation Committee.

On motion by Councillor Mihevc, the Community Council forwarded the foregoing matter to the Planning and Transportation Committee, without recommendation.

Absent: Councillors Davis and Saundercook.

(Clause No. 9(h), Report No. 5)

5.15 Harmonization of the Fence By-law.

The York Community Council had before it the following communications:

- (i) (March 23, 2000) from the City Clerk, advising that the Planning and Transportation Committee:
 - (1) adopted the report (March 1, 2000) from the Commissioner of Urban Development Services, and in so doing forwarded it to all Community Councils for their review and report back to the Planning and Transportation Committee; and
 - (2) requested the Commissioner of Urban Development Services, in consultation with the City Solicitor, to report to each Community Council on suggested wording to clarify the term "a City employee" contained in Section 11 on page 10 of the report, so as to define the City employee's role in exercising lawful authority in this respect as being limited to emergency situations of a temporary nature and comment on the suggested stipulation that the employee be requested to consult with the Ward Councillor prior to exercising such authority.
- (ii) (April 17, 2000) from the City Solicitor, reporting on wording to clarify the term "City employee" in section 11 of the draft harmonized fence by-law and to comment on a proposed stipulation that ward councillors be consulted before employees exercise authority to require that specified fences be erected; and recommending that:

sections 11 and 12 of the draft harmonized fence by-law be re-worded as outlined in this report; and

ward councillors be informed when a property standards officer or the chief building official has made an emergency order under the *Building Code Act, 1992*

requiring that a fence be erected that does not comply with the harmonized fence by-law.

On motion by Councillor Mihevc, the Community Council forwarded the foregoing matter to the Planning and Transportation Committee, without recommendation.

Absent: Councillors Davis and Saundercook.

(Clause No. 9(i), Report No. 5)

**5.16 Select Café and Donuts, 3466 Dundas Street West, Unit 6
Liquor Licence Application - Ward 27, York Humber.**

The York Community Council had before it the following communications:

- (i) Clause No.16(j), Report No. 4, York Community Council, referred back by City Council on April 11, 12 and 13, 2000, for further consideration by the York Community Council on May 2, 2000; and
- (ii) (April 17, 2000) from Councillor Nunziata regarding community concerns and recommending that the Alcohol and Gaming Commission be advised of the possibility of problems such as increased crime, noise and the potential for liquor licence infractions arising from the issuance of a liquor licence for the business operating at 3466 Dundas Street West, Unit 6, Select Café and Donuts.

On motion by Councillor Nunziata, the Community Council received the foregoing communications.

(Absent: Councillors Davis and Saundercook.)

(Clause No. 9(j), Report No. 5)

**5.17 Request for Development of Mallaby Park
Weston Community Improvement Committee
Ward 27, York Humber.**

The York Community Council has before it a memorandum (April 3, 2000) from Councillor F. Nunziata, forwarding a communication (March 28, 2000) from the Weston Community Improvement Committee, regarding the revitalization of parkettes in the Weston area in particular, Mallaby Park and requesting that this proposal be included in the capital budget.

On motion by Councillor Nunziata, the Community Council referred the foregoing communication to the Commissioner of Economic Development, Culture and Tourism, to include funds in the 2001 capital budget for the development of Mallaby Park.

Absent: Councillors Davis and Saundercook.

(Clause No. 9(k), Report No. 5)

**5.18 Request for Permit Parking on Hartley Avenue
Ward 28, York Eglinton.**

The York Community Council had before it a communication (March 13, 2000) from Councillor J. Mihevc, advising that a resident on Hartley Avenue is requesting on-street permit parking and requesting that staff examine the feasibility and conduct a poll to determine interest in this proposal.

On motion by Councillor Mihevc, the Community Council:

- (1) requested the Director, Transportation Services, District 1, to report on the implementation of on-street permit parking on Hartley Avenue; and**
- (2) received the foregoing communication.**

(Clause No. 9(l), Report No. 5)

**5.19 Request for Permit Parking on Atlas Avenue
Ward 28, York Eglinton**

The York Community Council had before it a communication (March 14, 2000) from Councillor J. Mihevc, advising that residents on Atlas Avenue are enquiring about the possibility of on-street permit parking on Atlas Avenue between Eglinton Avenue West and Gloucester Grove and requesting that staff examine the feasibility of this request and report back accordingly.

On motion by Councillor Mihevc, the York Community Council:

- (1) requested the Director, Transportation Services, District 1, to report on the implementation of permit parking on Atlas Avenue between Eglinton Avenue West and Gloucester Grove; and**
- (2) received the foregoing communication.**

(Clause No. 9(m), Report No. 5)

5.20 Resignation of York Councillor from the York Community Alliance for Neighbourhood Development Opportunities (CANDO)

The York Community Council had before it a communication (March 23, 2000) from Councillor Rob Davis to Ms. Marguerite Pyron, President and Managing Director, CANDO, advising of his resignation from the Board of Directors.

On motion by Councillor Mihevc, the Community Council recommended to City Council the acceptance of Councillor Davis' resignation from the Board of Directors of CANDO.

Absent: Councillors Davis and Saundercook.

(Clause No. 8, Report No. 5)

5.21 Parking Concerns on Wilby Crescent – Ward 27, York Humber.

The York Community Council had before it a communication (March 29, 2000) from Councillor Saundercook, forwarding a letter (March 13, 2000) from 12 Division, Community Police Liaison Committee, regarding parking concerns in Wilby Crescent.

On motion by Councillor Nunziata, the Community Council:

- (1) requested the Director, Transportation Services, District 1, to report on the parking concerns on Wilby Crescent; and**
- (2) received the foregoing communication.**

Absent: Councillors Davis and Saundercook.

(Clause No. 9(n), Report No. 5)

5.22 Statutory Public Meetings

Councillor Mihevc moved:

That the City Clerk be requested to:

- (1) to consult with appropriate staff to determine non-controversial issues requiring statutory public meetings and to schedule such meetings during the day session of the Community Council; and**
- (2) to arrange for the next three statutory public meetings to be held in the daytime, on a trial basis, with the exception of the public meetings for road alterations which have already been advertised in the newspaper for the evening session.**

Yes: Councillors Davis, Mihevc and Saundercook (3)
No: Councillor Nunziata (1)

Motion carried.

**5.23 54 Kirknewton Road, Final Report on Zoning By-law Amendment,
Owners: Clarence & Carmen Hewitt; Applicant: G.S. Designers
(Mr. F. Sestito); File No. R99-007 – Ward 28, York Eglinton.**

The York Community Council had before it a report (April 10, 2000) from the Director, Community Planning, West District, reporting on a proposal to amend Zoning By-law No. 1-83 of the former City of York to permit an existing dwelling house containing up to three (3) residential units in an R2 Residential Zone District; advising that the application has undergone a full circulation and a community meeting, where no objections were forwarded regarding the proposal; that the proposal respects the general intent of the Official Plan and generally complies with the performance standards of Zoning By-law No. 1-83; that the subject property is located close to shopping and other commercial services and is well served by transit, parks and schools; that the proposed three units will have little impact upon the surrounding neighbourhood and will meet the criteria for residential intensification outlined in the Official Plan; that the draft Zoning By-law amendment attached as Attachment 4 is recommended for approval, subject to the conditions noted in this report; and recommending that:

- (1) the application submitted by G. S. Designers to amend Zoning By-law No. 1-83 to permit three residential units in an existing single detached dwelling, in an R2 Residential Zone District be approved, subject to holding a Public Meeting to obtain the views of interested parties;
- (2) Zoning By-law No. 1-83 be amended generally in accordance with the draft Zoning By-law attached as Attachment 4 to this report and worded to the satisfaction of the City Solicitor;
- (3) prior to the introduction of the draft By-law for enactment by Council, the following conditions shall be fulfilled:
 - (a) the owner apply for a building permit to modify the premises to a three unit dwelling house including the dwelling unit in the cellar; and,
 - (b) the Building Division and Fire Prevention Division advising that the premises comply with Building Code and Fire Code requirements relating to life safety matters; and,
- (4) staff be authorized to take the necessary action to finalize the draft By-law.

There were no deputations in connection with this matter.

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On motion by Councillor Mihevc, the York Community Council recommended to City Council that based on the findings of fact, conclusions and recommendations contained in the report dated April 10, 2000 from the Director, Community Planning, West District, and for the reason that the proposal is an appropriate use of lands, that the application by G.S. Designers for a Zoning By-law Amendment to permit an existing dwelling house containing up to three (3) residential units in an R2 Residential Zone District, be approved.

Absent: Councillor Saundercook.

(Clause No. 2, Report No. 5)

The meeting adjourned at 7:12 p.m.

Councillor Rob Davis
Chair