

CITY OF TORONTO

Clerk's Division

Meeting No. 7

June 20, 2000

The York Community Council held a meeting on Tuesday, June 20, 2000 in the Council Chamber, York Civic Centre, 2700 Eglinton Avenue West, at 9:40 a.m.

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

Confirmation of Minutes.

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

7.1 Removal and Replacement of Tree at 490 Atlas Avenue Ward 28, York Eglinton.

The York Community Council had before it a communication (May 19, 2000) from Councillor Rob Davis forwarding a letter (April 25, 2000) from Mrs. Knott advising that a City tree is attracting hornets which swarmed her daughter last year requiring emergency care; that monitoring the tree through spraying and trimming is an inadequate measure as the tree is dense; that the tree is a health risk to children and the neighbourhood and requesting that the tree be removed immediately.

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

- (1) having regard that the City-owned tree situated at 490 Atlas Avenue continually attracts hornets which attack children and area residents creating an unsafe environment in the neighbourhood, that the tree be removed on the condition that a replacement tree be planted at this location;**
- (2) in the interim, the Commissioner of Economic Development, Culture and Tourism, be requested to meet with the owner of 490 Atlas Avenue to decide on a suitable replacement tree to the mutual satisfaction of the owner and staff; and**
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.**

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

On motion by Councillor Davis, the Community Council requested the Commissioner, Economic Development, Culture and Tourism, to submit a report on this matter directly to Council for consideration at its meeting to be held on July 4, 2000.

Councillor Davis returned to the Chair.

(Clause No. 5, Report No. 5)

7.2 Draft By-law To Authorize the Alteration of Winona Drive between Vaughan Road and Belvidere Avenue by Removing the Existing Road Narrowings and Speed Humps and Replacing them with Different Speed Humps – Ward 28, York Eglinton.

The York Community Council:

- (i) had before it a Draft By-law from the City Solicitor authorizing the alteration of Winona Drive between Vaughan Road and Belvidere Avenue for traffic calming purposes generally, as shown on plan 421F-5685, by removing the three combination road narrowings/speed humps and replacing them with speed humps only;
- (ii) held a public meeting on June 20, 2000 regarding the Draft By-law; and that pursuant to Clause No. 3 of Report No. 5 of the York Community Council, entitled “Alterations to Traffic Calming Measures on Winona Drive-Ward 28, York Eglinton” which was adopted without amendment by City Council on May 9, 10 and 11, 2000, a notice with respect to the proposed enactment of the Draft By-law was advertised in a daily newspaper on May 29, June 5, 12 and 18, 2000, and no one addressed the Community Council; and
- (iii) also had before it Clause No. 3 of Report No. 5 of the York Community Council, which was adopted without amendment by City Council at its meeting held on May 9, 10 and 11, 2000.

On motion by Councillor Mihevc, the Community Council recommended to Council that a By-law in the form of the Draft By-law be enacted and that the necessary Bill be introduced in Council to give effect thereto.

(Absent: Councillor Saundercook)

(Clause No. 6, Report No. 7)

7.3 Reimbursement for Blocked Drain Repairs at 26 Black Creek Boulevard Ward 27, York Humber.

The York Community Council had before the following communications:

- (i) (March 28, 2000) from Ms. Beatrice Di Poce, Ponton Coleshill Edwards & Associates, Adjusters and Surveyors, to Mr. Frank Cauchi, 26 Black Creek Boulevard, advising that his claim does not indicate any liability on the part of the City; and that it cannot be considered under the City's Drain Grant Program due to the fact that the tree root blockage must be a result of a City-owned tree;
- (ii) (February 7, 2000) from Mr. Frank Cauchi, 26 Black Creek Boulevard to the City of Toronto, explaining the circumstances which created the blocked drain and submitting a claim for reimbursement of expenses totalling \$1,316.10, plus \$200.00 which is the cost of replacing a concrete step which had to be removed for the work to be undertaken; and
- (iii) (May 16, 2000) from Councillor Nunziata forwarding copies of the above correspondence to the Community Council for consideration.

Mr. Frank Cauchi, 26 Black Creek Boulevard, appeared before the Community Council in connection with the foregoing matter.

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

- (1) the claim in the amount of \$1,316.10 for blocked drain repairs be allowed to the owner of 26 Black Creek Boulevard, having regard that the roots from a privately-owned tree at 28 Black Creek Boulevard caused the sewer blockage on City property which resulted in the blocked drain at 26 Black Creek Boulevard; and**
- (2) the appropriate City officials be authorized and directed to take the necessary to give effect thereto.**

(Absent: Councillor Saundercook)

City Council on June 7, 8 and 9, 2000, adopted, without amendment, Clause No. 5 of Report No. 12 of the Works Committee, headed "Drain Grant Appeal Process".

Having regard for the foregoing decision of Council, the above recommendation of the York Community Council was referred to the Works Committee instead, for consideration and report thereon to Council:

(Clause No. 12(s), Report No. 7)

7.4 Flooding on Cordella Avenue - Ward 27, York Humber.

The York Community Council had before it the following communications:

- (i) (June 20, 2000) written brief submitted by Ms. Marylou Quitalo-Soares;
- (ii) (June 1, 2000) from Councillor Frances Nunziata, advising that the owner of 99A Cordella Avenue has experienced flooding problems numerous times and believes that the City is negligent in allowing the residential construction at 99 and 99A Cordella knowing that the depressed driveway makes the property vulnerable to flooding whenever there is a large storm; and that the resident and others in the area would like to make deputations on this matter; and
- (iii) (May 20, 2000) from Ms. Marylou Quitalo-Soares, advising of the problems experienced due to basement flooding on May 12, 2000 and previous two years and requesting that the City purchase the property and provide compensation.

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

- Ms. Marylou Quitalo Soares, 99A Cordella Avenue and submitted a brief in regard thereto;
- Mr. Louis Alves, 254 Scott Road; and
- Mr. Sang Y Sing, 99 Cordella Avenue

On motion by Councillor Nunziata, the Community Council:

- (1) **requested the Commissioner of Works and Emergency Services to:**
 - (a) **include Cordella Avenue in the review of areas subject to major flooding due to overloaded City sewer systems;**
 - (b) **report on the City providing compensation to the owner of 99A Cordella Avenue for damages to personal property caused by basement flooding; and**
- (2) **received the foregoing communications.**

(Clause No. 12(a), Report No. 7)

**7.5 288 Boon Avenue – Application to Amend Zoning By-law No. 1-83;
Final Report; Owners:Guerino & Letterina Vescio;
File No. R00-001 – Ward 28, York Eglinton.**

The York Community Council:

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- (i) had before it a report (May 31, 2000) from the Director, Community Planning, West District, providing information on a proposal to amend Zoning By-law No. 1-83 of the former City of York to permit commercial uses including a retail store, hair salon and office uses on the main level and two residential units in a dwelling house located in an R2 Residential District; that there are no financial implications resulting from the adoption of this report; and recommending that:
 - (1) the application submitted by G.S. Designers to amend Zoning By-law No. 1-83 to permit commercial uses on the main level and two residential units in a dwelling house in an R2 Zoning 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 appended to this report as Attachment 3, 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 be fulfilled:
 - (a) the owner make application to and receive conditional approval from the Works and Emergency Services Department for three (3) boulevard parking spaces off Rogers Road and any necessary curb ramp installations;
 - (b) the owner apply for a building permit to modify the premises to accommodate two (2) residential units and commercial uses on the main level;
 - (c) the Fire Prevention Division advise that the premises comply with Fire Code requirements relating to life safety matters;
 - (d) all business signage and advertising on the premises facing Boon Avenue, along the Boon Avenue frontage and encroaching within the Rogers Road boulevard, be removed; and
 - (4) appropriate City officials be authorized to take the necessary action to finalize the draft By-law.
- (ii) held a statutory public meeting on June 20, 2000, pursuant to Section 34 of the Planning Act, and that appropriate notice of this meeting was given in accordance with the Planning Act and regulations thereunder; and
- (iii) also had before it a petition signed by approximately 47 residents expressing objection to the proposal which will reduce the open space and parking in the area.

No one appeared before the Community Council in connection with the foregoing matter.

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

(Clause No. 2, Report No. 7)

7.6 Procedure for Eliminating Duplicate Street Names - All Wards.

The York Community Council had before it a communication (May 17, 2000) from the City Clerk, advising that the Works Committee at its meeting on May 17, 2000, had before it a communication (April 3, 2000) from the City Clerk advising that City Council, at its meeting held on February 1, 2 and 3, 2000, had before it Clause No. 3 contained in Report No. 1 of The Works Committee, headed "Procedure for Eliminating Duplicate Street Names (All Wards)"; and that Council directed that the aforementioned Clause be struck out and referred, save and except that portion pertaining to Humber Boulevard in Ward 3 (Kingsway Humber), back to the Works Committee for further consideration, together with the following motions; and that the Commissioner of Works and Emergency Services was requested to submit a report to the Works Committee, for consideration therewith, on the inclusion of a public consultation process through the Community Councils:

Moved by Councillor Johnston:

"It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on:

- (1) the inclusion of a public consultation process which would provide for public hearings on street name changes at the Community Councils; and
- (2) the inclusion of additional criteria related to geographic separation in setting priorities for street naming."

Moved by Councillor Lindsay Luby:

"It is further recommended that the Commissioner of Works and Emergency Services be requested to obtain up-to-date statistics regarding the number of residents on all duplicate streets."

Moved by Councillor Prue:

"It is further recommended that, as part of the process to eliminate duplicate street names, the Commissioner of Works and Emergency Services be requested to determine:

- (1) when the street was named; and

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- (2) after what historical event, person or figure the street was named.”

and further advising that Council also adopted the following recommendation:

“It is recommended that Humber Boulevard in Ward 3 (Kingsway Humber) be renamed Old Mill Trail.”

On motion by Councillor Mihevc, the Community Council:

- (1) **endorsed the Procedure for Eliminating Duplicate Street Names; and**
(2) **advised the Works Committee of the action taken.**

(Absent: Councillor Saundercook)

(Clause No. 12(b), Report No. 7)

7.7 Request for Pedestrian Crossover and Bus Shelter on Weston Road at Dora Spencer Road - Ward 27, York Humber.

The York Community Council had before it a report (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, 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; and recommending that this report be received for information.

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

(Clause No. 12(e), Report No. 7)

7.8 Request for Bus Shelters on Weston Road Ward 27, York Humber.

The York Community Council had before it a communication (June 1, 2000) from Councillor F. Nunziata, advising that at a recent meeting with staff and residents of Our Lady of Victory Seniors' residence at 200 Dora Spencer Road, a request was made for the installation of two bus shelters on Weston Road, one on the west side of Weston Road and Dora Spencer Road, and the other on the west side of Weston Road at Sidney Belsey Crescent; and requesting that staff investigate and report on this request.

On motion by Councillor Nunziata, the Community Council:

- (1) requested the Director, Transportation Services, District 1, to report on the installation of two transit shelters on the west side of Weston Road, one at Dora Spencer Road and the other at Sidney Belsey Crescent; and**
- (2) received the foregoing communication.**

(Clause No. 12(f), Report No. 7)

**7.9 19 Romanway Crescent, Appeal of Committee of Adjustment Decision;
File No. A44/00YK (Ward 27, York Humber).**

The York Community Council had before it the following communications:

- (i) (May 29, 2000) from the Director, Community Planning, West District, providing information regarding a decision by the Committee of Adjustment which has been appealed to the Ontario Municipal Board; advising that the applicant is proposing to alter the existing driveway such that it would be widened to 5.8 metres (19.6 feet) and the green landscaped open space would be reduced; that specifically, the following variances are required to Zoning By-law No. 1-83:
 - a minimum of 35 percent or 19.56 square metres (210.54 square feet) of the front yard area shall be green landscaped open space whereas 14 percent or 7.85 square metres (84.48 square feet) would be provided;
 - no front yard parking space shall be permitted on a lot where the required parking is provided whereas a front yard parking space would be permitted (the required parking is provided by means of an integral single car garage);
 - the maximum width of a front yard parking space is 2.8 metres (9.18 feet) whereas 5.88 metres (19.66 feet) is proposed; and
 - a front yard parking area shall be located abutting a side lot line and/or shall adjoin a driveway or approved front yard parking area whereas the front yard parking area would be located partially on the driveway leading to the garage;

that Planning staff had concerns with respect to the lack of green landscaped open space and excessive driveway width that would result from the proposed variances that it was recommended by staff that the driveway be no wider than 4.6 metres (15 feet); that this would enable a vehicle to be parked in the front yard and permit another vehicle to access the attached garage while preserving as much of the front yard as green landscaped open space; that the Committee of Adjustment on May 9, 2000 refused the requested variances and the decision was

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subsequently appealed by the applicants at 19 Romanway Crescent; and recommending that City Legal and Planning staff representation be provided at the Ontario Municipal Board for the appeal regarding the subject application; and

- (ii) (June 5, 2000) from Ms. Nives (Helen) Lepone to Councillor Nunziata, forwarding a petition signed by 9 area residents, expressing objections to the Committee of Adjustment variance application for the subject property.

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

(Clause No. 3, Report No. 7)

**7.10 Sign By-law Variance Application; Owner: Canadian Pacific Railway;
Applicant: Pattison Outdoor; File No. 10/4/47-1;
Ward 27, York Humber.**

The York Community Council had before it the following reports:

- (i) (June 19, 2000) Supplementary Report from the Director, Community Planning, West District and the Director of Building and Deputy Chief Building Official, West District, providing a revision to the Sign By-law Application that requests approval to permit a sign exceeding the permitted height limit; advising that there are no financial implications arising from the adoption of this report; and recommending that:
 - (1) Recommendation 1 in the report dated May 31, 2000 from the Director, Community Planning, West District be deleted and replaced with the following:
 - “(1) the application by Pattison outdoor for a variance to the provisions of By-law No. 369-79, as amended, to permit an off premise sign with a maximum height of 13.8 metres on the Canadian Pacific Railway lands, west of Jane Street and north of Weston Road, be approved as a minor variance; and”
- (ii) (May 31, 2000) from the Director, Community Planning, West District and the Director of Building and Deputy Chief Building Official, West District, providing information on a Sign By-law Variance application to permit a sign exceeding the permitted height limit; advising that the subject site forms part of the Canadian Pacific Railway right-of-way, on the west side of Jane Street, north of Weston Road; that the proposed sign is to be located approximately 18 metres (60 feet) west of the Jane Street overpass where it crosses the railway right-of-way; and recommending that:

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- (1) the application by Pattison Outdoor for a variance to the provisions of By-law No. 3369-79, as amended, to permit an off-premise sign with a maximum height of 9 metres on the Canadian Pacific Railway lands, west of Jane Street and north of Weston Road, be approved as a minor variance; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Community Council recommended to Council the adoption of the foregoing reports.

(Clause No. 4, Report No. 7)

**11. New Development Applications for York District;
Ward 27, York Humber and Ward 28, York Eglinton.**

The York Community Council had before it a report (June 6, 2000) Director, Community Planning, West District, advising that since their last report to the Community Council, the following new application has been received:

Applicant: Talwood Architect Inc.
Owner: B.G. Schickendanz Central Inc.
Property Address: 1400 Weston Road Block 2(b) west half
Proposal: 77 condominium townhouses
Approval process: Delegated to Director of Community Planning
File No. SP00-004; Date received: May 24, 2000; Planner: Wendy Johncox

The Community Council received the foregoing report.

(Clause No. 12(g), Report No. 7)

**7.12 Rushton Road between Valewood Avenue and Vaughan Road;
Speed Hump Re-Survey Results - Ward 28, York Eglinton.**

The York Community Council had before it a report (June 5, 2000) from the Director, Transportation Services, District 1, reporting on the survey results on residents' interest in considering traffic calming on Rushton Road between Valewood Avenue and Vaughan Road; advising that in response to the re-survey sent to residents of Rushton Road, from Valewood Avenue to Vaughan Road, only 22 or 42 percent of a total of 54 ballots sent out were received back and that there is not sufficient evidence of resident interest in proceeding with traffic calming measures at this time; and recommending that this report be received for information.

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

- (1) **approval be given to alter sections of the roadway on Rushton Road between Valewood Avenue and Vaughan Road, for traffic calming purposes described as follows:**

“The construction of speed humps on Rushton Road between Valewood Avenue and Vaughan Road, generally as shown on the attached Drawing No. 421F-5731;”

- (2) **a speed limit of 30 kilometres per hour be implemented on Rushton Road between Valewood Avenue and Vaughan Road, coinciding with the implementation of speed humps and as legislation permits;**
- (3) **the City Clerk provide the necessary public notice to introduce the above-noted traffic calming measures; and**
- (4) **the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.**

Yeas: Councillors Mihevc and Nunziata (2)

Nays: Councillor Davis (1)

Motion carried.

(Absent: Councillor Saundercook)

(Clause No. 7, Report No. 7)

**7.13 Westmount Avenue between Cloverlawn Avenue and Rogers Road;
Speed Hump Re-Survey Results - Ward 28, York Eglinton.**

The York Community Council had before it a report (June 2, 2000) from the Director, Transportation Services, District 1, reporting on survey results on residents' interest in considering traffic calming on Westmount Avenue between Cloverlawn Avenue and Rogers Road; advising that in response to the re-survey sent to residents of Westmount Avenue from Cloverlawn Avenue to Rogers Road, only 43 or 15% of a total of 292 ballots sent out were received back and that there is not sufficient evidence of resident interest in proceeding with traffic calming measures at this time; and recommending that this report be received for information.

Councillor Davis appointed Councillor Nunziata, Acting Chair, vacated the Chair.

On motion by Councillor Davis, the Community Council submitted the foregoing report to Council, without recommendation.

(Absent: Councillor Saundercook)

Councillor Davis returned to the Chair.

(Clause No. 8, Report No. 7)

7.14 Winnett Avenue between Normanna Avenue and Hursting Avenue – Speed Hump Re-Survey Results Ward 28, York Eglinton.

The York Community Council had before it a report (June 2, 2000) from the Director, Transportation Services, District 1, reporting on survey results on residents' interest in traffic calming on Winnett Avenue between Normanna Avenue and Hursting Avenue; advising that in response to the re-survey sent to residents of Winnett Avenue from Normanna Avenue to Hursting Avenue, only 25 or 48 percent of a total of 53 ballots sent out were received back and that there is not sufficient evidence of resident interest in proceeding with traffic calming measures at this time; and recommending that this report be received for information.

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

Councillor Davis moved that the foregoing report be deferred to its July 18th meeting to allow the local Councillors to meet with the area residents.

Yeas: Councillors Davis and Nunziata (2)

Nays: Councillor Mihevc (1)

Motion carried.

(Absent: Councillor Saundercook)

(Clause No. 12(h), Report No. 7)

7.15 Willard Avenue between Annette Street and St. John's Road – Speed Humps Re-Survey Results Ward 27, York Humber.

The York Community Council had before it a report (June 5, 2000) from Director, Transportation Services, District 1, providing information on traffic calming on Willard Avenue between Annette Street and St. John's Road, as a result of favourable survey results of residents; advising that since 52 percent of residents surveyed responded, and of those, 58 percent were in support of traffic calming, it can be concluded that the majority of residents support the installation of traffic calming on Willard Avenue

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between Annette Street and St. John's Road; that the funds associated with constructing the proposed six (6) asphalt speed humps, estimated at \$12,000.00 are contained in the Works and Emergency Services Department 2000 Capital Budget; and recommending that:

- (1) the City Solicitor be authorized to submit road alteration by-laws for Willard Avenue from Annette Street to St. John's Road, for traffic calming purposes, described as follows:

“The construction of speed humps on Willard Avenue from Annette Street to St. John's Road, generally as shown on the attached Drawing No. 421F-5728, dated June, 2000”;

- (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 including the introduction in Council of any Bills that are required.

On motion by Councillor Saundercook, the Community Council referred the foregoing report back to the Director, Transportation Services, District 1, to report on the impact this proposal for the installation of speed humps would have on the broader community.

(Clause No. 12(i), Report No. 7)

**7.16 Bicknell Avenue – Traffic Calming Survey Results
Ward 27, York Humber.**

The York Community Council had before it a report (June 2, 2000) from the Director, Transportation Services, District 1, reporting on survey results on residents' interest in considering traffic calming on Bicknell Avenue; advising that in response to a survey sent to residents of Bicknell Avenue to determine interest in traffic calming measures, only 26 or 19 percent of a total of 136 ballots sent out were received back and that there is not sufficient evidence of resident interest in proceeding with traffic calming measures at this time; and recommending that this report be received for information.

The Community Council received the foregoing report.

(Clause No. 12(j), Report No. 7)

7.17 East Drive between Scarlett Road and Jane Street; Traffic Calming Survey Results, Parking Regulations and Other Measures; Ward 27, York Humber.

The York Community Council had before it a report (June 5, 2000) from the Director, Transportation Services, District 1, reporting on the traffic calming survey results for East Drive between Scarlett Road and Jane Street and to rescind the current peak period parking prohibition; advising that in response to a survey sent to residents of East Drive, from Scarlett Road to Jane Street, to determine interest in traffic calming measures, only 40 or 37 percent of a total of 110 ballots sent out were received back and that there is not sufficient evidence of resident interest in proceeding with traffic calming measures at this time; and recommending that:

- (1) Uniform Traffic By-law Nos. 196-84 and 2958-94 be amended to rescind the No Parking, 4:00 p.m. to 6:00 p.m., Monday to Friday, restriction on the north side of East Drive from Scarlett Road to Jane Street; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Mr. Peter Sovran of the Noble Park Community Association appeared before the Community Council and made a slide presentation regarding traffic concerns on East Drive.

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

- (1) the foregoing report (June 5, 2000) from the Director, Transportation Services, District 1, be adopted;**
- (2) the morning rush-hour advance green signal at East Drive and Scarlett Road be eliminated;**
- (3) an all-way stop control be implemented on East Drive at Woodgate Drive and at Brendwin Road; and**
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.**

(Absent: Councillor Saundercook)

(Clause No. 9, Report No. 7)

7.18 Harmonization of By-Laws Passed Under Section 210 of the Municipal Act respecting the Keeping of Lands in a Clean Condition.

The York Community Council had before it a communication (May 24, 2000) from the City Clerk, Planning and Transportation Committee, advising that on May 16, 2000, the Planning and Transportation Committee gave consideration to the report (March 27, 2000) from the Commissioner, Urban Development Services reporting on the harmonization of by-laws respecting the keeping of lands in a clean condition and recommending that this by-law be received and forwarded to all Community Councils for their review and comment to the next meeting of the Committee.

The Community Council:

- (1) **endorsed the draft harmonized by-law regarding the keeping of lands in a clean condition; and**
- (2) **advised the Planning and Transportation Committee accordingly.**

(Clause No. 12(c), Report No. 7)

7.19 Parkland Encroachment Policy and Procedures.

The York Community Council had before it a report (June 6, 2000) from the Commissioner, Economic Development, Culture and Tourism, reporting on a City-wide parkland encroachment policy and associated procedures; advising that recovering the full cost of removing illegal encroachments is proposed; that a portion of the administrative costs associated with the Encroachment Review Committee will be recovered through a proposed application fee; that implementation of an enhanced parkland encroachment monitoring, education, and enforcement program will be recommended in the 2001 Operating Budget; and recommending that:

- (1) the parkland encroachment policy and procedures set out in Attachment Nos. 1 and 2 be considered and report thereon to the Economic Development and Parks Committee meeting of July 12, 2000;
- (2) if the Encroachment Review Committee outlined in this report is approved, Parks and Recreation Division staff be authorized to charge a fee of \$300.00 to process applications to the Encroachment Review Committee;
- (3) the Uniform Parks By-law be revised to state that where the City directs that an encroachment be removed pursuant to the Uniform Parks By-law and the encroachment is not removed as directed, the City may remove the encroachment and install fencing and recover the expense thereof in like manner as municipal taxes, as authorized pursuant to section 326 of the *Municipal Act*;

- (4) this report and Council's actions thereon be forwarded to the Toronto and Region Conservation Authority for information; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Community Council:

- (1) **endorsed the Parkland Encroachment Policy and Procedures as set out in Attachment Nos. 1 and 2 of the following report; and**
- (2) **advised the Economic Development and Parks Committee of the action taken:**

(Clause No. 12(d), Report No. 12)

7.20 Request for Permit Parking on Donald Avenue between Kane Avenue and Keele Street - Ward 27, York Humber.

The York Community Council had before it a communication (May 5, 2000) from Councillor F. Nunziata, advising that a constituent has requested that on-street permit parking be implemented on Donald Avenue between Kane Avenue and Keele Street; that currently permit parking exists on the south side of Donald Avenue from Kane Avenue to Silverthorn Avenue; and requesting that staff investigate and report on the feasibility of this request.

On motion by Councillor Nunziata, the Community Council:

- (1) **requested the Director, Transportation Services, District 1, to report on the feasibility of implementing on-street permit parking on Donald Avenue between Kane Avenue and Keele Street; and**
- (2) **received the foregoing communication.**

(Clause No. 12(k), Report No. 7)

7.21 Request for Traffic Calming on Astoria Avenue Ward 27, York Humber.

The York Community Council had before it a communication (May 23, 2000) from Councillor F. Nunziata, advising that a constituent has expressed concern regarding excessive speeding of vehicles travelling along Astoria Avenue; and requesting that staff undertake a traffic study of this street to determine if traffic calming measures are warranted.

On motion by Councillor Nunziata, the Community Council:

- (1) requested the Director, Transportation Services, District 1, to conduct a traffic study on Astoria Avenue and report on the installation of traffic calming measures; and
- (2) received the foregoing communication.

(Clause No. 12(l), Report No. 7)

**7.22 Request for Traffic Calming on Rosemount Avenue
Ward 27, York Humber.**

The York Community Council had before it a communication (June 2, 2000) from Councillor F. Nunziata, advising that a resident has expressed concern regarding excessive speeding on Rosemount Avenue; and requesting that Transportation Services staff conduct a traffic study and report on the feasibility of implementing traffic calming on this street.

On motion by Councillor Nunziata, the Community Council:

- (1) requested the Director, Transportation Services, District 1, to undertake a traffic study on Rosemount Avenue and report on the implementation of traffic calming measures; and
- (2) received the foregoing communication.

(Clause 12(m), Report No. 7)

**7.23 Request for Traffic Calming on Guestville Avenue, south of Lambton Avenue
Ward 27, York Humber.**

The York Community Council had before it a communication (June 2, 2000) from Councillor F. Nunziata, advising that a constituent has expressed concern regarding motorists exceeding the speed limit on Guestville Avenue south of Lambton Avenue; and requesting that Transportation Services staff conduct a study for implementing traffic calming on this portion of Guestville, including the installation of "Watch for Children" signs at the entrance to Guestville Avenue off Lambton Avenue.

On motion by Councillor Nunziata, the Community Council:

- (1) requested the Director, Transportation Services, District 1, to:
 - (a) undertake a traffic study on Guestville Avenue south of Lambton Avenue and report on possible traffic calming measures;

(b) **report on the installation of “Watch for Children” signs at the entrance to Guestville Avenue off Lambton Avenue; and**

(2) **received the foregoing communication.**

(Clause No. 12(n), Report No. 7)

7.24 Parking Prohibition on the North Side of Ellins Avenue from Duern Street to a Point 33.2 Metres East thereof; Ward 27, York Humber.

The York Community Council had before it the following communications:

- (i) (May 17, 2000) from the Manager, Traffic Operations, District 1-West to Councillor Nunziata, responding to a request to review the feasibility of relocating the No Parking prohibition in front of 28 Ellins Avenue; and advising that since the resident is experiencing difficulty exiting the driveway, they could support prohibiting parking at all times across the entire frontage at 28 Ellins Avenue which will result in the loss of on-street parking, but will ensure unobstructed sight lines for the property owner ingressing/egressing their driveway; and
- (ii) (June 1, 2000) from Councillor F. Nunziata, advising that a resident has expressed concern regarding vehicles parked in front of 26 and 28 Ellins Avenue and a large curb which obstruct visibility; and requesting that on-street parking be prohibited on the north side of Ellins Avenue across the entire frontage of No. 28 to the property line at No. 26, as indicated in the communication (May 17, 2000) from the Manager, Traffic Operations, District 10-West.

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

- (1) **the former City of York Uniform Traffic By-law Nos. 196-84 and 2958-94 be amended to implement a No Parking Anytime Prohibition on the north side of Ellins Avenue from Duern Street to a point 33.2 metres east thereof; and**
- (2) **the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.**

(Clause No. 10, Report No. 7)

7.25 Parking Prohibition on the South Side of Lonborough Avenue from Richardson Avenue to a Point 24.8 Metres East Thereof; Ward 27, York Humber.

The York Community Council had before it the following communications:

- (i) (May 15, 2000) from the Manager, Traffic Operations, District 1-West to Councillor Nunziata, responding to a request to review the feasibility of relocating the No Parking prohibition in front of 103 Lonborough Avenue; and advising that because the residents are experiencing difficulty exiting their driveway due to legally parked vehicles, they could support prohibiting parking at all times across the entire frontage at 103 Lonborough Avenue; that this will result in loss of on-street parking, but will ensure unobstructed sight lines for the property owner ingressing/egressing their driveway; that this restriction will require a by-law amendment; and that upon receipt of your concurrence, they will submit a recommendation to York Community Council, to prohibit on-street parking on the south side of Lonborough Avenue directly in front of No. 103; and
- (ii) (June 1, 2000) from Councillor F. Nunziata, advising that the resident at No. 103 Lonborough Avenue is experiencing difficulty exiting his driveway due to vehicles legally parked on the street; and requesting that a parking prohibition be implemented on the south side of Lonborough Avenue in front of No. 103, as indicated in the communication (May 15, 2000) from the Manager, Traffic Operations, District 1-West.

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

- (1) the former City of York Uniform Traffic By-law Nos. 196-84 and 2958-94 be amended to implement a No Parking Anytime prohibition on the south side of Lonborough Avenue from Richardson Avenue to a point 24.8 metres east thereof; and**
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.**

(Absent: Councillor Saundercook)

(Clause No. 11, Report No. 7)

**7.26 Request for Traffic Calming on Eileen Avenue
Ward 27, York Humber.**

The York Community Council had before it a communication (June 2, 2000) Councillor F. Nunziata, advising that Eileen Avenue is classified as a local roadway in an east/west direction with a legal speed limit of 40 km/hr; that in September 1999, volume and speed studies were done on this street and a combined daily operating speed of 69.3 km/hr was recorded over the period of the study; that a report dated April 14, 2000 from Traffic Operations, concluded that due to a low response rate from the residents on Eileen Avenue the majority of residents in that area did not support traffic calming; that at a recent meeting with some of the residents they have indicated that there are still safety concerns regarding motorists speeding; and requesting that Transportation Services

report on the feasibility of installing stop signs on Eileen Avenue at Mildred Avenue and at Elvin Avenue.

On motion by Councillor Nunzaita, the Community Council:

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

(Absent: Councillor Saundercook)

(Clause No. 12(o), Report No. 7)

**7.27 Request for Permit Parking on Thornhill Avenue
Ward 27, York Humber.**

The York Community Council had before it a communication (May 18, 2000) from Councillor Saundercook, advising that a number of residents on Thornhill Avenue are requesting permit parking on this street and requesting that the residents be polled to determine interest in this proposal.

On motion by Councillor Saundercook, the Community Council:

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

(Clause No. 12(p), Report No. 7)

**7.28 3671 Dundas Street West (Humbercrest Loblaws); Appeal to the OMB
Site Plan Approval; Redevelopment of Grocery Store Parking Lot;
Ward 27, York Humber.**

The York Community Council had before it a confidential report (June 19, 2000) from the City Solicitor, which was forwarded to all Members of Council under separate cover; and that in accordance with the Municipal Act, discussions pertaining to this matter were held in camera, having regard that the subject matter relates to potential litigation.

Ref. Clause No. 1 of Report No. 5 of the York Community Council, which was adopted without amendment by City Council at its meeting held on May 2, 3 and 4, 2000.

Councillor Mihevc moved:

That the foregoing confidential report be submitted to Council, without recommendation.

Yeas: Councillors Mihevc and Nunziata (2)

Nays: Councillor Davis (1)

Motion carried.

(Absent: Councillor Saundercook)

(Clause No. 1, Report No. 7)

7.29 Request to Harmonize the former City of Toronto and former City of York By-laws regarding Rooftop Patios.

The York Community Council had before it the foregoing communications:

- (i) (June 15, 2000) from Mr. Ian Anderson on behalf of the Bloor-Jane Community to Councillor Saundercook, advising of the many hearings and court cases their community has engaged in regarding the issue of a roof-top patio at The Fan/Billy Bob's; and
- (ii) (June 15, 2000) from Ms. Anne Foy to Councillor Saundercook, advising that The Fan is the only licensed operation on the north side of Bloor Street between Jane Street and Riverside Drive, that the present turn-over of commercial tenants could result in a similar problems; that while York's by-law does not allow restaurant uses for those commercial properties with R1 designation, the York Committee of Adjustment does approve variance as in the case of 2444 Bloor Street West, and requesting that the former City of York by-law regarding rooftop patios be parallel to the former City of Toronto by-law to protect the Bloor Jane corridor for oversize restaurants and rooftop patios.

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

(Absent: Councillor Saundercook)

(Clause No. 12(q), Report No. 7)

**7.30 Backyard Flooding at 73 and 75 Warren Crescent
Ward 27, York Humber.**

The York Community Council had before it a communication (June 13, 2000) from Councillor Saundercook, advising that the residents at 73 and 75 Warren Crescent have for many years experienced water problems in their backyards as a result of a building immediately to their rear at 4033 Old Dundas Street; that the residents at number 75 have had the seeping water tested by the Ministry of the Environment which revealed likely sewage contamination; that the Building Division have attempted to assist but have met with unwillingness from the owner of the building; and requesting that:

- (1) the City Solicitor be authorized to assist the residents at 73 and 75 Warren Crescent to resolve the issue in an expedient manner as requested by the residents; and
- (2) the Works Department be authorized to act as may be required to ensure that the water once directed onto the City boulevard will find its way into the City's sewer system.

On motion by Councillor Mihevc, the Community Council:

- (1) **requested the Commissioner of Works and Emergency Services to consult with the City Solicitor and report on a resolution to the situation at 73 and 75 Warren Crescent; and**
- (2) **received the foregoing communication.**

(Absent: Councillor Saundercook)

(Clause No. 12(r), Report No. 7)

The meeting adjourned at 12:00 noon.

Councillor R. Davis
Chair