May 6, 2016

To: Toronto and East York Community Council

Re: Green Mountain Flower Shop 350 Coxwell Avenue

Dear Chair and Members,

I have written to Tracey Cook about this location where MLS staff are requiring the owner of Green Mountain Flower Shop to alter an existing fence to match a design the city has on file.

This family has owned and operated this business as a seasonal flower shop for over 20 years. While the City’s recent construction of the Fairford Coxwell was underway this business was under great duress. The project, managed by Engineering Construction Services was late by one whole year and the original contractor was fired for poor work. This delay added more undue pressure on this business. The construction site which directly abutted the business was usually a mess and there were long term issues with sidewalk safety and egress. I saw these on my many site visits to this location.

During the two year construction period a family member succumbed to cancer which resulted in a transfer the ownership. At this time the City stepped in and advised that they had to change the configuration of the fence. It is simply inconceivable that when the new sidewalk was being designed and built that this requirement was not on any city record and this change was not required at that time. The beautiful, newly built sidewalk must have been constructed with drawings provided by the City and it was constructed along the existing fence line as shown in the attached photo. Also attached is a photo of the change being required by Licensing and Standards.

I visited the site on Thursday April 28 with staff from MLS and Transportation ROW and strongly believe the new requirements creates a dangerous situation for pedestrians as it adds two trip hazards onto the new sidewalk. Photo attached. This family has had to deal with prolonged and dogged pressure by MLS to move this fence.

**Recommendation:** Toronto & East York Community Council direct the Director, Transportation Services – Toronto & East York District, to enter into an Encroachment Agreement with the property owner at 350 Coxwell Avenue and that any associated fees be waived.

Sincerely,

Paula Fletcher
Councillor
Ward 30 Toronto Danforth