

Limousine Service at Residential Location (40 Elmartin Drive, Scarborough)

Date:	February 1, 2008
To:	Licensing and Standards Committee
From:	Lenna Bradburn, Executive Director, Municipal Licensing and Standards
Wards:	39
Reference Number:	6801

SUMMARY

The Municipal Licensing and Standards (ML&S) Division has responded to complaints about the activities at 40 Elmartin Drive regarding the Zoning By-law; Toronto Municipal Code, Chapter 545, Licensing; and, Chapter 629, Property Standards. Further, the Toronto Police Service - Parking Control Unit, and the Transportation Services Division have also responded to complaints.

On January 15, 2008, Scarborough Community Council, at the request of the Ward Councillor, adopted “No Parking” and “No Stopping” regulations on the street.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards Division, recommends that:

1. This report be referred to staff for consideration in the review of the limousine provisions of Toronto Municipal Code, Chapter 545, Licensing.

FINANICIAL IMPACT

This report has no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

At its meeting of January 11, 2008, the Licensing and Standards Committee received a request from Councillor Del Grande for a report on livery service issues at a residential location in Ward 39, Scarborough District.

The Licensing and Standards Committee requested that the Executive Director, Municipal Licensing and Standards report to the next meeting of the Licensing and Standards Committee on February 15, 2008, on livery service issues at the residential location in Ward 39, Scarborough-Agincourt, as raised by the Councillor.

COMMENTS

In August 2006 ML&S received complaints about 40 Elmartin Drive, alleging that a limousine business was operating and that the driveway of the residence had been widened to accommodate the parking of vehicles associated with the business.

The address is located in a residential area. Scarborough Zoning By-law 16762 does not permit the property to be used for a business, such as a limousine service.

ML&S staff investigated the complaints. Two Notices of Violation were issued under the Zoning By-law: 1) operating a business contrary to the Zoning By-law, and 2) parking vehicles in the front yard. Further, a third Notice of Violation was issued under Toronto Municipal Code, Chapter 629 (Property Standards) requiring that the area permitted to be used for the parking of vehicles at the front of the property be delineated from that area where parking is prohibited.

In November 2007, ML&S staff observed that the delineation barrier which had been installed in the driveway had been removed thereby putting the property in violation of Toronto Municipal Code, Chapter 629 and a vehicle was again parking in violation of the zoning requirements. A Property Standards Order was issued November 5, 2007 requiring the re-installation of the barriers and a Notice of Violation was issued November 5, 2007 under the Zoning By-law regarding parking on the front yard. The ML&S investigations continue.

The City has received complaints about limousines obstructing the roadway, including snow removal operations, and the negative visual impact the limousines have in the neighbourhood. Further, complaints have been received about a mini-bus parking in the public road allowance. The Toronto Police Service, Parking Control Unit, investigates such complaints and has issued Provincial Offences Notices when violations are observed.

On January 15, 2008, Scarborough Community Council, at the request of the Ward Councillor, adopted “No Parking” and “No Stopping” regulations for the street.

It is anticipated that the implementation of the parking restrictions by the Transportation Services Division will act as a deterrent to the limousines being parked on the public roadway.

CONTACT

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SIGNATURE

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