



**STAFF REPORT
ACTION REQUIRED**

Request for an exemption from Chapter 918 of the City of Toronto Municipal Code – Re-polling to permit a front yard parking pad at 121 Castlewood Road

Date:	January 21, 2009
To:	North York Community Council
From:	Director, Transportation Services, North York District
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	ny09009

SUMMARY

This staff report is about a matter that the community council has delegated authority to make a final decision. This matter was deferred by City Council at their April 28 & 29, 2008, meeting until the poll was re-conducted which was completed on December 4, 2008.

To report on a request for an exemption from Chapter 918 of the City of Toronto Municipal Code, to permit a front yard parking pad at 121 Castlewood Road which does not meet the requirements of the Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

RECOMMENDATIONS

Transportation Services, North York District recommends that:

1. the application for a front yard parking pad be denied as the proposal does not comply with the requirements of the Municipal Code.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

On May 14, 2007, the owner submitted an appeal for a front yard parking pad at 121 Castlewood Road which does not qualify as on-street parking is available for this property. A check of our Divisional records in January of 2009 confirmed that 24 of the 68 on-street permit parking spaces are still available. This correlates to on-street parking being issued to 72.7% as opposed to the 90% required in Chapter 918 to qualify for front yard parking. As required, a poll was conducted to determine if there is neighbourhood support for the proposal. The poll was negative as the response rate was less than 50% as required (mailed a total of 68 ballots of which 25 ballots were returned where 34 were required).

As directed at it's meeting of April 28 and 29, 2009 City Council, another poll was conducted which was negative due to inadequate response as less than 50% of the ballots were returned (65 ballots mailed requiring 50% response or 33 ballots but only 31 ballots returned of which 26 were in favour and 5 opposed.)

There is a downspout at the driveway which may require modification in accordance with related by-law requirements as determined by the Toronto Water Division, Downspout Disconnection Unit.

COMMENTS

The proposal for a front yard parking pad at this location does not comply with the requirements of the Municipal Code as the poll was negative and there is on-street parking facility available for 121 Castlewood Road.

Staff cannot issue a front yard parking permit for this location as it does not meet the requirements of the Municipal Code.

Councillor Karen Stintz has been advised of the contents of this staff report.

CONTACT

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SIGNATURE

Myles Currie, B.A.
Director

ATTACHMENTS

Attachment 1: Site plan showing proposal for front yard parking pad (*ny09009_drawing*)