

**Request for an exemption from Chapter 918 of the City of Toronto Municipal Code – To permit a front yard parking pad at 109 Albertus Avenue**

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| <b>Date:</b>             | <b>August 14, 2009</b>  |
| <b>To:</b>               | <b>North York Community Council</b>                           |
| <b>From:</b>             | <b>Director, Transportation Services, North York District</b> |
| <b>Wards:</b>            | <b>Ward 16 – Eglinton-Lawrence</b>                            |
| <b>Reference Number:</b> | <i>ny09056</i>  |

**SUMMARY**

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This staff report is about a matter over which community council has delegated authority to make a final decision provided that it is not amended so that it varies with City policy or by-laws.

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 109 Albertus Avenue 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**

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Transportation Services, North York District recommends that:

1. The appeal for exemption from Chapter 918 of the City of Toronto Municipal Code to permit front yard parking at 109 Albertus Avenue be denied by North York Community Council as on-street parking permits are available for this property and soft landscaping requirements cannot be met.

**FINANCIAL IMPACT**

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

## **DECISION HISTORY**

On August 23, 2009, the owner submitted an appeal for a front yard parking pad with the dimensions of 2.2 m by 5.3 m with a 0.3 m setbacks from the planter and a 0.3 m setback from the sidewalk at 109 Albertus Avenue. The property does not qualify for front yard parking as on-street parking permits are available and the construction of the parking pad cannot be done to provide the minimum 75% of 50% of soft landscaping as required on the private property portion of the front yard area.

As required, a poll was conducted to determine if there is neighbourhood support for the proposal. The poll was successful as 50% of the ballots were returned and the majority of those returned were in favour. Of the 127 ballots mailed out, 64 were required to be returned and 88 were actually returned. Of the 88 ballots returned, 81 ballots were in favour, with 6 ballots opposed, and 1 ballot spoiled.

There is on-street parking available for this property as there are a total of 68 on-street parking permits available for Albertus Avenue with 30 (approximately 44%) of these permits currently available. There is a downspout that must be maintained in accordance with any requirements that are identified by Toronto Water.

## **COMMENTS**

The proposal for a front yard parking pad at this location does not comply with the requirements of the Municipal Code there is on-street parking facility available.

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**

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Myles Currie, B.A.  
Director

## **ATTACHMENTS**

Attachment 1: Site plan showing proposal for front yard parking pad (*ny09056\_drawing*)