

City Council**Motion without Notice**

MM29.46	ACTION			Ward:10
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Seeking Staff Report to the North York Community Council for Parking Options for Daycare and Religious Institution Construction Building Application - by Councillor James Pasternak, seconded by Councillor David Shiner

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor James Pasternak, seconded by David Shiner, recommends that:

1. City Council direct the Manager, Right of Way Management, Transportation Services North York District to report to the June 13, 2017 North York Community Council meeting on the boulevard parking licensing fee requirements and various options for 44 Edinburgh Drive as per condition 1 outlined in the Committee of Adjustment Decision on File A111/16NY issued on March 23rd, 2017.

Summary

Beth Joseph Synagogue, located at 44 Edinburgh Drive, is a non-profit community hub that has served as a synagogue, day school, and daycare with many programs, activities and educational classes for all ages since 1953. For over 65 years, they used the parking spaces on site without knowledge that they encroached on the City boulevard. In 2015, they were approved at the Committee of Adjustment for additional daycare spaces. At this time, it was discovered that their parking partially encroached onto City property.

Furthermore, they now have a plan to renovate the synagogue and have received federal funding for the project. As per the March 23, 2016 Committee of Adjustment condition (File: A1111/16NY), they need to enter into a licensing agreement for encroachment of the parking spots onto City property.

The boulevard parking regulations are governed by Municipal Code Chapter 743, Streets and Sidewalks, more specifically § 743-15 commercial and industrial boulevard parking. The Code permits an application to be submitted from the property owner to use the City boulevard abutting their property for the installation of parking stalls for the exclusive use of the property owner. There are certain requirements that the Sub-Section 15B of the Code, requires that the owner/occupant enter into an agreement with the City for the use of the City boulevard area.

Sub-Section 15D of the Code also requires that the owner/occupant pays the fees specified by Chapter 441, Fees and Charges. The boulevard parking fee is charged for the parking spaces that extend fully or partially onto the City boulevard. The annual licensing fee as set out by Chapter 411 is \$434.26 per parking space, totalling to \$3,474.08 for the 8 spaces.

This Motion is urgent as the federal funding that Beth Joseph Synagogue is eligible for has a strict timeline that requires the licensing agreement to be completed.

Background Information (City Council)

Member Motion MM29.46

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission for 44 Edinburgh Drive