



Councillor Frances Nunziata
Council Speaker
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January 17, 2011

Attn: Chair & Members of the Public Works and Infrastructure Committee

From: Councillor Frances Nunziata

Re: Front Yard Parking - Polling Requirement

Recently, one of my constituents submitted an application for Front Yard Parking. After Transportation Services reviewed the request and determined that the property is eligible for Front Yard Parking, a request was forwarded to Registry Services for polling purposes. On December 3, 2010, 80 ballots were mailed out with a poll end date of January 4, 2011. Of the ballots mailed out, 35 were returned (plus 1 that was returned by the post office); of the 35 returned ballots, 32 (91%) responded "Yes" and 3 (9%) responded "No". In order for the Front Yard Parking to be approved, a minimum response rate of 40 ballots was required; because this requirement was not satisfied, despite the large majority of respondents supporting the application for Front Yard Parking, Transportation Services must refuse to allow it. This constituent now has to pay in excess of \$700 to have an appeal heard at Community Council.

Over the past few years, I have seen a number of applications for Front Yard Parking denied because the poll's minimum response rate was not met; this does not seem fair, especially in situations like that noted above, where most respondents have no issue with the application for Front Yard Parking being approved. Oftentimes, people may not respond to the poll because they do not care, one way or another, whether the Front Yard Parking is approved or not. If people do not respond to the poll, that should not negatively affect the results, especially when City staff have determined that the property is eligible for Front Yard Parking. One possible solution would be to include a statement on the polls being sent out by Registry Services that if a response is not received by the deadline given, then it will be assumed that there is no objection to the proposed Front Yard Parking being approved. The results of the poll would then be based on the total number of responses received; if the majority were in favor, then the application could be approved, without needing to meet a minimum response rate.

It is in this context that I respectfully request that the Public Works and Infrastructure Committee direct the appropriate staff to review the current policy for polls for Front Yard Parking and bring forward recommendations on how the policy can be amended to eliminate/reduce the number of applications refused solely based on not meeting the minimum response rate.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Frances Nunziata', written in a cursive style.

Frances Nunziata
Councillor, Ward 11, York South-Weston