

# TORONTO STAFF REPORT

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July 24, 2006

To: Etobicoke York Community Council

From: Director, Transportation Services - Etobicoke York District

Subject: Front Yard Parking Application  
121 Mavety Street  
Request for an Exemption to Chapter 400 of the Former City of Toronto  
Municipal Code to Permit Front Yard Parking  
(Ward 13 - Parkdale - High Park)

Purpose:

To report to Etobicoke York Community Council on an application for front yard parking at 121 Mavety Street. This application is an appeal and a request for exemption from the former Toronto Municipal Code and is scheduled as a deputation item.

Financial Implications and Impact Statement:

There are no financial implications resulting from adopting this report.

Recommendations:

It is recommended that Etobicoke York Community Council refuse this application.

Background:

The owner of 121 Mavety Street requests an exemption from the requirements of the former City of Toronto Municipal Code to permit front yard parking at this location.

The owner of 121 Mavety Street submitted an application for front yard parking but was advised that the property is not eligible for front yard parking. The property is situated on the same side of the street as on-street parking permits and constructing a front yard parking pad will result in the loss of an on-street parking permit stall. The applicant submitted an appeal requesting that Etobicoke York Community Council consider this proposal.

Attachment No. 1 illustrates the site and surrounding area.

Comments:

Front yard parking is governed by the criteria set out in the former City of Toronto Municipal Code, Chapter 400 “Traffic and Parking.” The current criteria described in the Code prohibits front yard parking where on-street parking permits are authorised on the same side of the street and introducing a front yard parking stall results in the loss of an on-street parking permit stall. In this case, constructing the front yard parking stall eliminates one on-street parking permit stall.

The property’s lot dimensions measure 8.0 metres wide by 35.0 metres in length. While the property is not eligible for front yard parking because it does not meet the requirements of the former Toronto Municipal Code, it can meet the other physical requirements of the Municipal Code, for example, landscaping and setback requirements. The proposed front yard parking pad is illustrated in Attachment No. 2.

Permit parking is authorised on the east side on this section of Mavity Street between Humberside Avenue and Annette Street, within permit parking area 1B. As of July 11, 2006, there were 1,574 permits issued from a total of 2,028 available on-street parking stalls. At present, one on-street parking permit is registered to this address.

There are eleven properties that are currently licensed for front yard parking on the section of Mavity Street between Humberside Avenue and Annette Street.

We emphasise that the front yard parking legislation described in the former Toronto Municipal Code indicates that the results of a front yard parking survey conducted at one location, shall apply for a period of two years to any subsequent front yard parking application submitted within the same survey area.

In December 2005, we conducted a survey of Mavity Street residents to determine if the neighbourhood supported a request for front yard parking at 133 Mavity Street. The survey was sent to all residents residing at or owning property on both sides of Mavity Street between Numbers 111 to 154. This survey was conducted according to the requirements of Chapter 90 “Polling and Notification Procedures” that are described in the former City of Toronto Municipal Code.

Survey questionnaires were sent out in English, French, Polish, and Ukrainian.

The survey results are described in the following table:

|                        |         |
|------------------------|---------|
| Total Ballots Mailed   | 87      |
| Valid Ballots Returned | 47      |
| Respondents Opposed    | 9(19%)  |
| Respondents In Favour  | 38(81%) |

Fifty-four per cent of all persons surveyed responded to our questionnaire. Eighty-one per cent of respondents indicate that they did not oppose the applicant's request for front yard parking at 133 Mavety Street.

Since the applicant's proposal does not satisfy the Municipal Code requirements we cannot support the application, however, should Community Council find merit in this proposal, it could be approved subject to the following conditions:

- (1) the front yard parking pad must provide a minimum width of 2.6 metres and a minimum length of 5.5 metres;
- (2) the applicant pays all applicable fees and complies with all other criteria described in the former City of Toronto Municipal Code;
- (3) the applicant paves the front yard parking pad with semi-permeable materials such as ecostone pavers, interlocking pavers or an equivalent treatment that is acceptable to the General Manager;
- (4) the applicant plants a tree in their front yard or funds the planting of a tree in the neighbourhood to the satisfaction of the Parks and Recreation Services Division;
- (5) the existing on-street parking permit issued to this address is cancelled following construction of the front yard parking pad; and
- (6) the applicant satisfies these conditions at no expense to the municipality.

Conclusions:

Staff cannot recommend a front yard parking pad at this location since it does not meet the requirements of the former City of Toronto Municipal Code.

We emphasise, however, that while the proposal for front yard parking at 121 Mavety Street does not comply with the technical requirements of the former City of Toronto Municipal Code, it is evident from our previous neighbourhood survey that a substantial majority of survey respondents in this area do not oppose front yard parking.

In the event that Community Council should find merit in this proposal, it could be approved subject to the conditions described in the "Comments" section of this report.

Contact:

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List of Attachments:

Attachment No. 1: Map  
Attachment No. 2: Plan Proposal  
Attachment No. 3: Photo