



**STAFF REPORT
ACTION REQUIRED**

147 Marion Street – Appeal to Convert from Disabled Front Yard Parking to Front Yard Parking

Date:	April 16, 2007
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Parkdale-High Park – Ward 14
Reference Number:	Te07022te.row

SUMMARY

This staff report is about a matter which Community Council has delegated authority from City Council to make a final decision.

Transportation Services has assessed an appeal from the owner of 147 Marion Street to convert the existing disabled front yard parking to front yard parking. We do not recommend the approval of front yard parking at this location because it does not meet the requirements of the former City of Toronto Municipal Code. The owner will be given an opportunity to make a deputation before Community Council.

RECOMMENDATIONS

Transportation Services recommends that Toronto and East York Community Council:

1. deny the request for conversion to front yard parking at 147 Marion Street; and
2. request that the owner remove the existing asphalt paving and restore the area to soft landscaping.

Financial Impact

There is no financial impact to the City as a result of this report.

ISSUE BACKGROUND

The new property owner of 147 Marion Street, a residential property with three self-contained units, submitted an application for front yard parking at this location. This location was previously licensed for disabled front yard parking on January 11, 1999, and as per the former City of Toronto Municipal Code, was not transferable to the new owner. The applicant was advised that the current regulations do not permit the licensing of front yard parking due to permit parking being available on the same side of the street and it does not permit asphalt paving. The applicant submitted an appeal requesting further consideration to allow the conversion from disabled front yard parking to front yard parking.

The proposal for front yard parking is shown on Appendix 'A', the property data map is shown on Appendix 'B' and a digital photo of the property is shown on Appendix 'C'.

COMMENTS

Applicable regulations

At the time of application, front yard parking was governed by the criteria set out in the former City of Toronto Municipal Code Chapter 400, Traffic and Parking. The relevant provisions include:

- prohibit front yard parking where permit parking is permitted on the same side of the street;
- parking area paved with semi-permeable material such as ecostone or turf stone or equivalent permeable paving treatment acceptable to the General Manager of Transportation Services; and
- limit the size of the parking area to 2.6 m by 5.9 m in dimension.

Reasons for not approving

The property does not meet the above criteria for the following reasons:

- permit parking is permitted on the same side of this portion of the street;
- the existing asphalt paving does not meet the City's paving requirements; and
- the paved area exceeds the area required to facilitate a vehicle.

Poll results

A poll was conducted in accordance with the former City of Toronto Municipal Code Chapter 90, Polling and Notification Procedures. The area polled was on both sides of Marion Street from 118 to 150 on the even side and from 121 to 151 on the odd side, including 65 Roncesvalles Avenue. The deadline for receiving the ballots was November 6, 2006.

# of ballots mailed out	83	# of ballots in favour	7
# of responses	8	# of ballots opposed	1
# of no responses	71	# of ballots returned by post office	4

The majority of the ballots cast were in favour of this application.

Other factors

Permit parking is authorized on the odd side of this portion of Marion Street, within permit parking area 2-. There is one on-street parking permit registered to this address.

Total no. of on-street parking spaces	5986	Total permits issued as of April 16, 2007	4457
On-street parking permits available	1529	% of permit allocated	74%

On this portion of Marion Street between Sorauren Avenue and Roncesvalles Avenue, there is one property licensed for driveway widening.

There is a tree on the front yard at this location. A review of this application by Urban Forestry has determined that there is not a suitable planting site for an additional tree at this location.

In accordance with the requirements of the Downspout Disconnection Program, a review by Toronto Water has revealed that there is one downspout at the front of this location that has been disconnected by the property owners.

Alternate recommendations

While the property is not eligible for front yard parking because it does not meet the above-noted requirements of the Municipal Code, the property could meet the other physical requirements of the Code (i.e., setback and landscaping).

Should Community Council decide to grant the appeal for front yard parking at 147 Marion Street, it could recommend that:

1. the owner remove the existing asphalt paving and repave a parking area of 2.6 m by 5.9 m in dimension with semi-permeable paving materials; and
2. the applicant pay all applicable fees and comply with all other criteria set out in the former City of Toronto Municipal Code Chapter 400, Traffic and Parking.

CONTACT

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SIGNATURE

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ATTACHMENTS

Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photo

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