



**STAFF REPORT  
ACTION REQUIRED**

**53 Argyle Street – Commercial Boulevard Parking  
Appeal**

<b>Date:</b>	November 9, 2007
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Manager, Right of Way Management, Transportation Services Toronto and East York District
<b>Wards:</b>	Trinity-Spadina - Ward 19
<b>Reference Number:</b>	Te07072te.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 ground floor occupant of 53 Argyle Street for commercial boulevard parking. We do not recommend approval of commercial boulevard parking at this location because it does not meet the requirements of the former City of Toronto Municipal Code. The tenant will be given the opportunity to make a deputation before Community Council.

**RECOMMENDATIONS**

---

**Transportation Services recommends that Toronto and East York Community Council:**

1. deny the request for commercial boulevard parking at 53 Argyle Street.

**Financial Impact**

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

**ISSUE BACKGROUND**

The Toronto and East York Community Council on September 13, 2006, considered the communication (August 21, 2006) from Deputy Mayor Pantalone and requested that appropriate City staff to report to the Toronto and East York Community Council on the unique nature of the commercial/residential zoned property at 53 Argyle Street, its

existing paved surface (previously used as a parking pad with no curb cut), and what steps would be required to legalize the parking pad.

The ground floor occupant of 53 Argyle Street, a two storey residential building, with part of the dwelling being used for office purposes, submitted an application for commercial boulevard parking for one parking space fronting this location. The applicant was advised that the location was not eligible for commercial boulevard parking because the property, according to the Zoning By-law, is in an R4 zone. The applicant subsequently submitted an appeal requesting further consideration of this request.

The proposal for commercial boulevard parking for one vehicle is shown on Appendix 'A', the property data map is shown on Appendix 'B' and digital photos of the property are shown on Appendix 'C'.

## **COMMENTS**

### **Applicable regulations**

Commercial boulevard parking is currently governed by the criteria set out in the former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks. The relevant provisions include:

- the current use of the property is a permitted use under the Zoning By-law; and
- polling, in a residential area, be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

### **Reasons for not approving**

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

- the current use of the property as an office is not a permitted use within a R4 zone; and
- negative poll results.

### **Poll results**

A poll was conducted in accordance with the City of Toronto Municipal Code Chapter 190, Polling and Notification. The area polled was on both sides of Argyle Street from 56 to 98 on the even side, including 120 Ossington Avenue and from 53 to 89 on the odd side, including 114 Ossington Avenue. The deadline for receiving the ballots was October 5, 2007.

Total owners/tenants/residents polled	102
Returned by post office	5
Total eligible voters (total polled minus returned by post office)	97
No. of returned ballots needed to proceed (must be at least 25%)	25

Total ballots received	10
In favour of parking	8
Opposed to parking	2
No reply	87

The Code states that a poll will be considered valid when at least 25% of the ballots mailed out have been returned. This poll did not meet the minimum response rate and therefore the poll is deemed to be a negative poll.

### Other factors

Permit parking is not authorized on this portion of Argyle Street, however it is within permit parking area 3K. There is one permit registered to this address.

Total # of on-street parking spaces	847	Total permits issued as of November 9, 2007	746
On-street parking permits available	101	% of permits allocated	88%

On this portion of Argyle Street, between Dovercourt Road and Ossington Avenue, there are no properties licensed for parking.

There are two trees fronting this location. A review of this application by Urban Forestry has determined that there is no suitable planting site for a tree at this location.

In accordance with the requirements of the Downspout Disconnection Program, a review by Toronto Water has revealed that there are two downspouts at this property that are not feasible for disconnection due to no suitable drainage area.

### Alternate recommendations

While the property is not eligible for commercial boulevard 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).

Should Community Council decide to grant the appeal for commercial boulevard parking at 53 Argyle Street, it could recommend that:

1. the parking area not exceed 2.6 m by 4.67 m in dimension;
2. the parking space to be restricted to a sub compact vehicle; and
3. the applicant pay all applicable fees and comply with all other criteria set out in the former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks.

## **CONTACT**

Joe Colafranceschi, Supervisor, Right of Way Management

Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: [jcolafra@toronto.ca](mailto:jcolafra@toronto.ca)

## **SIGNATURE**

---

Angie Antoniou  
Manager, Right of Way Management

## **ATTACHMENTS**

Appendix 'A' - sketch

Appendix 'B' - property data map

Appendix 'C' - photos

P:\2007\Cluster B\TRA\Toronto and East York\row\te07072te.row - ba