



**STAFF REPORT  
ACTION REQUIRED**

**69 Beresford Avenue - Front Yard Parking**

<b>Date:</b>	May 13, 2008
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Transportation Services - Etobicoke York District
<b>Wards:</b>	Ward 13 - Parkdale-High Park
<b>Reference Number:</b>	p:\2008\Cluster B\TRA\EtobicokeYork\eycc080064-to-AFS7695

**SUMMARY**

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

The purpose of this report is to inform Etobicoke York Community Council on an application for front yard parking at 69 Beresford Avenue. This application is an appeal and is scheduled as a deputation item.

The owner of 69 Beresford Avenue submitted an application for front yard parking, but was advised that the property is not eligible for front yard parking since the property is located on the same side of the street as on-street parking permits.

The applicant submitted an appeal and a request for an exemption from the City of Toronto Municipal Code, Chapter 918 “Parking on Residential Front Yards and Boulevards” to permit front yard parking at this location.

Staff cannot recommend a front yard parking pad at this location since it does not meet the requirements of Chapter 918 of the Toronto Municipal Code; however, if Community Council finds merit in this proposal, it could be approved subject to the conditions described in the “Comments” section of this report.

**RECOMMENDATIONS**

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Transportation Services recommends that Etobicoke York Community Council refuse this application.

## **FINANCIAL IMPACT**

There are no financial implications resulting from adopting this report.

## **COMMENTS**

The owner of 69 Beresford Avenue submitted an application for a front yard parking pad. The applicant was advised that the property is not eligible for front yard parking since the property is located on the same side of the street as on-street parking permits.

There is a 2.1 metre shared driveway leading to a rear yard garage that the applicant proposes to demolish. According to Chapter 918, properties with joint use driveways less than 2.2 metres wide are eligible for front yard parking, but only on condition that the applicant complies with all the other requirements that Chapter 918 specifies.

The applicant submitted an appeal and a request for an exemption from the City of Toronto Municipal Code, Chapter 918 “Parking on Residential Front Yards and Boulevards” to permit front yard parking at this location.

The property’s lot dimensions measure 7.93 metres wide by 30.48 metres in length. The proposed parking stall measures 2.7 metres wide by 5.9 metres in length. While the property is not eligible for front yard parking because it does not meet the requirements of the City of Toronto Municipal Code, it can meet the other physical requirements of the Municipal Code; for example, landscaping and setbacks.

Attachment No. 1 shows the site location, Attachment No. 2 illustrates the proposed front yard parking pad, and Attachment No. 3 is a photograph of the site.

Permit parking is authorised on both sides of Beresford Avenue between Morningside Avenue and Deforest Road. As of April 22, 2008, there were 35 permits issued from a total of 64 available on-street parking stalls. There are no on-street parking permits currently registered to this address.

Presently, there are six properties on Beresford Avenue between Morningside Avenue and Deforest Road that are licensed for legal front yard parking.

To determine if the community supports this application, City Clerks conducted a poll of all residents listed in the City’s assessment information system who either own property or reside on both sides of Beresford Avenue, from No.’s 47 to 79. The poll was conducted according to the requirements of Chapters 190 and 918 of the Toronto Municipal Code.

At the Ward Councillor’s request, the poll was conducted in English, Polish and Ukrainian. The poll was conducted by the Clerks office between January 28, 2008 and February 26, 2008.

The results of the poll are presented in the following table:

Total Ballots Mailed	80
Ballots Needed to Proceed (must be at least 50%)	40
Valid Ballots Returned	24
Respondents in Favour	14 (58.3%)
Respondents Opposed	10 (41.7%)

Thirty per cent of all eligible voters responded to the poll with 58 per cent of respondents indicating that they do not oppose the applicant's proposal for front yard parking at 69 Beresford Avenue.

The applicant's proposal does not satisfy the requirements of Chapter 918 of the Toronto Municipal Code which states that a poll can only be considered valid when at least 50 per cent of the ballots mailed out have been returned. The formal poll conducted by the Clerks office does not satisfy the minimum 50 per cent response rate.

We emphasize that given the low response rate and the relatively small percentage of respondents who indicate that they do not object to the proposal, it is very difficult to state with confidence that the poll accurately reflects the views of the majority of residents. Nor can we state with confidence that the majority of residents on this street favour the applicant's proposal; consequently, we recommend refusing the application.

In the event that Etobicoke York Community Council sees merit in this proposal, it could be approved subject to the following conditions:

1. The front yard parking pad shall maintain a width of 2.6 metres and a length of 5.5 metres;
2. The applicant shall surface the front yard parking area with semi-permeable materials such as ecostone pavers, interlocking pavers, or an equivalent paving treatment that is acceptable to the General Manager, Transportation Services;
3. The applicant shall pay all applicable fees and complies with all other criteria described in the City of Toronto Municipal Code;
4. The applicant shall plant a tree in their front yard, or fund the planting of a tree in the neighbourhood, to the satisfaction of the Parks and Recreation Services Division;
5. The applicant is responsible for obtaining an encroachment agreement, including the payment of all associate fees, for the existing retaining wall situated within the Beresford Avenue road allowance, to the satisfaction of the Municipal Licensing and Standards Division, Etobicoke York District; and,
6. The applicant satisfies these conditions at no expense to the municipality by June 30, 2009.

## **CONTACT**

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## **SIGNATURE**

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John Niedra, P.Eng  
Director, Transportation Services - Etobicoke York District

## **ATTACHMENTS**

Attachment No. 1: Map  
Attachment No. 2: Proposed Plan  
Attachment No. 3: Photograph