



## STAFF REPORT ACTION REQUIRED

### 57 Wineva Avenue - Front Yard Parking Appeal

<b>Date:</b>	January 23, 2008
<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>	Beaches-East York - Ward 32
<b>Reference Number:</b>	Te08014te.row

#### SUMMARY

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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 57 Wineva Avenue for front yard parking. We do not recommend approval for front yard parking at this location because it does not meet the requirements of the City of Toronto Municipal Code Chapter 918. The owner will be given an opportunity to make a deputation before Community Council.

#### RECOMMENDATIONS

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

1. deny the request for front yard parking at 57 Wineva Avenue.

#### **Financial Impact**

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

#### **ISSUE BACKGROUND**

The property owner of 57 Wineva Avenue, a residential property with three self-contained units with a mutual driveway, submitted an application for front yard parking at this location. The mutual driveway is situated north of 59 Wineva Avenue and is designated as a right of way for 57 Wineva Avenue. The property does meet the physical requirements of the City of Toronto Municipal Code, however the application was

refused due to the negative poll result, i.e., the response rate was less than 50 %. The applicant was advised accordingly. The applicant subsequently submitted an appeal requesting further consideration of this proposal.

The proposal for front yard parking is shown on Appendix 'A', the property data map is shown on Appendix 'B', digital photos of the property are shown on Appendix 'C' and the applicant's landscape proposal is shown on Appendix 'D'.

## COMMENTS

### Applicable regulations

Front yard parking is governed by the criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards. The relevant provisions include:

- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

### Reason for not approving

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

- the poll did not meet the minimum 50% response rate of eligible voters.

### Poll results

A poll was conducted in accordance with the City of Toronto Municipal Code Chapter 918-14. The area polled comprised both sides of Wineva Avenue from 25 to 111 on the odd side and from 46 to 110 on the even side. The deadline for receiving the ballots was October 29, 2007.

Total owners/tenants/residents polled	154	-----
Returned by post office	32	-----
Total eligible voters (total polled minus returned by post office)	122	100%
No. of returned ballots needed to proceed (must be at least 50%)	61	50%
<b>Total ballots received</b>	<b>57</b>	<b>47%</b>
In favour of parking	45	79%
Opposed to parking	12	21%
No reply	65	53%

The Code states that a poll will be considered valid when at least 50% 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 on Wineva Avenue is authorized on the even side, on an area basis, within permit parking area 9C. There are two on-street parking permit registered to this address.

Total number of parking permits in area 9C	5293	Total permits issued as of January 21, 2008	4768
Permits available	525	% of permits allocated	90%

Total number of permit parking spaces on Wineva Avenue, between Queen Street East and Alfresco Lawn	23	Total permits issued to residents as of January 8, 2008	34
Permits available	0	% of permits allocated	148%

A ramp installation does not affect the on street permit parking.

On this portion of Wineva Avenue, between Queen Street East and Alfresco Lawn, there is one property licensed for front yard parking, ten properties licensed for driveway widening and two properties licensed for residential boulevard parking. One of these properties is licensed for driveway widening for two vehicles.

There is no tree in the front yard at this location. A review of this application by Urban Forestry has determined that it would be feasible to plant a tree at this location provided that the excessive paving be removed and restored to soft landscaping as per Appendix 'A'.

In accordance with the requirements of the Downspout Disconnection Program, a review by Toronto Water has revealed that one downspout have been disconnected by the property owner and one downspout at this property is not feasible for disconnection due to no suitable drainage area.

## 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 does 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 57 Wineva Avenue, it could recommend that:

1. the parking area not exceed 2.2 m by 5.3 m in dimension;
2. the applicant pay for the installation of the ramp to service the parking space;

3. the applicant provide the landscape features substantially in accordance with the plan as shown on Appendix 'D', to the satisfaction of the General Manager of Transportation Services; and
4. the applicant pay all applicable fees and comply with all other criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards.

## **CONTACT**

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## **SIGNATURE**

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Angie Antoniou

Manager, Right of Way Management

## **ATTACHMENTS**

Appendix 'A' - sketch

Appendix 'B' - property data map

Appendix 'C' - photos

Appendix 'D' - applicant's landscape proposal

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