



STAFF REPORT ACTION REQUIRED

178 Rhodes Avenue – Front Yard Parking Appeal

Date:	April 17, 2008
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Beaches-East York - Ward 32
Reference Number:	Te08028te.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 178 Rhodes 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

Transportation Services recommends that Toronto and East York Community Council:

1. deny the request for front yard parking at 178 Rhodes Avenue.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 178 Rhodes Avenue, a single family detached home, submitted an application for front yard parking at this location. The applicant was advised that the property was not eligible for front yard parking because the regulations of the City of Toronto Municipal Code Chapter 918 do not permit front yard parking where permit parking is authorized on the opposite side of the street where it is less than 90% allocated

within the block. The applicant was advised accordingly and 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’, a digital photo of the property is 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:

- prohibit front yard parking where permit parking is less than 90% allocated, regardless of which side of the street the residential property is situated; and
- a formal poll 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:

- permit parking is permitted on the odd side of this portion of the street and was less than 90% allocated at the time of application;
- the property falls within permit parking area 8C. There were 57 permit parking spaces within this portion of Rhodes Avenue, between Gerrard Street East and Dundas Street East, of which 50 had been issued; 88% allocated; and
- 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 Rhodes Avenue from 141 to 227 on the odd side and from 138 to 218 on the even side. The deadline for receiving the ballots was April 10, 2008.

Total owners/tenants/residents polled	129	-----
Returned by post office	3	-----
Total eligible voters (total polled minus returned by post office)	126	100%
No. of returned ballots needed to proceed (must be at least 50%)	63	50%
Total ballots received	27	21%
In favour of parking	25	93%
Opposed to parking	2	7%

No reply or spoiled ballots	99	79%
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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 Rhodes Avenue is authorized on the odd side, within permit parking area 8C. There are no on-street parking permits registered to this address.

Total number of parking permits in area 8C	1962	Total permits issued as of April 14, 2008	1690
Permits available	272	% of permits allocated	86%

Total number of permit parking spaces on Rhodes Avenue, between Gerard Street East and Dundas Street East	57	Total permits issued to residents as of April 7, 2008	55
Permits available	2	% of permits allocated	97%

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

On this portion of Rhodes Avenue, between Gerrard Street East and Dundas Street East, there are nine properties licensed for front yard parking and four properties licensed for driveway widening.

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.

In accordance with the requirements, a review by Toronto Water has revealed that one downspout has been disconnected by the property owner and one downspout at this property in the rear is feasible for disconnection. It can be extended to the rear of the property on grass area or to the front of the property on grass 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 178 Rhodes Avenue, it could recommend that:

1. the parking area not exceed 2.4 m by 5.4 m in dimension;

2. the applicant pay for the installation of the ramp to service the parking space;
3. the applicant remove the excess paving and restore the area to soft landscaping as shown on Appendix 'A'.
4. the applicant disconnect the downspout in accordance with the requirements of Toronto Water;
5. 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
6. 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

Angie Antoniou
Manager, Right of Way Management

ATTACHMENTS

Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photo
Appendix 'D' - applicant's landscape proposal

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