



**STAFF REPORT  
ACTION REQUIRED**

**61 Rawlinson Avenue – Front Yard Parking Appeal**

<b>Date:</b>	April 28, 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>	St. Paul’s - Ward 22
<b>Reference Number:</b>	Te08033te.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 61 Rawlinson Avenue for front yard parking. This appeal has been submitted in connection with a recent Committee of Adjustment decision which made the issuance of a building permit for renovations to the house contingent on the homeowner receiving approval for a front yard parking pad on the pre-existing driveway. Since the building permit is currently held up pending resolution of the parking, there is some urgency to deal with this matter. Further, the unusual configuration of the lot makes the provision of parking behind the front wall of the building unfeasible.

In this instance, the response to the requisite poll was 100% positive, however, the response rate was 2 ballots short of reaching the required 50% minimum return. Even if these were returned and not in favour, the application would have been approved administratively as it met all other criteria set out in Municipal Code Chapter 918. Transportation Services is of the opinion that this is a unique and unusual circumstance and recommend approval for a front yard parking space at this location.

**RECOMMENDATIONS**

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

1. approve the request for front yard parking at 61 Rawlinson Avenue;

2. the applicant remove the existing asphalt paving and re-pave the parking area with semi-permeable paving materials;
3. the applicant remove the excess existing asphalt paving and restore that area to soft landscaping as identified in Appendix 'A' attached;
4. the applicant pay for the reinstatement of a full curb approximately 2m in length as shown in Appendix 'A';
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.

### **Financial Impact**

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

### **ISSUE BACKGROUND**

The property owner of 61 Rawlinson Avenue, a single family detached home, was granted a variance by the Committee of Adjustment for the construction of a second storey, subject to the approval of a front yard parking space. The owner submitted an application for front yard parking at this location. The property does meet the physical requirements (setbacks and landscaping) of the City of Toronto Municipal Code, subject to the removal of some excess paving, however, the application could not be granted by staff as the response rate was less than 50%. The applicant was advised accordingly and subsequently submitted an appeal requesting further consideration of this proposal.

It should be noted that due to the unusual shape of the lot, there is no access to park behind the main front wall. The parking pad would be situated directly upon what has been an existing 2 car parking space which led to a previously existing garage. This garage was required to be demolished due to structural issues.

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 provision includes:

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

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 was on the odd side of Rawlinson Avenue from 47 to 61, and 336 Eglinton Avenue East and 329 Roehampton Avenue. The deadline for receiving the ballots was April 10, 2008.

Total owners/tenants/residents polled	19	-----
Returned by post office	0	-----
Total eligible voters (total polled minus returned by post office)	19	100%
No. of returned ballots needed to proceed (must be at least 50%)	10	52%
<b>Total ballots received</b>	<b>8</b>	<b>42%</b>
In favour of parking (of ballots received)	8	100%
Opposed to parking (of ballots received)	0	0%
No reply or spoiled ballots	11	58%

Although 100% of those that returned ballots supported the application, the Code states that a poll will be considered valid when at least 50% of the ballots mailed out have been returned.

### **Other factors**

This property is not located within a permit parking area.

On this portion of Rawlinson Avenue, between Eglinton Avenue East and Roehampton Avenue, there are two properties licensed for driveway widening parking.

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.

### **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' - photo  
Appendix 'D' - applicant's landscape proposal

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