



**STAFF REPORT
ACTION REQUIRED**

**Front Yard Parking Appeal for a Second Vehicle –
84 Waverley Road**

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| Date: | May 9, 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: | Te08029te.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 84 Waverley Road for front yard parking of a second vehicle. We do not recommend approval for front yard parking of a second vehicle 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 for a second vehicle at 84 Waverley Avenue;
2. request that the owner remove the existing brick paving and restore the area to soft landscaping as shown on Appendix ‘E’; and
3. request that the owner pay for the removal of the obsolete ramp and reinstatement of the curb.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 84 Waverley Road, a single family detached home, submitted an application to transfer the front yard parking privileges. They also inquired about the feasibility of licensing a second front yard parking space at this location. The applicant was advised that the property was not eligible for front yard parking of a second vehicle because the regulations of the City of Toronto Municipal Code do not permit the licensing of more than one vehicle. The applicant subsequently submitted an appeal requesting further consideration of this proposal.

The proposal for front yard parking of a second vehicle 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', the applicant's landscape proposal is shown on Appendix 'D' and the restoration sketch is shown on Appendix 'E'.

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 Code does not permit the General Manager to accept an application for a second front yard parking space. The relevant provisions include:

- limit the number of vehicles that can be licensed to one;
- a minimum of 50% of the front yard on private property must be landscaped open space, of which 75% must be maintained as soft landscaping;
- a minimum of 50% of the City boulevard fronting the property must be landscaped open space, of which 75% must be maintained as soft landscaping; 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:

- the application is for a second vehicle;
- the landscaped open space cannot be provided on City boulevard;
- the soft landscaping cannot be provided on private property and on City boulevard; 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 Waverley Road from 63 to 109 on the odd side and from 60 to 96A on the even side. The deadline for receiving the ballots was April 10, 2008.

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| Total owners/tenants/residents polled | 103 | ----- |
| Returned by post office | 3 | ----- |
| Total eligible voters (total polled minus returned by post office) | 100 | 100% |
| No. of returned ballots needed to proceed (must be at least 50%) | 50 | 50% |
| Total ballots received | 46 | 46% |
| In favour of parking | 33 | 72% |
| Opposed to parking | 13 | 28% |
| No reply or spoiled ballots | 54 | 54% |

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 Waverley Road is authorized on the even side, within permit parking area 9C. There is one on-street parking permit registered to this address.

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| Total number of parking permits in area 9C | 5293 | Total permits issued as of May 9, 2008 | 5007 |
| Permits available | 286 | % of permits allocated | 94% |

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| Total number of permit parking spaces on Waverley Road, between Queen Street East and Kewbeach Avenue | 36 | Total permits issued to residents as of May 9, 2008 | 31 |
| Permits available | 5 | % of permits allocated | 86% |

A ramp installation is not required due to an existing ramp, and therefore does not affect the on street permit parking.

On this portion of Waverley Road, between Queen Street East and Kewbeach Avenue, there are twenty-three properties licensed for front yard parking and thirteen properties licensed for driveway widening. None of these properties are licensed for two vehicles.

There is a tree in the front yard at this location. A review of this application by Urban Forestry has determined that there is no suitable planting site for an additional tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that two downspouts at this property have been disconnected by the property owner.

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).

Should Community Council decide to grant the appeal for front yard parking at 84 Waverley Road, it could recommend that:

1. the parking area for the second parking space not exceed 2.6 m by 5.5 m in dimension;
2. 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
3. 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

Joe Colafranceschi, Supervisor, Right of Way Management
Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: jcolafra@toronto.ca

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
Appendix 'E' - restoration sketch

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