



## STAFF REPORT ACTION REQUIRED

### Front Yard Parking Appeals - 64 and 66 Wheeler Avenue

<b>Date:</b>	June 17, 2008
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Manager, Traffic Planning/Right of Way Management Transportation Services, Toronto and East York District
<b>Wards:</b>	Beaches-East York – Ward 32
<b>Reference Number:</b>	Te08025te.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 64 and 66 Wheeler Avenue for front yard parking. We do not recommend approval for front yard parking at these locations because they do 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 64 and 66 Wheeler Avenue; and
2. request that the owner pay for the removal of the obsolete ramps 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 64 and 66 Wheeler Avenue, single family detached homes under construction, submitted an application for front yard parking at these locations. The

properties do meet the physical requirements of the City of Toronto Municipal Code, however the applications were refused due to the negative poll result, i.e. the response rate was less than 50%. The applicant was advised accordingly and subsequently submitted an appeal requesting further consideration of this proposal.

The proposals for front yard parking are shown on Appendix 'A' and 'A1', the property data map is shown on Appendix 'B', digital photos of the properties are shown on Appendix 'C' and 'C1', and the applicant's landscape proposal is shown on Appendix 'D' and 'D1'.

## 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.

### Reason for not approving

The properties do 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 Wheeler Avenue from 39 to 95 on the odd side and from 38 to 96 on the even side. The deadline for receiving the ballots was February 5, 2008.

Total owners/tenants/residents polled	117	-----
Returned by post office	2	-----
Total eligible voters (total polled minus returned by post office)	115	100%
No. of returned ballots needed to proceed (must be at least 50%)	58	50%
<b>Total ballots received</b>	<b>43</b>	<b>37%</b>
In favour of parking (of ballots received)	41	95%
Opposed to parking (of ballots received)	2	5%
No reply or spoiled ballots	72	63%

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 Wheeler Avenue is authorized on the odd side, within permit parking area 9C. There are no on-street parking permits registered to these addresses.

Total number of parking permits in area 9C	5293	Total permits issued as of June 17, 2008	4645
Permits available	648	% of permits allocated	88%

Total number of permit parking spaces on Wheeler Avenue, between Norway Avenue and Queen Street East	65	Total permits issued to residents as of June 5, 2008	55
Permits available	10	% of permits allocated	84.6%

For the Committee’s information, prior to the demolition of 66 Wheeler Avenue and the severance of the land to two parcels, namely 64 and 66 Wheeler Avenue, the property was serviced by two driveways, one at the north end of the lot line and the other at the south end of the lot line.

Given the existence of the two ramps, there is no impact on the on-street permit parking program.

On this portion of Wheeler Avenue, between Norway Avenue and Queen Street East, there are thirty-four properties licensed for front yard parking and sixteen properties licensed for driveway widening.

There is a tree in the front yard of 64 and 66 Wheeler Avenue. A review of this application by Urban Forestry has determined that there is no suitable planting site for an additional tree at these locations and has advised that they have no objection to the application.

At the time of the writing of this report, the eaves and downspouts had not yet been installed.

**Alternate recommendations**

While these properties are not eligible for front yard parking because they do not meet the above-noted requirement 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 64 and 66 Wheeler Avenue, it could recommend that:

1. each parking area not exceed 2.6 m by 5.9 m in dimension;
2. the applicant remove the existing concrete paving and re-pave the parking areas with semi-permeable paving materials;
3. the applicant provide for the downspout disconnection, if applicable, in accordance with the requirements of Toronto Water;
4. the applicant provide the landscape features substantially in accordance with the plan as shown on Appendix 'D' and 'D1', to the satisfaction of the General Manager of Transportation Services; and
5. 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  
Traffic Planning/Right of Way Management

## **ATTACHMENTS**

Appendix 'A' - front yard parking proposal for 64 Wheeler Avenue  
Appendix 'A1' - front yard parking proposal for 66 Wheeler Avenue  
Appendix 'B' - property data map for 64 and 66 Wheeler Avenue  
Appendix 'C' - photo showing 64 Wheeler Avenue  
Appendix 'C1' - photo showing 66 Wheeler Avenue  
Appendix 'D' - applicant's landscape proposal for 64 Wheeler Avenue  
Appendix 'D1' - applicant's landscape proposal for 66 Wheeler Avenue

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