



**STAFF REPORT
ACTION REQUIRED**

Front Yard Parking Appeal - 38 Waverley Road

Date:	August 18, 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:	Te08053te.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 38 Waverley Road 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 38 Waverley Road.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 38 Waverley Road, a single family detached home with a mutual driveway, 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 same side of the street. 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’, 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 authorized on the same side of the street; 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 same side of the street; 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 27 to 75 on the odd side and from 24 to 66 on the even side. The deadline for receiving the ballots was April 10, 2008.

Total owners/tenants/residents polled	105	-----
Returned by post office	1	-----
Total eligible voters (total polled minus returned by post office)	104	100%
No. of returned ballots needed to proceed (must be at least 50%)	52	50%
Total ballots received	30	29%
In favour of parking	21	70%
Opposed to parking	9	30%
No reply or spoiled ballots	74	71%

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 are no on-street parking permits registered to this address.

Total number of parking permits in area 9C	5269	Total permits issued as of August 12, 2008	4850
Permits available	419	% of permits allocated	92%

Total number of permit parking spaces on Waverley Road, between Kewbeach Avenue and Queen Street East	36	Total permits issued to residents as of August 12, 2008	32
Permits available	4	% of permits allocated	88.8%

The property is currently serviced by an existing mutual driveway, therefore, a ramp installation is not required and this proposal will 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.

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 four 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 and landscaping).

Should Community Council decide to grant the appeal for front yard parking at 38 Waverley Road, it could recommend that:

1. the 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 area with semi-permeable paving materials;

3. the applicant remove the excess paving and restore the area to soft landscaping as shown on Appendix 'A';
4. the applicant pay a \$1,346.00 tree deposit to Urban Forestry for the duration of the project;
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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