



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal - 99 Waverley Road

Date:	September 16, 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:	Te08052te.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 99 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 99 Waverley Road.

Financial Impact

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

ISSUE BACKGROUND

The previous property owner of 99 Waverley Road, a single family detached home with a mutual driveway, submitted an application for front yard parking at this location. The property does meet the physical requirements of the City of Toronto Municipal Code, however, the application was refused due to the negative poll result, i.e. the response rate

was less than 50%. The applicant was advised accordingly. The new owner 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 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.

Reasons for not approving

The property does not meet the above criteria for the following reasons:

- the poll did not meet the minimum 50% response rate of eligible voters; and
- negative poll results.

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 71 to 109 on the odd side, including 1975 and 1975A Queen Street East and from 64 to 96A on the even side, including 1973 Queen Street East. The deadline for receiving the ballots was September 26, 2007.

Total owners/tenants/residents polled	86	-----
Returned by post office	5	-----
Total eligible voters (total polled minus returned by post office)	81	100%
No reply	52	64%
Total ballots received (response rate)	29	36%
In favour of parking	19	66%
Opposed to parking	10	34%
Spoiled ballots	0	0%

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 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	5293	Total permits issued as of September 16, 2008	4979
Permits available	314	% of permits allocated	94%

Total number of permit parking spaces on Waverley Road, between Kewbeach Avenue and Queen Street East	36	Total permits issued to residents as of September 16, 2008	33
Permits available	3	% of permits allocated	92%

A ramp installation 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.

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 a tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that three 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 99 Waverley Road, it could recommend that:

1. the parking area not exceed 2.2 m by 5.3 m in dimension;
2. the applicant relocate the front steps to accommodate the parking space;
3. the applicant submit a tree security deposit to Urban Forestry in the amount of \$1,346.00 for the protection of the City owned Crab Apple tree;
4. 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

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

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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