



STAFF REPORT ACTION REQUIRED

1011 Greenwood Avenue – Front Yard Parking Appeal

Date:	December 12, 2007
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Toronto-Danforth - Ward 29
Reference Number:	Te08003te.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 owners of 1011 Greenwood Avenue 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. The owners 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 1011 Greenwood Avenue; and
2. request that the owners remove the existing concrete paving and restore the area to soft landscaping, as shown on Appendix 'E'.

Financial Impact

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

ISSUE BACKGROUND

The property owners of 1011 Greenwood Avenue, a single family detached home with a 2.1 m wide mutual driveway, submitted an application for front yard parking at this

location. The property does meet the physical requirements of the Code, however the application was refused due to the negative poll result. The applicant was advised accordingly. 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’, digital photos of the property are 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 relevant provisions include:

- parking area paved with semi-permeable material such as ecostone or turf stone or equivalent permeable paving treatment acceptable to the General Manager of Transportation Services; 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 noted criteria for the following reasons:

- the existing concrete paving does not meet the City’s paving requirements; 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 Greenwood Avenue from 1007 to 1037 on the odd side and from 1024 to 1050 on the even side, including 406 and 408 Mortimer Avenue. The deadline for receiving the ballots was October 1, 2007.

Total owners/tenants/residents polled	59
Returned by post office	0
Total eligible voters (total polled minus returned by post office)	59
No. of returned ballots needed to proceed (must be at least 50%)	30
Total ballots received	18
In favour of parking	15
Opposed to parking	3

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

This property is not located within a permit parking area.

On this portion of Greenwood Avenue, between Memorial Park Avenue and Mortimer Avenue, there are three properties licensed for front yard 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.

In accordance with the requirements of the Downspout Disconnection Program, a review by Toronto Water has revealed that there are two downspouts at this property that are still connected.

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 could 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 1011 Greenwood Avenue, it could recommend that:

1. the parking area not exceed 2.2 m by 5.3 m in dimension;
2. the applicant remove the existing concrete paving and repave the approved parking area with semi-permeable paving materials;
3. the applicant remove the excess concrete paving and restore the area to soft landscaping;
4. the applicant disconnect the downspouts in accordance with the requirements of the Downspout Disconnection Program;
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;
6. the applicant pay for the inspection fee, in the amount of \$540.07 (includes GST), for the unauthorized parking pad; and

7. 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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Manager, Right of Way Management

ATTACHMENTS

- Appendix 'A' - sketch
- Appendix 'B' - property data map
- Appendix 'C' - photos
- Appendix 'D' - applicant's landscape proposal
- Appendix 'E' - restoration sketch

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