



**STAFF REPORT
ACTION REQUIRED**

106 Blackthorn Avenue - Front Yard Parking

Date:	January 12, 2009
To:	Etobicoke York Community Council
From:	Director, Transportation Services Etobicoke York District
Wards:	Ward 17 - Davenport
Reference Number:	p:\2009\Cluster B\TRA\EtobicokeYork\eycc090026-tp

SUMMARY

This staff report is about a matter that Etobicoke York Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to inform Etobicoke York Community Council on an application for front yard parking at 106 Blackthorn Avenue. This application is an appeal and is scheduled as a deputation item.

The owners of 106 Blackthorn Avenue submitted an application for front yard parking, but were advised that the property is not eligible for front yard parking since the property is located on the same side of the street as on-street parking permits.

The applicant submitted an appeal requesting an exemption from the City of Toronto Municipal Code, Chapter 918 “Parking on Residential Front Yards and Boulevards” to permit front yard parking at this location.

Staff cannot recommend a front yard parking pad at this location since it does not meet the requirements of Chapter 918 of the Toronto Municipal Code; however, if Community Council finds merit in this proposal, it could be approved subject to the conditions described in the “Comments” section of this report.

RECOMMENDATIONS

Transportation Services recommends that Etobicoke York Community Council refuse this application.

Financial Impact

There are no financial implications resulting from adopting this report.

COMMENTS

The owner of 106 Blackthorn Avenue submitted an application for a front yard parking pad, and was advised that the property is not eligible for front yard parking since the property is located on the same side of the street as on-street parking permits. The property currently has no on-site parking.

The applicant submitted an appeal requesting an exemption from the City of Toronto Municipal Code, Chapter 918 “Parking on Residential Front Yards and Boulevards” to permit front yard parking at this location.

The property’s lot dimensions measure 4.67 metres wide by 30.48 metres in length. The proposed parking stall measures 2.3 metres wide by 5.3 metres in length. While the property is not eligible for front yard parking due to the presence of on-street parking permits, it can meet the other physical requirements of the Municipal Code; for example, landscaping and setbacks.

Attachment No. 1 shows the site location. Attachment No. 2 illustrates the proposed front yard parking pad. Attachment No. 3 is a photograph of the site.

A review of the City of Toronto’s Inventory of Heritage Properties has revealed that this property is not a designated historical property under the Ontario Heritage Act.

Permit parking is authorised on the west side of Blackthorn Avenue between Howick Avenue and Rockwell Avenue within permit parking area 3C. As of January 9, 2009, there were 279 permits issued from a total of 570 available on-street parking stalls. There are two on-street parking permits currently registered to this address.

Presently, there are three properties on Blackthorn Avenue between Howick Avenue and Rockwell Avenue that are licensed for front yard parking.

To determine if the community supports this application, City Clerks conducted a poll of all residents listed in the City’s assessment information system who either own property or reside on both sides of Blackthorn Avenue, from Nos. 86 to 123. The poll was conducted according to the requirements of Chapters 190 and 918 of the Toronto Municipal Code.

At the Ward Councillor’s request, the poll was conducted in English, Portuguese and Italian. The poll was conducted by the Clerks office between September 10, 2008 and October 9, 2008.

The results of the poll are presented in the following table:

Total Ballots Mailed	72
Ballots Needed to Proceed (must be at least 50%)	36
Valid Ballots Returned	18
Respondents in Favour	13 (72%)
Respondents Opposed	5 (28%)

Just 25% of all eligible voters responded to the poll. Seventy-two (72%) per cent of respondents indicate that they do not oppose the applicant's proposal for front yard parking at 106 Blackthorn Avenue.

The applicant's proposal does not satisfy the requirements of Chapter 918 of the Toronto Municipal Code which states that a poll can only be considered valid when at least 50% of the ballots mailed out have been returned. The formal poll conducted by the Clerks office does not satisfy the minimum 50% response rate.

In the event that Etobicoke York Community Council sees merit in this proposal, it could be approved subject to the following conditions:

1. The front yard parking pad shall maintain a width of 2.3 metres and a length of 5.3 metres;
2. The applicant shall surface the front yard parking area with permeable materials such as ecostone pavers, interlocking pavers, or an equivalent paving treatment that is acceptable to the General Manager, Transportation Services;
3. The applicant shall pay all applicable fees and comply with all other criteria described in the City of Toronto Municipal Code;
4. The applicant shall plant a tree in their front yard, or fund the planting of a tree in the neighbourhood, to the satisfaction of the Parks and Recreation Services Division;
5. The applicant shall either remove the existing chain link fence or obtain an encroachment agreement for the existing fence situated within the Blackthorn Avenue road allowance, including the payment of all associate fees, to the satisfaction of the Municipal Licensing and Standards Division, Etobicoke York District;
6. One of the existing on-street parking permits issued to this property be cancelled immediately following construction of the front yard parking pad; and
7. The applicant satisfies these conditions at no expense to the municipality by February 28, 2010.

CONTACT

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SIGNATURE

John Niedra, P.Eng
Director, Transportation Services - Etobicoke York District

ATTACHMENTS

Attachment No. 1: Map
Attachment No. 2: Proposed Plan
Attachment No. 3: Photograph