



## STAFF REPORT ACTION REQUIRED

### 151 Beresford Avenue - Front Yard Parking

<b>Date:</b>	March 25, 2009
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Transportation Services - Etobicoke York District
<b>Wards:</b>	Ward 13 – Parkdale-High Park
<b>Reference Number:</b>	p:\2009\Cluster B\TRA\EtobicokeYork\eycc090034-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 151 Beresford Avenue. This application is an appeal and is scheduled as a deputation item.

The owners of 151 Beresford 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 permit parking. In addition, the application did not satisfy the minimum 50% survey response rate that Chapter 918 specifies.

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**

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**Transportation Services recommends that Etobicoke York Community Council:**

1. Refuse this application.

### **Financial Impact**

There are no financial implications resulting from adopting this report.

## **COMMENTS**

The owner of 151 Beresford 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 permit parking.

The property currently has a 2.1 metre wide shared driveway leading to a rear yard garage. According to Chapter 918, properties with joint use driveways less than 2.2 metres wide are eligible for front yard parking, but only on condition that the applicant complies with all the other requirements that Chapter 918 specifies.

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 8.07 metres wide by 28.80 metres in length. The proposed parking stall measures 2.4 metres wide by 5.70 metres in length. By excavating and constructing a toe wall, curbs and relocating the stairs, the proposed front yard parking pad can meet the physical criteria of the City of Toronto Municipal Code, Chapter 918 “Parking on Residential Front Yards and Boulevards.”

Attachment 1 shows the site location, Attachment 2 illustrates the proposed front yard parking pad, and Attachments 3 and 4 are photographs of the site.

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

Permit parking is authorised on alternating sides of Beresford Avenue, between Bloor Street West and Deforest Road, and on both sides of Beresford Avenue, between Deforest Road and Morningside Avenue. As of February 5, 2009, there were 64 permits issued from a total of 87 on-street parking stalls available between Bloor Street West and Morningside Avenue. At present, we have issued 31 on-street parking permits for the 23 on-street available parking stalls between Bloor Street West and Deforest Road; however, the residents on this block also have the option to park on Beresford Avenue, between Deforest Road and Morningside Avenue, which has surplus on-street parking. There are no on-street parking permits currently registered to this address.

Presently, there are 11 properties on Beresford Avenue, between Deforest Road and Bloor Street West, which are licensed for legal front yard parking.

To determine if the community supports the application, City Clerks conducted a survey of all residents listed in the City's assessment information system who either own property or reside on both sides of Beresford Avenue, from 80 to 167. The survey was conducted according to the requirements of Chapters 190 and 918 of the Toronto Municipal Code.

At the Ward Councillor's request, the survey was conducted by the Clerks office in English, Ukrainian and Polish, between September 16, 2008 and October 15, 2008.

The survey results are as follows:

Total Ballots Mailed	72
Ballots Needed to Proceed (must be at least 50%)	36
Valid Ballots Returned	26
Respondents in Favour	22 (85%)
Respondents Opposed	2 (8%)

Just 36% of all eligible voters responded to the survey. Eighty-five per cent of respondents indicate that they do not oppose the applicant's proposal for front yard parking at 151 Beresford Avenue.

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

We emphasize that given the low response rate, it is difficult to state with confidence that the survey accurately reflects the view of the majority of residents; consequently, we recommend refusing the application.

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 2.4 metres and a length of 5.70 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, Forestry and Recreation Services.
5. The applicant is responsible for obtaining an encroachment agreement, including the payment of all associate fees, for any toe/retaining walls, curbs and stairs situated within the Beresford Avenue road allowance, to the satisfaction of the Municipal Licensing and Standards Division, Etobicoke York District.
6. The applicant shall satisfy these conditions, at no expense to the municipality, by March 31, 2010.

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

Attachment 1:	Map
Attachment 2:	Proposed Plan
Attachment 3:	Photograph
Attachment 4:	Photograph