



## **STAFF REPORT ACTION REQUIRED**

### **71 McFarland Avenue - Front Yard Parking**

<b>Date:</b>	October 19, 2009
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Transportation Services - Etobicoke York District
<b>Wards:</b>	Ward 17 - Davenport
<b>Reference Number:</b>	

#### **SUMMARY**

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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 71 McFarland Avenue. This application is an appeal and is scheduled as a deputation item.

The owners of 71 McFarland 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 allow 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 71 McFarland 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 4.88 metres wide by 26.21 metres in length. The proposed parking stall measures 2.2 metres wide by 5.7 metres in length. With the construction of a retaining or toe wall, 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.

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.

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.

Permit parking is authorised on the east side of McFarland Avenue between Ashburnham Road and Peterborough Avenue within permit parking area 3E. As of October 16, 2009, there were 423 permits issued from the 702 available on-street parking stalls. There is one on-street parking permits currently registered to this address.

Presently, there are two properties on McFarland Avenue between Ashburnham Road and Peterborough 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 McFarland Avenue, from Nos. 31 to 77. 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 June 17, 2009, and July 16, 2009.

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

Total Ballots Mailed	60
Ballots Needed to Proceed (must be at least 50%)	30
Valid Ballots Returned	28
Respondents in Favour	21(75 %)
Respondents Opposed	7 (25 %)

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.

Just 47% of all eligible voters responded to the poll; however, 75% of respondents indicate that they do not oppose the applicant's proposal for front yard parking at 71 McFarland Avenue.

Since the application does not satisfy the requirements of Chapter 918 "Parking on Residential Front Yards and Boulevards, we recommend refusing the application, however, should 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 2.2 metres and a length of 5.7 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 is responsible for obtaining an encroachment agreement, including the payment of all associated fees, for any existing or proposed retaining walls situated within the McFarland Avenue road allowance, to the satisfaction of the Municipal Licensing and Standards Division, Etobicoke York District;
6. 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 November 30, 2010.

## **CONTACT**

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## **SIGNATURE**

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John Niedra, P.Eng.  
Director, Transportation Services

## **ATTACHMENTS**

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