



**STAFF REPORT
ACTION REQUIRED**

Front Yard Parking Appeal – 669 Hillside Avenue East

Date:	January 19, 2009
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	St. Paul’s – Ward 22
Reference Number:	Te09011te.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 669 Hillside Avenue East 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 669 Hillside Avenue East

Financial Impact

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

ISSUE BACKGROUND

The property owner of 669 Hillside Avenue East, a single family detached home with a mutual driveway, submitted an application for front yard parking at this location. The applicant was advised that the property was not eligible for front yard parking because the regulations of the City of Toronto Municipal Code Chapter 918 do not permit front yard parking where permit parking is authorized on the same side of the street. 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’, 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 provisions include:

- prohibit front yard parking where permit parking is authorized on the same side of the street on an alternating basis; 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 criteria for the following reasons:

- permit parking is permitted on the same side of the street on an alternating basis; 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 Hillsdale Avenue East from 629 to 711 on the odd side and from 628 to 712 on the even side. The deadline for receiving the ballots was December 4, 2008.

Total owners/tenants/residents polled	122	-----
Returned by post office	0	-----
Total eligible voters (total polled minus returned by post office)	122	100%
No reply	66	54%
Total ballots received (response rate)	56	46%
In favour of parking (of ballots received)	32	57%
Opposed to parking (of ballots received)	21	38%
Spoiled ballots	3	5%

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

Permit parking on Hillsdale Avenue East is authorized on a street name basis. There is one on-street parking permit registered to this address.

Total number of parking permits on this street	71	Total permits issued as of January 12, 2009	71
Permits available	0	% of permits allocated	100%

Total number of permit parking spaces on Hillsdale Avenue East, between Cleveland Street and Bayview Avenue	16	Total permits issued to residents as of January 12, 2009	15
Permits available	1	% of permits allocated	94%

A ramp installation does not affect the on street permit parking.

On this portion of Hillsdale Avenue East, between Cleveland Street and Bayview Avenue, there is one property licensed for front yard parking and eleven 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 an additional tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that two 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 can meet the other physical requirements of the Code (i.e., setback and landscaping), subject to the reconstruction of the existing porch and the relocation of the steps and walkway.

Should Community Council decide to grant the appeal for front yard parking at 669 Hillsdale Avenue East, it could recommend that:

1. the parking area not exceed 2.2 m by 5.5 m in dimension;
2. the applicant remove and rebuild the existing enclosed porch so as to allow for the required setbacks and dimensions, as shown on appendix ‘A’;

3. the applicant remove the existing stairs and brick walkway and restore to soft landscaping, as shown on appendix 'A';
4. the applicant pay for the installation of the ramp extension to service the parking space;
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; and
6. 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

Joe Colafranceschi, Supervisor, Right of Way Management
Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: jcolafra@toronto.ca

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

P:\2009\Cluster B\TRA\Toronto and East York\row\te09011te.row - dh