

Front Yard Parking Appeal – 184 Sammon Avenue

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:	Toronto-Danforth - Ward 29
Reference Number:	Te09014te.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 184 Sammon 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 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 184 Sammon Avenue.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 184 Sammon Avenue, 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 on an

alternating basis. 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’ 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:

- minimum parking space requirement of 5.3 m in length;
- 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;
- 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:

- the minimum parking space requirement of 5.3 m in length is not met;
- the existing concrete paving does not meet the City’s paving requirements;
- 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 Sammon Avenue from 165 to 201 on the odd side, including 162 Donlands Avenue, and from 176 to 196 on the even side, including 166 Donlands Avenue and 199 Dewhurst Boulevard North. The deadline for receiving the ballots was December 5, 2008.

Total owners/tenants/residents polled	76	-----
Returned by post office	1	-----
Total eligible voters (total polled minus returned by post office)	75	100%
No reply	50	67%

Total ballots received (response rate)	25	33%
In favour of parking (of ballots received)	18	72%
Opposed to parking (of ballots received)	7	28%
Spoiled ballots	0	0%

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 Sammon Avenue is authorized on an alternate side basis, within permit parking area 8F. There are no on-street parking permits registered to this address.

Total number of parking permits in area 8F	128	Total permits issued as of January 7, 2009	107
Permits available	21	% of permits allocated	84%

Total number of permit parking spaces on Sammon Avenue, between Donlands Avenue and Dewhurst Boulevard North	9	Total permits issued to residents as of January 7, 2009	9
Permits available	0	% of permits allocated	100%

The property is currently serviced by an existing mutual driveway, therefore, a ramp installation is not required and this proposal will not affect the on street permit parking.

On this portion of Sammon Avenue, between Donlands Avenue and Dewhurst Boulevard North, there are four 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 there is no suitable planting site for a tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that three 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 does meet the other physical requirement of the Code, (i.e., landscaping).

Should Community Council decide to grant the appeal for front yard parking at 184 Sammon Avenue, it could recommend that:

1. the parking area not exceed 2.2 m by 4.5 m in dimension;
2. the applicant remove the existing concrete paving and re-pave the parking area with semi-permeable paving materials;
3. 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
4. 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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ATTACHMENTS

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

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