



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 58 Duggan Avenue

Date:	March 9, 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:	Te09012te.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 58 Duggan 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 58 Duggan Avenue.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 58 Duggan Avenue, a single family detached home, 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 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; 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 even side of this portion of the street and is less than 90% allocated; 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 Duggan Avenue from 31 to 85 on the odd side, including 31 Oriole Parkway and from 30 to 84 on the even side. The deadline for receiving the ballots was December 18, 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	81	66%
Total ballots received (response rate)	41	34%
In favour of parking (of ballots received)	33	80%
Opposed to parking (of ballots received)	7	17%
Spoiled ballots	1	3%

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 is not valid.

Other factors

Permit parking on Duggan Avenue is authorized on the even side, within permit parking area 1007. There is one on-street parking permit registered to this address.

Total number of parking permits in area 1007	43	Total permits issued as of January 12, 2009	36
Permits available	7	% of permits allocated	84%

Total number of permit parking spaces on Duggan Avenue, between Lawton Boulevard and Oriole Parkway	43	Total permits issued to residents as of January 12, 2009	36
Permits available	7	% of permits allocated	84%

The installation of a ramp at this location will result in the loss of one on street permit parking space.

On this portion of Duggan Avenue, between Oriole Parkway and Lawton Boulevard, there are thirty-three properties licensed for front yard parking, seven properties licensed for driveway widening and one property licensed for residential boulevard parking. One of these properties is licensed for two vehicles.

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 one downspout has been disconnected by the property owner and three downspouts at this property are not feasible for disconnection due to no suitable drainage area.

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 requirements of the Code, (i.e., setback and landscaping).

Should Community Council decide to grant the appeal for front yard parking at 58 Duggan Avenue, it could recommend that:

1. the parking area not exceed 2.6 m by 5.9 m in dimension;
2. the applicant pay for the installation of the ramp to service the parking space;

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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Manager, Right of Way Management

ATTACHMENTS

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

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