



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 84 Wheeler Avenue

Date:	March 27, 2009
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Beaches-East York – Ward 32
Reference Number:	Te09044te.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 84 Wheeler 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 84 Wheeler Avenue.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 84 Wheeler Avenue, a single family detached home, submitted an application for front yard parking at this location. The property does meet the physical requirements of the City of Toronto Municipal Code, however, the application was refused due to the negative poll result, i.e., the response rate was less than 50%. 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:

- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

Reason for not approving

The property does not meet the above criteria for the following reason:

- 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 Wheeler Avenue from 39 to 95 on the odd side and from 38 to 96 on the even side. The deadline for receiving the ballots was February 5, 2008.

Total owners/tenants/residents polled	117	-----
Returned by post office	2	-----
Total eligible voters (total polled minus returned by post office)	115	100%
No reply	72	63%
Total ballots received (response rate)	43	37%
In favour of parking (of ballots received)	41	95%
Opposed to parking (of ballots received)	2	5%
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 Wheeler Avenue is authorized on the odd side, within permit parking area 9C. There are two on-street parking permits registered to this address.

Total number of parking permits in area 9C	5251	Total permits issued as of March 16, 2009	4871
Permits available	380	% of permits allocated	93%

Total number of permit parking spaces on Wheeler Avenue, between Queen Street East and Norway Avenue	65	Total permits issued to residents as of March 16, 2009	55
Permits available	10	% of permits allocated	85%

As noted in the table above, the on-street permit allocation is currently below 90% on that block. However, at the end of each permit parking term, the allocation on that block climbs to above 100% (117% on November 14, 2008) with the area allocation nearing 100% (98% for Area 9C on November 14, 2008).

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

On this portion of Wheeler Avenue, between Queen Street East and Norway Avenue, there are thirty-five properties licensed for front yard parking, fifteen properties licensed for driveway widening and one property licensed for disabled front yard parking. Two of these properties are licensed for two vehicles.

There is no tree in the front yard at this location. A review of this application by Urban Forestry has determined that it would be feasible to plant 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.

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 84 Wheeler Avenue, it could recommend that:

1. the parking area not exceed 2.6 m by 5.5 m in dimension;
2. the applicant remove the existing concrete step and walkway and replace with soft landscaping, as shown on Appendix 'A';

3. the applicant remove a portion of the front porch, as shown on Appendix 'A';
4. the applicant pay for the installation of the ramp 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

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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

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