



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 707 Sammon Avenue

Date:	April 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 31
Reference Number:	Te09040te.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 707 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 707 Sammon Avenue.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 707 Sammon Avenue, a semi-detached family 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 landscaping requirements cannot be met on both private property and the City boulevard.

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 minimum of 50% of the front yard on private property must be landscaped open space, of which 75% must be maintained as soft landscaping;
- a minimum of 50% of the City boulevard fronting the property must be landscaped open space, of which 75% must be maintained as soft landscaping; 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 landscaped open space and soft landscaping cannot be provided on private;
- the landscaped open space and soft landscaping cannot be provided on the City boulevard; 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 667 to 739 on the odd side and from 664 to 686 on the even side. The deadline for receiving the ballots was April 8, 2009.

Total owners/tenants/residents polled	79	-----
Returned by post office	10	-----
Total eligible voters (total polled minus returned by post office)	69	100%
No reply	41	59%
Total ballots received (response rate)	28	41%
In favour of parking (of ballots received)	24	86%

Opposed to parking (of ballots received)	4	14%
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

This property is located within permit parking area 9F, although, permit parking is not permitted within this block of Sammon Avenue from Woodington Avenue to Binswood Avenue.

Total number of parking permits in area 9F	233	Total permits issued as of April 15, 2009	214
Permits available	19	% of permits allocated	92%

On this portion of Sammon Avenue, between Glebemount Avenue and Woodington Avenue, there are seventeen 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 one downspout has been disconnected by the property owner and one downspout at this property is feasible for disconnection.

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).

Should Community Council decide to grant the appeal for front yard parking at 707 Sammon Avenue, it could recommend that:

1. the parking area be 2.2 m by 5.3 m in dimension;
2. the applicant disconnect the downspout in accordance with the requirements of Toronto Water;
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

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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