



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 28 Astley Avenue

Date:	June 1, 2009
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Toronto Centre-Rosedale – Ward 27
Reference Number:	Te09060te.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 28 Astley Avenue for front yard parking. While the property is in a ward where we cannot accept an application, it does however meet all the physical requirements of the City of Toronto Municipal Code Chapter 918 and does meet all the requirements of the Code for an appeal. 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. approve the request for front yard parking at 28 Astley Avenue;
2. require that the applicant replace the existing City-owned tree;
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.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 28 Astley Avenue, a single family detached home with a mutual driveway, inquired about the feasibility of 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 applications in Ward 27. 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:

- the General Manager shall not accept a front yard parking application for front yard parking for residential properties located within the area of the former City of Toronto in Wards 14, 18, 19, 20, 27, 28, 30 and that portion of Ward 21 (located south of St. Clair Avenue West). [**Amended 2008-12-03 by By-law No. 1248-2008**]; and
- residential properties located in the area of the former City of Toronto in Wards 14, 18, 19, 20, 27, 28, 30 and that portion of Ward 21 (located south of St. Clair Avenue West) shall not be entitled to file an appeal pursuant to § 918-21, unless the property has no other alternative parking option, and meets the physical requirements set out in this Chapter.

While Transportation Services could not accept an application for front yard parking at this location, the property was eligible to appeal as it has no alternative parking option and meets the physical requirements of the Code. Specifically, these requirements include:

- the mutual driveway is less than 2.2 m in width at its most narrow point due to the existence of a hydro meter;
- there is no on street permit parking;

- landscaped open space requirements on both the private portion and the public portion are met;
- the tree protection zone is maintained; and
- the poll conducted met the minimum response rate required and the majority of the respondents were in favour of the application.

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 Astley Avenue from 4 to 54 on the even side and from 3 to 57 on the odd side, including 336 Douglas Drive. The deadline for receiving the ballots was April 14, 2009.

Total owners/tenants/residents polled	69	-----
Returned by post office	0	-----
Total eligible voters (total polled minus returned by post office)	69	100%
No reply	29	42%
Total ballots received (response rate)	40	58%
In favour of parking (of ballots received)	27	68%
Opposed to parking (of ballots received)	11	28%
Spoiled ballots	2	4%

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 meet the minimum response rate and therefore is valid. The result of the poll is in favour of this application as the majority of the ballots returned were in favour of this application.

Other factors

This property is not located within a permit parking area.

Ramping is not required as there is an existing ramp to service the proposed parking.

On this portion of Astley Avenue, between Douglas Drive and Standish Avenue, there are four properties licensed for front yard parking and six 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 it would be feasible to plant 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.

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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