



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 2 Fairfield Road

Date:	August 24, 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:	Te09069te.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 2 Fairfield Road 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 2 Fairfield Road.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 2 Fairfield Road, a single family semi-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 there is

on-site parking. 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 provision includes:

- prohibit front yard parking where the property has access to an existing parking facility or where adequate space for parking can be provided on the lot.

Reason for not approving

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

- access to on-site parking by means of a lane/right of way to the rear of the property.

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 Fairfield Road from 1 to 33 on the odd side and from 2 to 24 on the even side, including 75 Rawlinson Avenue. The deadline for receiving the ballots was June 18, 2009.

Total owners/tenants/residents polled	60	-----
Returned by post office	0	-----
Total eligible voters (total polled minus returned by post office)	60	100%
No reply	18	30%
Total ballots received (response rate)	42	70%
In favour of parking (of ballots received)	37	88%
Opposed to parking (of ballots received)	0	0%
Spoiled ballots	5	12%

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.

On this portion of Fairfield Road, between Rawlinson Avenue and Cardiff Road, there are two properties licensed for front yard parking and eleven properties licensed for driveway widening.

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 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 2 Fairfield Road, it could recommend that:

1. the parking area be a minimum of 2.2 m in width and 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 remove the excess paving and restore the area to soft landscaping as shown on Appendix 'A';
4. 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
5. the applicant pay all applicable fees which include the planting of a tree 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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