



## STAFF REPORT ACTION REQUIRED

### Front Yard Parking Appeal for a Second Vehicle – 74 Willow Avenue

<b>Date:</b>	August 24, 2009
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Manager, Right of Way Management, Transportation Services Toronto and East York District
<b>Wards:</b>	Beaches-East York – Ward 32
<b>Reference Number:</b>	Te09053te.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 74 Willow Avenue for front yard parking for a second vehicle. We do not recommend approval for front yard parking for a second vehicle 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 for a second vehicle at 74 Willow Avenue.

#### **Financial Impact**

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

#### **ISSUE BACKGROUND**

The property owner of 74 Willow Avenue, a single family detached home with a mutual driveway, inquired about the feasibility of licensing a second front yard parking space at this location. The applicant was advised that the property was not eligible for front yard

parking of a second vehicle because the regulations of the City of Toronto Municipal Code Chapter 918 do not permit the licensing of more than one vehicle. The applicant subsequently submitted an appeal requesting further consideration of this proposal.

The proposal for front yard parking for a second vehicle 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 Code does not permit the General Manager to accept an application for a second front yard parking space. The relevant provisions include:

- limit the number of vehicles that can be licensed to one;
- 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;
- prohibit front yard parking where permit parking is authorized on the same side of the street on an alternating basis; and
- the requirements of the City of Toronto Municipal Code Chapter 331, Trees, are complied with; a minimum clearance of 1.8 meters from the base of the tree is required.

### Reasons for not approving

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

- the application is for a second vehicle;
- the soft landscaping cannot be provided on private; and
- permit parking is permitted on the same side of the street on an alternating basis; and
- the paved area for the parking pad does not provide the required clearance from the existing tree.

### 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 Willow Avenue from 41 to 71 on the odd side, including 2401 Queen Street East and from 50 to 84 on the even side, including 18 Park Avenue. The deadline for receiving the ballots was June 10, 2009.

Total owners/tenants/residents polled	62	-----
Returned by post office	2	-----
Total eligible voters (total polled minus returned by post office)	60	100%

No reply	28	47%
<b>Total ballots received (response rate)</b>	<b>32</b>	<b>53%</b>
In favour of parking (of ballots received)	24	75%
Opposed to parking (of ballots received)	7	22%
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 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

Permit parking on Willow Avenue is authorized on an alternate side basis, within permit parking area 9C. There are no on-street parking permits registered to this address.

Total number of parking permits in area 9C	5,251	Total permits issued as of August 6, 2009	4,714
Permits available	537	% of permits allocated	90%

Total number of permit parking spaces on Willow Avenue, between Park Avenue and Queen Street East	23	Total permits issued to residents as of August 6, 2009	31
Permits available	0	% of permits allocated	135%

Ramping is not required as there is an existing ramp to service the proposed parking, therefore, on-street permit parking is not affected.

On this portion of Willow Avenue, between Park Avenue and Queen Street East, there is one property licensed for front yard parking and seventeen properties licensed for driveway widening. 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 it would be feasible to plant an additional tree on private property fronting this location.

In accordance with the requirements, a review by Toronto Water has revealed three downspouts at this property. One downspout is feasible for disconnection and two downspouts at this property are not feasible for disconnection due to no suitable drainage area.

## **Alternate recommendations**

Should Community Council decide to grant the appeal for front yard parking at 74 Willow Avenue, it could recommend that:

1. the parking area for the second parking space be a minimum of 2.2 m in width and not exceed 2.6 m by 5.7 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 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**

Joe Colafranceschi, Supervisor, Right of Way Management  
Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: jcolafra@toronto.ca

## **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

P:\2009\Cluster B\TRA\Toronto and East York\row\te09053te.row - dh