



STAFF REPORT ACTION REQUIRED

482 Windermere Avenue – Front Yard Parking

Date:	January 14, 2010
To:	Etobicoke York Community Council
From:	Director, Transportation Services - Etobicoke York District
Wards:	Ward 13 – Parkdale-High Park
Reference Number:	P:\2010\Cluster B\TRA\Etobicoke York\eycc100033-tp

SUMMARY

The staff report is about a matter that Etobicoke York Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to inform Etobicoke York Community Council on an application for front yard parking at 482 Windermere Avenue. This application is an appeal and is scheduled as a deputation item.

The owners of 482 Windermere Avenue submitted an application for front yard parking, but were advised that the property is not eligible for front yard parking since the property is located on the same side of the street as on-street parking permits.

The applicant submitted an appeal requesting an exemption from the City of Toronto Municipal Code, Chapter 918 “Parking on Residential Front Yards and Boulevards” to allow front yard parking at this location.

Staff cannot recommend a front yard parking pad at this location since it does not meet the requirements of Chapter 918 of the Toronto Municipal Code; however, if Community Council finds merit in this proposal, it could be approved subject to the conditions described in the “Comments” section of this report.

RECOMMENDATIONS

Transportation Services recommends that Etobicoke York Community Council:

1. Refuse the application for front yard parking at 482 Windermere Avenue.

FINANCIAL IMPACT

There are no financial implications resulting from adopting this report.

COMMENTS

The owner of 482 Windermere Avenue submitted an application for a front yard parking pad, and was advised that the property is not eligible for front yard parking since the property is located on the same side of the street as on-street parking permits.

There is a 2.2 metre joint use driveway leading to a rear yard garage. According to Chapter 918, properties with joint use driveways 2.2 metres wide and less are eligible for front yard parking, but only on condition that the applicant complies with all the other requirements that Chapter 918 specifies.

In 2007, the City of Toronto installed a designated on-street parking stall for use by the physically disabled on the west side of Windermere Avenue, on the property line of 480/482, for a resident off 477 Windermere Avenue, who holds a valid disabled persons' parking permit. Approving front yard parking at this location has no impact on this on-street parking stall.

The applicant submitted an appeal requesting an exemption from the City of Toronto Municipal Code, Chapter 918 "Parking on Residential Front Yards and Boulevards" to permit front yard parking at this location.

The property's lot dimensions measure 7.62 metres wide by 47.55 metres in length. The proposed parking stall measures 2.5 metres wide by 5.7 metres in length. While the property is not eligible for front yard parking due to the presence of on-street parking permits, it can meet the other physical requirements of the City of Toronto Municipal Code, such as landscaping and setbacks.

A review of the City of Toronto's Inventory of Heritage Properties has revealed that this property is not a designated historical property under the Ontario Heritage Act.

Attachment 1 shows the site location. Attachment 2 illustrates the proposed front yard parking pad. Attachment 3 is a photograph of the site.

Permit parking is authorised on alternating sides of Windermere Avenue, between Bloor Street West and Grassmere Road, within permit parking area 1E. As of January 13, 2010, there were 884 permits issued from the 1,009 available on-street parking stalls. There are no on-street parking permits currently registered to this address.

There are sixteen properties on Windermere Avenue, between Bloor Street West and Grassmere Road, that are licensed for front yard parking.

To determine if the community supports this application, City Clerks conducted a survey of all residents listed in the City's assessment information system who either own property or reside on both sides of Windermere Avenue, from Nos. 471 to 504. The survey was conducted according to the requirements of Chapters 190 and 918 of the Toronto Municipal Code.

At the Ward Councillor's request, the survey was conducted in English, Polish, and Ukrainian. The survey was conducted by the Clerks office between December 11, 2009, and January 11, 2010.

The results of the survey are presented in the following table

Total Ballots Mailed	105
Ballots Needed to Proceed (must be at least 50%)	53
Valid Ballots Returned	64
Respondents in Favour	55 (86%)
Respondents Opposed	9 (14%)

The applicant's proposal satisfies the requirements of Chapter 918 of the Toronto Municipal Code which states that a survey can only be considered valid when at least 50 percent of the ballots mailed out have been returned. The formal survey conducted by the Clerks office exceeded the minimum 50 percent response rate, as 64 per cent of all eligible residents responded. Eighty-six per cent of respondents indicate that they do not oppose the applicant's proposal for front yard parking at 482 Windermere Avenue.

Since the application does not satisfy the requirements of Chapter 918 "Parking on Residential Front Yards and Boulevards" we recommend refusing the application, however, should Etobicoke York Community Council find merit in this proposal it could be approved subject to the following conditions:

1. The front yard parking pad shall maintain a width of 2.5metres and a length of 5.7 metres.
2. The applicant shall surface the front yard parking area with permeable materials such as ecostone pavers, interlocking pavers, or an equivalent paving treatment that is acceptable to the General Manager, Transportation Services.
3. The applicant shall pay all applicable fees and comply with all other criteria described in the City of Toronto Municipal Code.
4. The applicant shall plant a tree in their front yard, or fund the planting of a tree in the neighbourhood, to the satisfaction of the Parks and Recreation Services Division.
5. The applicant satisfies these conditions at no expense to the municipality by February 28, 2011.

CONTACT

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SIGNATURE

Allan Smithies, Acting Director

Transportation Services – Etobicoke York District

ATTACHMENTS

Attachment 1: Map

Attachment 2: Proposed Plan

Attachment 3: Photograph