



STAFF REPORT ACTION REQUIRED

214 Blackthorn Avenue – Front Yard Parking

Date:	January 12, 2010
To:	Etobicoke York Community Council
From:	Director, Transportation Services - Etobicoke York District
Wards:	Ward 17 - Davenport
Reference Number:	p:\2010\Cluster B\TRA\EtobicokeYork\eycc100032-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 214 Blackthorn Avenue. This application is an appeal and is scheduled as a deputation item.

The owners of 214 Blackthorn 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 either Chapters 190 or 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 214 Blackthorn Avenue.

Financial Impact

There are no financial implications resulting from adopting this report.

COMMENTS

The owners of 214 Blackthorn Avenue submitted an application for a front yard parking pad and were advised that this 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 property currently has no on-site parking.

The property has a 2.1 metre wide joint use driveway leading to a fenced rear yard. According to Chapter 918, properties with joint use driveways less than 2.2 metres wide are eligible for front yard parking, but only on condition that the applicant complies with all the other requirements that Chapter 918 specifies.

In 1996, the City of Toronto installed a designated on-street parking stall for the use of the physically disabled in front of 214 Blackthorn Avenue, at the request of a former property owner. The applicant also possesses a valid disabled parking permit but indicates that this on-street parking is often occupied by other vehicles displaying a disabled permit.

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 5.46 metres wide by 34.14 metres in length. The proposed parking stall measures 2.2 metres wide by 5.3 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 the west side of Blackthorn Avenue, between Rockwell Avenue and Rowntree Avenue, within permit parking area 3C. As of January 11, 2010, there were 273 permits issued from a total of 570 available on-street parking stalls. There is one on-street parking permit currently registered to this address.

Presently, there are 45 properties on Blackthorn Avenue, between Rockwell Avenue and Rowntree Avenue that are licensed for front yard parking.

To determine if the community supports the 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 Blackthorn Avenue between Nos. 156 to 256. The survey was conducted according to the requirements of Chapter 190 and 918 of the Toronto Municipal Code.

At the Ward Councillor's request, the survey was conducted in English, Portuguese, and Italian. The survey was conducted by the Clerks office between November 23, 2009, and December 22, 2009.

The results of the survey are presented in the following table:

Total Ballots Mailed	209
Ballots Needed to Proceed - (must be at least 50%)	104
Valid Ballots Returned	47
Respondents in Favour	46 (98.0%)
Respondents Opposed	1 (2.0%)

The applicant's proposal does not satisfy 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 survey conducted by the Clerks office does not satisfy the minimum 50 percent response rate. Just 22 percent of all eligible voters responded to the survey; however, 98 percent of respondents indicate that they do not oppose the applicant's proposal for front yard parking at 214 Blackthorn Avenue.

We emphasize that given the low response rate, it is difficult to state with confidence that the survey accurately reflects the views of the majority of residents; consequently, we recommend refusing the application.

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 2.2 metres and a length of 5.3 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 on-street parking stall designated for use by the physically disabled that is situated along the Blackthorn Avenue frontage of the subject property shall be removed immediately following construction of the front yard parking pad, to the satisfaction of the Traffic Operations Section of the Transportation Services Division.
5. 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.
6. The existing on-street parking permit issued to this property shall be cancelled immediately following construction of the front yard parking pad.
7. 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