



STAFF REPORT ACTION REQUIRED

236 Willard Avenue - Front Yard Parking

Date:	January 15, 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\EtobicokeYork\eycc100030-tp

SUMMARY

This 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 236 Willard Avenue. This application is an appeal and is scheduled as a deputation item.

The owner of 236 Willard Avenue submitted an application to legalize the existing front yard parking, but 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.

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 236 Willard Avenue.

Financial Impact

There are no financial implications resulting from adopting this report.

COMMENTS

The owner of 236 Willard Avenue submitted an application to legalize the existing 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 2.4m wide shared driveway leading to a rear yard garage. According to Chapter 918, properties with joint use driveways greater than 2.2m wide are not eligible for front yard parking.

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 8.55 metres wide by 33.53 metres in length. The proposed parking stall measures 2.4 metres wide by 5.7 metres in length.

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 Willard Avenue, between Bloor Street West and Ostend Avenue. As of January 14, 2010, there were 11 permits issued from the 17 available on-street parking stalls. There are no on-street parking permits currently registered to this address.

There are seven properties on Willard Avenue, between between Bloor Street West and Ostend Avenue, 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 Willard Avenue, from Nos. 224 to 236 Willard Avenue and 72 Ostend Avenue. 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 10, 2009 and January 8, 2010.

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

Total Ballots Mailed	19
Ballots Needed to Proceed (must be at least 50%)	10
Valid Ballots Returned	11
Respondents in Favour	4 (36%)
Respondents Opposed	7 (64%)

The applicant's proposal satisfies the survey requirements of Chapter 918 of the Toronto Municipal Code which states that a survey is 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 58 per cent of all eligible residents responded to the survey. Sixty-four per cent of respondents indicated that they oppose the applicant's proposal for front yard parking at 236 Willard Avenue.

As the majority of residents on Willard Avenue oppose this application, and since the application cannot satisfy the requirement 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 2.4 metres 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 is responsible for obtaining an encroachment agreement, including the payment of all associated fees, for the retaining walls situated within the Willard Avenue road allowance, to the satisfaction of the Municipal Licensing and Standards Division, Etobicoke York District.
6. 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