



STAFF REPORT ACTION REQUIRED

241 Nairn Avenue – Front Yard Parking

Date:	May 4, 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\eycc100088-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 241 Nairn Avenue. This application is an appeal and is scheduled as a deputation item.

The owners of 241 Nairn 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 application does not satisfy the survey requirements of Chapter 918 “Parking on Residential Front Yards and Boulevards.”

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; 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 241 Nairn Avenue.

Financial Impact

There are no financial implications resulting from adopting this report.

COMMENTS

The owners of 241 Nairn 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.

According to Chapter 918, properties with no available parking are eligible for front yard parking, but only on condition that the applicant complies with all the other requirements that Chapter 918 specifies.

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 12.98 metres wide by 13.11 metres in length. The proposed parking stall measures 2.4 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, provided that the existing hard-surface landscaping is removed and replaced with “soft” landscaping.

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 Nairn Avenue between Rogers Road and Morrison Avenue, within permit parking area 3A. As of May 3, 2010, there were 528 permits issued from a total of 921 available on-street parking stalls. There is no on-street parking permits registered to this address.

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 Nairn Avenue between Nos. 230 to 261, and Nos 150 and 154 Morrison Avenue. The survey was conducted according to the requirements of Chapter 190 and 918 of the Toronto Municipal Code.

The Ward Councillor's request, the survey was conducted in English, Portuguese, and Italian. The survey was conducted by the Clerks office between March 25, 2010, and April 23, 2010.

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

Total Ballots Mailed	49
Ballots Needed to Proceed (must be at least 50%)	25
Valid Ballots Returned	17
Respondents in Favour	13 (76.0%)
Respondents Opposed	4 (24.0%)

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% of the ballots mailed out have been returned. The survey conducted by the Clerks office does not satisfy the minimum 50% response rate. Just 35% of all eligible voters responded to the survey; however, seventy-six per cent of the respondents indicated that they do not oppose the applicant's proposal for front yard parking at 241 Nairn 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 2.4 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 introduce the front yard and boulevard landscaping plan as shown in the site drawing submitted with the application;
4. The applicant shall pay all applicable fees and comply with all other criteria described in the City of Toronto Municipal Code;

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; and
6. The applicant satisfies these conditions at no expense to the municipality by May 31, 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