



## STAFF REPORT ACTION REQUIRED

### 70 Lavinia Avenue – Front Yard Parking

|                          |   |
|--------------------------|---|
| <b>Date:</b>             | June 15, 2010   |
| <b>To:</b>               | Etobicoke York Community Council                            |
| <b>From:</b>             | Director, Transportation Services – Etobicoke York District |
| <b>Wards:</b>            | Ward 13 – Parkdale-High Park                                |
| <b>Reference Number:</b> | p:\2010\Cluster B\TRA\EtobicokeYork\eycc100113-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 70 Lavinia Avenue. This application is an appeal and is scheduled as a deputation item.

The owners of 70 Lavinia 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 a street that currently has on-street parking permits and is less than 90 percent subscribed.

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 70 Lavinia Avenue.

## **Financial Impact**

There are no financial impacts resulting from adopting this report.

## **COMMENTS**

The owner of 70 Lavinia 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 a street that currently has on-street parking permits and is less than 90% subscribed.

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 39.44 metres in length. The proposed parking stall measures 2.6 metres wide by 5.9 metres in length. By excavating and constructing a toe wall, the proposed front yard parking pad can meet the physical criteria of the City of Toronto Municipal Code, Chapter 918 “Parking on Residential Front Yards and Boulevards.”

A review of the City of Toronto’s Inventory of Heritage Properties has revealed that this property is not 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 east side of Lavinia Avenue, between Morningside Avenue and Deforest Road. As of June 15, 2010, there were 22 permits issued from the 66 available on-street parking stalls. There is one on-street parking permit currently registered to this address.

There are six properties on Lavinia Avenue, between Morningside Avenue and Deforest Road, that are licensed for front yard parking, as illustrated in Attachment 1.

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 Lavinia Avenue, from street addresses 44 to 98. 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 May 3, 2010, and June 1, 2010.

The results of the survey are presented in the following table

|   |          |
|---|----------|
| <b>Total Ballots Mailed</b>                             | 110      |
| <b>Ballots Needed to Proceed (must be at least 50%)</b> | 55       |
| <b>Valid Ballots Returned</b>                           | 56       |
| <b>Respondents in Favour</b>                            | 50 (89%) |
| <b>Respondents Opposed</b>                              | 6 (11%)  |

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 met the minimum 50 percent response rate, as 51 percent of all eligible residents responded. Eighty-nine percent of respondents indicate that they do not oppose the applicant's proposal for front yard parking at 70 Lavinia 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 2.6 metres and a length of 5.9 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, Forestry and Recreation Services.
5. The applicant is responsible for obtaining an encroachment agreement, including the payment of all associated fees, for the existing stairs and proposed retaining wall located in the Lavinia Avenue road allowance, to the satisfaction of the Municipal Licensing and Standards Division, Etobicoke York District.
6. The existing on-street parking permit issued to this address is cancelled immediately following the construction of the front yard parking pad.

7. The applicant satisfies these conditions at no expense to the municipality by August 17, 2011.

## **CONTACT**

Marianne Zagar, Right-of-Way Management, Etobicoke York District

Phone: 416-394-8343, Fax: 416-394-8942

E-mail: [mazagar@toronto.ca](mailto:mazagar@toronto.ca)

AFS12464

## **SIGNATURE**

---

Steven T. Kodama, P.Eng.

Acting Director, Transportation Services, Etobicoke York District

## **ATTACHMENTS**

|               |               |
|---------------|---------------|
| Attachment 1: | Map           |
| Attachment 2: | Proposed Plan |
| Attachment 3: | Photograph    |