



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal for a Second Vehicle – 220 and 222 Kenilworth Avenue

Date:	March 9, 2009
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Beaches-East York – Ward 32
Reference Number:	Te09026te.row

SUMMARY

This staff report is about a matter which Community Council has delegated authority from City Council to make a final decision.

Transportation Services has assessed an appeal from the owner of 220 and 222 Kenilworth Avenue for front yard parking for a second vehicle, at both locations. We do not recommend approval for front yard parking for a second vehicle at these locations because it does not meet the requirements of the City of Toronto Municipal Code Chapter 918. The owner will be given an opportunity to make a deputation before Community Council.

RECOMMENDATIONS

Transportation Services recommends that Toronto and East York Community Council:

1. deny the request for front yard parking for a second vehicle at 220 and 222 Kenilworth Avenue;
2. request that the owner remove the existing asphalt paving and restore the area to soft landscaping; and
3. request that the owner pay for the removal of the obsolete ramp.

Financial Impact

There is no financial impact to the City as a result of this report.

ISSUE BACKGROUND

The properties at 220 and 222 Kenilworth Avenue are currently licensed for front yard parking for one vehicle as per City of Toronto Municipal Code Chapter 918. The owner subsequently submitted an appeal for a second vehicle at both locations. The applicant was advised that the properties were not eligible for front yard parking for a second vehicle because the regulations of the City of Toronto Municipal Code Chapter 918 do not permit the licensing of a second space. The applicant subsequently submitted appeals requesting further consideration of this proposal.

The proposal for front yard parking for a second vehicle is shown on Appendixes 'A1' and 'A2', the property data map is shown on Appendix 'B', digital photos of the properties are shown on Appendixes 'C1' and 'C2' and the applicant's landscape proposal is shown on Appendixes 'D1' and 'D2'.

COMMENTS

Applicable regulations

Front yard parking is governed by the criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards. The Code does not permit the General Manager to accept an application for a second front yard parking space for residential properties. The relevant provisions include:

- limit the number of vehicles that can be licensed to one;
- a minimum of 50% of the City boulevard fronting these properties must be landscape open space, of which 75% must be maintained as soft landscaping; and
- parking area paved with semi-permeable material such as ecostone or turf stone or equivalent permeable paving treatment acceptable to the General Manager of Transportation Services.

Reasons for not approving

These properties do not meet the above criteria for the following reasons:

- these applications are for a second vehicle;
- the landscape open space cannot be provided on the City boulevard;
- the soft landscaping cannot be provided on the City boulevard; and
- the existing asphalt paving does not meet the City's paving requirements.

Poll results

A poll was conducted in accordance with the City of Toronto Municipal Code Chapter 918-14. The area polled comprised both sides of Kenilworth Avenue 199 to 245 on the odd side and from 180 to 252 on the even side. The deadline for receiving the ballots was January 10, 2007.

Total owners/tenants/residents polled	150	-----
Returned by post office	1	-----
Total eligible voters (total polled minus returned by post office)	149	100%
No reply	44	30%
Total ballots received (response rate)	105	70%
In favour of parking (of ballots received)	98	93%
Opposed to parking (of ballots received)	2	2%
Spoiled ballots	5	5%

The Code states that a poll will be considered valid when at least 50% of the ballots mailed out have been returned. This poll did meet the minimum response rate and therefore is valid. The result of the poll is in favour of these applications as the majority of the ballots returned were in favour of these applications.

Other factors

Permit parking on Kenilworth Avenue is authorized on odd side, within permit parking area 9C. There is one on-street parking permit registered to 220 Kenilworth Avenue and two registered to 222 Kenilworth Avenue.

Total number of parking permits in area 9C	5251	Total permits issued as of February 5, 2009	4835
Permits available	416	% of permits allocated	92%

Total number of permit parking spaces on Kenilworth Avenue, between Queen Street East and Norway Avenue	23	Total permits issued to residents as of February 5, 2009	6
Permits available	17	% of permits allocated	26%

Ramping is not required as there is an existing ramp to service the proposed parking.

On this portion of Kenilworth Avenue, between Queen Street East and Norway Avenue, there are twenty-one properties licensed for front yard parking and five properties licensed for driveway widening. Three of these properties are licensed for two vehicles.

There is no tree in the front yards at these locations. A review of these applications by Urban Forestry have determined that it would be feasible to plant a tree at both these locations, in the new green space created if the space has soil to a depth of 0.9m throughout, provided the excessive paving be removed and restored to soft landscaping, as shown on Appendix 'A'.

In accordance with the requirements, a review by Toronto Water has revealed that the three downspouts have been disconnected by the property owner.

Alternate recommendations

While the property is not eligible for front yard parking because it does not meet the above-noted requirements of the Municipal Code, the property does meet the other physical requirement of the Code, (i.e., setback).

Should Community Council decide to grant the appeals for front yard parking at 220 and 222 Kenilworth Avenue for a second vehicle, it could recommend that:

1. the parking area for the second parking space not exceed 2.6 m by 5.9 m in dimension;
2. the applicant remove the excess paving and restore the area to soft landscaping, as shown on Appendix 'A';
3. the applicant remove the existing asphalt paving and re-pave the parking area with semi-permeable paving materials;
4. the existing planter, at both locations, be extended 0.9 m to meet the 75% soft landscape on private property;
5. the applicant pay for the removal of any obsolete ramping;
6. the applicant provide the landscape features substantially in accordance with the plan as shown on Appendix 'D', to the satisfaction of the General Manager of Transportation Services; and
7. the applicant pay all applicable fees and comply with all other criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards.

CONTACT

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SIGNATURE

Angie Antoniou
Manager, Right of Way Management

ATTACHMENTS

Appendix 'A1' – sketch

Appendix 'A2' - sketch

Appendix 'B' - property data map

Appendix 'C1' – photo

Appendix 'C2' – photo

Appendix 'D1' - applicant's landscape proposal

Appendix 'D2' - applicant's landscape proposal

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