



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 11 Rhodes Avenue

Date:	January 14, 2010
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:	Te10001te.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 11 Rhodes Avenue for front yard parking. We do not recommend approval for front yard parking at this location 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 at 11 Rhodes Avenue.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 11 Rhodes Avenue, a single family detached home, submitted an application for front yard parking at this location. The applicant was advised that the property was not eligible for front yard parking because the regulations of the City of Toronto Municipal Code Chapter 918 do not permit front yard parking where permit

parking is authorized on the same side of the street. The applicant subsequently submitted an appeal requesting further consideration of this proposal.

The proposal for front yard parking is shown on Appendix 'A', the property data map is shown on Appendix 'B', digital photos of the property are shown on Appendix 'C' and the applicant's landscape proposal is shown on Appendix 'D'.

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 relevant provisions include:

- prohibit front yard parking where permit parking is authorized on the same side of the street; and
- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

Reasons for not approving

The property does not meet the above noted criteria for the following reasons:

- permit parking is permitted on the same side of the street; and
- the poll did not meet the minimum 50% response rate of eligible voters.

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 Rhodes Avenue from 3 to 57 on the odd side and from 2 to 54 on the even side. The deadline for receiving the ballots was December 8, 2009.

Total owners/tenants/residents polled	78	-----
Returned by post office	1	-----
Total eligible voters (total polled minus returned by post office)	77	100%
No reply	49	64%
Total ballots received (response rate)	28	36%
In favour of parking (of ballots received)	28	100%
Opposed to parking (of ballots received)	0	0%
Spoiled ballots	0	0%

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 not meet the minimum response rate and therefore the poll is deemed to be a negative poll.

Other factors

Permit parking on Rhodes Avenue is authorized on the odd side within permit parking area 8D. There are two on-street parking permits registered to this address.

Total number of parking permits in area 8D	1781	Total permits issued as of November 30, 2009	1439
Permits available	342	% of permits allocated	80

Total number of permit parking spaces on Rhodes Avenue between Queen Street East and Dundas Street East	37	Total permits issued to residents as of November 30, 2009	36
Permits available	1	% of permits allocated	97%

A ramp installation does not affect the on street permit parking.

On this portion of Rhodes Avenue, between Queen Street East and Dundas Street East, there are five properties licensed for front yard parking.

There was a diseased tree in the front yard at this location that was removed by Urban Forestry. A review of this application by Urban Forestry has determined that a new tree will be replanted in the middle of the area to be sodded, therefore, it would not be feasible to plant an additional tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that four downspouts at this property 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 requirements of the Code (i.e. setback and landscaping).

Should Community Council decide to grant the appeal for front yard parking at 11 Rhodes Avenue, it could recommend that:

1. the parking area be a minimum of 2.2 m in width and not exceed 2.3 m by 5.9 m in dimension;
2. the applicant pay for the installation of the ramp to service the parking space;

3. the applicant remove the excess paving and restore the area to soft landscaping as shown on Appendix 'D';
4. 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;
5. the applicant pay for the planting of a full shade canopy tree on City property in the general area, preferably on the same street, since Urban Forestry has determined that the planting of a tree at this location is not feasible, subject to the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards; and
6. 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

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Manager, Right of Way Management

ATTACHMENTS

Appendix 'A' - sketch

Appendix 'B' - property data map

Appendix 'C' - photos

Appendix 'D' - applicant's landscape proposal

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