



## STAFF REPORT ACTION REQUIRED

### Front Yard Parking Appeal – 101 Knox Avenue

<b>Date:</b>	April 1, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Manager, Right of Way Management, Transportation Services Toronto and East York District
<b>Wards:</b>	Beaches-East York – Ward 32
<b>Reference Number:</b>	Te10015te.row

#### SUMMARY

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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 101 Knox 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

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**Transportation Services recommends that Toronto and East York Community Council:**

1. deny the request for front yard parking at 101 Knox Avenue; and
2. request that the paving be removed and the area restored to soft landscaping as shown on Appendix 'E'.

#### Financial Impact

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

#### ISSUE BACKGROUND

The property owner of 101 Knox 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 it does not meet the regulations of the City of Toronto Municipal Code Chapter 918. The applicant subsequently submitted an appeal requesting further consideration of this proposal.

The property has access to a private single car garage at the rear of the property accessible from the public lane to the north of the property. The garage is currently being used as a studio. The applicant advises that an application for the conversion of the garage to a studio will be made to Committee of Adjustment in the near future.

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', the applicant's landscape proposal is shown on Appendix 'D' and the landscaping restoration plan is shown on Appendix 'E'.

## 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 the property has access to an existing parking facility or where adequate space for parking can be provided on the lot; 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 reason:

- there is a private single car garage at the rear of the property and a further parking space can be accommodated in the rear yard.

### 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 Knox Avenue from 87 to 101 on the odd side and from 88 to 106 on the even side. The deadline for receiving the ballots was March 23, 2010.

Total owners/tenants/residents polled	42	-----
Returned by post office	8	-----
Total eligible voters (total polled minus returned by post office)	34	100%
No reply	12	35%
<b>Total ballots received (response rate)</b>	<b>22</b>	<b>65%</b>

In favour of parking (of ballots received)	19	86%
Opposed to parking (of ballots received)	3	14%
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 meet the minimum response rate and therefore is valid. The result of the poll is in favour of this application as the majority of the ballots returned were in favour of this application.

### Other factors

Permit parking on Knox Avenue is authorized on the even side, within permit parking area 8D. There are no 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	1459
Permits available	322	% of permits allocated	82%

Total number of permit parking spaces on Knox Avenue, between Sears Street and Memory Lane	8	Total permits issued to residents as of November 30, 2009	8
Permits available	0	% of permits allocated	100%

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

On this portion of Knox Avenue from Sears Street to Memory Lane, there are no properties licensed for parking.

There is a tree in the front yard at this location. A review of this application by Urban Forestry has determined that there is no suitable planting site for a tree at this location.

### 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 101 Knox Avenue, it could recommend that:

1. the parking area be a minimum of 2.2 m in width and not exceed 2.6 m by 5.7 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 'A';
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 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**

Joe Colafranceschi, Supervisor, Right of Way Management

Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: jcolafra@toronto.ca

## **SIGNATURE**

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Angie Antoniou  
Manager, Right of Way Management

## **ATTACHMENTS**

Appendix 'A' - sketch

Appendix 'B' - property data map

Appendix 'C' - photos

Appendix 'D' - applicant's landscape proposal

Appendix 'E' – landscaping restoration plan

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