



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 48 Frankdale Avenue

Date:	April 29, 2010
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Toronto-Danforth - Ward 29
Reference Number:	Te10040te.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 48 Frankdale 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 48 Frankdale Avenue.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 48 Frankdale Avenue, a single family semi-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 proposal for front yard parking is shown on Appendix 'A', the property data map is shown on Appendix 'B', a digital photo of the property is 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:

- 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:

- 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 Frankdale Avenue from 17 to 43 on the odd side, including 307 Sammon Avenue and from 20 to 50 on the even side, including 305 Sammon Avenue. The deadline for receiving the ballots was February 25, 2010.

Total owners/tenants/residents polled	116	-----
Returned by post office	10	-----
Total eligible voters (total polled minus returned by post office)	106	100%
No reply	83	78%
Total ballots received (response rate)	23	22%
In favour of parking (of ballots received)	22	96%
Opposed to parking (of ballots received)	1	4%
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 Frankdale Avenue is authorized on the odd side, within permit parking area 8H. There are no on-street parking permits registered to this address. Permit parking area 8H is currently waitlisted.

Total number of parking permits in area 8H	336	Total permits issued as of November 30, 2009	336
Permits available	0	% of permits allocated	100%

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

On this portion of Frankdale Avenue, between Milverton Boulevard and Sammon Avenue, there are sixteen properties licensed for front yard parking.

There is no tree in the front yard at this location. A review of this application by Urban Forestry has determined that it would be feasible to plant a tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that two 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 48 Frankdale 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 5.3 m in dimension;
2. the applicant pay for the installation of the ramp to service the parking space;
3. 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;
4. the applicant plant a tree in accordance with the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards. The tree shall be a full shade canopy tree or approved equivalent, to the satisfaction of the General Manager of Parks, Forestry and Recreation; and

5. 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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ATTACHMENTS

Appendix 'A' - sketch

Appendix 'B' - property data map

Appendix 'C' - photo

Appendix 'D' - applicant's landscape proposal

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