



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 516 Balliol Street

Date:	May 27, 2010
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	St. Paul's – Ward 22
Reference Number:	Te10050te.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 516 Balliol Street 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 516 Balliol Street.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 516 Balliol Street, a single family semi-detached home with a mutual driveway, 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:

- prohibit front yard parking where permit parking is authorized on the same side of the street;
- the requirements of the City of Toronto Municipal Code Chapter 331, Trees, are complied with; a minimum clearance of 6.0 meters from the base of the tree is required; 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;
- the paved area for the parking pad does not provide the required clearance from the existing tree, only 5.1 meters to the tree; and
- the poll did not meet the minimum response rate of 50% 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 Balliol Street from 471 to 515 on the odd side and from 500 to 532 on the even side. The deadline for receiving the ballots was May 18, 2010.

Total owners/tenants/residents polled	57	-----
Returned by post office	0	-----
Total eligible voters (total polled minus returned by post office)	57	100%
No reply	31	54%
Total ballots received (response rate)	26	46%
In favour of parking (of ballots received)	22	85%

Opposed to parking (of ballots received)	3	12%
Spoiled ballots	1	3%

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 is authorized on the even side of Balliol Street on a street name basis. There is one on-street parking permit registered to this address.

Total number of parking permits on the street	91	Total permits issued as of November 30, 2009	75
Permits available	16	% of permits allocated	82%

Additional ramping is required to service the proposed parking. The installation of the additional ramping will not result in the loss of an on street permit parking space.

On this portion of Balliol Street, between Forsyth Road and Forman Avenue, there is one property licensed for front yard parking and three properties licensed for driveway widening.

The proposed work is within the tree protection zone of a white oak fronting 514 Balliol Street. The proposed paving will possibly have a detrimental effect on the existing oak. Minimum tree protection zone is not sufficient due to the large size of the tree and excessive paving to the west. No further room for the planting of 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., landscaping).

Should Community Council decide to grant the appeal for front yard parking at 516 Balliol Street, it could recommend that:

1. the parking area be 2.2 m by 5.3 m in dimension;
2. the applicant remove the existing concrete and restore the area to soft landscaping as shown on Appendix ‘A’;

3. the applicant pay for the installation of the ramp extension to service the parking space;
4. the applicant relocate the steps and walkway, as shown on Appendix 'A';
5. 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;
6. the applicant pay for the planting of a full shade canopy tree on City property in the general area of the property, preferably on the same street, as per the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards; 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

Joe Colafranceschi, Supervisor, Right of Way Management
Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: jcolafra@toronto.ca

SIGNATURE

Angie Antoniou
Manager, Right of Way Management

ATTACHMENTS

Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photo
Appendix 'D' - applicant's landscape proposal

P:\2010\Cluster B\TRA\Toronto and East York\row\te10050te.row - dh