



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 842 Carlaw Avenue

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:	Toronto-Danforth – Ward 29
Reference Number:	Te10043te.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 842 Carlaw 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 842 Carlaw Avenue.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 842 Carlaw Avenue, a freehold townhouse, 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 on an alternating basis. 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 on an alternating basis.

Reasons for not approving

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

- permit parking is permitted on the same side of the street on an alternating basis.

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 Carlaw Avenue from 809 to 851 on the odd side and from 808 to 848 on the even side. The deadline for receiving the ballots was May 19, 2010.

Total owners/tenants/residents polled	109	-----
Returned by post office	3	-----
Total eligible voters (total polled minus returned by post office)	106	100%
No reply	52	49%
Total ballots received (response rate)	54	51%
In favour of parking (of ballots received)	28	52%
Opposed to parking (of ballots received)	26	48%
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 Carlaw Avenue is authorized on an alternate side basis, within permit parking area 8A. There are two on-street parking permits registered to this address.

Total number of parking permits in area 8A	1087	Total permits issued as of November 30, 2009	907
Permits available	180	% of permits allocated	83%

Total number of permit parking spaces on Carlaw Avenue, between Danforth Avenue and W BRN Cruikshank Avenue	26	Total permits issued to residents as of November 30, 2009	47
Permits available	0	% of permits allocated	181%

The installation of a ramp at this location, servicing 840 and 842 Carlaw Avenue, will result in the loss of one on street permit parking space in total.

On this portion of Carlaw Avenue, between Cruikshank Avenue and Danforth Avenue, there are two properties licensed for front yard parking.

A review of this application by Urban Forestry has determined that it would be feasible to plant a tree at this location. Forestry has advised that a spruce tree, planted in the City's right-of-way, should be moved to the backyard as it is not appropriate for this location and a deciduous tree planted in its place.

In accordance with the requirements, a review by Toronto Water has revealed that one downspout has been disconnected by the property owner and one downspout at this property is not feasible for disconnection due to no suitable drainage area.

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 842 Carlaw Avenue, it could recommend that:

1. the parking area be a minimum of 2.2 m in width and not exceed 2.5 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 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 relocate the existing spruce tree to the rear yard and 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 pays all applicable fees and complies 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 'A' - sketch
- Appendix 'B' - property data map
- Appendix 'C' - photo
- Appendix 'D' - applicant's landscape proposal

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