



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 179 Milverton Boulevard

Date:	July 21, 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:	Te10053te.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 179 Milverton Boulevard 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 179 Milverton Boulevard.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 179 Milverton Boulevard, a 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 on an alternating basis; and
- a minimum of 50% of the City boulevard fronting the property must be landscaped open space, of which 75% must be maintained as soft landscaping.

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 on an alternating basis; and
- the landscape open space cannot be provided on the City boulevard.

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 Milverton Boulevard from 145 to 187 on the odd side, including 914 Greenwood Avenue and from 178 to 188 on the even side, including 916 Greenwood Avenue. The deadline for receiving the ballots was July 16, 2010.

Total owners/tenants/residents polled	73	-----
Returned by post office	1	-----
Total eligible voters (total polled minus returned by post office)	72	100%
No reply	34	47%
Total ballots received (response rate)	38	53%
In favour of parking (of ballots received)	25	66%
Opposed to parking (of ballots received)	13	34%
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 Milverton Boulevard is authorized on an alternate side basis, within permit parking area 8E. There is one on-street parking permit registered to this address.

Total number of parking permits in area 8E	550	Total permits issued as of May 31, 2010	510
Permits available	40	% of permits allocated	93%

Total number of permit parking spaces on Milverton Boulevard, between Frankdale Avenue and Greenwood Avenue	7	Total permits issued to residents as of May 31, 2010	7
Permits available	0	% of permits allocated	100%

Ramping is not required as there is an existing ramp to service the proposed parking, therefore, on street permit parking is not affected.

On this portion of Milverton Boulevard, between Caithness Avenue and Greenwood Avenue, there are three properties licensed for front yard parking. One of these properties is licensed for two vehicles.

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).

Should Community Council decide to grant the appeal for front yard parking at 179 Milverton Boulevard, it could recommend that:

1. the parking area be 2.2 m by 5.3 m in dimension;
2. the applicant remove the excess paving and restore the area to soft landscaping, as shown on Appendix 'A';
3. the applicant to install a .2 m wide retaining wall, 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 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
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

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\te10053te.row - se