



## STAFF REPORT ACTION REQUIRED

### Front Yard Parking Appeal – 98 Cadorna Avenue

<b>Date:</b>	July 21, 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>	Toronto-Danforth - Ward 29
<b>Reference Number:</b>	Te10054te.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 98 Cadorna 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 98 Cadorna Avenue; and
2. request the applicant to remove the existing paving adjacent to the mutual drive, with the exception of a walkway of 1.06 meters, and restore the area 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 98 Cadorna Avenue, a single family detached home with a private driveway, inquired about the feasibility of licensing a front yard parking space adjacent to the private driveway at this location. The applicant was advised that the property was not eligible for front yard parking as the property has a private driveway leading to a garage at the rear of the property. 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’, the applicant’s landscape proposal is shown on Appendix ‘D’ and the area of paving to be removed 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;
- parking area paved with semi-permeable material such as ecostone or turf stone or equivalent permeable paving treatment acceptable to the General Manager of Transportation Services; 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:

- there is an existing 2.45 m wide private driveway;
- the existing asphalt paving does not meet the City’s paving requirements; and
- 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 Cadorna Avenue from 95 to 127 on the odd side and from 88 to 120 on the even side. The deadline for receiving the ballots was July 19, 2010.

Total owners/tenants/residents polled	74	-----
Returned by post office	1	-----
Total eligible voters (total polled minus returned by post office)	73	100%
No reply	39	53%

<b>Total ballots received (response rate)</b>	<b>34</b>	<b>47%</b>
In favour of parking (of ballots received)	25	74%
Opposed to parking (of ballots received)	9	26%
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**

This property is not located within a permit parking area.

Ramping is not required as there is an existing ramp to service the proposed parking.

On this portion of Cadorna Avenue, between Plains Road and O’Connor Drive, there are two properties licensed for front yard 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 an additional tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that four 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 98 Cadorna Avenue, it could recommend that:

1. the parking area be 2.2 m by 5.3 m in dimension;
2. the applicant remove the existing flagstone pavers and restore the area to soft landscaping, as shown on Appendix ‘A’;
3. the applicant remove the existing asphalt paving and re-pave the parking area with semi-permeable paving materials;
4. the applicant pay the enforcement fee of \$611.96 (HST included) since the parking pad was constructed without authorization from the City;

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**

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## **SIGNATURE**

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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  
Appendix 'E' - sketch

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