



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 236 Wineva Avenue

Date:	February 1, 2013
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Beaches-East York – Ward 32
Reference Number:	Te2013013te.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 236 Wineva 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 236 Wineva Avenue.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 236 Wineva 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 the regulations of the City of Toronto Municipal Code Chapter 918 do not permit a Front Yard Parking

pad within a Tree Protection Zone. 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 provision includes:

- the requirements of the City of Toronto Municipal Code Chapter 813, Trees, are complied with; a minimum clearance of 3.60 meters from the base of the tree is required.

Reasons for not approving

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

- the paved area for the parking pad does not provided the required clearance from the existing tree.

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 Wineva Avenue from 204 to 238, on the even side and from 203 to 223, including 49 Williams Road, on the odd side. The deadline for receiving the ballots was December 12, 2012.

Total owners/tenants/residents polled	79	-----
Returned by post office	5	-----
Total eligible voters (total polled minus returned by post office)	74	100%
No reply	36	49%
Total ballots received (response rate)	38	51%
In favour of parking (of ballots received)	28	74%
Opposed to parking (of ballots received)	10	26%
Spoiled ballots	0	0%

The Code states that a poll will be considered valid when at least 25% 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 Wineva Avenue is authorized on the odd side, within permit parking area 9C. There is one on street parking permit registered to this address.

Total number of parking permits in area 9C	4289	Total permits issued as of January 21, 2013	3716
Permits available	573	% of permits allocated	87%

Total number of permit parking spaces on Wineva Avenue, between Williamson Road and Queen Street East	33	Total permits issued to residents as of January 21, 2013	32
Permits available	0	% of permits allocated	97%

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

On this portion of Wineva Avenue, between Williamson Road and Isleworth Avenue, there are twenty seven 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.

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 236 Wineva Avenue, it could recommend that:

1. the parking area be a minimum of 2.2 m in width and not exceed 2.4 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 disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);
4. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'D', attached to the report dated January 28, 2013,

from the Manager, Right of Way Management, Transportation Services, Toronto and East York District, to the satisfaction of the General Manager of Transportation Services;

5. the applicant submit the following as per Urban Forestry's request:
 - a) an Arborist Report documenting the number of roots encountered while digging an exploratory trench to a depth of 36";
 - b) a deposit in the amount of \$9,547.00;
 - c) a signed letter stating all work is to be done by hand; and
 - d) a paid receipt for fertilization & aeration;
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 the applicant comply with any other criteria as determined by Urban Forestry; 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

Kyp Perikleous
Manager, Right of Way Management

ATTACHMENTS

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

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