



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 286 Willow Avenue

Date:	August 20, 2013
To:	Toronto and East York Community Council
From:	Acting Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Beaches-East York – Ward 32
Reference Number:	Te2013039te.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 286 Willow 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 286 Willow Avenue; and
2. request that the owner install planters to the satisfaction of the General Manager of Transportation Services, as indicated in Appendix 'E', attached to the report dated August 20, 2013, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District.

Financial Impact

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

ISSUE BACKGROUND

This location was originally licensed in February 3, 2000, under the regulations for Front Yard Parking for Disabled Persons as set out in the former City of Toronto Municipal Code Chapter 400. When the front yard parking is not longer needed for use by persons with a disability, these provisions of the Code no longer apply. The property was sold and the person with a disability no longer resided at this location as of July 2010, therefore the license was cancelled at that time.

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 a sketch showing the planters to be installed 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 permit parking is authorized on the same side of the street;
- minimum parking space requirement of 2.2 m in width by 5.3 m in length;
- a minimum of 50% of the front yard on private property must be landscaped open space, of which 75% must be maintained as soft landscaping; 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;
- the minimum parking space requirement of 2.2 m in width by 5.3 m in length is not met;
- the landscape open space requirement cannot be provided on both the City boulevard and on private; and
- the soft landscaping requirement cannot be provided on both the City boulevard and on private.

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 Willow Avenue from 254 to 318 on the even side and 251 to 315 on the odd side. The deadline for receiving the ballots was June 17, 2013.

Total owners/tenants/residents polled	122	-----
Returned by post office	2	-----
Total eligible voters (total polled minus returned by post office)	120	100%
No reply	50	42%
Total ballots received (response rate)	70	58%
In favour of parking (of ballots received)	59	84%
Opposed to parking (of ballots received)	10	15%
Spoiled ballots	1	1%

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 Willow Avenue is authorized on the even 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 May 31, 2013	3656
Permits available	633	% of permits allocated	85%

Total number of permit parking spaces on Willow Avenue, between Pine Avenue and Balsam Avenue	47	Total permits issued to residents as of May 31, 2013	53
Permits available	6	% of permits allocated	113%

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 Willow Avenue, between Pine Avenue and Balsam Avenue, there are twenty one 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.

Alternate recommendations

Should Community Council decide to grant the appeal for front yard parking at 286 Willow Avenue, it could recommend that:

1. the parking area be 2.6 m by 5.0 m in dimension;
2. the applicant disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);
3. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'D', attached to the report dated August 20, 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;
4. 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
5. 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

Joe Colafranceschi
Acting 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 showing planters to be installed

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