

Front Yard Parking Appeal – 321 Winona Drive

Date:	November 8, 2010
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	St. Paul's - Ward 21
Reference Number:	Te11013te.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 321 Winona Drive 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 321 Winona Drive; and
2. request the applicant to remove the existing paving adjacent to the mutual driveway 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 321 Winona Drive, a single family 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’, 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 permit parking is authorized on the same side of the street; 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:

- permit parking is permitted on the same side of the street on an alternating basis; 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 Winona Drive from 319 to 355 on the odd side and from 344 to 372 on the even side. The deadline for receiving the ballots was October 7, 2010.

Total owners/tenants/residents polled	82	-----
Returned by post office	3	-----
Total eligible voters (total polled minus returned by post office)	79	100%
No reply	43	54%
Total ballots received (response rate)	36	46%
In favour of parking (of ballots received)	30	83%
Opposed to parking (of ballots received)	6	17%
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

Permit parking on Winona Drive is authorized on an alternate side basis, within permit parking area 13G. There are no on-street parking permits registered to this address.

Total number of parking permits in area 9G	443	Total permits issued as of November 30, 2010	284
Permits available	159	% of permits allocated	64%

Total number of permit parking spaces on Winona Drive, between Earlsdale Avenue and Hursting Avenue	14	Total permits issued to residents as of November 30, 2010	18
Permits available	0	% of permits allocated	129%

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 Winona Drive, between Earlsdale Avenue and Hursting Avenue, there are eight properties licensed for front yard parking,

There is no 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 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 and landscaping).

Should Community Council decide to grant the appeal for front yard parking at 321 Winona Drive, it could recommend that:

1. the parking area be a minimum of 2.2 m in width and not exceed 2.6 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 pay the enforcement fee of \$611.96 (HST included) since the parking pad was constructed without authorization from the City;
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 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
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

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SIGNATURE

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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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