



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 14 Petman Avenue

Date:	October 22, 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 22
Reference Number:	Te11008te.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 14 Petman 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 14 Petman Avenue.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 14 Petman, a single family 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 the regulations of the City of Toronto Municipal Code Chapter 918 do not permit parking

pads to be constructed within the 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 include:

- the requirements of the City of Toronto Municipal Code Chapter 331, Trees, are complied with; a minimum clearance of 3.6 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 provide 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 Petman Avenue from 19 to 57, including 400 Soudan Avenue on the odd side and from 2 to 56 on the even side. The deadline for receiving the ballots was August 12, 2010.

Total owners/tenants/residents polled	64	-----
Returned by post office	1	-----
Total eligible voters (total polled minus returned by post office)	63	100%
No reply	28	44%
Total ballots received (response rate)	35	56%
In favour of parking (of ballots received)	28	80%
Opposed to parking (of ballots received)	6	17%
Spoiled ballots	1	3%

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

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 Petman Avenue, between Soudan Avenue and Eglinton Avenue East, there are six 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 one downspout has been disconnected by the property owner and one downspout at this property is not feasible for disconnection due to no suitable drainage area.

Alternate recommendations

While the property is not eligible for front yard parking because it does not meet the above noted requirement of the Municipal Code, the property does meet the other physical requirements of the Code, (i.e., landscaping).

Should Community Council decide to grant the appeal for front yard parking at 14 Petman Avenue, it could recommend that:

1. the parking area be a minimum of 2.2 m in width and not exceed 2.3 m by 5.9 m in dimension;
2. 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;
3. 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
4. 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

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