



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 206 Ashdale Avenue

Date:	May 16, 2012
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:	Te2012017te.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 206 Ashdale 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 206 Ashdale Avenue.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 206 Ashdale Avenue, a single family 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 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' 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 provisions include:

- prohibit front yard parking where permit parking is authorized on the same side of the street;
- the requirements of the City of Toronto Municipal Code Chapter 813, Trees, are complied with; a minimum clearance of 6.0 meters from the base of the tree is required;
- prohibit any person from removing a tree for the purpose of the front yard parking; 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;
- the paved area for the parking pad does not provide the required clearance from the existing tree;
- the tree within the proposed parking pad would require removal; and
- negative poll results.

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 Ashdale Avenue from 171 to 253, on the odd side and from 164 to 254, on the even side. The deadline for receiving the ballots was April 23, 2012.

Total owners/tenants/residents polled	136	-----
Returned by post office	1	-----
Total eligible voters (total polled minus returned by post office)	135	100%
No reply	78	58%
Total ballots received (response rate)	57	42%
In favour of parking (of ballots received)	26	46%

Opposed to parking (of ballots received)	30	53%
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, but the majority of ballots returned were opposed to the parking, therefore the poll is deemed to be a negative poll.

Other factors

Permit parking on Ashdale Avenue is authorized on an alternate side basis, within permit parking area 8C. There is one on street parking permit registered to this address.

Total number of parking permits in area 8C	447	Total permits issued as of November 30, 2011	407
Permits available	40	% of permits allocated	91%

Total number of permit parking spaces on Ashdale Avenue, between Dundas Street East and Gerrard Street East	51	Total permits issued to residents as of November 30, 2011	55
Permits available	0	% of permits allocated	108%

The installation of a ramp at this location will result in the loss of one on street permit parking space.

On this portion of Ashdale Avenue, between Dundas Street East and Gerrard Street East, there are twelve properties licensed for front yard parking. Two of these properties are licensed for two vehicles.

Urban Forestry has requested the application be denied as there will be a major grade change within the Tree Protection Zone.

There are two trees in the front yard at this location; one located within the proposed parking pad. 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., landscaping).

Should Community Council decide to grant the appeal for front yard parking at 206 Ashdale Avenue, it could recommend that:

2. the parking area be a minimum of 2.2 m in width and not exceed 2.6 m by 5.9 m in dimension;
3. the applicant pay for the installation of the ramp to service the parking space;
4. the applicant disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);
5. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'D', attached to the report dated May 16, 2012, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District, to the satisfaction of the General Manager of Transportation Services;
6. the applicant to provide clearances from various Public Utility Companies to ensure there is no adverse impact on any of the underground facilities, as this property has a significant grade alteration within the City boulevard;
7. 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;
8. 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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