TORONTO

# STAFF REPORT
# ACTION REQUIRED

# Front Yard Parking Appeal – 11 Evans Avenue

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| **Date:** | September 27, 2013 |
| **To:** | Etobicoke York Community Council |
| **From:** | Manager, Right of Way Management, Transportation Services |
| **Wards:** | Ward 13 – Parkdale-High Park |
| **Reference Number:** | P:\2013\cluster B\TRA\EtobicokeYork\eycc130110-row |

## SUMMARY

This staff report is about a matter that Etobicoke York Community Council has delegated authority from City Council to make a final decision.

Transportation Services has assessed an appeal from the owner of 11 Evans 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 Etobicoke York Community Council:**

1. deny the request for front yard parking at 11 Evans Avenue.

### Financial Impact

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

## ISSUE BACKGROUND

The property owner of 11 Evans Avenue, 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', 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; 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; and
- negative poll result.

### 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 Evans Avenue from 5-39, including 160 Colbeck Street on the odd side and from 2-44, including 164 Colbeck Street, on the even side. At the Ward Councillor's request, the survey was conducted in English, Polish, and Ukrainian. The deadline for receiving the ballots was June 7, 2013.

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| Total owners/tenants/residents polled | 91 | -------- |
| Returned by post office | 6 | -------- |
| Total eligible voters (total polled minus returned by post office) | 85 | 100% |
| No reply | 22 | 26% |
| **Total ballots received (response rate)** | **63** | **74%** |
| In favour of parking (of ballots received) | 29 | 46% |
| Opposed to parking (of ballots received) | 33 | 52% |
| Spoiled ballots | 1 | 2% |

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 is authorized on both sides of Evans Avenue, between Annette Street and Ardagh Street, on a street specific basis. Currently, there are two on-street parking permit registered to this address.

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| Total number of parking permits on Evans Avenue | 131 | Total permits issued as of July 11, 2013 | 97 |
| Permits available | 34 | % of permits allocated | 74% |

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| Total number of permit parking spaces on Evans Avenue, between Colbeck Street and Ardagh Street | 70 | Total permits issued to residents as of July 11, 2013 | 46 |
| Permits available | 24 | % of permits allocated | 66% |

Ramping is not required as there is an existing ramp servicing the mutual driveway and the proposed parking pad. Therefore, on-street parking is not affected.

On this portion of Evans Avenue, between Colbeck Street and Ardagh Street, there are currently five 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 it would be feasible to plant a 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 11 Evans Avenue, it could recommend that:

1. the parking area be a minimum of 2.2 m in width and not exceed 2.5 m by 5.9 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 September 27, 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 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

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

Joe Colafranceschi, Supervisor, Right of Way Management
Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: jcolafra@toronto.ca
AFS 18433

## SIGNATURE

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Andre Filippetti
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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