TORONTO

STAFF REPORT
ACTION REQUIRED

Front Yard Parking Appeal – 69 Beresford Avenue

Date:	January 28, 2015
To:	Etobicoke York Community Council
From:	Manager, Right of Way Management, Transportation Services
Wards:	Parkdale-High Park – Ward 13
Reference Number:	P:\2015\Cluster B\TRA\EtobicokeYork\eycc150033-tp

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 69 Beresford Avenue for front yard parking. Front yard parking at this location is not recommended 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 69 Beresford Avenue; and

2. Request that the owner install barriers to prevent the unauthorized parking to the satisfaction of the General Manager of Transportation Services, as indicated in Appendix 'E', attached to the report dated January 28, 2015, from the Manager, Right of Way Management, Transportation Services.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 69 Beresford 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

the regulations of the City of Toronto Municipal Code Chapter 918 do not permit front yard parking if on street permit parking is authorized on the same side of the street. 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 a sketch showing barriers 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 provision includes:

- prohibit front yard parking where permit parking is authorized on the same side of the street.

Reasons for not approving

The property does not meet the above-noted criteria for the following reason:

- permit parking is permitted on the same side of the street on an alternating basis.

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 Beresford from 39 to 79 on the odd side including 47 and 49 Deforest Road and from 42 to 74 on the even side. The deadline for receiving the ballots was December 15, 2014.

Total owners/tenants/residents polled	80	--------
Returned by post office	0	--------
Total eligible voters (total polled minus returned by post office)	80	100%
No reply	46	58%
Total ballots received (response rate)	34	43%
In favour of parking (of ballots received)	25	74%
Opposed to parking (of ballots received)	9	26%
Spoiled ballots	0	0%

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 Beresford Avenue is authorized on both sides of the street on a street name basis. As of January 14, 2015 there is one on-street parking permit registered to this address.

Total number of parking permits on Beresford Avenue	87	Total permits issued as of November 30, 2014	70
Permits available	17	% of permits allocated	80%

Total number of permit parking spaces on Beresford Avenue, between Morningside Avenue and Deforest Road	64	Total permits issued to residents November 30, 2014	35
Permits available	29	% of permits allocated	55%

Additional ramping is proposed to service the proposed parking, however on-street permit parking is not affected.

On this portion of Beresford Avenue, between Morningside Avenue and Deforest Road, there are four 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.

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 69 Beresford Avenue, it could recommend that:

1. the parking area be a minimum of 2.2 metres in width and not exceed 2.4 metres by 5.5 metres in dimension;

2. the applicant pay for the installation of the ramp to service the parking space;

3. the applicant disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);

4. the applicant pay the enforcement fee of $685.37 (HST included) since the parking pad was constructed before the submission of the application and without authorization from the City;

5. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'D', attached to the report dated January 28, 2015, from the Manager, Right of Way Management, Transportation Services, to the satisfaction of the General Manager of Transportation Services; 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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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
Appendix 'E' - sketch showing barriers to be installed