STAFF REPORT
ACTION REQUIRED

Commercial Boulevard Parking Appeal - 2205 Queen Street East

Date: April 21, 2016
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: TE.2016010.te.row.docx

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 for commercial boulevard parking from the owner of 2205 Queen Street East. Commercial Boulevard parking at this location is not recommended because it does not meet the requirements of the City of Toronto Municipal Code Chapter 743. 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 commercial boulevard parking at 2205 Queen Street East; and
2. Request that the owner restore the area to soft landscaping, as indicated in Appendix 'C', attached to the report dated April 21, 2016, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District.
Financial Impact
There is no financial impact to the City as a result of this report.

ISSUE BACKGROUND
The owner of 2205 Queen Street East submitted an application for commercial boulevard parking for four parking spaces at this location. The applicant was advised that the property was not eligible for commercial boulevard parking because where polling is requested, the regulations of the City of Toronto Municipal Code Chapter 743 do not permit commercial boulevard parking if the majority of ballots returned are opposed to the parking. The applicant subsequently submitted an appeal requesting further consideration of this request.

The proposal for commercial boulevard parking is shown on Appendix 'A', a digital photo of the property is shown on Appendix 'B' and a sketch showing the area of paving to be removed is shown on Appendix 'C'.

COMMENTS

Applicable regulations
Commercial boulevard parking is governed by the criteria set out in the City of Toronto Municipal Code Chapter 743, Streets and Sidewalks. The relevant provision includes:

- polling, in a residential area, be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

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

- negative poll results.

Poll results
A poll was conducted in accordance with the City of Toronto Municipal Code Chapter 190. The area polled comprised both sides of Leuty Avenue from 71 to 99, including 2205 Queen Street East on the odd side and from 68 to 98 Leuty Avenue, including 2199A Queen Street East on the even side. The deadline for receiving the ballots was October 23, 2015.

<table>
<thead>
<tr>
<th>Total owners/tenants/residents polled</th>
<th>28</th>
</tr>
</thead>
<tbody>
<tr>
<td>Returned by post office</td>
<td>2</td>
</tr>
<tr>
<td>Total eligible voters (total polled minus returned by post office)</td>
<td>26 100%</td>
</tr>
<tr>
<td>No reply</td>
<td>15 58%</td>
</tr>
<tr>
<td>Total ballots received (response rate)</td>
<td>11</td>
</tr>
<tr>
<td>In favour of parking (of ballots received)</td>
<td>5</td>
</tr>
<tr>
<td>Opposed to parking (of ballots received)</td>
<td>6</td>
</tr>
<tr>
<td>Spoiled ballots</td>
<td>0</td>
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</tbody>
</table>

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.

**Alternate recommendations**
Should Community Council decide to grant the appeal for commercial boulevard parking at 2205 Queen Street East, it could recommend that:

1. the applicant remove the existing concrete paving and restore the area to soft landscaping in order to allow for the planting of two City trees, per Urban Forestry, as indicated in Appendix 'A', attached to the report dated April 21, 2016, from the Manager, Right of Way Management, Transportation Services; and

2. the applicant pay for the installation of the ramps to service the parking spaces.

**CONTACT**
Nino Pellegrini, Supervisor, Right of Way Management  
Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: npellegr@toronto.ca

**SIGNATURE**

Andre Filippetti  
Manager, Right of Way Management

**ATTACHMENTS**
Appendix 'A' - sketch  
Appendix 'B' – photo  
Appendix 'C' – sketch showing paving to be removed