

TORONTO STAFF REPORT

November 18, 2005

To: Joint Planning & Transportation and Works Committee

From: Gary H. Welsh, General Manager, Transportation Services

Subject: Parking on Residential Front Yards and Boulevards – Municipal Code Chapter and Policy Considerations
(All Wards)

Purpose:

To recommend Municipal Code Chapter provisions related to parking on boulevards and residential off-street parking in front of the main front wall of a residential building (front yard, boulevard flankage and driveway widening) and address a number of policy issues related to this form of parking.

Financial Implications and Impact Statement:

There are no direct financial impacts to the City arising from the adoption of the recommendations in this report.

Recommendations:

It is recommended that:

- (1) the existing provisions in by-laws/code chapters, or relevant sections thereof, related to residential front yard, residential driveway widening, residential front yard disabled persons and residential boulevard parking of the former municipalities be consolidated and a new uniform Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards, be enacted;
- (2) authority be granted to submit any Bills required to enact the new Chapter of the City of Toronto Municipal Code, namely Chapter 918, Parking on Residential Front Yards and Boulevards, generally in accordance with Appendix C of this report, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor and the General Manager, Transportation Services;

- (3) at such time as the General Manager, Transportation Services, and the City Solicitor deem appropriate, the existing provisions in the Code Chapters and by-laws, or relevant sections thereof, of the former municipalities as set out below, and any other provisions that may be identified by the General Manager or City Solicitor, that relate to and have been superseded or replaced by the new Code Chapter, be rescinded:
- former Municipal Code Chapter 963, Parking Disabled, Boulevard, Residential (York)
 - former Municipal Code Chapter 955, Parking Boulevard, Residential Area (York)
 - former Municipal Code Chapter 183, Public Road Allowances, sections 183-17 to 22 (Etobicoke)
 - former By-law No. 122-93, Being a By-law to Licence and regulate boulevard parking in residential areas (East York)
 - former Municipal Code Chapter 248, Parking Licences (Toronto)
 - former Municipal Code Chapter 400, Traffic and Parking, sections 400-2 (part), 400-9D, 400-9E, and 400-47 to 49 (Toronto)
 - former Municipal Code Chapter 313, Streets and Sidewalks, sections 313-39, 313-40 and 313-42 (Toronto)
 - By-law No. 17307, Being a By-law to Prohibit the parking or driving of vehicles on boulevards (Scarborough)
- (4) the City Solicitor be given the authority to amend any City By-laws or Code Chapters, or sections therein, which may contain reference to any by-law or Code Chapter, or section therein, which is to be superseded by the proposed Chapter 918 to eliminate and, where appropriate, correct such references;
- (5) the City Solicitor, in consultation with the General Manager, Transportation Services, be authorized and directed to make application to the Senior Regional Justice of the Ontario Court of Justice for set fines with respect to the offences created by the above-noted proposed Code Chapter 918, Parking on Residential Front Yards and Boulevards;
- (6) the City Solicitor, in consultation with the General Manager, Transportation Services, and Chief Planner and Executive Director, City Planning, be instructed to examine the Province's bill for a new City of Toronto Act, to determine whether it would grant Council authority to pass by-laws authorizing, pursuant to permits issued, front yard parking within the City beyond the geographic area of the former City of Toronto, and the authority to charge fees in connection with each permit;
- (7) in the event it is deemed the authority as may be established in the new City of Toronto Act is not sufficient to enable Council to enact such by-laws as described in Recommendation No. (6) above, the City Solicitor, in consultation with the General Manager, Transportation Services and Chief Planner and Executive Director, City Planning, be authorized and directed to make application to the Province of Ontario to extend, and make any refinements as they determine necessary to, the special legislation currently applicable only within the geographic area of the former City of Toronto, to

convey approval authorities to City Council respecting the regulation of front yard parking;

- (8) the provisions contained in this proposed Chapter 918 pertaining to boulevards (City property) are applicable to all areas of the City, while the provisions pertaining to front yards (private property) are applicable only to those areas of the City encompassing the geographic area of the former City of Toronto at this time in view of the current legislative constraints, with the following stipulations:
 - (a) the General Manager shall not accept an application for a licence to park on any portion of the boulevard for residential properties located in Wards 1, 2, 3, 4, 5, 7, 8, 9, 10, 16 (portion outside the former City of Toronto), 23, 24, 25 (portion outside the former City of Toronto), 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44;
 - (b) for those portions of the following Wards within the geographic area of the former City of Toronto, the General Manager may accept applications for front yard parking (private property and/or boulevard portions) for residential properties, namely Wards 11, 12, 13, 14, 16, 17, 21 (portion north of St Clair Avenue West), 22, 25, 29 and 31;
 - (c) for those portions of the following Wards within the geographic area of the former City of Toronto, the General Manager shall not accept applications for front yard parking, or appeals, for residential properties, namely Wards 18, 19, 20, 21 (portion south of St. Clair Avenue West), 27, 28 and 30;
 - (d) Ward 32 be included with those areas where front yard parking is permissible, subject to the proposed provisions in Chapter 918, and the temporary moratorium on the acceptance of applications be rescinded;
 - (e) Wards 6, 15 and 26 be included with those areas where parking on the boulevard is not permissible and no applications for the licensing of same be accepted;
- (9) in the event that future ward boundary realignments result in the area of a ward changing by not more than 20 percent, the General Manager, Transportation Services be authorized to amend the front yard and/or boulevard parking provisions set out in Chapter 918 to reflect the criteria applicable in the majority of the ward;
- (10) in connection with the introduction of Chapter 918, current Municipal Code Chapter 441, Fees, be amended as necessary to reflect the harmonized terminology contained in Chapter 918, with the following adjustments:
 - (a) the current appeal fee related to applications for parking on residential front yard or boulevard in areas where it is permitted, be increased from \$200.00 to \$600.00 (2005 rate), in line with current Committee of Adjustment rates, with such fee to be increased annually by the rate of inflation starting in 2006;

- (b) an inspection fee be imposed on applications submitted and approved where the parking pad had already been constructed without prior authorization from the City, in the amount of \$500.00 (2005 rate) with such fee to be adjusted annually by the rate of inflation starting in 2006;
 - (c) where it is not feasible for the owner of a residential property approved for parking in the front yard or boulevard to plant a tree in the front yard or boulevard, a planting service fee in the amount of \$475.00 (2005 rate), with such fee to be increased annually by the rate of inflation starting in 2006, be imposed for the planting of a tree on City property in the general area, preferably on the same street;
- (11) the General Manager, Transportation Services, shall not give notice of revocation or charge an annual licence renewal fee to residential property owners who currently hold and continue to comply with all requirements of a Special Licence issued by the former Borough of East York pursuant to By-law No. 122-93, until such time as the residential property changes ownership, upon which all applicable provisions in Municipal Code Chapter 918, and fees as described in Municipal Code Chapter 441, Fees, will apply to the new owner;
- (12) the General Manager, Transportation Services, in consultation with the General Manager, Toronto Water, report on amendments to Municipal Code Chapter 918 for the purposes of providing greater specificity to the permeable paving material requirements, at such time as conclusions in this regard are available through the ongoing Wet Weather Flow Management Master Plan and Policy; and
- (13) the appropriate City Officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any Bills that may be required.

Background:

Matters related to residential front yard parking policy have been considered by Council on a number of occasions over the past year and have resulted in requests for further reports.

Staff were directed to consolidate, with minor adjustments as necessary, the current municipal by-law/code provisions pertaining to front yard parking for submission to the Works Committee in Fall 2005, arising from consideration of a comprehensive staff policy report of September 23, 2004 ("Policy Review of Residential Front Yard Parking and Driveway Widening", Clause No. 2 of Report No. 9 of Works Committee, adopted as amended by Council at its meeting of October 26, 27 and 28, 2004). During consideration of this Clause, Council also requested that staff include recommendations on harmonizing penalty provisions in the consolidated by-law.

Consideration of the 2005 Operating Budget led to report requests on a number of physical and environmental concerns with front yard parking, including stormwater management, as well as payment of fees being achieved through the tax roll.

Council, at its meeting of May 17, 18 and 19, 2005, in considering the staff report (April 13, 2005) "On-Street Permit and Off-Street Residential Parking Fees", enacted fees related to these forms of parking (Clause No. 3 of Report No. 5 of the Works Committee).

Specific concerns related to front yard parking and driveway paving criteria, stormwater management, enforcement, as well as zoning by-law provisions for the paving of rear yards, were raised in the context of a further staff report (May 17, 2005) submitted to all Community Councils, and before City Council at its meeting of June 14, 15 and 16, 2005.

A complete list of outstanding related report requests is contained as Appendix A to this report.

Comments:

This report is the culmination of an extensive review of residential front yard and boulevard parking provisions throughout the City. It has been carried out in close co-ordination with the City Planning Division's Zoning By-law Project review of front yard parking provisions on the private property. The content of this report is divided into the following sections:

- 1.0 Context of Residential Front Yard Parking.
- 2.0 Legislative Framework.
- 3.0 Formulation of Proposed Chapter 918, Parking on Residential Front Yards and Boulevards.
- 4.0 Mission Statement – Proposed Chapter 918.
- 5.0 Zoning By-law.
- 6.0 Applicability.
- 7.0 Consolidated Municipal Code Criteria.
 - 7.1 Neighbourhood Polling Requirements.
 - 7.2 On-Street Parking Provisions.
 - 7.3 Wet Weather Flow Management Plan.
- 8.0 Prohibition of Parking on Residential Boulevards in Wards 15 and 26.
- 9.0 East York Special Licences.
- 10.0 Invoicing of Front Yard and Boulevard Parking Licence Holders.
- 11.0 Enforcement and Penalties Regarding Illegal Residential Boulevard Parking.
- 12.0 Fees.
- 13.0 Mechanism to Inform Purchasers of Legal Status of Parking Pads.

1.0 Context of Residential Front Yard Parking

Residential front yard parking, in its various forms, essentially entails having the designated parking space for a residential property located in front of the main front wall of the building, either entirely on the private property, entirely within the City-owned public boulevard or a

combination thereof. This mode of parking is currently regulated pursuant to previous by-laws enacted by the former municipalities prior to amalgamation.

While the exact wording varies, each of the former municipalities generally restricted or prohibited front yard parking through their respective Zoning By-laws. The Zoning By-laws are only applicable to the private property portion. All municipalities also restricted the use of the City-owned public boulevard for vehicle parking purposes. However, four former municipalities, namely Etobicoke, East York, Toronto and York did have specific Municipal Code or other by-law provisions that established criteria for licensing front yard parking spaces within the municipal property. The chart attached as Appendix B to this report provides a comparative summary of these existing by-law/code provisions.

Front yard parking has traditionally been considered as a means of last resort. However, it has become more common in the more densely built areas of the City as parking demand has increasingly exceeded the ability to accommodate on-site residential parking supply. Many concerns have been expressed over the years around negative impacts and environmental implications of front yard parking, including detrimental impact on neighbourhood streetscapes, proliferation of curb ramps, elimination of on-street parking, interference with pedestrian activity, elimination of landscaped open space, stress on trees and stormwater run-off. At the same time, front yard parking is not a feature that is in demand, or even necessary in much of the City, as residential areas initially developing since the 1950's are less compact in form, exhibit larger setbacks from the street and are designed with on-site parking accommodation in mind. There are, however, emerging pressures in some of these communities as recent development patterns are denser and additional units are built in many residences.

There are about 15,700 licensed front yard parking, driveway widening and residential boulevard parking pads, but an estimated 356,000 residential driveways providing access to garages or other on-site parking, in all four Community Council areas.

2.0 Legislative Framework

Front yard parking is rooted in Zoning By-law regulation. As such, the avenue for processing applications is generally the planning process, and accordingly, the appeal body for variances or exemptions is the Committee of Adjustment (where decisions can in turn be appealed to the Ontario Municipal Board, "OMB"). There are, however, a couple of significant provisos.

First, municipal approval would be necessary if the front yard parking space is wholly or partially within the City boulevard. The Committee of Adjustment/OMB do not have authority to authorize this use of City property. It could conceivably be permitted by Council by way of an encroachment agreement.

The second, and more significant factor, is that the former City of Toronto requested, at the suggestion of the Board itself, and was granted, special Provincial legislation in 1980 that, in effect, exempted the regulation of this particular aspect of land use from provisions of the Planning Act and conveyed certain approval authorities to City Council. Specifically, the former City was enabled to enact front yard parking regulations by by-law in relation to the portion of

private property located between the front wall of a residential building on such private property and the abutting public highway and establish the process where appeals for variance to the provisions would be decided by Council and not the Committee of Adjustment/OMB. In 1981 further special legislation was obtained allowing the former Toronto to also authorize front yard parking for physically handicapped persons. It is important to understand that the special legislative authority encompasses the private property portion of the front yard. This is the basis for the reports that a number of Community Councils now deal with in this regard.

This special legislation, however, is only applicable in the geographic area of the former City of Toronto. As such a critical and inescapable fact underlying this current review of front yard parking is that until this special legislation is extended or otherwise harmonized across the City, there will continue to be inconsistencies in the processing of applications for front yard parking and appeals. To be clear, residents in the former municipalities of East York, York, Etobicoke, North York and Scarborough will still be entitled to make application through the planning process to the Committee of Adjustment for variances to the Zoning By-law related to the parking of a motor vehicle in the front yard (the private property portion). At such time as the special legislation is extended, front yard parking regulation, including application and appeal processes, could come under the proposed Chapter 918, Parking on Residential Front Yards and Boulevards.

3.0 Formulation of Proposed Chapter 918, Parking on Residential Front Yards and Boulevards

As Committee and Council know, the original intent of this front yard parking by-law exercise was to consolidate with minor adjustments, the number of existing municipal code and by-law provisions applicable to residential off-street parking (front yard and boulevard) into one by-law. For a variety of reasons, harmonizing the regulations was not expected to be a primary focus at this time.

However, several factors have transpired to lead this review toward the development of more consistent criteria to be applied to front yard and boulevard parking. Through subsequent deliberation on front yard parking issues at Committee, Community Councils and City Council meetings, it became apparent that there was a strong desire for more consistency in the regulations. Second, staff found in compiling the various by-laws that there were many differences, but also significant overlap that could be cleared up to provide a much more legible regulation. Finally, the Zoning By-law project team of City Planning Division has made substantial progress in harmonizing the underlying zoning provisions, providing a solid platform for related residential front yard and boulevard parking provisions encompassed in this proposed Chapter 918.

4.0 Mission Statement – Proposed Chapter 918

The issues around front yard parking are highly complex, as evidenced by the level and range of discussion generated at Committees, Community Councils and City Council. Underlying legal authorities are not consistent and the form of development throughout the City varies widely. As such, staff are of the view that it is most helpful to state the principles and objectives for

regulating boulevard and front yard parking in Toronto. The following points comprise what can be viewed as a “mission statement” for the proposed new Chapter 918, Parking on Residential Front Yards and Boulevards; in simple terms what the Chapter is intended to accomplish, within the significant legal constraints currently in effect.

1. This Chapter distinguishes the two aspects of “residential front yard parking” (or parking in front of the front wall of a residential building), namely:
 - the private property portion (front yard);
 - the adjoining public boulevard.
2. The provisions in this Chapter dealing with the boulevard portion are applicable City-wide, while those provisions related to the “front yard” (private property) can only be made applicable to the former City of Toronto at this time, due to constraints currently imposed by way of enabling provincial legislation.
3. By virtue of the legislative constraints, the process for dealing with front yard parking in all areas of the City cannot be harmonized at this time:
 - applications and appeals (where appropriate) for licensing the use of boulevards for residential parking purposes will be within the purview of Council, in all Wards;
 - applications and appeals (where appropriate) for the use of the front yard (private property) for residential parking purposes will be within the purview of Council in those Wards or portion of Wards within the former City of Toronto geographic area only;
 - applications and appeals for the use of the front yard (private property) for residential parking purposes will be dealt with under the provisions of the Planning Act in those Wards or portions of Wards within the former Cities of Etobicoke, North York, Scarborough and York, and Borough of East York. Accordingly, applications and appeals will be dealt with by the Committee of Adjustment and OMB.
4. To provide the tools necessary to eliminate the process inconsistencies, it is recommended that the underlying special provincial legislation related to front yard parking that is now applicable only in the geographic area of the City comprising the former City of Toronto be extended, and refined as necessary, to apply City-wide. This would enable Council, should it see fit, to adjudicate front yard parking issues, and take this aspect of land use planning out of the realm of the Committee of Adjustment/OMB. It is noted that this by-law is structured in a manner that will give Council the option of “opting-in” some or all Wards under this process upon the extension of the special legislation, but not making this approach mandatory across all areas of the City. (This is not a decision that must be made at this time).

5. In order to mitigate the process issue, this Chapter works in concert with the proposed new Zoning By-law criteria, mirroring the various dimensional and other physical criteria.
6. This Chapter generally does not extend permissions for front yard or boulevard parking to areas in which this form of residential parking is currently not permitted. In areas where boulevard parking is currently not permitted, this Chapter continues that restriction. In Wards within the former City of Toronto where no applications/appeals for front yard parking are currently accepted, this Chapter continues that restriction.
7. This Chapter, and proposed amendments to Provincial legislation, establishes comprehensive regulations, including prohibitions and restrictions, related to parking of motor vehicles on City boulevards and front yards, where applicable.
8. The underlying premise of this Chapter is that front yard parking and/or boulevard parking, in those areas of the City where permitted under this Chapter, is a means of last resort, and should not be allowed if a proper parking space is/can be provided on the property. In any event, this Chapter limits front yard parking to only one vehicle per property.
9. This Chapter has been substantially consolidated and simplified by collapsing the definitions of front yard parking, driveway widening and residential boulevard parking that appeared in various Chapters of the former City of Toronto Municipal Code. The basic distinction between the first two forms of front yard parking was that the former required construction of a new driveway ramp to the street, while the latter involved an existing driveway. Residential boulevard parking relates to corner properties with parking on the flank street.
10. This Chapter establishes harmonized criteria for front yard parking to be applied in all areas of the City that this form of residential parking is permitted. These criteria are consistent with the proposed new Zoning By-law provisions and encompass environmental aspects (permeable paving, grading, downspout disconnection, tree planting, landscaped and soft open space), safety (setbacks, clearances), dimensional requirements and neighbourhood considerations (driveway ramp, parking pad size, impact on on-street permit parking, polling).
11. The criteria contained in this Chapter for approving front yard parking applications result in a generally more stringent regime than established in current by-laws/code chapters, particularly in terms of landscaped open space, stormwater management, maximum driveway width and impact on on-street parking.
12. This Chapter does not explicitly prohibit the parking, or require the licensing of vehicles, in existing private driveways, that by definition lead to a designated parking space on the private property behind the front wall of the residential building (subject to setback criteria and proposed Zoning By-law provisions), except that parking in a boulevard, including the driveway, between the roadway and sidewalk is prohibited.

13. This Chapter would require, in all areas of the City where this form of parking is permissible, that a front yard pad would not be allowed if on-street permit parking is in effect on the same side of the street block where the front yard parking is requested. Further a front yard pad would not be approved if on-street permit parking on the street block is less than 90 percent subscribed, regardless of which side the property is on.
14. This Chapter establishes neighbourhood polling requirements in specified circumstances for approval of front yard parking (including boulevard) pads. Specifically, where a licensed front yard parking pad currently exists on a block it shall be deemed that the neighbourhood supports this type of parking, and additional polling will not be conducted.
15. This Chapter introduces infractions and penalty provisions that deal with the illegal use of a boulevard and/or front yard for parking and the existence of an illegal front yard parking pad. In previous by-laws, only the former (use) was generally addressed. This Chapter also introduces additional fees for applications to legalize a front yard parking pad constructed without prior authorization.

The following sections of this report elaborate on these matters and detail the provisions of the proposed Chapter 918, Parking on Residential Front Yards and Boulevards.

5.0 Zoning By-law

It is important to understand that the proposed new Chapter 918, Parking on Residential Front Yards and Boulevards works hand-in-hand with the proposed new Zoning By-law provisions related to vehicle parking in front of the main front wall of a residential building. In essence, the Zoning By-law establishes the framework and essentially prohibits this form of parking on the private property, except within the confines of a legal driveway (the Zoning By-law does not deal with the public boulevard adjoining the private property). The Zoning By-law also establishes requirements for paved areas (driveways, walkways, etc.), and landscaped open space (soft surface) in the front yard of the property. The related provisions in this Chapter reflect those proposed in the Zoning work.

The proposed Chapter 918, Parking on Residential Front Yards and Boulevards forms a bridge to create exemptions to the general front yard parking prohibition as found in the Zoning By-law (s) in those areas of the City where physical development patterns or other considerations make it appropriate to do so. The first question, therefore, in developing the new Chapter is, in what areas of the City it would be applicable.

6.0 Applicability

In composing the new Chapter 918, Parking on Residential Front Yards and Boulevards and associated criteria, staff have been very cognisant of the implicit direction of not significantly extending or expanding front yard parking permissions. For example, the Scarborough Community Council, “reconfirm(ed) the existing policies and zoning by-laws as it pertains to

parking in residential zones; and further wish to state its objection to any permissive initiatives to introduce any changes within the East District”. As such the intent of this Code Chapter is to reflect the prohibitions and restrictions on front yard and boulevard parking currently in effect throughout the City.

As discussed above, the proposed Chapter 918 distinguishes between the private property and boulevard portions of front yard parking. The boulevard provisions are applicable City-wide. The private property provisions are applicable only to the geographic area within the former City of Toronto.

It has been pointed out previously that front yard and/or boulevard parking is not a feature that is in demand or necessary in much of the City. In seven Wards located in the former City of Toronto area, front yard parking is not permitted nor are appeals considered under the current by-laws/code chapters. This is due to the congested urban form characterised by little or no building setback, narrow lots, lack of boulevard space, streetscape concerns and high pedestrian activity. Parking on the boulevard is also prohibited now in the vast majority of Scarborough, North York and Etobicoke, but for essentially opposite reasons (although Committee of Adjustment appeals are possible for establishing front yard parking pads on the private properties everywhere except the former City of Toronto). These areas generally have large setbacks and ample opportunity to provide on-site parking behind the main front wall of the building so demand for this form of parking is much less.

As a starting point, staff are recommending that those Wards where front yard and/or boulevard parking is currently not permitted under the existing by-law/code chapters, continue in this manner.

Wards that straddle former municipal boundaries where front yard parking was permitted in one municipality and not another pose a unique challenge. Unfortunately, at the present time, we do not have the legislative framework available to harmonize the process. However, significant steps have been taken in the proposed Zoning By-law and proposed Chapter 918 to at least harmonize the criteria for front yard parking, as discussed in more detail in the following sections. Accordingly, we are recommending that the new front yard parking Chapter 918 provisions be applied to those parts of Wards 11, 12, 13, 16, 17 and 25 comprising former City of Toronto.

Once the special provincial legislation is extended, the remaining portions of these Wards, or for that matter any others, could be brought under the umbrella of regulation set out in this Chapter pertaining to the private property portion. It is emphasized, however, that nothing will compel any of the areas outside the geographic bounds of the former City of Toronto to be included under the front yard (i.e. private property) provisions of this Chapter even if the legislation is extended to be applicable City-wide. In effect, by remaining “outside” of a by-law enacted pursuant to such legislation, the given Ward could still continue under The Planning Act process for appeals related to front yard parking..

7.0 Consolidated Municipal Code Criteria

Appendix C attached to this report sets out the proposed Municipal Code Chapter 918. The following summarize recommended harmonized criteria for approval of front yard parking applications within the public right of way:

Program Elements	Proposed Harmonized Criteria
Eligible residential property	Duplex Detached house Semi-detached house Semi-detached duplex Semi-detached triplex Converted house Rowplex Row house Triplex
Maximum Mutual Driveway Width	2.2 m measured at the narrowest point of the driveway. (It is noted that by definition a private or mutual driveway leads to a parking space behind the main front wall. Accordingly, if the space is physically accessible by a driveway, the property would not satisfy the boulevard/front yard parking criteria).
Maximum Driveway Length	2.0 m measured from back of sidewalk
Front Yard Landscape Requirements	(Consistent with proposed Zoning By-law) Minimum 50% landscaped open space of the front yard and boulevard (landscaped open space is an area that supports the growth of vegetation, may include a walkway, patio or similar hard surfaced area, but does not include a driveway or parking space); and Minimum of 75% of the landscaped open space within the front yard and boulevard, excluding driveway and parking space, to be soft landscaping (soft landscaping is an area that supports the growth of vegetation such as grass, trees, shrubs, flowers or other plants and permits water infiltration into the ground).
Number of Permitted Front Yard Parking Pads	Only one parking space permitted.
Tree Planting Requirement	Tree to be planted in front yard, or applicant to provide payment in lieu. Cost of \$475.00
Paving Requirements	Permeable paving treatments must be used such as ecostone, turf stone or approved equivalent.
Front Yard Parking Pad Dimensions	Maximum of 2.7 m in width and 5.9 m in length. Minimum of 2.2 m in width and 5.3 m in length.
Set back requirements	From Fire Hydrant : 2 m From Building Wall : 0.3 m From back of sidewalk : 0.3 m Parking Perpendicular : 0.3 m Parking at an Angle : 2 m
Downspout disconnection	Downspout must be disconnected where physically feasible at

	the expense of the applicant
Vehicle Restrictions	Passenger motor vehicles and motorcycles only
Pad Clearance from Adjacent Trees	As per Parks, Forestry and Recreation Services requirements.
Eligible Applicant	Property owner, agent or occupant

7.1 Neighbourhood Polling Requirements

Under this Chapter 918, neighbourhood polling will not be required if a licensed front yard parking pad currently exists on the street block, as the initial licensing of the front yard parking pad would have required previous neighbourhood support of the application. Currently only the former City of Toronto conducts polls for front yard parking applications. The polling provisions would be extended to other areas of the City.

If however, front yard parking does not exist on the street block, a petition must be submitted by the applicant signed by residents of at least 25% of the total number of residential properties having a municipal address on the street block in support of the application before an official poll is initiated.

To ensure neighbourhood input on streetscape changes related to residential front yard parking, the following polling criteria is being proposed until such time as a harmonized polling code chapter is introduced:

Voting Eligibility - persons eighteen (18) years of age or over as enumerated on the current assessment roll, as revised, within the polling limits.

Polling Area - the polling limit shall consist of residential properties located on both sides of the street from the ends of the side lot lines to the nearest intersection

Polling Period - the polling period shall commence from the mailing date of the ballots for thirty (30) consecutive days, unless the closing date of the poll falls on a weekend, statutory holiday or City designated holidays, then the last day for casting ballots shall be the first business day thereafter.

Approval - a minimum polling response rate of 25% of eligible voters is required. A response rate less than 25% shall be deemed a negative poll. Where the minimum response rate has been satisfied and the poll results in a majority (50% plus 1 ballot) of those persons casting ballots being in favour of the application, the application shall be approved.

Where a poll has been conducted for the street block and the results of the poll are favourable, the secrecy of the ballots shall be kept confidential and the results of the poll will be used in connection with each subsequent application for front yard parking on that street block. Where the results of the poll are negative, repolling for the same purpose may not take place until two (2) years have passed from the closing date of the previous poll.

7.2 On-Street Parking Provisions

In the September 23, 2004 staff report it was indicated that differing criteria are applicable on a ward by-ward basis, establishing the relationship between front yard and boulevard parking approvals and on-street permit parking. The obvious concern is that the installation of the associated driveway ramp could eliminate one or more street parking spaces available generally for other residents. This is particularly problematic in areas of the City where on-street permit parking is in high demand. The following is a synopsis of the current provisions under the former Toronto Code Chapters in the relevant Wards:

Wards 11 (part), 14 (part), 16 (part), 17 (part), 21 (part), 22, 25 (part) - front yard parking is permitted on a street authorized for on street permit parking (same side or opposite side), provided there are a sufficient number of on-street permit parking spaces available;

Wards 18, 19, 20, 21 (part), 27, 28 and 30 - front yard parking not permitted, no appeals;

Ward 32 - currently under a moratorium, no appeals. Underlying permission is that front yard parking is permitted on a street authorized for on street permit parking , subject to the on-street permit parking being on the opposite side of the street where the front yard parking pad is being proposed;

Wards 13, 14 (part) - front yard parking is permitted on a street authorized for on street permit parking, subject to the on-street permit parking being on the opposite side of the street where the front yard parking pad is being proposed;.

Ward 29 - on street permit parking is not considered in front yard parking applications; and

None of the former York, Etobicoke or East York boulevard parking regulations contain criteria related to preserving on-street permit parking.

The above summary highlights a wide range of possibilities in terms of the relationship between front yard parking approvals and the presence of on-street permit parking. These extend from not allowing front yard parking regardless of permit parking conditions at one end of the spectrum, to not taking account of permit parking in the front yard parking approvals at the other extreme, and a number of options in between.

Through this review, we have considered these approaches, and particularly one whereby front yard parking would not be considered in any event if permit parking was available on a street, regardless of side, or even could be implemented if it wasn't already. However, the proposed Chapter 918 currently contains the provision that where residential on-street permit parking is permitted on the same side of the street block where a front yard parking pad is requested, front yard parking would not be allowed. In addition if on-street permit parking is in effect on a street block, and is less than 90 percent subscribed, front yard parking would not be allowed, regardless of the side of the street the property is located.

7.3 Wet Weather Flow Management Plan

Appendix D of this report was produced by Toronto Water and summarizes the review on the impacts of front yard parking on wet weather flow management issues. Staff of the Infrastructure Management Asset Planning and Management - Stormwater Management group of Toronto Water have applied their wet weather flow hydrological model to assess and quantify the related issues. In particular, Toronto Water has reviewed run off quantities related to front yard parking and driveway paving, run off toxicity considerations, impacts of downspout disconnection and porous paving material.

The Wet Weather Flow Management Master Plan and Policy (WWFMMP) has an objective of reducing the total volume of annual runoff from impervious surfaces, including driveways and parking pads, while also reducing the concentration of pollutants in stormwater runoff, prior to its discharge to receiving waters. Paved parking pads increase the volume of runoff. Consideration of the impacts of front yard parking indicate that while cumulatively across the City the impacts are minute due to the number of licensed pads (15,700) relative the total number of driveways (356,000) where vehicles are parked, the impacts are measurable on a per lot basis. The impacts are prominent, from an engineering and financial viewpoint, in older areas of the City where more expensive space confined facilities will be needed to improve stormwater quality through building underground treatment facilities. Of course, these are the same areas where front yard parking faces particularly acute demands. Of the lot-level techniques available to reduce the volume of runoff, three are quite effective: downspout disconnection, porous materials for the parking pad and vegetated landscaping.

A number of elements are included in the proposed Chapter 918 to address storm runoff and environmental concerns. First, it is recommended that parking pads be constructed using materials that are permeable to reduce water runoff. We have reviewed two concepts in this regard, namely the establishment of material specifications or the implementation of performance standards. Although Appendix D provides some technical assessment, we are advised by Toronto Water staff that further research is required before greater specificity can be introduced in this Chapter. It is recommended that at such time as the WWFMMP work is advanced, a report be submitted to Works Committee recommending appropriate revisions to Chapter 918. In the interim, staff will continue to require treatments such as ecostone for front yard pads.

Secondly, in order to limit the amount of hard surface in the front yard, an increase in the landscaped open space and soft landscaping is also being proposed. In addition, the planting of a tree, or where not feasible, funding in lieu for the planting of a tree is being proposed. Finally, the disconnection of downspouts where feasible, at the owners expense, to limit the influx of storm water to the City's sewer system is proposed to be a mandatory requirement under the new Chapter.

8.0 Prohibition of Parking on Residential Boulevards in Wards 6, 15 and 26

City Council at its meeting of June 14, 15 and 16, 2005 adopted as amended Clause No. 25 of Report No. 5 of Toronto and East York Community Council and among other things requested a report to the Works Committee on adopting a policy prohibiting Front Yard Parking in Ward 26.

In addition, Councillors Mark Grimes and Howard Moscoe have indicated interest in front yard parking being prohibited in Wards 6 and 15 respectively.

The implementation of this Chapter 918, as submitted by staff, would prohibit residents from applying to licence a new front yard parking pad either entirely or partially within the boulevard within Wards 6, 15 and 26. As with all areas where applications are not currently or no longer considered, properties currently licensed for front yard parking on the boulevard would be grandparented as long as the property and the parking space continue to comply with the regulation in effect at the time of the permit issuance or approval of the licence and the prevailing annual fee is paid.

Applications received prior to the enactment of the code provisions or moratorium, respectively, for front yard parking in these Wards will be processed according to the current provisions of the former Etobicoke Municipal Code Chapter 183, York Municipal Code Chapter 955 and East York By-law No. 122-93 respectively.

While the prohibition of front yard parking would apply only within the boulevard pursuant to Chapter 918, property owners would still be able to apply to the Committee of Adjustment/OMB for a variance for parking within the confines of the private property in front of the main front wall of the building, until such time as the special legislation is extended across the City. At that point, City Council could consider amending Chapter 918 to encompass front yard parking on private property in the geographic areas outside of former Toronto and establish the process for appeals for variance to be decided by Council and not Committee of Adjustment/OMB.

9.0 East York Special Licences

In the former Borough of East York, residential property owners may submit an application to maintain and use a front yard parking pad which has been in existence prior to April 17, 1950 in the former Township of East York and prior to March 1, 1965 in the former Town of Leaside, subject to the property owners entering into an agreement with the Borough, known as a Special Licence. The Special Licence is registered on property title until year 1990 and, among other things, exempts the residential property owners from paying an annual renewal fee for the front yard parking pad.

There are approximately 920 Special Licences issued, of which 800 have been registered on property title. With the passing of By-law No. 122-93, Special Licences were no longer registered on title, but among other things, still exempt the property owners from paying the applicable annual renewal fee.

Section 17 of the Terms of the Special Licence issued by the former East York pursuant to By-law No. 122-93, provides that, "The Special Licence is at the pleasure of the Council for the Borough and may be revoked forthwith by the Borough upon delivering a written notice of the same to the Owner in accordance with By-law No. 122-93.". Should the Special Licence be cancelled or revoked a written notice from the General Manager to the owner(s) would be required.

It is recommended that properties currently exempted from the payment of the annual renewal fee by virtue of a valid Special Licence should ultimately be subject to the same requirements under Chapter 918 as those residents elsewhere in the City. However, recognizing that many holders of these Special Licences have enjoyed these privileges for many years, it is proposed that the elimination of the Special Licence and replacement with a licence issued pursuant to Chapter 918, be phased in and notice be given at such time as the current owner sells the property.

10.0 Invoicing of Front Yard and Boulevard Parking Licence Holders

This matter was dealt with in detail in the staff report (October 26, 2004) to City Council.

Approximately 15,700 residential boulevard parking licenses have been issued to residents for parking their vehicles totally or partially within the City's boulevard in the former communities of Etobicoke, East York, York and Toronto (front yard parking totally within private property also requires approval from the City in the former Toronto, but an annual fee is not applicable).

These licences are renewed annually. The permit holder receives a bill in the mail through an automated billing system and can pay the annual renewal fee by mail, at most financial institutions, ATM machines, on-line or in person at one of the City's service counters. It is important to differentiate that these amounts are a fee and not a tax.

The annual revenue generated from these licences is approximately \$1,380,000.00. A current report of outstanding arrears indicates that a total of 386 accounts are currently in arrears in the amount of \$54,000.00. Over 96% of the total locations licensed have paid their fees.

From a customer perspective, with the automated system several payment options are available that add a great level of convenience. First, the overall billing is more concise and accurate. The licence holder is invoiced and has a number of options, including the most recent innovation of paying on-line through the City's e-Service. The current automated system enables staff to maintain up to date detailed information of each licence's activity and generate specific reports based on administrative requirements which is crucial for effective enforcement activity. The current tax roll program currently does not have this capability. To maintain a dual system (i.e., tax roll and Street Allowance Rental) would be more costly, less efficient and result in a more complex inventory control for both the City and the applicant. Major program enhancements to the tax roll system would be required to provide the same reports as the automated system currently used by Transportation Services. These enhancements would be cost prohibitive and would add no value to the program currently operated by Transportation Services.

For the above reasons City Council at its meeting of October 26, 27 and 28, 2004, in adopting as amended Clause No. 2 of Report No. 9 of the Works Committee, entitled "Policy Review of Residential Front Yard Parking and Driveway Widening", among other things, instructed "staff not to engage in any process or systems development at this time that would be required to add any unpaid front yard parking charges to the tax bill".

11.0 Enforcement and Penalties Regarding Illegal Residential Boulevard Parking

Currently, enforcement against illegal front yard parking is applied by monitoring the use of illegal front yard parking pads, as opposed to direct enforcement against the physical presence of the pad. Staff of the Parking Enforcement Unit of Toronto Police Services and staff of Transportation Services have issued 18,860 tickets (2004) and 14,098 up to October 31, 2005, pursuant to Part II of the Provincial Offences Act in respect to the alleged offence of illegally parking on boulevards. These alleged offences cover a range of infractions including parking on the boulevard without a licence, parking additional vehicles (i.e., property licensed for one vehicle and two or more vehicles are parked), location is licensed however property is in arrears, the licence was issued for the vehicle to park perpendicular to the roadway and the vehicle is parking at an angle, etc. These boulevard infractions include both residential and commercial properties. Set fines are \$30.00 per infraction.

However, even with continuous enforcement, Transportation Services staff find that there are locations where vehicle owners repeatedly continue to park illegally on the boulevard. In these circumstances, staff of Transportation Services arrange to block off the access to the parking area by placing concrete curbstones, back of the sidewalk. These curbstones are only removed when the owner applies for and receives a licence from Transportation Services Division pays the arrears, or installs some kind of a barrier; i.e. planters to preclude unauthorized parking. Each year the Division installs curbstones at about 200 locations.

Any person who contravenes any provisions of the Municipal Code or by-law is guilty of an offence and, under the Provincial Offences Act, on conviction, is liable to a penalty not exceeding five thousand dollars (\$5,000.00) for each offence, unless a different penalty is provided under another statute.

When front yard parking violates an applicable Zoning By-law, the maximum penalty for such a violation is \$25,000.00 for individuals and \$50,000.00 for corporations, with potentially higher fines for subsequent convictions. These violations are issued generally by Municipal Licensing and Standards staff, through a Part III summons to the homeowner. The homeowner is summoned to appear in court on the alleged offence of constructing or using a front yard parking pad without permission. The homeowner or agent will have to appear on the first appearance court date and plead his or her case. If the homeowner or agent pleads guilty, a fine is set by the Justice of the Peace. Such a fine would generally be far less than the maximum. However, if the homeowner or agent does not plead guilty, a trial date is set and the person will have to appear in court. The staff person who issued the Part III summons must be present on the trial date to give evidence. Given the limited staff resources and the cumbersome process involved, these Part III summonses are rarely issued.

Provisions in Chapter 918 are included to enable the City to enter into the boulevard or front yard to undertake remedial work in order to bring a site into compliance in the event an illegal parking pad has been provided. These provisions would only be applied in extreme circumstances and only upon providing the owner with a thirty (30) day written notice. If the homeowner does not comply, the General Manager may arrange for barricades or restore the boulevard and/or front yard to its original condition at the owner's expense and the City may recover its costs in a like manner as municipal taxes.

A review of Code or by-law provisions revealed that former Etobicoke, East York and Toronto front yard parking by-laws include a general penalty provision. However, only the former East York makes it an offence to construct, maintain or use a front yard parking pad except in accordance with the provisions of the by-law and only upon a licence being granted.

The proposed Chapter 918 includes a general penalty provision for parking within the public right of way without a licence, and constructing or permitting to construct within the boulevard a parking pad without authority. The proposed offence fine of \$500.00 is recommended for constructing a parking pad within the boulevard without authority, subject to approval by the Senior Regional Justice of the Ontario Court of Justice. Infractions for parking on the boulevard without authority pursuant to Part II of the Provincial Offences Act will continue to be \$30.00 (set fine) per infraction.

12.0 Fees

Council, at its meeting of May 17, 18 and 19, 2005, in considering the staff report (April 13, 2005) "On-Street Permit and Off-Street Residential Parking Fees", enacted fees related to these forms of parking (Clause No. 3 of Report No. 5 of the Works Committee). Only a few specific adjustments are suggested in the context of this current review.

For those areas of the City where parking on residential front yards and boulevards is currently permitted, applicants that do not meet the requirements of the Code/By-law may appeal to Community Council. Currently a fee of \$200.00 applies to all appeals. It is recommended that this appeal fee be increased to \$600.00 in line with current Committee of Adjustment rates and adjusted annually by the rate of inflation starting in 2006.

It is also recommended that should an application be approved for a parking pad that had been constructed without prior authorization by the City an inspection fee upon approval be imposed in the amount of \$500.00 and adjusted annually by the rate of inflation starting in 2006.

Currently owners approved for a parking pad within the former City of Toronto are required to plant a tree in the front yard or boulevard of the residential property if feasible and if not feasible to pay a tree planting service fee of \$475.00 for the planting of a tree in the general area, preferably on the same street. It is recommended that the proposed Chapter 918 also include the tree planting service fee of \$475.00, adjusted annually by rate of inflation, subject to the same criteria.

13.0 Mechanism to Inform Purchasers of the Legal Status of Parking Pads

It is a standard practice among solicitors acting for purchasers and mortgagees of property to write to the City's Building Division prior to completing a purchase or mortgage transaction to request information about the property being purchased or mortgaged, such as what building and zoning by-laws affect the property, whether there are any outstanding work orders or permits affecting the property. There are also requests from solicitors for information from Transportation Services about front yard parking. However, in order to bring the legal status of any parking pads on residential properties to the attention of purchasers and mortgagees it was agreed with the City's Building Division that the following statement will be included in all Building Compliance Reports issued by the City:

“Please note that parking pads located within the front yard and adjoining boulevard of a residential property (and in the case of a corner lot, within the side yard and adjoining boulevard of the flanking street) are prohibited in certain parts of the City and are only permitted in other parts of the City if certain criteria have been met and a valid permit has been issued by the City to the current owner of the property. Such permits cannot be transferred to a new owner. Each new owner of the property must apply to the City for his/her own permit, which, if granted will include the payment of certain fees.

Please contact Transportation Services at the address set out below to determine the legal status and validity of any parking pads that may exist within the front yard and adjoining boulevards of the subject property, if there are currently any unpaid fees and charges, and, if applicable, to apply for a permit to maintain and use such parking pads.”

Conclusions:

This report is the culmination of an extensive review of residential front yard and boulevard parking provisions, carried out in close co-ordination with a parallel review by City Planning staff of related Zoning By-law provisions. Front yard parking provisions currently in effect in various areas of the City are characterized by a complex array of often inconsistent zoning and other by-law provisions, enabling provincial legislations and criteria customized on a Ward basis, even in the same by-law. New Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards, is proposed to consolidate a range of existing regulations and in many instances, harmonize key criteria.

As a result of underlying enabling legislation inconsistencies, mainly in the form of special permissions applicable only to the geographic area comprising the former City of Toronto, this new Code Chapter is unable at this time to completely harmonize the process by which applications may be dealt with. Accordingly, a key element of this review is the recommendation that the enabling legislation be extended City-wide to convey to Council the option of adjudicating front yard parking issues.

Under the proposed Chapter 918, a clear distinction is made between the two aspects of parking in front of the main front wall of a residential building: the front yard (private property) and the adjoining public boulevard. The provisions in this Chapter related to the former are applicable

only to the area of the former City of Toronto (until the legislation is extended) while those provisions related to the boulevard will apply City-wide.

The proposed Chapter 918 provisions do not extend permissions for front yard or boulevard parking to the many areas of the City where this form of residential parking is currently prohibited. In those areas it is now permitted by licence, provisions in this Chapter continue to balance parking demand and the negative environmental and neighbourhood impacts inherent with the installation of parking pads, and thus view front yard parking as a means of last resort.

Proposed Chapter 918 establishes harmonized criteria for front yard parking that are consistent with the proposed new Zoning By-law requirements and encompass environmental aspects (permeable paving, grading, downspout disconnection, tree planting, landscaped and soft open space), safety (setbacks, clearances), dimensional requirements and neighbourhood considerations (driveway ramp, parking pad size, impact on on-street parking, polling). The criteria are generally more stringent than those established in current by-laws/code chapters. Infractions and penalty provisions are introduced to deal with illegal use and existence of an illegal front yard parking pad.

In terms of residential parking within the City boulevard, this Chapter does not explicitly prohibit the parking, or require the licensing of vehicles, in existing private driveways (that by definition lead to a designated parking space on the private property behind the front wall), except that parking in the boulevard between the road and sidewalk is prohibited. This report also addresses a form of “Special Licences” available under specified conditions pursuant to former Borough of East York regulation.

Staff of City Planning, Legal Services and Toronto Water have provided extensive input to the preparation of this report and attached draft by-law.

Contact:

Andrew Koropeski, P.Eng.
Director
Toronto and East York District
Transportation Services
Phone: 416-392-7714
Fax: 416-392-1920
Email: akoropes@toronto.ca

Kyp Perikleous
Supervisor
Right of Way Management
Transportation Services
Phone: 416-392-7564
Fax: 416-392-1058
Email: kperikle@toronto.ca

Angie Antoniou
Manager
Right of Way Management
Transportation Services
Phone: 416-392-1525
Fax: 416-392-7465
Email: aantonio@toronto.ca

Gary H. Welsh, P.Eng.
General Manager, Transportation Services

AK/AA/KP/gp

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List of Attachments:

Appendix A: Outstanding Report Requests - Residential Off-Street Parking Issues

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Appendix B: Existing Residential Boulevard Parking Regulations

(p:\2005\wes\tra\south\top\wc05174south.top-AppendixB)

Appendix C: Draft Parking on Residential Front Yards and Boulevards By-law

(p:\2005\wes\tra\south\top\wc05174south.top-AppendixC)

Appendix D: Impacts of Front Yard Parking on Wet Weather Flow Management Issues

(p:\2005\wes\tra\south\top\wc05174south.top-AppendixD)

Appendix A
Outstanding Report Requests -Residential Off-Street Parking Issues

SOURCE	REQUEST/RECOMMENDATIONS
<p>Clause No. 33 of Report No. 2 of Toronto and East York Community Council, adopted as amended by City Council at its meeting of March 1, 2 and 3, 2004 – “Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening at 524 Milverton Boulevard (Beaches-East York, Ward 31)”</p>	<p>Request the Commissioner of Works and Emergency Services, in any future reports on front yard parking applications, to include comments on the disconnection of downspouts and impacts on sewer and wastewater management.</p>
<p>Clause No. 2 of Report No. 9 of Works Committee, adopted as amended by City Council at its meeting of October 26, 27 and 28, 2004 – “Policy Review of Residential Front Yard Parking and Driveway Widening”</p>	<p><u>Council:</u></p> <ol style="list-style-type: none"> (1) staff not engage in any process or systems development at this time that would be required to add any unpaid front yard parking charges to the tax bill; (2) the Acting Commissioner of Works and Emergency Services include, in his future report on consolidated front yard parking by-law provisions, recommendations on harmonizing penalty provisions and restrictions on legalizing parking pads that have been constructed without a City permit; (3) the Acting Commissioner of Works and Emergency Services consult with the Chief Building Official for the purpose of including comments on the legal status of front yard parking pads in the Building Division’s ‘Building Compliance Reports; <p><u>Works Committee:</u></p> <ol style="list-style-type: none"> (1) full harmonization of front yard parking provisions not be commenced at this time, in light of the complex array of often inconsistent enabling Provincial legislation, zoning by-law requirements and area-customized criteria contained in current purpose-specific by-laws/code chapters; (2) this report be referred to the Commissioner of Urban Development Services for information and consideration in the Zoning By-law consolidation report;

SOURCE	REQUEST/RECOMMENDATIONS
	<p>(6) the Acting Commissioner of Works and Emergency Services initiate a work program to consolidate, with minor adjustments as necessary, the current municipal by-law/code provisions specifically pertaining to front yard parking, into a Chapter of the City of Toronto Municipal Code, with the target for submission to Works Committee of fall 2005</p>
<p>Clause No. 2 of Report No. 3 of Policy and Finance Committee, adopted as amended by City Council at its special meeting of February 21, 22, 23, 24, 25, 28 and March 1, 2005 – “City of Toronto 2005 Budget Advisory Committee Recommended Tax Supported Operating Budget”</p>	<p><u>Council:</u></p> <p>(3)(a) - the Acting Commissioner of Works and Emergency Services, in consultation with the Commissioner of Urban Development Services, be requested to report to the Works Committee on the environmental impact of water and waste water run-off with respect to the paving of backyards with materials, such as tar, concrete, stone and brick, and whether this is a sustainable practice and should continue, such report to also include the environmental impact of front yard parking and driveway widening;</p> <p>(3)(c) – the Acting Commissioner of Works and Emergency Services report to the Works Committee on:</p> <p>(iv) the feasibility of adding front yard parking fees to the tax roll so that prospective purchasers can be apprised of the existence and cost of a parking pad when they apply for a tax certificate;</p> <p>(v) the feasibility of adding front yard, side yard and permit parking fees to the tax bill so that they can be collected in a like manner as taxes;</p> <p>(vi) a harmonized policy for the City of Toronto in the areas of permit parking, driveway widening and front yard parking.</p>
<p>Clause No. 32(i) of Report No. 5 of Etobicoke and York Community Council, received by City Council at its meeting of June 14, 15 and 16, 2005 – “Front Yard Parking and Driveway Widening”</p>	<p><u>Etobicoke and York Community Council:</u></p> <p>(1) referred the communication (May 30, 2005) from Teena van Klaveren to the Manager of the Zoning Project Team with a further request that the Zoning Project Team review the problem of paving over the rear yards of single-family and semi-detached dwelling units for parking purposes;</p>

SOURCE	REQUEST/RECOMMENDATIONS
	<p>(2) requested the Acting General Manager, Transportation Services, to report to the Works Committee on the feasibility of introducing parking on both sides of residential streets, where possible, in order to decrease the need for front yard parking;</p> <p>(3) supported the review of policy issues related to front yard parking; and</p> <p>(4) received the report (May 17, 2005) from the Acting General Manager, Transportation Services.</p>
<p>Clause No. 51(a) Report No. 5 of North York Community Council, received by City Council at meeting of June 14, 15 and 16, 2005 – “Front Yard Parking and Driveway Widening”</p>	<p><u>North York Community Council:</u></p> <p>(1) received the report (May 17, 2005) from the Acting General Manager, Transportation Services;</p> <p>(2) requested the Acting General Manager, Transportation Services, to report to the Planning and Transportation Committee on:</p> <p>(a) a standardized policy for dealing with illegal pads including:</p> <ul style="list-style-type: none"> (i) retroactive payment of permit fees; (ii) blocking access to illegal pads; (iii) preventing delays to street re-construction and paving; and (iv) restrictions on future applications for curb cuts; <p>(b) proposed policy to require permeable surfacing on all front yard parking and driveway widenings</p> <p>(3) requested the Acting General Manager, Transportation Services, to report on other materials besides asphalt and interlocking brick that can be used for a parking surface and the appropriate by-laws that should be adopted to permit these materials instead of asphalt or interlocking brick.</p>
<p>Clause No. 14(a) Report No. 5 of Scarborough Community Council, received by City Council at meeting of June 14, 15 and 16, 2005 – “Front Yard Parking and Driveway Widening”</p>	<p><u>Scarborough Community Council:</u></p> <p>(1) directed the Deputy City Manager to include in the final report on front yard parking to be submitted in the Fall of 2005, that Scarborough Community</p>

SOURCE	REQUEST/RECOMMENDATIONS
	<p>Council wish to reconfirm the existing policies and zoning by-laws as it pertains to parking in residential zones; and further wish to state its objection to any permissive initiatives to introduce any changes within the East District;</p> <p>(2) requested the Acting General Manager, Transportation Services, in consultation with the Deputy City Manager and Chief Financial Officer, to report to the Works Committee on the development of an information protocol to inform residents of the negative effect and impact on the water system of front yard parking pads, with such information to be included in the Water Bill;</p> <p>(3) requested the Acting Manager, Municipal Licensing Services, East District to provide Members of Scarborough Community Council with the following:</p> <p>(a) a picture when a rectification/barrier is installed on a property in their Ward that has been identified as being in violation of Scarborough Municipal Licensing parking standards;</p> <p>(b) standard caution letter regarding driveway instructions; and</p> <p>(c) a list of violations in their specific Ward.</p>
<p>Clause No. 25 of Report No. 5 of Toronto and East York Community Council, adopted as amended by City Council at meeting of June 14, 15 and 16, 2005 – “Front Yard Parking and Driveway Widening”</p>	<p><u>City Council:</u></p> <p>“The Acting General Manager, Transportation Services, be requested to:</p> <p>(1) include in his policy report on Front Yard Parking to the Works Committee for the fall of 2005, a discussion and analysis of:</p> <p>(a) the effect of disqualifying residents from obtaining front yard parking or driveway widening or residential boulevard parking where there are on-street parking permits available in their area; and</p> <p>(b) ways of giving on-street permit parking priority (not merely economic preference) to residents of properties which do not have</p>

SOURCE	REQUEST/RECOMMENDATIONS
	<p>any private parking facilities, such as a garage, driveway, or laneway;</p> <p>(2) recognize, notwithstanding the recommendations of the Toronto and East York Community Council, the sensitivity of widening driveways in Scarborough with a recognition to remove asphalt as an acceptable landscape and review parking allowance as it relates to ‘green space’; and</p> <p>(3) report to the Works Committee on adopting a policy prohibiting Front Yard Parking in Ward 26.” (Note: This was later supplemented by Motion J(13), adopted by Council at its meeting of September 28, 29 and 30, 2005 which established a moratorium on the acceptance of applications in Ward 26 until the General Manager’s report on prohibiting front yard parking in the Ward).</p> <p><u>Toronto East York Community Council:</u></p> <p>(3) the General Manager, Toronto Water, in consultation with appropriate staff, report to the Works Committee in Fall 2005 in conjunction with the other policy reports on Front Yard Parking:</p> <p>(a) with an extrapolation of the Wet Weather Flow hydrological model for all existing licensed front yard parking pads and driveway widenings to determine the amount of additional storm water that enters storm sewers as a result of these pads;</p> <p>(b) on a Wet Weather Flow Management Plan and include the toxicity and run-off to be applied to Front Yard Parking, Driveway Widenings, Residential Boulevard Parking and Disabled Parking</p> <p>(4) the Acting General Manager, Transportation Services, include in his policy report on Front Yard Parking to the Works Committee in Fall 2005:</p> <p>(a) a summary of the Committee of Adjustment appeals for Front Yard Parking and Driveway Widenings and their disposition;</p>

SOURCE	REQUEST/RECOMMENDATIONS
	<p>(b) on new City-wide standards for Residential Driveways, Front yard Parking, Driveway Widening, Residential Boulevard Parking and Disabled Parking provisions so as to achieve Wet Water Flow Master Plan objectives;</p> <p>(c) options for assessing Driveway Widening applications, similar to Front Yard Parking criteria, e.g. polling of neighbours, and options for driveways in new infill subdivisions; and</p> <p>(5) the General Manager, Toronto Water include in any public consultations on the Wet Weather Flow Master Plan, presentations on the impact of Front Yard Parking and Driveway Widening on wet water management.</p>
<p>Clause No. 7 of Report No. 5 of the Planning and Transportation Committee, adopted as amended by City Council at its meeting of June 14, 15 and 16, 2005 – "Report on Phase 1 Parking and Loading Standards Review"</p>	<p>(5) the Chief Planner and Executive Director of City Planning Division report separately on any zoning by-law provisions related to front yard parking at the time the General Manager of Transportation Services reports on the consolidation of the current municipal by-law and code provisions.</p>

Appendix B
Existing Residential Boulevard Parking Regulations
(Former Toronto – York – East York – Etobicoke)

	Former Toronto	Former York	Former East York	Former Etobicoke
By-law	Municipal Code: Chapter 400, Subsection - 9D, 46, 47, 48 & 49 Chapter 90 Chapter 248 Chapter 313, Subsection -39 & 40	Municipal Code: Chapter 955 - Residential Chapter 963 - Disabled	By-law No. 122-93	Municipal Code: Chapter 183, Subsection 17 to 22
Legislation	Chapter 126, Act City of Toronto, June 17, 1980 authorizing the City to: <ul style="list-style-type: none"> - Special legislation exempted the regulation of front yard parking from provisions of the Planning Act and conveyed certain approval authorities to Council - Payment of administrative, survey, annual and inspection fees - Payment of refunds - Notice of intention to pass a by-law - Interpretation of the front yard - Authorizing Council to pass by-laws to regulate criteria - Prescribe procedure by which Council or Standing Committee can grant variances - Identifying markers - Provide for the parking of a private passenger motor vehicle (valid motor vehicle registration plate) or motorcycle to park in the front yard 	Chapter 120, Act Borough of York, April 18, 1975: <ul style="list-style-type: none"> - Licensing of parking of motor vehicles on un-traveled portions of the highways Code applicable to boulevard only.	N/A Code applicable to boulevard only.	N/A Code applicable to boulevard only.

	Former Toronto	Former York	Former East York	Former Etobicoke
Definitions	<p>Front yard parking:</p> <ul style="list-style-type: none"> - -parking in front of a house where there is no existing driveway, and a new ramp is required for access <p>Driveway widening:</p> <ul style="list-style-type: none"> - parking in front of a house, beside or within a driveway that is less than 2.6 m wide (mutual or private), existing ramp to be used for access <p>Residential boulevard parking:</p> <ul style="list-style-type: none"> - parking in the flank side of a corner property, new ramp required for access <p>Front yard parking for the disabled:</p> <ul style="list-style-type: none"> - front yard parking for use by a resident with a disability, new ramp required 	<p>Front yard parking:</p> <ul style="list-style-type: none"> - parking in the front yard 	<p>Front yard parking:</p> <ul style="list-style-type: none"> - parking in the front yard 	<p>Front yard parking:</p> <ul style="list-style-type: none"> - parking in the front yard
Corner Properties	<p>Corner properties are not eligible for Front Yard Parking, Disabled Front Yard parking or Driveway Widening (only eligible for Residential Boulevard Parking).</p> <p>A licence shall not be issued for Residential Boulevard Parking for parking in front of the main front wall of a building for any property designated as RA, CR in the zoning by-law on or after June 1, 1993 or for any boulevard on a Metropolitan Road/Street.</p> <p>One parking space shall be permitted for Residential Boulevard Parking, on the flankage, perpendicular to the</p>	<p>One parking space shall be permitted on the flankage parallel to the sidewalk and then only be permitted if access to the rear from the flankage cannot be provided.</p>	<p>Corner properties are eligible for Front Yard Parking beyond the main front wall of the property and/or the main side wall of the property.</p>	N/A

	Former Toronto	Former York	Former East York	Former Etobicoke
	sidewalk, and then only be permitted if access to the rear from the flankage cannot be provided.			
Eligible Building	Duplex Detached house Semi-detached house Semi-detached duplex Semi-detached triplex Converted house Rowplex Row house Triplex	One family dwelling house Semi-detached dwelling house Converted dwelling house Duplex dwelling. For Disabled Front Yard Parking, a residential building in a commercial or industrial zone is permitted.	Detached dwelling Semi-detached dwelling Residential building with less than 3 dwelling units	N/A
Eligible Applicants	For front yard parking and disabled front yard parking an application may be submitted by the property owner of a dwelling fronting a highway under the jurisdiction of the City of Toronto or Metropolitan Corporation. However, for driveway widening and residential boulevard parking, the owner or the occupant of the dwelling is eligible to apply. All Wards in the former City of Toronto, except for: Front Yard Parking is NOT permitted within Wards 18, 19, 20, 21 (south of St. Clair), 27, 28, & 30 Driveway Widening is NOT permitted within Wards 18 and 30 Residential Boulevard Parking is NOT permitted within Ward 18 NOTE: Moratorium in effect for Ward 32, NO Front Yard Parking or Driveway Widening permitted	Property owner or occupant who resides at a dwelling on a former City of York Street. For Disabled Front Yard Parking applications, the disabled person must be in possession of a Physician's Certification that the physically handicapped person who permanently resides in the residential building is a physically handicapped person.	Property owner or occupant of a residential property, which abuts a boulevard. For existing mutual driveways, BOTH abutting property owners MUST apply for a Front Yard Parking Pad licence to be issued (Same criteria applies for a Special Licence).	Property owners of front yard parking spaces constructed under By-laws 4227, 4228, 4229 and 4230, where it encroaches on the road allowance, applies to the borough for a permit to allow the encroachment upon the road allowance.

	Former Toronto	Former York	Former East York	Former Etobicoke
	For Disabled Front Yard Parking applications, the disabled person must permanently reside at the dwelling and be in possession of a permanent disabled parking permit.			
Application Documentation	Application form Copy of vehicle registration Sketch showing proposed parking pad and landscape proposal. Copy of a permanent Disabled Parking Permit issued by the Ministry of Transportation.	Application form Copy of vehicle registration Sketch showing proposed parking and landscape proposal. Copy of a permanent Disabled Parking Permit issued by the Ministry of Transportation	Application form Proof of ownership Sketch showing proposed parking and landscape proposal. Certificate of Insurance for the residential property.	N/A
Conversion of Integral Basement or Grade-level Garage to Habitable Space	Detached house, semi-detached house or row house The existing driveway can be used for front yard parking subject to all other conditions being met. Grade of driveway to be restored to sidewalk level.	Can create parking area adjacent to existing driveway if garage is converted and driveway is steeper than 11% and there is no other parking or access	N/A	N/A
Other Access	The property may not have an on-site parking facility or feasible parking area accessible by means of a lane, street or driveway. However, for driveway widening the driveway can not be greater than 2.6m in width at the narrowest point.	A parking space for each dwelling unit is not available or feasible. For Disabled Front Yard Parking, the property may not have an on-site parking facility or feasible parking area accessible by means of a lane, street or driveway.	N/A	N/A
Polling Requirements	A poll is required for Front Yard Parking and Residential Boulevard Parking, and polling results must be positive. Polling limit is 100 m or to the nearest intersecting street (which ever is less).	N/A	N/A	N/A

	Former Toronto	Former York	Former East York	Former Etobicoke
	<p>Poll results are valid for 2 years.</p> <p>Poll is not required for garage conversions or for Driveway Widening.</p>			
Vehicle Restrictions	<p>Front Yard Parking and Residential Boulevard Parking - Passenger vehicles excluding trucks, closed vans, campers and oversized vehicles.</p> <p>Driveway Widening – Any class of vehicle permitted.</p>	<p>Permitted: Passenger vehicles, motorcycles</p> <p>Prohibited: Motor homes, vehicles heavier than 3000 kg</p>	<p>Permitted: motorized vehicle, including motorcycle, in operating condition with valid vehicle licence registration plate, which does not exceed 5.8m length or 1.8 m in height.</p> <p>Commercial vehicle, which does not exceed a capacity of 0.46 tonnes.</p> <p>Prohibited: A trailer of any description.</p>	N/A
Number of Spaces Permitted	<p>For Front Yard Parking, Driveway Widening and Residential Boulevard parking, only ONE space is permitted.</p> <p>For Disabled Front Yard Parking, up to TWO spaces are permitted for a duplex, semi-detached duplex or a converted house.</p>	<p>One: If property less than 4.9 m.</p> <p>Two: If property is more than 4.9 m and is a duplex dwelling or converted dwelling.</p>	<p>Only one parking space permitted.</p> <p>If location is licensed for one parking space, an application for an additional parking space shall be refused (this also applies to a Special Licence).</p>	N/A
Parking Pad Dimensions	<p>Minimum: based on vehicle size</p> <p>Maximum: 2.6 m x 5.9 m for regular Front Yard Parking, Driveway Widening and Residential Boulevard Parking.</p> <p>Disabled Maximum: 3.66 m x 5.90 m per space</p> <p>Driveway Widening parking pad can not be located within the limits of existing mutual driveway</p>	<p>Minimum: 2.5 m width</p> <p>Maximum: 2.8 m Width</p> <p>For Disabled parking spaces, the maximum width is 3.66 m.</p> <p>All parking spaces must abut the side lot line, except for angled parking spaces.</p> <p>Parking spaces must be installed adjacent to a neighbouring</p>	<p>Width: min. 1.98 m max. 2.44m</p> <p>Length: min. 4.6 m max. 7.6m</p> <p>The total width of the any driveway, plus the Front yard Pad, shall not exceed 5.5 metres.</p>	No requirement

	Former Toronto	Former York	Former East York	Former Etobicoke
	<p>and must be situated immediately adjacent to the driveway.</p> <p>Residential Boulevard Parking must be perpendicular to the face of the curb or edge of the travelled portion of the public highway.</p> <p><u>Exemption</u> - Joint Front Yard Parking or Driveway Widening may be angled to the face of the curb or the edge of the travelled portion of the public highway if perpendicular parking is not feasible</p> <p>Parking may be provided on the untravelled portion of the street, exclusive of any portion between the curb and the public sidewalk.</p>	<p>driveway or parking pad, unless there is an obstruction that can not be easily removed.</p> <p>Parking may be provided on the untravelled portion of the street, exclusive of any portion between the curb and the public sidewalk.</p> <p>Private driveway – the front yard parking space shall be located on a widened portion of the driveway and the driveway and the front yard parking space together shall not be wider than 2.8 m.</p>		
Landscaped Open Space (LOS)	<p>Front Yard Parking and Driveway Widening:</p> <p>Properties less than 9.15m in width must have 50% landscaped open space on private property of which 30% must be soft landscaping. Must also provide a minimum of 15% of soft landscaping within the public right of way.</p> <p>Properties more than 9.15m in width must have 50% landscaped open space on private property of which 40% must be soft landscaping. Must also provide a minimum of 20% of soft landscaping within the public right of way.</p>	<p>On lots equal to or over 4.9 m, the LOS shall be equal or greater than the area occupied by the parking space.</p> <p>All of the front yard and abutting boulevard that is not occupied by a front yard parking space, access, or an existing driveway shall be maintained as landscaped open space.</p>	<p>Properties more than 6m in width – max 60% of front yard may be covered by the parking pad or other hard surface paving. Remainder of yard to be landscape space.</p> <p>Properties less than 6m in width – max 70% of front yard may be covered by the parking pad or other hard surface paving. Remainder of yard to be landscape space.</p> <p>Commissioner may exempt these requirements if:</p> <ul style="list-style-type: none"> - Property is immediately adjacent to a property zoned commercial or a property which has a permitted commercial use. - Property fronts onto an arterial 	N/A

	Former Toronto	Former York	Former East York	Former Etobicoke
	NOTE: Soft landscaping does not include unit pavers.		or collector road with an underground storm sewer. - Landscaping (including planters) is installed to ensure the additional paved area is not used for parking	
Setbacks from Sidewalk	A minimum 0.30 m setback from the rear edge of the public sidewalk for a perpendicular parking space or 2.0 m setback from the curb if there is no public sidewalk. A minimum 2.0 m setback from the rear edge of the public sidewalk for angled driveway widening or joint front yard parking, where perpendicular parking is not feasible. A maximum of 1.50 m setback from the rear edge of the public sidewalk for a driveway leading to a parking space.	0.3 m clearance for a perpendicular parking space. 2.0 m clearance for an angled parking space if the angle is greater than 60° and perpendicular parking is not feasible. 3.7 m clearance from the curb where there is no sidewalk. For Disabled Front Yard Parking, the maximum distance back of the sidewalk to the parking pad is 1.0 m	0.3 m clearance from the back of the public sidewalk or curb.	Permit not to be issued if there is insufficient space for parking of a car without interfering with any existing or future City public sidewalks.
Setback from a Fire Hydrant	N/A 1.0 m (Department Policy)	1.8 m clearance from parking pad to hydrant.	1.83 m clearance from the parking pad to a fire hydrant, unless approved otherwise by the Fire Chief in writing.	N/A
Parking Pad Clearances from Building	0.30 m from building wall or any appurtenance thereto.	0.6 m clearance from first riser of steps leading to door. 0.3 m clearance from building wall. No vehicle shall be parked with the front of the vehicle facing the street.	1.0m clearance from any entrance to a dwelling or to the bottom step of any stairs.	N/A
Tree Planting Requirement	For Front Yard Parking a tree must be planted in the front yard or an applicant may fund planting of a tree at a cost of \$475.	N/A	N/A	N/A

	Former Toronto	Former York	Former East York	Former Etobicoke
Tree clearances	<p>Small Trees (under 10cm):</p> <ul style="list-style-type: none"> - 1.2m if permeable paving is used - 2.4m for non permeable paving - no grade change within 2.4m <p>Medium Trees (10-50cm):</p> <ul style="list-style-type: none"> - 1.6 m if permeable paving is used - 2.4 m for non permeable paving - no grade change within 2.4m <p>Large Trees (over 50cm):</p> <ul style="list-style-type: none"> - 2.4 m if permeable paving is used - 4m for non permeable paving - no grade change within 4m 	<p>Small Trees (under 10cm):</p> <ul style="list-style-type: none"> - 1.2m if permeable paving is used - 2.4m for non permeable paving - no grade change within 2.4m <p>Medium Trees (10-50cm):</p> <ul style="list-style-type: none"> - 1.6 m if permeable paving is used - 2.4 m for non permeable paving - no grade change within 2.4m <p>Large Trees (over 50cm):</p> <ul style="list-style-type: none"> - 2.4 m if permeable paving is used - 4m for non permeable paving - no grade change within 4m <p>No Trees are to be removed for the purpose of boulevard parking.</p>	<p>Small Trees (under 10cm):</p> <ul style="list-style-type: none"> - 1.2m if permeable paving is used - 2.4m for non permeable paving - no grade change within 2.4m <p>Medium Trees (10-50cm):</p> <ul style="list-style-type: none"> - 1.6 m if permeable paving is used - 2.4 m for non permeable paving - no grade change within 2.4m <p>Large Trees (over 50cm):</p> <ul style="list-style-type: none"> - 2.4 m if permeable paving is used - 4m for non permeable paving - no grade change within 4m 	<p>Permit can not be issued if it requires the removal of a tree and or shrubs on right-of-way if Parks and Rec want to maintain it.</p>
Paving Requirements	<p>Permeable paving treatments must be used such as ecostone, turfstone or approved equivalent.</p> <p>Paving in place prior to July 5, 1996 that does not meet the new paving specifications will be subject to a surcharge per square metre to take effect July 5, 2004.</p>	<p>Parking pad must be paved with an impervious surface.</p>	<p>Parking pad is to be completely hard surfaced with:</p> <ul style="list-style-type: none"> - Interlocking brick - Concrete - Cobblestone or flagstone - Asphalt - Mezo tiles - Any combination of the above. <p>Paving to provide a 2 % gradient slope from the back of the sidewalk or curb, up to a maximum of 10 % gradient commencing at a point of 1.52 metres from the back of the sidewalk or curb.</p>	<p>N/A</p>

	Former Toronto	Former York	Former East York	Former Etobicoke
Walkway Widths	Where an existing walkway is to be reconstructed or a new walkway constructed in connection with a parking pad, the width of the walkway is not to exceed 1.06m in width.	N/A	N/A	N/A
Vehicles Parking on Pad	Must have a valid license plate.	Must have a valid licence plate, be operable and in day-to day use, and not covered by any form of covering.	Must have a valid licence plate and be in operating condition.	N/A
Ramp Access to Parking Area	Applicant responsible for cost of ramp. Maximum 2.6m ramp for parking pad. Maximum 3.05m ramp for two car parking pad (for joint applications). Installation and/or removal of a ramp is undertaken at the owner's request and expense. If sidewalk reconstruction is taking place, than the Installation and/or removal of a ramp is undertaken at no cost to the owner.	Applicant responsible for cost of ramp.	Applicant responsible for cost of ramp.	Applicant responsible for all costs in connection with any installation of ramping, re-instatement of curbs, installation of culverts, sidewalk reconstruction or utility relocation to permit access. A deposit to cover the cost of such work is to be made to the General Manager of Transportation Services.
Approval	Approval must be obtained from the General Manager of Transportation Services. The applicant must pave the parking area in accordance with City standards and specifications.	Approval must be obtained from the General Manager of Transportation Services. The applicant must pave the parking area in accordance with City standards and specifications.	Approval must be obtained from the General Manager of Transportation Services. The applicant must pave the parking area in accordance with City standards and specifications. Construction of the Front Yard Parking Pad must be completed within 6 months of the approval being granted. The General Manager, upon written request may approve a further 6 months extension.	Permits must be issued by the General Manager of Transportation Services.

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Fees	<p>Non-refundable application fee: \$260.00 + G.S.T. Disabled application fee: \$60.00 + G.S.T. Construction permit: \$115.38 Annual fee: \$120.00 + G.S.T. Appeal fee: \$200.00 + G.S.T. Transfer fee: \$60.00 + G.S.T. Ramp fee: actual cost Tree Planting: \$475.00</p>	<p>Same as Toronto except: Appeal Fee: \$ C of A No tree planting fee.</p>	<p>Same as Toronto except: Appeal Fee: \$200.00 + G.S.T. (boulevard) \$ C of A (private property) No tree planting fee. No annual fee for: - Special Licence. - Licence issued under By-law No. 113-90.</p>	<p>Same as Toronto except: Appeal Fee: \$ C of A No tree planting fee.</p>
Transfers	<p>A parking pad may be transferred if it is still in compliance with the original requirements of approval or if approval was issued prior to July 5, 1996 and the parking space continues to conform with the conditions of the licence in effect at the time of issuance.</p> <p>Agreements/licenses are not transferable; therefore, the new owners must sign new agreements/licenses.</p>	N/A	N/A	N/A
Appeals	<p>Applicant must submit a letter to the General Manager of Transportation Services requesting consideration by Community Council for an exemption to the Code.</p> <ul style="list-style-type: none"> • Applicant submits letter to the General Manager of Transportation Services • Applicant submits appeal fee • Poll to be conducted (if not already done) • General Manager submits 	<p>N/A (However, applications are made to the Committee of Adjustment for a variance).</p>	<p>Where an application is refused, the owner may appeal within 30 days of notice thereof; appeal the decision to the Transportation Committee.</p> <p>A notice of appeal shall be served on the Clerk for the Borough, either personally or by registered mail. The appeal must set out the reasons for the appeal and be accompanied with an appeal fee and sketch of the proposed Front Yard Parking Pad.</p>	N/A

	Former Toronto	Former York	Former East York	Former Etobicoke
	<p>report to Community Council</p> <p>Residents within polling area are notified of hearing date (deputations)</p> <p>For Wards 16, 21, 22 & 25, landscape plans must be submitted along with the letter of appeal.</p> <p>No appeals permitted within Wards 18, 19, 20, 27, 28 and 30 for Front Yard Parking.</p> <p>No appeals permitted within Ward 18 for Driveway Widening & Residential Boulevard Parking</p> <p>NOTE: Moratorium in effect for Ward 32, No appeals for Front Yard Parking or Driveway Widening</p>		<p>Transportation Committee to set a date and time for a hearing, within 60 days of receipt of the notice of appeal.</p> <p>Notice of appeal to be given to: General Manager, owner and the owners of residential properties on the same street abutting the Residential Property for which the appeal of Licence or Special Licence for Front Yard Parking has been filed.</p> <p>The Transportation Committee may dismiss the appeal or approve the application for Licence and may impose terms and conditions on such approvals</p> <p>Appeals will not be grant for:</p> <ul style="list-style-type: none"> - Minimum width of parking pad. - Paving requirements. - Cost of bringing existing non-approved pad into conformity. - May result in an unsafe or hazardous condition. <p>Appeal may be granted for :</p> <ul style="list-style-type: none"> - Temporary relief from the by-law to accommodate the vehicle of a Disabled Person. <p>Applicant to be notified of the decision in writing by prepaid first class post within 15 days of the hearing.</p>	
Plate to be Displayed	Plate to be affixed to building face or appurtenance at a maximum height of 1.83 m above grade,	An annual permit shall be affixed to the inside glass of the front window or door of the building	Plate to be affixed to front wall of building or on the face of an appurtenance to the front wall at a	N/A

	Former Toronto	Former York	Former East York	Former Etobicoke
	preferably close to the parking area and visible from the traveled portion of the adjacent highway at all times.	facing the street so as to be clearly visible at all times from the street.	maximum height of 1.83 metres from grade. Shall be located as close as possible to the Front Yard Parking Pad and, in all cases, at a location which at all times is visible from the travelled portion of the Highway.	
Access for City Forces and Utility Companies	N/A	N/A	N/A	N/A
Maintenance	N/A	N/A	The Front Yard Parking Pad shall be maintained in a safe and clean condition free from all defects and hazards.	N/A
Snow	Snow cleared from the parking pad not to be placed on any public sidewalk or travelled portion of the public right of way.	N/A Subject to Municipal Code Chapter 719 – Snow and Iced Removal.	N/A Subject to Municipal Code Chapter 719 – Snow and Iced Removal.	N/A Subject to Municipal Code Chapter 719 – Snow and Iced Removal.
Indemnification	Owner must sign an Agreement, which indemnifies the City of Toronto and/or the Metropolitan Corporation from action, claim, damage or loss arising from the parking.	Owner must sign an agreement, which indemnifies the City of York from action, claim, damage or loss arising from the parking.	Owner must sign an Agreement, which indemnifies the Borough of East York, shall be duly executed by the Owner and registered on title.	N/A
Refund for Cancelled or Terminated Licences	The applicant will be reimbursed for the unexpended portion of the annual licence fee based on the full months remaining under the lease.	N/A	No portion of the Rental Fee is refundable.	Holder not entitled to refund if permit withdrawn.
Termination	The City and/or the Metropolitan Corporation has the right, without liability, to terminate an agreement on sixty (60) days' notice. The City may cancel a licence or remove the identifying marker, by	The City has the right, without liability, to terminate the licence at any time without notice.	The City may revoke a licence and remove the plate upon 30 days written notice to the owner, if: <ul style="list-style-type: none"> - Failure to comply with the by-law. - Failure to comply with the Terms of Licence or Terms of 	The City may withdraw the permit on one week's notice to the holder in the event that traffic or highway conditions require such action by the General Manager.

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	<p>notifying the property owner by registered mail that the parking space is not being maintained in conformity with the requirements of this section and that owner fails to bring it into conformity within fourteen (14) days of receipt of the notice.</p> <p>For disabled front yard parking the licence may be cancelled immediately if the owner of the disabled parking permit issued by the Ministry of Transportation no longer permanently resides at the property. As a result of this cancellation, the owner is responsible for the installation of barriers to preclude illegal parking at their expense</p> <p>A permit issued for disabled front yard parking shall be cancelled if the holder of the permit obtains a designated on-street disabled parking space..</p> <p>NOTE:</p> <p>Where a licence has been cancelled by the City, the applicant must bring the parking space into conformity and pay an additional administrative, survey and inspection fee.</p>		<p>Special Licence.</p> <ul style="list-style-type: none"> - Failure to pay the annual Rental Fee and renew a Licence or failure to renew a Special Licence. - Licence or Special Licence was obtained on false or incorrect information. - All construction is not completed and the Parking Plate issued within 6 months of the licence being granted. - The dwelling has been demolished and the parking pad is now required to be provided on-site (private property) as per the zoning by-law. - The property is no longer a residential property. - The boulevard is required for municipal purposes. <p>The owner may terminate the Licence or Special Licence at any time upon written notice to the General Manager.</p> <p>If the parking pad was approved under 113-90 and the licence has been terminated or revoked, the provisions of 122-93 will apply to the new parking application.</p>	
Boulevard to be Restored Upon Termination	N/A	N/A	The boulevard must be restored upon termination of the Licence or Special Licence to a safe and proper condition to the satisfaction of the General Manager.	Established spaces without permit, the individual will be liable for any costs incurred to either make the parking space to Works Dept specifications or if it cannot, the cost of reinstating the road

	Former Toronto	Former York	Former East York	Former Etobicoke
			<p>If the boulevard is not restored, the City may erect blockades to prohibit the continued use of the Front Yard Parking Pad.</p> <p>If the owner fails to comply with notice and direction within the time specified the Borough may undertake the required work and recover all expenses in a like manner as municipal taxes.</p>	allowance to eliminate the parking area.
On-Street Permit Parking	<p>For front yard parking the former City of Toronto Municipal Code takes into account the following four regulations with respect to permit parking:</p> <ol style="list-style-type: none"> 1) The property can not be located on a permit street or within a permit parking area; portion of Ward 21 area east of Bathurst south of Eglinton and area south of St Clair east of Christie); 2) The property must be located on the opposite side of the street, where permit parking is authorized; (Ward 13 and portion of Ward 14 south of Bloor), except where an installation by the City prohibits on-street parking in front of the property; 3) The property may be located on either side of a street, which is authorized for permit parking, provided there are permits available. If the street is wait-listed only a joint front yard parking application may 	N/A	N/A	N/A

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	<p>be considered , provided there is no more than one lost on-street permit parking space (see joint FYP applications); (Ward 11, portion of Ward 14 north of Bloor, Ward 16, Ward 17, portions of Ward 21 area north of Eglinton and area south of St Clair and west of Christie, Ward 22, Ward 25, south portion of WARD 31 within the former City of Toronto, Ward 32); and</p> <p>4) The property may be located on either side of a street, which is authorized for permit parking, regardless of the availability of a permit parking space (Ward 29)</p> <p>Permit parking is irrelevant for Disabled Front Yard Parking applications, provided not more than one on-street permit parking space is lost.</p> <p>For driveway widening, the installation/extension of a ramp can not result in the loss of an on-street permit parking space.</p> <p>For Residential Boulevard Parking the property may be in an area or on a street authorized for permit parking, provided there is a waiting list which has continuously existed for more than six months prior to the date of application and a permit parking space will not be eliminated.</p>			

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Green Space Restoration Program	The restoration program is available for locations where owners wish to relinquish the front yard parking license. The owners may apply for this program, provided no applications for front yard parking will be considered for 5 years. The City will restore the paved area to sod, remove the existing curb cut, plant a tree in the front yard, provide down spout disconnection service, offer a water conservation audit and provide a one year's free permit parking, for one vehicle in the household.	N/A	N/A	N/A
Licence	<p>No person:</p> <ul style="list-style-type: none"> - Shall improperly acquire a licence. - Other than the person who has acquired a licence shall acquire an identifying marker. - Shall use an identifying marker other than for the purpose of the licence. - Shall use the licence unless in accordance with this section. - Shall use the licence for any purpose other than enabling the owner of the licence to use the front yard. <p>The licence shall describe:</p> <ul style="list-style-type: none"> - The area for which it is issued. - The number of parking spaces. - The measurements and alignment. - The class of vehicle. - The hours within which parking is permitted. 	<p>The licence shall describe:</p> <ul style="list-style-type: none"> - The area for which it is issued. - The number of parking spaces. - The measurements and alignment - The class of vehicle. - The hours within which parking is permitted. 	<p>The licence shall describe:</p> <ul style="list-style-type: none"> - Terms of Licence. - Sketch of the Front Yard Parking Pad. <p><u>Special Licence</u></p> <p>The General Manager, Transportation Services may grant a Special Licence to the owner to maintain and use a Front Yard Parking Pad which was in existence prior to April 17, 1950 in the former Township of East York and Prior to March 1, 1965 in the former Town of Leaside.</p> <p>An application shall include:</p> <ul style="list-style-type: none"> - Application form from the owner. - Proof of ownership of the Residential Property. - A sketch of the Front Yard Parking Pad. - Proof that the Front Yard Parking Pad in question was in 	N/A

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			<p>existence prior to the dates stipulated above.</p> <p>A Special Licence shall be granted by the General Manager of Transportation Services, provided:</p> <ul style="list-style-type: none"> - The licence includes the terms of Licence. - Sketch of the Front Yard Parking Pad. - Certificate of insurance for the Residential Property. - The General Manager is satisfied with the proof provided by the owner with respect to the date of existence of the Front Yard Parking Pad. - The Front Yard Parking Pad complies with the paving requirements only (no other criteria applies). 	
Parking on Private Property	<p>All parking in front of the main front wall of a residential building on private property adjacent to a mutual driveway or on a private driveway must be licensed in accordance with requirements of Chapter 248.</p> <p>Properties with a widened driveway parking area located on private property prior to July 5, 1996, which were legally in existence, shall continue to be governed by the provisions of City Zoning By-law No. 438-86.</p> <p>NOTE: For vehicles parking on private property, there is no annual charge and the license can not be terminated by the City.</p>	Zoning By-law	Zoning By-law	Zoning By-law

	Former Toronto	Former York	Former East York	Former Etobicoke
Special Exemption	<p>During the Canadian National Exhibition, temporary parking of motor vehicles will be permitted on the boulevard or the front yard or flankage of private property from and including Friday August 16, 1996, to and including Monday September 2, 1996. These provisions shall apply annually until repealed or amended.</p> <p>AREA:</p> <ul style="list-style-type: none"> - Springhurst Avenue from Fort Rouille Street to Dunn Avenue - Cowan Avenue and Specer Avenue from Springhurst Avenue to south end - Thorburn Avenue (north side) entire length - Tyndal Avenue from Thorburn Avenue to Springhurst Avenue 	N/A	N/A	N/A
Joint Front Yard Parking Applications	<p>Two owners of adjoining residential buildings may make a joint application for a front yard parking licence in order to use one curb ramp to serve two properties, subject to:</p> <ol style="list-style-type: none"> 1) A permit parking space is not available; 2) Waiting list has continually existed for a period of six months prior to the date of application; 3) If the owners or in possession a an on-street parking permit, it must relinquished; and 4) Both property owners must individually and jointly agree to satisfy all requirements code. 	N/A	N/A	N/A

	Former Toronto	Former York	Former East York	Former Etobicoke
Renewal	Renewed annually.	Renewed annually.	Renewed annually. No annual fee for Special Licences. Placing the renewal sticker on the Parking Plate. Provide a Certificate of Insurance.	N/A

Appendix C

Authority: _____ Report No. _____, Clause No. _____, as adopted by
City of Toronto Council on _____, 2005.

Enacted by Council:

CITY OF TORONTO

Bill No.

BY-LAW No. -2005

To adopt a new City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards

WHEREAS the former City of Toronto obtained the authority by way of special legislation, that being *The City of Toronto Act, 1980* (c. 126), to pass by-laws authorizing, pursuant to permits issued, front yard parking within the former City of Toronto and the authority to charge fees in connection with each permit;

AND WHEREAS the former City of Toronto obtained the authority by way of special legislation, that being the *City of Toronto Act, 1981*(c.103), to also authorize, pursuant to permits issued to owners of private property, front yard parking for physically handicapped persons;

AND WHEREAS this By-law regulates parking in front yards, as defined herein, only for the geographical area of the former City of Toronto as it existed on December 31, 1997;

AND WHEREAS under Subsection 11(1) of the *Municipal Act, 2001*, the City may pass by-laws respecting matters within the sphere of jurisdiction of highways, including parking and traffic on highways;

AND WHEREAS under Subsection 9(3) of the *Municipal Act, 2001*, the City, a by-law passed under Section 11 may regulate or prohibit respecting the matter and may require persons to do things respecting the matter, provide for a system of licences, permits, approvals or registrations respecting the matter and impose conditions as a requirement of obtaining, continuing to hold or renewing a licence, permit, approval or registration;

AND WHEREAS under section 391 of the *Municipal Act, 2001*, the City may pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it and for the use of its property including property under its control;

AND WHEREAS, pursuant to section 427 of the *Municipal Act, 2001*, if a municipality has authority by by-law to direct or require that a matter or thing be done, the municipality may, in the same or another by-law, direct that, in default of it being done by the person directed or required to do it, such matter or thing shall be done at the person's expense, and the municipality may recover the costs of doing this matter or thing from the person directed or required to do it and may recover the costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes.

AND WHEREAS public notice of the proposed fees was given as required by section 14 of Ontario Regulation 244/02 under the *Municipal Act, 2001* and posted on the City's web site;

AND WHEREAS under section 425 of the *Municipal Act, 2001*, by-laws may be passed by a municipality for providing that any person who contravenes any by-law of the municipality passed under the authority of the *Municipal Act, 2001* is guilty of an offence;

AND WHEREAS under section 446 of the *Municipal Act, 2001*, section 425 of the *Municipal Act, 2001* applies to by-laws passed by the Council of a municipality under any other general or special Act except as otherwise provided in that Act.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The City of Toronto Municipal Code is amended by adding the following chapter:

Chapter 918

PARKING ON RESIDENTIAL FRONT YARDS AND BOULEVARDS

ARTICLE I General Provisions

§ 918-01. Definitions.

- A. A term not defined in this section shall have the same meaning as the term has in the Highway Traffic Act and its regulations and/or its successors.
- B. As used in this chapter, the following terms shall have the meanings indicated:

AGENT - A person authorized in writing to act on behalf of the owner.

ANNUAL RENEWAL FEE - The yearly fee payable to the Treasurer of the City of Toronto for use of a front yard parking pad that is contained entirely or partially within the boulevard.

APPLICANT - A person applying for a front yard parking licence to park a motor vehicle on the boulevard and/or front yard of a residential property.

BOULEVARD - That part of the highway that is not used, or intended to be used, for motor vehicle travel by the general public, and that is situated between the travelled portion of the roadway and the adjoining private property, excluding the sidewalk.

DISABLED PERSONS PARKING PERMIT - A valid disabled person parking permit issued by the Ministry of Transportation under the provisions of the Highway Traffic Act.

DRIVEWAY - Private driveway or mutual driveway.

FORMER CITY OF TORONTO - The geographical area of the City of Toronto as it existed on December 31, 1997.

FRONT YARD - That portion of private property which is located:

- (1) between the front wall of a residential building on such private property and the abutting public highway; and
- (2) in the former City of Toronto;

FRONT YARD PARKING - The parking of a motorcycle or private passenger motor vehicle, excluding trucks, vans, campers or other oversize vehicles, in a front yard where the parking is prohibited by a City by-law.

FRONT YARD PARKING LICENCE - The Licence issued by the General Manager, authorizing the construction, maintenance and use of a front yard parking pad.

FRONT YARD PARKING PAD - That portion of the boulevard and/or front yard which has been constructed in accordance with the provisions of this chapter and licensed for the purpose of parking a motor vehicle by the owner or occupant.

GENERAL MANAGER - The General Manager of Transportation Services Division and his or her designate or successor.

PUBLIC HOLIDAYS – For the purpose of this Chapter, the following days are defined as Public Holidays: New Years Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, August Civic Holiday, Labour Day, Thanksgiving Day (Canada), Christmas Day, Boxing Day; or any day designated by City Council as a designated holiday, with the exception of Easter Monday and Remembrance Day.

LANDSCAPED OPEN SPACE - The area of the boulevard or front yard that supports the growth of vegetation and may include a walkway, patio or similar area, but does not include a driveway, front yard parking pad or the sidewalk.

LICENCE - A permit.

MOTOR VEHICLE - Motorcycle or private passenger motor vehicle, excluding trucks, vans, campers or other oversize vehicles.

MUTUAL DRIVEWAY - A driveway benefiting the owners of two adjoining residential properties, intended to provide vehicular access between a street or lane and a parking space located behind the main front wall of the dwelling and is evidenced by a right of way.

OCCUPANT - The person residing in the residential property for which an application has been made for a front yard parking licence.

OWNER - The registered owner(s) of the residential property, registered on title at the Land Registry Office.

PARKING PLATE - An official marking device issued by the City, authorizing parking on the front yard parking pad.

PERMEABLE PAVING - Permeable paving material or equivalent material satisfactory to the General Manager, designed to minimize surface water runoff to the sewer system.

PRIVATE DRIVEWAY - The portion of a residential property, which is intended to provide vehicular access between a street or lane and a parking space located behind the main front wall of the dwelling.

PRIVATE PROPERTY - Property other than municipal property.

RESIDENTIAL BUILDING - A converted house, a detached house, a duplex, a row house, a rowplex, a semi-detached house, a semi-detached duplex, a triplex or a semi-detached triplex as defined in the applicable zoning by-law, which is used for residential purposes.

RESIDENTIAL PROPERTY - A parcel of land within the City on which a residential building has been constructed.

SIDEWALK - The portion of a highway that is improved for the exclusive use of pedestrians.

SOFT LANDSCAPING - The area of the boulevard or front yard that supports the growth of vegetation such as grass, trees, shrubs, flowers or other plants and permits water infiltration into the ground, but soft landscaping does not include above-ground pots and/or planters which are readily moveable.

TERMS OF FRONT YARD PARKING LICENCE - The standard terms and conditions of approval of the front yard parking licence, as set out in this chapter.

TREASURER - The Treasurer of the City of Toronto or his or her successors.

- C. A reference to a Ward in this chapter is to that Ward as defined in Ontario Regulation 438/02.

(Reserved 918-02 to 918-09)

ARTICLE II Restrictions

§ 918-10. Boulevard.

- A. No person shall construct, install or maintain all or a portion of a front yard parking pad on the boulevard unless the person has:
- (1) Obtained the consent of the City;
 - (2) Obtained all applicable permits required by the City;

- (3) Paid all applicable fees as required by the City; and
 - (4) Entered into and is in compliance with an agreement in a form and content satisfactory to the City Solicitor and the General Manager.
- B. No person shall park any motor vehicle on any boulevard unless parking is authorized under this chapter or any other provision but this will not prevent parking of a motor vehicle within the confines of that portion of the boulevard within a private driveway, provided that no motor vehicle may be parked in the driveway less than 0.3 metre from the back edge of the sidewalk, or where no sidewalk exists, not less than 2.0 metres from the face of the curb or edge of the roadway.
- C. Despite any other provisions of this chapter or the provisions of any other City by-law, no person shall park any motor vehicle on that portion of the boulevard that is situated between the travelled portion of the roadway and the sidewalk.
- D. No person shall drive any motor vehicle on any boulevard except for the purpose of parking on a licensed front yard parking pad, or except for the purpose of directly crossing a boulevard at a driveway or other designated crossing.
- E. Despite any other provisions in this chapter, no person shall park any motor vehicle on a licensed front yard parking pad on the boulevard unless there are displayed on the motor vehicle parking plates, in the manner prescribed by law:
- (1) Number plates issued in accordance with the provisions of the Highway Traffic Act, showing the number of the permit issued by the Province of Ontario for the motor vehicle, and there is affixed to a number plate displayed on the motor vehicle, in the prescribed manner, evidence of the current validation of the permit; or
 - (2) Number plates issued in accordance with the laws of another jurisdiction and there is affixed to the number plate displayed on the motor vehicle, in the prescribed manner of the jurisdiction, evidence of the current validation of the permit, where so required by that jurisdiction.

(Reserved 918-11 to 918-19)

§ 918-20. Front yard.

- A. No person shall park any motor vehicle in any front yard unless parking is authorized under this chapter or any other by-law provision.
- B. Despite any other provisions in this chapter, no person shall park any motor vehicle on a licensed front yard parking pad in the front yard unless there are displayed on the motor vehicle parking plates, in the manner prescribed by law:
- (1) Number plates issued in accordance with the provisions of the Highway Traffic Act, showing the number of the permit issued by the Province of Ontario for the

motor vehicle and there is affixed to a number plate displayed on the motor vehicle, in the prescribed manner, evidence of the current validation of the permit; or

- (2) Number plates issued in accordance with the laws of another jurisdiction and there is affixed to the number plate displayed on the motor vehicle, in the prescribed manner of the jurisdiction, evidence of the current validation of the permit, where so required by that jurisdiction.

(Reserved 918-21 to 918-29)

§ 918-30. Limitations.

- A. The General Manager shall not accept a front yard parking application for a licence for more than one motor vehicle.
- B. Despite any other provision of this chapter, where the City has removed the front yard parking pad and restored the boulevard and/or the front yard at the property owner's request, the owner and the subsequent owners may not apply to reinstall a front yard parking pad for a period of five years from the date of restoration.
- C. No front yard parking licence shall be issued for parking in front of the main front wall of a building for any property designated as CR, MCR, RA, in the applicable City zoning by-law.

(Reserved 918-31 to 918-39)

ARTICLE III Applicability

§ 918-40. Front yard parking prohibited.

- A. The General Manager shall not accept an application for a licence to park on any portion of a boulevard for residential properties located within Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16 (portion outside former City of Toronto), 23, 24, 25 (portion outside former City of Toronto), 26, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44.
- B. The General Manager shall not accept a front yard parking application or an appeal for front yard parking for residential properties located within the area of the former City of Toronto in Wards 18, 19, 20, 27, 28, 30 and that portion of Ward 21 located south of St. Clair Avenue West).
- C. In the event that future Ward boundary realignments result in the area of a Ward changing by not more than 20 percent, the General Manager shall be authorized to amend the front yard parking provisions to reflect the criteria applicable in the majority area of the Ward, including the introduction of any necessary Bills in Council.

(Reserved 918-41 to 918-49)

§ 918-50. Grandparenting.

If, prior to the coming into force of this chapter, a front yard parking licence has been issued or was approved for issuance, the licence shall be governed by the regulations in effect at the time of issuance or approval of the licence as long the conditions of approval at the time of issuance or approval continue to be complied with and any required fees are paid in accordance with Municipal Code Chapter 441, Fees.

(Reserved 918-51 to 918-59)

§ 918-60. Canadian National Exhibition temporary parking.

None of the provisions of this chapter shall prohibit the temporary parking of motor vehicles on the boulevard or front yard from the opening date to the closing date, inclusive, of the Canadian National Exhibition, on the public highways designated in Column 1 below between the limits set out in Column 2:

Column 1	Column 2
Cowan Avenue	Springhurst Avenue and the south end
Spencer Avenue	Springhurst Avenue and the south end
Springhurst Avenue	Fort Rouille Street and Dunn Avenue
Thorburn Avenue (North Side)	Entire length
Tyndall Avenue	Thorburn Avenue and the south end

(Reserved 918-61 to 918-69)

ARTICLE IV
Application for a Front Yard Parking Licence

§ 918-70. Front yard parking.

- A. An application for front yard parking licence shall be on the form prescribed by the General Manager and shall include the following:
 - (1) Name, address and telephone number of the applicant.
 - (2) Copy of motor vehicle registration.
 - (3) Copy of property deed and survey.
 - (4) A detailed landscape proposal, which shall include:
 - (a) Plans must be drawn to scale and scale must be noted on plans;

- (b) All relevant dimensions;
 - (c) All highway names and municipal addresses;
 - (d) All physical details of the property such as utilities, sidewalks, walkways, trees, fences, retaining walls, etc.
 - (e) North arrow;
 - (f) Property lines; and
 - (g) Location of proposed front yard parking pad.
- B. The General Manager shall not accept an application for a front yard parking pad for a residential property with a private driveway.
- C. A front yard parking pad may not be licensed for:
- (1) A residential property fronting on a Major Arterial Road as contained in the City's Road Classification System or a highway that is an extension or connecting link of the King's Highway.
 - (2) A property fronting on a highway where on-street permit parking is authorized on the same side of the highway, fronting the proposed front yard parking pad.
 - (3) If on-street permit parking is in effect on a highway block and is less than 90 percent subscribed, front yard parking will not be permitted regardless of the side of the highway where the residential property is located.
- D. The owner of a residential property with no existing driveway may apply for a front yard parking licence under this section, provided:
- (1) The residential property is located on a highway which is under the jurisdiction of the City of Toronto.
 - (2) The applicant shown on the application is the owner of the residential property, and proof of ownership is satisfactory to the General Manager.
 - (3) The application must include a landscape plan satisfactory to the General Manager.
 - (4) The applicant has paid a non refundable application fee, which represents the City's costs for polling, providing the parking plate, administrative, survey and inspection services.
 - (5) On-site parking is neither available nor feasibly accessible, by means of a driveway or a contiguous street or lane.

- (6) The residential property is either permitted under the applicable zoning by-law or a legal non-conforming use.
 - (7) The General Manager shall not accept a front yard parking application unless two years have passed since a public poll has been conducted which resulted in a negative response.
 - (8) The owner of a residential property submitting an application for a front yard parking licence must relinquish his/her on-street permit parking permit, if in possession, to obtain a front yard parking licence.
- E. The owner or occupant in possession of a valid disabled persons parking permit submitting an application for front yard parking under this section, must permanently reside at the residential property in connection with the application being made.
- F. Despite any other provisions in this chapter, the owners of adjoining residential properties within an existing mutual driveway having a maximum width of 2.2 metres measured at the narrowest point may submit joint front yard parking applications to use one curb ramp to service two front yard parking pads.
- G. Despite any other provision in this chapter, the owner of a residential property with an existing mutual driveway having a maximum width of 2.2 metres measured at the narrowest point may submit an application to the General Manager for a front yard parking licence, provided all conditions outlined in this chapter have been complied with.
- H. The owner of a residential property with an existing driveway leading to an integral garage, which has been eliminated in accordance with the provisions of the applicable zoning by law, may make an application to the General Manager for a front yard parking licence to allow parking only on the existing driveway, as modified to comply with the provisions of this chapter.

(Reserved 918-71 to 918-79)

ARTICLE V

Front Yard Parking Licence Issuance

§ 918-80. Conditions- General.

The owner shall not commence construction of the front yard parking pad until being notified in writing by the General Manager that approval has been granted and the owner has obtained the required construction and paving permit and shall:

- (1) In the case of front yard parking for a corner property on the flank the General Manager may, in his or her sole discretion, require the person to whom approval has been granted to install a barrier, having a maximum height of 0.8 metre provided along the side of the front yard parking pad, that will serve to contain the parking in the authorized area and provide adequate sightlines.

- (2) The front yard parking pad shall be constructed in compliance with all conditions outlined in § 918-90.
- (3) The owner shall complete construction of the front yard parking pad within six months of obtaining the construction and paving permit, unless an extension is granted by the General Manager.
- (4) Upon completion of construction to the satisfaction of the General Manager, approval shall be granted for the installation of a curb ramp from the traveled portion of the street.
- (5) The installation of a curb ramp to access the front yard parking pad or pads for joint applications shall be provided by the City with the full cost being borne by the applicant.
- (6) For a front yard parking pad containing one parking space, the curb ramp shall not be more than 2.7 metres in width.
- (7) In the case of a joint application for a curb ramp servicing two parking spaces, the curb ramp shall not be more than 3.05 metres in width.
- (8) The owner shall pay the City the costs of the actual curb ramp.
- (9) Once the owner has paid the applicable fees in this chapter and as set out in the City of Toronto Municipal Code Chapter 441, Fees, the General Manager shall approve the front yard parking licence and issue a parking plate to the owner.

(Reserved 918-81 to 918-89)

§ 918-90. Conditions - Parking area.

Unless otherwise provided in this chapter, no person shall construct, maintain or use a front yard parking pad which is not in accordance with the following:

- (1) The front yard parking pad shall be constructed to slope upward at a two percent to six percent gradient from the rear edge of the sidewalk or curb, where no sidewalk exists, to the private property.
- (2) The proposed front yard parking pad must be paved with permeable paving material.
- (3) The width of the front yard parking pad shall not be less than 2.2 metres and not more than 2.7 metres, except for a front yard parking pad licensed to the holder of a disabled persons parking permit which shall not be more than 3.66 metres in width.
- (4) The total length of the front yard parking pad shall not be less than 5.3 metres and not be more than 5.9 metres.

- (5) Any driveway leading to a front yard parking pad shall be a maximum of 2.0 metres in length measured from the rear edge of the sidewalk or, where no sidewalk exists, the face of the curb or edge of the roadway and maximum of 2.7 metres in width.
- (6) No motor vehicle shall be parked less than 0.3 metre from:
 - (a) The back edge of the public sidewalk;
 - (b) Any door of any residential building, measured perpendicular to the door;
 - (c) The bottom step of any stairs;
 - (d) Any basement or ground floor window in any residential building, measured perpendicular to the window, and in the case of a basement window, the front of the motor vehicle shall face the main front wall of the residential building; or
 - (e) Any portion of any wall of any residential building containing any window in the second or higher floor, measured perpendicular to the portion of wall.
- (7) No portion of the front yard parking pad shall be located closer than 2.0 metres from a fire hydrant without prior written approval of the Fire Chief for the City of Toronto, which approval may be refused if, in the opinion of the Fire Chief, such an exception may detrimentally affect access to the fire hydrant.
- (8) The proximity of the front yard parking pad to any intersection shall be to the satisfaction of the General Manager.
- (9) The front yard parking pad shall be situated perpendicular to the adjacent sidewalk and, where there is no sidewalk, perpendicular to the face of the curb or edge of the travelled portion of the roadway.
- (10) Despite Subsection (9) an angled front yard parking pad may be permitted only where an obstruction or obstructions such as fire hydrants, trees, and hydro poles or the front yard and or boulevard is not deep to accommodate the motor vehicle from being parked perpendicular to the adjacent sidewalk or curb.
- (11) The General Manager may approve parking other than perpendicular, provided the front yard parking pad is located no closer than 2.0 metres to the rear edge of the sidewalk or, where no sidewalk exists, not less than 2.0 metres from the face of the curb or edge of the travelled portion of the roadway.
- (12) In the case of a mutual driveway, the proposed front yard parking pad can not be located within the existing mutual driveway, but shall be constructed adjacent to the mutual driveway, while maintaining the existing grade of the mutual driveway.

- (13) The licensed portion of the boulevard or front yard shall not be more than that required to establish a legal front yard parking pad.

(Reserved 918-91 to 918-99)

§ 918-100. Conditions - Landscaped open space.

- A. A minimum of 50 percent of the boulevard and front yard must be maintained as landscaped open space.
- B. A minimum of 75 percent of the boulevard and front yard must be maintained as soft landscaping.
- C. The remaining 25 percent of this area will be permitted as hard surface such as walkways, patios, and other hard surface areas provided that these areas cannot be used, or in the opinion of the General Manager, are capable of being used for vehicle parking purposes.
- D. Hard surface paving areas must be separated from driveways, front yard parking pads and walkways by means of a permanent physical barrier.
- E. Walkways located on the boulevard from the back edge of the sidewalk or back of curb to the property line, shall not have a width greater than 1.05 metres.

(Reserved 918-101 to 918-109)

§ 918-110. Conditions - Tree planting.

- A. The applicant must in writing and to the satisfaction of the General Manager of Parks, Forestry and Recreation guarantee the health of a tree or trees in accordance with the requirements of the City of Toronto Municipal Code, Chapter 813, Trees, and accept all costs and responsibility for any injury to a tree or trees that may be caused by the granting of the front yard parking licence.
- B. No tree will be removed for the purpose of the front yard parking.
- C. The applicant agrees and undertakes in writing to plant a tree on the boulevard fronting or in the front yard of the residential property for which the licence is being sought at the applicant's expense and to the satisfaction of the General Manager of Parks, Forestry and Recreation, if feasible.
- D. If the applicant has not planted a tree on the boulevard fronting or in the front yard of the residential property for which the licence is being sought and after a written notice to the owner by the General Manager providing 30 days notice to plant a tree, the City will plant a tree at the applicant's expense and the tree planting service fee will be added to the tax roll and collected in the same manner as taxes.
- E. If it is not feasible for the planting of a tree on the boulevard fronting or in the front yard of the residential property for which the licence is being sought the applicant must pay a tree

planting service fee for planting of a tree, on City property in the general area, preferably on the same street as outlined in the City of Toronto, Municipal Code Chapter 441, Fees.

(Reserved 918-111 to 918-119)

§ 918-120. Condition - Downspout disconnection.

Where the building roof drains to the sewer where physically feasible, the applicant shall disconnect the building roof water down spouts, at the applicant's expense, to the satisfaction of the General Manager of Toronto Water Services.

(Reserved 918-121 to 918-129)

§ 918-130. Conditions - Polling.

- A. Where an application has been made and filed under § 918-70, the General Manager shall certify the eligibility of the application with respect to the requirements of this chapter.
- B. Where the applicant otherwise complies with all requirements of this chapter, and where no other front yard parking pad is currently licensed on a highway between the two closest intersections, the General Manager shall conduct a poll to determine neighbourhood support of the application, subject to the following requirements:
 - (1) Where a poll is required for front yard parking, a petition must be submitted by the applicant signed by residents of at least 25 percent of the total number of residential properties having a municipal address located on both sides of the highway from the ends of the side lot lines to the nearest intersection indicating their initial support of the application before a poll is initiated.
 - (2) The polling limit shall consist of the residential properties located on both sides of the highway from the ends of the side lot lines of the residential property for which the licence is being applied for to the nearest intersection.
 - (3) Eligible voters must be persons 18 years of age or over as enumerated on the current assessment roll, as revised, within the polling limit.
 - (4) The polling period shall commence from the mailing date of the ballots and continue for 30 consecutive days.
 - (5) Where the closing date of the poll falls on a weekend, public holidays then the last day for casting ballots shall be the first business day thereafter.
 - (6) A minimum polling response rate of 25 percent of eligible voters is required.
 - (7) A response rate less than 25 percent shall be deemed a negative poll.
 - (8) Where the minimum response rate has been satisfied and the poll results in a majority ((50) percent plus one ballot) of those persons casting ballots being in favour of the application, the poll shall be deemed a favourable poll.

- (9) Where a poll has been conducted on a highway and the results of the poll are favourable, the secrecy of each ballot shall be kept confidential and the results of the poll shall be used in connection with each subsequent application for front yard parking on that block of the highway.
 - (10) Where the results of the poll are negative, repolling for the same purpose may not take place until two years have passed from the closing date of the previous poll.
- C. Subsection A shall not apply to those persons submitting a front yard parking application while in possession of a valid disabled persons parking permit.

(Reserved 918-131 to 918-139)

§ 918-140. Licensing.

- A. Where adequate space for parking cannot be provided on private property behind the main front wall of the residential building, and the owner of the residential property has submitted an application and satisfied all conditions in this chapter, the owner will be required to enter into an agreement with the City of Toronto in a form satisfactory to the City Solicitor and General Manager to license a portion of the boulevard or front yard, if:
- (1) The applicant agrees in writing to indemnify and save harmless the City from any action, claim, damage or loss whatsoever arising from the permission granted under the agreement for the parking of a motor vehicle on the licensed front yard parking pad or anything done or neglected to be done in connection with this front yard parking.
 - (2) An annual renewal fee is paid if the front yard parking pad extends in whole or in part onto the boulevard as outlined in the City of Toronto, Municipal Code Chapter 441, Fees.
 - (3) The applicant upon request to terminate the agreement and cancel the licence will be reimbursed the unexpended portion of the annual renewal fee remaining under the licence.
 - (4) The applicant acknowledges, in writing, that the agreement is not transferable from one owner to another and that a new owner of a residential property in connection with which the front yard parking is authorized shall enter into a new agreement with the City in order to continue a front yard parking licence for the front yard parking pad.
 - (5) The applicant acknowledges, in writing, that the City has the right for any reason, without liability, to terminate the agreement and the licence on 30 days written notice from the General Manager.
- B. Every licence shall be in writing and shall:
- (1) Describe any area for which it is issued.

- (2) Describe the front yard parking pad or any part of the pad as to measurements and alignment.
 - (3) Describe any class of motor vehicle for which it is issued.
- C. The General Manager shall grant a front yard parking licence in accordance with this chapter provided the terms of front yard parking licence, which includes a sketch of the front yard parking pad approved by the General Manager.

(Reserved 918-141 to 918-149)

§ 918-150. Parking plate.

- A. A parking plate shall be issued by the General Manager to the applicant which shall be firmly attached to the front wall of the building or on the face of an appurtenance to the front wall of the building at a height of not more than 1.83 metres from grade.
- B. The parking plate shall be located as close as possible to the front yard parking pad and, in all cases, at a location which at all times is visible from the roadway.

(Reserved 918-151 to 918-159)

§ 918-160. Renewal.

- A. Every front yard parking licence granted pursuant to this chapter shall expire on the 31st day of December in the calendar year that such front yard parking licence was granted.
- B. An owner or occupant who has been granted a front yard parking licence pursuant to this chapter may, on or before the 1st day of January of the calendar year following the year in which the front yard parking licence was granted or renewed, as the case may be, renew the front yard parking licence by paying the annual renewal fee.

(Reserved 918-161 to 918-169)

§ 918-170. Transfer.

A front yard parking licence may be transferred to a new property owner provided:

- A. There has not been any change to the originally approved and licensed front yard parking pad.
- B. The new owner has submitted and filed an application with the General Manager.
- C. The new owner has entered into a new agreement with the City.
- D. The new owner has paid the non refundable transfer fee as described in City of Toronto, Municipal Code Chapter 441, Fees.

(Reserved 918-171 to 918-179)

§ 918-180. Cancellation.

- A. When an owner of a residential property in connection with which a front yard parking licence has been issued under this chapter decides to voluntarily relinquish the front yard parking licence, the City after having receipt of a letter of consent from the owner of the property to permit the General Manager to work on the front yard and or boulevard the City, at its own expense, agrees to:
- (1) Plant a City tree in the boulevard in front of the house where feasible;
 - (2) Re-sod the boulevard area; or
 - (3) Re-sod the boulevard and front yard parking area.
 - (4) Remove the curb cut;
 - (5) Provide free down spout disconnection service where feasible;
 - (6) Offer a free water conservation audit to the property owner; and
 - (7) Provide one year's free on-street permit parking, for one vehicle in the household.
- B. The General Manager may revoke or terminate a front yard parking licence and, where applicable, remove the parking plate upon 30 days written notice by the General Manager to the owner, upon any of the following grounds:
- (1) Failure to comply with any provision of this chapter.
 - (2) Failure to comply with the terms of front yard parking licence.
 - (3) Failure to pay the parking fee and renew a front yard parking licence.
 - (4) The front yard parking licence was obtained on the basis of false, misleading or incorrect information.
 - (5) The residential building using the front yard parking pad has been demolished and parking is required to be provided on site in accordance with the applicable zoning by-law.
 - (6) The property is no longer a residential property; or
 - (7) The boulevard is required for any municipal purpose.
- C. Upon revocation or termination of the front yard parking licence for any reason set out in subsection B, the owner shall discontinue the use of the front yard parking pad and shall replace and restore the front yard parking pad to a safe and proper condition to the

satisfaction of the General Manager within 30 days of receiving written notice and pay the costs incurred by the City to remove the curb ramp.

- D. Despite revocation or termination of the front yard parking licence no portion of the annual renewal fee shall be refunded.
- E. A front yard parking licence issued to the owner or occupant in possession of a disabled persons parking permit under this chapter shall automatically cease to remain in force and the permission granted under it will be cancelled immediately following the cessation of permanent occupancy of the residential dwelling by a disabled person.
- F. Upon the cessation of permanent occupancy of the residential building by the owner or occupant in possession of a disabled persons parking permit, the owner of the property shall, at his or her expense, replace and restore the boulevard to a safe and proper condition to the satisfaction of the General Manager within 30 days of receiving written notice, unless subsequently approved for regular front yard parking under this chapter and pay the cost incurred by the city of removing the curb ramp.
- G. A front yard parking licence issued to the holder of a disabled person parking permit under this section shall be cancelled if the holder of the front yard parking licence obtains a designated on-street disabled parking space.

(Reserved 918-181 to 198-189)

ARTICLE VI Refusal of an Application

§ 918-190. Refusal.

The General Manager shall refuse to issue a front yard parking licence if:

- A. There is an existing valid front yard parking licence or permission for a front yard parking pad on the residential property pursuant to this chapter or any predecessor by-law.
- B. Where a widened mutual driveway is proposed and the residential property owner has applied for a front yard parking pad to be constructed, other than, adjacent to the mutual driveway.
- C. Where an application is based on, or an applicant has, a temporary disabled persons parking permit.
- D. Where the General Manager determines that the application does not comply with the criteria set out in this chapter or where the poll referred to in § 918-130 results in a majority of those persons casting ballots not being in favour of the application.

(Reserved 918-191 to 918-199)

ARTICLE VII
Appeals

§ 918-200. Appeal.

Subject to § 918-40, only in areas where front yard parking is permissible and where the General Manager refuses to approve the issuance of a front yard parking licence or grant permission under this chapter, an applicant may appeal to the applicable Community Council, as per the appeal process below:

- A. The applicant submits in writing to the General Manager a request for an exemption to this chapter, detailing the reasons for the appeal accompanied by a landscape proposal as outlined in § 918-70 A(4).
- B. The applicant has paid a non-refundable appeal fee as outlined in the City of Toronto Municipal Code Chapter 441, Fees.
- C. The Clerk shall notify all residents as enumerated on the current assessment roll, as revised having a municipal address located on both sides of the highway from the ends of the residential property's lot lines to the nearest intersection.
- D. The General Manager shall prepare a report based on the appeal for consideration by the appropriate Community Council and for the hearing of deputations.
- E. Residents on the highway within the polling limits shall be notified by the City Clerk of the hearing date and given the opportunity to depute the matter to the appropriate Community Council.
- F. Community Council shall recommend to Council whether to grant or refuse the application for exemption to this chapter, and Council may direct the General Manager to issue a front yard parking licence, subject to compliance with conditions as may be set by Council.

(Reserved 918-201 to 918-209)

ARTICLE VIII
Maintaining Parking Area

§ 918-210. Using boulevards for municipal purposes.

Nothing in this chapter shall prevent the General Manager from altering, opening or otherwise using any boulevard for municipal purposes.

(Reserved 918-211 to 918-219)

§ 918-220. Property owner's responsibilities.

- A. The owner and occupant shall maintain the front yard parking pad for which a front yard parking licence has been granted in a safe and clean condition free from all defects and hazards.
- B. The property owner at his/her expense, shall:
 - (1) Maintain the grassed portion of the boulevard and front yard trimmed to a height of not more than 20 centimetres.
 - (2) Maintain in a good state of repair permitted paving, landscape and encroachments, and vegetation shall be maintained in a healthy and vigorous growth.
 - (3) Maintain the boulevard and front yard free of litter, rubbish, brush, leaves, lawn trimmings, tree trimmings and noxious weeds as defined by the Federal Noxious Weed Act.
 - (4) Prune and trim hedges, trees, shrubs, and maintained natural gardens, except for those planted by the City, to maintain a minimum vertical clearance of 2.5 metres above the sidewalk, and 5.0 metres above the roadway so that there is no encroachment on or over:
 - (a) A sidewalk; or
 - (b) A roadway where there is no sidewalk.
 - (5) Maintain pedestrian sightlines at intersections, driveways, sidewalks, walkways, travel lanes, and visibility at all traffic control devices is not restricted by vegetation or other modifications to the boulevard that the property owner may undertake.
- C. Maintain an unobstructed 2.0 metres radius around fire hydrants or fire hydrant valves or as approved by the Fire Chief for the City of Toronto..
- D. Shrubs, hedges, maintained natural gardens, flowers and other plantings located within the boulevard shall not be more than 0.8 metre in height measured from the travelled portion of the adjoining roadway.
- E. Snow cleared from any front yard parking pad shall not be placed on any sidewalk or traveled portion of the roadway.

(Reserved 918-221 to 918-229)

ARTICLE IX

Fees

§ 918-230. Fees for front yard parking privileges.

Unless otherwise stipulated in an agreement, every person whose motor vehicle is situated in, on, over, along, or across a boulevard for the purpose of front yard parking shall pay any applicable fees and charges, as described in this chapter and in an amount as outlined in the City of Toronto Municipal Code, Chapter 441, Fees.

(Reserved 918-231 to 918-239)

§ 918-240. Fees for property information requests.

Where a request is received for information on the status of a front yard parking pad licence with respect to a residential property, a non-refundable property information fee, in an amount outlined in the City of Toronto Municipal Code, Chapter 441, Fees shall be charged, and payment of this fee shall be required prior to providing the requested information.

(Reserved 918-241 to 918-249)

§ 918-250. Fees for unlicensed front yard parking pads.

Where a residential property owner has submitted an application to licence an existing front yard parking pad constructed without authority, the applicant shall pay an inspection fee, as outlined in the City of Toronto Municipal Code, Chapter 441, Fees, prior to the issuance of a licence.

(Reserved 918-251 to 918-259)

**ARTICLE X
Enforcement and Penalties**

§ 918-260. Enforcement, administration and conflict with other legislation.

- A. Where any person paves, excavates or undertakes work within the boulevard, without approval under this chapter, the General Manager shall provide the owner a 30 days written notice to restore the boulevard to its original condition, and if after the 30 days the owner does not comply, the General Manager may erect barricades or restore the boulevard to its original condition at the person's expense, and the City may recover its costs in a like manner as municipal taxes.
- B. Where the owner of a residential property with a front yard parking licence is in default of front yard parking licence renewal fees, the General Manager shall provide the owner a 30 days written notice for payment of fees and if after the 30 days notice the owner still is in default of the front yard parking licence renewal fees, the General Manager may erect barricades or restore the boulevard to its original condition at the owner's expense, and the City may recover its costs in a like manner as municipal taxes.

(Reserved 918-261 to 918-269)

§ 918-270. Offence.

Every person who contravenes any provision of this chapter is guilty of an offence.

(Reserved 918-271 to 918-279)

ARTICLE XI
Transition

§ 918-280. Transition.

- A. Effect on other residential front yard and boulevard parking by-laws/codes.
- (1) Despite this chapter, Chapter 400 of the former City of Toronto Municipal Code (Traffic and Parking), Chapter 313 of the former City of Toronto Municipal Code (Streets and Sidewalks), Chapter 248 of the former City of Toronto Municipal Code (Parking Licences), By-law No. 122-93 of the former Borough of East York, being a by-law “To license and regulate boulevard parking in residential areas”, Chapter 183-17 of the former City of Etobicoke (Public Road Allowances), Chapter 955 of the former City of York (Parking Boulevard, Residential Area), Chapter 963 of the former City of York (Parking Disabled, Boulevard Residential), By-law No. 17307 of the former Borough of Scarborough, being a by-law “To prohibit the parking or driving of vehicles on boulevards” (herinafter collectively referred to as the “Parking on Residential Front Yards and Boulevards Chapter”), shall remain in force until expressly repealed.
 - (2) In the event of any conflict between any one or more of the residential front yard and boulevard parking by-laws and this chapter, this chapter shall govern.
- B. Section 1 of this chapter shall be effective 90 days after the date of the first approved set fine order from the regional Senior Justice of the Ontario Court of Justice for the offences created by this chapter.

Appendix D

Impacts of Front Yard Parking on Wet Weather Flow Management Issues

Scope of Appendix

Staff of Toronto Water's Infrastructure Management Asset Planning and Management – Stormwater Management group have considered the several requests to provide additional information on the effect of front yard parking and driveway widening on stormwater management.

This appendix:

- a) Examines additional issues from Community Council and Works Committee requests concerning “the impacts of residential parking located at the front or beside a house on stormwater runoff, the Wet Weather Flow Management Plan, toxicity, and extrapolation City wide using the WWF Hydrological Model”.
- b) Summarizes the status of developing a methodology for evaluating various porous materials for front yard pads.

Impacts of Front Yard Parking on Stormwater Management

Effects of Front Yard Parking By Extrapolation of Wet Weather Flow Model

Toronto and East York Community Council (Paragraph (3)(a), Clause No. 25 of Report No. 5, adopted by City Council at its meeting of June 14, 15 and 16, 2005), requested “an extrapolation of the wet weather flow [WWF] hydrologic model for all existing licensed front yard parking pads and driveway widenings to determine the amount of additional stormwater that enters storm sewers as a result of these pads”. In addition, Policy and Finance Committee (Paragraph (3)(a), Clause No. 2 of Report No. 3 of Policy and Finance Committee, adopted as amended by City Council at its special meeting of February 21, 22, 23, 24, 25, 28 and March 1, 2005) made requests to document the environmental impact of front yard parking and driveway widening. The environmental impact considered in this section is the additional volume of stormwater runoff generated if the parking pads are paved with asphalt or other hard surfaces.

To evaluate the amount of additional stormwater that enters storm sewers as a result of these pads, the following methodology was used. The WWF model was applied by considering the four categories of residential parking and the land use categories. The four basic categories of residential parking located at the front or beside a house, described in the Staff Report dated May 17, 2005 to all Community Councils, were used to characterize the number and size of parking pads.

The hydrological response of any lot is a function of land use categories, connectivity, and type of soils. The WWF model considers land use categories of low-density

residential (range of 30%-50% imperviousness), medium-density residential (range of 50%-70% imperviousness), high-density residential (range of 70%-90% imperviousness), high rise residential, downtown commercial, big box commercial, strip mall commercial, and a set of industrial and open space categories (institutional, educational, parklands, hydro, golf, cemetery, valley lands, highway, prestige industrial, big box industrial, and agricultural). For purposes of this assessment, it was estimated that all residential parking pads are limited to low density and medium density land uses. The model uses 7 different types of connectivities (how rainwater is transported from the building, through overland flow, footing drains and downspouts) between the lot and the City conveyance system, and 3 major soil types (which influence infiltration); all 'connectivities' and soils across the City were considered in the assessment. The amount of imperviousness in each land use category includes all hard surfaces-roofs, sidewalks, driveways, roadways and parking lots, and as such includes existing front and side yard parking present at the time of digitizing the aerial photography of the City of Toronto (2000-2001 period).

The results from the WWF hydrological model are as follows. The 14,885 parking sites licensed as of December 31, 2004, contributes about 0.7% of stormwater runoff from low and medium density areas across the City of Toronto, assuming that these residential parking pads were included in the 2000 – 2001 digital information. Since 1002 sites were licensed in 2003 and 984 sites were licensed in 2004 (see May 17, 2005 Staff Report to the Community Councils), a scenario in which 1000 sites have been licensed per year for the 4 year period of 2001 to 2005 is calculated to have generated an additional stormwater volume of about 0.2% since the City mapping was last digitized.

Additional perspective is provided by examining the effect of parking on residential properties in general across Toronto. Considering estimates of about 356,000 residential driveways providing access to garages and other on-site parking areas, about 17% of stormwater runoff from low and medium-density residential areas in Toronto is due to these facilities.

It is concluded that, on a City wide basis, the residential licensed parking areas represent a very small portion of stormwater runoff across the whole City; parking sites licensed since 2001 represent an even smaller portion.

Toxicity Considerations

The Toronto and East York Community Council (Paragraph (3)(b) Clause No. 25 of Report No. 5, adopted by City Council at its meeting of June 14, 15 and 16, 2005), requested a report “on the wet weather flow management plan to include the toxicity and runoff to be applied to Front Yard Parking, Driveway Widenings, Residential Boulevard Parking and Disabled Parking. As there is not a definitive data-base to address this request, it is evaluated below by considering the toxicological properties of stormwater runoff, materials potentially used in parking pads, and the role of the parked automobile.

Comments have also been sought on the environment impact of water and wastewater runoff, with respect to the paving of backyards with material such as tar [assumed, by

City staff to be asphalt] concrete stone and brick and whether this is a sustainable practice and should continue (Paragraph (3)(a), Clause No. 2 of Report No. 3 of Policy and Finance Committee, adopted as amended by City Council at its special meeting of February 21, 22, 23, 24, 25, 28 and March 1, 2005). The information presented above indicates that the major impact is the increased volume of stormwater runoff. Water quality impacts associated with the leachability of materials used in parking pads are addressed in this sub-section while the sustainability issue is addressed in the next section.

Toxicological properties of stormwater runoff. The toxicity of stormwater runoff was assessed by an R &D partnership led by the Ontario Ministry of Environment, in the late 1990s of which the City of Toronto was a partner. The general findings are that stormwater runoff does not pose a toxicological risk to receiving waters when derived from residential areas but that stormwater runoff from roads with larger traffic volumes such as freeways may pose a concern and should be addressed through future research. On such roadways, two metals - copper and zinc plus road salt applied as a winter time deicing material were the main constituents of toxicological concern. Stormwater Best Management Practices can be used to address the metals copper and zinc while under the direction of Environment Canada's evaluation of road salt, the City of Toronto has developed and implemented a Salt Management Plan to address the potential effects of road salt on receiving waters as well as optimize the use of road salt to achieve deicing and road safety objectives. The City's Salt Management Plan meets the regulatory requirements proceeding from Environment Canada's designation of road salt as a material which has the potential to impair the environment.

Toxicity of materials potentially used in parking pads. In terms of asphalt, concrete, recycled asphalt pavement, and other materials incorporated into building roadbeds, an US National Academy of Science research project completed as a part of the National Co-operative Highway Research Program (NCHRP Project No 25-9) developed a methodology for examining the leachability and toxicological properties of leachates from various highway, roadway, and street construction and repair materials. The general findings are that for the variety of asphalt and concrete materials tested, the leachates were not toxic to either an algae or to a water flea (*Daphnia magna*) which were used as the test organisms following nationally used toxicity testing protocols. Some materials used in the roadway and street allowance pose a toxicological risk, such as wood preservatives (ACZA) used on pressure treated wood in certain American states.

The role of the automobile. In terms of front yard parking, the toxicological risk of stormwater runoff is associated with sources of metals such as copper and zinc. One source is wear and tear of the automobile while it is in operation. Other metals, such as iron which does not pose a toxicological risk, are leached from the automobile body by corrosion. Parked vehicles per se have a minimal contribution to toxicological risk of stormwater runoff, if the risk is generated by the active operation of the vehicle; if the risk is generated by rainwater hitting a parked vehicle and washing some of the metal off of the automobile body, a case could conceivably be made for concern about vehicles parked in front yard pads. Some research has been conducted on the issue - for example

washing individual automobiles under control conditions in the laboratory and spray irrigating cars driven on an interstate highway such as was carried out in Austin Texas in the mid 1990s. Unfortunately the research database does not permit a separation of the affects of parked vehicles relative to vehicles being driven. In addition, new materials used in automobiles to make them lighter in weight, reduce the amount of metal in automobile bodies, and reduce the mass of metal leached in the 2000 era, compared to the 1980s; again the research data that documents the reduction are evolving.

Even the effects of the number of vehicles on the concentration of contaminants and pollutants in highway stormwater runoff has been a matter of considerable debate over the past two to three decades. A synopsis of concentrations of constituents in highway runoff based on monitoring data from the early 1980s differentiated concentrations into two categories: roadways which have more than 30,000 vehicles per day in urban areas and highways which have more than 30,000 vehicles per day in urban areas. Unlike air quality where there is a direct quantitative link between the number of vehicles driven per day in an area and the impacts on air quality through the mass of air pollutants emitted, there is no similar clear quantitative link with the concentration of constituents in stormwater runoff, based on professional syntheses currently available in the literature.

Summary. A synthesis of available literature indicates that the toxicological risk of stormwater runoff from front yard parking pads in residential areas cannot be separated from the risk of stormwater runoff from the general streetscape. The constituents who generate toxicological risk are associated with automobiles and general urban dust fall, rather than the materials that are used to construct such pads. The City's requirements for materials used in parking pads ensure that they do not pose a toxicological risk.

Effects of Front Yard Parking on Stormwater Best Management Practices

The staff report dated May 17 2005, contrasted the size and cost of an end-of-pipe facility needed to treat stormwater runoff from front yard parking in areas such as Toronto and East York with driveway widening in other areas of Etobicoke, North York and Scarborough. Based on the examples provided there, the incremental cost related to front yard driveway where space confined techniques are required in Central Toronto is about \$1 million dollars whereas the incremental cost related to driveway expansion in Etobicoke, North York and Scarborough is in the order of \$150,000.00 per 50 ha sewershed.

The biggest effect of front yard parking on wet weather flow and on the WWFMMP is on a local scale - sub-watersheds, where the societal pressure for front-yard parking is the greatest. These are also the areas where space confined underground technologies would be needed to address stormwater quality.

Mitigation Through Downspout Disconnection and Porous Materials

The potential additional volume of stormwater runoff from front-yard parking pads can be off-set by variety of techniques. A qualitative rating of the effectiveness of all the

techniques (over 100 techniques) considered in the WWFMMP Management and Operations Guide is provided in the appendix (D.1). Of these techniques, downspout disconnection where physical conditions permit, education, management of imperviousness, construction with permeable materials and soft landscaping are addressed in the section, as they are the most effective and directly applicable to mitigating the effects of front yard parking.

(i) Mitigation Through Downspout Disconnection

The Toronto and East York Community Council (Clause No. 33 of Report No. 2, adopted by Toronto City Council at its meeting of March 1, 2 and 3, 2004), requested “the Commissioner of Works and Emergency Services, in future reports, to include comments on the disconnection of downspouts and impacts on sewer and wastewater management”.

In the past, staff provided all applicants with information on downspout disconnection and strongly encourage them to consider this measure and the benefits arising in conjunction with their applications. The proposed new code provisions will now make it a requirement of approval for front yard parking that downspouts must be disconnected, at the owner’s expense, where physically feasible. In the downspout disconnection program, if a homeowner wants their downspouts to be disconnected, city staff inspect the property to determine that this measure will not physically impair the structural integrity of the dwelling. If it will impair the structural integrity, downspout disconnection is not carried out.

(ii) Education

Staff are examining the feasibility of providing information in the water bill of the negative effect on the water system due to FYP pads. (Clause No 14(a) of Scarborough Community Council, received by City Council at its meeting of June 14 – 16, 2005).

(iii) Management of Imperviousness

Comments have been sought as to whether paving of backyards, and by implication FYP pads, is a sustainable practice and should continue (Paragraph (3)(a), Clause No 2 of Report No 3 of Policy and Finance Committee, adopted as amended by City Council at its special meeting of February 21, 22, 23, 24, 25, 28 and March 1, 2005). The amount of imperviousness in a catchment is used in this section as an indicator for addressing the issue of sustainability.

The management of the amount of imperviousness in a watershed is being implemented in some jurisdictions as a technique to minimize the impacts of stormwater discharged from a site. Regulating the amount of imperviousness in a catchment has two opposite ends to the spectrum – minimizing the amount of imperviousness based on threshold values which minimize the impact of stormwater runoff on aquatic systems, and maximizing the degree of imperviousness in certain catchments.

At a sub-watershed scale, evolving research indicates that beyond a range of 10% to 15% imperviousness in a catchment, it is difficult to maintain the ecological integrity of receiving waters, without a substantial reduction in the volume of runoff from pavement through infiltration and evapotranspiration. In Ontario, imperviousness management has first been recognized for lands falling under the jurisdiction of the Oak Ridges Moraine Act, where a 10% imperviousness limit requirement has been established. Where planning policies encourage or mandate medium and high densities to promote efficient urban form and servicing, the amount of impervious surface in a watershed is in the range of 40%-60%. Due to the amount of impervious surface in those developed portions of *urban settlement* areas, and those areas of new *development*, it may be more efficient, and in some cases the only practical way, to compensate offsite for the inevitable adverse effects of excessive hard-surfacing on the *watershed's* important ground and surface water areas, water quality, and hydrological functions.

At a lot –level scale, because much of Toronto is already 40% impervious or larger, one or two additional front yard pads have a negligible effect on receiving water ecosystems, because the amount of impervious cover is already so far beyond a threshold which lies in the 10%-15% range. But on a cumulative basis, the focus of the WWFMMP Policy is on a hierarchy of controls (first source – lot level, then conveyance system, then end-of-pipe controls) which dictates that we need to decrease the amount of transport – connected imperviousness on a lot by lot basis, because every site, no matter how small, assists in achieving the bigger picture of creating a more sustainable human living space in urban areas.

Hence, the policy direction for FYP pads is to minimize the extent of imperviousness in the yard.

(iv) Mitigation Through Porous Materials

Comments have been sought on ‘citywide standards WWF master plan objectives and materials that can be used for permeability’ (Paragraph 4(b) of Clause 25 of Report No. 5, adopted by City Council at its meeting of June 14, 15 and 16, 2005). Clause No. 51(a) of North York Community Council, adopted by City Council at the June 14, 15, and 16 2005 meeting, in paragraph (2)(a) requested the Acting General Manager of Transportation Services, to report on ‘proposed policy to require permeable surfacing on all front yard parking and driveway widening, and in paragraph (3) ‘requested the Acting General Manager Transportation Services, to report on other materials besides asphalt and interlocking brick and the appropriate bylaws that that should be adopted to permit these materials, instead of asphalt or interlocking brick’.

Description of Alternative Materials. Porous pavement materials allow some of the rain to pass through, collecting in the void space of the base course, and ultimately drain away by natural infiltration, but the amount of evapotranspiration is smaller than with grassed areas. There is a spectrum of porous materials used in driveway reconstruction, some better than others in ensuring infiltration. Materials such as clear stone gravel without fines have superior infiltration properties but require maintenance through surcharging with additional material. This will also impact on street cleanliness and aesthetics.

Porous materials partially mitigate the hydrological effect of conversion of front yard grassed areas to parking pads.

Four different types of porous pavements have been identified: 1. porous asphalt pavement (PAP), 2. porous concrete pavement (PCP), 3. modular interlocking concrete block (MICB) of the internal drainage cell type (MICBIC), and 4. modular interlocking concrete block with external drainage cells (MICBEC). PAP, like conventional asphalt pavement, is composed of stone aggregate and an asphalt binder, but differs from conventional asphalt pavement in that it contains very little fine aggregates (dust or sand), allowing stormwater to infiltrate into the substructure. PCP is constructed, similar to other concretes, from aggregate and a portland cement binder. Similar to PAP, the porosity of PCP is provided by the omission of the fine aggregates. PCP density is generally about 70 to 80 percent of that of other conventional portland cement concretes and is dependent on the aggregate source and degree of compaction.

Different MICBEC and MICBIC pavers are illustrated in Figure 2.1 (Figure 2.1 is embedded in diagram from Kresin, 1996). Figure 2.1a depicts the external drainage cells from a specific manufacturer, when three concrete pavers are placed together as well as a single paver. Figures 2.1b and 2.1c show two typical lattice style MICBIC system pavements.

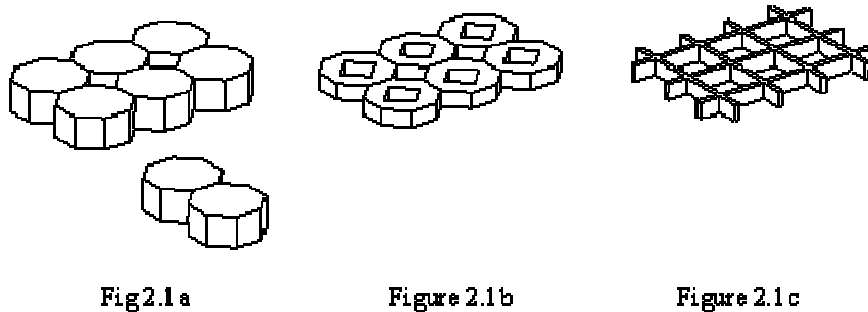


Figure 2.1 MICBEC and MICBIC Systems (Kresin, 1996)

Permeable pavement attempts to reproduce the pre-development hydrologic regime that was present before urbanization. The main purpose of this type of stormwater management practice is to reduce the volume of runoff that will reach receiving waters.

There have been various investigations into the performance of permeable pavement installations. One example of a rating system is provided in Table D1. A wide variety of

Table D.1 Pavement Thickness and Materials Used and Amount of Runoff generated from different parking materials

	Asphalt		Cement Paver		Manufacturer "X Product"		Manufacturer "Y Product"	
	Thickness (mm)	Material (mm)	Thickness (mm)	Material	Thickness (mm)	Material	Thickness (mm)	Material
Surface	75	H18	60	Concrete	80	Concrete	80	Concrete
Base	90	Gran "A"	75	Gran "A"	100	C.L.S.S.	75	C.L.S.
Sub-base	400	Gran "A"	400	Gran "A"	400	Gran "A"	400	Gran "A"
Runoff as Percentage of Rainfall	100 %		80 %		61 %		38 %	

Note:

C.L.S. - clear washed stone

C.L.S.S.- clear washed stone and sand

Gran "A"- Granular "A"

values have been established in the professional scientific / engineering literature, ranging from 10%-20% infiltration up to 80%-90% infiltration. It is a function of many factors including: under-bedding and drainage design, (the pads need both a surface material as well as a sub-surface material); age of structure (amount of infiltration declines with age); how recent was the last rainfall and how much fell; whether testing is carried out in the laboratory or outdoors; and the performance testing protocol used. Table D.1 very clearly shows the effect of material type and base on infiltration performance.

Status of Policy Development. The front yard parking and driveway widening by-law requires that permeable materials be used for the parking pad.

In terms of citywide standards for WWFMMP objectives and materials that can be used for permeability, city staff are in the midst of extracting a quantitative rating for all the WWF techniques listed in Appendix D.1 from the WWF model, both in terms of water quality improvement and in terms of reduction of volume of stormwater discharged. As a part of this effort, a methodology for assessing permeability for different materials is being developed. This work has the following implications. Of the alternative methodologies, one approach is to assign functional values to different permeable materials filed with General Manager of Transportation, while another is to use field measurements of the permeability of the FYP after it is built. Because field measurement protocols are in a state of infancy in Ontario, a performance standard together with a consistent method for assigning function values of permeability for different designs will be established. In the interim, front yard pads which provide the equivalent permeable properties to that displayed in Figure 2.1b or 2.1c will be accepted by the City.

(v) Mitigation with Soft Landscaping

Soft landscaping (i.e. vegetation) reduces stormwater runoff by evaporating water and promoting infiltration by assisting in maintaining a porous soil structure in the root zone.

Compared to paved areas, the WWF model indicates that soft landscaping can decrease the volume of stormwater discharged by 30% to 200% dependent on the soils, slope of the front yard, and length of the flow path

Landscaping requirements provided in the proposed Code Chapter provide stormwater benefits, as well as aesthetics and reduce the heat island effect.

Summary of Findings Concerning Mitigating Measures

To off-set the hydrological effects of front-yard parking and to reduce the environmental impact, the following three methods are the most effective and will be used in application of the FYP Bylaw:

- Downspout disconnection
- Permeable / porous materials
- Soft [vegetated] landscaping

Educational efforts will be used to further assist with reducing the environmental effects.

Appendix D.1. Qualitative Rating of Effectiveness of all Management Techniques Considered in the WWF Study

In the technical guide for Wet Weather Flow Management Master Plan (WWFMMP) Study, there are a variety of documented methods which can be used to offset the effect of imperviousness, whether it includes roofs, sidewalks, streets, or front yard parking pads. The measures and general functional hydrological benefits provided are as follows:

1. The following measures have some degree of benefit, with respect to reduction in stormwater discharge from an urban area.
 - i. Roof Restrictors
 - ii. Lot level storage [page 1-44, 'Control Alternatives' report]
 - iii. Redirect Parking runoff [R.O].
 - iv. Trees & Bushes [page 1-70, 'Control Alternatives' report]
 - v. Regrade Parking Area
 - vi. Rooftop Gardens [page 1-67, 'Control Alternatives' report]
 - vii. Pervious Pavement/ porous pavement [3 types; page 1-50, 'Control Alternatives' report]
 - viii. Infiltrate Roof R.O.
 - ix. Underground Storage
 - x. Bio-filtration in Parking Lot
 - xi. Soak-away pits [page 1-52, 'Control Alternatives' report]
 - xii. Roof leader disconnection [page 1-40, 'Control Alternatives' report]
 - xiii. Foundation drain disconnection [page 1-42, 'Control Alternatives' report]
 - xiv. Back-yard swale [page 1-55, 'Control Alternatives' report]
 - xv. Vegetative filter strip [page 1-58, 'Control Alternatives' report]
 - xvi. Stream and valley corridor buffer strips [page 1-61, 'Control Alternatives' report]
 - xvii. Bioretention areas [page 1-64, 'Control Alternatives' report]
 - xviii. Roof-top storage [page 1-67, 'Control Alternatives' report]
 - xix. Roof-top Green roof
 - xx. Enhanced yard vegetation [page 1-70, 'Control Alternatives' report]
 - xxi. Rain/storm garden [page 1-70, 'Control Alternatives' report]
 - xxii. Urban forest [page 1-73 'Control Alternatives' report]
 - xxiii. Rainwater harvesting.

2. The following measures may or may not have a significant effect on volume of stormwater discharged:
 - i. Lot grading [page 1-46, 'Control Alternatives' report]
 - ii. Water conservation [page 1-15, 'Control Alternatives' report]

3. The following options/techniques/operations and maintenance practices listed in the WWFMMP Management and Operations Guide, have no effect on the volume of stormwater discharged:
 - i. Storm drain flushing [page 1-1, 'Control Alternatives' report]
 - ii. Catch basin cleaning [page 1-3, 'Control Alternatives' report]
 - iii. Street cleaning [page 1-5, 'Control Alternatives' report]
 - iv. Control of road deicers [page 1-8, 'Control Alternatives' report]
 - v. Control of fertilizers and pesticides [page 1-10, 'Control Alternatives' report]
 - vi. Enforcement of anti-litter and discharge bylaw [page 1-12, 'Control Alternatives' report]
 - vii. Erosion and sediment control [page 1-18, 'Control Alternatives' report]
 - viii. Used oil recycling [page 1-20, 'Control Alternatives' report]
 - ix. Household hazardous waste collection [page 1-22, 'Control Alternatives' report]
 - x. Safer alternative products [page 1-24, 'Control Alternatives' report]
 - xi. Materials Storage Controls [page 1-26, 'Control Alternatives' report]
 - xii. Vehicle use reduction [page 1-28, 'Control Alternatives' report]
 - xiii. Pool Drainage [page 1-30, 'Control Alternatives' report]
 - xiv. Spills Control [page 1-32, 'Control Alternatives' report]
 - xv. Leaf clearing and removal [page 1-34, 'Control Alternatives' report]
 - xvi. Modifying Engineering Standards [page 1-36, 'Control Alternatives' report]
 - xvii. Cross- connection Control Program [page 1-38, 'Control Alternatives' report]
 - xviii. Catch basin restrictors / inlet controls [page 1-48, 'Control Alternatives' report]
 - xix. Oil Grit separators [page 1-76, 'Control Alternatives' report]
 - xx. Super-pipes [page 1-79, 'Control Alternatives' report]
 - xxi. Physio-chemical and biochemical treatment techniques [page 1-81 to I-118, 'Control Alternatives' report]