



**STAFF REPORT
ACTION REQUIRED**

Front Yard Parking - 225 Humberside Avenue

Date:	August 13, 2007
To:	Etobicoke York Community Council
From:	Director, Transportation Services - Etobicoke York District
Wards:	Ward 13 – Parkdale–High Park
Reference Number:	p:\2007\Cluster B\TRA\EtobicokeYork\eycc070099-to – AFS5663

SUMMARY

This staff report is about a matter for which Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to inform Etobicoke York Community Council on an application for front yard parking at 225 Humberside Avenue. This application is an appeal and is scheduled as a deputation item.

The owner of 225 Humberside Avenue submitted an application for a front yard parking pad, but was advised that the property is not eligible for front yard parking under either the former City of Toronto Municipal Code or Chapter 918 of the Toronto Municipal Code. The proposed front yard parking pad cannot provide the required overall length to accommodate a typical passenger automobile without encroaching over the sidewalk or into the 0.31 metre no parking area required between the rear of the vehicle and the back edge of the sidewalk.

Staff cannot recommend a front yard parking pad at this location. It does not meet the requirements of either the former City of Toronto Municipal Code or Chapter 918 of the Toronto Municipal Code, and our survey shows that the majority of respondents oppose constructing a front yard parking pad at this address; however, if Community Council finds merit in this proposal, it could be approved subject to the conditions described in the “Comments” section of this report.

RECOMMENDATIONS

Transportation Services recommends that:

1. Etobicoke York Community Council refuse the application.

Financial Impact

There are no financial implications resulting from adopting this report.

COMMENTS

The owner of 225 Humberside Avenue submitted an application for a front yard parking pad. This application was made before Council's adoption of Chapter 918 "Parking on Residential Front Yards and Boulevards" of the Toronto Municipal Code. We advised the applicant that the property is not eligible for front yard parking since the distance from the back edge of the sidewalk, that is, the edge of the sidewalk located furthest from the road, to the porch stairs, is just 4.9 metres. To accommodate the full range of passenger vehicles without encroaching over the sidewalk requires a minimum parking pad length of 5.3 metres.

The applicant submitted an appeal and a request for an exemption from the former City of Toronto Municipal Code, Chapter 400 "Traffic and Parking" to permit front yard parking at this location. Since we received the application prior to Council's adoption of the current front yard parking bylaw, it is being processed according to the requirements described in the former City of Toronto Municipal Code. Attachment 1 illustrates the site and surrounding area.

This proposal is governed by the criteria set out in the former City of Toronto Municipal Code, Chapter 400 "Traffic and Parking". The criteria described in the former City of Toronto Municipal Code prohibits front yard parking where the proposed parking area cannot provide a minimum 0.31m clearance from the back edge of the City sidewalk. The proposed parking pad measures 4.9 metres in length, insufficient to accommodate the full range of passenger vehicles without overhanging the sidewalk.

The property is located on the south side of Humberside Avenue between Aziel Street and Pacific Avenue. The property's lot dimensions measure 7.47 metres wide by 30.48 metres in length. The proposed parking stall measures 2.6 metres wide by 4.9 metres in length. While the property is not eligible for front yard parking because it does not meet the requirements of the former City of Toronto Municipal Code, it can meet the other physical requirements of the Municipal Code; for example, landscaping. Attachment No. 2 illustrates the proposed front yard parking pad, and a photograph of the site is Attachment No. 3.

We wish to emphasize that while we are processing this application under the front yard parking criteria described in the former City of Toronto Municipal Code. It is important to consider that this proposal also does not comply with the current front yard parking requirements outlined in Chapter 918 of the Toronto Municipal Code since the proposed front yard parking pad cannot provide a minimum 0.31m clearance from the back edge of the City sidewalk and requires removing an existing tree.

Permit parking is authorised on the north side of Humberside Avenue, between Aziel Street and Pacific Avenue within permit parking area 1B. As of July 12, 2007, there were 1,577 permits issued from a total of 2,015 available on-street parking stalls. We have issued one on-street parking permit for the four on-street parking permits stalls available on this section of Humberside Avenue. There is one on-street parking permit currently registered to this address.

Presently, there is one property on Humberside Avenue between Aziel Street and Pacific Avenue that is licensed for front yard parking.

To determine if the community supports this application, we conducted a survey (poll) of all residents listed in the City's assessment information system who own property or reside on both sides of Humberside Avenue, from No.'s 208 to 236. The survey was conducted according to the requirements of Chapter 190 "Polling and Notification" of the City of Toronto Municipal Code.

As requested by Councillor Saundercook, survey questionnaires were sent out in English, Polish and Ukrainian.

The following table presents the survey results:

Total Ballots Mailed	51
Valid Ballots Returned	17
Respondents in Favour	7 (41%)
Respondents Opposed	10 (59%)

Thirty-three per cent of all persons responded to our survey questionnaire. Fifty-nine per cent of respondents indicate that they oppose the applicants request for front yard parking at 225 Humberside Avenue.

The applicant's proposal does not satisfy the requirements of the former City of Toronto Municipal Code; however, should Etobicoke York Community Council find merit in this proposal, it could be approved subject to the following conditions:

1. The front yard parking pad must maintain a maximum width of 2.6 metres wide and a minimum length of 4.9 metres;

2. The applicant paving the front yard parking area with semi-permeable materials, such as ecostone pavers, interlocking pavers, or an equivalent paving treatment that is acceptable to the General Manager, Transportation Services Division;
3. The applicant registers a warning clause on-title to the property advising future owners that there is an existing single car front yard parking pad encroaching into the municipal road allowance that is subject to the payment of annual licensing fees, and that the use of this front yard parking pad is restricted to vehicles with an overall length of 4.9 metres or less;
4. The applicant pays all applicable fees and complies with all other criteria described in the former City of Toronto Municipal Code;
5. The applicant obtains approval from the Parks, Forestry & Recreation Services Division Services to remove the existing tree in the front yard of the property, and funds the planting of a tree in the neighbourhood;
6. The existing on-street parking permit issued to this address is cancelled following the construction of the front yard parking pad;
7. The width of the curb cut accessing the parking pad is limited to a width of 3.0 m; and
8. The applicant satisfies these conditions at no expense to the municipality.

CONTACT

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SIGNATURE

John Niedra, P.Eng
Director, Transportation Services - Etobicoke York District

ATTACHMENTS

Attachment No. 1: Map
Attachment No. 2: Proposed Plan
Attachment No. 3: Photograph