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## **TO: Chair and Members of Toronto and East York Community Council**

### **RE: TEY 25.24, Front Yard Parking for 110 B Holborne**

#### **Background**

This matter was deferred from the March meeting of Community Council to provide additional time to review this application. I would like to provide a short background and **seek your support for the original alternate recommendations contained in the report.**

#### **History**

- In November 2006 the owner applied to C of A for consent to sever and minor variances including a front yard parking pad.
- The C of A approved his applications under new Front Yard Parking (FYP) zoning bylaw 974-2006. The owner was required to meet the landscaping requirements, including providing a minimum of 75% soft surfacing of the landscaped open space.
- The C of A decision was **not** conditional on the owner securing approval of the right of way (ROW) portion of the front yard parking pad, and the owner claims he was not informed of the need to apply to Right of Way management for approval.
- The owner proceeded to build the house, the front yard parking pad, and install brick pavers
- MLS investigated the site after receiving a complaint and informed the owner of the need for a parking pad approval and permit.

#### **Current Situation**

- The owner has approval for the private portion of his proposed parking pad from C of A but does not have approval from ROW for the public portion, which means that only half the parking pad is legal.
- If he is not granted permission for the public portion, his building permit will be not be in compliance with the existing zoning bylaw which requires one parking space. The owner will then be required to return to C of A for an exemption from the parking requirement in the zoning.

- Nearly the entire front yard of both 110A and 110B is covered in pavers
- MLS has issued Notices of Violation for the private portions of both 110A and 110B for "front yard landscaping not meeting minimum requirements" under zoning bylaw 974-2006

### **Options**

1. **Deny the request:** This would require the removal of all pavers except a walkway and the owner would need to return to C of A for relief from the bylaw requirement for one parking space on site.
2. **Approve the staff "alternate recommendations" contained in the staff report:** This would eliminate 2 on-street parking spaces, but provides a sufficient tree protection zone with \$2,000 tree deposit, plus other fees. (Appendix A)
3. **Approve the Applicant's Alternate Parking Proposal (reviewed by staff),** which eliminates 1 on-street parking space, but eliminates the tree protection zone and requires an \$11,000 tree deposit, plus renewal of

### **Motions:**

In light of the current situation, the complex history and the lack of communication between the City and the applicant, I will be recommending the following staff alternate recommendations. This approach will remove two parking spaces, but will provide greater tree protection and eliminate the need for another appeal to Committee of Adjustment for the applicant.

That:

the Toronto and East York Community grant the appeal for front yard parking at 110B Holborne Avenue with the following conditions:

1. the parking area not to exceed 2.3 m by 5.9 m in dimension;
2. applicant pay for the installation of the ramp to service the parking space;
3. the applicant remove the excess paving and restore the area to soft landscaping as shown on Appendix 'A';

4. the applicant remove or relocate the stone wall, adjacent to the parking pad, and restore the area to soft landscaping and de-compact the area and notify Urban Forestry when this is done;
5. the applicant provide Urban Forestry with a \$2,000.00 Tree Security Deposit;
6. the applicant provide the landscape features substantially in accordance with the plan as shown on Appendix 'D', to the satisfaction of the General Manager of Transportation Services;
7. the applicant pay the enforcement fee of \$568.64 (GST included) since the parking pad was constructed without authorization from the City; and
8. the applicant pay all applicable fees and comply with all other criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards.

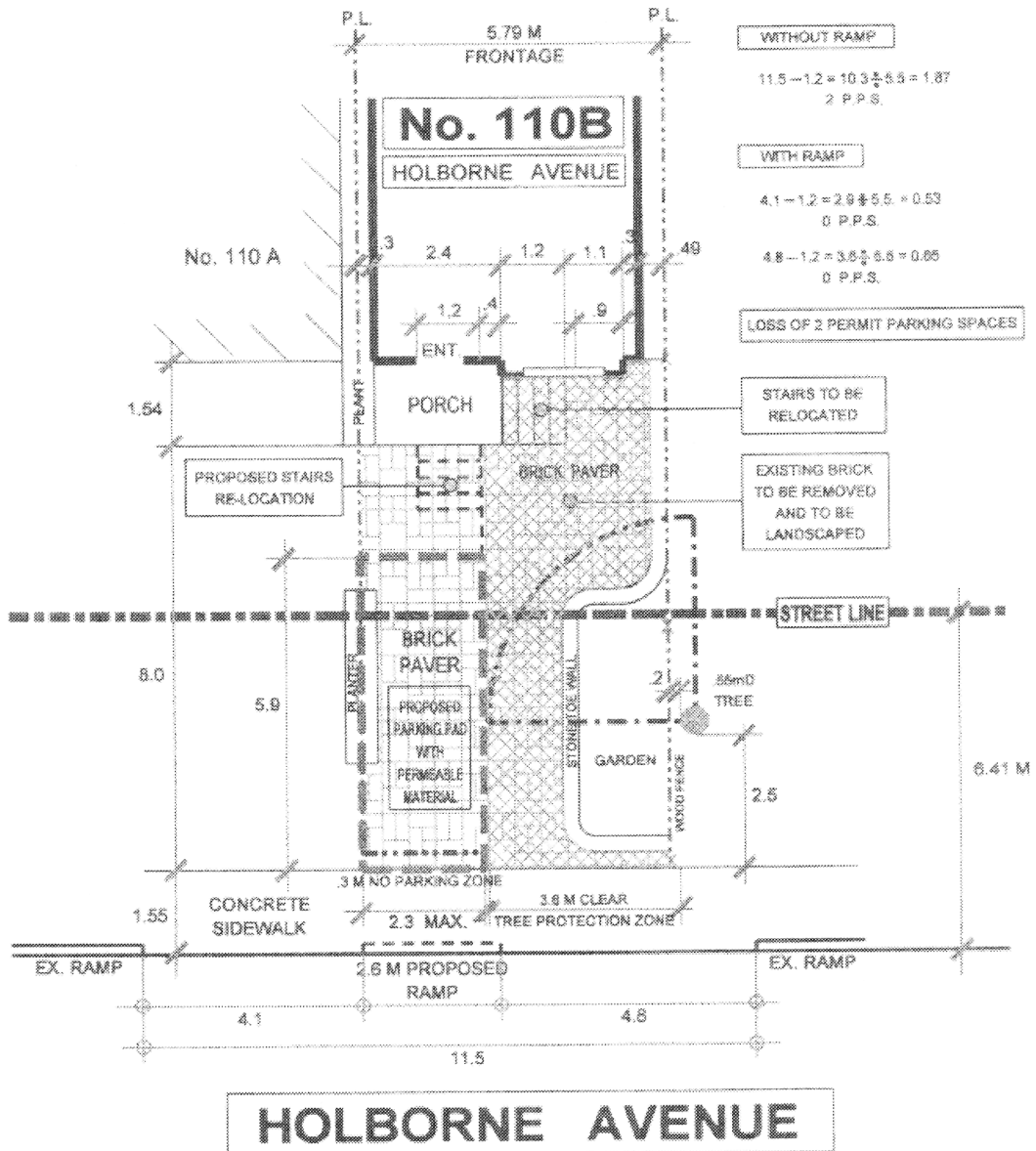
As a result of this application I have requested staff to look at how this confusing situation could be prevented in the future. ROW staff and C of A staff have each made different suggestions, however, there needs to be time to examine the options more fully. I would therefore like to also table the following:

- B. The Director of Transportation, Toronto and East York Division, in consultation with the Director and Deputy CBO, Toronto and East York Division, and the Manager, Deputy Secretary Treasurer of the Committee of Adjustment, Toronto and East York Division, report to the \_\_\_\_\_ meeting of the Toronto and East York Community Council on ways to improve the coordination between Committee of Adjustment and Right of Way Management with respect to front yard parking applications to ensure consistent policies and practices, and improve communication and understanding of the process for residents.

Janet Davis

# FRONT YARD PARKING APPEAL - 110B HOLBORNE AVENUE

## APPENDIX 'A'



WITHOUT RAMP  
 $11.5 - 1.2 = 10.3 \div 5.5 = 1.87$   
 2 P.P.S.

WITH RAMP  
 $4.1 - 1.2 = 2.9 \div 5.5 = 0.53$   
 0 P.P.S.  
 $4.8 - 1.2 = 3.6 \div 5.5 = 0.65$   
 0 P.P.S.

LOSS OF 2 PERMIT PARKING SPACES

STAIRS TO BE RELOCATED

EXISTING BRICK TO BE REMOVED AND TO BE LANDSCAPED

## HOLBORNE AVENUE

NOTE:  
 PERMIT PARKING ALTERNATE SIDES  
 RAMP INSTALLATION RESULTS IN  
 LOSS OF PERMIT PARKING SPACE



### TRANSPORTATION SERVICES DIVISION TORONTO AND EAST YORK DISTRICT RIGHT OF WAY MANAGEMENT - OFF STREET PARKING



NORTH

#### FRONT YARD PARKING CHAPTER 918 F.Y.P. - 91320

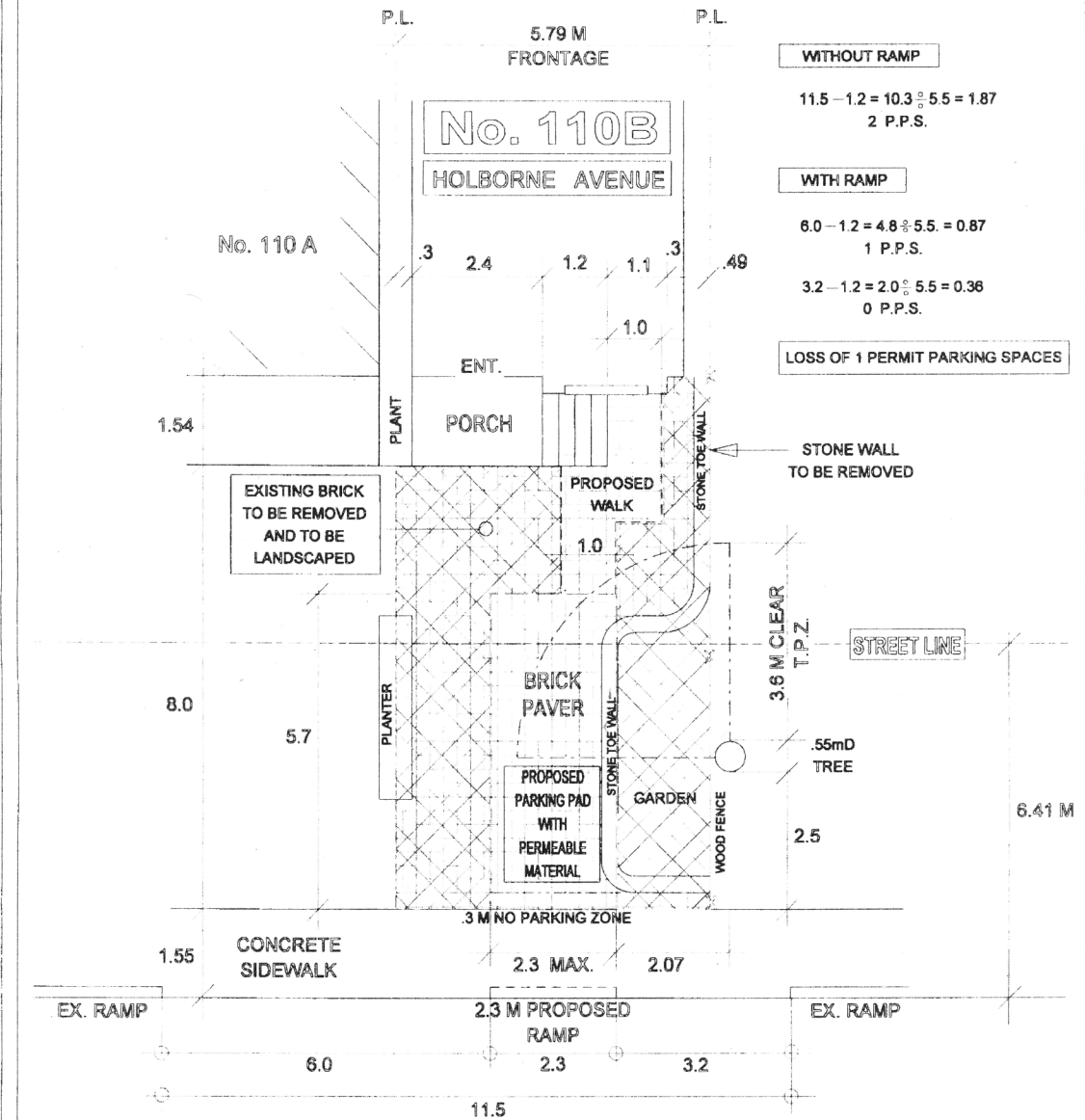
TOTAL PARKING AREA ON STREET ALLOWANCE	11.2 M <sup>2</sup>	PRIVATE PROPERTY			STREET ALLOWANCE		
		AREA M <sup>2</sup>	%	CODE	AREA M <sup>2</sup>	%	CODE
TOTAL AREA		23.1	100		28.0	100	
LANDSCAPED OPEN SPACE		20.7	90	60% min.	16.8	60	50% min.
PAVED AREA		2.4	10	50% max.	11.2	40	50% max.
SOFT LANDSCAPING		15.9	77	75% min.	16.8	100	75% min.

REVISIONS	
Date	By
JULY 18' 08	R.A.M.
AUG. 28' 08	R.A.M.
JAN. 28' 09	R.A.M.

DRAWN BY: R. MUNSON DATE: JULY 17' 08 SCALE: 1:100



APPLICANT'S ALTERNATE PARKING PROPOSAL



**WITHOUT RAMP**  
 $11.5 - 1.2 = 10.3 \div 5.5 = 1.87$   
 2 P.P.S.

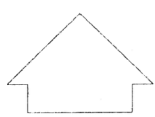
**WITH RAMP**  
 $6.0 - 1.2 = 4.8 \div 5.5 = 0.87$   
 1 P.P.S.  
 $3.2 - 1.2 = 2.0 \div 5.5 = 0.36$   
 0 P.P.S.

**LOSS OF 1 PERMIT PARKING SPACES**

HOLBORNE AVENUE

NOTE:  
 PERMIT PARKING ALTERNATE SIDES  
 RAMP INSTALLATION RESULTS IN  
 LOSS OF PERMIT PARKING SPACE

 **TRANSPORTATION SERVICES DIVISION**  
 TORONTO AND EAST YORK DISTRICT  
 RIGHT OF WAY MANAGEMENT OFF STREET PARKING



FRONT YARD PARKING CHAPTER 918 F.Y.P. - 91320

TOTAL PARKING AREA ON STREET ALLOWANCE	11.2 M <sup>2</sup>	PRIVATE PROPERTY			STREET ALLOWANCE		
		AREA M <sup>2</sup>	%	CODE	AREA M <sup>2</sup>	%	CODE
TOTAL AREA		21.5	—		28.0	—	
LANDSCAPED OPEN SPACE		19.6	91	50% MIN	16.8	60	50% MIN
PAVED AREA		1.9	9	50% max.	11.2	40	50% max.
SOFT LANDSCAPING		15.2	78	75% min.	16.8	100	75% min.

DRAWN BY: R. MUNSON      DATE: JULY 17' 2008      SCALE: 1:100

**REVISIONS**

DATE	BY
AUG. 28' 08	R.A.M.
JAN. 28' 09	R.A.M.
APR. 16' 09	R.A.M.

Front Yard Parking Appeal – 10B Holborne Avenue - June 11, 2008

