



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 98 Normandy Boulevard

Date:	January 14, 2010
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Beaches-East York - Ward 32
Reference Number:	Te10005te.row

SUMMARY

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

Transportation Services has assessed an appeal from the owner of 98 Normandy Boulevard for front yard parking. We do not recommend approval for front yard parking at this location because it does not meet the requirements of the City of Toronto Municipal Code Chapter 918. The owner will be given an opportunity to make a deputation before Community Council.

RECOMMENDATIONS

Transportation Services recommends that Toronto and East York Community Council:

1. deny the request for front yard parking at 98 Normandy Boulevard.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 98 Normandy Boulevard, a newly constructed single family detached home, submitted an application for front yard parking at this location, prior to the construction of the new home. During the zoning review, staff had determined that the provision of the parking space on the lot was not a requirement of the Zoning By-law under Section 6 Part IV Subsection 5, parking exemption. As it pertained to this building

application, the property having been severed and less than 7.62 m in width, did not require on site parking to be provided. The construction of the home received approval by the Committee of Adjustment without the requirement of a parking space. The dwelling was constructed in 2008 and finished in the summer of 2009.

The applicant was advised that the property was not eligible for front yard parking because it does not meet the regulations of the City of Toronto Municipal Code Chapter 918. The applicant subsequently submitted an appeal requesting further consideration of this proposal.

The proposal for front yard parking is shown on Appendix 'A', the property data map is shown on Appendix 'B', a digital photo of the property is shown on Appendix 'C' and the applicant's landscape proposal is shown on Appendix 'D'.

COMMENTS

Applicable regulations

Front yard parking is governed by the criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards. The relevant provisions include:

- prohibit front yard parking where permit parking is authorized on the same side of the street;
- a minimum of 50% of the front yard on private property must be landscaped open space, of which 75% must be maintained as soft landscaping; and
- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

Reasons for not approving

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

- permit parking is permitted on the same side of the street;
- the landscape open space cannot be provided on private;
- the poll did not meet the minimum 50% response rate of eligible voters; and
- negative poll results.

Poll results

A poll was conducted in accordance with the City of Toronto Municipal Code Chapter 918-14. The area polled comprised both sides of Normandy Boulevard from 115 to 127, on the odd side, including 1857 Gerrard Street East and from 88 to 98 Normandy Boulevard, on the even side, including 1845 Gerrard Street East. The deadline for receiving the ballots was October 30, 2009.

Total owners/tenants/residents polled	28	-----
Returned by post office	0	-----
Total eligible voters (total polled minus returned by post office)	28	100%
No reply	22	79%
Total ballots received (response rate)	6	21%
In favour of parking (of ballots received)	2	33%
Opposed to parking (of ballots received)	4	67%
Spoiled ballots	0	0%

The Code states that a poll will be considered valid when at least 50% of the ballots mailed out have been returned. This poll did not meet the minimum response rate and therefore the poll is deemed to be a negative poll.

Other factors

Permit parking on Normandy Boulevard is authorized on the even side, within permit parking area 9B. There are no on-street parking permits registered to this address.

Total number of parking permits in area 9B	765	Total permits issued as of November 2, 2009	762
Permits available	3	% of permits allocated	99%

Total number of permit parking spaces on Normandy Boulevard, between Fairmount Crescent and Gerrard Street East	10	Total permits issued to residents as of November 2, 2009	2
Permits available	8	% of permits allocated	20%

A ramp installation does not result in the loss of an on street permit parking space.

On this portion of Normandy Boulevard, between Fairmount Crescent and Gerrard Street East, there are no properties licensed for front yard parking.

There is no tree in the front yard at this location. A review of this application by Urban Forestry has determined that it would be feasible to plant a tree at this location, however the soil is likely to be quite compacted from the construction and will require de-compaction before the tree is planted, at the owner's expense.

An inspection has revealed that three downspouts at this property have been constructed in accordance with the requirements by Toronto Water.

Alternate recommendations

While the property is not eligible for front yard parking because it does not meet the above noted requirements of the Municipal Code, the property does meet the other physical requirement of the Code, (i.e., setback).

Should Community Council decide to grant the appeal for front yard parking at 98 Normandy Boulevard, it could recommend that:

1. the parking area be a minimum of 2.2 m in width and not exceed 2.6 m by 5.9 m in dimension;
2. the applicant pay for the installation of the ramp to service the parking space;
3. 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
4. the applicant plant a tree in accordance with the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards. The tree shall be a full shade canopy tree or approved equivalent, to the satisfaction of the General Manager of Parks, Forestry and Recreation. Where and if Urban Forestry has determined that the planting of a tree at this location is not feasible, the applicant shall pay for the planting of a tree, subject to the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards; and
5. the applicant pay all applicable fees and comply with all other criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards.

CONTACT

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SIGNATURE

Angie Antoniou
Manager, Right of Way Management

ATTACHMENTS

Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photo

Appendix 'D' - applicant's landscape proposal

Appendix 'E' – Section 6 Part IV Subsection 5 of Zoning By-law 438-86

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