



## STAFF REPORT ACTION REQUIRED

### Front Yard Parking Appeal – 393 Scarborough Road

<b>Date:</b>	February 17, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Manager, Right of Way Management, Transportation Services Toronto and East York District
<b>Wards:</b>	Beaches-East York – Ward 32
<b>Reference Number:</b>	Te10011te.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 393 Scarborough Road 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 393 Scarborough Road.

#### Financial Impact

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

#### ISSUE BACKGROUND

The property owner of 393 Scarborough Road, a single family semi-detached home with a mutual driveway, submitted an application for front yard parking at this location. 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.

In 1984, an application for driveway widening was received and approved subject to paving conditions being met. However, follow-up inspections and subsequent attempts to achieve compliance with the original approval was not obtained. As a result, the file was closed and the license was not granted.

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:

- a minimum of 50% of the City boulevard fronting the property must be landscaped open space, of which 75% must be maintained as soft landscaping;
- 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
- prohibit front yard parking where permit parking is authorized on the same side of the street.

### Reasons for not approving

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

- the landscape open space cannot be provided on the City boulevard;
- the soft landscaping cannot be provided on the City boulevard;
- the soft landscaping cannot be provided on private; and
- permit parking is permitted on the same side of the street.

### 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 Scarborough Road from 353 to 421 on the odd side. The deadline for receiving the ballots was December 9, 2009.

Total owners/tenants/residents polled	69	-----
Returned by post office	0	-----
Total eligible voters (total polled minus returned by post office)	69	100%
No reply	28	41%

<b>Total ballots received (response rate)</b>	<b>41</b>	<b>59%</b>
In favour of parking (of ballots received)	40	98%
Opposed to parking (of ballots received)	1	2%
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 meet the minimum response rate and therefore is valid. The result of the poll is in favour of this application as the majority of the ballots returned were in favour of this application.

### **Other factors**

Permit parking on Scarborough Road is authorized on the odd side, within permit parking area 9C. There are three on-street parking permits registered to this address.

Total number of parking permits in area 9C	4358	Total permits issued as of November 30, 2009	3696
Permits available	662	% of permits allocated	85%

Total number of permit parking spaces on Scarborough Road, between Woodale Avenue and the w brn of Swanwick Avenue	12	Total permits issued to residents as of November 30, 2009	19
Permits available	0	% of permits allocated	158%

Ramping is not required as there is an existing ramp to service the proposed parking, therefore, on street permit parking is not affected.

On this portion of Scarborough Road, between Swanwick Avenue and Woodale Avenue, there are fourteen properties licensed for driveway widening.

There is no tree in the front yard at this location. A review of this application by Urban Forestry has determined that there is no suitable planting site for a tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that one downspout has been disconnected by the property owner and two downspouts at this property are not feasible for disconnection.

### **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 requirements of the Code, (i.e. setback).

Should Community Council decide to grant the appeal for front yard parking at 393 Scarborough Road, it could recommend that:

1. the parking area not exceed 2.2 m by 5.3 m in dimension;
2. 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;
3. the applicant pay for the planting of a full shade canopy tree on City property in the general area of the property, preferably on the same street, as per the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards; and
4. 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**

Joe Colafranceschi, Supervisor, Right of Way Management  
Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: jcolafra@toronto.ca

## **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

P:\2010\Cluster B\TRA\Toronto and East York\row\te10011te.row -ms