



**STAFF REPORT
ACTION REQUIRED**

Front Yard Parking Appeal – 58 Scarborough Road

Date:	April 6, 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:	Te10012te.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 58 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 58 Scarborough Road.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 58 Scarborough Road, a single family semi-detached home, 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.

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 front yard on private property must be landscaped open space, of which 75% must be maintained as soft landscaping;
- 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; 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:

- the soft landscaping cannot be provided on private property;
- the soft landscaping cannot be provided on the City boulevard; and
- the poll did not meet the minimum 50% response rate of eligible voters.

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 15 to 101 on the odd side and from 24 to 92 on the even side. The deadline for receiving the ballots was February 26, 2010.

Total owners/tenants/residents polled	82	-----
Returned by post office	0	-----
Total eligible voters (total polled minus returned by post office)	82	100%
No reply	47	57%
Total ballots received (response rate)	35	43%
In favour of parking (of ballots received)	27	77%
Opposed to parking (of ballots received)	8	23%
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 Scarborough Road is authorized on the odd side, within permit parking area 9C. There are two 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	3724
Permits available	634	% of permits allocated	85%

Total number of permit parking spaces on Scarborough Road, between Queen Street East and Pine Avenue	46	Total permits issued to residents as of November 30, 2009	46
Permits available	0	% of permits allocated	100%

A ramp installation does not affect the on-street permit parking.

On this portion of Scarborough Road, between Queen Street East and Pine Avenue, there are fourteen properties licensed for front yard parking and four properties licensed for driveway widening. Two of these properties are licensed for two vehicles.

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 two downspouts at this property are not feasible for disconnection due to no suitable drainage area.

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 58 Scarborough Road, it could recommend that:

1. the parking area not exceed 2.2 m by 5.3 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 pay for the planting of a full shade canopy tree since Urban Forestry has determined that the planting of a tree at this location is not feasible, 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

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Manager, Right of Way Management

ATTACHMENTS

Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photo
Appendix 'D' - applicant's landscape proposal

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