

APPENDIX 'I'

Development and Reviews of Front Yard Parking Poll Requirements

Starting Point – Previous Municipal Polling Requirements:

Four former municipalities (Etobicoke, East York, Toronto and York) had programs for front yard parking under their Municipal Codes/By-laws. Of these, only the former City of Toronto required a neighbourhood polling component in connection with applications for front yard parking. Even then, polls were not conducted for “driveway widening” applications (i.e. where a curb cut already exists). The former Toronto polling provisions were:

- residential properties within 100 m or nearest intersecting street (whichever is less) are polled;
- poll results applicable for two years;
- no petition required to initiate poll;
- no minimum response rate;
- 50 percent plus one approval required, except Ward 29 where 60 percent approval required.

Initial Staff Polling Recommendations:

New harmonized provisions for front yard parking to be contained in a Municipal Code Chapter were initially advanced in a November 15, 2005 staff report. That report recommended that a polling requirement be extended to the other areas of the City, but would only be applicable if front yard parking did not already exist on the street block.

The proposed provisions, where polling would be applicable, were:

- residential properties to the nearest intersection are polled;
- only on street blocks where licensed front yard parking did not already exist;
- negative poll results applicable for two years;
- petition signed by at least 25 percent of eligible residents within the area to initiate a poll;
- a minimum response rate of 25 percent required for a positive poll;
- 50 percent plus one approval required.

Public Consultation, Community Council and Committee Input:

The joint Planning and Transportation and Works Committee, at its meeting of November 30, 2005, directed that the front yard parking proposals be subject of community consultations in each of the four Districts and that comments be obtained from Community Councils. Both the Etobicoke York and Toronto and East York Community Councils outlined concerns respecting polling and generally felt that the staff proposal would not provide adequate neighbourhood input to decisions authorizing this form of parking.

Final Recommendations and Approved Polling Provisions:

Taking into account the feedback received through public consultation and the specific concerns raised by Community Councils regarding polling, the final staff report (May 19, 2006) refined the recommendations and introduced a more stringent polling regime:

- residential properties within 100 m or nearest intersecting street (whichever is less) are polled;
- poll results applicable for three years;
- petition signed by at least 25 percent of eligible residents within the area to initiate a poll (**amended to 50 percent**);
- a minimum response rate of 50 percent required for a positive poll;
- 60 percent plus one approval required (**amended to 50 percent**).

The Joint Planning and Transportation and Works Committee, at its meeting of May 30, 2006, made two amendments to the recommended polling provisions as noted above: the requirement for the initial petition increased to 50 percent, and the number of positive responses reduced to 50 percent.

Works Committee Review, September 2006:

When Council considered the new Code Chapter at its meetings of June 27, 28 and 29, 2006 and July 25, 26 and 27, 2006 (Clause No. 1 of Joint Report No. 1 of the Planning and Transportation and Works Committees) the matter of polling was specifically referred to the General Manager with the request that he review the polling procedure with Members of Council and bring forward revised recommendations. All Councillors were canvassed at that time. The results were contained in a subsequent staff report (August 18, 2006), received by the Works Committee at its meeting of September 11, 2006 (Agenda Item No. 31). No changes were recommended to the polling requirements that had only been recently enacted at that time.

Subsequent Review of Polling Provisions 2008-2009:

The Public Works and Infrastructure Committee, at its meeting of May 7, 2008, had before it correspondence expressing very similar concerns with respect to the 50 percent poll response rate to the General Manager, Transportation Services for consideration and report back. The resulting staff report (Item PW21.4), "Polling Procedures for Front Yard Parking – Municipal Code Chapter 918", was considered at the January 6, 2009 meeting of the Public Works and Infrastructure Committee. The report recommended reducing the minimum response rate from 50 percent to 25 percent for a poll to be deemed valid. The report was noted and filed.