



**STAFF REPORT  
ACTION REQUIRED**

**Front Yard Parking Appeal – 14 Humewood Drive**

<b>Date:</b>	December 5, 2011
<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>	St. Paul's – Ward 21
<b>Reference Number:</b>	Te2012006te.row

**SUMMARY**

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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 14 Humewood Drive 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**

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**Transportation Services recommends that Toronto and East York Community Council:**

1. deny the request for front yard parking at 14 Humewood Drive.

**Financial Impact**

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

**ISSUE BACKGROUND**

The property owner of 14 Humewood Drive, a single family detached home with a private driveway, inquired about the feasibility of licensing a front yard parking space. 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 the property has a private driveway;
- 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:

- the property has a private driveway;
- the soft landscaping cannot be provided on private; 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 Humewood Drive from 9A to 27 Humewood Drive on the odd side and from 2 to 22 Humewood Drive on the even side. The deadline for receiving the ballots was November 9, 2011.

Total owners/tenants/residents polled	101	-----
Returned by post office	5	-----
Total eligible voters (total polled minus returned by post office)	96	100%
No reply	53	55%
<b>Total ballots received (response rate)</b>	<b>43</b>	<b>45%</b>
In favour of parking (of ballots received)	19	44%
Opposed to parking (of ballots received)	22	51%
Spoiled ballots	2	5%

The Code states that a poll will be considered valid when at least 25% of the ballots mailed out have been returned. This poll did meet the minimum response rate but the majority of ballots returned were opposed to the parking, therefore the poll is deemed to be a negative poll.

### **Other factors**

This property is not located within a permit parking area.

Ramping is not required as there is an existing ramp to service the proposed parking.

On this portion of Humewood Drive, between St. Clair Avenue West and Humewood Gardens, there are seven properties licensed for front yard parking. One of these properties is licensed for two vehicles.

There is a 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 an additional tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that four downspouts at this property have been disconnected by the property owner.

### **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 14 Humewood Drive, it could recommend that:

1. the parking area not exceed 2.2 m by 5.5 m in dimension;
2. the applicant pay the enforcement fee of \$623.34 (HST included) since the parking pad was constructed before the submission of the application and without authorization from the City;
3. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'D', attached to the report dated December 5, 2011, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District, to the satisfaction of the General Manager of Transportation Services;
4. 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

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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Kyp Perikleous  
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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