



## STAFF REPORT ACTION REQUIRED

### Front Yard Parking Appeal – 390 Armadale Avenue

<b>Date:</b>	January 24, 2013
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Transportation Services – Etobicoke York District
<b>Wards:</b>	Ward 13 – Parkdale-High Park
<b>Reference Number:</b>	p:\2013\Cluster B\TRA\EtobicokeYork\eycc130026-tp

#### **SUMMARY**

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

Transportation Services has assessed an appeal to legalize the existing front yard parking at 390 Armadale Avenue. We do not recommend approving front yard parking at this location because it does not meet the requirements of 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 Etobicoke York Community Council:**

1. Refuse the request for front yard parking at 390 Armadale Avenue, and require that the applicant remove the existing front yard parking pad and restore the front and municipal boulevard to 'soft' landscaping, at no expense to the City, by February 26, 2014.

##### **Financial Impact**

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

## **ISSUE BACKGROUND**

The property owners of 390 Armadale Avenue, a single family detached home with a 2.0 metre wide mutual driveway, submitted an application to legalize the front yard parking at this location. The applicant was advised that the property is 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.

Attachment 1 shows the site location. Attachment 2 illustrates the proposed front yard parking pad. Attachment 3 is a photograph of the site.

## **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;
- limit the number of vehicles that can be licensed to one;
- the mutual driveway not exceed 2.2 m in width;
- limit the size of the parking area to 2.6 m by 5.9 m in dimension;
- minimum parking space requirement of 2.2 m in width;
- minimum parking space requirement of 5.3 m in length
- minimum parking space requirement of 2.2 m in width by 5.3 m in length;
- 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;
- the requirements of the City of Toronto Municipal Code Chapter 813, Trees, are complied with; a minimum clearance of 3.6 meters from the base of the tree is required;
- the parking space to be constructed perpendicular to the sidewalk;
- the parking space cannot be located within the existing mutual driveway;
- the parking space shall be constructed adjacent to the mutual driveway;
- parking area paved with semi-permeable material such as ecostone or turf stone or equivalent permeable paving treatment acceptable to the General Manager of Transportation Services; 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 reason:

- permit parking is permitted on the same side of the street on an alternating basis.

## Poll results

City Clerks previously conducted a poll of all residents listed in the City's assessment information system who either own property or reside on both sides of Armadale Avenue, from 361 to 411 on the odd side, and from 362 to 410 on the even side. The poll was conducted according to the requirements of Chapters 190 and 918 of the Toronto Municipal Code, and was done in connection with a request for front yard parking at 386 Armadale Avenue.

At the Ward Councillor's request, the survey was conducted in English, Polish, and Ukrainian. The survey was conducted by the Clerks' office between April 28, 2011 and May 27, 2011.

Total owners/tenants/residents polled	120	-----
Returned by post office	1	-----
Total eligible voters (total polled minus returned by post office)	119	100%
No reply	47	39%
<b>Total ballots received (response rate)</b>	<b>72</b>	<b>61%</b>
In favour of parking (of ballots received)	62	86%
Opposed to parking (of ballots received)	8	11%
Spoiled ballots	2	3%

The Code states that a poll will be considered valid when at least 25% of the ballots mailed out have been returned. This poll exceeded the minimum response rate and therefore is considered valid. The result of the poll is in favour of this application as the majority of the ballots (86%) returned support the application.

## Other factors

Permit parking on Armadale Avenue is authorized on an alternate side basis, within permit parking area 1E. Currently, there is one on-street parking permit registered to this address.

Total number of parking permits in area 1E	1005	Total permits issued as of September 27, 2012	902
Permits available	103	% of permits allocated	90%

Total number of permit parking spaces on Armadale Avenue, between Colbeck Street and Ardagh Street	32	Total permits issued to residents as of September 27, 2012	57
Permits available	-25	% of permits allocated	178%

On this portion of Armadale Avenue, between Colbeck Street and Ardagh Street, the permits have been oversold by 78%. This is possible due to the fact that Armadale Avenue is in Area 1E, and if there is no space on this section of Armadale Avenue, permit holders can park on adjacent streets.

A curb cut and depressed ramp is not required as there is an existing ramp to service the parking pad. No on-street parking stalls will be lost should this application prove successful.

On this portion of Armadale Avenue, between Colbeck Street and Ardagh Street, there are currently eleven properties licensed for front yard parking.

### **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.

Should Community Council find merit in this proposal, we recommend approval subject to the following conditions:

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 shall pay the enforcement and inspection fee of \$653.93 (HST included), specified for unauthorized front yard parking pads under Chapter 918-26 of the Toronto Municipal Code;
3. the remaining front yard shall consist of 'soft' landscaping;
4. the applicant use the existing mutual driveway to access the parking pad;
5. 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;
6. the existing on-street parking permit issued to this address is cancelled immediately following approval of the front yard parking pad;
7. the applicant shall pay all applicable fees and comply with all other criteria described in the City of Toronto Municipal Code;
8. the applicant satisfies these conditions at no expense to the municipality by February 26, 2014.

## **CONTACT**

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## **SIGNATURE**

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Steven T. Kodama, P.Eng

Director, Transportation Services, Etobicoke York District

## **ATTACHMENTS**

Attachment 1:	Map
Attachment 2:	Proposed Plan
Attachment 3:	Photograph