

Front Yard Parking Appeal – 161 Ascot Avenue

Date:	October 29, 2013
To:	Etobicoke York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Ward 17 - Davenport
Reference Number:	P:\2013\cluster B\TRA\EtobicokeYork\eycc130123-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 161 Ascot Avenue 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 Etobicoke York Community Council:

1. deny the request for front yard parking at 161 Ascot Avenue; and
2. request that the owner remove the existing asphalt paving and restore the area to soft landscaping, as indicated in Appendix 'E', attached to the report dated October 29, 2013, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 161 Ascot Avenue, a single family 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', the applicant's landscape proposal is shown on Appendix 'D' and a sketch showing the area of paving to be removed is shown on Appendix 'E'.

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;
- 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
- 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.

Reasons for not approving

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

- permit parking is permitted on the same side of the street on an alternating basis;
- the soft landscaping requirement cannot be provided on private property; and
- the existing asphalt paving does not meet the City's paving requirements.

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 Harvie Avenue from 31 to 59 on the odd side, including 161 Ascot Avenue and from 30 to 72 on the even side. The deadline for receiving the ballots was August 30, 2013.

Total owners/tenants/residents polled	102	-----
Returned by post office	1	-----
Total eligible voters (total polled minus returned by post office)	101	100%
No reply	58	57%

Total ballots received (response rate)	43	43%
In favour of parking (of ballots received)	42	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 25% 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 Harvie Avenue is authorized on an alternate side basis, within permit parking area 3A. There are no on street parking permits registered to this address.

Total number of parking permits in area 3A	927	Total permits issued as of May 31, 2013	487
Permits available	440	% of permits allocated	53%

Total number of permit parking spaces on Harvie Avenue, between St Clair Avenue West and Ascot Avenue	34	Total permits issued to residents as of May 31, 2013	23
Permits available	11	% of permits allocated	68%

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 Harvie Avenue, between St Clair Avenue West and Ascot Avenue, there are no properties licensed for front yard parking.

There is a tree in the front yard at this location. A review of this application by Urban Forestry has determined that it would be feasible to plant an additional tree at this location.

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 161 Ascot Avenue, it could recommend that:

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 remove the existing asphalt paving and repave the parking area with semi-permeable paving materials, as indicated in Appendix 'A', attached to the report dated October 29, 2013, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District;
3. the applicant remove the excess paving and restore the area to soft landscaping, as indicated in Appendix 'A', attached to the report dated October 29, 2013, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District;
4. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'D', attached to the report dated October 29, 2013 from the Manager, Right of Way Management, Transportation Services, Toronto and East York District, to the satisfaction of the General Manager of Transportation Services;
5. the applicant plant a full shade canopy tree or approved equivalent, on the City boulevard to the satisfaction of the General Manager of Parks, Forestry and Recreation or pay for the planting of a full shade canopy tree on City boulevard as per the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards; and
6. 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

Andre Filippetti

Manager, Right of Way Management

ATTACHMENTS

Appendix 'A' - sketch

Appendix 'B' - property data map

Appendix 'C' - photo

Appendix 'D' - applicant's landscape proposal

Appendix 'E' - sketch showing paving to be removed

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