



**STAFF REPORT
ACTION REQUIRED**

Front Yard Parking Appeal – 179 Old Orchard Grove

Date:	March 11, 2013
To:	North York Community Council
From:	Manager, Right of Way Management, Transportation Services North York District
Wards:	Eglinton-Lawrence - Ward 16
Reference Number:	ny13045 P:\2013\Cluster B\TRA\NorthYorkDistrict

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 179 Old Orchard Grove 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 North York Community Council:

1. Deny the request for front yard parking at 179 Old Orchard Grove.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 179 Old Orchard Grove, a single family detached home with a private driveway, 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. The applicant is proposing to install the parking pad adjacent to the neighbour's private driveway at 181 Old Orchard Grove and use the neighbour's ramp to access the parking pad. However, the Code requires that the parking space be situated adjacent to the applicant's driveway. The applicant subsequently submitted an appeal requesting further consideration of this proposal.

The proposal for front yard parking is shown on Attachment 1, the property data map is shown on Attachment 2, a digital photo of the property is shown on Attachment 3, and the applicant's landscape proposal is shown on Attachment 4.

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 access to an existing parking facility or where adequate space for parking can be provided on the lot.
- 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.

Reasons for not approving

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

- The parking space can be accommodated in the rear yard.
- The proposed parking space is not adjacent to the mutual driveway.
- The landscape open space cannot be provided on the City boulevard.

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 Old Orchard Grove from 149 to 181 Old Orchard Grove on the odd side and from 160 to 168 Old Orchard Grove on the even side, including 4 Haddon Street. The deadline for receiving the ballots was December 13, 2012.

Total owners/tenants/residents polled	42	-----
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Returned by post office	0	-----
Total eligible voters (total polled minus returned by post office)	42	100%
No reply	11	26%
Total ballots received (response rate)	31	73%
In favour of parking (of ballots received)	28	66%
Opposed to parking (of ballots received)	3	7%
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

This property is not located within a permit parking area.

It should be noted that the alignment of the intersection is not a typical four legged intersection, given that the north/south roadway intersects with the east/west roadway on an angle. This alignment complicates the pedestrian activity and as such the following concerns need to be addressed: The required ramp extension would result in the existing accessibility ramp and blind guidelines being infringed upon. The existing accessibility ramp cannot be relocated. Therefore, it would not be appropriate to provide a ramp extension to access the parking space at this location.

On this portion of Old Orchard Grove, between Greer Road and Haddon Street, there are eleven properties licensed for front yard parking. The neighbour at 181 Old orchard Grove is not 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, (i.e., setback).

Should Community Council decide to grant the appeal for front yard parking at 179 Old Orchard Grove, 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 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

3. 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

Pascoal D'Souza, C.E.T.
Acting Director

ATTACHMENTS

- Attachment 1: sketch
- Attachment 2: property data map
- Attachment 3: photo
- Attachment 4: applicant's landscape proposal