



**STAFF REPORT  
ACTION REQUIRED**

**Front Yard Parking Appeal – 9 Maple Bush Avenue**

<b>Date:</b>	May 26, 2016
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Manager, Right of Way Management, Transportation Services
<b>Wards:</b>	York South-Weston – Ward 11
<b>Reference Number:</b>	P:\2016\Cluster B\TRA\EtobicokeYork\eycc160076-tp

**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 9 Maple Bush Avenue for front yard parking. Front yard parking at this location is not recommended because it does not meet multiple 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 Etobicoke York Community Council:**

1. Deny the request for front yard parking at 9 Maple Bush Avenue; and
2. Request that the owner restore the boulevard, as indicated in Appendix 'D', attached to the report dated May 26, 2016, from the Manager, Right of Way Management, Transportation Services and pay for the removal of the ramp and the re-installation of a full face curb.

**Financial Impact**

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

## **ISSUE BACKGROUND**

The property owner of 9 Maple Bush 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 boulevard was altered to provide driveway access to the proposed parking pad and later restored following a stop work order. A saw cut ramp was installed without authorization from the City.

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 a sketch showing the restoration of the boulevard 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:

- minimum parking space requirement of 2.2 metres in width by 5.3 metres 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; and
- the requirements of the City of Toronto Municipal Code Chapter 813, Trees, are complied with; a minimum clearance of 1.8 metres from the base of the tree is required.

### **Reasons for not approving**

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

- the proposed parking space is 2.1 metres in width by 4.8 metres in length and is substandard;
- the soft landscaping requirements cannot be provided on private property and the City boulevard; and
- the paved driveway access to the proposed parking space does not provide the required clearance from the existing tree.

## 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 Maple Bush Avenue from 3 to 33X on the odd side and from 2 to 32 on the even side, including 2562 and 2590 Weston Road. The deadline for receiving the ballots was March 22, 2016.

Total owners/tenants/residents polled	69	-----
Returned by post office	2	-----
Total eligible voters (total polled minus returned by post office)	67	100%
No reply	39	58%
<b>Total ballots received (response rate)</b>	28	42%
In favour of parking (of ballots received)	21	75%
Opposed to parking (of ballots received)	3	11%
Spoiled ballots	4	14%

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.

On this portion of Maple Bush Avenue, there are no properties licensed for front yard parking.

There is a tree on the boulevard fronting 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.

## Alternate recommendations

Should Community Council decide to grant the appeal for front yard parking at 9 Maple Bush Avenue, it could recommend that:

1. the parking area be 2.1 metres in width by 4.8 metres in length;
2. the applicant pay for the installation of the ramp to service the parking space;
3. the applicant comply with any and all Urban Forestry requirements as the proposed paved driveway access is located and construction is proposed, within the tree protection zone;

4. the applicant disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);
5. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'A', attached to the report dated May 26, 2016, from the Manager, Right of Way Management, Transportation Services, to the satisfaction of the General Manager of Transportation Services; 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**

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Andre Filippetti  
Manager, Right of Way Management

## **ATTACHMENTS**

Appendix 'A' - sketch  
Appendix 'B' - property data map  
Appendix 'C' - photo  
Appendix 'D' – sketch showing the restoration of the boulevard