

Front Yard Parking Appeal – 452 Woburn Avenue

Date: August 11, 2017
To: North York Community Council
From: Manager, Right of Way Management, Transportation Services
Toronto and East York District
Wards: Ward 16 – Eglinton-Lawrence

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 452 Woburn Avenue for front yard parking. Front yard parking at this location is not recommended because it does not meet the soft landscaping requirements of the City of Toronto Municipal Code Chapter 918 and the Code does not permit the licensing of a front yard parking pad where the property has access to a parking facility at the rear of the property by means of a public laneway. The owner will be given an opportunity to make a deputation before Community Council.

RECOMMENDATIONS

The Manager, Right of Way Management, Transportation Services Toronto and East York District recommends that:

1. North York Community Council deny the request for front yard parking at 452 Woburn Avenue;
2. North York Community Council request that the owner remove the existing brick paving and restore the area to soft landscaping, as indicated in Attachment 'C', attached to the report dated August 11, 2017, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District; and
3. North York Community Council require the owner pay for the removal of the unauthorized ramp and restoration of the full face curb.

FINANCIAL IMPACT

There is no financial impact resulting from the adoption of the recommendations in this report.

DECISION HISTORY

The property owner of 452 Woburn 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.

This dwelling was constructed in 2011 and completed in 2012 and the parking pad was installed sometime before April 2014. At the same time an unauthorized ramp to service the parking pad was installed by saw cutting the curb.

The proposal for front yard parking is shown on Attachment 'A', digital photo of the property is shown on Attachment 'B', and a sketch showing the area of paving to be removed is shown on Attachment 'C'.

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:

- 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
- 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.

Reasons for not approving

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

- the landscape open space requirement cannot be provided on private property; and the property is serviced by a double garage accessed via a public laneway.

Polling results

A poll was conducted in accordance with the City of Toronto Municipal Code Chapter 918-14. The deadline for receiving the ballots was December 16, 2016. A total of 83 ballots were received by voters, and 48 ballots (58%) were returned, of which 25 (52%) were favourable to the application. As the poll did meet the minimum response rate and the majority of the ballots returned were in favour of this application, the poll is deemed to be a positive poll.

Other Factors

This property is not located within a permit parking area.

On Woburn Avenue, between Grey Road and Avenue Road, there are two properties licensed for front yard parking.

There is a tree fronting this location. A review of this application by Urban Forestry has determined that there is no suitable planting site for an additional tree.

Alternate Recommendation

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 452 Woburn Avenue, it could recommend that:

1. the parking area be a minimum of 2.2 metres in width and not exceed 2.6 metres and a minimum of 5.3 metres and not exceed 5.9 metres in length;
2. the applicant pay for the installation of the proper permanent ramp to service the parking space;
3. the applicant disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);
4. the applicant pay the enforcement fee of \$719.65 (HST included) since the parking pad was constructed prior the submission of the application and without authorization from the City;
5. the applicant provide the landscape features substantially in accordance with the plan as indicated in Attachment 'A', attached to the report dated August 11, 2017, 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

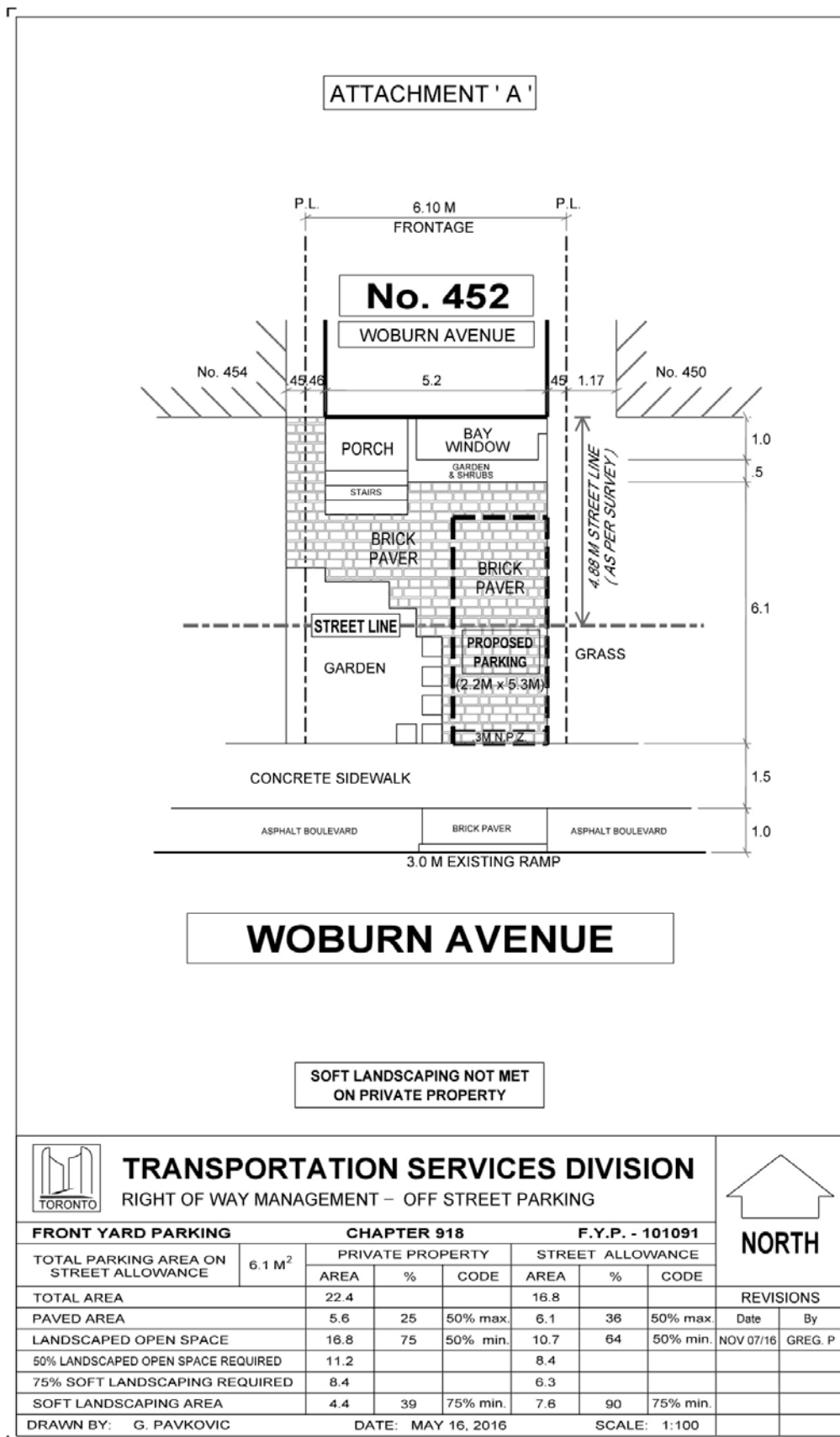
Andre Filippetti
Manager, Right of Way Management

ATTACHMENTS

Attachment 'A' - sketch
Attachment 'B' - photo
Attachment 'C' - sketch showing paving to be removed

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Attachment A - Front yard parking proposal – 452 Woburn Avenue



Attachment B - Photo of front yard at 452 Woburn Avenue



Attachment C – Sketch showing area of paving to be removed

