



Karen Stintz

Councillor - Ward 16, Eglinton Lawrence

ADDITIONAL
ITEM

NY11.5

AMENDMENT TO CHAPTER 918 – WARD 16 SPECIFIC MODIFICATIONS

SUMMARY SECTION:

City of Toronto Municipal Code, Chapter 918 – Parking on Residential Front Yards and Boulevards (FYP)

The Code:

- The Code as approved by Council in July 2006 is more stringent in its requirements, especially as it relates to on-street permit parking.
- Specifically 918-8 C (2) states that when a home is situated on a street where on-street permit parking is permitted on that same side, the application must be refused. It does not take into consideration whether or not an on-street space will be deleted by the approval of a front yard parking pad. This section of the Code also considers "alternating sides" on-street permit parking as being on the same side, even if it is only for months at a time.
- 918-8 C (3) speaks to on-street permit parking on any side of the street and being less than 90% allocated or filled on that block where the home is situated. Again, it does not consider situations where there will not be a loss of an on-street permit parking space if the front yard parking pad is granted.
- An on-street permit parking space requires a length of 5.5 meters to be considered a parking spot.

The above noted sections, 918-8 C(2) and 918-8 C(3) are frequently the reasons for the denial of an application for front yard parking. In these cases the homeowner first submits an application and pays the non-refundable application fee of \$316.48 plus HST. The application cannot be approved administratively and is therefore refused. The applicant then has the option to appeal. They must pay the non-refundable appeal fee of \$661.97 plus HST (combined total with taxes of over \$1,000.00), a poll is conducted and a report is prepared for the Community Council. Of course with this there is no guarantee of a favourable outcome for the applicant.

Other Requirements of the Code:

- Trees

A tree protection zone (TPZ), i.e., an area free from any paving.
This is specified under the Tree by-law (Forestry). The FYP by-law does not make allowances for pre-existing paving in the TPZ.

- Mutual Driveway Width

The mutual driveway cannot be more than 2.2 meters in width, measured at its most narrow point. This includes any non-moveable obstruction (hydro meter) less than 1.7 meters above the ground, protruding into the mutual driveway.

- Landscape Open Space (LOS)

This is any landscaping, inclusive of patios and walkways, but not including parking areas.

- Soft Landscaping (SL)

These are areas included in LOS but that support the growth of vegetation. Moveable or temporary planters are not included in this. Parking pads have green space in them are not included in this calculation.

- Size of Parking Pad

The minimum size allowable for a parking pad is 2.2m X 5.3m.
The maximum size allowable for a parking pad is 2.6m X 5.9m.

The Amendment:

- The amendment attempts to streamline the process by acknowledging that there are some applications that meet all the requirements of the Code and do not affect the on-street permit parking.
- It is specific in that:
 - It must be a mutual driveway of less than 2.2m wide that is being widened. This is very similar to the previous driveway widening by-law.
 - The property must meet all the other requirements of the Code such as landscape open space, soft landscaping, tree protection zones and result in a positive poll.
 - On-street permit parking is **not** affected. By making this specific to mutual driveway situations, the applicant must access the parking pad via the existing access and maneuver into the spot. There may be occasions where the ramp may need to be extended and in these cases the application would **not** be approved if an on-street permit parking space is **deleted** by the addition of ramping.

On-street permit parking is in effect in approximately 30% of the section of Ward 16 where FYP applications are permitted. The result is that many applicants, after submitting the required fee, are refused a permit to install a parking pad and are forced to incur further charges/fees through an appeal with no guarantee of a positive outcome. It is a costly and lengthy process. Many applicants have advised that is both stressful and onerous.

Additionally, staff spend a considerable amount of time on these types of applications. If/when they proceed to appeals, the staff must spend time gathering the information necessary for the reports. Further inspections by the By-Law Officers is also typically done to ensure the information provided is correct. It is hoped that this amendment will decrease the number of appeals coming before Community Council, permitting staff to process other applications and appeals more quickly. Currently the timeline from an initial application to the appeal report in front of Community Council is 6 to 8 months. Shortening this is also helpful for the applicant.

RECOMMENDATIONS:

It is requested that City Council amend City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards, to provide: (1) that §918-8 C(2) and §918-8 C(3) shall not apply to front yard parking applications for front yard parking for residential properties located within the area of the former City of Toronto in Ward 16 where: (a) the application is for a front yard parking pad adjacent to an existing mutual driveway which has a width of less than 2.2 meters measured at the narrowest point; (b) additional ramping is not required or, if additional ramping is required, there is no loss of an on-street permit parking space; and (c) the property meets all other requirements of chapter 918 and (2) that §918-9D and §918-9E shall not apply to a front yard parking pad in the area of the former City of Toronto in Ward 16 where additional ramping is not required.

And that staff be authorized to introduce in Council any bills that may be necessary to give effect thereto.