Front Yard Parking Appeal – 40 Craighurst Avenue

<table>
<thead>
<tr>
<th>Date:</th>
<th>August 14, 2012</th>
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<tbody>
<tr>
<td>To:</td>
<td>North York Community Council</td>
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<tr>
<td>From:</td>
<td>Acting Director, Transportation Services, North York District</td>
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<tr>
<td>Wards:</td>
<td>Eglinton - Lawrence - Ward 16</td>
</tr>
<tr>
<td>Reference Number:</td>
<td>Ny12072</td>
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**SUMMARY**

This staff report is about a matter which North York Community Council has delegated authority to make a final decision, provided that it is not amended so that it varies with City policy or by-laws.

Transportation Services has assessed an appeal from the owner of 40 Craighurst 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 North York Community Council:

1. Deny the request for front yard parking at 40 Craighurst Avenue.

**Financial Impact**

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

**ISSUE BACKGROUND**

The property owner of 40 Craighurst Avenue, a semi-detached home with no 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 the regulations of the City of Toronto Municipal Code Chapter 918 does not permit front yard parking if a minimum of 50% landscape open space cannot be meet in the front yard and boulevard,
of which 75% must be maintained as soft landscaping. 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 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:

- 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.

Reasons for not approving

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

- The soft landscaping cannot be provided on private property.

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 Craighurst Avenue from 19 to 65 on the odd side and from 20 to 70 on the even side. The deadline for receiving the ballots was August 2, 2012.

| Total owners/tenants/residents polled | 77 | ------- |
| Returned by post office | 4 | ------- |
| Total eligible voters (total polled minus returned by post office) | 73 | 100% |
| No reply | 26 | 36% |
| **Total ballots received (response rate)** | **47** | **64%** |
| In favour of parking (of ballots received) | 46 | 63% |
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 Craighurst Avenue between Yonge Street and Duplex Avenue is authorized on the odd side of the street. There are no on-street parking permits registered to this address.

<table>
<thead>
<tr>
<th>Total number of permit parking spaces on Craighurst Avenue, between Yonge Street and Duplex Avenue</th>
<th>14</th>
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<tbody>
<tr>
<td>Total permits issued to residents as of May 2011</td>
<td>8</td>
</tr>
<tr>
<td>Permits available</td>
<td>6</td>
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<tr>
<td>% of permits allocated</td>
<td>57.1%</td>
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A ramp installation will be required, however, it does not affect the on-street permit parking.

On this portion of Craighurst Avenue, between Yonge Street and Duplex Avenue, there are fifteen properties 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 40 Craighurst 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 excess paving and restore the area to soft landscaping, as indicated in Attachment 1, attached to the report dated August 14, 2012, from the Acting Director, Transportation Services, North York District;

3. 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

4. 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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Pascoal D'Souza
Acting Director

ATTACHMENTS

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