Front Yard Parking Appeal – 49 Watson Avenue

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<tr>
<th>Date:</th>
<th>May 23, 2013</th>
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<tbody>
<tr>
<td>To:</td>
<td>Etobicoke York Community Council</td>
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<tr>
<td>From:</td>
<td>Director, Transportation Services – Etobicoke York District</td>
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<tr>
<td>Wards:</td>
<td>Ward 13 – Parkdale-High Park</td>
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<tr>
<td>Reference Number:</td>
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**SUMMARY**

This staff report is about a matter that Etobicoke York Community Council has delegated authority from City Council to make a final decision.

Transportation Services has reviewed an appeal from the owner of 49 Watson 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 Etobicoke York Community Council:

1. Refuse the request for front yard parking at 49 Watson Avenue.

**Financial Impact**

There is no financial impact to the City as a result of this report.
ISSUE BACKGROUND
The property owner of 49 Watson Avenue, a semi-detached home with a 2.04 metre wide mutual driveway, submitted an application for front yard parking at this location. The applicant was advised that the property is not eligible for front yard parking because the regulations of the City of Toronto Municipal Code Chapter 918 do not permit front yard parking where the minimum ‘soft’ landscaping requirement of 75% on the boulevard/front yard is not met. The applicant subsequently submitted an appeal requesting further consideration of this proposal.

Attachment 1 shows the site location. Attachment 2 illustrates the proposed front yard parking pad. Attachment 3 is a photograph of the site.

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 permit parking is authorized on the same side of the street;
- limit the number of vehicles that can be licensed to one;
- the mutual driveway not exceed 2.2 m in width;
- limit the size of the parking area to 2.6 m by 5.9 m in dimension;
- minimum parking space requirement of 2.2 m in width;
- minimum parking space requirement of 5.3 m in length;
- minimum parking space requirement of 2.2 m in width by 5.3 m 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;
- the requirements of the City of Toronto Municipal Code Chapter 813, Trees, are complied with; a minimum clearance of 3.6 meters from the base of the tree is required;
- the parking space to be constructed perpendicular to the sidewalk;
- the parking space cannot be located within the existing mutual driveway;
- the parking space shall be constructed adjacent to the mutual driveway;
- parking area paved with semi-permeable material such as ecostone or turf stone or equivalent permeable paving treatment acceptable to the General Manager of Transportation Services; and
- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.
**Reasons for not approving**

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

- 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,
- 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.

**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 Watson Avenue from 37 to 63, including 500 St John's Road and 21 Bradley Avenue Street on the odd side and from 42 to 72, including 502 St. John's Road, on the even side. At the Ward Councillor's request, the survey was conducted in English, Polish, and Ukrainian. The survey was conducted by the Clerks' office between February 27, 2013 and March 28, 2013.

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<table>
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<tr>
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<tbody>
<tr>
<td>Total owners/tenants/residents polled</td>
<td>67</td>
</tr>
<tr>
<td>Returned by post office</td>
<td>0</td>
</tr>
<tr>
<td>Total eligible voters (total polled minus returned by post office)</td>
<td>67 100%</td>
</tr>
<tr>
<td>No reply</td>
<td>21</td>
</tr>
<tr>
<td><strong>Total ballots received (response rate)</strong></td>
<td><strong>46 69%</strong></td>
</tr>
<tr>
<td>In favour of parking (of ballots received)</td>
<td>42 91%</td>
</tr>
<tr>
<td>Opposed to parking (of ballots received)</td>
<td>3 7%</td>
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<tr>
<td>Spoiled ballots</td>
<td>1</td>
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The Code states that a poll will be considered valid when at least 25% of the ballots mailed out have been returned. This poll met the minimum response rate and therefore is considered valid. The poll results show that the majority of respondents do not oppose front yard parking at this location.
Other factors

Permit parking is authorized on the west side of Watson Avenue, between St. John's Road and Dundas Street West, on a street specific basis. Currently, there is one on-street parking permit registered to this address.

<table>
<thead>
<tr>
<th>Total number of parking permits on Watson Avenue</th>
<th>49</th>
<th>Total permits issued as of April 23, 2013</th>
<th>48</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits available</td>
<td>1</td>
<td>% of permits allocated</td>
<td>98%</td>
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<table>
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<tr>
<th>Total number of permit parking spaces on Watson Avenue, between St. John's Road and Dundas Street West</th>
<th>10</th>
<th>Total permits issued to residents as of April 23, 2013</th>
<th>13</th>
</tr>
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<tbody>
<tr>
<td>Permits available</td>
<td>-3</td>
<td>% of permits allocated</td>
<td>130%</td>
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A curb cut and depressed ramp is not required as there is an existing mutual driveway ramp to access the proposed parking pad. No on-street parking stalls will be lost should this application be successful.

On this portion of Watson Avenue, between St. John's Road and Dundas Street West, there are currently sixteen 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.

Should Community Council find merit in this application, we recommend approval subject to the following conditions:

1. the parking area be a minimum of 2.2 m in width and not exceed 2.6 m wide by 5.9 m in length;

2. the applicant shall surface the front yard parking area with semi-permeable materials such as ecostone pavers, interlocking pavers or an equivalent paving treatment that is acceptable to the General Manager, Transportation Services;

3. the applicant shall pay all applicable fees and comply with all other criteria described in the City of Toronto Municipal Code;

4. the remaining front yard shall consist of 'soft' landscaping;
5. 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;

6. the existing on-street parking permit issued to this address is cancelled immediately following approval of the front yard parking pad; and,

7. the applicant satisfies these conditions at no expense to the municipality by June 18, 2014.

CONTACT
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AFS#17840

SIGNATURE

____________________________________
Steven T. Kodama, P.Eng
Director, Transportation Services, Etobicoke York District

ATTACHMENTS

Attachment 1: Map
Attachment 2: Proposed Plan
Attachment 3: Photograph