Front Yard Parking Appeal – 25 Exeter Street

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<tr>
<th>Date:</th>
<th>May 21, 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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<td>Wards:</td>
<td>Ward 17 – Davenport</td>
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<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 by the owners of 25 Exeter Street to legalize an existing unauthorised two-car front yard parking pad. We do not recommend approving front yard parking at this location as it does not meet the requirements of City of Toronto Municipal. 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 application for front yard parking at 25 Exeter Street, and require the applicant to remove the existing front yard parking area, at no expense to the municipality, and restore the front yard and boulevard to 'soft' landscaping by June 30, 2014.

Financial Impact

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

The property owners of 25 Exeter Street, a semi-detached home, submitted an application to legalize the existing two-car front yard parking pads at this location. The applicant was advised that the property does not meet the requirements of the City of Toronto Municipal Code Chapter 918. The property currently has no legal on-site parking. The applicant subsequently submitted an appeal requesting that Etobicoke York Community Council consider their 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 on-street parking permits are authorized on the same side of the street;
- limit the number of vehicles that can be licensed to a single vehicle;
- 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;
- prohibition on 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;
- 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 parking space to be constructed perpendicular to the sidewalk;
- 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 if 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 reasons:

- the front yard parking application is for more than one vehicle;
- permit parking is authorised on the opposite side of the street and is less than 90% allocated;
- the minimum 50% landscape open space cannot be provided on both private property and the City boulevard; and,
- the minimum 75% soft landscaping cannot be provided on both private property and the City boulevard.

Poll Results

The City Clerk conducted a poll of all residents in the City's assessment information system who either own property or reside on both sides of Exeter Street, from 14 to 56 on the even side, including 199 Laughton Avenue, and, 5 to 57 on the odd side, including 195 Laughton Avenue.

At the Ward Councillor's request, the poll was conducted in English, Italian, and Portuguese. The poll was conducted by the Clerks' office between April 5, 2013 to May 6, 2013.

| Total owners/tenants/residents polled | 136 |
| Returned by post office | 4 |
| Total eligible voters (total polled minus returned by post office) | 132 |
| No reply | 81 |
| Total ballots received (response rate, %) | 51 |
| In favour of parking (of ballots received, %) | 42 |
| Opposed to parking (of ballots received, %) | 9 |
| Spoiled ballots | 0 |

The Code states that a poll will be considered valid when at least 25 per cent of the ballots mailed out have been returned. This poll satisfies the minimum response rate. The survey results show that the majority of respondents (82%) do not object to this application.
Other factors

Permit parking is authorised on the north of Exeter Street, between Laughton Avenue and the east end of the street, within permit parking area 3D. There no on-street parking permits registered to this address.

<table>
<thead>
<tr>
<th>Total number of parking permits in Area 3D</th>
<th>669</th>
<th>Total permits issued as of May 17, 2013</th>
<th>387</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits available</td>
<td>282</td>
<td>% of permits allocated</td>
<td>58%</td>
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<table>
<thead>
<tr>
<th>Total number of permit parking spaces on Exeter Street</th>
<th>21</th>
<th>Total permits issued to residents as of May 17, 2013</th>
<th>11</th>
</tr>
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<tbody>
<tr>
<td>Permits available</td>
<td>10</td>
<td>% of permits allocated</td>
<td>52%</td>
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A curb cut and depressed ramp will be required should this application be successful. Currently, there are eight legal front yard parking pads on Exeter Street.

Alternate recommendations

The property is not eligible for front yard parking since it does not satisfy Municipal Code requirements; however, should Community Council decide to grant this appeal, it could be approved subject to the following conditions:

1. the parking area shall consist of one front yard parking pad, measuring 2.2 m wide by 5.3 m in perpendicular length;
2. the applicant shall surface the front yard parking pad with semi-permeable materials, such as, ecostone pavers or an equivalent paving treatment that is acceptable to the General Manager, Transportation Services;
3. the remaining front yard shall consist of 'soft' landscaping;
4. the applicant shall pay the enforcement and inspection fee of $653.93 (HST included), specified for unauthorized front yard parking pads under Chapter 918-26 of the Toronto Municipal Code;
5. any encroachments into the municipal road allowance, such as, stairs, curbstones, retaining walls/toe walls, shall be located not less than 0.50 metres from the edge of the sidewalk closest to the Exeter Street street line;
6. the applicant shall pay for the planting of a 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;
7. the applicant shall 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; and,

8. The applicant shall satisfy these conditions at no expense to the municipality by June 30, 2014.

CONTACT
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SIGNATURE

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

ATTACHMENTS

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