Front Yard Parking Appeal – 70 Bowood Avenue

Date: October 30, 2013
To: North York Community Council
From: Manager, Right of Way Management, Transportation Services, Toronto and East York District
Wards: Ward 25 - Don Valley West
Reference Number: P:\2013\Cluster B\TRA\NorthYorkDistrict\n\y13126

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 70 Bowood 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 70 Bowood Avenue.

Financial Impact

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

The property owner of 70 Bowood Avenue, a single family detached home with a mutual 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 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.

Due to a clerical error, a previous poll being conducted was cancelled. That poll was worded for an application deemed to have met the requirements of the Code. When Transportation Services staff realized the error, the polling was cancelled and no results were registered. Transportation Services staff have since arranged for a new poll to be conducted for this appeal. However, due to this error and the delay in processing this application, with the support of the local Ward Councillor, this report is being submitted without the official poll results. In view of this, should North York Community Council decide to adopt the "alternate recommendations," they would be dependent upon a positive poll result.

The proposal for front yard parking is shown on Attachment '1', the property data map is shown on Attachment '2' and a digital photo of the property is shown on Attachment '3'.

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; and
- the requirements of the City of Toronto Municipal Code Chapter 813, Trees, are complied with; a minimum clearance of 3.0 meters from the base of the tree is required.

Reasons for not approving

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

- permit parking is permitted on both sides of the street; and
- the paved area for the parking pad does not provide the required clearance from the existing tree.
Polling
At the time of this report, a poll had not yet been completed. A poll is to be conducted in accordance with the City of Toronto Municipal Code Chapter 918-14. The area to be polled comprises both sides of Bowood Avenue from 32 to 74 on the even side and from 31 to 81 on the odd side.

The poll will be considered a positive poll when the minimum response rate of 25% has been met and the majority of ballots returned are in favour to this application.

Other factors
Permit parking on Bowood Avenue is authorized on both sides of the street on a street name basis. There is one on street parking permit registered to this address.

<table>
<thead>
<tr>
<th>Total number of parking permits on Bowood Avenue in area 0413</th>
<th>114</th>
<th>Total permits issued as of May 31, 2013</th>
<th>40</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits available</td>
<td>74</td>
<td>% of permits allocated</td>
<td>35%</td>
</tr>
<tr>
<td>Total number of permit parking spaces on this portion of Bowood Avenue, between Yonge Street and Bocastle Avenue</td>
<td>32</td>
<td>Total permits issued to residents as of May 31, 2013</td>
<td>12</td>
</tr>
<tr>
<td>Permits available</td>
<td>20</td>
<td>% of permits allocated</td>
<td>37%</td>
</tr>
</tbody>
</table>

Ramping is not required as there is an existing ramp to service the proposed parking.

On this portion of Bowood Avenue, between Yonge Street and Bocastle Avenue, there are 23 properties licensed for front yard parking.

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

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., landscaping).

Subject to a positive poll result, the North York Community Council could decide to grant the appeal for front yard parking at 70 Bowood Avenue, and recommend that:

1. the parking area be a minimum of 2.2 m in width and not exceed 2.6 m by 5.6 m in dimension;
2. the applicant disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);
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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Andre Filippetti
Manager, Right of Way Management

ATTACHMENTS

Attachment 1: sketch
Attachment 2: property data map
Attachment 3: photo