Front Yard Parking Appeal – 920 Carlaw Avenue

Date: March 19, 2013
To: Toronto and East York Community Council
From: Manager, Right of Way Management, Transportation Services
Toronto and East York District
Wards: Toronto-Danforth – Ward 29
Reference Number: Te2013020te.row

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 920 Carlaw 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 Toronto and East York Community Council:

1. deny the request for front yard parking at 920 Carlaw Avenue.

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

ISSUE BACKGROUND
The property owner of 920 Carlaw Avenue, a single family semi-detached home, 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.
The proposal for front yard parking is shown on Appendix 'A', the property data map is shown on Appendix 'B', a digital photo of the property is shown on Appendix 'C', the applicant’s landscape proposal is shown on Appendix 'D'.

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;
- 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 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 reasons:

- permit parking is permitted on the same side of the street on an alternating basis;
- the soft landscaping requirement cannot be provided on private; and
- negative poll result.

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 Carlaw Avenue from 881 to 913 on the odd side, including 191 Browning Avenue and from 886 to 922 on the even side, including 189 Browning Avenue. The deadline for receiving the ballots was February 15, 2013.

<table>
<thead>
<tr>
<th>Description</th>
<th>Total</th>
<th>Response Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total owners/tenants/residents polled</td>
<td>70</td>
<td></td>
</tr>
<tr>
<td>Returned by post office</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Total eligible voters (total polled minus returned by post office)</td>
<td>68</td>
<td>100%</td>
</tr>
<tr>
<td>No reply</td>
<td>38</td>
<td>56%</td>
</tr>
<tr>
<td><strong>Total ballots received (response rate)</strong></td>
<td>30</td>
<td>44%</td>
</tr>
<tr>
<td>In favour of parking (of ballots received)</td>
<td>12</td>
<td>40%</td>
</tr>
<tr>
<td>Opposed to parking (of ballots received)</td>
<td>18</td>
<td>60%</td>
</tr>
<tr>
<td>Spoiled ballots</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>
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 but the majority of ballots returned were opposed to the parking, therefore the poll is deemed to be a negative poll.

**Other factors**

Permit parking on Carlaw Avenue is authorized on an alternate side basis, within permit parking area 8A. There are no on street parking permits registered to this address.

<table>
<thead>
<tr>
<th>Total number of parking permits in area 8A</th>
<th>1,087</th>
<th>Total permits issued as of November 2012</th>
<th>945</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits available</td>
<td>142</td>
<td>% of permits allocated</td>
<td>87%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total number of permit parking spaces on Carlaw Avenue, between Browning Avenue and Cruikshank Avenue</th>
<th>22</th>
<th>Total permits issued to residents as of November, 2012</th>
<th>22</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits available</td>
<td>0</td>
<td>% of permits allocated</td>
<td>100%</td>
</tr>
</tbody>
</table>

The installation of a ramp at this location will result in the loss of one on street permit parking space.

On this portion of Carlaw Avenue, between Browning Avenue and Cruikshank Avenue, there are sixteen properties licensed for front yard parking.

There is no 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 a 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., setback).

Should Community Council decide to grant the appeal for front yard parking at 920 Carlaw Avenue, it could recommend that:

1. the parking area be a minimum of 2.2 m in width and not exceed 2.4 m by 5.4 m in dimension;

2. the applicant pay for the installation of the ramp to service the parking space;

3. the applicant disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);
4. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'D', attached to the report dated March 19, 2013, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District, to the satisfaction of the General Manager of Transportation Services;

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; and

6. 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
Joe Colafranceschi, Supervisor, Right of Way Management
Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: jcolafra@toronto.ca

SIGNATURE

_______________________________
Kyp Perikleous
Manager, Right of Way Management

ATTACHMENTS
Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photo
Appendix 'D' - applicant’s landscape proposal

P:\2013\Cluster B\TRA\Toronto and East York\row\te2013020\te.row - se