Front Yard Parking Appeal – 51 Scarborough Road

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: Beaches-East York – Ward 32
Reference Number: Te2013021te.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 51 Scarborough Road 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 51 Scarborough Road.

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

ISSUE BACKGROUND
The property owner of 51 Scarborough Road, 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' and 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; 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.

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; and
- the soft landscaping cannot be provided on the City boulevard.

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 Scarborough Road from 20 to 86, on the even side and from 11 to 75, on the odd side. The deadline for receiving the ballots was March 28, 2012.

<table>
<thead>
<tr>
<th>Description</th>
<th>Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total owners/tenants/residents polled</td>
<td>79</td>
<td></td>
</tr>
<tr>
<td>Returned by post office</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Total eligible voters (total polled minus returned by post office)</td>
<td>76</td>
<td>100%</td>
</tr>
<tr>
<td>No reply</td>
<td>31</td>
<td>41%</td>
</tr>
<tr>
<td>Total ballots received (response rate)</td>
<td>45</td>
<td>59%</td>
</tr>
<tr>
<td>In favour of parking (of ballots received)</td>
<td>43</td>
<td>96%</td>
</tr>
<tr>
<td>Opposed to parking (of ballots received)</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>Spoiled ballots</td>
<td>1</td>
<td>2%</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 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 Scarborough Road is authorized on the odd side, within permit parking area 9C. There is one on street parking permit registered to this address.

<table>
<thead>
<tr>
<th>Total number of parking permits in area 9C</th>
<th>4289</th>
<th>Total permits issued as of November 30, 2012</th>
<th>3716</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits available</td>
<td>573</td>
<td>% of permits allocated</td>
<td>87%</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Total number of permit parking spaces on Scarborough Road, between Queen Street East and Pine Avenue</th>
<th>46</th>
<th>Total permits issued to residents as of November 30, 2012</th>
<th>33</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits available</td>
<td>13</td>
<td>% of permits allocated</td>
<td>72%</td>
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The installation of a ramp at this location will result in the loss of one on street permit parking space.

On this portion of Scarborough Road, between Queen Street East and Pine Avenue, there are eighteen properties licensed for front yard parking. Two of these properties are licensed for two vehicles.

There is no tree in the front yard at this location. A review of this application by Urban Forestry has determined that it would be feasible to plant a tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that two downspouts at this property have been disconnected by the property owner.

As the work required to construct the proposed parking area will result in a significant grade alteration within the City boulevard, the proposed work has been reviewed by various Public Utility Companies and they advise there is no adverse impact on any underground facilities. Copies of the PUCCs are on file with Transportation Services.

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 51 Scarborough Road, 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 pay for the installation of the ramp to service the parking space;
3. the applicant hand dig any excavation that falls within 1.0 m as measured horizontally from the field markings and locate the gas service. Enbridge is to be contacted to ensure that the proper clearances are maintained and to determine if the service will require relocation;

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 either plant a full shade canopy tree on the property or 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
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SIGNATURE

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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

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