Front Yard Parking Appeal – 115 Alcina Avenue

<table>
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<tr>
<th>Date:</th>
<th>August 20, 2013</th>
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<tbody>
<tr>
<td>To:</td>
<td>Toronto and East York Community Council</td>
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<tr>
<td>From:</td>
<td>Acting Manager, Right of Way Management, Transportation Services Toronto and East York District</td>
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<tr>
<td>Wards:</td>
<td>St. Paul’s - Ward 21</td>
</tr>
<tr>
<td>Reference Number:</td>
<td>Te2013041te.row</td>
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**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 115 Alcina 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 (Pilot Project). 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 115 Alcina Avenue.

**Financial Impact**

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

**ISSUE BACKGROUND**

Toronto City Council, at its meeting of September 21, 2011, adopted item TE9.85, Amendment to Chapter 918 – Ward 18 and Ward 21 (South of St. Clair Avenue West) – Pilot Project Specific Modifications. In so doing, it allowed for applications and appeals in those specific Wards and areas, where previously not permitted. Specifically it permitted staff to accept and process an application and appeal if required, only for those
properties were a "parking pad" was already in existence prior to April 16, 2007 and created without the required permission(s).

The property owner of 115 Alcina 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 (Pilot Project). 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 (Pilot Project), 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;
- minimum parking space requirement of 2.2 m in width and 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 2.4 meters from the base of the tree is required; and
- parking not permitted on an angle.

**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 minimum parking space requirement of 2.2 m in width by 5.3 m in length is not met;
- the soft landscaping requirement cannot be provided on both private and City boulevard;
- the paved area for the parking pad does not provide the required clearance from the existing tree; and
- the proposed parking space is angled to the sidewalk.
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 Alcina Avenue from 83 to 117, on the odd side and from 82 to 112, including 29 Wychwood Avenue, on the even side. The deadline for receiving the ballots was July 2, 2013.

| Total owners/tenants/residents polled | 63 |
| Returned by post office                | 4  |
| Total eligible voters (total polled minus returned by post office) | 59  100% |
| No reply                               | 24  41% |
| **Total ballots received (response rate)** | 35  59% |
| In favour of parking (of ballots received) | 30  86% |
| Opposed to parking (of ballots received) | 5   14% |
| Spoiled ballots                        | 0   0% |

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 Alcina Avenue is authorized on an alternate side basis, within permit parking area 5C. There is one on street parking permit registered to this address.

<table>
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<tr>
<th>Total number of parking permits in area 5C</th>
<th>1367</th>
<th>Total permits issued as of May 31, 2013</th>
<th>826</th>
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<tr>
<td>Permits available</td>
<td>541</td>
<td>% of permits allocated</td>
<td>61%</td>
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| Total number of permit parking spaces on Alcina Avenue, between Bathurst Street and Wychwood Avenue | 40 | Total permits issued to residents as of May 31, 2013 | 26 |
| Permits available                          | 14 | % of permits allocated                   | 65% |

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

On this portion of Alcina Avenue, between Bathurst Street and Wychwood Avenue, there are two 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.
Alternate recommendations
Should Community Council decide to grant the appeal for front yard parking at 115 Alcina Avenue, it could recommend that:

1. the parking area not exceed 2.1 m by 4.7 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 August 20, 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
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SIGNATURE

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Joe Colafranceschi
Acting Manager, Right of Way Management

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