

**Front Yard Parking Appeal – 196 Belsize Drive**

<b>Date:</b>	October 29, 2013
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Manager, Right of Way Management, Transportation Services Toronto and East York District
<b>Wards:</b>	St Paul's – Ward 22
<b>Reference Number:</b>	Te2013052te.row

**SUMMARY**

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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 196 Belsize Drive 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**

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**Transportation Services recommends that Toronto and East York Community Council:**

1. deny the request for front yard parking at 196 Belsize Drive; and
2. request that the owner remove the existing brick paving and restore the area to soft landscaping, as indicated in Appendix 'E', attached to the report dated October 29, 2013, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District.

**Financial Impact**

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

## ISSUE BACKGROUND

The property owner of 196 Belsize Drive, 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 the regulations of the City of Toronto Municipal Code Chapter 918 do not permit front yard parking if on street parking is authorized on the opposite side of the street and is less than 90% allocated. 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' and a sketch showing the area of paving to be removed is shown on Appendix 'E'.

## 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 opposite side of the street and is less than 90% allocated.

### Reasons for not approving

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

- permit parking is permitted on the opposite side of the street and is less than 90% allocated.

### 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 Belsize Drive from 215 to 237 on the odd side and from 186 to 204 on the even side. The deadline for receiving the ballots was June 19, 2013.

Total owners/tenants/residents polled	42	-----
Returned by post office	0	-----
Total eligible voters (total polled minus returned by post office)	42	100%
No reply	12	29%
<b>Total ballots received (response rate)</b>	<b>30</b>	<b>71%</b>
In favour of parking (of ballots received)	26	87%

Opposed to parking (of ballots received)	3	10%
Spoiled ballots	1	3%

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 Belsize Drive is authorized on the odd side on a street name basis. There are no on street parking permits registered to this address.

Total number of permit parking spaces on Belsize Drive, between Hadley Road and Harwood Road	8	Total permits issued to residents as of May 31, 2013	3
Permits available	5	% of permits allocated	38%

Ramping is not required as there is an existing ramp to service the proposed parking, therefore, on street permit parking is not affected.

On this portion of Belsize Drive, between Mount Pleasant Road and Harwood Road, there are ten properties licensed for front yard parking. One of these properties is 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.

### 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 and landscaping).

Should Community Council decide to grant the appeal for front yard parking at 196 Belsize Drive, it could recommend that:

1. the parking area be 2.6 m by 5.5 m in dimension;
2. the applicant remove the excess paving and restore the area to soft landscaping, as indicated in Appendix 'E', attached to the report dated October 29, 2013, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District;

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 October 29, 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 plant a full shade canopy tree or approved equivalent, on the City boulevard to the satisfaction of the General Manager of Parks, Forestry and Recreation or pay for the planting of a full shade canopy tree on City property as per the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards.
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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Andre Filippetti  
Manager, Right of Way Management

## **ATTACHMENTS**

Appendix 'A' - sketch  
Appendix 'B' - property data map  
Appendix 'C' - photo  
Appendix 'D' - applicant's landscape proposal  
Appendix 'E' - sketch showing paving to be removed

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