Front Yard Parking Appeal – 82 Ashburnham Road

Date: July 22, 2014
To: Etobicoke York Community Council
From: Manager, Right of Way Management, Transportation Services
Wards: Davenport – Ward 17
Reference Number: P:\2014\cluster B\TRA\EtobicokeYork\eycc140096-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 82 Ashburnham Road for front yard parking. Front yard parking at this location is not recommended 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 Etobicoke York Community Council:

1. Deny the request for front yard parking at 82 Ashburnham Road.

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

ISSUE BACKGROUND
The property owner of 82 Ashburnham 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 the regulations of the City of Toronto Municipal Code Chapter 918 do not permit front yard parking if the soft landscaping requirements cannot be met. 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 provision includes:

- 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 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 reason:

- the soft landscaping requirement cannot be provided on private property and 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 Ashburnham Road from 73 to 113, including 16 Via Italia on the odd side and from 60 to 114 on the even side. The deadline for receiving the ballots was July 2, 2014.

| Total owners/tenants/residents polled | 145 |
| Returned by post office               | 4   |
| Total eligible voters (total polled minus returned by post office) | 141 100% |
| No reply                              | 78 55% |
| **Total ballots received (response rate)** | 63 45% |
| In favour of parking (of ballots received) | 45 71% |
| Opposed to parking (of ballots received) | 16 25% |
| Spoiled ballots                       | 2 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 Ashburnham Road is authorized on the odd side, within permit parking area 3E. There are two on-street parking permit registered to this address.

| Total number of parking permits in area 3E | 700 | Total permits issued as of May 31, 2014 | 423 |
| Permits available | 277 | % of permits allocated | 60% |

| Total number of permit parking spaces on Ashburnham Road, between Via Italia and Greenlaw Avenue | 14 | Total permits issued to residents as of May 31, 2014 | 18 |
| Permits available | 0 | % of permits allocated | 129% |

A ramp installation does not affect the on-street permit parking due to permit parking being on the opposite side of the street.

On this portion of Ashburnham Road, between Via Italia and Greenlaw Avenue, there are ten 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 it would not 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).

Should Community Council decide to grant the appeal for front yard parking at 82 Ashburnham Road, it could recommend that:

1. the parking area be 2.2 metres in width by 5.4 metres 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 provide the landscape features substantially in accordance with the plan as indicated in Appendix ‘D’, attached to the report dated July 22, 2014, from the Manager, Right of Way Management, Transportation Services, to the satisfaction of the General Manager of Transportation Services; 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
Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photo
Appendix 'D' - applicant’s landscape proposal