Front Yard Parking Appeal – 928 Eglinton Avenue East

<table>
<thead>
<tr>
<th>Date:</th>
<th>December 5, 2013</th>
</tr>
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<tbody>
<tr>
<td>To:</td>
<td>North York Community Council</td>
</tr>
<tr>
<td>From:</td>
<td>Manager, Right of Way Management, Transportation Services</td>
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<tr>
<td>Wards:</td>
<td>Ward 26 – Don Valley West</td>
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<tr>
<td>Reference Number:</td>
<td>ny14002 P:\2014\Cluster B\TRA\NorthYorkDistrict</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 928 Eglinton Avenue East 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 North York Community Council:

1. Deny the request for front yard parking at 928 Eglinton Avenue East.

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

ISSUE BACKGROUND
The property owner of 928 Eglinton Avenue East, a single family semi-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 fronting on a major arterial road or the King's Highway. 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 the property is fronting a major arterial road or the King's Highway.

**Reasons for not approving**

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

- property is fronting a major arterial road or the King's Highway.

**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 Eglinton Avenue East from from 904 to 958 on the even side. The deadline for receiving the ballots was November 19, 2013.

<table>
<thead>
<tr>
<th>Total owners/tenants/residents polled</th>
<th>56</th>
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<tbody>
<tr>
<td>Returned by post office</td>
<td>1</td>
<td>-------</td>
</tr>
<tr>
<td>Total eligible voters (total polled minus returned by post office)</td>
<td>55</td>
<td>100%</td>
</tr>
<tr>
<td>No reply</td>
<td>35</td>
<td>64%</td>
</tr>
<tr>
<td><strong>Total ballots received (response rate)</strong></td>
<td>20</td>
<td>36%</td>
</tr>
<tr>
<td>In favour of parking (of ballots received)</td>
<td>16</td>
<td>80%</td>
</tr>
<tr>
<td>Opposed to parking (of ballots received)</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Spoiled ballots</td>
<td>4</td>
<td>20%</td>
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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**

This property is not located within a permit parking area.
Ramping is not required as there is an existing ramp to service the proposed parking.
On this portion of Eglinton Avenue East, between Brencliffe Road and Don Avon Drive, there are five 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 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 928 Eglinton Avenue East, it could recommend that:

1. the parking area not exceed 2.6 metres by 5.5 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 December 5, 2013, 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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Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: jcolafra@toronto.ca

**SIGNATURE**

_______________________________
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