Front Yard Parking Appeal – 19 Tilson Road

Date: December 5, 2013
To: Toronto and East York Community Council
From: Manager, Right of Way Management, Transportation Services
Toronto and East York District
Wards: St Paul's – Ward 22
Reference Number: Te2013055.te.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 19 Tilson 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 Toronto and East York Community Council:

1. Deny the request for front yard parking at 19 Tilson Road; and

2. Request that the owner install barriers to prevent unauthorized parking, as indicated in Appendix 'E', attached to the report dated December 5, 2013, from the Manager, Right of Way Management, Transportation Services.

Financial Impact
There is no financial impact to the City as a result of this report.
ISSUE BACKGROUND
The property owner of 19 Tilson Road, a single family 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 does not permit front yard parking if on-street permit parking is authorized on the same side of the street as the house. 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 where barriers are to be installed 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 provision include:

- prohibit front yard parking where permit parking is authorized on the same side of the street.

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

- permit parking is permitted on both sides of the street.

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 Tilson Road from 5 to 41 on the odd side and from 6 to 34, including 174 Forman Avenue on the even side. The deadline for receiving the ballots was November 26, 2013.

<table>
<thead>
<tr>
<th>Total owners/tenants/residents polled</th>
<th>77</th>
</tr>
</thead>
<tbody>
<tr>
<td>Returned by post office</td>
<td>0</td>
</tr>
<tr>
<td>Total eligible voters (total polled minus returned by post office)</td>
<td>77 100%</td>
</tr>
<tr>
<td>No reply</td>
<td>20 26%</td>
</tr>
<tr>
<td><strong>Total ballots received (response rate)</strong></td>
<td>57 74%</td>
</tr>
<tr>
<td>In favour of parking (of ballots received)</td>
<td>53 93%</td>
</tr>
<tr>
<td>Opposed to parking (of ballots received)</td>
<td>4 7%</td>
</tr>
<tr>
<td>Spoiled ballots</td>
<td>0   0%</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 Tilson Road is authorized on both sides, within permit parking area 3457. There is one on-street parking permit registered to this address.

<table>
<thead>
<tr>
<th>Total number of parking permits on Tilson Road</th>
<th>34</th>
<th>Total permits issued as of May 31, 2013</th>
<th>22</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits available</td>
<td>12</td>
<td>% of permits allocated</td>
<td>65%</td>
</tr>
</tbody>
</table>

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 Tilson Road, between Harwood Road and Forman Avenue, there are seven 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 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 19 Tilson Road, it could recommend that:

1. the parking area be 2.6 metres in width by 5.9 metres in dimension;
2. the applicant remove the existing concrete paving and repave the parking area with semi-permeable paving materials, as indicated in Appendix ‘A’, attached to the report dated December 5, 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 November 26, 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; and

5. 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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