Front Yard Parking Appeal – 63 Wembley Drive

<table>
<thead>
<tr>
<th>Date:</th>
<th>December 5, 2013</th>
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<tbody>
<tr>
<td>To:</td>
<td>Toronto and East York Community Council</td>
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</table>
| From:       | Manager, Right of Way Management, Transportation Services  
              Toronto and East York District |
| Wards:      | Beaches-East York – Ward 32 |
| Reference Number: | Te2013054.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 63 Wembley Drive 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 63 Wembley Drive.

**Financial Impact**

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

**ISSUE BACKGROUND**

The property owner of 63 Wembley Drive, a newly constructed 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. 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 permit parking is authorized on the same side of the street;
- 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; and
- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

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;
- the soft landscaping requirement cannot be provided on private property and the City boulevard; and
- negative poll results.

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 Wembley Drive from 5 to 93 on the odd side and from 18 to 84 on the even side. The deadline for receiving the ballots was May 23, 2013.

| Total owners/tenants/residents polled | 84 | ------ |
| Returned by post office | 0 | ------ |
| Total eligible voters (total polled minus returned by post office) | 84 | 100% |
| No reply | 35 | 42% |
| **Total ballots received (response rate)** | **49** | **58%** |
| In favour of parking (of ballots received) | 9 | 18% |
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 but the majority of ballots returned were opposed to the parking, therefore the poll is deemed to be a negative poll.

**Other factors**

Permit parking on Wembley Drive is authorized on the odd side, within permit parking area 9B. There are no on-street parking permits registered to this address.

<table>
<thead>
<tr>
<th>Total number of parking permits in area 9B</th>
<th>766</th>
<th>Total permits issued as of May 31, 2013</th>
<th>737</th>
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</thead>
<tbody>
<tr>
<td>Permits available</td>
<td>29</td>
<td>% of permits allocated</td>
<td>96%</td>
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<table>
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<tr>
<th>Total number of permit parking spaces on Wembley Drive, between Gerrard Street East and Gainsborough Road</th>
<th>30</th>
<th>Total permits issued to residents as of May 31, 2013</th>
<th>22</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits available</td>
<td>8</td>
<td>% of permits allocated</td>
<td>73%</td>
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The installation of a ramp at this location will result in the loss of one on-street permit parking space.

On this portion of Wembley Drive, between Gerrard Street East and Gainsborough Road, there are six 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).

Should Community Council decide to grant the appeal for front yard parking at 63 Wembley Drive, it could recommend that:

1. the parking area be a minimum of 2.2 metres in width and not exceed 2.6 metres by 5.7 metres 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 December 5, 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

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

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