



STAFF REPORT ACTION REQUIRED

City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards – Amendment for Properties within Ward 17

Date:	August 20, 2015
To:	Etobicoke York Community Council
From:	Manager, Right of Way Management, Transportation Services
Wards:	Davenport – Ward 17
Reference Number:	P:\2015\Cluster B\TRA\EtobicokeYork\eycc150160-tp

SUMMARY

To report on a request to amend the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards, to reflect a desire to streamline the application process when and where on-street permit parking is not negatively affected by way of the installation of a parking pad.

RECOMMENDATIONS

Transportation Services recommends that:

1. City Council amend City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards, to provide that, despite any other provisions in Code Chapter 918:
 - a. Subsections 918-8 C(2) and 918-8 C(3) shall not apply to a front yard parking application for front yard parking and/or to an application for a licence to park on any portion of a boulevard where the application is for a residential property located within the area of the former City of Toronto in Ward 17 where:

- i. (a) the application is for a front yard parking pad adjacent to an existing mutual driveway which has a width of less than 2.2 metres measured at the narrowest point; or
 - (b) additional ramping is not required or, if any ramping or additional ramping is required, there is no loss of an on-street permit parking space; and
 - ii. the property meets all other requirements of Chapter 918.
 - b. Subsections 918-9D and 918-9E shall not apply to a front yard parking pad in the area of the former City of Toronto in Ward 17 where any ramping or additional ramping is not required.
2. City Council authorize and direct the appropriate staff to take the necessary steps to give effect thereto, including the introduction in Council of any bills that may be necessary to give effect to Council's decision.

FINANCIAL IMPACT

The recommendations of this report have no financial impact.

DECISION HISTORY

At its meeting of June 10, 11 and 12, 2015, City Council adopted EY6.8, as amended by Councillor Palacio, **City of Toronto Municipal Code, Chapter 918 – Parking on Residential Front Yards and Boulevards (FYP) – Amendment for Properties within Ward 13**. In doing so, City Council also requested that the General Manager, Transportation Services report back to the September 2015 meeting of Etobicoke York Community Council, seeking a similar amendment for properties in Ward 17.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EY6.8>

ISSUE BACKGROUND

Increasingly over the years, the local Councillor's office, as well as the Off-Street Parking office, have received complaints and/or been made aware of concerns by applicants for

front yard parking that the process is unfair and arduous. These concerns are most frequently expressed in cases where an application is refused based solely on the criteria that on-street permit parking is present and where the potential installation of a parking pad would not result in the loss of any on-street parking spaces.

COMMENTS

The Toronto Municipal Code which was last approved by Council in July 2006 is generally more stringent in its requirements than previous versions of the code. This is particularly true of Chapter 925, which relates to on-street permit parking.

This characteristic of the Code is relevant in that applications for front yard parking take on-street parking into consideration when determining whether front yard parking is acceptable/warranted or not. Specifically, Chapter 918-8 C (2) (of the Parking on Residential Front Yards and Boulevards chapter) states that when a home is situated on a street where on-street permit parking is permitted on that same side, the application must be refused. It does not, however, take into consideration whether or not an on-street space will, in fact, need to be deleted if a front yard parking pad is approved.

Similarly, Chapter 918-8 C (3) directs refusal where there is on-street permit parking on any side of the street and where it is less than 90% allocated or filled on that block where the home of the applicant is situated. Once again, these conditions supercede any consideration of whether there will be a loss of an on-street permit parking space or not.

The above-noted sections of Chapter 918 are frequently applicable conditions for applications within Ward 17, as approximately 80 percent of Ward 17 has on-street permit parking in effect. As such, applications for front yard parking are often denied.

Moreover, in cases where the applicant applies for front yard parking (and is ultimately denied due to these conditions), the applicant must first pay a non-refundable application fee of \$347.98 plus HST. As the application cannot be approved administratively, it must be therefore refused. The applicant then has the option to appeal the decision, which, if they do so, they must then pay the non-refundable appeal fee of \$727.85 plus HST (combined total with taxes of over \$1,200.00). A poll is then conducted and a report is prepared for the Community Council. This process, of course, does not ensure a favourable outcome for the applicant.

Proposed Amendment to Chapter 918

Within Ward 17 there have been, and continue to be, an abundance of applications that practically meet all of the requirements of the Code with the exception of the on-street permit parking criteria. For these applications, most, if not all, do not negatively impact on-street permit parking supply. Accordingly, an amendment to Chapter 918 to allow front yard parking in these circumstances is practicable and feasible.

As all applications are reviewed on a case by case basis, the applicant/property must still meet all of the other pertinent requirements of the Code, such as landscape open space, soft landscaping, tree protection zones and positive poll results.

This amendment will serve to streamline the application process.

CONTACT

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SIGNATURE

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