TORONTO

STAFF REPORT
ACTION REQUIRED

Front Yard Parking Appeal for a Second Vehicle – 417 Westmount Avenue

Date:	May 28, 2015
To:	North York Community Council
From:	Manager, Right of Way Management, Transportation Services
Wards:	Eglinton-Lawrence – Ward 15
Reference Number:	p:/2015/ClusterB/TRA/NorthYork/ny15054

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 417 Westmount Avenue for front yard parking for a second vehicle. Front yard parking for a second vehicle 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 for a second vehicle at 417 Westmount Avenue; and

2. Request that the owner remove the existing brick paving and restore the area to soft landscaping, as indicated in Appendix 'E', attached to the report dated May 28, 2015, 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 417 Westmount Avenue, a single family detached home with a mutual driveway, inquired about the feasibility of licensing a second front yard parking space at this location. The applicant was advised that the property was not eligible for a second space because the City of Toronto Municipal Code Chapter 918 does not permit the licensing of a second vehicle. The first front yard parking space was approved by North York Community Council on May 13, 2014. The property owner subsequently submitted an appeal for a second space and requested 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 the area of paving to be removed 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 provisions include:

- limit the number of vehicles that can be licensed to one;
- prohibit front yard parking where permit parking is authorized on the opposite side of the street and is less than 90% allocated;
- 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 reasons:

- the application is for more than one vehicle;
- permit parking is permitted on the opposite side of the street and is less than 90% allocated; and
- the soft landscaping requirement cannot be provided on private property and the City boulevard; and
- landscape open space requirement cannot be provided on 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 Westmount Avenue from 401 to 449, on the odd side and from 402 to 450, on the even side. The deadline for receiving the ballots was April 21, 2015.

Total owners/tenants/residents polled	103	--------
Returned by post office	0	--------
Total eligible voters (total polled minus returned by post office)	103	100%
No reply	76	74%
Total ballots received (response rate)	27	26%
In favour of parking (of ballots received)	27	100%
Opposed to parking (of ballots received)	0	0%
Spoiled ballots	0	0%

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 Westmount Avenue is authorized on the even side, on a street name basis. As of May 7, 2015, there is one on-street parking permit registered to this address.

Total number of parking permits on Westmount Avenue	28	Total permits issued as of November 30, 2014	18
Permits available	10	% of permits allocated	64%

Total number of permit parking spaces on Westmount Avenue, between Rogers Road and Genessee Avenue	16	Total permits issued to residents as of November 30, 2014	11
Permits available	5	% of permits allocated	69%

A ramp installation does not affect the on-street permit parking.

On this portion of Westmount Avenue, between Rogers Road and Genessee Avenue, there are sixteen 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 requirement of the Code, (i.e., setback).

Should Community Council decide to grant the appeal for front yard parking for a second vehicle at 417 Westmount Avenue, it could recommend that:

1. the parking area be a minimum of 2.4 metres in width and not exceed 2.6 metres by 5.4 metres in dimension;

2. the applicant pay for the installation of the ramp to service the parking space;

3. the applicant remove the excess paving and restore the area to soft landscaping, as indicated in Appendix 'A', attached to the report dated May 28, 2015, from the Manager, Right of Way Management, Transportation Services;

4. the applicant disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);

5. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'D', attached to the report dated May 28, 2015, from the Manager, Right of Way Management, Transportation Services, to the satisfaction of the General Manager of Transportation Services; and

6. 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