# Front Yard Parking Appeal – 201 Rosemount Avenue

<table>
<thead>
<tr>
<th>Date:</th>
<th>August 18, 2016</th>
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<tbody>
<tr>
<td>To:</td>
<td>Etobicoke York Community Council</td>
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<tr>
<td>From:</td>
<td>Manager, Right of Way Management, Transportation Services</td>
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<td>Wards:</td>
<td>Davenport – Ward 17</td>
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<tr>
<td>Reference Number:</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 201 Rosemount Avenue for front yard parking. Front yard parking at this location is not recommended because it does not meet the soft landscaping requirements of the City of Toronto Municipal Code Chapter 918 and the Code does not permit the licensing of a front yard parking space where the property has access to a parking facility at the rear of the property by means of a public laneway. The owner will be given an opportunity to make a deputation before Community Council.

## RECOMMENDATIONS

**Transportation Services recommends that Etobicoke York Community Council:**

1. Deny the request for front yard parking at 201 Rosemount Avenue; and

2. Request that the owner install planter barriers on the walkway to prevent the unauthorized parking to the satisfaction of the General Manager of Transportation Services, as indicated in Appendix 'D', attached to the report dated August 18, 2016, 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 201 Rosemount Avenue, a freehold townhouse, 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', digital photos of the property are shown on Appendix 'C' and a sketch showing the installation of a barrier 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 has access to an existing parking facility or where adequate space for parking can be provided on the lot;
- 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 property has access to a double garage in the rear yard via a public laneway; and
- the soft landscaping requirement cannot be provided on private property and 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 Rosemount Avenue from 183 to 235 on the odd side and from 188 to 240 on the even side, including 100 Via Italia. The deadline for receiving the ballots was May 12, 2016.

<table>
<thead>
<tr>
<th>Total owners/tenants/residents polled</th>
<th>151</th>
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<tbody>
<tr>
<td>Returned by post office</td>
<td>1</td>
</tr>
<tr>
<td>Total eligible voters (total polled minus returned by post office)</td>
<td>150</td>
</tr>
<tr>
<td>No reply</td>
<td>86</td>
</tr>
<tr>
<td><strong>Total ballots received (response rate)</strong></td>
<td>64</td>
</tr>
<tr>
<td>In favour of parking (of ballots received)</td>
<td>53</td>
</tr>
<tr>
<td>Opposed to parking (of ballots received)</td>
<td>9</td>
</tr>
<tr>
<td>Spoiled ballots</td>
<td>2</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**

Permit parking on Rosemount Avenue is authorized on an alternate side basis, within permit parking area 3E. As of July 15, 2016, there are two on-street parking permits registered to this address.

| Total number of parking permits in area 3E | 714 | Total permits issued as of May 31, 2016 | 425 |
| Permits available | 289 | % of permits allocated | 59% |

| Total number of permit parking spaces on Rosemount Avenue, between Via Italia and Greenlaw Avenue | 19 | Total permits issued to residents as of May 31, 2016 | 8 |
| Permits available | 11 | % of permits allocated | 42% |

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

On this portion of Rosemount Avenue, between Via Italia and Greenlaw Avenue, there are ten 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 small 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 at 201 Rosemount Avenue, it could recommend that:

Front Yard Parking Appeal – 201 Rosemount Avenue
1. the parking area be 2.2 metres in width by 5.3 metres in length;

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 August 18, 2016, from the Manager, Right of Way Management, Transportation Services;

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

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 'A', attached to the report dated August 18, 2016, 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' - sketch showing a barrier to be installed