



**STAFF REPORT
ACTION REQUIRED**

Front Yard Parking Appeal – 423 Glenholme Avenue

Date:	April 21, 2016
To:	North York Community Council
From:	Manager, Right of Way Management, Transportation Services
Wards:	Eglinton-Lawrence – Ward 15
Reference Number:	p:/2016/ClusterB/TRA/NorthYork/ny16055

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 423 Glenholme Avenue 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 North York Community Council:

1. Deny the request for front yard parking at 423 Glenholme Avenue; and
2. Request that the owner remove the existing brick paving and restore the area to soft landscaping, as indicated in Appendix 'D', attached to the report dated April 21, 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 423 Glenholme Avenue, a single family detached home with a mutual driveway, 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 a sketch showing the area of paving to be removed 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; 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:

- permit parking is permitted on the same side of the street on an alternating basis; and
- the soft landscaping 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 Glenholme Avenue from 403 to 425 on the odd side and from 408 to 438 on the even side. The deadline for receiving the ballots was March 16, 2016.

Total owners/tenants/residents polled	61	-----
Returned by post office	1	-----
Total eligible voters (total polled minus returned by post office)	60	100%
No reply	32	53%
Total ballots received (response rate)	28	47%

In favour of parking (of ballots received)	18	64%
Opposed to parking (of ballots received)	7	25%
Spoiled ballots	3	11%

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 Glenholme Avenue is authorized on an alternate side basis, on a street name basis. As of April 13, 2016, there is one on-street parking permit registered to this address.

Total number of parking permits on Glenholme Ave	27	Total permits issued as of November 30, 2015	28
Permits available	0	% of permits allocated	104%

Total number of permit parking spaces on Glenholme Ave, between Jesmond Ave and Ashbury Ave	12	Total permits issued to residents as of November 30, 2015	6
Permits available	6	% of permits allocated	50%

Ramping is not required as there is an existing ramp to service the proposed parking, therefore, on-street permit parking is not affected.

There is a sign post obstructing the entrance of the parking pad, which will require relocation at the applicant's expense.

On this portion of Glenholme Avenue, between Jesmond Avenue and Ashbury Avenue, there are three properties licensed for front yard parking.

There is no tree in the front yard at this location. A review of this application has determined that it would 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 at 423 Glenholme Avenue, it could recommend that:

1. the parking area be a minimum of 2.2 metres in width and not exceed 2.6 metres and a minimum of 5.3 metres and not exceed 5.9 metres in length;
2. the applicant pay for the relocation of the sign post;
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 pay the enforcement fee of \$701.82 (HST included) since the parking pad was constructed prior to the submission of the application and without authorization from the City;
5. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'A', attached to the report dated April 21, 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

Andre Filippetti
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ATTACHMENTS

Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photo
Appendix 'D' - sketch showing paving to be removed