



**STAFF REPORT  
ACTION REQUIRED**

**Driveway Apron Parking: Painted Post Drive**

<b>Date:</b>	May 26, 2016
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Transportation Services, Scarborough District
<b>Wards:</b>	Ward 38 – Scarborough Centre
<b>Reference Number:</b>	P:\2016\Cluster B\TRA\Scarborough\sc1646.docx

**SUMMARY**

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This report responds to a request by Scarborough Community Council, at its meeting on April 5, 2016, for a report from the Director, Transportation Services, Scarborough District on a proposal to enact an amendment to the Municipal Code that would permit the use of the "driveway apron" (the section between the curb and sidewalk) for parking purposes on Painted Post Drive in Ward 38. The Municipal Code currently prohibits the use of this area for parking purposes across the City, with the exception of one street in Ward 8 (Shoreham Drive).

The exemption to the Municipal Code for Shoreham Drive was enacted by City Council in April 2015. Therefore, the full implications of this "apron parking" on Shoreham Drive are not yet known due, in part, to the relatively moderate winter the city experienced last season. Nevertheless, based on an assessment of the potential impacts of parked vehicles on traffic operations, pedestrian activity, and winter maintenance, and the potential safety implications, staff have concerns with the proposed exemption. The implications of this proposal and the basis of these concerns are presented in this report for information.

**RECOMMENDATIONS**

**Transportation Services recommends that:**

1. This report be received for information.

**Financial Impact**

There are no financial impacts resulting from the receipt of this report.

## DECISION HISTORY

Scarborough Community Council at its meeting on April 5, 2016, in considering a communication from Councillor Glenn De Baeremaeker regarding the parking of vehicles on the "driveway aprons" on Painted Post Drive (SC13.5) referred this matter to the Director, Transportation Services, Scarborough District, for a report back to the Scarborough Community Council.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.SC13.5>

City Council, at its meeting on March 31, and April 1 and 2, 2015, adopted NY4.10 and in so doing, enacted an exemption to Section 918-2 of the City of Toronto Municipal Code that allows the parking of vehicles on driveways within the portion of the boulevard situated between the travelled portion of the roadway and the sidewalk, subject to certain criteria, on Shoreham Drive only.

<http://www.toronto.ca/legdocs/mmis/2016/sc/bgrd/backgroundfile-91293.pdf>

## ISSUE BACKGROUND

City of Toronto Municipal Code Chapter 918 is a City-wide bylaw enacted by City Council in July 2006 which became into full force and effect on April 16, 2007 that regulates the use of residential front yards and boulevards for parking. "Boulevard" is defined in this chapter of the Municipal Code as *"that part of the highway that is not used, or intended to be used, for motor vehicle travel by the general public, and that is situated between the travelled portion of the roadway and the adjoining property, excluding the sidewalk."* Therefore, the "driveway apron parking" referenced in SC13.5 means parking on the portion of the "boulevard", as defined in the Municipal Code, that is situated between the curb and sidewalk ("apron parking" is not a defined term in the Municipal Code).

Section 918-2 of the Municipal Code outlines the restrictions on the use of boulevards. Specifically, Section 918-2(C) states that *"despite any other provisions of this chapter or the provisions of any other City by-law, no person shall park any motor vehicle on that portion of the boulevard that is situated between the travelled portion of the roadway and the sidewalk."* In other words, "apron parking" is not permitted by the Municipal Code.

Chapter 918 was amended by City Council at its meeting on March 31, and April 1 and 2, 2015 by adding Section 918-2(C.1) which permits the parking of motor vehicles between the travelled portion of the roadway and the sidewalk on Shoreham Drive only, in accordance with NY4.10.

## **COMMENTS**

Painted Post Drive is a two-lane collector road with a 40 km/h posted speed limit that runs generally east-west between Bellamy Road North in the west and Scarborough Golf Club Road in the east, north of Lawrence Avenue East (see Attachment 1). Painted Post Drive forms an offset intersection at Markham Road, with the west leg approximately 100 metres south of the east leg. The east leg of Painted Post Drive at Markham Road is signalized.

The right-of-way width of Painted Post Drive varies from 20m to 27m, although the pavement width is constant at 8.5m. Along the narrower sections of Painted Post Drive, the distance between the curb and sidewalk is not sufficient to accommodate a parked vehicle. However, along the sections of Painted Post Drive with a 27m right-of-way width, the sidewalk is setback from the curb such that there is sufficient space (generally greater than 6.0 metres) to physically accommodate the parking of most vehicles (see Attachment 2). This includes the section between Sedgemount Drive and Markham Road (north side only) and the entire section between Markham Road and Scarborough Golf Club Road (both sides).

Because of the availability of space, some residents currently park their vehicles within this boulevard area. This is not permitted by the Municipal Code and, as a result, complaints are often submitted by area residents, either directly or through the local Ward Councillor's office or Toronto Police Services. Most of the submissions cite sightline obstructions as the basis of the complaints.

In response to a complaint related to vehicle parking within the boulevard, Toronto Police Services will investigate and, if appropriate, issue a Parking Infraction Notice. From January 2015 to April 2016 in the entirety of the Scarborough District, there have been 572 Parking Infractions Notices issued to vehicles parked on the boulevard within the driveway entrance and 1,726 issued to vehicles parking on the grassed areas within the boulevard, for a total of 2,298 notices.

### **Impacts on Traffic Operations**

As noted above, most of the complaints received from the public with respect to boulevard parking are related to the resulting sightline obstructions. With a vehicle parked on the boulevard, it would be difficult for a driver on an abutting driveway to back out onto Painted Post Drive and see oncoming traffic. Conversely, motorists driving along Painted Post Road might have difficulty seeing a car backing out of a driveway with a vehicle parked on the abutting boulevard.

Similarly, vehicles parked on the boulevard in close proximity to the sidewalk could obstruct sightlines to pedestrians on the sidewalk. Conversely, pedestrians might not see a vehicle entering a driveway if another vehicle is parked on the adjacent boulevard.

These sightline constraints create potential safety problems for both motorists and pedestrians. While the extent of these problems is difficult to quantify, the permission of parking on the boulevard would introduce some risk to motorists and pedestrians that does not currently exist.

### **Impacts on Winter Maintenance**

The communication submitted to Scarborough Community Council for consideration contemplates a 0.3 metre setback of parked vehicles from the travelled portion of the roadway. Permitting parking on the boulevard area within 0.3 metres of the curb or edge of roadway will likely interfere with winter maintenance operations. Snow plows clearing Painted Post Drive could clip vehicles that are parked too close to the curb. This could result in claims against the City for damages. Furthermore, contractors would likely be unable to provide windrow clearing for driveways with vehicles parked on the boulevard. The equipment requires parked vehicles to be setback a minimum 2.0 metre from the roadway in order to provide this service. As a result, the winter maintenance equipment providing windrow clearing would likely have to skip the driveways where vehicles are parked on the boulevard. This would include the entire width of side-by-side driveways where vehicles are parked on only one half of the driveway. It could be impractical and risky for an operator to clear the windrow from only the portion of the driveway that is not occupied by a parked vehicle. As a result, in the case of side-by-side driveways, a resident who does not use the boulevard for parking would likely not receive windrow-clearing service if their neighbour is using their portion of the boulevard to park.

Permitting vehicles to park in the boulevard area within 0.3 metres of the sidewalk also creates winter maintenance challenges and problems. If vehicles are parked 0.3 metres from both sides of a narrow sidewalk, the sidewalk snow plow operators may have difficulty clearing snow between the parked vehicles. Rather than risking the chance of clipping and damaging one of the vehicles, which could also result in claims against the City, the operator might choose instead to bypass the vehicles (by exiting onto the roadway) and skip a large section of sidewalk. This will inhibit the ability of the City to maintain the sidewalk free of snow and ice.

Photos of vehicles currently parked on the boulevard on Painted Post Drive are included in Attachment 3 and illustrate the challenges and difficulties created by these vehicles on traffic operations and winter maintenance operations.

### **Exemption on Shoreham Drive**

As noted above, an exemption is included in Chapter 918 of the Municipal Code that permits parking on the boulevard area between the travelled portion of the roadway and the sidewalk on Shoreham Drive in Ward 8 of the North York District. This exemption was enacted by City Council at its meeting on March 31, and April 1 and 2, 2015. The section of Shoreham Drive, west of Jane Street to its western terminus just east of Norfinch Drive, is similar in dimensions, function and character as the subject sections of

Painted Post Drive. Transportation Services staff in the North York District have advised that they experienced some challenges and difficulties with their winter maintenance operations during the 2015/16 winter season because vehicles parked between the roadway and sidewalk inhibited the movement and activities of their equipment. However, they have also advised that due to the few storm events during the last winter season there was only one occasion when roadway ploughing was activated. As a result, they do not yet have extensive experience or observations as to the full impact of these parked vehicles on the winter maintenance of the adjacent roadway and sidewalks.

City Planning and Legal Services staffs have been consulted in the preparation of this report. City Planning staff (Urban Design) have advised that generally accepted urban design principles would discourage the use of the area in front of residential dwellings, including the boulevard area, for parking purposes.

## **CONTACT**

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## **SIGNATURE**

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John Mende, P. Eng  
Director, Scarborough District

## **ATTACHMENTS**

- 1 Painted Post Drive – Location Map
- 2 Painted Post Drive – Roadway Dimensions
- 3 Photos of vehicles parked on the Painted Post Drive boulevard