Front Yard Parking Appeal – 32 Elmer Avenue

<table>
<thead>
<tr>
<th>Date:</th>
<th>May 26, 2016</th>
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<tbody>
<tr>
<td>To:</td>
<td>Toronto and East York Community Council</td>
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<tr>
<td>From:</td>
<td>Manager, Right of Way Management, Transportation Services Toronto and East York District</td>
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<tr>
<td>Wards:</td>
<td>Beaches-East York – Ward 32</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 32 Elmer Avenue for front yard parking. Front yard parking at this location is not recommended because it does not meet the permit parking eligibility 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 Toronto and East York Community Council:

1. Deny the request for front yard parking at 32 Elmer Avenue.

**Financial Impact**

There is no financial impact to the City as a result of this report.

**ISSUE BACKGROUND**

The property owner of 32 Elmer Avenue, a detached duplex, 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 the regulations of the City of Toronto Municipal
Code Chapter 918 do not permit front yard parking if permit parking is authorized on the same side of the street. 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' and a digital photo of the property is shown on Appendix 'C'.

COMMENTS

Applicable regulation

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 provision includes:

- prohibit front yard parking where permit parking is authorized on the same side of the street.

Reason for not approving

The property does not meet the above-noted criteria for the following reason:

- permit parking is permitted on the same side of the street.

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 Elmer Avenue from 1 to 61 on the odd side and from 4 to 58 on the even side. The deadline for receiving the ballots was April 15, 2016.

| Total owners/tenants/residents polled | 145 | ------- |
| Returned by post office | 15 | ------- |
| Total eligible voters (total polled minus returned by post office) | 130 | 100% |
| No reply | 81 | 62% |
| **Total ballots received (response rate)** | 49 | 38% |
| In favour of parking (of ballots received) | 27 | 55% |
| Opposed to parking (of ballots received) | 18 | 37% |
| Spoiled ballots | 4 | 8% |

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 Elmer Avenue is authorized on the even side, within permit parking area 9C. As of April 26, 2016, there is one on-street parking permit registered to this address.

<table>
<thead>
<tr>
<th>Total number of parking permits in area 9C</th>
<th>4328</th>
<th>Total permits issued as of November 30, 2015</th>
<th>3683</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits available</td>
<td>645</td>
<td>% of permits allocated</td>
<td>85%</td>
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<table>
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<tr>
<th>Total number of permit parking spaces on Elmer Avenue, between Queen Street East and west branch of Norway Avenue</th>
<th>48</th>
<th>Total permits issued to residents as of November 30, 2015</th>
<th>53</th>
</tr>
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<tbody>
<tr>
<td>Permits available</td>
<td>0</td>
<td>% of permits allocated</td>
<td>110%</td>
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A ramp installation does not affect the on-street permit parking.

On this portion of Elmer Avenue, between Queen Street East and west branch of Norway Avenue, there are 37 properties licensed for front yard parking. Seven of these properties are licensed for two vehicles.

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 requirements of the Code, (i.e., setback and landscaping).

Should Community Council decide to grant the appeal for front yard parking at 32 Elmer 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 5.7 metres in length;

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

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 provide the landscape features substantially in accordance with the plan as indicated in Appendix 'A', attached to the report dated May 26, 2016, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District, to the satisfaction of the General Manager of Transportation Services; and
5. 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
Manager, Right of Way Management

ATTACHMENTS
Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photo