



**STAFF REPORT
ACTION REQUIRED**

Front Yard Parking Appeal – 6 Four Oaks Gate

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| Date: | September 25, 2016 |
| To: | Toronto and East York Community Council |
| From: | Manager, Right of Way Management, Transportation Services Toronto and East York District |
| Wards: | Toronto-Danforth – Ward 29 |
| Reference Number: | Te.201631.te.row.docx |

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 6 Four Oaks Gate for front yard parking. Front yard parking at this location is not recommended because the City of Toronto Municipal Code Chapter 918 does not permit an application to be accepted for the licensing of a front yard parking space where the property has a private driveway leading to a garage and where the results of a formal poll are not favourable.

RECOMMENDATIONS

Transportation Services recommends that Toronto and East York Community Council:

1. Deny the request for front yard parking at 6 Four Oaks Gate.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 6 Four Oaks Gate, a single family detached home with a private driveway leading to an integral garage, inquired about the feasibility of a front yard parking space on the boulevard 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 the property is serviced by a private driveway. 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 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; and
- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

Reasons for not approving

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

- the property is serviced by a single car garage fronting the location; and
- negative poll results.

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 Four Oaks Gate from 3 to 11 on the odd side and from 2 to 24 on the even side. The deadline for receiving the ballots was May 12, 2016.

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| Total owners/tenants/residents polled | 37 | ----- |
| Returned by post office | 0 | ----- |
| Total eligible voters (total polled minus returned by post office) | 37 | 100% |
| No reply | 14 | 38% |
| Total ballots received (response rate) | 23 | 62% |
| In favour of parking (of ballots received) | 8 | 35% |
| Opposed to parking (of ballots received) | 15 | 65% |
| 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 but the majority of ballots returned were opposed to the parking, therefore the poll is deemed to be a negative poll.

Other factors

This property is not located within a permit parking area.

Ramping is not required as there is an existing ramp to service the proposed parking.

On this portion of Four Oaks Gate, between Don Mills Road and Airley Crescent, there are three properties licensed for front yard parking.

There is a tree in the front yard at this location. A review of this application by Urban Forestry has determined that there is no suitable planting site for an additional 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 6 Four Oaks Gate, it could recommend that:

1. the parking area be a minimum of 2.2 metres in width and a minimum of 5.3 metres in length;
2. the applicant disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);
3. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'A', attached to the report dated September 25, 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
4. 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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ATTACHMENTS

Appendix 'A' - sketch

Appendix 'B' - property data map

Appendix 'C' - photo