



**STAFF REPORT
ACTION REQUIRED**

Front Yard Parking Appeal – 320 Brookdale Avenue

Date:	September 25, 2016
To:	North York Community Council
From:	Manager, Right of Way Management, Transportation Services
Wards:	Eglinton-Lawrence – Ward 16
Reference Number:	p:/2016/ClusterB/TRA/NorthYork/ny16089

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 320 Brookdale Avenue for front yard parking. Front yard parking at this location is not recommended because the City of Toronto Municipal Code Chapter 918 prohibits front yard parking where the property has access to an existing parking facility and where the parking space cannot be constructed perpendicular to the sidewalk. 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 320 Brookdale Avenue; and
2. Request that the owner remove the existing brick paving and restore the area to soft landscaping and install a planter, as indicated in Appendix 'D', attached to the report dated September 25, 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 320 Brookdale Avenue, a single family detached home on a corner lot with a private driveway to an integral garage at grade, inquired about the feasibility of a front yard parking space on the boulevard along the Elm Road flankage of the property. The area of the proposed parking space is currently paved in interlocking brick and is situated adjacent to the driveway leading to the garage. The applicant was advised that the property is not eligible for front yard parking because it does not meet the regulations of the City of Toronto Municipal Code Chapter 918. The applicant submitted an appeal requesting 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 the property has access to an existing parking facility or where adequate space for parking can be provided on the lot; and
- the parking space to be constructed perpendicular to the sidewalk.

Reasons for not approving

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

- the property is serviced by a private driveway to an integral garage; and
- the proposed parking space is parallel to the sidewalk.

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 Elm Road from 229 to 233 on the odd side and from 230 to 236 on the even side, including 320 and 322 Brookdale Avenue. The deadline for receiving the ballots was July 28, 2016.

Total owners/tenants/residents polled	23	-----
Returned by post office	0	-----
Total eligible voters (total polled minus returned by post office)	23	100%
No reply	4	17%
Total ballots received (response rate)	19	83%

In favour of parking (of ballots received)	13	68%
Opposed to parking (of ballots received)	4	21%
Spoiled ballots	2	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 Brookdale Avenue is authorized on both sides, on a street name basis. As of September 14, 2016, there are no on-street parking permits registered to this address.

Total number of parking permits on Brookdale Avenue	148	Total permits issued as of May 31, 2016	75
Permits available	73	% of permits allocated	51%

Total number of permit parking spaces on Brookdale Avenue, between Greer Road and Elm Road	62	Total permits issued to residents as of May 31, 2016	22
Permits available	40	% of permits allocated	35%

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

On this portion of Brookdale Avenue, between Greer Road and Elm Road, there are sixteen properties licensed for front yard parking.

There is a tree in the front yard at this location. A review of this 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 320 Brookdale Avenue, it could recommend that:

1. the parking area be a minimum of 2.2 metres in width and not exceed 2.4 metres and a minimum of 5.3 metres and not exceed 5.6 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 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;
4. 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, 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

Nino Pellegrini, Supervisor, Right of Way Management
Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: npellegr@toronto.ca

SIGNATURE

Andre Filippetti
Manager, Right of Way Management

ATTACHMENTS

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