



REPORT FOR ACTION

Front Yard Parking Regulations

Date: May 25th, 2017

To: Public Works and Infrastructure Committee

From: General Manager, Transportation Services

Wards: All

SUMMARY

The provision of a parking area on the boulevard and/or front yard originated in the area of the former City of Toronto to provide parking for residents where no parking was available on-site in the form of a garage or driveway. It was later expanded and introduced to a number of other areas in the former municipalities of York and East York as the City grew and demand for parking continued to increase.

The purpose of this report is to respond to a request from Public Works and Infrastructure Committee to:

- provide information on the current front yard parking regulations;
- the general impact of parking pads on the natural environment, storm-water operations and property values;
- the current challenges of implementing the policy; and
- identify a mechanism to bring unauthorized parking pad locations with existing legal ramps into compliance.

As a consequence of this review, staff recommend that the current Front Yard Parking program be brought to a close, and that no further Front Yard Parking pads be approved in the City of Toronto. This recommendation is based on:

- a belief that based on the length of the program, that the majority of those parking pads that can be legally permitted have been;
- the cumulative environmental impacts of parking pads, specifically as it pertains to stormwater runoff; and
- administrative challenges arising from an inconsistent and frequently modified by-law.

RECOMMENDATIONS

The General Manager, Transportation Services recommends that:

1) City Council amend City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards, to:

a) prohibit the General Manager of Transportation Services from:

i) accepting any new applications for a licence to park on any portion of a boulevard for residential properties located anywhere within the City of Toronto; and

ii) accepting any new front yard parking applications for front yard parking for residential properties located anywhere within the geographical area of the former City of Toronto;

b) remove any appeal for refusals to accept a new application; and

c) grandparent existing parking pads, as described in Appendix 1, for locations where:

i) licences already issued;

ii) licences approved for issuance;

iii) licences issued following the ban recommended in Recommendation 1 where a complete application for that licence has been received prior to the ban coming into force; and

iv) transfers of licences.

FINANCIAL IMPACT

There are no financial implications associated with the adoption of the recommendations in this report.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

A harmonized approach to the various by-laws of the former area municipalities in regard to front yard parking and boulevard parking was recommended to City Council in 2006. At the time, this harmonization was recommended in conjunction and to be

consistent with the harmonization of all of the Zoning by-laws from the former area municipalities. The Committee report and City Council decisions can be found at:

<http://www.toronto.ca/legdocs/2005/agendas/committees/plt/plt051130j/it003b.pdf>

<http://www.toronto.ca/legdocs/2006/agendas/council/cc060627/cofa.pdf>

At its meeting of December 8 and 9, 2015 City Council considered MM11.21, which recommended that City Council amend Section 918-5B of Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards, to extend the moratorium on front yard parking to all Wards in the City of Toronto, and City Council authorize the City Solicitor to introduce the necessary bill to amend this and any other sections of the chapter as are necessary to be consistent with this moratorium. This item was referred to the Public Works and Infrastructure Committee for consideration. The Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.MM11.21>

At its meeting of January 21, 2016, the Public Works and Infrastructure Committee deferred consideration of item PW10.3 until the October 18, 2016 meeting of the Public Works and Infrastructure Committee, with the request that the General Manager, Transportation Services, report at that time on the feasibility of a City-wide prohibition on parking pads, such report to include:

1. A review of the current City of Toronto policy on parking pads as per Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards;
2. A review of the impact of parking pads, including, among other things, on the City of Toronto's natural environment and storm water operations as well as the property values of residential homes;
3. An implementation plan with regard to how a prohibition on parking pads would be carried out, including estimated timelines and the associated staff, cost and other potential impacts; and
4. Undertake a review to identify a mechanism to bring unauthorized parking pad locations with existing legal ramps into compliance.

At its meeting of October 18, 2016, the Public Works and Infrastructure Committee deferred this item indefinitely.

The Committee decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PW10.3>

The Public Works and Infrastructure Committee, at its meeting of November 21, 2016, reopened the matter and requested that the General Manager of Transportation Services report on February 28, 2017 on:

1. the current City of Toronto policy on parking pads as per Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards and current challenges implementing the policy;
2. the general impact of parking pads on the City, including, the impact on the City of Toronto's natural environment and storm water operations, as well as the property values of residential homes; and
3. a mechanism to bring unauthorized parking pad locations with existing legal ramps into compliance.

The Committee decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PW17.18>

The Public Works and Infrastructure Committee, at its meeting of January 18, 2017, requested that the General Manager of Transportation Services report on February 28, 2017 on:

1. permeable paving materials and front yard parking regulations in other jurisdictions as part of the on-going review of Chapter 918, Parking on Residential Front Yards and Boulevards, to determine if there are permeable paving materials available in the market which minimize surface water runoff such that front yard parking pads constructed with those materials could be considered landscaped open space and/or soft landscaping under Chapter 918, Parking on Residential Front Yards and Boulevards.

The Committee decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PW18.4>

COMMENTS

The provision of a parking area on the boulevard and/or front yard (collectively FYP) of a property, within the area now known as the amalgamated City of Toronto, dates back nearly 50 years to the first report looking for options to establish a policy for permitting front yard parking by granting specific exemptions to the Zoning by-law to residential properties on Duggan Avenue. It was used primarily in the area of the former City of Toronto to provide parking for residents where no parking was available on-site in the form of a garage or driveway. It was later expanded and introduced to a number of other areas in the former municipalities of York and East York as the municipalities grew and demand for parking continued to increase.

FYP is often a contentious and divisive issue amongst residents and others. Over the years, specific amendments to the bylaw have been made to suit specific area characteristics. This has, in turn, resulted in a process that, despite attempts to harmonize the bylaw, still can be a challenge to understand and implement throughout various parts of the City. In addition, there have been longstanding concerns with the environmental impacts of FYP, particularly as it pertains to storm-water runoff.

As a result of these concerns and challenges, Transportation Services is recommending that the Front Yard Parking Program be brought to a close.

Broadly, this report will first respond to committee direction by discussing:

- Current FYP Regulations;
- The impact of Front Yard Parking pads on the environment and property values; and
- Mechanisms for bringing illegal parking pads into compliance.

This is followed by a discussion of the justifications for the termination of the Front Yard Parking program.

Despite these challenges, staff have a system in place to manage these requests in as efficient a manner as possible.

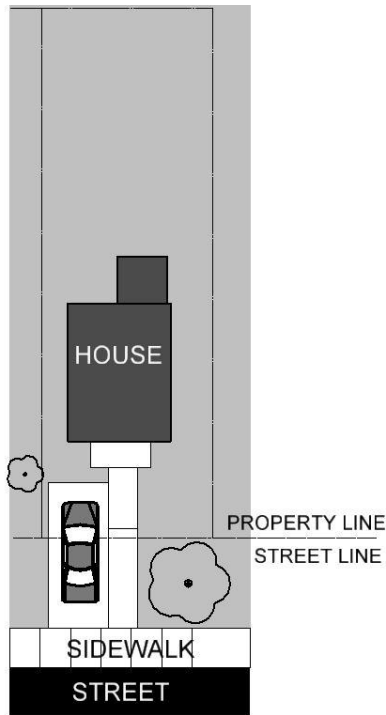
The following discussion will describe, in general terms:

- the existing regulations associated with FYP;
- how it is applied by City staff;
- and outline some of the more notable challenges faced by staff when implementing the program.

Environmental issues related to the impacts of FYP pads as well as property value characteristics will also be outlined.

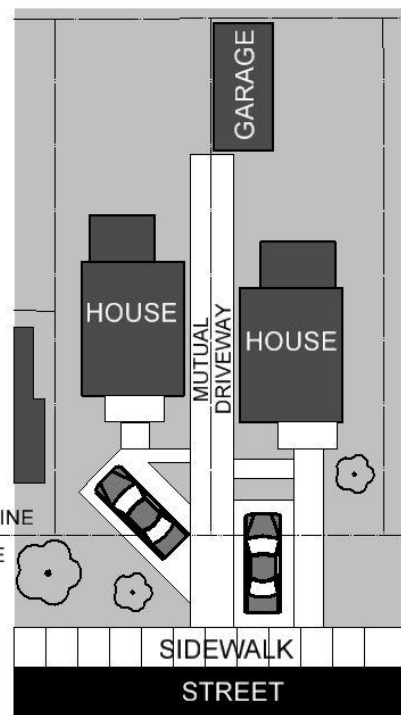
The various types of parking configurations which require a licence under Chapter 918 are illustrated below:

Properties without Access



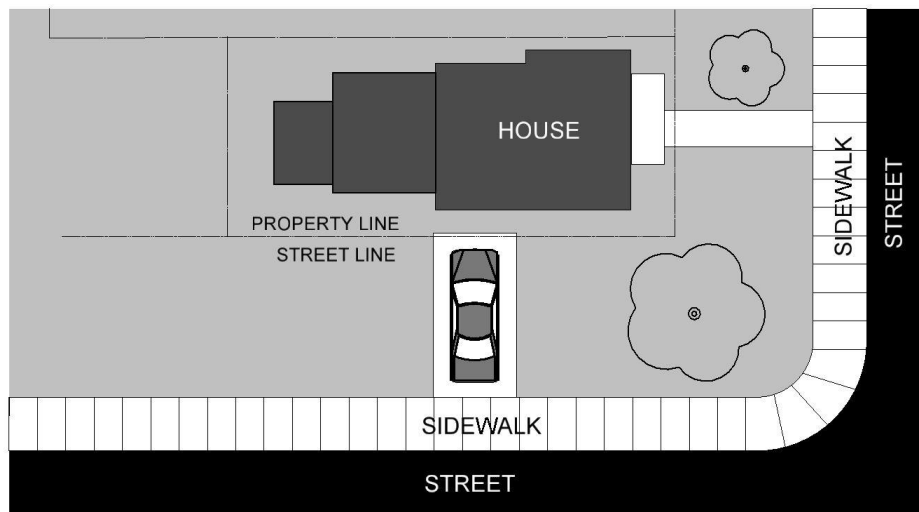
- Parking pad in front yard and boulevard
- Curb cut does not exist

Mutual Driveway



- Existing mutual driveway is too narrow, less than 2.2 metres wide
- Parking pad adjacent to mutual driveway

Corner Properties



- Parking pad at side of dwelling adjacent to flanking street
- Only at corner locations with no rear yard or parking space

Current Front Yard and Boulevard Parking Regulations

Background

The new Municipal Code contains most of the requirements of the FYP by-laws of the former City of Toronto and generally made it more difficult for residents to be granted FYP. Some of the key requirements/elements that were introduced, which were more restrictive include:

- Limiting the size of the parking space;
- Reducing the number of parking spaces to be licensed from two spaces to one;
- Introducing a minimum requirement for soft landscaping (an area which would support the growth of plants and vegetation);
- Introducing measures to protect existing trees, by increasing the minimum distances to the paved areas;
- Introducing permeable paving requirements;
- Requiring the planting of one tree in the front yard or fund the planting of one elsewhere in the neighbourhood; and
- Excluding consideration where on-street permit parking was available on the street.

As a result of these bylaw changes, a considerable number of properties that were able to apply for FYP in the past became ineligible, primarily due to the on-street permit parking criteria, which precluded approval for properties where on-street permit parking was in effect on the street.

Furthermore, many of the changes noted above were adopted to support the City's 2003 Wet Weather Flow Master Plan which, by design, would reduce the volume of water runoff entering the sewer system, improve water quality of the City's watercourses, and reduce basement flooding.

Chapter 918 - Parking on Residential Front Yards and Boulevards

The components of Chapter 918 related to parking in the front yard are varied and complex despite attempts to harmonize the former bylaws of the previous municipalities. Over time, amendments made in certain wards and areas has resulted in a fractured approach when considering front yard parking in any given area. Simply put, the ability for a resident to obtain front yard parking depends on in what part of the amalgamated City they reside, as well as what Ward they reside in.

As pointed out above, Chapter 918 regulates residential boulevard parking in the whole of the amalgamated City of Toronto, but only relates to FYP in the geographical area of the former City of Toronto. The General Manager, Transportation Services, is not permitted to accept an application for FYP in certain wards of the area of the former Toronto geographical area and is not permitted to accept an application for boulevard parking in certain wards of the amalgamated City of Toronto. Also, appeals are permitted in certain wards and upon certain criteria where a front yard parking application is refused. Since harmonization, there have also been amendments to the Code Chapter to reflect certain criteria specifically for a particular ward. This complexity can be challenging for both residents, Councillors and staff to understand and administer.

FYP Zones

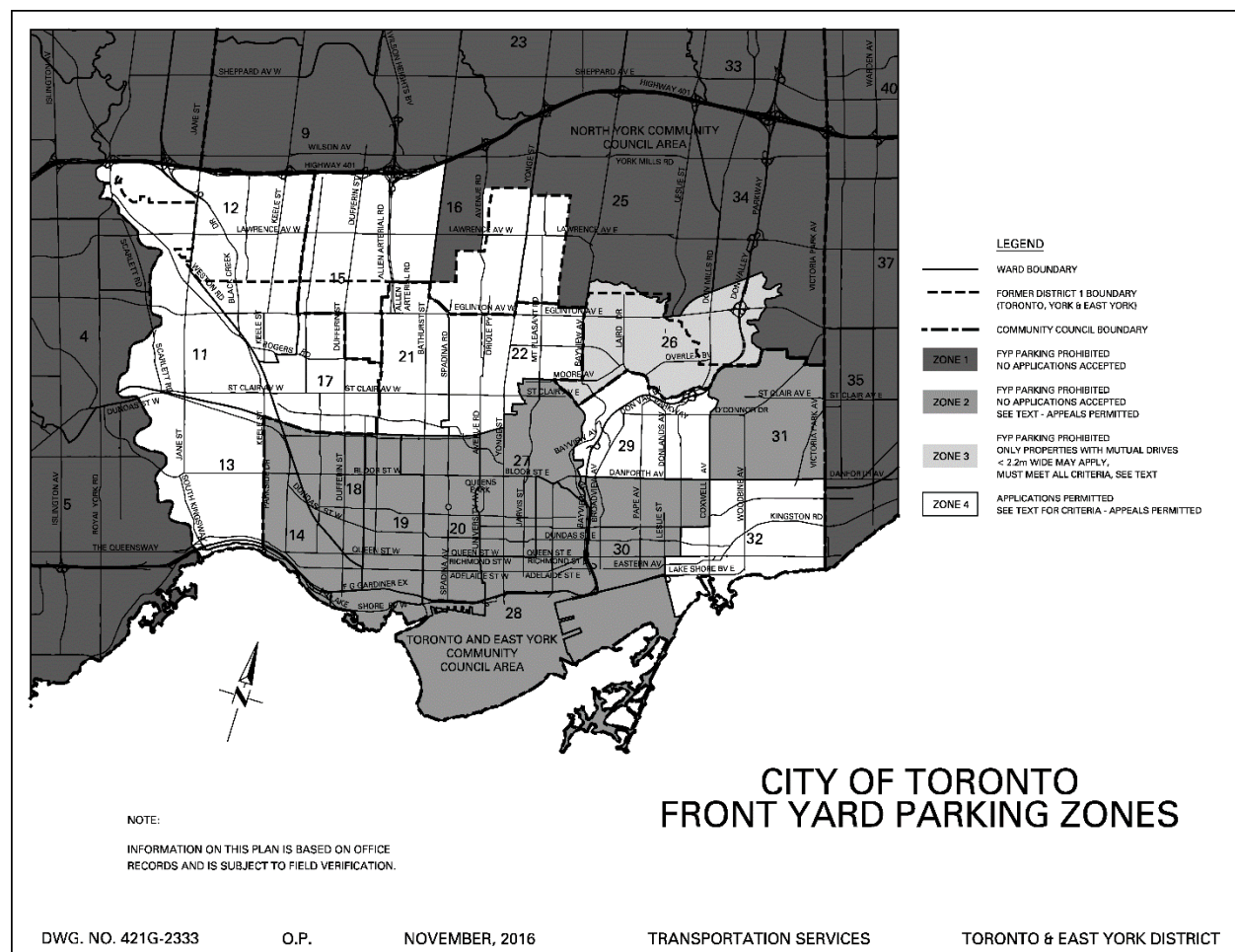
To simplify and understand this process as much as possible, staff have established four primary categories or zones, which they refer to when receiving inquiries for FYP. These zones are generally categorized as follows and are shown in the illustration below:

Zone 1 – FYP prohibited (no applications accepted). Constitutes all of Scarborough district and most of North York and Etobicoke-York districts.

Zone 2 – FYP prohibited (no applications accepted) but Appeal may be filed to community council. These are eight of the twelve wards that constitute most of Toronto and East York district and none of the others.

Zone 3 – FYP prohibited (but properties with mutual driveways <2.2 metres wide may apply). Constitutes only Ward 26 in former Leaside in North York District.

Zone 4 – FYP permitted (applications accepted). Constitutes parts of Toronto and East York, Etobicoke York and North York Districts.



Front Yard Parking Zones

Impact of Parking Pads on Stormwater Runoff

Prior to the implementation of Municipal Code Chapter 918, an extensive review was conducted by Toronto Water outlining the impacts of FYP on wet weather flow management.

The results of that review can be accessed in a 2005 staff report through the link at <http://www.toronto.ca/legdocs/2005/agendas/committees/plt/plt051130j/it003b.pdf>

The review found that hard surface parking pads decrease the ability for stormwater to be absorbed into the ground. However, the report found that the cumulative effects of paved parking pads had a minimal impact on the total volume of stormwater runoff on a City-wide basis. This is mainly because the total number of licensed parking pads (15,700 based on 2001 data) across the City was small relative to the total number of driveways (356,000). These parking pads contributed to about 0.7% of storm water runoff from low to medium density areas across the City, while the driveways providing access to garages and other on-site parking areas represented about 17% of storm water runoff. The report concluded that, on a City-wide basis, the residential licensed parking areas represented a small portion of storm water runoff across the whole City.

Since the implementation of Chapter 918 in 2007, approximately 400 additional licensed parking spaces have been installed, all of which were paved with semi-permeable materials, totalling approximately over 17,000 parking pads. These locations also required a much larger percentage of soft landscaping area and minimized the amount of paving for the parking areas.

As noted previously in this report, there are a number of provisions in Chapter 918 which address storm water runoff and environmental concerns, such as the requirement to install permeable materials and to increase soft landscaping area.

If designed and maintained correctly, front yard parking pads constructed with permeable materials can come close to exhibiting similar infiltration characteristics of the underlying native soils.

A scan of the industry and other jurisdictions reveals that permeable paving materials which are specifically designed to minimize surface water runoff to the City's sewer system do exist and are more readily available than they were years ago. Many major municipalities in the United States and Canada encourage the use of, or have standards or guidelines regarding the use of permeable paving materials for roadways, driveways and/or parking pads. Specific guidelines or requirements for permeable materials for front yard parking areas did not seem to exist based on an internet search.

There is, however, a general acknowledgement in the industry that permeable pavements, which are designed to replace impervious/non-permeable areas, must be used as part of an overall on-site management system for stormwater. They do not, in of themselves, replace other techniques.

Some links to sample guidelines/fact sheets from other municipalities regarding stormwater management materials for use in, among other areas, parking areas are listed below:

Howard County

https://extension.umd.edu/sites/default/files/docs/programs/master-gardeners/Howardcounty/Baywise/PermeablePavingHowardCountyMasterGardeners105_11%20Final.pdf

San Francisco

<http://www.sfbetterstreets.org/find-project-types/greening-and-stormwater-management/stormwater-overview/permeable-paving/>

Montgomery County

<https://www.montgomerycountymd.gov/DEP/Resources/Files/downloads/rainscapes/fact-sheets/Permeable-Paver-Retrofit-Guidance.pdf>

An example of some of the most popular systems and/or materials presently available are outlined below. Some of these materials have already been identified through the aforementioned Toronto Water staff report.

Plastic Grids

Plastic grids are considered 100% porous and are an example of a system that contains and stabilizes either gravel or turf. These grids come in a variety of shapes and sizes depending on use. These systems have been used readily in Europe for over a decade, but are gaining popularity in North America due to requirements by governments for many projects to meet LEED environmental building standards. Plastic grid systems are relatively inexpensive, easy to install, and versatile.

Porous Asphalt

Porous asphalt is produced and installed in a similar way as conventional asphalt concrete except that fine (small) aggregates are omitted from the asphalt mixture. The remaining large, single-sized aggregate particles leave open voids that give the material its porosity and permeability.

Single-sized Aggregate

Single-sized aggregate such as loose gravel, stone-chippings, is cost-effective and well suited for driveways.

Porous turf

Porous turf, or grassed pavement grids, can be used to transpire water, which actively counteracts the "heat island" with what appears to be a green open lawn.

Permeable interlocking concrete or clay brick pavements

Permeable interlocking concrete or clay brick pavements are concrete units with open, permeable spaces between the units.

Resin bound paving

Resin bound paving is a mixture of resin binder and aggregate. This paving provides a strong and durable surface that is suitable for pedestrian and vehicular traffic. It is particularly well suited for driveways.

There are a number of companies that sell permeable paving systems, such as those outlined above, and others. Many of them have been installed in areas throughout the city.

Transportation Services staff have, in the past, been contacted by other municipalities to solicit information regarding our best practices when it comes to regulating front yard parking, as well as permissible permeable paving materials.

From a regulatory standpoint, staff were not able to find any evidence from other municipalities of whether front yard parking pads constructed with those materials are, or can be, considered as landscaped open space and/or soft landscaping when calculating the feasibility of front yard and/or boulevard parking.

Chapter 918 currently does not consider a driveway, regardless of paving material, as open space or soft landscaping. If, however, paving material was considered to be open space or soft landscaping, staff estimate that of the approximately 50 applications, which were refused a front yard parking pad in 2015, approximately seven locations could now qualify for the installation of a FYP pad under this assumption.

Impact of Parking Pads on Property Values

Several years ago, the City, at the request of the Toronto Real Estate Board, set up a web page to provide information to the public and to real estate agents concerning licensed residential front yard and boulevard parking locations. The page can be viewed here:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=85c6a84c9f6e1410VgnVCM10000071d60f89RCRD&vgnextchannel=cd4c4074781e1410VgnVCM10000071d60f89RCRD>

As would be expected, an on-site parking space(s) is a highly desirable feature for any residential property within the City, and would logically command a greater dollar value compared to a property without this feature.

In order to quantify the value that a parking space, more specifically a FYP space, may bring to a low density residential property, Toronto Real Estate Board (TREB) staff were consulted and advised that an incremental/percentage value would be difficult to derive as the value of any given parking space is dependent on market value or what a purchaser is ultimately willing to pay for it.

Staff at the Municipal Property Assessment Corporation (MPAC), were also contacted to ascertain whether a licensed front yard parking pad is considered in their estimation of assessed property value. MPAC staff indicated that properties with a licensed parking pad are typically assessed approximately three percent higher than a property without this feature, and that this premium is applied uniformly across the city.

By way of example, a parking pad on a property assessed at one million dollars would be worth approximately \$30,000, thereby making the property worth 1.03 million dollars.

Current challenges in administering FYP regulations

Overall, Code Chapter 918 has been administered and implemented by staff with minimal difficulty.

However, as with any policy or bylaw, there, invariably may be gaps in legislation or unintentional disconnects that occur between the implementation aspects of the policy and how it is, in fact, applied on a day to day basis. Over the course of time, many of these gaps tend to be resolved as the policy evolves and matures. However, there are invariably always opportunities for some improvement.

In view of the above, outlined below are some of the more notable challenges that staff face when trying to administer and implement the Code Chapter 918. Although many of these challenges are qualitative in nature and cannot necessarily be changed through process improvements (ie. Discretionary decisions made through Council or Committee), some may be improved or eliminated by initiating pro-active process changes or bylaw amendments.

a) Gaps between zoning by-laws and Chapter 918

The former City of Toronto received special legislation which enabled the former Toronto to licence the private property portion of the front yard in the former City of Toronto, without requesting a variance to the Zoning By-law.

Pursuant to the City of Toronto Act, 2006, the City of Toronto could regulate front yard parking on the portion of private property located between the front wall of a residential building on the property and the abutting public highway. However, as explained above, Code Chapter 918 only regulates front yard parking in the geographical area of the former City of Toronto.

Chapter 918 does not allow the licensing of parking on any portion of private property in the former City of York and the former Borough of East York. Unlike in the geographic area of the former City of Toronto, properties in the geographical area of the former City of York or the former Borough of East York would require variances to the Zoning By-law for any portion of the parking pad within the private property portion of the front yard. These variances would have to be processed through Committee of Adjustment as variances for parking in front of the main front wall of the dwelling.

Gaps have also come to light between the interpretation on how soft landscaping on private property is being calculated under the new Zoning by-law and how it is being interpreted under Chapter 918. Specifically, there have been some interpretation issues between Transportation Services staff and Buildings staff surrounding the 2006 Chapter 918 amendments, which were inserted in all former general zoning bylaws. The interpretation variances relate to how staff were discerning what was a driveway under the zoning by-law and what was a parking pad authorized under Chapter 918.

These interpretational discrepancies have not significantly impacted the outcomes of any previously approved FYP pads.

In order to address the above-noted issues, staff have convened a working group to address and resolve the gaps between the zoning bylaws and Chapter 918, as well as others that may come to light. This working group hopes to develop a common and consistent approach to applying the applicable by-law requirements across various divisions, with any requisite clarification to the zoning bylaw or Chapter 918 to be made through the normal reporting process.

b) Area specific amendments

The initial harmonization of Chapter 918 resulted in regulations that were consistent in wards where applications were accepted/permitted. Over time, however, changes to specific aspects of Chapter 918 have been made through decisions at the Community Council level, which has led to a system that the public may easily view as inconsistent in its application and complex. This is evidenced by public perceptions/complaints that the process is not fairly or equitably applied in the City. This is especially pronounced in cases where FYP is already present by virtue of it having been licensed under previous bylaws and eventually grandfathered.

This area of the policy would be difficult to reconcile as it involved bylaw amendments which have been made prior to and since the inception of Chapter 918.

Staff continue to address various front yard and/or boulevard parking related issues and requests by Councillors (via motions at Community Council) to amend the regulations for their ward. For example, City Council on January 31, 2017 adopted Toronto and East York Community Council Item TE21.77 approving a new term for the Pilot Project permitting front yard parking applications to be submitted by owners of properties located within the area of the former City of Toronto in Ward 18, where an existing unauthorized parking pad was installed prior to the enactment of the current Chapter 918. The intent of this clause was to bring these locations into compliance, have them licensed for front yard parking, change the paving to permeable surface and introduce soft landscaping in the front yard.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE21.77>

In order to maintain the integrity of the regulations and the perception of equity and fairness for City residents, it is important that future decisions made at Council or committees of Council are consistent with the recommendations of staff.

c) Appeal process

Presently, an appeal process is in place for all zones except Zone 1, where an outright ban is presently in place. Specifically, §918-21A of Chapter 918 states that "where the General Manager refuses to accept an application, approve the issuance of a front yard parking licence or grant permission under this chapter, unless such refusal or non-approval is pursuant to §§ 918-5A, C and D, an applicant may appeal to the applicable community council, in accordance with the appeal process.."

The appeal process was re-introduced to give residents whose proposed front yard parking pad could not be granted administratively, the opportunity to be heard by Community Council, and allow Community Council to adjudicate any front yard parking

issues and exemptions to the by-laws. This process is similar to variances to the Zoning by-laws, which are heard at Committee of Adjustment and appealed to the OMB.

The vast majority of reports presently are appeals which are being submitted to community councils in Zone 4, with most being in the Toronto and East York district. Fewer are located within the boundaries of the Etobicoke-York or North York districts.

Specifically, in 2015, Transportation Services staff submitted 82 appeal reports to the various Community Councils, approximately 40 percent to Etobicoke York, 40 percent to Toronto and East York District, and 20 percent to North York district. These are locations which did not meet the criteria for FYP but where residents appealed to their respective community council to have their application reconsidered. Of those reports, approximately 60 percent (approx. 50 locations) were approved.

Eliminating the appeal process would noticeably reduce the number of appeal reports to Community Council. In order to eliminate the appeal component, Chapter 918 would have to be amended accordingly.

If a wholesale elimination of the appeal process is not considered practicable by Council, an option could be to remove the ability to appeal from specific aspects of the regulations, such as tree clearance, negative poll results or minimum parking space length.

Mechanisms for bringing unauthorized Parking Pads into Compliance

An unauthorized front yard parking pad is a parking area that has been constructed by a homeowner without consent/approval from the city. Such a pad can be within the boulevard/public area, in the private portion of the front yard or straddle both the boulevard and the front yard.

Many of these front yard parking pads were initially constructed as wide walkways adjacent to a mutual driveway and over time with the increase demand for an additional parking space, have become a secondary parking space. These have ramping, or curb cuts that were legally installed to permit access to an existing private or mutual driveway.

In both of these cases, the existing bylaw/Municipal Code does not permit an application to be accepted by the General Manager of Transportation Services for FYP particularly in the eight wards in geographical area of the former City of Toronto where an application for front yard parking cannot be accepted.

Including the situations noted below, staff estimate that there are approximately 8,000 illegal/unauthorized additional parking pads throughout the City. It should also be noted that, in all cases, zoning standards under the relevant zoning by-laws apply to all properties, which may affect the conformity of parking pads on the front yard or a portion of the front yard. Even if compliance steps were to be taken under Chapter 918, an examination would need to be made as to the property's compliance under the relevant zoning standards. As staff are recommending the termination of the front yard parking program on a go-forward basis, no mechanism for bringing currently

unauthorized pads into compliance with Chapter 918 is contemplated at this time. Staff will continue to enforce unauthorized parking pads in accordance with Chapter 918.

Unauthorized parking pads can be categorized into the following two typologies

- *Previously Licensed Parking Pads*

These locations may be: (a) either properties that were previously licensed at one time but no longer licensed due to cancellation by the property owner or revocation of permit due to non-payment of fees by previous owners; or (b) properties that were originally licensed for front yard parking to the holder of an accessible parking permit and are non-transferable.

Many of these locations are still paved, although the area may have had barriers or planters installed in order to prevent any unauthorized parking from taking place. These may have been installed by the property owner at the request of staff. Where the property owner fails to install the barrier as requested, the City will have curbstones installed by City forces and charge the cost to the property owners. The ramping that serviced the previously licensed parking space is likely still in place, as it does not get removed until such time as the roadway or sidewalk gets reconstructed.

The space on the roadway fronting these obsolete ramps is typically not being used for parking since the area still appears to be a driveway access and any vehicle parking in this area would be tagged by Parking Enforcement staff.

Staff estimate that there are approximately 90 locations which fall under the above-noted definition. In addition, there are also approximately 4,000 locations that were previously licensed but are no longer paying fees because they have been cancelled or are in arrears.

- *Parking Pads Adjacent to Mutual Driveways*

In the majority of wards, the current regulations state that applications shall be refused for properties with parking pads adjacent to a mutual driveway where there is permit parking on the same or opposite side of the street which is less than 90% allocated.

In five of the wards, those being Wards 11, 13, 16, 17 and 21, this eligibility criteria was eliminated at the request of the local councillor.

Since these locations already have a legal curb cut for the pre-existing driveway, there would be no requirement to build a new access, thereby there would be no net reduction in the number of permit parking spaces on the street. Accordingly, no additional curb cuts/ramping would be allowed for these applications when approved and licensed.

If the permit parking criteria was eliminated from the Chapter 918, the resultant regulations would be comparable to the previous driveway widening by-laws of the former City of Toronto.

Termination of the Front Yard Parking Program

Staff recognize that parking demand characteristics, public opinion, residential land use and built form can vary considerably across the City. Accordingly, a one-size-fits-all solution which can be implemented to suit all needs related to front yard and boulevard parking is not practicable.

However, there are a number of factors which, collectively considered, provide a reasonable rationale to terminate the front yard parking program on a go-forward basis. That is, no new applications for a licence to park on any portion of a boulevard for residential properties anywhere in the City of Toronto would be accepted and no new applications for front yard parking for residential properties located anywhere within the geographical area of the former City of Toronto would be accepted. There would also be no appeal of these refusals.

Since the inception of front-yard parking 50 years ago, the vast majority of residential properties who would qualify for a front yard parking pad under the current bylaw have already been approved or constructed. Accordingly, staff estimate that there are very few locations that would qualify under the current bylaw provisions for a front yard parking pad.

Moreover, the continued construction of parking pads will ultimately contribute to more storm water runoff in the long term, and have a negative impact on the environment. Also, residents often feel that parking pads are unsightly and bring a negative aesthetic to the neighbourhood.

In view of the factors noted above, coupled with the challenges of administering an inconsistent and frequently modified bylaw, it would not be unreasonable to terminate the front yard parking program by imposing a ban on the acceptance by the General Manager of all new applications for a licence to park on any portion of a boulevard for residential properties anywhere in the City of Toronto or on the acceptance of all new applications for front yard parking for residential properties located anywhere within the geographical area of the former City of Toronto.

For all instances where a resident requires residential boulevard and/or front yard parking to meet accommodation needs, City staff will report to Community Council and/or City Council.

CONCLUSIONS

A front yard parking pad is considered an attribute to a property that does not have any other form of off-street parking. The value of a property that has off-street parking is typically three percent greater than a property that does not have any form of off-street parking available.

Staff recognize that parking demand characteristics, public opinion, residential land use and built form can vary considerably across the City. Accordingly, a one-size-fits-all solution which can be implemented to suit all needs related to front yard parking is not practicable. Consequently, staff recommend the termination of the front yard parking program on a go-forward basis.

Concerns include that the vast majority of residential properties who would qualify for a front yard parking pad under the current bylaw have already been approved or constructed, as well as the longer term negative impacts to the environment. These factors, combined with the challenges of administering an inconsistent and frequently modified bylaw, would, in staff's view, justify prohibiting the General Manager of Transportation Services from accepting any new applications for a licence to park on any portion of a boulevard for residential properties anywhere in the City of Toronto or from accepting any new applications for front yard parking for residential properties located anywhere within the geographical area of the former City of Toronto. Staff recommend that there be no appeal of these refusals. Staff do, however, recommend the grandparenting of licences already issued and of complete applications received prior to the adoption of this ban where licences are subsequently issued.

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Barbara Gray
General Manager, Transportation Services

Attachments

Attachment 1: Grandparenting of Existing Parking Pads

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Existing Licenses

If, at the time that Council were to impose such a ban, a front yard parking licence had already been issued, the licence would be governed by the regulations in effect for that licence immediately prior to such a ban as long as the conditions of approval at that time continue to be complied with and any required fees are paid in accordance with City of Toronto Municipal Code Chapter 441, Fees and Charges.

Approved Licenses and Applications in Progress

If the City has received a complete application for a licence to park on any portion of a boulevard for a residential property in the City of Toronto or has received a complete application for front yard parking for a residential property located within the geographical area of the former City of Toronto prior to Council imposing a ban, the application will continue to be processed in accordance with the regulations in effect immediately prior to such a ban and, where subsequently approved for issuance within a reasonable time as determined by the General Manager of Transportation Services, the licence would be governed by the regulations under which the application was processed and in effect immediately prior to the ban as long as the conditions of approval continue to be complied with and any required fees are paid in accordance with City of Toronto Code Chapter 441, Fees and Charges.

The appeal provisions as currently found in Section 918-21 would remain only for these complete applications received prior to any imposed ban.

Transfer of Licenses

Transfers of front yard parking licences to new owners would continue to be subject to compliance with terms in § 918-18.