



RE: PW22.5



Public Works and Infrastructure Committee

# Front Yard Parking Regulations

Transportation Services

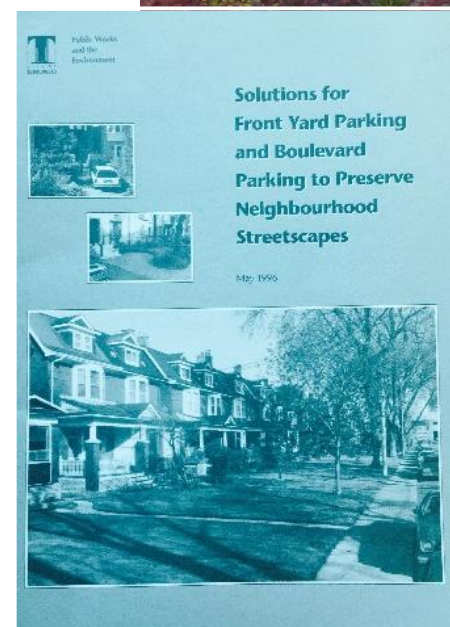
June 8, 2017

# BACKGROUND

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# HISTORY

- Providing parking on the boulevard and/or front yard within the amalgamated City of Toronto, dates back nearly 50 years.
- First report established a policy for permitting front yard parking (by granting specific exemptions to the Zoning by-law to residential properties on a street in the former City of Toronto.
- Intent was to provide parking for residents where no parking was available on-site in the form of a garage or driveway.
- Later expanded to other areas in the former municipalities of York and East York as the municipalities grew and demand for parking continued to increase.



# THE GREAT DIVIDE

- Front Yard parking is often a contentious and divisive issue amongst residents and others.
- Amendments have been made over the years to the bylaw to suit specific area characteristics.
- Despite attempts to harmonize the bylaw, process is still a challenge to understand and implement throughout various parts of the City.
- Longstanding concerns with the environmental impacts of front yard parking pads, namely storm-water runoff.



# FRONT YARD PARKING

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CURRENT FRONT YARD PARKING  
REGULATIONS AND CHALLENGES



FRONT YARD PARKING PADS IMPACT  
ON THE ENVIRONMENT AND  
PROPERTY VALUES



WAYS TO BRING ILLEGAL  
PARKING PADS INTO  
COMPLIANCE



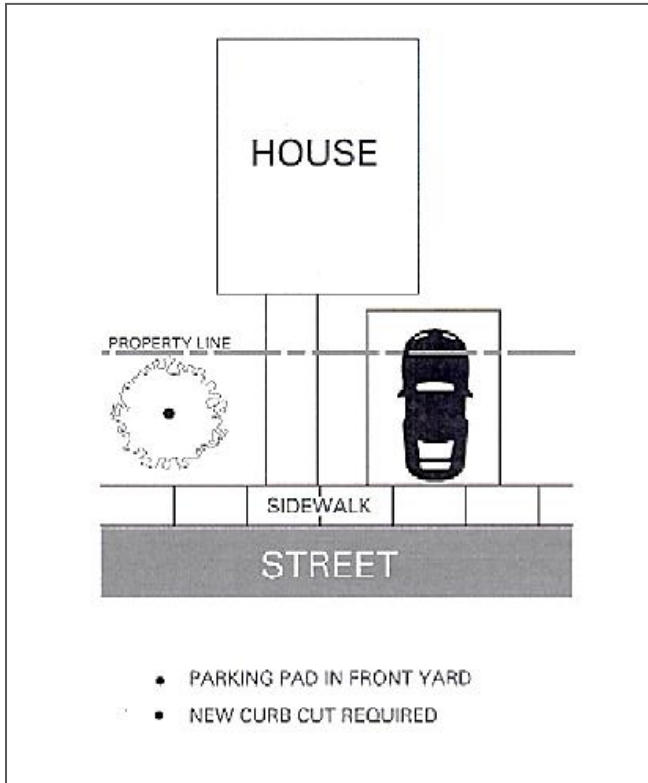
# CURRENT FRONT YARD PARKING REGULATIONS AND CHALLENGES

# CURRENT FRONT YARD PARKING REGULATIONS



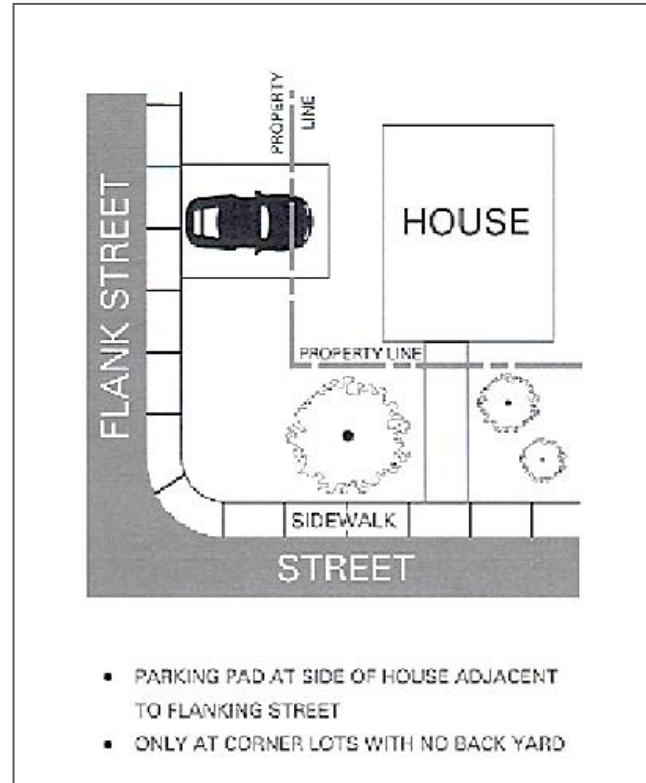
- 2007 – New Chapter 918 generally made it more difficult for residents to be granted Front Yard Parking.
- More restrictive requirements/elements were introduced
- As a result, a considerable number of properties that were able to apply for Front Yard Parking in the past became ineligible.
- Many of the changes were adopted to support the City's 2003 Wet Weather Flow Master Plan.

# TYPES OF FRONT YARD PARKING



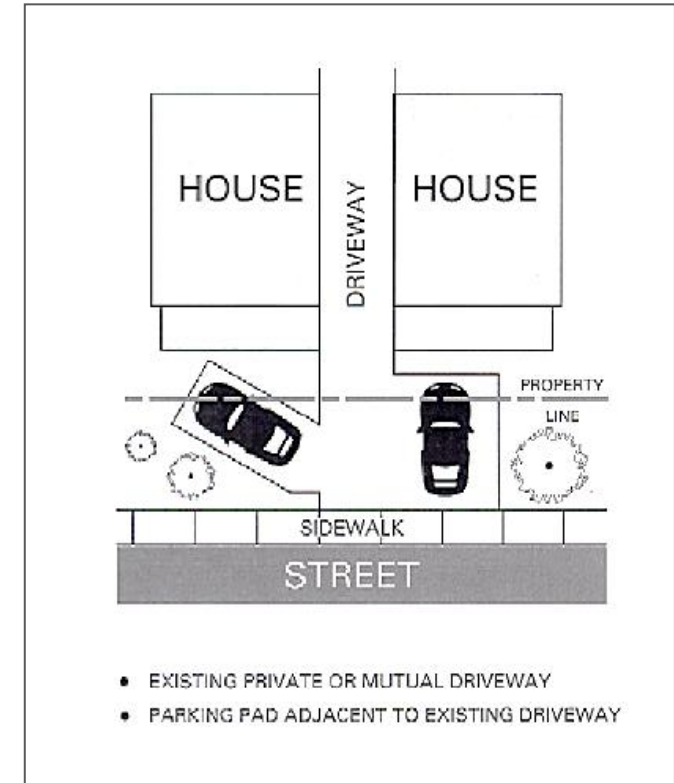
## FRONT YARD

Most on city property/boulevard,  
some on private



## BOULEVARD

Most on flanking street city  
property/boulevard some on private



## DRIVEWAY WIDENING

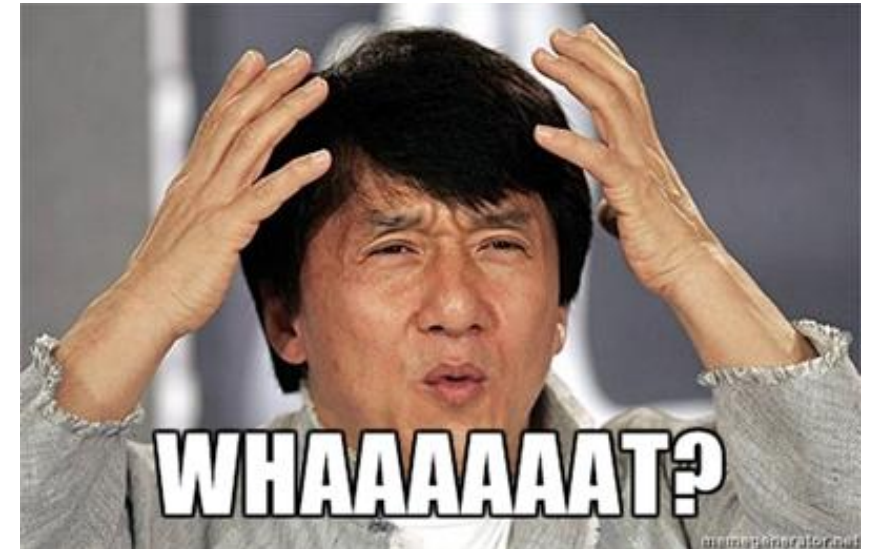
Most on city property/boulevard



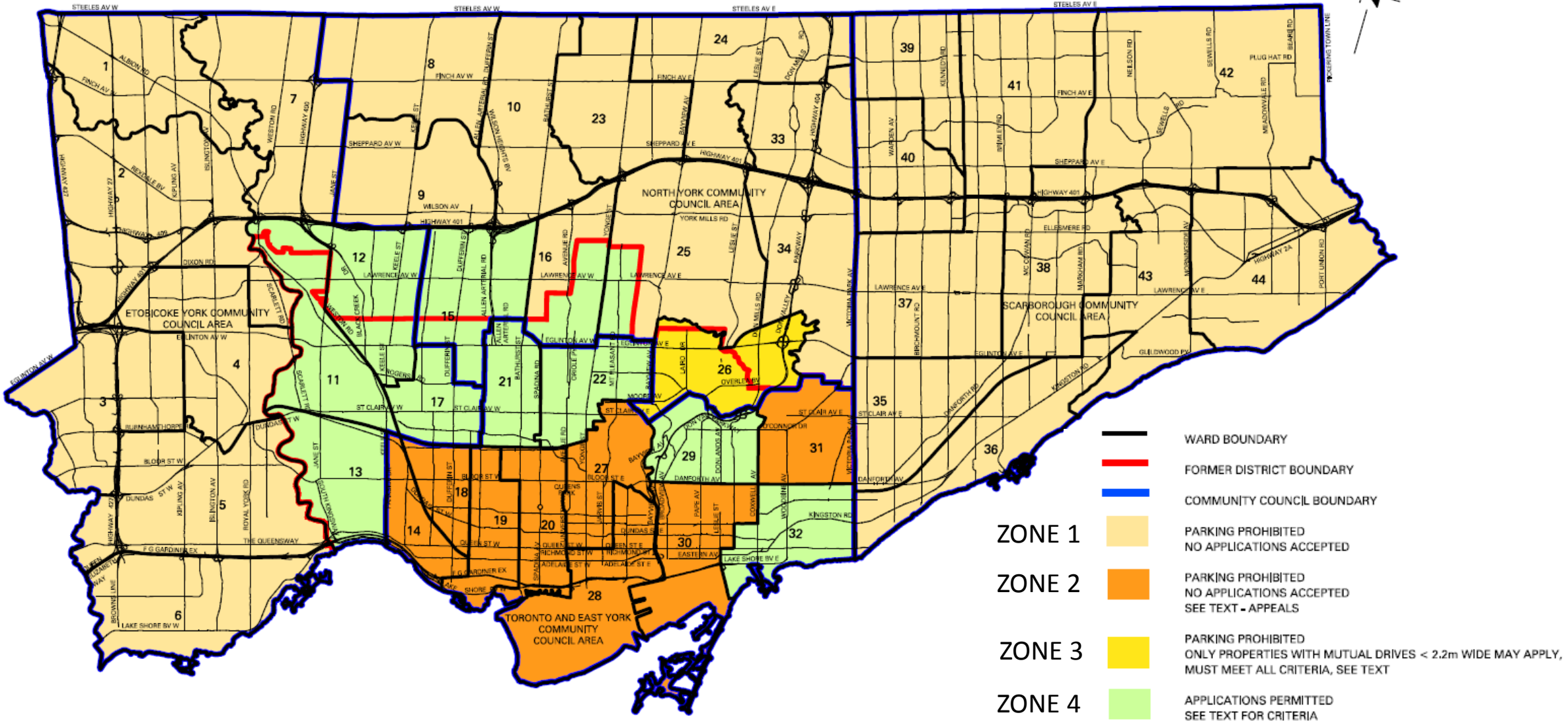
# CHAPTER 918 – IT'S COMPLICATED!



- Chapter 918 regulates residential boulevard parking in the whole of the amalgamated City of Toronto, but only relates to Front Yard Parking in the geographical area of the former City of Toronto.
- Varied and complex despite attempts to harmonize the former bylaws of the previous municipalities. Amendments made over time in certain wards and areas has resulted in a fractured approach
- Appeals permitted in certain wards based on meeting certain criteria where front yard parking application is refused.
- Ability to get Front Yard Parking dependant on what part of the amalgamated City they reside, as well as what Ward they reside in.



# FRONT YARD PARKING ZONES



# CHALLENGES



## 1. GAPS BETWEEN ZONING BY-LAWS AND CHAPTER 918

- Former City of Toronto could licence the private property portion of the front yard, without requesting a variance to the Zoning By-law.
- City of Toronto Act, 2006, allowed the City of Toronto to 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/boulevard. However, 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.
- Properties in the geographical area of the former City of York or former Borough of East York require variances to the Zoning By-law for any portion of the parking pad within private portion of the front yard. Variances need to go through C of A as variances for parking in front of the main front wall of the dwelling.
- Interpretation of soft landscaping requirement on private property under the new Zoning by-law vs Chapter 918.
- These discrepancies have not significantly impacted the outcomes of any previously approved Front Yard Parking pads.

# CHALLENGES



## 2. AREA SPECIFIC AMENDMENTS

- Over time changes to specific aspects of Chapter 918 have been made through Community Council which the public may easily view as inconsistent in its application and complex.
- Public perceptions/complaints is that the process is not fairly or equitably applied in the City. Especially where front yard parking is already licensed and grandfathered under previous bylaws.
- 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.
- Would require amendment to Chapter 918 and Chapter 27

# CHALLENGES



## 3. APPEAL PROCESS

- Appeal process in place for all zones except Zone 1, where an outright ban is in place. Applicants may appeal to community council, in accordance with the appeal process..
- Process was re-introduced to give residents whose proposed front yard parking pad could not be granted administratively, the opportunity for Community Council to adjudicate any front yard parking issues and exemptions to the by-laws. Similar to variances to the Zoning by-laws at C of A and appealed to the OMB.
- Vast majority of appeals being submitted to Community Councils in Zone 4. Most in the Toronto and East York district. Fewer within boundaries of Etobicoke-York or North York districts.

In 2015:

- 82 appeal reports to Community Councils
- 40 % to Etobicoke York, 40 % to Toronto and East York, and 20 % to North York.
- Of those reports, 60 % (approx. 50 locations) were approved.

Eliminating appeal process would reduce the number of appeal reports to Community Council.



## FRONT YARD PARKING PADS IMPACT ON THE ENVIRONMENT AND PROPERTY VALUES

# ENVIRONMENTAL IMPACTS STORM WATER RUNOFF



- Prior to implementing Chapter 918, an extensive review was conducted by Toronto Water outlining the impacts of Front Yard Parking on wet weather flow management.
- Review found that the cumulative effects of paved parking pads had a minimal impact on the total volume of storm-water runoff on a City-wide basis.

## Why?

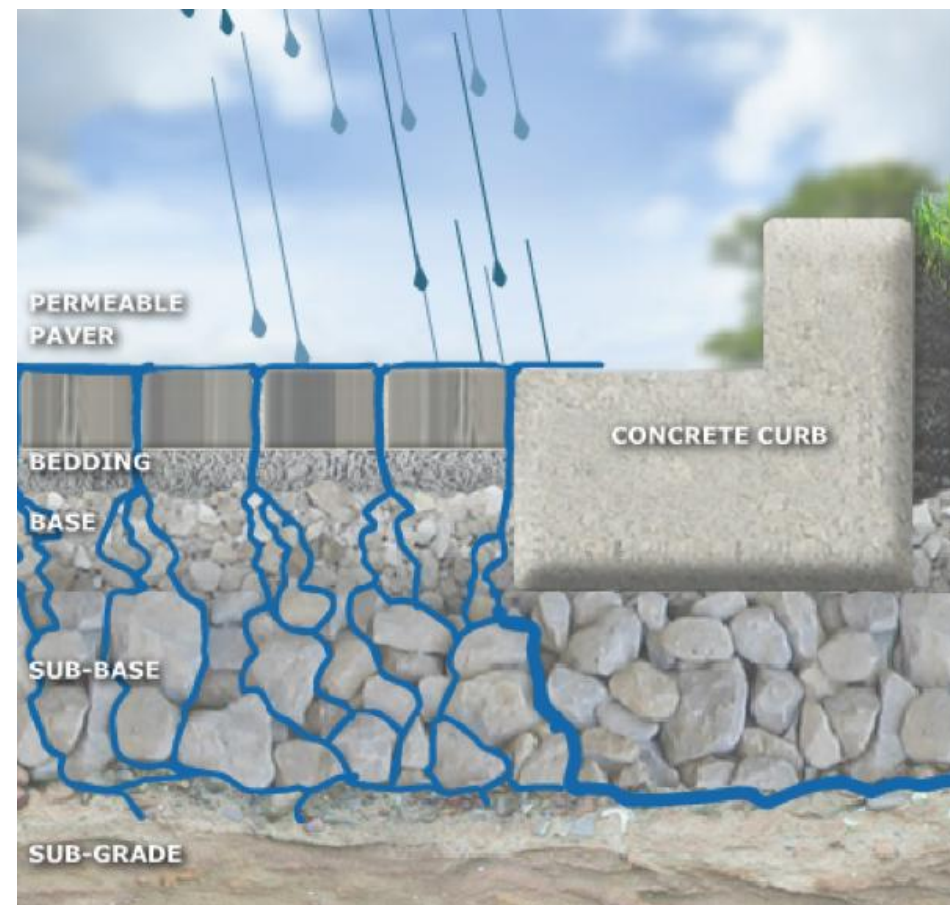
- total number of licensed parking pads across the City small relative to the total number of driveways
  - Parking pads contributed to 0.7% of storm water runoff from low to medium density areas across the City.
  - Driveways providing access to garages and other on-site parking areas represented 17% of storm water runoff.
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- Since implementation of Chapter 918 in 2007, about 400 additional licensed parking spaces have been installed, all of which were paved with semi-permeable materials,
  - Provisions in Chapter 918 address storm water runoff and environmental concerns, such as the requirement to install permeable materials and to increase soft landscaping area.



# INDUSTRY SCAN



- Scan of the industry and other jurisdictions reveals permeable paving materials 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 use of permeable paving materials for roadways, driveways and/or parking pads.
- However, no specific guidelines or requirements for permeable materials for front yard parking areas.
- General acknowledgement that permeable pavements, designed to replace non-permeable areas, must be used as part of an overall on-site management system for storm water. They do not, in of themselves, replace other techniques.





# PERMEABLE PAVING TYPES



PLASTIC GRIDS



POROUS ASPHALT



SINGLE-SIZED AGGREGATE



POROUS TURF



PERMEABLE  
CONCRETE OR  
BRICK PAVERS



RESIN BOUND PAVING

# FRONT YARD PARKING AND PROPERTY VALUES

- MPAC - properties with a licensed parking pad are typically assessed approximately three (3) percent higher than a property without this feature
- Example: A parking pad on a property assessed at one million dollars would be worth approximately \$30,000. Therefore, property would be worth 1.03 million dollars.



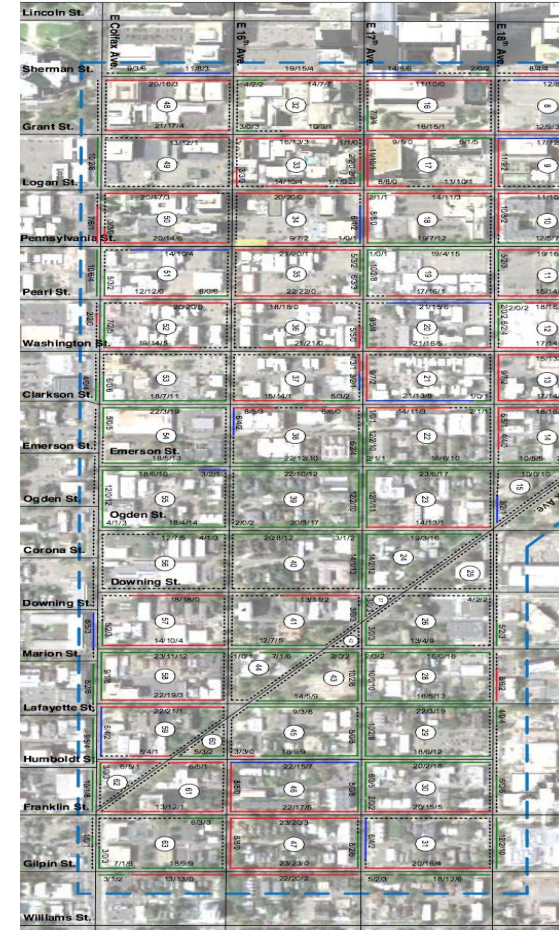


## WAYS TO BRING ILLEGAL PARKING PADS INTO COMPLIANCE

# BRINGING UNAUTHORIZED PARKING PADS INTO COMPLIANCE



- An unauthorized front yard parking pad is a parking area that has been constructed within the private and/or public portions of the property without consent/approval from the city.
- Many initially constructed as wide walkways next to a mutual driveway, but now being used as a secondary parking space. Use legally installed ramping, or curb cuts to permit access to existing private or mutual driveway.
- Chapter 918 does not permit an application to be submitted for a front yard parking pad particularly in the eight wards where an application cannot be submitted.



# TYPES OF UNAUTHORIZED FRONT YARD PARKING PADS



## Previously Licensed Parking Pads - Types

1. properties previously licensed but no longer licensed because property owner cancelled permit or permit was revoked due to non-payment of fees by previous owners; or
  2. properties originally licensed to the holder of an accessible parking permit and are non-transferable.
- Approximately 90 properties throughout the City where a front yard parking licence was previously approved for an accessible parking permit, but property was sold to a new owner who does not hold an accessible parking permit. These do not qualify for a front yard parking pad nor can licence cannot be transferred.
  - There are another 4,000 locations that were previously licensed and no longer paying fees because they have been cancelled or are in arrears.
  - Bringing these locations into compliance with a license will require considerable amount of staff time to complete task.

**Option:** initially licensed locations could be approved without the requirement of polling or meeting the current landscaping requirements.

# TYPES OF UNAUTHORIZED FRONT YARD PARKING PADS

## Parking Pads Adjacent to Mutual Driveways

- In the majority of wards, applications are refused for properties with parking pads adjacent to a mutual driveway where permit parking is present on the same or opposite side of the street, which is less than 90% allocated.
- Eligibility criteria was eliminated for Wards 11, 13, 16, 17 and 21, at request of the local councillor.
- Legal curb cut for a pre-existing driveway, precluded need for new access, therefore no reduction in on-street permit parking spaces. No additional curb cuts/ramping allowed should they be approved and licensed.

**Option:** Removing permit parking criteria from Chapter 918, would result in a reduction in number of refusals by staff and appeals to Community Council.

# TYPES OF UNAUTHORIZED FRONT YARD PARKING PADS

## Parking Pads Adjacent to Mutual Driveways

- Another option to reduce number of appeals is to increase the minimum driveway width requirement from 2.2 metres to 2.6 metres.
- Current regulations do not permit front yard parking space adjacent to a mutual driveway if width is greater than 2.20 metres.
- Vast majority of applications for a parking pad adjacent to a mutual driveway cite that width of mutual driveway is not enough to allow their vehicle to access rear of the property.

**Option:** Increasing minimum width of the mutual driveway back to 2.6 metres, would result in more properties being granted a license. Still complies with minimum width requirement of a driveway under the zoning bylaws and would also bring this into compliance with previous driveway widening provisions in Chapter 918 prior to harmonization.

# TYPES OF UNAUTHORIZED FRONT YARD PARKING PADS

## Parking Pads Adjacent to Mutual Driveways

- Including situations previously noted, there are **approximately 8,000 illegal/unauthorized additional parking pads throughout the City.**

**Option:** Licence these locations by instituting an amnesty for period of one or two years where property owners can submit an application to get existing parking pad legalized and licensed.

- Similar pilot project in 2013 in Ward 18 where Chapter 918 was amended to allow applications for a two year period (only for parking on the boulevard portion of the front yard in former City of Toronto, former York and former east York). Applications were approved without the requirement of polling or meeting the current landscaping requirements. The property owners were required to:
  - change paving to semi or fully permeable if currently non-permeable;
  - remove any excess paving and restore the area to soft landscaping;
  - pay the inspection fee since space was constructed without prior authorization;
  - pay the appeal fee since current requirements under Chapter 918 are not met; and
  - pay the tree fee.



# Challenges

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# Challenges

- Parking demand characteristics, public opinion, residential land use and built form varies considerably across the City.
- Not practicable to develop a one-size-fits-all solution to suit all needs.
- A number of factors when collectively considered, support terminating the front yard parking program altogether.

## **Factors:**

- Since inception 50 years ago, vast majority of residential properties who would qualify for a front yard parking pad under the current bylaw have already been approved or constructed.
- 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.
- Many residents feel that parking pads are unsightly and bring a negative aesthetic to the neighbourhood.
- Challenges administering an inconsistent and frequently modified bylaw,
- Do not allow any new parking pad applications on the City boulevard or front yard throughout the City of Toronto. Exceptions for properties where front yard parking pad is currently licensed or authorized would be continued along with transfers of parking privileges to new owners subject to compliance with terms in § 918-18.



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