

Front Yard Parking Appeal – 978 St. Clarens Avenue

Date: January 2, 2020
To: Toronto and East York Community Council
From: Manager, Permits & Enforcement-Parking, Transportation Services
Wards: Ward 9 - Davenport
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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 978 St. Clarens Avenue for front yard parking. Front yard parking at this location is not recommended because it does not meet the formal poll regulation of the City of Toronto Municipal Code Chapter 918 and the Code does not permit the licensing of a front yard parking pad where there is a negative poll. The owner will be given an opportunity to make a deputation before Community Council.

RECOMMENDATIONS

The Manager, Permits & Enforcement - Parking, Transportation Services recommends that:

1. Toronto and East York Community Council deny the request for front yard parking at 978 St. Clarens Avenue; and
2. Request that the owner remove the existing asphalt and brick paving and restore the area to soft landscaping, as indicated in Attachment 'C', attached to the report dated January 2, 2020, from the Manager, Permits & Enforcement - Parking, Transportation Services.

FINANCIAL IMPACT

There is no financial impact resulting from the adoption of the recommendations in this report.

DECISION HISTORY

The property owner of 978 St. Clarens Avenue, a single family detached home with a mutual driveway, 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 it does not meet the regulations of the City of Toronto Municipal Code Chapter 918. The applicant subsequently submitted an appeal requesting further consideration of this proposal.

The proposal for front yard parking is shown on Attachment 'A', digital photo of the property is shown on Attachment 'B', and a sketch showing the area of paving to be removed is shown on Attachment '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 provisions include:

- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

Reason for not approving

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

- negative poll results.

Polling results

A poll was conducted in accordance with the City of Toronto Municipal Code Chapter 918-14. The deadline for receiving the ballots was August 23, 2019. A total of 195 ballots were received by voters, and 33 ballots (17%) were returned, of which 18 ballots (55%) were favourable to the application. The poll did not meet the minimum response rate since less than 25% of the ballots mailed out were returned, therefore the poll is deemed to be a negative poll.

Other Factors

Permit parking on St. Clarens Avenue is authorized on an alternate side basis, within permit parking area 3E, with 711 spaces, of which 392 permits issued. In this block there are 43 spaces and 40 permits (93%) have been issued to residents on the block.

As of December 12, 2019, there is no on-street parking permit registered to this address.

Ramping is not required as there is an existing permanent ramp servicing the mutual driveway which will be used to service the proposed parking and additional ramping will not be permitted.

On this portion of St. Clarens Avenue, between Davenport Road and St. Clair Avenue West, there are three properties licensed for front yard parking. None of these properties are licensed for two vehicles.

There is no tree fronting this location. A review of this application by Urban Forestry has determined that it would be feasible to plant a tree provided that the excessive paving be removed and restored to soft landscaping as per Attachment 'A'.

Alternate Recommendations

While the property is not eligible for front yard parking because it does not meet the above-noted requirement of the Municipal Code, the property does meet the other physical requirements of the Code, (i.e., setback).

Should Community Council decide to grant the appeal for front yard parking at 978 St. Clarens Avenue, it could recommend that:

1. the parking area be 2.2 metres in width and 5.3 metres in length;
2. the applicant remove the existing asphalt and repave the parking area with semi-permeable paving materials, as indicated in Attachment 'A', attached to the report dated January 2, 2020, from the Manager, Permits & Enforcement - Parking, Transportation Services;
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 pay the enforcement fee of \$777.70 (HST included, subject to annual increase) since the parking pad was constructed prior to the submission of the application and without authorization from the City;
5. the applicant provide the landscape features substantially in accordance with the plan as indicated in Attachment 'A', attached to the report dated January 2, 2020, from the Manager, Permits & Enforcement - Parking, Transportation Services, to the satisfaction of the General Manager of Transportation Services; and

6. 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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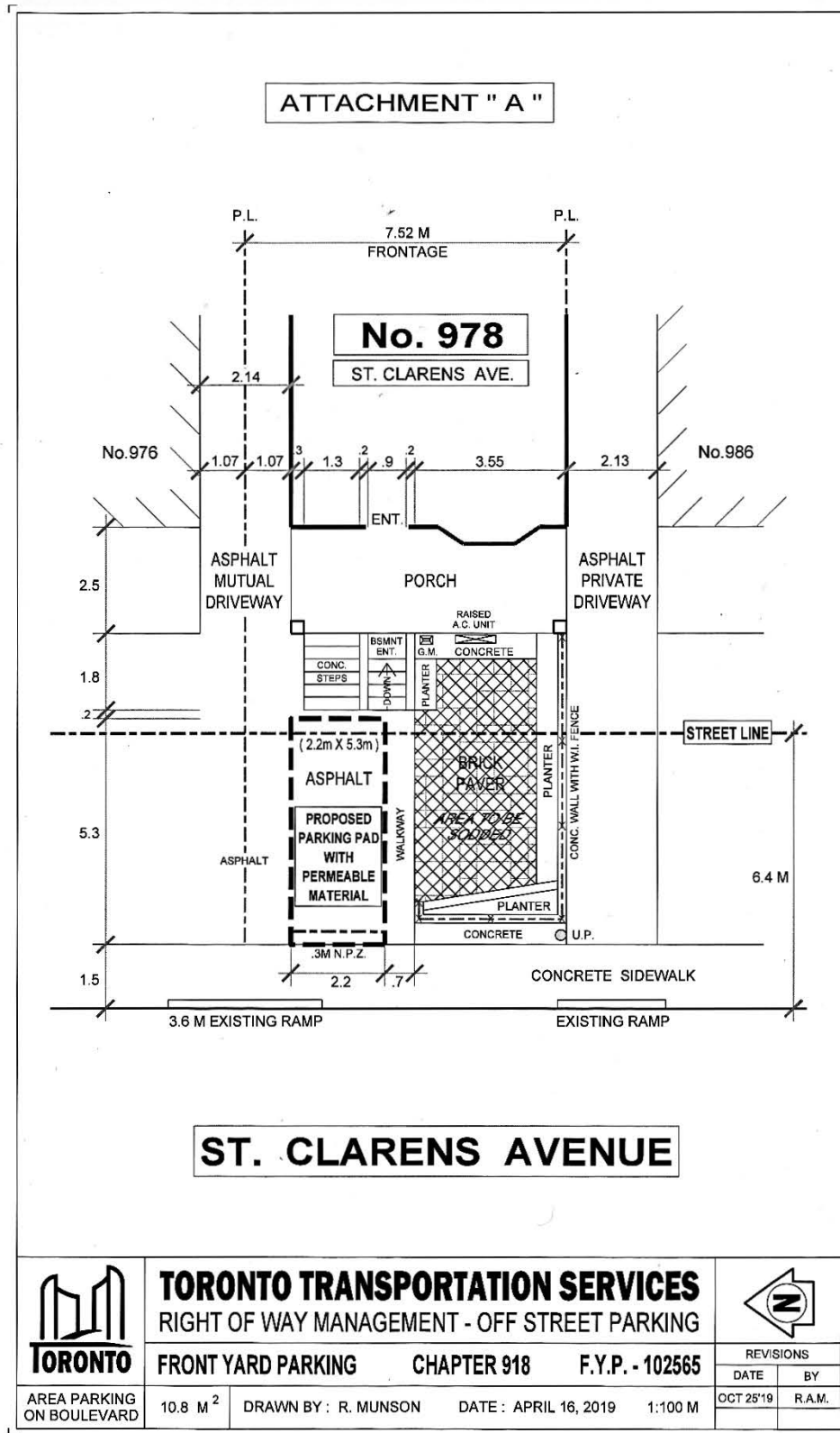
SIGNATURE

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ATTACHMENTS

Attachment 'A' – Sketch of the proposed front yard parking area
Attachment 'B' – Photo of the front yard
Attachment 'C' – Sketch showing the paving to be removed

Attachment A - Front yard parking proposal – 978 St. Clarens Avenue



Attachment B – Photo of the front yard – 978 St. Clarens Avenue



Attachment C – Sketch showing the paving to be removed – 978 St. Clarens Avenue

