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TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON FEBRUARY 3, 2015
FROM:	JOHN BRAAM, P. ENG. MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	COMMERCIAL BOULEVARD PARKING APPLICATION 552 COLBORNE STREET PUBLIC PARTICIPATION MEETING

RECOMMENDATION

That on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions **BE TAKEN** with respect to the application made by Zelinka Priamo Ltd on behalf of Dan Bursic:

- (a) a commercial boulevard parking agreement **BE APPROVED** for 552 Colborne Street in order to allow two parking spaces; and
- (b) the request for a third parking space **BE DENIED** for the following reasons:
 - (i) the third parking space is not functional for larger vehicles without the removal of a City boulevard tree;
 - (ii) three parking spaces encompasses almost the entire lot frontage and front yard parking is not supported by the West Woodfield Heritage Conservation Plan policies unless no other alternatives exist; and,
 - (iii) approval of a wide front yard parking area in the requested location may establish a precedent for more requests of similar front yard/boulevard parking in the area;

it being noted that provision of two boulevard parking spaces is consistent with the Committee of Adjustment decision for Minor Variance when the parking was proposed to be located partially on private property.

BACKGROUND

Purpose

The purpose of this report is to provide Committee and Council with the staff recommendation with respect to the boulevard parking application for 552 Colborne Street. The report provides the rational for approving a boulevard parking agreement for two spaces and the refusal of the third parking space requested by the applicant.

This report is in support of a public participation meeting. The public meeting was arranged to provide an opportunity for input from both the applicant and the community on this local issue. A meeting notice was published in the Londoner and mailed to properties within 60 m of the site.

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Context

An appeal of a boulevard parking application determination was received by the Civic Works Committee on December 16, 2014 regarding this issue. On December 18, 2014, Council resolved that “*the communication dated November 7, 2014, received from M. Campbell, Zelinka Priamo Ltd, with respect to a boulevard parking application for 552 Colborne Street, BE REFERRED to the Civic Administration for review and report back at the February 3, 2015 meeting of the Civic Works Committee*”.

A synopsis of recent events relating to this issue is listed below:

- Parking complaints have been received from the public about parking in front of 552 Colborne Street.
- In response to a May 2014 complaint, Municipal Law Enforcement investigated and found parking partially on private property and partially on the wide Colborne Street boulevard. The parking is in contravention of the zoning bylaw for private property and also without a boulevard parking agreement for the right-of-way encroachment. A letter was sent to the registered property owner on June 4, 2014 explaining the situation and opportunities to resolve the situation.
- The property owner applied for a Minor Variance. One parking spot is determined to be legal non-conforming under the zoning bylaw (more details are provided in the Discussion Section below). The Committee of Adjustment allowed the establishment of one additional parking space subject to establishment of a two-space boulevard parking agreement and other conditions.
- The property owner *revised* the application site drawing to show the parking entirely on the road right-of-way and applies for a three-space commercial boulevard parking agreement.
- Transportation Planning & Design Division approved two spaces with similar rationale to the minor variance Committee decision.
- Property owner appealed the staff decision to the Civic Works Committee.
- An additional meeting was held between staff and the applicant in December.
- In response to the Council resolution, this staff report and associated public participation meeting is before the Civic Works Committee.

DISCUSSION

552 Colborne Street is an existing triplex dwelling located on the east side of Colborne Street between Hope Street and Waverly Place as shown on Figure 1 below. The subject site has an existing gravel front yard parking area accessed from a driveway off of Colborne Street. Currently, there is no vehicular access to the side or rear yard of the subject site.

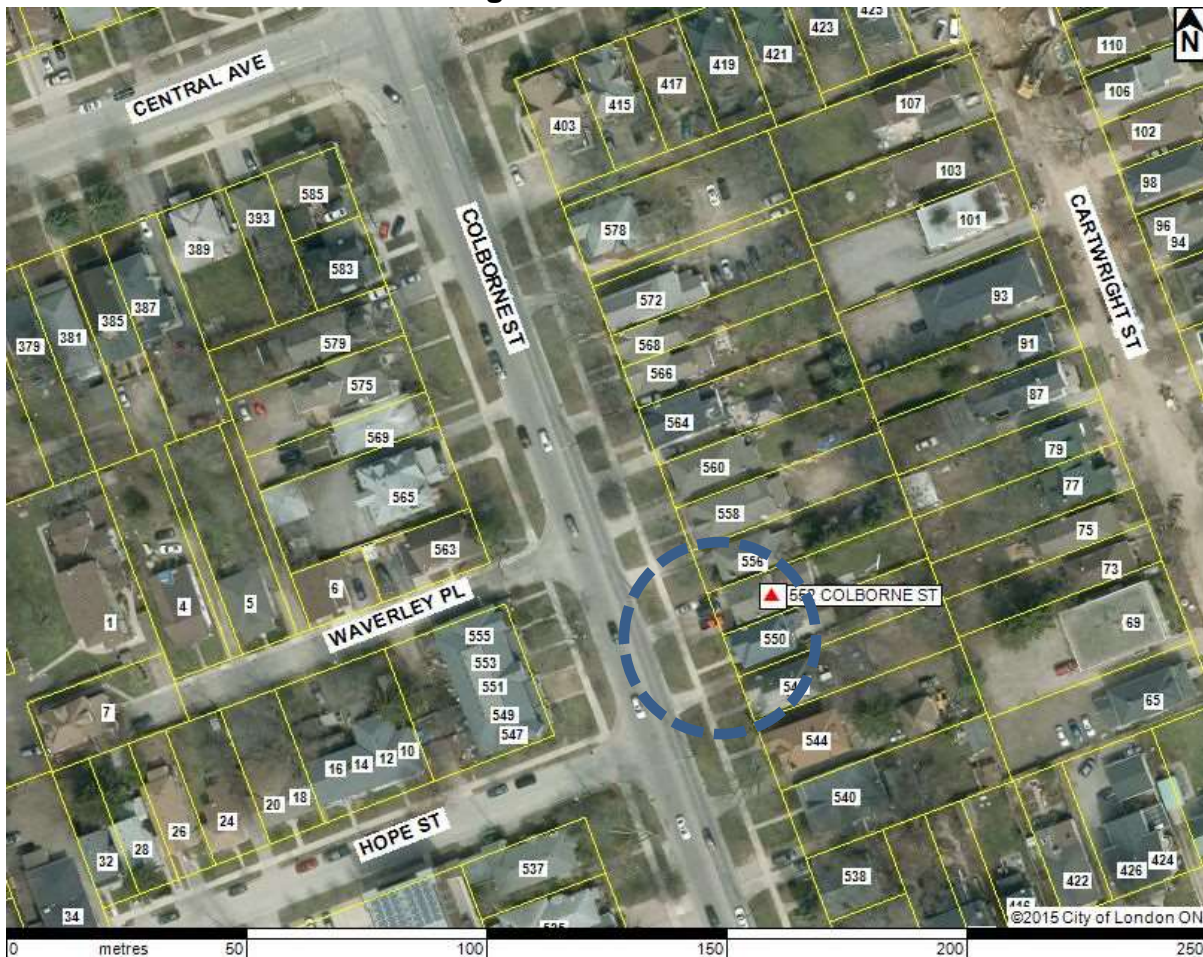
The lot is relatively narrow with a width of approximately 9.3 m. The parking area comprises most of the front yard and boulevard area at 8.1 m wide. The existing gravel parking area accommodates three parking spaces. The Colborne Street right-of-way is relatively wide and the depth from the edge of the sidewalk to the property line to is 7.7 m with an additional 4.3 m to the building face.

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Minor Variance Application

On August 22, 2014, Zelinka Priamo Ltd, on behalf of Dan Bursic, submitted an Application for Minor Variance with respect to 552 Colborne Street to recognize the existing front yard gravel parking area. The minor variance was required because the requested parking is partially on private property due to the positioning of the building and the wide width of the Colborne Street right-of-way. The applicant stated that the parking arrangement existed for many years without conflict.

Figure 1 – Site Area



On September 5, 2014, and in response to the application for minor variance, a notice of public hearing to permit three front yard parking spaces for a converted dwelling with three units at 552 Colborne Street was circulated to all property owners within a 60 m radius of the subject property.

Section 1.3 (2) (b) of the Z-1 Zoning By-law makes reference to uses which were established prior to July 1st 1973. The regulation states that where any building or structure was constructed on land, contrary to the regulations of the Z-1 Zoning By-law, the use is deemed to have been constructed in compliance with the regulations of the Z-1 Zoning By-law. Based on aerial imagery from 1972, the subject lands contained one parking space. Based on the provisions of Section 1.3, the one parking space was deemed as a conforming use. (More details can be found in the Committee of Adjustment report attached in Appendix “A”)

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Given the constraint on the subject lands to provide access for rear yard parking, staff were supportive of one additional front yard parking space, in conjunction with the existing established parking space, for a total of two parking spaces.

On Monday September 22, 2014, the London Committee of Adjustment granted the requested Minor Variance subject to the following conditions:

1. That the applicant enters into a boulevard parking agreement with the City of London for the existing front yard parking space, and additionally approved parking space for a total of two parking spaces;
2. That the front yard parking area is to be hard surfaced (asphalt, concrete or paving block) all to the satisfaction of the City Engineer. The applicant is to obtain a Permit of Approved Works to allow the aforementioned construction on the City Boulevard; and
3. That landscaping be incorporated within the area of the existing southerly parking space, which is to be removed as a result of the variance.

Since no appeal was made during the statutory waiting period against the decision of the London Committee of Adjustment to Zoning By-law Z.-1 made on September 22, 2014, the applicant was advised of the final Committee decision on October 14, 2014. A copy of the Committee of Adjustment report is attached in Appendix "A".

Boulevard Parking Application

On September 24th 2014, Zelinka Priamo Ltd, on behalf of Dan Bursic, submitted a Commercial Boulevard Parking Application for three parking stalls in front of the subject lands on 552 Colborne Street. The boulevard parking application included a drawing consistent with the previous minor variance application with the exception that the parking stalls were shifted 1.3 m away from the dwelling to be entirely on the road right-of-way. Identifying the parking entirely on the right-of-way negates the need for a minor variance.

The applicant indicated that the existing concrete driveway and gravel parking area have existed in their current form for at least 25 years and provided 3 parking spaces for the existing triplex dwelling. The applicant also stated that the existing parking area was the only area that could be utilized to provide the required parking for the existing use as there was no vehicular access to the side or rear yards available.

On September 29th 2014, Transportation Planning and Design staff responded to the applicant after consulting with the Planning Department and the Development Compliance Services Division.

With the proposed parking shifted entirely on the boulevard and closer to the road, a City boulevard tree makes the third parking space not accessible for larger vehicles and creates potential conflicts for all drivers (shown on Figure 2 below). Parks and Recreation does not support the removal of the tree.

Additionally the proposed parking occupies 8.1 m of the 9.3 m boulevard lot frontage. Front yard parking is generally not supported by the West Woodfield Heritage Conservation Plan policies.

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For these reasons and considering that one existing parking space was previously determined to be conforming to the zoning, staff responded with a compromise that a total of two parking spaces would be allowed which was consistent with the Minor Variance Committee of Adjustment decision. The boulevard parking agreement was also subject to the conditions for hard surfacing and landscaping as required by the Committee of Adjustment.

The applicant provided a traffic report dated October 9, 2014. Staff reviewed a traffic report submitted by F.R Berry & Associates in conjunction with the application for the commercial boulevard parking. The traffic report concluded that the proposed boulevard parking arrangement is not hazardous and it was the traffic report author's opinion that a boulevard parking permit for three parking spaces is justified.

On October 21, 2014, Transportation staff provided another response to the request for Commercial Boulevard Parking identifying that the third parking spot is still not supported. The findings in the traffic review were not necessarily based on technical and/or detailed review rather an opinion of the reviewer.

Figure 2 – 552 Colborne Street



On November 7, 2014, Zelinka Priamo Ltd, on behalf of Dan Bursic, appealed the City's decision to grant only two of the requested three boulevard parking spaces, and requested that the matter be referred to the Civic Works Committee for consideration. A copy of the appeal submission dated November 7, 2014 is attached in Appendix "B". A subsequent meeting between staff and the applicant was held in December during which no new information was provided by the applicant.

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SUMMARY

The gravel parking area for three vehicles in front of 552 Colborne Street was brought to the attention of staff by a complaint received from the public. The subsequent review determined that parking for one vehicle is in conformance with the zoning bylaw and the additional two spaces are in contravention of the zoning bylaw. Additionally, a city boulevard parking agreement did not exist for the portion of the parking on the city right-of-way.

The property owner of 552 Colborne Street applied for a Minor Variance to address the situation. The London Committee of Adjustment granted a total of two parking spaces subject to the applicant entering into a boulevard parking agreement with the City for the portion on the boulevard, hard surfacing and landscaping.

The property owner subsequently submitted a commercial boulevard parking application based on a revised parking scenario shifted entirely on the road right-of-way. Transportation Planning and Design Division responded to the boulevard parking application consistent with the Committee of Adjustment decision enabling a compromise of two parking spaces.

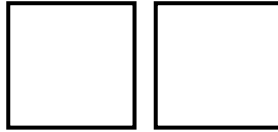
The applicant has appealed the staff decision and requested that the boulevard parking application be referred to the Civic Works Committee for consideration.

Acknowledgements

This report was prepared with the assistance of Maged Elmadhoon, Manager, Transportation Planning, Terry Grawey, Manager, Development Services & Planning Liaison and Annette Drost, Manager, Municipal Law Enforcement Services.

SUBMITTED BY:	REVIEWED BY:
DOUG MACRAE, P. ENG DIVISION MANAGER, TRANSPORTATION PLANNING & DESIGN	EDWARD SOLDI, P. ENG. DIRECTOR, ROADS AND TRANSPORTATION
RECOMMENDED BY:	
JOHN BRAAM, P.ENG. MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES & CITY ENGINEER	

Appendix "A" – Committee of Adjustment Report dated October 14, 2014
 Appendix "B" – Letter of appeal by Zelinka Priamo Ltd dated November 7, 2014
 c: George Kotsifas, Managing Director Development and Compliance Services
 Mathew Campbell, Zelinka Priamo Ltd, 318 Wellington Road, London, ON N6C 4P4



Appendix 'A'

Committee of Adjustment Report

NOTICE OF FINAL DECISION

LONDON COMMITTEE OF ADJUSTMENT SUBMISSION NO.: A.118/14

October 14, 2014

OWNER:

Dan Bursic
76 Foxhollow Drive
DORCHESTER ON N0L 1G3

AGENT:

Zelinka Priamo Ltd
c/o Mathew Campbell
318 Wellington Road
LONDON ON N6C 4P4

WARD: 13

LOCATION:

552 Colborne Street, Part Lot 14, Reg Plan 12, on the east side of Colborne Street, north of Princess Avenue.

No appeal having been made during the statutory waiting period against the decision of the London Committee of Adjustment to Zoning By-law Z.-1 made on **September 22, 2014** with respect to the above property, you are hereby advised that the decision of the Committee is now **FINAL** and binding in that **Dan Bursic is GRANTED CONDITIONALLY** the requested Minor Variance **SUBJECT** to the following **CONDITION**:

1. That the applicant enters into a boulevard parking agreement with the City of London for the existing front yard parking space, and additionally approved parking space for a total of two parking spaces;
2. That the front yard parking area is to be hard surfaced (asphalt, concrete or paving block) all to the satisfaction of the City Engineer. The applicant is to obtain a Permit of Approved Works to allow the aforementioned construction on the City Boulevard; and
3. That landscaping be incorporated within the area of the existing southerly parking space, which is to be removed as a result of the variance.

PURPOSE: To permit front yard parking for a converted dwelling with three units.

VARIANCE REQUESTED:

1. To permit 3 front yard parking spaces whereas parking is restricted to interior side yards and rear yards.

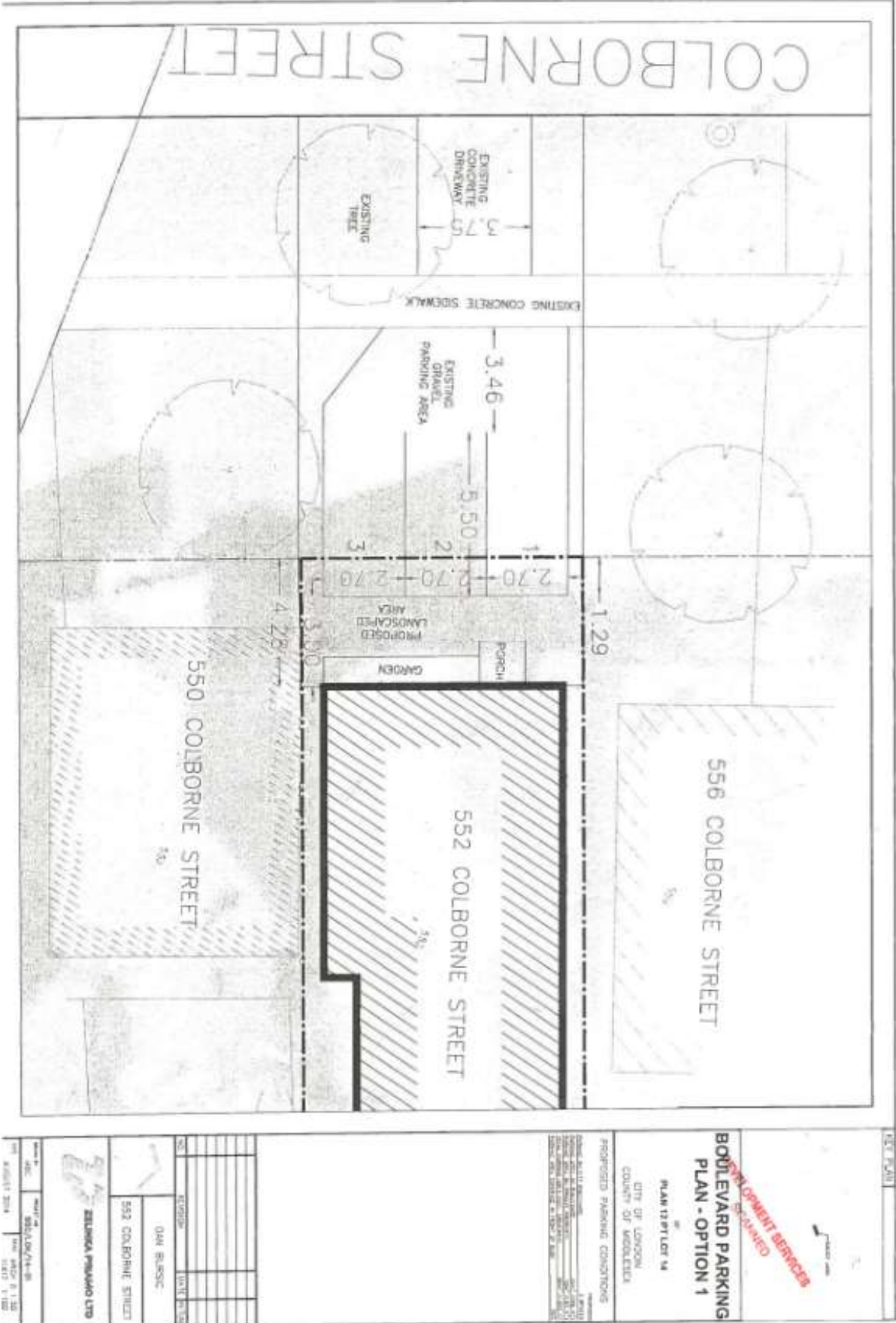
REASON: In all the circumstances, the Committee is of the opinion that the variance requested is minor and is desirable for the appropriate development of the land and is in keeping with the general intent and purpose of the By-law and Official Plan.

It is to be noted that this permission does not constitute a building permit and it will be necessary for you to obtain a building permit from the Building Division, City Hall, 300 Dufferin Avenue, Room 706, London ON N6A 4L9. Please note that this letter must be presented to the Building Department when applying for the permit. It is also to be understood that this decision does not affect any development agreement relating to the subject lands.

Peter Sikic, Secretary-Treasurer
London Committee of Adjustment
/rp

The Corporation of the City of London
Phone: 519-661-2500 ext. 4988
Fax: 519-661-5184
psikic@london.ca

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DEVELOPMENT SERVICES
DEVELOPMENT SERVICES

BOULEVARD PARKING PLAN - OPTION 1

PLAN 12/21/16 14
 CITY OF LONDON
 COUNTY OF ARDRECK

PROPOSED PARKING CONDITIONS

DATE: 12/21/16
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

NO.	REVISIONS	DATE

044 RUSSC
 552 COLBORNE STREET

ZELINKA PIRAJANO LTD

DATE: 12/21/16
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

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A.118/14
M. Pease

FROM:	DEVELOPMENT SERVICES
SUBJECT:	APPLICATION BY: ZELINKA PRIAMO LTD c/o MATHEW CAMPBELL 552 COLBORNE STREET PUBLIC PARTICIPATION MEETING ON SEPTEMBER 22, 2014 @ 1:30 PM

PURPOSE OF APPLICATION

To permit front yard parking for a converted dwelling with three units.

VARIANCES(S) REQUESTED UNDER SECTION 45 OF THE PLANNING ACT:

1. To permit front yard parking ^{for 2 P's} whereas parking is restricted to interior side yards and rear yards; and
2. To permit zero parking spaces whereas ³ are required.



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EVALUATIVE FRAMEWORK

In order for this application to be acceptable as a minor variance under the provisions of Section 45(1) of the Planning Act, the following requirements must be met:

- 1) Is the general intent and purpose of the Official Plan maintained?
- 2) Is the general intent and purpose of the Zoning By-law maintained?
- 3) Is the variance minor in nature? and
- 4) Is the variance desirable for the appropriate development or use of the land, building or structure?

OFFICIAL PLAN

The subject land is designated as Low Density Residential (LDR) which primarily permits single detached, semi-detached, duplex dwellings, and other low density forms of residential dwellings. Existing multi-family residential buildings that are compatible with adjacent low density residential uses are also recognized as permitted uses.

Transportation Objectives for the City of London (Official Plan Chapter 18) indicate that motor vehicle and bicycle parking facilities are to be appropriately located, adequate for the uses that they support, and compatible with adjacent land uses.

Z.-1 ZONING BY-LAW

The subject site is within the Residential (R3-2) Zone which permits low rise dwelling types, including triplexes.

Section 4.19 (a) of the Z.-1 Zoning By-law states that no person shall use any land or cause or permit the use of any land situated in any zone for the purpose of parking or storage of a vehicle in any front or exterior side yard.

RESIDENTIAL FRONT YARD AND BOULEVARD PARKING (COUNCIL POLICY 27(4))

The Council Policy Manual is a consolidation of policies that have been adopted by the Municipal Council of the City of London. Chapter 27(4) of this manual sets out Council's position with respect to the creation of Front Yard and Boulevard Parking. These two types of parking are allowed by the City only on an "exception basis", and this policy outlines criteria for considering such exceptions, standards relating to this sort of parking and an approval process, among other regulations. Appendix 27(4a) directly lays out these parameters which can be summarized as follows:

The Corporation of the City of London generally prohibits the use of the front yard or the boulevard for the parking of motor vehicles in single detached, semi-detached, duplex, triplex or street townhouse residential areas. Exceptions to this policy may be granted through minor variance and where such parking complies with the policies outlined herein.

Consideration of Exceptions

The approval of front yard or boulevard parking will not be supported by Council where a suitable alternative exists for parking entirely on the owner's property, including the removal of, alteration to or relocation of accessory buildings or structures, fences and landscaping that will result in the accommodation of parking entirely on the owner's property; and/or the side and/or rear yard of the lot provided such parking area does not occupy more than 25% of the total lot area.

Criteria for Approval of an Exception

The approval of a front yard or boulevard parking exception may be supported by Council where the application for an exception does not have a "suitable alternative" as described by the policy above, where the parking area exception conforms to the general intent and purpose of the Official Plan policies and Zoning By-law regulations and where the parking area is generally in keeping with the scale and form of parking on surrounding properties and will have minimal negative impact on existing vegetation and/or municipal services, among other criteria.

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Process for Consideration of Exceptions:

Any application for front yard and boulevard parking must include a plan prepared to scale showing the location of the buildings, trees, public utilities, landscaping, adjoining properties and building locations (where possible) and the dimensions of the proposed parking area. This plan must be suitable for inclusion in the Standard Form Boulevard Parking Agreement to be entered into between the owner and the Corporation. It is strongly recommended that the plan be based on a survey drawing of the property.

It should be noted that a Boulevard Parking agreement can be submitted for review, without the need for a minor variance should the parking area be proposed entirely within the boulevard.

STREETS BY-LAW

Schedule 'A' of the Streets By-law outlines regulations pertaining to private entrances, and includes conventions with regard to entrance sizes and multiple entrances. The by-law states that unless otherwise approved by the City Engineer in writing, each private entrance shall be perpendicular to the street, no less than 2.7m (8.8') in width and no more than 6.0m (19.7') wide or 40% of the street line of the lot, whichever is less. Furthermore, Table 2 of the same by-law indicates minimum distances from objects located in the Boulevard. These minimum requirements are as follows:

Table 2 (from "Streets By-law, Schedule 'A', Section A8)

<u>Utility</u>	<u>Minimum Distance from Private Entrance to Utility</u>
Hydro Pole / Signal Pole / Light Standard	1.5 metres (5.0 feet)
Fire Hydrant	a. metres (5.0 feet)
Cable T.V. Pedestal	2.0 metres (6.5 feet)
(Bell) Telephone Pedestal	2.0 metres (6.5 feet)
Tree on City Property*	Written authorization required if entrance within 6.0 metres (19.7 feet)

*note; Tree separation requirements are part of Section A9 of the streets by-law. Written authorization must be obtained by the applicant and provided to the City Engineer prior to a works permit being issued.

WEST WOODFIELD HERITAGE CONSERVATION DISTRICT PLAN

The subject lands are located within the West Woodfield Heritage District. As such, they are subject to the policies of the West Woodfield Heritage Conservation District Plan.

Section 5.3 notes that applications for minor variances should be considered in conjunction with the following policies:

b) The Committee of Adjustment should apply the policies and guidelines of the plan when reviewing applications within the West Woodfield HCD.

Section 8.2.6.2 of the plan states that, for multi-unit conversions, front yard or boulevard parking is discouraged unless unavoidable and permitted by zoning. Furthermore, if additional parking must be provided, it should be located at the rear or side of the building.

DEEMED CONFORMITY OF USES

Section 1.3 (2) (b) of the Z-1 Zoning By-law makes reference to uses which were established prior to July 1st, 1973. The regulations states that where any building or structure was constructed on land, contrary to the regulations of the Z-1 Zoning By-law, the use is deemed to have been constructed in compliance with the regulations of the Z-1 Zoning By-law. Based on aerial imagery from 1972, the subject lands (shown with a red dot below), contained one parking space. Based on the provisions of Section 1.3, the one parking space may be deemed as a conforming use.

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As such, the proposed variance applications should require an amendment, requesting zero (0) parking spaces where two (2) are required, given that one (1) parking space was previously established as of right. Any expansion to the area and number for front yard parking requires relief to the Zoning By-law

EVALUATION

The existing three-unit converted dwelling generally meets the intent of both the Official Plan and Zoning By-law. However, the existing front yard parking spaces are not in keeping with the general intent of the Official Plan (appropriateness), the Zoning By-law Section 4.19(4), Council Policies regarding Residential Front Yard and Boulevard Parking, and the West Woodfield Heritage District Conservation Plan.

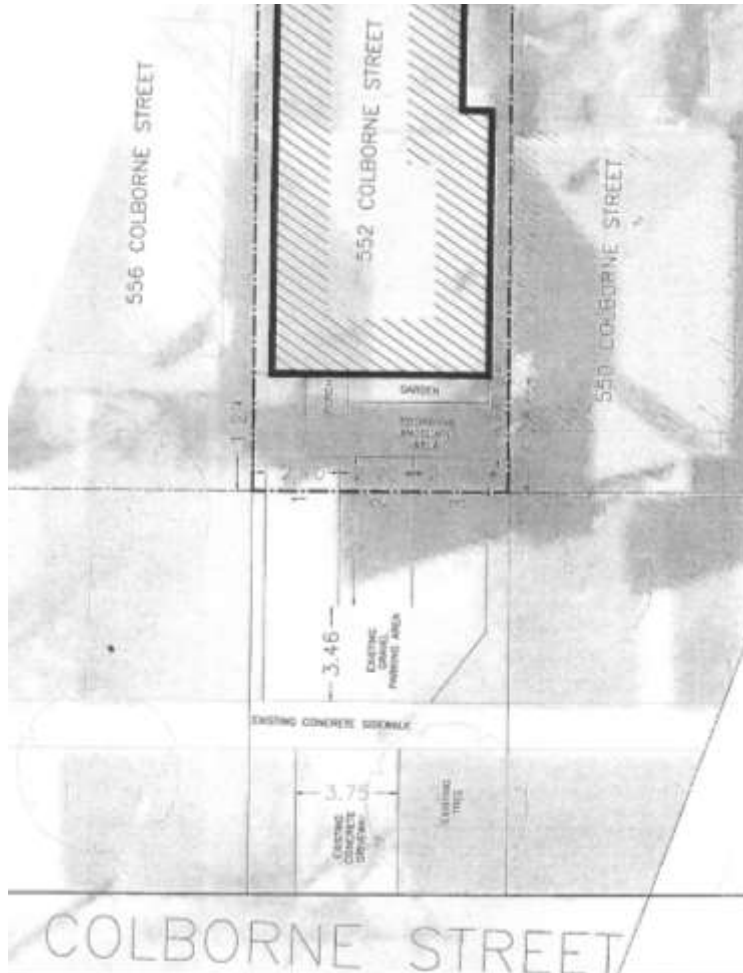
Chapter 18 of the Official Plan restricts vehicular parking to appropriate and compatible locations. Development Services is of the opinion that the existing front yard parking is neither appropriate nor compatible based on the following analysis:

Section 4.19 of the Zoning By-law prohibits parking in any front or exterior side yard.

Council's "Residential Front Yard and Boulevard Parking" policies indicate that approval of front yard or boulevard parking will not be supported where a suitable alternative exists for parking entirely on the owner's property. Furthermore, while a suitable alternative is not available, the existing nature of the front yard parking arrangement is not in keeping with the intent and purpose of the Official Plan and Zoning By-law. Additionally the parking arrangement is not in keeping with the scale and form of parking on surrounding properties. Based on the sketch provided by the applicant, the parking comprises a significant portion of the front yard area, west of the sidewalk. While landscaped areas are present adjacent to the dwelling, limited vegetation is present along the northerly and southerly property boundaries.

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A.118/14
M. Pease



The West Woodfield Heritage District Conservation Plan discourages front yard parking unless unavoidable and permitted by zoning. The existing parking arrangement does not meet the requirements of Section 4.19 of the Zoning By-law. In addition to this, landscaping is not provided to provide screening or buffering. Notwithstanding the aforementioned, the dwelling on the subject lands has limited separation distance from the interior side yards and the dwellings on the adjacent northerly and southerly properties.

Development Services notes that one parking space was present on the boulevard prior to 1972 which served the residential dwelling on the subject lands. Based on Section 1.3 of the Zoning By-law the parking space may be recognized as an established front yard parking space and as such the requested variance application requires an amendment to recognize zero (0) parking spaces where (2) are required.

Given the constraint on the subject lands to provide access for rear yard parking, Development Services are supportive of one (1) additional front yard parking space, in conjunction with the existing established parking space, for a total of two (2) parking spaces. Support for a total of three (3) parking spaces does not meet the intent of the analysis above.

Development Services, Engineering stated that the front yard parking area is to be hard surfaced (asphalt, concrete or paving block) all to the satisfaction of the City Engineer. The applicant is to obtain a Permit of Approved Works to allow the aforementioned construction on the City boulevard.

SUMMARY

Therefore it is the opinion of Development Service that the request, as amended above, to permit zero (0) parking spaces, where two (2) are required be supported.

Therefore it is the opinion of Development Services that the requested variance, as amended above, to permit two (2) front yard parking spaces be turned down.

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Alternatively, an amendment to the variance application to permit one (1) front yard parking space (in addition to the established parking space) could be granted, as this is more in keeping with the intent of the City of London Official Plan and Z.-1 Zoning By-law. Permission for one additional front yard parking space is minor in nature. The amended variance and reconfiguration of the existing parking situation should not cause substantial detriment, hazard or annoyance nor detract from the character of nearby properties. It should not have any significant impacts on adjacent properties and is a matter of local concern.

Therefore, Development Services recommends permission for one front yard parking space perpendicular to the street - where no access to a legal parking space is available - be approved with the following condition:

CONDITION:

1. That the applicant enters into a boulevard parking agreement with the City of London for the existing front yard parking space, and additionally approved parking space *for a total of two p/s space*
2. That the front yard parking area is to be hard surfaced (asphalt, concrete or paving block) all to the satisfaction of the City Engineer. The applicant is to obtain a Permit of Approved Works to allow the aforementioned construction on the City boulevard.
3. That landscaping be incorporated within the area of the existing southerly parking space, which is to be removed as a result of the variance.

REFERENCE DOCUMENTS

Ontario. Ministry of Municipal Affairs and Housing. Planning Act, R.S.O. 1990, as amended.

Ontario. Ministry of Municipal Affairs and Housing. Provincial Policy Statement, May 1, 2014.

City of London. Official Plan, June 19, 1989, as amended.

City of London. Zoning By-law No. Z.-1, May 21, 1991, as amended.

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Appendix 'B'

Letter of appeal by Zelinka Priamo Ltd



2014-LO1/017

City Clerk No. 3533
Subject Re: Boulevard Parking
App - Appeal to Council

NOV 07 2014

Ref. CWC
C.C. Danello

Ref to: DA SCANNED (initials)

November 7th, 2014

Chair and Members - Civic Works Committee
City Hall, 3rd Floor
300 Dufferin Avenue
London, ON
N6A 4L9
Attn: Jackie Martin – Committee Secretary

Dear Chair and Members,

Re: Boulevard Parking Application
 Mr. Dan Bursic
 552 Colborne Street
 Our File: BSC/LON/14-01

In response to a letter we received from the Transportation Planning & Design Division, dated September 29th, 2014, in regards to a Commercial Boulevard Parking Application for 552 Colborne Street, we hereby appeal Staff's decision to not grant the requested three (3) boulevard parking spaces, and request that the matter be referred to the Civic Works Committee for consideration.

Front yard and boulevard parking is a common feature in the Woodfield neighbourhood. Many dwellings were constructed prior to the popularization of the automobile, and therefore did not have driveways leading to the rear yard; the triplex dwelling at 552 Colborne Street is one such dwelling. Due to the proximity of adjacent dwellings, vehicular access to the side or rear yard is not possible. When automobiles became commonplace, front yard space was utilized for a parking area.

The property lies within the West Woodfield Heritage Conservation District and is subject to the policies of the West Woodfield Heritage Conservation Plan. Boulevard and front yard parking is permitted in the plan where no other alternative exists. As previously stated, there is no vehicular access to the side or rear yard at 552 Colborne Street, therefore there is no alternative to provide the required three (3) parking spaces for the existing triplex dwelling.

The current 3-space parking area at 552 Colborne Street has existed for over 16 years (confirmed by aerial photography) with no complaints or issues. No issues were raised by the City when the original single detached dwelling was converted to the current triplex dwelling, whereas conversion should not have been permitted without addressing the parking situation.

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In June 2014, vehicles parking in the existing parking area began receiving parking tickets. The tickets stated that the vehicles were parked in an unauthorized area. The landowner subsequently received a letter from the City, dated June 4th, 2014, stating that the existing parking area was in contravention of existing by-laws.

Conversations with City staff at that time indicated that the most appropriate course of action to permit the front yard parking spaces was through a Minor Variance rather than a Commercial Boulevard Parking Application. An Application for Minor Variance (A118/14) was submitted to the City to request that the three (3) existing front yard parking spaces be recognized. The Committee of Adjustment amended the requested variance to permit only two (2) front yard spaces, resulting in a deficiency of one parking space, as per the minimum parking requirements for a triplex dwelling in the Zoning By-Law.

However, notwithstanding the original direction given by staff, subsequent discussions with staff after the Committee of Adjustment's decision indicated that a Commercial Boulevard Parking Application would be the most appropriate process for approval of the existing and required three (3) parking spaces.

A Commercial Boulevard Parking Application was submitted to the City on September 24th, 2014. A letter prepared by F.R. Berry & Associates (Transportation Planning Consultants) was submitted to the City on October 9th, 2014, in support of the application, detailing that the 3rd parking space should be permitted (see attached letter). Subsequent correspondence with Transportation staff indicated that, despite the professional opinion of a qualified traffic engineer, staff are still not supportive of the 3 existing boulevard parking spaces. A letter was submitted to the City Clerk's Office on October 24th, 2014 asking that the matter be referred to Council. An e-mail reply from Ms. Heather Lysynski of the City Clerk's Office, dated November 6th, 2014, indicated that the matter should be referred to the Civic Works Committee.

As such, we hereby appeal staff's decision to not grant approval for three (3) boulevard parking spaces for the existing parking area at 552 Colborne Street, and request that the matter be referred to the Civic Works Committee for consideration.

Yours very truly,

ZELINKA PRIAMO LTD.



Mathew Campbell, BA, CPT
Planner

att: Letter - F.R. Berry & Associates re: Boulevard Parking, 552 Colborne Street
cc. Dan Bursic

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F.R. Berry & Associates

TRANSPORTATION PLANNING CONSULTANTS

660 Inverness Avenue
London, Ontario N6H 5R4
Tel: (519) 474 2527 Fax: (519) 474 1728

October 9, 2014

Our Ref. **1466**

Mr. M. Campbell
Zelinka Priamo Ltd.
318 Wellington Road
London ON
N6C 4P4

Dear Mr. Campbell:

RE: BOULEVARD PARKING, 552 COLBORNE STREET

I have reviewed the material you sent me with respect to the application to permit three boulevard parking spaces in front of 552 Colborne Street. You have requested my opinion on the safety and functionality of the proposed layout.

Attached are a photograph of the existing boulevard parking, your proposed layout and two pages extracted from the publication "Transportation and Land Development" by Stover and Koepke. These pages show standard parking dimensions for various uses and vehicle types.

I understand that the three parking spaces are currently in use. The photograph shows no evidence of vehicle tracks crossing the existing grassed area, which suggests that drivers using the southerly parking space are able to manoeuvre in and out without encroaching on the grassed area.

Your proposed layout incorporates a paved triangle on the west side of the sidewalk, presumably to provide more manoeuvring space. I do not believe that the paved triangle as proposed would provide much benefit. It should either be larger (say 1.5 metres by 1.5 metres) or eliminated altogether.

The layout shows three parking stalls, each 5.5 metres long by 2.7 metres wide. The total depth available in front of the building is 7.67 metres, thus allowing a clearance of 2.17 metres between the edge of the sidewalk and the end of the parking stall. While vehicle lengths vary, only older model full size cars approach a length of 5.5 metres. For example, a Honda Civic has an overall length of 4.5 metres while a Dodge Journey has an overall length of 4.9 metres.



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Table 7-3 in the extract from Transportation and Land Development indicates that a parking stall width can be as little as 8 feet (2.44m) for a mid-size car or 7.5 feet (2.38m) for a compact car. These dimensions are suitable for parking stalls used by the same person on a daily basis. Table 7-4 identifies a desirable stall width for employees (or other users on a daily basis) of as little as 8 feet (2.44m).

The space available at 552 Colborne Street to park cars is greater than that identified above, in terms of both stall width and length. It follows, therefore, that there is more space available for drivers to manoeuvre within the existing parking area.

Any vehicle manoeuvre which crosses a pedestrian walkway, including the use of driveways, creates a potential hazard. In most cases, drivers enter a driveway going forward and reverse out. The situation with boulevard parking is no different. In this case, two of the available parking stalls have a relatively direct entry and exit. The third stall requires an "S-turn" manoeuvre. Somewhat paradoxically, it has often been observed that, the more complicated the driving manoeuvre, the safer it is. This is because drivers are aware of potential hazards and exercise more caution.

In summary, while no boulevard parking arrangement can be considered completely safe, the fact that a driver would have to turn to enter or leave a parking space does not make such a space inherently more hazardous than any other space. In my opinion, the application for a boulevard parking permit for three spaces is justified.

Very truly yours
F. R. Berry & Associates



Frank R. Berry, P.Eng.
Principal



Agenda Item # Page #

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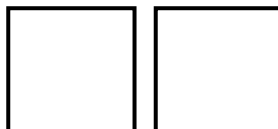


TABLE 7-2
Typical Dimensions of Automobiles with Door Open to First Stop

Auto Classification	Vehicle Width (feet)		Door Outside Edge to Body (inches)
	Body	Door Open	
Full-size, 4-door	6.7	9.2	30
Mid-size, 2-door	5.8	8.7	34
Compact, 2-door	5.1	7.8	32
Compact, 4-door	5.1	6.9	22
Subcompact, 2-door	5.0	6.8	32

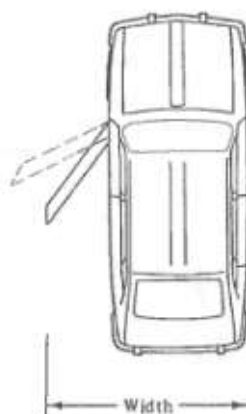


TABLE 7-3
Recommended Parking-Stall Widths for Different Applications

Application	Standard Mid-Size (feet)	Compact (feet)
Convenience store, consumer/visitor: short duration, high turnover	10.0	9.0
↓	9.5	8.5
↓		
consumer/visitor: low turnover		
↓		
employee, 4 hours	9.0	8.0
↓		
employee, all day	8.5	7.5
↓	8.0	

Often parking designers do not take note of the fact that stall width and module width are related. That is, when a narrower stall width is used, a wider module width must be used to achieve a given convenience in the parking and unparking maneuvers. For example, as illustrated in Figure 7-5 using dimensions suitable for customer parking, the use

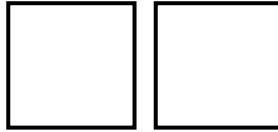


TABLE 7-4
Desirable Dimensions for 90-Degree Parking of Standard and Mid-Size Automobiles

<i>Application</i>	<i>S</i> <i>Stall Width</i> <i>(feet)</i>	<i>W</i> <i>Module (Bay) Width</i> <i>(feet)</i>
Customer, high turnover	10.0	60
	9.5	61
Customer, low turnover	10.0	59
	9.5	60
	9.0	62
	8.5	63
Employee	9.5	58
	9.0	60
	8.5	61.5
	8.0	63

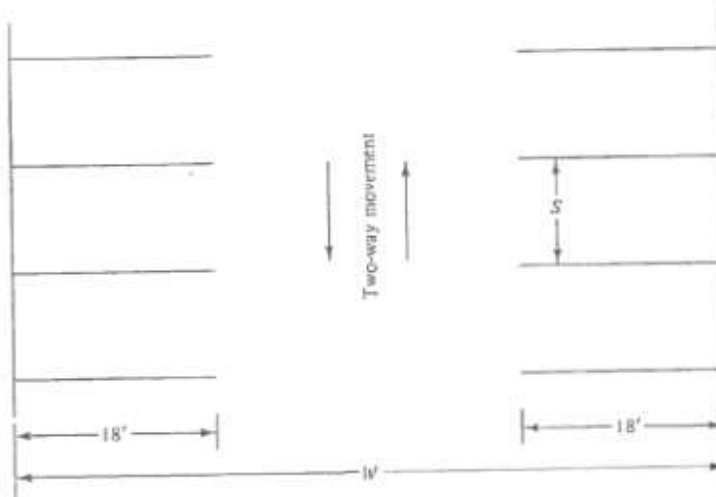


TABLE 7-5
Desirable Dimensions for 60-Degree Parking of Standard and Mid-Size Automobiles

<i>Application</i>	<i>S</i> <i>Stall Width</i>	<i>C</i> <i>Stall Length</i>	<i>D</i> <i>Stall Depth</i>	<i>O</i> <i>Front Overhang</i>	<i>A</i> <i>Aisle Width</i>	<i>W</i> <i>Module Width</i>
----- Dimensions in feet -----						
Customer, high turnover	10.0	11.5	15.6	2.6	22.8	54
	9.5	11.0			23.8	55
Customer, low turnover	10.0	11.5	15.6	2.6	20.8	52
	9.5	11.0			21.8	53
	9.0	10.4			22.8	54
Employee	9.5	11.0	15.6	2.6	20.8	52
	9.0	10.4			21.8	53
	8.5	9.8			22.8	54
	8.0	9.2			23.8	55

Note: Dimensions are given to the nearest 0.1 ft.