



**STAFF REPORT
ACTION REQUIRED**

Front Yard Parking Appeal for Two Vehicles – 61 Forest Hill Road

Date:	February 24, 2012
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	St. Paul's – Ward 22
Reference Number:	Te2012004te.row

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 61 Forest Hill Road for front yard parking for two vehicles. We do not recommend approval for front yard parking for two vehicles at this location because it does not meet the requirements of the City of Toronto Municipal Code Chapter 918. The owner will be given an opportunity to make a deputation before Community Council.

RECOMMENDATIONS

Transportation Services recommends that Toronto and East York Community Council:

1. deny the request for front yard parking for two vehicles at 61 Forest Hill Road.

Financial Impact

There is no financial impact to the City as a result of this report.

ISSUE BACKGROUND

The property owner of 61 Forest Hill Road, a single family detached home with a private driveway, inquired about the feasibility of licensing two front yard parking spaces. 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 for two vehicles is shown on Appendix 'A', the property data map is shown on Appendix 'B', digital photos of the property are shown on Appendix 'C', the applicant's landscape proposal is shown on Appendix 'D' and an Arborist report is shown on Appendix 'E'.

COMMENTS

Applicable regulations

Front yard parking is governed by the criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards. The relevant provisions include:

- prohibit front yard parking where the property has a private driveway;
- limit the number of vehicles that can be licensed to one;
- the requirements of the City of Toronto Municipal Code Chapter 813, Trees, are complied with; a minimum clearance of 4.2 metres from the base of the tree is required; and
- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

Reasons for not approving

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

- the property is serviced by a private driveway leading to a double car garage;
- the appeal is for more than one vehicle;
- the paved area for the parking pad does not provide the required clearance from the existing trees; and
- negative poll results.

Poll results

A poll was conducted in accordance with the City of Toronto Municipal Code Chapter 918-14. The area polled comprised both sides of Forest Hill Road from 61 to 75 on the odd side and from 60 to 82 on the even side. The deadline for receiving the ballots was August 10, 2011.

Total owners/tenants/residents polled	41	-----
Returned by post office	0	-----
Total eligible voters (total polled minus returned by post office)	41	100%
No reply	25	61%

Total ballots received (response rate)	16	39%
In favour of parking (of ballots received)	6	38%
Opposed to parking (of ballots received)	10	62%
Spoiled ballots	0	0%

The Code states that a poll will be considered valid when at least 25% of the ballots mailed out have been returned. This poll did meet the minimum response rate but the majority of ballots returned were opposed to the parking, therefore the poll is deemed to be a negative poll.

Other factors

This property is not located within a permit parking area.

On this portion of Forest Hill Road, between Heath Street West and Lonsdale Road, there is one property licensed for front yard parking for two vehicles.

There are two trees in the front yard, on private property, at this location. As one of the trees is within the tree protection zone, an Arborist report is required by Urban Forestry. A review of this application by Urban Forestry has determined that it would be feasible to plant an additional tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that four downspouts are feasible for disconnection and five downspouts at this property are not feasible for disconnection due to no suitable drainage area.

Alternate recommendations

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

Should Community Council decide to grant the appeal for front yard parking for two vehicles at 61 Forest Hill Road, it could recommend that:

1. the parking areas be a minimum of 2.2 m in width and not exceed 2.6 m by 5.9 m in dimension;
2. the applicant pay for the installation of the ramp to service the parking spaces;
3. the applicant disconnect the downspouts in accordance with the requirements of Toronto Water;
4. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'D', attached to the report dated February 24, 2012 from the Manager, Right of Way Management, Transportation Services, Toronto

and East York District, to the satisfaction of the General Manager of Transportation Services;

5. the applicant plant a tree in accordance with the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards. The tree shall be a full shade canopy tree or approved equivalent, to the satisfaction of the General Manager of Parks, Forestry and Recreation;
6. the applicant obtain a "Permit to Injure" in regard to the tree located within the Tree Protection Zone, from Urban Forestry, prior to obtaining a paving permit to construct the parking pad; and
7. 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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Manager, Right of Way Management

ATTACHMENTS

Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photos
Appendix 'D' - applicant's landscape proposal
Appendix 'E' – Arborist report

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