



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 30 Flanders Road

Date:	October 22, 2015
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 21
Reference Number:	Te2015036.te.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 30 Flanders Road for front yard parking. Front yard parking at this location is not recommended 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 at 30 Flanders Road; and
2. Request that the owner remove the existing limestone screening and restore the area to soft landscaping and pay for the restoration of a full curb flanking the laneway, as indicated in Appendix 'E', attached to the report dated October 22, 2015, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 30 Flanders Road, a single family detached home with a public laneway, 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 the regulations of the City of Toronto Municipal Code Chapter 918 do not permit front yard parking if tree clearance cannot be provided. The applicant subsequently submitted an appeal requesting further consideration of this proposal.

The proposal for front yard parking is shown on Appendix 'A', the property data map is shown on Appendix 'B', a digital photo of the property is shown on Appendix 'C', the applicant's landscape proposal is shown on Appendix 'D' and a sketch showing the area to be restored to soft landscaping 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:

- 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
- prohibit front yard parking where the property has access to an existing parking facility or where adequate space for parking can be provided on the lot.

Reasons for not approving

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

- the paved area for the parking pad does not provide the required clearance from the existing tree; and
- the parking space can be accommodated in the rear yard via a public laneway.

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 Flanders Road from 15 to 31 on the odd side and from 10 to 30 on the even side. The deadline for receiving the ballots was August 11, 2015.

Total owners/tenants/residents polled	34	-----
Returned by post office	0	-----

Total eligible voters (total polled minus returned by post office)	34	100%
No reply	15	44%
Total ballots received (response rate)	19	56%
In favour of parking (of ballots received)	12	63%
Opposed to parking (of ballots received)	4	21%
Spoiled ballots	3	16%

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 and therefore is valid. The result of the poll is in favour of this application as the majority of the ballots returned were in favour of this application.

Other factors

This property is not located within a permit parking area.

Ramping is not required as access will be from the existing ramp servicing the public laneway.

On this portion of Flanders Road, between Eglinton Avenue West and Dewbourne Avenue, there are no properties licensed for front yard parking.

There is a tree in the front yard at this location. A review of this application has determined that there is no suitable planting site for an additional tree at this location. Forestry also advises that they cannot support this proposal and an application is to be made to injure or remove the tree.

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., landscaping).

Should Community Council decide to grant the appeal for front yard parking at 30 Flanders Road, it could recommend that:

1. the parking area be a minimum of 2.2 metres in width and not exceed 2.6 metres by 5.9 metres in dimension;
2. the applicant disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);
3. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'D', attached to the report dated October 22, 2015,

from the Manager, Right of Way Management, Transportation Services, Toronto and East York District, to the satisfaction of the General Manager of Transportation Services; and

4. 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

Andre Filippetti
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ATTACHMENTS

Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photo
Appendix 'D' - applicant's landscape proposal
Appendix 'E' - sketch showing restoration of boulevard