



**STAFF REPORT
ACTION REQUIRED**

Front Yard Parking Appeal – 82 Lawrence Avenue West

Date:	March 15, 2016
To:	North York Community Council
From:	Manager, Right of Way Management, Transportation Services
Wards:	Eglinton-Lawrence – Ward 16
Reference Number:	p:/2016/ClusterB/TRA/NorthYork/ny16041

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 82 Lawrence Avenue West 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 North York Community Council:

1. Deny the request for front yard parking at 82 Lawrence Avenue West; and
2. Request that the owner install a barrier to prevent the unauthorized parking to the satisfaction of the General Manager of Transportation Services, as indicated in Appendix 'D', attached to the report dated March 15, 2016, from the Manager, Right of Way Management, Transportation Services.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 82 Lawrence Avenue West, a single family detached home, 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 Appendix 'A', the property data map is shown on Appendix 'B', a digital photo of the property is shown on Appendix 'C' and a sketch showing the installation of a barrier is shown on Appendix 'D'.

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:

- a minimum of 50% of the front yard on private property must be landscaped open space, of which 75% must be maintained as soft landscaping;
- a minimum of 50% of the City boulevard fronting the property must be landscaped open space, of which 75% must be maintained as soft landscaping;
- prohibit front yard parking where the property is fronting a major arterial road or King's Highway; and
- the parking space shall be constructed adjacent to the mutual driveway.

Reasons for not approving

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

- the property is fronting a major arterial road;
- the soft landscaping requirement cannot be provided on private property and the City boulevard; and
- the proposed parking space is not adjacent to the mutual driveway.

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 Lawrence Avenue West from 87 to 131 on the odd side and from 72 to 112 on the even side. The deadline for receiving the ballots was February 19, 2016.

Total owners/tenants/residents polled	85	-----
Returned by post office	6	-----
Total eligible voters (total polled minus returned by post office)	79	100%

No reply	45	57%
Total ballots received (response rate)	34	43%
In favour of parking (of ballots received)	33	97%
Opposed to parking (of ballots received)	1	3%
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 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.

On this portion of Lawrence Avenue West, between Greer Road and Jedburgh Road, there are 15 properties licensed for front yard parking.

There is no tree in the front yard at this location. A review of this application has determined that there is no suitable planting site for a tree at this location.

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 requirement of the Code, (i.e., setback).

Should Community Council decide to grant the appeal for front yard parking at 82 Lawrence Avenue West, it could recommend that:

1. the parking area be a minimum of 2.2 metres in width and not exceed 2.4 metres and a minimum of 5.3 metres and not exceed 5.9 metres in length;
2. the applicant pay for the installation of the ramp to service the parking space;
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 \$701.82 (HST included) 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 Appendix 'A', attached to the report dated March 15, 2016,

- from the Manager, Right of Way Management, 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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Manager, Right of Way Management

ATTACHMENTS

- Appendix 'A' - sketch
- Appendix 'B' - property data map
- Appendix 'C' - photo
- Appendix 'D' - sketch showing barrier to be installed