REPORT FOR ACTION

Front Yard Parking Appeal – 18 Bayliss Avenue

Date: October 20, 2017
To: Etobicoke York Community Council
From: Manager, Right of Way Management, Transportation Services
       Toronto and East York District
Wards: Ward 11 – York South-Weston

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 18 Bayliss Avenue 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 in that the Code does not permit the licensing of the parking space within a tree protection zone. The owner will be given an opportunity to make a deputation before Community Council.

RECOMMENDATIONS

The Manager, Right of Way Management, Transportation Services Toronto and East York District recommends that:

1. Etobicoke York Community Council deny the request for front yard parking at 18 Bayliss Avenue; and

2. Etobicoke York Community Council request that the owner install barriers to prevent the unauthorized parking to the satisfaction of the General Manager of Transportation Services, as indicated in Attachment ‘C’, attached to the report dated October 20, 2017, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District.
FINANCIAL IMPACT

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

DECISION HISTORY

The property owner of 18 Bayliss 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 installation of barriers 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 provision includes:

- the requirements of the City of Toronto Municipal Code Chapter 813, Trees, are complied with; a minimum clearance of 3.0 metres from the base of the tree is required.

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

- the paved area for the parking pad does not provide the required clearance from the existing tree.
**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 September 6, 2017. A total of 84 ballots were received by voters, and 30 ballots (36%) were returned, of which 27 (90%) were favourable to the application. As the poll did meet the minimum response rate and the majority of the ballots returned were in favour of this application, the poll is deemed to be a positive poll.

**Other Factors**

Permit parking on Bayliss Avenue is authorized on the odd side, on a street name basis, with 16 spaces, of which three permits (19%) have been issued to residents on the block.

As of October 20, 2017, there is one on-street parking permit registered to this address.

On this portion of Bayliss Avenue, between Lambton Avenue and Astoria Avenue, there are five properties licensed for front yard parking.

There is a tree fronting this location. A review of this application by Urban Forestry has determined that there is no suitable planting site for an additional tree.

**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., landscaping.).

Should Community Council decide to grant the appeal for front yard parking at 18 Bayliss Avenue, it could recommend that:

1. the parking area be 2.2 metres in width and a minimum of 5.3 metres and not exceed 5.9 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 October 20, 2017, from the Manager, Right of Way Management, Transportation Services;

4. the applicant contact Urban Forestry in order to comply with any and all requirements in accordance with the City of Toronto Tree Protection Policy and Specification for Construction Near Trees as construction is proposed near or within the tree protection zone;

5. the applicant disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);
6. the applicant provide the landscape features substantially in accordance with the plan as indicated in Attachment 'A', attached to the report dated October 20, 2017, from the Manager, Right of Way Management, Transportation Services, to the satisfaction of the General Manager of Transportation Services; 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

Andre Filippetti
Manager, Right of Way Management

ATTACHMENTS

Attachment 'A' - Sketch showing proposed parking pad area
Attachment 'B' – Photo of front yard
Attachment 'C' - Sketch showing barriers to be installed

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