

Front Yard Parking Appeal – 179 Lawrence Avenue West

Date: December 15, 2016
To: North York Community Council
From: Manager, Right of Way Management, Transportation Services
Toronto and East York District
Wards: Ward 16 – Eglinton-Lawrence

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 179 Lawrence Avenue West for front yard parking. Front yard parking at this location is not recommended because the proposal requires the removal of a crab apple tree and the City of Toronto Municipal Code Chapter 918 does not permit the licensing of a front yard parking pad where the property is fronting a major arterial road. 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 North York Community Council:

1. Deny the request for front yard parking at 179 Lawrence Avenue West.

FINANCIAL IMPACT

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

DECISION HISTORY

The property owner of 179 Lawrence Avenue West, 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' and digital photo of the property is shown on Attachment 'B'.

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 any person from removing a tree for the purpose of the front yard parking; and
- prohibit front yard parking where the property is fronting a major arterial road or King's Highway.

Reasons for not approving

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

- the tree located within the proposed parking pad would require removal; and
- the property is fronting a major arterial road.

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 July 21, 2016. A total of 95 ballots were mailed out, and 33 ballots (35%) were returned, of which 31 (94%) 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

This property is not located within a permit parking area.

On this portion of Lawrence Avenue West, between Greer Road and Chatsworth Drive, there are 23 properties licensed for front yard parking. One of these properties is licensed for two vehicles.

There is a City owned crab apple tree located within the proposed parking pad at this location. A review of this application by Urban Forestry has determined that the tree cannot be relocated on the property. An application to remove the tree would be required should the parking pad be approved.

Alternate Recommendation

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., landscaping).

Should Community Council decide to grant the appeal for front yard parking 179 Lawrence Avenue West, it could recommend that:

1. the parking area be a minimum of 2.2 metres in width and not exceed 2.6 metres and a minimum of 5.3 metres and not exceed 5.9 metres in length;
2. the applicant shall submit an application to injure or remove trees to Urban Forestry, as per City of Toronto Municipal code Chapter 813, Article II as the installation of the parking pad will require the removal of the crab apple tree;
3. the applicant provide site plan and cross section details of the proposed construction, lowering of the grade and installation of the retaining walls and will require a full public utility circulation;
4. the applicant disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);
5. the applicant provide the landscape features substantially in accordance with the plan as indicated in Attachment 'A', attached to the report dated December 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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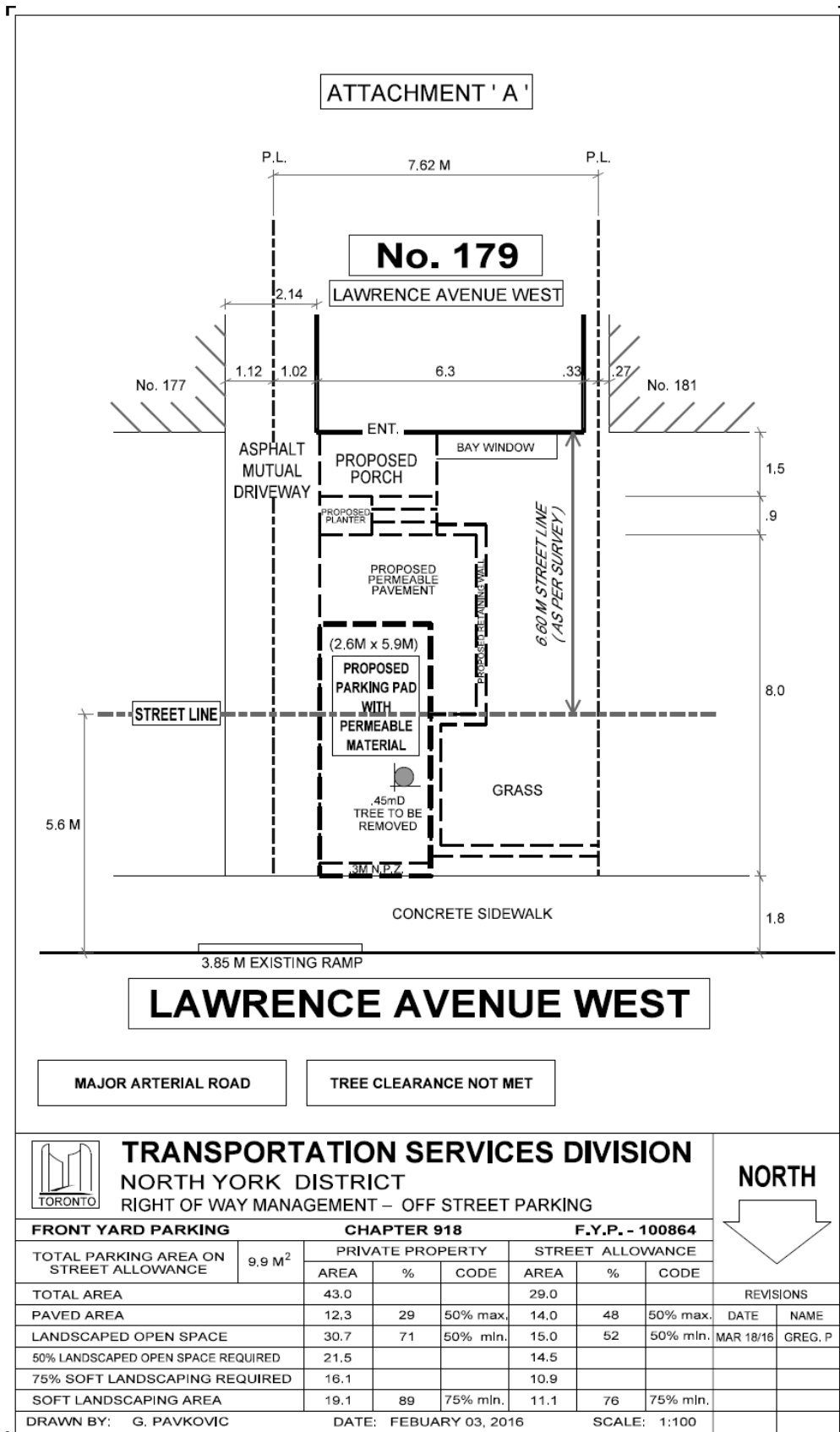
SIGNATURE

Andre Filippetti
Manager, Right of Way Management

ATTACHMENTS

Attachment 'A' - sketch
Attachment 'B' - photo

Attachment A - Front Yard Parking Proposal – 179 Lawrence Avenue West



Attachment B - Photo of front yard at 179 Lawrence Avenue West

