REPORT FOR ACTION

Front Yard Parking Appeal – 61 Forest Hill Road

Date:        April 5, 2017
To:          Toronto and East York Community Council
From:        Manager, Right of Way Management, Transportation Services
             Toronto and East York District
Wards:       Ward 22 – St. Paul's

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. Front yard parking at this location is not recommended because it does not meet the tree clearance requirements of City of Toronto Municipal Code Chapter 918. The Code does not permit the licensing of a front yard parking pad where the property is serviced by a private driveway leading to a garage. 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. Toronto and East York Community Council deny the request for front yard parking at 61 Forest Hill Road.

FINANCIAL IMPACT

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

The property owner of 61 Forest Hill Rd, a single family detached home with a private driveway, submitted an appeal 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 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 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; and
- the requirements of the City of Toronto Municipal Code Chapter 813, Trees, are complied with; a minimum clearance of 4.6 m and 1.2 m from the bases of the trees are required.

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 to a double garage; and
- the paved area for the parking pad does not provide the required clearances from the existing trees.

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 January 12, 2017. A total of 36 ballots were received by voters, and 16 ballots (44%) were returned, of which 12 (75%) 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.

The permanent ramp installation does not affect the on-street permit parking.

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 is a tree fronting this location which is in close proximity to the parking space. A review of this application by Urban Forestry has determined that the proposal has a negative impact to the trees in question and Urban Forestry would not support the proposal. 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 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 61 Forest Hill Road, 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 pay for the installation of the permanent ramp to service the parking space;

3. 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 within the tree protection zone;

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 April 5, 2017, 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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Andre Filippetti
Manager, Right of Way Management

ATTACHMENTS

Attachment 'A' - sketch
Attachment 'B1' - photo
Attachment 'B2' - photo
Attachment 'B3' - photo
Attachment A - Front yard parking proposal – 61 Forest Hill Road