Front Yard Parking Appeal – 88 Balmoral Avenue

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 88 Balmoral Avenue for front yard parking. Front yard parking at this location is not recommended because it does not meet the tree clearance requirements of the City of Toronto Municipal Code Chapter 918. The Code does not permit the licensing of a front yard parking pad where permit parking is permitted on the same side of the street and the installation of a ramp results in the loss of an on-street permit parking space, and the landscape open space and soft landscape space requirements cannot be provided. 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 88 Balmoral Avenue.

FINANCIAL IMPACT

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

The property owner of 88 Balmoral Avenue, a single family row 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 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 permit parking is authorized on the same side of the street;
- 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; and
- the requirements of the City of Toronto Municipal Code Chapter 813, Trees, are complied with; a minimum clearance of 1.2 metres from the base of the tree is required.

Reasons for not approving

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

- permit parking is permitted on the same side of the street and the installation of a permanent ramp to service the proposed parking space will result in the loss of one on-street permit parking space;
- the landscape open space requirement cannot be provided on the City boulevard;
- the soft landscaping requirement cannot be provided on private property and the City boulevard; and
- a new tree was recently planted by Forestry in the area proposed for the parking space.
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 March 14, 2017. A total of 125 ballots were received by voters, and 85 ballots (68%) were returned, of which 59 (69%) 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 Balmoral Avenue is authorized on the even side, within permit parking area 5F, with 87 spaces, of which 93 permits issued. In this block there are 19 spaces and 37 permits (195%) have been issued to residents on the block.

As of January 16, 2017, there is one on-street parking permit registered to this address.

The installation of a permanent ramp at this location will result in the loss of one on-street permit parking space.

On this portion of Balmoral Avenue, between Avenue Road and Yonge Street, there are 78 properties licensed for front yard parking. Ten of these properties are licensed for two vehicles.

There is a newly planted tree in the front yard at 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
Should Community Council decide to grant the appeal for front yard parking at 88 Balmoral Avenue, 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 5.6 metres in length;
2. the applicant pay for the installation of the permanent 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 contact Urban Forestry in order to have the recently planted tree relocated and to pay for all costs associated with this tree relocation.
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 'B' - photo