REPORT FOR ACTION

Front Yard Parking Appeal – 52 Elmer Avenue

Date: October 20, 2017
To: Toronto and East York Community Council
From: Manager, Right of Way Management, Transportation Services
Toronto and East York District
Wards: Ward 32 – Beaches-East York

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 52 Elmer Avenue for front yard parking. Front yard parking at this location is not recommended because the City of Toronto Municipal Code Chapter 918 does not permit the licensing of a front yard parking pad where on-street permit parking is authorized on the same side of the street, the installation of a ramp results in the loss of an on-street permit parking space, and where the result of the formal poll is not favourable to the application. 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 52 Elmer Avenue.

FINANCIAL IMPACT

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

The property owner of 52 Elmer Avenue, 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 Attachment 'A', 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; and
- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

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 the ramp results in the loss of an on-street permit parking space; and
- negative poll results.

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 August 30, 2017. A total of 137 ballots were received by voters, and 57 ballots (42%) were returned, of which 38 (67%) were opposed to the application. The poll did meet the minimum response rate but since the majority of the ballots returned were opposed to the parking, the poll is deemed to be a negative poll.
Other Factors

Permit parking on Elmer Avenue is authorized on the even side, within permit parking area 9C, with 4319 spaces, of which 3693 permits issued. In this block there are 48 spaces and 45 permits (94%) have been issued to residents on the block.

As of October 13, 2017, there is no on-street parking permit registered to this address.

On this portion of Elmer Avenue, between Queen Street East and Norway Avenue, there are 37 properties licensed for front yard parking. Seven of these properties are licensed for two vehicles.

There are two trees fronting this location which are 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 a suitable planting site for an additional tree on the City Boulevard.

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., setback and landscaping.).

Should Community Council decide to grant the appeal for front yard parking at 52 Elmer 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 5.9 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 near or 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 October 20, 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 of proposed parking space
Attachment 'B' – Photo of front yard

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