

Front Yard Parking Appeal – 52 Leuty Avenue

Date: January 26, 2018
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 Leuty Avenue for front yard parking. Front yard parking at this location is not recommended because it does not meet the minimum tree clearance criteria of the City of Toronto Municipal Code Chapter 918. Furthermore, the Code does not permit the licensing of a front yard parking pad where on-street permit parking is allocated on the same side of the street and the installation of a permanent ramp will result in to loss of a permit parking space. 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 Leuty 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 Leuty Avenue, a single family semi-detached residential 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 the installation of the permanent ramp results in the loss of an on-street permit parking space; and
- the requirements of the City of Toronto Municipal Code Chapter 813, Trees, are complied with; a minimum clearance of 6.75 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; and
- 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 06, 2017. A total of 71 ballots were received by voters, and 31 ballots (44%) were returned, of which 15 (48%) were favourable to the application, 14 (45%) were opposed and 2 ballots were returned spoiled. The poll did meet the minimum response rate but since the majority threshold was not achieved, the poll is deemed to be a negative poll.

Other Factors

Permit parking on Leuty Avenue is authorized on the even side, within permit parking area 9D, with 986 spaces, of which 916 permits issued. In this block there are 27 spaces and 47 permits (174%) have been issued to residents on the block.

As of January 26, 2018, there are two on-street parking permits 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 Leuty Avenue, between Violet Avenue and Queen Street East, there are 23 properties licensed for front yard parking. Three of these properties are licensed for two vehicles.

Urban Forestry staff visited the site and confirmed the diameter of the tree is 112.5 cm. The minimum tree protection zone of the tree is 6.75 meters. The proposed parking pad would be located within the minimum TPZ of the tree. Urban Forestry does not support the proposed pad because it would result in the injury of the existing tree and would result in the loss of public green space and soil volume the tree utilises to support itself.

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 52 Leuty 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 January 26,

2018, 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

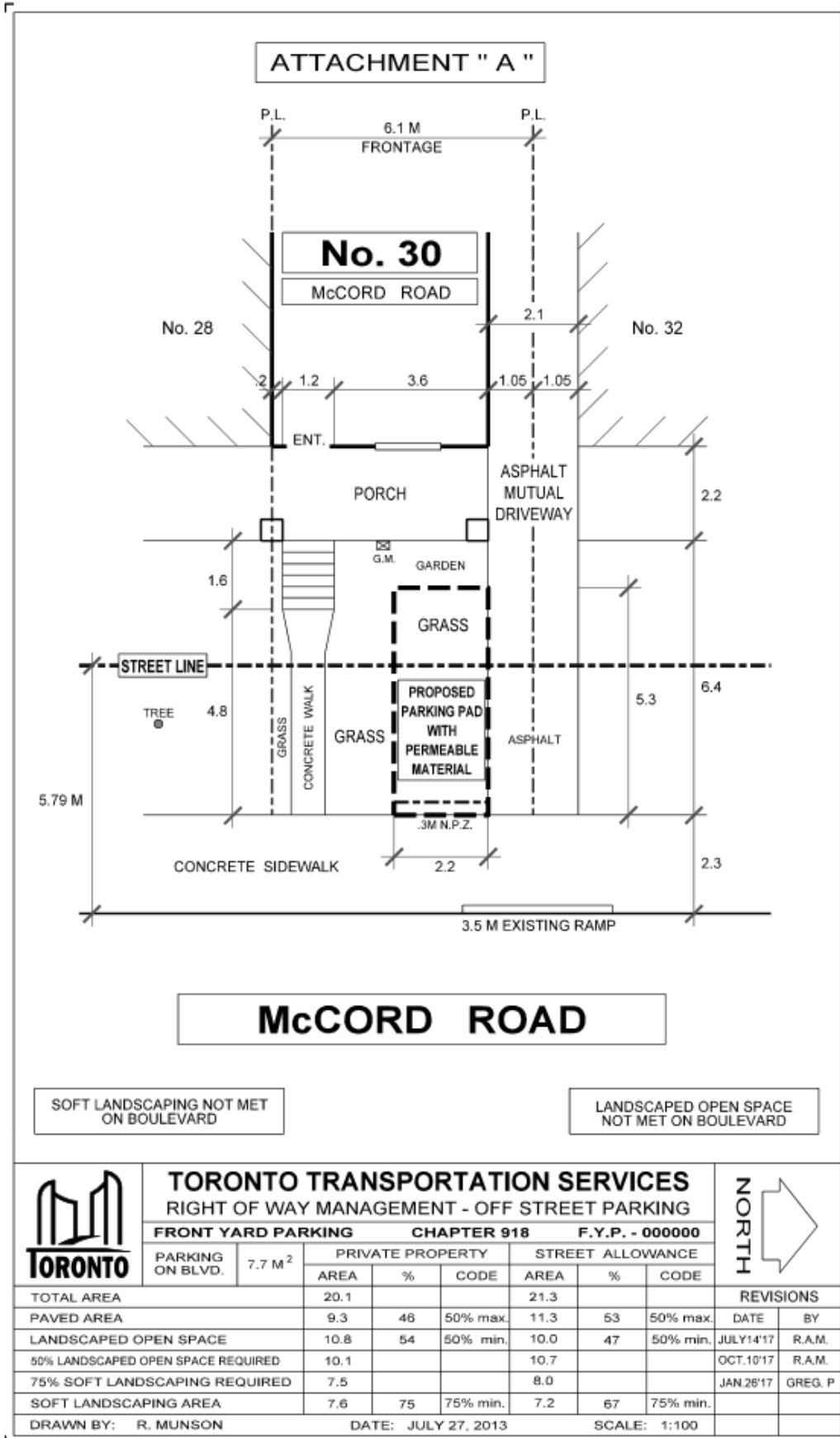
Andre Filippetti
Manager, Right of Way Management

ATTACHMENTS

Attachment 'A' – Sketch of the proposed parking pad
Attachment 'B' – Photo of the Front Yard

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Attachment A - Front yard parking proposal – 52 Leuty Avenue



Attachment B – Photo of the front yard – 52 Leuty Avenue

