

Front Yard Parking Appeal–356 Bartlett Avenue North

Date: March 25, 2019
To: Toronto and East York Community Council
From: Manager, Permits and Enforcement, Transportation Services
Wards: Ward 9 - Davenport

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 356 Bartlett Avenue North for front yard parking. Front yard parking at this location is not recommended because it does not meet the criteria of the City of Toronto Municipal Code Chapter 918. The Code does not permit the licensing of a front yard parking pad where neighbourhood polling yielded a negative result.

RECOMMENDATIONS

The Manager, Permits and Enforcement - Parking, Transportation Services, recommends that: Toronto and East York Community Council

1. Deny the request for front yard parking at 356 Bartlett Avenue North; and
2. Request that the owner restore a section of the paved area to greenspace, to prevent unauthorized parking to the satisfaction of the General Manager of Transportation Services, as indicated in Attachment 'C', attached to the report dated March 25, 2019, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District.

FINANCIAL IMPACT

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

DECISION HISTORY

The property owner of 356 Bartlett Avenue North, a duplex 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'. A digital photo of the property is shown on Attachment 'B', and a sketch showing the area of paving to be removed is shown on Attachment 'C'.

COMMENTS

Applicable regulation

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 provision includes:

- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

Reason for not approving

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

- 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 May 18, 2018. A total of 143 ballots were received by voters, and 61 ballots (43%) were returned, of which 31 (50) were favourable to the application. The poll did meet the minimum response rate but since the majority of ballots returned did not meet the 50% + 1 vote threshold, the poll is deemed to be a negative poll.

Other Factors

Permit parking on Bartlett Avenue North is authorized on an alternate side basis, within permit parking area 3F, with 995 spaces, of which 573 permits issued. In this block there are 33 spaces and 25 permits (76%) have been issued to residents on the block.

As of March 4, 2019, there is one on-street parking permit registered to this address.

Ramping is not required as there is an existing permanent ramp servicing the walkway which will be used to service the proposed parking and additional ramping will not be permitted.

On this portion of Bartlett Avenue North, between Davenport Road and Geary Avenue, there are eight properties licensed for front yard parking. One of these properties is licensed for two vehicles.

A parking pad in this location would also result in the loss of green space and soil volume that the existing and future trees would require in order to thrive. In order to be consistent with Toronto Green Standard requirements Urban Forestry is trying to retain or obtain at least 30 cubic metres of soil for each street tree where possible.

There is a tree fronting 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

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 356 Bartlett Avenue North, it could recommend that:

1. the parking area be a minimum of 2.2 metres in width and not exceed 2.2 metres and a minimum of 5.3 metres and not exceed 5.9 metres in length;
2. the applicant remove the existing asphalt and repave the parking area with semi-permeable paving materials, as indicated in Attachment 'A', attached to the report dated March 25, 2019, from the Manager, Right of Way Management, Transportation Services;
3. 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;
4. 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;

5. the applicant disconnect any downspouts, if feasible, or seek an exemption from Toronto Water in accordance with the requirements in Chapter 681-11(S);

6. the applicant provide the landscape features substantially in accordance with the plan as indicated in Attachment 'A', attached to the report dated March 25, 2019, from the Manager, Right of Way Management, Transportation Services, to the satisfaction of the General Manager of Transportation Services; and

7. 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, Permits and Enforcement - Parking

ATTACHMENTS

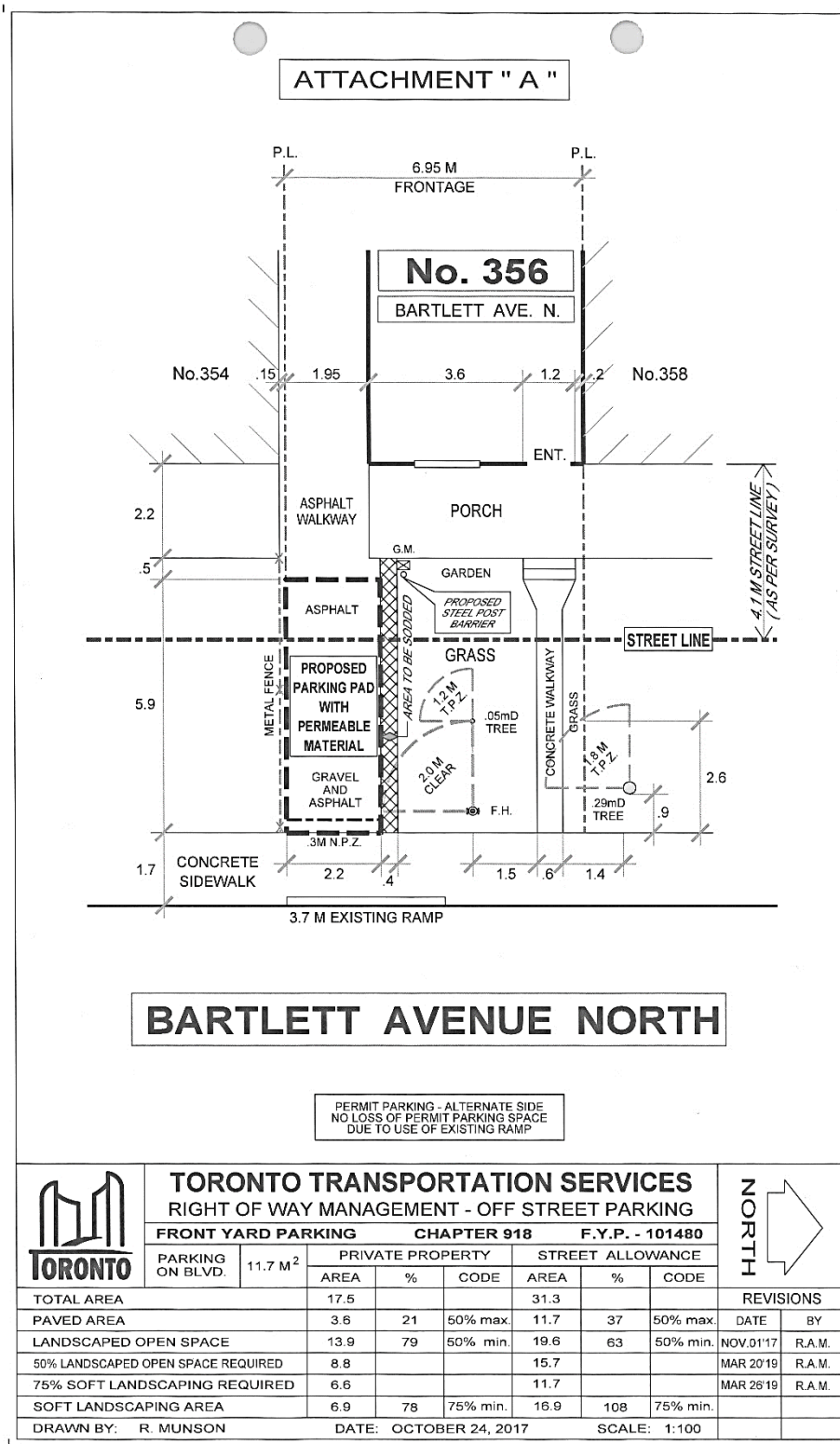
Attachment 'A' – Sketch of the proposed front yard parking area

Attachment 'B' – Photo of the front yard

Attachment 'C' – Sketch showing area to be restored to greenspace

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Attachment A - Front Yard Parking Proposal – 356 Bartlett Avenue North



Attachment B – Photo of the Front Yard – 356 Bartlett Avenue North



Attachment C – Sketch Showing Area to be Restored to Greenspace – 356 Bartlett Avenue North

