



**STAFF REPORT
ACTION REQUIRED**

Front Yard Parking Appeal – 52 Lawrence Avenue West

Date:	May 26, 2016
To:	North York Community Council
From:	Manager, Right of Way Management, Transportation Services
Wards:	Eglinton-Lawrence – Ward 16
Reference Number:	p:/2016/ClusterB/TRA/NorthYork/ny16065

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 Lawrence Avenue West for front yard parking. Front yard parking at this location is not recommended because it does not meet the soft landscaping and other requirements of the City of Toronto Municipal Code Chapter 918. The proposal requires the removal of the crab apple tree. The owner will be given an opportunity to make a deputation before Community Council.

RECOMMENDATIONS

Transportation Services recommends that North York Community Council:

1. Deny the request for front yard parking at 52 Lawrence Avenue West.

Financial Impact

There is no financial impact to the City as a result of this report.

ISSUE BACKGROUND

The property owner of 52 Lawrence Avenue West, a single family detached home, submitted an application for front yard parking at this location. The property has access to an open parking area at the rear through a right-of-way from Unsworth Avenue. There is a crab apple tree fronting the location. The tree will have to be removed to accommodate the proposed parking space. As per City Council approved policy with

respect to nuisance trees, the removal is possible. 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 Appendix 'A', the property data map is shown on Appendix 'B' and a digital photo of the property is shown on Appendix 'C'.

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 is fronting a major arterial road or the King's Highway;
- 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 2.4 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:

- the property is fronting a major arterial road;
- the soft landscaping requirement cannot be provided on private property and the City boulevard; and
- the proposed parking space will require the removal of the crab apple tree.

Poll results

A poll was conducted in accordance with the City of Toronto Municipal Code Chapter 918-14. The area polled comprised both sides of Lawrence Avenue West from 31 to 57 on the odd side and from 40 to 54 on the even side. The deadline for receiving the ballots was March 11, 2016.

Total owners/tenants/residents polled	53	-----
Returned by post office	8	-----
Total eligible voters (total polled minus returned by post office)	45	100%

No reply	27	60%
Total ballots received (response rate)	18	40%
In favour of parking (of ballots received)	17	94%
Opposed to parking (of ballots received)	1	6%
Spoiled ballots	0	0%

The Code states that a poll will be considered valid when at least 25% of the ballots mailed out have been returned. This poll did meet the minimum response rate and therefore is valid. The result of the poll is in favour of this application as the majority of the ballots returned were in favour of this application.

Other factors

This property is not located within a permit parking area.

On this portion of Lawrence Avenue West, between Jedburgh Road and Yonge Street, there are fifteen properties licensed for front yard parking. Three of these properties are licensed for two vehicles.

The property has access to an open parking area at the rear via a right-of-way of 2.02 metres in width, with the access from Unsworth Avenue.

There is a City owned crab apple tree located within the proposed front yard parking pad. A review of this application by Urban Forestry has determined that the removal of the tree is permitted subject to the approval of an application by Urban Forestry and payment for a replacement tree. There will not be sufficient space for an additional tree.

Alternate recommendations

Should Community Council decide to grant the appeal for front yard parking at 52 Lawrence Avenue West, it could recommend that:

1. the parking area be a minimum of 2.2 metres and not exceed 2.6 metres in width and a minimum of 5.3 metres in length;
2. the applicant pay for the installation of the ramp to service the parking space;
3. the applicant provide site plan and cross section details of the proposed construction, lowering of the grade and installation of the retaining walls and will require a full public utility circulation;
4. the applicant comply with any and all Urban Forestry requirements as the installation of the parking pad will require the removal of the crab apple tree;

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 Appendix 'A', attached to the report dated May 26, 2016, 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

Nino Pellegrini, Supervisor, Right of Way Management
Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: npellegr@toronto.ca

SIGNATURE

Andre Filippetti
Manager, Right of Way Management

ATTACHMENTS

Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photo