



**STAFF REPORT
ACTION REQUIRED**

325 Durie Street - Front Yard Parking

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| Date: | April 20, 2009 |
| To: | Etobicoke York Community Council |
| From: | Director, Transportation Services - Etobicoke York District |
| Wards: | Ward 13 – Parkdale-High Park |
| Reference Number: | p:\2009\Cluster B\TRA\EtobicokeYork\eycc090080-ROW |

SUMMARY

This staff report is about a matter that Etobicoke York Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to inform Etobicoke York Community Council on an application for front yard parking at 325 Durie Street. This application is an appeal and is scheduled as a deputation item.

The owner of 325 Durie Street submitted an application for front yard parking, but was advised that the property is not eligible for front yard parking for a number of reasons. The property is located on the same side of the street as on-street parking permits, there is a 2.22 metre wide shared driveway providing access to rear yard parking, a tree is located on the property that will require removal, and a hydro pole is situated just to the right of the existing shared driveway. In addition, the application does not satisfy the minimum 50% survey response rate that Chapter 918 specifies, although we note that the overwhelming majority of survey respondents oppose the application.

The applicant submitted an appeal requesting an exemption from the City of Toronto Municipal Code, Chapter 918 “Parking on Residential Front Yards and Boulevards” to permit front yard parking at this location.

Staff cannot recommend a front yard parking pad at this location since it does not meet the requirements of Chapter 918 of the Toronto Municipal Code; however, if Community Council finds merit in this proposal, it could be approved subject to the conditions described in the “Comments” section of this report.

RECOMMENDATIONS

Transportation Services recommends that Etobicoke York Community Council:

1. Refuse this application.

Financial Impact

There are no financial implications resulting from adopting this report.

COMMENTS

The owner of 325 Durie Street submitted an application for front yard parking, but was advised that the property is not eligible for front yard parking for a number of reasons. The property is located on the same side of the street as on-street parking permits, there is a 2.22 metre wide joint use driveway that provides access to rear yard parking, a tree is located on the property that requires removal, and a hydro pole is situated just to the right of the mutual driveway.

The property currently has a 2.22 metre wide shared driveway. According to Chapter 918, properties with joint use driveways wider than 2.2 metres are not eligible for front yard parking.

The applicant submitted an appeal requesting an exemption from the City of Toronto Municipal Code, Chapter 918 “Parking on Residential Front Yards and Boulevards” to permit front yard parking at this location.

The property’s lot dimensions measure 8.38 metres wide by 46.91 metres in length. The proposed parking stall measures 2.62 metres wide by 5.70 metres in length. By excavating and constructing a retaining wall and removing the existing tree, the proposed front yard parking pad can meet the physical criteria of the City of Toronto Municipal Code, Chapter 918 “Parking on Residential Front Yards and Boulevards.”

Attachment 1 shows the site location, Attachment 2 illustrates the proposed front yard parking pad, and Attachment 3 is a photograph of the site.

A review of the City of Toronto’s Inventory of Heritage Properties shows that this property is not designated a historical property under the Ontario Heritage Act.

On-street parking permits are authorised on alternating sides of Durie Street, between Bloor Street West and Colbeck Street, within on-street parking permit area 1E. As of April 20, 2009, there were 905 permits issued from a total of 1,009 available on-street parking stalls. There are no on-street parking permits currently registered to this address.

Presently, there are 25 properties on Durie Street, between Bloor Street West and Colbeck Street, that are licensed for front yard parking.

To determine if the community supports the application, City Clerks conducted a survey of all residents listed in the City’s assessment information system who either own property or reside on both sides of Durie Street, from 255 to 349. The survey was conducted according to the requirements of Chapters 190 and 918 of the Toronto Municipal Code.

At the Ward Councillor’s request, the survey was conducted by the Clerks office in English, Ukranian and Polish, between February 10, 2009 and March 10, 2009.

The survey results are as follows:

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| Total Ballots Mailed | 128 |
| Ballots Needed to Proceed (must be at least 50%) | 64 |
| Valid Ballots Returned | 59 |
| Respondents in Favour | 14 (24%) |
| Respondents Opposed | 44 (75%) |

Just 46% of all eligible voters responded to the survey. Seventy-five (75%) per cent of respondents indicate that they oppose the applicant’s proposal for front yard parking at 325 Durie Street.

While the applicant’s proposal does not satisfy the requirements of Chapter 918 of the Toronto Municipal Code, should Etobicoke York Community Council find merit in this proposal, it could be approved subject to the following conditions:

1. The front yard parking pad shall maintain a width of 2.62 metres and a length of 5.70 metres;
2. The applicant shall surface the front yard parking area with permeable materials such as ecostone pavers, interlocking pavers, or an equivalent paving treatment that is acceptable to the General Manager, Transportation Services;
3. The applicant shall pay all applicable fees and comply with all other criteria described in the City of Toronto Municipal Code;
4. The applicant shall plant a tree in their front yard, or fund the planting of a tree in the neighbourhood, to the satisfaction of the Parks, Forestry and Recreation Services;
5. The applicant is responsible for obtaining an encroachment agreement, including the payment of all associated fees, for any retaining walls situated within the Durie Street road allowance, to the satisfaction of the Municipal Licensing and Standards Division, Etobicoke York District; and,

6. The applicant shall satisfy these conditions, at no expense to the municipality, by May 14, 2010.

CONTACT

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SIGNATURE

John Niedra, P.Eng.

Director, Transportation Services - Etobicoke York District

ATTACHMENTS

Attachment 1: Map

Attachment 2: Proposed Plan

Attachment 3: Photograph