TORONTO

STAFF REPORT
ACTION REQUIRED

Front Yard Parking Appeal – 322 Durie Street

Date:	April 25, 2012
To:	Etobicoke York Community Council
From:	Director, Transportation Services – Etobicoke York District
Wards:	Ward 13 – Parkdale-High Park
Reference Number:	p:\2012\Cluster B\TRA\EtobicokeYork\eycc120073-tp

SUMMARY

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

Transportation Services has assessed an appeal for front yard parking from the owner of 322 Durie Street. We do not recommend approving front yard parking at this location because it does not meet the requirements of City of Toronto Municipal Code Chapter 918. The owner will be given an opportunity to make a deputation before Community Council.

RECOMMENDATIONS

Transportation Services recommends that Etobicoke York Community Council:

1. Refuse the request for front yard parking at 322 Durie Street.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 322 Durie Street, 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 the regulations of the City of Toronto Municipal Code Chapter 918 do not permit front yard parking where permit parking is authorized on the same side of the street or on an alternating basis. The applicant subsequently submitted an appeal requesting further consideration of their proposal.

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

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;
- limit the number of vehicles that can be licensed to one;
- the mutual driveway not exceed 2.2m in width and 1.7m in perpendicular height;
- limit the size of the parking area to 2.6 m by 5.9 m in dimension;
- minimum parking space requirement of 2.2 m in width;
- minimum parking space requirement of 5.3 m in length;
- minimum parking space requirement of 2.2 m in width by 5.3 m in length;
- 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;
- the requirements of the City of Toronto Municipal Code Chapter 813, Trees, are complied with; a minimum clearance of 1.8 meters from the base of the tree is required;
- the parking space to be constructed perpendicular to the sidewalk;
- the parking space shall be constructed adjacent to the mutual driveway;
- parking area paved with semi-permeable material such as ecostone or turf stone or equivalent permeable paving treatment acceptable to the General Manager of Transportation Services; 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.

Poll results

A poll was conducted according to City of Toronto Municipal Code Chapter 918-14. The area polled comprised of both sides of Durie Street, from addresses 296 to 346 on the even side and from 295 to 349 on the odd side. At the Ward Councillor's request, the poll was conducted in English, Polish, and Ukrainian. The poll was conducted by the Clerks' office between March 9, 2012, and April 10, 2012.

Total owners/tenants/residents polled	138	--------
Returned by post office	3	--------
Total eligible voters (total polled minus returned by post office)	135	100%
No reply	72	53%
Total ballots received (response rate, %)	**63**	**47%**
In favour of parking (ballots received, %)	40	64%
Opposed to parking (ballots received, %)	21	33%
Spoiled ballots	2	3%

The Code states that a poll will be considered valid when at least 25% of the ballots mailed out have been returned. This poll met the minimum response rate and therefore is considered valid. The survey results show that the majority of respondents do not object to this application.

Other factors

Permit parking on Durie Street is authorized on alternating sides, within permit parking area 1E. Currently, there is one on-street parking permit registered to this address.

Total number of parking permits in Area 1E	1005	Total permits issued as of April 26, 2012	889
Permits available	116	% of permits allocated	88%

Total number of permit parking spaces on Durie Street, between Bloor Street West and Colbeck Street	34	Total permits issued to residents as of April 26, 2012	42
Permits available	0	% of permits allocated	124%

Ramping is not required as there is an existing mutual driveway ramp to service the proposed front yard parking stall, therefore, it will not result in a loss of an on-street parking stall.

On this portion of Durie Street, between Bloor Street West and Colbeck Street, there are 26 properties licensed for front yard parking.

Alternate recommendations

While the property is not eligible for front yard parking because it does not satisfy Municipal Code requirements, the property does meet the other physical requirements of the Code.

Should Community Council decide to grant the appeal for front yard parking at 322 Durie Street, it could be approved subject to the following conditions:

1. the parking area be a minimum of 2.2 m in width and not exceed 2.6 m by 5.9 m in dimension;

2. access to the parking pad shall be taken from the existing shared driveway and curb cut to Durie Street;

3. the applicant shall surface the front yard parking area with semi-permeable materials such as ecostone pavers, interlocking pavers or an equivalent paving treatment that is acceptable to the General Manager, Transportation Services;

4. the remaining front yard shall consist of 'soft' landscaping;

5. the applicant shall contact Urban Forestry Tree Protection Plan Review for tree conditions and security deposit;

6. the applicant pay for the planting of a tree on City property as per the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards;

7. the applicant is responsible for obtaining utility locates prior to excavation, due to difference in elevation from the sidewalk to the front steps;

8. the existing on-street parking permit issued to this address shall be cancelled immediately following construction of the front yard parking pad;

9. 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;

10. the proposed retaining walls located in the Durie Street road allowance shall be located 0.50 metres from the back edge of the sidewalk and shall not exceed a height of 0.90 metres, measured from the travelled surface of Durie Street;

11. the applicant shall revise their site plan to reflect these conditions; and

12. the applicant satisfies these conditions at no expense to the municipality by June 13, 2013.

CONTACT

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SIGNATURE

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Steven T. Kodama, P.Eng.
Director, Transportation Services - Etobicoke York District

ATTACHMENTS

Attachment 1: Map
Attachment 2: Proposed Plan
Attachment 3: Photograph