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 1083 Dupont Street for front yard parking. We do not recommend approval for front yard parking at this location because it does not meet the requirements of the City of Toronto Municipal Code Chapter 918 (Pilot Project). The owner will be given an opportunity to make a deputation before Community Council.

RECOMMENDATIONS

Transportation Services recommends that Toronto and East York Community Council:

1. deny the request for front yard parking at 1083 Dupont Street.

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

ISSUE BACKGROUND
Toronto City Council, at its meeting of September 21, 2011, adopted item TE9.85, Amendment to Chapter 918 - Ward 18 and Ward 21 (South of St. Clair Avenue West) – Pilot Project Specific Modifications. In so doing, it allowed for applications and appeals in those specific Wards and areas, where previously not permitted. Specifically it permitted staff to accept and process an application and appeal if required, only for those
properties where a "parking pad" was already in existence prior to April 6, 2007 and created without the required permission(s).

The property owner of 1083 Dupont 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 it does not meet the regulations of the City of Toronto Municipal Code Chapter 918 (Pilot Project). 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', a digital photo of the property is shown on Appendix 'C' and the applicant’s landscape proposal is shown on Appendix 'D'.

**COMMENTS**

**Applicable regulations**

Front yard parking is governed by the criteria set out in the City of Toronto Municipal Code Chapter 918 (Pilot Project), Parking on Residential Front Yards and Boulevards. The relevant provisions include:

- 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; and
- 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.

**Reasons for not approving**

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

- the soft landscaping requirement cannot be provided on private and on the City boulevard.

**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 Dupont Street from 1079 to 1085, including 332 Salem Avenue along with 289G Bartlett Avenue on the odd side and from 1072 to 1096 on the even side. The deadline for receiving the ballots was February 4, 2013.

<table>
<thead>
<tr>
<th>Total owners/tenants/residents polled</th>
<th>63</th>
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</thead>
<tbody>
<tr>
<td>Returned by post office</td>
<td>2</td>
</tr>
<tr>
<td>Total eligible voters (total polled minus returned by post office)</td>
<td>61</td>
</tr>
<tr>
<td>No reply</td>
<td>37</td>
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<tr>
<td>Total ballots received (response rate)</td>
<td>24</td>
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<td></td>
<td>39%</td>
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</tbody>
</table>
In favour of parking (of ballots received) & 22 & 92% \\ 
Opposed to parking (of ballots received) & 2 & 8% \\ 
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 located within a permit parking area, 3G, however there is no permit parking on this block of Dupont Street.

There are two on street parking permits registered to this address.

| Total number of parking permits in area 3G | 761 | Total permits issued as of November 30, 2012 | 517 |
| Permits available | 144 | % of permits allocated | 68% |

A ramp installation does not affect the on street permit parking since there is no on street permit parking on this block of Dupont Street.

On this portion of Dupont Street, between Bartleet Avenue and Salem Avenue, there is one property licensed for front yard parking.

There is no tree in the front yard at this location. A review of this application by Urban Forestry has determined that there is no suitable planting site for a tree at this location.

**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).

Should Community Council decide to grant the appeal for front yard parking at 1083 Dupont Street, it could recommend that:

1. the parking area be 2.2 m in width and not exceed 5.6 m in dimension;

2. the applicant remove the existing paving and re-pave the parking area with semi-permeable paving materials having at least 25% open space, as indicated in Appendix 'A', attached to the report dated March 19, 2013 from the Manager, Right of Way Management, Transportation Services, Toronto and East York District;
3. the applicant pay for the installation of the ramp to service the parking space;

4. the applicant remove the excess paving and restore the area to soft landscaping, as indicated in Appendix 'A', attached to the report dated March 19, 2013, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District;

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 'D', attached to the report dated March 19, 2013, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District, to the satisfaction of the General Manager of Transportation Services;

7. the applicant pay for the planting of a full shade canopy tree on City property in the general area of the property, preferably on the same street, as per the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards; and

8. 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.

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SIGNATURE

Kyp Perikleous
Manager, Right of Way Management

ATTACHMENTS
Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' – photo
Appendix 'D' - applicant’s landscape proposal

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