



**STAFF REPORT  
ACTION REQUIRED**

**436 Merton Street - Driveway Widening Appeal for a second Vehicle**

<b>Date:</b>	March 12, 2007
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Manager, Right of Way Management, Transportation Services Toronto and East York District
<b>Ward:</b>	St. Paul's - Ward 22
<b>Reference Number:</b>	te07001te.row

**SUMMARY**

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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 436 Merton Street for parking a second vehicle on the widened portion of the driveway. We do not recommend approval of driveway widening for a second vehicle at this location because it does not meet the requirements of the Municipal Code. The owner will be given an opportunity to make a deputation before Community Council.

**RECOMMENDATION**

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**Transportation Services recommends that Toronto and East York Community Council:**

1. deny the request for driveway widening for a second vehicle at 436 Merton Street; and
2. request that the owner remove the excess interlocking pavers and restore the area to soft landscaping.

**Financial Impact**

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

## **ISSUE BACKGROUND**

The property owner of 436 Merton Street, a single family detached home with a mutual driveway, submitted an application for driveway widening for the parking of a second vehicle at this location. The existing interlocking pavers were in place when the owner purchased the property in July 2005 and advised that on the purchase agreement it was listed that the parking at the front of the house was legal. The applicant was advised that the property was not eligible for the parking of a second vehicle, as the current regulations do not permit the licensing of more than one parking space. This location is currently licensed for driveway widening for one parking space.

The proposal for driveway widening for the parking of a second vehicle is shown on Appendix 'A', the property data map is shown on Appendix 'B', digital photos of the property are shown on Appendix 'C', the applicant's landscape proposal is shown on Appendix 'D' and the existing licensed single parking space is shown on Appendix 'E'.

## **COMMENTS**

### **Applicable regulations**

Driveway widening is currently governed by the criteria set out in the former City of Toronto Municipal Code Chapter 248, Parking Licences. The relevant provisions include:

- limit the number of vehicle parking spaces on the widened portion of the driveway that can be licensed to one; and
- a minimum of 50% of the front yard on private property be landscaped open space, of which 30% must be maintained as soft landscaping and a minimum of 15% soft landscaping be provided within the City boulevard.

### **Reasons for not approving**

The property does not meet the above criteria of the current regulations for the following reasons:

- the application is for the parking of a second vehicle; and
- the required landscaped open space cannot be provided on private property.

### **Other factors**

This property is not located within a permit parking area.

On this portion of Merton Street, between Cleveland Street and Mount Pleasant Road, there are ten properties licensed for front yard parking, twenty-four properties licensed for driveway widening, two of these properties are licensed for two vehicles, and four properties licensed for commercial boulevard parking.

There is no tree on the front yard at this location. A review of this application by Urban Forestry has determined that it would be feasible to plant a tree at this location.

A review by Toronto Water has revealed that one downspout at this property has been disconnected by the homeowner in accordance with the requirements of the Downspout Disconnection Program.

### **Alternate recommendations**

While the property is not eligible for driveway widening for the parking of a second vehicle because it does not meet the above-noted requirements of the Municipal Code, the property could meet the other physical requirement of the Code (i.e., setback).

Should Community Council decide to grant the appeal for driveway widening for the parking of a second vehicle at 436 Merton Street, it could recommend that:

1. the licensed parking space be reconfigured to accommodate the second parking space, as shown on Appendix 'A'; and
2. the applicant pay all applicable fees and comply with all other criteria set out in the former City of Toronto Municipal Code Chapter 248, Parking Licences.

### **CONTACT**

Joe Colafranceschi, Supervisor, Right of Way Management  
Phone: (416) 392-7564; Fax: (416) 392-1058, E-mail: [jcolafra@toronto.ca](mailto:jcolafra@toronto.ca)

### **SIGNATURE**

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Angie Antoniou  
Manager, Right of Way Management

### **ATTACHMENTS**

- Appendix 'A' - sketch
- Appendix 'B' - property data map
- Appendix 'C' - photo
- Appendix 'D' - applicant's landscape proposal
- Appendix 'E' - sketch showing existing licensed parking space

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