



**STAFF REPORT
ACTION REQUIRED**

103 Madison Avenue - Driveway Widening Appeal

Date:	April 16, 2007
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Trinity-Spadina - Ward 20
Reference Number:	Te07026te.row

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 103 Madison Avenue for driveway widening. We do not recommend approval of driveway widening at this location because it does not meet the requirements of the former City of Toronto Municipal Code. 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 driveway widening at 103 Madison Avenue; and
2. request that the owner remove the excess brick paving 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 103 Madison Avenue, a two storey residential property with five self-contained units and a mutual driveway, submitted an application for driveway

widening. The applicant was advised that the application does not meet the requirements of the former City of Toronto Municipal Code, including clearances from trees and setbacks from sidewalks. The applicant subsequently submitted an appeal requesting further consideration of this proposal.

The proposal for driveway widening is shown on Appendix 'A', the property data map is shown on Appendix 'B', digital photos of the property are shown on Appendix 'C'.

COMMENTS

Applicable regulations

At the time of application, driveway widening was governed by the criteria set out in the former City of Toronto Municipal Code Chapter 248, Parking Licences. The relevant provisions include:

- limit the size of the parking area to 2.6 m by 5.5 m in dimension;
- the parking space to be constructed perpendicular to the sidewalk;
- where the parking area cannot be constructed perpendicular to the sidewalk, the parking pad and entrance to the parking pad must be no closer than 2.0 m from the rear edge of the sidewalk;
- 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; and
- the requirements of the former City of Toronto Municipal Code Chapter 331, Trees, are complied with, a minimum clearance of 1.6 meters from the base of the tree.

Reasons for not approving

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

- the area paved exceeds the area required to facilitate a vehicle;
- the proposed parking space is parallel to the sidewalk;
- the required 2.0 m setback cannot be provided from the rear edge of the sidewalk;
- landscaped open space cannot be provided on private property; and
- the paved area for the parking pad does not provide the required clearance from the existing tree.

Other factors

Permit parking is authorized on the odd side of this portion of Madison Avenue, within permit parking area 5D. There is one on-street parking permit registered to this address.

Total no. of on-street parking spaces	992	Total permits issued as of April 16, 2007	849
On-street parking permits available	143	% of permit allocated	86%

On this portion of Madison Avenue, between Lowther Avenue and Bernard Avenue, there are three properties licensed for driveway widening and one property licensed for residential boulevard parking.

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

In accordance with the Downspout Disconnection Program, a review by Toronto Water has revealed that there is one downspout at the front of this property that is not feasible for disconnection due to no suitable drainage area.

Alternate recommendations

Should Community Council decide to grant the appeal for driveway widening at 103 Madison Avenue, it could recommend that:

1. the parking area not exceed 2.6 m by 5.5 m in dimension; 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

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SIGNATURE

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ATTACHMENTS

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

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