



**STAFF REPORT
ACTION REQUIRED**

**95 Tyndall Avenue – Driveway Widening Appeal for a
Second Vehicle**

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| Date: | August 16, 2007 |
| To: | Toronto and East York Community Council |
| From: | Manager, Right of Way Management, Transportation Services Toronto and East York District |
| Wards: | Parkdale-High Park - Ward 14 |
| Reference Number: | Te07054te.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 95 Tyndall Avenue for the parking of a second vehicle at this location. We do not recommend approval for the parking of a second vehicle 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 for a second vehicle at 95 Tyndall Avenue.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 95 Tynall Avenue, a multiple family detached home with a mutual driveway, submitted an application for driveway widening for the parking of a second vehicle at this location. The applicant was advised that the property was not eligible for

the parking of a second vehicle and that the former City of Toronto Municipal Code Chapter 248 regulations for driveway widening do not permit the licensing of more than one vehicle. The applicant subsequently submitted an appeal requesting further consideration of this proposal. This location is currently licensed for one vehicle.

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' and 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 number of vehicles that can be licensed to one;
- do not permit the licensing of a parking space on the mutual driveway; and
- 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.

Reasons for not approving

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

- the application is for the parking of a second vehicle;
- the proposed parking space will be situated partially on the mutual driveway; and
- the existing asphalt paving does not meet the City's paving requirements.

Other factors

Permit parking is authorized on the odd side of this portion of Tyndall Avenue, within permit parking area 2-. There are no on-street parking permits registered to this address.

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| Total no. of on-street parking permits | 5838 | Total permits issued as of August 14, 2007 | 4372 |
| On-street parking permits available | 1466 | % of permits allocated | 75% |

On this portion of Tyndall Avenue, between King Street West and Springhurst Boulevard, there is one property licensed for front yard parking, three properties licensed for driveway widening and one property licensed for residential boulevard parking. One of these properties is licensed for two vehicles.

There is no tree on 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.

In accordance with the requirements of the Downspout Disconnection Program, a review by Toronto Water has revealed that two downspouts at this property have been disconnected by the property owners.

Alternate recommendations

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

Should Community Council decide to grant the appeal for driveway widening for a second vehicle at 95 Tyndall Avenue, it could recommend that:

1. the owner enter into a written agreement with the next door neighbour of 93 Tyndall Avenue that they both agree that the mutual drive will be used for the purpose of the driveway widening parking. A condition of the licensing agreement with the City of Toronto, upon the sale of the property, is that the license for the second spot on the mutual driveway shall become null and void unless the new property owner produces a new written agreement with the owner of 93 Tyndall Avenue, a copy of which is to be provided to Transportation Services;
2. the parking area for the second parking space not exceed 2.4 m by 5.9 m in dimension;
3. the owner remove the existing asphalt paving and re-pave the parking area with semi-permeable paving materials;
4. the owner remove the excess paving and restore the area to soft landscaping;
5. the owner pay to re-locate one concrete bollard as indicated on Appendix 'A'; and
6. 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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