



STAFF REPORT ACTION REQUIRED

649 Merton Street – Driveway Widening Appeal

Date:	October 11, 2007
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	St. Paul’s – Ward 22
Reference Number:	Te07062te.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 649 Merton Street for angled driveway widening at this location. We do not recommend approval of angled 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 angled driveway widening at 649 Merton Street;
2. approve the driveway widening perpendicular to the sidewalk at 649 Merton Street, as per the provisions of the former City of Toronto Municipal Code Chapter 248, Parking Licences, as shown on Appendix ‘E’; and
3. request that the applicant disconnect the downspout at the front of the property in accordance with the requirements of the Downspout Disconnection Program.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 649 Merton Street, a two storey detached home with a mutual driveway, submitted an application for driveway widening for parking at this location. The applicant was advised that the property was eligible for driveway widening perpendicular to the sidewalk. However, the applicant advised that they would like the parking to be at an angle. The former City of Toronto Municipal Code requires that the proposed parking be situated perpendicular to the sidewalk, and only permits angled parking where the parking cannot be located perpendicular to the sidewalk by means of an obstruction, such as a City tree. The applicant subsequently submitted an appeal requesting further consideration of this proposal.

The proposal for driveway widening at an angle 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 alternate proposal for parking perpendicular to the sidewalk is shown on Appendix 'E'.

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:

- the parking space to be constructed perpendicular to the sidewalk; and
- 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.

Reasons for not approving

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

- the proposed parking space is angled to the sidewalk; and
- the proposed parking space can be accommodated perpendicular to the sidewalk.

Other factors

This property is not located within a permit parking area.

On this portion of Merton Street, between Cleveland Street and Bayview Avenue, there are two properties licensed for front yard parking and one property licensed for driveway widening.

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.

Should this application be approved, a partial tree security deposit for the tree fronting the adjacent property at 639 Merton Street is required by Urban Forestry.

In accordance with the requirements of the Downspout Disconnection Program, a review by Toronto Water has revealed that the two downspouts at the rear of this property are not feasible for disconnection due to no suitable drainage area and a downspout at the front of this property is feasible for disconnection into the front garden.

Alternate recommendations

While the property is not eligible for angled 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 and landscaping).

Should Community Council decide to grant the appeal for angled driveway widening at 649 Merton Street, it could recommend that:

1. the parking area not exceed 2.2 m by 4.8 m in dimension;
2. the parking area be paved using semi-permeable paving materials;
3. the applicant supply Urban Forestry a partial tree security deposit to ensure the tree at 639 Merton Street is protected;
4. the applicant disconnect the downspout at the front of the property in accordance with the requirements of the Downspout Disconnection Program;
5. the applicant provide the landscape features substantially in accordance with the plan as shown on Appendix 'D', to the satisfaction of the General Manager of Transportation Services; 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

Joe Colafranceschi, Supervisor, Right of Way Management
Telephone: 416-392-7564, Fax: 416-392-1058, E-mail: jcolafra@toronto.ca

SIGNATURE

Angie Antoniou
Manager, Right of Way Management

ATTACHMENTS

Appendix 'A' - sketch

Appendix 'B' - property data map

Appendix 'C' - photos

Appendix 'D' - applicant's landscape proposal

Appendix 'E' - sketch showing alternate parking proposal

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