



**STAFF REPORT
ACTION REQUIRED**

Driveway Widening Appeal – 27 Thurston Road

Date:	September 16, 2008
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:	Te08077te.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 27 Thurston Road for driveway widening. We do not recommend approval for 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 27 Thurston Road.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 27 Thurston Road a single family semi-detached home with a mutual driveway, submitted an application for driveway widening at this location. The applicant was advised that the Code does not permit the licensing of a vehicle partially on the mutual driveway. 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' and the applicant's landscape proposal is shown on Appendix 'D'.

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 provision includes:

- do not permit the licensing of a parking space on the mutual driveway.

Reason for not approving

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

- the proposed parking space will be situated partially on the mutual driveway.

Other factors

This property is not located within a permit parking area.

On this portion of Thurston Road, between Manor Road East and Belsize Drive, there are ten properties licensed for driveway widening and two properties licensed for front yard parking.

There is a 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 an additional tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that there are two downspouts at this property. One downspout has been disconnected by the homeowner and the other downspout is not feasible for disconnection due to no suitable drainage area.

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 and landscaping).

Should Community Council decide to grant the appeal for front yard parking at 27 Thurston Road, it could recommend that:

1. the parking area not exceed 2.6 m by 5.9 m in dimension;

2. the owner enter into a written agreement with the next door neighbour of 29 Thurston Road 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 either property, is that the license for the spot on the mutual driveway shall become null and void unless both property owners produce a new written agreement, a copy of which is to be provided to Transportation Services;
3. the applicant remove the excess paving and restore the area to soft landscaping;
4. 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
5. 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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Manager, Right of Way Management

ATTACHMENTS

Appendix 'A' - sketch
Appendix 'B' - property data map
Appendix 'C' - photos
Appendix 'D' - applicant's landscape proposal

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