



STAFF REPORT ACTION REQUIRED

Front Yard Parking Appeal – 59 Rosedale Heights Drive

Date:	June 4, 2008
To:	Toronto and East York Community Council
From:	Manager, Traffic Planning/Right of Way Management Transportation Services, Toronto and East York District
Wards:	Toronto Centre-Rosedale - Ward 27
Reference Number:	Te08043te.row

SUMMARY

This staff report is about a matter which Community Council has delegated authority from City Council to make a final decision.

An appeal has been submitted in connection with a recent Committee of Adjustment decision which made the issuance of a building permit for renovations to the house, in part, contingent upon the homeowner receiving approval to maintain a front yard parking pad on the pre-existing driveway. The applicants applied to convert the integral garage into habitable space in order to accommodate a family member with disabilities. Since the building permit is currently held up pending resolution of the parking, there is some urgency to deal with this matter.

In this instance, the property meets or exceeds all the physical criteria for front yard parking set out in Municipal Code Chapter 918. As well, it further qualifies in that there is no alternative for parking on site and permit parking is not available or permitted on this street. The City of Toronto Municipal Code Chapter 918 also speaks to the issue of legal garage conversions to habitable space and does allow for applications for front yard parking in these cases. Due to the unique requirements for the accommodation, the fact that the property complies with all the criteria and the proposed parking area is situated within a pre-existing driveway, Transportation Services recommends approval for a front yard parking space at this location.

RECOMMENDATIONS

Transportation Services recommends that Toronto and East York Community Council:

1. approve the appeal for front yard parking on the pre-existing driveway at 59 Rosedale Heights Drive;
2. require the applicant to remove the existing asphalt paving, restore the grade of the driveway as per their submitted proposal, and re-pave the parking area and driveway with semi-permeable paving materials;
3. require the parking area not exceed 3.66 m x 5.9 m in dimension;
4. require the applicant to install and maintain the landscape features substantially in accordance with the plan as shown on Appendix 'D', to the satisfaction of the General Manager of Transportation Services;
5. waive the requirement to conduct a poll; and
6. require the applicant to pay all applicable fees and comply with all other criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards.

Financial Impact

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

ISSUE BACKGROUND

The property owner of 59 Rosedale Heights Drive, a single family home, has recently been granted variances by the Committee of Adjustment related to renovations to the house and modifications to accommodate a disabled resident. Among the changes, the existing single car garage is being converted to habitable space. The Committee granted the variances contingent on a front yard parking space being licensed by Transportation Services.

However, since the property is in a Ward where staff cannot accept an application for front yard parking, the matter must be resolved by way of an appeal to Community Council. Such appeals can only be accepted in cases where the property otherwise meets all of the physical criteria set out in Municipal Code Chapter 918, Parking in Residential Front Yards and Boulevards, and there is no other alternative for parking. The proposed parking pad would be situated within the existing driveway.

COMMENTS

Applicable regulations

Front yard parking is governed by the criteria set out in the City of Toronto Municipal Code Chapter 918. The property meets all the physical criteria of the by-law and the driveway has been in existence since the building of the house circa 1927. The relevant provisions include:

§ 918-8H - The owner of a residential property with an existing driveway leading to an integral garage, which has been eliminated in accordance with the provisions of the applicable City of Toronto Zoning By law, may make an application to the General Manager for a front yard parking licence to allow parking only on the existing driveway, as modified, to comply with the provisions of this Chapter.

While the above noted provision applies to this appeal, staff were unable to accept an application as it is in a Ward where applications cannot be accepted.

Other factors

This property is not located within a permit parking area.

On this portion of Rosedale Heights Drive, between Sighthill Avenue and MacLennan Avenue, there are no properties licensed for front yard parking.

There are two trees in the front yard at this location. A review of this application by Urban Forestry has determined that it would not be feasible to plant an additional tree at this location. Urban Forestry has no objections to the proposed work, subject to a security deposit and tree protection agreement.

The proposal for front yard parking 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'.

CONTACT

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SIGNATURE

Angie Antoniou, Manager
Traffic Planning/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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