



# STAFF REPORT ACTION REQUIRED

## Front Yard Parking Appeal – 142 Bingham Avenue

<b>Date:</b>	January 20, 2012
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Manager, Right of Way Management, Transportation Services Toronto and East York District
<b>Wards:</b>	Beaches-East York – Ward 32
<b>Reference Number:</b>	Te2012007te.row

### SUMMARY

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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 142 Bingham Avenue for front yard parking. We do not recommend approval for front yard parking at this location because it does not meet the requirements of the City of Toronto Municipal Code Chapter 918. The owner will be given an opportunity to make a deputation before Community Council.

### RECOMMENDATIONS

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**Transportation Services recommends that Toronto and East York Community Council:**

1. deny the request for front yard parking at 142 Bingham Avenue.

#### **Financial Impact**

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

#### **ISSUE BACKGROUND**

The property owner of 142 Bingham Avenue, a single family detached home with a mutual driveway, submitted an application for front yard parking at this location. The applicant was advised that the property was not eligible for front yard parking because the regulations of the City of Toronto Municipal Code Chapter 918 do not permit front yard parking when on street permit parking is authorized on the same side of the street.

The applicant subsequently submitted an appeal requesting further consideration of this proposal.

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'.

## COMMENTS

### Applicable regulations

Front yard parking is governed by the criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards. The relevant provisions include:

- prohibit front yard parking where permit parking is authorized on the same side of the street.

### Reasons for not approving

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

- permit parking is permitted on the same side of the street on an alternating basis.

A poll was conducted in accordance with the City of Toronto Municipal Code Chapter 918-14. The area polled comprised both sides of Bingham Avenue from 114 to 174 on the even side and from 111 to 177 on the odd side. The deadline for receiving the ballots was December 28, 2011.

Total owners/tenants/residents polled	113	-----
Returned by post office	1	-----
Total eligible voters (total polled minus returned by post office)	112	100%
No reply	40	36%
<b>Total ballots received (response rate)</b>	<b>72</b>	<b>64%</b>
In favour of parking (of ballots received)	57	79%
Opposed to parking (of ballots received)	12	17%
Spoiled ballots	3	4%

The Code states that a poll will be considered valid when at least 25% of the ballots mailed out have been returned. This poll did meet the minimum response rate and therefore is valid. The result of the poll is in favour of this application as the majority of the ballots returned were in favour of this application.

## Other factors

Permit parking on Bingham Avenue is authorized on an alternate side basis, within permit parking area 9C. There is one on street parking permit registered to this address.

Total number of parking permits in area 9C	4292	Total permits issued as of May 31, 2012	3799
Permits available	493	% of permits allocated	89%

Total number of permit parking spaces on Bingham Avenue, between Woodale Avenue and Kingston Road	15	Total permits issued to residents as of May 31, 2012	30
Permits available	0	% of permits allocated	200%

Ramping is not required as there is an existing ramp to service the proposed parking, therefore, on street permit parking is not affected.

On this portion of Bingham Avenue, between Woodale Avenue and Kingston Road, there are four properties licensed for front yard parking.

There is no tree in the front yard at this location. A review of this application by Urban Forestry has determined that it would be feasible to plant a tree at this location.

In accordance with the requirements, a review by Toronto Water has revealed that three downspouts at this property have been disconnected by the property owner.

## Alternate recommendations

While the property is not eligible for front yard parking because it does not meet the above noted requirement of the Municipal Code, the property does 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 142 Bingham Avenue, it could recommend that:

1. the parking area be a minimum 2.2 m in width and not exceed 2.6 m in width and 5.3 m in dimension;
2. the applicant provide the landscape features substantially in accordance with the plan as indicated in Appendix 'D', attached to the report dated January 20, 2012, from the Manager, Right of Way Management, Transportation Services, Toronto and East York District, to the satisfaction of the General Manager of Transportation Services;
3. the applicant plant a tree in accordance with the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and

- Boulevards. The tree shall be a full shade canopy tree or approved equivalent, to the satisfaction of the General Manager of Parks, Forestry and Recreation; and
4. the applicant 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.

## **CONTACT**

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## **SIGNATURE**

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Kyp Perikleous  
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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