



Staff Report for Council Meeting

Date of Meeting: April 13, 2022

Report Number: SRCS.22.05

Department: Community Services
Division: Community Standards

Subject: **SRCS.22.05 Parking By-law Amendment to Clarify the Framework for Parking Enforcement on Provincial Lands**

Purpose:

To amend the Parking Regulation By-law No. 402-89 (Municipal Code Chapter 1116) to clarify the framework for parking enforcement on provincially-owned lands.

Recommendations:

- a) That Staff Report SRCS.22.05 be received.
- b) That By-law No. 18-22 (Attachment 1 to Staff Report SRCS.22.05) be enacted to amend the Parking Regulation By-law No. 402-89 (Municipal Code Chapter 1116).
- c) That By-law No. 44-22 (Attachment 2 to Staff Report SRCS.22.05) be enacted to amend Schedule 'A' of the Administrative Penalties By-law No. 69.16.

Contact Person:

Don Guy, Manager of By-law Education and Enforcement

Report Approval:

Submitted by: Tracey Steele, Acting Commissioner of Community Services

Approved by: Darlene Joslin, Interim City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

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Background:

On January 6, 2022 the City received a request to provide parking enforcement for a pay parking system on the provincially-owned lands at 8640-8642 Yonge Street. These lands are currently used as a public parking lot associated with the Voice of the Vedas, Vishnu Mandir Temple which is located on adjacent lands to the north.

The Municipal Act provides municipalities with general authority to regulate parking on lands owned or operated by the City (Section 11), and specific authority to regulate or prohibit the leaving of motor vehicles on lands not owned or occupied by the municipality (Section 100). The Richmond Hill Parking Regulation By-law No. 402-89, as amended (the “Parking By-law”, Municipal Code Chapter 1116) recognizes the two Municipal Act authorities by establishing different regulatory frameworks for “highways and municipal property” and “private property.” Unfortunately, this existing terminology lacks clarity with respect to the applicability of parking regulations to lands owned by other public agencies (for example, provincially-owned lands), which do not clearly fall into the category of “private property”.

The proposed Parking By-law amendment No. 18-22 (Attachment 1) will clarify that the existing “private property” parking regulations in the Parking By-law apply to all non-municipal lands (i.e., any lands not owned or occupied by the City) including lands owned by other public agencies such as the province or the Toronto and Region Conservation Authority. The proposed Administrative Penalties By-law amendment No. 44-22 (Attachment 2) will amend the offence wordings to ensure they are consistent with the Parking By-law amendment.

Financial/Staffing/Other Implications:

The fine revenue generated from parking enforcement on non-municipal lands will be allocated to the City in the same way that fine revenue from private property parking enforcement is collected by the City.

In the case of 8640 Yonge Street, which has 240 parking spaces this could amount to \$10,000 - \$25,000 in parking fine and Administrative Monetary Penalty System fee revenue per year depending on levels of enforcement and compliance. Note that the level of enforcement is at the discretion of the property owner.

Relationship to Council’s Strategic Priorities 2020-2022:

Provision of various parking options is consistent with the Strategic Priority of “Getting Around”.

Climate Change Considerations:

Pay parking provides an economic incentive to choose other transportation options such as public transit or carpooling thereby reducing use of single occupancy vehicles and fossil fuels.

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Conclusion:

The proposed Parking By-law amendment will clarify the applicability of the City's private property parking regulations to lands owned by other public agencies and provide for enforcement of a proposed new pay parking system at 8640 Yonge Street with the resulting fine revenue collected by the City.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Attachment 1 – By-law No. 18-22 – Amendment to the Parking Regulation By-law No. 402-89 (Municipal Code Chapter 1116)
- Attachment 2 – By-law No. 44-22 – Amendment to Schedule “A” of the Administrative Penalty By-law No. 69-16

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Report Approval Details

Document Title:	SRCS.22.05 Parking By-law Amendment to Facilitate Enforcement on Provincial Lands.docx
Attachments:	- By-law No 18-22 Parking By-law Amendment .docx - By-law No 44-22 AMPS Amendment - Nonmunicipal Land 2022.docx
Final Approval Date:	Mar 25, 2022

This report and all of its attachments were approved and signed as outlined below:

Tracey Steele - Mar 24, 2022 - 9:35 AM

Tracey Steele - Mar 24, 2022 - 9:35 AM

Darlene Joslin - Mar 25, 2022 - 7:46 AM