

CITY OF TORONTO

BY-LAW 535-2020

To amend City of Toronto Municipal Code Chapter 441, Fees and Charges, Chapter 610, Penalties, Administration of, Chapter 925, Permit Parking, and Chapter 950, Traffic and Parking, to make the Free-Floating Car-Share Pilot a permanent program.

The Council of the City of Toronto enacts:

1. City of Toronto Municipal Code Chapter 441, Fees and Charges, is amended by adding the following in numerical order to Appendix C – Schedule 2, Transportation Services:

Ref. No.	I Service	II Fee Description	III Category	IV Fee Basis	V Fee	VI Annual Adj.
119.6	Parking Permits	Free-Floating Car-Share Permit	City Policy	Per car-share vehicle	\$1,565.90	Yes
119.7	Parking Permits	Free-Floating Car-Share Permit - Re-issuance Fee	City Policy	Per permit	\$34.13	Yes

2. City of Toronto Municipal Code Chapter 610, Penalties, Administration of, is amended by:

- A. inserting the following in numerical order in Schedule A, Table 9: Chapter 925, Permit Parking:

(In Column 1 Designated Part of Chapter)	(In Column 2 Short Form Wording)	(In Column 3 Penalty Amount)
§ 925-5.1(6)(a)	Park - Free-Floating Car-Share Vehicle in Free-Floating Car-Share Waitlisted Area	\$30.00
§ 925-5.1(6)(a)	Park - Free-Floating Car-Share Vehicle on Free-Floating Car-Share Waitlisted Street	\$30.00

(In Column 1 Designated Part of Chapter)	(In Column 2 Short Form Wording)	(In Column 3 Penalty Amount)
§ 925-5.1(6)(b)	Park – Free-Floating Car-Share Vehicle Longer than 72 Hours	\$30.00
§ 925-5.1(6)(c)	Park - Fail to Properly Display Free-Floating Car-Share Parking Permit	\$30.00

- B. deleting the following in numerical order from Schedule A, Table 10:
Chapter 950, Traffic and Parking:

(From Column 1 Designated Part of Chapter)	(From Column 2 Short Form Wording)	(From Column 3 Penalty Amount)
§ 950-400H	(Park/Stand) Unauthorized Vehicle in Car-Share Vehicle Parking Area	\$60.00
§ 950-400H	(Park/Stand) Car-Share Vehicle - Parking Permit not properly affixed	\$60.00

- C. inserting the following in numerical order in Schedule A, Table 10: Chapter 950,
Traffic and Parking:

(In Column 1 Designated Part of Chapter)	(In Column 2 Short Form Wording)	(In Column 3 Penalty Amount)
§ 950-400H	Stand Unauthorized Vehicle in Car-Share Vehicle Parking Area	\$60.00
§ 950-400H	Stand Car-Share Vehicle - Parking Permit not properly affixed	\$60.00

3. City of Toronto Municipal Code Chapter 925, Permit Parking, is amended by:

- A. deleting the definition of "Free-Floating Car-Share Parking Permit" from
§ 925-1B and inserting in alphabetical order the following new definitions in
§ 925-1B:

"CAR-SHARING - A shared use vehicle program offering short-term rental
service of motor vehicles owned by a car-share organization/company to
individuals or businesses who are members.

CAR-SHARE ORGANIZATION/COMPANY - An organization or company that provides pre-approved members with access to a car-share vehicle which is parked for convenient access at geographically distributed locations throughout the City for the payment of a fee that includes the cost of fuel, maintenance and insurance.

CAR-SHARE VEHICLE - A shared use vehicle bearing an up-to-date licence plate validation sticker and belonging to a car-share organization/company, identified with the organization/company's business logo on the body of the vehicle and provided for short-term rental by members of the car-share organization/company.

FREE-FLOATING CAR-SHARE PARKING PERMIT - A permit issued by the General Manager under this chapter authorizing parking of a particular car-share vehicle in locations designated for permit parking under this chapter, excluding residential permit parking locations that are in a free-floating car-share waitlisted area or on a free-floating car-share waitlisted street or streets that have been otherwise excluded from parking by free-floating car-share permit holders under Schedule C to this chapter.

FREE-FLOATING CAR-SHARE WAITLISTED AREA - an area where residential parking permit issuance has reached 100 percent capacity at the start of the applicable permit parking period for residential permit parking permits, that being either June 1st or December 1st.

FREE-FLOATING CAR-SHARE WAITLISTED STREET - a street where residential parking permit issuance has reached 100 percent capacity at the start of the applicable permit parking period for residential permit parking permits, that being either June 1st or December 1st."

B. deleting from § 925-5N(1.1) the phrase: "is not at or above 100 percent capacity" and inserting the phrase: "is not a free-floating car-share waitlisted area or a free-floating car-share waitlisted street".

C. inserting a new §925-5.1 as follows:

"§ 925-5.1. Free-floating car-share parking permits.

(1) Applications.

(a) a car-share organization/company may submit an application to the General Manager for one or more free-floating car-share parking permits in accordance with this section;

(b) no more than 500 car-share vehicles per application is permitted;

- (c) despite § 925-5B, applications for free-floating car-share parking permits by a car-share organization/company for car-share vehicles shall contain the following:
 - (i) Name, address and telephone number of the car-share organization/company; and
 - (ii) A list of the valid license plate numbers and up-to-date Ontario validation sticker information for each car-share vehicle which is the subject of the application; and
- (d) despite § 925-4D(1), applications for free-floating car-share parking permits shall only be accepted where all of the car-share vehicles that are the subject of the application are passenger motor vehicles which each have a registered gross weight of no more than 3,000 kilograms.

(2) Term and Maximum Number of Permits:

- (a) all free-floating car-share parking permits issued in accordance with § 925-5.1 shall be valid for a term of no more than 12 months;
- (b) a free-floating car-share parking permit may be issued only to a car-share organization/company and only for one car-share vehicle where the requirements of § 925-5.1(1) are complied with. Where an application under § 925-5.1(1) was submitted for more than one car-share vehicle, each car-share vehicle that was the subject of the application may be issued a free-floating car-share parking permit where the requirements of § 925-5.1(1) are complied with;
- (c) a free-floating car-share parking permit, when issued, is only valid for the particular car-share vehicle identified on the free-floating car-share parking permit;
- (d) a free-floating car-share parking permit is non-transferrable;
- (e) the total number of free-floating car-share parking permits issued by the General Manager under this chapter per car-share organization/company shall not exceed 500 free-floating car-share parking permits for any given time;
- (f) the total number of free-floating car-share parking permits issued by the General Manager under this chapter shall not exceed 2,000 for any given time;
- (g) free-floating car-share parking permits may only be issued to a car-share organization/company for the term described in § 925-5.1(2)(a) where the car-share organization/company has paid

their parking fines and penalties prior to the issuance of the free-floating car-share permit; and

- (h) Sections 925-5E, F, G, H, I, J, K, M, and M.1 do not apply to free-floating car-share parking permits.

(3) Termination:

- (a) despite § 925-5.1(2)(a), the General Manager may terminate any free-floating car-share parking permit at any time if the permit holder fails to comply or ensure compliance with any of the conditions under § 925-5.1(6); and
- (b) despite § 925-5.1(2)(a), in addition to § 925-5.1(3)(a), the General Manager may terminate any free-floating car-share permit for any reason at any time.

(4) Fees:

- (a) the car-share organization/company, upon the approval of a free-floating car-share parking permit application, shall pay to the City of Toronto the Free-Floating Car-Share Permit fee as set out in Chapter 441, Fees and Charges;
- (b) the Free-Floating Car-Share Permit fee is non-refundable unless the permit associated with the fee is terminated under § 925-5.1(3)(b); and
- (c) the fee for a re-issuance of a lost or damaged free-floating car-share parking permit or when there is a change of vehicle and/or licence plate, shall be the fee as set out in Chapter 441, Fees and Charges, for Free-Floating Car-Share Permit - Re-issuance Fee.

(5) Refunds:

- (a) in the event that the General Manager terminates a free-floating car-share parking permit under § 925-5.1(3)(b), the General Manager may issue a refund of a pro-rated portion of the free-floating car-share parking permit fee to the permit holder for any unused days remaining in the free-floating car-share parking permit term, with the number of unused days being calculated as the number of days from and including the date the free-floating car-share parking permit was terminated under § 925-5.1(3)(b) to the end of the permit term; and

(b) the General Manager shall not refund the free-floating car-share parking permit fee for a free-floating car-share permit revoked or cancelled under § 925-5.1(3)(a).

(6) Conditions of permit:

(a) despite § 925-5N(3) and despite having a free-floating car-share parking permit, no person shall park a car-share vehicle for which a free-floating car-share parking permit has been issued continuously in any one place for a period exceeding 72 consecutive hours;

(b) despite § 925-5N(4), whenever a car-share vehicle for which a free-floating car-share parking permit has been issued is parked in accordance with the conditions in this § 925-5.1(6), the free-floating car-share parking permit shall be clearly displayed in the lower inside of the windshield on the driver's side of the car-share vehicle; and

(c) Clustering:

[1] For the purposes of this § 925-5.1(6), "Clustering" will be defined as more than two car-share vehicles from the same car-share organization/company being parked on the same City street block for any length of time; and a "street block" is defined as that physical portion of the road between two consecutive intersections.

[2] No car-share vehicle shall be parked so as to cause clustering on a City street block. For clarity, no more than two car-share vehicles from the same car-share organization/company are allowed to park on a street block.

[3] Where a car-share organization/company becomes aware of its car-share vehicles clustering, the car-share organization/company shall move its car-share vehicle(s) within two hours to location(s) which do not result in clustering and shall ensure its car-share vehicles are moved and parked in accordance with all applicable parking regulations.

[4] Where a car-share organization/company becomes aware of its vehicles clustering, the car-share organization/company shall move its car-share vehicle(s) in accordance with Subsection (c)[3] or within two hours of receipt of notification from the City or a resident.

(d) Data requirements:

- [1] Any car-share organization/company to which a free-floating car-share parking permit has been issued shall provide the General Manager, within 30 days after issuance of their free-floating car-share parking permit and every three months thereafter for the term of any free-floating car-share parking permit issued to the car-share organization/company, the following information to the satisfaction of the General Manager:
- [a] geographical distributions of membership of the car-share organization/company, including the number of members for the car-share organization/company who reside/are located in each City ward and each permit parking area as defined in this chapter;
 - [b] total number of car-share members registered in the City for the car-share organization/company;
 - [c] number of car-share vehicles in the fleet for the car-share organization/company in the City;
 - [d] fleet usage data for the car-share vehicles in the fleet for the car-share organization/company in the City, including the percentage of time car-share vehicles were used by members or customers during the preceding three months;
 - [e] the date, time, and location of the start and end of all car-share vehicle trips for each car-share vehicle of the car-share organization/company in the City for the preceding three months, as well as the vehicle kilometres travelled (VKT) for each car-share vehicle trip for each car-share vehicle of the car-share organization/company in the City for the preceding three months;
 - [f] average number of unique users for each car-share vehicle of the car-share organization/company in the City for each of the preceding three months (i.e. user frequency); and
 - [g] log of all complaints received by the car-share organization/company regarding car-share vehicle parking locations in the City for the preceding three months, including:

- a. The time and date each complaint was received by the car-share organization/company;
- b. The time and date the car-share organization/company dispatched staff to address the complaint;
- c. The time and date the car-share vehicle of the car-share organization/company was moved from the location of the complaint; and
- d. The location of the parked car-share vehicle which is the cause of each complaint.

[2] Any car-share organization/company to which a free-floating car-share parking permit has been issued shall conduct a member survey about travel behavior, vehicle ownership, and car-sharing use within 30 days after issuance of their free-floating car-share permit and within 30 days after the end of the permit term. The survey questions shall be approved by the City prior to being released to the members of its car-share company, and the General Manager shall be provided with the results of the survey within 30 days of the survey being conducted by the car-share company.

[3] The General Manager will provide data collected from free-floating car-share companies on the City of Toronto Open Data Portal within 30 days of receiving it."

D. amending each of § 925-6B and § 925-6C by deleting the word "or" where it appears between "925-5N(5)(a)" and "925-5N(5)(b)" and by inserting the following after "925-5N(5)(b)": "925-5.1(6)(a), 925-5.1(6)(b) or 925-5.1(6)(c)," and, further, by amending § 925-6C by inserting a comma before "925-5N(5)(b)".

4. City of Toronto Municipal Code Chapter 950, Traffic and Parking, is amended by:

A. deleting the definition of "Free-Floating Car-Share Parking Permit" from § 950-101B and inserting the following new definitions in alphabetical order in § 950-101B:

"FREE-FLOATING CAR-SHARE PARKING PERMIT - A permit issued by the General Manager pursuant to Chapter 925, Permit Parking, authorizing parking of a particular car-share vehicle in locations designated for permit parking under Chapter 925, excluding residential permit parking locations that are in a free-floating car-share waitlisted area or on a free-floating car-share waitlisted

street or streets that have been otherwise excluded from parking by free-floating car-share permit holders under Schedule C to Chapter 925.

FREE-FLOATING CAR-SHARE WAITLISTED AREA - an area where residential parking permit issuance has reached 100% capacity at the start of the applicable permit parking period for residential permit parking permits, that being either June 1st or December 1st.

FREE-FLOATING CAR-SHARE WAITLISTED STREET - a street where residential parking permit issuance has reached 100% capacity at the start of the applicable permit parking period for residential permit parking permits, that being either June 1st or December 1st."

- B. deleting § 950-400D(5)(b) and replacing it with the following new § 950-400D(5)(b):
- "(b) Subsection D(5) does not apply to a car-share vehicle with a valid free-floating car-share parking permit parked in a location designated for permit parking under Chapter 925, Permit Parking, which is not in a free-floating car-share waitlisted area or on a free-floating car-share waitlisted street and/or which has not been otherwise excluded from parking by free-floating car-share permit holders under Schedule C of Chapter 925, Permit Parking."
- C. deleting the phrase "park or" from § 950-400H.
- D. deleting § 950-510C.
5. Sections 1, 2A, 3, 4A, 4B, and 4D of this by-law shall be effective as of July 1, 2020.

Enacted and passed on June 30, 2020.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)