



STAFF REPORT ACTION REQUIRED

Long Term On-Street Parking Exclusion Area - Scarborough District

Date:	May 22, 2009
To:	Scarborough Community Council
From:	Acting Director, Transportation Services, Scarborough District
Wards:	All Wards
Reference Number:	P:\2009\Cluster B\TRA\Scarborough\sc09048 D08-3067198 Long Term On-Street Parking

SUMMARY

This staff report is about a matter for which the Community Council does not have delegated authority from City Council to make a final decision.

This report responds to a request from Scarborough Community Council to report back on a potential implementation strategy originally for long term parking in the southwest portion of Ward 36 only, while adding the rest of the Scarborough District into the Exclusion Area as defined by Toronto Municipal Code Chapter 925.

RECOMMENDATIONS

Transportation Services, Scarborough District, recommends that Scarborough Community Council recommend that City Council:

1. Amend Toronto Municipal Code Chapter 925 to amend the definition of Exclusion Area to include all of the Scarborough Community Council Area, save and except the following streets/areas:
 - a. In Ward 35, the area bounded by Victoria Park Avenue, Danforth Avenue, Warden Avenue, and the Canadian National Railway (Kingston Subdivision), excluding these boundary streets themselves;
 - b. In Ward 36, the area bounded by Victoria Park Avenue, Gerrard Street East, Blantyre Avenue, Kingston Road, Fallingbrook Road, and Queen Street East, excluding all of these boundary streets except Fallingbrook Road;

- c. In Ward 36, all of Haig Avenue south of Kingston Road;
 - d. In Ward 36, all of Warden Avenue south of Kingston Road; and
 - e. In Ward 36, Queensbury Avenue from Kingston Road to 300 metres north of Kingston Road.
2. Authorise the appropriate city officials to amend Toronto Municipal Code Chapter 925 accordingly, including any necessary technical and stylistic changes.
 3. Grand-parent any existing long-term permissive parking regulations in the Scarborough Community Council Area in excess of three hours, notwithstanding Recommendations 1 and 2.
 4. Harmonise the 1976 Borough of Scarborough Long-Term On-Street Parking Policy for free permissive parking so that it follows the same technical approval process as prescribed in Toronto Municipal Code Chapter 925 for Permit Parking.

Financial Impact

There are no financial implications associated with this report at this time.

ISSUE BACKGROUND

In 1976, the Borough of Scarborough Council adopted the following Policy for free permissive long term on-street parking:

“Recommendation: That the following policy be applied to future requests for on-street parking.

1. Requests for long term on-street parking (up to 12 hours) be submitted in the form of a petition signed by a majority of the property owners.
2. Long term parking will only be considered on streets where off-street parking is non-existent [sic.] or deficient, based on the number of driveways versus the number of homes and in accordance with zoning requirements for parking.
3. Long term parking periods will only apply to one side of the street only. Parking will be prohibited on the opposite side of the street.”

In 2006, City Council enacted Toronto Municipal Code Chapter 925 – Permit Parking, a new long term on-street paid permit parking regulation which covers the entire City of Toronto, including the Scarborough District. However, even though such parking is not banned in the Scarborough District through the defined Exclusion Area, there currently are no such permit parking areas established in the District. During the process for enacting the Code, Scarborough Community Council and the former Works Committee resolved not to consider on-street permit parking for the Scarborough District, subject to a one-year status review in 2007.

In 2007, City Council enacted Toronto Municipal Code Chapter 27, which gives Community Council's delegated authority to consider permit parking along single-family residential streets that meet the technical requirements of Toronto Municipal Code Chapter 925, subject to formal polling. This delegation does not extend to streets that have TTC routes.

In 2007, Scarborough Community Council refused to allow permit parking along Linton Avenue under delegated authority.

In 2007, Scarborough Community Council confirmed its resolution not to consider on-street permit parking by receiving the one-year the status review for information.

In 2008, Scarborough Community Council requested the Director, Transportation Services - Scarborough District, to submit a report to the Scarborough Community Council on a potential implementation strategy for an on-street Permit Parking Area in Ward 36 for the area bounded by Victoria Park Avenue, the Canadian National Railway (Kingston Subdivision), Birchmount Road and Lake Ontario, while adding the remainder of the Scarborough District into the Exclusion Area as defined by Toronto Municipal Code Chapter 925.

Under Toronto Municipal Code Chapter 27, this matter is not delegated to Scarborough Community Council since it involves an amendment to Toronto Municipal Code Chapter 925 itself, and numerous TTC Bus Routes run along many Scarborough streets.

COMMENTS

Since 1976, free long-term on-street parking in the Scarborough area was approved along several streets in the current Wards 35, 36 and 37 using the Policy (please note that no paid permit parking policy for Scarborough had ever been approved). However, Recommendation 2 in the 1976 Policy does not specifically define the rules for applying the policy, only "basing" the decision on the number of driveways, the number of homes, and the zoning requirements for off-street parking. As a result, several streets that might not have required on-street long term parking had it approved by Scarborough Council.

Toronto Municipal Code Chapter 925 has similar rules for reviewing paid long-term on-street permit parking issues but the rules are more stringent. For example, a petition would be followed by a formal poll, and the sufficiency of off-street parking is more tightly defined to specifically relate to providing relief for single-family homes that do not meet the prevailing zoning requirement of one parking space per unit for each single-family home.

Should a street not meet the technical requirements, it would not be eligible for long-term off-street parking; Scarborough Community Council cannot over-rule such a stipulation since Community Council's delegated authority under Toronto Municipal Code Chapter 27 only pertains to streets that meet the technical requirements in the first place.

Existing Long-Term Parking

The following is a list of the current streets that have on-street long-term parking and whether they currently need it or not. Where “Not Needed” is indicated, this means that the streets would not pass the technical requirements of Toronto Municipal Code Chapter 925, typically for having sufficient off-street parking or for not serving single-family homes. However, there would still be several streets in Wards 35 and 36 that would still meet the tests for on-street long-term parking since they have single-family homes that were developed prior to the 1930’s, prior to vehicle ownership becoming prevalent:

Ward 35 – Parking Not Needed

Cataraqui Court – no single-family homes that do not have off-street parking - the parking is for townhouses with off-street parking.

Leyton Avenue - no single-family homes that do not have off-street parking - the parking is for townhouses with off-street parking.

Patterson Avenue – no single-family homes that do not have off-street parking - the parking is for townhouses with off-street parking.

Robinson Avenue – no single-family homes that do not have off-street parking - the parking appears to be for a neighbouring commercial use.

Ward 35 – Parking Needed

Emmott Avenue – the parking is for single-family homes with no off-street parking.

Kenworthy Avenue – the parking is for single-family homes with no off-street parking.

Elward Boulevard – the parking is for single-family homes with no off-street parking.

Byng Avenue – the parking is for single-family homes with no off-street parking.

Ward 36 – Parking Not Needed

North end Half of Queensbury Avenue – no single-family homes that do not have off-street parking - the parking is for single-family homes with off-street parking.

Queen Street East – no single-family homes that do not have off-street parking - the parking is for multi-family apartment blocks.

Kalmar Avenue – no single-family homes that do not have off-street parking - the parking is for single-family homes with off-street parking.

North end of Eastwood Avenue – no single-family homes that do not have off-street parking - the parking is for single-family homes with off-street parking.

Harding Boulevard – no single-family homes that do not have off-street parking - the parking is for single-family homes with off-street parking.

Ward 36 – Parking Needed

South end of Queensbury Avenue – several homes have no off-street parking.

Haig Avenue – several homes have no off-street parking.

Winston Avenue – several homes have no off-street parking.

Beachdale Avenue – several homes have no off-street parking.

Meadow Avenue – several homes have no off-street parking.

Ward 37 – Parking Not Needed

Clifford Court – no single-family homes that do not have off-street parking - several twelve-hour parking spaces are located along the island in the middle of the court – in 1979 staff did not recommend this parking but Borough Council approved it.

Potential Long-Term Parking

Most of the Scarborough area would never meet the technical requirements for long-term off-street parking in Toronto Municipal Code Chapter 925 since it was developed after the 1920's, when car ownership began to be prevalent for home owners and off-street parking was provided by the original developers.

However, there would still be several streets in Ward 36 which have the potential for on-street long-term parking since they were developed prior to the 1930's. These streets would still need to meet the requirements of Toronto Municipal Code Chapter 925 in order to have such parking:

Blantyre Avenue south of Kingston Road – there is potential for off-street long-term parking due to a potential lack of off-street parking.

Courcelette Road - there is a potential for off-street long-term parking due to a potential lack of off-street parking.

Fallingbrook Road - there is a potential for off-street long-term parking due to a potential lack of off-street parking.

Linton Avenue – notwithstanding staff and Scarborough Community Council recommendations against such parking, there is still some community desire for it as some homes have off-street parking issues.

Northview Avenue – several homes have no off-street parking and there is some community desire for it.

Warden Avenue south of Kingston Road - there is a potential for off-street long-term parking due to a potential lack of off-street parking.

Proposed Exclusion and Inclusion Areas

Based on the above considerations, staff propose that Scarborough Community Council formalise the area where long-term off-street parking is not considered, to avoid the expense of unnecessary petitions. Therefore, the following area should be identified to be included in the definition of the Exclusion Area in Toronto Municipal Code Chapter 925:

All of the Scarborough Community Council Area (see Attachment 2), save and except the following streets/areas (see Attachment 3):

- In Ward 35, the area bounded by Victoria Park Avenue, Danforth Avenue, Warden Avenue, and the Canadian National Railway (Kingston Subdivision);
- In Ward 36, the area bounded by Victoria Park Avenue, Gerrard Street East, Blantyre Avenue, Kingston Road, Fallingbrook Road, and Queen Street East;
- In Ward 36, all of Haig Avenue south of Kingston Road;
- In Ward 36, all of Warden Avenue south of Kingston Road; and
- In Ward 36, Queensbury Avenue from Kingston Road to 300 metres north of Kingston Road.

This definition of the Exclusion Area would be consistent with the technical requirements of Toronto Municipal Code Chapter 925.

Staff can then draft the necessary Municipal Code amendments for City Council to enact.

It should be noted that there will still be some streets in the proposed inclusion areas that would never meet the technical requirements of Toronto Municipal Code Chapter 925. These can be vetted out when specific requests are received, as is currently the case.

Grand-parenting of Existing Long-Term Parking Streets

Notwithstanding the above proposal, any existing long-term free permissive parking regulations in the Scarborough Community Council Area in excess of three hours should be grand-parented (see Attachment 1). Those regulations reflected the political will of the community at the time and continue to do so.

Harmonisation of Long-Term Parking Process with Permit-Parking Process

Due to the need to consider long-term parking holistically (whether it is free permissive or paid permit) and to the inherent ambiguity in the 1976 Long-Term Parking Policy, it is recommended that the process for considering free permissive long term parking be the same as that for permit parking under Toronto Municipal Code Chapter 925. As a result, the processes will be the same for both types of long-term parking; only the final implementation will be different.

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ATTACHMENTS

1. Appendix 1 – Existing 12-Hour Parking Areas
2. Appendix 2 – Proposed Exclusion Area
3. Appendix 3 – Proposed Inclusion Areas