

Date: June 17, 2016

To: The Chair and Members of the Public Works and Infrastructure Committee

From: Councillor Christin Carmichael Greb

Subject: Amendment to PW14.11 Basketball and Hockey Nets on the Public Right of Way

ISSUE/BACKGROUND:

On September 16th, 2015, nine notices of violation were given to residents on Esgore Drive in Ward 16. These residents were asked to remove their basketball and hockey nets from the public right of way or be subject to a fine and removal of the structure by the City.

Ward 16 is green space deficient, there are very few places for local children to play outdoors. We want to promote a healthy and active lifestyle for our children but our bylaws do not reflect this consideration. Instead, they restrict our ability to allow children to play safely in front of their homes on the public right of way.

I am hoping that you will support my recommendations to allow for the playing of hockey and basketball on the road, this is similar to what is being done in the municipality of Kingston. I am also recommending a change in Chapter 743 to allow for portable hockey and basketball nets to be permitted encroachments.

RECOMMENDATION:

1) That City Council request the General Manager, Transportation Services, to authorize the playing of hockey and basketball on the roadway under the following conditions:

- a) the road must be classified as a local road and have a speed limit of 40km/hr or less. The playing of street hockey or basketball on the roadway is to be prohibited on all other roadways and any local road with a speed limit of 40km/hr or less for which the General Manager has prohibited play.
- b) the playing of hockey or basketball on City roadways would only be permitted during daylight hours and will never be played before 9a.m. or after 8p.m.
- c) the participants are responsible for determining what locations are safe and for playing in a safe manner. People who choose to play street hockey or basketball on the roadway or allow a child in their care to play agree that they are assuming any and all risks associated with the decision to engage in this conduct and are waiving any and all claims against the city; and

d) any other conditions which lessen or remove liability from the City in relation to persons playing street hockey or basketball on City roadways.

2) City Council request the City Solicitor and General Manager, Transportation Services, to amend Chapter 743 to allow for portable basketball and hockey nets as permitted encroachments, not requiring a permit or an encroachment fee and agreement, and being subject to the following conditions:

- a) It does not obstruct pedestrian and vehicle sight lines;
- b) It does not obstruct driveways, impede or pose a hazard or potential hazard to pedestrian or vehicle traffic;
- c) It does not interfere with the City's ability to maintain the street in a state of good repair or to keep it free of litter, snow and ice;
- d) It does not interfere with traffic control devices or the existing and future location and maintenance of sidewalks, bicycle trails or utilities;
- e) It does not extend into the boulevard area fronting any neighbouring property when the common lot line is projected perpendicular to the road; and
- f) Any other criteria considered appropriate by the General Manager.

3) City Council request the City Solicitor and General Manager, Transportation Services to remove the prohibition of portable basketball and hockey nets within three metres of the travelled portion of any road without curbs that has a posted speed limit of 60km/h or less.

4) City Council request the City Solicitor and General Manager, Transportation Services, to exempt portable hockey and basketball nets of the requirement to obtain appropriate locate information for public and private utilities, services, equipment or facilities.

5) City Council authorize and direct the appropriate City Officials to take the necessary action to give effect to Council's decision, including the introduction in Council of any Bills that may be required.

Yours truly,

Christin Carmichael Greb
Toronto City Councillor, Ward 16, Eglinton-Lawrence