

CITY OF TORONTO

BY-LAW 635-2018

To amend City of Toronto Municipal Code Chapter 925, Permit Parking, and City of Toronto Municipal Code Chapter 950, Traffic and Parking, respecting free-floating car-share parking permits.

The Council of the City of Toronto enacts:

1. Municipal Code Chapter 925, Permit Parking, is amended as follows:
 - A. By adding to § 925-1B the following as a new definition in alphabetical order:

FREE-FLOATING CAR-SHARE PARKING PERMIT - A permit issued by the General Manager pursuant to Chapter 950, Traffic and Parking, authorizing parking of a particular car-share vehicle in locations designated for permit parking under this chapter, excluding residential permit parking locations at or above 95 percent capacity and/or permit parking areas or streets that have been otherwise excluded from parking by free-floating car-share permit holders under Schedule C to this chapter.
 - B. By deleting the phrase "at least 10 percent of permits remain available" from § 925-5M(1) and replacing it with the phrase "at least 5 percent of permits remain available" such that § 925-5M(1) now reads as follows:
 - (1) Residents, visitors and tradespersons may apply for a temporary permit and this permit shall be issued by the General Manager only for those highways or areas licensed for permit parking under this chapter where on-street permit parking spaces are available after all residents eligible to receive a permit under the priority system established under § 925-5E have had an opportunity to obtain a permit and at least 5 percent of permits remain available.
 - C. By deleting the phrase "at least 10 percent of permits remain available" from § 925-5M.1(1) and replacing it with the phrase "at least 5 percent of permits remain available" such that § 925-5M.1(1) now reads as follows:
 - (1) Residents, visitors and tradespersons may apply for a temporary 24 hour on-street parking permit or a temporary 48 hour on-street parking permit and the permit shall be issued by the General Manager only for those highways or areas licensed for permit parking under this chapter where on-street permit parking spaces are available after all residents eligible to receive a permit under the priority system established under § 925-5E have had an opportunity to obtain a permit and at least 5 percent of permits remain available.

D. By adding a new section (1.1) to § 925-5N as follows:

(1.1) Despite § 925-5N(1), a person may park a vehicle with a valid free-floating car-share parking permit for that vehicle properly displayed in a location designated for permit parking during the time period set out adjacent to the name of the road in Schedule A to this chapter provided that such parking is in accordance with the terms and conditions of the free-floating car-share parking permit, the permit parking area or street is not at or above 95 percent capacity (where less than 5 percent of permits remain available) and/or the permit parking area or street has not been otherwise excluded from parking by free-floating car-share permit holders under Schedule C to this chapter.

E. By adding a new section (1.2) to § 925-5N as follows:

(1.2) Despite any other by-law to the contrary, including Chapter 27, Council Procedures, Community Councils have the delegated authority to add, remove and/or exclude any permit parking area or road on which permit parking applies to or from Schedule C to this chapter provided that:

- (a) the road or permit parking area is not at or above 95 percent capacity (where less than 5 percent of permits remain available); and
- (b) the General Manager has provided notice in accordance with Chapter 162, Notice, Public, before the road or permit parking area is added to or removed from Schedule C.

F. By creating a new Schedule C, Permit Parking Roads and Areas Excluded from Free-Floating Car-Share Parking.

2. Municipal Code Chapter 950, Traffic and Parking, is amended as follows:

A. By adding to § 950-101B the following as a new definition in alphabetical order:

FREE-FLOATING CAR-SHARE PARKING PERMIT - A permit issued by the General Manager authorizing parking of a particular car-share vehicle in locations designated for permit parking under Chapter 925, Permit Parking, excluding residential permit parking locations at or above 95 percent capacity and/or permit parking areas or streets that have been otherwise excluded from parking by free-floating car-share permit holders under Schedule C to Chapter 925, in accordance with this chapter.

B. By adding a new subsection (b) to § 950-400D(5) as follows:

(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 at or above 95 percent capacity (where less than 5 percent of permits remain available) 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. By adding a new subsection C to § 950-510 as follows:

C. 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) 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.
- (d) 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.
- (e) A complete application for a free-floating car-share parking permit must be received by the General Manager on or before May 1, 2018, and the General Manager shall not accept any application or part of an application after June 1, 2018. Applications submitted after May 1, 2018 would be subject to the number of free-floating car-share permits remaining in the pilot, if any.

(2) Issuance and term of free-floating car-share parking permit.

- (a) All free-floating car-share parking permits issued in accordance with this section shall be valid from the later of their date of issuance and June 1, 2018 until and including November 30, 2019.

- (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 § 950-510C(1) are complied with. Where an application under § 950-510C(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 § 950-510C(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 number of free-floating car-share parking permits issued by the General Manager under this chapter for the term described in § 950-510C(2)(a) shall not exceed 500 free-floating car-share parking permits per car-share company.
 - (f) The total number of free-floating car-share parking permits issued by the General Manager under this chapter for the term described in § 950-510C(2)(a) shall not exceed 2,000.
 - (g) A free-floating car-share parking permit may only be issued to a car-share organization/company for the term described in § 950-510C(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.
- (3) Termination.
- (a) Despite § 950-510C(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 § 950-510C(6).
 - (b) Despite § 950-510C(2)(a), the General Manager may terminate any free-floating car-share permit 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 Car Share Vehicle Parking

Area - Tier 2 Permit -spaces replaced on a street residential permit parking fee as set out in Chapter 441, Fees and Charges.

- (b) The Car Share Vehicle Parking Area - Tier 2 Permit fee is non-refundable unless the permit associated with the fee is terminated under § 950-510C(3)(b).
 - (c) The fee for a re-issuance of a lost or damaged free-floating car-share parking permit, shall be the fee as set out in Chapter 441, Fees and Charges, for Car Share Vehicle Parking Area – Replacement Fee for lost/stolen permit.
 - (d) The re-issuance of a free-floating car-share parking permit shall only occur if the original free-floating car-share parking permit is returned to the City.
- (5) Refunds.
- (a) In the event that the General Manager terminates a free-floating car- share parking permit under § 950-510C(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 § 950-510C(3)(b) to November 30, 2019.
 - (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 § 950-510C(3)(a).
- (6) Conditions of permit.
- (a) Where a valid free-floating car-share parking permit for a car-share vehicle is properly displayed on that car-share vehicle in accordance with this § 950-510C(6), a person may park that car-share vehicle in a location designated for permit parking under Chapter 925, Permit Parking, being the highways, the side of the highways, locations within the highways and at the times set out in Schedule A of Chapter 925, Permit Parking, where the permit parking area or street is not at or above 95 percent capacity (where less than 5 percent of permits remain available) and/or the permit parking area or street has not been otherwise excluded from parking by free-floating car-share permit holders under Schedule C of Chapter 925, Permit Parking.

- (b) 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 two consecutive days. This subsection (b) shall not apply to a car-share vehicle with a valid car-share parking permit parked in a car-share vehicle parking space in a car-share vehicle parking area in accordance with this chapter.
- (c) 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 § 950-510C(6), the car-share free-floating parking permit shall be clearly displayed in the lower inside of the windshield on the driver's side of the car-share vehicle.
- (d) A person with a valid free-floating car-share parking permit properly displayed on a car-share vehicle parked in accordance with the conditions in this § 950-510C(6) is subject to all applicable parking prohibitions, including temporary restrictions that may be imposed to facilitate snow removal operations.
- (e) Clustering
- [1] For the purposes of this § 950-510C(6), "Clustering" will be defined as more than one car-share vehicle from the same car-share company being parked on the same City street block for any length of time.
- [2] No car-share vehicle shall be parked as to cause clustering on a City street block.
- [3] Where a car-share company becomes aware of its car-share vehicles clustering, the car-share 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 company becomes aware of its vehicles clustering, the car-share company shall move its car-share vehicle(s) in accordance with subsection (e)[3] or within two hours of receipt of notification from the City or a resident.

(f) Data requirements

[1] Any car-share 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 first 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 company, the following information to the satisfaction of the General Manager:

[a] Geographical distributions of membership of the car-share company, including the number of members for the car-share company who reside/are located in each City ward and each permit parking area as defined in Chapter 925, Permit Parking;

[b] Total number of car-share members registered in Toronto for the car-share company;

[c] Number of car-share vehicles in the fleet for the car-share company in Toronto;

[d] Fleet usage data for the car-share vehicles in the fleet for the car-share company in Toronto, 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 company in Toronto 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 company in Toronto for the preceding three months;

[f] Average number of unique users for each car-share vehicle of the car-share company in Toronto for each of the preceding three months (i.e., user frequency); and

[g] Log of all complaints received by the car-share company regarding car-share vehicle

parking locations in Toronto for the preceding three months, including:

- a. The time and date each complaint was received by the car-share company;
- b. The time and date the car-share company dispatched staff to address the complaint;
- c. The time and date the car-share vehicle of the car-share 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 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 first free-floating car-share permit and within 30 days after November 30, 2019. 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.

3. Section 1E of this By-law shall take effect on December 1, 2018.

Enacted and passed on May 24, 2018.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)