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March 4, 2013

Email pgmc@toronto.ca

Planning and Growth Management Committee
10th Floor, West Tower
City Hall
TORONTO, Ontario
M5H 2N2

Dear Committee:

**Re: Removal of Prohibitions Against Visitor Parking
New Draft City-Wide Zoning By-law
Our File No. 89884**

We are the solicitors for Park Smart Inc. and Epic Parking Control Services Inc.

We write once again to simply confirm our ongoing support for the removal of the prohibitions against charging for visitor parking.

I attach a brief summary of submissions previously made on this issue, for your ease of reference.

Yours very truly,

O'CONNOR MACLEOD HANNA LLP



Harold R. Watson
HRW:gw

Enclosure

cc: Ron Reid, Park Smart Inc. (Email)
Derrick Snowdy, Epic Parking Control Services Inc. (Email)

Summary of Submissions to Planning and Growth Management Committee
Visitor Parking Prohibitions
New Draft City Wide Zoning By-law
February 28, 2013

1. Visitor parking presents some real challenges for property owners in certain locations within the City. Non-visitors to the sites, and sometimes residents, improperly use the visitor parking spots.
2. Neither landowners nor the City have the resources to properly police these visitor parking stalls and the result is that visitor parking spaces are not available for genuine visitors to the building. In some locations, for example, commuters will park in the visitor parking location near a subway station and then go to work for the day. In other areas, criminal elements will use these visitor parking spots for illegal purposes.
3. The intent of site plan control and zoning requirements for visitor parking ends up being defeated in these difficult locations.
4. The pay and display machines mean that there is an effective control over visitor parking. This is achieved by charging for the use of visitor parking and then having the resources to pay for enforcement if the visitor parking is improperly used.
5. The experience of our clients and the property owners over many years has been that the paid parking process dramatically improves the availability of visitor parking for genuine visitors and also the safety and security of these properties and their residents.
6. Charging for visitor parking is not a revenue generator for the landowners. It essentially covers the cost of the machines and the enforcement.
7. The pay and display machines only make financial sense in certain areas, such as near a subway station or areas that are struggling with criminal elements. Not every landowner will want or need the cost of the pay and display machines.
8. The enforcement officers hired as a result of the pay and display machines are municipal law enforcement officers. The revenue from all fines generated from these private locations is received by the City, not the landowners.
9. For many years, my clients estimate that the City has received approximately 1 million dollars in fines on an annual basis for tickets issued by officers employed by Epic Parking Control Services Inc. The City has no cost in this enforcement, including no cost for Epic MLEO's to appear in court to testify.
10. The landowners regain control over their visitor parking spaces so that the spaces can be used as intended through the planning process. Residents actually have visitor parking spaces available to their genuine guests in these difficult areas. They get back safer and more secure parking facilities.
11. The planning vision for visitor parking is realized.