



Councillors Josh Matlow and Jaye Robinson



Ward 22, St. Paul's

City Hall, 100 Queen Street West
2nd Floor, Suite A17
Toronto, Ontario M5H 2N2

Tel: 416-392-7906
Fax: 416-392-0124
councillor_matlow@toronto.ca
www.joshmatlow.ca

Ward 25, Don Valley West

City Hall, 100 Queen Street West,
2nd Floor, Suite A12
Toronto, Ontario M5H 2N2

Tel: 416-395-6408
Fax: 416-395-6439
councillor_robinson@toronto.ca
www.jayerobinson.ca



Don Valley

Chair & Members

Planning & Growth Committee
10th Floor, West Tower, City Hall
100 Queen St. West
Toronto ON M5H 2N2

PG21.1.201

March 5, 2013

Re: PG 18.7 (1)

Dear Chair and Committee Members,

We are writing to request that the Committee consider the accompanying recommendation to prohibit paid visitor parking in multi residential/apartment buildings.

While the City of Toronto has the authority to change the zoning in relation to apartments, removing this amenity may have complicated consequences for tenants and landlords under the *Residential Tenancies Act, 2006*. Part VII, Section 125 states:

A landlord shall decrease the rent charged to a tenant for a rental unit as prescribed if the landlord and the tenant agree that the landlord will cease to provide anything referred to in subsection 123(1) [which includes a parking space or a prescribed service, facility, privilege, accommodation or thing] with respect to the tenant's occupancy of the rental unit.

Allowing paid visitor parking may require each individual tenant to apply for a rent reduction (or challenge the removal of the amenity) to the landlord and/or the Landlord and Tenant Board. We submit that it would be unfair to subject tenants to such an onerous process.

Beyond the legal question, we do not believe that allowing paid visitor parking would address the problem of parking lot abuse, or "walk aways", as landlords contend.

Committee members have received correspondence from property owners and managers claiming that charging for parking does not bring in additional revenue and is solely aimed at better "regulating" visitor lots by keeping non-visitors out. If no differentiation is made in

regards to who pays the ticket, adding a pay and display machine will not ensure that only legitimate tenant visitors are using the allotted spaces.

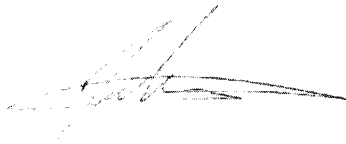
If the goal is to ensure that only those visiting tenants are using the lots there are many other avenues to achieve that end. For example, an electronic passcard issued to tenants that opens a gate or a pass issued by a superintendent to display on the dash are two possible solutions.

We urge you not to unfairly take an amenity away from the 50% of Torontonians that are tenants by moving forward with the Committee's recommendation to allow landlords to charge for visitor parking.

Recommendations:

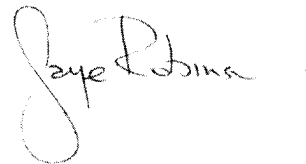
1. Direct that the draft Zoning By-law be amended to retain the prohibition on paid visitor parking in multi-residential/apartment buildings, previously recommended for deletion by the Planning & Growth Management Committee on October 12, 2012 (item PG 18.7)
2. Request the Chief Planner to set up a working group of tenants and landlords to address instances of abuse at visitor parking lots without charging for access
3. Request that the working group identified in (2) report to the Planning & Growth Management Committee by June 2013

Sincerely,



Josh Matlow
Toronto City Councillor
Ward 22 – St. Paul's
www.joshmatlow.ca

and



Jaye Robinson
Toronto City Councillor
Ward 25 – Don Valley West
www.jayerobinson.com