

Parking Amendments - Various Code Chapters - Curb Lane Vending Locations - Non-delegated

Date: July 3, 2018
To: Toronto and East York Community Council
From: Acting Director, Transportation Services, Toronto and East York District
Wards: Ward 20, Trinity-Spadina
Ward 27, Toronto Centre-Rosedale
Ward 28, Toronto Centre-Rosedale

SUMMARY

Transportation Services is requesting City Council authority to amend City of Toronto Municipal Code, Chapter 950, Traffic and Parking in order to prohibit stopping in 23 locations by all vehicles except for the authorized R55 Curb Lane Vending Permit holders.

Authority for other associated requisite by-law amendments is also being sought.

R55 Curb Lane Vending Permits issued under the former City of Toronto Municipal Code Chapter 315, Street Vending, and grand parented under Section 740-20 of City of Toronto Municipal Code Chapter 740, Street Vending, authorize the stationary curbside vendor to operate from a fixed and designated parking space. There are currently 23 R55 Curb Lane Vending permit holders for vending locations within the Toronto and East York Community Council area. Currently, there is signage at each of the 23 locations prohibiting stopping by all vehicles except the R55 Curb Lane Vending permit holder. However, the associated requisite no stopping provision prohibiting vehicles other than the authorized permit holders from stopping at these locations is not included in City of Toronto Municipal Code Chapter 950, Traffic and Parking. Toronto Police Services is thus not able to enforce stopping at these locations by non-permit holders. The recommendations outlined in this report will amend City of Toronto Municipal Code Chapter 950, Traffic and Parking, by including the curbside vending locations associated with the R55 Curb Lane Vending Permits, and thereby authorizing enforcement of a stopping prohibition at these locations by non-permit holders, and will also amend Code Chapter 610, Penalties, Administration of, to prescribe a fine for the related offence of stopping an unauthorized vehicle in a designated vending area and amend former City of Toronto Municipal Code Chapter 315, Street Vending, to update reference to former City of Toronto Municipal Code Chapter 400, Traffic and Parking to reflect its successor, Municipal Code Chapter 950, Traffic and Parking.

RECOMMENDATIONS

The Acting Director, Transportation Services, Toronto and East York District, recommends that:

1. City Council amend City of Toronto Municipal Code Chapter 950, Traffic and Parking, by inserting a new section B.1(1) in § 950-400 to provide that, where authorized signs to that effect are displayed, no person shall stop a vehicle on any highway at the side and between the limits set out in Attachment 1 to this report, and to provide that this new subsection shall not be deemed to prohibit the holder of a R55 Curb Lane Vending permit for that location issued under former City of Toronto Municipal Code Chapter 315, Street Vending, and/or its successors, and grand parented under § 740-20 of City of Toronto Municipal Code Chapter 740, Street Vending, from stopping in that location.
2. City Council amend City of Toronto Municipal Code Chapter 950, Traffic and Parking, by inserting a new section B.1(2) in § 950-400 to provide that nothing in the new Subsection 950-400B.1(1) shall be deemed to permit the stopping of a vehicle where or when stopping is otherwise prohibited.
3. City Council establish a penalty amount of \$60.00 for the new stopping offence created by Recommendation 1 of this report and amend City of Toronto Municipal Code Chapter 610, Penalties, Administration of, generally as set out in Attachment 2 to this report.
4. City Council amend Subsection D in § 315-18 by deleting the phrase: “Chapter 400” and inserting the phrase: “City of Toronto Municipal Code Chapter 950”.

FINANCIAL IMPACT

There is no financial impact resulting from the adoption of the recommendations in this report.

DECISION HISTORY

This report addresses a new initiative.

COMMENTS

A stationary curb lane vendor (R55 Curb Lane Vending Permit holder) is a food truck or ice cream truck that can, pursuant to permit, operate from a fixed and designated parking space on the road. There are currently 23 R55 Curb Lane Vending Permits which were issued under the former City of Toronto Municipal Code Chapter 315, Street

Vending, and grand parented under Section 740-20 of City of Toronto Municipal Code Chapter 740, Street Vending.

Although 23 locations are identified with signage on-street indicating that no vehicles may stop in these spaces except the specified vendors, these locations are not identified in City of Toronto Municipal Code, Chapter 950, Traffic and Parking, as locations at which stopping is prohibited. As a result, Toronto Police Services are not able to enforce stopping by non-permit holders, despite the signage. This has led to some abuse by private vehicles that stop in these locations, thus blocking R55 Permit holders from the only location in which they are permitted to vend under their permit.

The recommendations in this report seek authority to amend Code Chapter 950, Traffic and Parking by clearly identifying the 23 curb lane vending locations as no stopping locations. This would allow the enforcement of vehicles stopped at these locations, other than the authorized permit holders.

Based on the existing signage, the adoption of the recommendations in this report will not result in the loss of any on-street parking spaces.

In 2017, parking, standing, stopping offences for Designated By-laws were taken out of the Provincial Offences Act system such that they are now governed by the Administrative Penalty System (APS). Accordingly, new parking, standing, stopping offences for such Designated By-laws would come under APS and would require an amendment to Schedule A to Code Chapter 610, Penalties, Administration Of, to include the new offence provision as a designated part of a by-law, to include the associated short form wording as well as the new associated penalty amount. Given the proposal to include a new stopping offence provision in Chapter 950 as new Subsection 950-400B.1(1), an amendment to Schedule A to Chapter 610 is required. A penalty amount of \$60 is being recommended because this amount is in line with the penalty amounts for other stopping offences.

An amendment to former City of Toronto Municipal Code Chapter 315, Street Vending, is also required to update reference from former City of Toronto Municipal Code Chapter 400, Traffic and Parking, to the current applicable code chapter, that being Municipal Code Chapter 950, Traffic and Parking.

Staff of the Municipal Licensing and Standards Division have been consulted and are in agreement with these proposed amendments.

CONTACT

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SIGNATURE

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Acting Director, Transportation Services
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Attachment 1

AMENDMENT TO MUNICIPAL CODE CHAPTER 950 (TRAFFIC AND PARKING)

R55 Curb Lane Vending Locations:

Highway	Side	Between
Bay Street	East	A point 17 metres north of Queens Quay West and a point 10 metres further north
Front Street West	South	A point 37.3 metres east of John Street and a point 5.5 metres further east
Front Street West	South	A point 61.5 metres east of John Street and a point 6.8 metres further east
Front Street West	South	A point 65.58 metres west of Simcoe Street and a point 6 metres further west
Front Street West	South	A point 163 metres east of John Street and a point 8.08 metres further east
Front Street West	South	A point of 113.2 metres west of York Street and a point 10 metres further west
James Street	West	A point 15.5 metres north of Queen Street West and a point 6 metres further north
King Street West	South	A point 139.5 metres west of the west curb line of Simcoe Street and point 7 metres further west
Melinda Street	South	A point 44.5 metres west of Yonge Street and a point 6 metres further west
Melinda Street	South	A point 60 metres west of Yonge Street and a point 7.01 metres further west
Queen's Park	West	A point 122 metres south of Bloor Street West and a point 10 metres further south
Queen Street West	North	A point 27 metres west of the west curb line of Bay Street and a point 7.5 metres further west
Queen Street West	North	A point 34 metres west of the west curb line of Bay Street and a point 5.5 metres further west
Queen Street West	North	A point 96.6 metres west of the west curb line of Bay Street and a point 6 metres further west
Queen Street West	North	A point 102.6 metres west of the west curb line of Bay Street and a point 5.2 metres further west
St. George Street	West	A point 51 metres north of Harbord Street and a point 7 metres further north
St. George Street	West	A point 30.5 metres north of Russell Street and a point 10 metres further north
St. George Street	West	A point 88.5 metres north of Willcocks and a point 7.3 metres further north
St. George Street	West	A point 96.5 metres north of Willcocks Street and a point 10 metres further north
St. George Street	West	A point 156 metres north of Willcocks Street and a point 10 metres further north
University Avenue	West	A point 25 metres south of Dundas Street and a point 10 metres further south
University Avenue	West	A point 39 metres south of College Street and a point 10 metres further north
Wellington Street West	North	A point 78.2 metres west of Bay Street and a point 7.5 metres further west

Attachment 2

**AMENDMENT TO MUNICIPAL CODE CHAPTER 610 (PENALTIES,
ADMINISTRATION OF)**

Addition to Schedule A, Table 10: Chapter 950, Traffic and Parking:

Column 1 Designated Part of Chapter	Column 2 Short Form Wording	Column 3 Penalty Amount
§ 950-400B.1(1)	Stop - Unauthorized Vehicle in Designated Vending Area	\$60.00