

Increase in Parking Violation Notice Penalty Amount on Municipal/Private Property

Date: September 18, 2023

To: General Government Committee

From: General Manager, Transportation Services

Wards: All

SUMMARY

This report seeks City Council approval to increase the penalty amounts for parking on municipal or private parking facilities which is governed under the City of Toronto's Municipal Code Chapter 915, Parking on Private or Municipal Property, to better align the penalty amounts relative to parking rates, which would ensure vehicle owners comply with payment of the set parking rates rather than opting to pay the penalty amount, which is typically lower.

Transportation Services has been working with various City agencies to review the various parking fees vs. parking penalties at off-street municipal/private lots. As a result of this review, this report seeks Council approval to increase the existing parking penalty amount of \$30.00 for parking offences in Chapter 915 to \$75.00. This recommended increased amount is in line with previously approved penalty amount increases for similar parking violations within "Green P" carparks.

This proposed amendment is intended to encourage compliance in purchasing a ticket to park on municipal/private property and discourage the illegal practice of parking or leaving a vehicle on public/private property without consent.

RECOMMENDATIONS

The General Manager, Transportation Services, recommends that:

1. City Council increase the penalty amount from \$30.00 to \$75.00 for parking or leaving a motor vehicle on municipal property without consent under Section 915-2A of City of Toronto Municipal Code Chapter 915, Parking on Private or Municipal Property, with an implementation date of December 1, 2023.

2. City Council increase the penalty amount from \$30.00 to \$75.00 for parking or leaving a motor vehicle on private property without consent under Section 915-2B of City of Toronto Municipal Code Chapter 915, Parking on Private or Municipal Property, with an implementation date of December 1, 2023.

3. City Council amend City of Toronto Municipal Code Chapter 610, Penalties, Administration of, generally as outlined in Attachment 2 of the report (September 18, 2023) from the General Manager, Transportation Services.

4. City Council authorize the City Solicitor to introduce the necessary bills to give effect to City Council's decision and City Council authorize the City Solicitor to make any necessary clarifications, refinements, minor modifications, technical amendments, or by-law amendments as may be identified by the City Solicitor or General Manager, Transportation Services, in order to give effect to Recommendations 1, 2 and 3, above.

FINANCIAL IMPACT

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

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting of May 30, 2023, the General Government Committee received for information a report which provided information on the total number and type of parking violation notices issued in 2022 under the Administrative Penalty System.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.GG4.3>

At its meeting of December 9, 2022, the Board of Governors of Exhibition Place approved adjustment in parking rates at Exhibition Place to cover operating increases, maintain its profitability and remain competitive in the marketplace.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.EP1.13>

General Government and Licensing Committee, at its meeting of April 23, 2019, requested City staff to consider the feasibility of increasing the penalty amounts for the following infractions, effective September 3, 2019:

- a. No stopping/stop vehicle signed Highway prohibited time/day to \$100;
- b. No parking on boulevards to \$100; and
- c. No stopping/parking in front of school zones to \$150.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.GL4.12>

City Council, at its meeting of June 18 and 19, 2019, adopted the General Government and Licensing Committee Item GL5.17 entitled, "Increase in Parking Ticket Penalty Amount", provided an overview of the existing parking penalty in application for the violation of "Park – Longer than 3 Hours" and recommended an increase in the penalty amount from \$15 to \$30.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.GL5.17>

City Council, at its meeting of July 16, 2019, adopted the General Government and Licensing Committee Item GL6.25 entitled, "Increase in Penalty Amounts for Stopping and Parking Violations".

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.GL6.25>

COMMENTS

In the City of Toronto, there have been many instances where motor vehicle owners will park in a municipal or private parking facility and decide that, rather than paying the posted parking rates at a parking kiosk, they would prefer taking their chances with incurring a parking violation notice or, if lucky, avoid a parking violation notice altogether. The reason why drivers risk being issued a parking violation notice is because most times the penalty amount is less than what they would be required to pay for parking.

When examining the 2021 and 2022 statistics on Parking Violation Notices (PVNs) for parking or leaving a vehicle in municipal or private parking lots, we see an increasing trend in PVNs being issued. There were 94,942 and 106,250 PVNs issued in 2021 and 2022, respectively, for parking illegally in municipal parking lots. Likewise, there were 320,827 and 377,293 PVNs issued in 2021 and 2022, respectively, for parking illegally in private parking lots. Compliance has become a primary concern for many of the City's agencies, like Exhibition Place and the Distillery District, and their working partners at the Toronto Parking Authority and Toronto Police Parking Enforcement who support the management of the municipal parking facilities through payment collection or enforcement for lack of payment. Although, there have been many PVNs issued to those vehicle owners not complying, there are still many others who manage to avoid a PVN.

Transportation Services was contacted by Exhibition Place to assist with the review and possible increase in the penalty amounts for parking or leaving a vehicle in their parking facilities, which under City of Toronto Municipal Code Chapter 610, Penalties and Administration of, is currently set at \$30.00. On December 9, 2022, the Board of Governors of Exhibition Place adjusted parking rates across their 10 parking lots, including adjustments to their special event rate. This special event rate increased to \$45 for events such as at BMO Field, the Honda Indy, Caribbean Carnival, etc.

The current administrative penalty under Chapter 915 of \$30.00 is \$15.00 lower than their highest special event parking rate, where compliance becomes the primary

concern. Exhibition Place is working with partners such as the Toronto Parking Authority and Toronto Police Parking Enforcement as Exhibition Place moves forward with new forms of payment. In order to promote compliance with Chapter 915, it is important to ensure that the penalty amounts for parking violations under Chapter 915 are reasonable to promote compliance

Transportation Services contacted the Toronto Parking Authority (TPA) for more insight as they deal with parking contracts and management agreements with other off-street carparks that fall under the City of Toronto's Municipal Code Chapter 915 jurisdiction, including Exhibition Place and the Distillery District. The TPA is supportive of an amendment to increase the penalty amount for vehicles illegally parked on private or municipal parking facilities as it would be in-line with a previously adopted [Item PA18.2](#) by the Board of Directors of the Toronto Parking Authority on November 3, 2020, which was a report from the Acting President, TPA, to its Board recommending that City Council consider increasing the penalty amount from \$30.00 to \$75.00 for certain offences under the City of Toronto Municipal Code Chapter 950, Traffic and Parking, where vehicles elected to park without paying for parking at their various "Green P" carpark locations throughout the city. City Council did consider the report recommendations and increased the penalty amounts for illegal parking in carparks.

The two tables below provide a comparison of the highest parking rates at the Distillery District and Exhibition Place to the existing penalty amount allowed. As can be seen, the difference in penalty amount and the parking rate encourages parking without payment.

Distillery District Rates

Address	Half Hour	Day Max (DM)	Evening Max (EM)	Peak Usage (Weekday)	Peak Usage (Sat)	Peak Usage (Sun)	Existing Penalty Amount	Penalty Amount Minus Day Max
31A Parliament Street	\$5.00/ \$2.50	\$35.00*	No EM	124%	142%	117%	\$30.00	-\$5.00
70 Distillery Lane	\$5.00/ \$2.50	\$35.00*	No EM	68%	62%	57%	\$30.00	-\$5.00
100 Cooperage Street	\$5.00/ \$2.50	\$30.00*	No EM	85%	65%	45%	\$30.00	\$0.00
83 Tannery Road	\$5.00/ \$2.50	\$30.00*	No EM	57%	77%	66%	\$30.00	\$0.00
40 Rolling Mills Road	\$5.00/ \$2.50	\$30.00*	No EM	76%	95%	90%	\$30.00	\$0.00

* 7 a.m. to 6 p.m.

Exhibition Place Rates

Address	Half Hour*	Day Max (DM)	Evening Max	Special Events	No Day Max	Existing Penalty Amount	Penalty Amount Minus Day Max	Penalty Amount Minus Special Event Rate
100 Princes' Blvd.				\$45.00	\$0.00	\$30.00	\$30.00	-\$15.00
125 Princes' Blvd.	\$4.00	\$18.00	\$15.00	\$45.00	\$64.00	\$30.00	\$12.00	-\$15.00
15 Ontario Drive	\$3.50	\$18.00	\$15.00	\$45.00	\$56.00	\$30.00	\$12.00	-\$15.00
6 Nunavut Road		\$18.00	\$15.00	\$45.00	\$0.00	\$30.00	\$12.00	-\$15.00
6 Saskatchewan Road	\$4.00	\$18.00	\$15.00	\$45.00	\$64.00	\$30.00	\$12.00	-\$15.00
5 Bandshell Road	\$4.00	\$18.00	\$15.00	\$45.00	\$64.00	\$30.00	\$12.00	-\$15.00
30 British Columbia Road		\$15.00		\$45.00	\$0.00	\$30.00	\$15.00	-\$15.00
150 Manitoba Drive		\$18.00	\$15.00	\$45.00	\$0.00	\$30.00	\$12.00	-\$15.00
40 Manitoba Drive		\$18.00	\$15.00	\$45.00	\$0.00	\$30.00	\$12.00	-\$15.00
720 Lake Shore Blvd. West	\$4.00	\$18.00	\$15.00	\$45.00	\$64.00	\$30.00	\$12.00	-\$15.00

A cross-jurisdictional comparison was also completed looking at the penalty amounts for similar violations in surrounding GTA municipalities that ranged from smaller to almost comparable in size and population to that of the City of Toronto. In doing this comparison, it was noted that the average penalty amount of similar charges for parking illegally on municipal or private property were found to be at a higher rate than the City of Toronto's current rate of \$30.00. Attachment 1 appended to this report provides details on the penalty amounts applied other jurisdictions.

The increased penalty amount from \$30.00 to \$75.00 will encourage compliance at many of the off-street parking facilities. Should the recommendations of this report be adopted, the increased penalty amounts would be implemented on December 1, 2023.

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SIGNATURE

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ATTACHMENTS

Attachment 1: Jurisdictional Scan for Parking on Municipal/Private Property
Attachment 2: Amendments to Municipal Code Chapter 610, Penalties, Administration
Of

Attachment 1: Jurisdictional Scan for Parking on Municipal/Private Property

City/Municipality	Related Bylaw and Section	Penalty Amount
Aurora	By-Law Number 457 4-04. T §5.2(a)(ii)	N/A
Burlington	By-Law 39-2016 §19.2	\$46.00
City of Brampton	Traffic By-Law 93-93 §§ 46(1), 57(12)	\$40.00
City of Brantford	By-Law 144-88 §40	\$30.00
City of Guelph	By-Law Number (1997) - 15402 §§3-4	N/A
City of Hamilton	By-Law No. 01-220 §3(1)	\$55.00
City of Kingston	By-Law 2010-128 Sections 3-4	\$25.00
City of London	Traffic & Parking By-law - PS-114 §§64, 82, 84(1)	\$45.00 - \$60.00
City of Ottawa	By-Law No. 2017-301 §§94-107	\$60.00 - \$95.00
City of Windsor	By-Law 9023 §42	\$25.00
Clarington	By-Law 2014-059 §15	N/A
Markham	By-Law 2005-188 §10(2)	\$45.00
Mississauga	Traffic By-law 0555-2000 §41(3)	\$30.00
Newmarket	By-Law 2019-63 §7(5)(b)	\$40.00
Oshawa	By-Law 79-99 §§8.1, 8.4	\$40.00 (tier 1 for first infraction)
Pickering	By-Law 6604/05 §17(1)	N/A
Richmond Hill	Chapter 1116 of Richmond Hill's Municipal Code §§1116.3.14, 1116.3.15	\$40.00
Town of Halton Hills	By-Law 2005-0117 §§10-11	\$24.00 - \$40.00
Town of Midland	By-Law 2021-2 §14(2)	\$35.00
Vaughan	By-Law 064-2019 §8.0(1)	\$60.00

**Attachment 2:
Amendments to Municipal Code Chapter 610, Penalties, Administration Of
Changes to be Effective December 1, 2023**

**Deletion from Schedule A, Table 7: Chapter 915, Parking on Private or Municipal
Property:**

Column 1 Designated Part of Chapter	Column 2 Short Form Wording	Column 3 Penalty Amount
§ 915-2A	Park Vehicle on Municipal Property Without Consent	\$30.00
§ 915-2A	Leave Vehicle on Municipal Property Without Consent	\$30.00
§ 915-2B	Park Vehicle on Private Property Without Consent	\$30.00
§ 915-2B	Leave Vehicle on Private Property Without Consent	\$30.00

**Addition to Schedule A, Table 7: Chapter 915, Parking on Private or Municipal
Property:**

Column 1 Designated Part of Chapter	Column 2 Short Form Wording	Column 3 Penalty Amount
§ 915-2A	Park Vehicle on Municipal Property Without Consent	\$75.00
§ 915-2A	Leave Vehicle on Municipal Property Without Consent	\$75.00
§ 915-2B	Park Vehicle on Private Property Without Consent	\$75.00
§ 915-2B	Leave Vehicle on Private Property Without Consent	\$75.00