

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015**

Item 30, Report No. 17, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 21, 2015.

#### **30      REVISIONS TO THE CITY OF VAUGHAN PARKING BY-LAW, #1-96, AS AMENDED**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Interim Commissioner of Legal and Administrative Services/City Solicitor and the Director of By-law & Compliance, dated April 14, 2015:**

##### **Recommendation**

The Interim Commissioner of Legal and Administrative Services/City Solicitor and the Director of By-law & Compliance, recommend:

1. That the Parking By-law #1-96, as amended, be further amended in accordance with the recommendations contained within this Report, to include:
  - a) Amendments to the definition section of the by-law, s.2(1);
  - b) Introduction of provisions to prohibit parking on unpaved areas of the City's boulevards, s.4(6); and
  - c) Amendment of provisions to prohibit parking within a specified distance to a "Private Roadway" (as defined) s.4(7).
2. That any related sections of the by-law be amended accordingly.

##### **Contribution to Sustainability**

Vaughan's commitment to the preservation of green space within the natural urban environment is reinforced through several high level commitments, including Vaughan Vision 20/20 and the 2011 and 2014 Vaughan Accord in which Council committed to, among other things, responsible stewardship of City assets (including public road allowances/boulevards), public spaces and the natural environment.

Municipal regulation, as embodied in by-laws, policies and procedures, should be established within a framework that incorporates the greater public interest, sound governance principles and legislative requirements.

Having the appropriate regulations for parking of a motor vehicle contributes to community safety, preservation of the City's streetscape and protection of City boulevards against damage.

##### **Economic Impact**

There is no economic impact for the City as a result of the adoption of the recommendations within this report.

##### **Communications Plan**

A multi-faceted communication approach will be implemented to make the public aware of the new by-law amendments. Channels that will be employed include the City's corporate eNewsletter and social media accounts, City Page Online, Vaughan TV and the By-law and Compliance department webpages. Messaging will be sent to all Councillors for possible inclusion in their eNewsletters and mailed to all registered Ratepayers' Associations.

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### **EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015**

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#### **Purpose**

The purpose of this report is to amend and update the Parking By-law 1-96 as follows:

Amendments to the appropriate definitions:

1. Concurrent language within the body of the by-law;
2. Corrections to technical error regarding the distancing prohibition from a driveway, lane, ramp, or other means of vehicular access to or egress from;
3. The introduction of prohibitions for parking of motor vehicles on the City's Boulevard beyond the approved driveway space to protect City assets and deter damage caused by parking on the boulevards.

#### **Background - Analysis and Options**

At its meeting of June 24, 2014, Council adopted the *By-law Strategy*; a strategic plan designed to create a framework for amendment, review and creation of the City's regulatory by-laws. While implementation of the over-all strategy is still underway, the guiding principles including creating by-laws that are relevant, sustainable and support safe vibrant communities is being employed by the By-law & Compliance Department ("BL&C").

Initiation of amendments to the City's Parking By-law 1-96, as amended, is in keeping with this strategic plan, balancing competing demands and establishing priorities through an analysis of importance, urgency and risk.

The City's Parking By-law #1-96, as amended, regulates the parking, placing and stopping of a motor vehicle on roadways under the jurisdiction of the City of Vaughan. This includes both the travelled and the untravelled portions, with the latter normally referred to as the City's road allowance, boulevard or right of way (i.e., the portion of the City's roadway located between the travelled portion of the road and the property line).

The Parking By-law #1-96 in its current state provides various sections that regulate parking activity, including but not limited to Definitions, General Provisions and General Regulations for Stopping and Parking of a motor vehicle.

The By-law includes the definition of "Boulevard" which should be amended to coincide with the language found within the offences section (s.4), under General Regulations; for the prohibition of vehicles parking on the grass portion of the City's boulevard. Currently, although public complaints are received for vehicles parking on and damaging the grassed portion of the boulevard, enforcement staff are unable to address the matter. Staff are seeking Council's approval to amend the by-law through introduction of new definitions, accompanied by the necessary concurrent language within the appropriate sections to ensure the by-law provides greater clarity for application and interpretation by City staff, as well as for that of the broader public generally.

Through the review of Section 4(6), staff identified the need for provisions for the prohibition of stopping, placing or parking of a motor vehicle over the boulevard, inclusive of grassed boulevard areas. While there is no intention to prohibit parking within the approved/legal driveway portion of a boulevard as defined, including the paved area of a driveway commonly referred to as the apron, the proposed introduction of a new subsection (subsection 'i') as shown in Schedule "A" will provide the necessary prohibition section enabling enforcement for vehicles that park, stop on the boulevard portion of a "Highway" (as defined).

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### **EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015**

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In addition to, staff further identified the need to correct a technical error in language as found within s.4(7) regarding the prohibition for the parking of a vehicle within a specified distance from a driveway, lane, etc., requiring amendment as prescribed within Schedule “A”.

Currently s.4(7)c. of the by-law states that no person shall park a motor vehicle within six (6) meters of a Private roadway. Private roadway is defined as: “any private road, driveway, lane, ramp, or other means of vehicular access to or egress from a building or structure and it may include part of a parking lot.”

The intended purpose of the above prohibition was to provide a reasonable set back prohibiting the parking of a motor vehicle within close proximity of a private roadway (e.g. driveway, lane) to ensure safe vehicle travel into and from the private road.

Following review of the section and related documentation, the six (6) meter restriction (19.6 feet) was intended to be 0.6 meters (or 18 inches) from any driveway, lane, etc. Staff believe this to be a technical error at the time of the enactment and are recommending a corrective amendment.

The proposed amendments contained in Schedule “A” will address the issues identified above and provide the necessary enforcement ability to better deter unwanted parking behaviours that damage City boulevards and create a potential for unsafe conditions.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

Staff’s recommendations are consistent with priorities previously established by Council, including but not limited to, ensuring through the By-law Strategy that by-laws are relevant and support a safe, vibrant and sustainable quality of life within the City of Vaughan.

#### **Regional Implications**

No Regional implications have been identified as a result of the adoption of the recommendations within this report.

#### **Conclusion**

The City of Vaughan Parking By-law #1-96, as amended, regulates the parking, placing and stopping of a motor vehicle within the jurisdiction of the City of Vaughan. The ability to effectively regulate parking across the City supports efforts to make communities safe and is intended to preserve public assets, such as the City’s boulevards, from damage caused by unwanted parking activity. The purpose of this report is to address specific key issues previously identified. A further more in-depth review, in accordance with the policy framework as outlined within the By-law Strategy is planned for a future date. The proposed amendments in this report provide the necessary improvements to address these key issues expeditiously.

#### **Attachments**

Schedule “A”

#### **Report prepared by:**

Gus Michaels, Director

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

## **COMMITTEE OF THE WHOLE - APRIL 14, 2015**

### **REVISIONS TO THE CITY OF VAUGHAN PARKING BY-LAW, #1-96, AS AMENDED**

#### **Recommendation**

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### **Attachments**

Schedule "A"

### **Report prepared by:**

Gus Michaels, Director

Respectfully submitted,

Heather Wilson,  
Interim Commissioner of Legal &  
Administrative Services

Gus Michaels,  
Director, By-law & Compliance

**Amendments to the City of Vaughan Parking By-law 1-96, as amended.  
Schedule "A"**

**Current Definition – BOULEVARD:**

Delete:

"the area between the travelled portion of the street or highway and the limit of public highway right of way but does not include a graveled shoulder."

Replace with:

"that part of a public street or highway that is not used, or intended to be used, for vehicle travel by the general public, and is situated between the travelled portion of the road and the adjoining property line."

**Current Definition – HIGHWAY:**

Delete:

"includes a common public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, trestle, designed and intended for, or used by, the general public for the passage of motor vehicles."

Replace with:

"includes common and public highway, any part of which is intended for or used by the general public for the passage of vehicles and pedestrians and includes the area between the lateral property lines thereof." [Ref. Highway Traffic Act R.S.O. 1990, CHAPTER H.8]."

**Introduction of new definitions:**

**DRIVEWAY:**

"an approved, paved vehicular access-way providing access from a public highway to a building or property, loading space, an approved parking area or garage, and does not include a public sidewalk."

**STREET:**

"includes that part of a highway used or intended to be used for vehicle travel by the general public."

**Amendment to Parking By-law #1-96 s.4, subsection 6 and 7 – General Stopping and Parking Regulations:**

**Proposed Amendment to s.4. subsection 6.: Introduction of a new subsection – "i"**

**Section 4.(6):** No Person shall park or stop a vehicle on a highway in any of the following places:

"i" – on any portion of the boulevard, but does not include the approved/legal portion of a driveway.

**Proposed Amendment to s.4. subsection 7:**

**Section 4.(7)c.** states: No person shall park a vehicle on a highway:

Delete:

"in front of or within six (6) meters of a private roadway."

Replace with:

"in front of or within (0.6) meters of a private roadway."