

## **No parking overnight! Scarborough's massive self-inflicted wound**

Six years ago in 2009, Scarborough's local city counsellors made the misguided decision to ban overnight parking in almost all of Scarborough.

I remember the first time I saw the signs that said 'No Parking between 2:00 a.m. and 6:00 a.m.' I recall thinking about why such a rule would be needed. I did not know the rationale. At first, the overnight parking rule only seemed a bit goofy – at worst, a cure with no disease.

But I did not have to wait long to understand the consequences of this ridiculous experiment in social engineering, an experiment that has still not come to an end.

I will lead you through a litany that includes:

- Needless parking tickets given out to people parking in front of their own homes
- Cancelled family reunions
- Families with high employment moving out of Scarborough
- Increased theft related to unattended vehicles
- Mall parking lots full of vehicles with no business in the mall
- Business failures of mall occupants whose customers can't find parking
- Hardship for people having to walk long distances to medical appointments
- Dying trees and plants due to 'asphalt creep'
- Significant lost revenue from the failure to allow fee-based permit parking; and
- The unproductive use and wasteful expense of enforcement activity related to the ban

And I will debunk the silly, spurious, and irrelevant arguments used to support the overnight ban which include:

- Keeping out illegal rooming houses which:
  - Are not economically viable in the first instance; and
  - Can be easily regulated through a one permit per household policy even if they were viable; and
- Keeping cars off our street' to which the ban simply does not relate for 20 hours of every day.

## **Part 1: The unintended consequences of the overnight parking ban**

### **The tale of the failed battery**

My first run-in with the new law occurred about one month after the bylaw was changed when my battery conked out. I tried to drive my car onto the driveway for the overnight period. Our driveway is on a slight incline and our car was too heavy for my wife and a neighbor to push.

Realizing I was going to be ticketed, I put a huge sign in the windshield noting that the car's battery had conked out and that the CAA had been called for an early morning charge. The reaction: Zero Tolerance. The \$30.00 ticket registered at 5:20 a.m. was my answer.

I filed my notice of objection and prepared to fight the ticket knowing in my heart that city council was attempting to preserve neighbourhoods, not punish the errant car problems of residents. But alas; to no avail! Zero tolerance calls for all to be treated the same. I paid my fine and promised myself to keep my automobile's charging system in better repair.

### **The tale of the relatives: Family Reunions no more....**

Later on in the first year of our new parking policy, I failed to put 2+2 together. We summoned our relatives from various provinces to descend upon our abode as we had done on other occasions for two nights, just a weekend of bringing our family together.

My mother and father, both in their 90's and still with us, would be the centre of attention. But I had not put that first '2' together with the second '2'. In reunions gone by, the in-laws and cousins had parked harmlessly on our street for two nights as we celebrated our family milestones.

With the overnight rule firmly in place, I casually informed cousins and in-laws that although they would be welcome as usual to stay at our home, there would be a slight problem.

The problem would be that they would not be able to park overnight on our street without incurring a parking ticket. Their immediate response was that there would be no problem. They would park in a local parking lot.

Uncomfortably, I replied that in fact, there were no local lots. They could do what so many of the locals do and park overnight at a local mall. We would shuttle them back and forth seamlessly and there would be no issue at all.

“How far away are these local malls? They asked.

Quickly downloading google maps, I noted that there was one just 1.6 km. away and another 1.7km away in distance.

“And we just leave our cars miles away in Toronto overnight with no access to them and you have to drive us back and forth” they asked.

I minimized the problem. “Piece of cake” I said.

A few days later, the relatives called us back. They had talked it over. They would not be coming. Why don't you come to our place? Let's plan for something down our way. The reality was that they had simply never heard of a situation in Canada where a family could not get together and park cars overnight.

And that's when the realization hit. If we stay in Scarborough, we cannot host a family reunion. My parents, both in their 90's cannot travel far. The idea of people coming from afar to visit was over.

And that's when we went into denial. It cannot be. We phoned the local police station. There has to be a way; a permit system; something; anything.

The answer from all was: no cars on the street between 2:00 a.m. and 6:00 a.m. – 7 days a week – 365 days a year - no exceptions- no permits – no reunions – no family- no nothing. What part of 'no' do you not understand?

### **The tale of working families with young adults**

We had two families living near to us: one lived across the street and one lived next door.

The family that lived next door next door has three children. As they grew into adulthood, like many families, the adult children stayed at home to build their assets before they moved out to make their own way in life. Each was a success story.

All the young adults got jobs. Trouble was: in one family, one worked in Woodbridge while two others worked in Markham. Dad worked downtown and Mom worked in Pickering.

Five adults: Five good jobs and as it turned out the need for four cars (as two of the young adults could car pool).

Three of the cars could be accommodated at home. They widened the driveway and three cars could be kept at home but one had to go elsewhere.

Elsewhere turned out to be a local mall almost two kilometers away.

Guess what happened next.

Mom's car went to the local mall because she drove the least. But it did not take long for her car to be noticed and it was burglarized. After the burglary, she left nothing in the car. Yet even when nothing is left inside, an empty car, the same car, left night after night in the same place, beckons the car thief.

We offered them our driveway when we went on vacation. It was like a vacation for them and they thanked us profusely.

The family across the street was similar. Four adults: all of them working; one with her car at the mall two kilometers away; the inevitable break-ins. The story repeats.

And what happened? One family of five working adults with good jobs moves to Markham. The other one moves to Burlington. When I ask the inevitable question: Why are you leaving? What tipped the balance? The answer is always the same. We can buy just as good a home. But we can all park our cars in the driveway and on our street close to home.

The overall effect is that the families with the highest employment rates move out of Scarborough. As Scarborough's housing prices rise, the opportunity to leave becomes more attractive.

### **The tale of overstuffed parking lots filled with local resident vehicles**

Come with me to northern Scarborough where thousands of homeowners spill their extra vehicles into local business parking lots. Remember too that the 'least-used' car is the one that gets taken to the local mall lot. That car can remain for days.

Now consider the medical centres at Finch and Midland. Think of the malls at Kennedy and Midland. Picture the mini-mall at Steeles near Brimley.

Let's start with the Tim Horton's at the northwest corner of Finch and Midland. By 11:30 a.m. each day (try it!) there are very few people in what would normally be the lunchtime rush at Tim's. The line-ups are empty. It is easy to order as there are no line-ups. It is a customer's dream.

But why?

The reason is simple. Every parking space in the mall is full. The spaces at the back are full. Even local streets are full.

And why is this case? Let's start with the local homeowners who leave their cars in the lot more or less permanently because they cannot park on their street. Then add the commuters who leave their cars in their lots all day. Then add the patients at the local medical centres. And finally add the visitors to the local businesses.

At Finch and Midland, I raced around the stores at 11:30 a.m. and I checked the medical centre. I counted roughly 300 people in all. I then counted the cars in the lots and there are 600. Last time I checked, 300 people can't drive 600 cars. The lot is full. Tim Horton's is virtually empty because no one can park.

This is our Scarborough.

I had a number of medical appointments last year for tests ordered by my doctor. On more than one occasion, I had to park my car about a kilometer away from the medical centre at Finch and Midland because the 600 car parking lot was completely full with at least 30 cars and vans circling the lot trolling for the next available space. Lots of verbal fights and honking horns. Great entertainment!

This happens every weekday. It's quite a show and it's a free spectacle.

At a small mall one block west of Brimley on Steeles, I recently noticed that the milk store had closed. I wondered why.

Two weeks earlier, I drove to this same mall when the milk store was still open and I could not get a parking space on a Saturday morning. I said to myself that this just is not right. I parked on a side street and walked to the mall. I counted 87 fully occupied parking spaces and ran from store to store and counted a grand total of 36 customers. Eighty seven parking spots all filled with cars, vans and trucks but only 36 people.

Guess where all the vehicles come from?

You guessed it: Local side streets where they cannot park overnight. And what are they doing? They are destroying local businesses while residents can't even think of having their own family members visit for even the briefest family reunions.

When the milk store was in the process of closing down, I asked one of the clerks why the store was closing. He listed a number of reasons but prominent among them was customer complaints that they could not park close enough to the store.

### **The tale of trees dying from too much asphalt**

Over the past six years, many local residents on my street doubled the size of their asphalt driveways to accommodate an extra car in the driveway. I noticed that when two to three houses in a row expanded their driveways, the trees on their lawn and on city property began to wither and die. It was not just the ash trees.

I contacted a local arborist and he confirmed my suspicions. He noted that the trees just die from the aggregate stress of the increased amount of asphalt and the changes made to the direction of water runoff.

So there we have another casualty of the overnight parking policy. The local fauna starts to suffer.

And I don't blame the homeowners. They are just trying to work and live in Scarborough.

### **The tale of unproductive use of law enforcement**

The biggest single cost for parking enforcement laws is the cost to enforce parking infractions. Does this mean that we are paying officers to ride around Scarborough streets in specialized vehicles whose sole purpose is to enforce the overnight ban?

I was unsuccessful at obtaining the cost figures to enforce the ban but I do know that all of the vehicles that I have observed being ticketed involved members of the Toronto police force, not parking enforcement officers. I would like to know what the costs of these vehicles are and what the pay rates are for officers who work from 2:00 a.m. to 6:00 a.m. Is it a higher rate than during the day for this exquisitely unproductive labour?

## Part 2: The purpose of the overnight parking ban

It appears that the chief reasons for the overnight parking ban are to prevent illegal rooming houses and to meet the concerns of residents who simply don't want parked cars on their streets.

*“Just the mention of it last month prompted Scarborough-Agincourt Councillor Jim Karygiannis to talk about illegal rooming houses and the threat they pose to neighbourhoods.”<sup>1</sup>*

*“Residents in the suburbs don't want permit parking,” Denzil Minnan-Wong said. “They don't want cars parking all the time on the street and it is not necessary because people can park in their driveways.”<sup>2</sup>*

### The threat of illegal rooming houses

When the overnight parking ban was first contemplated in the 2008-09 period, house prices in Scarborough were depressed in comparison to the rest of the city of Toronto. At that time, it was perhaps there was a case to be made that rooming houses would be economically viable.

But let's look what's happened in the meantime. I use my own real estate division 'Agincourt E07' as an example. In this area, house prices of all types have skyrocketed over the period in which the overnight ban has been in place. The following chart illustrates this phenomenon:

House Type	December 2014	April 2008	% Price Increase
<b>All</b>	<b>556,602</b>	<b>365,285</b>	<b>54.8%</b>
<b>Detached</b>	<b>696,693</b>	<b>415,357</b>	<b>67.7%</b>
<b>Semi-detached</b>	585,200	320,143	<b>82.8%</b>
<b>Link</b>	<b>563,500</b>	<b>326,000</b>	<b>72.9%</b>
<b>Townhomes</b>	408,875	228,979	<b>78.6%</b>
<b>Condos</b>	<b>255,669</b>	<b>177,484</b>	<b>44.1%</b>
<b>Attached Row</b>	415,000	283,167	<b>46.6%</b>

<sup>1</sup> Mike Adler, Where the Streets have no parking, The Scarborough Mirror, Feb. 12, 2015, p8

<sup>2</sup> <http://www.torontosun.com/2014/08/13/citys-on-street-permit-parking-unfair-councillor>

With price increases like these, the economic viability for rooming houses is absolutely annihilated. As Raymond Cho has noted:

*“Poor people, they cannot buy this kind of house”<sup>3</sup>*

The rise in house prices in Scarborough takes care of one part of Karygiannis’ silly admonition about rooming houses. But the other side of the argument is equally absurd.

Single people live in rooming houses. They are generally poorer than the general population. In Toronto the cost to obtain and maintain a car is very high. Therefore the illegal rooming house scenario asks us to believe that hordes of single vehicle owners would be cramming themselves into Scarborough’s newly expensive real estate. Even if true, all of these residents would have to be gainfully employed to pay the rent and afford their car.

For those who believe that we would be seeing vehicle-owning welfare recipients in such places, guess again. Welfare pays a maximum of \$656 a month. With insurance, gas, parking and car payments, the car itself could easily cost \$656 with nothing left over for rent or food.

In other words, the argument just makes no sense. But even if it did, why would Scarborough be forced to issue more than one permanent permit per household? If Council adopted a policy to allow one permit per household, the rooming house issue would die where it stands.

Finally, the reality is that the more well-to-do more fully employed families *are* the families that are moving out of Scarborough *because* of the overnight parking ban.

It is the parking ban that is making Scarborough poorer, not the other way about.

### **The Minnan-Wong ‘residents don’t want cars parking all the time on the street’ threat**

Where do I start? Here is a councillor who does not live in Scarborough and represents a non-suburban ward who claims to know what suburban residents want.

That’s bad enough but the real problem with his position is that it is irrelevant. Cars can already be parked on my side street for 20 hours a day. They can clog and congest as they please and they can park as long as they like during those 20 hours and they can do it for free. They can also stop on the street between 2:00 and 6:00 a.m. It’s a parking ban, not a stopping or standing ban.

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<sup>3</sup> Adler, op.cit., p8

The loud party that ends at 1:45 in the morning with cars jamming every available spot is still legal. The truck that parks all day in front of my house is still completely legal.

The issue at hand is overnight parking from 2:00 a.m. to 6:00 a.m. and that can be regulated easily with a one permit per household rule and event parking to accommodate family gatherings. On my street, this would mean 44 parking permits all associated with the 44 single houses on the street. Even assuming 75% take-up, there would be 33 cars on the street between 2:00 a.m. and 6:00 a.m., a number that represents approximately half of the cars that are already parked on the street during the day and evenings.

### **Conclusion: A bad policy gone terribly wrong**

Scarborough is starving for revenue. Permit parking is a major untapped resource. The rest of Toronto has permit parking. I grew up with permit parking. Charge \$100 to \$500 a year for the privilege. Thousands of residents would line up for the privilege to pay.

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