

Subject: Public Parking in Fenwick

Recommendation:

THAT Committee receive Report #2020-0041 and recommend to Council:

THAT Staff include the preparation of a comprehensive Parking Study/Strategy in the 2021 Budget;

AND THAT Staff prepare the necessary by-law to establish a Parking Reserve Fund prior to 2021 budget;

AND THAT Staff prepare a report on cash-in-lieu of parking policy and appropriate fee structure.

Background:

On February 3, 2020 Council passed a motion directing Staff to investigate the possibility of obtaining lands for more parking within Fenwick and to report back to Council in March 2020. Council passed this motion in response to a Committee of Adjustment application at 795 Canboro Road in the downtown area of Fenwick that was seeking relief from the parking requirements of Zoning By-law 1136 (1987).

On February 24, 2020 Council also approved a new strategic priority of reviewing parking needs throughout the municipality. This report is provided to partially satisfy both of these requirements.

Analysis:

When municipalities identify a need to acquire land for public parking purposes, typically a parking reserve fund exists which contains funds to be used to acquire lands and/or develop lands for public parking purposes. It is also the norm that a municipality would contribute money on an annual basis to that reserve fund as part of the annual budget approval process. In addition to putting money aside annually through the budget approval process, a municipality can also place revenues it receives from parking in the parking reserve and some municipalities

also establish a policy for cash-in-lieu of parking and monies that are collected through the cash-in-lieu of parking are also placed in the parking reserve fund. Once there is adequate money in a parking reserve fund, a municipality can purchase land for public parking purposes or develop land for public parking without a direct impact on the taxpayer.

Currently the Town of Pelham does not have a parking reserve fund. As such, the Town does not have money set aside specifically for land acquisition or the development of land for public parking purposes. Further, the approved 2020 Town budget does not include any monies for land acquisition or the development of land for public parking and there is no contingency fund for such purposes either. Consequently, at this time, the Town has no financial resources available for land acquisition purposes or to develop land for public parking purposes.

Other mechanisms available to a municipality to increase the supply of parking include increasing the supply of on-street parking by minimizing on-street parking restrictions, by providing maximum time limits on the existing supply of public parking, thereby encouraging more turnover of the existing parking spaces resulting in the freeing up of spaces for others to park, by instituting a fee for parking and providing for parking enforcement of time limits. Generally, people that pay for parking are more aware of their time limits for parking and the turnover of parking spaces is higher where there is a fee for parking freeing up parking spaces for others to park. Usually a municipality uses a number of different strategies to increase the supply of public parking so that it is a multi-faceted approach.

Parking Study/Strategy

Typically, a municipality undertakes a parking study and develops a parking strategy that includes analysis relating to parking supply, turnover of parking spaces, peak parking demands, etc., assesses revenue sources through various pay for parking strategies, evaluates ways to increase the supply of both on-street and off-street parking and on both public and private properties, identifies key properties that it may wish to acquire for parking purposes to increase the supply of public parking and provides for guidelines regarding parking enforcement. This parking study and strategy also provides the basis for understanding what the Town's role is in supplying public parking for the benefit of private interests and establishes a policy framework for making decisions on public parking supply.

The Town does not have a parking study/strategy and there has been no assessment completed to know if there is a parking shortage in Fenwick and if so, the extent or magnitude of that parking shortage. Therefore, at this time, there is no evaluated basis for the Town to consider acquiring land for public parking purposes. However, Council has heard from members of the community that there

is a need for additional public parking in Fenwick, in particular during evening dinner hours when the local restaurants are busy.

It is also a best practice that when a municipality acquires lands, an appraisal is conducted by a qualified appraiser and the municipality and the property owner negotiate a fair market value based on an appraisal. It is also the norm that the cost of the appraisal is borne by the purchaser.

In addition to the costs to acquire land for parking, there will also be costs associated with developing the land for parking including the design of the grading, drainage and storm water management, lighting, landscaping, etc. and the construction costs of underground and above ground works.

It is also noted that there has been no assessment conducted regarding what are the Town costs for operating and maintaining additional public parking areas or what the capacity is for Staff to take on the operation of additional parking areas.

Cash-in-Lieu of Parking

Section 40 of the *Planning Act*, RSO 1990, provides the authority for a municipality to enter into an agreement with a property owner or occupant where the owner or occupant of the property is required by By-law to provide and maintain parking facilities, and such agreement may exempt the owner or occupant, to the extent specified, from the requirement of providing or maintaining such parking facilities and the agreement shall provide for the payment of money to the municipality for the granting of the exemption to provide or maintain parking facilities; this is known as cash-in-lieu of providing parking. All monies received under such agreements are to be placed in a special account, i.e. parking reserve.

The Town Official Plan has a policy in the Downtown designation, which includes downtown Fonthill and Fenwick, that states "*where a new use cannot accommodate the Town's parking requirement, the Town may accept cash-in-lieu where it is demonstrated that the parking can be accommodated in an alternate location.*" Currently, the Town does not have any procedure for determining if cash-in-lieu of parking is appropriate, the criteria by which cash-in-lieu of parking is evaluated, and Pelham does not have a fee schedule for cash-in-lieu of parking. Also, according to the Town Official Plan policy accepting cash-in-lieu of parking is tied to demonstrating that parking can be provided in another location versus on the applicant's site. In the absence of having demonstrated that parking can be accommodated on an alternate location it could be argued that accepting cash-in-lieu of parking may be premature.

To implement the Official Plan policy with respect to cash-in-lieu of parking a location where parking could be provided as an alternate location to an applicant's property needs to be identified, a fee amount for the cash-in-lieu needs to be established and there should be some criteria for establishing that cash-in-lieu of parking value, i.e., full cost recovery vs. partial. A parking reserve fund should also be established so that fees collected as cash-in-lieu of parking are set aside specifically for the acquisition of land and development of land for public parking purposes. It is also recommended that a procedure be established that has criteria by which Staff would evaluate a request for cash-in-lieu of parking. The implementation of cash-in-lieu of parking could also be an item for consideration as part of a comprehensive parking study/strategy.

The Town Clerk has obtained information from other local municipalities in Niagara and it appears that only three have cash-in-lieu of parking available. The fees for charged for cash in lieu of parking range vastly from \$2,900 to \$50,000 per parking stall. Two require additional fees associated with entering into an Agreement, ranging from \$2,490 to \$3,000. One municipality does not require an additional fee for this purpose.

Conclusion

Should Council wish to undertake a parking study/strategy, it is recommended that this study be comprehensive and include Fonthill and Ridgeville as well as downtown Fenwick. Council has heard in the past from businesses in Ridgeville that additional parking is needed to serve the existing businesses and in downtown Fonthill some businesses have also expressed concerns with the availability of on-street public parking on Pelham Street and Pelham Town Square, and Council has identified a need to address parking at the Meridian Community Centre. It is recommended that a comprehensive public parking study/strategy for the Town be included for consideration in the 2021 budget. This comprehensive parking study/strategy would provide the context and guidance to Council with regards to future decision making as it relates to the supply of public parking based on an approved framework and/or policy.

In the short term it is recommended that Staff report back to Council on a cash-in-lieu of parking policy and appropriate fee.

Financial Considerations:

Currently the Town does not have any money in a reserve to acquire lands for public parking in Fenwick, or elsewhere in the Town. If the Town were to purchase property for parking, it would be expected to purchase lands at market rate. At this time, if Council were to consider purchasing land for public parking purposes, it

would have a direct impact on the tax rate and result in an increase in property taxes.

Further, there is no money in the 2020 budget to undertake a comprehensive parking study/strategy. It is recommended that this be included in the 2021 Budget for consideration and it is estimated that such a study would be in the range of \$50,000 - \$60,000.

Alternatives Reviewed:

An alternative could be that Council direct staff in a closed session, to initiate contact with one or more property owner(s) and negotiate the purchase of land in downtown Fenwick for public parking purposes on the understanding that currently there are no funds available or allocated for such a purchase. This alternative would require a separate resolution from Council to go into a closed session to obtain advice on the acquisition of property.

Strategic Plan Relationship: Build Strong Communities and Cultural Assets

The provision of appropriate public parking in the downtown areas supports the business communities and can contribute positively towards building a strong community provided the parking is appropriately located, designed and there is not an oversupply of parking.

Consultation:

The Senior Leadership Team was consulted on the preparation of this report.

Other Pertinent Reports/Attachments:

n/a

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