

Subject: Proposed By-law to Regulate Parking at Properties Owned by the Town of Pelham where Parking is Provided

Recommendation:

BE IT RESOLVED THAT Council receive Report # 2022-0202 – Proposed By-law to Regulate Parking at Properties Owned by the Town of Pelham where Parking is Provided, for information;

AND THAT Council consider adopting By-law No. 4483(2022), being a By-law to regulate the parking of motor vehicles on Town of Pelham property.

Background:

In February 2022, Council provided direction to staff to prepare a by-law to regulate parking at the Meridian Community Centre and other properties owned by the Town of Pelham where parking is provided.

Analysis:

The Town has authority to pass by-laws to regulate parking on highways under its jurisdiction and to regulate parking on municipal land other than highways.

The Town presently has a Parking and Traffic By-law that applies to highways under its jurisdiction. “*Highway*” is defined by reference to the *Highway Traffic Act*, which generally describes highways as areas intended for or used by the general public for the passage of vehicles. It does not encompass other municipal lands.

The Town also has a Fire Route By-law and an Accessibility Parking By-law. To the extent that any portion(s) of Town-owned parking areas are designated fire routes or are designated as accessible parking areas, they are subject to these By-laws, including the enforcement provisions. Otherwise, the Town does not have a by-law to regulate parking on municipal land such as the Meridian Community Centre and other Town-owned facilities where parking is provided.

The proposed Town Property Parking By-law is appended to this report. It seeks to address this regulatory gap and enable the Town to implement and enforce parking controls at Town-owned properties where parking is provided. It also contemplates the possibility of imposing parking fees at such properties where appropriate.

The *Municipal Act, 2001* authorizes the Town to impose administrative monetary penalties for parking by-law contraventions and an associated regulation provides that unpaid penalties can result in denial of a vehicle permit. It also authorizes the Town to provide for the removal and impounding or restraining and immobilizing of vehicles parked or left in contravention of a parking by-law. The proposed Town Property Parking By-law includes administrative penalties and other penalties as provided for under the *Municipal Act, 2001* and the *Highway Traffic Act*.

If the proposed Town Property Parking By-law is enacted it will be necessary to amend the Parking Administrative Penalty By-law to designate the new by-law as being subject to the administrative penalty system.

Financial Considerations:

There are no direct financial implications if the proposed Town Property Parking By-law is adopted. There will be costs associated with implementing the by-law such as signage and enforcement costs. The quantum of these costs is unknown but is expected to be at least partially offset by amounts recoverable by the Town as a result of enforcement of the by-law and/or the implementation of parking fees. Costs can likely be absorbed into the existing bylaw department budget.

Alternatives Reviewed:

Council may provide direction for revisions to the proposed Town Property Parking By-law. Should Council require substantial revisions, staff request that the matter be referred back to staff to incorporate the changes and prepare a further draft.

Strategic Plan Relationship: Build Strong Communities and Cultural Assets

Parking regulation and enforcement at Town-owned properties will facilitate access to those properties. This will help build a strong community and will enhance the value of those assets for the Town and its residents.

Consultation:

The Town Solicitor reviewed various municipal property parking by-laws and consulted with the Senior Leadership Team and by-law enforcement staff in relation to the proposed Town Property Parking By-law.

Other Pertinent Reports/Attachments:

Proposed Town Property Parking By-law.

Prepared and Recommended by:

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