

REPORT

Council

Meeting Date: June 19, 2023

FROM: Municipal Enforcement Services Department

DATE: June 6, 2023

SUBJECT: **Housekeeping Amendments to Parking Administrative Penalties By-law 2015-071 and By-law 1979-59 Regulating Town Parking Lots – By-law 2023-084**

LOCATION: Town Wide

WARD: Town-wide

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RECOMMENDATION:

1. That By-law 2023-084, a by-law to amend Parking Administrative Penalties By-law 2015-071, as amended, and to amend By-law 1979-59, being a by-law to regulate the parking of vehicles on Town parking lots controlled by a parking payment machine or parking permit, attached as Appendix A to the report from Municipal Enforcement Services dated June 6, 2023 be passed.
2. That the Rates and Fees Schedule be updated to include fees for new parking violations under Zoning By-laws 2009-189 and 2014-014 and to add fees for parking at Lot H at Bronte Harbour as set out in Appendix B to the report from Municipal Enforcement Services dated June 6, 2023.

KEY FACTS:

The following are key points for consideration with respect to this report:

- Parking Administrative Penalties By-law 2015-071 (the “AP By-law”) came into force on November 12, 2015 and implemented an administrative penalties system for the contravention of by-laws respecting the parking, standing or stopping of vehicles.
- An amendment to Table 7 of Schedule A to the AP By-law titled “BY-LAW 2009-189, AS AMENDED – ZONING (NORTH OF DUNDAS STREET)” is recommended as set out in this report and Appendix A.

- Amendments to Table 8 of Schedule A to the AP By-law titled “BY-LAW 2014-014, AS AMENDED – ZONING” are recommended as set out in this report and Appendix A.
- Lot H at Bronte Harbour will be offered for use as a parking lot for seasonal public parking while not being used for boat storage. As such, By-law 1979-59 which regulates the parking of vehicles on Town parking lots controlled by a parking payment machine/electronic payment or parking permit, must be amended to include Lot H.
- The rates and fees schedule must be updated to include the new fees as set out in Appendix B to this report.

BACKGROUND:

The AP By-law came into force on November 12, 2015, thereby implementing an administrative penalties system for the contravention of by-laws respecting the parking, standing or stopping of vehicles. An administrative penalties system provides a number of benefits including:

- freeing up provincial court time for more serious matters;
- facilitating the early resolution of parking disputes;
- local and less formal settings for parking dispute hearings; and
- the opportunity for improved cost recoveries for processing delinquent parking penalties.

By-law 1979-59 regulates the parking of vehicles on Town parking lots controlled by a parking payment machine or parking permit.

COMMENT/OPTIONS:

By-law 2023-025, a Town-initiated omnibus Zoning By-law amendment, added new Section 5.1.1.2 to North Oakville Zoning By-law 2009-189 to provide that a vehicle parked on a property with a residential use must be parked entirely on a driveway, surface parking area or the roof of a parking garage. As such, Table 7 of Schedule A to the AP By-law must be amended to add a contravention and a \$75.00 administrative penalty for failure to comply with Section 5.1.1.2. This amendment is included in By-law 2023-084, attached as Appendix A to this report.

Further, By-law 2023-084 proposes to amend the AP By-law with respect to parking contraventions under South Oakville Zoning By-law 2014-014. Proposed amendments to Table 8 of Schedule A are:

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- Amend the title to read “BY-LAW 2014-014, AS AMENDED – ZONING (SOUTH OF DUNDAS STREET)” to be consistent with the naming convention for the North Oakville Zoning By-law in Table 7;
 - Adding a contravention for parking a trailer/recreational vehicle in a front yard pursuant to Section 5.9.2(a) of the Zoning By-law;
 - Amending the contravention under Section 5.9.2(b) of the Zoning By-law to prohibit the parking of a trailer/recreational vehicle at any time November 1 to April 30 on a driveway. The AP By-law currently prohibits parking these vehicles at any time November 1 to April 30 on private property; and
 - Adding a contravention for parking a trailer/recreational vehicle that exceeds the height (2.3 metres) and maximum length (7.0 metres exclusive of hitch or tongue) between November 1 to April 30 on private property pursuant to Section 5.9.2(c) of the Zoning By-law.

The AP By-law sets a \$75 administrative penalty for contraventions of South Oakville Zoning By-law 2014-014 with respect to parking.

By-law 2023-084 also proposes to amend By-law 1979-59 to include Lot H at Bronte Harbour as a parking lot regulated by the Town. Proposed parking rates at Lot H are \$1 per hour, \$5 per day and \$39.55 per month. Parking rates for lots regulated by By-law 1979-59 are included in the rates and fees schedule rather than in the By-law itself.

CONSIDERATIONS:

(A) PUBLIC

The Town’s website will be updated to reflect the new contraventions and penalties under the Parking Administrative Penalties By-law as well as the rates to park at Lot H.

(B) FINANCIAL

Parking revenues including penalty payments are used to fund the overall parking operations so that there is no reliance on tax levy funding. Parking revenue activity is reported through annual budget and quarterly variance reports.

New Fees to be added to 2023 Rates and Fees By-law as outlined in Appendix B-Updates to Rates and Fees Schedule.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

There is no impact to staff in other departments as Municipal Enforcement Services will enforce the parking contraventions once approved, and enforce parking at Lot H.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:

- Continuously improve our programs and services
- Provide outstanding service to our residents and businesses

(E) CLIMATE CHANGE/ACTION

N/A

APPENDICES:

Appendix A – By-law 2023-084 a by-law to amend Parking Administrative Penalties By-law 2015-071, as amended (Zoning By-law 2009-189 and Zoning By-law 2014-014) and to amend By-law 1979-59, being a by-law to regulate the parking of vehicles on Town parking lots controlled by a parking payment machine or parking permit (Schedules A and B).

Appendix B – Updates to the Rates and Fees Schedule

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