

DATE: April 9, 2024

REPORT NO: PD-22-2024

SUBJECT: Recommendation Report – New Parking of Motor Vehicles “Not on Highways” By-law and Amendment to Parking Related AMPS By-law

CONTACT: John Bartol, Chief Building Official
Brian Treble, Director of Planning & Building

OVERVIEW:

- This report is written to recommend the adoption of the new By-law to regulate Parking “Not on Highways” and to amend the Parking Related AMPS By-law to support electric vehicle parking enforcement requirements as noted in Public Works staff report PW-01-24. This will allow staff to regulate the use of the newly proposed Electric Vehicle Charging Stations proposed on Township of West Lincoln lands and allow further enforcement of a similar nature on any additional future Electric Vehicle Charging Stations on Township of West Lincoln lands. Enforcement will occur periodically on a daily basis or actively through a complaint.
- Staff propose that the draft Private Property Parking By-law and the amendment to the Parking Related AMPS By-law be brought forward at the next Council meeting for adoption, following consideration of any comments or questions that Council may have covered at this committee meeting.

RECOMMENDATION:

1. That Recommendation report PD-22-2024, titled “Recommendation Report – New Parking of Motor Vehicles ‘Not on Highways’ By-law and Amendment to Parking Related AMPS By-law”, dated April 9th, 2024, be received; and
2. That a draft By-law attached as Schedule “A”, being a By-law to Regulate Private Property Parking, be passed; and
3. That a draft By-law attached as Schedule “B” to amend By-law 2014-67 by adding Schedule G, be passed.

ALIGNMENT TO STRATEGIC PLAN:

- **Build** – a safe, connected, caring and active community.
- **Advance** – Organizational Capacity and Effectiveness.

BACKGROUND:

The By-law to regulate Parking “Not on Highways” is established to regulate parking on private lands being initially and primarily lands owned by the Township of West Lincoln. The driving factor for the initial implementation of this by-law is derived from Public Works staff report PW-01-24 in which new Electric Vehicle Charging Stations are proposed to be installed on Township owned land. The Township of West Lincoln currently lacks an authorizing By-law to regulate parking on privately owned land including our own properties. The currently implemented Parking By-law 89-2000 only authorizes Township staff to enforce, ticket and regulate *Highways* as defined by the *Ontario Highway Traffic Act*.

The proposed amendment to the Parking Related Administrative Monetary Penalty Systems By-law is being proposed so that staff can utilize existing By-laws and Provincial Legislation In lieu of Provincial Offence Notices for regulation of inappropriately parked vehicles at Electric Vehicle Charging Stations as well as other routine infractions on private property. This is in an effort to administer the provisions of these By-laws as amended at a Municipal level and to reduce the workload being sent to Provincial Offences Court. The well-established process the Township of West Lincoln has administered for Administrative Penalty Notices will be utilized to effectively implement and enforce the proposed amendments.

CURRENT SITUATION:

Currently the Township of West Lincoln has no authorizing By-law to establish the regulation of parking infractions on privately owned land, including our own land. The proposed adoption of the By-law to Regulate Parking “Not on Highways” is to establish an authorizing By-law to enforce parking provisions initially on Township owned land but leave an open door for other property owners to permit Township Staff to administer parking provisions on other private land. The initial implementation is only for the enforcement authorization of the Electric Vehicle Charging Stations proposed in Public Works staff report PW-01-24. The other provisions of this by-law will only be enforced when a formal complaint is submitted and only on Township of West Lincoln Lands initially. Examples of the additional provisions are stop/stand/park not within designated space, park to interfere with snow removal, stop/stand/park longer than 24 hours etc.

With the adoption of the By-law to Regulate Parking “Not on Highways”, a new schedule to By-law 2014-67 must be added to incorporate the new enforcement provisions. The amendment to By-law 2014-67 will allow Township staff to utilize an existing and proven Administrative Monetary Penalty System to enforce the newly proposed by-law.

With current staffing resources the By-law Department is prepared to actively regulate the Electric Vehicle Charging Stations on a pro-active daily basis. The other provisions will be dealt with on a complaint basis and will only be enforced when formal complaints are submitted as per the already established report a concern submission process offered by the Township. Staff will monitor the impact on routine by-law response times and adjust the enforcement of the Electric Vehicle Parking Station provisions accordingly.

FINANCIAL IMPLICATIONS:

The proposed draft by-law and by-law amendments adjust the parking regulation to incorporate minor additions to the scope of enforcement, any additional stops or enforcement measures would be seen as routine and would not raise any new financial implications for current staffing levels.

INTER-DEPARTMENTAL COMMENTS:

Modifications to these by-laws are in accordance with Public Works staff Report PW-01-24 and apply only proactively to the enforcement of Electric Vehicle Charging Stations and complaint driven enforcement of routine regulations on Township owned lands.

CONCLUSION:

Staff recommends that the draft By-law and the amendments to add Schedule “G” to by-law 2014-67 as attached be given consideration by Township Council. Once Staff have addressed any comments or concerns that are received, then the new By-law to Regulate Parking “Not on Highways” and the amendment to add Schedule “G” to By-law 2014-67 be forwarded to the next Council meeting, scheduled April 22, 2024, for adoption and that the subsequent effective date be set for May 1, 2024.

SCHEDULES:

1. Draft By-law to establish a By-law to regulate Parking Not on Highways
2. By-law to add Schedule “G” to By-law 2014-67, as amended.

Prepared & Submitted by:

Approved by:



Brian Treble
Director of Planning & Building

Donna DeFilippis
Interim CAO

A handwritten signature in black ink, appearing to read "John Bartol". The signature is written in a cursive style with a large loop at the end.

John Bartol
Chief Administration Officer