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TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 9, 2013
FROM:	CATHY SAUNDERS CITY CLERK
SUBJECT	AMENDMENT TO FEES AND CHARGES BY-LAW A-46 RESIDENTIAL PARKING PASS PROGRAM FIRST PASS FEE EXEMPTION – TROWBRIDGE AVENUE, MARY AVENUE AND PINWOOD DRIVE AND TRAFFIC & PARKING BY-LAW PS-111

RECOMMENDATION

On the direction of Municipal Council, the following actions be taken with respect to the residential parking pass program as it relates to portions of Trowbridge Avenue, Mary Avenue and Pinewood Drive pilot area:

- a) the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting on September 17, 2013 to amend By-law A-46, as amended, entitled “A by-law to provide for Various Fees and Charges” to provide a first residential parking pass, at no charge, for portions of Trowbridge Avenue, Mary Avenue and Pinewood Drive; and,
- b) the attached proposed by-law (Appendix “B”) **BE INTRODUCED** at the Municipal Council meeting on September 17, 2013 to amend By-law PS-111, as amended, entitled “A by-law to regulate traffic and the parking of motor vehicles in the City of London” to delete the no parking provisions for a portion of Trowbridge Avenue between the hours of 8:00 AM to 6:00 PM; and to add limited parking with respect to the residential parking pass program for portions of Mary Avenue, Pinewood Drive and Trowbridge Avenue.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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1. December 13th, 2004: Residential Parking Permit Program;
2. December 12th, 2005: On-street Parking in the Vicinity of King’s University College;
3. February 27th, 2006: Pilot Residential Parking Pass Program in the Vicinity of King’s University College;
4. April 24th, 2006: On-street Parking in the Vicinity of King’s University College;
5. May 28th, 2007: On-street Parking in the Vicinity of King’s University College;
6. August 7th, 2007: Residential Parking Pass Fees;
7. August 7th, 2007: Additional Parking in the Vicinity of King’s University College;
8. July 14th, 2008: Pilot Residential Parking Pass Program Update;
9. August 11th, 2008: Pilot Residential Parking Pass Program Update; and
10. May 27th, 2013: Trowbridge Avenue Parking Passes.
11. July 22, 2013: Residential Parking Pass Program

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BACKGROUND

On May 27th 2013, the Civic Works Committee recommended the following with respect to the Residential Parking Pass Program:

- a) ***NO ACTION BE TAKEN*** with respect to changing the parking regulations on Trowbridge Avenue (all), Mary Avenue (all) and Pinewood Drive from Mary Avenue to Randol Drive; and,
- b) *the Civic Administration* ***BE DIRECTED*** to discontinue the Residential Parking Pass Pilot Program within the City of London, for the purpose of achieving a consistent approach throughout the City, and to provide adequate notice of the Program's discontinuation to those areas currently participating in the Residential Parking Pass Pilot Program. (2013-T02)

At the June 11, 2013 meeting of Municipal Council, this recommendation was deferred to the next meeting of Municipal Council, in order for the Ward Councillor to be in attendance to participate in the debate.

At the June 25, 2013 meeting of Municipal Council, this recommendation was referred to the Civic Works Committee for further consideration.

At the July 30, 2013 meeting of Municipal Council, the following resolution was passed with respect to Trowbridge Avenue and the Residential Parking Pass Program:

"That the City Clerk BE DIRECTED to bring forward a proposed draft by-law, at a public participation meeting of the appropriate Standing Committee, to amend the Fees and Charges By-law to provide Trowbridge Avenue with the same Residential Parking Pass Program fee exemption as the initial pilot program; it being noted that the Trowbridge Avenue residents will continue to be able to use free parking passes until this matter is dispensed with by the Municipal Council."

DISCUSSION

The current Various Fees and Charges By-law, By-law A-46, as amended, provides for the following with respect to the "Residential Parking Pass Program":

"First Residential Parking Pass is \$60.00 (except initial pilot program is no charge)/Second Residential Parking Pass is \$60.00/Residential Parking Pass at midpoint of program year is reduced by 50%/Replacement Residential Parking Pass is \$120.00."

By-law A-46 does not indicate where the "initial pilot project" area is located. It is recommended that in order to clarify the areas where the exemption to the fee for the first residential parking pass is to apply, that the two areas be specifically listed as the "King's University College area" and the "Trowbridge Avenue, Mary Avenue and Pinewood Drive area".

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As a result of an additional pilot project area being implemented, amendments to By-law PS - 111, as amended (the Traffic & Parking By-law) are required to delete the no parking provisions for a portion of Trowbridge Avenue between the hours of 8:00 AM to 6:00 PM and to add limited parking with respect to the residential parking pass program for portions of Mary Avenue, Pinewood Drive and Trowbridge Avenue.

PREPARED BY:
CATHY SAUNDERS CITY CLERK

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APPENDIX "A"

2013
By-law No. A-

A by-law to amend By-law A-46, being a by-law to provide for Various Fees and Charges in order to provide the first residential parking pass, at no charge, in the Trowbridge Avenue, Mary Avenue and Pinewood Drive area.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS section 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1);

AND WHEREAS section 391(1) of the *Municipal Act, 2001* provides that a municipality may impose fees or charges on persons:

- (a) for services and activities provided or done by or on behalf of it;
- (b) for costs payable by it for services and activities provided or done by or on behalf of any other municipality or any local board; and
- (c) for the use of its property including property under its control;

AND WHEREAS it is deemed expedient to pass this by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law A-46 entitled "A By-law to provide for Various Fees and Charges" be amended in "Schedule 1 Transportation Services Service Grouping: Parking" by deleting from the Residential Parking Pass Program Services/Activity, the phrase "(except initial pilot program is no charge)" and by replacing it with the following new phrase "(except no charge for the "King's University College area" and the "Trowbridge Avenue, Mary Avenue and Pinewood Drive area)".
2. This by-law comes into force on the day it is passed.

PASSED in Open Council on September 17, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

APPENDIX “B”

2013
By-law No. PS-

A by-law to amend By-law PS-111 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London” in order to delete the no parking provisions for a portion of Trowbridge Avenue between the hours of 8:00 AM to 6:00 PM; and to add limited parking with respect to the residential parking pass program for portions of Mary Avenue, Pinewood Drive and Trowbridge Avenue.

WHEREAS subsection 10(2), paragraph 7. of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001*, as amended, provides that a municipal power shall be exercised by by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. No Parking

Schedule “2” (No Parking) of the said By-law PS-111 is hereby amended by **deleting** the following rows:

Trowbridge Ave.	East	Springbank Ave.	north end of the street	8:00 am to 6:00 pm
Trowbridge Ave.	West	Springbank Dr.	north end of the street	8:00 am to 6:00 pm

2. Stop Signs

Schedule “6.1” (Limited Parking – Residential Parking Pass) of the said By-law PS-111 is hereby amended by **adding** the following rows:

Mary Ave.	Both	From Springbank Dr. to Randol Dr.	Monday to Friday 8:00 am to 6:00 pm	2
Pinewood Dr.	Both	From Mary Ave. to Randol Dr.	Monday to Friday 8:00 am to 6:00 pm	2
Trowbridge Ave.	Both	From Springbank Dr. to north end of the street	Monday to Friday 8:00 am to 6:00 pm	2

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3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on September 17, 2013

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2013
Second Reading – September 17, 2013
Third Reading – September 17, 2013