

Item 4.3

Points of Presentation

Rescinding Municipal Parking Lot #10 from the Traffic and Parking By-Law.

The parking lot had been operating illegally for several years. Residents complained but enforcement took no action.

On Feb. 20 2019, CWC endorsed the private parking lot at 175-193 Mill Street, 52-64 St. George Street and 174-192 John Street and it was added to the list of parking lots managed by the City for the property owner. This item was approved as a Consent Item.

Regardless as to whether it was listed under the Traffic and Parking By-law, the land was not zoned for a commercial parking lot and a zoning amendment and public notice and meeting was required under Section 34(10.7) of the Ontario Planning Act, R.S.O. 1990, CP.13.

The boundaries of the parking lot encompassed private property that did not belong to the parking lot owner, yet it was still approved by this committee.

The by-law and the parking lot was made legal before the property owner fulfilled all requirements of the private / public agreement.

The owner of the parking lot proceeded to grade the surface area, removing all backyards, trees and caused property damage to neighbouring properties.

Complaints were filed with by-law enforcement by residents regarding the bulldozing of trees and backyards and again no action was taken.

While blame is being placed on the property owner for proceeding to clear the interior area of the mentioned block, and not comply with the guidelines of the agreement, residents believe it was the sole failure of enforcement and parking staff and this committee and council for failing to:

- enforce resident's long standing and immediate complaints;
- recognize gross errors in the mapping of the boundaries of the parking lot;
- question the appropriateness of approving a public parking lot whose boundaries abutt private residences;
- understand that a zoning amendment was required under the Planning Act
- uphold the legal rights of residents to be notified of any pending zoning change and denying their right to appeal.

The property owner was just taking advantage of a bad system and a lack of enforcement.

The responsibility lies with this committee.

A request for a review of how parking lots are approved: request that the city take court action rather than simply ask for fines to remedy violations: restore green space and property damage the was bulldozed.

Thank You

AnnaMaria Valastro

133 John Street, Unit 1

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Private Property Parking Enforcement Program

The City of London has a By-law to allow for ticketing of vehicles on private property under **certain criteria**. In accordance with City of London Traffic and Parking By-laws P.S. 111, Part 8

Section 79.1 No person shall permit a vehicle to be parked in a privately-owned parking lot or other parking facility without the authorization of the owner of the parking lot or parking facility prohibiting such unauthorized parking.

Section 79.2 No person shall permit a vehicle to be parked or left on privately-owned land not used as a parking lot or other parking facility without the authorization of the owner or occupant of that land.

Enforcement of this portion of the By-law can be accomplished by enrolling in the program which uses existing City resources (Parking Enforcement Officers). This process is accomplished by Phases.

Phase 1 – Initial site Inspection

In order to join the program to allow unauthorized vehicles to be ticketed on private property, property owners must apply to City for inclusion in the program. Property owners can apply by phone, or email the Parking Coordinator. Certain criteria must be met by the property owner in order to participate in the program and this will be discussed with the property owner at the initial site visit.

At the initial site inspection the Parking Coordinator will meet with the property representative and present a Consent Agreement to allow the application of the Traffic and Parking by-law to privately owned land under Section 100(a) if the Municipal Act, S.O. 2001, c.25. This consent form must be executed by the property owner or occupant and registered and held on file with the City Clerk.

While on site the Parking Coordinator will determine signs locations for the property under the Ontario Municipal Act requires that all vehicular access points to the property be signed in such a manner as to be visible to all motorists as they enter the property in order for the municipal by-law to be in effect. The Parking Coordinator would indicate to the property representatives where to place the Official signs as authorized by the Parking and Traffic Signal Division the signs must posted at the entrance ways and throughout the property in locations approved by the Parking Coordinator. After indicating the location where to place signs on the property I would discuss additional wording to be place on the sign to indicate the property requirements for vehicles that are come onto the property prior to purchasing. When the property is not totally contained and other properties have access into or through the lot, it is necessary for each parking stall be clearly marked with pavement markings and have an official sign posted in the center of each space. The onus is on the property to purchase the approved signs through a sign supplier, the Parking Coordinator would like to review the artwork prior to the signs being purchased to make sure they wording is accurate on signs as stated on the site visit.

In order to participate in the Private Property Parking Enforcement Program all Fire Route and Disabled spaces must be up to current Provincial and Municipal standards which may require additional signage as advised by the Parking Coordinator at the site visit. Any parking occurring on the City Boulevard must be covered by a valid Boulevard Parking Agreement.

Phase 2 – Warning Notice

At the initial site inspection the Parking Coordinator and the property representative will discuss the property parking rules and regulations.

As part of the education component of the program, a Designated Representative of the property must issue an official warning notice to unauthorized vehicles indicating “in future parking tickets will issued”. This notice will provide

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contact information specific to the property in order that the driver may discuss the reason the warning was issued. This should result in compliance to the parking rules without the necessity of having a ticket issued and benefit the property owner to ensure that valid residents and visitors do not leave with a negative experience associated with having received a ticket. The Designated Representative must provide a copy of the prior warning notice the officer and be in attendance while the parking ticket is being issued. The City's enforcement staffs are available more or less 24/7 and can respond to complaints in a reasonable time frame.

There are properties that would like to opt out of the warning notice and would like to strictly issue tickets on the premise. In this case we would make sure the property has a record of all the authorized vehicles that are supposed to be on the property. Some examples are making sure vehicles are registered with property management, property management can issue vehicles a parking pass and a letter to residents to indicate the new parking guidelines on the property. A designated rep must Designated Representatives must be appointed meet with the Officer, and point out to the Parking enforcement officer the unauthorized vehicle. The designated rep must remain with the officer until the ticket has been severed on the vehicle.

This program is enforced on a complaint basis only, and Designated Representatives must be appointed to issue warning notices, request enforcement and meet the officer at the time of enforcement to convey the reasons the vehicle in question is not authorized, therefore providing the officer with the personal knowledge required to issue a valid parking infraction notice.

Phase 3 – Final Site Inspection

Once Phase 1 and 2 has been satisfied I would then check to ensure that the property has the items below satisfied:

- Signage has been placed in the appropriate location that was indicated at the initial site inspection.
- Signed Consent form from the property owner
- Copy of the warning notice that the designated rep will be issued to the unauthorized vehicle (if required on site visit)
- Copy of a parking pass and letter of new parking guidelines. (if required on site visit)

Phase 4 – Approval of Property

List of designated reps for the Parking Enforcement Officers to meet on site, if the name is that is requesting enforcement is not on the list the Officer will not attend. Property owners can add or delete names on the list at any time. The approved property will then be passed on to the Parking Enforcement Supervisor and internal staff in the office and we can go out to the property upon a request by the designated rep.

Phase 5 – On-site Parking Enforcement

For large commercial property that would like to hire an onsite parking enforcement officer to issue tickets on the property. Phases 1, 3, and 4 is conducted with the addition of training and appoint the person to be by-lawed. There is a fee to the property owner in which is \$200 for training and the bylaw designation.

Once you are interested we can go ahead and set up a date and time to schedule an appointment for the initial visit for your property.

Should you have any further questions or concerns, please do not hesitate to contact me at (519) 661-2500 ext 4635.

Regards,



Murzeena Shemsdeen

Supervisor/ Parking Coordinator
Development and Compliance Service

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10. Metered Municipal and Public Parking Lots

The private parking lot at 175-193 Mill Street, 52-64 St. George Street and 174-192 John Street has been added to the list of parking lots managed by the City for the property owner.

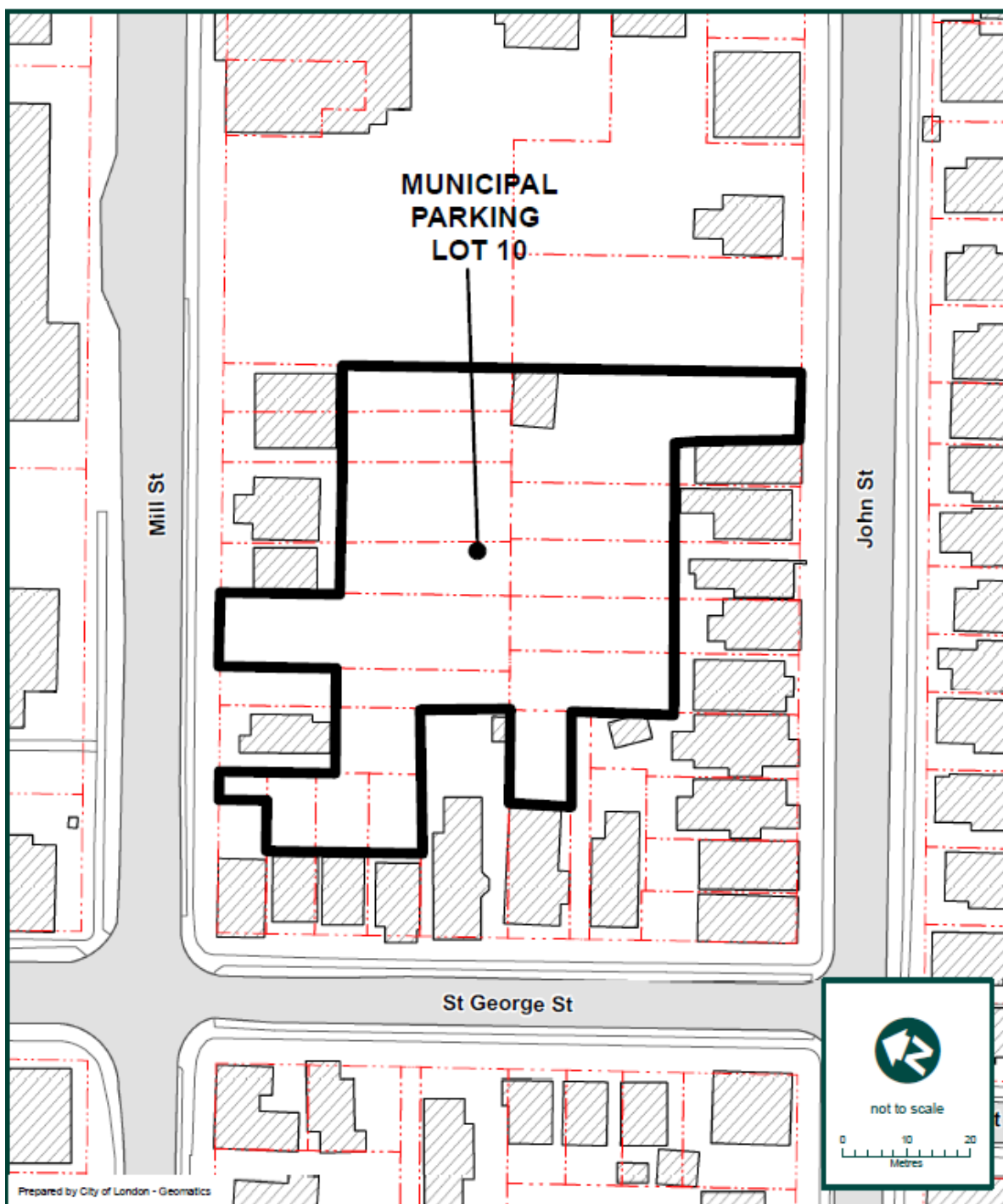


Figure 18: Municipal Lot 10

Amendments are required to Schedule 22 (Metered Off-street Municipal Parking Lots) and Schedule 30 (Metered Municipal and Public Parking Lots) to address the above change.

Pages 34 & 35 of Staff Report dated October 28, 2019, "Amendments to Consolidated Fees and Charges"

Social and Health Services

Long Term Care – Dearness Home

The proposed fee increase for staff escort is required as a result of increases to salaries and benefits of staff providing this service.

Service/Activity	Current Fee	2020 PROPOSED		
		Effective Date	Fee	% Change
Staff Escort to Medical Clinics up to 3 hours	\$100.00	Jan.1/20	\$106.00	6.0%
After 3 hours (per hour for a nursing escort)	\$34.00	Jan.1/20	\$35.00	2.9%

Transportation Services

Parking Services

Increase in Private MLEO training & appointment – The proposed increase in the rate is being recommended to help cover the staff costs associated with training service providers to issue parking tickets on private lots. This rate has not been increased since 2015.

Admin Fee Bulk Lot Passes – This proposed new fee is being recommended to assist with covering administrative and staff costs associated with the preparation of a bulk parking for City of London Parking Lots. Bulk parking refers to a large volume of parking passes purchased in a single order for a municipal lot which applies to a large number of vehicles parking in a lot.

Increase in rate for Municipally Owned/Operated Parking Lots – This proposed increase is being recommended to ensure that City of London rates are competitive with other off street parking providers. The proposed increased fees will help cover the costs of infrastructure maintenance in off street parking lots including parking meters, paving, snow clearing, line painting and more. These rates have not been increased since 2012.

Increase in on-street parking rates – This proposed increase has been recommended as a method of establishing a parking reserve fund. This specific parking reserve fund would be exclusively dedicated to the development of future downtown parking spaces/structure as per the 2017 BA Consulting Downtown Parking Strategy.

Municipal Parking Lot 10 – This fee is being proposed as a new municipally managed parking lot approved by Municipal Council earlier in 2019 is being established.

Municipal Parking Lot 13 – This fee is being proposed as a new municipally managed parking lot has been established.

Service/Activity	Unit of Measure	Current Fee	2020 PROPOSED			2022 PROPOSED		
			Effective Date	Fee	% Change	Effective Date	Fee	% Change
Parking Control								
i) Private MLEO Training & Appointment		\$200.00	Jan. 1/20	\$250.00	25.0%			
ii) Administrative Fee Bulk Lot Passes			Jan. 1/20	\$25.00	New			
Parking Meters								
i) Parking Meter Fees								
Outlying 1 hour	Hour	\$1.50	Jan. 1/20	\$2.25	50.0%	Jan. 1/22	\$2.50	11.1%
Outlying 2 hour	Hour	\$1.50	Jan. 1/20	\$2.25	50.0%	Jan. 1/22	\$2.50	11.1%
Outlying 4 hour	Hour	\$1.50	Jan. 1/20	\$2.25	50.0%	Jan. 1/22	\$2.50	11.1%
10 Hour Metered Zone	Hour	\$1.50	Jan. 1/20	\$2.25	50.0%	Jan. 1/22	\$2.50	11.1%
	Maximum	\$3.00	Jan. 1/20	\$5.00	66.7%			
Downtown 1 hour	Hour	\$1.50	Jan. 1/20	\$2.25	50.0%	Jan. 1/22	\$2.50	11.1%

Pages 34 & 35 of Staff Report dated October 28, 2019, "Amendments to Consolidated Fees and Charges"

Service/Activity	Unit of Measure	Current Fee	2020 PROPOSED				
			Effective Date	Fee	Effective Date	Fee	% Change
<u>Parking Lots - Municipally Operated</u>							
Lot # 3 North - 743 Richmond Street	Hour	\$2.00	Jan. 1/20	\$2.00	Aug. 1/20	\$2.50	25.0%
Lot # 6 - Kent Street, North Side of Kent Street between Richmond & Talbot Streets	Hour	\$2.00	Jan. 1/20	\$2.00	Mar. 1/20	\$2.50	25.0%
	Day	\$8.00	Jan. 1/20	\$8.00	Mar. 1/20	\$10.00	25.0%
Lot #9 78 Riverside Dr. Kiwanis Senior Centre	Hour	\$2.00	Jan. 1/20	\$2.00	Mar. 1/20	\$2.50	25.0%
Lot #10 - Mill Street/John Street/St.George	Hour				Oct. 1/20	\$2.50	New
	Day				Oct. 1/20	\$10.00	New
	Evening				Oct. 1/20	\$8.00	New
	Monthly				Oct. 1/20	\$100.00	New
Lot # 12 - 199 Ridout Street N., PUC Parking Lot North Side of Horton Street between Thames & Ridout Streets	Hour	\$2.00	Jan. 1/20	\$2.00	Mar. 1/20	\$2.50	25.0%
	Day	\$5.00	Jan. 1/20	\$5.00	Mar. 1/20	\$6.00	20.0%
	Evening	\$4.00	Jan. 1/20	\$4.00	Mar. 1/20	\$5.00	25.0%
	Monthly	\$70.00	Jan. 1/20	\$70.00	Mar. 1/20	\$80.00	14.3%
Lot #13 - 189 King Street	Hour				Oct. 1/20	\$2.50	New
	Day				Oct. 1/20	\$10.00	New
	Evening				Oct. 1/20	\$8.00	New
	Monthly				Oct. 1/20	\$120.00	New
Lot # 15 - London Convention Centre, South Side of King Street between Wellington & Waterloo Street	Day	\$7.00	Jan. 1/20	\$7.00	Mar. 1/20	\$8.00	14.3%
	Evening	\$5.00	Jan. 1/20	\$5.00	Mar. 1/20	\$6.00	20.0%
Lot # 16 - 205 Oxford St (Rear), West of Richmond Street between Oxford & Piccadilly Street	Hour	\$2.00	Jan. 1/20	\$2.00	Mar. 1/20	\$2.50	25.0%
	Monthly	\$50.00	Jan. 1/20	\$50.00	Mar. 1/20	\$60.00	20.0%
Lot # 19 - Museum London	Hour	\$2.00	Jan. 1/20	\$2.00	Mar. 1/20	\$2.50	25.0%
Lot # 20 - 155 Kent Street	Hour	\$2.00	Jan. 1/20	\$2.00	Mar. 1/20	\$2.50	25.0%
Lot # 21 - 558 Talbot Street	Hour	\$2.00	Jan. 1/20	\$2.00	Mar. 1/20	\$2.50	25.0%
	Day	\$8.00	Jan. 1/20	\$8.00	Mar. 1/20	\$10.00	25.0%
	Evening	\$5.00	Jan. 1/20	\$5.00	Mar. 1/20	\$8.00	60.0%
	Night		Jan. 1/20	\$15.00			New
	Monthly	\$80.00	Jan. 1/20	\$80.00	Mar. 1/20	\$100.00	25.0%
Lot # 22 - 695 Richmond Street	Hour	\$2.00	Jan. 1/20	\$2.00	Mar. 1/20	\$2.50	25.0%
	12 hr max	\$8.00	Jan. 1/20	\$8.00	Mar. 1/20	\$10.00	25.0%
	24 hr max	\$14.00	Jan. 1/20	\$14.00	Mar. 1/20	\$15.00	7.1%
	Monthly	\$70.00	Jan. 1/20	\$70.00	Mar. 1/20	\$80.00	14.3%
<u>Parking Lots Municipally Owned</u>							
Lot # 1 - East London, North of Dundas Street between English & Elizabeth Street	Hour	\$0.75	Jan. 1/20	\$0.75	Mar. 1/20	\$1.00	33.3%
Lot # 2 - East London, North of Dundas Street between Elizabeth & Adelaide Street	Hour	\$0.75	Jan. 1/20	\$0.75	Mar. 1/20	\$1.00	33.3%
Lot # 3 East - East of Richmond Street between Oxford & Piccadilly Street	Hour	\$2.00	Jan. 1/20	\$2.00	Mar. 1/20	\$2.50	25.0%
	Monthly	\$50.00	Jan. 1/20	\$50.00	Mar. 1/20	\$60.00	20.0%
Lot # 3 West - Richmond Village West of Richmond Street between Oxford & Piccadilly Street	Hour	\$2.00	Jan. 1/20	\$2.00	Mar. 1/20	\$2.50	25.0%
	Monthly	\$46.00	Jan. 1/20	\$46.00	Mar. 1/20	\$60.00	30.4%
Lot # 4 - Marshall Street, South of Dundas Street between Lyle & Adelaide Streets	Hour	\$0.75	Jan. 1/20	\$0.75	Mar. 1/20	\$1.00	33.3%
Lot # 5 - Queens Ave, North Side of Queens Ave between Clarence & Richmond Streets	Day	\$8.00	Jan. 1/20	\$8.00	Mar. 1/20	\$10.00	25.0%
	Evening	\$6.00	Jan. 1/20	\$6.00	Mar. 1/20	\$8.00	33.3%