



**City of Kingston
Report to Council
Report Number 25-006**

To: Mayor and Members of Council
From: Paige Agnew, Commissioner, Growth & Development Services
Resource Staff: Laird Leggo, Manager, Licensing, Parking Operations & Policy
Date of Meeting: December 3, 2024
Subject: Parking By-Law Amendments and Licence Agreement

Council Strategic Plan Alignment:

Theme: Policies & by-laws

Goal: See above

Executive Summary:

Staff are requesting Council approval of a set of minor amendments to By-Law Number 2010-128, "A By-Law to Regulate Parking", including:

- adding a 72-hour maximum length of stay provision applicable to vehicles parked on-street with a valid residential parking permit;
- implementing parking time restrictions on a residential street to deter commuter parking;
- creating an on-street guest loading zone adjacent to small-scale neighbourhood hotel, and entering into a licence agreement for the space; and
- updating parking by-law schedules to reflect revised on-street parking on two street blocks bordering a new residential development.

Recommendation:

That a by-law be presented to amend By-Law Number 2010-128, "A By-Law to Regulate Parking", as amended, as per Exhibit A to Report Number 25-006 to apply the proposed parking regulations; and

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That Council authorize the Mayor and Clerk to execute a licence agreement, in a form satisfactory to the Director of Legal Services and City Solicitor, with BPE Group of Companies for an on-street guest loading zone on King Street at the Belvedere Hotel for an amount equivalent to two monthly parking permit rates for Area A commuter on-street permits pursuant to the By-Law Number 2005-10, Fees and Charges By-Law plus a premium of 35% per month; and

That the agreement with BPE Group of Companies for an on-street guest loading zone on King Street at the Belvedere Hotel shall be for an initial term of one year and shall be renewed automatically annually thereafter with the option to terminate the agreement for any reason with 30 days' written notice from either party.

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,
Growth & Development Services**

p.p. ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Jennifer Campbell, Commissioner, Community Services Not required

Neil Carbone, Commissioner, Corporate Services Not required

David Fell, President & CEO, Utilities Kingston Not required

Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives Not required

Brad Joyce, Commissioner, Infrastructure, Transportation
& Emergency Services

Desirée Kennedy, Chief Financial Officer & City Treasurer

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Options/Discussion:

This report requests the approval of amendments to By-Law Number 2010-128, "A By-Law to Regulate Parking", for the purpose of implementing the following changes to on-street parking and the approval of licence agreement:

Residential parking permit maximum length of stay

The Parking By-Law limits parking of vehicles on City streets to 12 consecutive hours, unless signage indicates more restrictive regulations are in effect. Under the City's on-street residential permit parking program, vehicles displaying a valid on-street permit are exempt from this maximum 12-hour rule. In accordance with the permit agreement, residents may remain parked in their designated on-street zone for a maximum of 72 consecutive hours. This longer length of stay is intended to provide residential permit holders with some additional parking flexibility while also ensuring an appropriate turnover time to deter long term storage of a vehicle on-street. Despite this longer length of stay provision, permit holders are not allowed to remain parked overnight during the winter months whenever a parking ban is in effect for all vehicles.

An amendment to the Parking By-Law formally establishing this 72-hour maximum length of stay is required to facilitate enforcement of overstays, as necessary, through the issuance of a parking ticket. Conditional on Council approval of this amendment, staff will submit a request to the Ministry of the Attorney General for approval of short form wording and a set fine for this new regulation, established at \$15 to align with the set fine for parking in excess of 12 hours.

Implementation of time restrictions

Alwington Place is the only residential street in proximity to the Providence Transitional Care Centre site and other parking demand generators in the vicinity which is not regulated by weekday time restricted parking. Concerns have been received from some residents of the street that the regular parking of commuters' vehicles on portions of Alwington Place presents a safety hazard to pedestrians who, in the absence of sidewalks, walk on the roadway.

Staff assessed the parking patterns and volumes, and following an initial consultation with concerned residents, piloted parking time restrictions through the installation of temporary signage. Based on generally positive feedback from residents, staff are now proposing the permanent implementation of parking time restrictions on segments of Alwington Place in alignment with restrictions currently in effect on neighbouring residential streets, specifically: no parking between 10 a.m. and 11 a.m. and between 2 p.m. and 3 p.m., Monday to Friday.

Hotel guest loading zone

Short-term on-street parking zones currently exist at four hotels in the downtown area to facilitate guest check-in. A small-scale hotel located in a downtown neighbourhood has requested the establishment of an on-street guest loading zone along the hotel's frontage.

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Under a licence agreement between the City and the hotel owner, a 12-metre segment of curb-space on the east side of King Street East between West Street and Lower Union Street will be allocated and signed to function exclusively as a hotel guest loading zone. Amendments to the Parking By-Law schedules are necessary to revise the segment measurements for the existing parking time restrictions that will remain in effect north and south of the hotel loading zone.

Staff are recommending to enter into a licence agreement with BPE Group of Companies for the on-street guest loading zone on King St. at the Belvedere Hotel for an amount equivalent to two monthly parking permit rates for Area A commuter on-street permits pursuant to the City's Fees and Charges By-Law Number 2005-10, plus a premium of 35% per month which is a standard rate used for other commercial parking licences.

It is also recommended that the agreement shall be for an initial term of one year and shall be renewed automatically annually thereafter with the option to terminate the agreement for any reason with 30 days' written notice from either party.

Updates to Parking By-Law schedules

With the completion of a condominium development on the north side of Princess Street occupying the block between Frontenac Street and Albert Street, on-street parking on the west side of Frontenac Street between Princess Street and Jenkins Street and on the east side of Albert Street north of Princess Street has been revised, including, on Frontenac Street, the implementation of metered parking and the minor adjustment in location of an existing accessible parking space in front of a church located north of the new residential development, and on Albert Street, a reduction in the no parking setback from the intersection.

Correspondingly, the respective by-law schedules are being updated to reflect these changes, and with respect to the accessible parking space, to also update its status to reflect that it is a non-metered space with a 3-hour parking time limit.

Public Engagement

Staff consulted the residents of Alwington Place, via phone and email with those who communicated their concerns and subsequently with many residents in-person door to door regarding the type and extent of time restricted parking regulation most appropriate for their street.

Existing Policy/By-Law

By-Law Number 2010-128, "A By-Law to Regulate Parking"

By-Law Number 2005-10, "A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston"

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Financial Considerations

The cost associated with the installation of required signage will be accommodated within the Division's existing approved capital budget. The current monthly rate for an on-street commuter permit in Area A is \$123.00. With the addition of the 35% premium (\$43.05), the monthly rate for this agreement will be \$166.05 including HST per space and will increase annually in step with the parking rate.

Contacts:

Laird Leggo, Manager, Licensing, Parking Operations and Policy, 613-546-4291 extension 3132

Other City of Kingston Staff Consulted:

Greg McLean, Policy & Program Coordinator, Transportation & Transit

Exhibits Attached:

Exhibit A Proposed Changes to By-Law Number 2010-128

City of Kingston By-Law Number 2025–...

By-Law to Amend City of Kingston By-Law Number 2010–128, A By-Law To Regulate Parking

Whereas:

The Corporation of the City of Kingston (the “**City**”) is a single-tier municipality incorporated pursuant to an order made under section 25.2 of the *Municipal Act*, R.S.O. 1990, c. M.45.

The powers of a municipality must be exercised by its council (*Municipal Act, 2001*, S.O. 2001, c. 25 (the “**Municipal Act, 2001**”), s. 5 (1)).

A municipal power must be exercised by by-law unless the municipality is specifically authorized to do otherwise (*Municipal Act, 2001*, s. 5 (3)).

A single tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public (*Municipal Act, 2001*, s. 10 (1)).

On August 24, 2010, council for the *City* (“**council**”) enacted *City of Kingston By-Law Number 2010–128, “A By-Law To Regulate Parking”*.

Council considers it necessary and desirable for the public to amend *City of Kingston By-Law Number 2010–128*:

Therefore, *council* enacts:

1. Amendment

1.1 *City of Kingston By-Law Number 2010–128* is amended as follows:

- (a) Section 6, Parking on City Streets, Street Parking Time Limitations, is hereby amended by removing sub-section 6.2 in its entirety and replacing it with the following thereto:

“6.2 Despite sub-section 6.1, no person shall park a vehicle displaying a valid on-street parking permit on a street in a designated permit parking zone for longer than 72 consecutive hours.”

By-Law to Amend By-Law 2010-128

- (b) Schedule A-2, Accessible Paid Parking Zones on City Streets, is hereby amended by removing the following therefrom:

Schedule A-2: Accessible Paid Parking Zones on City Streets

Maximum Time Limit: 3 Hours

9:30 a.m. to 5:30 p.m. Monday to Saturday except holidays

Street	Side	From	A-2: 3 hrs, 9:30 – 5:30, M-S
Frontenac Street	West	78.1 metres north of Princess Street	6.1 metres northerly

- (c) Schedule C-1, Accessible Parking Spaces on City Streets, is hereby amended by adding the following thereto:

Schedule C-1: Accessible Parking Spaces on City Streets

Maximum Time Limit: 3 Hours

Street	Side	From
Frontenac Street	West	84 metres north of Princess Street northerly 6.7 metres

- (d) Schedule F-1, No Parking At Any Time, is hereby amended by removing the following therefrom:

Schedule F-1

No Parking At Any Time

Street	Side	From
Albert Street	East	Princess Street northerly 36.6 metres
King Street	East	West Street northerly 45.7 metres

By-Law to Amend By-Law 2010–128

- (e) Schedule F-1, No Parking At Any Time, is hereby amended by adding the following thereto:

Schedule F-1

No Parking At Any Time

Street	Side	From
King Street East	East	West Street northerly 33 metres

- (f) Schedule G-2, Daytime Parking Prohibitions, is hereby amended by removing the following therefrom:

Schedule G-2: Daytime Parking Prohibitions

Street	Side	From	Days	Times
Connaught Street	East	Concession Street to Third Avenue	16 th to last day of month	8 am (16 th) – 11 pm (last)
Frontenac Street	West	Princess Street to York Street	Mon to Fri	10-11 am and 2-3 pm
King Street East	Both	West Street to Lower Union Street	Mon to Fri	11 am – 12 pm and 2:30 - 3:30 pm

- (g) Schedule G-2, Daytime Parking Prohibitions, is hereby amended by adding the following hereto:

Schedule G-2: Daytime Parking Prohibition

Street	Side	From	Days	Times
Alwington Place	West/South	235 Alwington Place to 245 Alwington Place inclusive	Mon to Fri	10 am – 11 am and 2 pm to 3 pm
Alwington Place	East/North	230 Alwington Place to 246 Alwington Place inclusive	Mon to Fri	10 am – 11 am and 2 pm to 3 pm
Connaught Street	East	46 metres north of Concession Street to Third Avenue	16 th to last day of month	8 am (16 th) – 11 pm (last)

By-Law to Amend By-Law 2010-128

Frontenac Street	West	94 metres north of Princess Street to York Street	Mon to Fri	10 am -11 am and 2pm -3 pm
King Street East	West	West Street to Lower Union Street	Mon to Fri	11 am – 12 pm and 2:30 pm - 3:30 pm
King Street East	East	33 metres north of West Street northerly 14 metres	Mon to Fri	11 am – 12 pm and 2:30 pm - 3:30 pm
King Street East	East	72 metres north of West Street to Lower Union Street	Mon to Fri	11 am – 12 pm and 2:30 pm - 3:30 pm

2. Coming into Force

2.1 This by-law will come into force and take effect on the day it is passed.

1st Reading date

2nd Reading date

3rd Reading date

Passed date

Janet Jaynes
City Clerk

Bryan Paterson
Mayor