



The Corporation of the Town of Milton

Report To:	Council
From:	Meaghen Reid, Director, Legislative & Legal Services/Deputy Clerk
Date:	November 18, 2019
Report No:	CORS-052-19
Subject:	New Parking Offence for Unauthorized Residential Landscaping
Recommendation:	<p>THAT Council approve the creation of a new Parking Offence with regard to unauthorized parking on residential landscaping ;</p> <p>AND FURTHER THAT the necessary by-law, included on the November 18, 2019 Council Meeting agenda, be considered for approval.</p>

EXECUTIVE SUMMARY

The creation of a new parking offence to prohibit the parking on residential landscaping would streamline enforcement processes and address complaints about vehicles parking on front or side yards more efficiently. The proposed, new parking by-law infraction would give Town Enforcement Officers the ability to respond and issue Parking Infraction Notices (tickets) for unauthorized parking on residential landscaping and avoids the issuance of Zoning Notices under the *Planning Act*, which can be a lengthy and time-consuming process.

REPORT

Background

On August 27, 2018, Council approved a resolution providing staff the authorization to retain the necessary resources to provide an enhanced service delivery model subject to being revenue-neutral, against projected additional fines, user fees, and invoices that may be levied. Resolution 73-18 outlined that staff be directed to proactively enforce existing bylaws related to parking, parking on front lawns, property maintenance/clean yards, illegal dumping, and commercial signs on road allowances. Further to that, staff was directed to report back to Council if a revenue neutral model is unobtainable.



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Discussion

Staff regularly receive complaints about vehicles parking on front or side yards. These types of violations are currently investigated under the Town's Zoning By-law and enforced by the Municipal Law Enforcement Officers. Zoning by-law violations are time consuming, require knowledge of the Planning Act and, in many cases, may take up to a year to resolve through the Provincial Offences Court processes if compliance is not obtained. As these investigations are complex and require specific training, the Animal Services and Parking Control Officers do not enforce the *Planning Act, R.S.O. 1990, c. P. 13*.

The creation a new parking by-law infraction to prohibit the parking on landscaping would streamline enforcement processes and allow Parking Control Officers, Animal Services Officers and Municipal Law Enforcement Officers the ability to respond in a more efficient manner. Officers would have the ability to issue parking infraction notices instead of issuing Zoning Notices, in an effort to reduce property damage, address safety concerns and maintain neighbourhood aesthetics. The proposed By-law would be enforced proactively by officers and reactively, in response to complaints, to ensure that vehicles park in permitted spaces. Staff are recommending a \$100 penalty, which is the maximum fine permitted under the Municipal Act for parking contraventions, due to the direct and indirect costs associated with parking ticket issuance. The City of Brampton, Town of Oakville, City of Guelph, City of Hamilton and the Town of Newmarket introduced similar legislation with set fines ranging from \$40 to \$100.

Staff recommend that a period of voluntary compliance be given to allow time for residents and guests to make alternate parking arrangements. Staff recommend that enforcement of this bylaw be effective as of March 1, 2020. A communications plan would be developed to support the implementation of this project, including social media and printed material. As part of this communications plan, staff have developed a helpful infographic to support public education related to parking (See Schedule A).

Financial Impact

Should the Ministry of Attorney General approve the suggested penalty of \$100, annual revenues associated with reactive investigations are expected to be approximately \$12,500, based on the number of 2018 zoning complaints related to illegal parking or parking on landscaping. The \$12,500 projected revenue increase will be included in the 2020 operating budget.



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Respectfully submitted,

Troy McHarg
Commissioner, Corporate Services/Clerk

For questions, please contact: Mary Beth Mitchell, Manager, Phone: Ext. 2133
Licensing and Enforcement

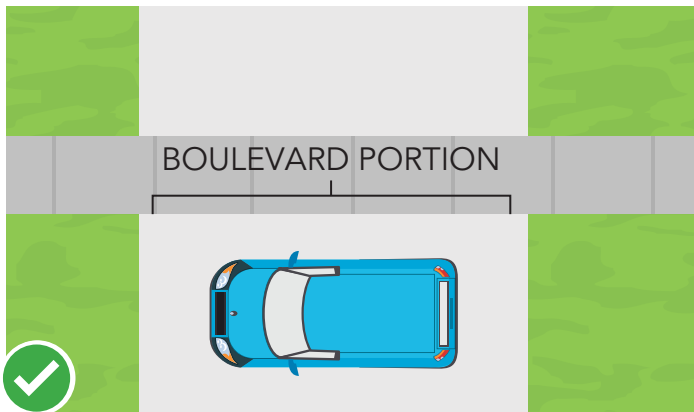
Attachments
Schedule A - Parking infographic

CAO Approval
Andrew M. Siltala
Acting Chief Administrative Officer

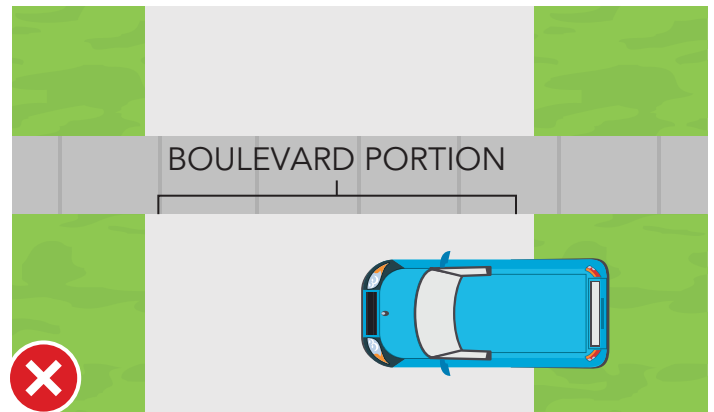
Keep Milton's Neighbourhoods Looking Tidy

Please don't park on grass boulevards, front or side yards.

Parking on Boulevards

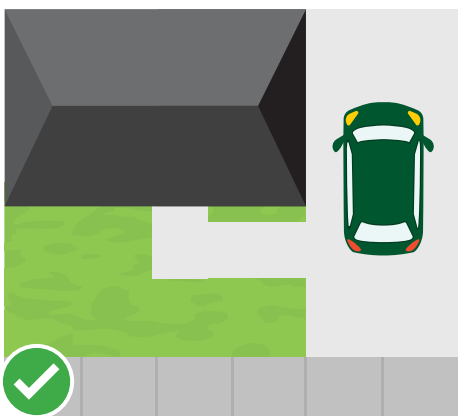


A vehicle can park on the paved section of the driveway, in the direction of traffic.



Vehicles parked on the landscaped section of the boulevard or hanging over the sidewalks or curbs may be ticketed.

Parking on Front Lawns and Side Lawns



A vehicle can park in the paved section of the driveway.



Vehicles parked on the landscaped section of the lawn, side yard or hanging over the sidewalks or curbs may be ticketed.



For more information, watch our parking video at: www.milton.ca/Parking

