



City of Kingston
Information Report to Municipal Accessibility Advisory Committee
Report Number MAAC-23-008

To: Chair and Members of the Municipal Accessibility Advisory Committee

From: Jennifer Campbell, Acting Commissioner, Community Services

Resource Staff: Curtis Smith, Director, Licensing & Enforcement Services

Date of Meeting: June 8, 2023

Subject: Accessible Parking Fees & Fines Options

Council Strategic Plan Alignment:

Theme: Policies & by-laws

Goal: See above

Executive Summary:

The purpose of this report is to seek the advice of the Municipal Accessibility Advisory Committee (MAAC) on two (2) accessible parking-related matters: the hourly fee charged for parking in accessible parking spaces in the City and the fine amount/allocation for improperly using accessible parking spaces.

Recommendation:

This report is for information purposes only.

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Jennifer Campbell,
Commissioner, Acting
Community Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Jenna Morley, Acting Commissioner, Corporate Services	<input checked="" type="checkbox"/>
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Business, Environment & Projects	Not required
Brad Joyce, Commissioner, Transportation & Public Works	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

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Discussion:

This report is in response to a motion approved by Council on 21 March 2023, which stated:

“Whereas the municipalities of Guelph, Windsor, the entire Greater Toronto Area, Belleville, Hamilton, London and Ottawa, among others, provide time limited free parking for vehicles with Accessible Parking passes; and

Whereas the City of Kingston aims to be barrier free for persons with disabilities; and

Whereas parking fees often pose an additional barrier to persons with disabilities participation in society;

Therefore Be It Resolved That staff report to the Municipal Accessibility Advisory Committee with recommendations for time limited free parking for vehicles with accessibility passes to align with other municipalities in Ontario and a review of parking fines for vehicles parked illegally in accessible parking spaces by the end of Q2 2023.”

City of Kingston Parking Operations

Parking operations within the City of Kingston are a self-sustaining venture – they are not funded from the tax base and are a user-pay service. Parking fines and parking fees (from meters and permits) are used to offset the costs of operating, maintaining and building municipal parking infrastructure.

Any excess in revenues over expenses for parking operations in a given year is allocated to the City’s Parking Reserve Fund. This fund is the mechanism used to pay for new and upgraded parking infrastructure within the City. Given that fees and fines are the primary mechanisms funding City parking infrastructure, new parking incentives or fee waivers should be sustainable, without impacting the ability to fund future parking projects.

The City of Kingston provides a total of 110 designated accessible parking spaces on-street and in surface lots. Parking is permitted in designated on-street accessible parking spaces for at least 3 hours, and in lots (where the designated time varies), between 3 hours and 24 hours.

There are two revenue streams that flow from these accessible spaces – parking fees and parking fines. Looking at the past 4 years of data (2019-2022), revenue can be broken down as follows:

- Parking fees amount to approximately \$61,000-\$78,000 of revenue per year;
- Parking fines for a contravention of Section 4.4 of the Public Parking By-Law Number 2010-128 and Section 2.1 of the Private Property Parking By-Law (“Park Unauthorized in an Accessible Space”) over the same period have amounted to approximately \$42,000-\$77,000 of revenue per year;

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- Therefore, the revenue collected by Parking Services attributable to accessible spaces during the period 2019-2022 has ranged from \$103,000-\$155,000;
- The variability in this revenue amount can be primarily attributed to the effects of the pandemic on parking operations. Given that overall parking revenues have been slow to recover post-pandemic, we expect that 2023 revenue attributable to accessible spaces will be in the range of \$135,000-\$145,000.

The expenses associated with these same accessible spaces include operational, maintenance and enforcement costs. Annual expenses attributable to accessible parking spaces in 2022 were approximately \$133,000.

Accessible Parking Fees

Of the 110 accessible parking spaces that are located in metered parking zones (both on-street and in surface lots), four (4) are available for parking without charge, with the remainder available at a rate of \$1.50/hour (as detailed in the City's Fees and Charges By-Law). In practical terms, this \$1.50/hour equates to a \$0.50/hour reduction when parking in the busier, more desirable parking areas in the City that charge \$2.00/hour for a non-accessible designated parking space.

Please see Exhibit A for a breakdown of Accessible Parking Fee policies for 36 Ontario municipalities. This data was gathered from the applicable pages on the municipal websites. Of these 36 municipalities, nine (9) charge for accessible parking in some manner (monthly permits, reduced hourly rate, non-reduced hourly rate). The other 27 municipalities have policies that range from "Free parking in any municipally operated space without time restriction" to "Free time-limited parking in designated accessible spaces", with a number of options in between.

Accessible Parking Fines

The City of Kingston currently charges the provincially mandated minimum fine of \$300 for a contravention of Section 4.4 of the Public Parking By-Law Number 2010-128 and Section 2.1 of the Private Property Parking By-Law ("Park Unauthorized in an Accessible Space"). The volume of tickets issued for this infraction over the past several years is as follows:

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Year	Tickets Issued
2023	112
2022	142
2021	143
2020	187
2019	257
2018	223

It is assumed that any rise in Accessible Parking Fines will have a corresponding deterrence effect on the number of tickets issued and that 2023 Tickets Issued will be approximately 225.

In 2005, the City increased the fine for unauthorized parking in an accessible space from \$100 (\$75.00 if paid within 7 days) to the statutory minimum of \$300.00, with no voluntary early payment option. Two hundred dollars of each paid accessible parking fine has been allocated to the Community Services Accessibility Program (administered by the Clerk’s Office). Since the implementation of this policy in 2005, significant improvements have been made to the funding of accessibility programs; as such, this funding allocation from Parking Services is no longer a necessity.

Please see Exhibit B for a breakdown of the Accessible Parking Fine policies for 43 Ontario municipalities. This data was gathered from a combination of Ontario Traffic Council surveys and reviews of the applicable municipal websites. Of these 43 municipalities, 18 charge the provincially mandated minimum \$300 fine for unauthorized parking in an accessible space, with the remainder raising the fine to between \$325-\$500.

Options for Consideration:

In all of the options below, it is suggested that:

1. Parking in on-street accessible spaces should be maintained with a three (3) hour time limit to ensure the space is available to several parkers each day. The time restrictions in the lots should continue to coincide with posted designated times;
2. Given current technology constraints, garages cannot be accommodated for any fee reductions at this time. Upon the City replacing its current garage technology, consideration may be given to aligning garage operations with whatever the City has in place for accessible spaces on-street and in lots;
3. The funds currently allocated to the Community Services Accessibility Program from each paid “Park Unauthorized in an Accessible Space” (\$200 out of \$300 fine) be maintained within

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the Parking Services budget to cover the costs of operating and maintaining accessible parking spaces in the City.

Option 1 – Status Quo Parking Fees & Fine

As outlined in the Discussion above, the cost of operating the City's existing inventory of 110 on-street and surface lot accessible parking spaces (\$133,000) is just being offset by projected revenues coming from those same spaces (\$135,000-\$145,000). From a budgetary perspective, maintaining the status quo is a viable and justifiable approach.

Option 2 – Reduce Parking Fees & Raise Fine

Similar to the above option, it is projected that reducing parking fees to a standard \$1.00/hour across all accessible parking spaces in the City while raising the accessible parking fine to \$400 could also result in a zero-cost result for Parking Services:

- Reduction of Parking Fees to \$1.00/hour = \$52,000
- Increase of Parking Fine by 33% (with a corresponding 10% reduction in offences) = \$400 x 200 offences - \$80,000
- Total Projected Revenue - \$132,000

Please note that these are only projections and that any number of variables could affect final numbers.

Option 3 – Eliminate Accessible Parking Fees & Raise Fine

Option 3 proposes a scenario that removes the fees for parking in the 110 on-street and surface lot accessible parking spaces. This option will have an impact on the amount of the funds the City will be able to allocate to the Parking Reserve Fund for use in future parking projects – using the above assumptions, this amount we would be able to transfer would be approximately \$53,000 less (\$133,000 Operating Costs - \$80,000 Fines Revenue).

Existing Policy/By-Law:

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

By-Law Number 99-166, A By-Law to Prohibit the Parking or Leaving of Motor Vehicles on Private Property Without the Consent of the Owner or Occupant of the Property, or on Property Owned or Occupied by the City of Kingston or Any Local Board Thereof, Without the Consent of the City of Kingston or the Local Board

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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Notice Provisions:

None

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

Curtis Smith, Director, Licensing & Enforcement Services, 613-546-4291 extension 1109

Other City of Kingston Staff Consulted:

Janet Jaynes, Acting City Clerk

Laird Leggo, Manager, Licensing, Parking Operations & Policy

Greg McLean, Policy & Program Coordinator

Exhibits Attached:

Exhibit A Jurisdictional Scan – Accessible Parking Fee Policies

Exhibit B Jurisdictional Scan – Accessible Parking Fines

City	Policy
Barrie	Free parking in all municipal paid parking locations.
Belleville	Time-limited free parking in designated accessible spaces
Brantford	Free parking in municipal lots
Brampton	Free on-street parking in all spaces.
Burlington	Free on-street parking in all spaces.
Clarington	Time-limited free on-street parking in all spaces.
Collingwood	Free parking in all municipal paid parking locations.
Cobourg	Monthly parking permit available for downtown parking at meter/lots (\$30).
Cornwall	Time-limited free parking on-street & in municipal lots.
Guelph	Free accessible parking permit that is valid for one year at all spaces.
Hamilton	Time-limited free on-street parking in all spaces/lots.
Kitchener	Accessible parking is charged for.
London	Time-limited free on-street parking in all spaces/lots.
Midland	Downtown Core (\$1/hour), Municipal Lots (Free), Town Dock (\$1.50/hour)
Milton	Accessible parking is charged for.
Mississauga	Free metered and pay & display parking
Niagara Falls	Time-limited free parking at meters.
NOTL	Free metered and pay & display parking
Oakville	Accessible parking is charged for.
Orangeville	Accessible parking is charged for.
Orillia	Free parking in accessible spaces.
Oshawa	Time-limited free on-street parking in all spaces/lots.
Ottawa	Time-limited free on-street parking in all spaces.
Pembroke	Mix of time-limited free parking and paid parking.

City	Policy
Peterborough	Accessible parking is charged for.
Pickering	Time-limited free parking in waterfront spaces & lots.
Port Hope	Free parking in all municipal paid parking locations.
St. Catharines	Monthly parking permit available for parking at meter or hourly lot (\$55.80).
Stratford	Free parking in all municipal paid parking locations.
Tiny	Free parking for residents
Toronto	Free on-street parking at meters or pay and display machines.
Vaughan	Accessible parking is charged for.
Wasaga Beach	Accessible parking is charged for.
Waterloo	Free parking in municipal lots.
Whitby	Free on-street parking and in municipal lots
Windsor	Free time-limited parking in municipal parking lots and in some signed on-street accessible parking spaces.

City	Accessible Parking Fines
Aurora	400
Barrie	300
Belleville	305
Brantford	300
Brampton	350
Burlington	400
Clarington	500
Collingwood	300
Cobourg	300
Cornwall	300
Guelph	350
Halton Hills	350
Hamilton	350
Kitchener	300
London	380
Markham	350
Midland	300
Milton	300
Mississauga	400
Niagara Falls	400
Niagara Region	500
Niagara on the Lake	400
Oakville	400
Orangeville	300
Orillia	350
Oshawa	300
Ottawa	450
Pembroke	300
Peterborough	300
Pickering	500
Port Hope	300
Richmond Hill	350
St. Catharines	300
Stratford	300
Tillsonburg	300
Tiny	300

City	Accessible Parking Fines
Toronto	450
Thunder Bay	310
Vaughan	400
Wasaga Beach	300
Waterloo (City)	325
Whitby	450
Windsor	440