



**City of Kingston  
Report to Council  
Report Number 24-034**

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**To:** Mayor and Members of Council  
**From:** Paige Agnew, Commissioner, Growth & Development Services  
**Resource Staff:** Curtis Smith, Director, Licensing and Enforcement  
**Date of Meeting:** December 19, 2023  
**Subject:** Parking By-Law Amendments

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**Council Strategic Plan Alignment:**

Theme: Policies & by-laws

Goal: See above

**Executive Summary:**

This report requests approval of amendments to By-Law Number 2010-128, "A By-Law to Regulate Parking", to add one on-street accessible parking space beside a downtown church, and to prohibit parking before 9 a.m. on weekdays in five angled on-street spaces in order to facilitate the emptying of large recycle bins located on an adjacent City-owned property.

This report also requests approval of amendments to both By-Law Number 2010-128, "A By-Law to Regulate Parking" and to 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", to regulate the parking of vehicles in electric vehicle charging station spaces, including establishing a fine for the unauthorized parking of non-electric vehicles in these charging spaces.

**Recommendation:**

**That** a by-law be presented to amend By-Law Number 2010-128, being "A By-Law to Regulate Parking" as amended, as per Exhibit A attached to Report Number 24-034; and

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**That** a by-law be presented to amend By-Law Number 2010-128, being “A By-Law to Regulate Parking” as amended, as per Exhibit B attached to Report Number 24-034; and

**That** a by-law be presented to amend By-Law Number 99-166, being “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”, as amended, as per Exhibit C attached to Report Number 24-034.

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**Authorizing Signatures:**

ORIGINAL SIGNED BY COMMISSIONER

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

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

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**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	Not required

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**Options/Discussion:****Accessible parking space**

In response to demand for parking for persons with disabilities attending events through-out the week at The Spire (Sydenham United Church) located at 82 Sydenham Street, City staff propose the designation of one on-street parking space on the north side of William Street adjacent to the building's accessible entrance as accessible parking only. Parking on this block of William Street is currently prohibited between 8 a.m. and 9 a.m. and between 12 noon and 1 p.m. on weekdays. Parking in the accessible parking space will be permitted during those otherwise prohibited times. The accessible space will be regulated by a 3-hour maximum stay to provide sufficient time for users of the space while also ensuring the space is available to multiple parkers.

**No Parking before 9 am zone**

Parking on Clarence Street is currently prohibited between 2 a.m. and 7 a.m. daily. A section of on-street parking encompassing five angled parking stalls on the north side of Clarence Street between King Street East and Wellington Street is proposed to be designated as no parking until 9 a.m. on weekdays to facilitate the emptying of several large recycle bins located on the adjacent City-owned property at the rear of the British Whig building.

**Electric vehicle charging station space parking regulations**

This report also recommends amendments to parking by-laws, By-Law Number 2010-128, "A By-Law to Regulate Parking" (Exhibit B) and 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" (Exhibit C) to regulate the parking of vehicles in electric vehicle charging station spaces.

There are currently 48 electric vehicle charging station spaces located on public property, both on-street and in City parking lots.

As was indicated in a 2019 Information Report to Council, [Report Number 19-036](#) - Electric Vehicle Strategy Update, the most frequent complaint received from users of the charging stations has been associated with non-electric vehicles blocking parking spots intended for electric vehicle charging. To mitigate this issue, the City installed signage and applied pavement markings to indicate that the parking spots should only be used by an electric vehicle while charging.

In December 2019, the Province of Ontario enacted the [Reserved Parking for Electric Vehicle Charging Act](#) which amended the *Highway Traffic Act* to restrict parking at an electric vehicle charging station on provincial lands to electric vehicles only.

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At present, the City's parking by-laws do not reserve parking spaces solely for use by electric vehicles. In order to enforce the unauthorized parking of non-electric vehicles in signed electric vehicle charging station spaces, definitions for "electric vehicle" and "electric vehicle charging station space", and a violation provision must be added to the two parking by-laws.

An electric vehicle will be defined as "a battery electric vehicle that runs only on a battery and an electric drive train, or as a plug-in hybrid electric vehicle that runs on a battery and an electric drive train, and also uses an internal combustion engine."

An electric vehicle charging station space will be defined as "a publicly or privately-owned parking space that provides access to equipment that supplies a source of electricity for charging electric vehicles."

The proposed regulation states that "no person will park a vehicle or part of a vehicle in an electric vehicle charging station space that is identified by signage unless the vehicle is an electric vehicle, and the electric vehicle is attached to the station's charging equipment and is charging."

To maintain the availability of these charging facilities, the regulation is also intended to prohibit electric vehicles from remaining parked in an electric vehicle charging station space after a charging session has ended. Where electric vehicle charging station spaces are located in metered parking zones, a charging session must not exceed the maximum stay in effect in those zones.

The proposed regulation is intended to apply to electric vehicle charging station spaces located on both public property and private property. Enforcement of the regulation on private property, under By-Law Number 99-166, is contingent on the prescribed signage being in place and the property owner having been authorized to issue City of Kingston parking tickets on their property.

All of the City's public electric vehicle charging station spaces have recently been re-signed with the [provincially prescribed sign](#) indicating that parking in the space is prohibited except for electric vehicles (EVs) while charging.

The Province of Ontario has established a set fine of \$125 for unauthorized parking in an electric vehicle charging station space on provincial lands. Of the Ontario municipalities reviewed by Staff, some, including Brampton, Oakville, Markham, Pembroke, Aurora, and Stratford (\$120) have adopted the province's set fine amount while others have established a lower fine including Burlington (\$47), Toronto (\$60), and Ottawa (\$100).

In alignment with the provincial fine amount, staff are proposing a set fine of \$125. In accordance with provincial guidelines recommending that an early payment amount be between two-thirds and three-quarters of the set fine, a \$90 early payment, due within seven days of ticket issuance, is also proposed.

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Pending Council's approval of the proposed violation, set fine and early payment amount, an application will be submitted to the Ministry of the Attorney General (MAG) for approval of the fine amounts and short form wordings. Following approval by MAG, a public communication plan will be implemented to make drivers aware of the new regulation and associated fine prior to commencing enforcement.

### **Indigenization, Inclusion, Diversity, Equity & Accessibility (IIDEA) Considerations**

An accessible parking space is proposed to be added on-street adjacent to the accessible entrance to a downtown church to improve accessibility for persons with disabilities attending events at this building.

#### **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"

#### **Financial Considerations:**

The cost associated with the installation of required signage will be accommodated within the existing operating budget.

#### **Contacts:**

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

#### **Other City of Kingston Staff Consulted:**

Laird Leggo, Manager, Licensing, Parking Operations, & Policy, Licensing and Enforcement, Growth and Development Services

Greg McLean, Policy & Program Coordinator, Transportation & Transit, Infrastructure, Transportation and Emergency Services

#### **Exhibits Attached:**

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

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

Exhibit C Proposed Changes to By-Law Number 99-166

**By-Law Number 2024- XX**  
**A By-Law to Amend By-Law 2010-128,**  
**“A By-Law to Regulate Parking”**

**Whereas:**

Pursuant to the *Municipal Act, 2001*, S.O. 2001, c. 25, the Council of The Corporation of the City of Kingston (the “City”) enacted By-Law Number 2010-128, “A By-Law to Regulate Parking”, as amended.

The Council of the City considers it necessary and desirable to amend By-Law 2010-128.

**Therefore** Council enacts:

**1. Amendment**

1.1 By-Law 2010-128, “A By-Law to Regulate Parking”, as amended, is amended as follows:

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**

<b>Street</b>	<b>Side</b>	<b>From</b>
William Street	North	49 metres west of Sydenham Street 6 metres westerly

1.2 Schedule G-2, Daytime Parking Prohibitions, is amended by removing the following therefrom:

**Schedule G-2:**  
**Daytime Parking Prohibitions**

<b>Street</b>	<b>Side</b>	<b>From</b>	<b>Days</b>	<b>Times</b>
Willia Street	North	Sydenham Street to Clergy Street	Mon to Fri	8 am to 9 am and 12 pm to 1 pm

1.3 Schedule G-2, Daytime Parking Prohibitions, is hereby amended by adding the following thereto:

**Schedule G-2:  
Daytime Parking Prohibitions**

<b>Street</b>	<b>Side</b>	<b>From</b>	<b>Days</b>	<b>Times</b>
Clarence Street	North	56 metres east of Wellington Street easterly 16 metres	Mon to Fri	7 am – 9 am
William Street	North	Sydenham Street 49 metres westerly	Mon to Fri	8 am –9 am and 12 pm -1 pm
William Street	North	60 metres west of Sydenham Street to Clergy Street	Mon to Fri	8 am –9 am and 12 pm -1 pm

**2. Coming into Force**

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

1<sup>st</sup> Reading                      date

2<sup>nd</sup> Reading                      date

3<sup>rd</sup> Reading                      date

Passed

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**



**By-Law Number 2024- XX**  
**A By-Law to Amend By-Law 2010-128,**  
**“A By-Law to Regulate Parking”**

**Whereas:**

Pursuant to the *Municipal Act, 2001*, S.O. 2001, c. 25, the Council of The Corporation of the City of Kingston (the “City”) enacted By-Law Number 2010-128, “A By-Law to Regulate Parking”, as amended.

The Council of the City considers it necessary and desirable to amend By-Law 2010-128.

**Therefore** Council enacts:

**1. Amendment**

1.1 By-Law 2010-128, “A By-Law to Regulate Parking”, as amended, is amended as follows:

Section 1, Definitions, is hereby amended by adding the following thereto:

**“Electric Vehicle”** means:

- (a) a battery electric vehicle that runs only on a battery and an electric drive train, or
- (b) a plug-in hybrid electric vehicle that runs on a battery and an electric drive train, and also uses an internal combustion engine;

**“Electric Vehicle Charging Station Space”** means a publicly or privately-owned parking space that provides access to equipment that supplies a source of electricity for charging electric vehicles”

1.2 Section 4, General Parking Regulations, is hereby amended by adding the following sub-heading and sub-section thereto:

“Electric Vehicle Charging Station Parking

4.40 No person will park a vehicle or part of a vehicle in an electric vehicle charging station space that is identified by signage unless the vehicle is an electric vehicle and the electric vehicle is attached to the station’s charging equipment and is charging.”

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**2. Coming into Force**

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

1<sup>st</sup> Reading                      date

2<sup>nd</sup> Reading                      date

3<sup>rd</sup> Reading                      date

Passed

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**

**By-Law Number 2024-XX**

**A By-Law to Amend By-Law 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”**

**Whereas:**

Pursuant to the *Municipal Act, 2001*, S.O. 2001, c. 25, the Council of The Corporation of the City of Kingston (the “City”) enacted 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”, as amended.

The Council of the City considers it necessary and desirable to amend By-Law Number 99-166.

**Therefore** Council enacts:

**1. Amendment**

1.1 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”, as amended, is amended as follows:

Section 1, Definitions, is hereby amended by adding the following thereto:

**“Electric Vehicle”** means:

- (a) a battery electric vehicle that runs only on a battery and an electric drive train, or
- (b) a plug-in hybrid electric vehicle that runs on a battery and an electric drive train, and also uses an internal combustion engine;

**“Electric Vehicle Charging Station Space”** means a parking space that provides access to equipment that supplies a source of electricity for charging electric vehicles”

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1.2 The following new sub-section, 2. (2), is added thereto:

“2. (2) No person will park a vehicle or any part of a vehicle in an electric vehicle charging station space that is identified by signage unless the vehicle is an electric vehicle and the electric vehicle is attached to the station’s charging equipment and is charging.”

## 2. Coming into Force

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

1<sup>st</sup> Reading                      date

2<sup>nd</sup> Reading                      date

3<sup>rd</sup> Reading                      date

Passed

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**