



City of Hamilton  
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Hamilton Municipal Parking System  
Planning and Development Department  
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**POLICY RESPECTING THE LICENSING OF PORTIONS OF ROAD ALLOWANCE  
(FORMER CITY STREETS/ROADWAYS)  
FOR PARKING PURPOSES ADJACENT TO COMMERCIAL, INSTITUTIONAL,  
INDUSTRIAL OR MULTIPLE RESIDENTIAL PROPERTIES**

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1. The use of the property adjacent to the area used for parking must be "commercial," "institutional," "industrial" or "multiple residential."
2. Only the abutting owner is eligible to enter into an Agreement respecting the use of a portion of road allowance for parking.
3. Prior to processing an Agreement, the property owner shall make application to the Manager, Hamilton Municipal Parking System, and shall provide:
  - a) two (2) copies of a sketch of the area to be leased; showing all relevant features including the total parking area, location of the driveways to assess the property, building location, fences, existing driveways, trees, hydrants, sidewalks and proposed features as a result of section 4
  - b) reason for application
  - c) a copy of the registered deed to the subject property
  - d) existing number of parking spaces
  - e) number of parking spaces required
  - f) intended use of parking spaces  
(e.g. customer or employee use, loading/unloading)
4. The area to be used for parking shall be physically enclosed to prohibit vehicles from encroaching onto any City lands other than those leased by an agreement. This can be accomplished by existing features such as buildings or fences and other means as approved by the Manager, Hamilton Municipal Parking System.
5. Upon receipt of the application the City will investigate, recommend and if approved, provide three (3) copies of the Agreement for the property owner's review and signature.

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6. The owner must enter into this Agreement with the Corporation which will require the owner to:

a) Pay the following initial fees:

i) \$71.30 Registration Fee

ii) \$341.00 (\$301.77 processing fee and \$39.23 H.S.T.)

b) Pay the following Annual Rental Fee (SUBJECT TO CHANGE):

The current rental fees for boulevard parking adjacent to commercial, institutional, industrial and multiple residential land users are as follows:

- \$10.00 Encroachment Insurance

- \$92.04 per parking space or part of a space per year for each of the first two spaces, plus realty, H.S.T. and business taxes; and,

- \$46.02 per parking space or part of a space per year for each space over two and up to a total of ten spaces, plus realty, H.S.T. and business taxes.

c) Pay to the City the cost of constructing such driveway approaches as required by the Agreement.

d) Construct the surface of the parking area in a proper manner, to the satisfaction of the Manager, Hamilton Municipal Parking System.

e) Keep the surface in good repair and in a condition of safety for all persons using the highway to the satisfaction of the Manager, Hamilton Municipal Parking System.

f) Remove the parking area and restore the highway, sidewalk and curb to the satisfaction of the Manager, Hamilton Municipal Parking System, without compensation from the City, upon being required by the Manager, Hamilton Municipal Parking System, to do so.

g) Remove the vehicles from the area at the request of the City or any utility company. In the event that the City or any utility company undertakes any work which disturbs the hard surface, the owner, at his own expense, will carry out such restoration of the hard surface as the Manager, Hamilton Municipal Parking System, may direct.

h) Undertake at his own expense and with the appropriate approvals, any work required to provide the parking area, such as the moving or removal

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or trees, poles, hydrants and signs, to the satisfaction of the Manager, Hamilton Municipal Parking System.

- i) Pay for the restoration of the road, sidewalk and curb if the parking area is eliminated. The restoration work must be undertaken to the satisfaction of the Manager, Hamilton Municipal Parking System.
- j) Agree that he will not object to the widening of the street on the grounds that such widening will eliminate the parking area.
- k) Agree that in the event that he fails to carry out immediately any work hereunder which the Manager, Hamilton Municipal Parking System, directs him to do, the City will have the right to carry out the work and recover the cost thereof from the owner.
- l) Indemnify and save the City harmless from all actions, cause of action, interest, claims, demands, costs, damages, expenses and loss.