




CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Transportation Planning and Parking Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	May 31, 2022
SUBJECT/REPORT NO:	Private Property Special Enforcement Area (PED22133) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	James Buffett (905) 546-2424 Ext. 3177
SUBMITTED BY:	Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the draft Amending By-law for Administrative Penalty System By-law 17-225, and To Regulate the Parking of Motor Vehicles on Private and Municipal Property 01-220, attached as Appendix "A" to Report PED22133 and in a form satisfactory to the City Solicitor, be approved.

EXECUTIVE SUMMARY

Reponses to address problems associated with increased visitors to Waterfalls across the City continue to evolve, with many solutions now being put in place. To date, significant staffing resources have been assigned to address a variety of problems related to parking and by-law matters. At the direction of City Council, a multi-disciplinary working group (City staff, Hamilton Conservation Authority, and the Hamilton Police Service) continue collaborating to address specific problems in relation to Waterfall Sites.

A recent issue following the redevelopment of the Greensville Elementary School Site, has seen Waterfall visitors are now utilizing the school parking lot for unauthorized parking. An amendment to the By-law 01-220 (A By-law To Regulate the Parking of Motor Vehicles on Private and Municipal Property) provides the same tools for compliance that have been highly effective in the area for parking issues on the

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roadway. If future private properties neighbouring Waterfall sites begin having similar issues, this can be implemented as replicable measure to curb illegal and unauthorized parking.

Alongside these changes, a few housekeeping items are being addressed such as updated definitions for added consistency across all Parking By-laws.

Alternatives for Consideration – See Page 3

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: Legal Services was consulted and drafted the amending By-law.

HISTORICAL BACKGROUND

Many remedial actions have been implemented to address Waterfall Visitor Parking Issues, including the City Council approved Special Enforcement Areas (SEA), where parking fines were increased to \$250 in some Waterfall areas, as well as additional enforcement and revised enforcement tactics. The City also continues to invest in access and viewing enhancements to improve the visitor experience and minimize environmental and community impacts. Hamilton Conservation Authority (HCA) have also implemented many visitor and parking strategies, inclusive of reservation and shuttle programs. However, problems continue to exist due to the popularity of the Waterfall areas and the reluctance of some visitors to abide by clear regulations.

Notably in 2021, following the redevelopment of Greenville Elementary School Site, the property began to see an influx of Waterfall visitors utilize its parking without authorization. Although existing measures are in place for routine parking enforcement, the penalties currently in place for private property enforcement are far less than that of penalties for established SEA.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

The Hamilton-Wentworth District School Board, Recreation Staff, and the Ward Councillor have all been consulted and agree with this measure.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

To date, increased enforcement has been successful based on public and Councillor office feedback and has resulted in an observed increase in compliance with by-law regulations; has contributed to improved public safety and, has reduced the number of complaints regarding unsafe and illegal on-street parking.

A shift from on-street parking problems to off-street (private property) parking problems is now present without the same tools available to staff that have been so effective.

ALTERNATIVES FOR CONSIDERATION

Should Council not wish to approve this amendment, ongoing unauthorized visitor parking may continue, creating service and program interruptions at the Greenville School Site.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED22133 – Amending By-law

JB:cr