



## Staff Report for Decision

DATE OF MEETING JULY 18, 2022

AUTHORED BY JAMIE ROSE, MANAGER, TRANSPORTATION  
DAVID LABERGE, MANAGER, BYLAW SERVICES

SUBJECT **PARKING BYLAW EXEMPTION**

### **OVERVIEW**

#### **Purpose of Report**

To provide Council with a more fulsome outline of the opportunities and challenges of allowing exemptions to the 24 hour parking prohibition outlined in “Traffic and Highways Regulation Bylaw 1993 No. 5000”.

#### **Recommendation**

That Council direct Staff to maintain “Traffic and Highways Regulation Bylaw 1993 No. 5000” Section 4 Article 21 and continue to enforce as needed, as outlined in Attachment A, until such time as a City-Wide Parking Management Strategy can be formalized as outlined in City Plan 2022 Policy C2.1.7.

### **BACKGROUND**

#### Operational

Across the province, Local Governments and road authorities use a combination of traffic control devices and bylaws to maintain the safe and efficient operation of the road network. Nanaimo is no different, and in the case of long term on-street parking, City of Nanaimo Staff rely on Section 4 Article 21 of the “Traffic and Highways Regulation Bylaw 1993 No. 5000” (Bylaw 5000).

#### Section 4

##### *Article 21:*

*Parking Regulations: Except when necessary to avoid conflicts with traffic, or to comply with the directions of a Peace Officer or traffic control device or Traffic Patrol, and except while operating a government vehicle or vehicles of a public utility corporation while engaged in their duties, or except an emergency vehicle which is in actual use for official duties, no person shall stop, stand, or park a vehicle: 24 HOURS MAXIMUM (21) on any highway for a continuous period exceeding 24 hours, without first obtaining the written permission of the Director.*

Unlike short duration parking or traffic safety issues, this parking regulation is not actively enforced. Instead, it is only dealt with when a complaint is received from a resident. For reference, in 2021, the Bylaw Department received approximately 4800 calls for service; of those, 850 were requests for parking enforcement, and of those, 270 were for parking over the 24 hour limit.

Operationally, Staff rely on Article 21 of Bylaw 5000 to ensure that there are regular opportunities to access critical municipal infrastructure for service and maintenance. Street sweeping and catch basin cleaning are the two most common. In addition, many neighbourhoods rely on parking turnover to support residents and businesses. The City has significant investment in its road surface.

## Policy

From the 2008 Official Community Plan (OCP), through the 2014 Transportation Master Plan (TMP), and now City Plan: Nanaimo Reimagined, there has been a growing understanding that personal vehicle use is not sustainable. The financial, environmental, and social costs of building more road infrastructure is becoming unaffordable, and growth management strategy needs to focus on optimizing existing infrastructure with densification of services; this is also true for parking. The cost to create a typical street parking space can range from \$5,000 to \$10,000 with structured parking likely to start at \$30,000 and increase.

None of this is to say that cars and parking are not critical elements of our municipal mobility; however, they are costly and should be used when and where appropriate, with greater efforts to provide residents with alternate safe, efficient, sustainable, and economical forms of mobility.

## Policy Excerpts from City Plan: Nanaimo Reimagined

C2.1.7 Manage parking city-wide with a focus on right sizing parking to continue fulfilling key needs including access, loading, and pick-up for businesses; accessible parking for people with mobility or family needs; and EV parking, while recognizing that an overabundance of cheap and convenient parking tends to increase vehicle use and reliance.

C3.2.25 Recognize that required onsite parking increases housing costs and ensure that parking requirements consider the intended resident group of new affordable housing developments, as well as road safety implications, and accommodate parking variances where appropriate.

D4.3.16 Discourage new large areas of surface parking or drive-thrus in Urban Centres. Under-building parking or underground parking is preferred. Continue to evolve existing auto oriented uses into more pedestrian friendly and accessible development forms and mix of uses.

D4.3.32 Support removal of off-street parking minimums for all uses in the Downtown Urban Centre.

## **DISCUSSION**

During the June 20<sup>th</sup>, 2022 Regular Council meeting, Staff presented the “24 Hour Parking Bylaw Exemption” report (Attachment A). Council requested that Staff return with a further report which would enable Council to better understand the opportunities and challenges when considering options to manage the street parking needs of the community. Further to the report from June 20<sup>th</sup>, Staff presented the following information for consideration.

### Option 1: Maintain the 24 hour Time Limit, Develop City-Wide Parking Management Strategy

This is the option that Staff recommended on June 20, and continue to recommend, due to unintended consequences by attempting to address specific circumstances. The

recommendation was: “That Council direct Staff to maintain “Traffic and Highways Regulation Bylaw 1993 No. 5000” Section 4 Article 21 and continue to enforce as needed, as outlined in Attachment A, until such time as a City-Wide Parking Management Strategy can be formalized as outlined in City Plan 2022 Policy C2.1.7.

#### Option 2: Exemption Based on Existing “Resident Exempt” Signage

During the June 20<sup>th</sup> meeting, discussion suggested that there was interest in an approach to create an exemption program that could be linked to existing “Resident Exempt” parking zones. This approach would provide a simple and unbiased approach to screening applicants, which would mean impacts to administrative staff capacity should be low. When considering this option, Staff note:

- “resident exempt” parking has been applied inconsistently in Nanaimo, and
- has historically been used to manage parking in areas where residents have already expressed frustration with excessive demand for on-street parking.

Creating an exemption based on existing signage may re-create the same circumstance of excess demand which lead to resident frustration in the first place.

Following the meeting on July 20<sup>th</sup>, Council received a request to undertake a pilot program along this line in the 400 block of Selby Street. This request enabled Staff to use a specific location as an example, to outline potential impacts.

#### Localized Analysis of Option 2:

The 400 block of Selby Street is an example of a mixed use street in an Urban Centre. There are 50 residential dwelling units (a mix of single family and multifamily) on the west side and a public parking lot, daycare, hotel, and government office on the east side. The hotel on the east side is the only development which has been granted a parking variance (loading zone).

Localized Analysis: Option 2 – 400 Block of Selby Street			
Average Cars per Dwelling (ICBC/Stats Canada)	1.3		
Number of Dwellings	50		
Potential Residential Demand 65 Vehicles	Current Observed Daytime Demand 31 Vehicles	Current Capacity 38 Spaces	Potential Deficit 58



Given the demand for this block, it is probable that should residents be permitted to park on-street indefinitely (or for an extended period of time), parking demand would exceed the capacity of the block. This impedes access to the daycare, businesses, and government offices, and create spill over to other blocks, in turn, pushing more parking demand throughout the neighbourhood, ultimately creating a deficiency in parking capacity across an area which is already viewed by many as being deficient in street parking. Given that there are 2 hour restrictions and imminent changes to parking patterns on Albert Street, it is likely customers of the Service Centre, hotel and daycare would feel significant frustration. This is an example of how addressing one concern can create unintended consequences.



There is a public parking lot at the north end of this block, which has a daily rate of \$3.00, and typically has very low occupancy. This could accommodate all of the overflow parking (or long-term parking for residents). However, Staff currently receive a number of complaints that access to the government buildings is poor, and therefore, use of the parking lot for temporary parking is unlikely to be well received by business owners or the Service BC Centre.

Council could trial a one year pilot of time-unrestricted parking in the 400 block with monitoring the results, including parking availability over time, resident and business concerns.

#### Option 3: Exemption Based on Select Criteria

An alternative approach to an exemption program Council could consider, involves establishing specific selection criteria (age, income, mobility, etc.) to receive parking bylaw exemption. Due to the challenges of ensuring an equitable screening and applicability criteria, along with challenging administration, this approach is seen as complex. Staff suggest that a public process to explore the issues would likely take 6-12 months to complete, cost approximately \$50,000 to \$75,000, and conceivably result in a need for an additional 0.5 FTE within the Bylaw Services Department (~\$50,000/yr).

### **OPTIONS**

1. That Council direct Staff to maintain "Traffic and Highways Regulation Bylaw 1993 No. 5000" Section 4 Article 21 and continue to enforce as needed, as outlined in Attachment A, until such time as a City-Wide Parking Management Strategy can be formalized as outlined in City Plan 2022 Policy C2.1.7.
  - The advantage of this approach is that it aligns with established policy, optimizes municipal infrastructure and financial expenditures, and does not create a situation which could frustrate areas of the City which already feel there is a deficit of on-street parking.
  - The drawback of this approach is that it does not fulfill the aspiration to reduce barriers to vehicle ownership.
  - Financial Implications: No foreseeable implications.
2. That Council direct Staff to undertake a 1 year pilot project to allow residents of the 400 block of Selby Street to park, without a time restriction in that block, and report back on the outcomes.
  - The advantage of this approach is that it will enable a review of the impacts of relaxing Section 4 Article 21 of Bylaw 5000.
  - The disadvantage of this option is that parking demand will likely exceed capacity of the block and will impact businesses and residents on this block, as well as adjacent streets.
  - Financial Implications: No foreseeable implications.

3. That Council direct Staff to prepare a business case to create a managed Bylaw Exemption Program, for consideration as part of the 2023-2027 Financial Planning process.
  - The advantage of this approach is that Council could make an informed decision to allocate funds to support a process to reduce barriers to vehicle ownership for a specific group of the population.
  - The disadvantages of this option is that enabling unrestricted parking in any given area will likely create frustration for adjacent residents and businesses, as well as impede operational programs to maintain municipal infrastructure.
  - Financial Implications: Approximately \$50,000 study and \$50,000 annual staffing cost (0.5 FTE).
4. That Council provide alternate direction. |

#### **SUMMARY POINTS**

- Parking has cost and benefit to the community.
- Policy is guiding the City to optimize and manage all parking for fair and equitable use by all.
- Unregulated long term parking is likely to have varying degrees of negative impacts across the community.
- Allowing parking to be oversubscribed through exemption programs will result in greater costs to the community as a whole.

#### **ATTACHMENTS:**

Attachment A – 24 Hour Parking Bylaw Exemption Report

Attachment B – Resident Exempt Areas and Daytime Parking Conditions Presentation |

#### **Submitted by:**

Jamie Rose  
Manager, Transportation

David LaBerge  
Manager, Bylaw Services |

#### **Concurrence by:**

Dale Lindsay  
General Manager, Development Services

Bill Sims  
General Manager, Engineering & Public Works