

Council Report

Report Number:	PLAN2022-049
Meeting Date:	August 23, 2022
Title:	Village of Fenelon Falls Cash-in-Lieu of Parking By-law
Description:	A Report to Rescind the Village of Fenelon Falls Cash-in-Lieu of Parking By-law to Implement the Recommendations of the City's Downtown Parking Strategy
Author and Title:	Richard Holy, Director of Development Services

Recommendations:

That Report PLAN2022-049, **Village of Fenelon Falls Cash-in-Lieu of Parking By-law**, be received;

That the By-law contained in Appendix B of this Report be approved by Council; and

That the Mayor and Clerk be authorized to execute any documents required by the approval of this report.

Department Head: _____

Financial/Legal/HR/ Other: _____

Chief Administrative Officer: _____

Background:

The Village of Fenelon Falls Official Plan contains the following policies that allowed the former Village to establish a cash-in-lieu of parking By-law.

- 3.6.3 i) In accordance with the provisions of Section 39 of The *Planning Act*, S.O., 1983, Council may enter into an agreement with the owner or operator of a building within the Main Central Area to exempt the owner and/or occupant, to the extent specified in the agreement, from the requirement of providing and/or maintaining parking facilities. All monies received by the Municipality under such an agreement shall be paid into a special account in accordance with Section 39(3) of The *Planning Act*, S.O., 1983, and may be used by the Municipality to acquire lands for and/or to develop off-street parking facilities.
- 4.3.2 e) Council may, at its discretion, enter into an agreement with the owner or operator of a building within the Main Central Area to provide for the payment of cash-in-lieu of all or part of the zoning By-law requirements pertaining to the provision of off-street parking in accordance with Section 39 of The *Planning Act*, S.O., 1983, as amended, and Section 3.6.3 (i) of this Plan.

On December 4, 1989, The Village of Fenelon Falls passed By-law 89-31A, a By-law to Establish the Amount of Monies Payable to the Municipality in Lieu of the Provisions of Off-Street Parking as Required in Accordance with Zoning By-law 89-25 (See Appendix A). Where a landowner had insufficient land to accommodate all of the required parking under the Village of Fenelon Falls Zoning By-law 89-25, the By-law allowed the Village to enter into an agreement with a landowner to pay an amount of \$4,000.00 per parking space from which relief was needed under the Zoning By-law. Although passed by the Village in 1989, the By-law remains in force today and can be used by the City in its deliberations on parking matters.

Rationale:

In 2018, the City retained the IBI Group to prepare a Downtown Parking Strategy for Lindsay, Bobcaygeon and Fenelon Falls, which was approved by Council in June 2021. The purpose of the study was to review the City's municipal parking system, examine utilization rates and provide recommendations for additional parking space needs and operational improvements. The study examined the utilization rates of the municipal parking system within the Fenelon Falls downtown area and concluded that the system exhibited substantial excess capacity, even to 2041. With no demonstrated need for additional parking in Fenelon Falls downtown area, the study recommended that the system did not require the support of a cash-in-lieu of parking policy. To implement this

recommendation of the Downtown Parking Strategy, Staff are recommending that By-law 89-31A be rescinded.

Other Alternatives Considered:

No other alternatives are recommended as these would not align with Council's decision to adopt the Downtown Parking Strategy.

Alignment to Strategic Priorities:

The report aligns with the following goals contained in the City's 2020-2023 Kawartha Lakes Strategic Plan:

1. An Exceptional Quality of Life: Downtown parking systems are highly valued by businesses, residents and visitors.
2. A Vibrant and Growing Economy: Downtown parking systems are vital to the success of downtown commercial districts as well as the broader local economy.
3. Good Government: The Downtown Parking Strategy supports informed and effective corporate decision-making regarding downtown parking systems.

Financial/Operation Impacts:

The Downtown Parking Strategy recommended that the cash-in-lieu of parking by-law wasn't required as a funding mechanism. Therefore, there are no financial implications as a result of this decision.

Servicing Implications:

There are no servicing implications as a result of this decision.

Consultations:

No further consultations were undertaken at this time.

Conclusions:

The Downtown Parking Strategy recommended that Fenelon Falls had sufficient parking and that the cash-in-lieu of parking by-law should be rescinded. Staff respectfully recommends that the proposed By-law contained in Appendix B be Approved.

Attachments:

The following attached documents may include scanned images of Appendices, maps and photographs. If you require an alternative format, please contact Richard Holy, Director of Development Services at 705-324-9411, ext. 1246.

Appendix A – Village of Fenelon Falls By-law 89-31A



Appendix A to
Report PLAN2022-04

Appendix B – Proposed By-law to Rescind Village of Fenelon Falls By-law 89-31A



By-Law to Repeal
By-Law 89-31A - Fen

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Department Head: Richard Holy, Director of Development Services