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DISTRICT OF WEST VANCOUVER
750 17TH STREET, WEST VANCOUVER BC V7V 3T3

COUNCIL REPORT

Date:	September 14, 2024
From:	Jenn Moller, Director, Engineering & Transportation Services Sue Ketler, Deputy Municipal Manager / Director, Parks, Culture & Community Services
Subject:	Pay Parking Exemptions
File:	1700.09

RECOMMENDATION

THAT

1. Council report titled “Pay Parking Exemptions” dated September 14, 2024, from the Director, Engineering & Transportation Services and the Deputy Municipal Manager / Director, Parks, Culture & Community Services, be received for information;
2. staff report back to Council on a permit policy that is time limited, defines the circumstance and class or group of persons eligible, and which delegates the authority to staff to waive parking fees under the policy; and
3. Council direct staff to update the District Fees and Charges Bylaw No. 5251, 2023 to include a waiver of pay parking fees for those vehicles with a Veterans or Memorial Cross licence plate and vehicles which display a valid accessible parking placard.

1.0 Purpose

This report examines and summarizes the application of pay parking exemptions in connection to the District’s pay parking program within District of West Vancouver (District) destination parks.

2.0 Legislation/Bylaw/Policy

The 2012 **Parks Master Plan** states the following as one of its core values:

- Prudent financial stewardship and management.

Recommendation 4.6.1 in that Plan states the following:

- Consider potential revenue generation uses in terms of the potential management benefits associated with charging for use, e.g., dive school fees, more concessions/cafes, picnic shelter booking charge, vending machines, equipment rentals, advertising on park maps.

The District currently does not have a policy on pay parking nor does it have a policy in place to manage and inform decision making regarding on-street parking.

Municipal Fees

Section 12 (1) and (2) of the *Community Charter* allows a fee specified by bylaw to have different provisions for different areas, times, conditions or circumstances; the establishment of different classes of persons, places, activities, property or things; and, to make different provisions, including exceptions for these different classes.

Section 194(1) of the *Community Charter* authorizes council municipality to impose a fee payable in respect of part of a service of the municipality; use of municipal property; the exercise of authority to regulate, prohibit or impose requirements. Without limiting subsection (1), subsection (2) establishes that the basis of the fee may be on any factor specified in a bylaw, allowing for different rates or levels of fees in relation to different factors.

Section 25(1) of the *Community Charter* prohibits a council from providing a grant, benefit, advantage or other assistance to a business including an exemption from a tax or a fee.

3.0 Council Strategic Objective(s)/Official Community Plan

This report aligns with *Council Strategic Goal*:

5.0 Municipal Services.

Objective 5.7 seeks to establish park zone pay parking

Deliverable 5.7.1 pay parking being established in Council approved park zones (2024-2025+)

Sections 2.4 and 2.71 of the District's Official Community Plan contains supporting language relating to transportation and road network accessibility, as well as managing the District's valuable park system and open spaces.

4.0 Financial Implications

The District's pay parking program implementation includes an external enforcement model, with a year-round rate structure of \$3.75 per hour in effect from 7 a.m. to 10 p.m., seven days a week, and a resident exempt flat rate fee component of \$20.00 per annum. Each fee includes a Translink Parking tax at 24%, GST at 5%, and a convenience fee or permit fee, respectively. In total, the hourly cost for parking is \$5.22, and \$27.09 per year for the resident pass.

Preliminary net revenue of the programming between the months of February to August 2024 is roughly \$430,000.

Waiver fees will result in loss of revenue, the extent to which would be dependent on the class or group of persons eligible for the waiver. In addition, exemptions will have an administrative cost for District staff and likely also incur a charge under the third-party operator contract.

5.0 Background

The initial phase of pay parking programming within the District was developed for implementation at three destination parks: Lighthouse, Nelson Canyon, and Whytecliff Parks (“the Parks”). In the initial months following implementation of pay parking programming in early February 2024, a myriad of requests for exemptions have been received by the District. **These requests extended to include but are not limited to:**

- business operators
- coordinated not for profit and community programming groups
- persons with valid accessible parking placard
- volunteers
- Veterans
- persons of a particular demographic
- West Vancouver District and School District employee groups

In the absence of a formal Council adopted exemption policy, in limited circumstances exemptions have been granted at the discretion of senior leadership staff for discrete one-time special events related to volunteer work and/or guests invited to attend the park for District related business.

5.1 Previous Decisions

Council at its **July 22, 2024, regular meeting**, passed the following resolution:

THAT

1. the Council report titled “Pay Parking at Destination Parks 6-month Update” dated July 1, 2024, from the Director, Engineering & Transportation Services and the Deputy Municipal Manager / Director, Parks, Culture & Community Services, be received for information; and
2. Council direct staff to investigate and report back in the fall of 2024, on permit exemptions for pay parking programming.

Council at its **April 3, 2023, Closed meeting**, passed the following resolution:

THAT the following resolutions:

- THAT the hourly pay parking rate remain the same year-round;
- THAT the West Vancouver annual resident parking pass rate be set at \$20.00 per vehicle;
- THAT the hourly pay parking rate be set at \$3.75 per hour;
- THAT the phased pay parking program not use pay stations;

and decisions:

- that staff initiate the first phase of a phased pay parking program within District destination parks instead of a pilot pay parking program;
- that staff provide an update on the implementation of the first phase of the pay parking program after the program has been operational for six months; and
- that staff proceed based on informing, rather than engaging with, the public;

as made at the April 3, 2023, closed Council meeting, be released for public information by forming part of the report to be brought forward for consideration at an upcoming open Council meeting

Council, at its **Jan 16, 2023, Closed meeting**, passed the following resolution:

THAT

1. staff bring forward to an open Council meeting for consideration a report regarding implementation of a pay parking pilot program based on the following parameters:
 - implementation at Whytecliff, Nelson Canyon, and Lighthouse parks;
 - the operational structure will include an external enforcement model;
 - seasonal rate structure to include a resident exempt flat rate fee component;
 - a public outreach “inform” approach be taken; and
2. this resolution be released for public information by forming part of the report to be brought forward for consideration at an upcoming open Council meeting.

6.0 Analysis

6.1 Discussion

Hourly parking rates and pay parking is for all intent and purposes, a fee being imposed by the District. The statutory authority by which the District

can apply a fee and provide an exemption to a fee is authorized by *the Community Charter* and **must** be described in a Bylaw authorized by Council.

The existing resident parking pass is a form of exemption itself, where the District's Fees and Charges Bylaw No. 5251, 2023 establishes a different class or group of persons and makes provision for a different fee. To note, the total monthly revenue collected as part of the resident pay parking pass between the months of February through August 2024 is \$33,380.00.

The District could develop a policy and delegate authority to waive parking fees for other classes or groups of persons, with the exception of waiver to for profit businesses as this would constitute assistance to a business. Developing such a policy to waive fees will result in loss of revenue and is likely to have significant administrative costs, both for District staff and under the third-party operator contract.

The pay parking programming is in its initial stages of implementation and available data to inform implications to park visitation and pay parking revenues is limited. Despite this limited data set, the District could undertake a cost/benefit analysis on proposed fee waivers in terms of revenue for the parking program versus increased costs of administering it and the loss of revenue and the effect on other policy goals that led to the parking program.

Complexity of interpretation and the application of the exemption is another matter to consider. For example, if a park visitor was issued an exemption because they are taking a participant to a community organized group meet up, would they get to rely on that waiver in perpetuity, regardless of whether they had the participant with them? Other exemptions could undermine or be in contradiction to existing policy – the most notable example of this is transportation demand management itself, in other words, encouraging alternate modes of travel to that which is auto-oriented.

There may be some circumstance where a waiver of fee is practical and reasonable. In this instance, the District could implement a permit policy that is time limited, for example an individual participating in volunteer work related to and within the park within which the pay parking applies, or a District employee attending a park for business purposes on a specific date.

Looking to other regional comparators, pay parking in park exemptions include resident passes (with an annual fee applied), as well as a waiver of fee for those vehicles with a Veterans license plate and/or those with a

valid accessible parking placard. As a means of comparison to on street pay parking, with the exemption of the City of Vancouver (CoV), there is no regional example of a waiver of parking fee within a municipal highway. In CoV vehicles displaying a veteran or Memorial Cross licence plate can park for free year-round at any on-street pay parking space (time limits and any other posted regulations still apply).

6.2 Climate Change & Sustainability

Pay parking can be considered a highly effective traffic demand management tool where it can incentivize the reduction of auto use. Reduced auto use has the positive environmental impact of reducing greenhouse gases.

6.3 Public Engagement and Outreach

Council has directed staff that a public outreach “inform” approach be taken. Staff from Community Relations & Communications developed a communications strategy to guide the implementation phase of the new programming introduction. Communications tactics deployed as part of the strategy included site signage, a news post on the District website, social media, pay parking program web page, media and two educational videos. This strategy was intended to ensure residents and visitors were informed and provided resources to successfully access the programming.

6.4 Other Communication, Consultation, and Research

As part of the communications strategy developed, staff from Community Relations & Communications and Bylaw & Licensing developed supporting procedures for responding to program enquiries, escalating operational concerns to the operator, and capturing feedback from park visitors. As part of these procedures, public feedback and complaints have been tracked, including those requests for exemption.

7.0 Options

7.1 Recommended Option

THAT

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2. staff report back to Council on a permit policy that is time limited, defines the circumstance and class or group of persons eligible, and which delegates the authority to staff to waive parking fees under the policy; and

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3. Council direct staff to update the District Fees and Charges Bylaw No. 5251, 2023 to include a waiver of pay parking fees for those vehicles with a Veterans or Memorial Cross licence plate and vehicles which display a valid accessible parking placard.

7.2 Considered Options

Council may request further information or provide alternate direction (to be specified).

8.0 Conclusion

This report outlines considerations when applying a waiver of fee to pay parking within District destination parks. The proposed expansion of the application of fee exemption or waiver from that which already exists by way of the resident permitting fee, aligns with other regional exemptions. The report also recommends the development of a time limited fee waiver policy to address discrete circumstance of park visitation related to District initiatives and/or business within the parks.

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