



**City of Kingston  
Report to Council  
Report Number 16-027**

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**To:** Mayor and Members of Council

**From:** Denis Leger, Commissioner, Transportation, Facilities and  
Emergency Services

**Resource Staff:** Sheila Kidd, Director, Transportation Services

**Date of Meeting:** December 15, 2015

**Subject:** Appointment of Municipal By-Law Enforcement Officer –  
Homestead Land Holdings Limited

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**Executive Summary:**

Homestead Land Holdings Limited has requested authority to issue City of Kingston parking tickets to control parking on its properties at 117 Park Street, 175 Park Street, 322 Brock Street, 346 Brock Street, 44 Old Oak Road, 62 Old Oak Road, and 90 Curtis Crescent. Homestead is also requesting that one of their employees be appointed as a Municipal By-Law Enforcement Officer for the purpose of issuing City of Kingston parking tickets at the above-listed properties as well as at 94 Wright Crescent. Homestead had previously obtained authorization for another one of its employees to issue City parking tickets on its property at 94 Wright Crescent. The property owner's intention is for parking tickets to be issued to vehicles belonging to non-residents found parked in spaces reserved for residents. Homestead also intends to install metered parking at these locations for visitors and others. Vehicles that fail to pay the meter would also be ticketed.

**Recommendation:**

**That** a by-law be presented to amend City of Kingston By-law 99-166, "A by-law to prohibit the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property, or on property owned or occupied by the City of Kingston or any local board thereof, without the consent of the City of Kingston or the local board", as amended, to appoint Wayne Vermette for the purpose of issuing parking violation tickets and to enforce the provisions of By-Law 99-166 on the properties located at 117 Park Street, 175 Park Street, 322 Brock Street, 346 Brock Street, 44 Old Oak Road, 62 Old Oak Road, 90 Curtis Crescent, and 94 Wright Crescent; and

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**That** this approval is subject to the applicant entering into an agreement, in a form satisfactory to the City Solicitor, to indemnify and save harmless the City from all claims and actions that might arise, and subject further to providing proof of sufficient insurance in a form satisfactory to the City Solicitor.

**Authorizing Signatures:**

ORIGINAL SIGNED BY COMMISSIONER

**Denis Leger, Commissioner  
Transportation, Facilities &  
Emergency Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Gerard Hunt, Chief Administrative Officer**

**Consultation with the following Commissioners:**

Cynthia Beach, Corporate & Strategic Initiatives	Not required.
Lanie Hurdle, Community Services	Not required.
Jim Keech, President and CEO, Utilities Kingston	Not required.
Desiree Kennedy, Chief Financial Officer & City Treasurer	Not required.

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**Options/Discussion:**

Homestead Land Holdings Limited (Homestead) has requested authority to issue City of Kingston parking tickets for unauthorized parking on its properties at 117 Park Street, 175 Park Street, 322 Brock Street, 346 Brock Street, 44 Old Oak Road, 62 Old Oak Road, and 90 Curtis Crescent. Homestead is also requesting that one of their employees, Wayne Vermette, be appointed as a Municipal By-Law Enforcement Officer for the purpose of issuing City of Kingston parking tickets at the above-listed properties as well as at 94 Wright Crescent. Homestead had previously obtained authorization for another one of its employees to issue City parking tickets on its property at 94 Wright Crescent.

The property owner's intention is to issue parking tickets to vehicles belonging to non-residents found parked in spaces reserved for residents. Homestead also intends to install metered parking at these locations for visitors and others. Vehicles that fail to pay the meter would then also be ticketed.

It has been existing policy for many years for the City to grant this type of authorization to property owners to issue tickets on their own property to assist them in controlling parking issues. Currently, the City has authorized approximately 50 private land owners with similar authority. The applicant has agreed to indemnify the City and to provide proof of insurance. The applicant has agreed to do so in return for using City parking infraction notices and administrative processes. The City would retain all revenue.

Allowing property owners to issue parking tickets provides for an alternative to towing a vehicle or, if towing becomes necessary, the issuance of a ticket further legitimizes such an action.

Persons authorized under this by-law receive training before being supplied with City of Kingston parking tickets. Ticketing on private property is monitored by Parking Enforcement staff to ensure the appointee is acting in compliance with the relevant requirement in the *Provincial Offences Act*, and with municipal by-laws and divisional policies.

A City of Kingston parking ticket issued on private property can be contested in the same manner as a ticket issued on public property, including administrative or judicial review.

This authorization may be withdrawn at any time by repealing the amendment, should it ever prove to become a burden to the City, financially or otherwise.

**Existing Policy/By-Law:**

By-law 99-166 – A by-law to prohibit the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property, or on property owned or occupied by the City of Kingston or any local board thereof, without the consent of the City of Kingston or the local board.

**Notice Provisions:**

Not Applicable.

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**Accessibility Considerations:**

Not applicable.

**Financial Considerations:**

There may be a minor increase in ticket fine revenue if this request is approved.

**Contacts:**

Sheila Kidd, Director, Transportation Services, 613-546-4291, Extension 2221  
Ian Semple, Manager, Service Development, 613-546-4291, Extension 2306

**Other City of Kingston Staff Consulted:**

Greg McLean, Policy & Program Coordinator  
Brandi Timpson, Supervisor, Parking Enforcement

**Exhibits Attached:**

Exhibit A – Private Parking By-law Amendment  
Exhibit B – Correspondence from Homestead Landholdings Limited

**By-law Number 2016-XX**

**A By-law to Amend By-law Number 99-166, "A By-law to prohibit the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property, or on property owned or occupied by the City of Kingston or any local board thereof, without the consent of the City of Kingston or the local board".**

**Passed:** Meeting Date, 2015

The Council of the Corporation of the City of Kingston hereby enacts as follows:

1. By-law Number 99-166 of the Corporation of the City of Kingston entitled "A By-law to prohibit the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property, or on property owned or occupied by the City of Kingston or any local board thereof, without the consent of the City of Kingston or the local board", as amended, is hereby further amended as follows:

1.1 Section 11 is hereby amended by adding the following hereto:

Homestead Landholdings – 94 Wright Crescent, 117 Park Street, 175 Park Street, 322 Brock Street, 346 Brock Street, 44 Old Oak Road, 62 Old Oak Road, 90 Curtis Crescent

Wayne Vermette

2. This By-law shall come into force and take effect on the date of its passing.

Given First and Second Readings Month XX, 2015

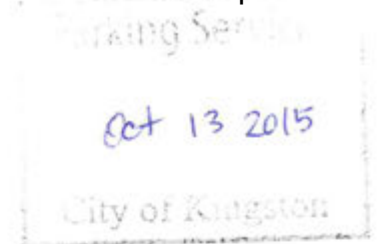
Given Third Reading and Passed Month XX, 2016

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**John Bolognone**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**



City of Kingston  
216 Ontario Street  
Kingston, ON  
K7L 2Z3

Re: Pay and Display

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October 6, 2015

To Whom it May Concern,

Homestead Land Holdings Limited is one of Canada's largest and most respected landlords. The company owns and operates a selection of high-rise residential buildings in the City of Kingston, and has been experiencing large numbers of non-residents using resident parking without permission. In order to control issues with unauthorized parking, the company wishes to install metered parking at several of its sites. The civic addresses for this request consist of the locations as listed below:

- 94 Wright Cres.
- 117 Park St.
- 175 Park St.
- 322 Brock St.
- 346 Brock St.
- 44 Old Oak Cres.
- 62 Old Oak Cres.
- 90 Curtis Cres.

Pending installation of the meters, Homestead Land Holdings Limited wishes to authorize the following individuals to issue parking tickets on behalf of the company:

- **Wayne Vermette**

If you have any questions or concerns regarding this request, please don't hesitate to contact me.

Thanks and best regards,

Danzel Smith  
Property Manager  
Homestead Land Holdings Limited