



## Committee of the Whole Report For the Meeting of June 4, 2020

---

**To:** Committee of the Whole **Date:** May 25, 2020  
**From:** Chris Coates, City Clerk  
Philip Bellefontaine, Acting Director of Engineering and Public Works  
**Subject:** Curbside Fees for Parking Stands and Yellow Curb Use

---

### RECOMMENDATION

That Council forward the following to the daytime Council meeting:

1. Give first, second and third readings the Vehicles for Hire Amendment (No. 21) Bylaw No. 20-071.
2. Reconsider and adopt the Vehicles for Hire Amendment (No. 21) Bylaw No. 20-071
3. Approve the suspension of Parking Stand fees for Horse Drawn Carriages for 2020
4. Approve the suspension of Parking Stand fees for Sightseeing vehicles for 2020.

### EXECUTIVE SUMMARY

The City's Streets and Traffic and Vehicles for Hire bylaws create, regulate and establish fees for parking stands for sightseeing vehicles and horse drawn carriages and permit the use yellow (parking restricted) curbs for a fee by pedicab operators. As part of the City's efforts to mitigate the impacts of the COVID-19 pandemic on businesses in the City within the constraints of the Community Charter prohibition on providing assistance to business, this report identifies potential short term relief for tourism related operations that are impacted by the pandemic.

City staff have reached out to the sightseeing vehicle, horse drawn carriage and pedicab operators who have identified that they will be not be able to operate under the current conditions and some have already requested a waiver of the fees for parking stands and yellow curb usage.

In 2019 the total annual revenue received by the City for the parking stands and yellow curb fees was \$105,246.

Staff are recommending that Council approve Amendments to the Vehicles for Hire Bylaw and waive the fees for 2020 for these three categories given the significant impact the COVID-19 pandemic has on these operations and that they will not be using the parking stands or yellow curbs during the traditional tourism season. In addition, and for the same reasons as noted above and also to provide further relief for pedicab and horse carriage operators who operate under a capped number of licenses, to approve bylaw amendments to suspend the issuance of pedicab and horse

carriage licenses during the pandemic allowing existing license holders to retain their right to renew in 2021.

Attached as Appendix A is the proposed amendment to the Vehicles for Hire Bylaw that would implement the recommendations in this report, and staff recommend utilizing the authority granted by the Ministerial Order enabling introduction and adoption of the Bylaws at the same meeting.

## PURPOSE

The purpose of this report is to bring forward potential financial relief to the tourism-oriented operators who pay for commercial parking stand and yellow curb fees to the city under the auspices of the Vehicles for Hire Bylaw.

## BACKGROUND

At the March 19, 2020 meeting, Council passed the following motion:

### **COVID-19 City Response to Support Small Business, Arts and Culture and the Visitor Economy**

*1. Direct staff to examine all of the City's fiscal, legislative and legal powers to support small businesses and jobs, the non-profit sector, arts and culture and the visitor economy in order sustain the local economy during the pandemic and recover stronger and more resilient than before.*

*2. Report back to Council on an urgent basis.*

Council received a report back on this motion at the May 14, 2020 Committee of the Whole meeting that noted this subsequent report was coming forward to consider charges associated with Parking Stands and yellow curb fees.

The Vehicles for Hire Bylaw establishes parking stands and yellow curb use potential. Council approves the allocation of the parking stands and the fees for them. In 2019 the parking stand and yellow curb fees totalled \$97,826 and were comprised of:

- Sightseeing Vehicles (4 stands) - Annual Revenue – **\$55,157**  
Of note 3 of the four stands are allocated to buses that. The parking stand fees are based on vehicle emissions. One stand is allocated to a zero emissions vehicle (Rolling Barrel) and because of that, there are no fees for the use of the other fourth stand which is allocated to them.
- Horse Drawn Carriages (3 stands) - Annual Revenue **\$40,1114**
- Pedicab Yellow Curb Fees - Annual revenue **\$2,555**

## ISSUES AND ANALYSIS

Staff have reached out to the business operators who use these areas and pay the fees each year and received the feedback indicating they are severely impacted by the COVID-19 pandemic.

### *Sightseeing Vehicles*

The operators at the four on-street parking stands established in the Vehicles for Hire Bylaw haven't used any of their stands since March due to little ferry service and commercial transportation. They have also delicensed all but a few buses and have laid 200 staff off. They can't make operations work without minimum passenger numbers and are very concerned about the future of travel restrictions and the fact that. As the spring and summer season are crucial for annual revenue. Ideally, they want to retain use of the zones so that they're in position to resume as demand increases. Staff are recommending a suspension of the parking stand fees for 2020.

### *Horse Drawn Carriages*

The City received comments from all the horse-drawn carriage operators. Horse drawn carriages are not currently operating due to physical distancing requirements, travel restrictions, and lack of tourism. They plan to resume once tourism and the cruise ship industry resumes in the region. According to one respondent, some projections indicate that this could be in fall 2020; however, they are prepared to resume operations in 2021. Each of the 18 Horse drawn carriages requires an annual license of \$140 each totalling \$2,520.00.

### *Pedicabs*

Staff reached out to licence holders to learn if they are operating or when they plan to resume operations. 30 out of 35 licence holders responded. None are currently operating and none have set a specific date to resume operations. Generally, licence holders plan to resume operations once tourism resumes. One operator has indicated he is in the process of re-purposing a limited number of pedicabs into mobile bicycle food vending units. Each of the 35 pedicabs requires a \$140.00 annual license totaling \$4,900.00.

Horse drawn carriages and pedicabs are unique in the city in relation to the fact the Vehicles for Hire Bylaw establishes a cap on the number of licenses that can be issued in the City annually. Essentially this cap creates the situation where the operators must renew their license each year or risk them being lost by virtue of the provisions in the Bylaw that necessitate a "lottery" to be held to allocate unused licences. Staff are recommending that consider establishing a waiver provision in an amendment to the Vehicles for Hire Bylaw that would relieve these operators from the requirement for renewing a license in 2020 as well as waiving the yellow curb and parking stand fees for 2020.

## **OPTIONS AND IMPACTS**

Both options presented below necessitate temporary amendments to the Vehicles for Hire Bylaw. In addition to those proposed specific to COVID-19 recovery, In May 2019 Council approved the allocation of, and fees for 4 sightseeing vehicle stands on city streets. There are Bylaw amendments included in this proposed Bylaw to use the similar approach to the allocation of these stands and establishing the fees such that they may be done by resolution of Council as opposed to a Bylaw amendment each time they are considered. This approach was taken in 2018 with the horse carriage stands. This approach enables a decision to vary the fees under circumstances like that that exist today, or in the future, by a motion of Council. There is no loss of rigour around the process to determine allocations but simply put, a simplified implementation mechanism requiring less staff time required to implement.

**Option 1 – Approve temporary bylaw amendments where required and waive the fees for 2020 for parking stand allocations and yellow curb fees. (Recommended)**

**Option 2 - Do not reduce the Parking Stand or Yellow Curb fees**

*Accessibility Impact Statement*

The recommended approach does not impact issues of accessibility as it is limited to fees and charges.

*2018 – 2022 Strategic Plan*

The recommended option has no Strategic Plan implications.

*Impacts to Financial Plan*

The impacts to the Financial Plan is the amount of the reduction is charges totalling \$105,246.

*Official Community Plan Consistency Statement*

This issue has no specific Official Community Plan implications.

**CONCLUSION**

The COVID-19 pandemic is impacting the city’s tourism related economy. The proposed relief is in keeping with council’s March 19, 2020 direction for staff to report back on an urgent basis with opportunities to provide relief to businesses in the city while maintaining consistency with the Community Charter prohibition on granting assistance to business. The fee waivers proposed are permissible under the legislation.

Respectfully submitted,



Chris Coates  
City Clerk



Philip Bellefontaine  
Acting Director of Engineering and  
Public Works



**Report accepted and recommended by the City Manager:** \_\_\_\_\_

**Date:** May 29, 2020

**List of Attachments**

Appendix A: Proposed Vehicles for Hire Amendment Bylaw No. 20-071