



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Harbour East Community Council
August 7, 2008

TO: Chair and Members of Harbour East Community Council

SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Paul Dunphy".

Paul Dunphy, Director of Community Development

A handwritten signature in black ink, appearing to read "Mike Labrecque".

Mike Labrecque, Director of Transportation & Public Works

DATE: July 23, 2008

SUBJECT: Employee Parking at Car Dealerships

INFORMATION REPORT

ORIGIN

On May 1, 2008, Harbour East Community Council (HECC) requested that staff prepare a report outlining information regarding possible requirements for employee parking at car dealerships.

BACKGROUND

Issue

HECC's request originates from concern related to car dealership employees parking on streets adjacent dealerships rather than parking in the off-street parking spaces required under the Land Use By-law(s) (LUB). Staff suggest the most likely explanation for the on-street employee parking is that off-street parking has been reserved for customers or for the display of vehicles for sale.

Parking Provisions

Sub-sections 220 (4) (h) and 227 (1) (a) of the *Municipal Government Act (RSNS, 1998)* (MGA), authorize Municipalities to "require and regulate the establishment and location of off-street parking and loading facilities" via a LUB or development agreement. Most LUBs establish a specific ratio of parking spaces for a given use based on the size of the buildings on the commercial property. Often, where a use is permitted by a development agreement, the agreement will require that the parking provisions for that use(s), as set out in the LUB, apply to the development unless there are specific reasons as to why additional parking is appropriate.

In the case of the Dartmouth LUB, general retail and commercial uses such as car dealerships, are required to provide 1 off-street parking space per 300 square feet of floor area. The Cole Harbour/Westphal and Eastern Passage/Cow Bay LUBs require 3.3 parking spaces per 1,000 square feet for properties having less than 5,000 square feet of floor area and 5.5 parking spaces per 1,000 square feet for properties with more than 5,000 square feet of floor area. Car dealerships are not permitted in the Downtown Dartmouth plan area.

On Street Parking

HRM Traffic and Right-of-Way Services is responsible for reviewing and establishing no parking areas as part of their larger mandate of ensuring the safe and effective operation of the Municipality's transportation network. Parking is permitted on the street unless signs are posted that indicate otherwise.

Members of HECC identified several areas of Dartmouth where there are concerns regarding the amount of on-street parking around car dealerships. These areas were forwarded to Traffic and Right-of-Way Services for their information and to obtain comment for the information of Council. The following list identifies the areas for which a concern was noted by a Councillor and the corresponding comment from Traffic and Right-of-Way Services.

Norm Newman Drive

There is a No-Stopping restriction on the entire north side of Norm Newman Drive to prohibit unloading of car carriers. The south side has unrestricted parking with the exception of the S-curve and within 30m of Eisener Blvd. which are both designated "No Parking" for safety reasons. Although we continue to get the odd complaint about the parking on the south side, there is adequate room and no driveways on this side so there is

no need to restrict on-street parking any further. HRM did install temporary "No Parking" areas along this side during winter months for winter maintenance reasons and will probably continue to do so.

Eisener Boulevard

Parking on Eisener Blvd. between Portland St. and Norm Newman Dr. was generated by Mazda employees. Parking has been restricted on both sides of Eisener Dr. because of visibility issues with commercial driveways and the high traffic volume.

Baker Drive

Parking on Baker Dr. continues to be an issue due to the mix of commercial and residential properties. Since Baker Dr. has been extended through to the Mt. Hope Avenue extension at the new Highway 111 interchange and with the opening of O'Regan's multi-car dealer complex, Sobeys, Kent, and a senior's housing facility, traffic has increased greatly. HRM has been restricting parking, for visibility reasons, at driveways and intersections on a case by case basis and will continue to do so. This has been complaint driven.

All-day parking on the residential side streets is more of a nuisance issue. Coldstream Run is a good example. This is a townhouse development on a cul-de-sac where curb space is limited, driveways are short and all available parking is used by non-residents (area employees). HRM is currently looking at available options to reduce the on-street parking in this area.

Athorpe Drive

Parking has been restricted on the curve for safety reasons. Parking continues on both sides of the street adjacent the Chrysler dealership but the road is wide enough to handle the parking. The only time it becomes a problem is when the car carriers unload on the street. Police enforcement handles this concern.

Day, Settle and Carver Streets

HRM recently restricted parking on the west side of Carver St. near Portland St. for safety reasons. Parking was generated by Mazda employees. Parking on both sides of Settle St. from Portland St. to Elizabeth St. was restricted last year. There is still some parking permitted outside of the restricted areas on Settle St. and Carver St. but not in areas where there are safety concerns. HRM staff have not been made aware of any parking issues on Day St.

Raymoor Drive and Caledonia Road

There have been no complaints with on-street parking on either of these streets.

Trinity Avenue, Springhill and Courtney Roads, Lovett, Middle, Farrell Streets

All of these streets have various "No Parking" restrictions and these restrictions have been

in place for many years. HRM staff have not received any recent complaints regarding parking in these areas.

DISCUSSION

Car dealership employees are likely parking on local streets as a result of insufficient off-street parking on the dealership lot, or a preference of the dealerships that their employees park on the street to reserve off-street parking for customers and/or vehicle sales. Staff are of the opinion, that in most cases, the number of parking spaces set out in the respective LUBs is likely sufficient to accommodate the customers and employees of most new and larger car sales lots.

Any amendments that increases off-street parking requirements would only apply on a go forward basis. Applications for new car dealerships would be subject to the new requirements but the amendments could not be made retro-active in order to address on-street parking around existing car dealerships. Furthermore, new provisions requiring additional employee/customer parking on-site may have little impact as dealers could reserve the parking solely for customers and request that employees park on the street. The LUB can require that parking be provided on-site but cannot require that employees use these spaces rather than parking on the street.

If on-street parking is occurring in areas where it is not permitted, no parking signs could be erected and offending vehicles could be towed. If on-street parking is permitted in the area, the presence of dealership employee's cars on the street should not be a significant issue. However, if a concern exists in an area(s) where on-street parking is permitted but it is impeding traffic and/or pedestrian travel, Council could request that HRM staff review whether or not on-street parking should be permitted in the area. As development proceeds in newer areas such a Russell Lake West, HRM Traffic and Right-of-Way Services staff will continue to review complaints and concerns on a case by case basis as development progresses.

BUDGET IMPLICATIONS

None.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

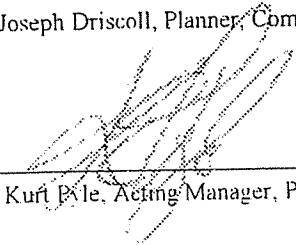
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ATTACHMENTS

None.

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Joseph Driscoll, Planner, Community Development, 490 - 3991

Report Approved by: 
Kurt Pyle, Acting Manager, Planning Services, 490-7066