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File No: Z-8331
 Planner: S. Wise/B. Henry

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	G. KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION: CITY OF LONDON AMENDMENTS TO PARKING SECTION 4.19 OF THE Z-1 BY-LAW, AND AMENDMENTS TO THE SITE PLAN CONTROL AREA BY-LAW PUBLIC PARTICIPATION MEETING ON JULY 22, 2014

RECOMMENDATION

That, on the recommendation of the Manager of Development Services and Planning Liaison, the following actions **BE TAKEN** to address parking requirements for persons with disabilities in accordance with the Accessibility for Ontarians with Disabilities Act:

- (a) the proposed by-law attached as Schedule "A" **BE INTRODUCED** at the Municipal Council meeting on July 29, 2014 in conformity with the Official Plan to amend Section 4.19 to add provisions for parking spaces for persons with disabilities including: sizes of parking spaces, access aisles, and a means to calculate the number of parking spaces for persons with disabilities in Section 4.19 of By-law Z-1; and
- (b) the proposed by-law attached as Schedule "B" **BE INTRODUCED** at the Municipal Council meeting on July 29, 2014 to amend the Site Plan Control Area By-law to include sizes of parking spaces for persons with disabilities and signage for parking spaces for persons with disabilities.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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Report to Planning Committee to amend the Site Plan Manual February, 2009.

PURPOSE

The purpose of this report is to recommend changes to By-law Z-1 that will ensure that parking requirements for persons with disabilities are satisfied for future development applications, to provide for increased parking for persons with disabilities; and, to amend Schedule 1 of the Site Plan Control Area By-law to update the requirements for parking spaces for persons with disabilities and signage to be consistent with the Accessibility for Ontarians with Disabilities Act (AODA).

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BACKGROUND

The Government of Ontario enacted the AODA in 2005. The purpose of the Act is to “develop, implement and enforce accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises on or before January 1, 2025”.

To date, Ontario has developed accessibility standards in five areas: customer service, employment, information and communications, transportation, and design of public spaces. Each accessibility standard has different requirements and timelines attached for when the public and private sectors must comply.

Accessible parking falls under the design of public spaces accessibility standard. The standard for the design of public spaces only applies to new construction and major changes to existing development. The following schedule has been established to provide organizations enough time to prepare:

Government of Ontario		January 1, 2015
Public sector organizations		January 1, 2016
Private sector and non-profit organizations	50+ employees	January 1, 2017
	1 – 49 employees	January 1, 2018

PUBLIC LIASON:	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on March 29, 2014. Notice of <i>Public Meeting</i> was published in <i>The Londoner</i> on July 3, 2014.
Nature of Liaison: The requested amendments to Section 4.19 of the Zoning By-law are required to provide provisions for parking spaces for persons with disabilities including sizes of parking spaces; access aisles; and a means to calculate the number of parking spaces for persons with disabilities and minor amendments to the Site Plan Control Area By-law regarding parking spaces for persons with disabilities.	
Responses: To date there have been no responses to the Notice.	

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Accessibility Advisory Committee – supports, in principle, the proposed amendments.
 Transportation Advisory Committee – expressed support for the application.

ANALYSIS

Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) includes “Building Strong Communities” which includes in 1.1.1. Healthy, liveable and safe communities. Policy 1.1.1 f) aims to improve accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society.

The proposed revisions to the Zoning By-law and the Site Plan guidelines improve the City’s requirements for accessibility for persons with disabilities and the elderly by increasing the amounts of parking for persons with disabilities and updating parking spaces for persons with disabilities to reflect the agreements of the AODA.

Agenda Item #	Page #

File No: Z-8331
Planner: S. Wise/B. Henry

Official Plan

The City's Official Plan contains policies regarding the provision of accessible parking. In particular, policy 18.2.12 indicates that the design standard for off-street parking shall provide for barrier-free and universally accessible parking requirements.

In 2009, the Site Plan Control Area By-law was amended to include some basic requirements for parking for persons with disabilities. Section 6.2 Off Street Parking Facilities subsection (a) states that barrier free parking is to be provided for buildings in accordance with the Ontario Building Code and in accordance with the Zoning By-law, where identified. Section 6.2 (l) states barrier free parking spaces shall be located in close proximity to the building's barrier free entrance.

Amendments to the Zoning By-law will result in an increase in the provision of parking spaces for people with disabilities for all new developments. As noted in the schedule on page 2, it is timely that the Zoning By-law be amended to provide parking regulations for persons with disabilities. The proposed amendment to the Site Plan Control Area By-law will update the sizes of parking spaces (the two types identified in the AODA), establish a width for the access aisle and establish the required signage for enforcement under the Traffic and Parking By-law.

Proposed Changes to the Zoning By-law and Site Plan Control Area By-law

As it currently stands, parking requirements for persons with disabilities are mentioned in numerous documents, but there are no specific rates established. It is important that the City of London develop a requirement for parking for persons with disabilities through the general provisions of the Zoning By-law.

A variety of guidelines and resources for standards for persons with disabilities have been reviewed. Staff are recommending changes to the Zoning and Site Plan Control Area By-law to match requirements as identified in Part IV.1 Accessible Parking of the Accessibility for Ontarians with Disabilities Act (See Appendix 'A'). Following a comprehensive review of the existing policies, standards, and implementation methods, staff are recommending amendments to the Zoning By-law to establish sizes for both types of parking spaces for persons with disabilities, establish the need for access aisles for persons with disabilities; and to add parking rates for parking for persons with disabilities for industrial, commercial, institutional, and residential uses.

Successful implementation of the AODA requirements will come through amending the Zoning By-law, the Site Plan Control Area By-law and the Traffic and Parking By-law. The parking requirements for persons with disabilities have become a standard review item through site plan approval. The amendment to the Zoning By-law provides the opportunity to increase the numbers of parking spaces for persons with disabilities. Enforcement is through By-law Enforcement and the regulations in the Traffic and Parking By-law (a separate report to Civic Works will address this item).

In the summer of 2013, staff attended the Parking and By-law Subcommittee of the Accessibility Advisory Committee (AAC). The Subcommittee requested staff attend the AAC to present the proposed amendments to the Zoning By-law, as well as other similar amendments.

On January 23, 2014, staff attended the AAC and presented the proposed amendments to the Zoning By-law and the Site Plan Manual. The AAC endorsed the proposed amendments to the Zoning By-law as the amendments implemented the size of parking spaces for persons with disabilities (Type A and Type B); established access aisles; provided a means to calculate the numbers of parking spaces for persons with disabilities for all new developments, as well as provided updates to the figures in the Site Plan Manual, and the Traffic and Parking By-law. The older style signs in the Traffic and Parking By-law would be grandfathered. We would note that a number of sites in the City have not used the correct signage (i.e. signs not approved under the Highway Traffic Act), and unfortunately these signs are not enforceable. On sites

Agenda Item #	Page #

File No: Z-8331
Planner: S. Wise/B. Henry

where this occurs, owners would have to replace the incorrect signs

The Site Plan Control Area By-law has been previously amended to provide pavement markings and enforceable signage. It is proposed to update the previous figures and replace them. These items are directly aligned with the guiding AODA documents pertaining to this matter; the Highway Traffic Act, and the Ontario Building Code. A minor amendment to Figures 7.1 and 7.2 of Schedule 1 of the Site Plan Control Area By-law will provide consistency with the parking space types and signs being added to the Zoning By-law. The signage will also be reflected in the Traffic and Parking By-law, noting the pavement marking as optional in the Site Plan manual.

The proposed amendments have accommodated the feedback from the By-law Enforcement Section.

The preparation and review of these by-laws, has been done in consultation with the Accessibility Advisory Committee, Community Planning, Parking Enforcement, Roadway Lighting and Traffic Control and the City Solicitors' Office.

CONCLUSION

The recommended changes to Section 4.19 Parking of the Z-1 Zoning By-law are appropriate and in conformity with the Official Plan. The change will implement the parking standards for persons with disabilities as set out under the Accessibility for Ontarians with Disabilities Act in regard to the size of parking spaces, access aisles, and the calculation of the number of parking spaces for persons with disabilities in new developments.

The recommended changes to Schedule 1 of the Site Plan Control Area By-law will result in updating the signage requirements and sizes of the parking spaces (Type A & Type B) for persons with disabilities. A separate report will go to the Civics Work Committee to amend the Traffic and Parking By-law for signage to be the same as the Site Plan Manual, and consistent with the Highway Traffic Act.

PREPARED BY:	REVIEWED BY:
BRUCE HENRY MANAGER – DEVELOPMENT PLANNING	BRUCE HENRY MANAGER – DEVELOPMENT PLANNING
RECOMMENDED BY:	SUBMITTED BY:
TERRY GRAWAY MANAGER – DEVELOPMENT SERVICES & PLANNING LIAISON	G. KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

July 10, 2014

cc: A.A.C. – chair

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Agenda Item #	Page #

File No: Z-8331
Planner: S. Wise/B. Henry

Schedule "A"

Bill No.
2014
By-law No. Z-1-14_____

A by-law to amend Section 4.19,
Parking Section of Zoning By-law
No. Z.-1

WHEREAS the **City of London** has applied to amend Section 4.19, of the Z-1 Zoning By-law, as set out below;

AND WHEREAS these amendments conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts the following:

1. Section 4.19 Parking, of Zoning By-law, Z-1, is hereby amended by deleting paragraph 4.19 2) DIMENSIONS OF PARKING SPACES and replacing it with a new paragraph 4.19 2) as follows:

"2) Dimensions of parking spaces

- a) A parking space required hereby shall have minimum dimensions of 2.7 metres by 5.5 metres, except as required for parking spaces for the use of persons with disabilities.
- b) A Type 'A' parking space for the use of persons with disabilities shall be a minimum width of 3.4 metres by at least 5.5 metres in depth.
- c) A Type 'B' standard parking space for the use of persons with disabilities shall be a minimum width of 2.4 metres by at least 5.5 metres in depth."

2. Section 4.19 Parking of Zoning By-law Z-1 is hereby amended by adding the new paragraph 4.19 6) _) as follows:

"6) _) Access aisles for parking spaces for persons with disabilities

Access aisles may be shared by two parking spaces for the use of persons with disabilities in an off-street parking facility and shall meet the following requirements:

- 1) They shall have a minimum width of 1,500 mm.
- 2) They shall extend the full length of the parking space.
- 3) They shall be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface.

3. Section 4.19 Parking of Zoning By-law Z-1 is hereby amended by adding the new paragraph after 4.19 10) b) as follows:

"4.19 10) _) Accessible parking spaces

Agenda Item #	Page #

File No: Z-8331
Planner: S. Wise/B. Henry

Where new parking spaces are required, in any new development, accessible parking spaces shall be provided. Off street parking areas shall have a minimum number of accessible parking spaces as follows:

- i) One parking space for the use of persons with disabilities, which meets the requirements of a Type A parking space, where there are 12 parking spaces or fewer; or
- ii) Four per cent of the total number of parking spaces for the use of persons with disabilities, where there are between 13 and 100 parking spaces in accordance with the following ratio, rounding up to the nearest whole number:
 - 1. Where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided; or
 - 2. Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space; or
- iii) One parking space for the use of persons with disabilities and an additional three percent of parking spaces for the use of persons with disabilities, where there are between 101 and 200 parking spaces must be parking spaces for the use of persons with disabilities, calculated in accordance with the ratios set out in subparagraphs ii) 1 and 2), rounding up to the nearest whole number; or
- iv) Two parking spaces for the use of persons with disabilities and an additional two per cent of parking spaces for the use of persons with disabilities, where there are between 201 and 1,000 parking spaces must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs ii) 1 and 2 rounding up to the nearest whole number; or
- v) Eleven parking spaces for the use of persons with disabilities and an additional one per cent of parking spaces for the use of persons with disabilities, where more than 1,000 parking spaces are provided must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs ii) 1 and 2 rounding up to the nearest whole number; and
- vi) The number of parking spaces for persons with disabilities shall be included as part of the total parking required for the site.”

Agenda Item #	Page #

File No: Z-8331
Planner: S. Wise/B. Henry

4. This By-law shall come into force and be deemed to come into force in accordance with subsection 34(21) of the Planning Act, R.S.O. 1990, c. P.13, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

PASSED in Open Council on July 29, 2014

Joni Baechler
Mayor

Catharine Saunders
City Clerk

First Reading – July 29, 2014
Second Reading – July 29, 2014
Third Reading – July 29, 2014

Agenda Item #	Page #

File No: Z-8331
Planner: S. Wise/B. Henry

Schedule "B"

Bill No.
2014

By-law No. C.P. – 1455(____)-_____

A by-law to amend By-law C.P.-1455-541 entitled, "A By-law to designate site plan control area and delegate Council's power under Section 41 of the Planning Act."

WHEREAS Section 41 of the Planning Act, R.S.O. 1990, c.P.13 provides in part that, where in an Official Plan an area is shown or described as a proposed site plan control area, the council of the local municipality in which the proposed area is situated may, by by-law, either a committee of the council or to an appointed officer of the municipality any of the council's power or authority under that section;

AND WHEREAS Clause 5(2) (b) of the Building Code Act authorizes the council of a municipality to pass by-laws requiring applications for building construction permits to be accompanied by such plans, specifications, documents and other information as is prescribed;

AND WHEREAS in the Official Plan for the City of London Planning Area the whole of the City of London is shown or described as a proposed site plan control area and the Council of The Corporation of the City of London considers it appropriate to designate the whole of the City of London as a site plan control area, to delegate its powers or authority under Section 41 of the Planning Act, R.S.O. 1990, c.P.13, to certain appointed officials of the Corporation, and to require applications for building construction permits to be accompanied by plans and drawings referred to in Subsection 41(4) and by one or more agreements with the Corporation that deal with or ensure the provision and maintenance of any of the facilities, works or matters to be provided in conjunction with all buildings and structures to be erected and any of the facilities, works or matters mentioned in Subsection 41(7) of that Act.

AND WHEREAS Municipal Council of The Corporation of the City of London passed By-law C.P.-1455-541 on June 26, 2006 being a by-law to designate a Site Plan Control Area and to delegate Council's power under Section 41 of the Planning Act, R.S.O. 1990 c.P.13;

AND WHEREAS it is deemed expedient to amend the said By-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London hereby enact as follows:

1. Bylaw No. C.P.-1455-541 is hereby amended by deleting Figures 7.1 and 7.2 of Schedule 1 and by replacing them with new attached Figures 7.1, 7.2 as Schedule "A" and Schedule "B" and by adding Figures 7.3, 7.4, and 7.5 attached as Schedule "C" and Schedule "D":

Agenda Item #	Page #

File No: Z-8331
Planner: S. Wise/B. Henry

2. This by-law comes into force on September 1, 2014

Passed in Open Council on July 29, 2014

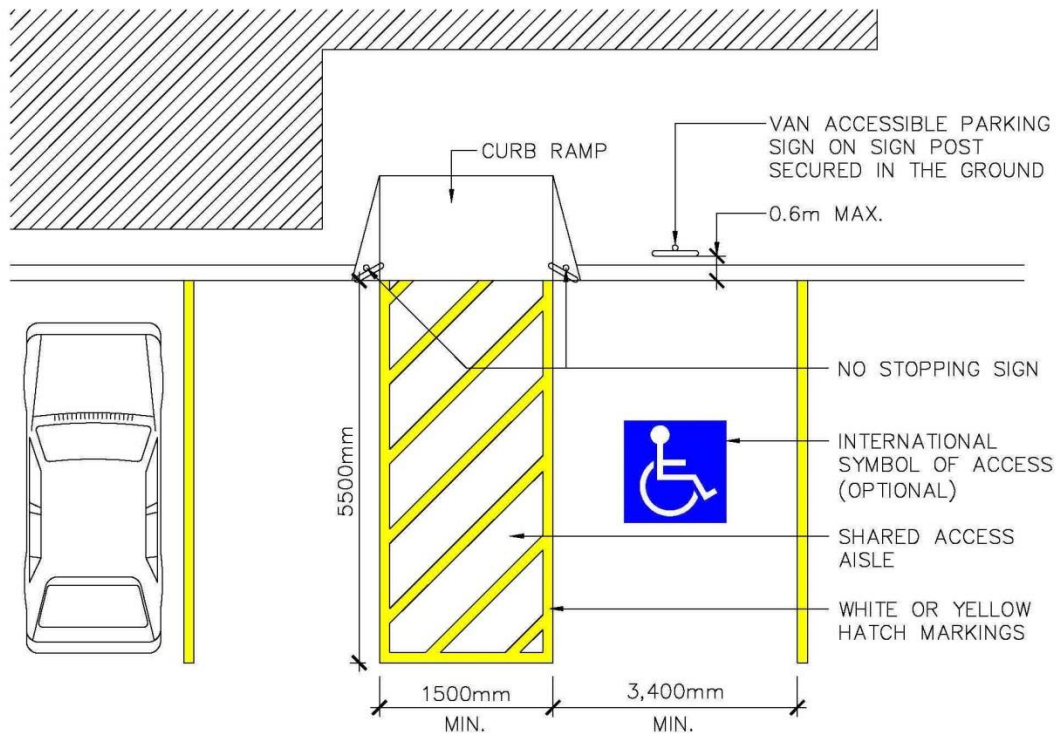
Joni Baechler
Mayor

Catharine Saunders
City Clerk

First Reading – July 29, 2014
Second Reading – July 29, 2014
Third Reading – July 29, 2014

Schedule "A"

FIGURE 7.1
PARKING SPACE FOR PERSONS WITH DISABILITIES
TYPE A

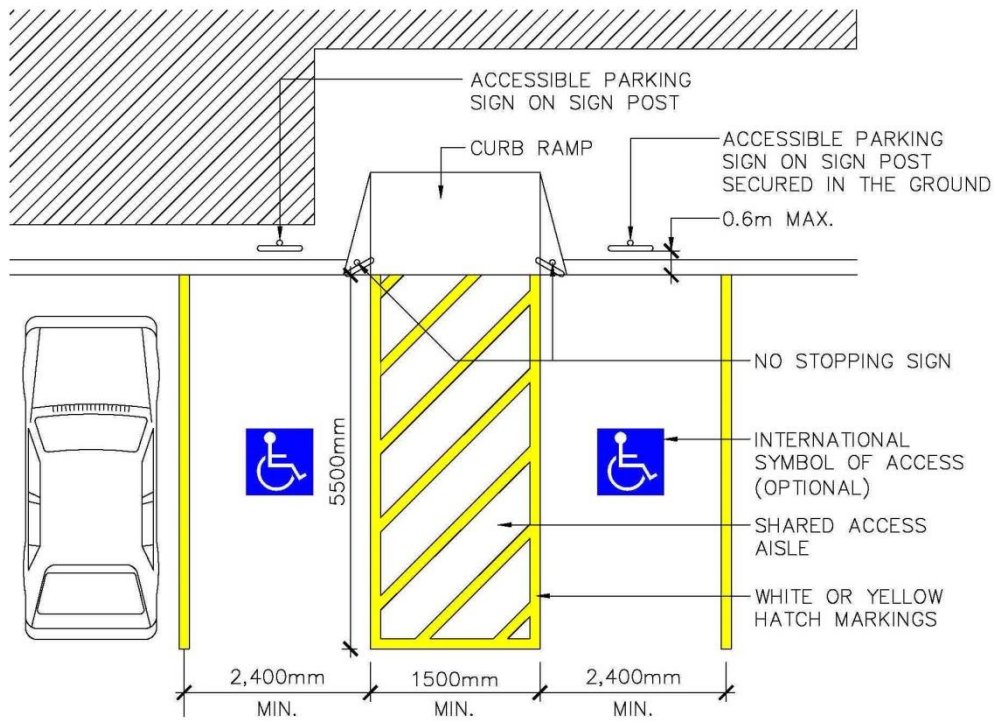


Agenda Item #	Page #

File No: Z-8331
Planner: S. Wise/B. Henry

Schedule "B"

**FIGURE 7.2
PARKING SPACE FOR PERSONS WITH DISABILITIES
TYPE B**



(SEE ALSO THE TRAFFIC AND PARKING BY-LAW)

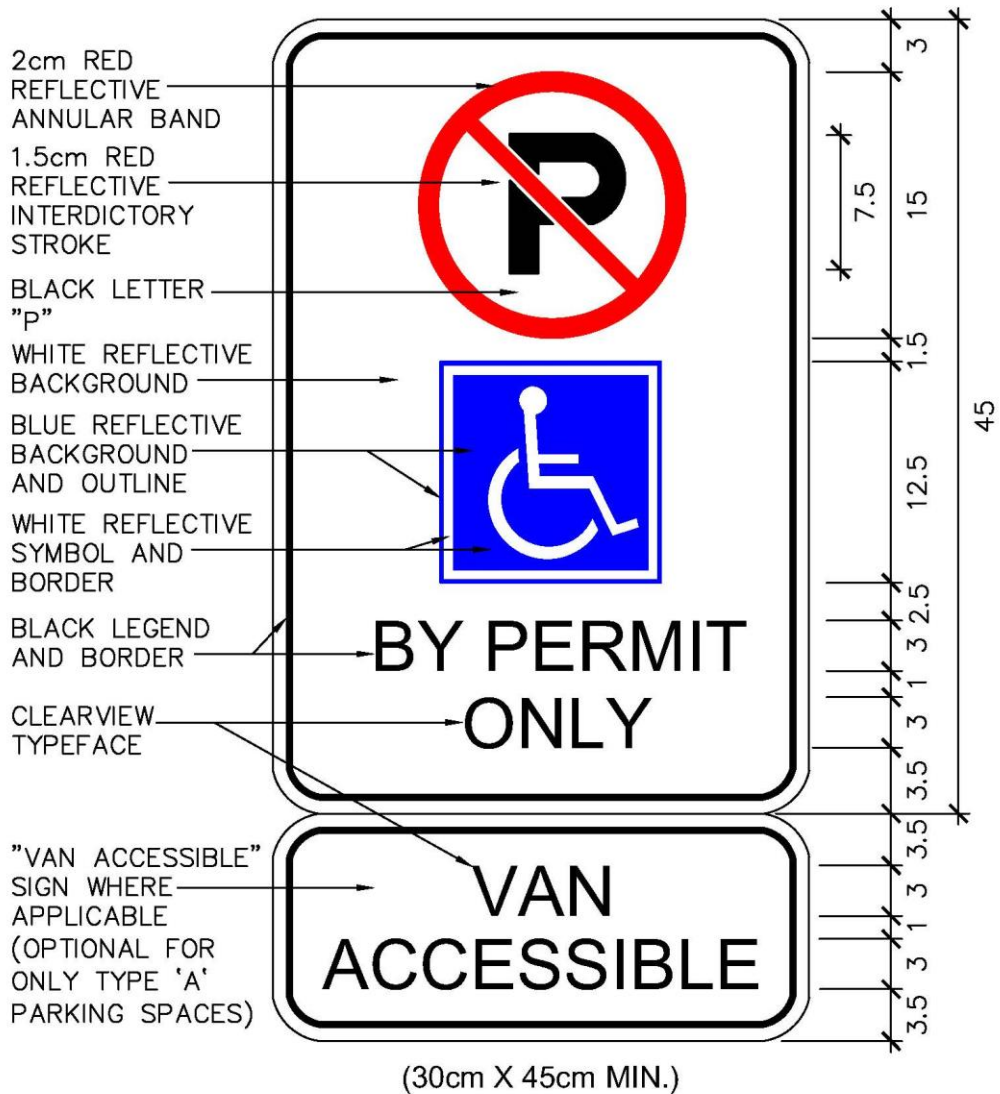
Agenda Item #	Page #

File No: Z-8331
Planner: S. Wise/B. Henry

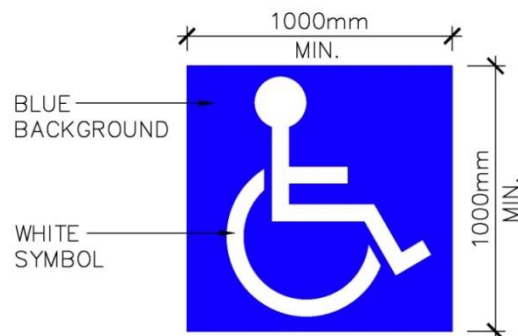
Schedule "C"

**FIGURE 7.3
ACCESSIBLE PARKING SIGN
HIGHWAY TRAFFIC ACT, REGULATION 581**

PRESCRIBED SIGNS FOR PARKING SPACES UNDER THE *HIGHWAY TRAFFIC ACT*, REGULATION 581
PRESCRIBED SIGNS FOR PARKING SPACES DESIGNATED UNDER A
MUNICIPAL BY-LAW FOR THE USE OF PEOPLE WITH DISABILITIES



**FIGURE 7.4
INTERNATIONAL SYMBOL OF ACCESS
(OPTIONAL ON THE SURFACE OF THE PARKING SPACE)**



Agenda Item #	Page #

File No: Z-8331
Planner: S. Wise/B. Henry

Schedule "D"

**FIGURE 7.5
NO STOPPING SIGN**

NO STOPPING Sign



Rb-55	30 cm x 30 cm
Rb-155	60 cm x 60 cm
Font	N/A
Colour	Interdictory Symbol – Red Reflective Legend & Border – Black Background – White Reflective

Agenda Item #	Page #

File No: Z-8331
Planner: S. Wise/B. Henry

APPENDIX 'A'

SUMMARY OF AODA REQUIREMENTS

PARKING REQUIREMENTS

All barrier free parking spaces shall be provided at the time of erection of a building or addition thereto, expansion of a use. Parking spaces for the use of persons with disabilities shall be maintained exclusively for the use which they are required for as long as the use is still in operation.

DESIGN CHARACTERISTICS FOR BARRIER FREE PARKING

SIGNAGE REQUIREMENTS

Obligated organizations shall ensure that parking spaces for the use of persons with disabilities required under the *Accessibility for Ontarians with Disabilities Act* are distinctly indicate by erecting an accessible permit parking sign in accordance with Section 11 of Regulation 581 of the Revised Regulations of Ontario, 1990 (Accessible Parking for Persons with Disabilities) made under the *Highway Traffic Act*.

A parking space designated by the Z-1 By-law for the use of persons with a disability or required by Ontario Regulation 191/11 (Integrated Accessibility Standards) made under the Accessibility for Ontarians with Disabilities Act, 2005 for the use of persons with a disability shall be distinctly indicated by erecting an accessible parking permit sign which shall comply with the regulations set out in the aforementioned acts and also following the dimensions and design requirements as displayed in the following figure:

Agenda Item #	Page #

File No: Z-8331
Planner: S. Wise/B. Henry

PARKING SPACE DESIGN & REQUIREMENTS

Types of accessible parking spaces

Off-street parking facilities must provide the following two types of parking spaces for the use of persons with disabilities:

Type A A wider parking space with a minimum width of 3,400 mm and signage that identifies the space as “van accessible”.

Type B A standard parking space which has a minimum width of 2,400 mm.

Access Aisles

Accessible aisles, that is, the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all parking spaces for the use of persons with disabilities in off-street parking facilities.

Accessible aisles may be shared by two parking spaces for the use of persons with disabilities in an off-street parking facility and must meet the following requirements:

They must have a minimum width of 1,500 m.

They must extend the full length of the parking space.

They must be marked with high tonal contrast diagonal lines, which discourage parking in them, where the surface is asphalt, concrete, or some other hard surface.

MINIMUM NUMBER AND TYPE OF ACCESSIBLE PARKING SPACES

Off-street parking facilities must have a minimum number of parking spaces for the use of persons with disabilities, in accordance with the requirements as set out by the Accessibility for Ontarians with Disabilities Act, 2005 and as are displayed in the following figure:

Number of Spaces	Requirement Ratio	Example (# required)	Type A	Type B
0-12	All Type A	6 (1)	1	--
13-100	4% of total	73 (3)	1	2
101-200	1 + 3% of total	164 (6)	3	3
201-1,000	2 + 2% of total	830 (19)	9	10
1000+	11 + 1% of total	3,500 (46)	23	23