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<b>TO:</b>	<b>CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON MARCH 29, 2016</b>
<b>FROM:</b>	<b>JOHN BRAAM, P. ENG. MANAGING DIRECTOR, ENVIRONMENTAL &amp; ENGINEERING SERVICES AND CITY ENGINEER</b>
<b>SUBJECT:</b>	<b>AMENDMENTS TO THE TRAFFIC AND PARKING BY-LAW PS-111 WITH RESPECT TO OFF-STREET ACCESSIBLE PARKING STALLS</b>

<b>RECOMMENDATION</b>
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That on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, that the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting to be held on April 5, 2016 for the purpose of amending the Traffic and Parking By-law PS-111 with respect to off-street accessible parking stalls.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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January 26, 2009 - Planning Committee, Application to Amend Schedule 1 of the Site Plan Approval By-law Regarding Accessibility;

July 22, 2014 - Planning and Environment Committee, Amendments to Parking Section 4.19 of the Z-1 By-law and Amendments to the Site Plan Control Area By-law; and

October 7, 2014 - Planning and Environment Committee, Amendments to Parking Section 4.19 of the Z-1 By-law and Amendments to the Site Plan Control Area By-law

<b>2015-19 STRATEGIC PLAN</b>
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The following report supports the Strategic Plan through the strategic focus areas of *Strengthening Our Community* and *Building a Sustainable City* by improving parking standards for persons with disabilities.

<b>PURPOSE</b>
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The purpose of this report is to recommend amendments to the Traffic and Parking By-law PS-111 that will ensure that parking requirements for persons with disabilities are aligned with previous amendments to the Site Plan Control Area By-law and Zoning By-law, and to bring the Traffic and Parking By-law into conformity with the *Accessibility for Ontarians with Disabilities Act, 2005*. (“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

<b>PUBLIC LIASON:</b>	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on March 29, 2014.	
<b>Nature of Liaison:</b> Proposed amendments to the Traffic and Parking By-law as it pertains to signage for parking spaces for persons with disabilities.		
<b>Responses:</b> To date there have been no responses.		

**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

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

**ANALYSIS**

Municipal Council previously amended the Zoning By-law and Site Plan Control Area By-law to meet requirements as identified in Part IV.1 Accessible Parking of the Accessibility for Ontarians with Disabilities Act (See Appendix B). Amendments are required to the Traffic and Parking By-law to ensure consistency.

The previous amendment to the Zoning By-law provided the opportunity to increase the numbers of parking spaces for persons with disabilities. The amendment to the Site Plan Control Area By-law resulted in updating the signage requirements and sizes of

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the parking spaces (Type A & Type B) for persons with disabilities. The current proposed amendment to the Traffic and Parking By-law will reflect the updated signage identified in the Site Plan Manual and consistent with Highway Traffic Act, Regulation 581 “Accessible Parking for Persons with Disabilities”, which specifies the size, wording and colour of accessible parking signs. Enforcement is through By-law Enforcement and the regulations in the Traffic and Parking By-law.

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 AAC and presented the proposed amendments to the Zoning By-law and the Site Plan Control Area By-law. 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 & Parking By-law consistent with the requirements of the AODA. It should be noted that adoption of these new signage and pavement marking requirements can only be applied to new site plans. Signage at existing sites may not conform to this new standard and the existing signage may not be enforceable. These areas will be corrected when new site plans are submitted for the property. That said, city staff are available to assist those property owners who wish to voluntarily upgrade their signage to conform to the new standard.

Set fines for parking all offences require the approval of Ontario’s Court of Justice. The current set fine for parking in an accessible parking stall without a valid permit is \$375.00 and the set fine for stopping in a prohibited area is \$55.00. New set fines will be required if the proposed Traffic and Parking By-law amendment is approved.

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

<b>CONCLUSION</b>
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The recommended amendments to the Traffic and Parking By-law are appropriate and in conformity with the requirements of the AODA. The amendments will implement the parking standards for persons with disabilities set out under Accessibility for Ontarians with Disabilities Act and will be coordinated with the existing requirements contained in the Zoning By-law and the Site Plan Control Area By-law.

The Traffic and Parking By-law is being updated to ensure the signage is the same as the Site Plan Control Area By-law, and consistent with the Highway Traffic Act, as well as provide the new prohibited matters as required by the AODA.

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**ACKNOWLEDGEMENTS:**

This report was prepared by Shane Maguire of the Roadway Lighting & Traffic Control Division with the assistance of Development and Compliance Services.

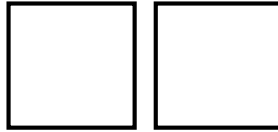
<b>PREPARED BY:</b>	<b>REVIEWED &amp; CONCURRED BY:</b>
<b>SHANE MAGUIRE, P. ENG. DIVISION MANAGER ROADWAY LIGHTING &amp; TRAFFIC CONTROL</b>	<b>EDWARD SOLDI, P.ENG. DIRECTOR, ROADS AND TRANSPORTATION</b>
<b>REVIEWED &amp; CONCURRED BY:</b>	<b>RECOMMENDED BY:</b>
<b>GEORGE KOTSIFAS, P. Eng. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>	<b>JOHN BRAAM, P.ENG. MANAGING DIRECTOR, ENVIRONMENTAL &amp; ENGINEERING SERVICES AND CITY ENGINEER</b>

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March 21, 2016/sm

Attach:      Appendix "A": Proposed Traffic and Parking By-Law Amendment  
                  Appendix "B": Summary of AODA Requirements

cc.      City Solicitor's Office  
             Development and Compliance Services  
             Annette Drost, Parking Office



**APPENDIX "A"**  
**BY-LAW TO AMEND THE TRAFFIC & PARKING BY-LAW (P.S. 111)**

Bill No.

By-law No. PS-111

A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London."

WHEREAS subsection 10(2) paragraph 7. Of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001*, as amended, provides that a municipal power shall be exercised by by-law;

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

**1. Section 76 Designation of Parking Spaces**

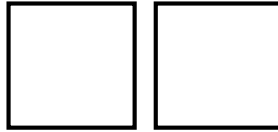
Section 76 (1) of the said By-law PS-111 is hereby amended by **deleting** it in its entirety and replacing it with the following:

76. (1) Where in a public parking lot or facility one or more parking spaces are intended for the sole use of a vehicle of a disabled person, the owner or operator of the public parking lot or facility shall identify each such parking space by erecting an official sign in such a manner that the official sign shall be clearly visible to the operator of any vehicle approaching or entering such parking space. The official sign shall be erected on a post secured in the ground or on a wall. The official sign shall be at the front of the parking space in the middle so that the bottom of the sign is between 1.2 m and 1.8 m above the parking lot surface.

**2. Section 77 Parking Space for Disabled Persons**

Section 77 of the said By-law PS-111 is hereby amended by **deleting** it in its entirety and replacing it with the following:

77. (1) No person shall park, stand, stop or leave a motor vehicle in any designated parking space except a motor vehicle that is identified by a current original identifying marker.
- (2) No person shall park, stand, stop, or leave a motor vehicle in an access aisle for a parking space for persons with disabilities when "No Stopping" signs have been erected and are on display.

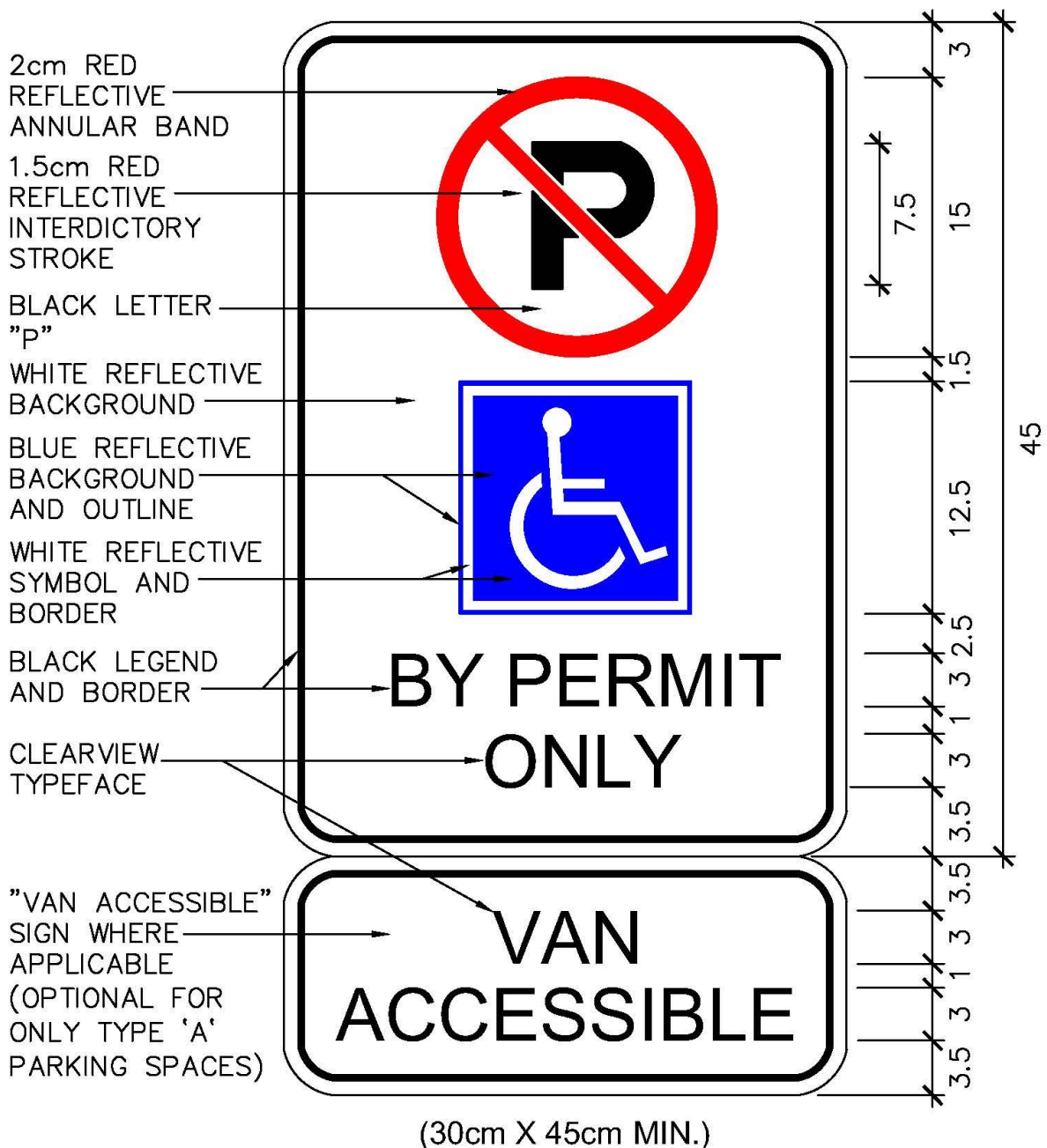


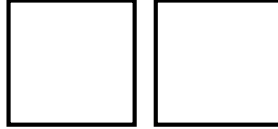
**3. Schedule 28 Off-Street Accessible Parking Sign**

Schedule 28 of the said By-law PS-111 is hereby amended by **deleting** it in its entirety and replacing it with the following:

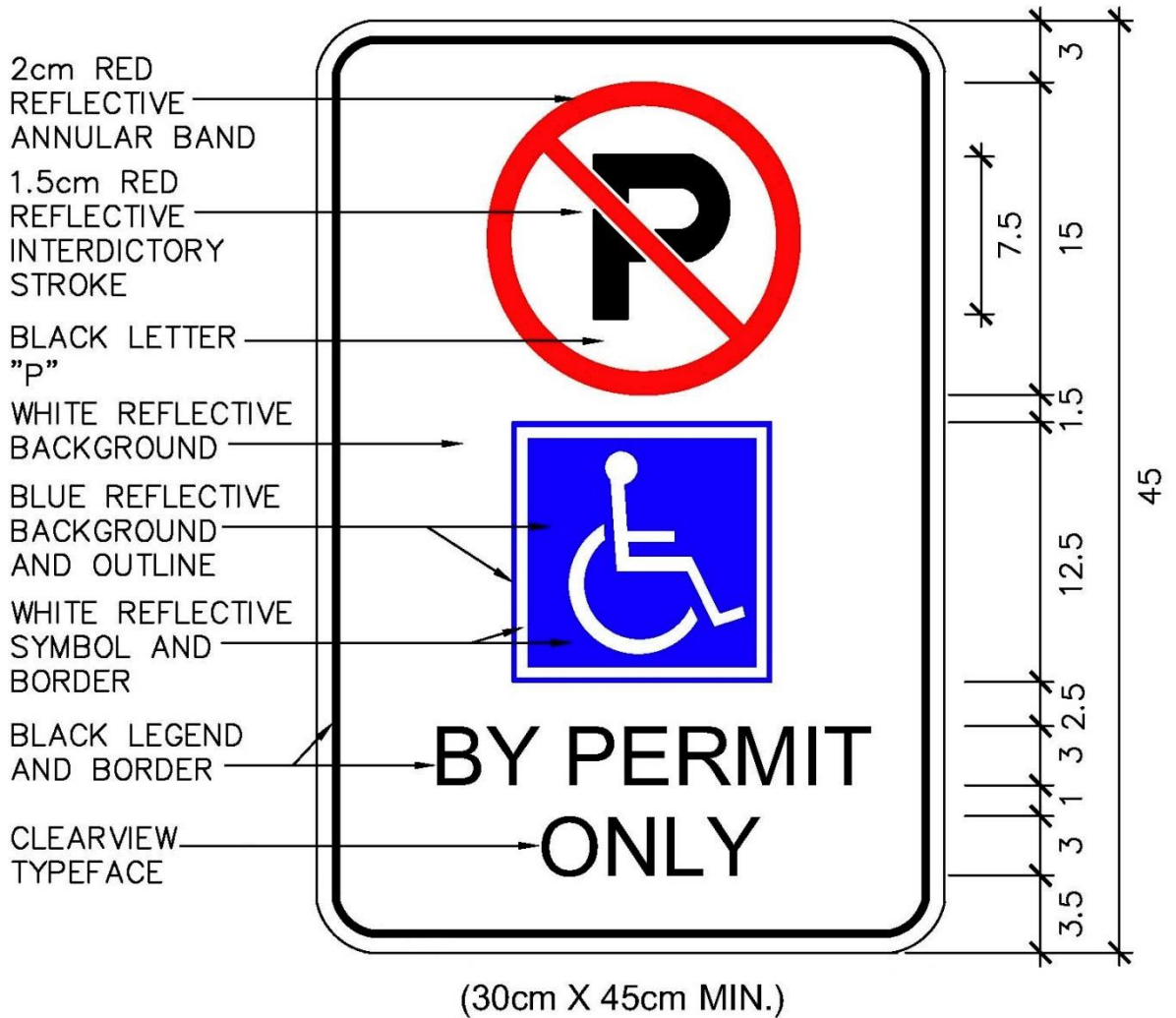
Schedule 28 Off-Street Accessible Parking Sign

Type A Accessible Parking Sign as defined in the *Accessibility for Ontarians with Disabilities Act*





Type B Accessible Parking Sign as defined in the *Accessibility for Ontarians with Disabilities Act*



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This by-law comes into force and effect on October 1, 2016.

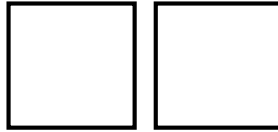
PASSED in Open Council on April 5, 2016

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – April 5, 2016  
Second Reading – April 5, 2016  
Third Reading – April 5, 2016





**APPENDIX 'B'**  
**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:

**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

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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