

J. **BYLAWS**

J.5 **Bylaw for Review of Off-Street Parking Regulations and Delegation of Minor Parking Variances**

Moved By Councillor Coleman
Seconded By Councillor Thornton-Joe

That Council give first and second readings and direct staff to set the Public Hearing for the attached Zoning Regulation Bylaw Amendment Bylaw No. 18-017 to amend Schedule A and replace Schedule C of the Zoning Regulation Bylaw.

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council give first, second, and third readings to Land Use Procedures Bylaw Amendment Bylaw No. 18-018 and that Council consider enacting the Land Use Procedures Bylaw Amendment Bylaw No. 18-018 if Zoning Regulation Amendment Bylaw No. 18-017 is approved.

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Isitt

That Council direct staff to report back to Council with a scope of work, anticipated timelines and estimated costs associated with a review of barrier-free parking needs in the City of Victoria. This review shall provide recommendations for potential regulations and guidelines that could be adopted by the City.

CARRIED UNANIMOUSLY



Council Report

For the Meeting of July 12, 2018

To: Council **Date:** June 28, 2018
From: Jonathan Tinney, Director of Sustainable Planning and Community Development
Subject: Review of Off-Street Parking Regulations (Schedule C of Zoning Regulation Bylaw 80-159) and Delegation of Minor Parking Variances

RECOMMENDATION

1. That Council give first and second reading and direct staff to set the Public Hearing for the attached Zoning Regulation Bylaw Amendment Bylaw No. 18-017 to amend Schedule A and replace Schedule C of the Zoning Regulation Bylaw.
2. That Council give first, second and third reading to Land Use Procedures Bylaw Amendment Bylaw No. 18-018 and that Council consider enacting the Land Use Procedures Bylaw Amendment Bylaw No. 18-018 if Zoning Regulation Amendment Bylaw No. 18-017 is approved.
3. That Council direct staff to report back to Council with a scope of work, anticipated timelines and estimated costs associated with a review of barrier-free parking needs in the City of Victoria. This review shall provide recommendations for potential regulations and guidelines that could be adopted by the City.

EXECUTIVE SUMMARY

The purpose of this report is to provide an update on the Council conditions set out in the following motion moved by Council on October 12, 2017:

"That Council direct staff to:

1. *Undertake focused public consultation on the draft Off-Street Parking Regulations.*
2. *Report back to Council with the proposed Off-Street Parking Regulations that considers the public feedback received and a related Bylaw prior to advancing to a Public Hearing.*
3. *Prepare Design Guidelines related to charging and parking for Electric Vehicles, carry out the necessary stakeholder consultation to inform the guidelines and report back to Council prior to preparing the related Official Community Plan amendment.*
4. *Report back to Council with a scope of work, anticipated timelines and estimated costs associated with the preparation of Design Guidelines relating to Bicycle Parking.*

5. *Prepare amendments to the Land Use Procedures Bylaw to delegate Development Permit with Variance Applications for minor parking variances associated with small commercial operations, prepare Design Guidelines to inform the review of such variances, carry out the necessary engagement and report back to Council with an amending Bylaw prior to commencing work on an Official Community Plan amendment.*
6. *Send to the Neighbourhood Associations welcoming comments.*
7. *Send to the Accessibility Working Group and Disability Resources Centre."*

This report provides an update on the items listed in the above motion and recommends that Council consider directing staff to schedule a Public Hearing for the *Zoning Regulation Bylaw* amendment proposing new off-street parking regulations, and give first and second reading to a *Land Use Procedures Bylaw* amendment that would allow the delegation of certain minor parking variances relating to small businesses.

Public Consultation

In response to Council's direction to staff to carry out focused public consultation on the draft off-street parking regulations, staff have undertaken the following engagement with the public and key stakeholders:

Website: The project webpage was updated with links to the draft regulations and outlines opportunities to provide feedback.

Technical Advisory Group: The draft regulations were shared with the following organizations which comprise the project Technical Advisory Group and feedback was invited:

- Buildings Owners and Managers Association of British Columbia
- Victoria Residential Builders Association
- Greater Victoria Housing Society
- Urban Development Institute
- Greater Victoria Chamber of Commerce
- Downtown Victoria Business Association
- Vancouver Island Strata Owners Association.

Urban Development Institute (UDI), October 24, 2017: Staff met with members of the UDI to share information and receive feedback on the draft regulations and proposed delegation of minor parking variances. In addition, staff presented the emerging regulations to the UDI at a breakfast event (for members under the age of 40) on March 28, 2018.

Accessibility Working Group, December 4, 2017: Staff gave a presentation to the Accessibility Group and sought feedback relating to barrier-free parking. Written comments were received from the Accessibility Working Group on December 21, 2017, and are included in Attachment B.

Disability Resource Centre: Staff sent relevant project information to the Executive Director of the Disability Resource Centre and invited feedback. Representatives of the Disability Resource Centre attended the aforementioned Accessibility Working Group meeting and provided verbal comments.

Public Open House, November 20, 2017: Invitations to the Open House, along with relevant project information, was sent to all Neighbourhood Associations, Technical Advisory Group Members and other key stakeholders. Details of the event, which sought feedback in relation to

the proposed delegation of minor parking variances for small businesses, in addition to the draft off-street parking regulations, were also posted on the City website. The feedback received is included in Attachment B.

CALUC Meeting, April 17, 2018: Staff invited all CALUC members to a presentation and Q&A session relating to the emerging regulations. The minutes of the meeting are included in Attachment B.

The feedback received from the aforementioned consultation was largely positive in nature and, as a result of the comments received, staff made a number of revisions and refinements to the regulations which include:

- increasing the threshold for reduced parking rates for residential dwelling units from 40m² to 45m² to ensure that undersized residential units are not incentivized by reduced parking rates and to better reflect the size of bachelor suites
- adding the requirement for an additional parking stall where two secondary suites or a secondary suite and a garden suite are located on the same lot as a single-family dwelling or duplex
- revising commercial bicycle parking requirements to address the demand for long-term versus short-term bicycle parking in different commercial uses (i.e. offices have a proportionally higher demand for long-term bicycle parking, whereas for restaurants or drinking establishments there is a proportionally higher demand for short-term bicycle parking)
- reducing the number of short-term bicycle stalls that must be located within a minimum distance of 15m from building entrance to allow more flexibility in locating stalls on the property where larger numbers of stalls are required
- revising short-term bicycle parking requirements for multiple-dwellings to better address demand.

In addition to the above, staff have also proposed further work in relation to potential regulations and guidelines relating to barrier-free parking (see below).

Barrier Free Parking

Barrier free parking is currently regulated through the *BC Building Code* (where it is referred to as "parking for persons with disabilities"). However, in the case of such parking, the City's *Zoning Regulation Bylaw* can set out more stringent requirements than the Code requirements. On October 5, staff reported the following to Committee of the Whole:

"Staff considered including regulations relating to barrier free parking in the Zoning Regulation Bylaw. Correspondence with members of the City's Accessibility Working Group suggested that the current requirement, outlined in the BC Building Code, is not providing enough barrier free parking stalls. It was suggested that the City consider increasing the supply to help those with mobility constraints. Staff also heard some opposition to this approach from the development industry. The concerns primarily related to the fact that, as this is regulated through the BC Building Code, the inclusion of potentially contradictory regulations in the Zoning Regulation Bylaw could result in considerable confusion for applicants. Issues with the allocation of such barrier free stalls in strata developments were also raised."

Staff carried out further consultation with the development industry to determine whether the issues raised could be satisfactorily resolved and to what degree additional barrier-free parking stalls could be provided. The feedback received was largely a reiteration of previous concerns; however, the

point was also made that, in the residential context, any additional stalls would come at a significant cost per stall and, as these stalls cannot be sold, the cost would be passed on to the buyer and, therefore, would impact affordability. Staff heard a strong preference that barrier-free parking should continue to be regulated through the *BC Building Code* and the City would be creating a complex regulatory scheme by adding more stringent requirements in the *Zoning Regulation Bylaw*.

Staff also engaged with the Accessibility Working Group and the Disability Resource Centre on this issue, as directed by Council. In addition to the summary notes taken by staff at the December 21, 2017 meeting, written comments were also received from the Accessibility Working Group (both documents are included in Attachment B).

Key themes included:

- in terms of stall supply, the *BC Building Code* requirements for barrier-free parking are too low, especially in Victoria
- stall dimensions, as specified under the Code, are insufficient and do not provide enough space to accommodate vehicles with wheelchair ramps
- other design considerations should be addressed either through regulations or guidelines, and could address issues such as grades for barrier-free parking, location of curb cuts and space for mobility scooters.

Based on the feedback received and staff research to date, it is evident that the development industry has concerns relating to the inclusion of barrier-free parking requirements in the *Zoning Regulation Bylaw* that are more stringent than those set out in the *BC Building Code*. The provision of such stalls does carry a financial cost which is passed on to the purchaser and affects housing affordability. On the other hand, there appears to be sufficient evidence that the Code does not provide for enough barrier-free parking stalls in the City of Victoria. For example, based on information provided by the Disability Resource Centre, there are currently approximately 16,500 disability parking permits in circulation in metro Victoria (includes the City of Victoria, the District of Oak Bay, the District of Saanich, and the Township of Esquimalt); when comparing this figure to an approximate population of 235,000, approximately 7% of the total population has a disability parking permit. In comparison, for most types of development, the *BC Building Code* does not typically require any barrier-free parking stalls for parking areas of up to 50 stalls. Where more than 50 stalls are provided, barrier-free parking stalls are provided at a ratio of 1 stall for every 100 parking stalls. The requirements in the Code do not attain the 7% which appears to be the need based on the percentage of the population which have a disability parking permit.

In light of the above, staff recommend that Council consider proceeding with one of the following options:

Option 1 (recommended):

Direct staff to report back to Council with a scope of work, anticipated timelines and estimated costs associated with a review of barrier-free parking needs assessment in the City of Victoria. This assessment shall provide recommendations for potential regulations and guidelines that could be adopted by the City.

Option 2:

Continue to refer to the *BC Building Code* for barrier-free parking requirements in the City of Victoria.

Staff are recommending that Council consider proceeding with Option 1, given the evidence that

the *BC Building Code* requirements do not address the demand for barrier-free parking in the City of Victoria. It is anticipated that such work would be carried out by a specialist, professional consultant, or organization. It would involve working closely with the development industry and persons with accessibility needs, and any final recommendations would include recommendations for potential regulations and guidelines to ensure that barrier-free parking is provided in a manner that meets the needs of our citizens but does not adversely impact key Council objectives, such as housing affordability. Should Council proceed with this option, staff anticipate reporting back with a scope of work, anticipated timelines and associated costs, in Q4 2018, concurrently with a project brief for Design Guidelines for Bicycle Parking (see below).

Design Guidelines for Bicycle Parking

As it is not currently included in the work plan for 2018, Council directed staff to report back to Council with a scope of work, anticipated timelines and estimated costs associated with the preparation of Design Guidelines relating to Bicycle Parking.

Staff will report back to Council with this information, including a project brief, in Q4 2018.

Design Guidelines for Electric Vehicles

Council directed staff to prepare Design Guidelines related to charging and parking for Electric Vehicles, carry out the necessary stakeholder consultation to inform the guidelines, and report back to Council prior to preparing the related OCP amendment. It is anticipated that this work will commence this year under the general scope of work anticipated within the City's Climate Action Program.

Minor Parking Variances for Commercial Uses

Council directed staff to prepare amendments to the *Land Use Procedures Bylaw* to delegate Development Permit with Variance Applications for minor parking variances associated with small commercial operations, prepare Design Guidelines to inform the review of such variances, carry out the necessary engagement and report back to Council with an amending Bylaw prior to commencing work on an OCP amendment.

In response to the above, staff have prepared an amendment to the *Land Use Procedures Bylaw* that would, if adopted, allow proposals that meet the following conditions to be delegated to the Director of Sustainable Planning and Community Development:

- the variance is being triggered by a change of use that is permitted in the applicable *Zoning Regulation Bylaw*
- the change of use relates to a commercial, institutional or industrial use
- the proposed variance is for a motor vehicle parking stall variance not exceeding 5 stalls
- the proposed variance is for a short-term and/or long-term bicycle parking stall variance not exceeding 6 stalls.

This approach was presented at the November 20, 2017 Public Open House and feedback was generally supportive (see Attachment B).

This delegation would be limited to Development Permit with Variance and Heritage Alteration Permit with Variance applications only as it has been determined we cannot legally delegate a Development Variance Permit application. However, as a change of use normally includes some

associated form of exterior alteration, it is anticipated that in the majority of cases, variances which meet the aforementioned conditions will be delegated to staff.

With respect to the creation of associated Design Guidelines, after further review, staff recommend that a preferred approach would be to simply incorporate advisory/guidance notes in the Delegated Development Permit application form. The reason for this is that there is a risk associated with the inclusion of guidelines for one type of variance within the OCP when other variances have no guidelines. There may be an argument to be made that, in relation to other variance applications that may be declined, that as a particular type of variance has no applicable guidelines while parking variances do have guidelines, there is no basis to decline a different type of variance application (for example, a setback variance).

Transition Provisions and Process for In-Stream Applications

The proposed *Zoning Regulation Bylaw* amendment provides a process for transitioning and processing a variety of development applications that may overlap with the current Schedule C and the introduction of the new Schedule C. For example, if a Development Permit was previously approved under the current *Zoning Regulation Bylaw*, then the transition regulations identify specific conditions for allowing the related Building Permit to be processed using the regulations that existed when the Development Permit was approved, rather than the regulations of the new Schedule C. This approach provides improved certainty for land owners and reduces the need for potential variances to account for differences between the current and proposed Schedule C. Similarly the new transition provisions also allow a previously approved variance (issued within two years prior to adoption of the proposed Schedule C) to continue to apply.

It is also possible that a number of development applications that have, or are about to be, presented to Committee of the Whole and have been assessed under the current Schedule C, will be subject to the new Schedule C by the time they are considered by Council following an opportunity for public comment.

To ensure that applications are not unduly delayed as a result of the new regulations, staff recommend that, for development applications affected by the new off-street parking regulations (Schedule C of the *Zoning Regulation Bylaw*), where those applications have been presented to Committee of the Whole and Council have made a motion to move the application forward to a Council meeting for an opportunity for public comment or a Public Hearing, that Council direct staff to present an updated motion at the meeting where Council receive the public comment. Appropriate wording is provided in the *Zoning Regulation Bylaw* amendment should Council decide to direct staff to process in-stream applications in this manner.

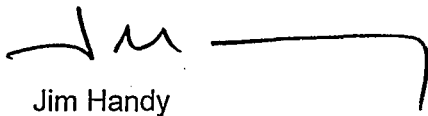
Conclusion

Staff recommend for Council's consideration that the *Zoning Regulation Bylaw* amendment proposing new off-street parking regulations is ready to proceed to a Public Hearing. Furthermore, the *Land Use Procedures Bylaw* amendment proposing the delegation of minor parking variances for small businesses can be given first and second reading and have third and final reading following adoption of the proposed *Zoning Regulation Bylaw* amendment.

Staff also recommend that Council consider directing staff to commence work associated with a review of barrier-free parking needs in the City.

Finally, staff have outlined a process for transitioning and processing a variety of development applications that may overlap with the current Schedule C and the introduction of the proposed new Schedule C.

Respectfully submitted,




Jim Handy
Senior Planner – Development Agreements
Development Services



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: June 29, 2018

List of Attachments:

- Attachment A – Draft Off-Street Parking Regulations (Schedule C)
- Attachment B – Consultation Feedback

Schedule 1

Zoning Bylaw No. 80-159
Schedule C:
Off-Street Parking Regulations

1. Parking Requirements

1.1 Application of Requirements

1. The minimum number of parking spaces required for each use must be calculated to the nearest whole number.
2. Where a building contains more than one use, the total number of parking spaces required shall be the sum of the number of parking spaces required for each use, or type of use, calculated separately.

Example: Calculating Vehicle Parking Requirements

Type of <u>Building</u> or Use	Units / Floor Area	Parking Required	Visitor Parking Required	Total Parking Required
Multi-Residential, Condominium	8 units between 45-70m ² in the Core Area	$8 \times 0.8 = 6.4$	$14 \times 0.1 = 1.4$ (1.4 → 1)	$14 + 1 = 15$
	6 units greater than 70m ² in the Core Area	$6 \times 1.2 = 7.2$		
		$6.4 + 7.2 = 13.6$ (13.6 → 14)		
Restaurant	155m ²	3.88 (3.88 → 4)	N/A	4
Office, Health Care	678m ²	13.6 (13.6 → 14)	N/A	14

**Total Vehicular Parking Spaces
Required**

33

3. If a use is not specifically listed in Table 1 or Table 2 of this Schedule, the number of parking spaces required shall be calculated on the basis of a use or class of use that is most similar to the actual use, based on parking demand characteristics.
4. Unless otherwise stated, all references to "floor area" in this Schedule shall be calculated as gross floor area.
5. For the purpose of calculating parking requirements under this Bylaw, in addition to all internal floor areas, all outside seating and serving areas located on a lot and associated with a Restaurant or a Drinking Establishment use shall be counted as floor area.

6. For the purposes of calculating parking requirements, the City is divided into "Core Area", "Village / Centre", and "Other Area", as shown in Figure 1 of this Schedule and more specifically detailed in Appendix 1.

Figure 1: Off-Street Parking Sub-Areas



1.2 Required Vehicle and Bicycle Parking Spaces

1. The owner or occupier of any land or any building or other structure, for each use present on the land or in the building or other structure, must provide off-street vehicle parking spaces in accordance with Table 1.

Table 1: Minimum Number of Required Vehicle Parking Spaces

Use or Class of Use	Minimum Parking Spaces	Minimum Visitor Parking Spaces
Residential		
<u>Single Family Dwelling</u>	1.0 space per <u>dwelling unit</u>	n/a
<u>Two Family Dwelling</u>	1.0 space per <u>dwelling unit</u>	n/a
<u>Semi-attached Dwelling</u>	1.0 space per <u>dwelling unit</u>	n/a
<u>Attached Dwelling</u>	1.0 space per <u>dwelling unit</u>	0.1 spaces per <u>dwelling unit</u>
<u>Secondary Suite</u> or <u>Garden Suite</u>	n/a unless two <u>Secondary Suites</u> , two <u>Garden Suites</u> , or a <u>Secondary Suite</u> and a <u>Garden Suite</u> , are located on the same <u>lot</u> in which case 1.0 space shall be provided in addition to the number of spaces required for the <u>Single Family Dwelling</u> , <u>Two Family Dwelling</u> or <u>Semi-attached Dwelling</u>	n/a
Assisted Living Facility (<u>dwelling unit</u> or residential unit within housing for elderly or people with disabilities that provides nursing care, housekeeping and prepared meals as needed and includes <u>Nursing Homes</u>)	0.35 spaces per <u>dwelling unit</u> or residential unit	0.1 spaces per <u>dwelling unit</u> or residential unit

Use or Class of Use	Minimum Number of Parking Spaces			Minimum Number of Visitor Parking spaces
	Core Area	Village / Centre	Other Area	
Multiple Dwelling				
Condominium (<u>dwelling unit</u> in a <u>building</u> regulated by the <i>Strata Property Act</i>)	0.65 spaces per <u>dwelling unit</u> that is less than 45m ²	0.70 spaces per <u>dwelling unit</u> that is less than 45m ²	0.85 spaces per <u>dwelling unit</u> that is less than 45m ²	0.1 spaces per <u>dwelling unit</u> .
	0.80 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	0.85 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	1.00 space per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	
	1.20 spaces per <u>dwelling unit</u> that is more than 70m ²	1.30 spaces per <u>dwelling unit</u> that is more than 70m ²	1.45 spaces per <u>dwelling unit</u> that is more than 70m ²	
Apartment (<u>dwelling unit</u> secured as rental in perpetuity through a legal agreement)	0.50 spaces per <u>dwelling unit</u> that is less than 45m ²	0.60 spaces per <u>dwelling unit</u> that is less than 45m ²	0.75 spaces per <u>dwelling unit</u> that is less than 45m ²	0.1 spaces per <u>dwelling unit</u>
	0.60 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	0.70 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	0.90 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	
	1.00 space per <u>dwelling unit</u> that is more than 70m ²	1.10 spaces per <u>dwelling unit</u> that is more than 70m ²	1.30 spaces per <u>dwelling unit</u> that is more than 70m ²	
Affordable (<u>affordable dwelling units</u> secured in perpetuity through a legal agreement)	0.20 per <u>dwelling unit</u> that is less than 45m ²			0.1 spaces per <u>dwelling unit</u>
	0.50 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²			
	0.75 spaces per <u>dwelling unit</u> that is more than 70m ²			

Use or Class of Use	Minimum Number of Parking Spaces			
	Core Area	Village / Centre	Other Area	
All other <u>multiple dwellings</u>	0.65 spaces per <u>dwelling unit</u> that is less than 45m ²	0.70 spaces per <u>dwelling unit</u> that is less than 45m ²	0.85 spaces per <u>dwelling unit</u> that is less than 45m ²	0.1 spaces per <u>dwelling unit</u>
	0.80 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	0.85 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	1.00 space per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ²	
	1.20 spaces per <u>dwelling unit</u> that is more than 70m ²	1.30 spaces per <u>dwelling unit</u> that is more than 70m ²	1.45 spaces per <u>dwelling unit</u> that is more than 70m ²	
Commercial	Core Area	Village / Centre	Other Area	
Office	1 space per 70m ² floor area	1 space per 55m ² floor area	1 space per 50m ² floor area	
Medical Office (includes dental offices, surgeries and similar uses)	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 37.5m ² floor area	
Personal Services (includes hairdressers, dry cleaners, repair of personal goods, travel agents and other similar uses)	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 37.5m ² floor area	
<u>Financial Service</u>	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 37.5m ² floor area	
<u>Restaurant</u>	1 space per 40m ² floor area	1 space per 25m ² floor area	1 space per 20m ² floor area	
Drinking Establishment (a <u>building</u> or area including a nightclub, bar or pub that is licensed through the <i>Liquor Control and Licensing Act</i> for the sale and consumption of Liquor on the premises and where entertainment may be provided in the form of recorded music, live performances or a dance floor)	n/a	1 space per 70m ² floor area	1 space per 60m ² floor area	

Use or Class of Use		Minimum Number of Parking Spaces		
Commercial		Core Area	Village / Centre	Other Area
Retail		1 space per 80m ² floor area	1 space per 50m ² floor area	1 space per 37.5m ² floor area
Grocery Store	800m ² or less	1 space per 80m ² floor area	1 space per 50m ² floor area	1 space per 37.5m ² floor area
	> 800m ²	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 20m ² floor area
<u>Transient Accommodation</u>		0.25 spaces per room	0.50 spaces per room	
Institutional		Core Area	Village / Centre	Other Area
<u>Hospital</u>		1 space per 80m ² floor area		
Elementary / Middle School		1 space per 150m ² floor area		
Secondary School		1 space per 75m ² floor area		
University / College (as defined under British Columbia legislation, and regulated as such under said legislation)		1 space per 80m ² floor area		
Arts and Culture (includes museums, art galleries, theatres and other similar uses, but does not include cinemas)		1 space per 80m ² floor area		1 space per 40m ² floor area
Place of Worship		n/a	1 space per 80m ² floor area	1 space per 40m ² floor area
Assembly (includes convention facilities, cinemas, training facilities and other similar uses)		1 space per 30m ² floor area	1 space per 20m ² floor area	
Health and Fitness (commercial recreational facilities, gymnasiums and other similar uses)		1 space per 30m ² floor area	1 space per 20m ² floor area	
Care Facility (day use facilities, and includes preschool, day care, residential care facilities and similar uses)		1 space per 100m ² floor area	1 space per 80m ² floor area	

Use or Class of Use	Minimum Number of Parking Spaces		
	Core Area	Village / Centre	Other Area
Transitional Housing and Emergency Shelters (a staffed facility, open year round, that provides temporary accommodation for persons who are homeless or at risk of homelessness, and may include food and support services)	1 space per 80m ² floor area		
Industrial			
Industrial	1 space per 140m ² floor area		
Warehouse	1 space per 100m ² floor area		

2. The owner or occupier of any land or any building or other structure, for each use present on the land or in the building or other structure, must provide off-street bicycle parking spaces in accordance with Table 2.

Table 2: Minimum Number of Required Bicycle Parking Spaces

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces		Minimum Number of Short Term Bicycle Parking Spaces
Residential			
<u>Single Family Dwelling</u> , <u>Two Family Dwelling</u> , <u>Semi-attached Dwelling</u> , <u>Secondary Suite</u> , <u>Garden Suite</u>	n/a		n/a
<u>Attached Dwelling</u>	1 per <u>dwelling unit</u> , except where the <u>dwelling unit</u> has access to a private garage		The greater of 6 spaces per <u>building</u> or 0.1 spaces per <u>dwelling unit</u>
<u>Multiple Dwelling</u>	1 space per <u>dwelling unit</u> that is less than 45m ²	1.25 spaces per <u>dwelling unit</u> that is 45m ² or more	The greater of 6 spaces per <u>building</u> or 0.1 spaces per <u>dwelling unit</u>

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces	Minimum Number of Short Term Bicycle Parking Spaces
Residential		
Assisted Living Facility (<u>dwelling unit</u> or residential unit within housing for elderly or people with disabilities that provides nursing care, housekeeping and prepared meals as needed and includes <u>Nursing Homes</u>)	1 space per 20 <u>dwelling units</u> or residential units	1 space per 50 <u>dwelling units</u> or residential units
Commercial		
Office	1 space per 150m ² floor area, or part thereof	1 space per 400m ² floor area, or part thereof
Medical Office (includes dental office, surgeries and similar uses)	1 space per 200m ² floor area, or part thereof	1 space per 300m ² floor area, or part thereof
Personal Services (includes hairdressers, dry cleaners, repair of personal goods, travel agents and other similar uses)	1 space per 200m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
<u>Financial Service</u>	1 space per 200m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
<u>Restaurant</u>	1 space per 400m ² floor area, or part thereof	1 space per 100m ² floor area, or part thereof
Drinking Establishment (a <u>building</u> or area including a nightclub, bar or pub that is licensed through the <i>Liquor Control and Licensing Act</i> for the sale and consumption of Liquor on the premises and where entertainment may be provided in the form of recorded music, live performances or a dance floor)	1 space per 400m ² floor area, or part thereof	1 space per 100m ² floor area, or part thereof
Retail	1 space per 200m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
Grocery Store	1 space per 200m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
<u>Transient Accommodation</u>	1 space per 25 rooms, or part thereof	1 space per 40 rooms, or part thereof

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces	Minimum Number of Short Term Bicycle Parking Spaces
Institutional		
<u>Hospital</u>	1 space per 500m ² floor area, or part thereof	6 spaces per public <u>building</u> entrance
Elementary / Middle School	1 space per 1,600m ² floor area, or part thereof	1 space per 160m ² floor area, or part thereof
Secondary School	1 space per 1,600m ² floor area, or part thereof	1 space per 125m ² floor area, or part thereof
University / College (as defined under British Columbia legislation, and regulated as such under said legislation)	1 space per 1,600m ² , or part thereof	1 space per 100m ² , or part thereof
Arts and Culture (includes museums, art galleries, theatres and other similar uses, but does not include cinemas)	1 space per 450m ² floor area, or part thereof	1 space per 130m ² floor area, or part thereof
Place of Worship	n/a	1 space per 200m ² floor area, or part thereof
Assembly (includes convention facilities, cinemas, training facilities and other similar uses)	n/a	1 space per 200m ² floor area, or part thereof
Health and Fitness (commercial recreational facilities, gymnasiums and other similar uses)	1 space per 400m ² floor area, or part thereof	1 space per 100m ² floor area, or part thereof
Care Facility (day use facilities, and includes preschool, day care, residential care facilities and similar uses)	1 space per 700m ² floor area, or part thereof	1 space per 200m ² floor area, or part thereof
Industrial		
Industrial	1 space per 1,200m ² floor area, or part thereof	6 spaces
Warehouse	1 space per 1,200m ² floor area, or part thereof	6 spaces

2. Vehicle Parking Specifications

2.1 Vehicle Parking Appearance

1. A vehicle parking area or vehicle parking space must be surfaced with asphalt, concrete, pavers, or permeable material that provides a durable surface.
2. Each vehicle parking space must be clearly delineated on the parking surface.
3. Vehicle parking areas consisting of five (5) or more parking spaces must be illuminated with shield lighting that is directed toward the ground and designed so that the light does not directly fall on an adjacent lot or street.
4. Each visitor vehicle parking space required under this Bylaw must be clearly identified for the sole use of visitors.

2.2 Vehicle Parking Location and Dimensions

1. All vehicle parking spaces required under this Bylaw must be provided on the same lot as the building or use which they serve.
2. Notwithstanding section 2.2.1, parking spaces may be provided on a different lot from the lot on which the building or use is to which they appertain, where:
 - (a) the lot on which the parking spaces are is not more than 125m from the building or use to which they appertain; and
 - (b) if the lot on which the parking spaces are forms part of a separate parcel of land for Land Title Office purposes, there is registered against its title an easement providing for such parking requirements, and appurtenant to the lot on which the building is, and there is furthermore registered a covenant in favour of the City restricting the use of the easement area on the servient tenement to parking purposes for as long as the provisions of this Schedule have application to the dominant tenement; and
 - (c) the conditions outlined in subsections (a) and (b) existed on the date of the adoption of the Bylaw incorporating this Schedule.
3. A vehicle parking space must not be closer than 1.0m to a street.
4. A vehicle parking space must have unobstructed access.
5. All vehicle parking spaces and drive aisles must have dimensions not less than those identified in Figure 2 of this Schedule.

6. Notwithstanding section 2.2.5, where:
 - (a) the vehicle parking space is associated with either a Single Family Dwelling, Two Family Dwelling or Semi-attached Dwelling use, and
 - (b) the vehicle parking space is accessed directly from a street,
 the width of the adjacent street may be included towards the total width of the drive aisle provided.
7. One way vehicle access and egress through the parking area is required where:
 - (a) more than one vehicle parking space is provided in the parking area, and
 - (b) the vehicle parking spaces are not configured parallel or perpendicular to the drive aisle.
8. A vehicle parking space that abuts a structure on one side, such as a wall or column, must have a minimum width of 2.7m.
9. A vehicle parking space that abuts a structure on both sides, such as a wall or column, must have a minimum width of 3.0m.
10. Where a vehicle parking space or drive aisle is located underground or covered by a roof, a minimum unobstructed height clearance of 2.1m must be provided between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling.

Figure 2: Minimum Parking Space and Drive Aisle Dimensions (all measurements in metres)

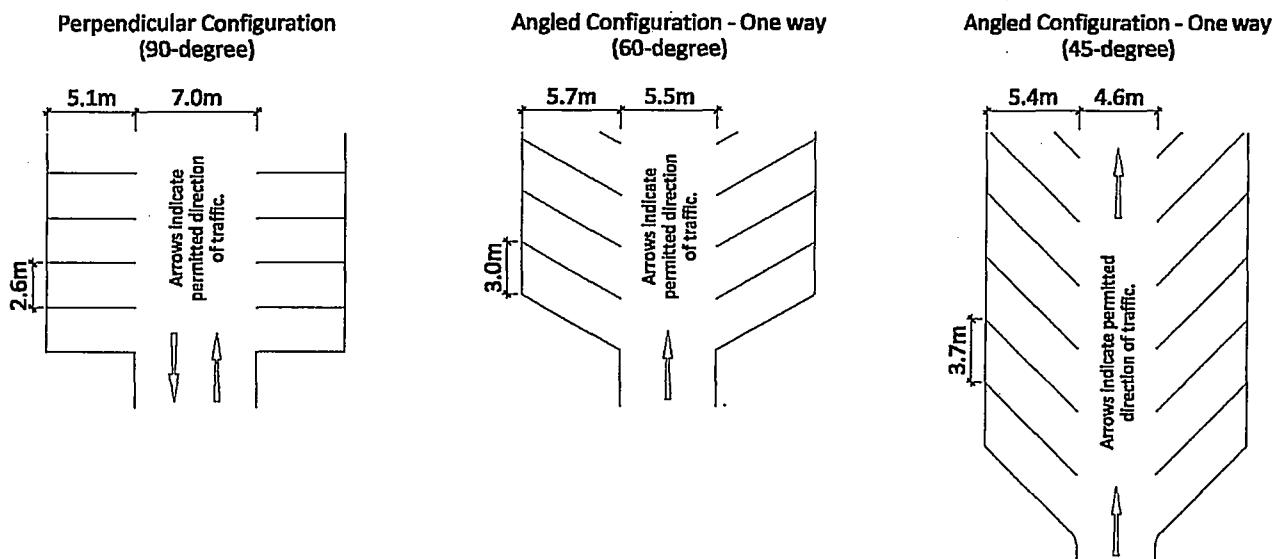
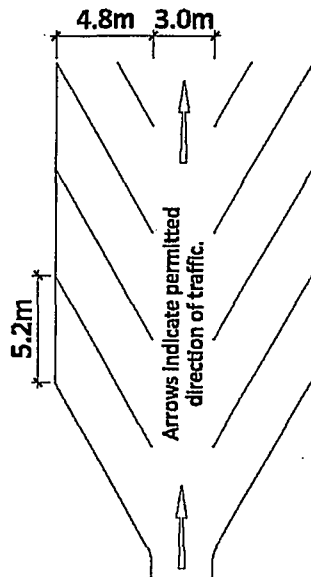
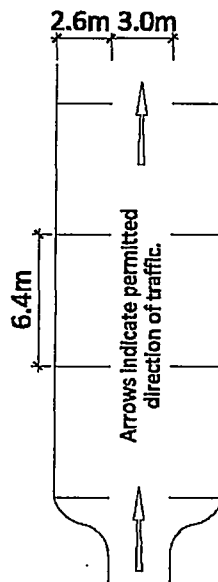


Figure 2 Cont.

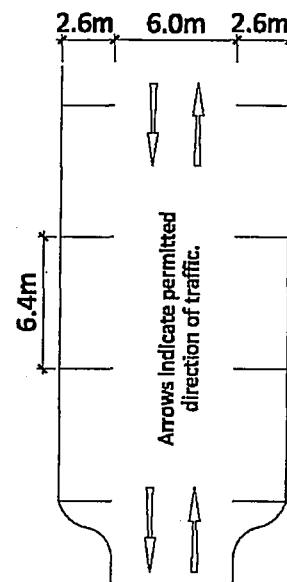
Angled Configuration - One way
(30-degree)



Parallel Configuration
One way
(0-degree)



Parallel Configuration
Two way
(0-degree)

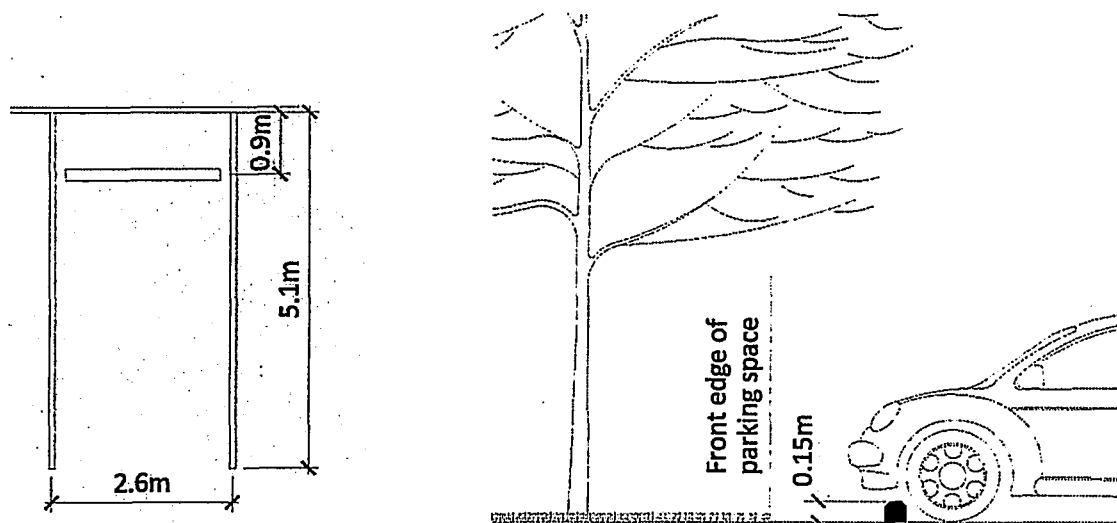


11. Vehicle parking is not permitted in the front yard of a lot except as follows:

- (a) Parking may be provided in the front yard of a lot where:
 - (i) the principal use of the lot is industrial or warehouse,
 - (ii) such parking is required to serve that use, and
 - (iii) the number of parking spaces in the front yard does not exceed the total amount of parking spaces required by this Bylaw;
- (b) Parking may be provided in the front yard of a property where:
 - (i) the principal use of the lot is commercial or institutional,
 - (ii) such parking is required to serve that use, and
 - (iii) the building on the lot existed on the date of adoption of the Bylaw incorporating this Schedule;
- (c) A maximum of one parking space that meets the minimum dimensions described in this Schedule may be provided in the front yard of a property where the principal use of the lot is Single Family Dwelling; or
- (d) A maximum of two parking spaces that meet the minimum dimensions described in this Schedule may be provided in the front yard of a property where the principal use of the lot is Two Family Dwelling or Semi-attached Dwelling.

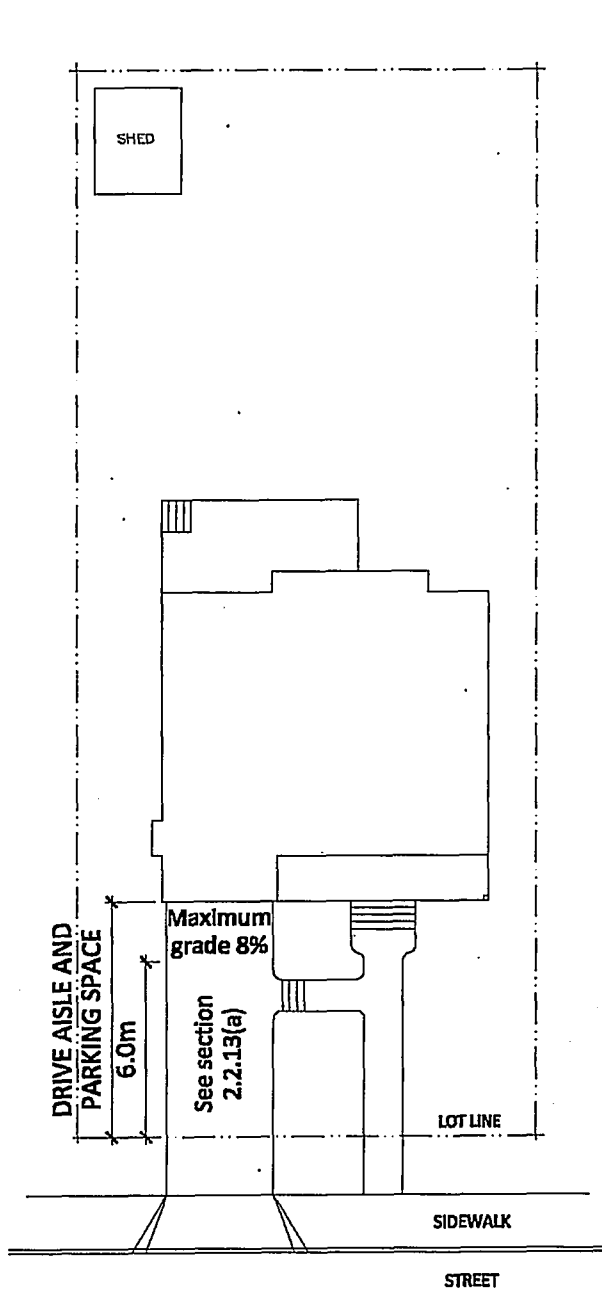
12. (a) An unenclosed surface vehicle parking space that abuts a pedestrian walkway or landscaped area without a barrier curb between the parking space and the pedestrian walkway or landscaped area must have a wheel stop centered horizontally within the parking space and placed 0.9m from the end of the parking space adjacent to the pedestrian walkway or landscaped area, in accordance with Figure 3 of this Schedule.
- (b) The requirements of subsection (a) do not apply to a parking space that satisfies at least one of the following conditions:
 - (i) The parking space is configured parallel to the curb or drive aisle;
 - (ii) The parking space shares a common front boundary with another parking space; or
 - (iii) The parking space is associated with either a Single Family Dwelling, Two Family Dwelling or Semi-attached Dwelling use.
- (c) Where a wheel stop is provided pursuant to subsection (a), the portion of the parking space between the wheel stop and the front edge of the parking space, as marked in Figure 3, is exempt from the requirements of section 2.1.1 and may be surfaced with permeable material or landscaping, provided that no landscaping exceeds 0.15m in height.

Figure 3: Required Wheel Stop Placement

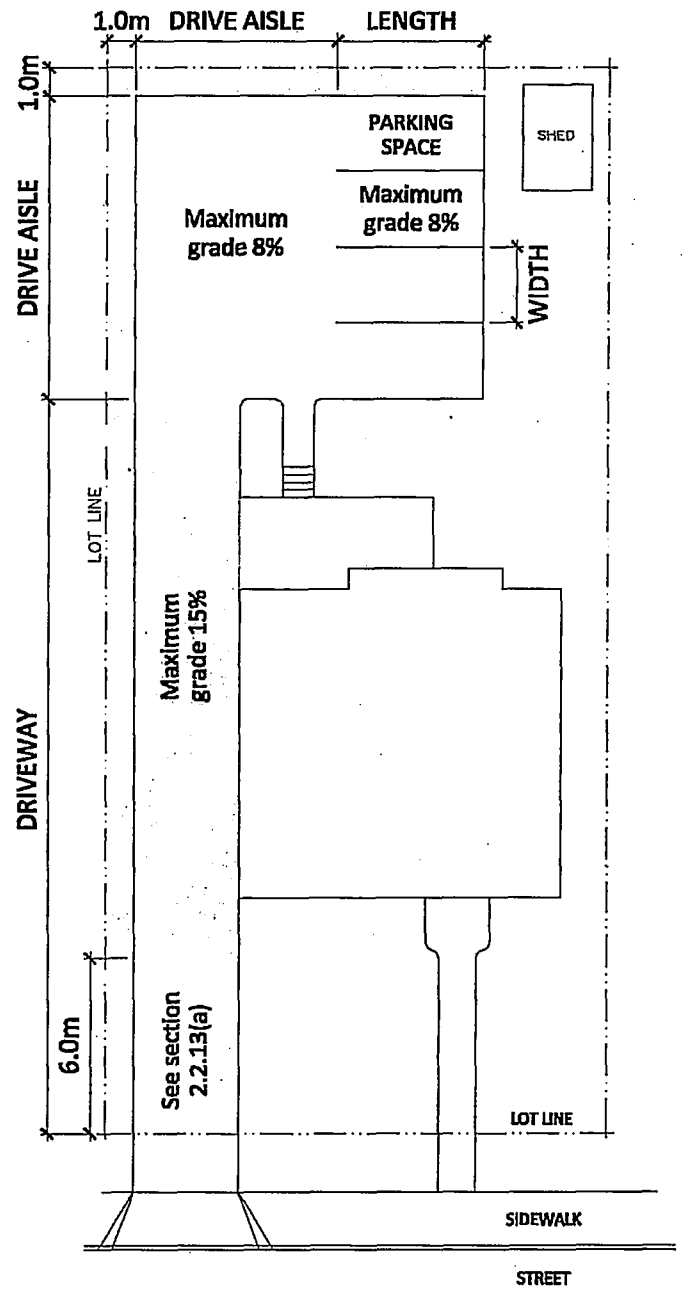


13. (a) Where a drive aisle or parking space is located within 6.0m of a street boundary it must comply with applicable grade requirements prescribed in this Schedule and the *Highway Access Bylaw*.
- (b) The maximum grade for a drive aisle or parking stall is 8%.
- (c) The maximum grade for a driveway is 15%.

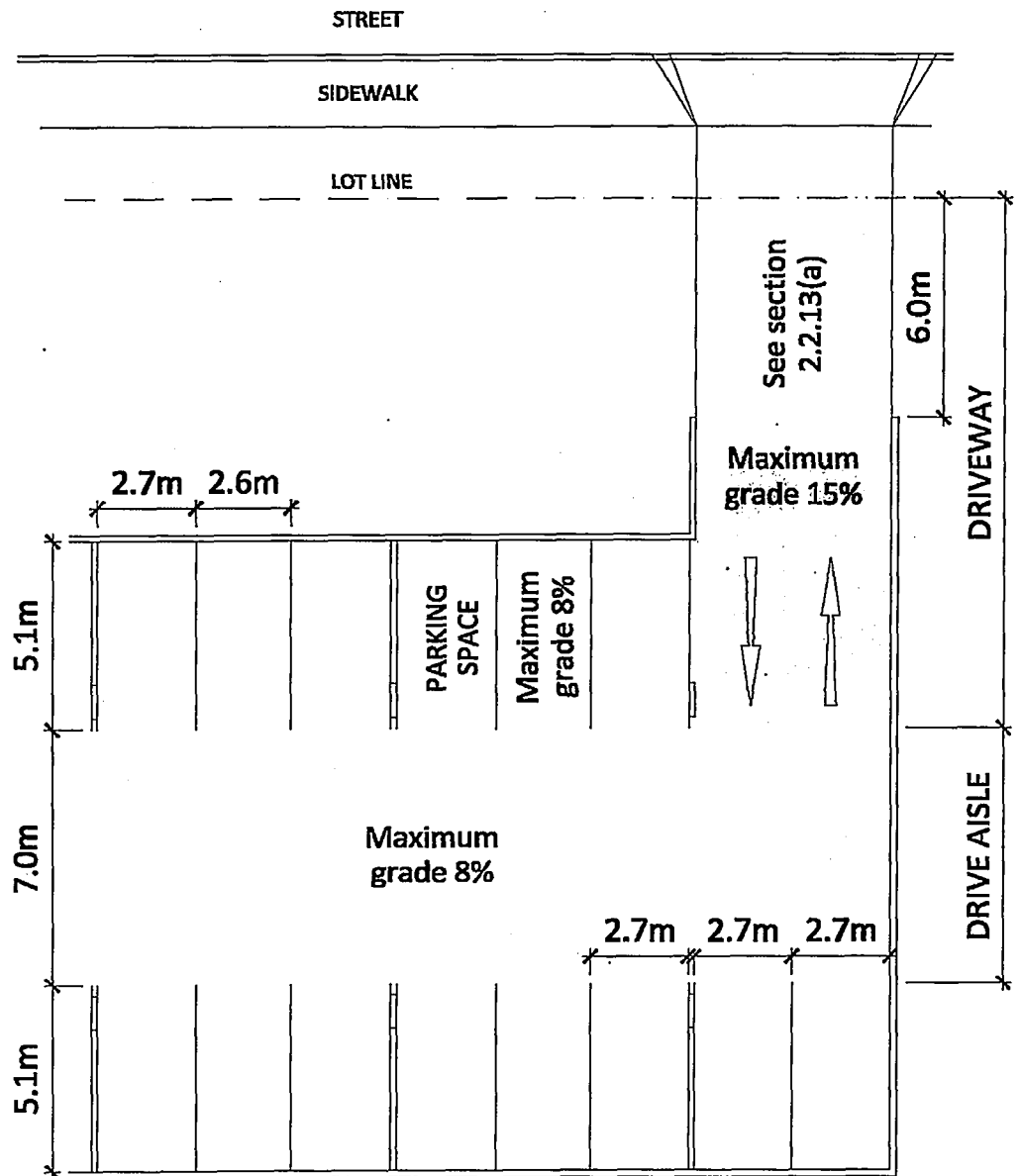
Examples: Maximum Grades for Parking Areas



Example single family dwelling configuration



Example multiple dwelling configuration

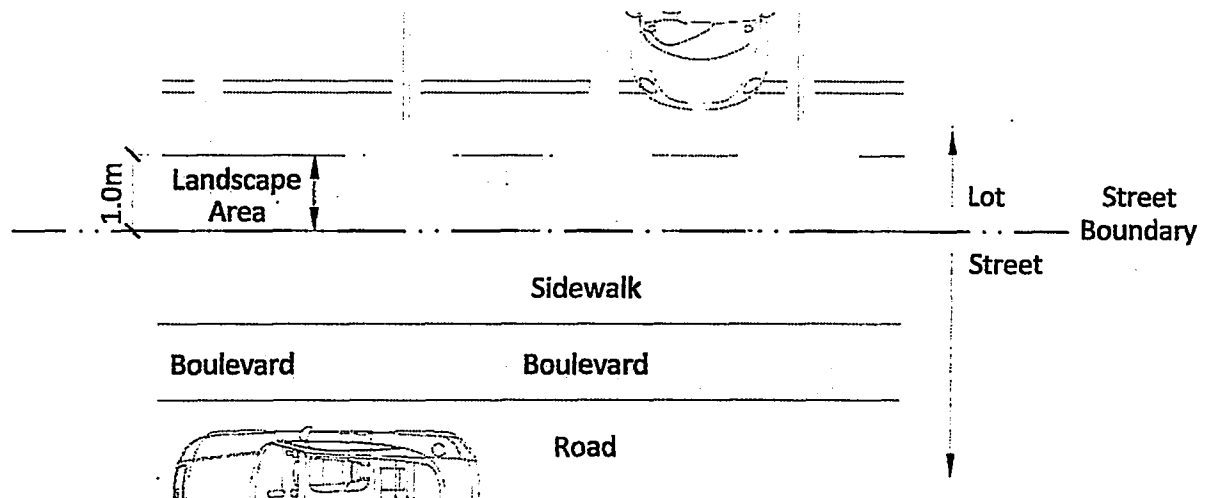


Example parkade configuration

2.3 Vehicular Parking Landscaping and Screening

1. If a surface vehicle parking area or vehicle parking space is located adjacent to a street, it must include a soft landscaped area, with a minimum width of 1.0m between the parking area or parking space and the street boundary.

Example: Minimum Landscape Area Adjacent to a Street Boundary



2. A surface vehicle parking area or surface vehicle parking space must include:
 - (a) continuous soft landscape areas with a minimum width of 1.0m, and
 - (b) a continuous landscape screenbetween the parking area or parking space and any adjacent lot used primarily for residential purposes, excluding the area where landscaping is prohibited pursuant to the *Highway Access Bylaw*;
3. The requirements of sections 2.3.1 and 2.3.2 do not apply where the principal use of the lot is Single Family Dwelling, Two Family Dwelling or Semi-attached Dwelling.
4. Where thirty (30) or more vehicle parking spaces are provided on a lot as surface parking, a minimum of 10% of the parking area must be soft landscaped (soft landscaping could include grass, shrubs or trees).

3. Bicycle Parking

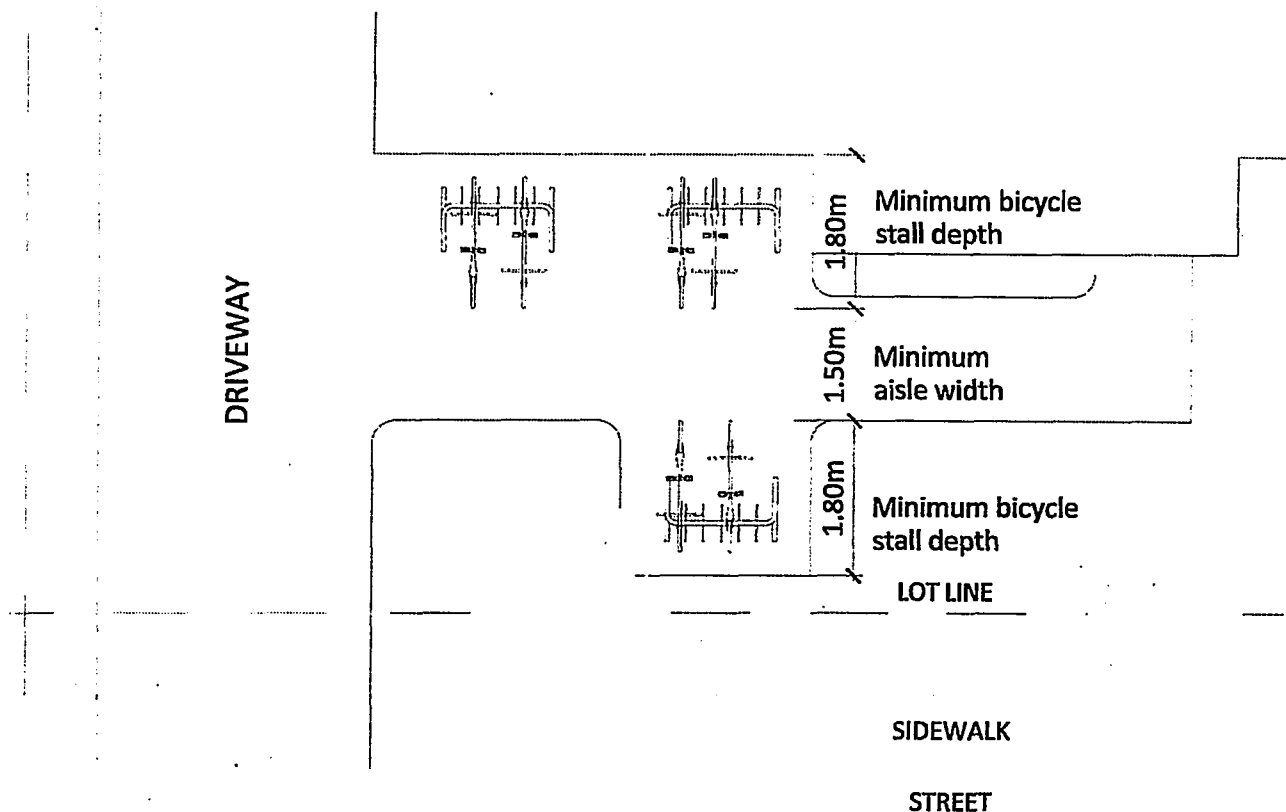
3.1 Bicycle Parking Specifications

1. All bicycle parking spaces required under this Bylaw must be provided on the same lot as the building or use which they serve.
2. (a) Each bicycle parking, short term space required under this Bylaw must be:
 - (i) designed and installed to the minimum dimensions shown in Table 3 of this Schedule; and
 - (ii) provided as a bicycle rack that is permanently anchored to the ground or a wall.
- (b) Each bicycle parking, short term space required under this Bylaw in association with a residential use must be located within a maximum distance of 15.0m from a building entrance that is accessible by visitors.
- (c) Notwithstanding subsection (b), where a minimum of 6 bicycle parking, short term spaces are located within 15.0m of each building entrance that is accessible by visitors, any additional required spaces may be provided in a location that is further than 15.0m from a building entrance.
- (d) Each bicycle parking, short term space required under this Bylaw in association with a commercial or institutional use must be located a maximum distance of 15.0m from a building entrance that is accessible by the public.
- (e) Notwithstanding subsection (d), where a minimum of 6 bicycle parking, short term spaces are located within 15.0m of each building entrance that is accessible by the public, any additional required spaces may be provided in a location that is further than 15.0m from a building entrance.
- (f) Each bicycle parking, short term space required under this Bylaw in association with an industrial use must be located within a maximum distance of 15.0m from the primary building entrance.

Table 3: Minimum Dimensions for Bicycle Parking (all minimum dimensions measured in metres)

	Ground Anchored Rack		Wall Mounted Rack	
	>45 degrees	≤45 degrees	>45 degrees	≤45 degrees
Angle of Rack (in an aerial perspective, measured from the plane of the nearest wall of a <u>building</u>)				
Minimum stall depth	1.8	1.45	1.2	1.2
Minimum aisle width	1.5	1.5	1.5	1.5
Minimum distance between bicycle racks (for racks that accommodate two or more bicycles)	0.9	1.3	0.9	1.3
Minimum distance between bicycle racks (for racks that accommodate no more than one bicycle)	0.45	0.65	0.45	0.65
Minimum distance between bicycle racks and entrance door to bicycle storage facility	0.6	0.6	0.6	0.6

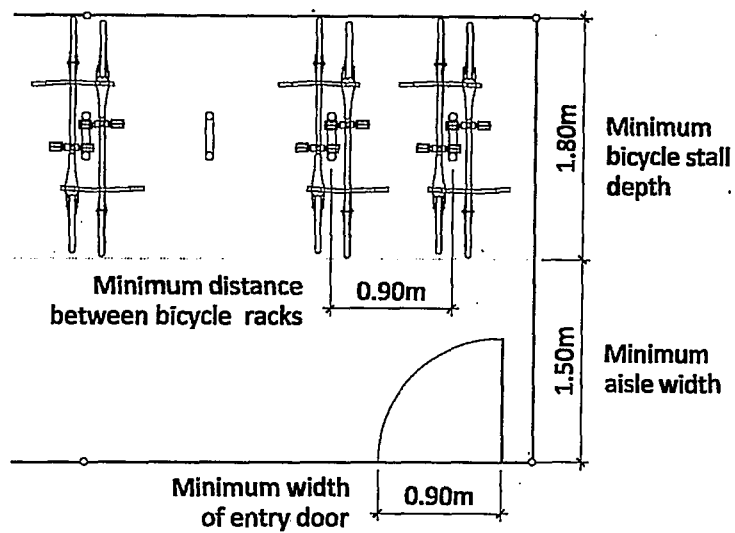
Example: Short-Term Bicycle Parking Configuration



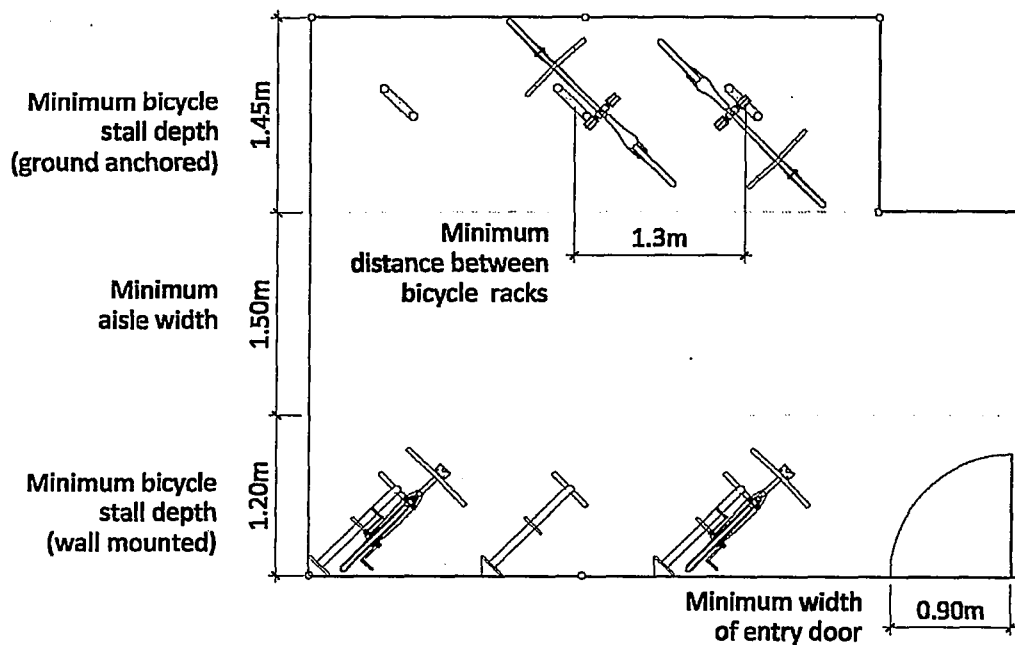
3. (a) Each bicycle parking, long term space required under this Bylaw must:
 - (i) be designed and installed to the minimum dimensions shown in Table 3 of this Schedule;
 - (ii) be provided as a bicycle rack that is permanently anchored to the ground or a wall;
 - (iii) have a minimum unobstructed height clearance of 2.1m between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling;
 - (iv) be provided in a secure, weather-protected, dedicated bicycle parking facility accessible to residents, employees or other identified users of the building;
 - (v) be located in a bicycle parking facility accessible through an entry door with a minimum width of 0.9m; and
 - (vi) be located within one floor of finished grade and, if accessed by a stairwell only, the stairwell must include a ramp for bicycles.
- (b) At least half of the bicycle parking, long term spaces required under this Bylaw must be ground anchored.

Examples: Long-term Bicycle Parking Configurations

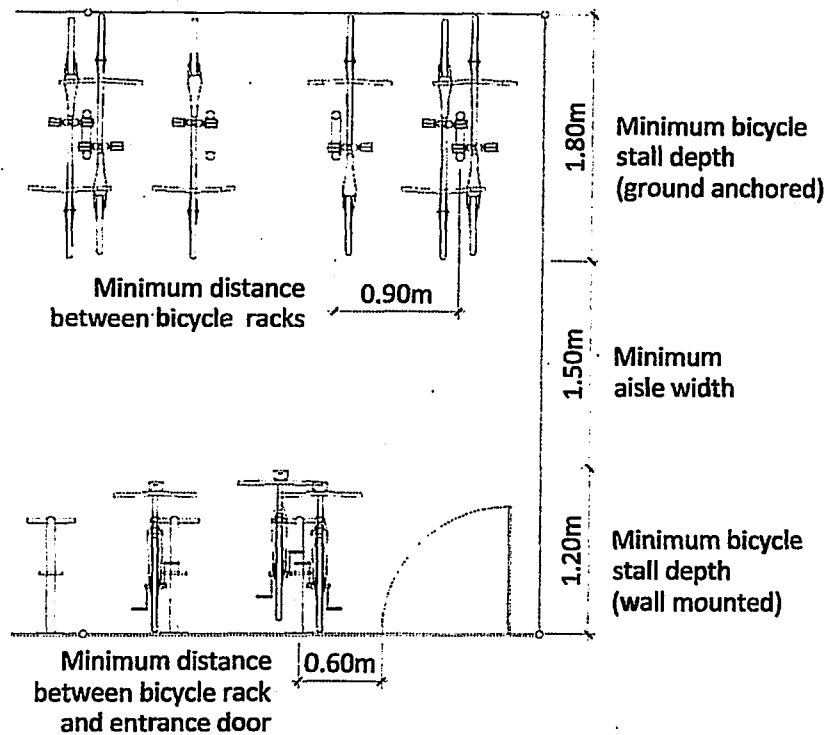
Bicycle parking room with
90° ground anchored racks



Bicycle parking room with 45° angled ground
anchored and wall mounted racks



**Bicycle parking room with 90° ground
anchored and wall mounted racks**

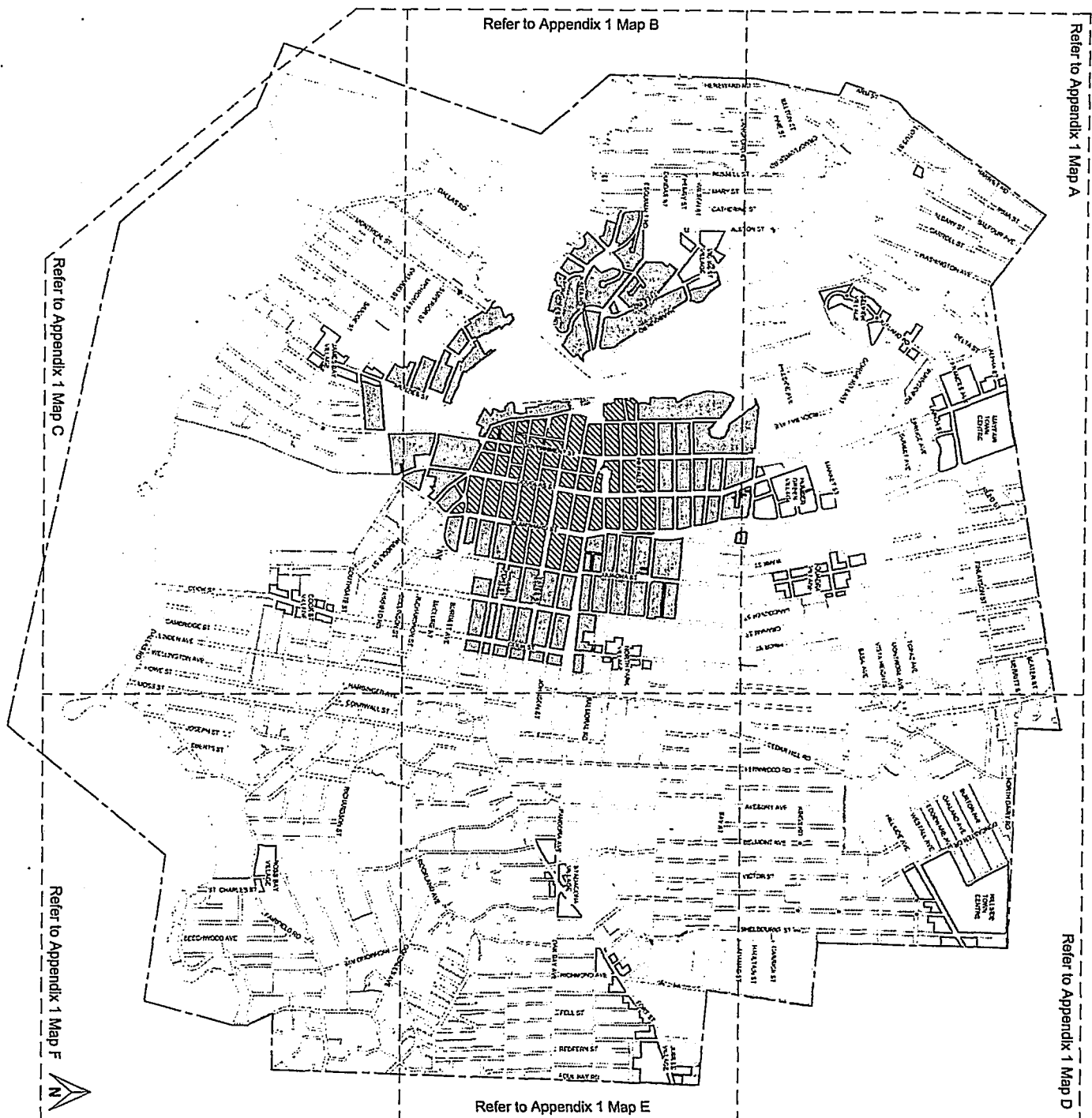


3.2 Bicycle Parking Exemptions





1. Notwithstanding section 1.2.2:

- (a) bicycle parking, short term spaces are not required to be provided where the siting and design of a building existing on the date of adoption of the Bylaw incorporating this Schedule physically prohibits such spaces from being provided on a lot in accordance with this Bylaw;
- (b) no additional bicycle parking, short term or bicycle parking, long term spaces are required to be provided where only alterations or changes of use to a building are proposed and the building existed on the date of adoption of the Bylaw incorporating this Schedule; and
- (c) if additions are proposed to a building existing on the date of adoption of the Bylaw incorporating this Schedule, additional bicycle parking, short term and bicycle parking, long term spaces must be provided for the additional bicycle parking required with respect to the building addition only.

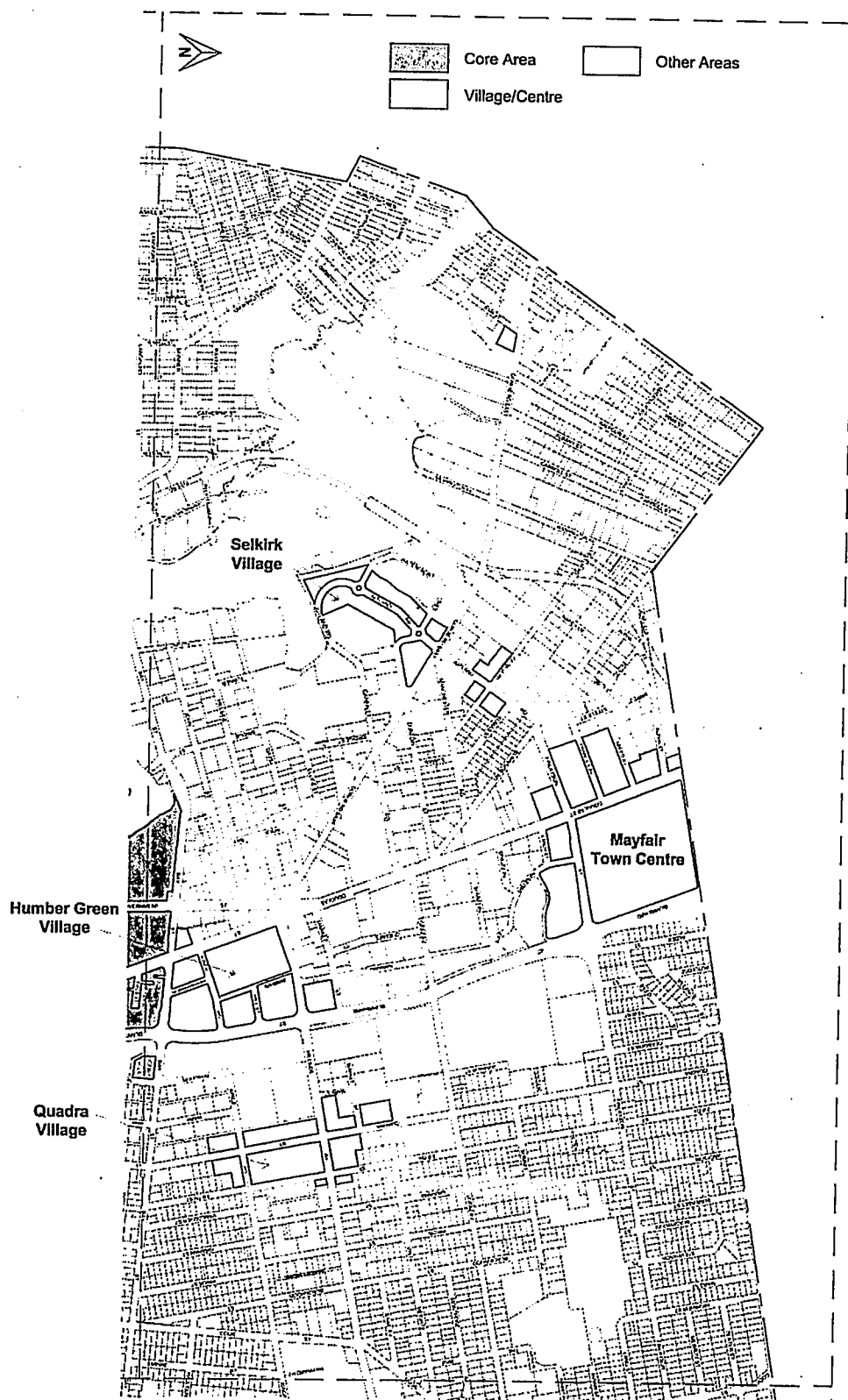
Appendix 1



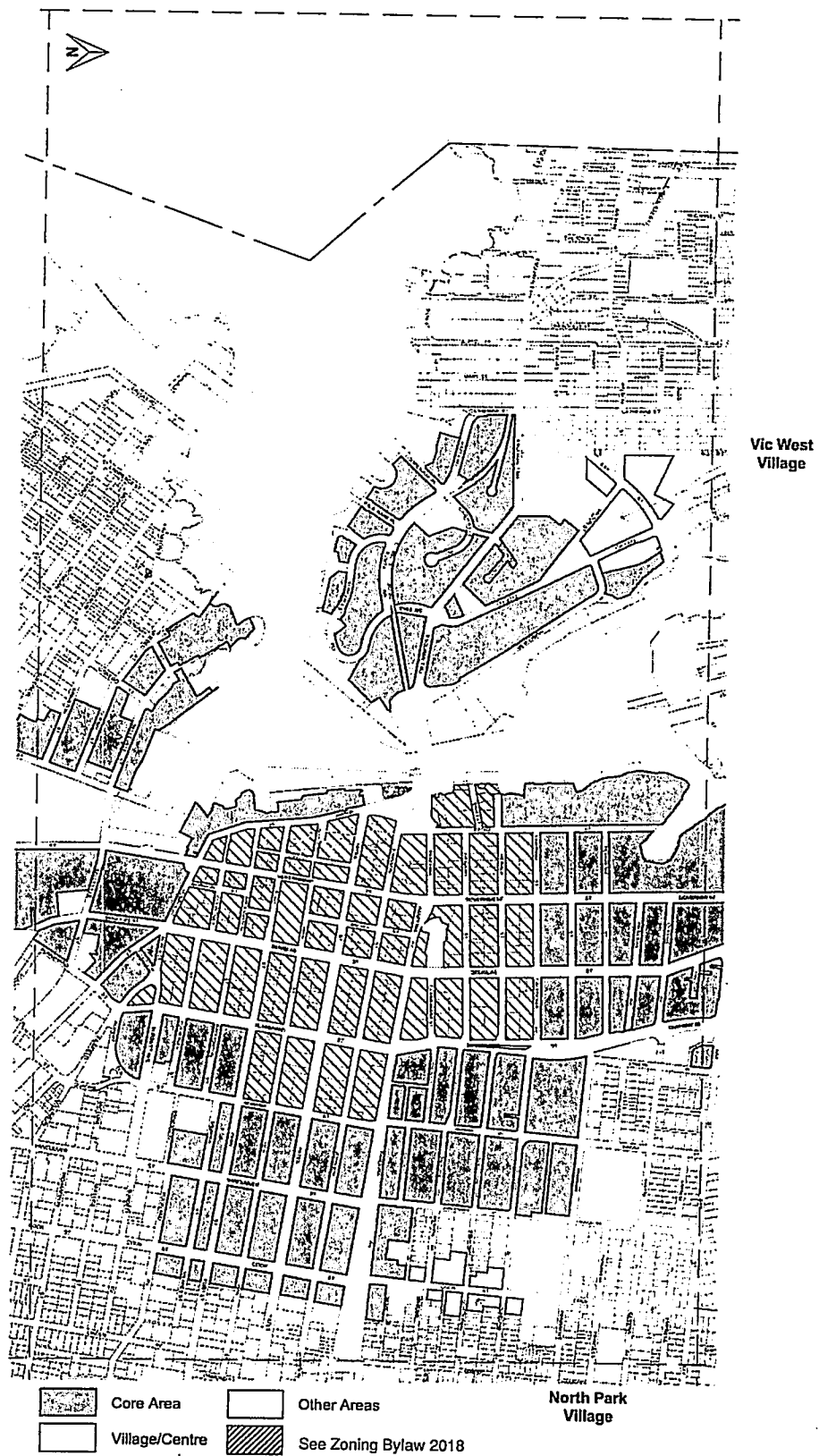
Geographic Areas for Schedule C

	Core Area		Other Areas
	Village/Centre		See Zoning Bylaw 2018

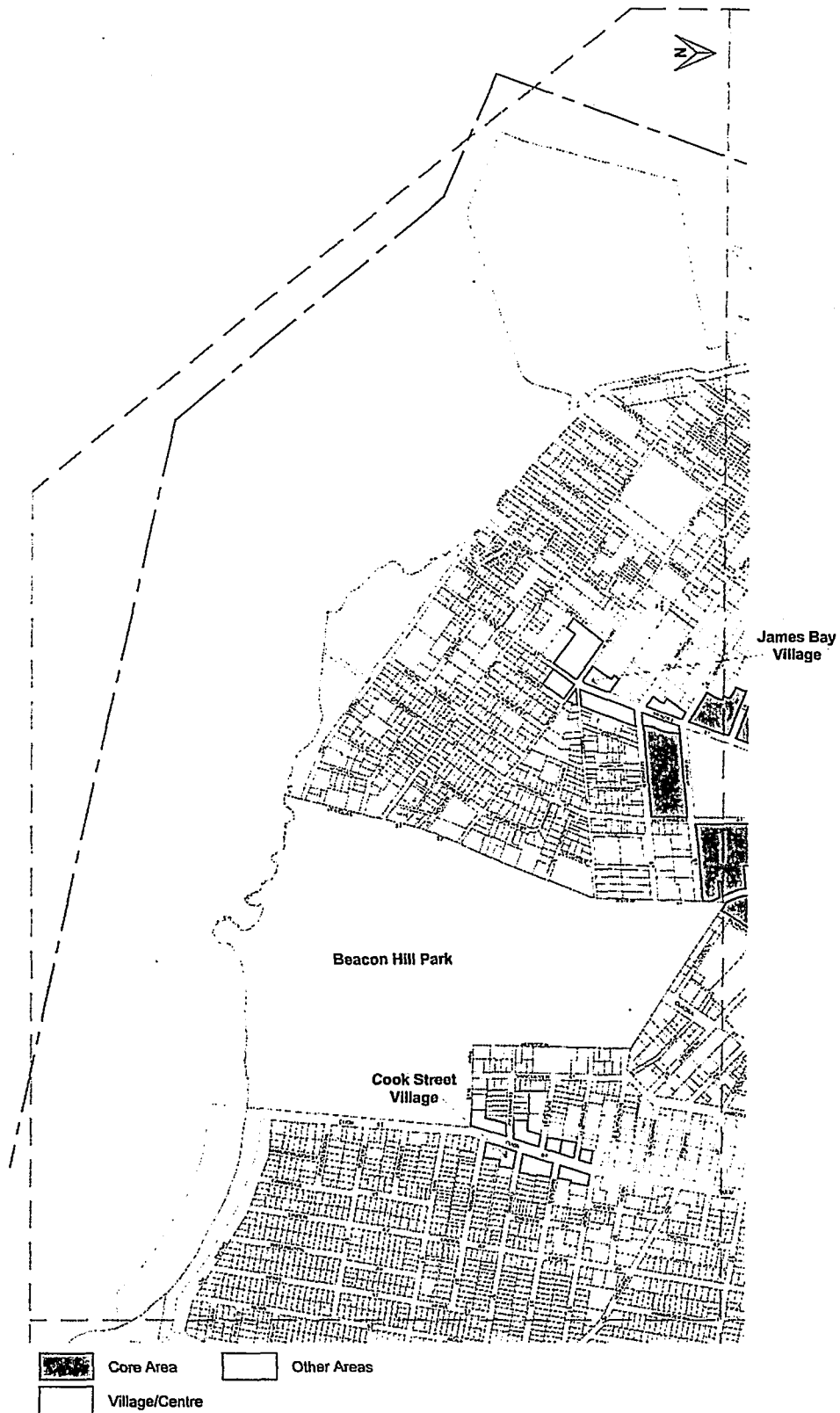
Map A



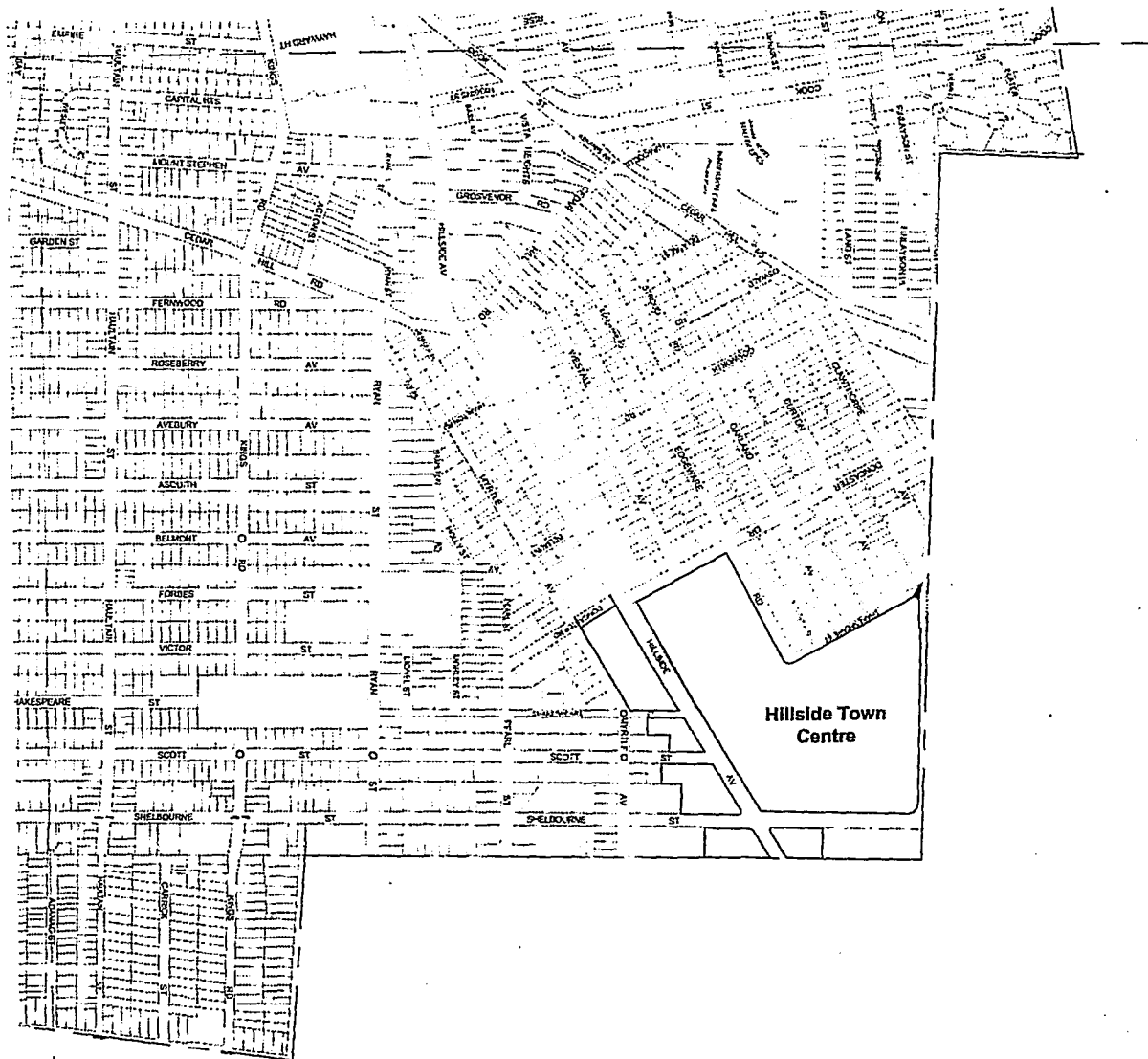
Map B



Map C



Map D

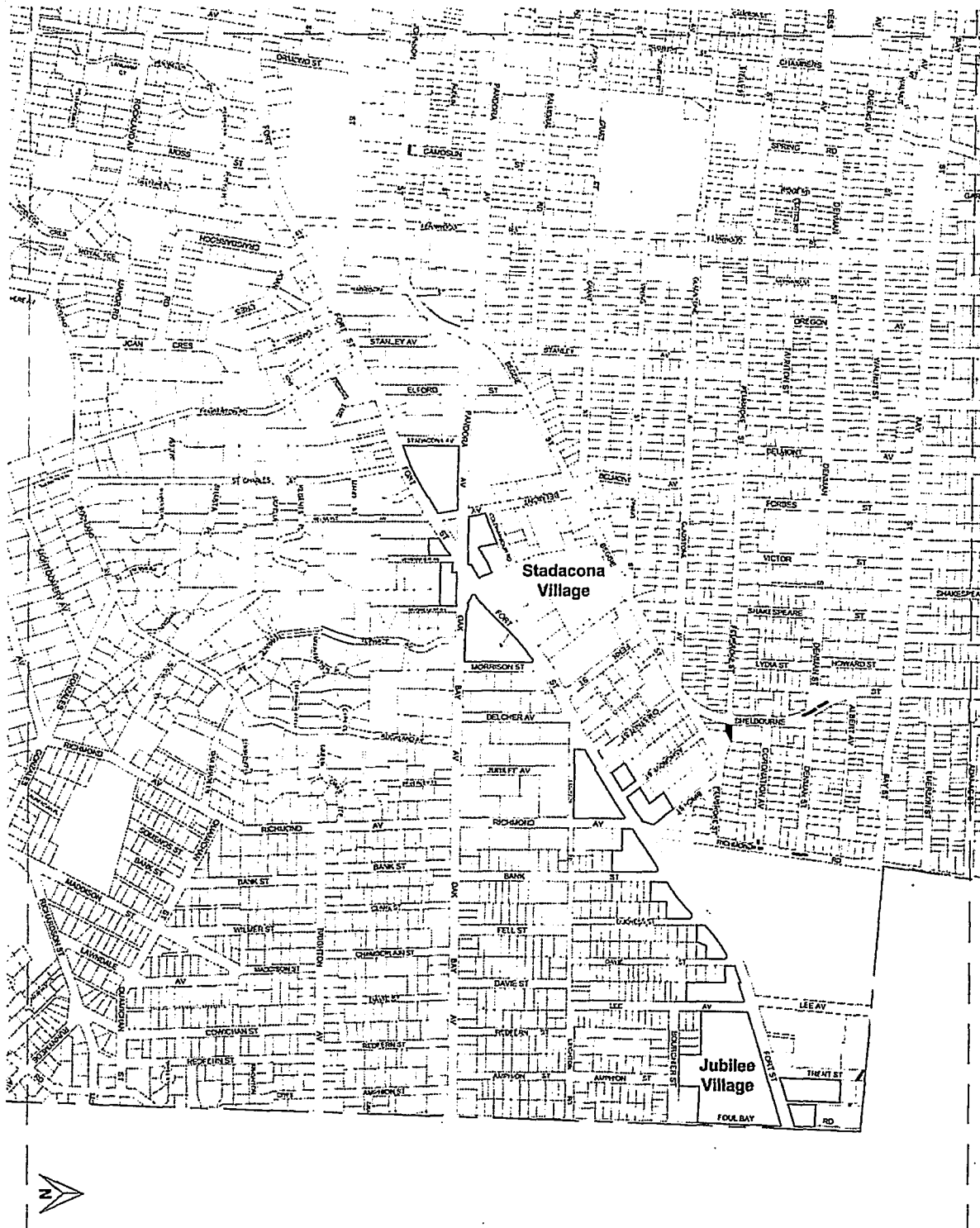


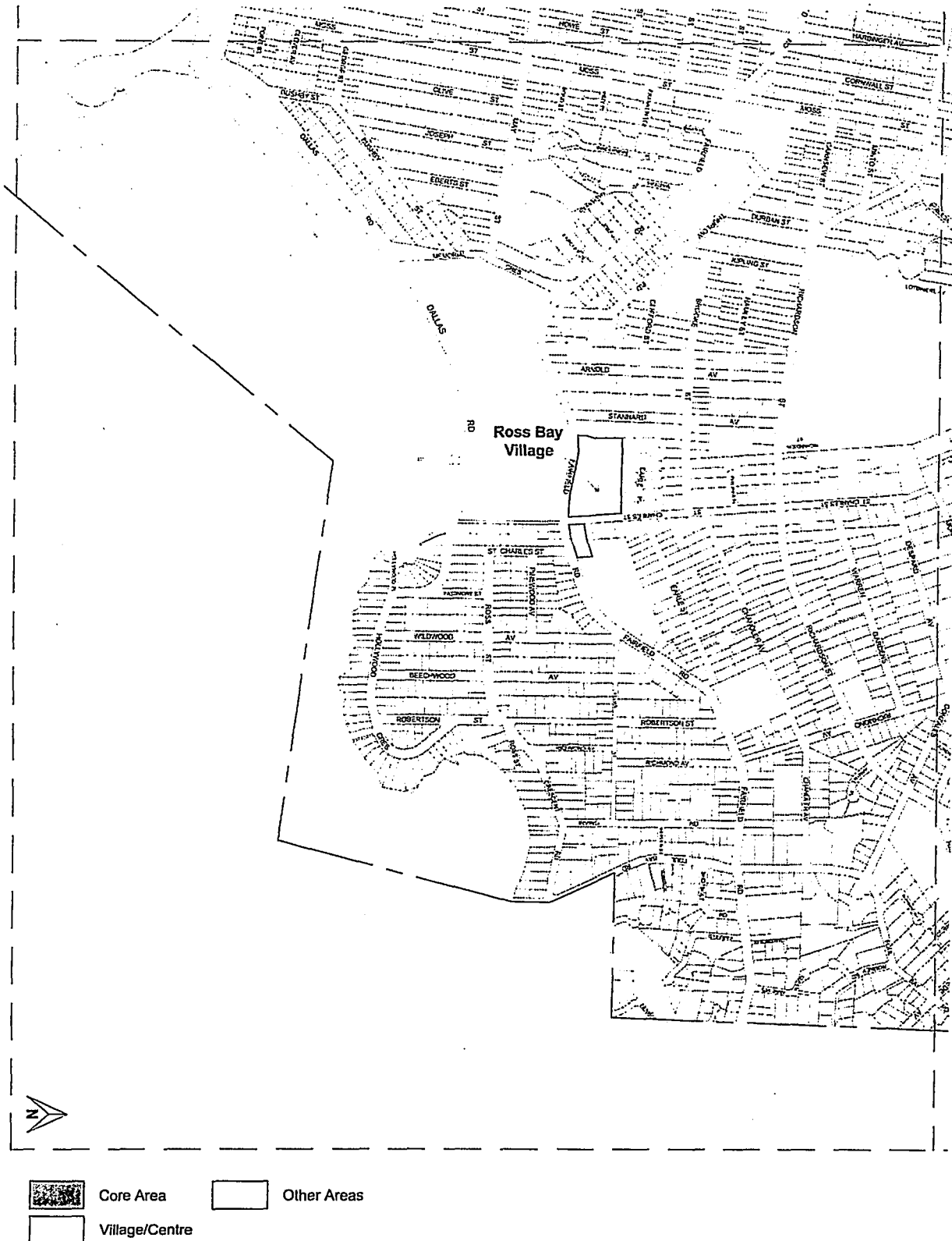
Core Area

Other Areas

Village/Centre

Map E



Map F

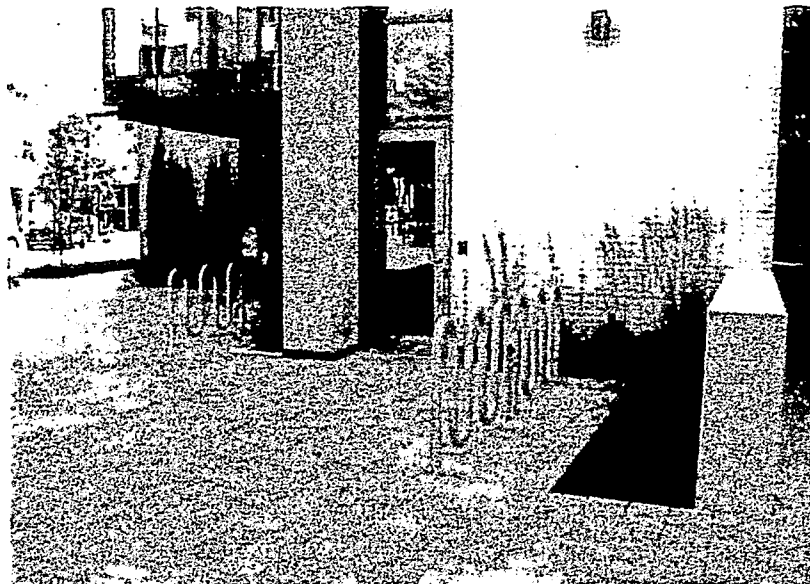
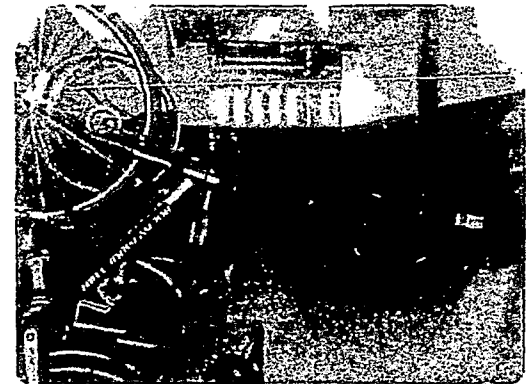
Attachment B – Consultation Feedback

- Open House Boards, November 20, 2017
- Summary of Open House Feedback
- Staff summary notes from Accessibility Working Group meeting, December 4, 2017
- Letter from Accessibility Working Group, December 21, 2017
- Minutes from meeting with CALUC members, April 17, 2018
- Correspondence

Welcome

Why are you here today?

- Find out more about the draft off-street parking regulations
- Provide feedback on the proposal to delegate minor parking variances for small businesses to staff

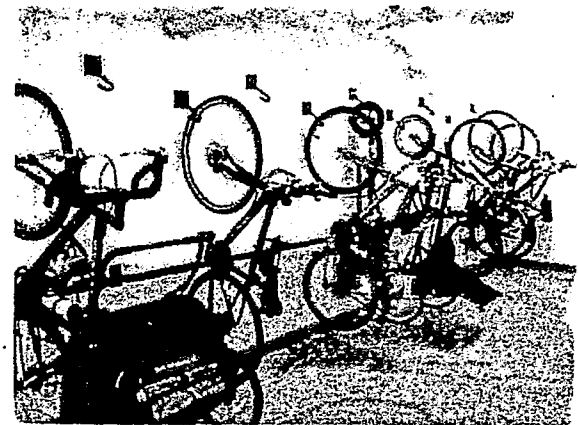
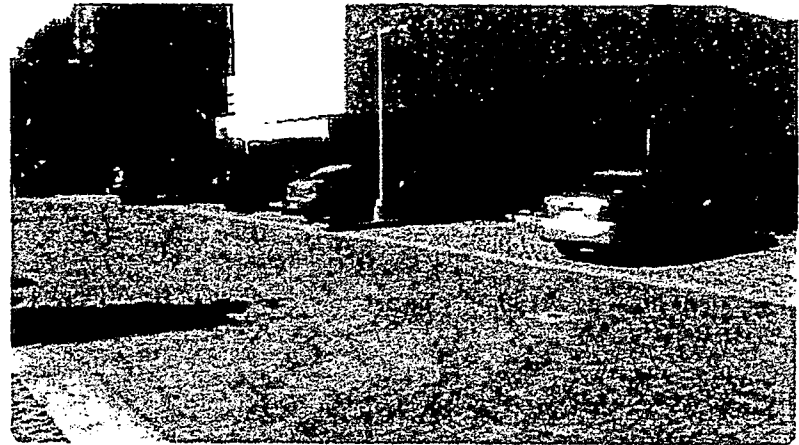


Off-Street Parking Regulations

Why are the off-street parking regulations being updated?

- Have not had a comprehensive review since 1981.
- To provide regulations and design standards for vehicle and bicycle parking that reflect actual parking demand, current practices and trends.
- To reduce the number of parking variances thereby improving the Development Permit Application review process.
- To better support affordable housing and healthier communities.
- To support Active Transportation (i.e. bicycles, public transit etc.).
- To create a more user friendly format for the off-street parking regulations.
- To better support existing and future businesses.

The updated "Schedule C" bylaw will require a public hearing and Council approval before taking effect.



Off-Street Parking Regulations

What is off-street parking?

- Off-street parking regulations specify the type, quantity, and design of off-street parking facilities required on private property.
- Regulations primarily relate to parking for passenger vehicles and bicycles.
- Victoria's off-street parking regulations form part of the City's Zoning Regulations Bylaw and are commonly referred to as "Schedule C".



What isn't off-street parking?

- On-street parking management, public parking lots or parkades.

Process and Timeline

What is the process for reviewing the off-street parking regulations?

SPRING/SUMMER 2016

PHASE 1

Initiate Project

- Establish project website
- Establish Technical Advisory Group

Research and Analysis

- Compare parking rates to other cities
- Explore best practice
- Collect and analyze vehicle ownership data for multi-residential uses (ICBC data)
- Observe and analyze data for commercial and visitor parking demand
- Analyze parking demand by land use

Stakeholder Outreach

- "Focus Group" meetings
- Technical Advisory Group meetings
- Discussions with Stakeholder groups

FALL/WINTER 2016

PHASE 2

Identify Changes to "Schedule C"

- Vehicle parking supply rates
- Bicycle parking regulations
- Innovations and incentives
- Document organization and "read-ability"

Public and Stakeholder Outreach

- Advisory Group meeting
- Stakeholder discussions
- Project website
- Open House (December 7, 2016)

Review Feedback

- Confirm proposed changes to off-street parking regulations

WINTER 2017/2018

PHASE 3

Update Off-Street Parking Regulations

- Prepare draft Bylaw based on identified changes (Phase 2)
- Present draft Bylaw to Committee of the Whole

Public Comment

- Draft "Schedule C" Bylaw available on City website
- Opportunity for public feedback
- Open House (today)

Finalize and Adopt New Regulations

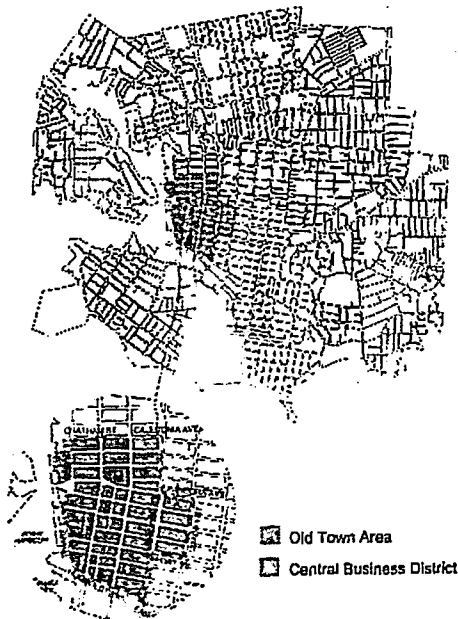
- Revised Bylaw presented to Council (First and second reading, December 2017 TBC)
- Requires Public Hearing prior to adoption (January 2017 TBC)

We Are Here

Parking Regulations by Geographic Area

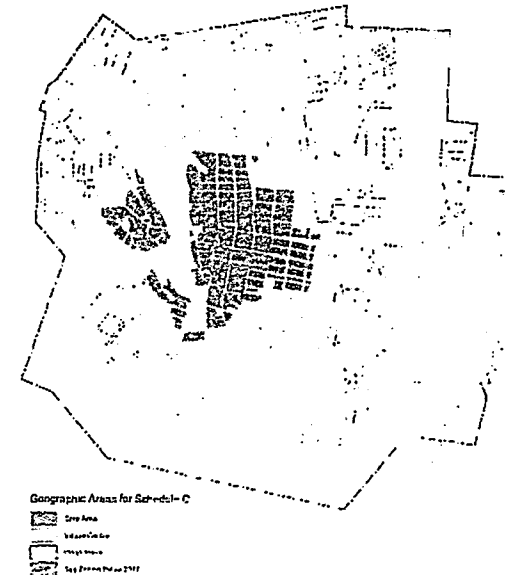
The Off-Street Parking Regulations will replace "Schedule C" of Zoning Regulation Bylaw No. 80-159 and will be included in the emerging Zoning Bylaw 2017 (Downtown).

Zoning Bylaw 2017 (Downtown)



- provides new zones and regulations for the Central Business District and Old Town Area
- no minimum off-street parking requirement within Old Town Area (supports retention and re-use of heritage buildings)
- minimum off-street parking requirement only for residential and hotel uses within the Central Business District

Zoning Regulation Bylaw No. 80.159



- applies to all other parts of the City that are not covered by Zoning Bylaw 2017
- lower parking supply requirements in the Core Area compared to the Large Urban Villages/Town Centres
- lower parking supply requirements in the Large Urban Villages/Town Centres compared to the other areas

Delegating Minor Parking Variances for Small Businesses

Background

The City heard from small business owners that the requirement to provide off-street parking can be a barrier to opening a business in Victoria. This is mostly due to the timeline and lack of certainty with the required permitting process for handling parking variances.

Proposal

Application would be delegated to staff if:

- the proposal is for a change of use only (i.e. retail store to restaurant) and would not apply to new buildings or building additions
- the proposed parking variance does not exceed five vehicle parking stalls
- the proposal relates to a commercial, industrial or institutional use not exceeding 300m²

Design Guidelines would establish appropriate criteria for considering these applications. If staff declined an application, the applicant would be able to appeal to Council.

Do you agree?

Vote with
sticky dots!

YES

NO

Use a sticky
note to write
comments

WHY?

WHY?

Next Steps

Winter 2017/2018

Review Feedback

From November 20
Open House and
finalize draft off-street
parking regulations

Present to Council

Present final draft
off-street parking
regulations to Council
for first and second
reading (anticipated
December 14, 2017)

Public Hearing

Opportunity to
comment on the
proposed off-street
parking regulations
(anticipated
January, 2018)

Implementation

General Comments

Please use the sticky notes to provide any general comments related to the off-street parking regulations.

Comments

Use a sticky
note to write
comments



PUBLIC OPEN HOUSE, NOVEMBER 20, 2017

Comments received in response to draft Off-Street Parking Regulations

- Limit the number of vehicles parked in the front yard to one. Other parking to the rear or side yards.
- Plan for parking areas for construction workers.
- If shared parking is removed in some places due to bike paths should City consider purchasing a lot to handle those removed spaces.
- Encourage parking to the rear and side of dwellings and front yard for people and green space.
- Misusing tax payer dollars is not respected by planning staff and/or Council.
- Stop paving back yards for parking. Front yard parking or if screened nicely. Need yards for family use.
- Street parking is at a premium in residential neighbourhoods. With increasing density, having parking in the driveway in front of the house makes a lot of sense. Many existing houses don't have adequate space to the side to allow parking beside or behind the house.
- Good work! Keep it up. Find more ways to make housing more affordable.
- Better urban design for R1 Zones. Promote an active streetscape by reserving the space between curb and house/building for people and green space.
- Since each driveway displaces an on-street space there is no gain in parking supply from a single off-street space. Eliminate off-street requirements for single-family houses and better manage on-street parking.
- The Fernwood village has a huge parking issue, and this will get worse with the proposed Vic High School situation. How will your proposal help or hinder parking in the community.
- New standards are reasonable. They must be used and enforced by staff and Council.
- The Urban Village (DPA 6A) on Oak Bay should be an Urban Village in the new parking Bylaw.
- Adopt best practices in Class 1 and Class 2 bicycle parking require such in all lots greater than duplex / 2 units.
- What are you doing with the Rock Bay area parking issues?
- If off-street parking improves density it will be a benefit to our City.
- Good work. Now can we end variances.
- Maintain the R1-B front-door pedestrian streetscape by only permitting single-wide curb-cuts. Double garages to the rear and side.

Comments received in response to proposed Delegation of Minor Parking Variances for Small Businesses

In favour of Delegating Minor Parking Variances for Small Businesses – 10

Not in favour of Delegating Minor Parking Variances for Small Businesses – 3

Comment:

- If staff declines an application there are good/valid reasons for this – why should a developer/etc. be able to go to Council.

Accessibility Working Group Meeting – Schedule C (Barrier Free Parking) Feedback

Staff Notes December 4, 2017

- Unanimous agreement from AWG that BC Building Code rates for disabled parking are too low especially for Victoria in consideration that 12-14% of the population has some form of disability, Victoria has a higher proportion of seniors.
- Best practice research recommends that approximately 5% of stalls (1/20) should be for disabled parking
- A possible approach for determining the right number would be to look at the total number of disabled parking permits issued in Victoria in comparison to the number of registered vehicles or licensed drivers
- Identified that most new developments typically only provide the minimum amount of disabled parking that is required through the Building Code
- Several concerns raised with respect to the minimum stall width (3.7m) as this does not provide sufficient room to accommodate vehicles with wheel chair ramps. Ideally there should be a requirement for an additional buffer space on both sides of the stall
- The space at the end of a parking row often contains a landscaped area, suggestion that these areas should be kept paved and flat to allow for wheel chair ramps to extend out
- Disabled parking stalls should also be required to be on a flat surface, otherwise concerns with wheelchairs not staying in place.
- Consider design guidelines that address curb cuts and unobstructed access between disabled parking stalls and curb cuts
- Suggest exploring other universal barrier free design guidelines for reference
- Parking amenities such as EV charging should be designed for access and use by people with disabilities
- Consider design guidelines for mobility scooters as well
- Although the minimum requirements for motor vehicle parking may differ between condos, apartments and affordable housing, there should be a consistent requirement for disabled parking in all forms of development, especially multi family.
- Need to ensure that disabled parking stalls are provided both for tenants and visitors
- Consider if some disabled parking stalls can be designated for people in wheelchairs only

Accessibility Working Group (AWG) Consultation Report

Re: City of Victoria Off Street Parking Regulations

Consultation: December 4, 2017

Report: December 21, 2017

Introduction:

Victoria is well known as having not only a high population of seniors but it also has a higher than average rate (twice as many) of students with disabilities. The mild weather is favourable to many of those with particular medical conditions. More persons with disabilities (PWD) are now living in the community and have their own private accessible transportation, often made possible by recent government funded employment programs. As Victoria residents live to an increasing age, they are more likely to experience a temporary or permanent disability which may require the use of a mobility device or adapted vehicle in order to maintain their independence. Contrary to the City's findings, PWD need for parking may be the same regardless of whether they own or rent their accommodation.

There are various reasons PWD may need parking, which may differ from the general population:

1. For PWD who own their own vehicles that they drive themselves. These may be users of wheelchairs who drive modified vehicles, or people with endurance and mobility challenges like seniors who still drive. The latter may approach a vehicle with a walker and not need as much extra space as people transferring from wheelchairs or using a vehicle ramp, but the former require accessible *resident's* parking stalls.
2. For people whose disability or economic situation means that they cannot drive or own a vehicle and who therefore rely disproportionately on in-house personal services and deliveries. This creates a need for *visitor* parking that need not be accessible, but is a very important consideration when determining the amount of visitor parking for rental, affordable and assisted living residential types. Peak usage may be during the day but it may also entail visits to put residents to bed in the evening.
3. For PWD who require drivers to take them to medical appointments and various errands for everyday living. This creates a demand for accessible parking in both *visitor* and *resident* areas. Where drivers pick up people with disabilities, they may need to use wheelchair ramps and thus require extra space than is provided with a regular accessible parking stall. Further, drivers may need to park and accompany a PWD from their suite, meaning they need to park properly, and not just use a pick-up zone. If the service is required frequently, the need might best be accommodated by an accessible resident's parking spot associated with the suite, to ensure that if visitor accessible parking is occupied the PWD can still get out of their vehicle.

The BC Building Code regulates parking on private property. The AWG has been asked if the City should consider accessible parking requirements above and beyond the Building Code in the Zoning Regulation Bylaw and if so, for its recommendations. We would like to point out that the AWG could have been of more service to the City had the project consulted earlier, at a time when our concerns could have been incorporated into the research plan.

Recommendations:

Find below a description of what the current Code requirements are, our comments and recommendations.

1. Number of Accessible Parking Stalls Required

Building Code: Accessible parking stalls are only required where more than 50 parking stalls are dictated. For 50 – 100 stalls, the Code requires 1 accessible stall, and for every 100 stalls (or part of 100) over that, one additional accessible stall is required. This equates to between 0 - 2% accessible stalls.

Comments: Victoria's parking requirements should be based on Victoria's particular population mix, and thus, departures from minimum Provincial standards are warranted. Approximately 15,000 disabled parking permits are in use in Victoria at any given time. Disabled Parking Permits are assigned to individuals, based on documented medical need, and are assigned to the individual, not the vehicle. They can be used by anyone driving the PWD holding the permit, in any vehicle. Given a population (same geographic area) of 209,000, this equates to about 7% of the population requiring accessible parking. If compared to number of licensed personal vehicles instead of total population, this percentage would be even higher than 7%.

AWG Recommendations:

- (a) That the City require a minimum of 7% of parking stalls be accessible.

The AWG also advises that the City Investigate Barrier-Free BC recommendations given that a B.C. persons with Disabilities Act will be legislated and Victoria's goal should be to meet or exceed what is legislated. Universal Design standards and those used by SPARC should also be investigated.

- (b) Every residential development, including single family homes and low density developments, should have at least one accessible parking stall, consistent with Universal Design Standards. There should be no minimum threshold of total parking stalls, even for low density developments before an accessible stall is required. Even for single family dwellings, parking needs to meet Universal design standards, or PWD who require accessible parking are relegated to large multi-unit developments and would not have housing choice.

Explanation: Even though research has shown that a smaller proportion of residents living in rental accommodation own vehicles compared to those living in condominiums, and that this number is even lower in affordable rental buildings, for persons with disabilities, the need for an accessible parking stall may be independent of vehicle ownership. PWDs often require accessible parking to be picked up and dropped off to carry out daily activities

Persons on fixed and low incomes, which is the case for many persons with disabilities, are more likely to live in affordable rental units.

- c) Maintain a consistent number of accessible parking stalls regardless of whether the development is a condo, or rental (including affordable) accommodation. The number of accessible parking stalls in an affordable rental building should be the same (possibly even more) than a condominium complex with the same number of units, and they should be located in both visitor and resident parking areas.

2. Width of Accessible Parking Stalls

Building Code: Accessible parking stalls are to be 3.7 metres wide

Comments: 3.7 metres may be wide enough for a person using a walker, but it is often not wide enough for a person using a wheelchair and rarely wide enough for those with a van with a side ramp. A vehicle door generally must be fully open to facilitate transfer from a wheelchair to a car seat. But where a side ramp is required, to accommodate a person in a wheelchair, there must not only be room for a side ramp, but also for the person using a wheelchair to approach the ramp and turn.

AWG Recommendations:

- a) That the City requires a buffer zone on either side of some (not all) accessible parking stalls (marked with diagonal yellow lines) to accommodate vans with side ramps, to provide room to load and unload a wheelchair.
- b) That the City requirements include two accessible parking stall designations: one for vans (whose specification include a buffer zone) and one that is 3.7 metres wide for those who do not require the extra width of the buffer zone. Where more than one accessible parking spot is required, both types should be furnished.

3. Possible Design Guidelines:

Project Staff mentioned that some requirements might be more suited for inclusion in Design Guidelines than a Bylaw.

AWG Recommendations for design guidelines:

- a) Replace curb and garden area beside end parking stall with level buffer zone.
- b) Install curb cut at head of buffer zone rather than at head of accessible parking stall.
- c) Require all parking amenities (such as charging stations) to be accessible.
- d) Accessible Parking guidelines should differ depending on the type of housing, according to known demand by PWD. For instance, scooter parking at senior's residences, and a high proportion of accessible visitor parking stalls at assisted living facilities.
- e) Accessible parking stalls should be required in each category of parking: visitor and resident.
- f) Require accessible parking stalls to be level.
- g) Bicycle parking should take into consideration the need for space to accommodate specialty bikes and/or trikes that may be used by PWD. Non-standard spaces need to be labeled as accessible only, and subject to similar rules as vehicle parking so that they aren't used for regular bicycles. (This may need to be written into the bylaw rather than guidelines).
- h) Bike racks should be highly visible (contrast with surroundings), especially at night, to avoid injury to people with visual impairments. (E.g if black, a florescent painted strip should be applied).

The AWG would like to express its appreciation of the City's proactive approach with regards to potential bylaw changes to the Zoning Regulations as they pertain to the provision of accessible parking. The AWG would also like to extend an invitation to the City to come back to the AWG for a future consultation once more specific regulations are drafted.

Submitted by: Linda Bartram, AWG chair

Minutes

CALUC meeting to Discuss Schedule C

April 17, 2018

Songhees Boardroom

Neighbourhoods Represented

James Bay, Fernwood, Fairfield/Gonzales, Hillside-Quadra, Downtown/Harris Green

City Staff: Jim Handy, Robert Batallas, Jonathan Tinney, Brad Dellebuur

- Jim Handy provided a general overview of the review and update to the off-street parking regulation as contained in Schedule C of the Zoning Regulation Bylaw
- Presentation highlighted case studies to demonstrate that the new parking regulations can result in increased parking requirements contrary to any perception that they are reducing parking across the city
- Updated Schedule C will be advanced to Council along with Zoning Bylaw 2017 for Councils consideration, otherwise there is a risk that if Zoning Bylaw 2017 is not approved that there would be no off-street parking regulations for the downtown area
- Copies of presentation slides are included with these minutes
- Robert and Jim encouraged all CALUC members to contact either one of them if they have any further questions

CALUC Comments

- Appreciate the new Schedule C and the work that has gone into developing the new regulations
- CALUCs in attendance are in support of the new regulations and would hope that the development industry are also in support
- General concern that Council should also commit to sticking with the new regulations instead of approving parking variances that undermine the new regulations
- Appreciate the potential of increasing the threshold for reduced parking for residential dwelling units less than 45m² from the current threshold of 40m².
- Some CALUC members provided examples of where recent projects had received parking variances that were less than the new Schedule C rates or where the rationale for reduced parking did not relate to transportation demand management (TDM)
- General concern that any approved TDM measures should be long-term and not just temporary in nature
- General question of qualifications that are required for parking demand consultants and how many local consultants can perform this work?
- It appears that parking impact studies never identify that a project will not work, rather the outcomes tend to be tailored to support the project
- What can we do to address Council before they make a decision on a parking variance?
 - City staff identified that staff will identify any related concerns to Council
 - The City is also going through a training process with the development community to identify that the City expects to see the new parking standards reflected development proposals

- City staff regularly question why an applicant is seeking a parking variance and to highlight the new parking regulations. However applicants always have the ability to apply for a variance and the final decision is made by Council
- Several CALUC members supported the idea of the CALUCs requesting Council the opportunity to meet to discuss any outstanding concerns with respect to the approval of variances, impacts from on-street parking, potential impacts from 'gentle density' and to express general support for implementing the updated Schedule C requirements
 - City staff identified that the City may undertake a review of on-street parking at a later time and that on-street parking should not be used as rationale for accommodating required on-site parking as there is no guarantee that on-street parking will always be available.
- General question as to why cash-in-lieu was rejected as part of Schedule C? City should consider this approach as a means to fund new parkades.
 - City staff explained cash in lieu was examined through focus groups with local municipalities that have implemented this approach, however, based on the complexity of the approach it was recommended that cash in lieu should be re-explored at a later time. Details to cash in lieu are included in Working Paper #4. Which is available on the project website.
- Some CALUC members that live in neighbourhoods close to the downtown or key destinations such as Jubilee Hospital and Fernwood Village noted that there are issues with employees parking on streets which can impact the availability of parking spaces for customers or visitors to these areas/facilities
- City staff encouraged CALUC members to look at the full set of proposed off-street parking regulations (available on the project website) and to contact either Jim Handy or Robert Batallas if they have any further questions.
- In response to a suggestion for front yard parking, staff confirmed that the revised off-street parking regulations allow parking within the front yard of a single detached dwelling as a means of better supporting the development of garden suites and secondary suites which may generate additional parking.

Jim Handy

From: Jim Handy
Sent: November 23, 2017 10:56 AM
To: Jim Handy
Subject: FW: Off Street Parking Review

From: J Drew [<mailto:janetdrew@telus.net>]
Sent: Wednesday, October 25, 2017 9:29 PM
To: Engagement <engage@victoria.ca>
Cc: J Drew <janetdrew@telus.net>
Subject: Off Street Parking Review

Hello,

Once again I am not likely to agree with you on the number of parking spaces needed in residential and commercial buildings. Some of you people seem to think that this modern society needs less parking spaces than we did in the past, and this is simply not true.

Every adult in my family (6 in total) walks, cycles, occasionally takes a bus AND owns an automobile. It is not realistic to believe that today's society will walk, cycle and take the bus ONLY any more than people did in the past. There will always be people who cycle,

take buses and walk, but that doesn't mean that these people are willing to give up their automobiles. The RJH reduced parking when they built the new hospital, and sometimes staff can't find a spot to park!

I would suggest you look among yourselves (employees at city hall) and discuss how many people who walk, take the bus or ride their bikes to work also own an automobile. It is not practical to ride a bike for all occasions and so, I don't believe that the number of

parking spaces should be reduced. On the contrary, families are more likely to have more than one automobile now than they did in the past as we lead much busier lives. It is getting harder and harder to find parking spaces in the downtown area when there is an

event going on meaning some of us (especially the disabled) are being excluded from tax payer events such as concerts at the legislative buildings, symphony splash and fireworks displays.

I am against reducing the parking requirements for residential and commercial buildings, in fact many should be increased.

Janet Drew
1740 Haultain St.
Victoria BC
250-595-1026

Katie Lauriston

From: UDIVictoria <UDIVictoria@udi.org>
Sent: Thursday, November 02, 2017 7:51 AM
To: Jim Handy
Cc: Robert Batallas
Subject: RE: Off-Street Parking Regulations

Hello Jim and Robert –

Please see below comments in red from both Dave Chard and Robert Jawl.

Cheers

Kathy Hogan – Executive Director
Urban Development Institute – Capital Region
#101 – 727 Fisgard Street, Victoria BC V8W 1R8
250-383-1072 (Office)
250-888-1671 (Mobile)
www.udicapitalregion.ca

From: Jim Handy [mailto:JHandy@victoria.ca]
Sent: November 1, 2017 12:18 PM
To: UDIVictoria <UDIVictoria@udi.org>
Cc: Robert Batallas <RBatallas@victoria.ca>
Subject: Off-Street Parking Regulations

Hi Kathy

I just wanted to follow up to say thank you again for organizing last weeks meeting. We received some very useful feedback, particularly around the bicycle parking issues, and we plan to work on those items and share any subsequent amendments to the emerging regulations with the UDI.

We also wanted to clarify that, for Downtown, the proposed regulations do not propose minimum motor vehicle parking requirements for Old Town and, for the Central Business District, minimum motor vehicle parking requirements would apply to multi-residential and hotel uses only. However, bicycle parking requirements would apply to all uses in the downtown (although the draft regulations describe a couple of scenarios where they don't apply, for example, where there is an existing building on the lot and bicycle parking could not physically be accommodated on-site consistent with the regulations).

We would also welcome comments from your members on the following specific topics:

- Barrier free parking – City Council have directed staff to carry out further engagement on this issue. We are trying to determine whether the BC Building Code adequately regulates parking for people with disabilities or whether the Zoning Bylaw should be amended to include additional regulations relating to stall supply rates and specifications.

Stay with bc building code , do not confuse the issue with different regulations and add to more regulatory approvals

- Delegating Minor Parking Variances for Small Businesses – again, this is something that Council have directed staff to pursue as the current process/timeline for approval of such a variance can be a barrier to small business. The creation of Design Guidelines, an Official Community Plan amendment and an amendment to the City's Land Use Procedures Bylaw would be required to facilitate this.

Yes , delegating to staff on these minor parking regulations is an excellent idea .

Should any of your members have any questions relating to the above, they can contact myself or Robert Batallas (rbatallas@victoria.ca 250 361 0286) directly. We would also be happy to meet with any of your members individually should they request it.

Regards

Jim Handy, MCIP RPP
Senior Planner - Development Agreements
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0523 F 250.361.0386



Katie Lauriston

From: R Forrest Smith [REDACTED] >
Sent: Wednesday, November 08, 2017 2:13 PM
To: Jim Handy
Cc: Chris Coleman (Councillor); Pam Madoff (Councillor)
Subject: Re: Visitor Parking -- Strata Act Provisions Article 258

Hello Jim

I saw recently that the City is working on a new by-law that specifies the number of Visitor Parking Spaces required and does now base Visitor Parking to be provide based on the number of units just as they do in the BC Strata Act and uses the same factor 10% —BUT they **call for moving to the nearest whole number and use the example, if the result is 1.4 spaces provide ONE spot.**

This is not a good practice for two reasons. First when it comes to regulations and acts they specify the MINIMUM, you can always provide more, BUT not less! So for 1.4 according to the Strata Act and your old by-laws you provide TWO spaces and indeed two if the answer is even as low as 1.1.

It is never a good practice as a city to have a by-law that is in conflict with the higher jurisdictions specification. If 1.4 is the minimum, ONE will not comply, only two complies. Your by-law then conflicts and is null and void and just confuses people when it conflicts with a provincial enactment.

Next what do you do when it is 1.5?

Lastly, I can see why one might want to provide less individual private residential parking spots and round those down even. However, Visitor parking spots are for entirely different purposes and those purposes are not going down like the need for residents to have cars is in the near future (10 to 20 years).

For your consideration.

I hope I misread the proposed by-law.

Regards,

Forrest

PS yes I know the strata act only kicks in under restricted circumstances but that possibility still exists so my point about “not a good practice” still holds.

On May 26, 2016, at 08:57, Jim Handy <Jlhandy@victoria.ca> wrote:

Hi Forrest

Yes, I will share your recommendations with the Consultant team. Please feel free to drop me a line at any time if you have any further questions or would like an update on our progress with this project.

Thanks

Jim Handy, MCIP RPP
Senior Planner - Development Agreements
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0523 F 250.361.0386

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From: Forrest [mailto:]
Sent: Thursday, May 26, 2016 8:49 AM
To: Jim Handy <JHandy@victoria.ca>
Subject: Re: Visitor Parking -- Strata Act Provisions Article 258

Thanks Jim for the prompt update. Question: did you pass along my point that visitor parking in a strata should be based on number of units because this is more logical and consistent with the BC Strata act? If not could you do this please?

Thanks in advance to you attention to my question and request above.

Forrest

On May 26, 2016, at 8:43 AM, Jim Handy <JHandy@victoria.ca> wrote:

Dear Mr Smith

The review of Schedule C of the Zoning Regulation Bylaw is underway. Brief background details on the project can be found on our website:

<http://www.victoria.ca/EN/main/departments/planning-development/off-street-parking-review.html>

The City have secured the services of Boulevard Transportation to assist with this and they are currently collecting data and carrying out the necessary research to assist with determining appropriate parking rates (including visitor parking rates).

Regards

Jim Handy, MCIP RPP
Senior Planner - Development Agreements
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0523 F 250.361.0386

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From: Forrest [mailto: [REDACTED]]
Sent: Wednesday, May 25, 2016 5:29 PM
To: Jim Handy <JHandy@victoria.ca>
Subject: Re: Visitor Parking – Strata Act Provisions Article 258

Greetings

As it has been a year since we last communicated, thought I would check in again. I know that neighbourhood plan requirements are a priority so I am curious as to what is happening with a review of the general Zoning Regulations and visitor parking in particular. Can you advise please?

Forrest
[REDACTED]

On Jun 22, 2015, at 15:44, Jim Handy <JHandy@victoria.ca> wrote:

Dear Mr Smith

Thank you for your email.

We are hoping to commence work on the review of Schedule C of the Zoning Regulation Bylaw later this year. We appreciate that this is later than originally envisaged. As part of this work we will be reviewing the requirements for visitor parking, however, at this stage, as the review as not commenced, we are unable to provide any additional information.

Regards

Jim Handy, MCIP RPP
Senior Planner - Development Agreements
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0523 F 250.361.0386

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From: Forrest [mailto: [REDACTED]]
Sent: Friday, Jun 12, 2015 4:02 PM
To: Jim Handy

Cc: Thom Pebernat; Alison Meyer
Subject: Re: Visitor Parking -- Strata Act Provisions Article 258

Greetings

It will soon be almost a year since I last heard (see e-mail from August 2014) was wondering what is happening, where are we in the process, when might the change take effect?

I noted that the recent list of ideas from the Mayor's task force on affordable housing had a proposals to reduce required parking. This would make it even more important to decouple the requirement for visitor parking from residential parking numbers. Trades and service people still visit affordable housing as do friends and relatives. The number of visitors and their mode of transportation and need for parking does not vary with the number of cars or parking spots owned by the occupants being visited.

Does staff concur that the rationale for visitor parking should be one for every ten strata lots/units as it is in the Strata Act and NOT 10% of the number of residential parking spots? Is the change moving forward?

Thanks in advance for considering my questions.

Regards.

Forrest

Forrest
[REDACTED]

On Aug 11, 2014, at 14:39, Alison Meyer
<ameyer@victoria.ca> wrote:

Thanks again for the input. By way of copy I have forwarded your suggestion to Jim Handy who will be leading the review of our Parking Regulation Bylaw.

Thanks, Alison Meyer

From: Forrest [mailto:[REDACTED]]
Sent: Monday, Aug 11, 2014 2:23 PM
To: Alison Meyer
Cc: Thom Pebernat
Subject: Re: Visitor Parking -- Strata Act Provisions Article 258
Importance: High

Greetings

Thanks for the update. Just to reiterate by suggestion—visitor parking should be based on number of dwelling units for two reasons. Number of dwelling units is more indicative of the demand/need for visitor parking and this Strata Act uses this criteria (one for every ten dwelling units).

Glad to hear that you have reinstated verification of the provision of visitor parking and if you set the criteria the same as the Strata Act then there will be less confusion.

Thanks again.

Forrest

[REDACTED]

On Aug 11, 2014, at 13:40, Alison Meyer
<ameyer@victoria.ca> wrote:

Dear Mr. Smith,

Thank you for the follow up email. In response to your inquiry regarding visitor parking requirements in strata titled developments we can offer the following information:

- Staff will be undertaking a comprehensive review of Schedule C of the *Zoning Regulation Bylaw* this year. Changes to the visitor parking requirements will be considered as part of this review. Your feedback has been provided to the appropriate staff person who will be in charge of conducting the review of the bylaw.
- A municipality may not withhold the issuance of an Occupancy Permit for a development for reasons related to the presentation of a strata plan. The Building Inspector may only withhold Occupancy for safety issues. However, prior to the issuance of an Occupancy Permit, the process of having staff attend the site to ensure

the required number of parking stalls is provided and visitor parking stalls are labelled has been reinstated.

I believe the staff person that assisted you before was Thom Pebernat, Zoning Administrator. His phone number is 250-361-0284. please feel free to give him a call if you have any further questions. Thom's email address is also provided above.

Sincerely,

Alison Meyer

From: Forrest [mailto: [REDACTED]]
Sent: Friday, August 08, 2014 05:34 AM
To: Pam Madoff (Councillor)
Subject: Re: Visitor Parking -- Strata Act Provisions Article 258

Hello Pam

Trust your summer is going well ours sure is. With respect to Visitor Parking for a Strata, I did receive a phone call message back in April 2014 when I was in Europe from a staff person saying he appreciated my input and would e-mail me the update. I never received an e-mail and regrettably deleted the message so I do not have a name and phone number to follow up with.

Can you ask the staff person to phone me again please.

Thanks in advance.

Forrest
[REDACTED]

On Oct 30, 2013, at 16:53, Pam Madoff (Councillor) <pmadoff@victoria.ca> wrote:

Thanks, Forrest.

This is very helpful and very interesting. I will follow up with staff and keep you posted.

Pamela

From: Forrest [mailto: [REDACTED]]
Sent: Wednesday, October 30, 2013 02:51 PM
To: Pam Madoff (Councillor)
Subject: Visitor Parking -- Strata Act Provisions Article 258

Pam

To follow up on our conversation, below is the applicable article from the Strata Act. Now this element will only kick in if the Developer is allocating an "extra parking" stall but note that in the Strata Act the number of visitor parking required is function of the number of strata lots not the number of parking stalls. Makes sense, the demand or need for visitor parking is based on the number of households, not the number of automobiles they own.

I recommend that the City By-Law be amended to match this section of the Strata Act and dictate "one visitor stall per ten strata lots" vice "one per ten parking stalls"

I also point out that if the developer plans to sell "extra parking" then they must first provide one parking stall per strata lot. My sense is every strata sold to date has provided one stall per strata lot and all the time and effort spent at the development permit stage negotiating anything less than this is ineffective. I know of no strata where each and every lot has less than one parking stall.

Lastly and perhaps more important, there is not now a means, process or procedure in place to ensure that the number of visitor stalls required under your by-laws are provided. This can easily be rectified if your process is amended to include a requirement of the builder/developer to provide documentary proof in the form of a strata plan or strata plan amendment certified to be accurate at the time of filing that the required number of stalls have been provided as a pre-condition for an "Occupancy Permit".

Note, the strata I live in was provided with only 2 Visitor Parking Stalls, we negotiated three more for a total of five. Based on the approved number of parking stalls the city negotiated for our 41 strata lots we were only entitled to 4 visitor parking stalls. The Strata Act came into play as there was an extra parking stall assigned so we got in the end a total of

five allocated but we (I) had to first research the issue and then fight tooth and nail to get that change. A friend lives in strata where they were also short changed so our problem is not unique. An ounce of prevention is worth a pound of cure—amend the by-law and instituted a procedural/process change to ensure Visitor Parking is appropriately provided with ease.

For your consideration.

Note, I would be glad to discuss and explain further at your convience.

Parking designated by owner developer as limited common property

258 (1) An owner developer may, at any time before the first annual general meeting of the strata corporation, amend the strata plan to designate parking stalls as limited common property for the exclusive use of owners of strata lots in the strata plan.

(2) In designating parking stalls under subsection (1), the owner developer acts as the council and must

(a) act honestly and in good faith with a view to the best interests of the strata corporation, and

(b) exercise the care, diligence and skill of a reasonably prudent person in comparable circumstances.

(3) An owner developer may, at any time before the first annual general meeting of the strata corporation, amend the strata plan to designate a maximum of 2 extra parking stalls

as limited common property for the exclusive use of the owners of each strata lot in the strata plan.

(4) In this section, "**extra parking stalls**" means any parking stalls, on land shown on the strata plan as set aside for parking, that are in addition to the total number of parking stalls calculated by adding

(a) one stall per strata lot, or any greater number of stalls required by an applicable municipal bylaw, Nisga'a Government law, treaty first nation law or other enactment, plus

(b) **one stall per 10 strata lots** for visitor parking or any greater number of visitor parking stalls required by an applicable municipal bylaw, Nisga'a Government law, treaty first nation law or other enactment.

(5) In designating extra parking stalls under subsection (3), the owner developer is not required to act with a view to the best interests of the strata corporation, but must act honestly and in good faith and exercise the care, diligence and skill of a reasonably prudent person in comparable circumstances.

(6) A designation of parking stalls under subsection (1) or (3) does not require approval by a resolution at an annual or special general meeting.


(7) An application to amend the strata plan under this section must be made to the registrar accompanied by a reference or explanatory plan, whichever the registrar requires, that

(a) shows the amendment, and

(b) is in a form required under the *Land Title Act* for a reference or explanatory plan.

Regards.

Forrest



Katie Lauriston

From: Rebecca Penz
Sent: Tuesday, November 21, 2017 12:22 PM
To: Jim Handy
Cc: Robert Batallas
Subject: FW: Feedback re:proposed parking changes

Follow Up Flag: Follow up
Flag Status: Flagged

From: Engagement
Sent: Tuesday, November 21, 2017 9:03 AM
To: Michelle Harris <MHarris@victoria.ca>
Subject: FW: Feedback re:proposed parking changes

From: Lisa Mortimore [mailto: [REDACTED]]
Sent: Monday, November 20, 2017 6:17 PM
To: Engagement <engage@victoria.ca>
Subject: Feedback re:proposed parking changes

I am writing to express my strong concerns and objections about reducing the number of required parking spots for rentals, development, housing etc. I live in James Bay and we have CHRONIC parking issues on our street (in part to the unregulated air bnbs). Often we cannot find parking on our street which is already zoned residential only and often we have to call the parking enforcement. Reducing the requirements for residential parking will only serve to create more problems, congestion and neighbour disputes and will place a further burden for street parking.

I am in support of more secure bike stalls for commercial properties.

thank you and I hope you maintain the current parking regulations.

Lisa Mortimore, PhD
www.lisamortimore.com
[REDACTED]


"Out beyond ideas of wrongdoing and rightdoing, there is a field. I'll meet you there". ~ Rumi

Katie Lauriston

From: Rebecca Penz
Sent: Tuesday, November 21, 2017 12:21 PM
To: Jim Handy
Cc: Robert Batallas
Subject: FW: Off-Street Parking Review

Follow Up Flag: Follow up
Flag Status: Flagged

From: Engagement
Sent: Tuesday, November 21, 2017 9:04 AM
To: Michelle Harris <MHarris@victoria.ca>
Subject: FW: Off-Street Parking Review

From: Alanah Nasadyk [<mailto:> 
Sent: Monday, November 20, 2017 7:20 PM
To: Engagement <engage@victoria.ca>
Subject: Off-Street Parking Review

I would like to see some requirements for electric car charging parking in Off-street parking to encourage and all for sustainable transport.

Cheers,

Alanah Nasadyk

Katie Lauriston

From: Jim Handy
Sent: Thursday, November 23, 2017 10:53 AM
To: Jim Handy
Subject: FW: Feedback on new parking regulations

From: Ben Cram [mailto:]
Sent: Tuesday, November 21, 2017 6:56 AM
To: Engagement <engage@victoria.ca>
Subject: Feedback on new parking regulations

Hello:

I am writing to voice my support of the new schedule for off street parking. I feel the new regulations are better suited to today's needs.

As a small business owner being directly impacted by the current timing schedule for variance applications I feel that the change to allow city staff to sign off on minor parking variances is a very good policy that would help small businesses relocate in less time and be able to schedule their move with more certainty. I feel that it is a change that will positively impact small business and the local economy in Victoria.

Thank you,

Ben Cram

--
Ben Cram
OWNER

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5/1115 North Park Street
Victoria, BC, Canada, V8T 1C7

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Katie Lauriston

From: Engagement
Sent: Wednesday, November 22, 2017 8:48 AM
To: Jim Handy; Robert Batallas
Subject: FW: Off-street parking review

Follow Up Flag: Follow up
Flag Status: Flagged

From: Joanne Thibault [mailto: [REDACTED]]
Sent: Tuesday, November 21, 2017 7:59 PM
To: Engagement <engage@victoria.ca>
Subject: RE: Off-street parking review

Hi There;

Thanks for this very informative reply. I was just at a By-law seminar hosted by the Vancouver Island Strata Owners Association where strata owners were advised that preparing for EVs was important. You folks may want to contact VISOA as they have done some great work on this topic. <https://www.visoa.bc.ca/>

Here are the remarks made by the presenter, Shawn M. Smith 1321 Johnston Road White Rock, BC V4B 3Z4 604-536-5002 www.clevelanddoan.com

Electric Vehicles The use of electric vehicles by residents within a strata corporation poses a new and interesting issue which most strata corporations have not yet faced. However, it is an issue that arises almost exclusively in apartment style strata corporations. 13 Electric vehicles can be charged by simply plugging them into a regular 120V outlet. This means that any owner, tenant or occupant with an electric vehicle can charge it by simply plugging it into an existing outlet in the parking garage.

Absent any restriction in the bylaws or rule, they arguably have every right to do so. However, the electricity supplied to that socket would be electricity for which the strata corporation pays. Since it is a common expense, the cost of charging that vehicle is borne by all owners proportionate to the relative unit entitlement - see s. 99 of the SPA. To many owners, that arrangement is considered to be unfair. The disproportionate consumption of common expenses is something which is not easily dealt with. Common expenses cannot be apportioned between owners on a formula other than relative unit entitlement unless there has been approval of that formula by way of a unanimous vote under s.100 of the SPA. In other words, the cost of electricity cannot simply be apportioned on a higher basis to those owners who (or whose tenants or occupants) have an electric vehicle.

However, that does not mean that the strata corporation cannot recover at least some of the costs of the electricity being consumed by those types of vehicles. S.110 of the SPA provides for user fees in relation to use of the common property. While the electricity being consumed is not common property, the outlet is. As such, the strata corporation can pass a bylaw prohibiting the use of electrical outlets to charge vehicles unless the owner tenant or occupant pays a fee in relation to the same. (Although S.110 refers to the fee being set out in the bylaw, if the bylaw makes reference to a rule, which in turn specifies a sum that should suffice. Setting out the fee in the Rules gives a greater degree of flexibility with respect to the amount).

There are some limitations on the amount to be charged. In both *The Owners, Strata Plan LMS383 v. DeVuyst*, 2011 BCSC 1252 and *Cody Watson v. The Owners, Strata Plan BCS1721*, BCCRT10, it was confirmed that such fees needed to be reasonable. Whether the fee was reasonable depended on prevailing market conditions and the actual costs the strata corporation incurred in allowing the particular use in question. In other words, fees for use of the common property are not to be "profit centers".

Some owners with electric vehicles may wish to install a charging station which allows for the faster charging of the vehicle. For the most part, these stations must be hardwired. Not only are there the same issues with respect to the consumption of electricity, but now the owner is making a change to the common property. In order to control the installation of charging stations a strata corporation needs to ensure that its bylaws cover such scenario. Standard Bylaw 6 would not necessarily do that given that it refers only to "alteration". (As will be discussed below, not every change is an "alteration"). Either the charging station bylaw or the general alteration bylaw should address that issue. (Even if installed in a garage of an individual strata lot there should still be approval required).

The strata corporation will also want the bylaw to require that an "assumption of liability agreement" is signed by the owner. That will ensure that any costs related to the repair and maintenance of the charging station are paid by that owner and any subsequent owners. Strata corporations considering installing a bank of charging stations and designating an area of the common property for the charging of electric vehicles should keep in mind the provisions of s.71 of the SPA which requires a significant change in the use or appearance of the common 14 property to be approved by a ¾ vote. Depending on what is done, such a vote may be required. If a fee is to be charged (either directly or through a third party) the bylaws should provide for that.

Cheers, Joanne

Joanne Thibault
Treasurer, Strata VIS364
1021 Collinson St, Unit 403
Victoria, BC
V8V 3B9
[REDACTED]

From: Engagement [<mailto:engage@victoria.ca>]
Sent: Tuesday, November 21, 2017 4:58 PM
To: [REDACTED]
Subject: RE: Off-street parking review

Hi Joanne,

Thanks for your email regarding EVs and the City's regulation of them moving forward. The City recognizes the need to support installation of EV charging infrastructure in existing buildings and more generally to support EV ownership for those that do not have ready access to charging at home. We have a number of approaches in mind towards addressing this need. Our first step will be to create an EV strategy in 2018. This strategy will inform the City on the most effective means to support adoption of EVs in the community. We expect to support the installation of EV (and other charging infrastructure) in existing buildings. This support be through topping up provincial programs or by other means. We are also interested in provisioning fast charging stations in suitable locations. The latter has the opportunity to preclude a reliance on the provision of EV charging at home. This design guidance will then be added to each development permit area within the Official Community Plan to provide leverage so that new developments consider and implement EV infrastructure in their proposals.

Hope this helps

From: Joanne Thibault [REDACTED]
Sent: Monday, November 20, 2017 1:49 PM
To: Engagement <engage@victoria.ca>
Subject: Off-street parking review

Hello There;

Many thanks for the work on this. Just one question;

Regarding electric vehicle charging stations, what, if any, involvement will the City of Victoria have in regulating or encouraging EV stations in existing multiple dwellings (rental and condominium)?

This isn't in the scope of off-street parking review per se but I thought you might have news on this.

Many thanks, Joanne

Joanne Thibault
1021 Collinson St, Unit 403
Victoria, BC V8V 3B9
[REDACTED]

Katie Lauriston

From: Engagement
Sent: Wednesday, November 22, 2017 8:49 AM
To: Jim Handy; Robert Batallas
Subject: FW: Proposed off street parking regulations

Follow Up Flag: Follow up
Flag Status: Flagged

From: Stacy Jensen [mailto:stacy.jensen@victoria.ca]
Sent: Tuesday, November 21, 2017 9:53 PM
To: Engagement <engage@victoria.ca>
Subject: Proposed off street parking regulations

I'm a long term resident of Ladysmith Street in James Bay and am writing to implore you to not relax the off street parking regulations. If off street regulations are relaxed, it will push even more cars onto the on street parking, which is increasingly hard to find, even though Ladysmith Street is resident only. One of the main drivers of the parking crunch is the short term vacation rentals- the owners of the vacation rentals- of which there are a number on my block, give up their off street parking for their guests and park on the street, often doubling the number of vehicles vying for parking. If you examine the amount of tickets given out by bylaw in resident only areas, I think that you will see that there needs to be more off street parking, not less.

Regards
Stacy Jensen

--

Katie Lauriston

From: Wayne Hopkins [REDACTED]
Sent: Tuesday, November 21, 2017 9:25 AM
To: Jim Handy
Subject: Parking Review Suggested Change

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jim,

Thanks for taking the time yesterday to discuss the designation of the Oak Bay Avenue urban village area as an urban area in the new off-street parking bylaw.

As discussed, the Oak Bay Avenue urban area is shown in the OCP (Map 48) as a small urban village. This area is relatively large, and abuts and continues the urban village known as Oak Bay Village, located in the municipality of Oak Bay. If this continuous urban village is viewed as it truly functions, without municipal boundaries, this urban village is large, and operates as a large urban centre. .

The portion of Oak Bay Avenue in the City of Victoria continues to see redevelopment occurring, including the recent mixed use project approved by the City of Victoria at 1965 Oak Bay Avenue, and the opening of the new Red Barn Market. Oak Bay Avenue provides excellent public transportation options, is heavily used by cyclists (commuting and recreational), and is known for it's walkable options for shops, services and recreation. Oak Bay Avenue functions as a large urban village.

When looking at the draft off-street parking bylaw and the other areas to be designated as urban village in regards to parking requirements, the Oak Bay Avenue area noted in the City's OCP is comparable to or larger than Stadacona Village, Jubilee Village, Ross Bay, Quadra Village, North Park Village. **Oak Bay Avenue should be included as a Village / Centre in the new parking bylaw.**

Thank you for considering the inclusion of Oak Bay Avenue, please do not hesitate to contact me with any questions, or to discuss further.

Regards,

Wayne Hopkins
Merdyn Group of Companies
Cell Direct: [REDACTED]
Fax: [REDACTED]

Katie Lauriston

From: Rebecca Penz
Sent: Wednesday, November 22, 2017 1:52 PM
To: Jim Handy; Robert Batallas
Subject: FW: Off Street Parking Review

Follow Up Flag: Follow up
Flag Status: Flagged

From: Engagement
Sent: Wednesday, November 22, 2017 1:49 PM
To: Rebecca Penz <rpenz@victoria.ca>
Subject: FW: Off Street Parking Review

From: Dave Davies [mailto: [REDACTED]]
Sent: Wednesday, November 22, 2017 12:29 PM
To: Engagement <engage@victoria.ca>
Subject: Off Street Parking Review

Hello. :)

Unfortunately I missed the public hearing on the off-street parking changes being discussed. The numbers I've come up with in my research on the issue don't match the city's assertions that basically - renters own less cars.

Can you please send me the data being used to make this assertion so I can fully understand what's being considered. I assume when Mr. Tinney said, "...we know that somebody living in a studio apartment is going to own fewer cars than somebody in a three-bedroom apartment." that there is data collected to support this statement. I'd love to see what the car-ownership-to-rental-status numbers you have are as I can't find anything that matches what is being claimed and worse - everything I have on the renter-to-car-owner stats shows quite the contrary.

Thanks !

--



Dave Davies
CEO
Beanstalk Internet Marketing
t: 877-370-9750
w: www.beanstalkim.com [REDACTED]



Katie Lauriston

From: Engagement
Sent: Wednesday, November 22, 2017 9:08 AM
To: Jim Handy; Robert Batallas
Subject: FW: Proposed new parking regulations.

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----

From: Monica Kingsbury [mailto: [REDACTED]]
Sent: Wednesday, November 22, 2017 7:51 AM
To: Engagement <engage@victoria.ca>
Subject: Proposed new parking regulations.

Hello,

I'm glad for the opportunity to speak to this issue. I am completely opposed to lowering the requirement for parking in Victoria.

The lack of parking in Victoria is a major problem has recently altered my decisions to frequent restaurants, movie theatres or shop at small business.

I am a Victoria resident since 1974 and of course have seen tremendous growth and change. This is understandable. We also must support the infrastructure needed to live with this growth.

More downtown condos, more parking needed.

I normally love to go into town and have dinner out and spend time in our lovely city. In the past few years, the lack of parking has been such a problem. Often the city lots are full and therefore I spend time driving around and around looking for parking. I find myself giving up and returning home these days. That decision has cost many restaurants or shops the revenue from my business, which they would have if I could only park my car and shop.

I love our city and therefore strongly urge you to take the need for parking into consideration to support this continued growth in our community. Please, let's not become like Seattle or Vancouver!

thank you,

... Monica Kingsbury
60 Menzies Street.
Victoria BC V8V 2G2

Katie Lauriston

From: Jim Handy
Sent: Tuesday, November 28, 2017 10:51 AM
To: Jim Handy
Subject: FW: Community Planning

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----

From: webforms@victoria.ca [mailto:webforms@victoria.ca]
Sent: Tuesday, November 28, 2017 7:20 AM
To: Community Planning email inquiries <CommunityPlanning@victoria.ca>
Subject: Community Planning

From: Alix Freiburger
Email: [REDACTED]
Reference : <http://www.victoria.ca/EN/main/residents/community-planning/current-initiatives.html>
Daytime Phone : [REDACTED]
Hello there,

I was not able to attend your meeting on November 20 in which you reviewed the parking regulations. I live in the Oaklands area in a single family dwelling. I would like to develop my basement including my drive-in garage to create additional living space for my adult daughters. I am not planning on developing a full suite. In this very expensive rental market, my daughters will have a hard time finding affordable housing that will allow them to get ahead despite good jobs. I would like to be able to help them out. Under current regulations I would not be allowed to do this because I have no way to create parking in my back yard. However, I have a parking space in my driveway.

I strongly urge you to remove barriers for home owners who would like to create additional living space within their existing foot print. The city and the city's renters need it.

Thank you very much for listening and reading.

Alix

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IP Address: [REDACTED]

Noraye Fjeldstad

From: Jim Handy
Sent: Thursday, May 03, 2018 2:12 PM
To: Jim Handy
Subject: FW: New Policy Tools For Carsharing TDM Measures

From: Sylvain Celaire [mailto:]
Sent: January 30, 2018 6:56 AM
To: Steve Hutchison <shutchison@victoria.ca>; Jim Handy <JHandy@victoria.ca>; Brad Dellebuur <bdellebuur@victoria.ca>; Steve Young <SYoung@victoria.ca>; Sarah Webb <swebb@victoria.ca>
Cc: Selena McLachlan < >
Subject: New Policy Tools For Carsharing TDM Measures

Hello all,

Further to recent conversations with some of you, I would like to confirm Modo's desire to support the City of Victoria in the development of evidence-based policies to maximize the public benefits from carsharing services.

Victoria's Climate Leadership Plan and revised Schedule C of Zoning Regulation Bylaw make a strong case for the creation of new and flexible policy tools that would allow staff to achieve the City's goals in terms of multi-modal mobility, land-use, GHG emission reduction and low carbon transportation. We believe that appropriate Design Guidelines and Bylaw regulations relative to bicycle parking, electric vehicle parking standards and carsharing would provide the City of Victoria with additional opportunities to ensure real estate developers are building a desirable urban environment. One where more individuals and businesses can thrive with minimal need to use a vehicle. And where, for those occasions when a vehicle is required, the vehicle used is a shared and low emission one.

Formalized carshare TDM measures informed by the City's experience, peer-reviewed research, local data and collaborations with academics and carshare providers could go a long way to further enhance the City's success with carsharing. Appetite for carsharing in Victoria is at an all time high. Modo's membership and vehicle fleet in Greater Victoria have grown 250% within the last 24 months, despite challenges finding suitable parking locations in high demand areas. Though we do intend to add another 20 shared vehicles in 2018, the total remains relatively small in relation to privately owned vehicles. To address the region's growing challenges with personal vehicle ownership, use and parking, more shared vehicles are needed to complement walking, cycling and public transit.

At several municipalities with formal carshare TDM measures in place, we have observed that in addition to seeking to maximize positive impacts in terms of vehicle ownership reduction, GHG emissions, land use and mode shift, they have also:

- simplified and normalized the use of carsharing as a TDM;
- reduced pressure on staff by limiting the negotiating power of developers;
- streamlined processes;
- guaranteed equity across developments; and
- improved integration of carsharing in development projects.

We recommend that City of Victoria staff ask Council support the development of evidence-based carsharing TDM Guidelines or Bylaw regulations for real estate developments that take the above features into account. It would be our pleasure to assist by contributing expertise, data or any other inputs you deem helpful.

My best,

Sylvain Celaire
Business Development Manager