

Bylaws for Accessible Parking Requirements: Zoning Bylaw Amendments

Purpose: To make Council aware of potential deficiencies and oversights so Council might prepare to provide further direction to staff

Presentation to daytime Council May 26, 2022. R. Bayley

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1. Very long time coming – high expectations

- History goes back to 2016 engagement of expert consultants
- City recognized inadequacies of Building Code AP standard in 2017
- Jan & August 2018, Province notice of withdrawal of AP from Code
- July 2018 Schedule C amendments made **WITHOUT accessible parking amendments, that had been in scope**
- Council directed staff July 2018 to scope this project & funded it in 2019. Started mid-2020. Reported Feb 2021. Long gap since then.
- These amendments posted late for May 19 daytime Council meeting.
 - Not sure Council members had time to read, consider and prepare
 - Advocacy community did not have time to raise questions and advise

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2. Did the City get it right?

A number of gaps and lost opportunities:

- Lacking signage to improve compliance (fines, number to call)
- No mobility scooter parking/charging rules (as directed in 2018)
- Very low rate in Affordable housing- where PWD live
- Not future-proofed – ties accessible parking to ever-dwindling regular parking supply - while removing parking minimums contemplated
- Large areas where no parking (and no accessible parking) required: no mitigations proposed
- Bike parking barriers remain
- Only some of the planned Bylaws are now being amended now.

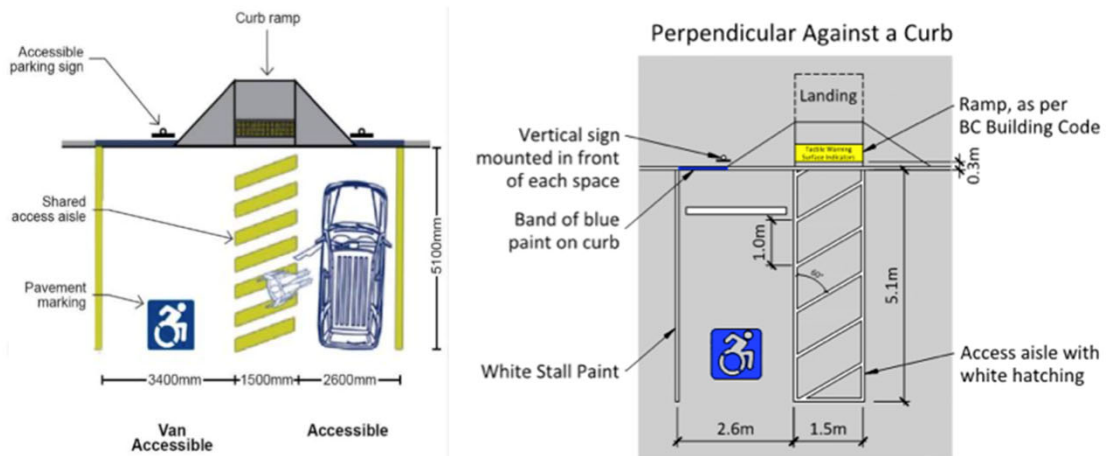
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3. Questions I wished Council had asked:

1. What are the changes from “endorsed” standard *design*, from Feb 11, 2021 & why?
2. Isn't the delegation of AP variances a new concept w. no prior Council direction?
3. Did staff consider maximum hatched access aisle rule (to prevent vehicles parking in access aisle, like they do on Dallas Road/Clover Pt?)
4. Why is mobility scooter parking not included, as per 2018 Council direction?
5. Did staff consider removing barriers in bicycle parking?(stairs, tight layout, high effort door)
6. How many units in an Affordable housing complex before accessible visitor stall provided?
7. How does the percentage of accessible units required in affordable housing (under funder rules = 5%) compare to accessible stall supply under this Bylaw?
8. Should City require accessible parking for each accessible dwelling unit? (garden suites?)
9. Should the City require car-share base stalls to be accessible, to allow people with disabilities to shift their transportation mode?
10. Could the City use a new zoning category to ensure higher supply in medical buildings?

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4. Differences unexplained



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5. General Questions

1. Will an AP variance policy w. criteria and considerations in a Land Use Procedure Bylaw Amendment be in place when these amendments come into force? (to support delegation to staff)
2. Previous delegation of variances only for commercial. Will this be for residential?
3. How is private accessible parking enforced and how could AP design better assist?
4. What are the areas of the City where no parking is currently required?
5. What forms of housing *do not require any* parking & accessible parking?
6. What type of businesses will typically not require AP under the amendments?
7. Do the 2018 assumptions about vehicle ownership affect on parking need apply to accessible parking? Or do PWD require AP regardless of owning a vehicle?
8. Is the incremental cost of accessible parking in new builds as high as feared?
9. Should Council direct staff to address gaps like scooter parking, adaptable bike parking & car sharing, so PWD can benefit from TDMs that support variances?

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6. A few more questions – re. Going forward

1. What will happen when/if parking minimums are removed?
2. Why not tie AP directly to building attributes now? Future-proof
3. How many new accessible stalls per year do staff expect to be built under the new supply rates, given current rate of building?
4. Will staff start reporting on accessible parking in the Statistics tables of future development reports, when amendments are effective?
5. What actions do staff contemplate to encourage & incentivize retrofit of current unsuitable grandfathered parking?
6. How long until most buildings have a modern standard of accessible parking? (given typical renewal lifecycle)
7. Will City require s.t. passenger zones when no parking required?

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7. Context

- While the percentage of AP will increase, **the base has decreased**
 - 2018 and 2020 Schedule C amendments reduced regular parking
- Overall public & private parking decreased & is trending down
 - Large parking variances granted routinely
 - Increasing infill with small multi-unit housing forms - no parking required
 - Street cafes & closures reduce public parking
 - Pandemic pedestrian aisles remove public parking for businesses
- **Unauthorized use of accessible parking increases** when supply is tight
 - Can be combatted with design, enforcement and alternatives
 - The proof is at Clover Point
 - Serious studies document this and were shared
- More residences being built now in low-or-no-parking zones but assumptions underlying parking reductions may not apply to PWD.

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8. Summary of Possible Oversights

1. Car-shares should be based in accessible stalls, so more people with disabilities can use them
2. Signage should reference penalties and provide reporting information
3. Hatched areas – maximum needed. Too large & people park there
4. Prohibit additional general signage on an AP stall pole. Signage should apply only to the accessible stalls.
5. Sign materials not stipulated (e.g., metal). Covered elsewhere?
6. Definition of “**Accessible Parking Space**” should explicitly include **access aisle with words** (not just diagram).

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9. Types of parking & their regulation

- **Regular Vehicle** – in CoV Bylaws - 2018 & 2020 reductions
- **Accessible vehicle** – old Building Code, then from 2018 onward, none
- **Visitor** – 10% of regular parking, in CoV Bylaw.
- **Accessible visitor** – This proposal addresses it for first time. Accessible visitor parking is a % of a %. Won't see much built.
- **Bicycle** – 2018 CoV amendments & design guidelines did not address accessibility needs or adaptive bikes
- **Mobility scooter** (+charging) – **no regulatory requirements**

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References

Staff reports

For October 5, 2017, COTW, interim Review of Off-Street Parking Regulations staff report

<https://pub-victoria.escribemeetings.com/filestream.ashx?documentid=1697>

For July 12, **2018** Council – Bylaw amendments (when accessible parking was dropped from scope)

<https://pub-victoria.escribemeetings.com/filestream.ashx?DocumentId=19120>

For February 11, COTW – endorsement of AP standard

<https://pub-victoria.escribemeetings.com/filestream.ashx?DocumentId=64289>

Drawings & supply rate amendments, **May 19, 2022** daytime Council, NO. 22-024

: <https://pub-victoria.escribemeetings.com/filestream.ashx?DocumentId=80622>