

Document 2 – Proposed By-Law Amendments, Part C - Parking Required for Persons with Disabilities

Part C – Parking Required for Persons with Disabilities of the Traffic and Parking By-law (By-law No. 2017-301) will be amended to reflect the content below:

Section 111

The owner and operator of an obligated organization, shall ensure when constructing a new, or redeveloping an off-street parking facility that it intends to maintain, that the off-street parking facility meets the requirements of Ontario Regulation 191/11, as amended and passed under the Accessibility for Ontarians with Disabilities Act, 2005, as pertaining to the “Integrated Accessibility Standards”, or any successor Regulation thereto.

Section 112 - Types of Parking Spaces and Parking Provision Requirements

(1) The owner and operator of an obligated organization shall provide two types of accessible parking spaces wherever parking is provided:

- (a) Type A spaces (minimum 3400 mm wide): consist of wider parking spaces which accommodate larger vehicles such as vans that are equipped with transfer ramps for users of wheeled mobility aids; and
- (b) Type B spaces (minimum 2400 mm wide): are standard parking spaces which accommodate users who are ambulatory but have limited mobility and cannot travel lengthy distances, or use other mobility aids, such as canes, crutches and walkers.

(2) The owner and operator of an obligated organization shall provide Type A and Type B parking spaces as prescribed by the following table:

Total Number of Parking Spaces	Total Number of Accessible Spaces Required	Number of Type A	Number of Type B
1- 12	1	1	0
13- 25	1	0	1
26 - 50	2	1	1
51 - 75	3	1	2
76 - 100	4	2	2
101 - 133	5	2	3
134 - 166	6	3	3

Total Number of Parking Spaces	Total Number of Accessible Spaces Required	Number of Type A	Number of Type B
167 - 250	7	3	4
251 - 300	8	4	4
301 - 350	9	4	5
351 - 400	10	5	5
401 - 450	11	5	6
451 - 500	12	6	6
501 - 550	13	6	7
551 - 600	14	7	7
601 - 650	15	7	8
651 - 700	16	8	8
701 - 750	17	8	9
751 - 800	18	9	9
801 - 850	19	9	10
851 - 900	20	10	10
901 - 950	21	10	11
951 - 1000	22	11	11
1001 and over	11 +1 % of total	(1) Where an even number is required, provide equal number of Type A and B (2) Where an odd number is required, provide equal number of Type A and B plus an additional Type B	

Section 113 – Parking Space Design and Layout

(1) The design and layout of Type A and Type B parking spaces referred to in Section 112 shall be in accordance with the following:

- (a) accessible parking spaces must be located as close as possible to an accessible entrance and integrate with an accessible route;
- (b) ensure ground surface is firm, stable and slip-resistant;
- (c) maximum running slope of surface at 1:50 (2%);
- (d) maximum cross-slope of surface at 1:50 (2%);
- (e) length of 5200 mm;
- (f) minimum width of 3400 mm for “Type A” wide van accessible spaces and minimum width of 2400 mm for “Type B” standard parking spaces;
- (g) provide an access aisle adjacent and parallel to each accessible parking space:
 - (i) 1500 mm wide (minimum);
 - (ii) extend the full length of the space;

- (iii) clearly indicated by high colour contrast diagonal pavement markings;
 - (iv) where two accessible parking spaces are provided adjacent to each other, they may share an access aisle;
 - (v) connect with adjacent accessible path of travel and centre curb ramp on access aisle; and
- (h) ensure vertical height clearance of 2100 mm (minimum) at designated parking spaces and along the vehicle access and egress routes.

Section 114 – Signage and Pavement Markings

- (1) Type A and Type B parking spaces shall be clearly designated with pavement markings and vertical signage, containing the International Symbol of Accessibility;
- (2) The International Symbol of Accessibility pavement markings shall:
 - (a) be 1525 mm wide by 1525 mm depth (minimum);
 - (b) include a white or yellow border with a blue background field colour; and,
 - (c) be located near the back of the space for 90 degree or angled parking spaces and centered for parallel parking spaces;
- (3) All pavement markings shall be slip resistant and clearly visible through use of high tonal contrast compared to the surface of the parking space.
- (4) Directional signage, marked with the International Symbol of Accessibility, shall be provided to indicate the location of accessible parking spaces, and / or the location of the nearest accessible entrance if the spaces or entrance are not easy for users to locate when entering or using the site.

Section 115 - Authorized signs

- (1) Authorized signs for parking spaces for persons with disabilities shall comply with the signs described under Section 11 of Ontario Regulation 581 made under the Highway Traffic Act.
- (2) The owner and operator of an obligated organization shall be jointly responsible for the procurement and installation of the authorized signs.
- (3) The owner and operator of an obligated organization shall be jointly responsible:
 - (a) for the maintenance of the authorized signs; and
 - (b) for ensuring that the shape, symbols and colours of the authorized signs conform to the provisions of subsection (1) hereof.

Section 116 - Appropriate fee

Persons with disabilities shall not be required to pay an amount in excess of the normal fee paid by other users of the same parking facility.

Section 117 - Prohibited parking - prohibited use of permit

(1) No person shall park or leave a motor vehicle in a parking space reserved for persons with disabilities and identified by authorized signs as prescribed by subsection 115(1) of this by-law, unless a valid accessible parking permit is displayed on its dashboard or on the sun visor in accordance with the provisions of the Highway Traffic Act.

(2) The provisions respecting the placement of a valid accessible parking permit referred to in subsection (1) shall be deemed to be satisfied if a valid accessible parking permit is placed on the dashboard or on the sun visor of the motor vehicle at the request of a constable, a municipal by-law enforcement officer or a public parking area owner or operator.

(3) No owner or operator of an obligated organization shall authorize any person to park or leave a motor vehicle in a space reserved for persons with disabilities and identified by authorized signs as prescribed by subsection 115(1) of this by-law unless,

(a) the driver is a person with a disability, or a person conveying a with a disability; and

(b) a valid accessible parking permit is displayed on the dashboard or on the sun visor of said vehicle in accordance with the provisions of the Highway Traffic Act.

(4) No person, other than the person to whom it was issued or a person conveying the person to whom it was issued or a person providing transportation services for a corporation or organization to whom it was issued to provide transportation services primarily to persons with disabilities, shall use or display an accessible parking permit issued to a person with a disability

(5) Despite the other provisions of this by-law, a municipal by-law enforcement officer, a constable or an officer appointed for carrying out the provisions of Part “B” of this by-law does not require a complaint of the public parking area owner or operator to enforce the provisions of subsection (1).

(6) The appointment of municipal by-law enforcement officers to enforce Part “B” of this by-law shall be deemed to be sufficient authority to enforce the provisions of subsection (1).

(7) A displayed accessible parking permit shall not be valid when the motor vehicle in or on which it is displayed is not actually being used for the purposes of picking up or transporting a person with a disability.

Section 118 - Free access

The owner and operator of an obligated organization shall maintain unobstructed access to each parking space identified by authorized signs as prescribed by subsection 115(1) of this by-law and each space shall be kept free of snow or otherwise maintained to the same standards as all other parking spaces in the same parking facility.

Section 119 - Offences and Penalties

(1) An owner or operator of an obligated organization that contravenes any of the provisions of Sections 112 113 114 115 116 subsection 117(3) or 118 is guilty of an offence.

(2) Any person who contravenes the provisions of subsections 117(1) or 117(4) is guilty of an offence.

(3) Every person who is convicted of an offence is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33 as amended.

(4) Any person who is issued a parking infraction notice for alleged violation of subsection 117(1) hereof because a valid accessible parking permit was not displayed and who within thirty (30) days (exclusive of Saturdays and holidays) from the date of issue of the parking infraction notice obtains a valid accessible parking permit, upon presentation of the said notice and the said permit at the office of the issuer of the said notice, shall not be required to pay the penalty for the alleged violation of the provisions of the said notice