



POLICY MANUAL

POLICY NUMBER: PUBLIC WORKS-021

SUBJECT: AMENDING ON-STREET PARKING REGULATIONS

**POLICY STATEMENT:
(Purpose/Objective)**

To create municipal policy and process for considering requests for parking changes.

Policy Objectives

1. The use of public feedback to determine whether an Affected Neighbourhood agrees with the request to amend on-street parking, including parameters around what constitutes the “Affected Neighbourhood” and provision of a petition procedure that could be initiated by the public
2. Delegation of authority to staff to address amendments with respect to on-street parking where:
 - a) the results of the public feedback and the recommendation of staff align;
 - b) the recommendation of staff supports the amendment and less than 25% of the affected neighbourhood opposes the amendment; or
 - c) in the recommendation of a professional engineer, failure to invoke a parking amendment will create or permit the continuance of a public safety issue, as demonstrated by an accident history or other applicable considerations.
3. Provisions to address situations where: ambiguous response to the petition is received; where parking amendments may have impacts beyond the petition area; no decision is made (including a time-frame for decision making); and repeated requests for reconsideration, taking into consideration potential changes in circumstances.

4. Options for posting site specific parking by-law updates on the City of Brantford's website and supporting data for any proposed changes, including a chronology of repeated requests for reconsideration.

RELATED POLICY PROCEDURES/GUIDELINES:

1. Definitions

- a) Requestor – the person making the request for the parking change. A request for a parking change can be made by anyone.
- b) Household – a property with a unique mailing address. Each legal unit within a multi-dwelling location is considered a household.
- c) Affected Neighbourhood - households that will be affected by a proposed on-street parking amendment. All households fronting or flanking a local street where a parking amendment is proposed are part of the Affected Neighbourhood. Where parking amendments are proposed on a collector or an arterial road, households that rely on the corridor for passage are considered part of the Affected Neighbourhood. The Affected Neighbourhood for a collector road is generally one block of intersecting streets and may include an expanded area based on staff feedback. The Affected Neighbourhood for arterial roads is the entire city. For the purpose of a petition, staff will provide feedback on the Affected Neighbourhood.
- d) Local road – as defined in the City's Official Plan or Transportation Master Plan, whichever is more recent.
- e) Collector road – as defined in the City's Official Plan or Transportation Master Plan, whichever is more recent.
- f) Arterial road – as defined in the City's Official Plan or Transportation Master Plan, whichever is more recent.
- g) Majority – more than 50% of the households within an Affected Neighbourhood.
- h) Opposition Threshold – 25% or more of the households within the Affected Neighbourhood are against an amendment.

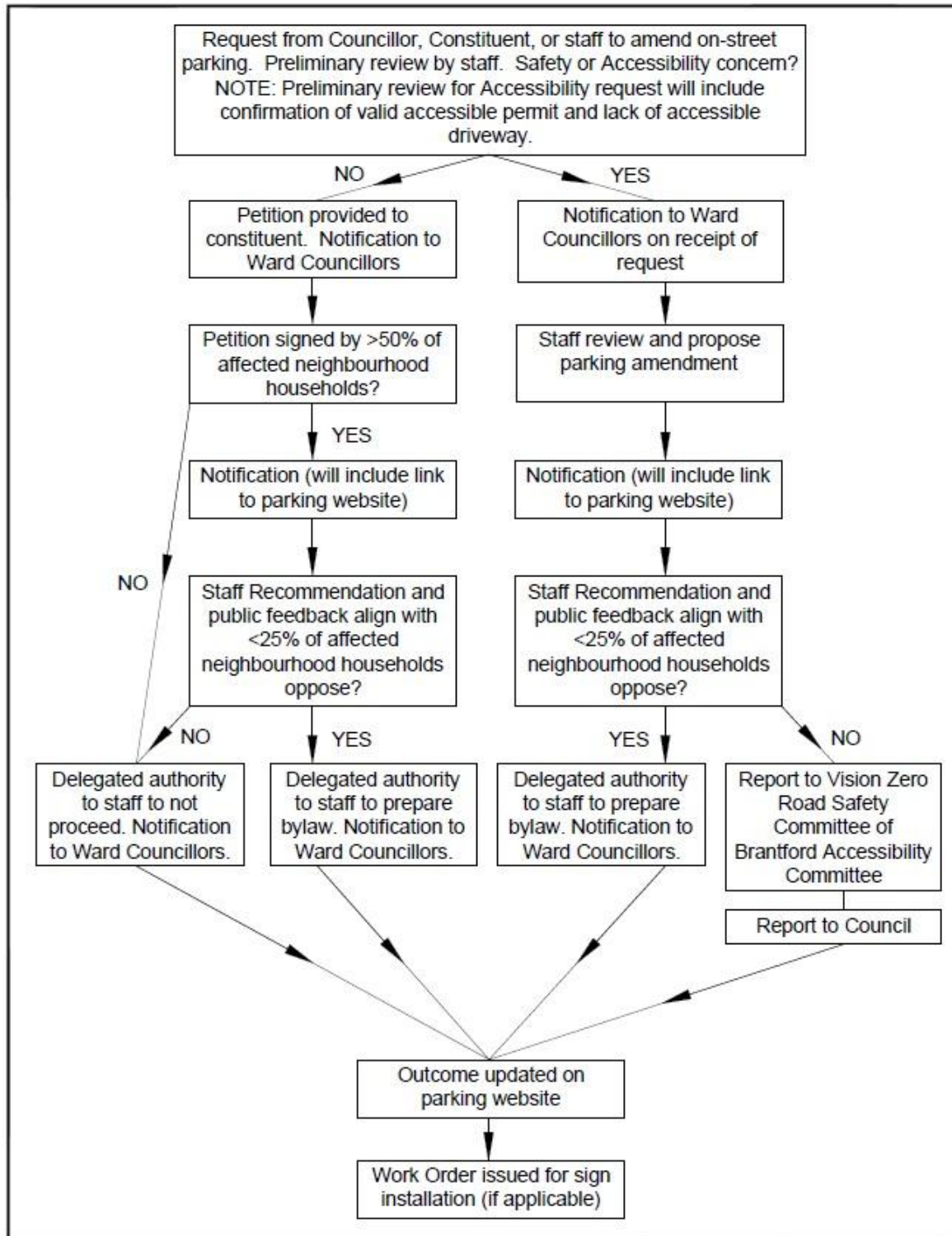
2. General Procedure

The process to amend on-street parking regulations is initiated through a request. A request may be submitted by a Councillor, constituent or staff. While anonymous requests can be made, source of the request may be required in certain circumstances to proceed forward. Based on the request, a preliminary assessment of the request will determine if safety or accessibility concerns are involved within the context of existing / requested condition. The preliminary assessment will affect the review process and what information is provided to the Ward Councillors as further explained below:

- Safety or Accessibility Concern – staff will notify Ward Councillors upon receipt of the request outlining the concern identified and requested parking control amendment (if applicable).
- Non-safety Concern – staff will assist the requestor in preparing a petition to the Affected Neighbourhood. Ward Councillors will be advised of the petition being circulated by the requestor.

The “Amending On-street Parking Work Flow” chart is illustrated in Figure 1.

Figure 1 – Amending On-street Parking Work Flow



3. Public Involvement

A petition is not required if a safety or accessibility concern is identified, and it can be resolved by amending on-street parking. Staff will undertake a comprehensive review and provide a recommendation before notifying the Affected Neighbourhood. Additional residents may be included beyond the Affected Neighbourhood at the request of a Ward Councillor. The notification will determine if the level of opposition exceeds the 25% threshold set forth by Council.

For parking amendment requests determined by staff not to be safety or accessibility related (e.g. requests for permit parking), the requestor will have the option of collecting a petition for the Affected Neighbourhood. Staff will provide assistance on the petition content and input on the Affected Neighbourhood. The Ward Councillors will be notified when a petition is provided to a constituent. The petition is a screening process to confirm majority support for the request prior to further action by staff. Petition signatures collected outside the Affected Neighbourhood are not applicable and will not be counted. Each household will be counted as one vote. A petition may be randomly audited by staff for authentication. Failure to provide verifiable contacts could nullify the petition results.

A copy of the petition form to be used for requests to amend on-street parking control is attached as Appendix "1". If majority support is not achieved through the petition process, the requested amendment will be declined. If majority support is achieved with the petition, follow-up notification will be initiated by Engineering Services. The notification will determine if the level of opposition exceeds the 25% threshold set forth by Council.

4. Website

Staff will maintain a page on the City of Brantford website to provide parking review updates to the public. The following information will be maintained on the parking webpage:

- Date of request
- Street and limits (the Affected Neighbourhood)
- On-street parking amendment requested
- Number of notices delivered and returned
- Number supported and opposed
- Summary comment

5. Delegated Authority to Staff

The following decisions will be delegated to the General Manager of Public Works or their designate to approve parking control amendments:

- a) Requests to amend on-street parking that are non-safety or accessibility related and a petition has not been received or is signed by less than 50% of the Affected Neighbourhood. Staff is authorized to decline the requested amendment without reporting to Council.
- b) Requests to amend on-street parking that are non-safety or accessibility related, a petition has been received that is signed by more than 50% of the Affected Neighbourhood, public feedback and staff recommendation align, and less than 25% of the Affected Neighbourhood oppose. Staff is authorized to approve the requested amendment and present the parking control amending by-law to Council for approval.
- c) Requests to amend on-street parking that are non-safety or accessibility related, a petition has been received that is signed by more than 50% of the Affected Neighbourhood, public feedback and staff recommendation differ or 25% or more of the Affected Neighbourhood oppose. Staff is authorized to decline the requested amendment without reporting to Council.
- d) Requests to amend on-street parking that are safety or accessibility related, public feedback and staff recommendation align, and less than 25% of the Affected Neighbourhood oppose. Staff is authorized to approve the requested amendment and present the parking control amending by-law to Council for approval.

6. Report to Advisory Committee

Where requests to amend on-street parking that are accessibility or safety related (e.g. not meeting current engineering standards), public feedback and staff recommendation differ or 25% or more of the Affected Neighbourhood oppose, staff will not have delegated authority to proceed with a parking amendment. A report to and Advisory Committee is required. Parking amendments that are accessibility related will be reported to the Brantford Accessibility Advisory Committee; parking amendments that are safety related will be reported to the Vision Zero Road Safety Committee.

7. Special Provisions

- a) Ambiguous Response – to avoid confusion, a standard petition format will be used for non-safety or accessibility related request to amend on-street parking. The form will clearly state the requested parking control amendment at the top. Those that sign the petition will therefore be considered supporting the requested parking control. If there is still uncertainty, each resident must provide their contact information on the form. Staff will attempt to contact the resident to clarify their position.

In the event that an ambiguous response is received in response to a City notification, staff will again attempt to contact the resident for clarification. Insufficient clarification will result in a discarded vote. For those residents that do not provide feedback in response to the letter circulated by Engineering Services, it will be concluded that they are indifferent with respect to the proposed on-street parking control amendment.

- b) Impacts beyond Affected Neighbourhood – it is difficult to identify parking or traffic impacts that may result from a parking control amendment because of the unpredictable nature of on-street parking demand. Impacts beyond the Affected Neighbourhood will not be initially considered, but may be identified and reviewed as part of the review and public consultation process.
- c) Timeframe for decision making – due to the number of scenarios involving public input and approvals as noted in this policy, it is difficult to have a standard timeframe for decision making. From receipt of a request to amend on-street parking to the final decision, most scenarios can be addressed within a six-month timeframe. The timeframe will vary depending on resources.
- d) Repeated Requests / Reconsideration – If an official decision has been made through delegated authority to staff or Council decision, the decision will not be eligible for another review until two (2) years. Information will also be updated on an on-street parking review website.

Date of Enactment: November 19, 2019	Related By-law Number/Staff Report Number: 177-2019/ 2019-622
Review and Amendment Dates:	Department Responsible for Review: Public Works
Date of Next Review:	Applicable Legislation/Legislative Authority:

Appendix "1"



AMENDMENT OF ON-STREET PARKING PETITION

We, the undersigned residents wish to request the amendment of on-street parking on _____ between _____ and _____
(STREET NAME) (INTERSECTING STREET NAME)

(INTERSECTING STREET NAME)

We request the following parking control amendment:

Contact Information:

Name (print): _____

Telephone: _____ E-mail: _____

Important Information:

This petition is a pre-screening process requiring majority (>50%) support before a formal notice will be distributed by Engineering Services. Your signature is not binding. The purpose of obtaining the majority (>50%) support is to confirm the general support for the request prior to a letter being issued. Only one vote from each household will be accepted. Please note that staff may randomly contact residents to confirm their support.

ONLY ONE (1) SIGNATURE PER HOUSEHOLD IS REQUIRED AND MUST BE 18 YEARS OF AGE OR OLDER

Name	Address	Phone Number	Signature

PLEASE READ AND UNDERSTAND TO PARKING PETITION STATEMENT ON PAGE #1 BEFORE SIGNING.

Name	Address	Phone Number	Signature

PRIVACY DISCLOSURE:

The personal information being collected by Engineering Services under authority of Section 10(1) of the Municipal Act S.O. 2004 c25 on this questionnaire will be used only for the purpose of the parking control review and will be protected under the Municipal Freedom of Information and Privacy Act. The information collected on this questionnaire may be included in a public document.