



The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Tuesday, October 20, 2015
Council Chambers, City Hall, 6:30 PM

His Worship Mayor Walter Sendzik takes the Chair and opens the meeting

Page

1. Presentations

2. Public Meetings Pursuant to Planning Act

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2.1 Planning and Building Services, Planning Services
City Initiated Application to Amend Zoning By-law 2013-283 – Updates
to Accessible Parking Requirements to Implement Province-wide
Standards

3. Opening Remarks, Mayor Walter Sendzik

4. Adoption of the Agendas

5. Declarations of Interest

6. Adoption of the Minutes (Council and General Committee)

6.1 [Regular Meeting of Council, October 5, 2015](#)

6.2 [General Committee Minutes, October 5, 2015](#)

6.3 [Special Meeting of Council, Vicious Dog Hearing, October 13, 2015](#)

7. Delegations

8. Call for Notices of Motion

9. Motions

9.1 **Appointment to Green Advisory Committee to Fill Vacancy**
That Council approve the recommendation of the Environmental
Sustainability Committee at its September 23, 2015 meeting and appoint
John Stevens to the vacancy on the Green Advisory Committee.
FORTHWITH

10. Resolve into General Committee

11. Motion Arising from In-Camera Session

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12. Motion to Ratify Forthwith Recommendations

13. By-laws

13.1 Reading of By-laws

14. Agencies, Boards, Committee Reports

14.1 Minutes to Receive:

- Environmental Sustainability Committee (Pillar), [September 23, 2015](#)
- Social Sustainability Committee (Pillar), [September 29, 2015](#)

15. Adjournment



CITY OF
ST. CATHARINES

Corporate Report

Report from Planning and Building Services, Planning Services

Date of Report: September 25, 2015 **Date of Meeting:** October 20, 2015

Report Number: PBS-285-2015 **File:** 60.35.1, 77.34.5

Subject: City Initiated Application to Amend Zoning By-law 2013-283 – Updates to Accessible Parking Requirements to Implement Province-wide Standards

Recommendation

That Council approve an amendment to Zoning By-law 2013-283, as follows:

1. That Section 3.7 of By-law No.2013-283 is hereby amended by amending the size of an Accessible Parking Space as follows:

	Min. Width (m)	Min. Depth (m)	Conditions
Accessible Space	3.4	5.2	1.5m hatched access aisle shall be provided
Two (2) Accessible Spaces Side by Side	3.4 ea.	5.2	1.5m hatched access aisle shall be provided between accessible spaces

2. That Section 3.8 of By-law No.2013-283 is hereby removed and replaced with the following:

Number of Required Standard Parking Spaces	Number of Accessible Parking Spaces
1-12	1
13-100	4% of the required parking
101-200	3% + 1 parking space
201-1000	2% + 2 parking spaces
1001 -1099	1% + 11 parking spaces
1100	2% of the total required parking

3.8.1 Accessible Parking Exemption

When fronting onto a public road, or located within a private road development, the following uses shall be exempt from providing accessible parking:

- Dwelling, Detached
- Dwelling, Semi-detached
- Dwelling, Duplex
- Dwelling, Triplex
- Dwelling, Fourplex
- Dwelling, Quadruplex
- Townhouse

That the City Solicitor be directed to prepare the necessary by-law; and

That the Mayor and City Clerk be authorized to execute the necessary by-law to give effect to Council's decisions; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That upon expiration of the appeal period, staff be directed to forward an application to the Ontario Municipal Board for approval of the official plan amendment and zoning by-law amendment, if any appeals are received; and

Further, that the Clerk be directed to make all necessary notifications. FORTHWITH

Summary

The City of St. Catharines works to continuously improve accessibility for its residents. Updates to the City's accessible parking standards set out in Zoning By-law 2013-283 are necessary to implement Province-wide minimum standards, which are legislated under The Accessibility for Ontarians with Disabilities Act.

Background

The Accessibility for Ontarians with Disabilities Act (AODA) is Provincial legislation aimed at ensuring that all Ontarians have fair and equitable access to programs and services and improving opportunities for persons with disabilities. Various regulations have been passed under the AODA, including Ontario Regulation (O. Reg.) 191/11, The Integrated Accessibility Standards Regulation (IASR). The IASR is intended to remove barriers in three different areas: transportation, employment, and information and communications.

The IASR was recently amended by O. Reg. 413/12, The Accessibility Standards for the Design of Public Spaces. This amendment includes new requirements for accessible parking, some of which must be implemented by all Ontario municipalities through their respective policies beginning January 1, 2016.

On April 14, 2014, Council moved to amend the City's Accessibility Standard Regulation Policy to include The Accessibility Standards for the Design of Public Spaces (O. Reg. 413/12).

On June 8, 2015, Council directed staff to amend Zoning By-law 2013-283 so that it is in keeping with the Province-wide minimum accessible parking standards set out in O. Reg. 413/12, The Accessibility for the Design of Public Spaces Standard.

Report

Accessibility for Ontarians with Disabilities Act (AODA)

Design Criteria for Accessible Parking Spaces

Ontario Regulation 413/12 provides that two types of accessible parking spaces be provided in off-street parking facilities for use by the public. One type (Type A) is larger than the other at 3.4 metres wide, and intended for those people who use mobility devices and need more space for the deployment of ramps. The second type (Type B) is smaller, 2.4 metres wide, and is intended for people who use canes, crutches or walkers and do not need extra loading space for ramps. Both types of accessible parking spaces must include an additional 1.5 metre-wide loading space. Zoning By-law 2013-283 provides for accessible parking spaces to be 5.2 metres wide by 5.2 metres deep. If two accessible spaces are located side by side they are permitted to be 2.6 m wide with a shared 2.6 m wide aisle. The 5.2 metres wide space is larger than the new standards set out in O. Reg. 413/12.

Quantity of Parking Spaces

The Regulation also provides for a minimum number of each type of accessible parking space to be provided, at a higher ratio than what the City's Zoning By-law currently requires. The intent of the increase in accessible parking supply is to address Statistics Canada's population growth forecasts and a projected increase in the number of accessible parking permit holders in Ontario. The number of spaces required by Ontario Regulation 413/12 is outlined in the table below:

Total number of parking spaces in parking facility for public use	Total number of accessible parking spaces required	Type A spaces	Type B spaces
1-12	1	1	0
13-100	4%	<ul style="list-style-type: none"> For lots with an even number of accessible parking spaces – provide an equal number of Type A and Type B spaces. For lots with an odd number of total accessible parking spaces – provide an equal number of Type A and Type B spaces. The additional space may be a Type B space. 	
101-200	3% + 1		
201-1000	2% + 2		
1001 +	1% + 11		

Provincial Policy Context

Section 1.0 of the Provincial Policy Statement (PPS) contains policies to build strong, healthy communities and notes that efficient development supports sustainability by promoting strong, livable, healthy and resilient communities and protecting public health and safety. Section 1.1.1(f) of the PPS States that “Healthy, livable and safe communities are sustained by improving accessibility for persons with disabilities and older persons by identifying, preventing, and removing land use barriers which restrict full participation in society”.

The provision of accessible parking standards which comply with provincial legislation (Ontario Regulation 413/12) will assist the municipality in achieving these goals.

Regional Official Plan

Policy 10.C.2.3.2 of the Regional Official Plan emphasizes the importance of facility design in accordance with the Accessibility for Ontarians with Disabilities Act and other applicable Provincial legislation.

The inclusion of Accessibility for Ontarians with Disabilities Act (AODA) compliant standards will ensure socially inclusive public spaces across the City. AODA compliant infrastructure should be a noted requirement for any publically accessible space within the Region.

Official Plan

Section 4.6 of the Garden City Plan addresses Universal Access. Universal Access means providing a broad range of users with varying needs the opportunity to move through the City independently with as few obstacles as possible. Amongst other requirements, Section 4.6.3 GCP requires that barrier-free features, including requirements for accessible parking spaces be integrated within the functional and aesthetic design. Amending the Zoning By-law to comply with Ontario Regulation 413/12 will assist the City in achieving these goals.

Existing Zoning

The City's Zoning By-law 2013-283 includes requirements for the provision of off-street accessible parking, including design criteria for accessible parking spaces and the number of accessible parking spaces to be provided.

Design Criteria for Accessible Parking Spaces

Zoning By-law 2013-283 currently requires that an accessible space be 5.2m wide by 5.2m long. If two accessible spaces are located side by side, they are permitted to be 2.6m wide with a shared 2.6m aisle. These dimensions are illustrated in Appendix 1.

Parking Space Quantity

Zoning By-law 2013-283 requires that accessible parking spaces be provided in accordance with the chart in Appendix 2.

Exemptions to the By-law provide that any parking area with 5 or fewer required parking spaces, or any private road development is exempt from providing accessible parking.

Proposed Zoning

The City has, on occasion, revised its accessible parking standards to be in keeping with industry standards. The minimum standards established under the AODA are legislated and, therefore, the City is obligated to amend its policies to implement the standards.

Design Criteria for Accessible Parking Spaces

Ontario Regulation 413/12 provides that two types of accessible parking spaces be provided in off-street parking facilities for use by the public. One type (Type A) is larger than the other at 3.4 metres wide, and intended for those people who use mobility devices and need more space for the deployment of ramps. The second type (Type B) is smaller: 2.4 metres wide, and is intended for people who use canes, crutches or walkers and do not need extra loading space for ramps. Both types of accessible parking spaces must include an additional 1.5 metre-wide loading space. An individual with an Accessible Parking Permit would be permitted to park in either space.

Staff recommend that the Zoning By-law require all Accessible Parking spaces to comply with the Type A requirements. While the new standards allows for half the spaces to be a minimum of 2.4 metres in width, staff are hesitant to use this dimension standard because it is smaller than the minimum width of a standard city parking stall (2.6 metres). Having a consistent 3.4 metre wide space will accommodate all accessible parking needs. The larger spaces provide greater flexibility to the user of the parking space, while also providing for simplicity in the understanding and enforcement of the By-law requirements. Staff recommend that Section 3.7 of By-law No. 2013-283 be amended by changing the size of an Accessible Parking Space as follows:

	Min. Width (m)	Min. Depth (m)	Conditions
Accessible Space	3.4	5.2	1.5m hatched access aisle shall be provided
Two (2) Accessible Spaces Side by Side	3.4 ea.	5.2	1.5m hatched access aisle shall be provided between accessible spaces

These dimensions are illustrated in Appendix 1.

Quantity of Parking Spaces

The requirements for Accessible Parking as set out in Ontario Regulation 413/12 are generally consistent with existing City requirements with the most substantial difference being that Ontario Regulation 413/12 requires that an Accessible Parking Space be provided as soon as the zoning by-law requires one parking space for public use. The current Zoning By-law exempts uses with less than 5 required parking spaces from accessible parking requirements.

Staff are recommending that Section 3.3 of By-law No.2013-283 be removed and replaced with the requirements in Ontario Regulation 413-12. Staff are recommending one change to these requirements. The current Zoning By-law requires that where more than 500 spaces are required, accessible space be provided at a rate of 2%. In order to ensure that there is no net reduction in the provision of accessible parking spaces in larger parking lots, staff are recommending that when more than 1100 spaces are required, accessible parking be required at a rate of 2%. This provision will ensure no reductions in the number of accessible spaces required and address concerns from the City's Accessibility Advisory Committee who have consistently noted shortages of accessible parking spaces in larger parking lots.

Number of Required Standard Parking Spaces	Number of Accessible Parking Spaces
1-12	1
13-100	4% of the required parking
101-200	3% + 1 parking spaces
201-1000	2% + 2 parking spaces
1001 -1099	1% + 11 parking spaces
1100	2% of the total required parking

Exemptions from Accessible Parking Requirements

Within Ontario Regulation 413/12, exemptions for Accessible Parking are intended to accommodate uses where parking is provided for individual residents only. Ontario Regulation 413/12 does not require that parking provided for the exclusive use of a resident have an accessible component.

Staff are recommending that detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings fronting onto a public road, or within a private road development be exempt from the provision of accessible parking.

Circulation Comments

The application for the Zoning By-law amendment was circulated to all appropriate departments and outside agencies for their comments and requirements. There were no objections received. The Traffic Division of Transportation and Environmental Services was involved throughout the review of the amendment and is in support of the recommended amendment.

St. Catharines Accessibility Advisory Committee

On September 23, 2015, staff from Planning and Building Services and the Traffic Division of Transportation and Environmental Services met with the City's Accessibility Advisory Committee (AAC) to present the proposed amendments.

Members were supportive of the proposed amendments. Members noted that staff recommendation to require only Type A spaces would improve accessibility beyond the minimum requirements of Ontario Regulation 413/12. Members were adamant that they did not want to see any reductions in the number of required accessible parking spaces.

The AAC unanimously passed a motion in support of the proposed amendment.

Niagara Region – Planning and Development Services

The Niagara Region advised that as the amendment is to comply with Provincial legislation, Regional staff offer no objections from a Provincial or Regional perspective.

Open House

A public open house was hosted by Planning and Building Services staff on August 18, 2015. The purpose of the open house was to present the proposal and allow for an opportunity for questions to be asked and comments to be received by City staff before Council considers these applications. There were three (3) persons in attendance. Those in attendance were generally supportive of the proposal. Comments and questions received at the Open House and through questions over the telephone are summarized as follows:

Comment: A 1.8m wide access aisle adjacent to the accessible parking space should be implemented, rather than the recommended 1.5 metre wide access aisle. This standard would comply with FADS requirements.

Response: The 1.5m access aisle is located adjacent to an accessible parking space to aid in maneuvering to and from an accessible space. The 1.8m access aisle is identified in the Facility Accessibility Design Standards (FADS) and an appropriate width to accommodate two-way traffic, which is not anticipated or necessary for this location. A 1.5m access aisle, combined with a larger parking space, provides sufficient space for users to safely access parked vehicles.

Comment: The amendment should not reduce the number of accessible parking spaces provided.

Response: The proposed requirements for Accessible Parking are generally consistent with existing City requirements with the most substantial difference being that Ontario Regulation 413/12 requires that an Accessible Parking Space be provided as soon as the zoning by-law requires one space for public use.

Public Notice

In accordance with established procedures, notices for the public meeting have been circulated.

Second Planning Opinion Advisory

Should Council consider not supporting the staff Recommendation provided in this report, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained.

In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Ontario Municipal Board, then the planner who has provided the second opinion shall be retained for the purpose of a hearing before the Ontario Municipal Board.

Financial Implications

Not Applicable

Relationship to Strategic Plan

Social sustainability objectives will be enhanced/achieved through:

- The implementation of Accessible Parking standards will improve the accessibility of new developments, creating an accessible, inclusive community.

Conclusion

The City of St. Catharines works to continuously improve accessibility for its residents. Updates to the City's accessible parking standards set out in Zoning By-law 2013-283 are necessary to implement Province-wide minimum standards, which are legislated under The Accessibility for Ontarians with Disabilities Act.

Prepared by:

Jessica Button, MCIP, RPP, Planner I

Submitted by:

Judy Pihach, MCIP, RPP, Manager, Planning Services

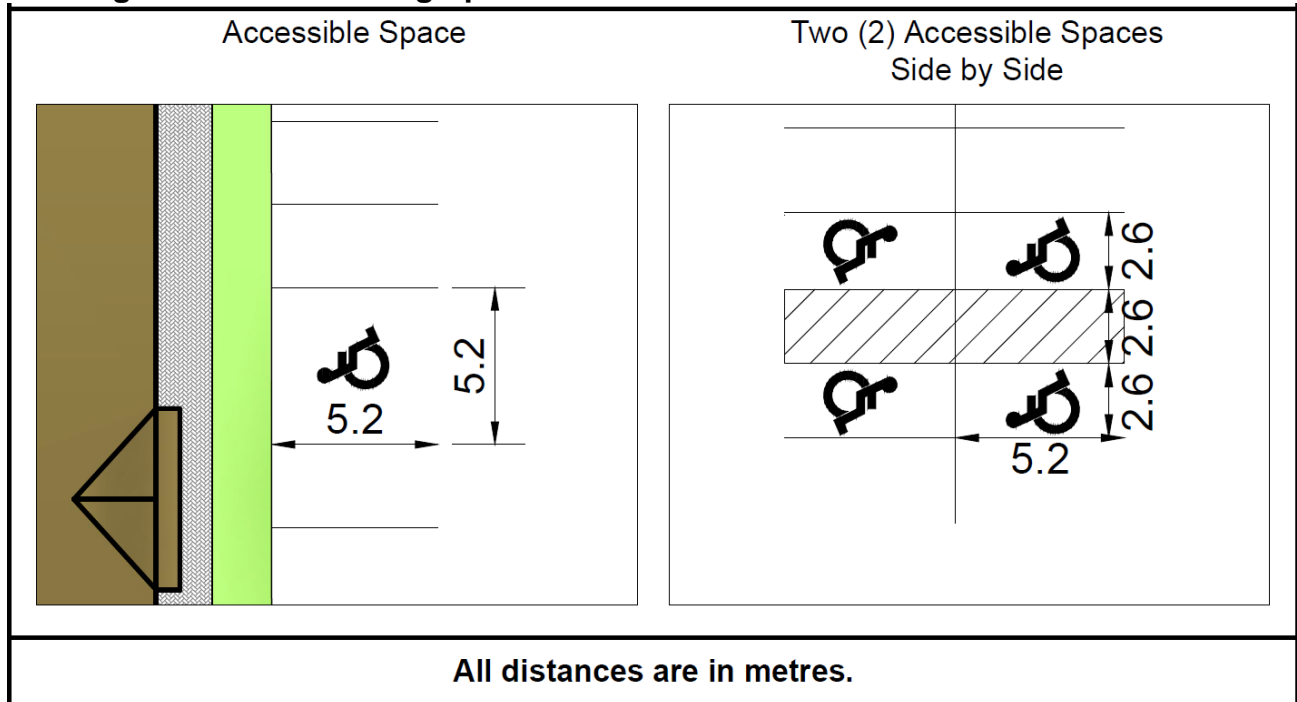
Approved by:

James N. Riddell, MPI, MCIP, RPP, Director, Planning and Building Services

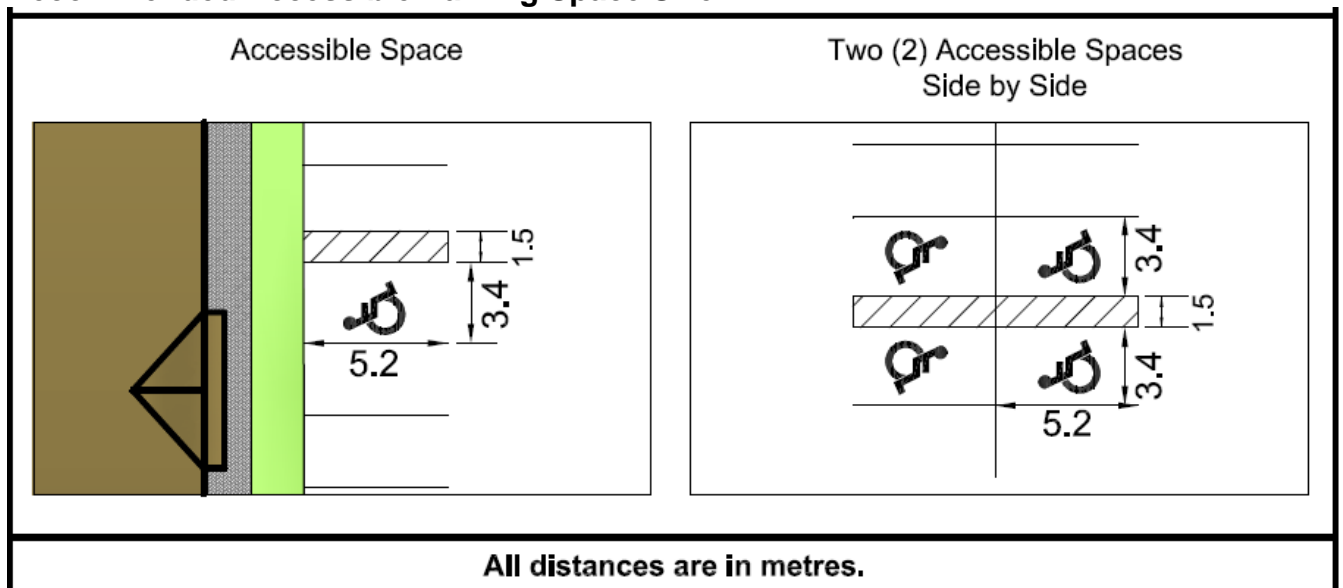
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Design Criteria for Accessible Parking Spaces

Existing Accessible Parking Space Size



Recommended Accessible Parking Space Size



2

Quantity of Accessible Parking Spaces

Existing Accessible Parking Space Requirements

Accessible parking spaces shall be provided at the following rate:

Number of Required Standard Parking Spaces	Number of Accessible Parking Spaces	Number of Required Standard Parking Spaces	Number of Accessible Parking Spaces
6 – 25	1	151 – 200	6
26 – 50	2	201 – 300	7
51 – 75	3	301 – 400	8
76 – 100	4	401 – 500	9
101 -150	5	501 and over	2% of the required parking

Accessible Parking Exemption

Any parking area with 5 or fewer required parking spaces, or any private road development is exempt from providing accessible parking.

Recommended Accessible Parking Space Requirements

Accessible parking spaces shall be provided at the following rate:

Number of Required Standard Parking Spaces	Number of Accessible Parking Spaces
1-12	1
13-100	4% of the required parking
101-200	3% + 1 parking space
201-1000	2% + 2 parking space
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Accessible Parking Exemption

When fronting onto a public road, or located within a private road development, the following uses shall be exempt from providing accessible parking:

- Dwelling, Detached
- Dwelling, Semi-detached
- Dwelling, Duplex
- Dwelling, Triplex
- Dwelling, Fourplex
- Dwelling, Quadruplex
- Townhouse



By-laws to be considered Monday, October 20, 2015

- a) A By-law to authorize a Servicing Agreement with The Beaches at Port Inc. (One reading – with respect to development at 6 & 10 Dalhousie Avenue. Delegation By-law No. 2004-277, as amended.)
- (b) A By-law to amend By-law No. 2013-283 entitled “A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St. Catharines.” (One reading – with respect to updating the City’s accessible parking standards to implement Province-wide minimum standards. To be considered by General Committee, October 20, 2015.)
- (c) A By-law to confirm the proceedings of council at its meeting held on the 20th day of October, 2015. (One reading – with respect to ratification and adoption of City Council Minutes of October 20, 2015 and General Committee Minutes of October 20, 2015, and Special Shareholder meetings of St. Catharines Hydro Inc. held on October 5, 2015 and October 20, 2015.)