

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2021 March 02

FROM: DIRECTOR ENGINEERING **FILE:** 38100-08
Ref: Resident Parking Only

SUBJECT: RESIDENT PERMIT PARKING PROGRAM

PURPOSE: To propose amendments to the *Street and Traffic Bylaw, Engineering Fees Bylaw* and *Bylaw Notice Enforcement Bylaw* to implement a resident permit parking program.

RECOMMENDATIONS:

1. **THAT** Council authorize the implementation of a resident permit parking program as outlined in the report.
2. **THAT** Council authorize the City Solicitor to prepare the necessary amendments to the Street and Traffic Bylaw, Engineering Fees Bylaw, and the Bylaw Notice Enforcement Bylaw for the proposed resident permit parking program, as outlined in section 3.0 of the report.

REPORT**1.0 INTRODUCTION**

In the Fall of 2019 Council approved policies and guidelines for the creation of resident permit parking (RPP) program in single family neighbourhoods and instructed staff to undertake the necessary steps to further develop and implement the program. The approved policies and guidelines included the following:

- For use in single family residential streets only. Multiple dwellings along a block can generate parking demands in excess of available street parking spaces and therefore should be avoided.
- Eligible streets should have a clearly identifiable parking problem such as high parking occupancies in excess of 50% from an external source occurring on a regular basis.
- More than 50% of residents/property owners along the block must show general support for RPP regulations before staff initiates and develops a detailed parking plan for residents/property owners to consider.
- More than 50% of residents/property owners must support the proposed detailed plan in order for it to be implemented.

- Parking spaces for visitors (non-residents) must be provided along the block at all times in the range of 30-50% of all spaces. This would include regulations such as 2 hour time limits except with permit.
- A permit service fee of \$40 per year to help offset the cost of administration and ensure permits are only obtained if required.
- Residents will be required to provide information each year to verify their home address and vehicle information prior to obtaining a permit.
- A limit of 2 permits per household to ensure that no one household monopolizes the supply of street parking spaces and to encourage the use of available off-street parking spaces.
- Provision for temporary permits for up to 1 month at an additional cost of \$10 to accommodate out of town visitors, house sitters, contractors and other similar needs.

POLICY SECTION

Parking management is aligned with the City of Burnaby's Corporate Strategic Plan by supporting the following goals and sub-goals of the Plan.

Goal

- An Inclusive Community
 - Serve a diverse community – Ensure City services fully meet the needs of our dynamic community
- A Dynamic Community
 - City facilities and infrastructure – Build and maintain infrastructure that meets the needs of our growing community
- A Thriving Organization
 - Organizational culture – Ensure that our core values are reflected in our policies, programs and service delivery
 - Financial viability – Maintain a financially sustainable City for the provision, renewal and enhancement of City services, facilities and assets

2.0 DISCUSSION

Following Council approval of the policies and guidelines for resident permit parking, staff undertook consultation in three areas: Brentwood North east of Willingdon Avenue, Brentwood North west of Willingdon Avenue, and the 6800 - 7100 block Jubilee Avenue. These areas were selected because of complaints and an identifiable parking problem. Letters were delivered to all three areas outlining the opportunity for and seeking their interest in having RPP regulations along their street. Less than 50% of all residents/property owners expressed an interest in both Brentwood North areas. Therefore they were not considered any further.

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A majority of residents/property owners along the 6800 - 7100 block Jubilee Avenue expressed an interest in RPP regulations along their street. Therefore staff developed a detailed parking plan (see Appendix A) and mailed out a follow-up questionnaire to gauge their support for the plan. The survey showed that the majority of respondents (75%) were in support of the plan. This majority also represented the majority (54%) of all properties along the block, thus meeting the requirements for implementation. Some comments received from respondents include the desire for a non-permit system, no fee for the permits, and unregulated visitor passes. These were considered and not recommended because of the inability to effectively enforce the regulations and the potential for misuse of permits or passes.

Given the interest of the owners of the 6800 - 7100 block Jubilee Avenue, it is recommended general authorization be given to the Director Engineering under the *Street and Traffic Bylaw* to establish a RPP program that can be put in place in different parts of the City over time, as necessary. Prior to implementation, several bylaw amendments to the *Street and Traffic Bylaw*, *Engineering Fees Bylaw* and *Bylaw Notice Enforcement Bylaw* are required to allow for the establishment of a RPP program and imposition of permit fees and penalties for non-compliance, consistent with the policies and guidelines approved by Council in Fall 2019. Additional program details are provided below for clarification and Council approval:

1. The *Street and Traffic Bylaw* will authorize the Director Engineering to establish a RPP program, including any associated terms and conditions, and review, implement and administer all future RPP zones. The Director Engineering will determine future RPP zones based on the policies and guidelines approved by Council in Fall 2019 (see above), as these may be amended over time. The delegation of authority to the Director Engineering means that Council will not be required to approve each new RPP zone.
2. The *Street and Traffic Bylaw* will include requirements and prohibitions in respect to the RPP program, so that non-compliance can be enforced by way of the *Bylaw Notice Enforcement Bylaw*.
3. The 6800 - 7100 block of Jubilee will be the first of other RPP zones that will be created under the new RPP program over time in order to address significant parking complaints and identifiable parking problems in a residential neighbourhood.
4. There are two existing permit parking zones near Burnaby Hospital for multiple dwelling units located on the 3800 block of Sunset Street and on the 3900 block of Smith Avenue. These permit parking zones were established 22 years ago and will be retained and grandfathered into the new program. The administration of these existing permit areas will be harmonized with the new RPP program. The main difference will be an increase in permit cost from \$20 per year to \$40. In addition, new temporary visitor parking permits will be available for a \$10 fee. This increased permit fee will apply when the residents renew their permits again beginning in November 2021. The current annual permit fee of \$20 has been

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unchanged for over 10 years. The rate increase is recommended to help recover the cost of administration and to be consistent with the new RPP program. Approximately 80 permits are issued annually for the two existing permit parking zones near Burnaby Hospital.

5. The proposed fees will be added to the *Engineering Fees Bylaw* so that the RPP annual and visitor permit fees can be reviewed regularly. Further, in order to ensure effective enforcement, additional penalties for non-compliance are proposed to be added to the *Bylaw Notice Enforcement Bylaw*. See Section 3.0 below for the recommended bylaw amendments.

3.0 BYLAW AMENDMENTS

Street and Traffic Bylaw

In order to implement the RPP program as described above, it is recommended the following definitions and provisions be added to the *Street and Traffic Bylaw*.

Section 2(2): It is proposed that definitions for “Resident Parking Permit”, “Resident Parking Zone” and “Resident Visitor Permit” be added with wording the same or similar to the following:

“Resident Parking Permit” means a parking permit, issued in accordance with section 18A of this bylaw, for the parking of a vehicle in a Resident Parking Zone

“Resident Parking Zone” means a part of a street designated by the Engineer, pursuant to section 18A of this bylaw, for the parking of vehicles that display a Resident Parking Permit or Resident Visitor Permit

“Resident Visitor Permit” means a parking permit, issued in accordance with section 18A of this bylaw that allows a guest of a person issued a Resident Parking Permit to park in a Resident Parking Zone

New Section 18A: It is proposed that a new section 18A be added, with wording the same or similar to the following, to authorize the Director Engineering to establish a RPP program, implement RPP zones and set out restrictions with respect to parking in RPP zones:

18A. (1) The Engineer is hereby authorized and empowered to:

- (a) designate one or more Resident Parking Zones in residential areas within the City;
- (b) establish terms and conditions applicable to a Resident Parking Zone, which may be different for each Resident Parking Zone;

- (c) establish the application form and documentation requirements for Resident Parking Permits and Resident Visitor Permits;
 - (d) impose terms and conditions applicable to Resident Parking Permits and Resident Visitor Permits, which may be different for each Resident Parking Zone; and
 - (e) issue, rescind, amend, revoke, suspend and cancel a Resident Parking Permit and Resident Visitor Permit.
- (2) An application for a Resident Parking Permit or Resident Visitor Permit must be accompanied by the applicable permit fee set out in the Burnaby Engineering Fees Bylaw.
- (3) A Resident Parking Permit is valid for one (1) year from the date of issuance and a Resident Visitor Permit is valid for up to one (1) month from the date of issuance.
- (4) No more than two (2) Resident Parking Permits may be issued for each dwelling unit immediately adjacent to a Resident Parking Zone.
- (5) No person issued a Resident Parking Permit shall sell, transfer or allow the use of the Resident Parking Permit by any other person.
- (6) No person issued a Resident Visitor Permit shall sell or transfer the Resident Visitor Permit to another person.
- (7) No person shall use a Resident Parking Permit or Resident Visitor Permit except in accordance with this bylaw and the terms and conditions established by the Engineer for such permit and the Resident Parking Zone.
- (8) Except as set out on a traffic control device, no person shall park a vehicle in a Resident Parking Zone that does not display a valid Resident Parking Permit or Resident Visitor Permit in the manner required by the Engineer.
- (9) Section 13(6) of this bylaw does not apply to a vehicle parked in a Resident Parking Zone while displaying a valid Resident Parking Permit or Resident Visitor Permit.

Engineering Fees Bylaw

The fees for a Resident Parking Permit and Resident Visitor Permit are proposed to be \$40 and \$10, respectively. In order to ensure regular review of these fees, it is recommended that the fees be added to Schedule E of the *Engineering Fees Bylaw* as follows:

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RESIDENT PARKING ZONE FEES	
Section 18A	
▪ Fees	
Resident Parking Permit (valid for one year)	\$40 each
Resident Visitor Permit (valid for one month)	\$10 each

Bylaw Notice Enforcement Bylaw

Non-compliance with the *Street and Traffic Bylaw* is currently enforced by way of penalties under the *Bylaw Notice Enforcement Bylaw*. It is proposed that the *Bylaw Notice Enforcement Bylaw* be amended to add the following penalties for non-compliance with the RPP program provisions under the new section 18A of the *Street and Traffic Bylaw*:

	<i>Burnaby Street and Traffic Bylaw 1961</i>			
Bylaw Section		Penalty Amount	Discounted Penalty (within 15 days)	Compliance Agreement Available (50% reduction)
18A(5)	Selling, transferring or allowing another person to use Resident Parking Permit	80	64	NO
18A(6)	Selling or transferring Resident Visitor Permit	80	64	NO
18A(7)	Using Resident Parking Permit or Resident Visitor Permit contrary to bylaw or terms and conditions	80	64	NO
18A(8)	Parked in Resident Parking Zone without displaying valid permit	80	64	NO

”

The above penalties are consistent with other penalties for violations of parking restrictions under the *Street and Traffic Bylaw*. For repeated violations, the Director Engineering will have authority under proposed section 18(A)(1) of the bylaw to rescind, amend, revoke, suspend or cancel a Resident Parking Permit or Resident Visitor Permit.

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4.0 CONCLUSIONS

The establishment of a RPP program consistent with guidelines and policies approved by Council is recommended. The *Street and Traffic Bylaw*, *Engineering Fees Bylaw* and *Bylaw Notice Enforcement Bylaw* will need to be amended in order to implement the program. The proposed bylaw amendments will delegate to the Director Engineering the authority to establish RPP zone(s) and associated permits and requirements, impose a \$40 annual fee for Resident Parking Permits and \$10 fee for temporary Resident Visitor Permits, and establish penalties for non-compliance with RPP restrictions, terms and conditions. Following Council adoption of the amendment bylaws and finalization of internal administrative processes, the RPP program will start with the 6800 - 7100 block Jubilee Avenue and two existing permit areas near Burnaby Hospital. It is anticipated that the RPP zones in these areas will be implemented by this summer. The Director Engineering will designate future RPP zones, as necessary, on the basis of the Council approved guidelines and policies for the RPP program.



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Copied to: Director Finance
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Appendix A

