RECOMMENDATION TO COUNCIL:

That By-Law 24, “A by-law for regulating traffic in the highways of the City of Kingston, subject to the provisions of the Highway Traffic Act”, and By-Law 495 “Parking Meters” and By-Law 81-218 “Disabled Parking” be amended to reflect the re-location of selected truck loading zones, and further, to remove references to 2 truck loading zones no longer in existence, convert one underutilized truck loading zone to metered parking, and create one 5 minute zone.

ORIGIN/PURPOSE:

With the installation of Pay and Display parking meters, curbside parking configurations need to be updated. This is an initial report to Council to move Truck Loading and 5-minute zones to more appropriate locations. Also, there are two truck loading zones that are no longer in existence and therefore should be removed from the by-law as well as one truck loading zone on a residential block which could be better utilized as metered parking. Another report will follow in the coming months to consolidate and harmonize these zones.

OPTIONS/DISCUSSION:

Based on a recommendation from BA Group Transportation Consultants, contracted to consult the Parking Advisory Committee, the optimum location for a truck loading zone is at either the beginning or end of a block. This ensures best utilization of the curbside parking space, while providing optimal entry/exit capabilities for trucks.

Currently, many of these zones (attached as By-Law Amendments) are located in the middle of the block, which breaks up the Pay and Display parking zone and is confusing to parkers.

This concept has been reviewed with the Traffic Supervisor (Engineering Division), Downtown Kingston BIA, and the Parking Advisory Committee.

It is recognized that the implementation of the Downtown Action Plan (DAP) may alter the on-street parking configurations. However, it is also recognized that it is important to implement these relocations until the DAP is implemented.
There are several types of truck loading and 5 minute pick up zones, and another report will follow in the coming months to consolidate and harmonize these zones.

EXISTING POLICY/BY-LAW:
- By-Law 24 (Parking)
- By-Law 495 (Metered Parking)
- By-Law 81-218 (Disabled Parking)

LINK TO STRATEGIC PLAN:
N/A

FINANCIAL CONSIDERATIONS:
Minor cost incurred to relocate signage.

CONTACTS:
- Paula Nichols, Manager, Parking Services, 546-4291, ext. 1279
- Greg McLean, Supervisor, Parking Enforcement, 546-4291, ext. 1336

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
- Engineering Services – Traffic Supervisor
- Kingston Transit
- Downtown Kingston BIA
- Parking Advisory Committee

NOTICE PROVISIONS:
N/A

APPENDICES:
By-Law amendments
BY-LAW NO. 

A BY-LAW TO AMEND BY-LAW NO. 24

PASSED:

The Council of The Corporation of the City of Kingston enacts as follows:

By-law 24, entitled "A by-law for regulating traffic in the highways of the City of Kingston, subject to the provisions of the Highway Traffic Act", as amended, is hereby further amended, as follows:

Section 19

The following areas are hereby designated as NON-PARKING areas and no vehicle shall be parked at any time within the area herein after set out:

Delete:

<table>
<thead>
<tr>
<th>KING STREET</th>
<th>West Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>Princess northerly 184 feet</td>
<td></td>
</tr>
</tbody>
</table>

(By-Law No. 92-282 - 1966)

Add:

<table>
<thead>
<tr>
<th>KING STREET</th>
<th>West Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>From Princess northerly 27.4 metres</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>KING STREET</th>
<th>West Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>From 39.3 metres north of Princess to 60.4 metres north of Princess</td>
<td></td>
</tr>
</tbody>
</table>

Section 27(a)

Notwithstanding the hours set forth in the foregoing Section 27, the hours for the loading or unloading of trucks or station wagons having a carter's license using the Loading Zones listed below shall be as follows:

Delete:

<table>
<thead>
<tr>
<th>GARRETT STREET North Side:</th>
<th>Hours: 8:00 a.m. to 6:00 p.m.</th>
</tr>
</thead>
<tbody>
<tr>
<td>commencing at a point 95 feet west of the north-west curb of Division and continuing for a distance of 20 feet in a westerly direction</td>
<td></td>
</tr>
</tbody>
</table>

(By-Law No. 88-134 - 1988)

<table>
<thead>
<tr>
<th>BAGOT STREET, East Side:</th>
<th>Hours: 8:00 a.m. to 1:00 p.m., Monday to Friday inclusive</th>
</tr>
</thead>
<tbody>
<tr>
<td>between Earl and William commencing at a point 30 feet North of Earl and continuing for a distance of 40 feet in a Northerly direction</td>
<td></td>
</tr>
</tbody>
</table>

(By-Law No. 88-134 - 1988)
<table>
<thead>
<tr>
<th>Clause, Report No. 2004</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BAGOT STREET, East Side:</strong></td>
</tr>
<tr>
<td>between William and Earl commencing at a point 27 feet South of William and continuing for a distance of 47 feet in a southerly direction</td>
</tr>
<tr>
<td><strong>MARKET STREET, North Side:</strong></td>
</tr>
<tr>
<td>between King and Ontario commencing at a point 173 feet east of King and continuing for a distance of 18 feet in an easterly direction</td>
</tr>
<tr>
<td><strong>BROCK STREET, North Side:</strong></td>
</tr>
<tr>
<td>between King and Wellington commencing at a point 157 feet west of the north-west curb of King and continuing for a distance of</td>
</tr>
<tr>
<td><strong>BROCK STREET South Side:</strong></td>
</tr>
<tr>
<td>between King and Wellington commencing at a point 146 feet west of the southwest curb feet in a westerly direction.</td>
</tr>
<tr>
<td><strong>SYDENHAM STREET, East Side:</strong></td>
</tr>
<tr>
<td>between Princess and Queen from 73 feet North of Princess northerly 37 feet</td>
</tr>
<tr>
<td><strong>PRINCESS STREET, South Side:</strong></td>
</tr>
<tr>
<td>between Barrie and Clergy from 206 feet west of Clergy westerly 20 feet</td>
</tr>
<tr>
<td><strong>PRINCESS STREET, South Side:</strong></td>
</tr>
<tr>
<td>between Sydenham and Montreal from 152 feet west of Montreal westerly 26 feet</td>
</tr>
<tr>
<td><strong>WELLINGTON STREET, West Side:</strong></td>
</tr>
<tr>
<td>between Johnson and William Commencing at a point 157 feet South of Johnson and continuing for a distance of 27 feet in a southerly direction</td>
</tr>
<tr>
<td><strong>BAGOT STREET, East Side:</strong></td>
</tr>
<tr>
<td>between Brock and Princess Commencing at a point 9.1 metres south of the south-east curb of Princess and continuing for a distance of 12.2 metres in a southerly direction</td>
</tr>
</tbody>
</table>

---

Report to Council
Amendments to By-Law 24

Page 2 of 4
### Section 27(a) cont'd

**Add:**

<table>
<thead>
<tr>
<th>Street</th>
<th>Description</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GARRETT STREET North Side:</strong></td>
<td>commencing at a point 9.1 metres west of the north-west curb of Division and continuing for a distance of 9.1 metres in a westerly direction</td>
<td>Hours: 8:00 a.m. to 6:00 p.m.</td>
</tr>
<tr>
<td><strong>MARKET STREET, North Side:</strong></td>
<td>between King and Ontario commencing at a point 59.7 metres east of King and continuing for a distance of 5.5 metres in an easterly direction</td>
<td>Hours: 7:00 a.m. to 6:00 p.m. Monday to Friday inclusive</td>
</tr>
<tr>
<td><strong>BROCK STREET, North Side:</strong></td>
<td>between King and Wellington commencing at a point 11 metres west of the north-west curb of King and continuing for a distance of 13.4 metres in a westerly direction</td>
<td>Hours: 7:00 a.m. to 6:00 p.m. Monday to Friday inclusive</td>
</tr>
<tr>
<td><strong>BROCK STREET South Side:</strong></td>
<td>between King and Wellington commencing at a point 10.5 metres east of the southeast curb of Wellington and continuing for a distance of 13.4 metres in an easterly direction</td>
<td>Hours: 7:00 a.m. to 6:00 p.m. Monday to Friday inclusive</td>
</tr>
<tr>
<td><strong>SYDENHAM STREET, East Side:</strong></td>
<td>between Princess and Queen from 12.2 metres north of Princess northerly 11.3 metres</td>
<td>Hours: 8:00 a.m. to 6:00 p.m. Monday to Friday, inclusive</td>
</tr>
<tr>
<td><strong>PRINCESS STREET, South Side:</strong></td>
<td>from 13.7 metres east of Barrie Street easterly 6.1 metres</td>
<td>Hours: 8:00 a.m. to 4:00 p.m., Monday to Friday inclusive</td>
</tr>
<tr>
<td><strong>PRINCESS STREET, South Side:</strong></td>
<td>between Sydenham and Montreal from 11.3 metres west of Montreal westerly 7.9 metres</td>
<td>Hours: 8:00 a.m. to 4:00 p.m., Monday to Friday inclusive</td>
</tr>
<tr>
<td><strong>BAGOT STREET, East Side:</strong></td>
<td>between Brock and Princess Commencing at a point 21 metres south of the south-east curb of Princess and continuing for a distance of 12.2 metres in a southerly direction</td>
<td>Monday to Friday, inclusive</td>
</tr>
</tbody>
</table>
Section 46

When signs have been erected bearing the words "**Courtesy Pick Up Zone**", no person shall park a vehicle on the street hereinafter set out in Column 1 on the side of the street set out in Column 2 for a period longer than the time set out in Column 3:

**Delete:**

<table>
<thead>
<tr>
<th>Street</th>
<th>From</th>
<th>To</th>
<th>Side</th>
<th>Time Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Princess</td>
<td>118 feet west of Montreal</td>
<td>westerly 34 feet</td>
<td>South</td>
<td>5 minutes</td>
</tr>
</tbody>
</table>

**Add:**

<table>
<thead>
<tr>
<th>Street</th>
<th>From</th>
<th>To</th>
<th>Side</th>
<th>Time Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Princess</td>
<td>131 metres east of Clergy</td>
<td>143 metres east of Clergy</td>
<td>South</td>
<td>5 minutes</td>
</tr>
<tr>
<td>King Street</td>
<td>27.4 metres north of Princess</td>
<td>39.3 metres north of Princess</td>
<td>West</td>
<td>5 minutes</td>
</tr>
</tbody>
</table>
BY-LAW NO. ____

A BY-LAW TO AMEND BY-LAW NO. 495

PASSED:

The Council of The Corporation of the City of Kingston enacts as follows:

By-Law 495, entitled "A By-law to provide for a parking meter zone in certain streets or portions thereof, and to provide for the installation, regulations, supervision and control of such parking meters", as amended, is hereby further amended:

Schedule 1

Delete:

<table>
<thead>
<tr>
<th>STREET</th>
<th>Direction</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BROCK STREET</td>
<td>North</td>
<td>King Street to Wellington Street</td>
</tr>
<tr>
<td>BROCK STREET</td>
<td>South</td>
<td>6.1 metres east of Wellington Street easterly 6.1 metres</td>
</tr>
<tr>
<td>BROCK STREET</td>
<td>South</td>
<td>King Street to Wellington Street</td>
</tr>
<tr>
<td>SYDENHAM STREET</td>
<td>East</td>
<td>Princess Street 22.3 metres northerly and from 17.3 metres north of Princess Street to Queen Street</td>
</tr>
<tr>
<td>PRINCESS STREET</td>
<td>South</td>
<td>11.3 metres west of Montreal Street westerly 24.7 metres</td>
</tr>
<tr>
<td>PRINCESS STREET</td>
<td>South</td>
<td>47.6 metres east of Clergy Street 12.2 metres easterly being opposite Sydenham Street</td>
</tr>
<tr>
<td>BAGOT STREET</td>
<td>East</td>
<td>21.3 metres south of Princess Street southerly to Brock Street</td>
</tr>
</tbody>
</table>

Add:

<table>
<thead>
<tr>
<th>STREET</th>
<th>Direction</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BROCK STREET</td>
<td>North</td>
<td>29 metres west of King Street to Wellington Street</td>
</tr>
<tr>
<td>BROCK STREET</td>
<td>South</td>
<td>25.4 metres east of Wellington Street east to King Street</td>
</tr>
<tr>
<td>SYDENHAM STREET</td>
<td>East</td>
<td>23.5 metres north of Princess Street northerly to Queen Street</td>
</tr>
<tr>
<td>PRINCESS STREET</td>
<td>South</td>
<td>19.2 metres west of Montreal Street westerly 35.1 metres</td>
</tr>
<tr>
<td>BAGOT STREET</td>
<td>East</td>
<td>33.2 metres south of Princess Street southerly to Brock Street</td>
</tr>
</tbody>
</table>

Schedule 2

Delete:

<table>
<thead>
<tr>
<th>STREET</th>
<th>Direction</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRINCESS STREET</td>
<td>South</td>
<td>13.7 metres east of Barrie Street easterly 6.1 metres</td>
</tr>
</tbody>
</table>
Schedule 2 (cont'd)

**Add:**

| PRINCESS STREET | South          | 13.7 metres west of Clergy westerly 52.1 metres |

Schedule 3

**Delete:**

| GARRETT STREET | North          | 15.8 metres east of University Avenue to 9.1 metres west of Division Street |

**Add:**

| GARRETT STREET | North          | 15.8 metres east of University Avenue to 18.2 metres west of Division Street |
BY-LAW NO. _____

A BY-LAW TO AMEND BY-LAW NO. 81-218

PASSED:

The Council of The Corporation of the City of Kingston enacts as follows:

By-Law 81-218 entitled "A by-law to provide for exempting, pursuant to permits issued, the owners and drivers of vehicles operated by or carrying a disabled person from the provisions of by-laws of the City of Kingston prohibiting or regulating the parking, standing or stopping of motor vehicles on any highway or part thereof in the City of Kingston", as amended, is hereby further amended:

Delete:

SYDENHAM STREET
East Side 6.0 metres north of Princess Street northerly 6.0 metres
(By-Law No. 93-14 - 1992)

MARKET STREET
North Side 58.2 metres east of King Street easterly 7.0 metres
(By-Law No. 93-285 - 1993)

Add:

SYDENHAM STREET
East Side 23.5 metres north of Princess Street northerly 6.1 metres

MARKET STREET
North Side 52.7 metres east of King Street easterly 7.0 metres
TO: Bert Meunier, Chief Administrative Officer
FROM: Mark Segsworth, Commissioner, Operations
SUBMITTED BY: Paula Nichols, Manager, Parking Services
PREPARED BY: Greg McLean, Supervisor, Parking Enforcement
DATE OF MEETING: 2004-11-30
SUBJECT: Disabled parking space revisions and fine increases for unauthorized parking in a disabled parking space

RECOMMENDATION TO COUNCIL:
That By-law No. 81-218 (Designated Parking for Disabled Persons), By-Law No. 99-166 (Private Property Parking), By-Law No. 85-6 (Disabled Parking-Kingston Township), and By-Law 2-95 (Parking-Pittsburgh Township) be amended to add and delete selected disabled parking spaces, implement maximum stay time limits, convert selected disabled spaces to disabled metered parking, and replace outdated terminology with approved terms; and,

to approve the early payment amount associated with the new provincially legislated $300 minimum set fine amount for unauthorized parking in a designated disabled parking space.

ORIGIN/PURPOSE:
To comply with the Ontarians with Disabilities Act and the Municipal Act which establishes the minimum fine for parking illegally in a designated disabled persons parking space at $300.

To apply a maximum stay time limit for parking in all on-street disabled parking space not governed by a parking meter.

To increase the maximum stay time limit from 2 hours to 3 hours at selected metered disabled parking spaces.

To add additional disabled parking spaces at locations identified as appropriate and to remove disabled parking spaces from locations for which the need no longer exists.

To convert selected disabled parking spaces to metered disabled parking.

To replace all references in parking by-laws to “handicap(ped)” with the term “disabled” or the phrase “persons with disabilities”.
OPTIONS/DISCUSSION:
Section 29(2) of the Ontarians with Disabilities Act amended Section 322.1(1), (2), (3), and (4) of the Municipal Act with respect to parking for persons with disabilities so that by-laws passed by municipalities under paragraphs 125 (Parking for persons with disabilities) and 153 (Parking facilities for persons with disabilities) of Section 210 of the Municipal Act have fines of not less than $300.

The current set fine for illegally parking in a disabled parking space in the former City of Kingston is $100; $45 in the former Pittsburgh Township, and $25 in the former Kingston Township. It is proposed that the set fine amount be increased to $300 to comply with the legislation and a voluntary early payment amount be set at $225, following the provincial rule requiring that a voluntary payment be at least two-thirds of the set fine. The new set fine amount will be posted at each municipal disabled parking space to inform parkers and provide increased deterrence.

It is further proposed that the increase in fine revenue resulting from the new fine amounts be designated to a fund used by the City for improving access and services for persons with disabilities.

By-Law No. 81-218, section 13 stipulates that each metered designated parking space for persons with disabilities shall provide for a time limit of two (2) hours. Prior to the implementation of a minimum two hour maximum stay at all metered parking spaces, this provision ensured that persons with disabilities were afforded sufficient time in recognition of their mobility restrictions. There also exist several on-street disabled parking spaces which are not metered. No restrictions, other than no overnight parking and a general 12 hour time limit apply to these spaces. To bring these spaces in line with the time limit in effect at metered disabled parking spaces, and to ensure that a proper turnover occurs at these spaces, it is recommended that the maximum stay time limit established in the respective schedule of By-Law 495 apply to all on-street disabled parking spaces not governed by a meter.

It has been requested that the 2 hour maximum stay for 3 metered disabled parking spaces located on Princess Street in the vicinity of both the Grand Theatre and an adjacent movie theatre be increased to three (3) hours to allow persons with disabilities to park legally while attending events longer than 2 hours duration.

It is further proposed that the maximum stay at two disabled parking spaces located beside City Hall on Market Street and one disabled parking space in-front of the Kingston Police Service headquarters also be established at (3) hours for the same reason.

Parking Services has received requests to create additional disabled parking spaces on-street at a medical clinic on Johnson St. at Clergy St. and on Bagot St. at Clarence St. beside the downtown post office. These requests can be accommodated by converting existing on-street metered parking spaces to designated disabled parking.

Parking Services also recommends that disabled parking spaces at two locations be converted to general use metered parking. On Sydenham St. in front of Providence Manor, 3 disabled parking spaces already exist. On upper Princess St., the land use which prompted the initial establishment of a disabled parking space has changed.

There is a disabled parking space located in a metered parking zone on Princess St. at King St. which is not governed by a meter. To ensure turnover at this premium parking space, it is proposed that it be converted to pay parking.
There are two disabled parking spaces on Montreal St. beside the S. Paul's Anglican Church which currently only permit parking on Sundays. It is proposed that these spaces be made available to disabled parkers Monday through Saturday as metered parking.

The City's Accessibility Coordinator has advised that the most acceptable terms for referencing disability issues are "disabled" and "persons with disabilities". Therefore, it is recommended that all instances of the term "handicap(ped)" in the parking by-laws amended by this report be replaced with the approved terminology.

The proposed changes to fine amounts and disabled parking spaces shall become effective upon approval being received from the Ministry of the Attorney General and upon signage and/or equipment being installed and pavement markings being added or removed.

EXISTING POLICY/BY-LAW:
By-Law 81-218
By-Law 99-166
By-law 85-6
By-Law 2-95

LINK TO STRATEGIC PLAN: N/A

FINANCIAL CONSIDERATIONS: Minor cost for changes to signage will be incurred. Additional fine revenue is anticipated from the increase in the fine amounts. The increase in fine revenue resulting from the new fine amounts will be designated for a fund to be used by the City for improving access and services for persons with disabilities.

CONTACTS:
Greg McLean, Supervisor, Parking Enforcement, 546-4291, ext. 1336
Paula Nichols, Manager, Parking Services, 546-4291, ext. 1279

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Accessibility Coordinator
Legal Services

NOTICE PROVISIONS: N/A

APPENDICES: By-Law amendments

Mark Segsworth
Commissioner, Operations

Bert Meunier
Chief Administrative Officer
BY-LAW NO. _____
A BY-LAW TO AMEND BY-LAW NO. 99-166

PASSED:

The Council of The Corporation of the City of Kingston enacts as follows:

By-Law 99-166, entitled “A By-Law to prohibit the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property, or on property owned or occupied by the City of Kingston or any local board thereof, without the consent of the City of Kingston », as amended, is hereby further amended:

Replace:

the word “handicap(ped)” with the word “disable(d)” or the phrase “person(s) with disabilities”, as required, throughout all of By-Law No. 99-166.

Delete:

4. All costs and charges for the removing, care and storage of the vehicle shall be a lien upon the vehicle and may be enforced in the manner provided by Section 48 of The Mechanics' Lien Act, R.S.O. 1970, Chapter 202.

(By-law No. 99-166)

Add:

4. All costs and charges for the removing, care and storage of the vehicle shall be a lien upon the vehicle and may be enforced in the manner provided by the Repair and Storage Liens Act, R.S.O. 1990, c.R. 25, as amended.

Delete:

(2) (ii) The parking infraction notices issued under the Provincial Offences Act for parking in any designated handicapped parking area may provide for a voluntary payment within five days of the offence date at a penalty reduced by $25.00.

(By-law No. 99-166)

Add:

(2) (ii) The parking infraction notices issued under the Provincial Offences Act, as amended, for parking in any designated disabled person parking space may provide for a voluntary payment within seven days of the offence date at a penalty reduced by $75.00.

Add:

10. All changes to fine amounts and disabled parking spaces shall become effective upon approval being received for said fine amounts from the Ministry of the Attorney General and upon required signage and/or equipment being installed and pavement markings being added or removed, as necessary.
BY-LAW NO. _____
A BY-LAW TO AMEND BY-LAW NO. 85-6

PASSED:

The Council of The Corporation of the City of Kingston enacts as follows:

By-Law 85-6, entitled "A By-Law to provide designated parking spaces for vehicles operated by or conveying physically handicapped persons in designated parking lots in the Township of Kingston ", as amended, is hereby further amended:

Replace:

the word “handicap(ped)” with the word “disable(d)” or the phrase “person(s) with disabilities”, as required, throughout all of By-Law No. 99-166

Delete:

“And WHEREAS the Highway Traffic Act, R.S.O., 1980, Chapter 198 as amended provides by Section 147(13) for the enforcement of said by-law”

Add:

“And WHEREAS the Highway Traffic Act, R.S.O., 1990, Chapter H.8 as amended, provides for the enforcement of said by-law”

Delete:

2. Each parking space provided set out in paragraph 1 shall be so marked by a sign and/or markings on the pavement to indicate that it is provided and reserved for a use for a vehicle for the handicapped.

Add:

2. Each parking space provided set out in paragraph 1 shall be so marked by a designated sign to indicate that it is provided and reserved for a use for a vehicle for the handicapped.

Delete:

5. No person shall park or leave a vehicle in a an area designated as a space for handicapped parking unless the vehicle is equipped with a licence plate or other identification indicating that a physically handicapped person operates or is a passenger in the vehicle.
5. No person shall park or leave a vehicle in a designated disabled person parking space unless a valid disabled person parking permit issued under and displayed in accordance with the Highway Traffic Act, and the regulations made under it. 2001, c. 25, s. 49., is clearly visible indicating that person with a disability operates or is a passenger in the vehicle.

Delete:

8. Any person who contravenes any provision of this By-law is guilty of an offence and on conviction under the Provincial Offences Act is liable to a fine of not more than TWENTY-FIVE ($25.00) DOLLARS exclusive of costs.

Add:

8. Any person who contravenes any of the provisions of this by-law shall be guilty of an offence and upon conviction shall be liable to the penalties as provided for under the Provincial Offences Act, as amended.

Delete:

9. Notwithstanding all other provisions of this by-law with respect to penalties, for violations of the provisions of sections 5 and 6 of this by-law, any person may upon presentation of a tag at the office listed on the tag issued alleging commission of any offence, pursuant to the said by-law pay out of court within five (5) days (exclusive of Sundays, Saturdays and Public Holidays) from the date of the issue of the said tag, and upon such payment no further proceedings shall be taken under this by-law in respect of the said offence alleged in the tag. The receipt for payment signed by the person assigned to the duty of receiving payments shall be evidence of the payment for the violation.

Add:

9. Notwithstanding all other provisions of this by-law with respect to penalties, for violations of the provisions of sections 5 and 6 of this by-law, any person may pay out of court within 7 days from the date of the issue of the said tag, and upon such payment no further proceedings shall be taken under this by-law in respect of the said offence alleged in the tag. The receipt for payment shall be evidence of the payment for the violation.

Delete:

10. In addition to any other penalties provided by this by-law, upon discovery of any vehicle parked or left unattended in contravention of the provisions of this by-law, a Peace Officer may cause such vehicle to be moved or taken to and placed in another location, and all costs and charges for the removal and storage thereof, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act, R.S.O. 1990, c.R. 25, as amended.
10. In addition to any other penalties provided by this by-law, upon discovery of any vehicle parked or left unattended in contravention of the provisions of this by-law, a Peace Officer or Provincial Offences Officer may cause such vehicle to be moved or taken to and placed in another location, and all costs and charges for the removal and storage thereof, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act, R.S.O. 1990, c.R. 25, as amended.

Delete:

12. This by-law shall come into force and take effect upon the date of its passing.

Add:

12. This by-law shall come into force and take effect upon the date of its passing. All subsequent changes to fine amounts and disabled parking spaces shall become effective upon approval being received for said fine amounts from the Ministry of the Attorney General and upon required signage and/or equipment being installed and pavement markings being added or removed, as necessary.
BY-LAW NO. _____

A BY-LAW TO AMEND BY-LAW NO. 81-218

PASSED:

The Council of The Corporation of the City of Kingston enacts as follows:

By-Law 81-218, entitled "A by-law to provide for exempting, pursuant to permits issued, the owners and drivers of vehicles operated by or carrying a disabled person from the provisions of by-laws of the City of Kingston prohibiting or regulating the parking, standing or stopping of motor vehicles on any highway or part thereof in the City of Kingston", as amended, is hereby further amended:

Replace:

the word "handicap(ped)" with the word "disable(d)" or the phrase "person(s) with disabilities", as required, throughout all of By-Law No. 81-218.

Sec. 1 In this by-law,

Delete:

(5) "identifying marker" shall mean a marker consisting of the International Symbol for the disabled, to be used to identify the authorized vehicle.

Add:

(5) "identifying marker" shall mean a valid Disabled Person Parking Permit issued by the Ontario Ministry of Transportation, or in the case of a vehicle bearing licence plates other than the Province of Ontario, a valid permit or licence plate marker containing the International Symbol for the disabled, to be used to identify the authorized vehicle.

Delete:

(6) "sign" means a sign consisting of the International Symbol for the disabled and used for the purpose of designating parking spaces for the sole use of disabled persons.

Add:

(6) "sign" means a sign consisting of the International Symbol for the disabled as prescribed in Ontario Regulation 581 to the Highway Traffic Act, as amended, and used for the purpose of designating parking spaces for the sole use of disabled persons.

Sec. 12

Delete:

(2) The parking infraction notices issued under the Provincial Offences Act may provide for a voluntary payment within five days of the offence date at a penalty reduced by $25.00. (By-Law No. 90-99 - 1990;
Add:

(2) The parking infraction notices issued under the *Provincial Offences Act* may provide for a voluntary payment within seven days of the offence date at a penalty reduced by $75.00.

Add:

14. All changes to fine amounts and disabled parking spaces shall become effective upon approval being received for said fine amounts from the Ministry of the Attorney General and upon required signage and/or equipment being installed and pavement markings being added or removed, as necessary.

**SCHEDULE "A"**

**DESIGNATED PARKING SPACES FOR DISABLED PERSONS**

2. The following areas are hereby designated as Disabled Parking Zones:

(b)

Delete:

<table>
<thead>
<tr>
<th>Street</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRINCESS STREET</td>
<td>North Side 48.4 metres east of Frontenac Street easterly 6.7 metres</td>
</tr>
<tr>
<td></td>
<td>(By-Law No. 96-293 - 1996)</td>
</tr>
<tr>
<td>STUART STREET</td>
<td>North Side 147.8 metres west of extension of George Street westerly 32.3 metres</td>
</tr>
<tr>
<td></td>
<td>(By-Law No. 92-366 - 1992)</td>
</tr>
<tr>
<td>SYDENHAM STREET</td>
<td>West Side 12.2 metres north of Ordnance Street northerly 6.0 metres</td>
</tr>
<tr>
<td></td>
<td>(By-Law No. 88-146 - 1988)</td>
</tr>
</tbody>
</table>

Add:

<table>
<thead>
<tr>
<th>Street</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>STUART STREET</td>
<td>South Side from 48.8 metres east of Lower University Ave. easterly 15.8 metres</td>
</tr>
<tr>
<td>BAGOT STREET</td>
<td>East Side from 32.6 metres north of Johnson northerly 6.1 metres</td>
</tr>
<tr>
<td>JOHNSON STREET</td>
<td>North Side from 6.1 metres east of Clergy Street easterly 5.8 metres</td>
</tr>
</tbody>
</table>
2. (c) **SUNDAYS ONLY**

**Delete:**

MONTREAL STREET  
East side  
54.3 metres north of Queen Street northerly 12.2 metres  
(By-Law No. 97-58 - 1997)

2. (b)

**Add:**

MONTREAL STREET  
East side  
54.3 metres north of Queen Street northerly 12.2 metres
A BY-LAW TO AMEND BY-LAW NO. 2-95

PASSED:

The Council of The Corporation of the City of Kingston enacts as follows:

**By-Law 2-95**, entitled “A By-Law for prohibiting the parking of motor vehicles on private or municipal property, for creating and designating disabled person parking spaces on private or municipal property, and creating and designating fire route signs on private or municipal property. “, as amended, is hereby further amended:

**Replace:**

the word “handicap(ped)” with the word “disable(d)” or the phrase “person(s) with disabilities”, as required, throughout all of By-Law No. 2-95

**Delete:**

“Whereas pursuant to Section 210 of the Municipal Act, R.S.O. 1990, Chapter M45, the council of a local municipality may pass a by-law to:"

**Add:**

“Whereas pursuant to the Municipal Act, R.S.O. 2001, Chapter 25, the council of a local municipality may pass a by-law to:"

**Delete:**

11. Each required disabled persons parking space set out in Schedule “A” to this by-law shall:
   a. be identified by a sign: and,
   b. Display the official symbol of disabled persons on a blue or white background.

**Add:**

11. Each required disabled persons parking space set out in Schedule “A” to this by-law shall be identified by a sign as prescribed in Ontario Regulation 581 to the Highway Traffic Act, as amended.

**Delete:**

16. The minimum penalty for each offense indicated above shall be the amount payable to the municipality during business hours within five (5) banking days of the contravention of any part of this by-law, or in default of such payment shall be liable to a fine not to exceed $100.00 for each offence.
16. The minimum penalty for each offence indicated above shall be the amount payable to the municipality within seven (7) days of the contravention of any part of this by-law.

PART IX EFFECTIVE DATE

Delete:

22. This by-law shall come into effect 60 days after the date on which a set fine order for offences committed under this by-law is approved by the Chief Judge of the Provincial Court (Criminal Division).

Add:

22. This by-law shall come into effect 60 days after the date on which a set fine order for offences committed under this by-law is approved by the Chief Judge of the Provincial Court (Criminal Division). All subsequent changes to fine amounts and disabled parking spaces shall become effective upon approval being received for said fine amounts from the Ministry of the Attorney General and upon required signage and/or equipment being installed and pavement markings being added or removed, as necessary.
REPORT TO COUNCIL

TO: Bert Meunier, Chief Administrative Officer

FROM: Terry Willing, Acting Commissioner, Planning & Development Services

PREPARED BY: Chris Sleeth, Traffic Supervisor, Engineering Division

DATE OF MEETING: November 30, 2004

SUBJECT: SPEED REDUCTIONS IN EDENWOOD SUBDIVISION

RECOMMENDATION TO COUNCIL:

That a By-Law be presented to City Council to amend By-Law 2003-209 to reduce the speed limit on the following streets in the Edenwood Subdivision.

Add: To Schedule A-5 Highways with a limit of 40 Kilometres per hour

<table>
<thead>
<tr>
<th>Highway</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foxdale Place</td>
<td>River Ridge Drive</td>
<td>End</td>
</tr>
<tr>
<td>Heathcliffe Lane</td>
<td>River Ridge Drive</td>
<td>End</td>
</tr>
<tr>
<td>River Ridge Drive</td>
<td>Battersea Road</td>
<td>Maple Lawn Drive</td>
</tr>
<tr>
<td>Woodmount Grove</td>
<td>River Ridge Drive</td>
<td>End</td>
</tr>
</tbody>
</table>

Delete: From Schedule A-4 Highways with a Limit of 50 Kilometres per Hour

<table>
<thead>
<tr>
<th>Highway</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foxdale Place</td>
<td>River Ridge Drive</td>
<td>End</td>
</tr>
<tr>
<td>Heathcliffe Lane</td>
<td>River Ridge Drive</td>
<td>End</td>
</tr>
<tr>
<td>River Ridge Drive</td>
<td>Battersea Road</td>
<td>Maple Lawn Drive</td>
</tr>
<tr>
<td>Woodmount Grove</td>
<td>River Ridge Drive</td>
<td>End</td>
</tr>
</tbody>
</table>
ORIGIN/PURPOSE:

The Edenwood Estates Homeowners Association has requested Engineering to reduce the posted speed limit of 50 km/h to 40 km/h.

OPTIONS/DISCUSSION:

The Chair of the Edenwood Estates Homeowners Association has requested Engineering to reduce the posted speed limit for safety reasons.

Engineering Division conducted two speed studies in this area which indicated that no speeding problems exist. The concern identified by Engineering regarding posted speed limit of 50 km/h is that it cannot be driven safely due to the numerous curves in the subdivision.

There are two options that can rectify this concern:

1) Installation of curve signs in advance of all curves with an advisory speed tab posted on each; or
2) Reduce the speed limit to 40 km/h.

Engineering prefers option 2 of reducing the speed limit. Reducing the speed will make it safer to maneuver around the 8 curves that would need signage. The roads are very narrow with no sidewalks or shoulders for pedestrians and/or cyclists, therefore reducing the speed will allow more time to react when a motorist appears from around these curves. Some curves are close together and signage may overlap and become confusing to the motorist.

Maple Lawn Drive is the only street that will remain at the 50 km/h since it is relatively flat and has no sharp curves.

Noise By-Law Consideration

Not applicable.

Impact on parking

Not applicable.

EXISTING POLICY/BY-LAW:

By-law 2003-209 (Traffic)

LINK TO STRATEGIC PLAN:

Not applicable.

FINANCIAL CONSIDERATIONS:

No financial implications are to be considered in this report.
CONTACTS:
Speros Kanellos, P. Eng., Manager, Engineering Division, 384-1770, ext. 3133
Chris Sleeth, Traffic Supervisor, Engineering Division, 384-1770, ext. 3149

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Engineering Division
Kingston City Police

NOTICE PROVISIONS:
Not applicable.

APPENDICES:
Appendix ‘A’ - Drawing – Edenwood Sub-Division

Terry Willing
Acting Commissioner, Planning & Development Services

Bert Meunier
Chief Administrative Officer
RECOMMENDATION TO COUNCIL:

Amend By-law 24 to change how the parking is controlled on St. Lawrence Ave. and King St., to convert six on-street permit parking spaces on St. Lawrence Ave. and back to “No Parking between the hours of 10-11 a.m. and 2-3 p.m.”; and, on King St. (between Albert and Collingwood) to convert “No Parking between the hours of 10-11 a.m. and 2-3 p.m.” to Queen’s on-street permit parking, it being understood that permit revenue (less direct expenses) will be provided to the City of Kingston, and that Queen’s University will be responsible for the issuing of permits and parking enforcement for the permit spaces.

ORIGIN/PURPOSE:

At its July meeting, City Council approved the conversion of “No Parking between the hours of 10-11 a.m. and 2-3 p.m.” on St. Lawrence Ave. to Queen’s on-street permit parking. Since that time, a complaint has been received from a nearby resident who would like equal access to these parking spaces. Therefore, it is recommended that six of the permit parking spaces be converted back to the original restrictions, and that parking on King St. between Albert and Collingwood become Queen’s permit parking. This block is fronted only by a Queen’s residence, with no residential homes on the block.

OPTIONS/DISCUSSION:

To alleviate the increased parking demand, Queen’s University Parking Strategy identified utilizing City streets contained within the campus for permit parking, with the revenues being turned over to the City. It is considered a win-win situation for Queen’s and the City.

A total of 172 on-street permit spaces on Albert St., Stuart St., Queen’s Crescent, Arch St., Barrie St., and St. Lawrence Ave. have been approved by City Council. This has been a successful program, with positive feedback from the user and Queen’s, and in 2005, the City will realize approximately $62,000 (net) in parking revenues.
This recommendation will change six spaces from the lower end of St. Lawrence Ave. and create an approximately ten permit spaces on King St.

EXISTING POLICY/BY-LAW:
Bylaw 24, Section 18, Section 19(2)

LINK TO STRATEGIC PLAN: n/a

FINANCIAL CONSIDERATIONS:
Additional parking permit revenue of approximately $1,400 per year can be realized.

CONTACTS:
Mark Segsworth, Commissioner, Operations, 546-4291, ext. 1345
Paula Nichols, Manager, Parking Services, 546-4291, ext. 1279
Tom Morrow, Queen's University, 533-6010

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Engineering Services

NOTICE PROVISIONS: n/a

APPENDICES: By-Law Changes

Mark Segsworth
Commissioner, Operations

Bert Meunier
Chief Administrative Officer
BY-LAW NO. ___

A BY-LAW TO AMEND BY-LAW NO. 24

The Council of The Corporation of the City of Kingston enacts as follows:

1. By-Law No. 24 of the Corporation of the City of Kingston entitled "A By-Law for Regulating Traffic in the Highways of the City of Kingston Subject to the Provisions of the Highway Traffic Act", as amended, is hereby further amended as follows:

Section 18

Delete:

<table>
<thead>
<tr>
<th>Highway</th>
<th>Side Parking</th>
<th>From</th>
</tr>
</thead>
<tbody>
<tr>
<td>KING STREET</td>
<td></td>
<td></td>
</tr>
<tr>
<td>160 feet west of Lower University to Collingwood</td>
<td>North Side – Parking Prohibited from 10:00 a.m. to 11:00 a.m. and 2:00 p.m. to 3:00 p.m. Monday to Friday inclusive.</td>
<td>(By-Law No. 85-156 – 1985)</td>
</tr>
</tbody>
</table>

Add:

<table>
<thead>
<tr>
<th>Highway</th>
<th>Side Parking</th>
<th>From</th>
</tr>
</thead>
<tbody>
<tr>
<td>KING STREET</td>
<td></td>
<td></td>
</tr>
<tr>
<td>49 metres west of Lower University to Albert</td>
<td>North Side – Parking Prohibited from 10:00 a.m. to 11:00 a.m. and 2:00 p.m. to 3:00 p.m. Monday to Friday inclusive.</td>
<td>(By-Law No. 85-156 – 1985)</td>
</tr>
<tr>
<td>ST. LAWRENCE AVENUE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>From 9.1 metres north of King 46 metres northerly</td>
<td>East Side – Parking Prohibited from 10:00 a.m. to 11:00 a.m. and from 2:00 p.m. to 3:00 p.m. Monday to Friday inclusive</td>
<td></td>
</tr>
</tbody>
</table>

Section 19(2)

Notwithstanding the provisions of this section, parking shall be permitted for vehicles displaying a Queen's University parking permit on:

Delete:

<table>
<thead>
<tr>
<th>Highway</th>
<th>Side Parking</th>
<th>From</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. Lawrence Ave.</td>
<td>East</td>
<td>King St. to Stuart St.</td>
</tr>
</tbody>
</table>

Add:

<table>
<thead>
<tr>
<th>Highway</th>
<th>Side Parking</th>
<th>From</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. Lawrence Ave.</td>
<td>East</td>
<td>7.6 metres south of Stuart St. 37.5 metres southerly</td>
</tr>
<tr>
<td>King St.</td>
<td>North</td>
<td>Collingwood St. to Albert St.</td>
</tr>
</tbody>
</table>

GIVEN FIRST AND SECOND READINGS

GIVEN THIRD READING AND FINALLY PASSED

CITY CLERK

MAYOR