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Halifax, Nova Scotia
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Item No. 2

**Halifax Regional Council
October 21, 2008**

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Mike Labrecque", written over a horizontal line.

Mike Labrecque, P.Eng., Director, Transportation and Public Works

DATE: September 26, 2008

SUBJECT: Coldstream Run - Petition for Parking Restrictions

INFORMATION REPORT

ORIGIN

Item 10.2.1 raised at the August 5, 2008 meeting of the Halifax Regional Council.

BACKGROUND

A petition was submitted by Councillor Karsten on behalf of the residents of Coldstream Run requesting there be No Parking 9am-6pm, Monday to Friday, with the exception of residents and visitors.

DISCUSSION

Coldstream Run is a residential street located off Baker Drive in Dartmouth. It is a 9m wide short cul-de-sac, low volume street and can therefore provide for parking on both sides. There are no sidewalks but due to the low volume pedestrian safety is not compromised.

Recent commercial and residential development on Baker Drive has created a high demand for parking by area employees, who are parking on adjacent streets. Residents of Coldstream Run are frustrated with this long-term parking by people who live outside the area and are requesting that parking be restricted exclusively to residents and their guests. Although appreciative of the residents' concerns, and understanding of their frustration, staff remains in support of HRM's on-street parking policy which was developed to allow parking in areas where a compromise in safety is not an issue.

There are several options that could be considered which would provide a balance of long and short term parking.

- No Parking 10-11am, 2-3pm, Monday-Saturday
- 1 hour or 2 hour Parking, Monday-Saturday
- No Parking 8am-6pm, Monday-Saturday

The first two options would qualify the residents for eligibility of a Parking Exemption Permit. While the general public could park only for the specified time period, residents with these passes would be exempt from the parking restrictions. These are issued through HRM's Bylaw P-1000 "Respecting On-Street Parking Exemptions and Permits Bylaw" which is attached. There is a cost of \$30/year for this permit.

Of these two options, the No Parking 10-11am and 2-3pm Monday to Saturday requires less enforcement as there are only two hours during the day to be checked.

It is staff's recommendation to install the third option, No Parking 8am-6pm, Monday-Saturday on the south side of Coldstream Run. Although this will be more restrictive for the residents during the day, it will reduce the long term parking issue and alleviate some of the residents' concerns. Residents would not be eligible for an exemption permit with this restriction.

Staff attended a meeting on September 11, 2008 with residents and Councillor Karsten to explain and discuss the issues and options. The residents voted to accept option three and the signs were installed on September 15, 2008.

BUDGET IMPLICATIONS

There are no budget implications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

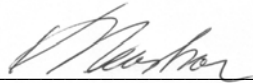
ATTACHMENT

HRM's Bylaw P-1000 "Respecting On-Street Parking Exemptions and Permits Bylaw"

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Karen MacQuarrie, Traffic Analyst, 490-4859

Report Approved by:



Ken Reashor, P.Eng, Manager, Traffic & Right of Way, 490-6637

HALIFAX REGIONAL MUNICIPALITY

BYLAW NUMBER P-1000

RESPECTING ON-STREET PARKING EXEMPTIONS AND PERMITS

BE IT ENACTED by the Council of the Halifax Regional Municipality under the authority of section 154 of the Motor Vehicle Act, R.S.N.S., 1989, c. 293 as amended as follows:

Number and Short Title

1. This By-law shall be known as By-law P-1000 and may be cited as “The On-Street Parking Exemptions and Permits By-law”.

Definitions

2. In this By-law:

- a) “dwelling unit” means a room or suite of rooms occupied as an independent and separate housekeeping establishment for which an occupancy permit exists;
- aa) “exemptible traffic sign” means a sign erected by the Traffic Authority
 - (i) permitting one hour parking,
 - (ii) permitting two hour parking,
 - (iii) prohibiting parking for 30 minutes or an hour in the morning or the afternoon,
 - (iv) prohibiting parking for 30 minutes or an hour in both morning and afternoon,or
 - (v) prohibiting parking except by permit;
- b) “Municipality” means Halifax Regional Municipality;
- c) “Parking Permit” or “Permit” means a permit issued for use only on a street block designed by the Traffic Authority as parking by permit only;
- d) “Permit Administrator” means the person appointed by the Chief Administrative Officer of the Municipality to be the Permit Administrator and included a designate of the Permit Administrator;

- e) “permit year” means a period from June 1st in a calendar year to May 31st in the following year;
- f) “recreational vehicle” means a motor vehicle designed, constructed or reconstructed, equipped and used or intended to be used primarily for sleeping, eating and living quarters, and includes a motorized home or a bus converted for such purposes.
- ff) “registered owner” means a person in whose name a vehicle is registered under the *Motor Vehicle Act*, R.S.N.S. 1989, as amended from time to time;
- g) “Residential Parking Exemption” or “Exemption” means a permit issued to a resident of a street for use only on the street block on which the applicant resides;
- h) “street block” means that portion of a street lying between two separate intersecting streets; and
- i) “Visitor Parking Exemption” or “Visitor Exemption” means a permit issued to a resident on behalf of their visitor on a street for use only on the street block on which the residence is located.

Scope of By-law

3. This By-law shall apply only to the following vehicles:

- j) private passenger vehicles other than recreational vehicles;
- k) motorcycles; and,
- l) trucks of less than one ton capacity.

Application

4. (1) An application for an Exemption or Permit shall be made by the registered owner of a vehicle to the Permit Administrator.

(2) An application for a Visitor Exemption shall be made by a person who resides on the street block for which the Visitor Exemption is sought.

(3) The applicant for an Exemption, Permit or Visitor Exemption shall provide the following information to the Permit Administrator;

- (a) the Application and Contract form;
- (b) valid photo identification for the applicant;
- (c) valid Certificate of Registration for the vehicle or proof that the vehicle is duly

registered in the province or state in which the owner of the vehicle resides;

(d) number plate of the vehicle; and

(e) written proof of the residential address of the applicant dated within 30 days from the date of the application.

- (4) The application shall be accompanied by the appropriate fee as prescribed by Administrative Order 15.
- (5) The Permit Administrator shall issue an Exemption, Permit or Visitor Exemption where all the information required by subsection (2) has been provided by the applicant, the applicant has paid the fee described in subsection (4) and the applicant is eligible for the Exemption, Permit or Visitor Exemption based on the requirements of this By-law.
- (6) An Exemption, Permit or Visitor Exemption issued pursuant to this By-law is valid only when affixed to the upper portion of the front windshield on the passenger side of the vehicle in respect of which the Exemption, Permit or Visitor Exemption was issued so as to be clearly visible from the exterior, except for motorcycles, in which case the Exemption, Permit or Visitor Exemption shall be located on the front forks or rear mud guard.
- (7) An Exemption, Permit or Visitor Exemption is not transferable from one person to another.
- (8) If the applicant for an Exemption or Permit transfers their number plates to another vehicle, the Exemption or Permit may be used in respect of the vehicle to which the number plate is transferred, provided that the applicant provides the Permit Administrator with a copy of the Certificate or Registration of the vehicle to which the number plate is transferred.
- (9) Subsection (8) does not apply to a Visitor Exemption.

Residential Parking Exemptions

5. (1) A Residential Parking Exemption or Visitor Exemption shall be applicable only to the street block on which the applicant resides and the address of the applicant shall be based on the information provided by the applicant in the application under Section 4.

(2) Notwithstanding subsection (1), if parking is prohibited on the street block on which the applicant resides or is of a nature for which a Residential Parking Exemption or Visitor Exemption cannot be issued, the Permit Administrator may issue an Exemption or Visitor Exemption applicable to a street block immediately adjacent to the street block on which the applicant resides as determined by the Traffic Authority.

(3) Only one Exemption may be issued pursuant to this Section in respect of any dwelling unit. A maximum of two vehicles may be registered to one Exemption, but the Exemption may only be used

in respect of one vehicle at a time.

(4) An applicant who resides on a corner property fronting two streets may obtain an Exemption for only one of the two streets within that street block as determined by the Traffic Authority and in issuing the Exemption, preference will be given to the street with the greater parking capacity.

(5) The driver or owner of a vehicle in respect of which an Exemption or Visitor Exemption is in force is exempt from exemptible parking signs but shall comply with parking meters, winter parking regulations, any other temporary parking controls established by the Traffic Authority and all other parking signs and requirements under

- (a) the *Motor Vehicle Act*, R.S.N.S. 1989, c. 293, as amended from time to time;
- (b) rules or regulations made under the *Motor Vehicle Act*; and
- (c) any other By-law.

(6) A Residential Parking Exemption expires on the 31st day of May next following the date of issue.

(7) If the applicant for an Exemption changes address, the Exemption shall be immediately null and void but a new Exemption may be issued for their new location without charge.

(8) An Exemption shall only be issued to a resident of a building containing not more than four dwelling units.

(9) A Visitor Parking Exemption may be obtained by an applicant on behalf of a visitor of the applicant for use only on the street block on which the applicant is eligible to park.

(10) A Visitor Exemption may be purchased for a one-day or seven-day period. One-day Visitor Exemptions may be purchased for up to seven consecutive days and Visitor Exemptions may be purchased by an applicant a maximum of six times during a permit year but a new Visitor Exemption shall not be issued until the previously issued Visitor Exemption has expired.

Parking Permits

6. (1) A Parking Permit shall be applicable only to the street block for which the Permit is issued.

(2) The driver or owner of a vehicle in respect of which a Permit is in force may park in an area designated by the Traffic Authority as parking by permit only, subject to the terms and conditions of the permit and the sign with respect to the date and time the Permit is valid as well as parking meters, winter parking regulations, any other temporary parking controls established by the Traffic Authority and all other parking signs and requirements under

- (a) the *Motor Vehicle Act*, R.S.N.S. 1989, c. 293, as amended from time to time;
- (b) rules or regulations made under the *Motor Vehicle Act*; and
- (c) any other By-law.

(3) No driver or owner of a vehicle in respect of which a Permit is in force shall park in an area designated by the Traffic Authority as parking by permit only if the area is on a street block in respect of which the Permit is not in force.

(4) A Permit expires on the 31st day of May next following the date of issue.

Illegal Use of Exemptions or Permits

7. It is an offence for any person to own or to operate a vehicle to which is affixed any Exemption or Permit issued for another vehicle.

General Offense and Penalty

8. Any person who contravenes this By-law is guilty of an offence and liable on summary conviction to a minimum fine of \$100 and maximum fine of \$500.00.

Repeal

9. City of Halifax Ordinance Number 179 Respecting Residential Parking Permits and City of Dartmouth By-law R-200 Respecting Residential Parking Permits are repealed.

Done and passed in Council this 10th day of December, 2002

MAYOR

MUNICIPAL CLERK

I, Vi Carmichael, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Halifax Regional Council held on, December 10, 2002.

Vi, Carmichael, Municipal Clerk

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| Notice of Motion: | November 12, 2002 |
| First Reading: | November 19, 2002 |
| Notice of Intent "Publication: | November 23, 2002 |
| Second Reading: | December 10, 2002 |
| Approval of Service Nova Scotia and Municipal Relations: | N/A |
| Effective Date: | March 22, 2003 |

Amendment # 1 (V-101)
Amending Section 8

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| Notice of Motion: | August 19, 2003 |
| First Reading: | August 26, 2003 |
| "Notice of Public Hearing" Publication: | September 6, 2003 |
| Second Reading: | September 23, 2003 |
| Approval of Service Nova Scotia and Municipal Relations: | N/A |
| Effective Date: | September 27, 2003 |

Amendment # 2 (P-1001)

Amendments to Section 2, 4, 5 and 6

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| Notice of Motion: | April 27, 2004 |
| First Reading: | May 11, 2004 |
| Notice of Public Hearing "Publication" | May 15, 2004 |
| Second Reading: | June 8, 2004 |
| Approval by Service Nova Scotia and Municipal Relations: | N/A |
| Effective Date: | June 12, 2004 |

Amendment # 3 (P-1002)

Amendment to Subsection 6 of Section 4

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| Notice of Motion: | April 26, 2005 |
| First Reading: | May 3, 2005 |

Notice of Public Hearing “Publication”

May 7, 2005

Second Reading:

May 24, 2005

Approval by Service Nova Scotia and Municipal Relations:

N/A

Effective Date:

May 28, 2005