

By-Law **-25

(Municipal Code Chapter 1106)

A By-law to prescribe regulations for accessible parking for the use of persons with disabilities in the spirit and intent of the *Accessibility for Ontarians with Disabilities Act, 2005*.

WHEREAS sections 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorize a municipality to enact by-laws regulating parking;

AND WHEREAS section 102 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, confers upon Council the power to pass by-laws for requiring the owners or operators of parking lots or other parking facilities to which the public has access, whether on payment of a fee or otherwise, to provide designated parking spaces for vehicles displaying an accessible parking permit issued under and displayed in accordance with the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended and the regulations made under it, and for prescribing the conditions of use of such permit and for prohibiting the improper use of the permit;

AND WHEREAS section 427 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a by-law establishing a system of accessible parking shall provide that every person who contravenes the by-law is guilty of an offence and on conviction is liable to a fine.

Now Therefore The Council Of The Corporation Of The City Of Richmond Hill Enacts As Follows:

1. That this By-law No. **-25 be effective upon enactment.

Passed this **th day of ***, 2025.

David West
Mayor

Stephen M.A. Huycke
City Clerk

ARTICLE 1 – Interpretation

1.1 Short Title

This By-law may be referred to as the “Accessible Parking By-law”.

1.2 Definitions

In this By-law, the following words shall have the following meanings:

“**Accessible Parking Space**” means a parking space identified by a sign bearing the markings as shown on Schedule ‘A’ designated for the use of persons with disabilities and on which an accessible parking permit is properly displayed.

“**Accessible Parking Permit**” means an accessible parking permit issued in accordance with the *Highway Traffic Act* and the regulations made thereunder.

“**Access Aisle**” means a space between parking spaces that allows persons with disabilities to get in and out of their vehicles.

“**Municipal Law Enforcement Officer**” means all individuals from time to time appointed by the Commissioner of Community Services of the Corporation as municipal law enforcement officers for the purpose of enforcing the provisions of this By-law.

“**Off-street Parking Facility**” includes open area parking lots and structures intended for the temporary parking of vehicles by the public, whether or not the payment of a fee is charged and includes visitor parking spaces in parking facilities.

“**Operator**” means a lessee or other person in charge of a parking lot or parking facility.

“**Owner**” when used in relation to property, means:

- a) The registered Owner of the property, or
- b) Where the property is included in a description registered under the *Condominium Act, 1998*, S.O. 1998, c.19, as amended, the board of directors of the condominium corporation.

ARTICLE 2 – Regulations

2.1 Number of Spaces and Dimensions

- (1) Every **owner** and **operator** of an **off-street parking facility** shall provide **accessible parking spaces** therein in accordance with the following table, rounded up to the nearest whole number.

Total Number of Parking Spaces	Required Minimum Number of Accessible Parking Spaces
1 to 12	1 space
13 to 100	4% of the total
101 to 200	1 space plus 3% of the total
501 to 1000	2 spaces plus 2% of the total
1001 and over	11 spaces plus 1% of the total

(2) Two types of **accessible parking spaces** shall be provided:

- a) Type A, a wider parking space which has a minimum width of 3,400 mm; and
- b) Type B, a standard parking which has a minimum width of 2,400 mm.

(3) Where only one **accessible parking space** is required by Section 2.1(1), a Type A **accessible parking space** must be provided.

(4) Where more than one **accessible parking space** is required by Section 2.1(1):

- a) If an even number of **accessible parking spaces** is required, an equal number of Type A and Type B **accessible parking spaces** must be provided; and
- b) If an odd number of **accessible parking spaces** is required, an equal number of Type A and Type B **accessible parking spaces** must be provided and the odd space may be a Type B **accessible parking space**.

2.2 Access Aisles

(1) **Access aisles** must be provided for all **accessible parking spaces**.

(2) **Access aisles** may be shared by two **accessible parking spaces** and must meet the following requirements:

- a) They must have a minimum width of 1,500 mm.
- b) They must extend the full length of the parking space.

2.3 Signage

(1) Accessible permit parking signs as per Schedule 'A' shall be placed at the front of and in the centre of each **accessible parking space**. They shall be erected no more than 1,800 mm from the face of the curb, or edge of pavement or travelled portion of a parking area or front limit of the parking space. Signs shall be erected no less than 1,500 mm and not more than 2,200 mm in height measured from the finished grade and their view shall not be obstructed in any way. Signs shall not be erected so that they are capable of being moved. All signs shall be permanently installed.

2.4 Maintenance

(1) The **owner**, occupant or **operator** of a property upon which there is an **accessible parking space**, shall keep such **accessible parking space**, in good repair, clear of snow, ice and free of all obstruction.

2.5 Fees

(1) The owner and operator of a parking lot or other parking facility shall not charge a fee for the use of an **accessible parking space** in excess of that fee charged other members of the general public in respect of other parking spaces in the parking lot or other parking facility.

2.6 Permits

- (1) No person shall have in his or her possession an **accessible parking permit** that is fictitious, altered or fraudulently obtained.
- (2) No person shall display an **accessible parking permit** otherwise than in accordance with the regulation made under the *Highway Traffic Act*.

- (3) No person shall fail or refuse to surrender an **accessible parking permit** in accordance with the *Highway Traffic Act*, R.S.O. 1990, H.8 and the regulations made thereunder.
- (4) Every person having possession of an **accessible parking permit** shall, upon demand of a police officer, police cadet, or a **municipal law enforcement officer**, surrender the permit for reasonable inspection to ensure that the provisions of the *Highway Traffic Act*, R.S.O. 1990, c. H.8 and the regulations and this By-law passed under the *Municipal Act*, 2001, c. 25 are being complied with.
- (5) A police officer, police cadet, or a **municipal law enforcement officer** to whom an **accessible parking permit** has been surrendered may retain it until the disposition of the case if he or she has reasonable grounds to believe that the permit:
 - a) was not issued under the *Highway Traffic Act*, R.S.O. 1990, c. H.8;
 - b) was obtained under false pretenses;
 - c) has been defaced or altered;
 - d) has expired or been cancelled; or
 - e) is being or has been used in contravention of this By-law or the regulations under the *Highway Traffic Act*.

2.7 Exemptions

- (1) An **accessible parking permit** holder, or driver operating a vehicle for the purpose of transporting an **accessible parking permit** holder, shall be exempt from the following provisions of Chapter 1116 - Parking - Regulation:
 - a) Section 1116.3.6(h): An **accessible parking permit** holder shall be permitted to park on any highway where signs are not posted restricting or prohibiting parking, for a maximum of twenty-one hours, except between the hours of 3:00 a.m. and 6:00 a.m.;
 - b) Section 1116.3.7(h): Notwithstanding the provisions of Schedule 'A' to Chapter 1116, an **accessible parking permit** holder shall be permitted to park at any time, to a maximum of twenty-one hours, on any portion of any highway set out in said schedule, except between the hours of 3:00 a.m. and 6:00 a.m.; and
 - c) Section 1116.3.7(j): Notwithstanding the provisions of Schedule 'C' to Chapter 1116, an **accessible parking permit** holder shall be permitted to park at any time, to a maximum of twenty-one hours, on any portion of any highway set out in said schedule, except between the hours of 3:00 a.m. and 6:00 a.m.
- (2) An **accessible parking permit** holder shall not be exempt from the provisions of Chapter 1116.3.6 (g) - Parking Regulations - No person shall park a motor vehicle so as to interfere with the clearing of snow from a highway.

ARTICLE 3 – Enforcement

3.1 Compliance

- (1) Every **owner** and **operator** of a parking lot or other parking facility to which Section 2.1 of this By-law applies shall conform to this By-law after notice from a **municipal law enforcement officer**.

3.2 Penalties

- (1) Every person who contravenes any provision of this By-law, upon conviction, is liable to a fine of not less than \$300 (three hundred dollars).

ARTICLE 4 – Administration

4.1 Schedules

- (1) Schedule 'A' attached to this By-law is declared to form a part of this By-law.

4.2 Repeals

- (1) By-law Nos. 305-90, 78-99, 148-01, 10-04, 32-04, 110-04, 65-17, 87-24, 155-24 are hereby repealed.
- (2) By-law No. 145-08 is hereby amended by deleting provision 24.

DRAFT

SCHEDULE

Schedule 'A' – Accessible permit parking sign

