



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 311-2013

**To amend Traffic By-law 93-93 by amending the Consolidated Text and Schedules relating to MINIMUM REQUIREMENTS FOR CURB CUTS FOR ACCESS AISLES (Schedule XXXI) and PAVEMENT MARKING REQUIREMENTS FOR ACCESSIBLE PARKING SPACES Schedule (XXXIX)**

The Council of the Corporation of the City of Brampton HEREBY ENACTS AS FOLLOWS:

1. By-law 93-93 as amended, is hereby further amended as follows:
  - (1) Schedule XXXI is repealed and replaced with the attachment to this by-law called "Schedule XXXI".
  - (2) Schedule XXXIX is repealed and replaced with the attachment to this by-law called "Schedule XXXIX".
  - (3) Section 48 of the Traffic By-law 93-93 is repealed and replaced by the following:

## **ACCESSIBLE PARKING REGULATIONS**

### **Definition of "parking lot owner"**

48. (1) In this section, "parking lot owner" includes the owner or operator of a public parking area.

### **Obligations of drivers – display permit**

- (2) See Section 48(5)(a).

### **No blocking of access aisle**

- (3) No person, including persons driving a vehicle displaying a valid accessible parking permit, shall park on or behind an access aisle.

### **Obligations of owners – provide accessible spaces**

- (4) Every parking lot owner shall provide accessible parking spaces for the exclusive use of vehicles properly displaying an accessible parking permit, as provided for in this by-law. The minimum number of accessible parking spaces shall be calculated in accordance with the following requirements:
  - (a) One parking space for the use of persons with disabilities, which meets the requirements of a Type A parking space, where there are 12 parking spaces or fewer.

- (b) Four percent of the total number of parking spaces for the use of persons with disabilities, where there are between 13 and 100 parking spaces in accordance with the following ratio, rounding up to the nearest whole number:
  - (i) Where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided.
  - (ii) Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space.
- (c) One parking space for the use of persons with disabilities and an additional three per cent of parking spaces for the use of persons with disabilities, where there are between 101 and 200 parking spaces must be parking spaces for the use of persons with disabilities, calculated in accordance with ratios set out in subsections (b) (i) and (ii), rounding up to the nearest whole number.
- (d) Two parking spaces for the use of persons with disabilities and an additional two per cent of parking spaces for the use of persons with disabilities, where there are between 201 and 1,000 parking spaces must be parking spaces for the use of persons with disabilities in accordance with the ratio in subsections (b) (i) and (ii), rounding up to the nearest whole number.
- (e) Eleven parking spaces for the use of persons with disabilities and an additional one per cent of parking spaces for the use of persons with disabilities, where more than 1,000 parking spaces are provided must be parking spaces for the use of persons with disabilities in accordance with the ratio in subsections (b) (i) and (ii), rounding up to the nearest whole number.
- (5) (a) No person shall park a motor vehicle in a designated accessible parking space in a public parking area, unless a valid accessible parking permit is properly displayed upon the motor vehicle.
- (6) (a) The number of parking spaces to be used to calculate the capacity of a public parking area includes the accessible parking spaces required by this by-law.
  - (b) If an obligated organization provides more than one off-street parking facility at a site, the obligated organization shall calculate the number and type of parking spaces for the use of persons with disabilities according to the number and type of parking spaces required for each off-street parking facility.
  - (c) In determining the location of parking spaces for the use of persons with disabilities that must be provided where there is more than one off-street parking facility at a site, an obligated organization may distribute them among the off-street parking facilities in a manner that provides substantially equivalent or greater accessibility in terms of distance from an accessible entrance or user convenience.

### Physical Dimensions

- (7) Every parking lot owner shall ensure that an accessible parking space is:
- (a) One of the following two types of parking spaces:
    - (i) Type A, a wider parking space which has a minimum width of 3.4 metres and signage that identifies the space as "van accessible"; and
    - (ii) Type B, a standard space which has a minimum width of 2.4 metres.
  - (b) the same length as the other parking spaces in the same public parking area;
  - (c) hard surfaced;
  - (d) level;
  - (e) located so as to be readily accessible to a person with disability, for example, via ramps, depressed curbs or other means, and, where the public parking area is intended to serve a particular building or complex, located within easy access to the building or complex;
  - (f) identified by signs conforming to the Ontario Regulation 581 made under the Highway Traffic Act;
  - (g) kept free from obstructions, kept clear of snow, ice and slush, and be otherwise maintained to the same standards as all other parking spaces in the same public parking area;
  - (h) identified with a pavement marking that is applied to the surface of the accessible parking space in accordance with the provisions of Schedule XXXIX; and
  - (i) maintained in good repair so that the pavement marking is easily identifiable by the public.
- (8) Every accessible parking space shall have at least one access aisle per space. An access aisle may be shared by two accessible parking spaces and must meet the following requirements:
- (a) They must have a minimum width of 1.5 metres.
  - (b) They must extend the full length of the parking space.
  - (c) They must be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface.
  - (d) They must be constructed and maintained at the same standards as the accessible parking space itself.

### Curb Cuts

- (9) Where a public parking area requires the provision of an accessible parking space, and the access aisle has a raised surface abutting or in proximity to the aisle, the parking lot owner shall provide a curb cut to permit a person entering or exiting the access aisle a convenient means of traversing the difference in grade.

- (10) Minimum requirements of where curb cuts are not permitted to satisfy Section 48(9) are set out in Schedule XXXI and it is an offence for a parking lot owner not to comply with any of the provisions of Schedule XXXI.

**Accessible Signs**

- (11) Where a public parking area requires the provision of an accessible parking space, every parking lot owner must erect and maintain in good repair one or more signs complying with the following rules:
- (a) The sign must be visible to the public.
  - (b) The sign must comply with all municipal by-laws, the Highway Traffic Act and regulations.
  - (c) The sign must be located on a permanent post, building or structure and its bottom edge of the sign between one (1) metre and one and a half (1.5) metres above the surface of the accessible parking space.
  - (d) If the sign is located on a post, the post may be located at the midpoint of one end of the space if it does not block vehicular access to the accessible parking space or interfere with access to a depressed curb or a curb cut.
  - (e) In accordance with Section 48 (7) (a) (i), Type A parking spaces must be identified as "van accessible" on the same sign or a sign located below the accessible parking sign. This sign shall comply with all municipal by-laws, the Highway Traffic Act and regulations.
- (12) In addition to complying with requirements of Section 11 of Regulation 581 of the Highway Traffic Act, all persons erecting or permitting to be erected any accessible parking sign shall include:
- (a) on the same sign, or
  - (b) on another sign which compiles all municipal by-laws, the Highway Traffic Act and regulations and is located below the accessible parking sign

the words:

"Maximum fine \$5000

For enforcement call 905-458-3424".


**Towing from accessible parking spaces or access aisles**


- (13) Any officer may remove and impound any vehicle that is parked or left contrary to any of the provisions of this by-law. These actions shall be at the expense of the owner of the vehicle."

**Existing Accessible Spaces Continued**


- (14) Nothing in this by-law shall prevent the maintenance and use of an accessible parking space that is not in compliance with Section 48 of this by-law after January 1, 2014, provided that it was lawfully constructed and continues to be maintained as it was constructed.

READ a FIRST, SECOND, and THIRD TIME and PASSED in OPEN COUNCIL, this 20<sup>TH</sup> day of *November*, 2013.

Approved as to form.  
18/11/2013  


Approved as to content.  
Nov 15 2013  


  
  
Susan Fennell, Mayor

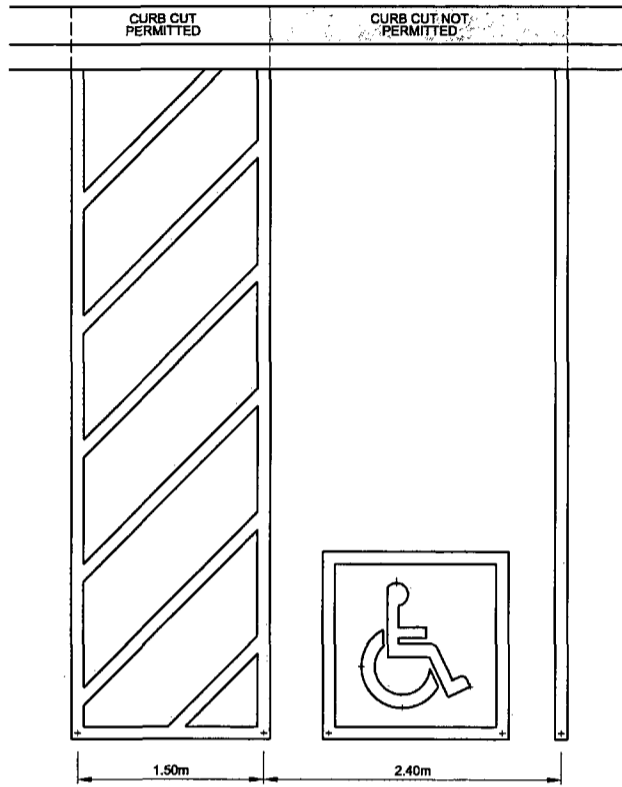
  
Peter Fay, City Clerk

SCHEDULE XXXI

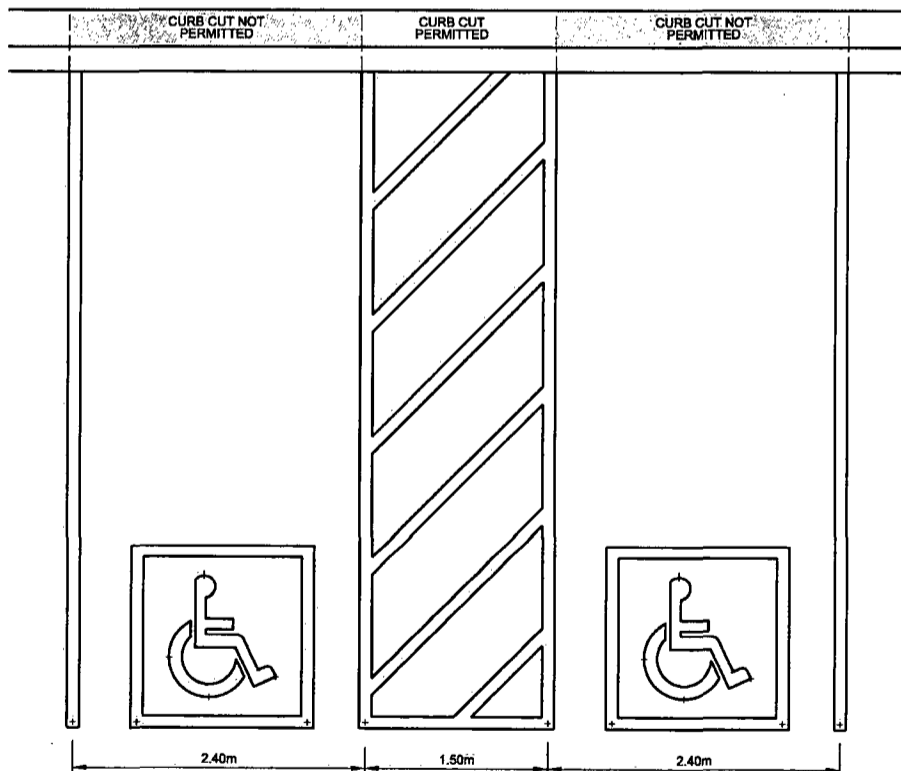
MINIMUM REQUIREMENTS FOR CURB CUTS FOR ACCESS AISLES

1. Where the access aisle abuts a curb along one side only, the following diagram indicates where a curb cut will not be permitted.

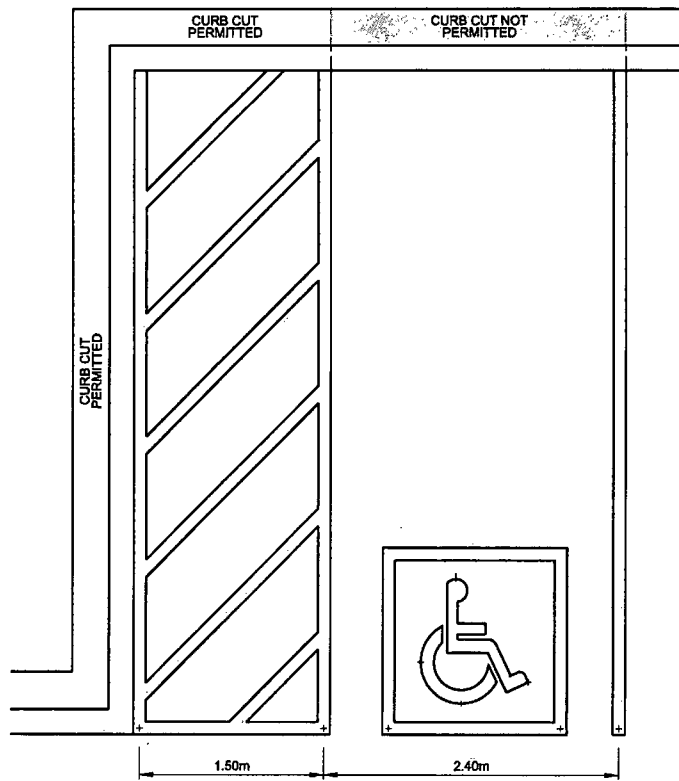
Single Aisle



Shared Aisle

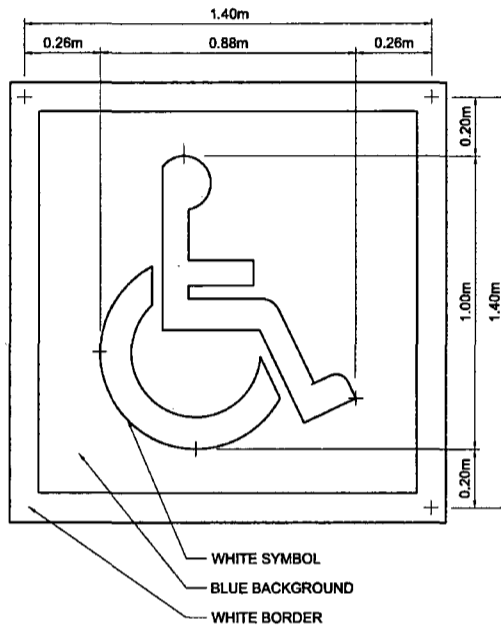


2. Where the access aisle abuts a curb along two sides, the following diagram indicates where a curb cut will not be permitted.



# PAVEMENT MARKING REQUIREMENTS FOR ACCESSIBLE PARKING SPACES

1. The following diagram illustrates the layout, size and colour of the pavement markings identifier to be applied to accessible parking spaces.



2. The following diagram illustrates the location of the pavement markings within a typical accessible parking space.

