



The Township Guide to Parking Restrictions

May 2015



INTRODUCTION

What are parking restrictions? They are restrictions that are established on a road which modifies what type of parking is allowed on the road. There are different types of restrictions for different locations and situations. This guide will describe the Township of Esquimalt's' approach to parking restrictions.

PARKING IN THE ROAD RIGHT OF WAY

The road right of way is made of two portions: the travel section and the boulevard section. The boulevard section is the portion of the right of way that extends from the back of curb to the property line. The travel section is the remaining portion of the right of way and includes from the curb and gutter, travel surface and to the opposing curb and gutter.

One of the general assumptions that home owners make is that they "own" the boulevard portion of the right of way. This assumption also includes that the street parking in front of their home is reserved for them as well. However this is not true as this parking area is part of the common right of way.

While the Township has the ability to assign restrictions to the right of way, it does not give the Township the ability to restrict any individual from utilizing the right of way for either transit or parking. If an individual is prepared to accept the consequences of violation (i.e. ticketing, towing fines, etc.) they are within their rights to utilize the right of way for transit or parking.

In today's society it is not unusual for a family, couple or individual to own two or more vehicles. This increase in vehicle ownership can sometimes be accommodated at a dwelling location but in most cases the location cannot support the parking needs of the residents entirely on the property. When this happens the additional vehicles are parked on the street.

If there is an institutional, commercial or industrial (ICI) business located in close proximity to residential properties and the ICI business does not have sufficient parking to manage their workers' vehicles or charges for parking, these vehicles tend to park in other locations. This interaction between the home-based drivers and transitory drivers leads to the creation of restricted parking zones (i.e. residential only parking zones, residential permit parking).

The establishing of restricted parking zones also creates tension within the community for residents that do not have restricted parking on their streets. These residents have difficulty understanding why they cannot park in a restricted parking zone since they are members of the community as well as tax payers.

PARKING RESTRICTION TYPES

The Streets and Traffic Regulation Bylaw, 2005, No. 2607 (STB) is the bylaw that regulates parking and stopping restrictions. Within the STB, fourteen types of parking and stopping restrictions are identified. They are:

1. **No stopping zones:** locations where stopping is prohibited during the designated hours of the day.
2. **No parking zones:** locations where parking is prohibited during the designated hours of the day.
3. **Limited time parking zones:** locations where parking is allowed but for a limited time.

4. **Loading zones:** locations that allow for short term parking for the express purpose of loading or unloading cargo.
5. **Taxi/Bus stands:** locations where parking is exclusive for the use of taxis/buses.
6. **Safety zones:** locations that are designated for the exclusive use of pedestrians.
7. **Angle parking:** locations where vehicles are parked at an angle to the curb.
8. **Traffic control devices:** any device, painting or marking upon any street or portion of the street that provides drivers with information about that particular portion of the road.
9. **Reserved parking:** locations where parking is reserved adjacent to any Federal, Provincial or Municipal public building for the exclusive use of officials and officers engaged by one of these agencies.
10. **Special parking:** locations where the style of parking is contrary to the *Motor Vehicle Act* but regulated by traffic control devices.
11. **Parking vehicles over 7 metres:** locations where a vehicle and its load/trailer cannot park if the combined length of the two is over seven metres except for the purpose of loading or unloading merchandise or freight.
12. **Passenger zones:** locations where vehicles engage in the loading or unloading of passengers.
13. **Residential parking only zones:** locations where parking has been limited by traffic control devices to residents that abut the street designated as this type of zone.
14. **Residential permit zones:** locations where parking has been limited to residents that abut to a designated street. Permits are issued by the Township to residents along these zones.

While fourteen parking restrictions are identified in the STB, only six are enacted on a regular basis. These are:

1. No stopping zones
2. No parking zones
3. Limited time parking zones
4. Traffic control devices
5. Residential parking only zones
6. Residential permit parking

The remainder of the restrictions have seen very limited utilization (i.e. angle parking) or no utilization due to the lack of need for them at this time (i.e. reserved parking). All of the restrictions are applied as necessary over the 55 kilometres (110 kilometres of curb) of roadway in the Township.

A total of 55.6 km (51%) of curb frontage has some form of restriction placed on it. The remaining 54.4 km (49%) of curb frontage does not have any restrictions placed on it.

ENFORCEMENT

Enforcement of the STB is undertaken by both the Victoria Police Department and the Community Safety Services (Bylaw) Division of the Township. The enforcement takes place by the issuing of either a municipal ticket or provincial ticket. The type of ticket issued is dependent on the restriction violated and the issuing authority. Towing of a vehicle that is in violation is also allowed under the STB. The restrictions listed above all see regular enforcement.

PARKING RESTRICTIONS FOR RESIDENTIAL AREAS

The residential parking only zone and the permit parking zone are the restrictions that most directly affect residents. Each of these restrictions deals with street parking but have several key differences between them:

ACTIVITY	RESIDENTIAL PARKING ONLY ZONE	RESIDENTIAL PERMIT ZONE
ZONE IDENTIFICATION	Street Signage	Street Signage
VEHICLE IDENTIFICATION	None	<ul style="list-style-type: none"> • Permit • Two permits are issued by the Township to each home in the zone.
IDENTIFICATION OF VIOLATION	<ul style="list-style-type: none"> • Complaint driven • Residents notify Bylaw of offending vehicles. • Bylaw confirms registration of vehicle. • If it is found to be a non-resident vehicle it is ticketed. 	<ul style="list-style-type: none"> • Direct observation or complaint driven. • Parked vehicles need to display a parking permit. • If no permit is present, the vehicle is ticketed.
REPEAL OF THE TICKET	<ul style="list-style-type: none"> • The homeowner can bring the ticket to Bylaw and confirm that ticketed vehicle was there as a guest or a contractor performing work on the home. • The ticket must be a municipal ticket. Provincial tickets cannot not be repealed by the Township. 	<ul style="list-style-type: none"> • The municipal ticket will not be repealed. • Provincial tickets cannot be repealed.

The hierarchy of the parking restrictions is that residential only parking zones will be implemented first. If the residents along the road feel that this parking restriction is not working to their satisfaction, the next restriction available is the residential permit zone. In order to move from the residential only parking zone to a residential permit zone, the parking restriction process will have to be undertaken.

PARKING RESTRICTION PROCESS

The process for obtaining a parking restriction is fairly simple. The individual (Proponent) who is bringing forward the request begins by contacting Engineering. This is when the type of parking restriction, location and sphere of influence will be identified to the Township.

Depending on the Proponent's request, Engineering will determine if the petition process is required. The petition process is generally carried out for limited time parking zones, residential only parking zones and residential permit zones.

Engineering will provide the Proponent with the required petition form and a go over the requirements of the request. The two requirements of the petition process are:

1. The Proponent will undertake a survey of the sphere of influence of the requested parking petition.
 - i. The petition includes a written description of the sphere of influence of the requested parking petition. A supplemental drawing may accompany the petition.
 - ii. The name of the occupant of the property, address of the property and a signature are required on the petition.
 - iii. Any number of residents/occupants from a particular property may sign the petition however the property is only counted once.

2. The petition is submitted to Engineering for review.
 - i. The Proponent must have canvassed ninety percent (90%) of the properties that front onto the proposed parking restriction.
 - ii. The petition must receive eighty percent (80%) approval from the properties that front onto the road in the sphere of influence.
 - iii. If these two conditions are not met, the request for parking restriction will be terminated.

3. If the minimum criteria has been met, Engineering will prepare a report detailing the request for a parking restriction and the following information:
 - i. Location of parking restriction
 - ii. The following results will be included in the report:
 - i. Number of properties in favour out of the restriction
 - ii. Number of individuals that responded in favour
 - iii. Number of properties that front on to the road in the sphere of influence

4. Council will review report and determine if they are in favour of the parking restriction being proposed.

5. If Council does determine they are in favour of the parking restriction, a traffic order will be issued and Engineering/Public Works will issue notification to the public via social media and the installation of signage and road markings.

6. Community Safety Services (Bylaw Enforcement) will include parking restriction on their patrol routes and enforces as per the requirements of the parking restriction.

CONTACT US

Engineering and Public Works

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Community Safety Services (Bylaw Enforcement)

Email: bylaw@esquimalt.ca
Phone: 250-414-7161
Fax: 250-414-7111
Mail: Township of Esquimalt – Bylaw Officer
1229 Esquimalt Road. 3rd Floor
Victoria, BC V9A 3P1

VicPd Esquimalt Division

Email: Info@vicpd.ca
Phone: 250-995-7654
Fax: 250-384-1362
Mail: Victoria Police (Esquimalt Division)
Public Safety Building
500 Park Place
Esquimalt, BC V9A 6Z9

APPENDIX A
PARKING PETITION FORM

PETITION REQUESTING THAT THE CORPORATION OF
THE TOWNSHIP OF ESQUIMALT CONSIDER INSTALLING:

(Check only one)

Date: _____

(a) Residential Parking Only **OR**

(b) Limited Time Parking

WITHIN THE AREAS DESCRIBED BELOW: (Use street name and hundred-block address)

(a) RESIDENTIAL PARKING ONLY ZONES were created to protect residential streets bordering on heavy commercial zones from becoming congested with all day parkers, e.g., employee vehicles. Within the zone marked RESIDENTIAL PARKING ONLY, any person or guest of any dwelling on any lot abutting the street, or portion thereof, may park, and remain parked on such designated street, or portion thereof. These zones are enforced by the Police only when a complaint is registered by a resident. The officer will ticket only those vehicles on the street immediately in front of the complainant's address. It will then be the responsibility of the adjacent residents to have their, as well as their guests' tickets revoked by providing proof of residence at the Esquimalt Municipal Hall Building.

(b) LIMITED TIME PARKING ZONES are installed to accommodate areas of both light Commercial and Residential use. In residential areas, restrictions allow for one (1) or two (2) hour parking, enforced on a daily basis.

The Township Guide to Parking Restrictions

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