

Request for Decision

Options for Parking on Charette Avenue in Chelmsford

Presented To: Operations Committee

Presented: Monday, Aug 13, 2012

Report Date Wednesday, Aug 01, 2012

Type: Managers' Reports

Recommendation

That Council direct staff to proceed with Option 1 in this report described herein as Status Quo.

Background

On April 2, 2012 Compliance and Enforcement Services received a request for service to enforce the Parking and Traffic By-law, 2010-1 as amended on Charette Avenue in Chelmsford. The request was from a resident who was concerned that the employees of North West Lumber are parking vehicles in excess of 4 hours on Charette Avenue across from his/her house. The request was recorded as ACR Case 391583.

Staff conducted an inspection on April 16, 2012 and found no vehicles parking on Charette Avenue. On April 23, 2012, the requester called back and advised that there were 5 cars parking in this area, believed to be employees of Northwest Lumber. The vehicles were parked there from 8 o'clock am not moving until approximately 4 o'clock pm. On April 26, 2012 a by-law officer attended the site and issued warnings on the vehicles that were parking on Charette Avenue. The warnings advised the operators of the vehicles that the maximum time for parking on any street in the City is 4 hours, pursuant to section 3(n) of the CGS Traffic and Parking By-law.

The owner of North West Lumber located at 3299 Errington Avenue in Chelmsford has requested through Councillor Berthiaume that this report be prepared to consider options for parking on Charette Avenue to allow the employees of the business to park longer than the 4 hour maximum as regulated in the Traffic By-law.

Signed By

Report Prepared By

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Manager of Compliance and
Enforcement
Digitally Signed Aug 1, 12

Division Review

Guido Mazza
Director of Building Services/Chief
Building Official
Digitally Signed Aug 1, 12

Recommended by the Department

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General Manager of Growth and
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Recommended by the C.A.O.

Doug Nadorozny
Chief Administrative Officer
Digitally Signed Aug 1, 12

Analysis

This report will provide an analysis of the regulations in the Traffic By-law and site specifics of North West Lumber business located at 3299 Errington Avenue in Chelmsford.

Traffic and Parking By-law 2010-1

Parking and stopping regulations in the by-law are established for the purpose of maintaining safety of motorists and pedestrians, enable operational work on roads and boulevards and to set out procedures for equitable public parking in areas of high supply and demand. Parking offences are set out in the by-law for parking on any boulevard and parking on any roadway for a longer period than 4 consecutive hours. There are no specific provisions currently in the by-law to permit parking on any street longer than 4 hours except through the issuance of a parking permit and for emergency vehicles and City vehicles.

The Traffic By-law contains a schedule that sets out streets that are designated as permit parking zones and procedures for the General Manager of Infrastructure Services for the issuance of parking permits. The GM may set out eligibility criteria for permit applicants and conditions on the permit for parking in the applicable zones. Currently parking permits are available for the following fees and time periods; \$12 per month and \$75 per year. The only parking permit zone designated in the by-law is for Drinkwater Street to accommodate residents with limited or no off street available parking. The applicant for a permit must prove they are residents and conditions of the permit are that they alternate parking on the opposite sides of the street to accommodate snow removal in winter.

North West Lumber - 3299 Errington Avenue, Chelmsford

The property is zoned C2 pursuant to the current CGS Zoning By-law, 2010-100Z and defined as a Home Improvement Centre pursuant to that by-law. It is located on east side of Errington Avenue, north of Hill Street, with Charette Avenue adjacent to the east limit of the property. See Appendix 1 for an aerial photo. There are currently 11 angled parking spaces on the property accessed from Errington Avenue, and an additional 2 spaces dedicated to persons with accessible parking permits. There are also approximately 9 spaces established on an improved portion of the boulevard along Hill Street immediately east of Errington Avenue adjacent to the building on the property.

Staff has found 2 previous Committee of Adjustment decisions related to this property, dated August 26, 1974 and September 27, 1976. The application in 1974 was to enlarge the legal non-conforming use of the property as a lumber yard and home centre by constructing four warehouses and the addition of a garden center onto the existing home center building. The variances of By-law 70-22 in effect at the time were numerous, but included parking in the front yard and insufficient parking. The subsequent report heard by the Committee of Adjustment on September 27, 1976 regarding improvements to the property included a decision whereby the owner of the North West Lumber Company was to provide 2 rows of angled parking; not less than 14 spaces to the north of the Home Centre building, and 6 spaces in tandem along the front of the building on Errington Avenue; a total of 20 spaces.

Staff has estimated the net floor area of the buildings to determine that the parking requirements on the property according to the current Zoning By-law 2010-100Z, are a minimum of 22 spaces, including one reserved and designed as accessible parking.

Staff met with the owner of North West Lumber who advises that there are approximately 10 employees in

the store during store hours. He would like to utilize approximately 250 feet of curbside parking adjacent to the property on Charette Avenue and a portion of Charette Avenue that is south of Hill Street for staff parking. The areas on Charette Avenue utilized by employees of North West Lumber for parking have residential dwellings adjacent to one side of the street. He would prefer to utilize the off street parking on his property for the convenience of his customers. He indicated that the street would be used only in the summer and spring for parking of approximately 10 vehicles owned by employees. As this time is the busy season, his available off street parking is decreased due to storage of product and demand is increased due to more customers and required staff resources. He advises that he would be able to accommodate staff parking on his property during the winter months and not require the street for parking, ensuring the street is unhindered for snow clearing purposes. Hours of operation of the store year round are Mon to Wed, 8 am until 6 pm; Thurs and Fri, 8 am until 8 pm; Sat 8 am until 5 pm; and Sun 9 am until 5 pm.

Pictures of the parking utilized by employees and customers of the North West Lumber Company on Charette Avenue, the boulevard on Hill Street and the angled parking on the property of 3299 Errington Avenue north of the Home Centre are detailed in Appendix 2 of this report.

Options

The options for a solution to the parking on Charette Avenue in this report are detailed below. The option explained as Status Quo maintains the current parking by-law and enforcement procedures, but requires the business owner and employees to find alternative off street parking solutions. This is the recommended option as it is consistent with the current practices and fair use of the street for parking for all motorists in the area.

Another option provided in this report is to amend the Traffic and Parking By-law to designate a portion of Charette Avenue as a permit parking zone and provide conditions for issuance and use of the parking permit. This option is not recommended because it will set precedence for authorizing on street parking that benefits a private business use. If Council decides on this option it is recommended that Traffic Engineering report to the Operations Committee on the standard process of a feasibility study to amend the Traffic and Parking By-law that will involve public input and consideration of all traffic safety concerns in a cost effective manner.

Status Quo

All parking regulations except metered and permit parking are enforced on a complaint basis only. Enforcement of the 4 hour restriction is accomplished through an officer attending first to identify the vehicles parking on the street then returning after 4 hours to determine if the vehicles have moved. Enforcement of this regulation is a challenge given the resources available for enforcement and the working hours of the officer, especially if the vehicles are moved. The by-law is most effective when education is provided to the vehicle operators and an alternative parking solution is sought out.

More particular to this situation, the employees may be asked to find off street parking on other properties in the area, car pools, or move their vehicles after 4 hours to comply with the parking provisions. This option appears to be in effect currently, and no further complaints have been received from area residents. Encouraging alternative off street parking by the employees and owner of the North West Lumber Company is consistent with the intent of the Traffic and Parking By-law; ensuring fair and consistent parking to all of the general public in the area.

On Street Parking Permit – Amendment to the Traffic By-law

This is not the recommended option as it sets precedence in the by-law for authorizing a private business use on a public street. The City's current permit parking program was established to provide an off street parking option to residents that have little or no available off street parking. The permits are issued to residents only, placing conditions on the permit that maintain minimum operational requirements on the street. If the permit process was put in effect on Charette Avenue, the residents on the east side of the street and their guests would also be required to purchase a permit to utilize that part of the street for parking. There is a current procedure carried out by Traffic Engineering Staff when requests are made to amend the traffic and parking by-law that affects area residents. Notification of the amendment is circulated to area residents for comments. After consideration of those comments and all safety and operational concerns have been addressed, Traffic Engineering staff present a report outlining the particulars for consideration by the Operations Committee and Council.

Conclusion

In order to maintain the public street for short term parking, not longer than 4 hours, for all motorists in the area staff is recommending Option 1 of this report; maintaining the status quo. The intent of this by-law regulation is to ensure that the public roadway is not used for private interests, but instead, is available to all motorists in the area who require temporary street parking. It is expected through the requirements of off street parking in the Zoning By-law that sufficient parking is provided based on the type of land use. The North West Lumber Company expanded their retail and storage areas through a minor variance to the zoning by-law in 1976 and the committee decided that at least 20 off street parking spaces were to be provided. Today those spaces have been reduced to 13 with the overflow being accommodated on the boulevard of Hill Street and on street parking on Charette Avenue. In order to maintain the intent of the by-law and not set a precedent in permitting on street parking for a private use, staff are recommending that the employees find alternative off street parking in the area or other solutions as mentioned in this report.



Legend

- Buildings
- Fire Stations
- Hospitals & Clinics
- Runways
- Golf Courses
- Conservation Areas
- Protected Forests
- City Parks
- 2007 Orthophotography
- Red: Band_1
- Green: Band_2
- Blue: Band_3

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Notes

North West Lumber Company
3299 Errington Ave., Chelmsford



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Staff Parking on Charette Avenue



Boulevard Parking on Hill Street



Angled Parking (11 spots) on 3299 Errington Avenue, north of the Home Centre

