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# Council Policy

## Residential Permit Program

ESTABLISHED: January 14, 2013

Contact Department: Real Estate (Parking Services)

### Guiding Principle

Residential Area Parking Restrictions help to manage transient vehicle parking in residential neighborhoods by setting time limits or restricting parking to permit holders. Residential Permits allow area residents and visitors to park for up to 24 hours.

### Purpose

The Residential Permit Program provides a long-term solution to the problems associated with transient parking occurring in residential neighborhoods close to a High Parking Generator. The Residential Permit Program does NOT guarantee a resident will be able to park near or in front of their residence, but does, however, provide a resident with an opportunity to park in excess of posted time-limited parking restrictions within the area - up to a maximum of 24 Hours. Residential Permits and Visitor Permits are NOT available to residents in Pay Parking Zones.

### Application

This policy applies to on-street parking in residential areas.

### Definitions

The following is a list of definitions not found in the City of Kelowna Zoning Bylaw No. 12375 or the Traffic Bylaw No. 8120. (Refer to Bylaw No. 12375 and Bylaw No. 8120 for all definitions).

"High Parking Generator" means an event, business, multi-family development or institution that generates a substantial volume of transient parking.

"Pay Parking Zone" means an area where parking meters, pay stations, or other revenue control devices are installed; or where a virtual parking payment option is available.

"Residential Permit Zone" means an area within the city where a Residential Area Parking Restriction has been implemented.

"Residential Permit Eligible Dwelling" means One, Two, Three, Four, Five or Six Dwelling Housing.

"Resident" means a person who owns or occupies a Residential Permit Eligible Dwelling unit within an area where a Residential Area Parking Restriction has been implemented and produces proof of that occupancy.

"Residential Area Parking Restriction" means a primarily residential area where a posted parking restriction is in effect. (e.g., 1- or 2-hour maximum time limit or "Resident Only" parking)

"Transient Parking" means the short-term parking of vehicles that would not normally be located in any given area.

### Policy Statements

#### **Criteria for Residential Area Parking Restriction**

1. Residential Area Parking Restrictions may be imposed by the Parking Services Manager, Transportation Engineering Manager, Parking Services Supervisor, Traffic Operations Supervisor, Parking Operations Coordinator, or their designate as deemed necessary. The residents of an area may also request a restriction.
2. When requested by the residents of an area, the minimum level of support from residents of Residential Permit Eligible Dwelling units in the proposed area must be no less than 70 percent (80% support required to request a Resident Parking Only restriction). The residents shall request the parking restriction in the form of a petition.
3. Only one resident per Residential Permit Eligible Dwelling unit is eligible to sign the petition.
4. For developments with seven (7) or more dwelling units, one resident "vote" per fourteen (14) meters of street frontage (where parking is permitted) may be considered. This support/non-support must be obtained from a strata council executive or building manager/owner.
5. For the purposes of petition evaluation, properties addressed on an adjacent street that have at least one frontage on the block that is the subject of the petition may be included or excluded. If any adjoining properties are counted, they must all be included.

6. The details of the parking restriction, in terms of time and day restrictions will be determined by the Parking Services Manager, Transportation Engineering Manager, Parking Services Supervisor, Traffic Operations Supervisor, Parking Operations Coordinator or their designate.
7. Residential Parking Only zones, in which the parking is reserved exclusively for residents, will not be considered unless all other parking management measures have first been exhausted and the following criteria are met:
  - a) A petition is completed showing support from a minimum of 80% of Residential Permit Eligible Dwelling units on both sides of a block (between two intersecting streets).
  - b) The subject block must have insufficient off-street parking. The total number of off-street parking spaces for all residences in a block must be less than the total number required as per Zoning Bylaw No. 12375.
  - c) With a 1-hour maximum time limit in effect, occupancy levels during peak periods must exceed 90%, with a minimum of 50% transient parking.
  - d) Unless a Resident Parking Only zone is approved as part of an area parking plan approved by Council, implementation may be limited to one-side or 50% of a block, to be determined by the Parking Services Manager, Transportation Engineering Manager, Parking Services Supervisor, Traffic Operations Supervisor, or Parking Operations Coordinator.
  - e) The block must be located within five hundred (500) meters of a High Parking Generator. Peak operating hours for the High Parking Generator will be used to establish the new restriction (i.e., daytime, overnight, or full-time).
8. A request for changes to a residential area parking restriction will not be considered if any modifications have been made to the area within the preceding 24-month period.

#### **Criteria for Residential Permits**

9. Permits are available to residents of Residential Permit Eligible Dwellings where on-street parking is affected by a Residential Area Parking Restriction. Residential Permits will not be issued to residents of developments that contain seven (7) or more dwelling units.
10. Only vehicles driven daily are eligible for a Residential Permit. Boats, RV's, trailers, and stored vehicles are not eligible for a Residential Permit.
11. No vehicle may remain parked on any city street for a continuous period exceeding 24 Hours or be parked at any time in a posted "No Parking" or "No Stopping" zone. Residential Permits do not exempt vehicles from any section of the Traffic Bylaw, except for sections dealing with overtime parking.
12. If a licence plate/vehicle has outstanding bylaw offence notices attached to its record, the issuance of a Residential Permit &/or Visitor Permit may be denied until the outstanding fines are paid in full.

#### **Permit Fees**

13. Permit fees for the Residential Permit Program are identified in Schedule "A," "Fees," of the City of Kelowna, Traffic Bylaw No. 8120.
14. In cases where a property was developed without onsite parking in compliance with the Zoning Bylaw in effect at the time of construction, or where a resident cannot park on their property due to physical restrictions to access their property, the Building Inspection and Licensing Manager, Parking Services Manager, Parking Services Supervisor, Parking Operations Coordinator, or their designate may, on a case-by-case basis, waive the fees associated with the issuance of a Residential Permit. All exemptions are subject to review and revocation at any time without notice. The total number of permits issued may not exceed the maximum identified under the "Maximum Number of Permits" section in this policy.
15. No refunds will be provided for any permits issued under this program.

#### **Acquiring Permits**

16. Permits are available at the Building and Permitting Branch, Application Centre, at Kelowna City Hall, during regular business hours.

#### **Proof of Residency/Vehicle Ownership**

17. A Resident must provide a minimum of two pieces of documentation which proves they live in a Residential Permit Eligible Dwelling within a Residential Permit zone, and that they own or operate a motor vehicle that is parked at their place of residence. The primary piece of documentation of this proof is a vehicle registration document. This is sufficient to prove vehicle ownership; however, an additional piece of documentation is required to confirm the

resident's address. The following is a list of acceptable pieces of documentation to show proof of residency:

- a) driver's license showing the permit address
- b) phone, utility, or cable TV bill
- c) property tax receipt
- d) bank, or credit card statement
- e) tenancy agreement
- f) vehicle insurance/registration document (showing the permit location as the current address)
- g) change of address registered with the post office

18. In instances where the resident is not the registered owner of the vehicle or the vehicle is not registered to the permit address (i.e., company vehicle), the resident must provide proof of residency at the permit address. All documentation is subject to verification by the Parking Services or Building and Permitting Branch.

#### Maximum Number of Permits (See below for additional details)

Dwelling Type	Maximum Number of Residential Permits per Dwelling Unit	Maximum Number of Visitor Permits per Dwelling Unit
One Dwelling	2	1 <sup>1,2</sup>
Two Dwelling	1	1 <sup>1,2</sup>
Three Dwelling	1	1 <sup>1,2</sup>
Four Dwellings	1 <sup>3</sup>	1 <sup>2,3</sup>
Five or Six Dwellings	Not Available	1 <sup>2</sup>
Seven or more Dwellings	Not Available	1 per 7m (per property) <sup>1</sup>

1. The total number of Visitor Permits may not exceed one permit per seven metres of frontage where parking is permitted.

2. One short-term Visitor Permit may be issued in the case of a family emergency (i.e., illness), where an additional on-street parking space is required. This permit will be valid for one-month period. Approval will be on a case-by-case basis by the Building Inspection and Licensing Manager, Parking Services Manager, Parking Services Supervisor, Parking Operations Coordinator, or their designate.

3. Residents of each Four Dwelling unit must choose EITHER 1 Residential Permit OR 1 Visitor Permit.

#### Residential Permits

19. Residential Permits will only be issued to residents of Residential Permit Eligible Dwelling units. Permits will NOT be issued to residents of developments with seven (7) or more dwelling units. Illegal suites are NOT considered additional dwelling units, and the entire dwelling will be considered as one unit for the purposes of this policy.
20. Out of town students residing in a Residential Permit Eligible Dwelling with four dwellings or less may be issued a residential permit for a maximum period of 9 months. (Or length of the school term, whichever is less). A rental agreement for the permit address and proof of current registration as a student is required. (Valid student identification card or registration documents from an accredited college or university will be accepted). Permit limits for the type of property and full annual Residential Permit fees will apply.
21. Visitor Permits may be issued/used by residents moving from out of British Columbia with proof of residency. These permits may be used for up to one month while vehicle registration/insurance is changed to BC licence plates.

#### Visitor Permits

22. Visitor Permits will be issued upon request by an owner or resident of a Residential Permit Eligible Dwelling unit within an area where a Residential Area Parking Restriction has been implemented. **These permits are for the exclusive use of visitors to the residence. These permits may not be used on a vehicle registered to the resident or permit holder or any vehicle registered to an address within the zone where the permit is valid.** Misuse of any Visitor Permit will result in cancellation of ALL permits for a period of one (1) year, and future issuance of Visitor Permits for that residence will be reviewed and may be denied.
23. Developments with seven (7) or more dwelling units may receive one Visitor Permit per seven (7) metres of street frontage where parking is permitted. These permits are for the exclusive use of visitors to the property and will only be issued to the building or strata manager, who will be responsible for administration and distribution within the development. If the development is located within a Pay Parking Zone, Visitor Permits will not be issued.

24. Construction vehicles, while working at an unoccupied Residential Permit Eligible Dwelling, may be issued Visitor Permits valid for a period not greater than four (4) months. A valid building permit must be in place for the subject property and the number of passes issued may not exceed the available street frontage (one permit per seven (7) metres), where parking is permitted. These permits are available only if the residence is unoccupied and there are no other valid Visitor Permits for the address. These permits shall have "CONSTRUCTION" written on the face and are void once the building permit is closed. Permits are valid between 7:00 a.m. and 10:00 p.m. daily, and only while active construction is underway.

#### **Disposal of Vehicle, Change of License Plates**

25. If a resident sells their vehicle and no longer requires Residential Permit(s), the permit(s) must be returned to the Building and Permitting Branch, Application Centre, located on the second floor of City Hall.
26. If a resident changes license plates, they must return their old permit to the Building and Permitting Branch and show documentation as outlined in "Proof of Residency/Vehicle Ownership" above. This is to prove that vehicle ownership remains the same, but the plate number is different. A new Residential Permit will be issued, and the "Residential Permit Replacement Fee" will apply. The new permit retains the same expiry date as the permit being replaced.

#### **Resident Moves**

27. The following are the two possible scenarios:
  - a) The Resident moves to another Residential Permit Eligible Dwelling unit, also affected by Residential Area Parking Restrictions. In this case, the resident must notify the Building and Permitting Branch of their change of address and provide proof of the new location.
  - b) The Resident moves to a non-Residential Permit Eligible Dwelling. The resident is required to return their permit(s) to the Building and Permitting Branch. No refund will be issued. Failure to return permits may result in the new tenant/owner at the old address being denied permits until all outstanding permits expire.

#### **Lost or Stolen Permits**

28. A resident who loses or has their permit stolen may apply for a new permit at the Building and Permitting Branch. The resident may be required to show proof of a theft, such as an insurance claim. A fee for replacement of lost or stolen permits may apply. In the case of a lost or stolen Visitor Permit, if proof of a theft is not provided, a replacement will not be issued until after the expiry date of the original lost/stolen permit.

#### **Renewal**

29. Residential and Visitor Permits are valid for a period of one year with the expiry date indicated on the permit. All permits expire on the last day of the expiry month shown.
30. Residents are responsible for re-applying for their Residential Permit and will not be notified by the City of Kelowna before the Permit expires.
31. Residents re-apply for Residential Permit(s) at the Building and Permitting Branch. The re-application procedure is the same as the initial application for a permit, where the applicant must provide proof of residency and vehicle ownership.

#### **Information Displayed on Permits**

32. The following information may be displayed on Residential Permits (varies with style of permit):
  - a) License plate number
  - b) Residential address
  - c) Permit number
  - d) Expiry date
  - e) Residential Permit Zone
33. A permit will be a placard that must be displayed from the rear-view mirror, or a decal affixed to the lower left hand side rear window (drivers' side) on the vehicle it was issued for. Permits displayed incorrectly are invalid.

#### **Planned Transition from Physical to Virtual Permits**

34. The Residential Permit Program is transitioning from physical permits, such as decals for Residential Permits and hang tags for Visitor Permits, to virtual permits. During this transition, the term "permits" in this policy will be updated to reflect the move to virtual permits, where the license plate of the resident, visitor, or temporary guest vehicle will serve as the permit. Visitor Permits will be replaced with a process to register a plate for up to 14 days.

**Enforcement**

35. Once a Residential Area Parking Restriction has been established and residents have been issued permits, enforcement of the zone will commence. Enforcement will be conducted by Traffic Officers, as time and resources permit.
36. The penalty for misuse of Residential or Visitor Permits is the revocation of all permits issued to the address or permit holder for a period of one year. Any vehicle found displaying a misused permit will be treated as if no permit were in use and may be ticketed and/or towed. Future issuance of permits for the Resident may be denied.

**Offences**

37. The following constitutes "misuse" of a Residential or Visitor Permit:
  - a) Visitor Permits are for the exclusive use of visitors to the residence shown on the permit and may not be used on a vehicle that is registered to an address within the permit zone. Visitors must always be present at the registered address while the permit is in use.
  - b) The sale, trade, rental, give away or disposal of a permit contrary to this policy or allowing use of a permit by a non-visitor to the permit address are grounds for immediate revocation of the permit.
  - c) Residential Permits are assigned to a specific licence plate number and are not transferrable.
  - d) Permits may not be altered or tampered with in anymanner.
  - e) Residential and Visitor Permits are valid within 250 meters or two blocks (whichever is greater) from the registered address and may not be used outside of the Residential Permit Zone indicated on the permit.

**Amendments**

Last Revised: 24/04/15

Replacing: R0711/22/09/26, R695/19/07/15, R945/16/12/05, R019/13/01/14, Council Policy 107