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# Council Policy

## Residential Permit Program

ESTABLISHED: January 14, 2013

Contact Department: Real Estate (Parking Services)

### Purpose

- Residential Area Parking Restrictions help to manage non-resident vehicles in neighborhoods by restricting the amount of time non-residents can park in a zone. This allows increased parking opportunities for residents in areas with time restricted parking.
- To outline the administrative procedures required of the Residential Permit Program.

### 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 – Event, business, multi-family development or institution that generates large amounts of transient parking.

Pay Parking Zone – An area where parking meters or other revenue control devices are installed.

Residential Permit Zone – An area within the city where a Residential Area Parking Restriction has been implemented.

Residential Permit Eligible Dwelling – One, Two, Three, or Four Dwelling Housing (each secondary suite and carriage house is considered an eligible dwelling).

Resident – 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 – 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 – Short term parking of vehicles that would not normally be located in any given area.

### Application

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 is not a guarantee that a resident will be able to park 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 (Temporary) Permits are NOT available to residents that live in a Pay Parking Zone.

The administrative procedures of the Residential Permit Program as follows outline the specific details of the program. These administrative procedures provide clear guidance of the rules and steps to be taken to implement and maintain the Residential Permit Program.

### Criteria for Residential Area Parking Restriction

- Residential Area Parking Restrictions can be imposed by the Parking Services Manager, Traffic Operations Supervisor, Parking Operations Coordinator, or their designate as deemed necessary. Restrictions can also be requested by the residents of an area.
- 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.
- Only one resident per Residential Permit Eligible Dwelling unit is eligible to sign the petition.
- For multi-family developments (greater than 5 Dwellings), one resident "vote" per 14 meters of street frontage (where parking is permitted) may be considered. This support/non-support should be obtained from a strata council

executive or building manager/owner.

- 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, then they must all be included.
- The details of the parking restriction, in terms of time and day restrictions will be determined by the Parking Services Manager, Traffic Operations Supervisor, Parking Operations Coordinator or their designate.
- 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 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).
  - 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 of spaces required as per Zoning Bylaw No. 12375,
  - With a 1-hour maximum time limit in effect, occupancy levels during peak periods must exceed 90%, with a minimum of 50% transient parking.
  - 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, Traffic Operations Supervisor, Parking Operations Coordinator.
  - The block must be located within 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 only or full-time).
- 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 18-month period.

#### Criteria for Residential Permits

- Permits are available to residents of Residential Permit Eligible Dwelling who's on-street parking is affected by a parking restriction. Residential Permits will not be issued to residents of apartment or row housing (Any housing that contains five (5) or more total units). Visitor (Temporary) Permits will be issued to residents on an as requested basis.
- Only those vehicles driven daily are eligible for a Residential Permit. Boats, RV's, trailers, and stored vehicles are not eligible for a Residential Permit.
- 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 as indicated in the City of Kelowna Traffic Bylaw No. 8120. Residential Permits do not exempt vehicles from any section of the Traffic Bylaw, except for any sections dealing with overtime parking.

If a licence plate/vehicle has outstanding bylaw offence notices attached to its record, the issuance of a Residential Permit &/or Visitor (Temporary) Permit may be denied until the outstanding fines are paid in full.

#### Permit Fees

Permit fees for the Residential Permit Program are identified in Schedule "A", "Fees", of the City of Kelowna, Traffic Bylaw No. 8120.

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 and Permitting Manager, Parking Services Manager, Parking Operations Coordinator, Development Services 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. No refunds will be provided for any permits issued under this program.

#### Administration

##### Acquiring Permits

Permits are available at the Building and Permitting Branch, Application Centre, located on the second floor at Kelowna City Hall, during normal business hours.

#### Proof of Residency/Vehicle Ownership

Residents are required to provide a minimum of two pieces of documentation which proves that 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:

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

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 Visitor (Temporary) Permits per Dwelling Unit
One Dwelling	2	2
Two Dwelling	2	1**
Three Dwelling	1	1**
Four Dwelling	1***	1***
Multiple Dwelling Housing (5 Units and Above)	Not Available	5 (per property)**

\*\* 1) Additional Visitor (Temporary) Permits may be issued for a property with a large amount of street frontage. The total number of Visitor (Temporary) Permits for any property may not exceed one permit per seven metres of frontage where parking is permitted. Approval will be on a case-by-case basis by the Building and Permitting Manager, Parking Services Manager, Parking Operations Coordinator, Development Services Coordinator or their designate.

\*\* 2) One Short-Term Visitor (Temporary) 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 and Permitting Manager, Parking Services Manager, Parking Operations Coordinator, Development Services Coordinator or their designate.

\*\*\* 3) Each Four Dwelling unit may choose EITHER 1 Residential Permit OR 1 Visitor (Temporary) Permit.

#### Residential Permits

Annual Residential Permits will only be issued to residents of Residential Permit Eligible Dwelling units. Permits will NOT be issued to residents of Apartment Housing or Row Housing (that contain five (5) 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.

Out of town students residing in a Residential Permit Eligible Dwelling 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). All permit limits for the type of property and the full annual Residential Permit fees will apply.

Visitor (Temporary) 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 (Temporary) Permits

Annual Visitor (Temporary) 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, and their use will be closely monitored by enforcement personnel to detect misuse. These permits may not be utilized on a vehicle registered to the resident or permit holder or any vehicle registered to an address within the zone the permit is valid within.** Misuse of any Visitor (Temporary) Permit will result in a cancellation of ALL permits for a period of one (1) year, and future issuance of visitor permits for that residence will be reviewed, and possibly denied.

Multiple Dwelling Housing (containing five or more dwelling units) may receive one Visitor (Temporary) Permit per seven metres of street frontage. These permits are for the exclusive use of visitors to the complex and will only be issued to the apartment or strata manager, who will be responsible for the administration and distribution within the apartment or row housing. If the apartment or row housing is located within a Pay Parking Zone, Visitor (Temporary) Permits are not available for issue.

Construction vehicles, while working at an unoccupied Residential Permit Eligible Dwelling may be issued Visitor (Temporary) Permits valid for a period not greater than 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 (1 permit per 7 metres). These permits are available only if the residence is unoccupied and there are no other valid Visitor (Temporary) 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, only while active construction is underway.

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

If a resident sells their vehicle and no longer requires a Residential Permit, the permit must be returned to the Building and Permitting Branch, Application Centre, located on the second floor of City Hall.

If a resident changes license plates on their vehicle and the ownership of the vehicle remains the same, the resident must return their old permit to the Building and Permitting Branch and show proof of ownership documentation as outlined in "Proof of Residency/Vehicle Ownership" above, illustrating that ownership has remained the same, but the license plate number is now different. A new Residential Permit will be issued. The "Residential Permit Replacement Fee" will apply, and the new permit will retain the same expiry date as the permit being replaced.

#### Resident Moves

The following are the two possible scenarios:

A 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.

A 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 a new tenant/owner at the old address being denied permits until all outstanding permits expire.

#### Lost or Stolen Permits

A resident who loses or has their permit stolen may apply for a new permit to the Building and Permitting Branch. The resident may be required to show proof of a theft, such as an insurance claims form. A fee for replacement of lost or stolen permits may apply. In the case of a lost or stolen Visitor (Temporary) 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

Residential Permits and Visitor (Temporary) Permits are valid for a period of one year with the expiry date indicated on the permit. Expiry dates will be staggered throughout the year to limit the number of residents re-applying at any one time. All permits expire on the last day of the expiry month shown.

Residents are responsible for re-applying for their Residential Permit and will not be notified by the City of Kelowna before the Permit expires.

Residents can re-apply for a Residential Permit at the Building and Permitting Branch. 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

The following information may be displayed on Residential Permits (varies with style of permit):

- License plate number
- Residential address
- Permit number
- Expiry date
- Residential Permit Zone

Permits shall 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.

### Database

A database will be maintained of all Residential Permit holders by the City of Kelowna. Building and Permitting Branch personnel will enter applicant's data into the database when issuing permits. Parking Services and Bylaw Services staff will access and use this database for enforcement purposes.

### Enforcement

Once a Residential Area Parking Restriction has been established and residents have been issued permits, enforcement of the Zone will commence. Regular enforcement will be conducted by Traffic Officers from Parking Services on a complaint basis and proactively as time and resources permit.

The penalty for anyone found to be misusing any Residential Permit or Visitor (Temporary) Permit will be the immediate revocation of all permits issued to that address or permit holder for a period of one year. Any vehicle found displaying a misused permit will be treated as if no permit was in use and may be immediately ticketed and/or towed. Future issuance of permits for the Resident will be reviewed, and possibly denied.

### Offences

The following constitutes "misuse" of a Residential Permit or Visitor (Temporary) Permit:

- Visitor (Temporary) 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 any address within the permit zone. Visitor must be present at registered address while the permit is in use.
- 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.
- Residential Permits are assigned to a specific plate number and are not transferrable.
- Permits may not be altered or tampered with in any manner.
- Residential and Visitor (Temporary) 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.

### Policy Statements

Real Estate (Parking Services)

Parking Services is responsible for:

- The review, update, and administration of this policy (in conjunction with Bylaw Services and the Office of the City Clerk).
- The review, approval, and implementation of new Residential Area Parking Restrictions. (In conjunction with the Traffic Operations Supervisor and Traffic Technician(s) when necessary.)
- The enforcement of Residential Area Parking Restriction areas.

Development Services (Building and Permitting Branch)

Building and Permitting Branch of Development Services is responsible for:

- The issuance of Residential Permits and Visitor (Temporary) Permits when the Resident is paying with a cheque and all data entry into the Residential Permit database.
- Maintenance of Residential Permit inventory and assignment of batches to City Hall Cashier for distribution.

Financial Services (Revenue Branch)

Revenue Branch of Financial Services is responsible for:

- Issuance of Residential Permits and Visitor (Temporary) Permits when the Resident is not paying with a cheque.
- Posting of revenues related to this program.

Information Services (Systems Development Branch)

Systems Development Branch of Information Services is responsible for:

- Maintenance and upgrades to the Residential Permit system, related components of the City Hall Cashier system, and any database maintenance that may be required.

Legislative Authority

Sec. 124, Motor Vehicle Act; Traffic Bylaw No. 8120; Zoning Bylaw No. 12375, Kelowna 2040 - Official Community Plan Bylaw No. 12300.

Amendments

Resolution: R695/19/07/15

Replacing: R945/16/12/05, R019/13/01/14, Council Policy 107