

OPEN DELEGATION REQUEST

PLEASE PRINT

SUBJECT: PARKING WORSLEY STREET		
REFERENCE COMMITTEE: INFRASTRUCTURE, INVESTMENT AND DEVELOPMENT SERVICES COMMITTEE		
PREFERRED DATE: SEPTEMBER 14, 2016	ALTERNATE DATE: October 12, 2016	
NAME: JOE TASCONA		
EMAIL ADDRESS:		
STREET ADDRESS: 84 WORSLEY STREET BARRIE L4M 1L8		
City		Postal Code
705 725 1772		
PHONE:	HOME:	BUSINESS:
FAX NO.: 705 725 1772	E-MAIL ADDRESS: as above	
NAME OF GROUP OR PERSON(S) BEING REPRESENTED (if applicable), INCLUDING THE PERSON(S) WHO WILL BE SPEAKING AND/OR PRESENT AT THE MEETING: JOE TASCONA		
BRIEF STATEMENT OF PURPOSE OF THE OPEN DELEGATION: AS IN ATTACHED LETTER DATED MAY 18, 2016		

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City of Barrie, Legislative and Court Services Department
70 Collier Street, P.O. Box 400, Barrie, L4M 4T5
Tel: 705 739-4204 Fax: 739-4243
www.barrie.ca

Joseph N. Tascona
Law Firm

DELIVERED BY HAND

May 18, 2016

The Corporation of the City of Barrie
70 Collier Street
P.O. Box 400
Barrie, Ontario
L4M 4T5

Attention: City Clerk, Corporate Services - Dawn McAlpine

Dear Mayor and Councillors:

Re: 84 Worsley Street and City of Barrie Traffic
By-Law 80-138 Consolidated - as amended

I am requesting the removal of the two (2) parking meters in front of 84 Worsley Street and the one (1) parking meter in front of 86 Worsley Street as the design and location of the parking spaces are in contravention of City of Barrie Traffic By-Law 80-138 Consolidated - as amended and severely impede the safe entry onto Worsley Street for a vehicle emerging from 84 Worsley Street driveway. Accordingly, it is also requested that there be No Parking signage erected in these areas on 84 and 86 Worsley Street.

1. **Parking On Worsley Street**

The law office building on 84 Worsley Street is located between Owen Street and Mulcaster Street. There is no parking permitted in front of the 78 Worsley Street law building and the 83 Worsley Street law building has only one parking meter in front as one parking space has been allowed in its front yard. Across the street is Saint Andrew's Church where a parking lot was created after the demolition of a residence and a no parking sign has been erected on both sides between the Church and City of Barrie driveways obviously for safe entry onto Worsley Street. For the rest of Worsley Street there are parking meters in front of residences and in front of the City of Barrie building.

BARRISTER, SOLICITOR, AND NOTARY

84 Worsley Street, Barrie, Ontario L4M 1L8
Office Telephone (705) 725-1769 Fax (705) 725-1772
Email: joetascona@rogers.com

You should be aware that the time limitation is 10 hours for parking meters on Worsley Street whereas the time limitation is 2 hours for parking meters on Collier Street, both Worsley Street and Collier Street meters being enforced Monday - Friday 9:00 a.m. - 5:00 p.m.. *What is the rationale for the time limitation differential as both Worsley Street and Collier Street for the most part are commercial streets.*

2. **CITY OF BARRIE TRAFFIC BY-LAW 80-138 CONSOLIDATED - AS AMENDED**

The erection of parking meters and design of parking space is governed in part by subsection 4(1) and 5(7) of the City By-Law, in particular:

Parking Prohibited

4(1) In Specified Places.

No person shall park a vehicle in any of the following places:

(h) in front of or within 1.5 meters of the entrance to a public lane or private driveway or so as to prevent ingress or egress to or from such lane or driveway.”

In addition, subsection 5(7) of the City By-Law specifies that the parking spaces be designated by lines or marks made on the pavement.

It is advised that the parking spaces designed for the three (3) parking meters in front of 84 and 86 Worsley Street do not comply with subsection 4(1)(h) of the City By-Law.

I trust you will do your due diligence to verify the foregoing.

3. **UNSAFE ENTRY ONTO WORSLEY STREET**

Notwithstanding the above, the location of the three (3) parking meters in front of 84 and 86 Worsley Street impede the safe entry of a vehicle onto Worsley Street as the driver has no visual of other vehicles being driven on the street until one is in the roadway lane past the parked vehicles. Please bear in mind that this section of Worsley Street does not have an insignificant volume of traffic and the cars are not always driven at the speed limit.

This situation puts the driver leaving from the 84 Worsley Street driveway in an impossible and unsafe predicament despite making all reasonable efforts to comply with subsection 6(6) City of Barrie Traffic By-Law 80-138 Consolidated - as amended, which reads:

“6(6) Entering Highway

The driver of a vehicle emerging from a driveway, lane, lot or building shall stop the vehicle immediately prior to driving onto the sidewalk and shall not enter the roadway until he can do so safely.”

You have my permission to enter 84 Worsley Street to verify the foregoing.

4. Conclusion

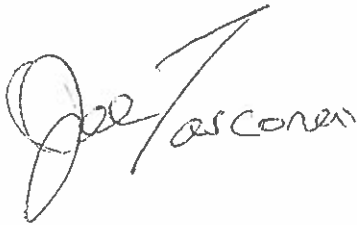
I believe the request for the removal of the three (3) parking meters in front of 84 and 86 Worsley Street and erecting No Parking signage is reasonable and promotes traffic safety as described below:

- 1, It is consistent with the parking restrictions on Worsley Street considering the rationale for the no parking signage at 78 and 80 Worsley Street and between Saint Andrew’s Church and the City of Barrie;
2. It is consistent with the City of Barrie policy of ensuring parking bans on streets to promote traffic safety as such was recently considered by Council for College Crescent, Cook Street, Nelson street, Anne Street South and Springhome Road;
3. City of Barrie Traffic By-Law 80-138 Consolidated - as amended, has been contravened by the design and location of these parking meters but also by these parking meters creating an unsafe traffic situation as it is visually impossible to safely enter onto Worsley Street when vehicles are parked in these spaces;
4. The removal of these unsafe parking spaces and parking meters does not compromise in anyway the City’s approach to the availability of parking in the downtown core when one considers the already restricted parking on Worsley Street and the fact the City is endeavouring to sell five (5) parking lots in this area.

I trust the City will take this submission seriously from a liability perspective as it is a reasonable request given the unsafe traffic situation which may result in a vehicle(s) accident. Further, please address the time limitation differential for parking meters on Worsley Street and Collier Street.

I trust this request will be reviewed in an expeditious and responsible manner.

Yours truly,

A handwritten signature in black ink, appearing to read "Joe Tascona". The signature is stylized with a large, looping initial "J" and a long, sweeping horizontal stroke.

Joseph N. Tascona
/ap

c.c.: Barrie Police Service - Chief of Police