

June 2, 2018

Mayor Strathdee and Members of St. Marys Town Council:

I have requested to come forward as a delegation before you on June 12, 2018 for the purpose of speaking to concerns with the proposed Traffic By-law. The following is a summary of my concerns with respect to the proposed by-law and parking needs for heavy trucks.

I am employed in sales and factory support and I arrive home to St. Marys with a company heavy truck from time to time, be it on the way to a destination or upon my return. I require a suitable location for overnight parking for the truck on such occasion. For the past 10 years I have parked at the Pyramid Recreation Centre (PRC) and more specifically in the parking lot by the Kinsman Pavilion to the rear of the PRC. In reviewing the proposed Traffic By-law presented to the Strategic Priorities Committee in February 2018, it appears that the proposed Traffic By-law will eliminate my options when I require heavy truck parking. This will directly impact activity required for my work.

Section 3.3 of the proposed Traffic By-law provides parking restrictions for heavy vehicles as: no person shall park a heavy vehicle in a public parking lot; no person shall park a heavy vehicle in a municipal facility parking lot other than for the delivery of goods; no person shall park a heavy vehicle on a highway except for the delivery of goods or construction activities. Further restrictions within the by-law state that vehicles shall not park on any land owned by the Town including but not limited to playgrounds, trails, boulevard, recreation or public park or any utility right-of-way. The Town's Zoning By-law does not permit commercial trucks over 6.0m in length to park in residential driveways. To summarize: when I arrive home with the company truck, I cannot park in a municipal facility parking lot; I cannot park on the street; I cannot park on any municipal land; I cannot park in my residential driveway. Under the Traffic By-law, a parking location does not exist for individuals such as myself who require parking for heavy trucks.

The PRC parking lot has been used as a location for heavy truck parking, for at the very least, 20 years that I have lived in Town. This is where Town staff in the past sent heavy trucks requiring parking. This is the same type of location where in many other communities truck drivers can park overnight. The practice of parking at the PRC location has been self-regulating with a limited number of trucks using the facility at any one time – maybe one or two trucks. For the majority of times no heavy trucks are present at all. Parking for heavy trucks is a “real world condition” that needs to be accommodated. The proposed Traffic By-law has provisions within it that will end truck parking at the PRC as it is a municipal facility parking lot. The Traffic By-law has been drafted for Council's consideration without any direct consultation with those truck drivers affected – *“get off our land”*. Period. I am one of those individuals and it seems that restrictions on heavy truck parking are included under the broad brush of the Traffic By-law without direct consultation with those of us affected by the restrictions for parking.

The need for parking locations for heavy trucks exists and will continue to exist. Drivers rely on a safe, secure location to park their truck and the goods they are hauling. They may be on their

way to a destination or returning home – it is their ride home from work to their family here in St. Marys. Heavy trucks cannot be parked in residential driveways under the zoning by-law, creating a need for truck parking elsewhere in Town. Other reasons for the need: truck drivers may need to be in St. Marys for an early delivery or pick up the next morning and arrive to Town the night before. They may arrive to Town at 5 am when the business they are traveling to does not open until 8 am. Importantly, heavy truck parking is required to allow drivers to legally work within their logged hour limits required under provincial legislation. When a driver has logged 13 hours of driving and 14 hours of duty, they are required to stop for a minimum of 10 hours. This is the law and drivers need a place to park. These drivers are typically not local independent truckers and are not from a local company with facilities close by; their truck belongs to an out of town company – a significant distance away.

Truck drivers also need to be selective as to location – we need to know our spots. Drivers need to be confident that their truck and the goods they are carrying are safe and secure in a well-lit area that is frequented by the public and is not isolated – eyes on the street. This is an expectation on behalf of my employer – as operator of the truck, security is my responsibility. Lighting is required for security and also so that drivers can perform circle checks to meet provincial legislation. The parking area needs to be free of snow and accessible to the street in the winter. The PRC parking lot has met this criteria for over 20 years and continues to do so.

I have consulted with municipalities with demographics similar to St. Marys to confirm their arrangements for truck parking:

1. Milverton allows heavy trucks to park at the arena and at the Public Works yard;
2. Mitchell allows heavy trucks to park at the Public Works yard; at the Municipal Administration office parking lot and at a vacant lot owned by the municipality;
3. Harriston allows heavy trucks to park at the arena and at the Public Works yard;
4. Bradford allows heavy trucks to park at the arena;
5. New Liskeard allows heavy trucks to park at the arena;
6. Strathroy allows heavy trucks to park at their Operations Centre.
7. The Town of Perth Ontario allows heavy trucks to park at their Operations Centre;
8. Pettawawa allows heavy trucks to park at the Public Works yard;
9. Wingham allows heavy trucks to park at the arena.

These municipalities are accommodating of heavy trucks and are user friendly in their approach. They do not have a parking permit system and provide the location out of common sense. In consulting with them, they cited no issues around the matter – their simple approach works. These municipalities provide heavy truck parking on the basis that trucks need a place to go – it's a "real world condition". Unlike large cities, but much like St. Marys, these municipalities do not have available Wal-mart or mall parking lots or commercial truck stops that can be used by heavy trucks needing overnight parking. Designated parking areas provided by these municipalities deter heavy trucks from parking where they should not be – eliminating problems in the long run. Instead of prohibiting an activity in St. Marys that will need to continue and will continue despite the proposed Traffic By-law, why not meet the issue and come up with a solution to accommodate truck parking needs. A completely prohibitive by-law that is blind to

“real world conditions” will only create issues on both sides of the matter – for the drivers and for the Town.

To take look at the PRC as a location for designated heavy truck parking, consider the following. The PRC has direct access to James Street South which is an arterial road that heavy truck traffic is permitted to use under the Traffic By-law. James Street South provides direct access to Highway 7 from the PRC through the industrial corridor. Using the PRC parking lot for heavy truck parking does not require trucks to pass through the downtown core and does not necessitate an increase in downtown truck movements. There is already heavy truck traffic associated with the industries on James Street South, some directly across from the PRC. The PRC parking lot is cleared of snow and is accessible to the street in the winter. The parking lot has lighting. The PRC parking lot has the security of public activity and is not isolated - eyes on the street. There is an existing wooden privacy fence and cedar hedge to provide a barrier to protect the adjacent residential uses located to the south of the PRC from headlight glare and noise. This is typical of the barrier required under the Town zoning by-law between industrial and residential uses. There is already ambient noise created at the PRC by snow removal activity early in the morning using heavy equipment; waste bins emptied by a heavy truck in the early morning at Little Falls School and the PRC; school buses on route through the site to Little Falls School; personal vehicles come and go; and arena ice making compressors are operating at all hours.

I require truck parking a couple of times a month. When I arrive home with the truck, I typically park at a location behind the PRC to the east, next to the Kinsman pavilion so as to remove myself from the immediate PRC area. However, if I arrive home before 4 pm, the truck is first parked in the PRC lot for a short time until after school hours when it is then moved to the lot by the Kinsman pavilion. I was asked by Town staff a number of years ago not to park in the lot by the Kinsman pavilion until after 4 pm and so I adhere to that. Typically by 7 am I am gone before daily activity begins. Photos showing my parking situation are attached.

I understand that parking for heavy trucks on municipal property may raise issues with liability. Municipal liability exists as soon as anyone drives on or enters municipal roadways, parking lots or other municipal land. The Town accommodates parking of personal vehicles in municipal lots and takes on that liability every day – for *every* party who uses the municipal lots – certainly greater in number than the limited number of trucks I am speaking of. Chances of personal vehicles leaking fluids and fuel is greatest as those vehicles are not subject to the strict regulations of heavy trucks that must be maintained to meet standards to be operating on the road and are checked every day. St. Marys is a municipality and liability and risk will exist - period. Control the risk through regulation not through prohibition. Even if prohibited through a restrictive by-law, the *need* for truck parking will still exist. Without a *solution* to address the *need* for truck parking that will also recognize the issues of indemnification and liability for the Town, the activity will continue illegally and will only escalate the risk. The need for heavy truck parking is a “real world condition” that is not about to go away.

In response to the restrictions placed on heavy truck parking by the proposed Traffic By-law, my request to Council is to consider how to accommodate heavy truck parking so that it may continue at the PRC. Before passing the Traffic By-law, please consider the situation of individuals like myself who require truck parking and how the Traffic By-law will directly impact activity required for our work.

I would be pleased to work with Town staff and Council in reaching a solution.
Thank you for your consideration.

Respectfully,

“Kevin Luckhardt” (signed)

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St. Marys





