

FORMAL REPORT

To:	Mayor Stratthdee and Members of Council
Prepared by:	Jed Kelly, Director of Public Works
Date of Meeting:	12 March 2018
Subject:	PW 32-2018 Traffic, Parking and Boulevard Maintenance By-law

PURPOSE

The purpose of this report is to present Council with the new Traffic, Parking and Boulevard Maintenance By-law in follow up to the discussion and direction given at the August 15, 2017 and February 20, 2018 Strategic Priorities Committee meetings.

RECOMMENDATION

THAT PW 32-2018 Traffic, Parking and Boulevard Maintenance By-law report be received; and,
THAT Council approve the following recommendations from the Strategic Priorities Committee:

1. THAT the Traffic By-law be adopted to implement a reduced speed school zone on James Street South in the area of DCVI; and
2. THAT the Traffic By-law be amended to extend the Community Safety Zone on James Street South from Elgin Street to the southern entrance to the Pyramid Recreation Centre; and
3. THAT the Victoria Bridge and Church Street Bridge not be load posted at this time; and
4. THAT the Town not pursue a ban on external to external truck traffic; and
5. THAT staff continue to focus on implementing traffic safety and calming solutions that will result in an overall improvement in the safe use of Town roadways by all vehicles; and
6. THAT the proposed amendments related to the administrative review of the existing Traffic By-law provisions conducted for the August 15, 2017 Strategic Priorities Committee meeting be approved; and

THAT \$15,000 be allocated for required signage changes from the road reserve fund; and

THAT By-Law 57-2018, Traffic, Parking and Boulevard Maintenance By-law, be approved for enactment on November 1, 2018..

BACKGROUND

The *Highway Traffic Act* (HTA) and the *Municipal Act*, Part III, are the governing piece of legislation that regulates traffic on roadways. Within the HTA, authority is delegated to municipalities to pass by-laws to regulate various traffic related matters on municipal roadways.

The Minimum Maintenance Standards for Municipal Highways O. Reg. 366/18: (MMS) (of the *Municipal Act*) sets out minimum standards for road and highway maintenance for all municipalities in Ontario. The MMS regulations apply to various elements of road repair, maintenance, and inspection frequency.

Primary areas include frequency of road inspections, street light repairs, weather monitoring, ice and snow accumulation on roadways & sidewalks, and sidewalk trip and encroachments hazards.

In 2017, staff initiated a review of the Town's traffic by-law because deficiencies in the by-law were observed. First, certain parts of the existing by-law do not conform to current HTA and MMS regulations and overlap with existing legacy by-laws. Secondly, the current by-law's signage schedules do not correspond to existing deployed signage. Thirdly, the existing by-laws lacks sufficient regulation for parking in public & municipal facility parking lots. Finally, the existing on-road allowance permit system was proving to be ineffective and hard to maintain.

At the August 15, 2017 meeting, the Strategic Priorities Committee (SPC) reviewed a number of recommended changes brought forward by staff. The SPC also reviewed a number of requests for truck traffic calming measures that were submitted by the Citizens Concerned About Heavy Truck Traffic (CCAHTT). After review, the SPC recommended a number of amendments to the Traffic and Parking By-law, 6 of 2014.

Staff returned with a final draft of the by-law for review at the February 20, 2018 Strategic Priorities committee meeting. The Committee provided the following direction to staff in regards to the by-law:

The committee requested that staff consider the following items when perfecting the by-law for Council's consideration:

- *Boundaries for the parking restrictions proposed for Rogers Ave. near the high school.*
- *Finalized language for the fire route at the CBHFM.*
- *Establishing signage for prohibiting U-Turns in the downtown core including Water Street, and any other signage.*
- *Confirm that the ban on bicycles in the downtown core is on sidewalks only.*

Staff were also asked to report back on: how the by-law changes would be communicated to the public; the cost of signage to implement the changes in the by-law; and a refined parking permit system.

Finally, the Committee considered new initiatives, and requests for reconsideration, tabled by the CCAHTT. The Committee was of the consensus that the by-law captured their intent with respect to the previously approved initiative regarding heavy truck traffic. The Committee reiterated the need to find balance between the needs of residents and the industrial and commercial stakeholders in the community.

This report serves as a report back on the direction of the Committee on February 20, 2018. For the June 12, 2018 Council meeting it is staff's goal for Council to pass the by-law in the form provided in the agenda, or in an amended form after deliberation. This course of action will serve to correct a number of traffic issues that have been noted by staff and the community.

To assist Council in their review of the changes to the by-law Attachment 1 to this report presents a matrix of the changes made to date.

REPORT

The original proposal presented by staff at the SPC meeting in August 2017 recommended that revisions to the Traffic and Parking By-law, 6 of 2014 be made through an amendment. However, after completing a thorough review process to incorporate the required changes, staff are now recommending that By-law 6 of 2014 be repealed and a new by-law be enacted.

A number of factors influenced staff's recommendation to repeal the by-law in its entirety, including; the sheer number of revisions, overlap with existing legacy by-laws, edits and new content required due to recent revisions in the MMS and HTA.

Ultimately, after much staff consideration, the conclusion is to re-structure the new by-law into three parts, (1) traffic, (2) parking and (3) boulevard maintenance. Revising the layout should enhance readability of the by-law; and ultimately improve enforcement mechanisms and remedy parking legacy

issues. Boulevard maintenance has been incorporated into the by-law since the August meeting as new MMS standards were revealed in early 2018.

This report will list an overview of the modifications made in the proposed by-law in contrast to the current by-law. For a more comprehensive detailed list of additions, removals, and revisions please see Attachment 1 Traffic By-Law Revision Matrix.

Minor Changes

- Consolidation or renumbering of sections to improve readability of the by-law
- Updated definitions to reflect the re-writing of several sections for example, pending police services changes and the updated 2016 staff organization chart
- Additional Schedules were created to better delineate sections of town

Consolidation of By-laws

Following the August 15, 2017 Strategic Priorities Committee meeting, Staff initiated a complete review of the current by-law while simultaneously reviewing any remaining by-laws that could be consolidated with the proposed Traffic, Parking and Boulevard Maintenance By-law. Thus, staff are recommending the following by-laws be consolidated in the new Traffic and Parking and Boulevard Maintenance By-law:

- By-Law 19-2003, To authorize certain parking, standing and stopping of vehicles operated by, or carrying, physically handicapped persons (updated terminology and content)
- By-Law 34-2002, To restrict the use of bicycles, skateboards, scooters and rollerblades / skates in the downtown core area
- By-Law 8-2000, To amend By-law 6 of 1995 (Motorized snow vehicles)
- By-Law 43-1998, To restrict weight of vehicles passing over the Bridge across Trout Creek on Water Street North
- By-Law 4-1998, To restrict weight of vehicles passing over the Bridge across Trout Creek on Water Street North
- By-Law 6-1995, To regulate the driving of motorized snow vehicles in Town

The consolidation of several by-laws into one comprehensive by-law will help reduce overlap, and will make referencing more straightforward.

Section 1.0 – Traffic

Staff and operators completed an audit of existing signage schedules within the by-law in comparison to actual in-field installations. The review included all stop and yield signage, no parking areas, school loading zones and community safety zones. Several edits to schedules were required to reflect current deployments and signage modifications will have to be undertaken to align with the proposed schedules.

Each section and subsection was reviewed to ensure that it was applicable to St. Marys. Some content was removed as provincial legislation speaks to the expectations (ie: No horse-drawn Vehicle shall be driven at a run or gallop) and some content was added (ie: Oversize or Overweight Load Permits). Some content was amalgamated in an effort to improve readability (ie: Obedience to Traffic Control Devices and Signals, and Traffic Control Signals and Traffic Control Devices).

Appropriate bicycle, skateboard, and scooter usages on sidewalks were added using material from By-Law 34-2002 which is to be repealed pending approval. Additionally, a new schedule has been created for the locations referenced for the above which will also match the three hour parking limits locations.

Crossing guard locations have been removed from the by-law as the *Highway Traffic Act* does not require these locations to be identified by by-law. Also, should crossing guard locations change, no amendments will be necessary.

All references to trails have been removed from the by-law as Public Works is currently preparing a Trails Regulations By-law. After discussions with the Town's insurer, and *Occupier Liability Act* considerations, it has been determined that a standalone by-law will lower the service level thus limiting the Town's exposure to future personal injury claims within the trail network. This process will include new signage and classify the trail network as a recreational trail system.

Section 2.0 – Parking

Parking in Town has undergone an extensive review, resulting in a complete rewrite. On-street no parking areas were also reviewed for accuracy, some revisions are due to resident complaints or surrounding use changes for example, school closures. Staff have worked to review all on-street, municipal lot and facility lot to develop a parking permit system that will suit current needs and address ongoing issues. If accepted by Council, staff will work to finalize backend logistical requirements of the permitting system, involving registration of vehicles, development of fees and indemnification agreements with overnight users.

On-Street Parking

Staff are proposing on-street overnight parking is permitted between May 1 and October 31 with the exception of the downtown core and existing 'no parking' areas; the change intends to accommodate the concerns of some business owners and the displacement of vehicles during short term construction activities. Under the current by-law in such instances a permit from the Town needs to be acquired to park on the street. Section 3.1 lists all requirements for general on-street parking. Highlights include, a 72-hour time limit and vehicles will need to be in operable condition.

"Heavy Vehicle" parking is separate from "Vehicle" parking. As a follow-up, the SPC requested that staff collect further information on the possibility of banning heavy truck parking in the downtown core. A survey of the BIA membership was completed. The results of the survey can be considered mixed. From staff's perspective, a truck parking ban in the core would have the benefit of protecting municipal infrastructure, and prevent unsafe traffic conditions when trucks occupy multiple parking spaces and affect sightlines. The Tim Hortons entrance onto Queen Street is a prime example of where this unsafe condition occurs frequently.

To remain consistent with the SPC's direction to ensure that traffic calming measures result in "an overall improvement in the safe use of Town roadways by all vehicles" staff broadened the consideration of a heavy truck parking ban to all town streets. It's staff's opinion that this would result in the safest possible outcome. Accordingly, the by-law restricts heavy vehicle on-street parking except when involved in delivery or construction activities. Further details are in Section 3.3 of the proposed by-law. Winter maintenance on-street parking restriction between November 1 and April 30th for all municipal roads remains.

Municipal Parking Lots

Municipal parking lots will be referenced as 'Public Parking Lots' and all such lots have been identified. This section is the most complicated change in the proposed by-law. This is due to the complicated web of long standing verbal agreements, written agreements and operation of public parking lots for years with little oversight or enforcement. As most public parking lots are located in the downtown area, and the Ontario Building Code allows for the creation of secondary unit suites, there is the anticipation that more residents will require overnight parking. Having a Designated Parking System in these lots will help prepare the Town for such needs and will hopefully reduce the strain on overnight parking in public lots that inhibits maintenance, snow removal etc.

Public Parking Lots have been listed in Schedule 13 of the by-law and Attachment 3 of this report. Staff reviewed current practices and have developed a permitting method that allows the current practices to continue with a new structure for ongoing management of the lots. A flow diagram of this process is included in Attachment 2 of this report.

Overnight parking will be allowed in municipal parking lots for up to 50% of lot capacity. See Attachment 3 - Municipal Parking Lot Space Inventory. If residents wish to utilize the lots for overnight parking they may purchase an annual "Designated Parking Permit". A cost will be associated with the permit to help offset management, maintenance and enforcement costs associated with the parking lot. Building owners who have existing parking agreements for specific lots will be grandfathered into the permit system at no cost. However, owners and residents will still need to apply for annual parking permits, and comply with the requirements to get one, so that the Town can retain an updated list of users to help communication processes with users when maintenance is required.

The Town will dedicate the remaining 50% of the lot capacity for daily users like downtown merchant staff and patrons. However, the small lot at Water St. N will be a permit only parking lot since its parking configuration is considered 'existing non-conforming' in relation to design guidelines. This is a legacy problem with no foreseeable solution. Staff are recommending current users of the parking lot comply with the requirements of obtaining an annual parking permit.

Requirements to obtain a long-term parking permit will involve a letter from the landlord stating that supplement parking is required, confirmation that the vehicle is operable and executing an agreement with the Town for identification purposes to assist in risk mitigation. See Attachment 3 - Parking Permit Workflow Diagram.

Municipal parking lots are not to be confused with 'Municipal Facility Parking Lots' which include the Pyramid Recreation Centre, Municipal Operations Centre, and the St. Marys Museum's parking facilities.

Municipal Facility Parking Lots

The proposed by-law classifies "Municipal Facility Parking Lots" as lots located at facilities with large parking areas such as the Pyramid Recreation Centre, Municipal Operations Centre, and the St. Marys Museum. Parking located on Water St. South near the Lind Sportplex and Tennis courts have been included as public parking lots.

While reviewing parking concerns, staff also examined the current uses of large municipal facility lots. In particular, the Pyramid Recreation Centre (PRC) is often used for vehicle and heavy vehicle overnight parking. PRC staff indicated that they receive complaints from nearby residents in regards to heavy trucks parking at the PRC. The primary complaint is noise when the trucks are turned on and depart the parking area at early hours of the morning.

This concern and the historic use of the PRC for heavy truck parking was cause for further internal review. Internal conversations at the staff level have identified the PRC as a multi-use space, where many users attend of all ages. The parking lot at the PRC, and at the Solis Park soccer fields are in close proximity to a school, and a playground that is used on weekends. The questions staff reviewed is whether or not the municipality is obliged to provide overnight parking for trucks as a core service, and if the PRC and MOC are appropriate locations. During the review process, staff did consult with other municipalities and found that many do not have restrictions for overnight parking, weight and parking time.

As presently drafted, staff recommend restricting overnight parking at Municipal Facility Parking lots to mitigate future injury claims. A possible alternate location for overnight truck parking is the Water Street South public parking lot near the rear entrance of the Baseball Hall of fame. The permitting process for this lot could be extended to heavy trucks. However, this would be a service level increase as no winter maintenance currently is performed.

If Council chooses to offer overnight parking to residents, staff recommends that overnight truck parking be restricted to the PRC lot only, and be subject to a permitting system. There is insufficient space at the MOC for parking, and there is a risk of impacting municipal operations. Applying the parking permitting system would provide structure and mitigate some risk for the municipality.

Section 3.0 – Boulevard Maintenance

As mentioned above, the MMS has undergone a recent revision and now includes standards for boulevards which include the area 45cm from the adjacent curb edge. The new legislative provisions have been added to the by-law.

The new provisions in Minimum Maintenance Standards for Municipal Highways O. Reg. 366/18: (MMS) - Section 16.2 are as follows:

(3) For greater certainty, the area adjacent to a sidewalk begins at the outer edges of a sidewalk and ends at the lesser of the limit of the highway, the back edge of a curb if there is a curb and a maximum of 45 cm.

(4) The area adjacent to a sidewalk is deemed to be in a state of repair in respect of any encroachment present unless the encroachment is determined by a municipality to be highly unusual given its character and location or to constitute a significant hazard to pedestrians.

Given the regulation change, which assigns inspection and evaluation of encroachment standards to the municipality, staff are recommending specific guidelines for the management of boulevards. Most municipalities in Ontario have a boulevard maintenance guidelines; the Town currently does not. The proposed boulevard maintenance guidelines follow similar guidelines in other municipalities while also allowing for flexible regulations. Flexibility is necessary as boulevards throughout Town have varying elevations, conditions and landscaping.

SUMMARY

Staff have been actively working for over a year to audit, confirm and incorporate the required changes into a new Traffic, Parking and Boulevard Maintenance By-law. Existing related by-laws have been included in the Traffic, Parking and Boulevard Maintenance By-law for improved functionality and enforcement. This methodology of consolidating into a single by-law has proven invaluable with water, waste water and storm by-laws which were consolidated in 2014. Corporate Services and Public Works staff worked closely together to ensure the by-law matches observed traffic, parking and boulevard conditions in St. Marys while being enforceable from an administrative perspective.

Staff is recommending that the By-law be approved at the June 12, 2018 regular Council meeting and that the By-law come into force on November 1, 2018. The purpose of the delayed enactment is to permit time for signage installations, educational campaign, and printing of traffic infraction books. A full media campaign involving social and traditional media outlets will be undertaken and will be supported by Corporate Communications. Permitting of existing users of municipal parking lots for overnight parking will start November 1, and will include information flyers placed on vehicles informing of the requirements to use the lots and the process to obtain a parking permit. This rollout will align with the policing transition nicely.

Since August of 2015, Council has paid a special focus to traffic concerns related to truck traffic in St. Marys. Council's goals have been to implement measures that improve traffic safety for all types of traffic in the town, and to balance the needs of residents and the Town's industrial and commercial sector. An ad-hoc committee of Council was struck, and the committee has met on a regular basis with the CCAHTT. To date, a number of recommendations from the CCAHTT have been advanced for the SPC's consideration. The chart below provides a summary of the Initiatives that have been supported and not supported so far:

Initiatives Supported	Initiatives Not Supported
<ul style="list-style-type: none">• Purchase and deployment of additional radar signs to determine areas with speeding concerns.• Additional enforcement requested from OPP for areas with identified speeding concerns.	<ul style="list-style-type: none">• Load reductions on the Victoria Bridge and Church Street Bridge (not supported by engineering analysis).

<ul style="list-style-type: none"> • Reduced speed zone on James Street at DCVI during school hours. • Extended community safety zone on James Street. • Annual traffic counts of the downtown core, focusing on trucks. • Heavy truck parking banned in the downtown core (broadened to include Municipal Facility Lots in proposed by-law) 	<ul style="list-style-type: none"> • Reduced speed limits on Queen and James Streets to 40 km/h (not supported by engineering analysis). • External to external truck traffic bans. • Red light cameras for the down town core, and photo radar on Queen and James Streets. • Pedestrian crossing light on James Street at DCVI (Ontario Traffic Manual warrant not met). • Pedestrian crossing light on Queen Street at the hospital (Ontario traffic manual warrant not met). • Ban of truck turns from Water onto Queen Street and Queen onto Water Street.
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FINANCIAL IMPLICATIONS

Traffic and No Parking area signage:

Changes to existing signage are required after passing the new by-law. Sign relocations, additional and or replacements for new verbiage are estimated at \$7,500 to \$10,000. Staff are recommending signage modifications to be funded from roads reserve funds.

Municipal Parking Lot Permit:

Staff have performed an inventory of existing Public Parking lots and provided a capacity calculation to allow for up to 50% to be utilized by downtown residencies. Any fees collected should be used to offset maintenance, management and enforcement costs of the parking facilities. A fee of \$60 per long-term (annual) parking permit is recommended, at maximum capacity of 50% projected revenue is \$3,300. Acceptable use signage for existing municipal lots is recommend, approximate cost is approximately \$2,500 to \$4,000.

Therefore, total expect costs for implementation of the new by-law range from \$10,000 to \$15,000, which could be funded from the roads reserve.

STRATEGIC PLAN

☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.

- Pillar #3 & 5 – Balanced Growth & Economic Development, Business attraction, retention & expansion program:
 - Outcome: A key to growth is to ensure a vibrant and sustainable commercial sector. Economic development needs to rest on three pillars, beyond the traditional business attraction. It should also focus attention and resources to ensure both business retention and expansion.
 - Tactic(s): Encourage existing businesses to optimize on their existing buildings / spaces

Pillar #6: Attainable & mixed-use housing:

- Short Term Initiatives: Identify in the Official Plan development areas that would be key growth areas among targeted demographics. Encourage businesses to convert second-storey spaces into rentals. Investigate the prospect of medium density housing in the

downtown and surrounding areas (infill and new development spaces: “building in and building up”).

OTHERS CONSULTED

Trisha McKibbin, Director of Corporate Services
Richard Anderson, Director of Emergency Services / Fire Chief
Stephanie Ische, Director of Community Services
Todd Thibodeau, Public Works Supervisor
Jeff Wolfe, Asset Management/Engineering Specialist, Public Works
Jenna McCartney, Deputy Clerk
Minister of the Attorney General’s office

ATTACHMENTS

Attachment 1 - Traffic By-Law Revision Matrix
Attachment 2 - Parking Permit Workflow Diagram
Attachment 3 – Municipal Parking Lot Space Inventory


REVIEWED BY

Recommended by the Department



Jed Kelly
Director of Public Works

Recommended by the CAO



Brent Kittmer
CAO / Clerk