

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P. Eng., MBA, FEC, Deputy City Manager,
Environmental and Infrastructure

Subject: Traffic and Parking By-law Process Improvement and
Consolidation

Date: November 23, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions related to the Traffic and Parking Bylaw consolidation and process improvement **BE TAKEN**:

- a) The attached proposed by-law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting to be held on December 7, 2021, to repeal and replace By-law No. P.S.-113 with a new Traffic and Parking By-law, to consolidate the multiple amendments which have been made to By-law P.S.-113 since its enactment and to implement the new administrative amendment process for routine matters;
- b) The attached proposed by-law (Appendix B) **BE INTRODUCED** at the Municipal Council meeting to be held on December 7, 2021, for the purpose of amending the Administrative Monetary Penalty System in London By-law (A-54); and,
- c) The existing Traffic and Parking By-law Amendments Policy (Appendix C) **BE REPEALED**; it being noted that the new procedure is stipulated in the proposed bylaw and a new related administrative procedure.

Linkage to the Corporate Strategic Plan

The following report supports the 2019 to 2023 Strategic Plan through the strategic focus area of **Leading in Public Service** by improving responsiveness with routine bylaw changes that respond to identified needs and **Building a Sustainable City** by improving safety, traffic operations and residential parking needs in London's neighbourhoods.

Analysis

1.0 Background Information

The Traffic and Parking By-law governs how traffic can use city streets and parking lots. The by-law also includes provisions for fire routes and accessible parking on private property. Prior to September 2007, routine amendments to the by-law were only heard at Council meetings without going through standing committee. In September 2007, the process changed and these amendments were added to Standing Committee agendas. This process continues to be followed today.

A common complaint from the public is the length of time it takes to have routine matters processed and street signs revised, removed or installed. This report recommends an alternative process to expedite routine operational by-law changes so that Civic Administration is more responsive to the public's inquiries. This proposed change can allow Civic Works Committee to concentrate on higher priority issues while keeping the impacted residents and Ward Councillors informed of any changes.

The report also consolidates all 37 amendments that Council has approved since the current by-law came into effect April 3, 2017.

2.0 Discussion and Considerations

2.1 Current Traffic and Parking By-law Amendment Process

The Traffic and Parking By-law is comprised of various regulations and 39 schedules. The body of the by-law does not change often; however, amendments to the schedules are done monthly. Implementation of safety improvements, such as changing a yield sign to a stop sign, that require amendments to schedule(s) typically take 70 days from when the need is identified to when the report recommending the change is approved by Council. Non-safety related changes, such as resident supported on-street parking, take 110 to 117 days from when the parking mail-back survey is sent to when the by-law amendment is approved.

2.2 Recommended Alternative By-law Amendment Process

Council has approved by-laws that utilize Section 23 of the Municipal Act authorizing the delegation of legislative powers. Specifically, the Business Licensing by-law and the Vehicle for Hire By-law utilize this process to address administrative and operational matters. The intent of Section 23 of the Municipal Act is to streamline City Council's decision-making process and enable Council to focus on higher priority issues in a more strategic manner. The process is efficient as it allows for the development and implementation of routine operational regulations by Civic Administration which otherwise would be required to be approved by Council by way of by-law amendments. Such delegation conforms to the Council Policy By-law with specific reference to the Delegation of Powers and Duties Policy.

An alternative amendment process was developed in consultation with the City Solicitor's office, the City Clerk's office and the Municipal Compliance office. The recommended amendment process is consistent with Council's Delegation of Powers and Duties Policy. Not all Traffic and Parking By-law amendments are routine and significant matters would continue to require Council approval of changes.

Section 2.2.1 of this report lists those schedules to the Traffic and Parking By-law that will continue to require Council approval. The list of schedules that can be administratively amended are shown in Section 2.2.2.

2.2.1 Non-routine Amendments Continuing to require Council Approval

Amendments to the wording of the Traffic and Parking By-law will continue to require Council's approval. Council will also continue to approve new traffic signal and pedestrian signal installations. The following Schedules will also require Council's approval:

- 1. Criteria (Schedule 1)**

This schedule contains the criteria that Civic Administration will use for amending the by-law for those schedules not requiring Council approval.

- 2. Official Signs (Schedule 2)**

Most signs referenced in the Traffic and Parking By-law are standard Ontario Traffic Manual (OTM) signs; however, there are some signs that are unique to London. These are contained in Schedule 2.

3. Angle Parking on Permitted Specific Streets (Schedule 10)

Angle parking is recommended when there is sufficient road allowance, and it maximizes the number of available parking stalls. It should be noted that changes to Schedule 10 are not common.

4. Pedestrian Crossovers (Schedule 18)

New pedestrian crossovers are generally recommended for implementation on an annual basis.

5. Heavy Truck Restrictions (Schedule 19)

Heavy trucks are prohibited on all City streets unless they are in the process of conducting business or if they are listed Schedule 19. Amendments are not common.

6. Reduced Load Limit (Schedule 20)

Streets listed in Schedule 20 restrict the vehicle weights to 5 tonnes per axle from March 1 to April 30. As the frost leaves these streets, they cannot accommodate heavy loads; therefore, load restrictions are required. These streets may be truck routes for the remainder of the year. Amendments may be required as streets in Schedule 20 are reconstructed.

7. Vehicles and Pedestrians Prohibited (Schedules 22 and 23)

There are two streets in the city where bicycles, motor assisted bicycles, wheelchairs, motor assisted wheelchairs, animal-drawn vehicles and pedestrians are prohibited due to safety concerns.

8. Rate of Speed (Schedules 24 and 25)

These schedules include streets that are higher or lower than the default 50 km/h and streets within the area speed limit (ASL) program.

9. Community Safety Zones (Schedule 26)

Community safety zones (CSZs) are areas where safety is demonstrated as being of special safety concern.

10. On-Street Parking Meter Zones (Schedule 27)

These schedules are the various time limit restriction for paid parking.

11. Metered and Unmetered Municipal Parking Lots (Schedule 28 to 31)

The metered parking lots include City-owned and City-managed facilities. The unmetered lots are municipal parking lots where time limit restrictions are in place.

12. Fire Route Agreement (Schedule 32)

The fire route agreement that the owner of private properties is required to execute is seldom amended.

2.2.2 Routine Administrative Amendments

Schedule 1 of the proposed Traffic and Parking By-law attached in Appendix A lists the Traffic and Parking By-law amendments that Civic Administration may implement following the pre-defined criteria listed in the schedule. The types of amendments recommended to be routed through the expedited administrative process are the following:

1. No Stopping Zones;
2. No Parking Zones;
3. Taxi Stands;

4. Loading Zones;
5. Time Restricted Parking;
6. Residential Parking Passes;
7. Prohibited Turns;
8. Designated Lane Movements (e.g., where a lane ends and drivers must turn);
9. Reserved Lanes (for Bicycle or Transit Use);
10. Stop and Yield Signs;
11. Through Highway Designations (identification of primary roads for intersection control);
12. School Bus Loading Zones;
13. Metered Parking; and,
14. Parking Spaces for Disabled Persons.

Changes that do not fall under the specified criteria in Schedule 1 of the bylaw will be brought forward to the Civic Works Committee for amendment.

The appropriate Councillor(s) will be notified of the administrative amendments prior to implementation and for parking related amendments the property owners and tenants that have frontage or flankage within 35 m of the change shall be notified of the change. If there are concerns or opposition to the change, staff will work with the individual(s) to resolve the issue. If a resolution cannot be achieved, the amendment will be moved from the administrative stream and be brought to the Civic Works Committee and Council. Parties involved will be notified of the Civic Works Committee meeting date when the by-law amendment report will be presented for consideration.

2.2.3 Annual Reporting

If the administrative amendment process is approved, a report to the Civic Works Committee will be brought forward annually before April 30th summarizing all the amendments that were completed the previous year. This report will include a by-law to formally add the amendments to the various Schedules, noting that the changes will be enforceable upon the earlier implementation of the administrative amendments.

2.2.4 Administrative Monetary Penalty System in London (Appendix B)

The Administrative Monetary Penalty System in London contains the fees and penalties for infractions to the Traffic and Parking By-law (e.g., parking in a no parking zone). Amendments to the Administrative Monetary Penalty System in London are required to reflect changes of the section numbering in the Traffic and Parking By-law.

In conjunction with this amendment, the Compliance and Parking Services Division is also recommending that the penalty for parking on private property be increase by \$15.00 to \$60.00 to increase compliance and the penalty for stopping in a prohibited area be increased by \$5.00 to \$65.00 for consistency within in the by-law.

2.2.5 Traffic and Parking By-law Amendments Policy (Appendix C)

It is recommended that the existing Traffic and Parking By-law Amendments Policy attached in Appendix C be repealed in recognition of the proposed new process. The existing policy address the policies, criteria and warrants to be used for by-law amendments. These are now contained within the recommended Traffic and Parking By-law and a new administrative practice. The new administrative practice includes the warrant and approval process for new traffic signals, pedestrian signals and pedestrian crossovers; noting that Council continues to approve these traffic control devices.

3.0 Key Issues and Considerations

3.1. Customer Service

A common complaint from the public is the length of time required to implement routine Traffic and Parking By-law changes. The alternative process recommended in Section 2 of this report responds to this concern for many of the by-law amendments and includes a process for public notification/consultation that ensures the public and the appropriate Councillor(s) are kept informed. These typical response times can be shortened by 25 to 35 days with the recommended process.

3.2 By-law Amendments Requiring Council Approval

Amendments to the wording of the by-law and several schedules will continue to require Council approval. The schedules requiring Council approval are more complicated than the other schedules; however, this will be reviewed again in the future after the administrative approval process has been evaluated for its effectiveness.

Conclusion

If approved, the alternative by-law amendment process will improve customer service and efficiencies by shortening response times while keeping the impacted residents and the local Ward Councillor informed. The alternative process will reduce the number of by-law amendment reports; thereby, allowing the Committee and Council to focus on other important issues.

The annual report summarizing the previous year's administrative amendments will include a by-law to formalize those amendments; it being noted that the changes will be enforceable upon implementation of the administrative amendments.

The proposed new bylaw also consolidates all the individual amendments that have occurred in since April 2017.

Prepared by: Shane Maguire, P. Eng.
Manager, Traffic Engineering

Submitted by: Doug MacRae, P. Eng., MPA, Director, Transportation and Mobility

Recommended by: Kelly Scherr, P. Eng., MBA, FEC, Deputy City Manager, Environment and Infrastructure

November 11, 2021/

Attach: Appendix A – By-law to Consolidate By-law P.S.-113 and to Facilitate Administrative Amendments

Appendix B – By-law to Amend the Administrative Monetary Penalty System in London By-law

Appendix C – Existing Traffic and Parking By-law Amendments Policy