



## Corporation of the Township of Brock

### Staff Report to the Mayor and Members of Council

**From: Sarah Jones**

**Position: Supervisor By-Law Enforcement and Animal Control**

**Title / Subject: Staff Report – Traffic Control By-Law Amendments**

**Date of Report: August 31, 2022**

**Date of Meeting: September 12, 2022**

**Report No: 2022-PS-012**

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#### 1.0 Issue / Origin

On August 22<sup>nd</sup>, 2022 during the COW meeting, a public meeting was held to gather resident feedback on proposed amendments to the Township of Brock Traffic Control Bylaw 957-88-PP. Council directed staff to determine the implications of and steps to implement an overnight ban on parking between the dates of November 15<sup>th</sup> and April 15<sup>th</sup> of each calendar year to allow for winter weather road maintenance and to provide the Director of Public Works with the ability to call a "Winter Weather Event Parking Ban" for extreme weather events, to which all vehicles are expected to not park vehicles on street, regardless of time, to ensure that the Township staff are able to perform winter operations requiring extensive snow removal, plowing and salting. In addition, Council asked staff to develop a pilot project to allow for permits to be issued at selected Municipal Lots that would allow for residents to park 24/7 with a permit year round and that the pilot project for permitted parking at Municipal Lots begin in the Sunderland Area and later throughout the Municipality dependent on the success of the permit program for the 2022/23 year.

#### 2.0 Background and Analysis

The purpose of this Report is to present for the purposes of review, discussion and approval for amendments to the Traffic Control By-Law as it relates to the on-street overnight parking within the Township of Brock during the winter maintenance season which in Brock is from November 15<sup>th</sup> to April 15<sup>th</sup> of the following year, the ability for the Public Works Director to call a "Winter Weather Event Parking Ban" and amendments to include a Municipal Lot Permit Program for 24/7 parking in select spots located within Municipal Lots within the town of Sunderland and that the permit program will offer both a monthly or yearly permit fee. This Report has been prepared in response to the direction received from Council.

Winter maintenance activity includes snow plowing, sanding, de-icing, and snow removal operations on the roadway and sidewalks. These operations are performed on the entire width of the roadway to the curb line or edge of shoulder to keep the road and sidewalks accessible and prevent flooding from drainage infrastructure blocked by snow and ice.

Staff use a Weather Reporting Service that provides meteorological information based on geographic location on a 24/7 basis. This data is relied upon to monitor the forecast for snow and ice events, plan winter maintenance operations, and make decisions based on the current and forecasted conditions.

In the current Traffic Control By-Law the current restrictions regarding parking on-street overnight and interfering with snow operations are as follows:

**9.1 (XI)** for a period in excess of three (3) hours unless otherwise indicated by official signs;

No person shall on any highway stop any vehicle:

(c) in such a manner as to interfere with the movement of traffic or the clearing of snow from the highway;

(d) in such a manner as to interfere with highway cleaning operations;

The proposed amendments to the Traffic Control By-Law include a ban for parking on the street overnight, commencing November 15th through to April 15th, between the hours **12:00 a.m. and 7:00 a.m.**, regardless of weather conditions, to allow for thorough and efficient winter maintenance operations. Such a ban would be a key component for planning and managing winter maintenance operations in the Township of Brock, especially in urban areas. The restriction would provide enough hours for efficient overnight winter snow plowing and removal operations that are unobstructed (provided motorists comply with the regulation). Winter operations that are performed during the day and in the evening are often limited to clearing drive lanes, since vehicles are parked on the streets at these times. Vehicles parked during the day on municipal roadways would still be subject to the following restrictions: park longer than 3 hours on any roadway unless otherwise posted and parking to interfere with snow plow/snow clearing operations. An overnight winter parking ban would be effective at allowing the Township to have open street access to facilitate snow clearing for streets and sidewalks.

### **Review of Practices in Other Municipalities**

As directed, staff consulted and conducted research on multiple municipalities in Ontario to determine whether parking bans or restrictions are used during the winter season and how these bans or restrictions were implemented and the different approaches. The research determined that, of the municipalities reviewed three specific approaches are used as described below and in (Attachment A).

- Full parking ban in effect for the winter season. Length of season varies within range of November 1 to April 15 of the following year.
- A weather-based parking ban where on-street parking is restricted during a declared winter event. Parking bans are not necessarily restricted to overnight and may apply to daytime until the ban is cancelled

- Full parking ban in effect for the season which also includes a weather-based parking ban. (Hybrid) An example would include daytime restrictions, other restrictions and full season bans with limited options for permitted on street overnight parking during the season or all year round.

Despite the current by-law that prohibits the parking of a vehicle on all Township roadways, including Regional Roads for more than 3 hours unless otherwise posted which should restrict most over-night on street parking within the Municipality and that also prohibits parking in such a manner to interfere with a snow-plow/snow clearing operations, winter operations are negatively impacted by some motorists who contravene the by-law. However in municipalities using overnight winter parking bans and/or a Winter Weather Event type parking bans that can be in effect in the daytime as well, have indicated that they have seen an increase in compliance from motorists, especially where enforcement has provided a grace period during the first few weeks or month of the implementation of the winter season over-night parking bans and further compliance during Winter Weather Events. However it is also necessary to include that some municipalities that have implemented one or both or a hybrid of winter restrictions, especially in the more southern areas of the Province have observed a decline in the co-operation of motorists due the infrequency of snowfall and lack of extreme winter events and due to public pressure have considered modification of the bylaws and relaxation of restrictions and/or have implemented pilot projects for the winter season of 2022/23. This approach however is not recommended due to the nature of some of the more extreme, though isolated weather events occurring due to climate change.

Further reasoning for implementing a ban on on-street overnight parking during the winter maintenance season and for the ability to implement a “Winter Weather Event Parking Ban” are further discussed in the body of this report.

During the clearing of roadways, it is preferred and the correct method for a plow to clear snow to the curb line. When access is blocked, snow and ice accumulate and harden to create an uneven parking surface which presents risk of injury for users. These risks include:

- Risks to transit passenger if buses are unable to safely pull to the curb or the passenger is unable to disembark on a smooth surface.
- Risk to garbage and recycling workers if their vehicles are unable to pull to the curb to load.
- Risk to pedestrians due to uneven walking surfaces.

Where the sidewalk is adjacent to the road with no boulevard for snow storage, the snow from the sidewalk is pushed to the curb into the snowbank on the road. Parked cars restrict the ability to clear the entire width of the sidewalk in these areas as the snow from the plow could be pushed into a car. Every year, several complaints are received regarding accessibility of sidewalks by persons with mobility devices.

On-street parking spots need to be cleared to the curb line as they are a part of the roadway. Cars parked in these spots overnight prevent this from occurring and causes snow and ice buildup from plowing around the parked cars. This buildup can narrow the driving lane width on the roadway from the snowbanks and block drainage to the catch basins on the curb line.

For streets which have parking on both sides of the street, plows are often unable to pass down a street as the plow is wider than a car width. When plows encounter this scenario, it must lift the plow blade/wing and back up to the previous intersection and take another route. This process leaves a pile of snow on the road that needs to be removed later when the street is clear.

Due to the built environment in the downtown area, snow removal is a requirement there. This operation requires the coordination of heavy equipment, a snow blower, and multiple trucks and therefore, costs significantly more than plowing. Every season, this maintenance practice is negatively impacted by vehicles that remain on street overnight.

Currently the Township of Brock has the ability to do the following for a significant Weather Event as per the O. Reg. 239/02: MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS under *Municipal Act, 2001, S.O. 2001, c. 25*. (Attached as Appendix B).

Under this Act, a municipality may declare a significant weather event when a weather hazard, either forecast or occurring, has the potential to pose a significant danger to users of the roadways in which they have authority. This declaration suspends the standard timelines required for municipalities to meet their winter maintenance objectives. Declarations may be the result of:

- Significant snow accumulation during a 24-hour period
- High winds leading to blowing snow and large snow drifts
- Freezing temperatures and ice formation that occurs without warning from the weather forecast

During significant weather events, roads and sidewalks are deemed in a state of repair until the declaration has ended. This does not mean a reduced level of service or a road closure this is simply to notify the public that caution is to be observed due to inclement weather and that it may take longer than usual to bring the conditions of the roads back to a state of repair.

It is important to note however, that the Regulation under the act does not address any parking restrictions during winter months nor, is it the same as a declaration by the Director of Public Works of a "Winter Weather Event Parking Ban" that can address the parking of vehicles on roadways at all hours of the day until such ban has been declared to be over. It is up to the individual Municipality to include such seasonal parking bans within their by-laws, as is being proposed in this report.

The proposed amendment to the By-Law, allowing the Director of Public Works to have the ability to call a "Winter Weather Event Parking Ban" for extreme weather events, to which all vehicles are expected to not park vehicles on street, regardless of time, to ensure that the Township staff are able to perform winter operations requiring extensive snow removal, plowing and salting.

Public Works may issue a parking ban when the weather forecast calls for 7 centimetres or more of snow or any other time that is deemed necessary to perform winter operations. This may include maintenance activities to address ice and slush accumulation when freezing rain is forecasted, or anytime the Township declares a significant weather event.

When a winter weather event parking band is called, it will remain in effect until lifted by Public Works and may extend through multiple nights (for severe weather events).

The Township will utilize a robust communication plan which will include both an education and a notification component. The education component will describe the winter parking ban program, and will utilize the website, social media, newspaper and radio advertising, emails to those with parking permits, Curbex signs, and physical print to leave on windshields. The notification communications will include news releases, notification to subscriber lists, social media, radio advertising, website, plow

tracker app, electronic sign boards and physical print to leave on windshields. Staff will also continue to investigate additional means of notification over the 2022/23 winter season.

Based on communication from other municipalities, the Township will make notification of the winter weather parking ban by 4:00 p.m. or earlier on a given day. This will ensure residents have more than 8 hours' notice to find alternative parking arrangements. In cases where the Township gets snow, which was not expected, a weather-based parking ban will be enacted for the following night.

During the implementation of the amendments, by-law enforcement officers will use discretion and may issue warnings instead of fines at the beginning of the winter ban. Later in the season and during snow events fines would be issued. Although discretion would be used for ticketing and particularly as this gets rolled out – it will require a less tolerant approach if there is an increase in those violations to the extent that it materially impacts operations above the norm. Vehicles remaining on the street during the restricted times may then be ticketed and towed.

### **Municipal Lot Parking Permits – Pilot Project Sunderland Area**

Part of the proposed amendments to the Traffic Control By-Law that Council asked staff to investigate and develop is a pilot project to allow for permits to be issued at selected Municipal Lots that would allow for residents to park 24/7 with a permit year round, with some restrictions dependent on events and snow clearing, and that the pilot project for permitted parking at Residents in the Sunderland area of the Township of Brock have made recent requests and inquiries about more parking options to be made available to residents of the Township due to insufficient on-lot (private property) parking options and no option to park a vehicle overnight on street or the option of permits in a Municipal Lot. Households on smaller lots can require additional parking that is not always available on-lot. Currently, many of the households in the Township of Brock own more than one vehicle. Situations exist where homeowners cannot make effective use of their garage for parking. On smaller lots with single car garages, this situation will result in the number of effective parking spaces being reduced to one, where a sidewalk crosses the driveway. In cases where a household has two vehicles, parking the second vehicle overnight can be problematic. Alternative parking options such as: parking vehicles on the driveway that over hangs the sidewalk or road curb or park the vehicle on the roadway overnight contravenes the current Township Traffic By-Law and makes the homeowner subject to fines. It also must be acknowledged and recognized that because of the Township's geographic location there is a lack of employment opportunities and a lack of transit options and as such residents often are dependent upon the use of the personal motor vehicle to access larger areas served by entertainment, employment and commerce. Some residents who reside in apartments above commercial units have no option but to risk parking on the street overnight and risking a fine or a fine for parking in a municipal lot without a permit. In addition, with the proposed amendments to restrict parking during the winter season, many residents may find the need to have alternative options available to park in Municipal Lots overnight with a permit.

### **Municipal Lots – Pilot Program Sunderland**

During the public meeting held during the August 22<sup>nd</sup>, COW, staff identified the following Municipal Lots chosen for the Pilot Program for overnight permits in Sunderland:

# Proposed Municipal Parking Permit Lots

SUNDERLAND ARENA SOUTH  
PARKING LOT  
(15-20 OVERNIGHT SPOTS)



SUNDERLAND MEDICAL CENTER  
WEST REAR LOT / AND PORTIONS OF  
MAIN LOT  
(20+ OVERNIGHT SPOTS)



Approximately 40 spaces would be available for permitted parking overnight and/or during the day. The permit application will list eligibility requirements, fees and policies and will be issued by the Clerk. It is anticipated that the parking permits available will be beneficial in winter when on-street parking is not available. The permit system provides residents with options to not park on street, allowing for little impact to snow operations. In addition, the availability of permits in these lots, fulfills the need for off street parking within the downtown core of Sunderland. Note: Thorah Island residents will still require seasonal parking passes as per prior years.

## Permits / Fees

It is recommended that all permit applications are reviewed on an individual basis and approvals are based on hardship and are not granted solely for convenience.

In order to obtain an overnight parking permit, applicants must meet the following criteria:

- The applicant must demonstrate a need for an overnight parking permit (i.e. the property has insufficient parking on property for motor vehicles registered to that property).
- Proof of residency and the motor vehicle registration must be shown before a permit is issued. Both documents must contain the name of the applicant and the correct address. If neither shows the correct address, the applicant must present either a formal lease

agreement, utility bill or purchase & sale agreement showing the address where the permit is being sought prior to the permit being issued.

- The vehicle the permit is requested for is an automobile, station wagon, van, pickup, or other vehicles that is not registered as commercial motor vehicles. Company or leased vehicles are accepted providing the applicant can produce either the lease agreement, or a letter stating that the applicant also operates the vehicle for personal use. Vehicles registered as commercial vehicles but have motor vehicle permits which the Ministry of Transportation has stamped the words "Primarily Personal/Recreational Use" or "P.U.O." are also accepted. Large trucks, buses, or vehicles exceeding 21 feet are not eligible in any case.
- Permit holders must also be aware that from time to time the Municipality will request permitted vehicles to relocate their vehicles from permitted location temporarily for the purposes of winter maintenance, parking lot maintenance and/or for Township held events where the full parking lot may be required. Permit holders would be provided with location to park temporarily and with as much notice as possible prior to temporary relocation.

A permit application would be available online and in person at the Township of Brock Administration Building in Cannington on a 'first come first served' basis.

Permits will be made available either monthly at the cost of \$20, or yearly at the cost of \$175. At the August 22<sup>nd</sup>, COW meeting, a comparison chart was provided showing the cost of permits in other municipalities. The chart has been provided below. Using this chart and in review of the price of permits already issued by the Municipality at the Beaverton Harbour and Fairgrounds. Monthly permits costs at these Municipal lots are \$20 and a Seasonal Pass is \$100. Staff recommend keeping the fees consistent with permit fees already in force. As such, the proposed fees for the Municipal Lot Permits in Sunderland would be \$20 monthly or \$175 for the year.

### **MUNICIPAL LOT PARKING PERMIT RATES AND FEES (Comparison)**

MUNICIPALITY	MUNICIPAL LOT PARKING PERMIT FEES (Monthly Rate)	LOT PARKING PERMITTED IN WINTER	OVERNIGHT LOT PERMIT PARKING
ORILLIA	\$30 - \$60	Select Lots	Varies Per Lot
TIMMINS	\$55	Yes	Yes
COLLINGWOOD	\$55	Yes	Yes
PETERBOROUGH	\$46-\$100	Select Lots	Most Lots Free
NIAGARA FALLS	\$28.25-45.20	Select Lots	Yes
(Proposed Fee) BROCK TOWNSHIP	\$35	Yes	Yes

### **3.0 Related Policies / Procedures**

N/A

### **4.0 Financial / Budget Assessment**

The amendments to the Traffic Control By-Law are not expected to have a large financial impact on the Municipality.

The projected costs of implementing a Municipal Lot Parking Permit (overnight) Pilot Project in Sunderland would be dependent on the initial cost of sign purchase, cost of installation and annual costs of maintaining. The monthly/yearly permit fee structure is anticipated to offset the initial and ongoing costs.

The estimated costs related to additional signage is projected as follows:

- Total costs of 11 gateway signs (\$350/each) and 6x6 posts (\$250/each) = \$6,600.00 (not installed)
- Total cost of 44 permitted signs with posts (\$65/each) = \$2,860 (not installed)
- Total costs of signage = \$9460

Total estimated revenue forecasted as a range based on selling all 40 spaces: \$7,000 (if all 40 pay the annual fee) up to \$9,600 (if all 40 spaces are rented monthly).

Administrative and operational impacts to public works, by-law and compliance, and fire and rescue services have been considered; the proposed amendments will not have adverse impacts to operations. Further, it is encouraged to keep vehicles off the main roadways during snow clearing operations and it will afford those who do not have enough parking the opportunity to obtain a permit to prevent fines for on-street parking.

Enforcement officer resources would not be impacted as officers work various shifts 7 days a week and shifts will be adjusted from time to time to ensure enforcement of overnight parking restrictions on street and within Municipal Lots.

Other costs, but not expected to have a significant financial impact is the clerical time required to issued and administer the permits. Currently the Township of Brock website provides the public with the ability to purchase permits for the Fairgrounds and Harbour Municipal Lots. From an IT standpoint, adding an additional fee, or type of permit to the system would simple and inexpensive. The parking permit fees may be adjusted from time to time and any changes will be administered through the Fees By-law. The actual costs for administration and enforcement will be monitored, and the parking permit fee will be adjusted accordingly.

### **5.0 Climate Change Impacts**

N/A



## **6.0 Communications**

The Township will utilize a robust communication plan which will include both an education and a notification component. The education component will describe the winter parking ban program, and will utilize the website, social media, newspaper and radio advertising, emails to those with parking permits, Curbex signs, and physical print to leave on windshields. The notification communications will include news releases, notification to subscriber lists, social media, radio advertising, website, plow tracker app, electronic sign boards and physical print to leave on windshields. Staff will also continue to investigate additional means of notification over the 2022/23 winter season.

Based on communication from other municipalities, the Township will make notification of the winter weather parking ban by 4:00 p.m. or earlier on a given day. This will ensure residents have more than 8 hours' notice to find alternative parking arrangements. In cases where the Township gets snow, which was not expected, a weather-based parking ban will be enacted for the following night.

## **7.0 Conclusion**

This report proposes amendments to the Traffic Control By-Law 957-88-PP which a proposed amending by-law will be presented for Council's consideration at its meeting to be held on September 26, 2022. These amendments will provide opportunities to improve winter cleaning operations throughout the Township of Brock and provided residents with additional opportunities for off street parking in selected Municipal Lots in Sunderland with the implementation of a pilot project, with the intention to open up the same opportunity to residents in the Downtown Core areas of Cannington and Beaverton dependent on the success of the pilot project in Sunderland.

## **8.0 Recommendation**

BE IT RESOLVED THAT report No. 2022-PS-012, entitled "Traffic Control By-Law Amendments", be received, and;

THAT Council direct staff to prepare and present Amendments to the Traffic By-Law, for consideration and adoption at the Council meeting to be held on September 26th, 2022.