



**PUBLIC WORKS AND
ENGINEERING**
Staff Report

REPORT NO: PWE 2022-08

TO: Council

SUBMITTED BY: Jeff Molenhuis, P. Eng., Director of Public Works and Engineering

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REVIEWED BY: Sharon Chambers, CAO

DATE: March 28, 2022

SUBJECT: Traffic and Parking By-law Schedule Update

RECOMMENDATION:

THAT Council accepts Report No. PWE 2022-08 for information; and further,

THAT Council approve the amendment to the Traffic and Parking By-law, By-law No. 2016-52, for Schedules "1", "2", "3", "4", "5", "7", "10", "11", "12", "13", "15", "16", "18", "22", and "25" and the addition of Schedule "26".

SUMMARY:

This report outlines the Traffic and Parking By-law purpose and enforcement requirements. It discusses the findings from a series of sign inspections and Asset Management inventory updating. It also describes the by-law, signage responsibility of the regional and boundary road intersections, and use of the emergency and safety provision under the by-law. This report then addresses the actions recommended to Council.

BACKGROUND:

As part of the Asset Management Ontario Regulation 588/17, staff started field reviews to identify and document asset inventories of highway regulatory signage, and to review for consistency with the current Traffic and Parking By-Law. Staff noticed a number of inconsistencies in the field when reviewed with the By-Law schedules. As such, staff undertook a comprehensive review of installed signage with the By-Law schedules to review accuracy and consistency. The last general review of the By-Law took place as part of the By-Law update in 2016 (Report No. CL2016-20). The current review of the Traffic and Parking By-Law included the following:

- Residential land development that has occurred within Wilmot
- Update of capital project improvements
- Heavy truck prohibitions on bridge structures
- Updates to Boundary Road Agreements
- An audit to ensure errors and omissions were eliminated
- Exercising emergency and safety provisions allowed under the by-law

The area municipalities in the Region of Waterloo have coordinated their Traffic and Parking By-Laws to provide consistency in structure, phrasing, and content across the Region. The By-law is organized by Parts and Schedules with the Parts explaining the components or restrictions, and the Schedules list the location where that corresponding component or restriction occurs.

Township By-law Enforcement staff and Waterloo Regional Police are only able to enforce traffic restrictions if certain conditions are met, generally being legal signs are posted; legal signs are identified in the Ontario Highway Traffic Act; and the legal signs are described within the appropriate Municipal By-law Schedules.

REPORT:

In the Spring of 2021, traffic and parking signs in the Township of Wilmot were inspected to update the Asset Management inventory as per Ontario Regulation 588/17. It was noted that the current Traffic and Parking By-law contains described Schedules that do not accurately reflect the signage changes in the Township. As such, the Traffic and Parking By-law is due for amendments following several years from the previous review of the By-law and inconsistencies in schedules and installed signage. Staff recommend that Council adopt the amendments to By-law Schedules 1, 2, 3, 4, 5, 7, 10, 11, 12, 13, 15, 16, 18, 22, and 25 and the addition of Schedule 26 to reflect the changes to regulatory signage on Township public highways, as follows:

- A number of installed signs were found to be excluded in their respected by-law schedule. The additions to each respective schedule are outlined in Attachment A.
- A number of signs were not installed based on the location described by the sign's respective by-law schedule. Those found to be uninstalled were found either in mapping records or in By-law 2016-52. In the case of missing signage, the by-law items were coordinated for installation through Transportation (Roads) Operations staff. These

signs will be installed as described in the original by-law schedule. These are outlined in Attachment A.

- Two minor intersections were identified as uncontrolled intersections during inspections. Riverview Ave intersecting Hillfield Drive in New Hamburg, and Hastings Court which intersects itself in Baden. Both intersections were brought to the attention of Wilmot Roads Supervisor. Actions have been taken to resolve both intersections. Signs were installed and added to the appropriate by-law schedule under this report.
- A number of signs located in areas of subdivision development are not covered by the current by-law, but had been previously installed. These signs have been identified and added to the proposed amended by-law schedules.
- Through the reconstruction of the Wilmot Street capital project, on-street parking was introduced for angled, accessible and electric charging station parking in front of Kirkpatrick Park. These signs have been identified and added to the proposed amending by-law.
- Wilmot has and will be entering into boundary road agreements with other municipalities. These agreements will outline which municipality is responsible for maintenance and signage of sections of the boundary roads. Wilmot Township roads that intersect a boundary road will remain in the Township by-law. Intersections on a section of road that Wilmot Township is responsible for under the boundary road agreement have been added in this by-law update. Regional intersections or other boundary roads under the administration of the adjacent municipality are not represented in the schedules.
- Three bridge structures in the Township were identified as having load restriction signs not currently contained within the by-law schedules. This update to the by-law will also see the addition of a new schedule, Schedule “26” Heavy Truck Prohibition on Bridge Structures.
- Some general maintenance updates for the Traffic and Parking Bylaw include additional “no parking” signs on Elizabeth Street, Schneller Dr., Stiefelmeyer Crescent, relocation of a school bus loading zone along Hunter Street. These were updated based on the provision under the by-law for authority of signage based on safety or emergency situations.
- Administrative update to the fine schedules in the by-law for three set fines previously approved by the Province. The penalties noted were previously approved by the Province following Council’s adoption of By-law 2019-26. No new penalties are being introduced as part of this amending by-law. The set fines are handled by the By-Law department but need to be updated into the respective schedule within the Traffic and Parking By-Law that engineering staff update.

Use of the Emergency and Safety Provision

Engineering and By-Law staff have received a number of complaints about parking situations on narrow roads or horizontal curves or bends in the road that do not allow space for emergency service vehicles and large service vehicles and equipment. Historically, staff have relied on the Highway Traffic Act (HTA) in these scenarios, in which police can enforce Section 134 of the HTA to enforce or remove vehicles blocking the regular flow of traffic.

Under Part III Section 2. Authority under the By-Law, there is provision for emergency and safety situations. Part (b) notes the following:

The Director of Public Works (and Engineering) is authorized, notwithstanding the other provisions of this By-law, to place, erect, maintain, move and remove such traffic control devices and traffic control signals as are required for reasons of emergency or safety or for an activity for which the Region or the Municipality has granted a permit.

In consultation with area municipalities in the Regional Traffic Coordinators group, it is understood that the authority under the bylaw is utilized to introduce restrictions in scenarios where emergency services or large service vehicles can't safely pass-through the right of way due to parking, rather than relying on the HTA scenario to undertake enforcement or removals. Using the By-Law would provide authority for enforcement to municipal bylaw officers, which would allow for more timely and effective enforcement scenarios for parking that blocks emergency vehicle passage. It would also directly bring attention to the road user of parking restrictions and best-practice for parking etiquette.

As such, staff will be utilizing this provision in more scenarios, with the following general flow of process once a parking restriction complaint or concern under the safety or emergency provision is received:

- 1) Staff conduct initial, brief screening based on physical and use characteristics of the road to determine if it meets general safety or emergency criteria;
- 2) If it meets criteria, review adequate restriction locations based on the physical environment;
- 3) Undertake installation of signage required to address the safety or emergency; and
- 4) Notify properties immediately fronting the restriction area of the restrictions and provide a Council report date that staff intend to have the adoption completed.

In this scenario, the intention is to use the authority under the bylaw to address the emergency and safety provision at the earliest opportunity and allow for the public to provide input to Council, if they wish. This scenario differs from other parking change requests in that, if a matter is brought forward that doesn't meet the safety or emergency provision, staff undertake a general commenting period in the affected area before taking a report to Council. This allows for input before a comprehensive report to Council is provided.

There are no prescribed notification requirements within the *Municipal Act, 2001*, associated with the Traffic and Parking By-Law. The Township's Notice By-law requires that the item be listed on the agenda of the Regular Council Meeting at which it is being considered.

The Engineering work program in the coming months will include creation of standards for parking restriction reviews, establishing restrictions in existing neighbourhoods and new developments, as well as traffic calming. Previously, the Traffic and Parking By-law review and amendments were not performed on a regular schedule. However, moving forward staff plan to perform an annual review of this by-law to include signage within new registered subdivisions, capital project initiatives, and general maintenance for that year. In cases where emergency or safety provisions are utilized, staff will provide a report for adoption at the earliest opportunity following the installation of signage.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

This report supports the goals and strategies of:

- Responsible Governance through Active Communications and Service Reviews

ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS:

Goal 9: Industry, Innovation and infrastructure
Goal 11: Sustainable Cities and Communities

FINANCIAL CONSIDERATIONS:

Financial considerations for this report include staff time for inspection, administration as well as on site work for signage removal and installation as per Attachment A.

Staff estimate a cost of approximately \$530 per sign including staff time, signage material and field installation labour and equipment costs. With approximately fifty (50) signs needing to be removed and installed, the financial implications are estimated to be approximately \$25,000. These costs are covered under the existing Roads Operating budget.

ATTACHMENTS:

Attachment A – Traffic and Parking By-law Schedule Update – New Additions and Removals
Attachment B – By-law No. 2022-13, Being An Amendment to the Traffic and Parking By-law