
Subject: Delegation of Authority Respecting Routine Traffic and Parking Schedule Regulations

Report to: Public Works Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That Council **APPROVE** Appendix 1 - Delegation of Traffic and Parking By-law Matters Policy and **DELEGATE AUTHORITY** to the Director of Transportation Services to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000, as amended, in accordance with the Policy;
2. That the Director of Transportation Services **BE DIRECTED** to coordinate and/or notify affected municipal staff and affected members of Regional Council of any amendments to the schedules of Traffic and Parking by-law 89-2000 that are proposed to be made pursuant to the Policy, prior to the passage of the necessary amending by-law(s);
3. That the Regional Clerk **SUBMIT** the necessary by-law(s) to amend the Traffic and Parking By-law 89-2000 directly to Regional Council for passage upon receipt of a memorandum from the Director of Transportation Services in accordance with the Policy;
4. That the Director of Transportation Services **INFORM** Public Works Committee members of the amendments made to the schedules of Traffic and Parking By-law 89-2000 pursuant to the Policy on quarterly basis.
5. That the necessary By-law to delegate authority to the Director of Transportation Services in accordance with Recommendation 1; of this report **BE PREPARED** and **PRESENTED** to Regional Council for consideration.

Key Facts

- The purpose of this report is to seek Council's approval in delegating the authority to the Director of Transportation Services to make routine and administrative changes to the schedules of Niagara Traffic and Parking By-law 89-2000, as amended.
- The current process requires that any change to the Traffic and Parking By-law requires a formal report to Public Works Committee. Once approved by Committee

the approved report and appropriate by-law is submitted to Regional Council for approval.

- The report preparation and approval process takes 5 to 6 weeks for routine and administrative items.
- Streamlining the approval process through delegated authority provides a higher level of service to Regional Council and to the public as amendments to the Traffic and Parking schedules can be implemented more efficiently and in a shorter time period.
- The delegated authority will be exercised based on sound engineering principles and guidelines, best practices, applicable policies and current legislation as described in the proposed policy attached as Appendix 1 - Delegation of Traffic and Parking By-law Matters Policy; and will support Transportation Services' direction in implementing Niagara's Vision Zero Road Safety Program.
- Any decisions made by the Director of Transportation Services pursuant to the delegated authority, with related correspondence, will be documented and filed in accordance with the Retention by-law.
- The Director of Transportation Services will provide a memorandum to the Regional Clerk requesting the submission of the necessary by-law(s) directly to Council for passage to effect any proposed revisions to the schedules of the Traffic and Parking by-law pursuant to the policy.
- A quarterly report will be issued to the Public Works Committee with the updated Traffic and Parking By-law 89-2000 to reflect the summary of the aforesaid Traffic Schedule revisions that come into force and effect during that time.

Financial Considerations

This proposed change will improve efficiencies in the overall process and service delivery by reducing the volume of reports received by Public Works Committee and redirecting Transportation Services staff to other projects and requests.

There are no direct financial implications to these proposed changes.

Analysis

Section 23.1 of the *Municipal Act, 2001* permits municipalities to delegate their powers and duties subject to certain restrictions, depending on the nature and scope of the

delegation. A delegation may be made to members of Council, committees, individuals appointed by Council or Regional staff and may be subject to conditions that Council considers appropriate.

Staff regularly submit reports to the Public Works Committee on routine or housekeeping items contained in the Traffic By-law 89-2000. These reports require Public Works and Clerks' staff time as well as the attention of the Public Works Committee. The process of preparing a report and submitting it for approvals has a five (5) to six (6) week minimum lead time. The by-law is then submitted for Council approval nine (9) days after Public Works Committee.

In order to simplify and expedite the implementation of changes to the schedules of Traffic and Parking By-law 89-2000, staff are recommending that authority to make routine and administrative revisions to the Schedules of By-law 89-2000 listed in Appendix 2 - Traffic By-law 89-2000 Schedules, be delegated to the Director of Transportation Services. The required by-law amending the schedules of the Parking and Traffic by-law will be submitted directly to Regional Council for approval based on a memorandum from the Director of Transportation Services to the Regional Clerk documenting the exercise of the delegated authority in accordance with the Policy attached as Appendix 1 - Delegation of Traffic and Parking By-law Matters Policy.

If the Director of Transportation Services determines that the proposed change is not of a routine nature or is otherwise outside of the scope of the Policy, a report would be brought forth to Public Works Committee. An example of a matter that is not routine, would be the removal of an all-way stop control.

An example of the type of matter that would be delegated to the Director of Transportation Services is a request to adjust the speed limit along a section of regional roadway. Pursuant to the policy, Staff would collect all the necessary data such as operating speeds, roadway geometry, collision data, number of accesses and land use type. The data would be populated into the warrants of the Council approved Speed Limit Policy PW5.R01.5 and based on the results of this review the Director of Transportation Services would determine if a speed limit adjustment is warranted (and if so provide a memorandum (example attached as Appendix 3) to the Regional Clerk to request the submission of the necessary by-law to Regional Council for passage).

Another example is when the Region reconstructs a roadway and has to prohibit parking to allow for the implementation of bike lanes. Prior to construction of the roadway; an Environmental Assessment Study including public consultation takes

place, and the necessary approvals to proceed with the capital improvements. The parking prohibition to implement the findings of the study is a routine task that would be undertaken pursuant to the delegated authority. Staff are also contacted by local area municipalities requesting parking prohibitions, duration adjustments or other related matters that can be undertaken pursuant to the policy.

The schedules of Traffic and Parking By-law 89-2000 that would be subject to the delegated authority are outlined in Appendix 2 - Traffic By-law 89-2000 Schedules. The proposed Delegation of Traffic and Parking By-law Matters Policy is attached as Appendix 1 - Delegation of Traffic and Parking By-law Matters Policy which describes the manner in which the proposed delegated authority will be exercised.

Alternatives Reviewed

The alternative would be to continue to report to Public Works Committee to seek approval for all changes to the Traffic and Parking by-law. This is not recommended because delegated authority provides a higher level of service to Council and to the public, as amendments to the Traffic and Parking Schedules can be implemented more efficiently. Regional Staff consulted with their counterparts in City of Hamilton and Regional Municipality of York where this model has been successful during the last decade.

Relationship to Council Strategic Priorities

This report is being brought forth as the result of direction by Public Works Committee and supports a sustainable and engaging government.

This recommendation is part of Council Strategic Priorities of Community Well-Being, by ensuring Public services and programs are delivered in equitable, coordinated, efficient, effective manner to Niagara residents and will allow operational changes to be implemented quickly to promote a sustainable transportation network.

Prepared by:

Petar Vujic
Road Safety and Permits Program
Manager
Public Works Department

Recommended by:

Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)
Public Works Department

Recommended and Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Sulaf Alkarawi, Associate Director - Transportation Services, Carolyn Ryall, Director Transportation Services and Donna Gibbs, Director, Legal and Court Services

Appendices

- | | |
|------------|--|
| Appendix 1 | Delegation of Traffic and Parking By-law Matters Policy |
| Appendix 2 | Traffic By-law 89-2000 Schedules |
| Appendix 3 | An example of Speed Limit Reduction Memorandum to Regional Clerk |

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Delegation of Authority Respecting Traffic and Parking By-law 89-2000 matters
--	--

Policy Owner	Public Works, Transportation Services, Director
Approval Body	Council
Approval Date	July 23, 2020
Effective Date	July 23, 2020
Review by Date	July 23, 2025

1. Policy

Regional Council has delegated authority to the Director of Transportation Services to make routine and administrative amendments to Schedules A-N; P-R; and, T-Y of Traffic and Parking By-law 89-2000, as amended, as may be required from time to time in response to complaints, requests or reviews undertaken to ensure the safety of Regional roads in compliance with applicable standards, policies and legislation.

2. Purpose

The delegation of authority to the Director of Transportation Services will streamline the approval process for necessary routine and administrative amendments to Traffic and Parking By-law 89-2000 to enhance responsiveness to community safety and increase efficiency in process and service delivery.

3. Scope

The Director of Transportation Services is delegated the authority to make routine and administrative amendments as may be required from time to time in response to complaints, requests or reviews undertaken to the following schedules of the Traffic and Parking By-law 89-2000:

- SCHEDULE A - Stopping Prohibitions
- SCHEDULE B - Standing Prohibitions
- SCHEDULE C - Parking Prohibitions
- SCHEDULE D - Trailer & Commercial Motor Vehicle Parking Prohibitions
- SCHEDULE E - Limited Parking Restrictions

<p><i>Policy Category</i></p> <p>Administrative</p>	<p><i>Name of Policy</i></p> <p>Delegation of Authority Respecting Traffic and Parking By-law 89-2000 matters</p>
---	---

- SCHEDULE F - Angle Parking
- SCHEDULE G - Parking Meter Zones
- SCHEDULE H - Public Parking Zones
- SCHEDULE I - Public Vehicle Bus Stops
- SCHEDULE J - Vending Stops
- SCHEDULE K - Taxi Cab Stands
- SCHEDULE L - Loading Prohibitions
- SCHEDULE M - Loading Zones
- SCHEDULE N - Through Highways
- SCHEDULE P - Stop Sign Locations
- SCHEDULE Q -Yield Sign Locations
- SCHEDULE R - Prohibited Turns
- SCHEDULE T - One-way Highways
- SCHEDULE U - Designated Lanes
- SCHEDULE V - Speed Limits on Bridges
- SCHEDULE W - Speed Limits
- SCHEDULE X - Speed Limits – 40 km/h in School Zones
- SCHEDULE Y - Reduced Load Restrictions - March 1st to April 30th

The Director of Transportation Services will exercise the delegated authority to achieve an improvement in road safety in compliance with applicable standards, policies and legislation and sound engineering principles and guidelines, and based on the following considerations:

Schedules A-M

When making decisions related to Zones or Restrictions in Schedules A-M, the Director of Transportation Services will consider the following factors:

- Existing geometric design (lane widths, sidewalk, curvature, elevations, etc.)

<p><i>Policy Category</i></p> <p>Administrative</p>	<p><i>Name of Policy</i></p> <p>Delegation of Authority Respecting Traffic and Parking By-law 89-2000 matters</p>
---	---

- Heavy Vehicle Percentages
- Road classification
- Presence of curb and gutter
- Impact to sight lines as outlined by TAC Geometric Design Guide for Canadian Roads
- Adherence to standards as outlined by TAC Geometric Design Guide for Canadian Roads
- Presence of bicycle lanes and potential impact
- Area Designation (Rural, Urban, Commercial, Residential, Tourist section, etc.)
- Vicinity to traffic control device
- Vision Zero and Safe System Approach

Schedules N; P; Q; R; T; U

When making decisions related to Zones or Restrictions in Schedules N; P, Q, R, T and U, the Director of Transportation Services will consider the following factors:

- Warrants from OTM Book 5 – Regulatory Signs using traffic counts conducted at intersections as part of annual traffic study program
- Collision History
- Vicinity to traffic control device
- Vision Zero and Safe System Approach

Schedules V-X

When making decisions related to Zones or Restrictions in Schedules V – X the Director of Transportation Services will consider the following factors:

- Council approved policy PW5.R01.5 Public Works Department Policy Manual – Speed Limit Policy, December 15 2005.

<p><i>Policy Category</i></p> <p>Administrative</p>	<p><i>Name of Policy</i></p> <p>Delegation of Authority Respecting Traffic and Parking By-law 89-2000 matters</p>
---	---

- Vision Zero and Safe System Approach

Schedule Y

When making decisions related to Zones or Restrictions in Schedule Y, the Director of Transportation Services will consider the following factors:

- The required duration of the prohibition to protect damaged or deteriorated highways until such time as they can be either repaired or reconstructed.
- Vision Zero and Safe System Approach

Prior to any by-law being submitted for Council approval, the Director of Transportation Services shall communicate with the affected municipality to advise of the recommended change(s).

If the Director of Transportation Services determines that the proposed change to the Traffic and Parking By-law 89-2000 is not of a routine or administrative nature or is otherwise outside of the scope of this policy, a report will be brought forth to Public Works Committee for consideration.

Any decision made by the Director of Transportation Services, including related correspondence and studies, will be documented and retained in accordance with the Region’s Records Retention by-law.

Upon receipt of a memorandum from the Director of Transportation Services documenting the exercise of delegated authority pursuant to this policy, the Regional Clerk will submit the necessary by-laws to amend Traffic and Parking By-law 89-2000 directly to Council for passage at their next meeting.

The Director of Transportation Services will report to Public Works Committee for information purposes regarding amendments made to Traffic and Parking By-law 89-2000 by delegated authority pursuant to this policy on a quarterly basis.

3.1. Roles and Responsibilities

- The Director of Transportation Services, is responsible for implementing this policy, including establishing any procedures as may be required and reporting to Public Works Committee on a quarterly basis regarding amendments made by delegated authority pursuant to this policy.

<p><i>Policy Category</i></p> <p>Administrative</p>	<p><i>Name of Policy</i></p> <p>Delegation of Authority Respecting Traffic and Parking By-law 89-2000 matters</p>
---	---

- The Commissioner of Public Works is responsible for monitoring compliance with the policy and reporting to Council regarding required updates to the policy.
- The Regional Clerk is responsible for submitting the necessary by-laws to amend Traffic and Parking By-law 89-2000 directly to Regional Council for passage upon receipt of a memorandum from the Director of Transportation Services issued pursuant to this policy.

4. References and Related Documents.

4.1. Legislation, By-Laws and/or Directives

Highway Traffic Act

Ontario Traffic Manuals

Municipal Act, s.23.1

4.2. Procedures

The Director of Transportation Services is authorized to develop procedures as required to implement this policy.

5. Related Policies

PW5.R01.5 Public Works Department Policy Manual – Speed Limit Policy, December 15 2005

C-A-008 Delegation of Powers and Duties policy

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Delegation of Authority Respecting Traffic and Parking By-law 89-2000 matters
--	--

6. Document Control

The electronic version of this document is recognized as the only valid version.

Approval History

Approver(s)	Approved Date	Effective Date

Revision History

Revision No.	Date	Summary of Change(s)	Changed by

**PW 5-2020 APPENDIX 2
TRAFFIC BY-LAW 89-2000 SCHEDULE**

SCHEDULE A

Stopping Prohibitions

SCHEDULE B

Standing Prohibitions

SCHEDULE C

Parking Prohibitions

SCHEDULE D

Trailer & Commercial Motor
Vehicle Parking Prohibitions

SCHEDULE E

Limited Parking Restrictions

SCHEDULE F

Angle Parking

SCHEDULE G

Parking Meter Zones

SCHEDULE H

Public Parking Zones

SCHEDULE I

Public Vehicle Bus Stops

SCHEDULE J

Vending Stops

SCHEDULE K

Taxi Cab Stands

SCHEDULE L

Loading Prohibitions

SCHEDULE M

Loading Zones

SCHEDULE N

Through Highways

SCHEDULE P

Stop Sign Locations

SCHEDULE Q

Yield Sign Locations

SCHEDULE R

Prohibited Turns

SCHEDULE T

One-way Highways

SCHEDULE U

Designated Lanes

SCHEDULE V

Speed Limits on Bridges

SCHEDULE W

Speed Limits

SCHEDULE X

Speed Limits – 40 km/h in School Zones

SCHEDULE Y

Reduced Load Restrictions
March 1st to April 30th

MEMORANDUM

PW 5-2020 – Appendix 3

Subject: Speed Limit Reduction, Regional Road 37 Merritt Road, City of Thorold and City of Welland

Date: July 14, 2020

To: Regional Clerk

From: Carolyn Ryall, Director Transportation Services

The purpose of this memorandum is to amend the posted speed limit on Regional Road 37 (Merritt Road) from Highway 406 to Regional Road 50 (Niagara Street) from 80km/h to 60km/h as determined necessary by Transportation Services Staff

Merritt Road is a two-lane east west arterial roadway, having a rural cross-section with some curbing and paved shoulders. Merritt Road has an average annual daily traffic of 10100 vehicles, providing a connection to Welland north, Thorold south and Highway 406.

Over the past several years many residential homes have been developed on the south side of Merritt Road. A westbound left turn lane was installed on Merritt at Eastman Gateway. The MTO also modified the off-ramp configurations and added a median to deter rear end collisions at Grisdale Road.

Regional staff has undertaken the necessary studies to determine if the reduction in the posted speed limit is warranted, incorporating best practices specific to design and operational effectiveness within the geometric design of the roadway. Based on the findings, staff has recommended the posted speed limit reduction from 80 km/h to 60 km/h on Merritt Road from Highway 406 to Regional Road 50 (Niagara Street). The reduction of the posted speed limit is reflective of the land use change and compliant with the Council approved Speed limit Policy.

Respectfully submitted and signed by

Carolyn Ryall
Director, Transportation Services