
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.

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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