

**Report to
Rapport au:**

**Transportation Committee
Comité des transports
6 September 2017 / 6 septembre 2017**

**and Council
et au Conseil
13 September 2017 / 13 septembre 2017**

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**Submitted by
Soumis par:
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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2017-TSD-TRF-0005

SUBJECT: Traffic and Parking By-law Update 2017

OBJET: Mise à jour 2017 du Règlement sur la circulation et le stationnement

REPORT RECOMMENDATIONS

That the Transportation Committee recommend that City Council:

- 1. Approve the proposed Traffic and Parking By-law in the form attached as Document 5 and as outlined in this Report, and to repeal and replace By-law 2003-530;**
- 2. Authorize staff to finalize and make minor amendments to the proposed Traffic and Parking By-law; and,**

3. **Authorize staff to seek to obtain approval from the Ontario Court of Justice on the changes to the set fines imposed by the proposed By-Law.**

RECOMMANDATIONS DU RAPPORT

Que le Comité des transports recommande au Comité :

1. **d'approuver le Règlement sur la circulation et le stationnement proposé selon la forme et le fond du document 3 et comme il est exposé dans ce rapport, et d'abroger et de remplacer le Règlement no 2003-530;**
2. **d'autoriser le personnel à finaliser et à apporter des changements mineurs au Règlement sur la circulation et le stationnement proposé; et,**
3. **d'autoriser le personnel à tenter d'obtenir l'approbation de la Cour de justice de l'Ontario en ce qui concerne les changements aux amendes fixes imposées par le Règlement proposé.**

BACKGROUND

The purpose of the City of Ottawa's Traffic and Parking By-Law (TPBL) is to regulate traffic and parking on highways. Twelve amendments have been made to the by-law since it was introduced in 2003. Furthermore, a number of changes to provincial legislation such as, but not limited to, the *Ontario Highway Traffic Act (HTA)* and the *Accessibility for Ontarians with Disabilities Act (AODA)* regulations, have taken place, and a number of administrative and operational required updates have accumulated over the years. The proposed new TPBL contains over 200 changes and due to the scope of the changes, the existing Traffic and Parking By-law 2003-530 must be repealed and replaced with a clean legislative instrument.

The TPBL was identified as a priority to be reviewed during this term of Council as part of the By-Law Review Strategy Report ([ACS2015-COS-EPS-0020](#)) approved by the Community and Protective Services (CPS) committee on June 18, 2015, and by City Council on June 24, 2015. The By-Law Review Strategy included a Councillor Survey, which highlighted a number of items that Councillors brought forward to be considered during the TPBL review.

Traffic Services staff have reviewed the TPBL in the context of stakeholder administrative/operational needs, industry best practices, and new legislation. The review also considered items identified through the 2015 Councillor Survey that were applicable and within scope.

DISCUSSION

Traffic and Parking By-Law – Administrative Review

To inform proposed changes to the Traffic and Parking By-law, Traffic Services staff consulted with a number of internal and external stakeholders who have a vested interest in the City's transportation network. Stakeholder agencies ranged from cycling groups (internal/external) to emergency services, to the taxi industry. The consultations took place to identify stakeholders' administrative and operational requirements that could be addressed as a part of the by-law's administrative review.

In addition to the stakeholder consultation, staff conducted a review of traffic and parking by-laws of 23 municipalities in Ontario with reported populations of greater than 100,000 persons. This exercise was to determine whether Ottawa's unsigned parking regulations were consistent with what was currently in effect across the province with regards to, but not limited to 3-hour parking, parking in proximity to fire hydrants, and the 1.5-meter laneway rule.

Traffic Services also engaged with Legal Services to review legislation impacting Ottawa's transportation network. The goal of this review was to ensure that any proposed changes to the TPBL would adhere to and align with current legislation from other levels of government.

Harmonization of Legislation

The majority of the proposed changes to the TPBL are intended to harmonize various council motions related to City legislation and provincial legislation. The following information illustrates high level examples of the proposed changes:

- Adopt the off-street Accessible Parking space ratios as stipulated by the provincial AODA legislation and remove all uses of antiquated language from the by-law;
- Adopt the *HTA* wording changes and definitions for commercial vehicles, road building machines, goods, and coasting;
- Conform with other City of Ottawa By-laws and Council directives including:
 - Permitting ball hockey on roadways;
 - Making Hotel Loading Zones consistent with the Vehicle for Hire By-law 2016-272; and,
 - Modifying the loading zone regulation to be consistent with Council-approved enforcement standards.
- Update language to reflect changes to the corporate realignment in July 2016, more specifically the provision of authority to carry out specific tasks consistent with the Delegated Authority By-law 2016-369.

Administrative/ Operational Requirements

In addition to harmonizing the by-law with current legislation, the proposed changes to the TPBL are also meant to address existing administrative and operational requirements of stakeholders. The proposed changes include, but are not limited to:

- Modifying the provision for pay and display tickets on dashboards to ensure only one ticket is displayed at any time;
- Adding “Bike Boxes” to the by-law so that these spaces are legally defined within the right-of-way which will provide enforcement agencies the ability to apply specific citations;
- Broadening the definition of the term “School Purpose Vehicles” to more adequately reflect the types of vehicle that can use School Bus Loading Zones;
- Modifying the amount of time for a Taxi to complete a drop off/pick up in a “No Stopping Zone”. The time previously allocated for this action was limited to 45 seconds and the proposed change to the By-law would permit a taxi to stay as long as it is actively engaged in loading and/or unloading a passenger;
- Defining a Pedestrian Cross-over (PXO) and all subsequent parking regulation requirements; and,
- Defining a roundabout and including the rules of the road for its legal use as well as corresponding parking regulation requirements.

Request to Review 3-Hour Parking Rule

The 2015 By-Law Review Strategy Report included the results of a Councillor survey which was led by the Department of Emergency and Protective Services (EPS). The survey highlighted a number of items pertaining to various city by-laws that Councillors put forward to have addressed in the 2015-2018 Term of Council. Traffic Services staff reviewed those items put forward relating to traffic and parking to determine whether these could be addressed as part of the Traffic and Parking By-law administrative review. In total there were 18 comments received from 9 Councillors linked to traffic and parking. Of the 18 comments, three were associated to the 3-hour parking rule. The other 15 comments were on various issues, the majority of which could not be addressed through a revision of the Traffic and Parking By-law. A list of all issues identified by Councillors, in addition to staff’s comments/response to each issue can be found in Document 1 - 2015 Councillor Survey – TPBL Staff Comments / Responses.

At the April 5, 2017 Transportation Committee meeting, Traffic Services staff were asked to review the 3-Hour Parking Rule. As a result, staff re-examined unsigned parking limit durations in a number of major municipalities in Ontario to determine common practices throughout the province. According to the completed review:

- All major municipalities have some form of unsigned on-street parking rule to regulate parking;
- 52% of the examined municipalities use 3hrs as the maximum parking time limit; and,
- Ottawa is one of the few municipalities that permits overnight parking even through the winters months.

The overall review of the 3-Hour Parking Rule led staff to propose extending the maximum parking duration limit along unsigned roadways from 3 to 6 hours on weekends and statutory holidays between 7 a.m. to 7 p.m.

Consultation on 3-hour parking rule

Public consultation on the proposed change to the 3-Hour Rule took place via an online survey posted on ottawa.ca from July 21st to August 22nd 2017. In addition to offering a general comment section, the survey included three (3) questions on the following topics:

- Providing Postal Code;
- Awareness of existing 3-hour parking rule; and,
- Support change to existing 3-hour parking rule.

A copy of the online survey is available in Document 2 - Online 3-Hour Parking Rule Survey. The document was generated by the corporately approved online survey tool CheckMarket.

During the 30 days the survey was posted, residents could also provide feedback on the proposed change via a dedicated e-mail address or to a dedicated telephone number. A detailed communications plan was developed and followed to ensure Mayor and Council, in addition to as many residents as possible were made aware of the opportunity to provide feedback on the proposed change to the 3-Hour Parking Rule. The communications plan included e-mails to Committee and Council members, a PSA, tweets and posted information on ottawa.ca.

The survey results and all comments received, including those by e-mail and telephone, have been reviewed and compiled by staff.

Summary of Results - Online Survey

In total, 1,971 residents responded to the on-line survey and of the respondents:

- 85% or 1,675 stated being aware of the City of Ottawa's 3-Hour Parking Rule;

- 72% or 1,419 identified supporting changing the 3-Hour Parking Rule from a maximum parking duration of 3 hours between 7 am to 7 pm to 6 hours on weekends and statutory holidays; and,
- 42% or 827 provided additional comments.

Please see Document 3 - Results of Online 3-Hour Parking Rule Survey as generated by the CheckMarket online survey tool for further details.

As all online survey respondents had to provide the first three digits of their postal code, staff were able to review the collected data to determine at a high level the types of responses received by area within Ottawa. Table 1 below identifies the areas which generated at least 5% of the total online survey votes on whether the proposed change to the 3-Hour Parking Rule is supported. The areas align with the first three digits of the postal code which are also known as the Forward Sortation Area (FSA) by Canada Post.

Table 1 - Areas with at least 5% of total online 3-Hour Parking Rule survey votes

Postal Code [Area]	Votes in Support	Votes Against	Total Votes	% of Total Votes
K2S [Stittsville]	161	51	212	11%
K2J [Barrhaven]	141	66	207	11%
K4A [Orleans]	97	41	138	7%
K1S [Glebe/Ottawa South]	91	35	126	6%
K1Y [Westboro/Wellington Village]	75	24	99	5%
K2M [Kanata South]	70	27	97	5%

Please see Document 4 - Online 3-Hour Parking Survey Distribution of Results provides a more detailed and visual representation of the online survey results. The document consists of a map, to help visualize, at a high level, where in the City residents are in support of or against the regulation change from a 3-hour to 6-hour parking limit between 7 am and 7 pm on weekends and holidays along unsigned roadways.

Respondents also had the opportunity to provide overall comments while completing the online survey. Staff reviewed all 827 each comments and identified a number of common themes to help categorize them. The comments were also sorted and reviewed based on whether the respondent was for or against the change to the 3-Hour Parking Rule. Please see Tables 2 and 3 below for further details on the over all themes identified for the provided comments.

Table 2 - Online Survey Comment Themes - Respondents for Change

Theme	Total Comments
Implement the change 7 days a week	74
Increase/eliminate the 3 Hour-Parking Rule for residential & rural areas	48
Place No Limit for unsigned parking	35
Enforcement issues/enforcement of the change	25
Did not know about current By-law/thought it didn't apply on weekends	16
Existing limit is a cash grab	11

Table 3 - Online Survey Comment Themes - Respondents Against Change

Theme	Total Comments
Various enforcement issues	64
Streets are already too narrow, will make parking congestion worse	50
Winter parking concerns	12
Not enough parking supply	12
Encourages non-auto modes of travel	11
Not long enough – support no limit	7

*Summary of Results - E-mails**

In total, 26 e-mails were received via the dedicated e-mail address provided as an alternative to the survey. Of the total e-mails received:

- 7 or 27% identified support for the proposed extension to the 3-Hour Parking Rule;
- 11 or 42% were against the change; and,
- In 8 or 31% of comments received, it was unclear whether the change was or was not supported.

*Summary of Results – Telephone Messages**

A total of 10 messages were left in the dedicated telephone line's voice mail inbox:

- 2 provided support for the change to the 3-Hour Parking Rule;
- 5 stated that the change was not supported; and,
- In 3 messages, it was unclear whether the change was supported or not.

* It is important to note that comments received by e-mail or by telephone may be duplicates to those already received through the on-line survey.

Proposed Traffic and Parking By-law

Changes proposed to the Traffic and Parking By-law have taken into consideration existing legislation, administrative/operational needs in addition to the results of a public consultation to amend the 3-Hour Parking Rule. The proposed Traffic and Parking By-law, as drafted by Legal Services to replace By-Law 2003-530, is found in Document 5 - Traffic and Parking By-law.

RURAL IMPLICATIONS

The proposed Traffic & Parking By-law will impact all Ottawa residents.

CONSULTATION

Internal/External Stakeholder Consultation

In total, Traffic Services staff solicited feedback from 18 internal/external stakeholders with vested interest in the transportation network. Each agency or subject matter expert was provided a copy of the TPBL seeking their feedback. Stakeholders were also provided an opportunity to meet with the project team following their review to discuss potential issues/ideas.

Internal Stakeholders included:

- Transportation Services Department (Traffic Services, Transportation Planning and Transit Operations);
- Emergency and Protective Services Department (By-law and Regulatory Services, Ottawa Fire Services and Ottawa Paramedic Services);
- Service Innovation and Performance Department (Service Ottawa - Client Service Centre);
- Recreation, Cultural and Facility Services Department;
- Office of the City Clerk and Solicitor (Legal Services, Corporate Accessibility Specialist);
- Public Works and Environmental Services Department (Road Services which includes Transit Way and Parking Branch);
- Ottawa Police Services; and,
- Accessibility Advisory Committee.

External Stakeholders consulted included:

- Taxi Industry (more specifically Coventry Connections who run all of the taxi companies in Ottawa);
- Ottawa Student Transit Authority (OSTA);
- Ottawa Bike (Citizens for Safe Cycling); and,
- Greater Ottawa Truckers Association.

Councillor Consultation

Traffic Services Staff met with Chair Keith Egli and all members of Transportation Committee in July 2017. The meetings provided an opportunity to discuss the proposed changes to the By-law and to respond to questions.

Public Consultation

A survey was posted on ottawa.ca for a period of 30 days to gauge public opinion on the proposed change to the 3-Hour Parking Rule. During these 30 days, residents could also provide their feedback via e-mail or by telephone by leaving a voice mail.

ADVISORY COMMITTEE(S) COMMENTS

The Accessibility Advisory Committee were given the opportunity to review and comment on the proposed new Traffic and Parking By-law. The feedback received from the AAC was as follows:

“Given that our population is aging and the rate of disability rapidly increases as age increases, the Accessibility Advisory Committee (AAC) requests that the ratio of accessible parking spots be higher to accommodate this increase. The AAC strongly supports the increase of accessible parking in our city, including parking spaces that can be used by Accessible Parking Permit holders, particularly where essential services for persons with disabilities are located (i.e. medical buildings, shopping and social services). It is essential that Ottawa be a fully accessible City by 2025.”

LEGAL IMPLICATIONS

There are no legal impediments associated with Committee and City Council's approval of the recommendations of this Report.

RISK MANAGEMENT IMPLICATIONS

There are no risks implications associated to this report.

FINANCIAL IMPLICATIONS

The anticipated financial implication of the recommendations in this report is cost/revenue neutral.

ACCESSIBILITY IMPACTS

Departmental Accessibility representatives and Traffic Services staff have reviewed the Traffic and Parking By-Law document included as Document 5 to ensure that all language was in conformance with Accessibility for Ontarians with Disabilities Act, 2005 (AODA). Additionally, a draft version was sent to the Corporate Accessibility Specialist

in the Office of the City Clerk and Solicitor as well as to the Accessibility Advisory Committee members to solicit feedback towards all of the proposed by-law changes.

Part “C”, Parking Required for Persons with Disabilities, of the Traffic and Parking By-law exclusively addresses off-street accessible parking. Working with Legal Services, the decision was made to directly cite the AODA Integrated Accessibility Standards, Ontario Regulation 191/11 as amended, as the requirement for Ottawa off-street accessible parking ratios and types. This approach ensures that accessible off-street parking requirements as stipulated by the Province of Ontario, will experience no lag in implementation. As the Traffic and Parking By-law is directly linked to the provincial legislation, amendments will not be required following any changes at the provincial level. This approach also significantly increases the number of off-street accessible parking spaces required for newly constructed or renovated facilities, expands the variety of accessible spaces available (both 2.4-metre regular and 3.4-metre van accessible spaces), and increases the overall width of spaces through the provision of adjacent access aisles.

All on-street parking spaces will continue to be classified as ‘Accessible’, in that valid permit holders may park for up to 4 consecutive hours between the hours of 7am and 7pm including in areas which are signed as No Parking Anytime. Further, Accessible Parking Permit Holders are granted free parking at Pay-and-Display machines throughout the City.

There were also changes to provisions and definitions in the By-law which were aimed at improving the use of the built environment within the right-of-way such as, modifying the definition of wheelchair to be more inclusive towards a variety of assistive devices. Modifying the taxi loading/unloading time by removing the 45 seconds limitation and replacing it with the wording “while actively engaged in loading/unloading” will provide additional time for persons using an assistive device in getting into and out of a taxi.

TERM OF COUNCIL PRIORITIES

The Traffic and Parking By-law Update 2017 Report aligns with the Transportation and Mobility Priority in the City of Ottawa 2015-2018 City Strategic Plan.

SUPPORTING DOCUMENTATION

- Document 1 - 2015 Councillor Survey - TPBL Staff Comments/Responses
- Document 2 - Online 3-Hour Parking Rule Survey
- Document 3 - Results of Online 3-Hour Parking Rule Survey
- Document 4 - Online 3-Hour Parking Survey Distribution of Results
- Document 5 - Proposed Traffic and Parking By-law

DISPOSITION

Staff in Traffic Services will work with Legal Services and By-law and Regulatory Services to finalize and complete the steps to enact the proposed Traffic and Parking By-law and to seek approval of the set fines imposed by the By-law.