

DATE OF MEETING JUNE 20th , 2022

AUTHORED BY JAMIE ROSE, MANAGER, TRANSPORTATION
DAVE LABERGE, MANAGER, BYLAW SERVICES

SUBJECT 24 HOUR PARKING BYLAW EXEMPTION

OVERVIEW

Purpose of Report

To respond to the November 2, 2020 Council meeting motion regarding options to exempt residents from the 24hr Parking time limit within “Traffic and Highways Regulation Bylaw 1993 No. 5000”.

Recommendation

That Council direct Staff to maintain “Traffic and Highways Regulation Bylaw 1993 No. 5000” Section 4 Article 21 and continue to enforce as needed.

BACKGROUND

As part of maintaining the safe and efficient operation of the transportation system, the City regulates and enforces on-street parking. To achieve this, the City has two regulatory tools:

1. “Traffic and Highways Regulation Bylaw 1993 No. 5000” (Bylaw 5000), which is predominantly a reflection of the Motor Vehicle Act; and,
2. Traffic control devices: signs, road markings, etc.

Generally, safety issues are managed through Bylaw 5000 and Bylaw Enforcement Officers. This includes maintaining:

- clear travel paths for cars, bikes, and pedestrians,
- access to fire hydrants, and
- visibility at intersections, driveways, and crosswalks.

For the most part, parking demand (or excess demand) is managed by some form of traffic control device, such as, signage, parking meters, etc. The one exception to this is Section 4, Article 21 of Bylaw 5000.

Section 4

Article 21:

Parking Regulations: Except when necessary to avoid conflicts with traffic, or to comply with the directions of a Peace Officer or traffic control device or Traffic Patrol, and except while operating a government vehicle or vehicles of a public utility corporation while engaged in their duties, or except an emergency vehicle which is in actual use for official duties, no person shall stop, stand, or park a vehicle: 24 HOURS **MAXIMUM (21) on any highway for a continuous period exceeding 24 hours, without first obtaining the written permission of the Director.**

At the November 2, 2020 Council meeting, a delegation expressed concerns that Section 4, Article 21 creates a barrier for people with physical and financial limitations who own, and are reliant on a personal vehicle, and whose dwelling does not have adequate on-site vehicle storage. While this delegation represented a specific location, other members of the community have expressed similar concerns. Council passed the motion: “It was moved and seconded that Council direct Staff to prepare a report outlining options for Council to consider, in order to permit residents to park on residential streets for more than twenty-four hours without having to move their vehicles.” |

DISCUSSION

Based on the motion, Staff undertook a review of Article 21, and considered:

- the purpose,
- how other municipalities approach this issue, and
- the consequence of removing or altering this Article.

The impact of a vehicle parked on a public road for an extended period of time can have varying degrees of consequence. In a predominantly residential area, vehicles parked for extended periods of time can create frustration from residents and property owners. In mixed use, or predominantly business oriented areas, such as Urban Centres, the perception is often that vehicles parked for long periods of time impede customer access to businesses or services. Each of these scenarios are highlighted by the 270 calls Bylaw Services received in 2021 requesting enforcement of Article 21. This represents approximately 31% of all calls for service for parking violations.

Article 21 also ensures that vehicles parked in a public right-of-way do not impede municipal work such as refuse collection, snow and ice control, catch basin cleaning, or other regular operational tasks.

Ultimately, Article 21 is a valuable tool to manage on-street vehicle storage across the entire community.

Staff surveyed other municipalities to gain an understanding of how they approach the need to manage demand for on-street vehicle storage. Staff found that all municipalities contacted include a 24hr maximum time limit restriction within their traffic bylaws with two exceptions:

1. Richmond allows for on-street storage of vehicles for up to 72hrs; and,

2. Victoria does not have a time limit restriction for on-street storage.

Reflecting on the purpose and demonstrated need Section 4 Article 21 fulfills, Staff do not recommend eliminating a maximum time limit from Bylaw 5000.

Staff further considered the motion and contemplated increasing the time limit from 24hrs to 72hrs. This strategy would not enable the storage of vehicles in a City right-of-way indefinitely; however, it would provide a longer window of time for a car to be left before needing to be moved, prior to a violation being issued. This option does have two potential drawbacks that staff foresee.

1. Under the current bylaw, the process to enforce the 24hr time limit actually takes between 36hrs and 48hrs. Staff need to confirm the vehicle's location and then return more than 24hrs later to ensure that it has not in fact been moved. Increasing the permitted window to 72hrs would extend this response time to a minimum of 36hrs and more likely one week.
2. The combination of increasing the permitted time period and the additional time required to issue a violation (as noted in item 1) is not only frustrating for home owners, but could have significant negative impacts on businesses located in mixed use areas.

Noting the significant number of calls for service under the existing time restriction and the high likelihood of increased community frustration if the time limit were increased, Staff do not recommend this option.

Should it wish to proceed with an alternate solution, Council could trial a 24 month pilot to provide a temporary exemption from the Bylaw for up to 72 hours. This would enable some time to analyze community acceptance of a longer time duration and report back prior to making a permanent change. If staff observed a dramatic increase in calls for service, a report would be brought before Council to seek guidance on whether or not the pilot should remain in place for the full 24 months.

OPTIONS

1. That Council direct Staff to maintain "Traffic and Highways Regulation Bylaw 1993 No. 5000" Section 4 Article 21 and continue to enforce as needed.
 1. The advantage of this option is that Staff will be able to continue to manage on-street vehicle storage to ensure fair and equitable access for all, as well as maintaining access for regular municipal operations.
 2. The disadvantage of this option is that on-street vehicle storage will continue to be limited to 24 hours, which has been identified as a barrier for some.
 3. Financial Implications: None.
2. That Council direct Staff to undertake a 24 month pilot project to temporarily extend the time limit restriction in the "Traffic and Highways Regulation Bylaw 1993 No. 5000" Section 4 Article 21 from 24hrs to 72hrs, and to provide a follow up report summarizing the findings at the completion.
 1. The advantages of this option:
 - a. All residents will have greater flexibility with respect to duration of vehicle storage on public streets.

- b. Staff will have the ability to monitor the situation and report back prior to making any formal changes to Bylaw Services or staffing.
 2. The disadvantages of this option:
 - a. The issue raised regarding the challenges of vehicle storage, for people with physical or financial limitations, may not be fully addressed.
 - b. Response to vehicles parked for long periods of time (exceeding the time limit) will be further delayed creating further frustration.
 3. Financial Implications: None.
3. That Council provide alternate direction. |

SUMMARY POINTS

- Article 21 of “Traffic and Highways Regulation Bylaw 1993 No. 5000” provides Bylaw Enforcement Officers with an important tool to fairly and equitably manage on-street vehicle storage.
- Bylaw Services receives a significant number of calls for service for enforcement of Section 4 Article 21. Increasing the time limit from 24hrs to 72hrs, will likely generate more frustration for residents and businesses which will result in more calls for service.

Submitted by:

Jamie Rose
Manager, Transportation

Dave LaBerge
Manager, Bylaw Services |

Concurrence by:

Jeremy Holm
Director, Development Approvals

Poul Rosen
Director, Engineering

Bill Sims
General Manager, Engineering and Public Works
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