

DATE OF MEETING FEBRUARY 12, 2024

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**SUBJECT SCHOOL ZONE POLICY UPDATE**

## **OVERVIEW**

### **Purpose of Report**

To provide an opportunity for Council to update the School Zone Policy to reflect best practices and changes in legislation.

### **Recommendation**

That Council repeal the existing School Zone Signing Guidelines Policy COU-118 and adopt the new School Zone Signing Policy COU-240 as detailed in Attachment B.

## **BACKGROUND**

In 1995 the City undertook a process to create School Zone Signing Guidelines which were adopted by Council. This policy has criteria for determining where a “School Area” should be put into place and where a 30km/h sign should be used to make it a “School Zone”. In 1996, Council received delegations regarding school safety, and the request was made that all roads abutting a school be reduced to 30km/h. Council made a motion to accept this request and the School Zone Policy was then amended.

Council has since provided direction to review the School Zone Signing Guidelines Policy.

## **DISCUSSION**

In 2022, City Staff carried out a school zone policy review based on the guidelines provided by the Transportation Association of Canada and other road safety agencies.

The current School Zone Signing Guidelines Policy lacks definitions and provides conflicting language regarding guidelines for when school zone signage is to be installed. As a result, school zones have not been established consistently across Nanaimo. Enforcement of speed within a school zone, in some cases, is also a concern as the guidelines within the policy are not in alignment with the Motor Vehicle Act (MVA).

Case law provides that the 30 km/h school zone is only enforceable while approaching or passing the school building and school grounds between 8am-5pm on school days. School zone signs are regulated by the MVA, and enforcement is carried out by the RCMP. Section 124 of the

provincial MVA provides that Council may further regulate traffic in the vicinity of schools provided it is consistent with the MVA. Currently, school zone signs are only enforceable adjacent to school property. If the property line separation between the school and the subject street is greater than 50 meters, the school is not considered to be adjacent to that street.

Many of the City's existing school zones are on roads that do not abut the school building or school grounds, and therefore, the school zones would not be enforceable under Section 146 (7) of the MVA "speeding against a municipal sign".

Through discussions with the Nanaimo Traffic Safety Committee (NTSC) and RCMP, it is understood that continuing to operate school zone signing as currently, would be to strain the wording of Section 147(1) of the MVA and would not align with the intent of the legislation.

To be consistent with the MVA and in keeping with best practices, Staff developed a matrix to review and establish school zones or school areas for a particular school site in consideration of the Transportation Association of Canada's Guidelines. The matrix takes various factors into account to determine which treatment should be established for the road of interest. There are two treatments to consider, School Area and School Zone. A School Area includes school warning signs for drivers without a speed limit reduction. A School Zone includes speed limit signs which reduce the speed limit adjacent to the school; the typical school zone speed limit is 30 km/h. The matrix has been tested for elementary schools in Nanaimo. A copy of the matrix template is shown in Attachment C. The internal review would consider the output from the matrix, the local context of the school, input from the RCMP, NTSC, and other stakeholders, and would conclude with a revised sign plan for the school of interest.

Staff recommend repealing the existing School Zone Signing Policy COU-118 and replacing it with a new policy that will allow staff to establish school zone signage based on the internal review process using the School Zone Review Matrix, to be amended from time to time. The proposed policy updates have been discussed with the NTSC which includes many groups such as ICBC, the RCMP, and School District 68. The NTSC is supportive of a revised policy. Through direct conversation with the RCMP, Staff confirm that the Traffic Section of the RCMP detachment are in support of the proposed changes and implementation strategy.

If Council establishes the new policy, the result would be school zones which consider site specifics in alignment with the MVA and are enforceable by the RCMP. Staff intend that implementation would be gradual. Changes to existing school zones would not occur until the city works with a school on an active school travel program, or as large-scale capital projects are implemented.]

## **OPTIONS**

1. That Council repeal the existing School Zone Signing Guidelines Policy COU-118 and adopt the new School Zone Signing Policy COU-240 as detailed in Attachment B.

The advantages of this option are that the review of school zone signing will be consistent, and that establishment of school zones will align with the MVA and become more enforceable by the RCMP.

2. That Council provide Staff with alternate direction. |

**SUMMARY POINTS**

- The existing School Zone Signing Guidelines Policy is not in alignment with the Motor Vehicle Act.
- Staff recommend adopting a new policy that will allow for consistency while considering site specifics in the establishment of school zone signing, is in alignment with the MVA and enforceable by the RCMP.
- If Council establishes the new policy, implementation would be gradual.

**ATTACHMENTS:**

ATTACHMENT A - Existing School Zone Signing Guidelines Policy COU-118

ATTACHMENT B - Proposed School Zone Signing Policy COU-240

ATTACHMENT C - School Zone Review Matrix

ATTACHMENT D - Example School Zone Review Matrix

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