

REPORT

Council

Meeting Date: April 26, 2021

FROM: Municipal Enforcement Services Department

DATE: April 13, 2021

SUBJECT: **Special Provision Areas to Prohibit Parking from May 15 - September 15, 2021, By-law 2021-065**

LOCATION: Town-Wide

WARD: Town-wide

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RECOMMENDATION:

1. That the report from Municipal Enforcement Services, dated April 13, 2021, titled "Special Provision Areas to Prohibit Parking from May 15 - September 15, 2021, By-law 2021-065", be received.
2. That By-law 2021-065, a by-law to amend Parking Administrative Penalties By-law 2015-071, as amended, attached as Appendix A to the report from the Municipal Enforcement Services Department dated April 13, 2021 be passed.

KEY FACTS:

The following are key points for consideration with respect to this report:

- The World Health Organization characterized COVID-19 as a pandemic on March 11, 2020
- Province of Ontario declared an emergency on March 17, 2020
- The Town of Oakville and Regional Municipality of Halton declared an emergency on March 24, 2020
- Province of Ontario enacted the Reopening Ontario Act (ROA) in July 2020 to provide Ontario with a flexible response to COVID-19 through the implementation of the *Framework for Reopening the Province*
- Under the provincial framework for reopening, regions will be put into "zones" with varying levels of restrictions dependant on numerous factors including the number of intensive care beds being occupied and number of COVID-19 cases being reported
- COVID-19 restrictions continue to be in place in 2021 under the Reopening Ontario Act with the regulations per region continuing to fluctuate

- Restrictions under the ROA may include closures or limited access to recreational facilities as well as limited opportunities for travel outside the region, thereby putting pressure on local outdoor destinations such as parks and other amenities
- In 2020, an emergency by-law was enacted to create Special Provision Areas (SPA's) which allowed for the Director of Enforcement Services to implement temporary no parking along the streets adjacent to areas where increased traffic flow and parking started to impact the local communities. This emergency by-law expired in the fall of 2020
- SPA's also minimize overcrowding at the specified locations by reducing the amount of available parking in the area resulting in those vehicles and their passengers who cannot find parking leaving the area
- Approving By-law 2021-065 to permit Special Provision Areas would authorize Special Provision areas for the period of May 15, 2021 to September 30, 2021
- Designated areas would see additional no parking signs posted to alert drivers of the parking prohibitions with higher fines imposed in these areas
- Parking permits will be available to residents in the special provision areas to accommodate temporary parking needs

BACKGROUND:

On March 11, 2020 the World Health Organization declared a worldwide pandemic regarding COVID-19. On August 11, 2020, the Mayor, under delegated authority by Municipal Emergency Order, approved By-law 2020-130 thereby introducing Special Provision Areas into Traffic by-law 1984-1 with associated higher penalty amounts introduced through the Parking Administrative Penalty by-law 2015-071. These amendments were in response to the COVID-19 emergency to control traffic flow and parking in areas experiencing higher than normal volumes of patrons; specifically in the lakeside parks. With the introduction of the SPAs, the town was able to quickly create areas with restricted parking nearby a public attraction, such as a park, with higher penalties for those who are in violation of the posted parking restriction. SPAs address safety and access risks in the communities located near lakefront parks as these areas see increased patronage from both local residents and from nearby municipalities. This increase in patronage is likely due to the limitation of travel and the restricted availability of various amenities as set out in the Reopening Act.

Through the approval of 2021-065, staff will again have the ability to designate SPAs for the period starting on May 15 through to September 15, 2021. This recommendation is due to the continued COVID-19 restrictions that fluctuate, depending on the stage of reopening for the region under the Reopening Act. The continual changes in zone assignment assigns uncertainty to closures of various

attractions and limitations to travel thereby creating additional stress on our outdoor spaces.

COMMENT/OPTIONS:

SPA Regulations

By-law 2021-065, a by-law to amend Parking Administrative Penalties By-law 2015-071, allows for the special provision areas to prohibit parking from May 15-September 15, 2021. This amendment defines a special provision area as the following:

“Special Provision Area” and “SPA” mean highways located within the limits of the area(s) designated as such by the Director of Municipal Enforcement.

A SPA differs from regular local streets where parking prohibitions exist as the penalty amounts are set at a higher rate. The higher parking penalties will only be imposed in areas that are within the designated SPA and where temporary no parking signage has been installed. The following is the recommended penalty amount in amending by-law 2021-065 found in Appendix A for parking in a signed prohibited SPA :

Violation	Section	Penalty
PARK WHERE PROHIBITED BY SIGN IN SPA	Part III, Section 5(3)(a)	\$100

These regulations were developed to support and enhance the Provincial Orders and stop the spread of COVID-19 by limiting the number of vehicles parking, thereby limiting the number of patrons at specific locations and reduce the potential for various violations under Provincial Orders as well as municipal by-laws.

Enforcement

Municipal Enforcement officers will patrol and enforce the SPAs both on a proactive and reactive basis. Members of the public may request enforcement by calling ServiceOakville or by entering their request online through Report A Problem. These requests will generate and direct a case to the officers for their patrol and response.

Selection of SPAs

As in 2020, the locations being considered for SPA designation, include streets adjacent to lakefront parks, such as Coronation Park and Bronte Beach Park. Other areas may also be considered as community issues are identified. In these instances, areas would be determined after consultation with the impacted residents and ward councillors. This may include a survey to the residents within the proposed SPA to confirm support in their community.

Residential Permits

For residents within the catchment of the SPA, permits will be distributed to accommodate the resident's temporary parking needs while the SPA is in place. These permits will be distributed to the residents with their notification letter outlining implementation of the SPA. The courtesy permits would be valid for passenger vehicles to park provided the permit is on display.

Conclusion

Implementing SPAs between May 15 and September 15, 2021 will improve traffic management and parking control in areas designated by implementing no parking restrictions with higher penalties for violations. Areas will be selected based on experience from 2020, with initial locations being adjacent to Coronation Park and Bronte Beach Park. Other areas may be considered as issues emerge. A SPA will only be implemented after consultation with the ward councillors and residents within the impacted area. These enhanced steps are being taken to assist with the enforcement of regulations under the ROA by regulating the number of patrons permitted into specific areas through parking enforcement.

CONSIDERATIONS:

(A) PUBLIC

The administrative penalty system of enforcement allows for the processing of by-law penalties outside of the courts, thereby providing the Town and the public with a timely, local dispute resolution system.

The increased penalty for violations in SPAs will act as a deterrent for overflow parking in selected locations thereby assisting with the reduction of traffic flow and congestion in the community.

(B) FINANCIAL

Enforcement will be managed through the existing compliment of Municipal Compliance Officers.

APS penalties may increase given the introduction of new parking restrictions along the various streets within a designated SPA. Requests for screening and hearing reviews requested as a result of APS tickets issued in these areas would be accommodated with existing legal resources and reduces the requirement for provincial court resources

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Multiple departments including Municipal Enforcement and Legal have been involved in the review process.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:

- Continuously improve our programs and services
- Provide outstanding service to our residents and businesses

(E) CLIMATE CHANGE/ACTION

Ensuring that that staff have enhanced enforcement options through the implementation of SPAs will improve neighborhood cohesion and protect the character and stability of neighborhoods by reducing vehicle traffic and parking.

APPENDICES:

Appendix A – By-law 2021-065 a by-law to amend Parking Administrative Penalties By-law 2015-071 to include Special Provision Areas

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