REPORT OF THE

COMMITTEE ON WORKS AND OPERATIONS

DATED NOVEMBER 2, 1993

On motion of Councillor Duguid, the Report of the Committee on Works and Operations, dated November 2, 1993, was considered clause by clause.

Moved by Councillor Duguid,
That the Consent Agenda Items, Clauses 1,2 and 3 be adopted.

Councillor Silva requested that Clause 1 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 2 and 3, was put and declared carried.

Her Worship the Mayor and Councillors:

Residential Overnight Parking Prohibition

File ST-5.2 (Vol. 20)

131 - 1. Council, on December 16, 1992, passed the following motion, and referred it to your Committee on Works and Operations, namely:

"WHEREAS the Mayor can implement 'The Residential Overnight Parking Prohibition' to allow the clearing of snow from residential streets;

AND WHEREAS the prohibition prevents anyone from parking a vehicle for more than one hour between 3:00 a.m. and 6:00 a.m.;

AND WHEREAS the Administration of this prohibition is not as effective as anticipated and does not achieve the goal of removing vehicles to allow efficient snow removal in residential areas;

AND WHEREAS it would be appropriate to lengthen that time frame from 1:00 a.m. to 6:00 a.m. and to adjust the process of ticketing vehicles providing their immediate removal upon issue of the citation;

AND WHEREAS the purpose of this regulation is to provide for the efficient delivery of snow removal services;

AND WHEREAS the City of Winnipeg could consider alternative ticketing methods (such as issuing a ticket with a fine equal to the cost of removing vehicles to the closest cleared street or area: which would not onerously punish owners of offending vehicles; {as opposed to the present practice of fining offenders $20.00 plus a $45.00 tow fee in addition to a $7.50 per day storage fee for a minimum cost of $72.50});

THEREFORE BE IT RESOLVED that the Committee on Works and Operations review this aspect of the by-law and implement changes that will improve the removal of snow from City Streets."

The benefits of performing snow clearing operations on streets free of parked cars can readily be explained in terms of public safety, the safety of equipment operators, the higher quality of snow clearing and hauling, and the cost savings to the City if there is no requirement to plow isolated locations after parked vehicles are subsequently removed by their owners.

A summary of the City's existing Overnight Parking Restrictions are outlined in Exhibit "A".

The City has never been totally comfortable with the existing parking restrictions and last winter's heavy snowfalls early in the season supported some earlier concerns about the effectiveness of the existing bans.

The main concerns are as follows:

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1. Inability to consistently enforce the parking prohibitions, particularly the Overnight Parking Bans (Snow Route and Residential) which limit parking to no more than one (1) hour between 3:00 a.m. and 6:00 a.m. The Police Department have strongly indicated that some changes are needed to assist them in their efforts.

2. The Residential Overnight Parking Ban was not as effective as hoped in allowing efficient snow clearing from City streets. Certainly the lack of enforcement has been recognized by the users, thereby limiting the benefits of the parking ban.

3. There has been some confusion among our citizens as to the implementation of the parking restrictions and what impact the implementation might have. Many comments, public and otherwise, are voiced about the confusion that often results when any of the parking bans are implemented. This is particularly true of the Overnight Parking Prohibitions with the one-hour parking rule.

4. Some citizens are unable to park overnight on their front street during the winter because their residence may be located along a Snow Route. It is evident that some streets may have been designated as Snow Routes without sufficient warrant, and a review of the criteria for establishing Snow Routes may be necessary.

To aid in reviewing the City's existing parking restrictions, other cities in Canada were investigated as to their current by-laws regarding overnight parking. Further attention was focused on Ottawa and Edmonton as two cities that are similar in size to Winnipeg with similar snowfalls.

The City's existing regulations were reviewed and changes were identified that would be beneficial in the efforts to satisfactorily clear snow from City streets during the winter season.

Recommended overnight parking restrictions for the City of Winnipeg have been summarized for review as outlined in Exhibit "B".

Highlights of each ban, detailed in Exhibit "B", are as follows:

Snow Emergency Ban

No changes are proposed for this prohibition. This ban would be declared by the Mayor in the event of a major blizzard which has totally disrupted traffic flow in the City. It has been implemented on one occasion during the November 1986 storm.

Snow Route Overnight (Regular)

The establishment of no parking between 2:00 a.m. and 6:00 a.m. on Snow Routes from December 1 to March 1, will allow substantially better enforcement through ticketing while at the same time providing a much improved time period for snow clearing maintenance work that may be necessary on the Snow Route system. The existing prohibition limiting parking to no more than one hour between 3:00 a.m. and 6:00 a.m. was difficult to enforce and provided little benefit to the snow clearing crews.

Snow Route Overnight (Storm Stage)

This ban prohibits parking on Snow Routes between midnight and 6:00 a.m. and is identical to the existing Major Snowfall Ban. It would only be implemented for one or two nights to assist in an all-out plowing operation following a significant snow accumulation.

Residential Overnight

This proposed ban would be far superior to the parking restrictions used currently to control residential parking during winter plowing operations. The establishment of no parking between 12:00 midnight and 6:00 a.m. for the approximate four days of a plowing operation, would allow proper enforcement and thereby act as a strong deterrent for vehicle owners and would ultimately reduce the problems of parked cars when conducting a residential plowing operation. As indicated previously, the existing prohibition limiting parking to one hour between 3:00 a.m. and 6:00 a.m. has not been very effective.

There would be no towing of vehicles on residential streets as a result of this parking restriction. Instead, vehicles illegally parked would be ticketed with a fine of say $50.00, with an understanding that the majority of

the fine would be used to recover the Operations Department cost of having to return at a later time to clean up

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those isolated areas. It must be noted that there would be no enforcement in areas that have been plowed and cars could be parked normally.

Temporary No Parking Signs

No changes are proposed for this parking prohibition. These signs are utilized during the winter to assist in various snow clearing activities such as hauling, curb lane plowing and other cleanup work where work is of a site specific nature. Temporary No Parking signs with the tow-away symbols included have been used for three years now and have proven to be tremendously effective in reducing the problems of parked cars. They are also extensively used during street cleaning operations.

The following issues were also considered:

(a) Tow-Away Symbols on Snow Route Signs

A review of this matter with the Streets and Transportation Department indicated that affixing a tow-away symbol on the City's 10,000 Snow Route signs would cost approximately $175,000.00. When one also considers that less than 5% of the cars towed annually in the City of Winnipeg are removed as a result of the Snow Route signing, it does not appear to warrant the expenditure required.

Notwithstanding the above, the fixture of a tow-away symbol on the Snow Route signs would certainly increase public awareness and should be remembered if any changes to the Snow Route sign are considered at a later date.

(b) Towing to Compound/Towing Around the Corner

This issue always arises when considering parking regulations and enforcement of same. It should be noted that Ottawa and Edmonton tow violators around the corner to an alternate location. However, the Administration in Edmonton is presently reviewing this matter and hopes that this policy may be changed to allow towing to a compound. Towing around the corner in that City has proven very costly and slows the snow clearing operation considerably. Ottawa, while not pursuing this strategy, has had limited experience as last winter was the first year for their ban.

Our experience has been that the implementation of towing to a compound has been the most dramatic positive change in our overnight parking restrictions over the past few years. It has certainly demonstrated that the biggest deterrent to someone who illegally parks is the threat of inconvenience in getting their car back. The resultant lack of cars parked in contravention of the By-laws has allowed our work forces to continue to supply a high level of service in these tough economic times. It should be noted that towing is not recommended in conjunction with overnight parking restrictions on residential streets.

(c) Recognition of Inner City/Suburban Neighbourhoods

The concern identified in this instance is a lack of off-street parking in some Inner City neighbourhoods thereby resulting in few alternatives for vehicle owners. As residential overnight parking restrictions would only be implemented for a limited time on two or three occasions each winter, the real problem is the Overnight Parking Ban on Snow Routes.

A cursory examination of the City Snow Route System has indicated that there are many streets designated as Snow Routes where such designation does not carry sufficient benefit. Understandably, this may result in a lack of on-street parking in residential areas fronting these supposed "Snow Routes". Therefore, it is recommended that the criteria used for determining Snow Routes be reviewed and a re-evaluation of the existing Snow Route system be undertaken with consideration to be given to a reduction in the number of streets currently designated.

(d) Public Awareness

Additional funding in the amount of $25,000.00 would be necessary this year to develop and implement a public awareness campaign to familiarize our citizens with the parking restrictions proposed. It is imperative that this be undertaken if the proposed parking restrictions are approved. Existing funding would be sufficient to deal with the public service announcements that may be required during the winter to assist the City's snow clearing efforts.

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On November 2, 1993, your Committee on Works and Operations considered the above information, together with input from the Community Committees with respect to overnight parking restrictions.

Your Committee on Works and Operations recommends:-

I. That a restructuring of the Overnight Parking Restrictions as proposed in Exhibit "B" be considered and approved.

II. That additional funding of $25,000.00 be approved for the development and implementation of an extensive public awareness program to inform Winnipeg's citizens of the amended parking restrictions.

III. That a review of the existing Snow Route system be undertaken recognizing that the criteria used in the past for identifying Snow Route streets may not have always been in the best interests of the City or the residents living thereon.

IV. That the Proper Officers of the City do all things necessary to implement the foregoing.

Moved by Councillor Duguid,
Adoption of the clause.

In amendment,
Moved by Councillor Silva,
Seconded by Councillor Prystanski,
THAT Exhibit "B" of the clause be amended to include the following:

"That under the 'Residential Overnight' Proposed Parking Restrictions a mechanism be built in to allow for cancellation of parking tickets issued where plowing did not occur."

Moved by Councillor Duguid,
That the amendment be referred to the Committee on Works and Operations for further consideration.

Carried.

The motion for the adoption of the clause as put and declared carried.

(Note:Attachments referred to in the above clause are on file in the office of the City Clerk.)

Draft Legislation for Changes to The City of Winnipeg Act - Area Charges for Local Improvements Files GL-5.1 (Vol. 41) and SL-1 (Vol. 18)

132 - 2. Your Committee on Works and Operations has been advised that on September 20, 1993, the Committee on Planning and Community Services considered an appeal with respect to a variance for premises commonly known as 1140 Fairfield Avenue.

A considerable amount of discussion revolved around the fact that the subject property is located in an area which has no City services.

On May 8, 1991, Council adopted Clause 11 of the Report of the Executive Policy Committee dated May 1, 1991, as outlined in Exhibit "A", which referred legislation for changes to The City of Winnipeg Act with respect to area charges for local improvements to the Plan Winnipeg Review Committee for consideration during its deliberations.

Your Committee on Works and Operations has been advised that the Plan Winnipeg Review Committee did not deal with the draft legislation, the clause was filed, and it would appear that no further action has been taken.

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On September 28, 1993, the Committee on Planning and Community Services concurred that the proposed draft amendments for area charges for Local Improvements are consistent with Plan Winnipeg, and referred the matter to your Committee for reconsideration.

Your Committee on Works and Operations has reconsidered this matter and recommends:-

I. That amendments to The City of Winnipeg Act, as outlined in Exhibit "A" as Appendix C, be submitted to The Province of Manitoba for implementation.

II. That the guidelines for processing and implementing the creation of local improvement districts, as discussed in Exhibit "A", be approved by Council.

III. That the Proper Officers of the City do all things necessary to implement the intent of the foregoing recommendations.

Adopted by consent.

(Note: Attachments referred to in the above clause are on file in the office of the City Clerk.)

Proposed Closing of Streets and Lanes South of Bangor Avenue between St. James and Orange Streets, involving sections of Sproule, Field and McCrossen Streets - Assiniboia Community

File DAC 1/93

133 - 3. The streets and lanes proposed to be closed are shown on Land Surveys and Real Estate Department's Misc. Plan No. ASBA 7723/1.

In January, 1993, the Board of Commissioners recommended approval to relocate the Police Department's axle weigh scale to City owned lands in Block 15, Plan 935 (block bounded by Bangor and Dublin Avenues; McCrossen and Orange Streets) all of which lands form part of the City's snow dump site. To facilitate the minimum radii for the trucks and to accommodate a service building, the unimproved public lane in the said Block 15 would have to be utilized, hence, the proposal to close the lane. However, since the subject street sections and lanes are not physically open and are being used for City purposes, their closing would enable the consolidation of the site for other various City operations.

The proposed closing was circulated to various applicable City departments and public utilities for information and comment. No objections or major concerns were identified.

West Central District Operations, however, noted that a 54 inch combined sewer is located in the McCrossen Street right-of-way. Since the land would remain in City ownership, an easement would not be necessary.

On April 20, 1993, the Assiniboia Community Committee concurred in the recommendation of the Subdivision Branch that the subject lanes and streets as shown on Misc. Plan No. ASBA 7723/1 be closed.

On May 4, 1993, the Committee on Planning and Community Services approved as to planning details the proposed closing of the referenced streets and lanes.

On October 25, 1993, the Committee on Finance and Administration approved the terms and conditions of the streets and lanes closing and, transfer of jurisdiction of streets to be closed to the Works and Operations Department as outlined on Misc. Plan No. ASBA 7723/2.

It should be noted that Misc. Plan No. ASBA 7723/1 shows the proposed closing of only those lanes located in Blocks 3, 7 and 15, Plan 935. The public lane in Block 11, Plan 935 which was intended to be included in the proposed closing was, inadvertently, left out of the proposal. Considering, however, that the boundaries of the proposal under File DAC 1/93 had been specified, approval of the closing as to planning details given by the Committee on Planning and Community Services is deemed to have included approval to the closing of the lane in said Block 11, Plan 935.

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The proposed closing of lane in said Block 11, Plan 935, nevertheless, is being circulated to interested City departments and public utilities for comments.

Your Committee on Works and Operations has approved the proposal and recommends:-

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the closing of the streets and lanes south of Bangor Avenue and between St. James and Orange Streets, involving sections of Sproule, Field and McCrossen Streets in the manner shown on Misc. Plan No. ASBA 7723/2; the cost of the by-law, estimated at $200.00, to be borne by the City-at-large.

II. That upon first reading of the by-law being subsequently given, the City Clerk be authorized to post the necessary notices in accordance with The City of Winnipeg Act.

III. That the Proper Officers of the City do all things necessary to implement the foregoing.

Copy of Misc. Plan No. ASBA 7723/2 regarding this proposal is on file in the office of the City Clerk.

Adopted by consent.

COMMITTEE ON WORKS AND OPERATIONS

CONSIDERATION OF BY-LAWS

134 - On motion of Councillor Duguid, By-law No. 6261/93, a By-law of the City of Winnipeg to amend By-law No. 1573/77, being The City of Winnipeg Traffic By-law, was read a first, second and third time, the rule being suspended for the third reading of the by-law and was passed and ordered to be signed and sealed. File ST-5.2 (Vol. 19)

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QUESTION PERIOD

135 - Councillor Clement noted that Winnipeg had not suffered snowfall as of late, yet noted that there had been expenditures in the snow account relating to a labour shift dedicated to snow removal to avoid overtime costs, and questioned whether this could be avoided.

Councillor Duguid took the question as notice.

At the request of Councillor Murray and with the permission of Council, the Speaker advised that Council would here revert back to consider "Question Period, of the Report of the Committee on Protection, Parks and Culture, dated November 1, 1993."

Committee on Protection, Parks and Culture - Question Period (continued)

Councillor Silva noted that the criteria utilized for the need determination was average family income and that that matter would not be itemized on the agenda but that the latter matter would be included if Councillor Murray wished to come forward to address the matter.

Councillor Murray noted that the $20,000 figure utilized was nowhere near other definitions and questioned why this number arose.

Councillor Silva noted that he would look into the matter and that such would be put on the agenda.