Minute No. 145
Report – Standing Policy Committee on Infrastructure Renewal and Public Works – January 7, 2020

Item No. 3 Traffic Calming Measures (Sunday Night Cruise) – Portage Avenue (Daniel McIntyre Ward)

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and adopted the following:

1. That the report be received as information.

2. That the Province of Manitoba be requested to consider the report of the Winnipeg Public Service dated December 6, 2019, for potential legislative changes to allow for photo enforcement of noise infractions.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the forgoing.

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – January 7, 2020

DECISION MAKING HISTORY:

Moved by Councillor Allard,

That the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works be adopted.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2020, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 7, 2020, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- Add the following new Recommendations 2 and 3:

  "2. That the Province of Manitoba be requested to consider the report of the Winnipeg Public Service dated December 6, 2019, for potential legislative changes to allow for photo enforcement of noise infractions.

  3. That the Proper Officers of the City be authorized to do all things necessary to implement the forgoing."

and submitted the matter to the Executive Policy Committee and Council.

On November 4, 2019, the Standing Policy Committee on Infrastructure Renewal and Public Works granted an extension of time to its January 7, 2020 meeting for the Winnipeg Public Service to report back on the matter.

Corey Quintaine submitted a communication dated November 3, 2019, with respect to the matter.

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – January 7, 2020

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

On November 4, 2019, the Standing Policy Committee on Infrastructure Renewal and Public Works granted an extension of time to its January 7, 2020 meeting for the Winnipeg Public Service to report back on the matter.

Corey Quintaine submitted a communication dated November 3, 2019, with respect to the matter.

On January 8, 2019, the Standing Policy Committee on Infrastructure Renewal and Public Works directed the Winnipeg Public Service to conduct a more thorough traffic study along Portage Avenue, to include the following methods of evaluation:

1. A sound study for effective measurement of noise levels;

2. Increasing the length of the study to include multiple weekends, concentrated in the summer season;

3. Traffic light synchronization;

4. Photo noise enforcement;

and report back to its October 29, 2019 meeting.

ADMINISTRATIVE REPORT

Title: Traffic Calming Measures (Sunday Night Cruise) – Portage Avenue

Critical Path: Standing Policy Committee on Infrastructure Renewal and Public Works

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Patman, P. Eng.	J. Berezowsky	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

The Public Service provided a report on Sunday Night cruise activity on Portage Avenue in 2018 to the Standing Policy Committee. The Public Service was directed to strengthen this report with additional data.

As noted previously, “muscle cars” and other modified/custom vehicles are brought out by their owners to cruise along Portage Avenue, informally exhibiting their vehicles and showing off their vehicles’ capabilities. This can result in “noise spikes”, where the volume of the noise is at an undesirable level for a short period of time.

Data was collected and reviewed; undesirable noise spikes do occur on Portage Avenue throughout the day and on weekends; this can be attributed in part to cruising activity.

The use of automated 24-hour enforcement equipment, specifically noise cameras that capture license plate data (operating similar to red-light cameras) when noise spikes are detected is a potential tool that could be investigated further for use within Winnipeg; the current enforcement of cruise night activity by the Winnipeg Police Service (WPS) is limited. This would likely require legislative authority similar to current Photo Enforcement, which is under Provincial Review at present.

RECOMMENDATIONS

That this report be received as information.

REASON FOR THE REPORT

On November 21, 2017, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the City Centre Community Committee and directed the Winnipeg Public Service to report back to the September 2018 meeting on the following:

1. Investigate methods to control traffic flow and reduce speed and excessive noise along Portage Avenue, between Arlington Street and Strathcona Street, specifically for Sunday Night Cruise, including, but not limited to:
   A. Traffic Signal Synchronization;
   B. Lane closures.

2. Identify any costs associated.

On January 8, 2019 the report was received as information. Further, the Public Service was directed to report back on a more thorough traffic study along Portage Avenue, to include the following methods of evaluation:

1. A sound study for effective measurement of noise levels;

2. Increasing the length of the study to include multiple weekends, concentrated in the summer season;

3. Traffic light synchronization;

4. Photo noise enforcement.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no implications as a result of receiving the report as information.

HISTORY/DISCUSSION

CURRENT TRAFFIC CHARACTERISTICS

Portage Avenue in the vicinity of Strathcona Street to Arlington Street is an eight-lane divided roadway, a regional street, a full time truck route, and a Transit route, with an average weekday daily traffic (AWDT) volume of approximately 62,000-67,000 vehicles, and a speed limit of 60 km/h. The road width in this area is approximately 30 metres.

Sunday volumes are generally much lower than weekday volumes on corridors such as Portage Avenue in Winnipeg.

The traffic control signals are interconnected along this section of Portage Avenue, and an 80, 110, or 120-second cycle (the length of time required to complete all phases of a signal) length (time-of-day dependent) at all intersections allows signal coordination along the corridor.

There are “no stopping” parking restrictions and “right turn only lane” (exceptions are made for certain types of traffic) turning restrictions along each block of this section of Portage Avenue, both of which are in effect during the peak traffic periods.

SUNDAY NIGHT CRUISE

There is an irregular traffic pattern on Sunday nights in Winnipeg commonly referred to as the "Sunday Night Cruise". There does not appear to be a single formal organization behind the Sunday Night Cruise but it is a historically understood time for drivers of muscle cars, street rods, and other custom cars to meet, and show off their vehicles as they drive down the street.

Members of the public who are car enthusiasts come to sit by the road and enjoy the spectacle and observe their favorite types of custom cars. As such, it cannot be considered a "parade" and is not subject to applicable by-law provisions.

The Public Service previously made observations during the summer of 2018, and some of the issues identified include both cruising (resulting in additional traffic and noise) and congregating of vehicles (either parked "en masse" in the curb lane or in area parking lots).

Speed studies undertaken in 2018 did not produce an 85th percentile speed in excess of the posted 60km/h speed limit, although there are a small number of drivers who choose to operate their vehicles in an imprudent manner.

CRUISE-TYPE ACTIVITY ELSEWHERE IN WINNIPEG

Other areas of Winnipeg also are experiencing increased amounts of undesirable performance car activity. There have been instances of vehicles observed to be "racing" on residential streets in suburban areas of Winnipeg. Occasionally this results in the vehicles losing control. See Figure 1.



Figure 1: Traffic Incident Aftermath (Source: Ward Councillor, Waverley West)

The WPS notes that there have been similar complaints on Main Street by Red River Boulevard, in the Bridgewater area (South Kenaston), as well as in the past on Kenaston Boulevard/Sterling Lyon Parkway, St. Anne's Road, and west Portage Avenue in Unicity.

TRAFFIC NOISE: GENERAL

Traffic creates noise. Noise is subjective, but most would likely agree that road noise created by vehicles can be an annoyance, disturbing the public's enjoyment of a space.

The Public Service reviews noise on Winnipeg's transportation network. As traffic volumes increase, the average level of noise increases. As in other cities, levels are set that are considered acceptable to adjacent homes; beyond those levels, mitigation measures like berms and noise walls are constructed to counteract the noise. Such measures are intended to deal with the average noise level from normal traffic activity.

TRAFFIC NOISE: "NOISE SPIKES"

In addition to road noise caused by traffic, there are reasons why noise may exceed an acceptable level for a short period of time at a location. For instance, sirens on emergency vehicles, or construction work on a roadway may increase the noise level for short periods of time. These are normal occurrences that generally the public accepts, because they are deemed as necessary and are generally uncommon.

There are other reasons for noise spikes that are more "nuisance" in nature that result from modifications to an individual vehicle by the owner, e.g. aftermarket components installed onto exhaust systems, or enhanced stereo systems. Such modifications are common, and can be outfitted to powerful or less-powerful vehicles; they are a way for an owner to "show off" and draw attention to their vehicle. Excessive noise is also associated with "show off" operation of a vehicle, such as noise resulting from spinning tires (burnouts), rapid engine acceleration/revving, etc. This type of operation is often considered unsafe, as mistakes or equipment failure while engaged in this activity can result in traffic incidents.

While the owner may find joy in the feedback they receive when creating noise with their vehicles, other citizens (e.g. residents of nearby homes, pedestrians) often find them objectionable and intrusive.

OBSERVATIONS / DATA COLLECTION

The Public Service collected noise data both at a select number of homes along Portage Avenue using a new roadside noise sensor (that can be used as part of "smart city" efforts), which is a portable unit that can be mounted to utility poles adjacent to roadway corridors (like Portage Avenue).

The noise being picked up may be coming from multiple sources besides traffic, such as from overhead aircraft, but based on engineering judgement, it is reasonable to assert that the noise being observed generally is a result of motor vehicle activity.

A noise sensor was installed on August 2, 2019 at Erin Street and Portage Avenue, a CESVA TA120, Class 1 precision sensor (IEC 61672-1), measuring the sound pressure. The sensor uploaded sound pressure data to a server every 3 seconds, the average pressure during that 3 second period.

Data was collected for a significant period. A subset of that data, for the period 3:34 PM on August 6, 2019 to 12:53 PM on August 12, 2019 is shown in Figure 1.

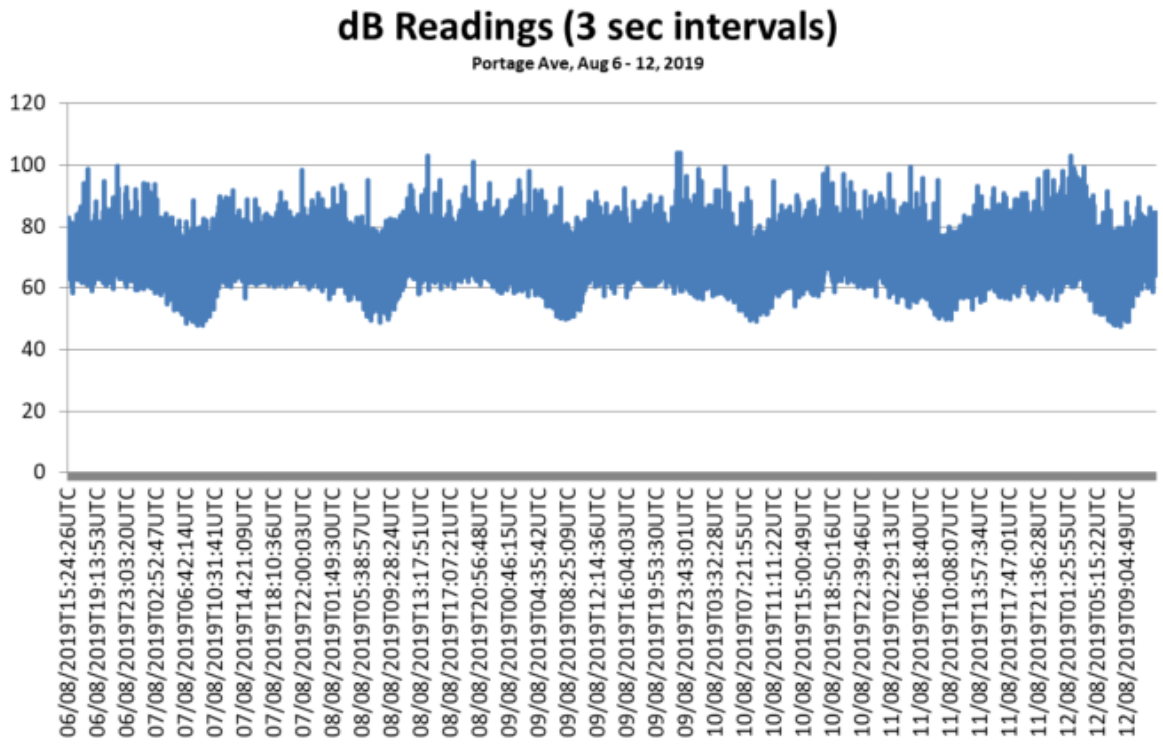


Figure 1: dB Readings (3 sec. intervals) Erin & Portage

During this 141 hour period, 169,786 readings were taken, at a rate of one every three seconds. These were classified as shown in Table 1.

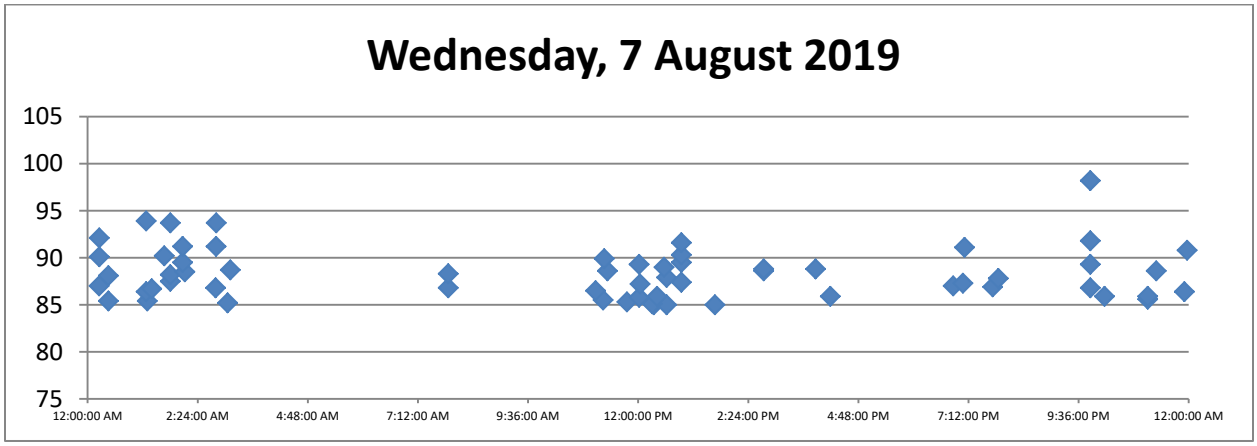
dB range		# of Readings	Percentage of total readings
0 -	65	29753	17.524%
65.1 -	70	46248	27.239%
70.1 -	75	58714	34.581%
75.1 -	80	32305	19.027%
80.1 -	85	2150	1.266%
85.1 -	90	443	0.261%
90.1 -	95	128	0.075%
> 95		45	0.027%
		169786	100%

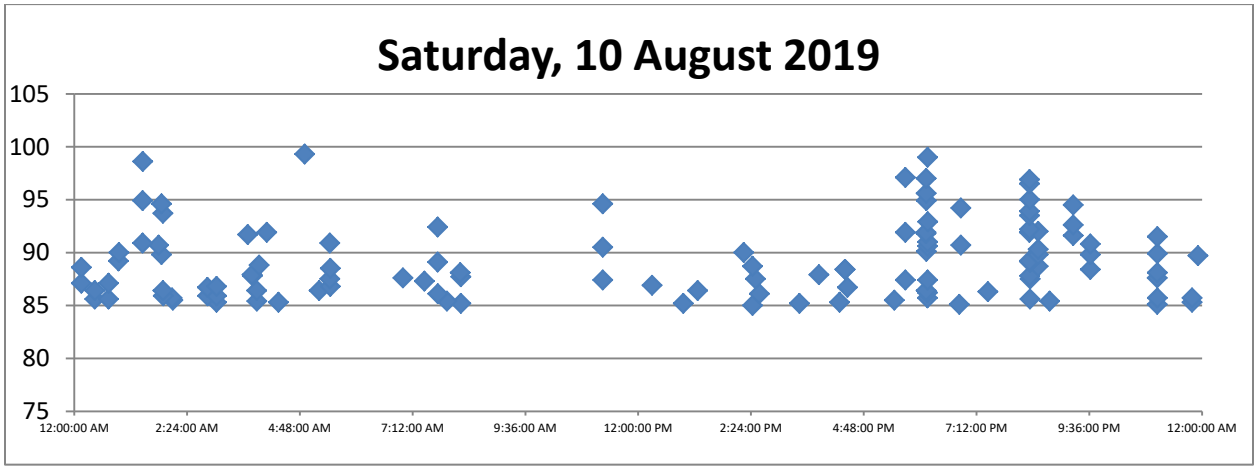
Table 1: Observations from Noise Sensor, Erin & Portage

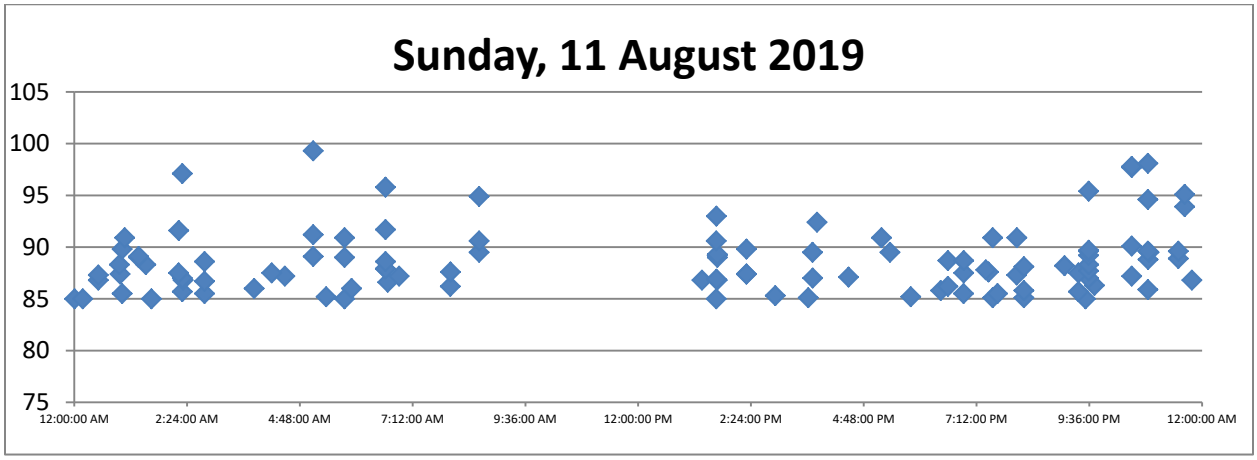
Note that 79.3 percent of the readings during this period were 75 decibels (dB) or below, and that 99.6 percent of the readings were 85 dB or below.

Figures 2, 3, and 4 (shown below) are three plots of data from 3 - 24 hour timeframes from the noise sensor, showing only the readings that were 85 dB or higher (the noise of a blender is typically in the range of 80-90 dB).

- Noise "spikes", most likely the result of individual noise-generating vehicles, were observed; this is what results in several points almost in a vertical line.
- These were observed at all times of the day and night, and on weekdays as well as weekends.
- There are some gaps where there were no observed events (e.g. Sunday and Saturday mornings) but loud noises are clearly not limited to only on Sunday “cruise night”.
- Note that the number of incidents is largest on Saturday and Sunday, reflecting that more noise generation (attributed to “cruising” by vehicles) is taking place on weekends, which are days when other (regular) traffic is lower.







Figures 2, 3, 4: Noise Readings >=85 dB, for Three Days in August 2019, Erin and Portage

As noted previously (and below), making modifications to the infrastructure, signal timing, etc. is not an effective solution, because the problematic incidents are tied to wherever the problematic vehicle and driver happen to be: it can happen midblock, at a signal, etc. because it is related to the car itself and not to the traffic conditions. Less congestion makes it possible for a vehicle to stay in one place and "put on a show" but a noise-generating vehicle can be part of any traffic flow.

Making a specific corridor unattractive to cruising would likely only result in the problem being transferred to another location within the city. The WPS report that one car club has been known to frequent certain mall parking lots; when they are told to relocate by the management at a mall, they go to another lot in another part of Winnipeg.

ENFORCEMENT AS A MITIGATION TOOL

Enforcement has been used to respond to this type of problem in other jurisdictions.

Some cities are experimenting with noise detection equipment: there are variants of the noise sensors that are coupled to CCTV cameras that can capture video (including license plate detection) of vehicles; when a noise threshold is exceeded, a ticket is then issued, similar to a red light camera. Such technology has been trialed in London, Paris, and in Edmonton[1] to combat noise from cars and motorcycles. This would likely require legislative authority similar to current Photo Enforcement, which is under Provincial Review at present.

In London, England, a community took a somewhat severe approach; they worked with government officials to develop police-enforceable regulations specifically targeting the drivers of high-performance vehicles, which are observed in the neighborhood in question during specific periods of the year. Police wer granted the ability to fine and seize vehicles if they were

[1] Edmonton carried out a trial in 2018 that observed, at a single location, over 25,000 instances of vehicles exceeding an 85 dB threshold in a period of less than four months. This led to an enforcement campaign where Peace Officers were granted the ability to write $155 tickets at 18 high-priority locations.

deemed to be operating in an undesirable fashion (e.g. rapid acceleration, or travelling in platoons).[2]

The Public Service communicated with a contact at the WPS who noted that currently, unnecessary noise from vehicles is covered under the Highway Traffic Act (HTA), under section 179(2). Enforcement of this activity is currently a low priority when compared with other items on the WPS radar; resources would need to be made available to dedicate to an extended crackdown on this activity. Police enforcement is contingent upon available resources, and enforcement is often interrupted by emergency situations.

The WPS indicated that during the summer of 2019, part of the Traffic Division mandate was to spend time in known areas of vehicle-related noise to try to mitigate the issues. Numerous equipment violation tickets were issued, and numerous other tickets issued relative to manner of driving, licence infractions, etc. If a ticket was issued for an improper muffler, the WPS would not issue a noise ticket.

It has been noted, that as in other enforcement-related road safety matters, that enforcement is effective **while it is in place**, but once it is removed, the problematic behavior can return.

It should be noted that in the past, WPS enforcement has resulted in charges to some "cruise night" participants, not just for speeding and reckless driving but for other modifications to the vehicles that pose safety hazards, such as the use of racing tires.[3]

Noise enforcement related to motorists would also require the WPS/Public Service to develop standards and bylaws regarding protocols and practices measuring noise, obtaining and keeping necessary equipment maintained, inspected, etc. (similar to radar enforcement). Jurisdictions such as Edmonton, which have already investigated such technology, could be liaised with to fast-track this process. If directed to, the Public Service and the WPS, along with other stakeholders such as MPI, could proceed with further investigation into the use of detection equipment to combat and reduce cruise-related vehicle noise.

[2] The community was Kensington and Chelsea; police were granted the power to seize vehicles through a Public Space Protection Order. This took place in 2016. In 2017, over £10,000 was levied in fines and legal costs from drivers for noise.

[3] See: https://globalnews.ca/news/4439082/cruise-night-racers-nabbed-highly-modified-cars-seized-winnipeg-police/. Accessed 11/08/2019

FINANCIAL IMPACT

Financial Impact Statement **Date:** December 5, 2019

Project Name:
Traffic Calming Measures (Sunday Night Cruise) – Portage Avenue

COMMENTS:

There is no financial impact associated with the recommendation of this report.

"Original Signed by J. Peters, CPA, CGA"
J. Peters CPA. CGA
Acting Manager of Finance & Administration

CONSULTATION

This Report has been prepared in consultation with:

Winnipeg Police Service

OURWINNIPEG POLICY ALIGNMENT

The recommendation of this report is aligned with the key strategic goal of a safe, efficient and equitable transportation system for people, goods and services in the Sustainable Transportation Direction Strategy that supports OurWinnipeg.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

SUBMITTED BY

Department: Public Works
Division: Transportation
Prepared by: D. Patman, P.Eng., Manager – PWD - Transportation
Date: December 6, 2019
File No.:

ATTACHMENTS:

Appendix A: Potential Countermeasures

APPENDIX A: POTENTIAL COUNTERMEASURES (BASED ON CONTENT IN PREVIOUS SPCIRPW REPORT)

Traffic signal desynchronization to address undesirable activity is not a recommended solution. Synchronization, which allows uninterrupted vehicular progression, can lend itself to speeding due to higher running speeds and the ability to drive unencumbered.

Desynchronization results in reduced signal progression and creates additional opportunities for aggressive acceleration from stops and additional noise. Desynchronization of the signals along Portage Avenue would provide additional "starting lines" for drag racing and opportunities to create noise related to more rapid than average acceleration.

Adaptive Signal Control Technology (ASCT) could be used to automate management of a corridor such as Portage Avenue. ASCT is typically used to ease traffic congestion on a continual basis, modifying timing as necessary rather than relying on conventional signal systems, which use pre-programmed, daily signal timing schedules. A punitive approach could be taken that would make signal-timing worse (i.e. desynchronization) when undesirable behaviour was detected, but this is highly uncommon and not recommended. ASCT is not a technology in place in Winnipeg at this time.

Lane closures effectively occur as a result of congregation of the cruising vehicles in the curb lanes. If the "no stopping" parking restrictions were extended to Sunday evenings, it could create additional traffic capacity and higher speeds (reducing traffic lanes/widths is a traffic calming technique). **Permanent lane closures are not recommended** as a mitigation measure due to the negative effect to Transit and general traffic operations for overall weekday and weekend daytime flows. To prevent congregation on private property of cruising vehicles, local business owners would need to collectively implement this on private property. However, preventing the activity may be the wrong approach; where sponsorship (car clubs or other businesses such as restaurants) are involved, this can have a positive effect on family-friendliness, reduced littering, etc.

Education initiatives, to dissuade "cruise night" participants from undesirable or reckless behaviour would generally be the purview of Manitoba Public Insurance (MPI); recently MPI and the Public Service have been discussing combining efforts on road safety initiatives.