

To: Community Services Committee

From: Ron Diskey, Commissioner,
Community Services Department

Report Number: CS-22-84

Date of Report: September 14, 2022

Date of Meeting: September 19, 2022

Subject: Overnight Parking Restrictions

Ward: All Wards

File: E-1400

1.0 Purpose

The purpose of this report is to respond to the following direction CORP-21-43 from City Council on September 27, 2021:

“That staff review the Traffic By-law, as amended to prohibit parking on all streets from 2:00 a.m. to 6:00 a.m. for a report back to the Community Services Committee and investigate violations through proactive patrols and through a dedicated direct phone line and online complaint procedure outside of that provided by Service Oshawa while optimizing the enforcement service to prioritize the proactive patrol method”

2.0 Recommendation

That the Community Services Committee recommend to City Council:

That based on Report CS-22-84, dated September 14, 2022, the Traffic and Parking By-law 79-99, as amended, be further amended to change the overnight seasonal parking restriction from ‘3:00 a.m. to 6:00 a.m. from December 1st to April 1st of the following year’ to ‘2:00 a.m. to 6:00 a.m. from December 1st to April 1st of the following year.’

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

Municipal Law Enforcement and Licensing Services

Service Oshawa

Strategic and Business Services

Operations Services

Development Services

Durham Region Municipalities: Town of Whitby, Town of Ajax, Municipality of Clarington, City of Pickering, Township of Uxbridge, Township of Scugog and Township of Brock

5.0 Analysis

5.1 Background

Oshawa Traffic By-law 79-99, as amended, currently has a seasonal overnight parking restriction in effect on all streets between the hours of 3:00 a.m. to 6:00 a.m. during the time period from December 1st of any year to April 1st of the following year. The seasonal overnight parking prohibition is intended to support snow clearing operations to ensure that City vehicles such as snow ploughs can effectively clear the snow and ice from roadways.

On September 13, 2021, Report CORP-21-43 was presented to the Corporate Services Committee, which included recommended changes to the seasonal overnight parking restrictions (specifically expanding the prohibited window of time from 3:00 a.m. until 6:00 a.m. to 2:00 a.m. until 6:00 a.m.).

Staff brought the proposed amendment forward in response to the small window of time in which the 3:00 a.m. to 6:00 a.m. parking prohibition offers to undertake enforcement. Additionally, due to the short window of time, Municipal Law Enforcement Officers (M.L.E.O.) are often scheduled to only work a short overnight shift from 2:00 a.m. to 6:45 a.m. to undertake the proactive enforcement. Other municipalities, like Ajax for example, had recently expanded the timeframe for this regulation to allow for a greater enforcement window.

The following directive CORP-21-43 was provided by City Council at their meeting on September 27, 2021;

“That staff review the Traffic By-law, as amended to prohibit parking on all streets from 2:00 a.m. to 6:00 a.m. for a report back to the Community Services Committee and investigate violations through proactive patrols and through a dedicated direct phone line and online complaint procedure outside of that provided by Service Oshawa while optimizing the enforcement service to prioritize the proactive patrol method.”

In response, staff have reviewed the proposed overnight restriction changes with internal departments and also reviewed the overnight restrictions in other municipalities in the Region of Durham.

5.2 Development Services

Development Services review and approve new developments in Oshawa where on-street parking considerations are required to meet the resident's visitor parking needs. A year round change to overnight parking restrictions would conflict with the existing development approvals based on the current overnight restrictions.

5.3 Operations Services

Operations Services review overnight parking restrictions seasonally and year round in Oshawa to evaluate any advantages by changing the current regulations. Operations Services determined no advantages by changing the overnight parking restriction change from seasonal to year round as the overnight restriction is intended to assist with snow clearing operations.

5.4 Municipal Law Enforcement and Licensing Services

Municipal Law Enforcement and Licensing Services (M.L.E.L.S.) has reviewed the current and seasonal overnight parking process as part of investigating an expansion of the prohibited timeframe to 2:00 a.m. to 6:00 a.m., as well as a possible expansion of the prohibition from being seasonal to year-round.

5.4.1 Current Approach to Overnight Parking Enforcement

The seasonal parking prohibition is currently enforced by part-time M.L.E.O. during the winter parking control months of December 1st to April 1st. Shifts are staffed nightly with one (1) or two (2) M.L.E.O. covering shifts over the 3:00 a.m. to 6:00 a.m. period. Complaints may be received during the day or on a dedicated after-hours by-law phone, and are addressed on scheduled days weekly. In addition to responding to complaints, on-shift M.L.E.O. proactively enforce the overnight parking prohibition by dividing the city up via map quadrants to optimize street coverage and reduce unnecessary travel. The entire city is addressed by utilizing this map system (where every public road is attended). Given the size of the city, the scale of proactive enforcement, and staffing restraints, the whole city (comprised of approximately 575 km of roads) is typically covered every ten (10) to fourteen (14) days. Once completed, staff restart and repeat the process. M.L.E.O. also address other parking infractions noted during overnight proactive patrols. Traditionally, M.L.E.O. see a higher level of non-compliance at the beginning of the winter parking season (e.g. December/January) before increased compliance during the latter half of the season (e.g. February/March).

A three (3) hour parking limit is in effect year-round, which also applies overnight. M.L.E.O. address overnight parking on a complaint-basis year-round where staffing resources permit. Typically, this involves one (1) to two (2) overnight shifts per week. When an overnight parking complaint is received, a file is created and an M.L.E.O. attends during the next scheduled overnight shift. As additional enforcement priorities are identified and/or

when staffing resources are not available, M.L.E.L.S. may refocus enforcement efforts at times, resulting in fewer scheduled overnight shifts.

5.4.2 Overnight Parking Complaint Methods

Currently, there are three (3) primary methods for residents looking to place overnight parking complaints:

- Service Oshawa via various methods during regular business hours (e.g. phone, front counter, etc.);
- An after-hours by-law complaint phone; and,
- Service Oshawa Online (24/7).

M.L.E.L.S. has a dedicated after-hours by-law phone that is monitored by on-shift M.L.E.O. The on-shift M.L.E.O. attempts to answer phone calls to speak directly with the caller, however, there are limitations to this (e.g. while driving, engaged in a call for service, etc.). In such instances, M.L.E.O. retrieve any voicemails left when time permits. If there are calls remaining at the end of a shift, subsequent incoming shift staff address outstanding calls. Complaints are generated as long as there is sufficient information provided to be investigated (e.g. if an address is not left, M.L.E.O. are unable to investigate).

Additionally, overnight parking complaints can be placed online via Service Oshawa Online 24/7. An account must be created and various information is required as part of submitting a complaint. This is to ensure the complaint includes sufficient detail and can be responded to by an M.L.E.O. Complaints placed online after-hours go directly into M.L.E.L.S.'s complaint file management system.

There may be future opportunities to integrate an online complaint process with the upcoming introduction of CityView; however, this would not be included in the initial program launch and the costs of this are unknown at this time.

5.4.3 Overnight Parking Complaint Statistics

Staff have reviewed the complaint file history for overnight parking complaints for the five (5) year period of August 1, 2017 to August 1, 2022. A summary of these statistics is shown in Table 1. Additionally, statistics regarding Service Oshawa Online overnight parking complaints is shown in Table 2

Table 1: Municipal Law Enforcement Overnight Parking Complaint Statistics

Year	Aug. 1- Dec. 31 2017	2018	2019	2020	2021	2022 (to August)	Total
Number of Complaints	648	1,693	1,127	818	776	611	5,673

Of the 5,673 complaint files between August 1, 2017 to August 1, 2022:

- Approximately 52% were closed with no violation; and,
- Approximately 40% were closed with violation (meaning Administrative Monetary Penalties (A.M.P.s) were issued).

Table 2: Service Oshawa Online Overnight Parking Complaint Statistics

Year	2020	2021	2022 (to August)
Number of Complaints	102	102	76

5.5 Review of Municipalities in Durham Region

Staff reviewed municipalities throughout Durham Region to determine their overnight parking restrictions. A summary of these restrictions is shown in Table 3:

Table 3: Overnight Parking Restrictions – Municipalities of Durham Region

Municipality	Overnight Parking Restrictions
City of Oshawa	Seasonal - 3:00 a.m. to 6:00 a.m. - December 1 – April 1
Town of Whitby	Seasonal - 2:00 a.m. to 6:00 a.m. - November 1 - April 15
Municipality of Clarington	Year Round - 3:00 a.m. to 5:00 a.m.
Town of Ajax	Year Round - 1:00 a.m. to 5:00 a.m.
City of Pickering	Seasonal - 2:00 a.m. to 5:00 a.m. - December 1 – March 31
Township of Uxbridge	Seasonal - 2:00 a.m. to 7:00 a.m. - November 1 – April 1
Township of Scugog	Seasonal - 2:00 a.m. to 6:00 a.m. - November 1 – April 15
Township of Brock	3 Hour Parking Maximum on all Township Roadways

5.6 Recommendations

Oshawa's current seasonal (December 1 to April 1) overnight parking restriction is intended to keep roads clear of parked vehicles so they do not interfere with snow clearing operations. Since the restriction is intended to assist snow clearing operations during the winter months, staff do not support expanding this restriction to year round. However, staff do support expanding the existing seasonal overnight restriction by one (1) hour to 2:00 a.m. to 6:00 a.m., December 1 to April 1. Expanding the overnight restriction by one (1) hour will provide for a greater level of enforcement with the current M.L.E.L.S. staffing levels.

Changing the overnight parking restriction from seasonal to year round would have a significant impact to residential parking. Therefore, if City Council were to proceed with changing the overnight parking restriction from seasonal to year round, staff recommend that a public consultation process be undertaken in order to give residents the opportunity to provide input on this potential change.

6.0 Financial Implications

6.1 Municipal Law Enforcement and Licensing Services

Expanding the seasonal overnight parking restriction to 2:00 a.m. – 6:00 a.m., December 1 to April 1, will result in no significant staffing or resource implications in M.L.E.L.S. Expanding the prohibited period of time by one (1) hour would increase dedicated staff hours by a range of approximately one-hundred and twenty-six (126) to two-hundred and fifty-two (252) hours beyond the existing program for the winter season annually. This increase could be met with the existing staff complement of six (6) part-time M.L.E.O.

However, should the prohibition on overnight parking be expanded year-round, there would be additional staffing implications. In order to provide the expanded service, M.L.E.L.S. would be required to hire new M.L.E.O. to ensure that existing programs and commitments continued to be addressed. The additional staffing and costs would vary depending on the enforcement approach taken (e.g. a continuation of the current approach for April to November overnight parking enforcement with approximately two (2) nights staffed per week versus an expansion of the winter parking control approach of seven (7) nights per week).

6.2 Traffic Operations

Traffic Operations would require changes to the City of Oshawa Gateway signs that currently list 3:00 a.m. to 6:00 a.m. overnight parking restrictions from December 1 – April 1. The total cost to replace all the signs is approximately \$3,240. This cost can be managed within the Department's 2022 Operating Budget.

7.0 Relationship to the Oshawa Strategic Plan

This report addresses the Oshawa Strategic Plan by responding to the goal of “Social Equity” under the theme of “An Active, Healthy and Safe Community” by providing a safe, reliable and connected active transportation network.

A handwritten signature in black ink, appearing to read "B. Mullen", on a light gray background.

Beth Mullen, Director,
Strategic & Business Services

A handwritten signature in blue ink, appearing to read "Ron Diskey", on a white background.

Ron Diskey, Overnight Parking Restrictions,
Community Services Department



By-law -2022
of The Corporation of the City of Oshawa

Being a by-law to further amend the City of Oshawa's By-law 79-99 ("Traffic and Parking By-law"), as amended, which regulates TRAFFIC and PARKING on HIGHWAYS, in PARKING LOTS and PARKADES, on MUNICIPAL PROPERTY under the jurisdiction of the CITY and on PRIVATE PROPERTY in the City of Oshawa.

WHEREAS:

1. Pursuant to Report CS-22-84 as considered by the Community Services Committee, the Community Services Committee recommends to City Council that a by-law to further amend the Traffic and Parking By-law, be implemented to include amendments to overnight parking restrictions seasonally.

NOW THEREFORE it is enacted as a By-law of The Corporation of the City of Oshawa as follows:

1. Section 4.38 of the Traffic and Parking By-law is further amended by deleting the following:

"Seasonal Offence: Notwithstanding Section 4.37, no person shall PARK a VEHICLE on any HIGHWAY between the hours of 3:00 a.m. and 6:00 a.m., during the time period from December 1st of any year to April 1st of the following year."
2. Section 4.38 of the Traffic and Parking By-law is further amended by adding the following:

"Seasonal Offence: Notwithstanding Section 4.37, no person shall PARK a VEHICLE on any HIGHWAY between the hours of 2:00 a.m. and 6:00 a.m., during the time period from December 1st of any year to April 1st of the following year."
3. This By-law shall come into full force and effect on the date of passage.

By-law passed this day of , 2022.

Mayor

City Clerk