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REGIONAL PARKING BY-LAW MINOR AMENDMENT REPORT

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, April 20, 2005, from the Commissioner of Transportation and Works:

1. RECOMMENDATIONS

It is recommended that:

1. The Regional parking By-Law No. R-1102-96-100 be amended to include “boulevard” in the definition of highway.
2. The Regional Solicitor be authorized to prepare the necessary by-law to give effect to the above recommendation.
3. The Regional Clerk forward a copy of this report to the Clerk of each of the local municipalities in York Region.

2. PURPOSE

This report is prepared in response to concerns raised by by-law enforcement officers not being able to enforce parking infractions that are occurring on boulevards beyond the travelled portion of the road, on Regional roads, and in particular in the Town of Richmond Hill.

3. BACKGROUND

Regional staff have been advised that local by-law enforcement officers have experienced difficulty in enforcing the Regional parking by-law with respect to vehicles parked on boulevards adjacent to Regional roads. In urban areas, where the road is urbanized with concrete curbs, the area beyond the curb is the boulevard. In busy times and sales events where parking is limited, vehicles have been parked on the boulevards. The boulevards are typically sodded and vehicles cause ruts in the sod and often rip up the sod. This has been of particular concern in certain locations in Richmond Hill. Currently, the Regional parking by-law does not contain a specific definition of boulevard parking. This report has been prepared to address this concern.

4. ANALYSIS AND OPTIONS

The Regional parking by-law generally prohibits parking and stopping on Regional roads. Under the *Highway Traffic Act*, R.S.O. 1990 (the “HTA”) the highway is defined broadly to include the full width of the road allowance. Regional staff have always taken the position that, according to the HTA definition, the Regional parking prohibition would include the boulevard area. To assist enforcement, however, it is recommended that the by-law be amended to clarify their definition.

5. FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

6. LOCAL MUNICIPAL IMPACT

If this amendment is made, local municipal enforcement officers would be assisted in issuing tickets where a vehicle is parked on a boulevard contrary to the by-law.

7. CONCLUSION

In order to address the concerns of local by-law enforcement officers, it is recommended that the definition of Highway in By-law No. R-1102-96-100 be amended to clarify that it includes boulevards.

The Senior Management Group has reviewed this report.