

The Regional Municipality of York

Committee of the Whole
Transportation Services
March 9, 2023

Report of the Commissioner of Public Works

Rescind Temporary Delegation of Authority for Amendments to Traffic Bylaws and Amend Parking Bylaw (City of Markham)

1. Recommendations

1. Council rescind the temporary delegation of authority provided to the Commissioner of Public Works under Bylaw 2020-19 to amend traffic bylaws, where required, in response to unique traffic operations and safety concerns arising during the COVID-19 pandemic.
2. Parking Bylaw 2017-37 be amended to permanently designate the parking prohibition on Kennedy Road in the City of Markham, as detailed in Table 1 of this report.
3. The Regional Solicitor prepare the necessary bylaws.
4. The Regional Clerk circulate this report to local municipalities and Chief of York Regional Police.

2. Summary

This report requests Council rescind the temporary delegation of authority provided to the Commissioner of Public Works, to amend traffic bylaws during the COVID-19 pandemic and to permanently designate a parking prohibition.

Key Points:

- To enable quick response to unique traffic operations and potential safety concerns during the COVID-19 pandemic, temporary delegated authority to amend traffic bylaws was granted to the Commissioner of Public Works
- Delegated authority is no longer required and can be rescinded
- Staff recommend maintaining a parking prohibition on Kennedy Road, in the City of Markham, implemented during the COVID-19 pandemic, to mitigate future road safety concerns associated with operation of a commercial business in the area

3. Background

March 2020, Commissioner of Public Works was granted temporary delegated authority to approve traffic bylaw amendments during COVID-19 pandemic

In March 2020, the Province of Ontario declared an emergency under the *Emergency Management and Civil Protection Act* and enabled several measures to help contain the spread of COVID-19. As a result of these measures, several changes in traffic operations and driver behaviours were observed on certain Regional roads.

To enable staff to quickly react and respond to unique traffic operations and safety concerns arising from a surge of citizens visiting outdoor spaces, such as trails and parks, during the pandemic, Council enacted [Bylaw 2020-19](#), granting temporary delegated authority to the Commissioner of Public Works to approve traffic bylaw amendments during the pandemic. Once the pandemic was deemed over, temporary traffic bylaw amendments would be repealed, where appropriate, along with the delegated authority.

Council has the authority to pass bylaws respecting highways

The *Municipal Act, 2001* gives a municipal council the authority to pass bylaws respecting highways, including parking prohibitions. Under this authority, on June 29, 2017, Council passed [Bylaw 2017-37](#) to prohibit or regulate parking and stopping on Regional roads. Amending this bylaw helps to maintain safe and efficient operations on Regional roads and is enforceable in accordance with the *Highway Traffic Act*.

4. Analysis

Temporary delegated authority to address COVID-19 pandemic-related traffic concerns is no longer required

Staff have been monitoring traffic operations on Regional roads throughout the duration of the pandemic. The Province lifted the emergency declaration in June 2021. As such, it is recommended the temporary delegated authority granted to the Commissioner of Public Works be rescinded.

Staff recommends maintaining a parking prohibition on Kennedy Road in the City of Markham to mitigate road safety concerns

During the early stages of the pandemic, several temporary parking prohibitions were implemented to mitigate safety concerns, primarily at Regional forest tracts, parks and trails. With traffic returning to pre-pandemic conditions, most of the prohibitions were deemed no longer necessary and have been removed. A parking prohibition introduced on Kennedy Road north of 19th Avenue currently remains in effect (Appendix 1).

Kennedy Greenhouses is located at 11574 Kennedy Road in the City of Markham. Due to pandemic conditions, demand for on-site parking exceeded capacity, resulting in patrons parking on both sides of Kennedy Road near the business. The parking prohibition was

introduced to address a safety concern related to pedestrians who had parked on the opposite side, crossing this 80 km/h section of Kennedy Road. It's likely this situation will continue occurring under normal operating conditions due to limited on-site parking. Overflow on-street parking is available on the west side of Kennedy. Staff recommend implementing this parking prohibition on a permanent basis, as outlined in Table 1 below.

Table 1
Proposed Parking Prohibition

| Regional Road | Side | Limits | Times/Days |
|-----------------------|------|---|------------|
| Kennedy Road (Y.R. 3) | East | From the north limit of 19 th Avenue to 485 metres north of the north limit of 19 th Avenue | Any time |

5. Financial

There are no financial implications associated with this report.

6. Local Impact

Local municipal staff and the impacted business owner have been advised of the proposal to maintain the parking prohibition outlined in this report and no concerns were identified.


7. Conclusion

During the COVID-19 pandemic, changes in driver and traffic behaviours were observed on certain Regional roads. To enable staff to react quickly in response to changing traffic conditions, and address unique traffic operations and safety concerns, Council enacted Bylaw 2020-19, granting temporary delegated authority to the Commissioner of Public Works to approve traffic bylaw amendments during the pandemic. Once the pandemic was deemed over, temporary traffic bylaw amendments would be repealed, where appropriate, along with the delegated authority. This authority was exercised to implement several temporary parking prohibitions. One prohibition remains in effect.

Staff recommend the temporary delegated authority granted to the Commissioner of Public Works under Bylaw 2020-19 be rescinded and Bylaw 2017-37 be amended to permanently implement the parking prohibition on Kennedy Road, as outlined in this report, to mitigate road safety concerns.

For more information on this report, please contact Joseph Petrungaro, Director Roads and Traffic Operations, at 1-877-464-9675 ext. 75220. Accessible formats or communication supports are available upon request.

Recommended by:



Erin Mahoney, M. Eng.
Commissioner of Public Works

Approved for Submission:



Bruce Macgregor
Chief Administrative Officer

February 24, 2023

10937627

Appendix 1 - Map - Proposed Continued Parking Prohibition on Kennedy Road



14410849

©:\Transportation\T09 - Traffic Safety\02 Projects\Council Report\2023\2023_03_09_RescindTempDA-AmendmentsToTrafficBylaws(2020-19)\01.TSWorkingMapping\Alt 1-ArcGIS.mxd