




CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Transportation Planning and Parking Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	July 11, 2023
SUBJECT/REPORT NO:	Parking Enforcement and Canada Post (PED23159) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	James Buffett (905) 546-2424 Ext. 3177
SUBMITTED BY:	Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the draft Amending By-law to Regulate On-Street Parking 01-218 as shown in Appendix "A" attached to Report PED23159 and in a form satisfactory to the City Solicitor, be approved.

EXECUTIVE SUMMARY

Within the City of Hamilton By-law to Regulate On-Street Parking 01-218, Authorized Emergency Vehicles are exempt to provisions respecting parking, stopping or standing, provided the operator is actively engaged in the provision of the services. Canada Post Vehicles are included within this exempt classification.

Following receipt of correspondence from a member of the public, the necessity for Canada Post vehicles to be included in this classification has been raised. A review of this correspondence, including some surrounding municipalities' parking by-laws, showed many municipalities do not exempt Canada Post within parking regulations.

With the exemption in place, staff have historically not pro-actively documented complaints or possible violations regarding Canada Post vehicles, however, staff undertook four days of observations (May 15 to May 18, 2023) and witnessed approximately 23 parking offences which could (if this trend was consistent throughout

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

the year) suggest that Canada Post vehicles may be frequently engaged in what would be considered parking violations for non-exempt vehicles. The violations included safety related matters like parking within bike lanes, no stopping areas, and parking on sidewalks.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: Amending By-law to Regulate On-Street Parking 01-218 as shown in Appendix “A” attached to Report PED23159.

HISTORICAL BACKGROUND

Correspondence from a member of the public was received by the Office of the City Clerk suggesting reviewing and amending the Parking By-law and its exemption of Canada Post vehicles. The correspondence cited Canada Post vehicles blocking pedestrian access/visibility, impacting bike safety, and interfering with the ability for vehicles to navigate the roadway safely. This correspondence also linked a news article that outlined that Canada Post vehicles in Toronto had incurred close to \$7.5 M in parking fines over the last decade. This article is attached as Appendix “B” to Report PED23159. Following receipt of this correspondence, staff were requested to report back with a recommendation following a review of other municipalities.

Since that time, Parking staff has fielded and dealt with similar calls regarding Canada Post vehicles and have been informally monitoring the activity of these vehicles. It is noted that, during the Pandemic, parking and traffic conditions were atypical and efforts for the Parking Enforcement team were focused on supporting business as opposed to increasing curb-side parking regulations.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Amending By-law to Regulate On-Street Parking 01-218 as shown in Appendix “A” to Report PED23159.

RELEVANT CONSULTATION

Legal Services was consulted with respect to changing regulations On-Street Parking By-law 01-218 as it pertains to Emergency Vehicles.

In addition, the following by-laws from other jurisdictions were reviewed:

- Toronto Parking By-law;
- Ottawa Parking By-law;
- Oakville Parking By-law;
- London Parking By-law;
- Brampton Parking By-law; and,
- Aurora Parking By-law.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

In Hamilton, Canada Post vehicles have been included in the definition of “Authorized Emergency vehicles” and exempt from parking by-law provisions since at least 2001. Historical context and intent are not clear in the necessity to continue with this practice.

The need to park out of conformity in relation to on-street regulations is understandable during emergency situations and the lack of reasonable permissive parking. Routine deliveries are not subject to this same expectation. Similar vehicles, although not operated by a Crown Corporation, such as FedEx, UPS, Purolator, and Amazon, are not exempt from parking regulations in the course of their service delivery and are subject to parking enforcement like that of any other vehicle utilizing the roadway.

As outlined in the Canada Post news article, Appendix “B” attached to Report PED23159, Toronto has routinely faced parking concerns in relation to Canada Post vehicles which has resulted in \$7.5 M in fines being issued to those vehicles over a ten-year period. In the absence of historical enforcement data due to the present exemption, staff observed over the course of a four-day span (May 15 to May 18, 2023), via routine patrol, 23 occurrences of illegal parking impacting the safety of drivers, cyclists and pedestrians. Examples are shown in Appendix “C” attached to Report PED23159. Albeit a small sample, this suggest that Canada Post vehicles may be frequently engaged in what would be considered parking violations for non-exempt vehicles. Following the proposed by-law amendment, this behaviour may change resulting in potential issued revenue decreasing alongside increased roadway and pedestrian safety.

Hamilton is striving to improve roadway safety, sustainable mobility, and pedestrian accessibility. Ensuring all vehicles, inclusive of Canada Post, are utilizing safe and permissive parking is a fundamental part of achieving those goals. Any vehicles

unreasonably parking illegally, impacting dedicated cycling lanes, blocking sidewalks, and contributing to traffic congestion due to parking illegally, should be addressed.

Based on a review of other jurisdictions, citizen complaints, and staff observations, it is recommended that the exemption for Canada Post Vehicles from parking regulations be removed. It is expected that this will require some minor changes to Canada Post's current operations. For example, where vehicles are blocking arterial lanes (e.g. James Street South), they will now be required to find alternative legal parking or loading zones on side streets. With respect to community mail boxes, the changes are expected to be minor, since most of these areas have unregulated parking or are signed as no-parking zones (which would permit short stops where active loading or unloading is taking place).

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED 23159 – Amending By-law

Appendix "B" to Report PED 23159 – Canada Post News Article

Appendix "C" to Report PED 23159 – Canada Post Parking Images