

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON  
MUNICIPALITÉ RÉGIONALE D'OTTAWA-CARLETON

REPORT  
RAPPORT

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DATE 14 November 1996

TO/DEST. Co-ordinator, Transportation Committee

FROM/EXP. Director Mobility Services and Corporate Fleet Services  
Environment and Transportation Department

SUBJECT/OBJET **DELEGATED AUTHORITY TO THE ENVIRONMENT AND  
TRANSPORTATION COMMISSIONER - MOTION TC-26**

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**DEPARTMENTAL RECOMMENDATIONS**

**That the Transportation Committee and Council approve:**

- 1. The Environment and Transportation Commissioner be authorized to establish;**
  - a. bus zones;**
  - b. bus time point zones;**
  - c. school bus loading zones;**
  - d. police vehicle zones;**
  - e. excursion zones;**
  - f. through highways;**
  - g. stop control at intersections;**
  - h. yield control at intersections;**
  - i. multi-way stop control at intersections;**
  - j. turn prohibitions, including cyclist and vehicular exemptions, where appropriate;**
  - k. one-way highways;**

- l. truck routes, and their appropriate load designations;**
- m. multiple lane highways;**
- n. pedestrian crossing prohibitions;**
- o. reserved bus lanes, and;**
- p. reserved bicycle lanes;**

**subject to Council approved and Departmental policies, and in accordance with the provisions of Traffic and Parking By-law No. 1 of 1996, as amended;**

- 2. The Corporate Policy Manual be amended by adding thereto immediately following paragraph 7.4.7.4 a new paragraph which reflects the delegated authority referred to in the previous recommendation, and which also authorizes the Environment and Transportation Commissioner to forward amendments to the Traffic and Parking By-law schedules, attributable to the delegated authority, directly to Council for approval without a separate report.**

## INTRODUCTION

The Transportation Committee, at its meeting of 15 May 1996, approved the following motion:

*That staff bring forward a report for consideration of the Transportation Committee to amend the Traffic and Parking By-law to delegate authority for approval of truck routes to the Environment and Transportation Commissioner.*

While reviewing the topic of delegated authority to the Environment and Transportation Commissioner (the Commissioner), the Department felt it appropriate to suggest additional delegations of authority for routine matters.

## BACKGROUND

The issue of delegating authority to the Commissioner to process routine Departmental business without going to Council each time for specific authority has been long recognized as a means of freeing valuable Committee time for policy discussion rather than day-to-day routine matters. It also allows timely implementation of the new regulations.

Council, at its meeting of 13 January 1993, delegated authority to the Commissioner to establish:

- a. parking regulations (parking and stopping prohibitions, parking zones, etc.);
- b. loading zones;
- c. taxi zones;

- d. hotel loading zones;
- e. speed zoning;
- f. temporary road closures; and
- g. temporary amendments to by-lawed regulations required for construction.

Since that time, staff and members of Council have been working with the new procedures. Staff liaise with the Ward Councillor to find solutions to common traffic problems which can be implemented immediately under the authority of the Commissioner. The new procedures have the added advantage that staff can experiment with different solutions until the desired result is achieved without going to Council each time for specific authority. An example is the recent removal of peak period stopping restrictions on Wellington Street-Richmond Road.

The new delegated authority is working so well that staff is recommending that it be expanded further.

#### EXPANDED DELEGATED AUTHORITY

The 1993 report recommended that staff be delegated the authority to establish loading zones, taxi zones and hotel loading zones. In addition to these zones, loading zones also include bus zones, bus point time zones, school bus loading zones, police vehicle zones and excursion zones. As these zones were not specifically identified in the original report, staff are recommending that the delegated authority to the Commissioner include them as well.

Intersection control consisting of yield and stop signs (including multi-way stops), turn prohibitions and pedestrian crossing prohibitions, and roadway control consisting of through highways, one-way highways, multiple laned highways, reserved bus lanes and reserved bicycle lanes, while important, normally don't generate a great deal of public interest and we feel these can very easily be handled by the Department in consultation with the Ward Councillor. It is therefore proposed that the delegated authority to the Commissioner be expanded to include these types of traffic control. In addition, turn prohibitions often have tabs attached to the signs exempting cyclists and vehicles such as OC Transpo buses from the prohibition during specific times or days. It is proposed that the delegated authority also include the authority to erect tabs.

The granting of authority to the Commissioner to annually review and amend the Regional truck route system is the primary reason for this report, therefore no further justification is required. Policy, or non-technical issues such as a community association requesting the deletion of a road from the truck route system or restricting the hours of operation of a truck route would continue to be forwarded to the Committee for a final decision.

#### COUNCIL NOTIFICATION

To simplify Council notification, staff send an information memorandum to the Chair and members of Regional Council describing the actions taken by staff. This process appears to be working well and it is recommended that it continue. There is a problem however associated with this procedure with respect to staff's authority to draft and process by-law amendments.

## BY-LAW ENACTMENT

Council enactment of by-laws to legitimize the regulations implemented under the authority of the Commissioner is required to make them enforceable. The authority provided the Commissioner by Section 7.4.7.4 of the Corporate Policy Manual “to erect and maintain such signs, traffic control signals and other traffic control devices as may be required to regulate and direct pedestrian and vehicular traffic for the safety and convenience of the public” is insufficient authority to support an amending by-law at Council.

To resolve this situation, it is recommended that the Corporate Policy Manual be amended by adding thereto immediately following paragraph 7.4.7.4 a new paragraph which authorizes the Commissioner to forward amendments to the Traffic and Parking By-law, attributable to the delegated authority discussed in this report, directly to Council for passing without a separate report.

It should be emphasized that the requested authority applies only to routine schedule amendments. Amendments to the text of the Traffic and Parking By-law would continue to be approved by Council. This is in keeping with Council’s responsibility to approve policy. The text of the by-law is the policy that provides direction to staff, while amendments to the schedules, established by the text, are a routine procedure based on the pre-approved policy.

Administratively, it is proposed that the by-laws be forwarded directly to Council and approved in the same manner that the area municipality traffic by-laws are currently approved.

## FINANCIAL IMPLICATIONS

The proposals contained in this report further refine present procedure, and provide the Commissioner with the extended authority necessary to perform the administrative procedures required to complement the newly acquired authority.

From an administrative perspective, the recommendations in this report will reduce the demands on staff resources. The authority originally granted to the Commissioner in the 1993 report combined with the extended authority proposed in this report eliminates the need for Branch, Divisional, Departmental, Committee and Council approval of routine staff reports to amend the Traffic and Parking By-law schedules. It is difficult to place a dollar value on this, however, it is self-evident that the process will be streamlined considerably.

## PUBLIC CONSULTATION

Public consultation was not required for a review of internal procedures.

*Approved by  
G. Malinsky for Doug Brousseau*

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