

The Regional Municipality of York

Committee of the Whole
Transportation Services
April 16, 2020

Report of the Commissioner of Transportation Services

Proposed Temporary Delegation of Authority for Amendments to Traffic Bylaws

1. Recommendations

1. Council delegate authority to the Commissioner of Transportation Services to temporarily amend traffic bylaws, where required, in response to traffic operations and safety concerns arising during the COVID-19 pandemic and until such time as this authority is repealed by Council.
2. The Regional Solicitor prepare the necessary bylaw.
3. The Regional Clerk circulate this report to local municipalities and the Chief of York Regional Police.

2. Summary

This report requests Council delegate authority to the Commissioner of Transportation Services to temporarily amend traffic bylaws to address traffic operations and safety concerns, including driver behaviours.

Key Points:

- The *Municipal Act, 2001* authorizes Council to delegate its powers subject to certain conditions
- Delegated authority to temporarily amend traffic bylaws is necessary to address traffic operations and safety concerns on Regional roads arising from the pandemic
- Delegated authority may be invoked to amend various traffic regulations quickly and as required, including but not limited to parking and turn restrictions, speed limits and road closures

3. Background

In response to the COVID-19 pandemic, the Province of Ontario has declared an emergency, ordered closures and implemented restrictive measures

On March 17, 2020, the provincial government declared an emergency under the [Emergency Management and Civil Protection Act](#) and ordered specific closures.

The *Municipal Act, 2001* provides powers to Council to delegate authority to amend traffic bylaws

Section 23.1 of the *Municipal Act, 2001* permits municipalities to delegate their powers and duties subject to certain restrictions, depending on the nature and scope of the delegation. A delegation may be made to members of Council, committees, individuals appointed by Council or Regional staff and may be subject to conditions that Council considers appropriate.

Under this provision, Council previously delegated authority to the Commissioner of Transportation Services to amend several traffic bylaws, including load and U-turn restrictions, all-way stop controls and temporary speed limits in construction zones.

4. Analysis

Traffic bylaws may be required to address driver behaviours to reduce risk and maintain public safety

As a result of various responses to the pandemic, a number of changes in driver and traffic behaviours have been noted on certain Regional roads. For example, cars have been seen parked along certain Regional roadways in areas where such actions have not been previously observed. As such, the Region has been requested to temporarily implement parking restrictions and install on-street advisory signage in some areas to further provide safe traffic operations for all road users.

Temporary delegated authority is required to enable quick amendment of traffic bylaws to address traffic operations and safety concerns arising during the pandemic

Amendments to certain traffic bylaws require Council approval. Temporary delegated authority is requested for the Commissioner of Transportation Services to approve amendments to traffic bylaws, where required, in response to traffic operations and safety concerns on Regional roads arising during the pandemic. This delegated authority may be invoked to amend various traffic regulations, including but not limited to parking and turn restrictions, speed limits and road closures, as required, allowing staff to react quickly to address concerns. To ensure appropriate records are maintained, if such temporary delegation be enacted, the Commissioner of Transportation Services would formally advise the Regional Clerk of any decisions made under delegated authority.

It is intended this authority be invoked only during the pandemic. Staff recommend any temporary amendments to traffic bylaws be reported on back to Council and repealed by Council, where appropriate, once the pandemic is deemed over and they are no longer required.

5. Financial

Costs to implement changes due to temporary amendments of traffic bylaws would be an added pressure to the approved 2020 annual Transportation Services Operating Budget.

6. Local Impact

Local municipal staff would be consulted on a case-by-case basis when temporarily amending traffic bylaws under the Region's jurisdiction.

7. Conclusion

Temporary traffic regulations may be required to address traffic operations and safety concerns, including driver behaviours, to reduce risk and maintain public safety as a result of certain conditions which are or may be observed during the course of the current COVID-19 pandemic.

The *Municipal Act, 2001* authorizes Council to delegate authority to amend bylaws. Delegated authority for the Commissioner to temporarily amend traffic bylaws is recommended to address traffic operations and safety concerns on Regional roads arising from the pandemic. This delegated authority may be invoked to amend various traffic regulations, including but not limited to parking and turn restrictions, speed limits and road closures if absolutely required. This would allow staff to react as quickly as necessary to address 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: **Paul Jankowski**
Commissioner of Transportation Services

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

April 14, 2020
10705571