

Bylaw 19518 - Amendment to Traffic Bylaw 5590

Shared Street, Road Ban, Weight Tolerances and Tow Truck Updates

Recommendation

That Urban Planning Committee recommend to City Council:

That Bylaw 19518 be given the appropriate readings.

Purpose

To amend Traffic Bylaw 5590 to include a definition of Tow Trucks, to address Shared Streets, to provide a system for road ban exemptions and to update certain sections of the bylaw.

Readings

Bylaw 19518 is ready for three readings. If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree "That Bylaw 19518 be considered for third reading."

Position of Administration

Administration supports this bylaw amendment.

Report Summary

This report addresses a variety of amendments to Traffic Bylaw 5590 to include a definition of Tow Trucks and prohibit the soliciting of business at the scene of a collision, to address the legal operations and designation of Shared Streets including an exemption to the jaywalking provisions, to provide a system for road ban exemptions, and to update the powers of the City Manager and weight tolerance sections of the bylaw.

Report

Bylaw 19518, outlined in Attachment 1, includes a variety of updates to Traffic Bylaw 5590 to address the following:

Tow Trucks at the Scene of a Collision

The Traffic Bylaw currently prohibits only the operator of a tow truck from attending a collision site unrequested, including for purposes of securing a tow agreement. Some towing companies have begun using other vehicles in their fleet other than tow trucks to attempt to secure a tow agreement, which is causing issues for emergency personnel, police and citizens in some cases.

Adding a definition of “tow truck” clarifies that any vehicle operating as a tow truck or providing services ancillary to towing on behalf of a towing company is not permitted to arrive at the scene of a collision unrequested. Updating the language in Section 80 broadens the situations when a tow truck is prohibited from responding unrequested to also include damaged, disabled, abandoned, tagged or ticketed vehicles.

Shared Streets

During the 2018 update to the City of Edmonton’s Design and Construction Standards, Shared Streets were included as an allowable design device. A Shared Street has a posted speed limit of 20 km/hr and allows pedestrians to cross at any location on the street as long as they yield the right-of-way to vehicles.

The updated Complete Streets Design and Construction Standards notes that “Design Speed ranges are based on aspects such as land use context, building orientation in relationship to the street, functional classification of the street, types of interactions that can occur between street users, and mobility goals of the street section.” The City of Edmonton’s design speed for shared streets is 20 km/h, and the posted speed of shared streets is the same.

Historically, Rice Howard Way has legally operated as a Shared Street through the Traffic Bylaw, though it was not officially labelled as such. The 96 Street corridor in The Quarters development area has also been designed as a Shared Street, but it has not been legally designated as such. The City continues to strategically move forward with the design and construction of Shared Streets, where appropriate, such as the upcoming streetscape of 103 Avenue between 100 Street and 101 Street and a number of short sections in Strathcona through neighbourhood renewal.

The City temporarily installed a total of 19 km of shared streets in 2020 in response to the COVID-19 pandemic and expects to temporarily continue this practice in 2021. In addition, the recently approved Safe Mobility Strategy provides opportunities for Edmontonians to work with Administration on Vision Zero Street Labs to trial improvements to traffic patterns in their neighbourhoods, which may include test implementations of Shared Streets.

Formally adding the ability for Administration to designate Shared Streets and making Shared Streets an exception to the jaywalking section will allow people walking along a

Shared Street to cross at any location as long as they yield the right-of-way to vehicles. Shared Streets will be identified through the use of signage and will be supported through the creation of a Traffic Bylaw Listing identifying Shared Street spaces.

Providing the City Manager with the delegated authority to designate Shared Street locations allows Administration to be nimble and responsive in implementing this tool in short term or temporary situations such as the COVID-19 and Vision Zero Street Labs Shared Streets. All permanent speed limit changes supporting Shared Streets will still need City Council approval through a Speed Zones Bylaw update.

Road Bans

The addition of annual road bans clarifies that these bans are in place all year unless otherwise specified. This change also clarifies that a permit is required to operate a vehicle that exceeds the axle weight restrictions of a road ban.

Weight Tolerances

Removal of weight limits from the Traffic Bylaw defers any vehicle weight limits to the Province of Alberta’s *Traffic Safety Act* and applicable regulations. In cases where provincial regulations exist, they should be deferred to unless the City is more restrictive, which is not the case in this situation. Weight tolerances are not required to be included in the bylaw as these decisions should be made situationally considering all variables at the discretion of the Peace Officer as part of any enforcement activities.

Corporate Outcomes and Performance Management

| Corporate Outcome(s): Condition of Success | | | |
|--|--|------------------|--|
| Outcome(s) | Measure(s) | Result(s) | Target(s) |
| To ensure Traffic Bylaw 5590 is aligned to current programs and processes. | Amended Traffic Bylaw 5590 includes a definition of Tow Trucks, addresses Shared Streets, provides a system for road ban exemptions and updates certain sections of the bylaw. | TBD | Three readings of Bylaw 19518 in 2021. |

Public Engagement

No public engagement was undertaken as part of this update as the majority of the changes are administrative updates (Weight Restrictions, Road Bans) or are being broadened to reflect current practice (Tow Trucks).

Any permanent Shared Streets or temporary Vision Zero Street Labs Shared Street locations will have public engagement as part of the individual projects. Any budgetary impacts would be considered within the individual project scopes.

Legal Implications

Shared Streets would be exempt from the jaywalking provision of Traffic Bylaw 5590, but motorists will have the right of way over pedestrians at areas that are not crosswalks, unless otherwise directed by a peace officer or traffic control device, as per section 41 of the Province of Alberta's *Use of Highway and Rules of the Road Regulation*. Further, if pedestrians are unlawfully interfering with the flow of traffic on Shared Streets, they can still be ticketed for obstruction under section 60 of the Traffic Bylaw.

The addition of a definition for Tow Trucks and amendments to section 80 of the Traffic Bylaw are necessary to ensure that the City can enforce section 80 of the Traffic Bylaw in a manner that prevents towing companies from using vehicles in their fleet other than tow trucks to attempt to secure a tow agreement. The new definition does not affect any other section of the bylaw. Key Amendments to the bylaw are outlined in Attachment 2.

Attachments

1. Bylaw 19518
2. Key Amendments to the Bylaw

Others Reviewing this Report

- M. Persson, Chief Financial Officer and Deputy City Manager, Financial and Corporate Services
- C. Owen, Deputy City Manager, Communications and Engagement
- A. Laughlin, Deputy City Manager, Integrated Infrastructure Services
- S. McCabe, Deputy City Manager, Urban Form and Corporate Strategic Development
- B. Andriachuk, City Solicitor