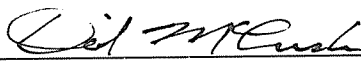


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HALIFAX REGIONAL COUNCIL  
COMMITTEE OF THE WHOLE  
October 15, 2002

**TO:** Mayor Kelly and Members of Halifax Regional Council

**SUBMITTED BY:**   
David McCusker, P.Eng., HRM Traffic Authority

**DATE:** October 9, 2002

**SUBJECT:** OVERNIGHT WINTER PARKING BAN

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**SUPPLEMENTARY REPORT**

**ORIGIN**

This report originates from staff and provides information on the implementation of winter parking controls.

**BACKGROUND**

On September 10, 2002, staff provided an information report to the Committee of the Whole explaining that consideration must be given to a return to implementation of an overnight winter parking ban due to safety and operational concerns that became evident over the past three winters without an overnight ban. That report resulted in a number of questions being raised by the Committee of the Whole which are addressed in this report.

## DISCUSSION

As a preface to the information that follows, staff feels that it is essential to keep three important points in mind in understanding the need for an overnight winter parking ban in the Halifax Regional Municipality:

1. **Confusion by residents is reduced** by having a black-and-white regulation which is not subject to interpretation. An overnight winter parking ban would achieve consistency of controls throughout HRM, as provincially-owned streets have remained under an overnight winter parking ban.
2. Over the past two winter seasons, **HRM has exceeded its allocated budget** for Snow & Ice Operations by eight million dollars. Staff has estimated that the portion of this over-expenditure attributable to not having the ban in place is approximately 30%. This is due to the prolonged hours of operations in the field attempting to implement snow & ice removal and cleanup operations on streets proliferated with parked vehicles.
3. **Winter parking controls must be chosen to suit climatic conditions.** Practices across the country are generally developed to respond to the unique weather conditions of the area and so what works in Toronto or Winnipeg or Montreal may not be applicable or practical for Halifax. The frequency of rainfall or melting snow in the Maritimes requires that, as much as possible, streets be clear to enable push back to curbs and catchbasins to prevent flooding conditions.

Individual questions raised by the Committee of the Whole are responded to below:

1. **HRM did nothing consistent in the enforcement of the MVA restrictions. Enforcement during daytime hours was not an issue when the ban was in place, yet it became a concern when the ban was lifted, creating two sets of standards. Several thousand tickets were issued when it didn't snow, and 63 were issued when it did snow.**

Staff feels that, to a reasonable degree, enforcement was undertaken consistently while the overnight ban was in place as well as while the overnight ban was not in place. Staff acknowledges, however, that the focus of enforcement was not the same during each of those two periods. With an overnight winter parking ban in effect, the most effective means instilling the need to find off-street parking during the snow season is enforcement of the overnight winter parking ban throughout its duration. This allowed for a planned, uniform level of enforcement that could occur in safer conditions while delivering an appropriately strong message of deterring reliance of on-street areas for winter parking. Without an overnight winter parking ban, the night-time window of opportunity was lost and enforcement of parking restrictions during daytime snowfall events became more critical. The variation in enforcement is simply a matter of deploying resources where they are most needed and most effective.

2. **Tickets were issued in District 15 at 1:00 a.m. yet the street was not plowed until 4:00 p.m. the next day. Other tickets were issued at 9:00 a.m. yet the snow removal crews were not called out until two hours later.**

Although efforts were made to coordinate enforcement with operation, vigorous enforcement can only be achieved when delivered according to the regulations. If a parked vehicle is present on the street when the snowplow arrives, service delivery has already been impacted.

3. **The snow line was not mentioned in the report.**

Keeping the snow line up to date proved to be difficult due to changing of particular storm conditions. This contributed to the confusion for residents placing a call.

4. **Another example of two sets of standards was cited as being when the ban was in effect, it did not go into effect until 4:00 a.m. in the downtown areas whereas other areas it was 1:00 a.m.**

Strictly speaking, the ban goes into effect at 1:00 a.m. everywhere. Enforcement in the early part of the overnight period was focused on residential areas where it could be expected that a vehicle parked on the street after 1:00 a.m. would remain there overnight. In the downtown areas, it is more reasonable to assume that vehicles parked on the street after 1:00 a.m. would be removed once the bars closed.

5. **There should have been a policy to deal with the encroachment of snow into the street.**

Staff feels that encroachment of snow banks into the street was best dealt within the past with a final "pushback". In the past, pushbacks were undertaken by the snow crews in the overnight hours following the initial snowfall. Immediately following the snowfall, snow would be pushed to the curb. On the overnight period following, trucks would return to push excess snow over and behind the curb line or in some cases load the snow onto trucks. Without the overnight winter parking ban in place, vehicles returned to the street during the nights following the initial clearing and pushbacks could no longer be undertaken. As a fall-back to the inability to push back encroaching snow during the night, staff developed a strategy of temporarily posting parking restrictions on streets narrowed by snow banks. Although this strategy was somewhat effective for moderate snow encroachment, higher levels of snow encroachment affect the majority of streets within the urban core and temporary restrictions become unfeasible.

6. **There were not enough tow trucks available in HRM.**

HRM has contracts with three towing companies, which can routinely make available on average 22 trucks during snow events. Last year, these trucks were used quite effectively in towing vehicles in violation of winter parking restrictions. It must be realized that many

demands outside of parking enforcement are placed on tow trucks in snowfall conditions and that they are operating in the worst of road conditions.

**7. Cars in violation should have been towed immediately and not ticketed.**

Although staff was able to develop a means of providing more effective towing delivery, it was felt that the determination of a violation should be left to HRM enforcement staff and not to the tow truck driver. Prior to last winter season, Police streamlined the process by which a vehicle is seized while maintaining the necessary reporting requirements for vehicle custody.

**8. Some discretion should be used in ticketing when special events are being held at schools, churches, etc.**

With an overnight winter parking ban in place, the requirement for enforcement outside of the overnight hours is reduced and special events that are completed by 1 a.m. should not be impacted.

**9. On streets where there are no sidewalks, pedestrians were forced to walk in the middle of the street due to the snow bank being so far out into the street.**

This concern can only be fully addressed by the second night push-back described earlier in this report and possible only with an overnight winter parking ban.

**10. Businesses in downtown Dartmouth were affected by vehicles parking on the streets during the daytime and getting tickets. Therefore, people avoided the downtown when it was snowing.**

As stated earlier, the need for daytime enforcement is reduced with a more reliable window for overnight plowing.

**11. Each district has a list of streets that become a problem during the winter season and these streets could be posted as “no parking” when the ban goes in place.**

In the past, it has been staff’s position that these streets would be posted “no parking” only when snow encroachment reached a degree that would require the posting to avoid creating unnecessary hardships. Staff recognizes, however, that lack of resources during the period when snowbank encroachment reaches critical levels has, in some cases, resulted in posting of signs well after they should have been. Irrespective of other winter parking control decisions, staff propose to develop an action plan for posting of “chronic problem streets” with each affected Councillor individually.

**12. A lot of zoning areas do not permit the rental of parking spaces, yet this takes place every winter.**

Although zoning prevents the rental of parking spaces on residentially zoned land, sharing of driveway space can be expected to continue as a neighbourly gesture.

- 13. In the south end peninsula area, there will be an additional 1700 cars that will need to find parking spaces for the next year due to the construction of parking garages for the QEII and the IWK. To impose the winter parking ban now would be an undue hardship on these people.**

Staff has confirmed with hospital administrators that all overnight parking associated with the hospitals can be fully accommodated off-street even during parkade construction activities. The high number of cars referred to will require parking during the day which is not affected by the overnight winter parking ban.

- 14. More people have moved into the downtown area since the winter parking ban has been lifted and they will now need to find off-street parking.**

Staff feels that this point underlines the need for an immediate return to the overnight winter parking ban. Residents who own a vehicle and who chose to relocate to a residence that does not provide off-street parking need to consider carefully the implications of doing so.

- 15. Most people own one or more vehicles which require off-street parking, and this is particular concern on the peninsula due to older housing stock and the lack of driveways. Also, there are many university students in the area who share houses and, as a result, there can be several cars and not enough off-street parking. In many cases, it is cheaper for students to get a series of winter parking tickets than to pay for regular off-street parking.**

Staff feels this statement speaks well for the need for vigorous enforcement of an overnight winter parking ban. Although the frequency can be debated, there should be no question in anyone's mind that every vehicle must have some place to park off-street during the winter season. The statement identifies that some non-compliance is based on economic decisions. If so, the incentive to find the required off-street parking is reduced considerably when exposure to enforcement is limited only to snowfall events. The 'series of tickets' referred to in the statement must be substantial enough to influence the decision of whether or not to secure off-street parking.

- 16. Is it possible to use municipal parking lots at night for residential parking?**

Municipal parking lots cannot provide overnight parking as they require the same overnight window of opportunity to clear snow in preparation for daytime rental parking.

- 17. If the overnight parking ban is reinstated, can staff provide a list of available parking locations and their rental prices?**

Staff will solicit information from providers of night-time off-street parking. This information will be publicized and provide directly to those requesting it.

**18. Has the use of a flat-bed truck for towing been examined?**

This type of vehicle is presently being used in towing operations.

**19. Is it feasible to utilize a “no parking” on one side of the street model?**

In some locations, parking is allowed on alternating sides of the street. A policy like this allows one side of the street to be cleared the first night and the opposite side on the following night.

There are a number of reasons why a policy like this cannot be successful in HRM:

- Winter conditions in the Atlantic provinces result in snowfall often being followed by rain or quick melting. To prevent the formation of black ice, snow must be cleared to the gutter on both sides of the street so that water will drain. A table providing a comparison of varying climate conditions throughout the country and associated parking controls is provided at the end of the report.
- The current union contract requires a full shift to be called out if snow and ice control is required. For small to moderate events, this single shift will provide adequate response. With an alternative side of the street policy in place, a double shift will have to be called regardless of the size of the snow event. For many events, this will automatically double the cost of the response.
- If snow melts then freezes hard on one side of the street while awaiting to be cleared on the second night, plows will ride up over the hard ice or will plow up large blocks of ice which will then fill driveway openings. As residents are not often able to remove these large blocks of ice, special response may be required.
- Due to the width of many streets in HRM, parking is permanently prohibited on one side of the street. An alternating side of the street policy may have to “supercede” the no parking controls on alternating evenings and could not go into effect until midnight. This would create a degree of confusion and require vehicles to be moved from one side of the street to the other at midnight.
- Residents with vehicles parked on the street during an overnight snow storm will have to clear the snow off of and around their vehicles to remove them. This snow will likely be spread out onto the street thereby defeating the plowing efforts of the previous night.

**20. How much money was used for advertising regarding the winter parking ban before and after the ban was lifted and what was its effectiveness?**

The total spent on advertising winter parking regulations last year was \$11,000. When the overnight winter parking ban was in place, advertisements announcing its initiation cost about \$800.

**21. Towing lots should be close to the areas from where the cars are towed to make it more effective.**

This poses a host of problems, such as knowing where to direct the car owner to retrieve their vehicle. Vehicles must be towed to locations that are secure, with proper zoning and environment.

**22. Why has no one been deputized to issue tickets in place of the police?**

The bulk of enforcement of the winter parking regulations is done by commissionaires, with assistance from police. It is felt that commissionaires provided good coverage and that deputizing snow supervisors would add no extra degree of enforcement. Snow supervisors have a high level of responsibility during snow and ice events and if it is felt that the degree of enforcement is insufficient, the most cost effective way of increasing it is through additional commissionaires.

**23. The report should contain alternatives, including realistic price tags, so Council knows exactly what it is considering and can provide a balance between permitting Public Works & Transportation staff the opportunity to do a good job and providing a workable situation for the residents.**

Convenience for winter operations staff is not the primary objective of winter parking controls. The objective is to ensure that streets remain passable in emergency situations. Placing a cost value on the risk of not being able to access an emergency situation and comparing that to the value of residents convenience is difficult and arguably inappropriate. The cost of achieving full clearance of the streets through towing is quantifiable, but clearly cost-prohibitive.

**24. If possible, can staff provide some type of assessment as to the cost of the ban compared to the present system.**

It is not possible to make a definitive calculation of the additional cost of snow and ice control resulting from the presence of parked vehicles. Reports from staff suggest that the increased presence of parked vehicles results in the length of time that crews are out on the street being prolonged by about a third. Last winter, staff felt that an additional \$1.5 million in snow and ice control budget was attributable to parked vehicles.

**25. Explain why District 15 (Fairview/Clayton Park) is treated differently than Lakeside/Timberlea, Lower Sackville, and Colby Village, where the overnight parking ban is not enforced.**

The overnight winter parking ban can be, and is, enforced throughout HRM. Both HRM Police and the RCMP strive to be consistent with winter parking enforcement. As with enforcement of any regulation, however, greatest effectiveness is achieved by focusing on areas where compliance is lowest. In the case of the overnight winter parking ban, reliance on on-street parking is much less in outlying areas where driveways are frequent and off-street parking is provided for apartment buildings.

**26. Have staff considered what is done in other cities to deal with winter parking?**

The following table illustrates the variety of means that areas across Canada set winter parking controls based on the expectation of rainfall or rapid melting following a snowfall. When rainfall occurs during near-freezing temperatures, it is essential that the rain be able to drain off the crown of the roadway into the gutters and catchbasins. Snow that is not cleared to the curb can prevent the proper drainage of this water resulting in the water being trapped on the roadway surface leading to the potential of black ice.

<b>Winter Maintenance &amp; Parking Controls</b>	<b>Winter Conditions Which Drive the Controls</b>	<b>Regions Where Used</b>
All streets quickly cleared of snow to the curb line. Reliance on an overnight parking ban.	Quick melting of snowfall or follow-up rainfall and freezing is a frequent occurrence.	Atlantic Canada
All streets eventually cleared of snow to the curb line. May use alternating side of the street parking ban.	Quick melting of snowfall or follow-up of rainfall is unusual, but a possibility.	Central Canada
Plowing of designated "snow routes". All other streets receive little or no winter maintenance. Parking restrictions applied only to snow routes.	Any occurrence of rainfall or mid-winter melting is rare.	Western Canada

In conclusion, the information contained in this report and the September 10, 2002 report has led the Traffic Authority to conclude that an overnight winter parking ban is necessary to maintain an adequate level of safety on municipal streets during the winter period. Modifications will be made, to the degree possible, to shorten the period in which the overnight winter parking ban is in effect.

**BUDGET IMPLICATIONS**

As specified in the report, the lack of an overnight winter parking ban is expected to increase the operating budget for snow and ice control by approximately 30%.



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**FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

**ALTERNATIVES**

N/A

**ATTACHMENTS**

N/A

Additional copies of this report and information on its status can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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490-6696. *DMC*

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