

HALDIMAND COUNTY

Report ECW-02-2021 Review of County Wide 40 km/h Speed Limit Implementation



For Consideration by Council in Committee on April 20, 2021

OBJECTIVE:

To report back to Council on the review of County wide 40 km/h speed limits and to receive Council approval to implement a 40 km/h speed limit zone along a section of South Coast Drive, Bluewater Parkway, Lakeshore Road and a section of North Shore Drive.

RECOMMENDATIONS:

1. THAT Report ECW-02-2021 Review of County Wide 40 km/h Speed Limit Implementation be received;
2. AND THAT the current Rate of Speed By-law be amended to create a 40 km/h speed limit zone on South Coast Drive as follows:

Street	From	To	Speed Limit
South Coast Drive	1.4 kilometres west of Sandusk Road	Cheapside Road	40 km/h

3. AND THAT the current Rate of Speed By-law be amended to create a 40 km/h speed limit zone on Blue Water Parkway as follows:

Street	From	To	Speed Limit
Blue Water Parkway	Erie Street South	Wheeler Road	40 km/h

4. AND THAT the current Rate of Speed By-law be amended to create a 40 km/h speed limit zone on Lakeshore Road as follows:

Street	From	To	Speed Limit
Lakeshore Road	Erie Street South	Haldimand Road 49	40 km/h

5. AND THAT the current Rate of Speed By-law be amended to create a 40 km/h speed limit zone on North Shore Drive as follows:

Street	From	To	Speed Limit
North Shore Drive	Mohawk Point Road	Niagara Boundary	40 km/h

6. AND THAT the current Rate of Speed By-law be amended to extend the 50 km/h speed limit zone on North Shore Drive as follows:

Street	From	To	Speed Limit
North Shore Drive	Mohawk Point Road	350 metres west of Mohawk Point Road	50 km/h

Respectfully submitted: Tyson Haedrich, M. Eng., P. Eng., General Manager of Engineering & Capital Works

Approved: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

Staff have completed a review of implementing 40 km/h speed limits in both urban residential areas and in rural areas with a focus on the roads running along the lake shore. A critical part of the review was a public survey to determine the public's opinion and solicit comments.

The results of the survey indicated the 40 km/h speed limit in residential areas was not supported by the public while the 40 km/h speed limit along the lake shore was narrowly supported depending on the ward. One common theme, mentioned in almost half the comments, was the lack of enforcement and the effect this has on the current speed limits not being followed and being a reason not to lower the limits.

Based on these results, discussion with local Councillors and an evaluation using the Speed Limit Policy the proposed report recommendations are as follows:

- No change to the urban residential area speed limits.
- Implement 40 km/h speed limit along the populated area of South Coast Drive.
- Implement 40 km/h speed limit on Blue Water Parkway and Lakeshore Road.
- Implement 40 km/h speed limit on North Shore Drive from Niagara boundary to Mohawk Point Road.
- Create a longer 50 km/h transition zone on North Shore Drive west of Mohawk Point Road.

These changes, if implemented, will create a consistent 40 km/h speed limit along the most populated road sections running along the lake shore.

BACKGROUND:

Council Direction

At the June 16, 2020 Special Council meeting, staff were given direction through the following resolution:

"THAT staff be directed to report back to a future Council in Committee meeting on enacting a uniform speed limit of 40 km/h within all urban areas of the County;

AND THAT staff also review rural areas with built up zones or other factors that warrant a 40 km/h speed limit with this review including outreach to evaluate public opinion."

This direction was as a result of Council discussion of the following Notice of Motion and Council's desire to take a County wide perspective on the review of lowered speed limits:

THAT staff be directed to report back to a future Council in Committee meeting on reducing the speed limit to 40 km/h along the entire length of Lakeshore Road from Erie Street to Aikens Road.

During the Council discussion it was indicated that a public survey would provide a good measure of public opinion on the issue of County wide lowered speed limits.

Legal Basis

On May 30th, 2017, the Province of Ontario passed Bill 65, the Safer School Zone Act which permits municipalities to enact neighbourhood speed limit reductions. Currently, the default speed limit is 50 km/h, unless posted otherwise. Section 128 (2.1) of the Ontario Highway Traffic Act now allows municipalities to pass a by-law to set a speed limit less than 50 km/h for all roads within a designated area.

The applicable subsections of Section 128 of the Highway Traffic Act are as follows:

128 (1) No person shall drive a motor vehicle at a rate of speed greater than,

(a) 50 kilometres per hour on a highway within a local municipality or within a built-up area;

(b) despite clause (a), 80 kilometres per hour on a highway, not within a built-up area, that is within a local municipality that had the status of a township on December 31, 2002 and, but for the enactment of the Municipal Act, 2001, would have had the status of a township on January 1, 2003, if the municipality is prescribed by regulation;

(2) The council of a municipality may, for motor vehicles driven on a highway or portion of a highway under its jurisdiction, by by-law prescribe a rate of speed different from the rate set out in subsection (1) that is not greater than 100 kilometres per hour and may prescribe different rates of speed for different times of day. 2006, c. 32, Sched. D, s. 4 (3).

(2.1) A by-law passed under subsection (2) may designate an area in the municipality and prescribe a rate of speed, which must be less than 50 kilometres per hour, that applies to all highways within the designated area that, absent a by-law passed under subsection (2), would have a prescribed rate of speed of 50 kilometres per hour under clause (1) (a). 2017, c. 9, s. 4 (1).

An example of the new municipal powers related to area speed limits is the City of Hamilton which is implementing a Neighbourhood Speed Limit Reduction program as part of their Vision Zero strategy and have begun posting the 40 km/h speed signs at the entrance streets to neighborhoods in the program.

Current Speed Limits

Currently the majority of residential areas, as well as South Coast Drive, Blue Water Parkway, Lakeshore Road and North Shore Drive from Kimber Road to the Niagara boundary have a posted speed limit of 50 km/h. West of Kimber Road the speed limit on North Shore Drive increases to 80 km/h.

It should also be noted that through Report PW-ES-22-2015 Re: School Speed Limit Warrant Guidelines, the speed limit in the area of a number of schools in urban areas was lowered to 40 km/h in 2016. This Council initiative was to improve safety in the area of local schools and was implemented with relatively high public support.

ANALYSIS:

In order to review the implementation of County wide 40 km/h speed limits staff reviewed the existing regulations in the Highway Traffic Act, reviewed the existing conditions along South Coast Drive, Blue Water Parkway, Lakeshore Road and North Shore Drive and conducted a public survey to measure public opinion on the proposed reduced speed limit implementation. Staff also reviewed the Speed Limit Policy for consistency with past speed limit reductions.

The following sections of the analysis discuss the survey results, the report recommendations, the evaluation of the proposed speed reductions using the Speed Limit Policy criteria and the process for reviewing future speed limit reduction requests.

Public Survey Results

The public survey was conducted over a four week period in October/November 2020 and asked the following two questions:

1. Do you support setting the speed limit to 40 km/h in urban and rural built up residential areas within Haldimand County?
2. Do you support setting the speed limit to 40 km/h along the lake shore in Haldimand County (specifically on South Coast Drive, Lakeshore Road and North Shore Drive)?

The public response was very good with about 1,100 responses and almost 600 people providing comments. The summary of the results for each question broken down by ward are as follows:

Question 1 - Do you support setting the speed limit to 40 km/h in urban and rural built up residential areas within Haldimand County?

Location	Yes	No	No Opinion
Ward 1	43%	53%	4%
Ward 2	45%	52%	3%
Ward 3	49%	51%	0%
Ward 4	45%	54%	1%
Ward 5	45%	54%	1%
Ward 6	38%	60%	2%
Other	31%	65%	4%
Total	44%	54%	2%

Based on these results the 40 km/h speed limit in residential areas was not supported by the public in all wards.

Question 2 - Do you support setting the speed limit to 40 km/h along the lake shore in Haldimand County (specifically on South Coast Drive, Lakeshore Road and North Shore Drive)?

Location	Yes	No	No Opinion
Ward 1	50%	44%	6%
Ward 2	41%	41%	5%
Ward 3	42%	45%	13%
Ward 4	48%	40%	12%
Ward 5	51%	48%	1%
Ward 6	41%	53%	6%
Other	33%	61%	6%
Total	47%	45%	8%

Based on these results the 40 km/h speed limit along the lake shore was narrowly supported with the predominantly rural wards supporting the change and the predominantly urban wards not supporting the change.

One common theme, mentioned in almost half the comments throughout the survey, was the lack of enforcement and the effect this has on the current speed limits being followed and as a reason not to lower the limits.

Recommendations

Based on these results and input from local councillors staff are recommending the following:

- No change to the urban/rural residential area speed limits (keep at the provincial standard of 50 km/h as legislated in the Highway Traffic Act).
- Reduce speed limits on Lakeshore Road, South Coast Drive and Blue Water Parkway (both mentioned in a number of the comments with “Yes” votes from Ward 1) to 40 km/h.
- Reduce North Shore Drive to 40 km/h from Niagara boundary to Mohawk Point Road.
- Extend the 50 km/h transition zone on the west approach to the North Shore Drive 40 km/h zone.

These changes, if implemented, will create a consistent 40 km/h speed limit along the most populated sections of the roads running along the lake shore.

It should be noted that the speed limit on North Shore Drive is currently posted at 60 km/h in Niagara and staff will notify Niagara if the speed limit is changed at the Haldimand boundary.

Speed Limit Policy Evaluation

In order to provide additional rationale for the proposed speed limit reductions on South Coast Drive, Blue Water Parkway, Lakeshore Road and North Shore Drive an evaluation was completed using the Speed Limit Policy (see Attachment 1). This evaluation followed the typical process for reviewing proposed speed limit reductions.

The dwellings along South Coast Drive, Blue Water Parkway, Lakeshore Road and North Shore Drive are mainly seasonal cottages however the number of year round residences continues to grow and many of the buildings are built relatively close to the edge of the road. During the summer months there is a high volume of pedestrian traffic and other types of slow moving transportation including bicycles and golf carts using the roads.

In order to evaluate the current posted speed limits, staff conducted a visual review of the existing conditions along South Coast Drive, Blue Water Parkway, Lakeshore Road and North Shore Drive as the Speed Limit Policy also provides for the evaluation of criteria to determine if a posted speed limit other than those recommended in Table 1 (50 km/h for semi-urban sections of collector roads) should be considered.

Using these criteria staff have evaluated the existing conditions along South Coast Drive, Blue Water Parkway, Lakeshore Road and North Shore Drive as follows:

Constrained by physical characteristics <ul style="list-style-type: none">• Narrow roads with no shoulders	Yes
Constrained by adjacent land uses and associated activities <ul style="list-style-type: none">• Numerous closely spaced cottages/homes along the lake shore• About a third of the buildings are located within 5 m of the edge of the road• High volume of pedestrian traffic during the summer months	Yes
Required for heightened safety in sensitive areas such as school zones	No
Required for safe operation temporarily in a construction zone	No
Evidenced by a significantly higher than normal frequency or severity of accidents attributable to excessive speeds	No
The recommended level in Table 1 (Haldimand Policy 2007-02) is shown to be higher than the inferred design speed	No

Based on the rationale for the two “Yes” evaluation criteria in the Speed Limit Policy and the Ontario Traffic Manual (OTM) Book 5 speed control sign standards, a reduction to 40 km/h is appropriate for South Coast Drive, Blue Water Parkway, Lakeshore Road and North Shore Drive.

Future Speed Limit Reductions

The number of responses to the public survey clearly indicates that issues related to speed limits and enforcement generate strong public interest. Based on the survey comments received it is also clear that there will be additional requests for speed limit reductions in specific areas.

It is recommended that future speed limit reductions be dealt with as they are brought forward and that they follow the process of getting local public support and evaluation using the Speed Limit Policy criteria.

FINANCIAL/LEGAL IMPLICATIONS:

It should be noted that if Council wishes to change the urban/rural residential speed limits to 40 km/h, each street would have to be signed as the limit is different from the Highway Traffic Act and this would cost approximately \$200,000 for the entire County depending on the implementation plan and required signage for effective enforcement.

STAKEHOLDER IMPACTS:

Not applicable.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Speed Limit Policy No. 2007-02