To: City Council

From: Kevin Alexander, Commissioner, Community and Operations Services Department

Report Number: CNCL-24-26

Date of Report: March 20, 2024

Date of Meeting: March 25, 2024

Subject: 40 km/h Area Program (Maximum Rate of Speed Areas)

Ward: All Wards

File: 03-05

1.0 Purpose

The purpose of this report is to report back to Council on the results of the 40 km/h Area Program as approved by Council at its meeting of May 12, 2022 as part of the Neighbourhood Traffic Management Guide.

Attachments 1 to 5 are maps of each ward outlining 40 km/h Pilot Areas and potential 40 km/h expansion areas. It should be noted that potential 40 km/h area boundaries indicated on each map could be subject to change based on technical review.

Attachment 6 provides a summary of speed data, within each 40 km/h Area Pilot Area, before and after implementation.

2.0 Recommendation

It is recommended to City Council:

1. That, pursuant to Report CNCL-24-26 dated March 20, 2024, concerning the 40 km/h Area Program, that Council select an appropriate option as set out in Section 5.6 of this Report.

3.0 Executive Summary

Not Applicable.
4.0 Input From Other Sources

- Corporate Leadership Team
- Finance Services
- Legal Services
- Legislative Services
- Operations Services
- Municipalities: Ajax, Clarington, Milton, Mississauga, St. Catharines, Scugog, Uxbridge, Waterloo, Whitby
- Durham Regional Police Service

5.0 Analysis

5.1 Background

At its meeting of May 12, 2022, Council approved the recommendations in Report CNCL-22-37 - Neighbourhood Traffic Management Guide (“N.T.M.G.”), which included the new 40 km/h Area Pilot Program (“the Pilot Program”). Details of the Program are outlined in Section 5.6 of Report CNCL-22-37.

At its meeting of September 26, 2022, Council approved the recommendations in Report CS-22-83 which included delegated authority to the Commissioner, Community and Operations Services to pass a by-law to amend Schedule XXVI – Maximum Rate of Speed Area to Traffic and Parking By-law 79-99, as amended, in order to implement the five areas that will be included in the Pilot Program.

At its meeting of January 30, 2023, Council received Report CO-23-02 concerning a 40 km/h area pilot for downtown Oshawa. Included in the Executive Summary of the report, staff advised that they consulted with the Ward 4 Councillors on the proposed downtown boundaries, and indicated that implementation would proceed as part of the Pilot Program.

5.2 Highway Traffic Act and Regulations

The default speed limit in Oshawa and other local municipalities or built-up areas throughout the Province of Ontario is 50 km/h, which is legislatively prescribed in the Highway Traffic Act, R.S.O. 1990, c. H.8 (“H.T.A.”). Municipalities do not have authority to set statutory (unposted) speed limits within their urban boundaries at any speed other than 50 km/h. The legislated 50 km/h speed limit is posted at all entrances to the City.

Section 128, Part IX of the H.T.A. states that a municipality may prescribe a rate of speed different from the default speed limit of 50 km/h for a portion of a highway under its jurisdiction. This portion of highway must be posted with a speed limit sign. Depending on the length of this area, multiple speed limit signs may be required to comply with regulations under the H.T.A. 40 km/h zones, similar to those installed fronting parks and school zones in Oshawa, have been prescribed under this regulatory framework.

In May 2017, Bill 165, the Safer School Zones Act, 2017, S.O. 2017, c. 9 (“Safer School Zones Act, 2017”) was proclaimed into force and provided municipalities with a new
mechanism for designating speed limits below 50 km/h. Municipalities can now change the rate of speed for an entire area. This requires a speed limit sign at the entrance and exit of each roadway into the area. The speed limit sign must be accompanied with an “AREA BEGINS” sign tab at each entrance, and an “AREA ENDS” sign tab at each exit. The Pilot Program locations were prescribed under this regulatory framework.

5.3 40 km/h Area Pilot Program Summary

The Pilot Program began October 2022 and concluded November 2023. A list and map of current 40 km/h areas, including the five pilot locations are available in Schedule XXVI – MAXIMUM RATE OF SPEED AREA of the Traffic and Parking By-law 79-99, as amended. The area names in Schedule XXVI are not associated with the ward number, and are utilized to correlate the list of 40 km/h areas to the corresponding map.

A speed study was conducted within each pilot area in order to evaluate the before and after rate of speed of vehicles travelling within the area. This evaluation was completed along multiple and varying types of roadway to ensure comprehensive data collection.

A summary of speed data within each 40 km/h Area Pilot area is appended as Attachment 6.

Overall, the results of the Pilot Program indicated no consistent and measureable differences in the rate of speed of vehicles during the data collection period. Some road segments indicated a decrease in the rate of speed while others indicated an increase.

As such, staff have concluded that reducing the posted speed limit alone does not consistently correspond to a reduction in vehicle operating speeds. A combination of enforcement strategies, changes to the physical characteristics of the roadway, or implementation of other traffic calming measures could be considered to improve operating speeds for some roadways.

5.4 Other Municipalities

As part of a benchmarking comparison and analysis, staff reached out to municipalities throughout Ontario in October 2023 to gather information regarding 40 km/h areas. Many municipalities have or are in the process of moving toward a municipal-wide and focused approach to speed reductions.

Some of the information received can be summarized as follows:

- The Town of Ajax is not implementing 40 km/h areas at this time.
- The Municipality of Clarington does not have 40 km/h areas at this time, but this is currently under review.
- The Town of Milton has piloted one 40 km/h area that is currently under review.
- The City of Mississauga completed a Neighbourhood Area Speed Limit Project in 2022, and has reduced all neighbourhood speed limits to 40 km/h, with neighbourhood school zones reduced to 30 km/h.
• The Township of Scugog has lowered the speed limit to 40 km/h on most local urban roadways and fronting school zones.
• The City of St. Catharines is currently reducing the speed limit on neighbourhood local roads using 40 km/h areas.
• The Township of Uxbridge has implemented 40 km/h areas on local roadways.
• The Town of Whitby is currently reviewing the implementation of 40 km/h areas at this time.
• The Region of Waterloo has permanently reduced the speed limit to 40 km/h on Regional roads in school zones.

5.5 Neighbourhood Traffic Management Guide - Relevant Highlights

5.5.1 Public Consultation

During the public consultation phase of the N.T.M.G., community members were asked what best reflected their view about 40 km/h speed limits. The 107 responses were broken down as follows:

• 43% selected: 40 km/h speed limits should be installed on all residential streets.
• 32% selected: 40 km/h speed limits should only be installed on City roadways adjacent to schools and parks.
• 18% selected: 40 km/h speed limits should be installed on residential roadways that have a proven speeding problem.
• 7% selected: There are no valid reasons for installation of 40 km/h speed limits.

5.5.2 N.T.M.G. 40 km/h Recommendation

As indicated in the Executive Summary to the N.T.M.G. as prepared by IBI Group (Attachment 2 to CNCL-22-37) “it is recommended that the City of Oshawa set a target to reduce posted speed limits on all local roads to 40 km/h.”

5.5.3 Designation of 40 km/h Zone in Ward 3

At its meeting of November 20, 2023, Council adopted the following recommendation contained in Report CO-23-63 – Designation of a 40 km/h Zone on Certain City Roads (Ward 3) as follows:

“That the area south of Taunton Road East, west of Townline Road North, north of Rossland Road East and east of Harmony Road be designated as a 40 km/h zone area and that staff take the necessary action required to implement this.”

The 40 km/h area proposed above can be delivered as part of the 40 km/h Area Program outlined in this report. Further review by staff will determine the precise 40 km/h area boundaries and its priority in the program.
5.5.4 Expansion of 40 km/h Pilot Project in Ward 1

At its meeting of November 20, 2023, Council referred the following recommendations concerning Report CO-23-64 – Expansion of 40 km/h Pilot Project (Ward 1) back to staff:

“Whereas the 40km pilot program approved by Council in 2022 has been well received and residents in the area west of Harmony Road to Ritson Road and north of Taunton Road have been requesting the program be expanded to include their neighbourhood;

Therefore the 40 km pilot program be expanded to include the area west of Harmony Road to Ritson Road North of Taunton Road and South of Conlin Road.”

The 40 km/h area proposed above can be delivered as part of the 40 km/h Area Program outlined in this report. Further review by staff will determine the precise 40 km/h area boundaries and its priority in the program.

5.5.5 The Glens Neighbourhood

The Glens Neighbourhood has been previously identified as a 40 km/h area. This area would include the roadways east of Stevenson Road North, north of Rossland Road West, west of Oshawa Creek, and south of the Oshawa Executive Airport.

The 40 km/h area proposed above can be delivered as part of the 40 km/h Area Program outlined in this report. Further review by staff will determine the precise 40 km/h area boundaries and its priority in the program.

5.6 40 km/h Area Program Options

5.6.1 Option 1 – Implement a 40 km/h Area Program

While reducing posted speed limits alone may have limited effect on vehicle speeds, installing 40 km/h areas can still make sense from a policy perspective when considering long-term goals related to road safety. The World Health Organization (WHO) has identified speed to be a key contributing factor in road traffic collisions, deaths and injury severity. Lowering speed limits in residential neighbourhoods could be considered the first step towards a goal of creating a safer road environment.

Staff have completed a preliminary review of the City’s existing road network to determine what neighbourhoods may be eligible for a 40 km/h speed limit. 40 km/h areas should be focused on local class roadways within residential neighbourhoods. Collector and some arterial roadways can be considered for inclusion within a 40 km/h area on a case by case basis. 40 km/h speed limits are not suitable for some arterial roadways based on technical review, i.e., Regional roads would require Regional approval. Any future residential developments will be considered for 40 km/h areas following the same process as outlined in this report and when staff review development plans submitted by the developer.
Attachments 1 to 5 are maps of each Ward indicating potential 40 km/h areas. 40 km/h area boundaries indicated on the map could be subject to change based on technical review.

There are approximately 55 locations across the City that have the potential to be 40 km/h areas. Approximately 1,500 new signs must be purchased and installed to complete all the 40 km/h areas. With current City resources including staff and equipment, it is suggested that implementation be phased over a 4 year period (2024-2027).

Each 40 km/h area requires that all entrances into the area include a “MAXIMUM 40 km/h” sign with an “AREA BEGINS” sign tab, and that all exits from the area include a “MAXIMUM 40 km/h” sign with an “AREA ENDS” sign tab. This will typically require a new wood post to be installed for each sign, unless an existing wood post or pole is already in place in the correct location. Underground utility locates are also required for all new posts or poles being installed. However, implementing area speed limits will greatly reduce the quantity of signs required compared to implementing a speed limit change on a street by street basis.

If Council wishes to adopt Option 1, staff will begin implementing the 40 km/h Area Program as outlined in this section beginning this year. This option does not require any further amendments to be made to Traffic and Parking By-law 79-99, as amended, as Council has already delegated authority to the Commissioner, Community and Operations Services Department to implement maximum rate of speed areas.

If Council wishes to adopt Option 1, the following recommendation should be considered:

It is recommended to City Council:

That in accordance with Report CNCL-24-26 dated March 20, 2024, staff proceed with implementing the 40 km/h Area Program beginning in 2024.

5.6.2 Option 2 – Do not implement a 40 km/h Area Program

If Council wishes to adopt Option 2, a 40 km/h Area Program will not be implemented and the existing 40 km/h Area Pilot Program locations would remain in place. Staff time and resources would be required to remove the 40 km/h Area Pilot Program locations and there would be no benefit to their removal.

If Council wishes to adopt Option 2, the following recommendation should be considered:

It is recommended to City Council:

That the 40 km/h Area Program not be implemented; and,

That Traffic and Parking By-law 79-99 as amended, be further amended to remove the delegated authority from the Commissioner, Community and Operations Services Department to amend Schedule 26 – “Maximum Rate of Speed Area” of the Traffic and Parking By-law 79-99.
6.0 Financial Implications

6.1 Option 1 Financial Implications

Option 1, as outlined in Section 5.6.1 of this report, includes the following financial implications:

The estimated cost to implement the proposed 40 km/h Area Program over a 4 year period (2024 to 2027) including staff time, equipment, material, and purchase and installation of approximately 1,500 new traffic signs, is approximately $225,000.

The approximate cost for the first year of implementation in 2024 is $56,000. This cost includes staff time, equipment, material, and purchase and installation of approximately 350 new traffic signs. This cost can be funded by the Capital Projects related to the Neighbourhood Traffic Management Guide.

The appropriate funding envelope for the remainder of the cost of the project (years 2025 to 2027) will be requested in future operating and/or capital budgets.

The estimated cost of the program will be subject to inflationary costs each year that was not considered in the overall estimated cost of $225,000. The total cost of the program is also subject to change as each 40 km/h area is technically reviewed in further detail.

6.2 Option 2 Financial Implications

There are no financial implications associated with Option 2 as outlined in section 5.6.2 of this report.

7.0 Relationship to the Oshawa Strategic Plan

The recommendations in this report advances the Social Equity goal in the Oshawa Strategic Plan.

Beth Mullen, Director,
Community Support Services

Kevin Alexander, Commissioner,
Community and Operations Services Department
LEGEND
- Ward Boundary
- Proposed 40 km/h Area
- 40 km/h Pilot Area

Proposed 40 km/h Area locations are approximate. Further review is required to determine final boundaries.

CITY OF OSHAWA
COMMUNITY & OPERATIONS SERVICES
WARD 1 - 40 km/h Areas

CNCL-24-26
Attachment 1
CITY OF OSHAWA
COMMUNITY & OPERATIONS SERVICES
WARD 2 - 40 km/h Areas

CNCL-24-26
Attachment 2

LEGEND

- Ward Boundary
- Proposed 40 km/h Area
- 40 km/h Pilot Area

Proposed 40 km/h Area locations are approximate; further review is required to determine final boundaries.
WARD 3

Beatrice St E
Bond St E
King St E
Townline Rd N
Wilson Rd N
Taunton Rd E
Olive Ave
Rossland Rd E

LEGEND

CITY OF OSHAWA
COMMUNITY & OPERATIONS SERVICES
WARD 3 - 40 km/h Areas
CNCL-24-26
Attachment 3

Proposed 40 km/h Area locations are approximate further review is required to determine final boundaries
LEGEND

- Ward Boundary
- Proposed 40 km/h Area
- 40 km/h Pilot Area

Proposed 40 km/h Area locations are approximate further review is required to determine final boundaries
WARD 5 - 40 km/h Areas

CNCL-24-26
Attachment 5

Proposed 40 km/h Area locations are approximate
further review is required to determine final boundaries
### Ward 1 - 40 km/h Area Pilot Study - Installed June 9, 2023

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**40 km/h Area Pilot Study**

**CNCL-24-26 Attachment 6**

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