

To: Community Services Committee

From: Ron Diskey, Commissioner,
Community Services Department

Report Number: CS-22-83

Date of Report: September 14, 2022

Date of Meeting: September 19, 2022

Subject: Maximum Rate of Speed Area

Ward: All Wards

File: 03-05

1.0 Purpose

The purpose of this Report is to amend the City of Oshawa's Traffic and Parking By-law 79-99, as amended ("Traffic and Parking By-law") to include provisions for Maximum Rate of Speed Areas.

2.0 Recommendation

That the Community Services Committee recommend to City Council:

1. That based on Report CS-22-83, dated Sept 14, 2022, the Traffic and Parking By-law 79-99, as amended, be further amended to implement the revision outlined in Section 5.2 of this report.

3.0 Executive Summary

On May 12, 2022, City Council approved report [CNCL-22-37 Neighbourhood Traffic Management Guide](#) which included the approval of the new 40 km/h area pilot program outlined in section 5.6 of the report.

The City of Oshawa does not currently have 40 km/h speed limits installed that encompass entire areas/neighbourhoods.

To implement the proposed 40 km/h Area Pilot Program, an amendment to the Traffic and Parking By-law is required to include the provisions for a maximum rate of speed area. This report and the corresponding by-law addresses this requirement.

4.0 Input From Other Sources

- Legal Services

5.0 Analysis

5.1 Background

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 City of Oshawa does not currently have maximum rate of speed areas under its jurisdiction.

On May 12, 2022 City Council approved the recommendations outlined in Report [CNCL-22-37 – Neighbourhood Traffic Management Guide](#). This included the following recommendation: “That City Council approve the new 40 km/h area pilot program outlined in the Section 5.6 of this report”.

To implement this program, changes to the City’s Traffic and Parking By-law are required.

5.2 Proposed Amendments to the Traffic and Parking By-law

The Traffic and Parking By-law requires the following changes to allow for rate of speed changes to designated areas:

- Schedule XXVI – Maximum Rate of Speed Area will be created. This new schedule will list all of the Maximum Rate of Speed Areas that have been implemented, and provide corresponding maps that indicate the boundaries of each area.
- A new definition:
“MAXIMUM RATE OF SPEED AREA” means an area designated pursuant to the Ontario *Highway Traffic Act*, R.S.O. 1990, c. H.8; where the maximum rate of speed for all HIGHWAY’s is less than 50 km/h, as listed in Schedule XXVI to this By-law.
- A new subsection:
18.2 MAXIMUM RATE OF SPEED AREA: Where an OFFICIAL SIGN to that effect has been posted on a HIGHWAY; when any MAXIMUM RATE OF SPEED AREA in Column 1 and 2 of Schedule XXVI (Part 1) and set out on the corresponding maps in Schedule XXVI (Part 2) of this By-law is marked in compliance with the regulations made under the Ontario *Highway Traffic Act*, R.S.O. 1990, c. H.; the maximum rate of speed thereon shall be the rate of speed prescribed in Column 3 of Schedule XXVI (Part 1).

(a) In the event there is a conflict between Schedule XVII and Schedule XXVI, the maximum rate of speed set out in Schedule XVII shall apply.

- Delegated Authority:
The City's Commissioner of Community Services is authorized to pass a by-law to amend Schedule XXVI – Maximum Rate of Speed Area in a form satisfactory to the City Solicitor.

5.2.1 Delegated Authority

Report [CS-18-38](#) dated, May 4, 2018 recommended changes to the Traffic and Parking By-law that provide the Commissioner of Community Services the authority to implement changes to certain schedules of the By-law. This currently includes the authority to implement changes to the following schedules:

- Schedule I – No Stopping
- Schedule II – No Parking
- Schedule III – Parking for Restricted Periods
- Schedule IV – No Standing
- Schedule VIII – Loading Zones
- Schedule XII – Turning Movements Prohibited
- Schedule XIII – U Turns Prohibited
- Schedule XIV – Through Highways
- Schedule XV – Stop Signs
- Schedule XVI – Yield Right of Way Signs
- Schedule XIX – Heavy Traffic Prohibited
- Schedule XXIII – Authorized Signs

It is recommended that the Commissioner of Community Services also be granted authority to the amend Schedule XXVI – Maximum Rate of Speed Area.

This authority is intended to implement the five areas that will be included in the 40 km/h Area Pilot program outlined in section 5.6 of Report [CNCL-22-37 – Neighbourhood Traffic Management Guide](#).

Following the pilot program, staff will report back to Council in 2023 with a summary of results regarding the implementation of the first five pilot locations, and to outline a program for future implementation of 40 km/h areas throughout the City. Delegated authority to amend schedule XXVI – Maximum Rate of Speed Area as part of a potential future program will be reviewed at that time.

6.0 Financial Implications

There are no financial implications associated with the recommendations of this report.

7.0 Relationship to the Oshawa Strategic Plan

This report addresses the Oshawa Strategic Plan by responding to the goal of “Social Equity” with the theme of “An Active, Healthy and Safe Community” by continuing to support safe, shared use of roadways, trails, and other transportation systems and effectively focusing on accessibility, safety and speed reduction.

A handwritten signature in black ink, appearing to read "B. Mullen", on a light gray background.

Beth Mullen, Director,
Strategic and Business Services

A handwritten signature in blue ink, appearing to read "Ron Diskey", on a white background.

Ron Diskey, Commissioner,
Community Services Department