

July 2, 2019

The Honourable Caroline Mulroney
Minister of Transportation and
Minister of Francophone Affairs
Ministry of Transportation
Queen's Park/Minister's Office
5th Floor, 777 Bay Street
Toronto ON M7A 1Z8

minister.mto@ontario.ca

The Honourable Doug Downey
Attorney General
Ministry of the Attorney General
McMurtry-Scott Building
720 Bay Street, 11th Floor
Toronto ON M7A 2S9

attorneygeneral@ontario.ca

Her Honour the Honourable Elizabeth Dowdeswell
Lieutenant Governor of Ontario
Queen's Park
Toronto ON M7A 1A1

Subject: Traffic Calming and Speed Limit Review

At its meeting on June 24, 2019, Oakville Town Council approved the following recommendation of the Community Services Committee resulting from its meeting held on June 17, 2019, regarding the subject item noted above:

1. That the Report entitled "Traffic Calming and Speed Limit Review" from the Engineering and Construction Department dated May 27, 2019 be received.
2. That staff be directed to provide a report to the 2020 Budget Committee on the implementation of Automated Speed Enforcement (photo radar), including an analysis of the capacity to process the resulting *Provincial Offences Act* caseload, and estimated budget implications.
3. That staff be directed to provide a report to the 2020 Budget Committee with the proposed criteria, inventory and the costs associated with additional 40 km/h zones at limited high pedestrian generator areas (e.g. Business Improvement Areas (BIAs) and major active parks on local and minor collector roads).

Subject: Traffic Calming and Speed Limit Review

4. That, where not already established, staff be directed to implement Community Safety Zones at every all-day 40 km/h zone fronting an elementary school on a major road.
5. That the Updated Toolbox of Traffic Calming Measures, as detailed in the staff report from the Engineering and Construction Department dated May 27, 2019, be endorsed.
6.
 - a) That staff be directed to implement the revisions to the town's current Traffic Calming Process, as detailed in the staff report from the Engineering and Construction Department dated May 27, 2019.
 - b) That staff report on the requirements and implications to achieve a project approval process of six months or less from the time of a finding of warrant being met.
7. That staff be directed to provide a report to the 2020 Budget Committee with a multi-year Major Road Elementary School Zone Traffic Calming Program, including short-term installation of fixed Radar Speed Display Signs (RSDS) at elementary schools on major collector and minor arterial roads.
8. That staff report to a future Community Services Committee meeting on the advisability of encouraging use of the Local Improvements tool for traffic calming where the warrants are not met but residents still desire traffic calming.
9. That staff consult with the West River Residents Association to develop and test a pilot project of 40 km/h speed limits on a neighbourhood basis.
10. That the following resolution be passed:

WHEREAS on May 30, 2017, the Legislative Assembly of Ontario passed Bill 65 – *Safer School Zones Act*, authorizing municipalities to operate automated speed enforcement in community safety zones and school zones on roads under their jurisdiction;

WHEREAS municipalities would be responsible for the implementation and operational costs of automated speed enforcement on roads under their jurisdiction;

WHEREAS the bylaws designating community safety zones and school zones or implementing the automated speed enforcement would be enacted under the *Highway Traffic Act* (HTA) and would create HTA offences;

WHEREAS HTA offences are administered through the *Provincial Offences Act* (POA) courts and any HTA fine revenue collected through the POA courts would be retained by the POA court program not the local municipality;

WHEREAS the *Municipal Act, 2001* authorizes municipalities to implement an administrative monetary penalty system for parking, licensing and other bylaws enacted under that Act, and Bill 68 *Modernizing Ontario's Municipal Legislation Act, 2016* proposes to include authority for administrative monetary penalties to enforce the HTA;

WHEREAS s. 21.1 of the HTA would allow for a regulation to prescribe persons authorized to enforce prescribed offences through administrative monetary penalties rather than the POA courts;

WHEREAS penalties for offences arising out of enforcement through technology such as automated speed enforcement can be administered effectively and efficiently through an administrative monetary penalty system;

WHEREAS there is extremely limited capacity in the POA courts to prosecute the potential volume of cases arising from automated speed enforcement, and the Town of Oakville only has one half day per month of regularly scheduled POA court time to prosecute all matters; and

WHEREAS, despite a variety of traffic calming approaches utilized within the community, speeding and the enforcement of speeding laws remain a significant concern in Oakville;

BE IT RESOLVED THAT Council requests the Minister of Transportation to continue working with municipalities and the Ontario Traffic Council on the swift adoption of the regulation(s) necessary to implement automated speed enforcement, including the use of administrative monetary penalties by municipalities;

AND BE IT RESOLVED THAT Council requests the Minister of Transportation in conjunction with the Lieutenant Governor in Council to make a regulation pursuant to s. 21.1 of the HTA, that would allow for offences created by automated speed enforcement to be administered through the administrative monetary penalties by municipalities and for the Attorney General to support the necessary changes to allow technology-based enforcement to be administered through administrative monetary penalties by municipalities and that this resolution be forwarded to all Ontario municipalities.

Page 4

July 2, 2019

Subject: Traffic Calming and Speed Limit Review

The staff report may be viewed on the town website at the following link (see Item 9):
[Community Services Committee Agenda](#).

Should you have any questions regarding this matter or require additional information, please contact Jill Stephen, Director of Engineering and Construction, at 905-845-6601, extension 3308 or email jill.stephen@oakville.ca.

Yours truly,

A handwritten signature in black ink, appearing to read 'V-Tytaneck', with a long horizontal stroke extending to the right.

Vicki Tytaneck
Town Clerk

c. Geoff Wilkinson, Executive Director, Ontario Traffic Council

email: Ontario Municipalities

Jill Stephen, Director of Engineering and Construction