



Report to Council

Department: Infrastructure Services
Division: Infrastructure Services
Date: December 21, 2020
Prepared by: Kevin Girard, P.Eng, MBA
Director, Infrastructure Services
Report Number: Infrastructure Services-2020-10
Subject: 3rd Concession Truck Traffic Petition
Number of Pages: 8 (including attachments)

Recommendation(s)

That Infrastructure Services – 2020-10 entitled, “3rd Concession Truck Traffic Petition” prepared by Kevin Girard dated December 21, 2020 be received, and

That Council receive the petition filed by the residents of the 3rd concession between County Road 11 (Walker Road) and County Road 23 (Arner Townline).

Purpose

The purpose of this report is to present Council with a petition that was received regarding the truck traffic on the 3rd concession from County Road 11 (Walker Rd) to County Road 23 (Arner Townline).

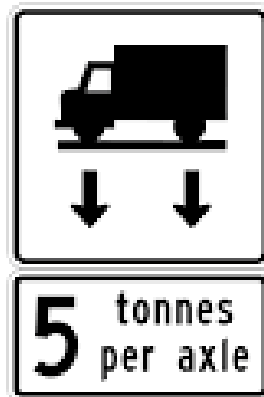
Background and Discussion

On October 19th, 2020, the Town of Essex received the petition attached regarding truck traffic on the 3rd concession from County Road 23 (Arner Townline) to County Road 11 (Walker Road).

Although the petition states that the petitioners wish “to stop the illegal use of truck transport traffic on Concession 3”, it was further clarified that the residents are in fact requesting that the Town consider making the 3rd Concession a “No Truck Route”. In addition to this petition, it should be noted that the Town is also in receipt of a second petition to review the speed limit on the 3rd Concession between McClean Road and McCormick Road. This petition will be reviewed in accordance with the Town’s Policy for Establishing Speed Limits on Town of Essex Roads, adopted by Council on July 6th, 2020.

In accordance with the *Highway Traffic Act*, the 3rd Concession from Arner to Walker currently has a load restriction in place of 5 tonnes per axle which is posted with signs such as those in Figure 1.

Figure 1: Load Restriction Signage



In addition, the roadway is also designated as a “Class B Road”, governed by both the *Highway Traffic Act* (HTA) and also *Town of Essex By-Law #809*. By-Law 809, similar to the HTA, provides that no vehicle or combination of vehicles in the Town of Essex shall be operated on a Class ‘B’ highway where the weight upon one axle exceeds 8,200kg (8.2 tonnes), or, if the axles are spaced less than 2.4 metres apart, where the weight upon one axles exceeds 5,500kg (5.5 tonnes). In addition, Part 4 of the by-law 809 states:

When suitable signs have been erected and are on display, no person shall operate or cause to be operated a heavy vehicle or combination of heavy vehicles on a Class B

highway within the municipal limits of the Corporation of the Town of Essex from January 1st to December 31st in each year.

After receiving the petition for the request to implement a 'No Truck Route', the Town requested that the Ontario Provincial Police (OPP) step up enforcement and identify if vehicles using this stretch of Town road were in violation of the posted signage. Following an OPP blitz of the area, it was identified that all of the vehicles, specifically trucks, were not carrying cargo (not loaded) and were therefore, under to posted weight limit of 5 tonnes per axle. In addition to the blitz, the Town also requested that the speed radar trailer be set up on this stretch of road to bring awareness to speed limits and overall enforcement. The trailer was positioned on the 3rd concession through the week of December 6th, 2020.

The 3rd concession is a rural concession road designed to carry traffic under 5 tonnes per axle and is used for through traffic as well as local traffic. Posting the 3rd concession as a 'No Truck Route' will eliminate the use of this road to trucks and will have a negative impact on businesses that operate near and on the 3rd concession. Further, the implementation of a 'No Truck Route' on the 3rd concession is likely to set a precedent to allow for other concession roads in the Town of Essex to request the same.

Based on the facts identified in this report, it is recommended that the 3rd concession remain a Class 'B' road, which limits the use to vehicles under 5 tonnes per axle. Further, that the speeding concerns and subsequent speed limit reduction petition brought forward through a separate petition, be conducted through the Policy for Establishing Speed Limits in the Town of Essex.

Financial Impact

There is no financial impact as a result of this report.

Consultations

Norm Nussio, Manager, Operations and Drainage

Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk

Link to Strategic Priorities

- ☒ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☐ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☐ Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.

Report Approval Details

Document Title:	3rd Concession Truck Traffic Petition - Infrastructure Services-2020-10.docx
Attachments:	- 3rd Concession_Truck Traffic_Petition.pdf
Final Approval Date:	Dec 15, 2020

This report and all of its attachments were approved and signed as outlined below:

A handwritten signature in black ink, appearing to read "Chris Nepszy". The signature is fluid and cursive, with a period at the end.

Chris Nepszy, Chief Administrative Officer - Dec 15, 2020 - 11:17 AM