



## Report to Council

Department: Infrastructure Services  
Division: Capital Works and Asset Management  
Date: April 22, 2025  
Prepared by: Erica Tilley, P. Eng.,  
Assistant Manager, Capital Works & Asset  
Report Number: Capital Works and Asset Management-2025-12  
Subject: 3rd and 4th Concession Speed Limits  
Number of Pages: 6

### Recommendation(s)

**That** Capital Works and Asset Management 2025-12 entitled, “3<sup>rd</sup> and 4<sup>th</sup> Concession Speed Limits” prepared by Erica Tilley, Assistant Manager, Capital Works and Asset Management dated April 22, 2025 be received, and

**That** Council direct Administration to, by way of by-law, repeal By-Law 1454 and amend Schedule “A” to By-Law 1061 being a by-law to regulate rates of speed on highways to change the speed limit on the 4<sup>th</sup> Concession from County Road 11 to County Road 23 from 60 km/h to 80 km/h.

**That** Council direct Administration to, by way of by-law, amend Schedule “A” of By-Law 1061 being a by-law to regulate rates of speed on highways to change the speed limit on the 3<sup>rd</sup> Concession from County Road 11 (Queen Street) to 100 meters west of Drummond Road from 60km/h to 80km/h.

## Purpose

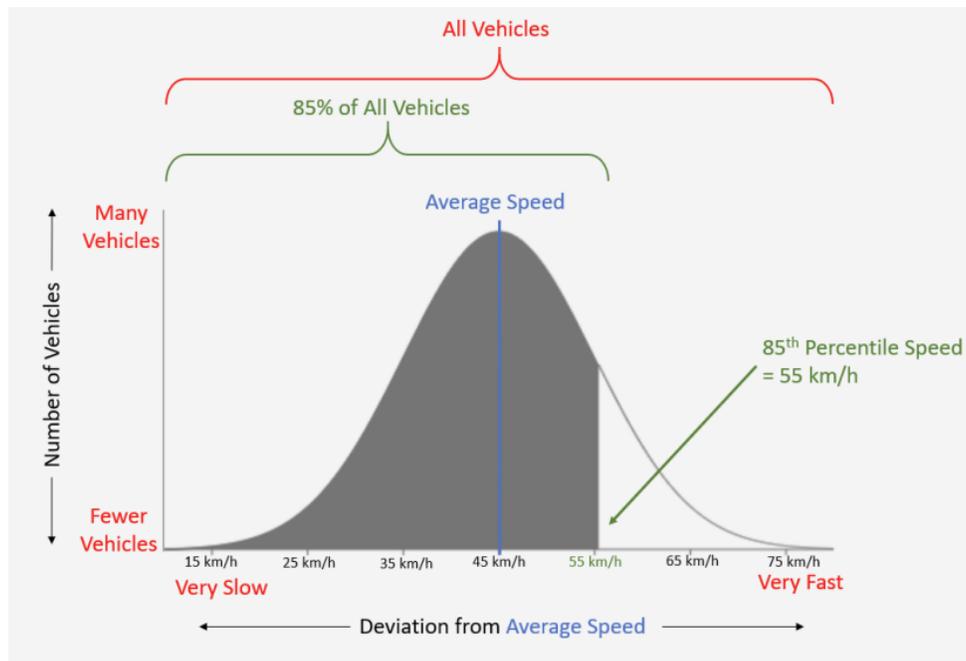
This report has been prepared to provide recommended changes to speed limits on the 3<sup>rd</sup> and 4<sup>th</sup> Concession based on results from the 2024 Annual Speed Monitoring Program.

## Background and Discussion

The 2024 Annual Speed Monitoring Program summary was presented to council by means of the Capital Works and Asset Management-2024-22 report dated December 2, 2024. That report included the findings on the 3<sup>rd</sup> Concession between County Road 11 (Queen Street) to Drummond Road and the 4<sup>th</sup> Concession from County Road 11 (Queen Street) to County Road 23 (Arner Townline) that the observed 85<sup>th</sup> percentile speed was above the current posted speed limit of 60km/h on each road (See figure below for current speed limits on the 3<sup>rd</sup> and 4<sup>th</sup> concessions). Data was collected at various locations, the average 85<sup>th</sup> percentile speed at these locations was 82km/h.



The 85<sup>th</sup> percentile speed is the speed at which 85 percent of drivers are observed to travel at under free flowing conditions past a monitored point. It is typically the speed that most drivers feel comfortable driving at and can be the indicator of if the posted speed limit is an appropriate limit for that section of roadway.



In accordance with the Transportation Association of Canada, setting a speed limit in accordance with the 85<sup>th</sup> percentile speed is premised on safety research that concluded travelling at or around the 85<sup>th</sup> percentile yields the lowest crash risk for drivers. Therefore, a speed limit coincident with the 85<sup>th</sup> percentile speed encourages motorists to travel at the safest speed. This method is also attractive because it reflects the collective judgement of motorists as to a reasonable speed limit for a roadway. Assuming that the majority of motorists are acting reasonably, this also aligns with the legislative objective that laws (i.e. Speed limits) should not make people acting reasonably into lawbreakers. Furthermore,

the use of 85<sup>th</sup> percentile as the primary criterion for selecting a suitable speed limit also satisfies the legal concept that a law cannot be effectively enforced without the consent and voluntary compliance of the public majority.

Concession Road 4 previously had a posted speed limit of 80km/h, however, in October of 2015 through notice of motion and the passing of By-Law 1454, Council reduced the speed limit to 60km/h to address concerns with wildlife crossings and sightings without any traffic study or opinion from Administration of the time. However, through the 2024 Speed Monitoring Program, Administration has obtained objective data that would indicate that motorists observe a safe driving speed of 80km/h based on the conditions of the road. Therefore, it can be concluded that the reduction from 80km/h to 60km/h has caused vehicles travelling at the observed safe driving speed to be in violation of the posted speed limit. Further, if the Town conducted a review today of Concession Road 4 utilizing the Town's policy for Establishing Speed Limits on Town of Essex Roads, there would be no warrant for the reduction of the speed limit from 80km/h to 60km/h.

The Town was unable to determine any history on the 3<sup>rd</sup> Concession speed limit reduction as the By-Law records indicate that the speed was set to 60km/h prior to amalgamation, however, the same justification for an increased speed limit can be used for this road segment.

Based on the above justifications and data, Administration is recommending that the speed limits on the 3<sup>rd</sup> and 4<sup>th</sup> Concessions be increased from 60km/h to 80km/h. That being said, authority for setting speed limits within the Town of

Essex is granted to Council through the Highway Traffic Act, and therefore, Council has the authority to continue the established speed limit of 60 km/h on either road segment.

### **Financial Impact**

All costs associated with changing signage will be absorbed in the 2025 Operating Budget.

### **Consultations**

Kevin Girard, Director, Infrastructure Services

Norm Nussio, Manager, Operations and Drainage

Shelley Brown, Deputy Clerk, Legal and Legislative Services

## **Link to Strategic Priorities**

- Embrace asset management best practices to build, maintain, and continuously improve our municipally owned infrastructure.
- Leverage our Town's competitive advantages to promote jobs and economic investment.
- Take care of our natural environment and strengthen the sense of belonging to everyone who makes Essex "home".
- Deliver friendly customer service in an efficient, effective, and transparent manner while providing an exceptional working environment for our employees.
- Build corporate-level and community-level climate resilience through community engagement and partnership and corporate objectives.

## Report Approval Details

Document Title:	3rd and 4th Concession Speed Limits - Capital Works and Asset Management-2025-12.docx
Attachments:	
Final Approval Date:	Apr 15, 2025

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

**David McBeth, Manager, Capital Works & Asset Management - Apr 14, 2025 - 5:40 PM**



**Kevin Girard, Director, Infrastructure Services - Apr 15, 2025 - 1:07 PM**



**Doug Sweet, Chief Administrative Officer - Apr 15, 2025 - 1:29 PM**