



Administrative Report

Office of the County Solicitor

To: Warden MacDonald and Members of Essex County Council

From: David Sundin, BA (Hons), LL.B.
County Solicitor

Date: Wednesday, February 21, 2024

Subject: Temporary Speed Reduction on County Road 9

Report #: 2024-0221-LCS-R07-DMS

Purpose

The purpose of this Administrative Report (the "**Report**") is to provide County Council with background information to enable Council to consider a By-law with respect to an amendment of By-law 26-2002 to permit the reduction of speed along County Road 9 during construction of the Tunnel (as defined below).

Background

Administration previously came before Council on October 18, 2023 (the Administrative Report for which is appended hereto as **Appendix A**) and December 20, 2023 (the Administrative Report for which is appended hereto as **Appendix B**) regarding the construction of an access culvert (the "**Tunnel**") under County Road 9 for the use of Walker Aggregates Inc. in operating the quarry that abuts that section of County Road 9 (the "**Quarry**").

On October 18, 2023, Council authorized the construction of the Tunnel and the execution of a Road User and Easement Agreement with respect to the Tunnel.

On December 6, 2023, Council authorized the assumption of lands on the Quarry property to be used as a temporary access road during construction of the Tunnel. The lands on which the temporary access road is located as Part 1 on Reference Plan 12R29597, a copy of which is appended hereto as **Appendix C**.

Discussion

During construction of the Tunnel and use of the temporary access road by the public, the best practice dictates that the speed should be reduced, to allow vehicles to move on and off of the temporary access road safely.

For as long as the temporary access road is in place and in use by the public, the recommendations from the traffic engineers in the Infrastructure Services Department is that the speed on County Road 9 from immediately south of its intersection with North Side Road to 320 metres north of its intersection with County Road 10 (the "**Construction Zone**") should be reduced to 50 km/hr.

By-law 26-2002 does not currently allow for the County Engineer to temporarily reduce speed limits himself, and, as such a formal amendment is required to reduce the speed. Providing the County Engineer with some discretion about unilaterally reducing speeds for a limited period of time, such as during construction, may be presented to County Council at a later time.

By-law 26-2002 currently allows for a speed of 80 km/hr in the Construction Zone. It is the recommendation of Administration that the speed in the Construction Zone be reduced to 50 km/hr for so long as the temporary access road is in place and in use by the public.

Financial Implications

There are no financial implications to the County related to this decision of Council.

Consultations

This Report was drafted at the request of, and in consultation with the County's Infrastructure Services Department.

Recommendation

That Essex County Council consider and pass a By-law amending By-law Number 26-2002, reducing the speed in the Construction Zone, from immediately south of its intersection with North Side Road to 320 metres north of its intersection with County Road 10, from 80 km/hr to 50 km/hr.

Approvals

Respectfully Submitted,

David M. Sundin

David Sundin, BA (Hons), LL.B., County Solicitor

Concurred With,

Allan Botham

Allan Botham, P.Eng., Director, Infrastructure and Planning Services

Concurred With,

Sandra Zwiers

Sandra Zwiers, MAcc, CPA, CA, Chief Administrative Officer

Appendix	Title
A (Link)	Report # 2023-1018-IPS-R36-KT-DMS – Quarry Access Culvert
B (Link)	Report # 2023-1220-IPS-R44-KT-DMS – Dedication of Land as Public Highway – Quarry Access Culvert Project
C	Reference Plan 12R29597