

THE REGIONAL MUNICIPALITY OF NIAGARA

PUBLIC WORKS DEPARTMENT

150 BERRYMAN AVENUE, BOX 504
ST. CATHARINES, ONTARIO
L2R 6V9

RECEIVED

November 21st, 1973

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TOWN OF PELHAM

Mr. L. C. Hunt,
Clerk,
Town of Pelham,
P.O. Box 400,
43 South Pelham Street,
Fonthill, Ontario.

Dear Sir:

RE: Town of Pelham - Traffic
By-law No. 199 (1973)

The above referenced by-law which was submitted for Regional Council approval, has been referred to this Department for review and report.

In looking over the by-law, we note that the preamble cites Sub-section (7) of Section 82 of the Highway Traffic Act as the authority; however, this particular Sub-section relates to Townships or Counties and is therefore not applicable in your case. We have checked with the Legal Branch of the Ministry of Transportation and Communications, and they have confirmed that they would not be able to approve the by-law in its present form. It will therefore be necessary to rescind it and re-enact a new by-law.

Because of the rather unusual nature of the speed limit legislation as it applies in Regional Niagara, the Town will actually have to enact a by-law under the authority of Section 82 (5) which confers the authority to increase speed limits. Because you are reducing the speed limit from 50 m.p.h. to 40 m.p.h. this may seem like a contradiction, however, because the section of roadway in question now lies within a Town, the statutory speed limit is 30 m.p.h. You will recall that Section 78 (1) of the Regional Municipality

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Act, in effect, froze speed limits as of December 31, 1969. This was done in order to avoid imposing mandatory 30 m.p.h. speed limits in the rural areas which became parts of cities or towns under the Regional Act. This provision however, only applies until such time as a change is made by municipal by-law. Because the statutory speed limit on Welland Road is 30 mph under the Highway Traffic Act, the Town is technically raising the speed limit from 30 m.p.h. to 40 m.p.h.

Included in our traffic by-law review procedure is an examination of field conditions which helps us to determine if the proposed regulations appear reasonable and generally consistent with established traffic engineering principles. In looking at Welland Road, we note that between Haist Street and Effingham Street there is a posted 30 m.p.h. limit, however, the present signing is inadequate in that there is no "begins" sign for either approach, nor is there a "maximum 50 beings" for westbound traffic at the west end of the zone. We also note that there is apparently a 30 mph zone west of Balfour Avenue in the Village of Fenwick, however, there is only one sign in place and no indication of the beginning or end of the zone.

We carried out a radar speed check at several points along Welland Street and the results would seem to indicate that the 40 m.p.h. limit between Effingham Street and Balfour Avenue is reasonable and on receipt of the amended by-law we will be so recommending to Regional Council. We did, however, note that speeds in the 30 m.p.h. zone between Effingham Street and Haist Street ranged between 38 m.p.h. and 46 m.p.h. This can be interpreted to mean that the limit is perhaps unrealistically low. We are passing this information along to you since we felt that if you are reviewing speed limits in this area, you might wish to consider a 40 m.p.h. limit for the entire section between Haist Street and Balfour Avenue.

For your information, I am also enclosing a copy of a rough sketch of the area indicated the present signing. The speeds shown above and below the roadway are the 85th percentile observed speeds and the arrow indicates the direction of traffic observed.

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By copy of this letter, I am requesting the Regional Clerk to return to you the original of by-law 199 (1973).

Yours truly,

A handwritten signature in black ink, appearing to read "C.H.R. Foster", written over a horizontal line.

C.H.R. Foster,
Traffic Co-ordinator

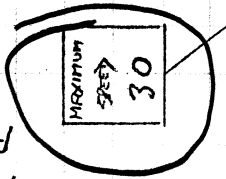
CHRF/sp
encls.

c.c. Mr. W. J. Dawson, Regional Clerk.

A sign in this section



LIGHT RESIDENTIAL WITH
FARMLAND + ORCHARDS



37 MPH

43 MPH

EFFINGHAM ST.

CENTRE ST.

* STR. N° 2
41 MPH

STR. N° 3 *

LIGHT RESIDENTIAL WITH
FARMLAND + ORCHARDS

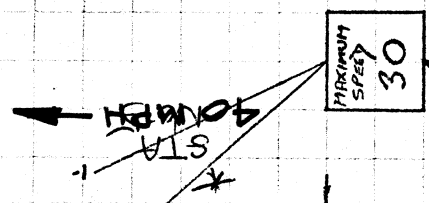
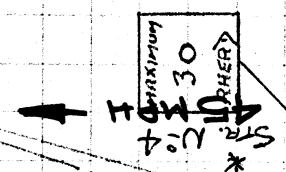
MODERATE
RESIDENTIAL

WOODLANDS

3900 FT
LIGHT RESIDENTIAL

HAIST

3400 FT.



SCHOOL

MODERATE RESIDENTIAL

46 MPH

38 MPH

RESIDENTIAL

NO MAXIMUM
30 ENDS

NO MAX 30
BEGINS.

WELLS RVE.
TOWN OF TELHAM

3 MILES.

EXISTING

PROPOSED 40 MPH SPEED LIMIT

30 MPH SPEED LIMIT