

MEMORANDUM

To: The Members of Grey County Council
From: Peter MacGowan and Fraser McDonald, on behalf of Concerned Rob Roy Residents
Date: February 15, 2024

Members of Grey County Council, we are writing to you on our own behalf and on behalf of a large number of our neighbours, all of whom are concerned about endemic speeding on Grey Road 31 in the vicinity of Rob Roy. We note that all of the landowners on both sides of Grey Road 31 in the vicinity of Rob Roy are supportive of efforts to address the speeding problem. This includes the Governing Board and Congregation of the Rob Roy United Church and the Board of Trustees of the Osprey Museum in the former schoolhouse at the Rob Roy intersection.

We have prepared this memorandum in connection with the proposal (the "Proposal") to extend the 60 km/hr speed zone on Grey Road 31 in the vicinity of Rob Roy so that it begins approximately 1410 metres east of the Rob Roy intersection and ends approximately 450 metres west of the Rob Roy intersection. If implemented, the 60 km/hr zone would be extended from its current length of approximately 665 metres to a new length of approximately 1860 metres (*i.e.*, an extension of approximately 1195 metres).

Although the Proposal was considered and rejected by a majority vote of the members of Council acting as Committee of the Whole on February 8, 2024, we believe that there are compelling reasons for Council to adopt the Proposal and to include the Proposal in the pending amendments to County By-Law 4788-13 Regulating Traffic and Parking. Accordingly, we have prepared this memorandum for consideration by Council before a final decision is made by Council at its February 22, 2024 meeting.

1.0 Background

1.1 General Description of the Road

Grey Road 31, running in an east-west orientation, traverses the head of the Pretty River Valley in the vicinity of Rob Roy. A depiction of the relevant topography appears at Exhibit 1. As that exhibit shows, from both the west and the east, the road first slopes significantly downhill. Upon ultimately reaching the lowest point in the road sag (the "Principal Sag"), where the main branch of the Pretty River crosses under the road, the road then makes a significant uphill climb in both directions. While the Principal Sag bottoms out approximately 300 metres east of the Rob Roy intersection, there is another significant sag (the "Secondary Sag") in the road approximately one kilometre east of the Rob Roy intersection where a tributary of the Pretty River crosses under the road.

1.2 Road Characteristics

Grey Road 31 in the vicinity of Rob Roy is hard-surfaced. A new asphalt lift was installed in the summer of 2022, accompanied by the raising of the graveled shoulders to match the surface level of the new asphalt lift. The road is painted with white shoulder margin lines and with double solid (*i.e.*, no passing) yellow lines marking the road's centre.

1.3 Topography and Drop-Offs

Particularly to the east of the Rob Roy intersection, the road has been raised very significantly relative to the naturally-occurring grade. This results in the presence of significant drop-offs from the shoulders, on both sides of the road. The drop-offs mean that there is virtually no room to pull off the road, particularly for a distance running approximately 700 metres east from Rob Roy and then again in the vicinity of the Secondary Sag, approximately one kilometre east of Rob Roy. The drop-offs are so severe that a rollover is virtually guaranteed if a vehicle exits the roadway. Approximately 250 metres of the dangerous drop-off area (which runs for a total of approximately 1500 metres, is protected by a cedar post/steel cable retaining system. At a point approximately 700 metres east of the Rob Roy intersection and essentially in-line with the parking lot of Rob Roy United Church on the north side of the road a vestigial Niagara Escarpment ridge causes a significant crest (the "Church Crest") on the road. The Church Crest creates significant visibility issues for vehicles traveling either east or west.

1.4 Road Allowance

The road allowance throughout the subject area remains at 66 feet. An active cemetery is located on the north side of the road approximately 700 metres east of Rob Roy; burial plots are located right up to the edge of the road allowance. Due to the cemetery, expanding the width of the road allowance to 100 feet, as is common, is not possible.

1.5 Lane Entrances

Along the length of the road that is the subject of the Proposal, there are ten primary residence lane entrances, one church parking lot, and five secondary or field entrances. One of the field entrances, which is used regularly for livestock feeding purposes, is located less than 200 feet east of the Church Crest.

1.6 The Rob Roy Intersection

Until approximately 2005, Grey Road 31 ran east from Grey Road 13 to Rob Roy, and then turned north to run in a northeast direction down what is now Pretty River Road in Grey Highlands to ultimately connect with Simcoe County Road 124 just south of Nottawa. This configuration was changed in about 2005, with Grey Road 31 being re-routed to continue to run east from Rob Roy to ultimately connect with County Road 124 at Singhampton.

Notwithstanding the 2005 reversion of what is now Pretty River Road from Grey County status to municipal Grey Highlands jurisdiction, the Rob Roy intersection remains a busy intersection due to significant vehicular turning at the intersection, either on to or off Grey Road 31 on to the former County Road (now Pretty River Road) or to Grey Highlands Road 63, running south from Rob Roy. Pretty River Road is also an extremely popular cycling route, with cyclists typically turning west on to Grey Road 31 at the intersection or crossing Grey Road 31 to continue south on Grey Highlands Road 63. Cyclists, of course, also make corresponding turns upon arriving at the Rob Roy intersection from either the west or the south.

1.7 Traffic Patterns on the Road

Without having conducted extensive (and expensive) studies regarding traffic patterns on the road, it is difficult to provide detailed data regarding traffic patterns and road users. Based on careful and extensive review of the use of the road, however, the following observations are worth noting:

1. Speeding is severe and endemic. We will deal with this issue in greater detail below.
2. Traffic volume is increasing, and shows no sign of abating. Twenty-five years ago it would be unusual to have more than 10 to 15 vehicles drive by in an hour. Travel volume has increased by at least ten times that level, and volumes appear to be continuing to increase.
3. There is heavy truck traffic on the road. This is not surprising, given the location of two significant quarries only about five kilometres to the east (*i.e.*, the quarries operated by Walker and LaFarge). In addition to trucks hauling gravel, many other heavy trucks use the road, including heavy equipment flatbed haulers, 53' tractor trailer transport trucks and logging trucks. Much of this traffic used to follow the traditional provincial Highway 26 and provincial Highway 4 (now Grey Road 4) transportation routes, but now, for whatever reason, uses Grey Road 31 through Rob Roy.
4. There appears to be heavy "commuter" and "weekender" traffic on the road; we make this observation based on the times of day (and times on weekends) when traffic volumes are heaviest. We cannot be certain but we surmise that much of this traffic is traveling between the Beaver Valley area generally (including Kimberley, Heathcote and Thornbury) to destinations to the south (including Toronto, Mississauga, Oakville, Hamilton, Burlington, Barrie and Orangeville). We mention this because much of this traffic is traveling over long distances and, given the length of many commuter and weekender trips, typically travels at high speed.

2.0 The Speeding Problem

2.1 Posted Speed Limit

The posted speed limit on the road in the vicinity of Rob Roy is 80 km/hr, with the exception of a 60 km/hr zone running for an approximate distance of 700 metres from the Rob Roy intersection east to the church/cemetery on the north side of the road.

Prior to the County assuming jurisdiction over the road in 2005, the municipally-posted speed limit on the road (which at that time was surfaced with gravel) was 50 km/hr.

It is noteworthy that the 60 km/hr zone starts for eastbound traffic immediately east of the Rob Roy intersection and *after* vehicles have descended a significant downward slope for a distance of approximately 500 metres. Similarly, the 60 km/hr zone starts for westbound traffic at a point less than 100 metres east of the Church Crest and after vehicles have descended a significant downward slope for a distance of approximately 800 metres. The starting points for the 60 km/hr zone create significant speed limit compliance issues given that both starting points are encountered by drivers after significant downhill stretches, with in both cases continuing downhill slopes followed by, eventually, significant uphill climbs.

2.2 Rationale for the Existing 60 km/hr Zone

We understand from the Engineering Department within Grey County Transportation Services that the principal rationale for the posted 60 km/hr zone at Rob Roy is that reduced speeds are mandated by what a road engineer would describe as poor "vertical alignment" of the road resulting from the Church Crest. For a driver approaching from the east, the Church Crest

creates a complete blind spot of over 700 metres in length until the Church Crest is crossed. For a driver approaching from the west, the Church Crest creates a complete visual blockage until the Church Crest is crossed. The risks associated with these visibility issues are partly (but certainly not completely) managed by improved visibility when the Church Crest area is viewed from a distance. That said, we were advised by the former manager of the engineering department within County Transportation Services that even the posted 60 km/hr speed limit is “deficient” (although only “marginally” deficient) such that in a case of complete conformity with regulated federal and provincial road design standards the posted speed would be 50 km/hr (as was the case when the road was under municipal jurisdiction prior to its adoption by the County).

2.3 Speed Data

We have conducted our own traffic speed studies. Our speed data was primarily collected during the summer of 2022, the summer of 2023, and the fall of 2023. We are happy to share our speed data with County Council if doing so would be helpful. Two specific, and perhaps most striking, features of our speed data are that (i) traffic is traveling through the existing 60 km/hr zone at an average speed exceeding 90 km/hr, and (ii) over 30% of vehicles are traveling through the 60 km/hr zone at a speed exceeding 100 km/hr.

2.4 Involvement of the Grey Highlands Police Services Board and the OPP

In the spring of 2023, we presented our concerns over speeding on the road to the Grey Highlands Police Services Board. Our presentation resulted in a collection by the OPP of speed data in the 60 km/hr zone. Although the OPP has chosen to not share with us the speed data the OPP collected (we assume that this somehow relates to privacy concerns), the OPP detachment commander in Markdale, Inspector Richardson, did inform us that the OPP’s speed data certainly indicated a need for increased patrolling/speed checks in the area of Rob Roy. There followed a two week targeted patrol by the OPP, resulting in the issuance of a significant number of speeding tickets (including at least one for stunt driving). OPP resources are limited, however, with the result that targeted enforcement patrols have ceased.

2.4 Involvement by the County

We first raised our concerns regarding speeding with the County in the spring of 2022. County staff have typically been receptive to our expressions of concern. We understand, though, that County staff members are busy, and that Transportation Services regularly receives expressions of concern/complaint regarding speeding issues throughout the County. Without wanting to make undue requests of County Council or of County staff, we have tried to present our concerns professionally and to resolve the speeding issue at Rob Roy based on our good faith concerns over the significant public safety issue which the speeding issue presents.

In the late spring of 2023, the County did collect its own data regarding vehicle speeds at Rob within the posted 60 km/hr zone at Rob Roy. While we have not been provided with the data collected by the County, we have been advised by the County that the data indicates an average speed through the 60 km/hr zone of 88 km/hr. We believe that the discrepancy between the County’s average speed figure of 88 km/hr and our average speed figure of 93 km/hr is likely explained by the fact that our data was collected only during daylight hours, while the County’s data was collected on a continuous 24 hour cycle (*i.e.*, the County’s data includes both daytime and nighttime speeds; nighttime speeds are likely somewhat lower than daytime

speeds). Regardless of that minor discrepancy, though, *it is clear that there is a severe speeding problem at Rob Roy.*

2.5 Installation of Flashing Yellow Lights

On November 2, 2023, and in an effort to address our concerns, the County installed flashing yellow lights on the 60 km/hr signs posted at the eastern and western ends of the 60 km/hr speed zone (but without making any changes to the boundaries of the reduced speed zone). We have not been able to collect data indicating whether those flashing lights have had any effect on traffic speeds. This is primarily because road conditions since that date have been variable due to changing environmental conditions (e.g., snow, wet pavement, foggy conditions, etc.). Based on anecdotal evidence, though, we believe that the flashing lights have resulted in a minor decrease in average speed through the 60 km/hr zone. However, the reduction in average speed has been marginal, with the average speed appearing to continue to far exceed the posted 60 km/hr speed. As well, we note that a very significant proportion of vehicles, including heavy trucks, continue to travel through the 60 km/hr zone at very high speeds.

3.0 Addressing the Speeding Problem: The Proposal

3.1 Origin of the Speeding Problem

It is difficult to determine the root cause of the speeding problem at Rob Roy. Improvements made to the road surface, particularly by way of the installation of the new asphalt lift in the summer of 2022, have certainly created conditions encouraging higher speeds on the road. The choice by drivers to use the Clearview Road 91-Grey Road 31-Grey Road 2 route as a Collingwood by-pass from the traditional provincial Highway 26 transportation corridor has likely triggered use of the road by drivers preferring to drive at high speed. However, we believe that the principal explanation for the speeding problem is inadequate boundaries of the 60 km/hr zone.

As noted earlier, drivers approaching Rob Roy from the west descend a significant downhill slope for about 500 metres before reaching the Rob Roy intersection. Having gained a good head of steam down that downhill stretch, and having already passed through the Rob Roy intersection, and with a significant continuing downhill stretch in front of them, followed by a significant uphill climb, driver psychology argues against compliance with the posted 60 km/hr sign located just east of the Rob Roy intersection. Drivers simply carry over, in many cases, increase their speed as they continue to travel downhill. They proceed to top the Church Crest at excessive speed and continue to the east.

Drivers approaching Rob Roy from the east encounter a very similar situation. They first descend from the top of the tableland approximately 1500 metres east of the Rob Roy intersection. They gain a good head of steam as they descend through the Secondary Sag and then continue downhill towards the Church Crest. Having gathered speed during a downhill distance of about 800 metres, drivers encounter a posted 60 km/hr sign only about 200 feet east of the Church Crest. Similar to the situation faced by eastbound drivers at the Rob Roy intersection, westbound driver psychology argues against compliance with the posted 60 km/hr sign located at the eastern edge of the Church cemetery. Drivers simply carry their speed over the Church Crest and then proceed through the entire 60 km/hr zone at speeds well in excess of the posted limit.

3.2 Rationale for the Proposal

The Proposal attempts to address the situational and psychological factors which trigger the Rob Roy speeding problem. In particular, rather than expecting drivers to suddenly comply with a reduced speed zone in circumstances where they have already gathered significant speed as a result of driving extended distances on downhill stretches, we are suggesting that drivers be given the opportunity to slow their speeds to appropriate levels before they reach those downhill stretches.

We have had extensive discussions with users of the road regarding this issue. Virtually all drivers agree that the current boundaries of the reduced speed zone make no sense in the pursuit of compliance with the posted speed limit. The existing 60 km/hr signs are placed in locations which, figuratively speaking, scream out for non-compliance by drivers.

4.0 Policy Considerations

4.1 The County's Speed Limit Evaluation Policy

We have reviewed the County's Speed Limit Evaluation Policy (the "Speed Policy"), as endorsed by County Council on February 21, 2021 pursuant to Resolution CC24-21.

We recognize that the Speed Policy provides that "[t]he major function of a rural country road is to provide the efficient movement of people and goods" and that, as a result, "the speed limit on rural country roads should be maintained as high as possible considering public safety and risk management." We also recognize that the Speed Policy includes a reference to at least the possibility that "[s]peed limits that are set too low on rural county roads will result in a greater speed variance which may contribute to accident frequency".

Notwithstanding those components of the Speed Policy, we believe that the Proposal is entirely consistent with the Speed Policy. In particular, we note as follows:

1. The Speed Policy emphasizes the importance of addressing safety-related concerns. The Speed Policy clearly states that "speed limits must consider safety criteria" and that speed limits should be set "considering public safety and risk management".
2. The Speed Policy highlights the vertical alignment of a road as a primary consideration in setting a speed limit. The County's Transportation Services department recognizes the poor vertical alignment of the road, particularly at the Church Crest, and has acknowledged that the posted 60 km/hr zone is deficient from a vertical alignment perspective. Taking steps to ensure compliance with at least a 60 km/hr speed limit is therefore entirely consistent with the Speed Policy.
3. The Speed Policy also highlights "stopping sight distance" as another primary consideration in setting a speed limit. Both the Church Crest and the Secondary Sag present material challenges in terms of ensuring compliance with minimum stopping sight distances. This is particularly the case when the character of vehicles traveling the road is taken into account. For example, based on our discussions with staff at the LaFarge quarry on Grey Road 31, we understand that loaded gravel "dump" trucks heading west on the road from the LaFarge and Walker quarries will typically have a gross loaded vehicle weight of about 70,000 pounds and that larger truck configurations (e.g., a tractor/hopper trailer combination) can have significantly higher gross weights. Our consideration of National Highway Traffic Safety Administration stopping distance data indicates that stopping sight distance criteria likely cannot be satisfied on certain

portions of the road, particularly at the Church Crest and the Secondary Sag, given the excessive speeds at which much of the heavy truck traffic on the road is currently traveling.

4. Shoulder width is another of the Speed Policy's primary considerations in setting speed limits. As previously noted, the road features significant drop-offs on both sides of the road, meaning that over much of the distance covered by the road there is no realistic opportunity to exit the roadway (or even to pull a slow-moving vehicle to off either the eastbound lane or the westbound lane on to the road shoulder) without triggering a vehicle rollover.

As the Speed Policy states, "[t]he determination of an appropriate speed limit is not an exact science; there are a variety of components that must be considered and evaluated with regard to risk". In our view, a balanced application of the public interest in road safety, taking into account the severe speeding issue on the road, means that an extension of the 60 km/hr zone as contemplated by the Proposal is entirely compatible with, and consistent with, the Speed Policy.

5.0 Other Considerations

5.1 Agricultural Equipment Considerations

The road presents significant safety issues whenever agricultural implements with offset or winged features are pulled on the road. This is particularly the case on the sections of the road which feature significant drop-offs and/or post/cable retaining systems, simply because there are no options or opportunities to pull off on to the shoulder in the face of oncoming traffic which presents a collision risk due to the width of the equipment being pulled. The anecdotal evidence of this safety concern comes from one of our neighbours who runs a significant cash crop business in the Rob Roy/Feversham/Singhampton/Gibraltar area. In his estimation, the portion of the road at the Secondary Crest is the only road portion anywhere in his business area that truly scares him when pulling agricultural equipment. This is because at the Secondary Sag an operator (i) is pinched in by a post/cable retaining system with almost no shoulder (the aggregate width of the road at that point, including the shoulders, is a mere 27.5 feet between retaining posts, (ii) is not able to see or assess oncoming traffic, and (iii) is essentially hidden to oncoming traffic due to the Secondary Sag. The fear factor stems from the possibility of the agricultural equipment combination meeting speeding heavy truck/wide vehicle traffic at the pinched-in portion of the road at the Secondary Sag; the potential for unavoidable but catastrophic collision is of significant concern.

5.2 Pedestrian Considerations

Not long ago, a number of local residents regularly walked the road, typically for exercise or to visit neighbours. However, local residents now, with regret, typically avoid walking the road. This is because of the combination of (i) high speed traffic, and (ii) narrow shoulders and the pinching caused by either the post/cable retaining systems and/or the sharp drop-offs from the shoulders. This is particularly a problem during the winter when snowbanks form on the shoulders inside the post/cable retaining systems, thereby completely eliminating the shoulders. In any event, the narrow shoulders and high traffic speeds during all four seasons of the year are sufficiently intimidating as to discourage/eliminate nearly all of the former pedestrian traffic.

5.3 Changing Driver Behaviour

In our communications with County staff regarding the speeding issue, we have regularly encountered the position that there is little point in extending the 60 km/hr zone, since doing so will not change driver behaviour.

Our view on this issue is two-fold. First, a “do nothing” response to a significant public safety issue stemming from speeding, on the basis that driver behaviour cannot be changed, simply misses the mark. A proactive and balanced approach is required, and addressing the public safety issue needs to be prioritized. Second, and more importantly, we note that indeed driver behaviour *does* change. Excessive speeding on the road is a fairly recent phenomenon, and stems from, among other things, surface improvements which the County has made to the road generally (including the new asphalt lift which was installed in 2022). Just as drivers have responded to a new road surface with increased speed, drivers can be expected to respond to careful and balanced speed calming measures.

5.4 Cost-Effectiveness

There are alternative manners in which the speeding issue at Rob Roy could be addressed. These include the construction of a traffic calming island as was done on Grey Road 2 through Ravenna, a widening of the road, an elimination of the Church Crest, a filling-in of the Secondary Sag, the installation of speed bumps and the installation of flexible posts on the centre line of the road as we have seen on Simcoe County roads in the Beeton area. While such measures would perhaps provide complete solutions to the Rob Roy speeding issue, they are both expensive and, in many cases, difficult to implement within a reasonable time frame. The Proposal, on the other hand, involves very little expense and can be implemented quickly without any need for third party regulatory approval. The Proposal constitutes an expedient and cost-effective response to a significant public safety issue.

5.5 Liability Concerns

The existence of a material public safety issue resulting from excessive speeding on the road in the vicinity of Rob Roy is now well-documented. Both the County and the OPP have gathered speed data clearly demonstrating the existence of a serious safety issue. Engineering studies indicate a deficiency in even the existing 60 km/hr speed limit. In the event of a serious accident on the road, the County will certainly want to be able to demonstrate that the County acted prudently in taking appropriate action to address an obvious safety issue. The implementation of the Proposal is consistent with managing the legal liability risk faced by the County.

5.6 Minimal Effect on Driving Time

If implemented, the Proposal would serve to reduce the speed limit from 80 km/hr to 60 km/hr over a distance of approximately 1195 metres. The driving time at the new posted speed limit over that 1195 distance will add less than 18 seconds to a one-way trip through the reduced speed zone. Even in the case of a gravel truck operator who makes four two-way runs on the road on a particular day, the aggregate two-way additional driving time over those four two-way trips would result in aggregate additional driving time for the operator of less than two and a half minutes. While implementing the Proposal offers significant benefit in terms of protecting the public interest in road safety, the impact on driving time, even for very heavy users of the road, will be negligible.

5.7 Special Events at Rob Roy Church

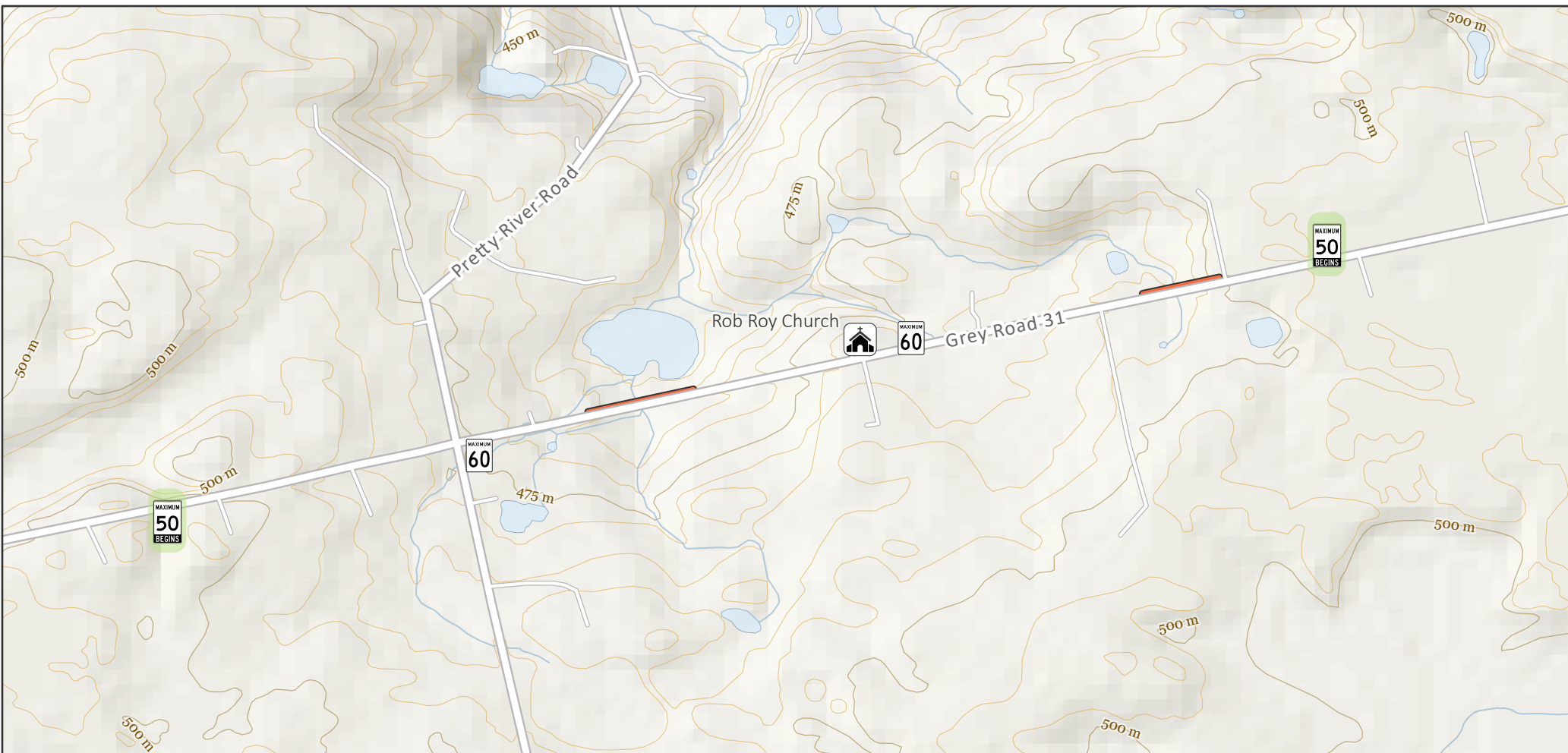
Rob Roy Church has an active congregation. The Rob Roy cemetery is an active cemetery. The active status of both the church and the cemetery results in parking on the road whenever the relatively small church parking lot is inadequate to meet parking requirements. Parking on the road over an extended distance, including at and on both sides of the Church Crest, is common. Funerals, regular Sunday Church Services, Church fund-raisers (e.g., trivia nights, community breakfasts, suppers, dances and concerts) all regularly result in significant parking on the road, including on portions of the road with a posted 80 km/hr speed limit. Implementing the Proposal is consistent with ensuring public safety during these community-based events. A photo demonstrating an example of special event-based parking on the road, extending into the 80 km/hr zone, appears at Exhibit 2.

6.0 Conclusion

Based on the considerations and reasons outlined above, we urge Council to approve the Proposal and ensure its implementation by way of the proposed amendments to By-Law 4788-13 Regulating Traffic and Parking. Doing so is entirely consistent with County policy and constitutes a proper balancing of the competing public interest in (i) ensuring that Grey Road 31 is used in a fashion which ensures the safety of both the traveling public and local residents, and (ii) ensuring that Grey Road 31 fulfills its purpose and function as a County road. In the face of any uncertainty as to how to properly balance those competing public interests, the public interest in road safety needs to prevail.


We thank all Council members for their consideration of the Proposal and look forward to responding any questions which any Council member may have at Council's February 22 meeting.




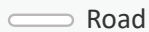


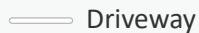
Proposed Speed Limit Change on Grey Road 31

Residents and road users propose increasing the length of a speed reduction zone along Grey Road 31 from 675 m to 1,800 m and further decreasing the speed within the zone to 50 km/h.

 Current sign location
60 km/h posted speed

 Proposed sign location
50 km/h posted speed

 Road

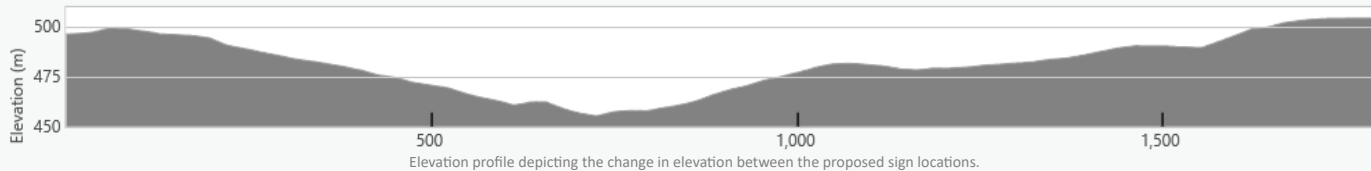
 Driveway

 Guardrail

Contour interval: 5 m

 25 m

 5 m



Elevation profile depicting the change in elevation between the proposed sign locations.

Data sources include: Open Government Licence – Ontario

