

Staff Report



Development Services Department

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REPORT TO: Community and Infrastructure Services Committee

DATE OF MEETING: June 16, 2025

SUBMITTED BY: Barry Cronkite, Director, Transportation Services, 519-741-2200 ext. 7738

PREPARED BY: Barry Cronkite, Director, Transportation Services, 519-741-2200 ext. 7738

WARD(S) INVOLVED: All Wards (1-10)

DATE OF REPORT: May 29, 2025

REPORT NO.: DSD-2025-270

SUBJECT: Automated Speed Enforcement Update

RECOMMENDATION:
For Information.

REPORT HIGHLIGHTS:

- The purpose of this report is to provide a comprehensive update on the municipal speed camera program (formerly called automated speed enforcement – ASE).
- The key finding of this report is that the Region of Waterloo is continuing to install speed cameras on Regional roads.
- Public concern around rapid program deployment is growing provincially making it worthwhile to continue to postpone installation on City of Kitchener Streets, regardless of service model selected in the future, while vision zero initiatives continue to be installed.
- Community engagement included posting this report to the City's website with the agenda in advance of the council / committee meeting.
- This report supports the delivery of the Strategic Plan action item "Building a Connected City Together" as it recommends a continued focus on implementing a "Localized Transportation Safety Improvement Program".

BACKGROUND:

The Highway Traffic Act was amended in 2019 to permit municipalities to use Automated Speed Enforcement (ASE) with the objective of improving road safety. The legislative amendment allows municipalities to enact by-laws to permit the use of ASE exclusively in school zones and community safety zones.

The intent of ASE is to improve road safety in school zones and community safety zones through increased compliance with posted speed limits. Reducing operating speeds has proven to have a direct positive impact on the likelihood and severity of collisions.

An ASE camera automatically measures vehicle speeds at a specific point along a roadway using a camera-based radar system. Enforcement is accomplished through the issuance of an offense above the posted speed limit issued to the owner of the vehicle license plate number. A ticket is issued if a vehicle is detected travelling greater than a set speed above the posted speed limit. The registered owner of the vehicle will receive the ticket regardless of who was driving.

REPORT:

ASE programs have continued to launch and grow in most municipalities throughout Ontario. In the Region of Waterloo specifically, the ASE (referred to municipal speed camera or MSC by the Region of Waterloo) program has launched more gradually than in most major municipalities. In 2021, the program launched with 2 cameras rotating between 8, and then eventually 16 sites. However, the program has steadily grown, currently including 23 locations that are either live or “coming soon”. Of the 23 total locations, four are live and/or coming soon within the City of Kitchener as follows:

- Westmount Road in front of Laurentian Public School – live
- Victoria Street South in front of Sandhills Public School/St Dominic Savio Catholic Elementary - live
- Courtland Avenue in front of Courtland Avenue Public School – coming soon
- Weber Street East – in front of Sunnyside Public School – live

Additionally, it is worth noting that the stated mandate for the Region of Waterloo MSC program is the installation of a camera in every eligible school zone by 2028. The Region of Waterloo has and continues to operate the program on behalf of the townships and municipalities within the Region of Waterloo though no formal agreement or memorandum of understanding has been formalized to date. In mid-2024, the Region changed their service model to an AMPS (administrative penalty) based system. Given the changing structure of ASE in the Region, Council passed the following motion on October 28th, 2024:

WHEREAS on October 5th, 2020 City of Kitchener Council approved the use of Automated Speed Enforcement (ASE) on municipal streets in accordance with O.Reg. 398/19 under the Highway Traffic Act.; and,

WHEREAS a formal agreement between the Regional Municipality of Waterloo and the Corporation of the City of Kitchener has not yet been negotiated between the parties to outline the installation, administration, enforcement, and operation of the automated speed enforcement program on City roads; and,

WHEREAS the Regional Municipality of Waterloo currently enforces ASE using the Provincial Offences Act (POA) which sets fines in accordance with the Highway Traffic Act Sections 128(14); and,

WHEREAS in 2022 the Province of Ontario enacted Ontario Regulation 355/22 which facilitates the processing of administrative penalties for contraventions detected using camera systems; and,

WHEREAS the Region has changed their model of enforcement and will be moving to an administrative penalty (AMP) system in accordance with O. Reg 355/22; and,

WHEREAS the fines in O. Reg 355/22 are an approximate doubling of fine amounts set out in section 128(14) of the Highway Traffic Act and this increase causes concern for the City of Kitchener; and,

WHEREAS the City approved in May 2024 through Vision Zero the implementation of three additional ASEs, on local roads under the jurisdiction of the municipality;

THEREFORE BE IT RESOLVED that the City of Kitchener pause current and future installation of ASEs on roads under the jurisdiction of the City of Kitchener until such time as Kitchener Council has approved a Memorandum of Understanding with the Region of Waterloo, or other operational model, that outlines revenue sharing and the ability for City of Kitchener Council to amend operating times of ASE cameras, should they choose to do so at any time, on City of Kitchener roads; and,

THEREFORE BE IT FURTHER RESOLVED that staff be directed to investigate and report back on whether the City could be appointed an ASE provider, including exploring potential external service provider options; and,

THEREFORE BE IT FINALLY RESOLVED that the City of Kitchener Council requests that the Ontario provincial government amend Ontario Regulation 355/22 to reduce the set fines to a level that is similar to the fines set out in the Highway Traffic Act Section 128 (14).

The provincial government has recently raised concern with ASE programs throughout the province. In May 2025, Premier Ford indicated that the Provincial Government will be considering changes to the program as it is being perceived as a revenue tool over a safety tool. Further, imbedded within the provincial government's 2025 Ontario Budget "A Plan to Protect Ontario", the following proposed legislative amendment was included as a first step in addressing provincial ASE concerns: *Amendments to the Highway Traffic Act to require municipalities to make Automated Speed Enforcement and Red-Light Camera locations more transparent and to focus their traffic cameras on road safety objectives.*

MODELS and CONSIDERATIONS

As per Council direction, staff have reviewed and assessed different potential operating models. A summary of each model considered is as follows:

City of Kitchener Led Program

The City of Kitchener could choose to operate their own Municipal speed camera program. There are definitive benefits to operating a standalone program but generally can be summarized as greater control. Should Kitchener implement its own program, there would be increased control over infractions and infraction processing. Staff/council could set parameters around time of use and when an infraction is processed or waived.

There are also significant challenges with a City of Kitchener led program. Primarily, the City of Kitchener would need to enter into an agreement with both a camera provider and a ticket processing center; likely owned and operated by another municipality; to physically install and maintain equipment as well as process tickets. There are multiple options for both camera equipment and ticket processing, but these options typically include upfront capital cost for installation and ongoing operating costs. It is possible that annual operating costs could outweigh revenue generated depending on the operating parameters applied. Additional staff (screening/hearing officers and program operations staff) would also be required and vary depending on the number of selected site and the parameters of infractions. Finally, there is still questions regarding the legal authority of a municipality operating an ASE program, specifically when Highway Traffic Act enforcement isn't under their jurisdiction.

Region of Waterloo Partnership

In June 2023, Regional Council approved a 5-year expansion plan that outlined the installation of ASE in all 175 schools in the Region of Waterloo by the end of 2028. To support that expansion, regional Council also supported the development and operation of a Region of Waterloo ticket processing center and the hiring of required staff to process and adjudicate ASE tickets. Additionally, the Region of Waterloo has since secured a vendor for the supply and installation of municipal speed cameras. Continued partnership with the Region of Waterloo alleviates the need to enter into third party agreements for equipment and processing requirements.

Work continues on a memorandum of understanding (MOU) between the Region and all other municipal and township partners in the Region of Waterloo. While this would not provide the flexibility in decision making parameters that Kitchener Council had requested, it would ensure consistent application throughout the Region. Additionally, any future installation and operating costs would be absorbed by the Region of Waterloo. Any additional revenue beyond annual capital and operating costs could be subject to revenue sharing that could be considered as part of the MOU. Without a completed MOU, it is not possible to weigh the benefits of a regional program vs. other ASE model alternatives at this time.

Turnkey Model

The Association of Municipalities of Ontario (AMO) and Local Authority Services (LAS) have developed a turnkey model for automated speed enforcement in partnership with Elovate. Generally, a turnkey service limits upfront fees and could be integrated with the City's current administrative penalty program (AMPS). However, Elovate is an American based company, and the operation/revenue is limited by the terms and conditions of the turnkey agreement. This makes modification of any future program much more difficult, as Council would be bound to a service agreement.

Summary and Next Steps

Municipal speed camera programs should be a data driven form of enforcement and considered in school zones as an additional tool to increase safety for all road users; used when other proactive measures are not possible. Generally, most schools on municipal streets can achieve the same net benefit of ASE (operating speed reduction) through proactive infrastructure change that align with the goals and objectives of Kitchener's Strategic Plan, rather than punitive enforcement that can be perceived negatively by the general public.

It is not yet clear what restrictions may be applied provincially to ASE in the coming months to ensure road safety and at the same time reduce the perception of revenue regeneration beyond what has already been included in the provincial budget. However, changes to provincial regulation can be anticipated if rapid growth in ASE continues throughout Ontario and expands beyond school zones.

Given this relative lack of clarity, staff's intent is to continue to focus on action items in accordance with the City of Kitchener's approved Vision Zero action plan, as the most appropriate method to address speeding in school zones on municipal streets. Staff will also continue to work with the Region of Waterloo to develop a memorandum of understanding, should Council wish to pursue future municipal speed camera installations.

As municipal speed cameras roll out Region wide, staff will continue to monitor both the regional program and any future provincial legislative changes and report back regarding ASE through future Vision Zero reports.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of the Strategic Plan action item "Building a Connected City Together" as it recommends a continued focus on implementing a "Localized Transportation Safety Improvement Program".

FINANCIAL IMPLICATIONS:

There are no financial implications at this time. Any future reports regarding a memorandum of understanding or legal agreement with the Region of Waterloo and/or future MSC program will discuss the related financial implications in detail.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting.

APPROVED BY: Justin Readman, General Manager of Development Services