

2. HIGHWAY 416 - OWNERSHIP TRANSFER OF CEDARVIEW AND OTHER SERVICE ROADS

AUTOROUTE 416 – TRANSFERT DU DROIT DE PROPRIÉTÉ DE CEDARVIEW ET D’AUTRES ROUTES DE DESSERTE

COMMITTEE RECOMMENDATION

That Council approve the ownership transfer of sections of Cedarview Road and other service roads that were created by the Ministry of Transportation of Ontario during construction of Highway 416, as outlined in this report.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve le transfert du droit de propriété de parties du chemin Cedarview et d’autres routes de desserte aménagées par le ministère de Transports de l’Ontario durant la construction de l’autoroute 416. Comme il est souligné dans le présent rapport.

DOCUMENTATION / DOCUMENTATION

1. Deputy City Manager, Planning and Infrastructure report dated 11 May 2012 (ACS2012-PAI-INF-0001)
Rapport de directrice municipale adjointe, Urbanisme et Infrastructure, daté du 11 mai 2012 (ACS2012-PAI-INF-0001)

Report to/Rapport au :

Transportation Committee
Comite des transports

and Council / et au Conseil

May 11, 2012
11 mai 2012

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CITY WIDE / À L'ÉCHELLE DE LA VILLE

Ref N°: ACS2012-PAI-INF-0001

**SUBJECT: HIGHWAY 416 - OWNERSHIP TRANSFER OF CEDARVIEW AND
OTHER SERVICE ROADS**

**OBJET : AUTOROUTE 416 – TRANSFERT DU DROIT DE PROPRIÉTÉ DE
CEDARVIEW ET D'AUTRES ROUTES DE DESSERTE**

REPORT RECOMMENDATION

That Transportation Committee recommend Council approve the ownership transfer of sections of Cedarview Road and other service roads that were created by the Ministry of Transportation of Ontario during construction of Highway 416, as outlined in this report.

RECOMMANDATION DU RAPPORT

Que le Comité des transports recommande au Conseil d'approuver le transfert du droit de propriété de parties du chemin Cedarview et d'autres routes de desserte aménagées par le ministère de Transports de l'Ontario durant la construction de l'autoroute 416. Comme il est souligné dans le présent rapport.

BACKGROUND

In the 1990's, the Ministry of Transportation of Ontario (MTO) constructed Highway 416 creating a freeway link between Highway 417 and Highway 401. In doing so, MTO

temporarily assumed part of Cedarview Road, and purchased other privately owned land, for the purpose of constructing Highway 416. This was done under the authority of Section 24 of the *Public Transportation and Highway Improvement Act*. This Act permits the Ministry to temporarily assume public or private roads that intersect, touch upon or give access to a King's Highway, with the approval of the road owner, and to alter or relocate the road as required, and the cost of this work is considered part of the highway construction. During this period the Ministry is fully responsible for the road.

The following is a list of road sections (as shown in Figure 1) totaling 9.1 km that remain under MTO ownership for which they would like ownership transferred to the City:

- Cedarview Rd at Bankfield Interchange 1.1 km
- Cedarview Rd at Barnsdale 0.8 km
- Cedarview Rd (Barnsdale to Jock River) 2.5 km
- Cedarview Rd (Logfarm Access to Baseline Rd) 3.1 km
- Reevecraig Rd (Turnaround at 2 locations) 0.1 km
- 2nd Line Road (off old 26) 0.3 km
- Part of Barnsdale Rd 0.7 km
- Part of Cambrian Rd 0.5 km

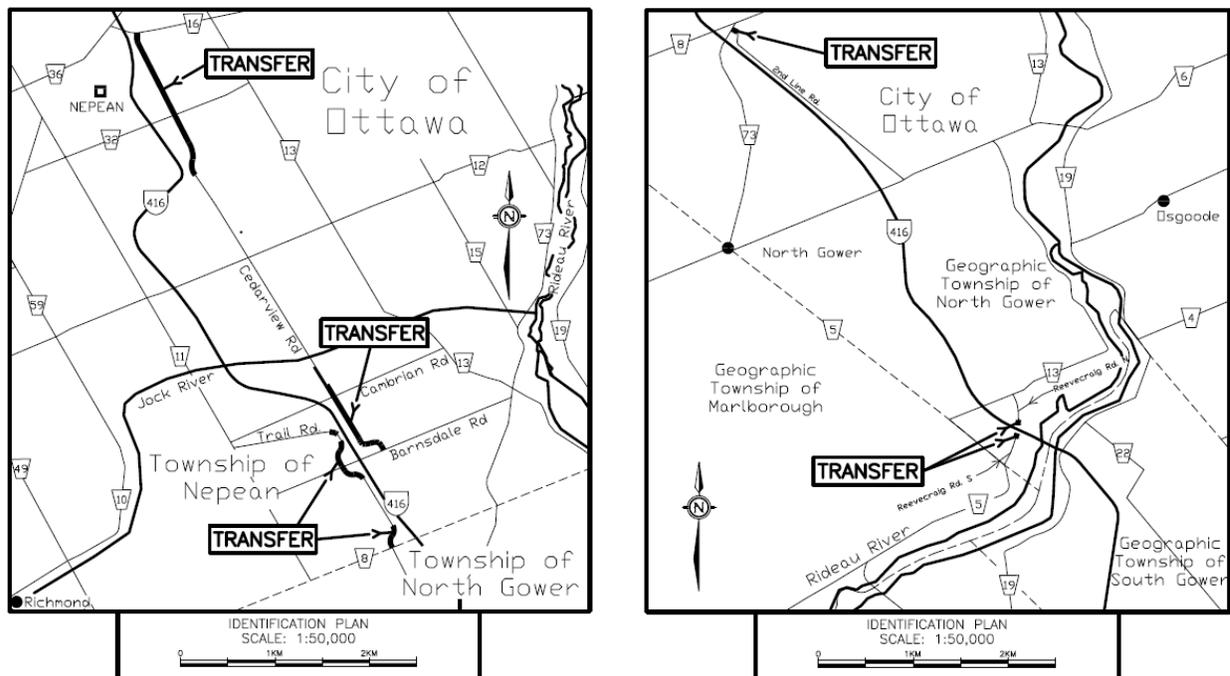


Figure 1 – Summary of Road Segments to be Transferred to the City

The Province prefers to have an approved Council Motion before issuing an Order in Council transferring the ownership of roads to municipalities. As such, the purpose of this report is to obtain Council's approval for these transfers by MTO to the City.

DISCUSSION

It is the City's understanding that these sections of road were always intended to be transferred to the City. In fact, the City has been maintaining these roads for over 10 years.

In reviewing the project history, the only concern expressed by the former Region of Ottawa-Carleton was related to the number of collisions that had occurred at the "S" curve on Cedarview Road between Baseline Road and Lytle Avenue, some which were fatal. At the time, the former Region indicated to MTO that it would not take this section of road back into its jurisdiction until remedial measures were taken to improve the safety and design of the road. As a result of this concern, MTO undertook a safety review and records indicate that improvements were undertaken in the early 2000's. Based on recent discussions with City traffic staff, no recent concerns have been raised with the safety of Cedarview Road.

RURAL IMPLICATIONS

A section of Cedarview Road and other smaller road segments to be transferred are located in the rural area of the City. These are all existing roads that have been maintained by the City for many years, therefore there are no new rural impacts.

CONSULTATION

No public consultation has taken place in preparing this report as it deals with an ownership transfer for roads the City has already been maintaining for many years.

Public Works Department

The Public Works Department was consulted in the development of this report and is supportive of the report recommendation. Public Works will assist with implementation of the report recommendation subject to approval by Council.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor Harder (Ward 3) is fully in support of transferring ownership of these lands. Councillor Moffatt (Ward 21) is in favour of the report.

LEGAL IMPLICATIONS

Section 29(4) of the *Public Transportation and Highway Improvement Act*, R.S.O. 1990, c. P.50 allows the Province to transfer any part of their Highways to a municipality by an Order-in-Council. There are no legal impediments to implementing the recommendation of this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

FINANCIAL IMPLICATIONS

The City has been maintaining these roads for ten years. The associated operating budget is within the existing Public Works Department – Roads, Traffic and Operations Maintenance budget.

ACCESSIBILITY IMPACTS

There are no accessibility impacts.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

TECHNOLOGY IMPLICATIONS

There are no technology implications.

TERM OF COUNCIL PRIORITIES

This report has no direct impacts on the city's strategic priorities or directions identified for the current Term of Council.

DISPOSITION

Infrastructure Services will advise MTO to proceed with the ownership transfer as outlined in this report.