

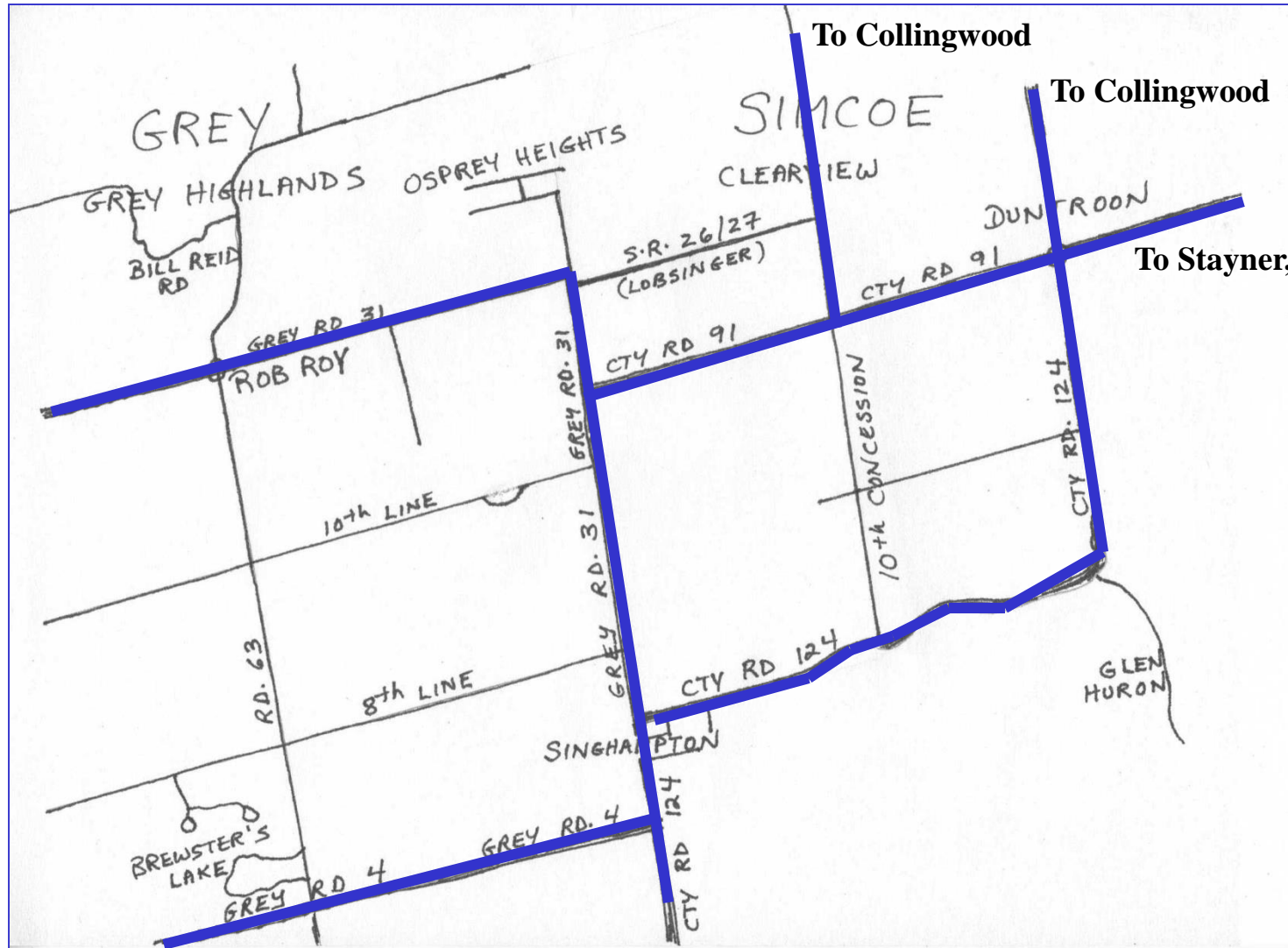
Concerns regarding the proposed closing of the western end of Clearview Rd 91 and restructuring Clearview SR 26/27

Presentation to Grey County Council

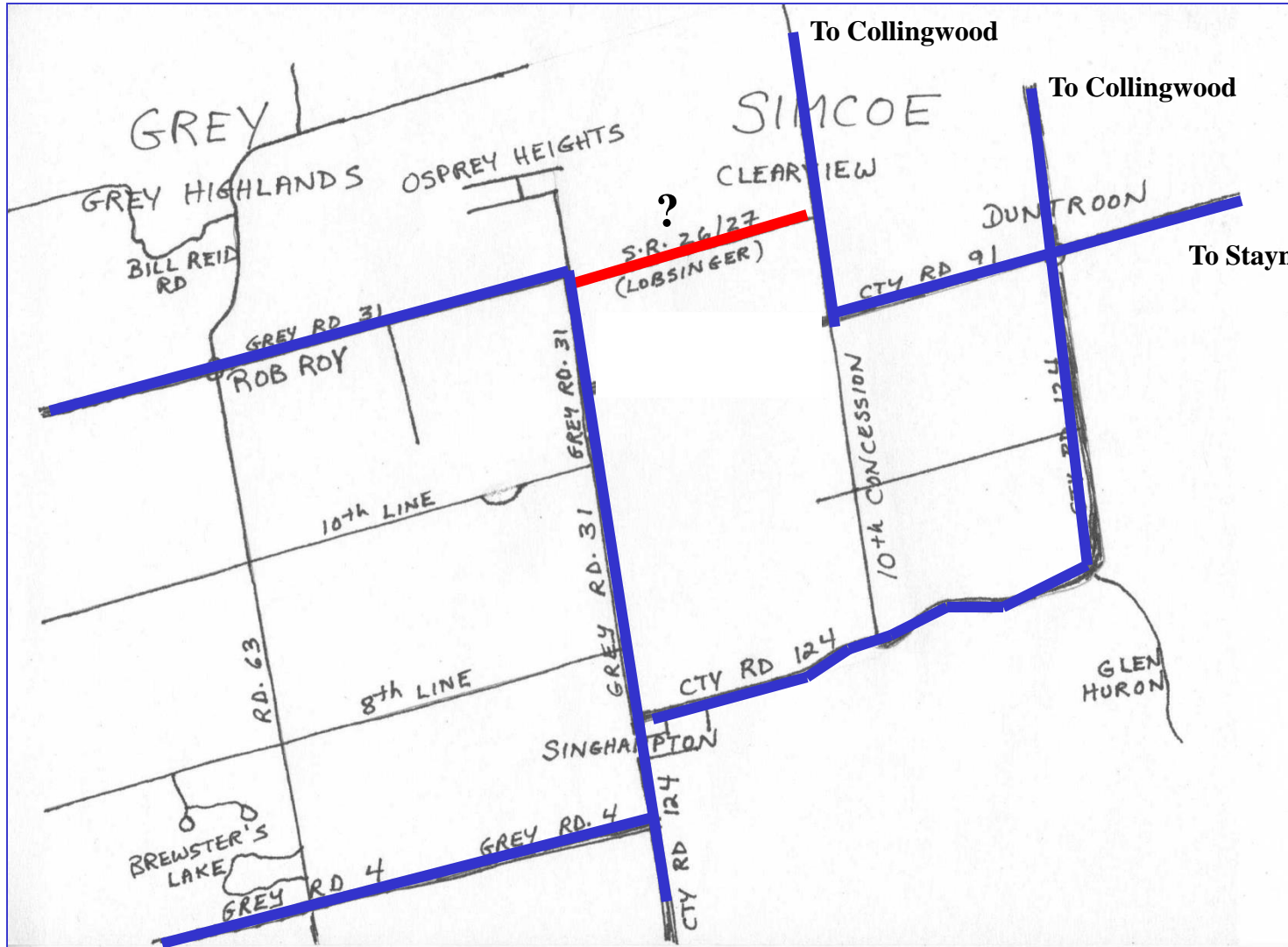
May 23, 2019

Doug Dingeldein

Main traffic flow at present



Proposed traffic flow



Proposed restructuring of SR 26/27

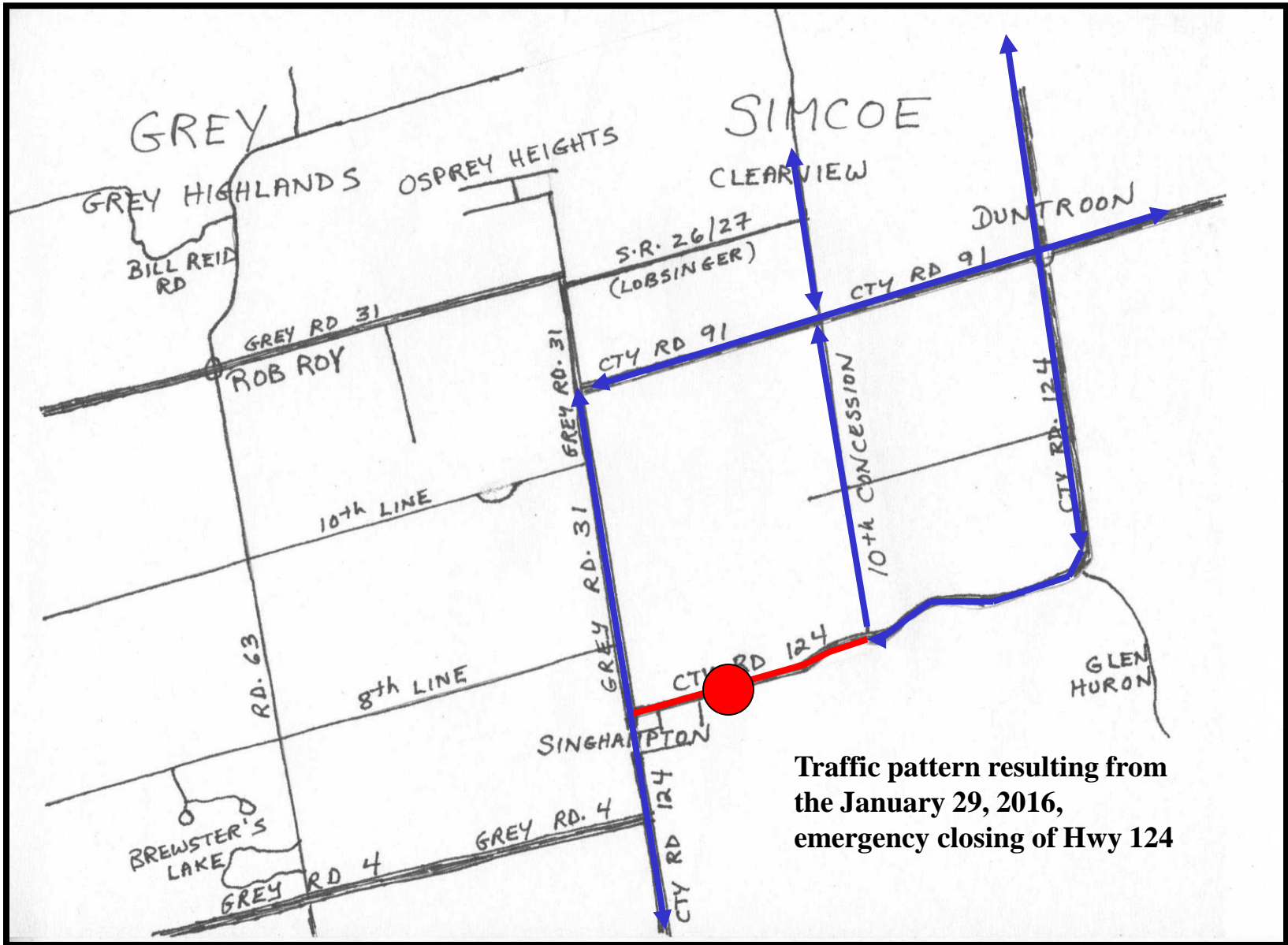
- SR 26/27 will not be equivalent to Rd 91, which is an established arterial inter-county level road
- Will not meet Clearview's standard for municipal roads
- As much as 2 m of cut and fill required at the Escarpment brow
- 11.9% finished grade (14% grade at present)
- Narrow, gravel surface and may never be paved
- No proper allowance for drainage ditches
- Inadequate provision for snow removal in the steep section
- Multiple springs and seeps touch or cross the road between the escarpment brow and the 10th Line – washout management will continue to be a problem
- Crosses a PSW and sensitive Escarpment Natural and Protected Areas
- Requires rerouting a cold water stream

New negative social and economic impacts for Grey citizens

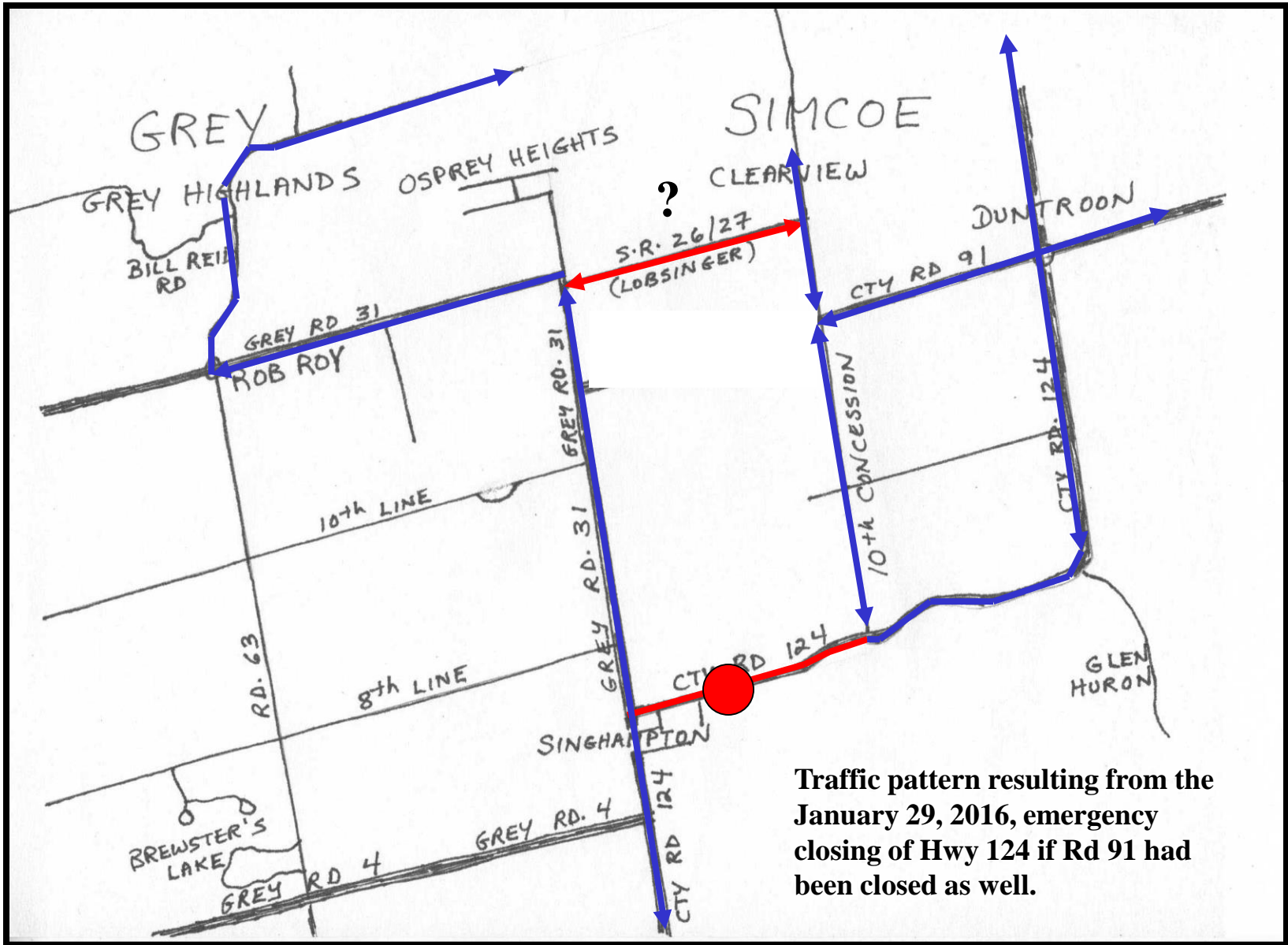
- Daily travel to/from work for 500+ people
- Longer response times for contracted EMS services from Stayner – round trip >10 min for 300 households
- More risk for farmers moving large farm equipment up and down the Escarpment
- Disruption of access for tourists and seasonal residents to southern Georgian Bay
- Longer and less safe personal travel for thousands of Grey citizens and visitors
- Decreased community security in the event of an emergency closing of Hwy 124 – Rd 91 is the only viable alternative over the Escarpment in the area

EMS travel time





Traffic pattern resulting from the January 29, 2016, emergency closing of Hwy 124



Traffic pattern resulting from the January 29, 2016, emergency closing of Hwy 124 if Rd 91 had been closed as well.

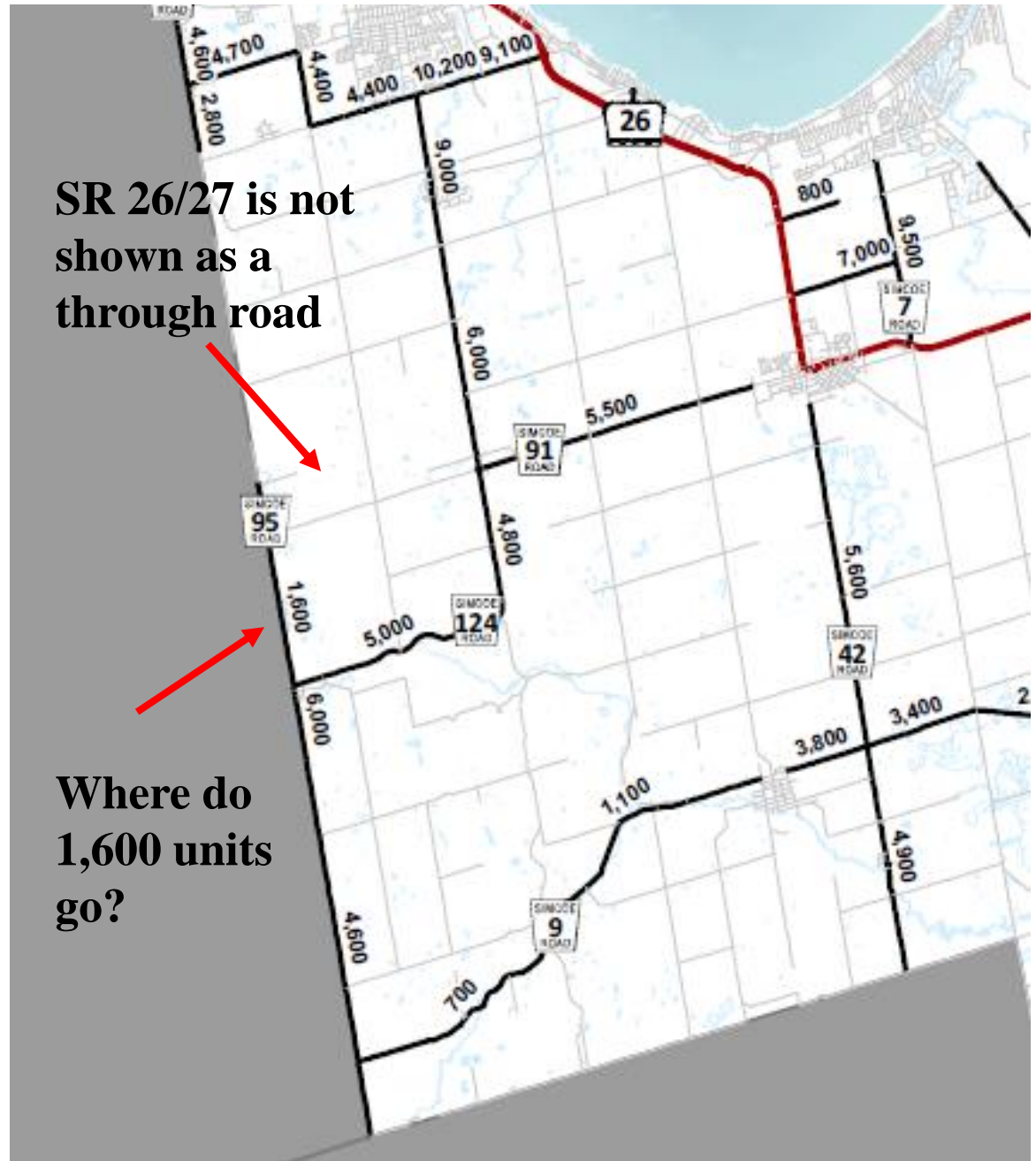
Inadequate traffic studies

- No current area traffic study has been done to determine whether the proposal for SR 26/27 can handle our present volumes and mix of vehicles
 - Traffic volumes have grown tremendously in recent years
- No analysis has been done on the social and economic impact of closing Rd 91 on local roads and intersections
- No assessment has been made on commercial trucking by placing load restrictions on the restructured SR 26/27
- No plan has been presented as to how loaded gravel trucks will be prevented from using SR 26/27
- No assessment has been made of where the present 1,600 Average Annual Daily Traffic on GR 31 north of Singhampton will go
- No consideration has been given to a potential emergency closing of Hwy 124
 - Average daily 2-way weekday traffic on Hwy 124 south of Singhampton is 4,670 units including 454 trucks
 - Rd 91 is the only alternative that can handle a substantial share of this volume

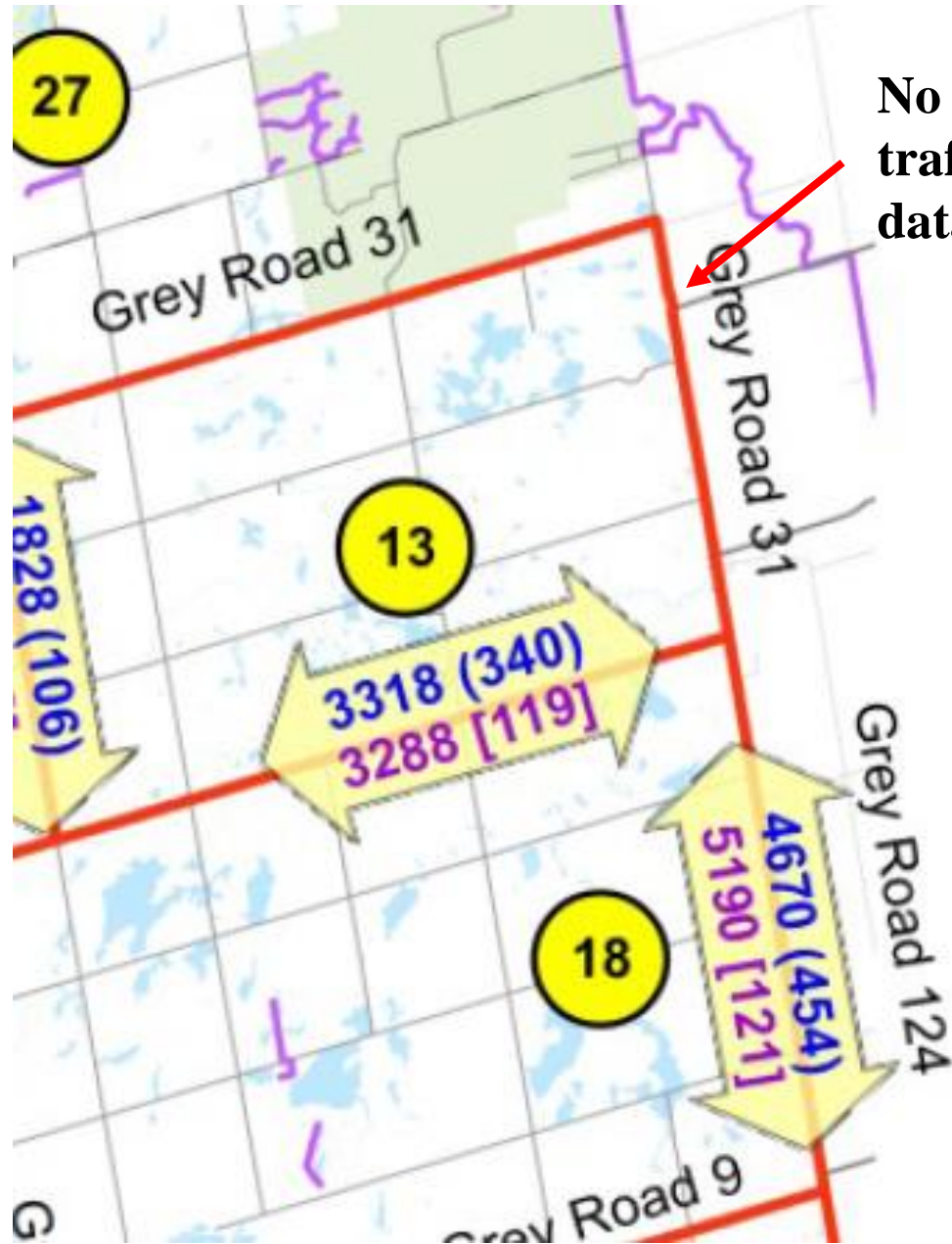
**Excerpt from
Simcoe
County 2018
AADT Map**

SR 26/27 is not
shown as a
through road

Where do
1,600 units
go?



**Excerpt from
Grey County
Transportation
Master Plan,
September
2014**



No traffic data

The environmental review process selected is inappropriate

- Clearview proposal is being done with an MCEA A+ process, when the budget was \$0.5 million and the project was presented as routine roadwork
- No public process is required under MCEA A+ and no public input was mandated to consider social and economic impacts
- Budget for the project is now \$4 million
- The reconstructed SR 26/27 is being proposed as a substitute for Rd 91
- Clearly the new SR 26/27 will not serve the same use, purpose or capacity as the present track
- Some 800 pages of environmental, engineering and other technical data has been filed to support the application – definitely not routine
- These facts indicate that the required class environmental assessment should be Class C
- Class C would permit public participation and encompass the broader social, economic and cross jurisdictional dimensions that are so vital to Grey and Simcoe citizens

Grey County position

- In 2010, Grey signed an agreement with Clearview and Walker Aggregates to support the Clearview Road Settlement Agreements as it was originally described by Clearview and Walker – without the benefit of any feasibility assessment
- The present proposal is **now** technically **not** the deal Grey signed in 2010, and I suggest this opens an opportunity for Grey to revisit its agreement with Clearview and Walker
- There may also be another way to justify such an action

Fettering of Council discretion

- In 2000, Justice Louis LeBel of the Supreme Court of Canada wrote in a majority decision:
 - “Unless expressly authorized to do so, local authorities have no power to enter into an agreement the effect of which will be to restrict or divest the legislative powers of succeeding councils in respect of any matter affecting the public at large.”
- He continued”
 - “...those in business know that dealing with a municipal government is different from dealing with a purely private corporation...”

Requested actions

- Request an opinion from the County solicitor on the question of whether Grey can abandon its agreement with Clearview and Walker based on fettering of Council discretion
- Push to have Clearview's NEP amendment application halted and resubmitted under the proper Class C environmental assessment
- Revisit the County agreement with Clearview based on the expanded scope of the project
- Insist that a proper cross-county traffic study be done by Clearview because we are dealing with an essential arterial inter-county route depended upon by many Grey residents
- Actively participate in the review of the Clearview application for a Niagara Escarpment Plan amendment to upgrade SR 26/27 as a viable substitute for Rd 91

Thank you.

**We are happy to answer any
questions.**