

Report TR-TAPS-63-14

To: Chair Barfoot and Members of the Transportation and Public Safety Committee
From: M.J. Kelly, Director of Transportation Services
Meeting Date: October 23, 2014
Subject: Simcoe Road 91 Transfer
Status: Recommendation adopted by Committee as presented per Resolution TAPS114-14 October 23, 2014; See also TAPS115-14; Endorsed by County Council November 4, 2014 per Resolution CC151-14;

Recommendation(s)

WHEREAS at the August 7, 2014 Transportation and Public Safety Committee meeting a resolution was passed requesting that a staff report be completed regarding the closure of Simcoe Road 91 and development of Sideroad 26/27;

NOW THEREFORE BE IT RESOLVED THAT Report TR-TAPS-63-14 regarding the closure of Simcoe Road 91 and development of Sideroad 26/27 be received for information.

Background

At the August 7, 2014 Transportation and Public Safety Committee meeting the Committee received a copy of a letter sent from Mayor Wayne Fitzgerald representing Grey Highlands to Mayor Ken Ferguson representing Clearview Township regarding the closure of Simcoe Road 91. As a result of the correspondence, the Transportation and Public Safety Committee passed the following resolution:

THAT the correspondence from the Municipality of Grey Highlands dated July 24, 2014 be received;

AND THAT a staff report be presented at the next Committee meeting regarding the closing of Simcoe Road 91 and the development of Sideroad 26/27.

Proposed Road Modifications

It is the intent of Simcoe County, Clearview Township and Walker Aggregates to complete the following:

- Simcoe County will transfer Simcoe County Road 91 to Clearview Township
- Clearview Township will sell the section of Simcoe Road 91 from Grey Road 31 to Concession 10 Nottawasaga
- Clearview Township will upgrade Concession 10 Nottawasaga from Simcoe Road 91 to Sideroad 30/31
- Clearview Township will upgrade Sideroad 26/27. This road will only be surface treated when a 400 vehicle per day traffic volume count has been achieved; Clearview Township will restrict large vehicles from using the road.

Grey County Involvement

The following information is a summary of Grey County's involvement regarding the closure of Simcoe Road 91. There were several reports and committee discussions that were held in closed session and as the information is no longer confidential a synopsis of the direction given in closed session is included in this public report.

Discussions regarding the negotiations with Walker Aggregates concerning the road upgrades on the haul roads, zoning and agreements occurred in 2009.

Transportation and Public Safety Committee Meeting Report TAPSR-35-10 (Appendix A)

At the Transportation and Public Safety Committee meeting on March 4, 2010 Report TAPSR-35-10 was presented (Appendix A). The report identifies that representatives from Simcoe County, Walker Aggregates and Grey County had met several times during the previous two years regarding a new quarry site adjacent to Simcoe Road 91.

The report also identifies that during a meeting held in January 2010, a new proposal was placed on the table:

- Simcoe County was to transfer Simcoe Road 91 from the Grey/Simcoe boundary to Duntroon to Clearview Township
- Clearview Township would close Simcoe Road 91 from the Grey/Simcoe boundary to Concession 10 Nottawasaga
- Clearview Township would sell the closed portion of Simcoe Road 91 to Walker Aggregates
- Clearview Township would construct Simcoe Road 91 from Concession 10 Nottawasaga to Duntroon to a township standard which would include a hot mix surface

- Clearview Township would upgrade Concession 10 Nottawasaga from Simcoe Road 91 to Sideroad 30/31
- Clearview Township would upgrade Sideroad 26/27 to a township standard; the road would not be hard surfaced and would restrict heavy vehicles

The report identifies that with the closure of Simcoe Road 91 an important east/west route would be negated. If Sideroad 26/27 was to be upgraded to a county standard including a hard surface, the concept of closing Simcoe Road 91 would be more acceptable.

The report questioned if the Committee wished to take part in the Board Hearing or encourage Grey Highlands to participate.

Direction from Closed Session Meetings

The Committee directed Mr. Shaw stand firm on requesting that Sideroad 26/27 be upgraded to a higher standard with a hard top surface and that the road would not be load restricted to allow truck traffic.

Grey County was to attend the Ontario Municipal Board hearing as a participant. It was suggested to accept the 400 volume traffic count in order to move forward.

Mr. Thurston recommended that the County's solicitor be involved with the process to ensure Grey County's interest has been represented.

It was anticipated that the traffic volume on Sideroad 26/27 would exceed the 400 vehicles per day trigger once it was constructed, justifying a hard surface and Grey Highlands' desire to have Sideroad 26/27 surface treated immediately.

Grey County Participant Statement Regarding Walker Aggregate Quarry Expansion Application (Appendix B)

In March 2010, Mr. Shaw signed and submitted a Participant Statement (Appendix B) regarding the Walker Aggregate quarry expansion application, which included the following:

- 1) Grey County is supportive of the agreement between Simcoe County, Clearview Township and Walker Aggregates regarding Simcoe Road 91
- 2) Grey County is concerned with the minimum improvements regarding Sideroad 26/27

Grey Highlands Letter to Grey County (Appendix C)

On July 23, 2010 Grey County received a letter from Grey Highlands regarding the resolution and the March 22, 2010 correspondence to Clearview Township identifying

their objections to closing Simcoe Road 91, and the need to upgrade Sideroad 26/27 to county standards (Appendix C).

Grey Highlands Letter to Clearview Township (Appendix D)

The Mayor of the Grey Highlands sent a letter to the Mayor of Clearview Township on July 24, 2014 requesting the following (Appendix D):

- A copy of the design standards proposed for Sideroad 26/27
- Confirmation that an application to the NEC is moving forward
- An outline of the planned process for the closure of Simcoe County Road 91 and subsequent timelines
- Confirmation of a public process and opportunity for municipal stakeholders comments
- Opportunity for future dialogue between the two Councils

Clearview Township Letter to Grey Highlands (Appendix E)

The Mayor of Clearview Township sent a response to the Mayor of Grey Highlands (Appendix E). The following are some highlights of the letter:

- Grey Highlands was involved with the discussions regarding the agreement between Grey County, Clearview Township and Walker Aggregate; Grey Highlands chose not to be a party to the agreement
- Preliminary designs for Sideroad 26/27 and the Concession 10 Nottawasaga were submitted to the Niagara Escapement Commission in early 2014 and minor revisions are being made to mitigate impacts
- The design for Sideroad 26/27 will adhere to the Geometric Design Standards for Ontario Highways
- Opportunities for the public to participate occurred some time ago through statutory public meetings required under the Planning and Aggregate Resources Act, as well as opportunities during the Joint Board Hearing relative to the quarry application
- Clearview Township offered to meet with Grey Highlands during the week of August 18, 2014. This meeting did not occur.

Agreement with Simcoe County, Clearview Township and Walker Aggregate (Appendix F)

On April 9, 2010 an agreement between Simcoe County, Clearview Township and Walker Aggregates was executed (Appendix F).

This agreement identifies that, following the final approval of the Walker Aggregates permits and applications for the Walker Aggregates quarry expansion, the parties would agree to the following road transactions:

- Simcoe County will transfer Simcoe Road 91 between Grey Road 31/Simcoe Road 91 and Simcoe Road 124 (excluding 100 meters at the intersection of Simcoe Road 124) to Clearview Township
- Promptly after the transfer of Simcoe Road 91 to Clearview Township, Clearview Township will complete improvements to Sideroad 26/27; Sideroad 26/27 will not be used as a haul route for aggregate operations
- Once the improvements are made to Sideroad 26/27, Clearview Township will close and sell the former Simcoe Road 91 property abutting the existing Walker Aggregates quarry lands and the Walker Aggregates quarry expansion lands (excluding utility easements) to Walker Aggregates
- Clearview Township will pass a restricted use by-law for the portion of Simcoe Road 91 between the closed road lands and Concession 10 Nottawasaga in Clearview Township; this will provide restricted access as a local road providing ingress and egress for existing properties
- Clearview Township will undertake road improvements it deems appropriate to the portion of Concession 10 Nottawasaga in Clearview Township from Simcoe Road 91 to Sideroad 30/31 Nottawasaga

Agreement with Grey County, Clearview Township and Walker

Aggregate (Appendix G)

In July 2010, an agreement between Grey County, Clearview Township and Walker Aggregates was executed regarding the work to be undertaken on the portion of Sideroad 26/27 (Appendix G).

This agreement states the following, once the Walker Aggregates permits and applications for the Walker Aggregates quarry expansion have been approved:

- Clearview Township will complete a traffic survey of Sideroad 26/27 annually
- Two years after the issuance of the licence to Walker Aggregates, Clearview Township will surface treat Sideroad 26/27 provided the traffic count is 400 vehicles per day, or in such year the traffic study substantiates the traffic volumes are 400 vehicles per day
- Clearview Township will adopt a by-law which would restrict truck traffic and load restrictions on Sideroad 26/27 year-round

Niagara Escarpment Commission

The Niagara Escarpment Commission will be responsible for reviewing the construction plans for Sideroad 26/27. Their review will consider environmental and aesthetic concerns and not design standards.

The Niagara Escarpment Commission will soon be formally circulating the plans of Sideroad 26/27 to the public and agencies that have requested an opportunity to comment. Grey County will be included on the circulation.

Sideroad 26/27

Sideroad 26/27 is under the jurisdiction of Clearview Township. It extends from Grey Road 31/Simcoe Road 91 easterly approximately 2.6 kilometers to Concession 10 Nottawasaga. The existing road is gravel and has minimal ditching. The alignment is relatively straight with one tenth percent grade.

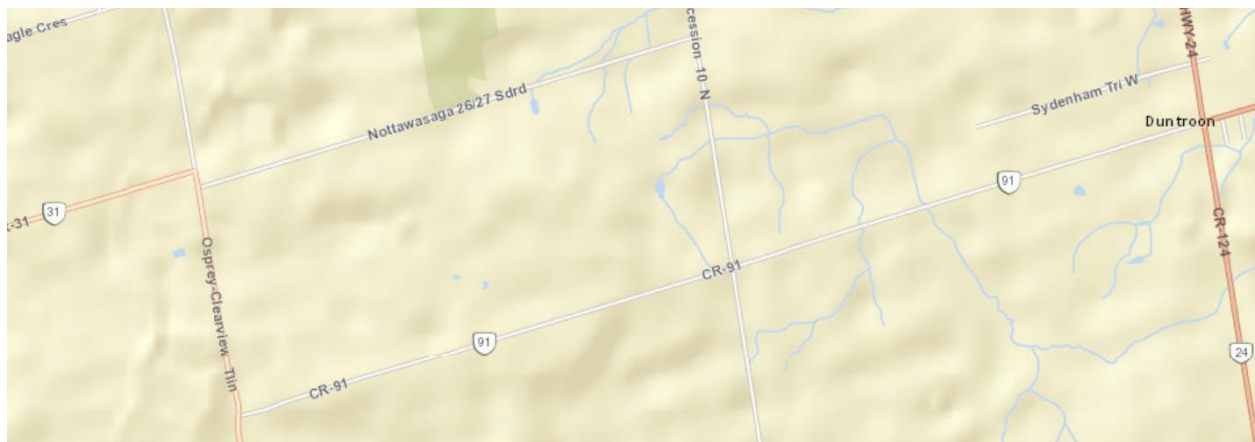
Clearview Township has indicated that they are planning to widen the road to 9.5 meters (including 3.5 meter driving lanes, 1.0 meter shoulders and 0.25 meter rounding), improve the drainage, and add granular material. They are considering this a Class A Environmental Project, and as a result public consultation is not required.

Grey Road 31 Traffic Counts

Grey County completed two, three day traffic counts on Grey Road 31 from September 8, 2014 to September 10, 2014. The following is the data obtained from these counts:

- North of Simcoe Road 91- 382 Average Daily Traffic
- South of Simcoe Road 91- 579 Average Daily Traffic

Area Map



Financial / Staffing / Legal / Information Technology

Considerations

Simcoe Road 91 is under the jurisdiction of Simcoe County and it has the authority under the Municipal Act to transfer the road to Clearview Township.

Once Clearview Township's plans for Sideroad 26/27 are received, Grey County will review and provide comments, if applicable

Link to Strategic Goals / Priorities

Not applicable

Attachments

[TR-TAPS-63-14 Simcoe Road 91 Transfer Appendix A](#)

[TR-TAPS-63-14 Simcoe Road 91 Transfer Appendix B](#)

[TR-TAPS-63-14 Simcoe Road 91 Transfer Appendix C](#)

[TR-TAPS-63-14 Simcoe Road 91 Transfer Appendix D](#)

[TR-TAPS-63-14 Simcoe Road 91 Transfer Appendix E](#)

[TR-TAPS-63-14 Simcoe Road 91 Transfer Appendix F](#)

[TR-TAPS-63-14 Simcoe Road 91 Transfer Appendix G](#)

Respectfully submitted by,

M.J. Kelly
Director of Transportation Services