

To:	Warden Hicks and Members of Grey County Council
Committee Date:	May 9, 2019
Subject / Report No:	PDR-CW-23-19
Title:	Niagara Escarpment Amendment - Sideroad 26/27 and the associated closure of Simcoe Road 91
Prepared by:	Randy Scherzer and Pat Hoy
Reviewed by:	
Lower Tier(s) Affected:	Grey Highlands
Status:	Report deferred to the May 23, 2019 Committee of the Whole meeting as per Resolution <i>CW106-19</i> ;

Recommendation

1. **That Report PDR-CW-23-19 which provides background information regarding the closure of Simcoe Road 91 and proposed upgrades to Sideroad 26/27 in Clearview Township be received for information.**

Executive Summary

The County has received a Niagara Escarpment Amendment application that proposes upgrades to Sideroad 26/27 in Clearview Township. The upgrades to Sideroad 26/27 have been triggered because of the future closure of a section of Simcoe Road 91 which connects with Grey Road 31. The closure of Simcoe Road 91 is based on an arrangement made by Simcoe County, Clearview Township, and Walker Industries as part of the expansion to the Duntroon Quarry in Clearview Township. Grey County entered into an agreement with Clearview Township and Walker Industries in 2010 regarding the work to be undertaken on the portion of Sideroad 26/27. The purpose of this report is to provide background information regarding the closure of Simcoe Road 91 and the proposed upgrades to Sideroad 26/27. Staff will be reviewing the proposed Niagara Escarpment Amendment application and will be providing technical comments to the Niagara Escarpment Commission prior to the comment deadline of May 31, 2019.

Background and Discussion

The County has received a proposed Niagara Escarpment Amendment (NEPA) application that proposes upgrades to Sideroad 26/27 in Clearview Township. The following is a link to the proposed application: [Request for Comments – NEPA PS 215 18](#).

The upgrades to Sideroad 26/27 have been triggered as a result of the future closure of a section of Simcoe Road 91 which connects with Grey Road 31. The closure of Simcoe Road 91 is based on an arrangement made by Simcoe County, Clearview Township and Walker Industries as part of the expansion to the Duntroon Quarry in Clearview Township. 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 from a seasonally maintained road to an all-season road to replace the County Road. 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 was involved in the review of the Duntroon Quarry expansion and expressed an interest in the proposed closure of Simcoe Road 91 and the subsequent upgrades to Sideroad 26/27. A report summarizing the County's involvement with these matters was presented back in 2014. The following is a link to that report: [TR-TAPS-63-14](#)

In July 2010, Grey County entered into an agreement with Clearview Township and Walker Industries regarding the work to be undertaken on the portion of Sideroad 26/27. The following is a link to the agreement – [Sideroad 26/27 Agreement – Clearview Township, Walker Aggregates and County of Grey – By-law 4675-10](#).

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

The Joint Board approved the Walker Aggregates Quarry Expansion in 2012. Since that time, Clearview Township has been seeking the necessary approvals to move forward with the upgrades to Sideroad 26/27. Clearview Township applied for a development permit application to upgrade Sideroad 26/27 and that application was refused by the NEC in November 2015 and has been appealed by Clearview Township. During the appeal process, additional environmental work was undertaken by Clearview Township which identified that the proposed road works would result in the removal of 1.2 hectares of natural heritage features and key hydrologic features within the existing right of way. The Township requested an adjournment to the hearing on the development permit application to apply for a Niagara Escarpment Amendment as the policies of the NEP prohibit development in wetlands.

The upgrades to Sideroad 26/27 as proposed by Clearview Township in the Niagara Escarpment Amendment application include the following:

- Improving the vertical alignment;
- Replacing road-crossing culverts to improve fish passage;
- Improving and widening the road base;
- Channel re-alignment to increase the current separation between the road and a watercourse;
- Tree removal;
- Re-surfacing the road;
- Ditch improvements; and,
- Addressing environmental and road side safety measures such as drainage, erosion and sedimentation issues.

Grey County staff will review the proposed Niagara Escarpment Amendment application and provide technical comments to the Niagara Escarpment Commission. Grey County staff will identify the agreed upon requirements for the upgrades to Sideroad 26/27 as identified in the Agreement between Grey County, Clearview Township and Walker Industries.

It is our understanding that Grey Highlands will be holding a public meeting on May 9th to receive comments from the public which they will be submitting to the Niagara Escarpment Commission. Clearview Township is also holding a Public Meeting on Wednesday, May 8th from 5 to 7:30pm at the Township office in Stayner.

Legal and Legislated Requirements

Grey County, Clearview Township, and Walker Aggregates are bound to the terms in the Agreement as adopted by By-law 4675-10.

Financial and Resource Implications

Clearview Township will be responsible for the costs associated with upgrading Sideroad 26/27.

Relevant Consultation

- Internal (Transportation Services)
- External (Niagara Escarpment Commission)

Appendices and Attachments

[Request for Comments – NEPA PS 215 18](#)

[TR-TAPS-63-14](#)

[Sideroad 26/27 Agreement – Clearview Township, Walker Aggregates and County of Grey – By-law 4675-10](#)