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**REPORT TITLE:**     **Boundary Road Agreement Amendment and Extension Between the Region of Peel and the Region of York**

**FROM:**             Andrew Farr, Acting Commissioner of Public Works

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## **RECOMMENDATION**

**That The Regional Municipality of Peel amend and extend the existing Boundary Road Agreement with The Regional Municipality of York for the maintenance and repair of the intersection of Regional Road 9 (King Street) and Albion-Vaughan Road and the portion of Regional Road 50 (Highway 50) under joint jurisdiction, for an additional term of 10 years, from January 1, 2019 to December 31, 2028;**

**And further, that a by-law be presented for enactment authorizing and directing the Regional Clerk to execute the Boundary Road Agreement amendment and extension on legal terms satisfactory to the Regional Solicitor.**

## **REPORT HIGHLIGHTS**

- Regional Council passed By-law 41-2015 on June 25, 2015 authorizing the Regional Solicitor and Regional Clerk to execute an agreement with The Regional Municipality of Peel (the “Region of Peel”) and The Regional Municipality of York (the “Region of York”) for the maintenance of the portion of Highway 50 under joint jurisdiction, for a term commencing January 1, 2009 to December 31, 2018 (the “Original Agreement”). The parties have continued to honour the Original Agreement until amendments for the extended term were mutually agreed upon.
- Regional Council approval is required to amend and extend the Original Agreement with the Region of York for an additional term of ten (10) years, from January 1, 2019 to December 31, 2028. The amendment was triggered by the full inclusion of the intersection of Peel Regional Road 9 (King Street) and Albion-Vaughan Road. The Original Agreement captured this intersection for the purpose of maintenance of traffic signals but did not specify obligations with respect to the capital works. The Original Agreement has been amended to correct this oversight.

## **DISCUSSION**

### **1. Background**

## **Boundary Road Agreement Amendment and Extension Between the Region of Peel and the Region of York**

On June 25, 2015 Regional Council passed By-law 41-2015 to execute a ten (10) year agreement with the Region of York for the maintenance of that portion of Highway 50, between Regional Road 15 (Steeles Avenue) and Regional Road 14 (Mayfield Road), which is under joint jurisdiction. The Original Agreement expired on December 31, 2018. Staff from both municipalities have agreed to amend and extend the Original Agreement for an additional term of ten (10) years, commencing January 1, 2019 and expiring December 31, 2028, and recommend that each party enter into the Boundary Road Amending and Extending Agreement. Typically boundary agreements are formally renewed when to an amendment is required (such as the case of this agreement) as opposed to the actual expiration of the agreement. Hence a gap of several years may occur between an agreement expiring and a renewal being executed. For more detailed information, a copy of the Boundary Road Amending and Extending Agreement is available from the Office of the Regional Clerk.

### **2. Shared Maintenance and Repair Responsibilities for the Intersection of King Street and Albion-Vaughan Road**

The Original Agreement has been amended to include the capital works obligations for the intersection of Peel Regional Road 9 (King Street) and Albion-Vaughan Road (Appendix I). Although the Original Agreement lists the traffic devices at this intersection as joint assets, it does not address maintenance and repair. Historically these activities have been shared by the neighboring municipalities and it is recommended that the parties now formally add the subject intersection to the Original Agreement through the Boundary Road Amending and Extending Agreement.

## **RISK CONSIDERATIONS**

Not implementing the Boundary Road Amending and Extending Agreement between the two parties may have an adverse impact on the safe and efficient movement of people and goods due to unclear roles and responsibilities. Consequently, this could negatively impact the on-going maintenance and repair of this important road corridor resulting in increased legal and financial liabilities for the Region of Peel.

## **FINANCIAL IMPLICATIONS**

As in previous boundary road agreements between the adjoining municipalities, the Region of Peel leads planning, design, construction, and maintenance of Highway 50 and the intersection of Peel Regional Road 9 (King Street) and Albion-Vaughan Road. For this reason, the Region of Peel is responsible for paying all costs directly and plans for this accordingly. The Region of York will be invoiced by the Region of Peel for 50 percent of the actual costs plus a varying administrative fee based on the type of work. The cost is already included in the existing approved budget.

## **CONCLUSION**

## **Boundary Road Agreement Amendment and Extension Between the Region of Peel and the Region of York**

Portions of Highway 50 and the intersection of Peel Regional Road 9 (King Street) and Albion-Vaughan Road form the municipal boundary between the Region of Peel and the Region of York. In order to ensure a fair and equitable distribution of costs, as well as well-defined roles and responsibilities, Region of Peel staff recommend that the Boundary Road Amending and Extending Agreement be approved and a corresponding by-law be enacted, to provide for the ongoing management of these shared assets until December 31, 2028.

### **APPENDICES**

#### **Appendix I – Limits of Boundary Road Agreement**

*For further information regarding this report, please contact Anna Lee, Program Manager Infrastructure Programming, Ext. 7866, [anna.lee2@peelregion.ca](mailto:anna.lee2@peelregion.ca).*

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*Reviewed and/or approved in workflow by:*

Department Commissioner, Division Director, Financial Support Unit and Legal Services.

Final approval is by the Chief Administrative Officer.



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N. Polsinelli, Interim Chief Administrative Officer