

4. ASSUMPTION OF CEDARVIEW ROAD BETWEEN BASELINE ROAD AND LYTLE AVENUE

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**COMMITTEE RECOMMENDATION**

**That Council send a letter to the Ministry of Transportation advising that the Region will not accept the portion of Cedarview Road between Baseline Road and Lytle Avenue back into its jurisdiction, until remedial measures are taken to improve the safety and design of the road.**

**DOCUMENTATION**

1. Director Mobility Services and Corporate Fleet Services report dated 26 Oct 98 is immediately attached.
2. Extract of Draft Minute, Transportation Committee 21 Oct 98 immediately follows the report and includes a record of the vote.

REGION OF OTTAWA CARLETON  
 RÉGION D'OTTAWA CARLETON

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REPORT  
 RAPPORT

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Our File/N/Réf.           **50** 20-98- R023, 02-98-0026  
 Your File/V/Réf.       **03** 07-98-0096

DATE                       26 October 1998

TO/DEST.                 Co-ordinator, Transportation Committee

FROM/EXP.               Director Mobility Services and Corporate Fleet Services  
 Environment and Transportation Department

SUBJECT/OBJET         **RESPONSE TO MOTION TC-7-98 - CEDARVIEW ROAD**

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### **DEPARTMENTAL RECOMMENDATION**

**That the Transportation Committee receive this report for information.**

### **BACKGROUND**

At the Transportation Committee meeting of 7 October 1998, Councillor McGoldrick-Larsen made the following motion:

*“That the Region not accept that portion of Cedarview Road (Baseline to Lytle) back into its jurisdiction until remedial measures are taken in order to improve the safety and design of the road.”*

### **DISCUSSION**

The Ministry of Transportation 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*. In summary, the 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.

When the works are completed the Ministry returns jurisdiction of the temporarily assumed road to the original road authority. Once the Ministry decides to do this, responsibility automatically reverts to the road authority, and the Municipality has no recourse but to accept it. That is the

strict legal interpretation of the Act. Historically, and recent highway transfers aside, the Ministry normally transfers roads after discussions with the local road authority. At this time the section of Cedarview Road under discussion is still under the temporary jurisdiction of the Ministry.

In addition to several conversations, staff sent a letter to the Ministry conveying this Committee's concern about the accidents that have occurred to date at the "S" curve, and that it was the Committee's wish that Cedarview Road not be transferred to our jurisdiction until this issue has been reviewed. Further, staff have offered to assist the Ministry in reviewing the accident history at this location and to determine how roadway modifications might be undertaken to ensure that motorists proceed through the area with greater caution, or to mitigate possible risks of future accidents.

### PUBLIC CONSULTATION

Public consultation will not be done as the road is currently under the jurisdiction of the Ministry of Transportation.

### FINANCIAL IMPLICATIONS

At this time there are no anticipated financial implications, other than a nominal amount of staff time to assist the Ministry in addressing this concern.

As stated previously, it is anticipated that the Ministry will be assuming the cost, if any, of implementing whatever decisions are reached following the review of the subject location. If, however, the Ministry chose to ignore this Committee's request and transferred road jurisdiction to the Region prior to the review being completed, it would then be the Region's responsibility. In this scenario, the road could be transferred with or without the funds necessary to carry out any modifications that may result from the review. If funds are provided by the Ministry, staff would proceed to implement the modifications; and if not, a report would be forwarded describing the modifications and requesting the necessary funding authority.

*Approved by  
Doug Brousseau*

SEM

Extract of Draft Minute  
Transportation Committee  
21 October 1998

Assumption of Cedarview Road between Baseline and Lytle

Councillor McGoldrick-Larsen inquired about the status of the Motion she put forward at the last meeting with respect to her request that the Region not accept Cedarview Road between Baseline and Lytle back into its system, until the Ministry has addressed the very serious safety concerns related to that portion of the road. D. Brousseau advised that following the last meeting, staff had taken the initiative and approached the local office of the Ministry to convey the Committee's position on the matter. He cautioned committee that the province could very well convey the road back to the Region in its existing condition, but indicated staff are working with MTO staff to come up with a remedial solution to address the dangerous curves in the road. The councillor indicated her preference that the committee have an opportunity to vote on her Motion, as it was simply given as direction to staff at the previous meeting for a report back and was not voted on at that time.

Moved by M. McGoldrick-Larsen

**That Council send a letter to the Ministry of Transportation advising that the Region will not accept the portion of Cedarview Road between Baseline Road and Lytle Avenue back into its jurisdiction, until remedial measures are taken to improve the safety and design of the road.**

CARRIED