



REPORT

TO: Mayor Bonnette and Members of Council

FROM: Mark Covert, Director of Public Works

DATE: July 29, 2021

REPORT NO.: TPW-2021-0025

SUBJECT: Boundary Road Maintenance Agreement – Town of Milton

RECOMMENDATION:

THAT Report No. TPW-2021-0025, dated July 29, 2021, regarding the Boundary Road Maintenance Agreement – Town of Milton, be received;

AND FURTHER THAT the Mayor and Clerk be authorized to execute an agreement with The Corporation of the Town of Milton for the maintenance and repair of highways under the joint jurisdiction of, and forming the boundary between, The Town of Halton Hills and The Town of Milton, and for the maintenance and repair of certain connecting highways.

AND FURTHER THAT The Commissioner of Transportation & Public Works, or his or her designate, be delegated authority to approve changes to Schedules A and B of the agreement, as may be required from time to time, to reflect changes to the roads subject to the agreement and/or maintenance responsibilities of the municipalities.

KEY POINTS:

The following are key points for consideration with respect to this report:

- The Ontario Municipal Act allows municipalities to enter into an agreement to maintain and repair highways for which they share joint jurisdiction and/or connecting highways.
- The towns of Halton Hills and Milton share several boundary roads and Milton currently performs winter maintenance on several connecting highways that lie within Halton Hills.

- Under previous agreements, Halton Hills and Milton have provided effective maintenance and repair to its boundary roads and several connecting highways for many years.
- An updated Boundary Road Maintenance Agreement with Milton has been developed that retains the general arrangement but incorporates several updates and clarifications of roles and responsibilities.
- The term of the new Agreement is five (5) years from the date of execution with an automatic renewal for an additional five (5) years.

BACKGROUND AND DISCUSSION:

The Ontario Municipal Act, under Sections 20(1) and 20(2), allows a municipality to enter into an agreement with an adjoining municipality to maintain and repair a highway for which they share joint jurisdiction, and to enter into an agreement to maintain and repair Connecting Highways. A “Connecting Highway” is a highway, or part thereof, that lies within one municipality for which another municipality agrees to perform maintenance.

The towns of Halton Hills and Milton share several boundary roads, including portions of Crewson’s Line, Nassagaweya-Esquesing Town Line, Tremaine Road, Campbellville Road, and 5 Side Road.

Furthermore, Milton currently performs winter maintenance for operational convenience on several connecting highways that lie within Halton Hills. Specifically, these connecting highways includes portions of 25 Side Road, 15 Side Road, Dublin Line, Fifth Line, and Sixth Line.

For routine maintenance activities, but excluding signal maintenance, Halton Hills and Milton have assigned offsetting maintenance responsibilities for these boundary and connecting highways for many years. Maintenance of a single traffic signal (on 5 Side Road at Mansewood Court/Peddie Road) is performed by Milton, with 50% of the cost charged to Halton Hills.

An updated Boundary Road Maintenance Agreement with Milton has been developed (Appendix A). While the general arrangement remains unaltered in the new agreement, several updates and modifications to the agreement have been made, including:

- Additional detail regarding roles and responsibilities for a number of assets, including traffic control signals, streetlights, trees, culverts and signs;
- Clarification of responsibilities for road cut permits, municipal consents, and development application approvals;
- Inclusion of clauses on the treatment of capital improvements and studies, including coordination of long-term budgeting and annual review of future needs;
- Clarification on the administration of personal injury and property damage claims;
- Inclusion of specific insurance provisions, including Halton Hills and Milton both maintaining General Liability insurance of not less than \$5,000,000, non-owned

automobile insurance of not less than \$5,000,000, and owned or leased automobile insurance of not less than \$5,000,000;

- Inclusion of clauses allowing Halton Hills' and Milton's Commissioners to make changes to Schedules A and B of the agreement, as may be required from time to time, to reflect changes to the roads subject to the agreement and/or maintenance responsibilities of the municipalities; and
- Inclusion of dispute resolution provisions.

The term of the new Agreement is five (5) years from the date of execution with an automatic renewal for an additional five (5) years, unless terminated under the provisions of the Agreement.

Halton Hills and Milton have provided effective maintenance and repair to its boundary roads and several connecting highways for many years. Approval of the attached updated Boundary Road Maintenance Agreement is recommended by staff.

STRATEGIC PLAN ALIGNMENT:

This report is administrative in nature and does not have an impact on the Town's Strategic Plan.

RELATIONSHIP TO CLIMATE CHANGE:

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

PUBLIC ENGAGEMENT:

Public Engagement was not needed as this report is administrative in nature.

INTERNAL CONSULTATION:

Transportation and Public Works Department and Purchasing & Risk Management staff worked collaboratively with Milton staff to negotiate the revised agreement. In addition, the Town's legal counsel reviewed the agreement and comments were incorporated, accordingly.

FINANCIAL IMPLICATIONS:

This report will be funded through an existing approved budget source.

Reviewed and approved by,

A handwritten signature in cursive script, appearing to read "W. Andrews".

Bill Andrews, Commissioner of Transportation and Public Works

A handwritten signature in cursive script, appearing to read "C. Mills".

Chris Mills, Acting Chief Administrative Officer