

The Corporation of the City of Kawartha Lakes

Committee of the Whole Report

Report Number RD2019-004

Date: July 16, 2019

Time: 10:00 a.m.

Place: Council Chambers

Ward Community Identifier: All

Title: Seasonal Level of Service Policy Review

Description: Council has requested the Seasonal Level of Service Policy for maintenance of unassumed roads come to the Committee of the Whole for review.

Author and Title: Bryan Robinson, Director of Public Works

Recommendation(s):

That Report RD2019-004, **Seasonal Level of Service Policy Review**, be received; and

That this recommendation be brought forward to Council for consideration at the August 13, 2019 regular Council meeting.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

Through 2015-2017 as part of the City's Core Service Review, the Limited Service Agreement (LSA) program was reviewed by Public Works staff in consultation with the Office of Strategy Management.

Staff continues to advise that maintenance on unassumed roads is not legally required. Money expended on these non-obligatory commitments could be redirected to the City's assumed road network. Staff went through an extensive public consultation and reported to Council on several occasions. Residents on unassumed roads who benefit from the program were overwhelmingly in favour of the program and in many cases requested additional services.

With consideration of the information presented, prior Council chose to continue service on unassumed roads.

It is important to note that there is no municipal legal obligation to provide any service to an unassumed road. Council has been provided the legal opinion in the past that states:

“The City is not legally obligated to provide maintenance on either category of road (private or unassumed) and not doing so limits both the maintenance costs and exposure to liability for the City.” (Staples & Swain)

The standard Limited Service Agreement program for unassumed roads included two (2) gradings per year and up to 2 loads of gravel per road at no charge. There is also a provision for an additional load of gravel for every kilometer of road (or portion thereof) over one km in length. In order to qualify for an LSA the road must have met City established minimum standards for limited service and pass an inspection. The roads receiving this service typically did not meet (nor often have the ability to meet) municipal standards with respect to drainage, sight lines, brush clearing, road base and surface condition.

At the Council Meeting of March 21, 2017 two reports were presented – one for Limited Service Agreements on Private Roads, the other for Limited Service Agreements on Unassumed Roads.

For unassumed roads, staff recommended replacing the Limited Service Agreement program with a Seasonal Level of Service policy. This would reduce the amount of administration involved and would allow staff to effectively schedule the work as part of their annual work plan.

During the Council deliberation a concern was raised regarding unassumed roads with LSAs that receive winter control (snowplowing). By replacing the LSA program with the Seasonal Level of Service Policy, the issue of snowplowing was

not clearly addressed. The intent of the recommended policy was to establish a consistent level of service policy for summer maintenance only which will replace the requirement for legal Limited Service Agreements.

Council adopted the following resolution for Unassumed Roads:

CR2017-250

Moved By Councillor Yeo

Seconded By Councillor Strangway

RESOLVED THAT the Director of Public Works forward an amended Seasonal Level of Service Policy including a grandfather clause relating to snow plowing for review; and

THAT the Director of Public Works be authorized to establish the service level for roads that are a combination of unassumed and/or private and/or assumed segments.

CARRIED

Staff responded to this resolution with a report at the April 18, 2017 Council meeting that addressed the winter maintenance concerns and at that meeting, Council resolved:

CR2017-350

Moved By Councillor Miller

Seconded By Councillor Dunn

RESOLVED THAT Report PW2017-004, **Limited Service Agreements - Unassumed Roads**, be received;

THAT the policy entitled Seasonal Level of Service Policy appended to Report PW2017-004 be adopted and numbered for inclusion in the City's Policy Manual;

THAT staff be directed to issue notice to Fulsom Crescent and Mink Alley that winter control services will not be provided after April 30, 2019; and

THAT all existing Limited Service Agreements for Unassumed Roads be cancelled effective April 30, 2017 and service be continued through the Seasonal Level of Service Policy.

CARRIED

CR2017-351

Moved By Councillor Veale

Seconded By Councillor Miller

RESOLVED THAT due to the unique circumstances, that staff be directed to continue winter control only for Antiquary Road.

CARRIED

Staff have been working under this direction since 2017.

At the June 18, 2019 Council meeting, Council resolved:

CR2019-413

Moved By Councillor Yeo

Seconded By Deputy Mayor Elmslie

That the Seasonal Level of Service Policy be brought forward to Council at a July 2019 meeting for review.

Carried

This report addresses this direction.

Rationale:

Through the background review of this Core Service review, it became apparent that the City did not have an accurate record of roads. This includes ownership, assumption and maintenance.

Staff have been working to assemble a Road Maintenance Database which will become an essential tool for both Engineering and Operations. Given the extensive road network in the City, this database will take several years to complete. Once complete, Staff will revisit the list of roads with Council to define the road network and establish Level of Service for each road segment.

The current SLOS program is working well as intended. At this time, Staff are not making any recommendations for alteration to the Policy.

Other Alternatives Considered:

At this time, there are no alternatives recommended by Staff.

Financial/Operation Impacts:

There are no servicing cost implications through receipt of this report. Significant cost implications could occur with amendments to the Policy. Staff recommends that any contemplated changes to this policy be first referred to Staff for a thorough review and report back to Council.

Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

The roads maintenance program aligns with the Strategic Enablers of “Efficient Infrastructure & Asset Management” and “Responsible Fiscal Resource Management”.

Review of Accessibility Implications of Any Development or Policy:

N/A

Servicing Implications:

N/A

Consultations:

Manager of Roads Operations

Attachments:

Appendix A – Report PW2017-004, Limited Service Agreements, Unassumed Roads



PW2017-004 Limited
Service Agreements L

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Department Head: Bryan Robinson, P.Eng.