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APPROVAL FOR UNDERTAKING FOR CAPITAL ROAD PROJECTS

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, April 14, 2005, from the Commissioner of Transportation and Works:

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council authorize undertaking all necessary works for those projects described in Schedule A (*see Attachment 1*), in accordance with this report and contingent on securing the appropriate Class Environmental Assessment (Class EA) approvals.
2. Regional Council authorize the acquisition of the necessary lands and interests in lands to proceed with construction of these projects, subject to compliance with the Region's procedure for land acquisitions.
3. The Regional Solicitor be authorized to prepare the necessary by-laws for the acquisition of the land and construction of the projects.

2. PURPOSE

The purpose of this report is to request Regional Council to pass a by-law authorizing acquisition of the lands for projects that either have a completed and approved Class EA or will have a Class EA completed in 2005.

3. BACKGROUND

The Municipal Act 2001 does not require public hearings to be held before Council approves road construction projects. Capital projects and the associated land acquisition do, however, require Council approval and enactment of an authorizing by-law. This report is intended to advise the Transportation and Works Committee and Regional Council of the details of certain planned projects which will require Council authorization to acquire property in order to subsequently proceed to construction.

4. ANALYSIS AND OPTIONS

4.1 Class Environmental Assessment

For each of the projects described in Schedule A, a Class EA study has been, or will be, undertaken to consider all feasible alternative solutions to the problem statement. Each project is currently at a different stage of the Class EA process. Once the Class EA is approved however, it will be imperative to proceed immediately to acquire the necessary lands so that construction can commence in the program year as approved in the Region's 10-year Capital Plan.

The Municipal Class EA specifies mandatory requirements for public notification and consultation, as well as the timing of the public consultation at the different stages of the study. Methods used for contacting and consulting the public on these projects include:

- Notices in local papers, mailing to persons directly affected and mailing to other stakeholders, interest groups, ratepayers groups, etc.
- Provision of study information through websites, information packages, etc.
- Information collection/exchange through public consultation centres, workshops, public meetings, one-on-one meetings, survey sheets, etc.

Various alternative solutions are considered and evaluated for each project. For road widening/reconstruction projects, alternatives may include do nothing, non-structural improvements, road upgrading, road widening, and diverting traffic to other roads. For water and wastewater projects, alternative solutions may include do nothing, new systems, expansions on the existing system and upgrading of existing systems.

Once a recommended solution is confirmed, specific alternative designs for each project are considered and evaluated against a variety of major criteria, including impact on natural environment, socio-economic impacts, life cycle project costs, operational considerations, impact to the public and land acquisition.

Land requirements are identified during the Class EA phase and finalized during the detailed design phase. Once the Class EA is approved, the process of land acquisition is initiated. When specific land requirements have been identified, acquisition of these lands will proceed in accordance with the Region's land acquisition policies. Lands with a value of \$50,000 or less are submitted to the Chief Administrative Officer for approval. Acquisitions with a purchase price over \$50,000 will be presented to Council for approval. Where purchases cannot be completed through negotiation, expropriation proceedings will be initiated.

4.2 Detailed Design

Following Class EA approval, detailed design is initiated. This phase includes the preparation of contract documents, which include engineering drawings and technical specifications. During this phase, the specific land requirements are finalized. At the

earliest opportunity, negotiations with the landowners and proceedings for expropriations are initiated as appropriate.

Initiating land acquisition at an early stage in the life of a project facilitates the delivery of capital projects in a timely manner.

5. FINANCIAL IMPLICATIONS

The approved 10-year Capital Plan includes budget amounts for land acquisition for each of the projects outlined in Schedule A. There are no new financial implications within the recommendations of this report.

6. LOCAL MUNICIPAL IMPACT

All of the projects involve key infrastructure requirements to improve servicing conditions and support growth in the Region. The construction of these projects will have a positive effect on the local residents in each local municipality through the improvement of the road infrastructure. Regional staff will continue to work with local municipal staff to finalize details of their requirements within each of these contracts.

7. CONCLUSION

In order to meet the construction timing schedules, it is appropriate to pass a by-law to authorize the works and acquire the necessary lands and interests in lands for the specific projects described in Schedule A. Approval of the works is conditional on fulfilling the requirements of the EA Act. Staff will proceed with acquisition of the lands in accordance with Regional policies and procedures and report back to Council as required.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause is attached to this report.)