



City of
Peterborough

To: **Members of Peterborough Regional Liaison Committee**

From: **Cynthia Fletcher**
Commissioner of Infrastructure and Planning Services

Meeting Date: **September 10, 2020**

Subject: **Report IPSESPRLC20-002**
Bensfort Road Ownership

Purpose

A report to provide update on staff discussion regarding Bensfort Road and the possibility of it becoming a jointly owned road, as it services the Peterborough City/County Waste Management Facility.

Recommendation

That the Peterborough Regional Liaison Committee approve the recommendations as outlined in Report IPSESPRLC20-002 dated September 10, 2020, of the Commissioner of Infrastructure and Planning Services as follows:

That the report be received for information.

Budget and Financial Implications

There are no budget or financial implications arising from receipt of this report.

Background

At the June 11, 2020 meeting of the Peterborough Regional Liaison Committee, item 5a) under Other Business was referred to City staff to report back to the Committee. The item referred from County Council suggested a discussion about potential joint ownership of Bensfort Road.

The City and County jointly operate the Peterborough City/County Waste Management Facility (PCCWMF) on Bensfort Road. The road is located in the Township of Otonabee-South Monaghan and is owned by and under the County's jurisdiction.

Scope of Discussion City staff from Legal, Environmental, Transportation and Engineering Services met with the Commissioner of Infrastructure and Planning Services to review the PRLC item directed for discussion. The Commissioner of Infrastructure and Planning Services then met with the County's Director of Infrastructure Services.

The **Municipal Act, 2001** contemplates that one municipality will own, have jurisdiction over and be obligated to maintain and repair a particular road. An exception relates to boundary roads for which each adjoining municipality owns and has jurisdiction over the road to its centre line unless the adjoining municipalities have entered into a Boundary Road Agreement. A Boundary Road Agreement will assign jurisdiction over the width of various segments of the boundary road to one municipality or the other. Bensfort Road is not a boundary road. The **Municipal Act, 2001** also contemplates transfers of jurisdiction over roads between an upper-tier municipality and its lower tiers. Neither the City nor the County is an upper tier of the other.

Summary

City and County staff reviewed the item referred from County Council suggesting a discussion about potential joint ownership of Bensfort Road. For the reasons outlined in the report, joint ownership is not possible.

Submitted by,

Cynthia Fletcher
Commissioner of Infrastructure and Planning Services

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