

Staff Report

Report To: City Council
Report From: Spencer Hammill, Engineering Technologist III
Meeting Date: April 13, 2026
Report Code: OP-26-018
Subject: 9th Avenue East Reconstruction – 6th Street East to Superior Street Phase 2 Encroachment and Delegation of Authority for Encroachment Approvals

Recommendations:

THAT in consideration of Staff Report OP-26-021 respecting the 9th Avenue Reconstruction – 6th Street East to Superior Street Phase 2 Encroachment and Delegation of Authority for Encroachment Approvals, City Council directs staff to bring forward by-laws to:

1. Authorize the Mayor and Clerk to execute an encroachment agreement with the Ministry of Transportation (MTO) to permit the City and its approved contractor to encroach and complete approved works within the MTO's regulated roadway; and
2. Amend the Delegation of Powers and Duties By-law to delegate authority to the Director of Public Works and Engineering and the City Manager, acting jointly, to execute encroachment agreements required for construction purposes on behalf of the City.

Highlights:

- The City requires an encroachment agreement with the Ministry of Transportation (MTO) to complete the approved works for the 9th Avenue East reconstruction from 6th Street East to Superior Street Phase 2. This includes realigning the watermain currently located within an easement located on private property through 143006

Superior Street to the public road allowance on Highway 6 & 10, (9th Avenue East).

- This encroachment is required as part of the 9th Avenue East reconstruction project to permit installation of signage and construction of the remaining works for the 9th Avenue East reconstruction project, which is anticipated to start following the execution of this agreement.
- To streamline approvals for future similar needs, staff propose a Delegation of Authority be granted to the City Manager and the Director of Public Works and Engineering to enter into encroachment agreements on behalf of City Council. This would reduce encroachment approval time and improve administrative efficiencies.

Vision 2050 - Strategic Plan Alignment:

The recommendation contributes to core service delivery or a corporate initiative that enables service delivery for one or more strategic priorities.

Previous Report/Authority:

[Delegation of Authority By-law](#)

Background:

9th Avenue East (6th Street East – Superior Street) Reconstruction Encroachment

In its second and final year, the reconstruction of 9th Avenue East involves replacing the existing poor-condition infrastructure including stormwater, wastewater, and watermain infrastructure from 6th Street East to Superior Street. An encroachment agreement with the MTO is necessary to satisfy the MTO's requirement to permit the City's contractor to construct the approved watermain within the MTO-regulated highway (outside of the Connecting Link limits, within which the City has jurisdiction). This new watermain will replace an existing shallow watermain in poor condition located on private property. Due to the additional length of the existing alignment, it has been determined that it would be more costly to replace in its existing location than a new alignment within the road allowance.

The encroachment agreement is also required to permit the necessary advisory and warning signage to inform commuters of upcoming construction activities as they enter the City from the south on Highway 6 & 10 (9th Avenue East).

City Manager and Director Delegated Authority for Encroachment Agreements

The City has experienced the need to execute encroachment agreements in favour of the City for the purpose of capital works on numerous occasions. This is expected to continue in future projects when capital projects are in the proximity of the municipal boundary or within the jurisdiction of other governing bodies.

The approval process currently requires significant staff time to research and draft reports for Council's approval and the execution of associated by-laws for projects that have already been reviewed/approved and awarded by Council. The current process adds to project timelines and potential delays. Staff suggest it would be more efficiently managed through a Council-approved delegated authority process.

Analysis and Options:

9th Avenue East 6th Street East – Superior Street Reconstruction Encroachment

As outlined earlier in this report, entering into an encroachment agreement with the MTO is required for the completion of the final phase of construction for the 9th Avenue East, 6th Street East – Superior Street reconstruction.

City Manager and Director Delegated Authority

Granting staff delegated authority to enter into encroachment agreements for the purposes of construction increases corporate efficiency by eliminating the Council approval process for each individual encroachment. The delegation of authority will be limited to encroachments that are required for construction purposes such as, but not limited to, erecting required construction signage and or installing/repairing City infrastructure currently outside of the City's boundary limits or where the MTO or County of Grey is the Road authority. All other encroachment requests will require Council approval.

Resource Alignment:

Financial Resources

There are no financial resources required to execute this agreement.

Human Resources

This delegation of authority will streamline staff time and improve staff efficiencies by reducing the number of reports being sent to Council.

Time and Scheduling

N/A.

Technology and Infrastructure

N/A.

Climate and Environmental Impacts:

There are no anticipated climate or environmental impacts.

Communication and Engagement:

This report has been posted to the City's website with the agenda in advance of the meeting.

Advisory and warning signage will be installed prior to the start of construction to inform commuters of upcoming construction activities as they enter the City from the south on Highway 6 & 10 (9th Avenue East).

The Delegation of Powers and Duties By-law is posted on the City's website.

Report Developed in Consultation With:

The Manager of Public Works and Engineering, Director of Public Works and Engineering, and the Manager of Legislative Services were consulted.

Attachments:

None.

Reviewed by:

Mason Bellamy, Manager of Public Works and Engineering
Lara Widdifield, Director of Public Works and Engineering

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Spencer Hammill,
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