

**Region of Waterloo**  
**Transportation Services**  
**Transportation**

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**To:** Sustainability, Infrastructure, and Development Committee  
**Meeting Date:** December 3, 2024  
**Report Title:** Regional Road Assumption – Duke Street between CN Railway tracks and Breithaupt Street

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**1. Recommendation**

That the Regional Municipality of Waterloo approve the commencement of the process to transfer Duke Street West, between CN Railway tracks and Breithaupt Street, from the City of Kitchener to the Regional Municipality of Waterloo as described in Report TSD-TRP-24-018.

1. Provide notice to the public of the proposed transfer of this section of Duke Street West from the City of Kitchener in accordance with the Region's Notice Policy;
2. Commence the process to amend the Road Consolidation By-Law 01-059 (Regional Road System) to assume this section of Duke Street West from the City of Kitchener, effective upon passing of the by-law;
3. Commence the process to amend Traffic and Parking By-law 16-023 to reflect the addition of existing traffic regulations on this section of Duke Street West to be assumed by the Region of Waterloo; and
4. Report back to Regional Council at such time as it is necessary to legally and physically close Duke Street West from Victoria Street North to Breithaupt Street.

**2. Purpose / Issue:**

The purpose of this report is to receive Council approval to begin the process of transferring jurisdiction of Duke Street West, between the CN railway tracks and Breithaupt Street (approximately 0.16 lane kms), from the City of Kitchener to the Region of Waterloo and to approve the transfer.

**3. Strategic Plan:**

The road transfer will support the Climate Aligned Growth and Equitable Services and Opportunities pillars of the 2023-2027 Corporate Strategic Plan as it will facilitate the building of the future Kitchener Central Transit Hub and the Duke Street pedestrian and

cycling underpass which will provide access to the public to more equitable services and options for travel.

#### **4. Report Highlights:**

- To facilitate the construction of the Kitchener Central Transit Hub and the pedestrian and cycling underpass, Duke Street West from Victoria Street to Breithaupt Street is required.
- On November 17, 2021, Regional Council approved the transfer of jurisdiction of the first (southern) section of Duke Street West from Victoria Street to the CN railway tracks. The City of Kitchener Council also passed a resolution on November 22, 2021, in support of the Region assuming this section of Duke Street West.
- The second (northern) section of Duke Street West from the CN railway tracks to Breithaupt Street, is required for the Region to enter into the Grade Separation agreement with Metrolinx for the construction of the Duke Street underpass and for Metrolinx to proceed with the tendering of construction.
- The total mileage of the Regional Road System will be increased by approximately 0.16 lane kilometres. There are no capital program budget implications, and the transportation operations maintenance budget will need a marginal adjustment.
- Regional staff will proceed to provide public notice as required by the Region's Notice Policy and place the proposed by-law to transfer road segment jurisdiction on the agenda of an upcoming Council Meeting.
- A separate report and municipal by-law process will be required before Duke Street West from Victoria Street to Breithaupt Street can be legally and physically closed.

#### **5. Background:**

Duke Street West is currently a local street under the jurisdiction of the City of Kitchener. To facilitate the construction of the Kitchener Central Transit Hub and the pedestrian and cycling underpass, Duke Street West from Victoria Street to Breithaupt Street is required. In report PDL-LEG-21-58/ COR-FFM-21-13 on November 17, 2021, Regional Council approved the transfer of jurisdiction of the first (southern) section of Duke Street West from Victoria Street to the CN railway tracks (Appendix B). The City of Kitchener Council also passed a resolution on November 22, 2021, in support of the Region assuming this section of road (please see Appendix C).

The second (northern) section of Duke Street West from the CN railway tracks to

Breithaupt Street (Appendix A) is needed for the Region to enter into a Grade Separation agreement with Metrolinx for the construction of the Duke Street underpass and for Metrolinx to proceed with the tendering of construction. The underpass will facilitate a strong pedestrian and cycling connection through the Transit Hub to the adjacent neighbourhoods. This road segment will also be used by Metrolinx for construction staging and will be the access point for bringing in construction materials to the site.

Once construction of the Transit Hub and Duke Street underpass is completed, the southern section of Duke Street between Victoria Street and the CN railway tracks will be permanently closed to public vehicular traffic; and the northern section of Duke Street between the CN Railway tracks and Breithaupt Street will be used as a service road for Metrolinx, and there will be an easement on the road to allow the public and owners of 282 and 284 Duke Street to access the parking lot. Duke Street will not be a through street for vehicular traffic in the future, however it will be a through street for pedestrians and cyclists.

## **6. Communication and Engagement with Area Municipalities and the Public**

### **Area Municipalities:**

The City of Kitchener staff have been advised of this report going forward to Regional Council and they are in support of the recommendations. Kitchener staff will write a report to their Council informing them of the transfer of jurisdiction of this road segment and the City of Kitchener Council is expected to pass a resolution in support of the Region assuming this section of Duke Street West.

### **Public:**

On September 28, 2012, information was provided to the public at the King-Victoria Transit Hub Open House held by the Region. On November 28, 2019, the Region, City of Kitchener and Metrolinx provided updated information regarding the project and integration of the GO transit to the public at a neighbourhood public meeting. On January 27 and December 3, 2020, the public consultations noted the proposed assumption of Duke Street and the future closure to accommodate the GO Station relocation.

Notice of the proposed assumption of Duke Street West between CN rail tracks and Breithaupt Street will be given in accordance with the Region's Notice Policy once Regional Council approves this report.

The actual closure of Duke Street West between Victoria Street and Breithaupt Street to vehicular traffic will require By-law approval which will be advertised in accordance with the Region's Notice Policy.

**7. Financial Implications:**

There will be minimal operating budget impacts because of assuming this section of the road. Additional costs associated with the pedestrian underpass will be addressed through annual adjustments to the Area Maintenance Agreement with the City of Kitchener.

**8. Conclusion / Next Steps:**

Regional staff is recommending that Council approve the transfer of jurisdiction of this road segment (approximately 0.16 lane kilometres). City of Kitchener staff will recommend to their City Council that it support the Region assuming this road segment.

Once Council approves the transfer, Regional staff will proceed amending the existing Road Consolidated By-Law 01-059 (Regional Road System) to assume this road segment and will amend the Traffic and Parking By-law 16-023 to reflect the addition of existing traffic regulations on the section of road. Staff will place the proposed by-law on the agenda of an upcoming Council Meeting. Regional staff will also proceed to provide public notice as required by the Region's Notice Policy.

A separate report and municipal by-law process will be required before Duke Street West from Victoria Street to Breithaupt Street can be legally and physically closed.

**9. Attachments:**

Appendix A: Location map of Duke Street btw CN Railway tracks and Breithaupt St.

Appendix B: Regional report from the City of Kitchener- transfer of Duke St from Victoria St to CN Rail tracks

Appendix C: City of Kitchener Council Resolution supporting the transfer of Duke St from Victoria St to CN Rail tracks

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