

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

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**To:** Sustainability, Infrastructure, and Development Committee  
**Meeting Date:** April 8, 2025  
**Report Title:** Duke Street Road Assumption By-Law

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**1. Recommendation**

That the Regional Municipality of Waterloo approve the following actions regarding Duke Street West between Victoria Street North and Breithaupt Street in the City of Kitchener effective April 24, 2025 at 12:01 a.m.

1. Pass a by-law to amend Road Consolidation By-law 01-059 (Regional Road System) to add the following parts of Duke Street West to the Regional road network, as per Report TSD-TRP-25-004 dated April 8, 2025:

- Duke Street West (between Victoria Street North and rail corridor), legally described as: Edwards Street, Plan 374, Kitchener (AKA Duke Street) lying West of Victoria Street and South of CNR, City of Kitchener.
- Duke Street West (between rail corridor and Breithaupt Street), legally described as: Part of Edwards Street, Plan 376, being Parts 1, 2, 3 and 4 on 58R-22190, City of Kitchener.

2. Pass a by-law to amend Traffic and Parking By-law 16-023 to:

- Add to schedule 01 - No Parking on Duke Street West from Breithaupt Street to Victoria Street, both sides, anytime.
- Add to schedule 04 - No Stopping on Duke Street West from Breithaupt Street to Victoria Street, both sides, 4:30 p.m. to 5:30 p.m., Monday to Friday.

**3. Purpose / Issue:**

The purpose of this report is seek Council's approval to amend By-law 01-059 and By-law 16-023 as a follow up to the transfer of jurisdiction over Duke Street West between Victoria Street North to Breithaupt Street from the City of Kitchener to the Region of Waterloo as outlined in report PDL-LEG-21-58/ COR-FFM-21-13 on November 17,

2021, and report TSD-TRP-24-018 on November 5, 2024, for the Kitchener Central Transit Hub.

#### **4. 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 (KCTH) and the Duke Street pedestrian and cycling underpass.

#### **5. Report Highlights:**

- Regional Council approval is sought to transfer jurisdiction of Duke Street West between Victoria Street N and Breithaupt Street from the City of Kitchener to the Region. If approved, this section of Duke Street West shall be added to the Region's road network by amending the Road Consolidation By-law 01-059 and a traffic and parking along this section shall follow as per the by-law to amend the Traffic & Parking By-Law 16-023, as applicable.
- Once the by-law has been amended the Region intends to enter into an grade separation agreement with Metrolinx to facilitate the construction of the pedestrian and cycling underpass along Duke Street West, as part of the future Kitchener Central Transit Hub project.
- The City of Kitchener has agreed to the transfer of jurisdiction of the said section of Duke Street West as outlined in the by-law and the public have been notified as per the Region's Notice Policy.

#### **6. Background:**

Duke Street West between Victoria Street N and Breithaupt Street is currently a local street under the jurisdiction of the City of Kitchener. A transfer of jurisdiction between the City of Kitchener and the Region is required to facilitate the construction of the pedestrian and cycling underpass as part of the future Kitchener Central Transit Hub. On November 17, 2021 and December 3, 2024 Regional Council approved the commencement of the process for transferring jurisdiction of Duke Street West from Victoria Street N to the CN railway tracks and from the CN railway to Breithaupt Street, respectively (Reports PDL-LEG-21-58/ COR-FFM-21-13, and TSD-TRP-24-018).

Before Metrolinx start construction on the Duke Street Underpass, the following must occur:

- Transfer of jurisdiction from the City of Kitchener to the Region and addition of parts of Duke Street West between Victoria St N and Breithaupt St to the Regional Road network. Transfer of jurisdiction of Duke Street West (between Victoria St N and Breithaupt St) from the City of Kitchener to the Region. See Appendix A.

- A grade separation agreement between the Region and Metrolinx must be in place prior to construction. Preparation of the agreement is in progress.

The operating costs in 2025 are estimated to be less than \$5,000 and this will be accommodated within the Transportation Operations budget. Staff will endeavour to find savings throughout the year to offset this variance. These costs will be built into the 2026 budget if required.

Region Staff will 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. The traffic regulations that were in place by the City of Kitchener will be continued by the Region of Waterloo until such time as Duke Street West will be closed to the public (future) to enable the construction of the Duke Street Underpass.

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

### **Area Municipalities:**

As per previous reports the City of Kitchener has been consulted and is in agreement with the transfer.

### **Public:**

Notice of the proposed assumption of Duke Street West between Victoria Street North and Breithaupt Street has been given in accordance with the Region's Notice Policy.

## **8. Financial Implications:**

The total length of the Regional Road System will be increased by approximately 0.31 lane kilometers. It is anticipated that the road will be closed prior to construction of the KCTH. The operating costs in 2025 are estimated to be less than \$5,000 and this will be accommodated within the Transportation Operations budget. Staff will endeavour to find savings through out the year to offset this variance. These costs will be built into the 2026 budget if required.

## **9. Conclusion / Next Steps:**

A grade separation agreement is required to construct a pedestrian and cyclist underpass along Duke Street West, as part of the Kitchener Central Transit Hub project. Before an agreement can be finalized, the Region requires jurisdiction over Duke Street West between Victoria Street N to Breithaupt Street. This report requests approval from Council for the transfer of jurisdiction of the subject section of Duke Street from the City of Kitchener to the Region and to amend By-law 01-059.

Construction of the Metrolinx grade separation is anticipated to start in late 2025 or early 2026. Region staff will report back to Regional Council requesting the permanent closure of Duke Street as a through street, prior to the start of construction. Additionally,

Region staff are confirming with all utility companies, the City of Kitchener and Metrolinx to ensure all infrastructure crossing underneath the railway are protected in a manner acceptable to the rail authority and the infrastructure owners. Future easements required for driveway access on the north side Duke Street, off of Breithaupt Street, will be facilitated after the transfer of road jurisdiction.

**10. Attachments:**

Appendix A – Map of Duke Street West

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**Approved By:** Doug Spooner, Acting Commissioner, Transportation