

THE REGIONAL MUNICIPALITY OF YORK

**REPORT NO. 1
OF THE REGIONAL COMMISSIONER OF TRANSPORTATION AND WORKS**

**For Consideration by
The Council of The Regional Municipality of York
on February 22, 2007**

**1
HIGHWAY 404 EXTENSION
GREEN LANE TO MOUNT ALBERT ROAD STATUS UPDATE
TOWN OF EAST GWILLIMBURY**

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council approve an addition to the draft 2007 Roads Capital Budget for the construction of retaining walls and platform wide enough to accommodate four lanes and sidewalks for Mount Albert Road (Y.R. 13) under the new Highway 404 bridges scheduled to be constructed by the Ministry of Transportation of Ontario in 2007-08, and for the redistribution of local traffic in the vicinity of this project, in the amount of \$325,000.
2. The Commissioner of Transportation and Works be authorized to execute the appropriate agreements with the Ministry of Transportation for the inclusion of such works in the Highway 404/Mount Albert Road (Y.R. 13) bridge contract.
3. The Minister of Environment of Ontario be advised that, in the interest of accelerating the long-awaited Highway 404 extension, The Regional Municipality of York is withdrawing its request for a “bump-up” of the Transportation Environmental Study Report for the Highway 404 Extension from Green Lane (Y.R. 19) to north of Mount Albert Road (Y.R. 13).
4. The Ministers of Environment and of Transportation be advised that the Region requests that the Ministry of Transportation work with Regional and local municipal staff to ensure that all details regarding need, justification, funding, and mitigation of

traffic impacts during construction, of the imminent Highway 404 road crossings of Regional and local roads north of Mount Albert Road (Y.R. 13), be addressed in the future Transportation Environmental Study Report(s) for such works.

5. The Regional Clerk forward this report to the Ministers of Environment and of Transportation, and the Clerks of the Towns of East Gwillimbury, Georgina, and Newmarket.

2. PURPOSE

The purpose of this report is to provide an update on the status of discussions with the MTO staff regarding issues pertaining to the imminent crossing of Highway 404 over Mount Albert Road.

3. BACKGROUND

On January 25, 2007 Regional Council was advised of the concerns Regional staff had identified with respect to the Ministry of Transportation (MTO) Transportation Environmental Study Report for the Highway 404 Extension from Green Lane to north of Mount Albert Road (*see Attachment 1*). The January report outlined two principal concerns:

- The refusal of the MTO to pay for the construction of an opening under the new Highway 404 bridges to allow for the future construction of four lanes and sidewalks on Mount Albert Road estimated to cost an additional \$350,000 (2005 estimate).
- The MTO's desire to close both Mount Albert Road and Farr Avenue in the Town of East Gwillimbury for nine to twelve months during construction, thereby resulting in significant out-of-the way travel for local traffic.

During January 2007, Regional staff have had many discussions with MTO and Town of East Gwillimbury staff regarding this matter.

With respect to the cost of constructing a clear platform under the Highway 404 bridges over Mount Albert Road, MTO staff have most recently advised that the Ministry will only agree to provide an additional \$75,000 towards such construction and that the Region would have to commit to provide the remaining \$275,000 should it wish to include this construction in the bridge contract. MTO staff has also indicated to Regional and Town staff that it can contribute an additional \$50,000 towards the mitigation of local traffic impacts associated with maintaining the Farr Avenue connection to Woodbine Avenue during the period of the Mount Albert Road closure. MTO staff has indicated that \$125,000 is all the additional funding that the Provincial budget for this component of the Highway 404 project will permit.

4. ANALYSIS AND OPTIONS

4.1 Provision of Adequate Clear Span of the Overhead Bridge

In light of the MTO's position, the Region has three options.

4.1.1 Option 1 – Region Awaits Ruling on the “Bump-up”

Regional Council has always maintained that the need for future Mount Albert Road widening results from provincially-directed growth. Although, the MTO has indicated that it is able to contribute \$75,000 towards the construction of a clear platform under the new Highway 404 bridges, construction of this clear platform at this time would still require a \$275,000 funding contribution from the Region. The Region could continue to insist on a 100% provincial funding commitment. The Region could therefore leave the request for a “bump-up” on the public record, and the MTO would request the MOE to rule on the request. Unfortunately, there is no certainty with regards to either the timing or the outcome of such a ruling. Furthermore, MTO has indicated that it would not be in a position to complete property acquisition until such a ruling is delivered. This course of action would likely result in significant delays to the start of this overdue project.

4.1.2 Option 2 – Region Contributes \$275,000 and Withdraws “Bump-up”

In light of the potential for significant delays with Option 1, the Region could agree to contribute the \$275,000 in question, in this instance only. This could then result in the Region withdrawing its request for a “bump-up” of this project to a full Individual Environmental Assessment. Such a withdrawal should however be accompanied by communication to both Provincial Ministries of the Region's insistence that all questions related to need, justification, responsibility, and funding be appropriately addressed prior to the submission of future Transportation Environmental Study Report(s) for the upcoming Highway 404 works between Mount Albert Road and Glenwoods Avenue. Addressing such issues at an earlier stage of implementation would ensure that unresolved issues do not jeopardize timely delivery of those sections of Highway 404.

4.1.3 Option 3 – Region Refuses to Contribute but Withdraws “Bump-up”

Lastly, Regional Council could maintain its position, as in Option 1, but in the interest of ensuring no further delays to the project, could withdraw the Regional “bump-up”.

In this instance, MTO would likely build the structure without the retaining walls, and the Region would have to construct these walls and associated works, at the time of future widening of Mount Albert Road. Regional staff anticipate that the cost of carrying out such future work would be significantly greater than the \$350,000 cost to include it now. These increased costs relate to the increased complexity of dealing with the constrained environment under the Highway 404 bridges, lack of economies of scale, and permitting issues associated with building through a Provincial highway corridor.

4.2 Traffic Impacts during Construction

Through discussions with staff of the Town of East Gwillimbury, it has been identified that Town staff have concerns with the anticipated deterioration of Farr Avenue and Donlands Avenue resulting from greater use of these roads by local traffic during the proposed closure of Mount Albert Road. The costs of rehabilitating these short sections of local roadways following Mount Albert Road construction has been estimated at \$100,000. The Region has also identified the potential need for temporary signalization at the intersection of Farr Avenue and Woodbine during the period of the Mount Albert Road closure. The estimated cost of such temporary signals is \$50,000.

In recent discussions, Ministry staff have indicated that the Ministry could contribute an additional \$50,000 towards the mitigation of these local traffic impacts related to the proposal closure of Mount Albert Road. This would leave approximately \$100,000 of additional costs to be borne jointly by the Region and the Town of East Gwillimbury. In the interest of minimizing the impact of such a road closure on the residents of Sharon it has been proposed that the Region contribute half of these costs, i.e. \$50,000. The remaining costs would be borne by the Town of East Gwillimbury. On February 19, 2007, the council of the Town of East Gwillimbury passed a resolution essentially agreeing to such an arrangement in principle. It is proposed that the Region follow through with the allocation of an additional \$50,000 towards this initiative, allowing for final resolution of the issues.

4.3 Recommendation

In light of the urgent need for this project, and considering the potential higher future costs of building a wider platform under the Highway 404 bridges over Mount Albert Road, Regional staff feel that the Region's overall interests may best be served by contributing the estimated \$325,000 towards the MTO's current project. With Regional Council direction to enact such a contribution, the Region could thus withdraw the request for a "bump-up" of the environmental study for this project.

5. FINANCIAL IMPLICATIONS

A Regional commitment to contribute towards the construction of retaining walls and a widened platform for four lanes and sidewalks under the Highway 404 bridges over Mount Albert Road, and for the mitigation of local traffic impacts, would result in estimated \$325,000 expenditure in 2007-08. This expenditure was not included in the draft budget that was tabled. These costs can be budgeted for in the 2007 Roads Capital Budget and would be funded at a rate of 76.5% (\$250,000) coming from development charge revenues, and 23.5% (\$75,000) coming from tax levy reserves. It is proposed that this project would then be included in the upcoming development charges by-law update.

6. LOCAL MUNICIPAL IMPACT

The construction of the interim Highway 404 extension will provide substantial community and economic benefits to the Towns of East Gwillimbury and Georgina. The extension has long been a critical transportation infrastructure component of planning done in both of these municipalities. Provided that provisions can be included in the initial construction to accommodate both existing and imminent community needs at the arterial roads crossings and connections to the extended highway, the extension will greatly improve the transportation servicing to the adjoining communities.

Temporary construction impacts can be expected in the vicinity of the highway and the adjoining arterial and local municipal roadways. These can be managed through the construction of temporary signals at Farr Avenue and Woodbine Avenue, and through commitments to restoration of the short affected sections of Farr Avenue and Donlands Avenue following the Mount Albert Road construction. The request for Council approval for closure of Mount Albert Road during construction of the new Highway 404 bridges will be the subject of a future report to Transportation and Works Committee and Regional Council, once timing has been better defined by the MTO. Regional staff will continue to work with MTO staff to ensure that local municipal staff are consulted and involved during the preparation for the upcoming construction.

7. CONCLUSION

The long-awaited extension of Highway 404 from Green Lane East to the interim termination point at Woodbine Avenue/Ravenshoe Road is of vital importance to the Region. With the recent commitment of an additional \$125,000 from the MTO, it is now recommended that the Region contribute an estimated \$325,000 (2005 estimate) to the construction of the Mount Albert Road crossing, and that the Region withdraw the request for a “bump-up” of this project. Regional staff continues to work with MTO staff to ensure early construction of the extension.

For more information on this report contact Paul Jankowski, General Manager Roads Branch at extension 5901 in the Transportation and Works Department.

Respectfully submitted,

**February 22, 2007
Newmarket, Ontario**

**B. Macgregor
Comissioner of
Transportation and Works**

(Report No. 1 of the Commissioner of Transportaton and Works was adopted, without amendment, by Regional Council at its meeting held on February 22, 2007.)