

1
INFRASTRUCTURE ASSUMPTIONS/REVERSIONS
BOGARTTOWN CURVE
KIRBY CRESCENT PUMPING STATION

1. RECOMMENDATIONS

It is recommended that:

1. The Bogarttown Curve (Y.R. 74 A) between Leslie Street (Y.R. 12) and Mulock Drive (Y.R. 74) be transferred to the Town of Newmarket effective December 31, 2004.
2. The Region assume the Kirby Crescent Pumping Station in the Town of Newmarket effective December 31, 2004.
3. The Regional Solicitor prepare the necessary by-laws to give effect to the foregoing.
4. The Regional Clerk forward a copy of this report to the Clerk of the Town of Newmarket.

2. PURPOSE

This report is to authorize the transfer of the Bogarttown Curve from the Region to the Town of Newmarket and the assumption of the Kirby Crescent Pumping Station from the Town of Newmarket, effective December 31, 2004.

At the Transportation and Works Committee meeting of December 1, 2004, there was discussion about the final disposition of some of the Bogarttown Curve right-of-way lands which would be transferred to Newmarket Hydro for a proposed transformer station. Committee deferred consideration of the matter and requested further clarification in a report to Regional Council.

Staff have been in contact with the Town of Newmarket staff and have been assured that the lands in question will be transferred to Newmarket Hydro with no net compensation.

3. BACKGROUND

The Bogarttown Curve was originally part of the main traffic route that carried traffic to and from Woodbine Avenue along Vivian Road/Mulock Drive to and from Leslie Street. This curve provided a direct connection for the majority of the traffic. Over the years and as the area developed traffic patterns changed and in 1995 the Region completed the reconstruction of Mulock Drive and Leslie Street intersection to accommodate east-west and north-south traffic. As part of the contract, the Bogarttown Curve was closed at the

south end with a cul-de-sac. Access to the curve remains from Leslie Street. A plan showing these roads is attached as *Attachment 1*.

The Kirby Crescent pumping station was originally constructed by the Town of Newmarket. However, the operation and maintenance was immediately assumed by the Region on behalf of the Town. This pumping station currently serves a population in excess of 10,000 persons and is connected to an existing Regional water storage facility (see *Attachment 2*).

3.1 Town of Newmarket Request

The Council of the Town of Newmarket at a Special Council meeting held on Monday, November 15, 2004 adopted the following recommendations:

1. *THAT the Regional Municipality of York be requested to expedite as soon as reasonably possible and no later than December 31, 2004 the following infrastructure reversions as approved by Council in Public Works Report 2004-03;*
 - i) *Bogarttown Curve (Region to Town)*
 - ii) *Kirby Crescent Water Booster Station (Town to Region)*

4. ANALYSIS AND OPTIONS

4.1 Bogarttown Curve

The Bogarttown Curve does not perform a Regional function as it is no longer a through road and provides access for only two houses. Its function has been replaced by the reconstructed Leslie Street and Mulock Drive intersection. Discussions have been under way for several years on infrastructure reversions and it has been agreed that the Bogarttown Curve should be transferred to the Town of Newmarket. The Town of Newmarket Council has requested that the Bogarttown Curve be transferred to the Town as early as possible, and no later than December 31, 2004. It is therefore appropriate for Regional Council to pass a by-law authorizing the transfer of Bogarttown Curve to the Town of Newmarket.

All the engineering drawings, plans, records, etc. will be provided to the staff at the Town of Newmarket as part of the transfer process.

4.2 Kirby Crescent Pumping Station

Although owned by the Town of Newmarket, the Region has been operating and maintaining this pumping station since its construction in the late 1980's. This pumping station currently meets the policy definition of Regional infrastructure which specifically refers to a water pumping station that:

- Is connected to an existing or proposed water storage facility.

- Services a population of approximately 10,000 people.

The Town of Newmarket Council has requested that the assumption of the Kirby Crescent pumping station occur in conjunction with the transfer of the Bogarttown Curve.

5. FINANCIAL IMPLICATIONS

Since the Bogarttown Curve has limited traffic, the maintenance costs are quite low and would have very little or no impact on the operating budget.

The Region will be responsible for the ownership and future operation and maintenance costs of the Kirby Crescent pumping station once the assumption is completed. The Region is carrying sufficient funding in the proposed 2005 operating budget to support this facility.

6. LOCAL MUNICIPAL IMPACT

The Town of Newmarket Council has requested the Region to transfer the Bogarttown Curve to the Town and to assume the Kirby Crescent Water Booster Station from the Town. As a result, the Regional Clerk should send a copy of this report to the Clerk of the Town of Newmarket.

7. CONCLUSION

Bogarttown Curve no longer performs a Regional function and the Town of Newmarket Council has requested that it be transferred to the Town. It is therefore recommended that Regional Council pass a by-law authorizing this transfer.

The Kirby Crescent pumping station meets the criteria for Regional infrastructure and the Town of Newmarket Council has requested that it be transferred to the Town. It is therefore recommended that Regional Council pass a by-law authorizing this transfer.

The Senior Management Group has reviewed this report.

(The attachments referred to in this clause are attached to this report.)