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CITY OF VAUGHAN REQUEST ZENWAY BOULEVARD MAINTENANCE AGREEMENT

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, November 10, 2008, from the Commissioner of Transportation Services:

1. RECOMMENDATIONS

It is recommended that:

1. The Region decline the City of Vaughan's request to enter into an agreement with regard to the maintenance and repair of the local collector road Fogal Road/Zenway Boulevard.
2. The Regional Clerk forward this report to the Clerk of the City of Vaughan.

2. PURPOSE

This report addresses the City of Vaughan's request to enter into an agreement for the maintenance and repair of Zenway Boulevard. A location plan is provided (*see Attachment 1*).

3. BACKGROUND

At its meeting on September 3, 2008, the Transportation and Works Committee received Item 25, Report No. 36 titled "*Stop Control Reconfiguration, Fogal/Zenway/Old Huntington Road Intersection*" prepared by the City of Vaughan Committee of the Whole and adopted by their Council on June 23, 2008 (*see Attachment 2*).

The Report recommends that:

"The Region of York be requested to enter into an agreement with the City to facilitate the remediation of any damage or accelerated deterioration of Zenway Boulevard between Old Huntington Road and Highway 27 resulting from the projected high traffic volumes that will be using Zenway Boulevard to access or egress the Highway 427 Arterial Road Extension."

The issue was referred to Regional staff to examine the justification and merit of the request and supporting claims based on previous discussions, negotiations and agreements between York Region and City of Vaughan staff.

A 2003 study set the framework for Transportation Network Improvements

The 2003 York / Peel Boundary Area Transportation (BAT) study addressed the transportation needs in the rapidly growing area bounded by Steeles Avenue to the south, Mayfield Road and Nashville Road to the north, Airport Road to the west and Highway 27 to the east. It identified a long-term (2031) transportation plan as well as short-term road improvements needed to address the growing transportation demand in the area.

The study's short-term road network was developed to address interim traffic demand prior to the ultimate extension of the Highway 427 by the Ministry of Transportation (MTO). The key improvements included a proposed four-lane east-west collector road (Zenway Boulevard) north of Highway 7 connecting Highway 50 to Highway 27, and a proposed four-lane north-south arterial road from the existing terminus of Highway 427 to Zenway Boulevard.

These improvements, once implemented would provide immediate relief to the traffic congestion in the study area, until the Highway 427 is ultimately extended by the MTO, at which time the interim arterial extension will be closed and there will be no direct access to the freeway from Zenway Boulevard.

Council endorsed the cost-sharing formula and Implementation Strategy

In April 2006, Regional Council approved recommendations on a cost-sharing proposal and implementation strategy between York Region, MTO, Peel Region, City of Vaughan and Area Developers (*see Attachment 3*). The principles of the cost-sharing and implementation strategy were predicated on the anticipated benefits to the respective parties as a result of the arterial extension. The City of Vaughan and developer group benefit from the completion of a key collector road and direct access to Highway 427 from the lands in the area. The development of lands and construction of a collector road and servicing spine across the Highway 427 corridor were previously frozen pending the outcome of Environmental Assessment Study for the ultimate Highway 427. The implementation of the 427 Arterial Road Extension and the Zenway crossing of the Highway 427 corridor allowed development in this area to proceed.

4. ANALYSIS AND OPTIONS

City of Vaughan agreed to cost-sharing formula and Implementation Strategy

The implementation strategy carried forward allocated the construction cost for the new Zenway Boulevard link to the City of Vaughan and area developers. In addition, the City of Vaughan and the developer group assumed 50% of the cost of upgrading Fogal Road from Highway 50 to Old Huntington Road to a four-lane roadway. The implementation

strategy also assigned 100% of the maintenance and operation of Zenway Boulevard to the City of Vaughan.

On June 23, 2006, the Region received the City of Vaughan's written endorsement of the cost-sharing arrangement and implementation strategy between funding partners (see *Attachment 4*). In May 2007, staff updated Regional Council that the City of Vaughan and area developers endorsed the cost-sharing arrangement and implementation strategy and confirmed they were proceeding with the construction of the remaining link of Zenway Boulevard.

City of Vaughan to benefit from road network improvements

The City of Vaughan report stated that top asphalt and road assumption works on Zenway Boulevard were advanced primarily to accommodate a Regional purpose:

"Since the placement of the top asphalt is being advanced primarily to accommodate a Regional purpose, it would seem reasonable that the Region in turn take on the responsibility to remediate any damage or deterioration of Zenway Boulevard after the Interim Highway 427 Arterial Road terminus connection is closed in the future."

However, the City of Vaughan is deriving considerable benefit from the road improvements implemented in accordance with their role in the mutually agreed-upon cost-sharing formula and implementation strategy. The strategy was developed in consideration of the traditional jurisdictional responsibilities for the various components of the ultimate road network.

In this context, the City designed and constructed Zenway Boulevard as a local industrial collector roadway following their standard design. As this was a municipal road, Regional staff had no role in the design process for Zenway Boulevard and the design specifications for the pavement structure.

As the City of Vaughan has been involved as a partner to all planning and implementation of the current (temporary) road network and the anticipated traffic conditions since the early 2000s, and in consideration of the long-established understanding that the Region would construct the Highway 427 Interim Arterial Connection and the City of Vaughan would be responsible for the Fogal Road/Zenway Boulevard local industrial collector road, Regional staff are not in a position to find justification for future Regional funding contributions to a future remediation of this municipal road.

5. FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

6. LOCAL MUNICIPAL IMPACT

The Highway 427 Interim Arterial Extension and Zenway / Fogal road network has improved traffic operations in the York / Peel boundary area and will provide the capacity needed to accommodate the planned development in and around the study area during the interim period, prior to the ultimate Highway 427 extension by MTO. These improvements have also expedited the development of employment lands which were previously frozen to development pending resolution of the individual environmental assessment for the ultimate Highway 427.

7. CONCLUSION

The Highway 427 Interim Arterial Extension and Zenway Boulevard/Fogal Road four-lane collector road are now constructed and open to traffic. The City of Vaughan was one of five key stakeholders participating in the cost-sharing formula and implementation strategy and has been instrumental in ensuring the success of this project. The cost-sharing formula and implementation strategy clearly outlined the roles and responsibilities based on the anticipated benefits for each partner.

Regional Staff have reviewed the City of Vaughan's request and conclude the following:

- The City of Vaughan previously agreed to a clear implementation strategy that included that the City of Vaughan be responsible for 100% for the maintenance, operation and jurisdiction of the roadway.
- The City of Vaughan's contribution to the cost-sharing formula and implementation strategy was soundly based on a clear benefit it would be receiving in terms of relieving traffic congestion and spurring new development in the area.
- The Region has no role or responsibility in the detailed design and assumption process for Zenway Boulevard, a local industrial collector road.

Therefore, given the above, Regional staff are not in a position to recommend a Regional contribution to future rehabilitation or maintenance costs for Fogal Road/Zenway Boulevard.

For more information on this report, please contact Paul Jankowski, General Manager, Roads Branch at Ext. 5901.

The Senior Management Group has reviewed this report.

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