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OLD BAYVIEW AVENUE TRANSFER OF FUNDS TOWN OF RICHMOND HILL, PROJECT 8283

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, October 20, 2004, from the Commissioner of Transportation and Works:

1. RECOMMENDATIONS

It is recommended that:

1. Funds in the amount of \$556,050 be provided to the Town of Richmond Hill for the required rehabilitation of the sections of Old Bayview Avenue (Y.R. 34) recently transferred to the Town by the Region.
2. The Regional Solicitor be authorized to prepare the necessary by-laws to implement the foregoing.

2. PURPOSE

Section 52 of the Municipal Act provides that Regional Council may, by enacting a by-law, remove a highway from its road system. The effect of such a by-law is to transfer jurisdiction of the highway to the local municipality in which the highway is located. Regional Council, at its meeting of June 26, 2003, executed this section of the Municipal Act for various sections of Old Bayview Avenue thereby transferring its jurisdiction to the Town of Richmond Hill.

The purpose of this report is to now implement the subsequent transfer of adequate funds to be used by the Town of Richmond Hill to bring these sections of roadway up to an acceptable condition. A map showing the project location is included as *Attachment 1*.

3. BACKGROUND

After numerous years of planning, environmental study, design and construction, the Bayview Avenue extension from Stouffville Road to Bloomington Road was officially open to traffic on November 18, 2002.

With the opening of this roadway, various sections of Old Bayview Avenue no longer provided a Regional road function. Town of Richmond Hill staff agreed that these road sections should be transferred to their jurisdiction, however, they felt that they should first be rehabilitated such that no major works would be required for at least the next ten years. Based primarily on this requirement, Region and Town staff agreed to hire an independent engineering consultant to determine the extent of rehabilitation works that

should be completed by the Region prior to the Town of Richmond Hill taking over this permanent maintenance responsibility.

At the same time, however, emergency service providers expressed a serious concern with two Bayview Avenues existing in the same municipality. To alleviate this concern, it was imperative that the sections of Old Bayview Avenue in question be transferred to the Town of Richmond Hill without delay, in order to expedite their authority to conduct the remaining process and enact the required by-laws. Accordingly, at its meeting of June 26, 2003, Regional Council authorized the legal transfer of jurisdiction of all applicable sections of Old Bayview Avenue to the Town of Richmond Hill, with the provision that Regional and Town staff continue negotiations, in good faith, and come to a later agreement on the outstanding rehabilitation issue.

4. ANALYSIS AND OPTIONS

As a basis for these negotiations, the Region engaged engineering consultants to conduct field investigations on the subject road sections, and provide recommendations for roadway rehabilitation, including costs. Richmond Hill staff prepared the Terms of Reference, including required service life and design criteria, used in the request for proposals for these consultant assignments. The Terms of Reference specifically requested that the section of Old Bayview Avenue south of Sunset Beach Road also be analyzed to determine the impacts and costs to bring that section up to full Town standards. This alternative, which includes significant roadway realignment and full reconstruction, would be warranted primarily by pending developments in the local area.

For the sections of Old Bayview Avenue north of Sunset Beach Road, the geotechnical consultant recommended a rehabilitation process involving the in-place recycling of the existing roadway asphalt at an estimated cost of \$423,300. Town of Richmond Hill staff, however, has indicated their intent to recommend to their council the permanent closure of the section of Old Bayview Avenue from Lakeside Drive and Bethesda Sideroad. As such, Regional and Town staff agree it would not be prudent to carryout any rehabilitation works on this section which is estimated to be \$114,750.

For the section of Old Bayview Avenue south of Sunset Beach Road, the design consultant determined that it would not be conducive to any form of rehabilitation due to its existing lack of suitable roadway material. Also, given this section of Old Bayview Avenue is shown as a primary road service connection in a pending draft plan of subdivision, anything short of realignment and full reconstruction to Town of Richmond Hill standards would not be fiscally prudent. The design consultant has estimated the cost of this realignment and reconstruction to be \$495,000. The Region's initial comments on this proposed draft plan of subdivision were made prior to the official removal of Old Bayview Avenue from the Regional road network. Given that the Region's initial comments on this draft plan did not preclude the subdivision road service connection to Old Bayview Avenue, Regional and Town staff has agreed to joint responsibility for

bringing this section up to a standard capable of accommodating an increase in traffic. As such staff are proposing to split the \$495,000 equally between the Region and the Town.

Regional and Town staff are in full agreement that since the legal transfer of jurisdiction of Old Bayview Avenue has already occurred, the recommended rehabilitation/reconstruction works must now be completed by the Town of Richmond Hill. Accordingly, the Region is hereby recommending the transfer of a specific amount of funds from the Region to the Town of Richmond Hill, in order that they may carry-out the necessary works. Utilizing the information provided above, this specified amount is \$556,050 (i.e. \$423,300 minus \$114,750 plus one half of \$495,000 equals \$556,050).

5. FINANCIAL IMPLICATIONS

An amount of \$500,000 has been budgeted for this rehabilitation works under project 8283 in the 2004 Roads Capital Budget. The remaining funding of \$56,050 can be accommodated within the overall 2004 Road Capital Budget. These budgeted amounts are supported by development charges.

6. LOCAL MUNICIPAL IMPACT

The previous removal of sections of Old Bayview Avenue from the Regional road system activated a jurisdictional transfer of these sections of roadway to the Town of Richmond Hill. Accordingly, the Town is now responsible for all future roadway operations including maintenance and capital upgrades.

The transfer of funding, as recommended in this report, will enable the Town of Richmond Hill to carry-out the necessary roadway rehabilitations and reconstructions in order to bring these road sections up to acceptable condition prior to them taking on these ownership responsibilities.

7. CONCLUSION

With the completion of the new Bayview Avenue Extension from Stouffville Road to Bloomington Road, various sections of the Old Bayview Avenue no longer provide a Regional road function. Accordingly, at its meeting of June 26, 2003, Regional Council authorized the transfer of these sections of Old Bayview Avenue to the Town of Richmond Hill, with the provision that Regional and Town staff continue negotiations, in good faith, and come to a later agreement on the extent of rehabilitation works that should be carried out by the Region to bring these sections of road up to an acceptable condition, prior to the Town taking over the maintenance responsibilities.

These negotiations culminated with this staff recommendation that funds in the amount of \$556,050 be provided to the Town of Richmond Hill for the required rehabilitation of the sections of Old Bayview Avenue recently transferred to their jurisdiction by the Region.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the Agenda for the November 3, 2004 Committee meeting.)