

Clause 2 in Report No. 10 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on June 29, 2017.

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VivaNext Maintenance and Operation Agreements with Ontario
Ministry of Transportation and 407 ETR
Highway 7 over Highway 400 and
Bathurst Street over Highway 407

Committee of the Whole recommends adoption of the following recommendations contained in the report dated May 29, 2017 from the Commissioner of Transportation Services:

1. Council authorize entering into an agreement with the Ontario Ministry of Transportation for long-term maintenance and operation of the Highway 7 crossing over Highway 400.
2. Council authorize entering into an agreement with 407 ETR for long-term maintenance and operation of the Bathurst Street crossing over Highway 407.
3. Council authorize the Commissioner of Transportation Services to execute the agreements on behalf of the Region.

Report dated May 29, 2017 from the Commissioner of Transportation Services now follows:

1. Recommendations

It is recommended that:

1. Council authorize entering into an agreement with the Ontario Ministry of Transportation for long-term maintenance and operation of the Highway 7 crossing over Highway 400.

2. Council authorize entering into an agreement with 407 ETR for long-term maintenance and operation of the Bathurst Street crossing over Highway 407.
3. Council authorize the Commissioner of Transportation Services to execute the agreements on behalf of the Region.

2. Purpose

This report seeks Council authorization to enter into agreements with the Ontario Ministry of Transportation (MTO) and 407 ETR for the future long-term maintenance and operation of the Highway 7 crossing over Highway 400 and the Bathurst Street crossing over Highway 407.

Council authority to enter into long-term maintenance and operation agreements will allow the Region to obtain an encroachment permit from MTO to proceed with reconstruction while agreements are finalized between the Region, MTO and 407 ETR.

3. Background

The Highway 7 Bus Rapid Transit Project includes widening and reconstruction of the Highway 7 bridge crossing over Highway 400 and the Bathurst Street bridge crossing over Highway 407

The Highway 7 Bus Rapid Transit project, undertaken by YRRTC and funded by Metrolinx, includes the following segments within the City of Vaughan:

- Highway 7 from Bruce Street to Edgeley Boulevard
- Centre Street from Highway 7 to Bathurst Street
- Bathurst Street from Centre Street to Highway 7
- Highway 7 from Bathurst Street to Yonge Connector Ramp

The project includes the addition of bus rapidway lanes, raised cycle tracks, enhanced and urbanized boulevards along various segments and a multi-use path on the Highway 7 crossing over Highway 400. Design is well-advanced and utility relocations are ongoing. The anticipated project completion is December 2019.

The Ontario Ministry of Transportation has provided comments and feedback on applicable sections of the design since the early stage

Segments of the project are within MTO's jurisdiction and control. Sections of controlled-access highway require MTO and 407 ETR approval and involvement. These segments include:

- Highway 7 from east of Weston Road to west of Edgeley Boulevard
- Centre Street from south of Highway 7 to east of Dufferin Street
- Bathurst Street from south of Highway 407 to south of Highway 7

Major project works within the Highway 400 controlled-access highway include a multi-use path, widening and rehabilitation of the existing Highway 400 overpass at Highway 7, relocation of the Highway 400 South-East/West and East-North ramps, shown in Attachment 1. In addition, work along Bathurst Street crossing over Highway 407, shown in Attachment 2.

4. Analysis and Implications

A temporary encroachment permit has been issued by MTO for early construction works to start

The temporary encroachment permit allows for sub-structure work to be completed including piles, abutments, piers up to the underside of the girder's and associated traffic management plan to complete the work along Highway 7 and Highway 400.

An encroachment permit requires a future long-term maintenance and operation agreement with MTO and 407 ETR prior to MTO authorizing works to proceed

MTO owns the structures and lands where Highway 400 and Highway 407 are located. MTO requires the Region enter into these agreements in order to issue the encroachment permit for the complete work to proceed.

MTO provided a temporary encroachment permit to allow for early works; however, the MTO corridor is restricted until the encroachment permit is issued to the Region.

Existing long-term maintenance and operations obligations of crossings over MTO lands are carried out in accordance with MTO Directive B-101

In instances where Region public roadways pass under or over Provincial highways, MTO has jurisdiction over these sections of crossings. MTO Directive for Provincial Highways, dated May 11, 1988, describes and clarifies maintenance, repair and rehabilitation activities involving grade separations and intersections.

MTO is responsible for the rehabilitation of the affected highway surface. This includes major repairs and improvements and replacement. The Region is responsible for the maintenance and repair of the affected highway surface. Table 1 summarizes these obligations.

Table 1
Long-term Maintenance and Operations Obligations

MTO Responsibilities	Region Responsibilities
Structural components of the bridge, including all repairs to railing systems	All non-winter maintenance, such as pothole patching, crack sealing, depression/settlement repairs, sidewalk patching, guiderail repairs, catch basin and storm sewer cleanout and zone painting
Parapet and barrier walls, expansion joints, approach slabs or supporting members	All winter operations, such as plowing, snow removal, sanding and spring clean-up
Illumination, guiderails, curb and gutter, storm sewers and catch basins	
Pavement and bridge deck	

Negotiations are required with MTO and 407 ETR to define future long-term maintenance obligations and rehabilitation costs.

The MTO will lead further negotiations with Greater Toronto Area and Hamilton municipalities to establish consistent long term maintenance and rehabilitation obligations along their infrastructure where Metrolinx funded transit projects are occurring.

MTO is requiring municipalities provide funding for 75 year long-term rehabilitation of their structures. These costs will be negotiated and applied to the widened portion associated with this project

Along this project, there are bus rapidway lanes, multi-use path, raised cycle tracks, and urbanized boulevards.

Improving the existing transportation network and enhancing transit operations supports Regional objectives

Improving the existing transportation networks and enhancing transit operations supports 2015 to 2019 Strategic Plan objectives. Ensuring the road network supports all modes of transportation including walking, cycling, transit, automobile use and efficient movement of goods aligns with the Regional Official Plan.

5. Financial Considerations

The proposed agreements are similar to other MTO agreements that require municipalities operate and maintain roadways under its jurisdiction in accordance with the Ministry Directive for Provincial Highways, dated May 11, 1988 and subject to further negotiations.

Typically, a vivaNext roadway requires approximately four times the maintenance and operation costs compared to a similar equal length urban roadway segment. The estimated additional maintenance costs of the multi-use path on this segment of Highway 7, crossing over Highway 400 in 2019, are estimated to be approximately \$200,000.

The ongoing annual costs associated with the future long-term maintenance and operation of the Highway 7 crossing over Highway 400, and the Bathurst Street crossing over Highway 407, are sought through the annual budget process.

6. Local Municipal Impact

The project will offer alternative and improved access and transit service opportunities to existing road users, area businesses and residents in project corridors.

7. Conclusion

Early construction work at these crossings has commenced under a temporary encroachment permit issued by MTO. An encroachment permit issued by MTO to the Region is required to complete the crossings without delay that are part of the project works.

Staff recommends agreements be executed with MTO and 407 ETR for the future long-term maintenance and operation of the Highway 7 crossing over Highway 400 and the Bathurst Street crossing over Highway 407.

For more information on this report, please contact Joseph Petrunaro, Director, Roads and Traffic Operations, at 1-877-464-9675 ext. 75220.

The Senior Management Group has reviewed this report.

May 29, 2017

Attachments (2)

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Accessible formats or communication supports are available upon request

vivaNext Maintenance and Operation Agreements
with Ontario Ministry of Transportation and 407 ETR
Bathurst Street Crossing Over Highway 407
(Highway 407 Underpass)

