



TO: Mayor J. Lehman and Members of Council

FROM: J. Weston, M.A.Sc., P. Eng., PMP, Director of Engineering

NOTED: R. J. Forward, MBA, M.Sc., P. Eng., General Manager of Infrastructure & Growth Management 
C. Ladd, Chief Administrative Officer 

RE: New Harvie Road/Big Bay Point Road Crossing of Highway 400 Municipal Class Environmental Assessment Notice of Completion (ENG012-15)

DATE: October 5, 2015

The purpose of this memo is to respond to questions raised at General Committee on September 28, 2015 regarding the completion of the Class Environmental Assessment for the proposed crossing of Highway 400 at Harvie Road/Big Bay Point Road.

Motion 15-G-161

Paragraph 11 of Motion 15-G-161 that was placed on the floor on June 22, 2015 is as follows:

“That staff explore options to accelerate the Environmental Assessment and associated planning studies related to the Harvie Road/Big Bay Point Road overpass with the objective of accelerating the current construction start date of 2020/2021 and provide quarterly project status memos to city council until project completion.”

However, the motion adopted by City Council and subsequent direction memo prepared for use by staff were missing the “of” in front of 2020/2021. When the Staff Report ENG012-15 was prepared, the missing preposition was replaced in error with “to” to ensure that the sentence made sense grammatically.

Estimated Project Schedule

The Harvie Crossing project is a top priority for the City and has been so for many years as it is needed to improve the transportation network in the south end of the City.

The 2015-2019 capital plan included funds for design in 2017/2018, property in 2019, utility relocations in 2020 and construction in 2021/2022. Now that the Notice of Completion stage of the Class Environmental Assessment has been achieved, staff are recommending that the start of design be accelerated to 2015 so the process of procuring a design consultant may begin as soon as the Class EA is complete with no Part II Order requests.

At this time, given the project complexity, unknowns and risks, staff are recommending that the project schedule as outlined in ENG012-15 be included in the 2016-2020 capital plan, with each stage accelerated by one year from the 2015-2019 capital plan. A high level overview of each stage of the project is provided in Appendix A. Staff will make every effort to accelerate the project schedule even further, if feasible, and will report to Council on a quarterly basis. Potential opportunities for schedule acceleration may include property acquisition negotiations (avoiding the need for expropriation) and careful planning of utility relocations. Also, staff intend to retain a contract dedicated project manager and hold schedule workshops with key stakeholders including the approval agencies (Ministry of Transportation and Lake Simcoe Region Conservation Authority) to obtain agreement on the project schedule. If accelerated funding is required, staff will then request this through the annual budget process or through a separate Staff Report.

Ministry of Transportation / City of Barrie Trigger Agreement

The City of Barrie has a trigger agreement with the MTO regarding the Harvie Crossing project. The "Highway 400-Harvie Road Crossing Triggers Letter Agreement" dated June 9, 2010 with the MTO requires the City to implement the Harvie Crossing within 3 years when two successive surveys (of the same ramp) show that any of the four off-ramps is queuing to 75% or more of the available storage (distance between the highway ramp traffic signal stop bar and crash barrier at the highway ramp entrance) for 25% or more of the duration of any of the specified survey period times at both the Mapleview and Essa Interchanges (contingent upon all design and construction approvals being obtained).

North American (Park Place) / City of Barrie Trigger Agreement

On October 31, 2006, the Ontario Municipal Board (OMB) approved the rezoning of Park Place (94.01 acres, ±800,000 sq. ft. floor space) subject to the implementation of transportation improvements on the Highway 400 off ramps, additional lanes on sections of Mapleview Drive (from Barrie View Drive to Bayview Drive), additional lanes on Bayview Drive (from Mapleview Drive to Big Bay Point Road) and intersection improvements.

On June 2, 2008 Council endorsed recommendations to enter into agreements with the MTO and Park Place per Motion 08-G-266, and on June 30, 2008 Council endorsed recommendations to seek financial contributions per Motion 08-G-359 (see Appendix B).

Trigger Agreement Terms

On May 20, 2010, the City of Barrie and North American (Park Place) Corporation signed "The City of Barrie's Road Crossing Works Agreement with North American (Park Place) Corporation". The agreement requires Park Place to financially contribute an upset limit of \$5.5 million towards the non-development charge component of the capital cost of the Harvie Crossing project if a traffic trigger is met within 5 years of substantial completion of construction of stage 1 of Park Place and occupancy of 600,000 sq. ft. The City continues to hold a \$5.5 million irrevocable letter of credit from Park Place which was required upon the issuance of the first building permit.

The agreement does not preclude the City from undertaking and completing the Harvie Crossing prior to the traffic trigger having been reached. However if the Harvie Crossing is opened to traffic prior to the trigger having been reached, then the agreement would expire and the security would be released.

The agreement also requires the City to utilize its best efforts to ensure that any person or owner of land that proceeds with an application for rezoning, subdivision, severance or site plan approval within the area of land outlined in the agreement deemed to be benefiting from the Road Crossing Works (see Appendix C) will pay their respective fair share of the \$5.5 million financial contribution. Since the agreement with North American (Park Place) was signed, no other agreements have been signed with developers in the designated area, however there is one development application currently in process.

Trigger Agreement Status

Substantial completion of construction of Park Place stage 1 was reached in August 2012. Based on building occupancy, Park Place reached 600,000 sq. ft. in November 2014. Therefore, if the trigger is not met by November 2019, then the agreement will expire.

Traffic survey data was collected by the MTO in 2012, 2013 and 2014 and numbers have consistently been below the trigger threshold. The MTO will collect the 2015 trigger data this fall. Based on traffic data collected to date, it is unlikely that the trigger will be met by November 2019. Therefore, at this time, staff have not included a contribution from developers in the funding of the Harvie Crossing project in the capital plan. However, the City will continue to hold the \$5.5 million Letter of Credit, as security, for the trigger agreement until it expires, and will amend the capital plan if the trigger is met.

It is unlikely that accelerating the Harvie Road Crossing project will impact the trigger agreement, as the road crossing would have to be open to traffic before November 2019.


Harvie Road Crossing Project Funding Sources

The premise of Motion 08-G-359 in 2008 was to adopt a consistent approach with all of the developers in the vicinity of Highway 400 to move forward with required transportation improvements associated with advancing their individual development proposals and meet their preferred schedules. The decision to seek front ending contributions was based on how much debt the City could take on and the availability of development charge funds at the time.

The 2008 Development Charge Background Study was updated in 2014. On June 17, 2008 the DC rate for Retail was \$15.55 per square foot. This rate currently is \$27.81 per square foot for retail development in former Barrie. The rationale for this increase is documented in the 2014 Development Charge Background Study and is based on the premise that growth pays for growth. In the case of the recommended five lane overpass at Harvie / Big Bay Point Road / Hwy 400, the DC component was increased in the 2014 DC to 65% of the total cost from 50% in the 2008 DC. With the changes in the 2014 DC, developers are paying an increased share of infrastructure improvements.

North American (Park Place) has contributed over \$10 million in development charges to date, and has also paid to implement the transportation improvements required by the OMB decision which included improvements on Mapleview Drive, Bayview Drive and widening the Mapleview Highway 400 off-ramps.

If you have any questions regarding this memo, please feel free to contact Jacqueline Weston at extension 4551 or Jacqueline.Weston@barrie.ca



J. Weston, M.A.Sc., P. Eng., PMP
Director of Engineering

Appendix A – Project Schedule Details

A high level overview of the steps included in each stage of the project is provided below:

- Design (currently estimated timeline of 2 years, 2015-2017)
 - Design overpass (requires MTO permit).
 - Ensure that the recommended five lane Harvie Road/Big Bay Point Road/Highway 400 overpass is designed to be compatible with a future seven lane overpass of a widened Highway 400.
 - Ensure that the center pier for the recommended Highway 400 overpass is constructed in a location which is compatible with the future widened and realigned Highway 400. The realignment must also be compatible with the existing Mapleview north bound on-ramp acceleration lanes and the de-acceleration lanes for the MTO Highway Service Centre.
 - Coordinate with MTO plans to construct a concrete median barrier to replace the existing steel guard rail in 2017, which may require a slight realignment of the existing six lane Highway 400.
 - Design a culvert under Highway 400 to convey the Whiskey Creek flows by realigning and extending the existing culvert.
 - Transportation improvements across the regulated Whiskey Creek flood plain and proposed drainage works will require a permit from the LSRCA.

- Property (currently estimated timeline of 1 year, 2018):
 - Property is typically acquired after the design is finalized so that the exact limits to be acquired are known and proper reference plans may be drawn for legal purposes.
 - Property will likely be required from five private property owners as well as from the MTO.
 - Property acquisition from private property owners can take as little as 6 months if completed through agreement or up to 12 months if expropriation is required.
 - Property cannot be expropriated from MTO. Recently the process took 18 months to acquire the required property from MTO.

- Utility Relocations (currently estimated timeline of 1 year, 2019)
 - Utility relocations cannot start until design is complete and property is acquired.
 - Existing utilities which will likely need to be relocated or adjusted to accommodate the revised road profile and the road widening, include hydro, water, sanitary, storm, telephone, gas and cable.
 - Utility relocations typically require a minimum of one year to complete by the various utility companies.

- Construction (currently estimated timeline of 2 years, 2020/2021)
 - A significant amount of fill will be required to construct the overpass. On the east side of Highway 400 a portion of the proposed overpass transportation improvements will be approximately 12 metres above existing grade.

Appendix B - Background

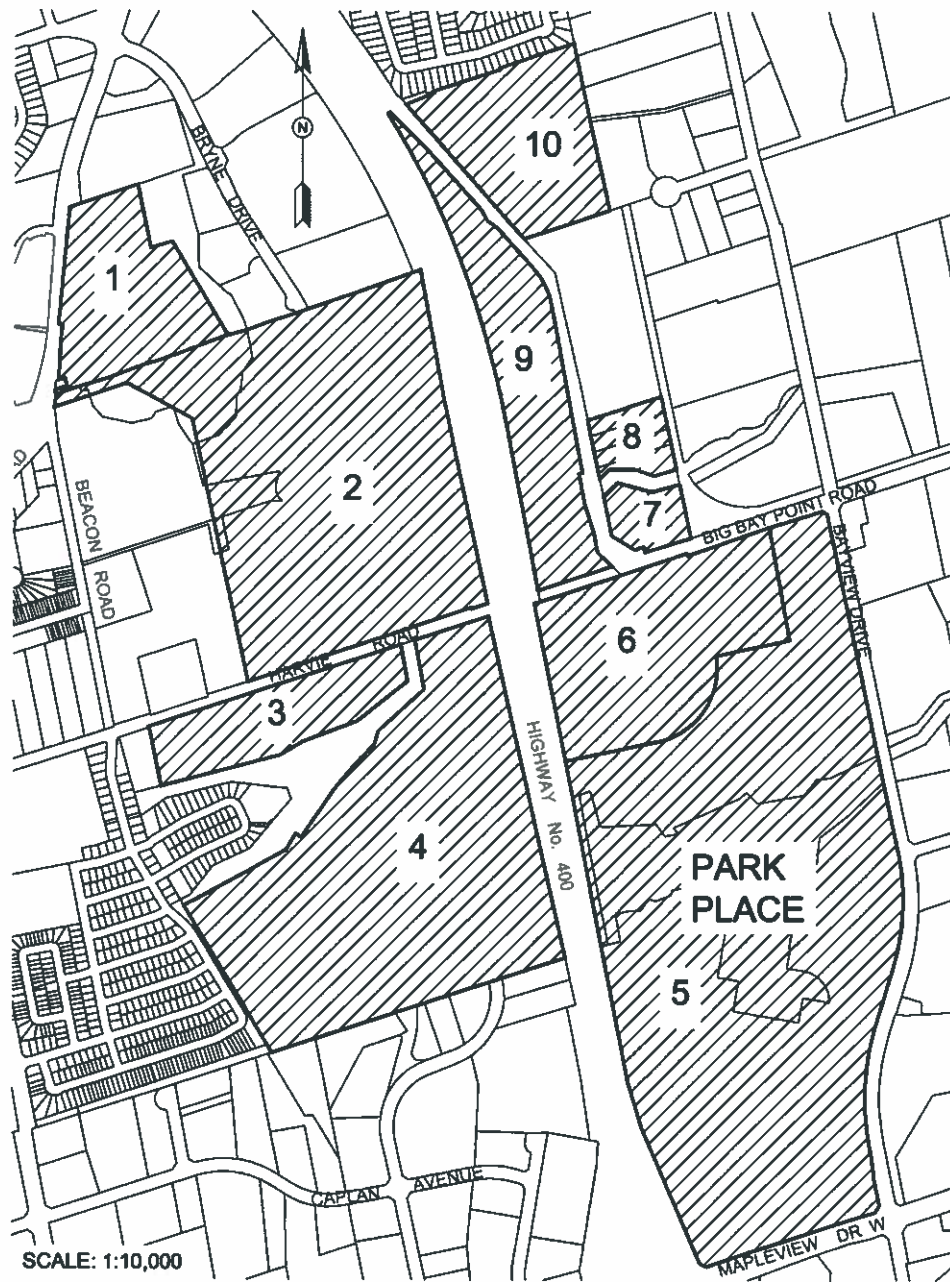
On June 2, 2008 Council endorsed recommendations to enter into agreements with MTO and Park Place per Motion 08-G-266.

“That the Mayor and City Clerk be authorized to enter into an agreement with the Ministry of Transportation of Ontario (MTO) regarding the City's commitment to design/construct the proposed Highway 400 Crossing at Harvie Road/Big Bay Point Road per triggers identified within Staff Report ENG033-08, subject to a front-ending/contribution agreement between the City of Barrie and Park Place (North American) regarding this crossing being executed by the Mayor and City Clerk.”

On June 30, 2008 Council endorsed recommendations to seek financial contributions per Motion 08-G-359.

- “1. That the developers within the Highway 400 corridor, through an irrevocable letter of credit at the time of building permit issuance to be cashable at the time of construction tender award, make a financial contribution towards the infrastructure works at the following interchanges/crossings as follows:
 - a) Duckworth \$2,650,000
 - b) Essa \$1,050,000
 - c) Harvie \$5,500,000
2. That the developers be required to confirm, in writing, as a condition of site plan or other development approval that the financial contribution to be provided in accordance with paragraph 1. above be applied toward the non-growth share of the costs of infrastructure improvements for the related interchange works within the Highway 400 corridor.
3. That the City use its best efforts to recover financial contributions from any new developers in the areas that benefit by the infrastructure improvement works undertaken and that these contributions be reimbursed to the original contributor of the works on a pro rata basis.”

Appendix C – Map of Area Developers



SCALE: 1:10,000

AREA ID#	Owner Information	Municipal Address	Development Area (ha.)	Amount
1	ESSA RESIDENCES INC	300 Essa Rd.	8.71	\$256,203.87
2	CTV LIMITED	Beacon Rd.	35.49	\$1,043,935.18
3	SANDALE CORPORATION;	Harvie Rd.	6.32	\$185,902.24
4	BARRIE-BRYNE DEVELOPMENTS LIMITED;	Harvie Rd.	35.38	\$1,040,699.54
5	Park Place - North American Ltd.	Bayview Dr.	62.78	\$1,846,668.09
6	PRIME REAL ESTATE HOLDINGS CORPORATION;	1 Big Bay Point Rd.	14.52	\$427,104.50
7	ROSE WEST HOLDINGS LTD	250 Fairview Rd.	1.79	\$52,652.69
8	LDR PROPERTIES INC.;	220-238 Fairview Rd.	2.04	\$60,006.42
9	Ministry of Transportation Ontario	Fairview Rd.	10.79	\$317,386.89
10	OSMINGTON INC	110 Fairview Rd.	9.16	\$269,440.58
		Total:	186.98	\$5,500,000.00

Note: Area #2 limits are traced from Schedule D map from the agreement, and they do not match with actual property limits.