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TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON JULY 22, 2013
FROM:	JOHN BRAAM, P. ENG. MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER
SUBJECT:	HIGHWAY 401 Highbury Avenue Interchange Reconstruction Land Transfer Between the City of London and the Ministry of Transportation

RECOMMENDATION

That on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions **BE TAKEN** with respect to land transfers with the Ministry of Transportation for the proposed Highway 401 / Highbury Avenue Interchange:

- (a) all City-owned parcels of land identified on the Location Map in Appendix 'A' being Parts 3, 4 and 5 on Plan 33R-18627 **BE DEDICATED AS PUBLIC HIGHWAY** ; and,
- (b) the parcels of land identified on the Location Map in Appendix 'A', being Parts 3 and 4 on Plan 33R-18627 which are to be dedicated from the City to the Ministry of Transportation **BE DECLARED SURPLUS** to the needs of the City and **BE TRANSFERRED** to the Ministry of Transportation.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- Environment and Transportation Committee – January 12, 2004 – Highway 401 Improvement: Planning Study Completion
- Civic Works Committee – September 10, 2012 – Highway 401 Highbury Avenue Interchange Reconstruction Ministry of Transportation Class Environmental Assessment Addendum
- Civic Works Committee – February 4, 2013 – Highway 401 Interchange Projects Agreement with Ministry of Transportation

BACKGROUND

The purpose of this report is to seek approval for the transfer of lands between the City of London and Ministry of Transportation (MTO) as identified on the Location Map in Appendix 'A'. These transfers are required for the reconstruction of the Highway 401 / Highbury Avenue Interchange.

DISCUSSION

The requirements for an expanded Highway 401 Highbury Avenue Interchange were recommended in a 2004 Highway 401 Environmental Assessment, primarily to address capacity concerns created by future growth. This area was also the subject of a 2009 OMB hearing triggered by Highbury Avenue traffic capacity concerns with future development in this part of the Urban Growth Area.

MTO recently conducted a TESR Addendum to refine the design of this interchange reconstruction. The interchange layout will be a Parclo A-4, similar to what exists. Highbury Avenue will be widened to six lanes from Hwy 401 to Wilton Grove Road and the bridge will be lengthened to accommodate a future 10-lane cross-section on Highway 401. The TESR Addendum reduced the property impacts of the project.

A project delivery agreement with MTO was executed in March 2013 and Civic Administration

Agenda Item #	Page #

have been cooperating with MTO to facilitate the delivery of the project. Construction is anticipated to begin in 2017.

The Highway 401 / Highbury Avenue Interchange project introduces the need to acquire land and establish new ownership / designation limits between the two road authorities. The project delivery agreement defines responsibilities and obligates MTO to acquire the private land required for the project. The agreement also stipulates that the transfer of City-owned lands required for the project be at nil consideration.

The Location Map in Appendix A identifies three parcels of the City owned lands, required for the subject improvements. This report seeks authorization to the following:

1. Parts 3, 4 and 5 be dedicated as public highway; and,
2. Parts 3 and 4 be declared surplus and transferred to the Ministry of Transportation.

Staff recommends approval of this transfer of ownership to MTO since it is required for this mutually beneficial project to proceed. The slightly expanded interchange limits will also provide a minor benefit to future capital and operating costs.

In accordance with the City's Sale and Other Disposition of Land Policy (By-Law A-6151-17), it is necessary to declare the portions of land to be transferred, surplus to the needs of the City. The Provincial Lieutenant Governor in Council has the authority to designate a highway as a Kings Highway under the Provincial Transportation and Highway Improvements Act.

SUMMARY

MTO has prepared and deposited a reference plan which identifies the land required for the Highway 401 / Highbury Avenue Interchange and related Highbury Avenue improvements. Transfer of required lands at nil consideration is an obligation of the project delivery legal agreement. Staff recommends approval of these transfers to progress the interchange project.

Acknowledgements:

This report was prepared with assistance from Max Kireev, Technologist II in the Transportation Planning and Design Division.

PREPARED BY:	REVIEWED BY:
DOUG MACRAE, P. ENG. DIVISION MANAGER TRANSPORTATION PLANNING & DESIGN	EDWARD SOLDO, P. ENG. DIRECTOR, ROADS AND TRANSPORTATION
RECOMMENDED BY:	
JOHN BRAAM, P. ENG. MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER	

Attachment: Appendix 'A' – Location Map

- c: B. Goudeseune, MTO
G. Irwin,
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Agenda Item #

Page #

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Appendix 'A' Location Map

