



**SUBJECT:** Burloak grade separation and Drury Lane pedestrian bridge update

**TO:** Environment, Infrastructure & Community Services Cttee.

**FROM:** Engineering Services Department

Report Number: ES-26-22

Wards Affected: 2 and 5

File Numbers: 570.02-818

Date to Committee: June 9, 2022

Date to Council: June 21, 2022

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### **Recommendation:**

Receive and file engineering services department report ES-26-22 providing an update on the Burloak grade separation and Drury Lane pedestrian bridge; and

Authorize the City Manager to negotiate and execute an agreement with Metrolinx and the Town of Oakville for the cost sharing, delivery and maintenance of the Burloak grade separation, with content satisfactory to the Director of Engineering Services and form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Authorize the City Manager to negotiate and execute an agreement with Metrolinx for the cost sharing, delivery and maintenance of the Drury Lane pedestrian bridge, with content satisfactory to the Director of Engineering Services and form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Approve the temporary full road closure of Burloak Drive at the rail crossing for the duration of 12 months in connection with the construction of the Burloak grade separation.

### **PURPOSE:**

The purpose of this report is to update Council on the status of the Burloak Grade Separation and Drury Lane Pedestrian Bridge construction projects.

## **Vision to Focus Alignment:**

- Improve integrated city mobility
  - Support sustainable infrastructure and a resilient environment
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## **Background and Discussion:**

Previous reports CW-13-17 Burloak grade separation project update and CW-13-18 Burloak Drive grade separation and Drury Lane pedestrian bridge update brought forward to Council outlined the principles that staff used to negotiate project agreements between Metrolinx and the City of Burlington.

Following the approval of CW-13-17 and CW-13-18, City staff engaged extensively with Metrolinx staff to negotiate draft agreements with Metrolinx for the cost sharing, delivery, and maintenance of both the Burloak Drive Grade Separation and Drury Lane Pedestrian Bridge projects. Financial aspects of these draft agreements were successfully negotiated between the parties and in the case of the Burloak Drive project capped the City's cost to approximately \$15 million or 25% of the \$60 million project budget; however, it was not executed prior to Metrolinx recently awarding the contract to the successful proponent.

On February 24<sup>th</sup>, 2022, Metrolinx staff met with municipal staff from Burlington and Oakville to advise that the total tender cost of the Burloak Grade Separation had increased to \$177 million from the original \$60 million estimate. Metrolinx initially took the position to apply the same 50/50 cost split between the Municipalities and Metrolinx (25% Oakville/25% Burlington/50% Metrolinx) for the funding shortfall resulting in a request of Burlington for an additional \$29.25 million and a total contribution of approximately \$45 million. Subsequently this request of the Municipalities was further reduced by Metrolinx to \$19 million each for a total of \$ 34 million contribution.

On March 1, 2022 this matter was brought before a special meeting of City Council, at which time Council received a verbal update on Metrolinx's revised financial position and endorsed a motion that among other matters requested that Metrolinx adhere to the previously agreed upon capped costing arrangement for the Burloak Grade Separation Project.

Metrolinx proceeded to execute the contract with the successful proponent without a signed agreement from the Municipalities. Prior to this, Burlington and Oakville both advised we were jointly not supportive of the additional funding above the cap.

Drury Lane Pedestrian Bridge is part of this same tender package that was awarded by Metrolinx. Even though we also do not have an executed agreement in place for

this project, Metrolinx has advised that there will not be an increase to the original City cost share of approximately \$2.6 million previously agreed to in principle.

### **Strategy/process**

Both Municipalities and Metrolinx continued in-depth discussions in recent weeks in an attempt to reduce the financial ask to the original \$15 million. These discussions were framed around the tendered items in the bid as well as the components of this project that would be required as part of a basic grade separation. Metrolinx was able to further reduce their financial ask of Burlington down to \$18.05 million by removing all rail only costs from the project budget and using a priority policy to take on the full cost of the utilities.

At the time of this discussion, the contractor has provided the most up to date baseline schedule of milestone dates for the project.

### **Burloak grade separation**

- Temporary relocation of utilities April 2023 –March 2024
- Relocation of Burlington Interlock (track work) November 2022 – April 2023
- Temporary Road/Track Detour March 2024 – June 2024
- Bridge Construction August 2023 – May 2026
- Interim Completion June 2026
- Completion of road works June 2027

### **Drury Lane pedestrian bridge**

- Bridge Construction Commences March 5, 2024
- Bridge Closure and Pedestrian Detour April 1 – Sept 1, 2024
- Completion of works Jan 2025

### **Options Considered**

To further reduce the Burloak project cost, a full 12-month road closure of Burloak Drive was examined to determine what benefits would be realized by the contractor and their delivery of the project. The closure would be continuous from July 2026 to August 2027 and would further reduce the Burlington contribution by an additional \$2.06 million by allowing the contractor to minimize their traffic staging and improve the sequencing of work in the construction delivery. This closure would also allow the project to be completed 2 months earlier in the overall project schedule.

The closure will impact both through traffic on Burloak as well as traffic generated by the employment lands east of Burloak (Great Lakes Business Park and Oak West Corporate Centre), south of the tracks. Most of this traffic would be detoured west and east along New Street and Rebecca Street to either Appleby Line or Bronte Road.

Oakville staff undertook a desktop analysis to determine the traffic impacts and they are considered acceptable.

The closure would also have an impact on Oakville Transit operations along this section of Burloak and would have to be rerouted or accommodated by other means. Discussions will be taking place between both Transit Authorities to determine if it's possible to provide transit service to this area during the closure.

The Ministry of Transportation (MTO) also controls the traffic flow along Burloak Drive just north of Harvester Road and may have issues or concerns on a full closure of Burloak with potential traffic queuing back onto their highway ramps. Metrolinx is aware of this risk and have advised the Municipalities that if they are unable to get approval from the MTO, they would still honor the \$2.06 million credit for the 12-month closure.

## Financial Matters:

This report outlines a framework for an anticipated and revised agreement for cost share, delivery and maintenance of the Burloak Grade Separation that will be entered between the City and Metrolinx encompassing a required financial contribution from Burlington of \$18.05 million. With savings from the 12-month road closure of Burloak Drive and previously agreed to credit for works completed by Burlington in advance of this project, the City's net cost share of this project will remain within the \$15 million previously agreed to in 2017/18 with Metrolinx.

	Cost	Credit	Additional Work
Grade Separation (Burlington Share)	\$ 18,049,287.50		
12 Month Road Closure		-\$ 2,065,602.00	
Storm Sewer Construction		-\$ 1,952,000.00	
EA Cost (split w/ Oak)		-\$ 52,258.64	
Superior Dr Intersection Improvements			\$ 252,000.00
Property Acquisition			\$ 280,100.00
<b>Sub-Total</b>	<b>\$ 18,049,287.50</b>	<b>-\$ 4,069,860.64</b>	<b>\$ 532,000</b>
Plus applicable non- recoverable HST			\$255,401.11

(@1.76% of Basic Grade Separation Costs)			
<b>City's Contribution</b>			<b>\$ 14,766,828</b>

In respect of the Drury Lane Pedestrian Bridge project, staff anticipate being able to conclude an agreement with Metrolinx substantially in accordance with the original cost share, resulting in a budgeted City contribution of \$2.6 million for that project.

	<b>Cost</b>	<b>Credit</b>	<b>Additional Work</b>
Burlington Share	\$ 2,497,961.07	\$ -	\$ -
<b>Sub-Total</b>	<b>\$ 2,497,961.07</b>		
Plus, applicable HST (@ 1.76% of the Basic Work Costs)			\$ 43,714.32
<b>City's Contribution</b>			<b>\$ 2,541,675.39</b>

### **Total Financial Impact**

Both the Burloak Grade Separation and Drury Lane Pedestrian Bridge projects are already included in the City's capital budget with sufficient funds to cover the required contributions to Metrolinx, assuming the approval of an additional 12-month road closure.

### **Other Resource Impacts**

A significant amount of staff time will be required in the delivery of these two major infrastructure projects. Engineering Services will continue to work collaboratively with the other departments throughout the project to ensure a smooth project delivery and road closure that minimizes the impact on the public. Staff time will be reflected in upcoming capital budgets for these projects.

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## **Climate Implications**

Construction of a grade separation at Burloak Drive and the Drury Lane pedestrian crossing are part of the works required to facilitate electrification of the GO Train tracks and enhanced 15-minute service along this corridor, providing for GHG reductions in both the operation of the trains and providing for an increased transit model split for commuter traffic. In addition, the Burloak grade separation will significantly reduce the car idle time at the rail crossing and further reduce our greenhouse gas emissions in Burlington. Separating the road from the rail would also promote active transportation by improving pedestrian safety at this location.

The Drury Lane pedestrian bridge is an important link across the railway to support cycling and pedestrians crossing midblock.

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## **Engagement Matters:**

As part of this project assignment, two Public Information Centers (PIC) will be held during the early stages of the project to advise the public of the proposed design and construction impacts. An updated construction schedule would be provided at these meetings. The dates and locations of these information sessions will be known as the design progresses.

Area residents and business owners will be notified of the PIC by:

- Direct mail, and
- Advertisement in the Burlington Post

A project webpage will be created to provide project updates and valuable information for area residents throughout the course of construction.

Since Burloak Drive is a boundary road, the Town of Oakville and the City of Burlington share in the costs and construction approvals of the proposed works as outlined in our Boundary Road Agreement. Any full road closure would need approval from both Burlington and Oakville respective Councils. At the time of writing this report Oakville Council had not considered the 12-month closure but it is our understanding that Oakville staff will be recommending the approval of same. Approval by both authorities would allow us to both realize the cost savings.

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## **Conclusion:**

Burloak Drive and the Drury Lane Pedestrian Bridge are vital links in our transportation network. As outlined in this report, it is recommended that City Council authorize the City Manager to finalize negotiations for and execute separate agreements for the cost sharing, delivery and maintenance of the projects, with such agreements having content satisfactory to the Director of Engineering Services and in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel. The agreement respecting the Burloak Grade Separation would include provision for a full 12-month closure of Burloak Drive.

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Respectfully submitted,

Scott Hamilton, P.Eng.

Director of Engineering Services

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## **Report Approval:**

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.