

**To:** **COUNCIL**

**Meeting Date:** **10/05/21**

**Subject:** **Blenheim Road CP Railway Construction and Maintenance Agreement**

**Submitted By:** **Kevin De Leebeeck, Director of Engineering**

**Prepared By:** **Sarah Austin, Manager of Development Engineering**

**Report No.:** **21-265(CD)**

**File No.:** **A/00679-40**

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## **Recommendations**

THAT Report 21-265 (CD) Blenheim Road CP Railway Construction and Maintenance Agreement be received;

AND THAT the Mayor and Clerk be authorized to execute a Construction and Maintenance Agreement with Canadian Pacific Railway, to the satisfaction of the City Solicitor, for the reconstruction of a railway crossing on Blenheim Road.

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## **Executive Summary**

### **Purpose**

- This report is seeking authority for the Mayor and Clerk to execute a construction and maintenance agreement with Canadian Pacific Railway for the construction of a new railway crossing on Blenheim Road, as part of the Cambridge West development.

### **Key Findings**

- The reconstruction of Blenheim Road, as part of the Cambridge West development, requires the reconstruction of an existing Canadian Pacific Railway crossing. The Construction and Maintenance Agreement outlines the responsibilities and cost sharing requirements between the City and Canadian Pacific Railway for the reconstruction of the crossing, as well as on-going maintenance of the surface and warning system following construction.

## Financial Implications

- The railway crossing reconstruction is included in the capital project for the reconstruction of Blenheim Road. This is a planned 2023 capital project, that is currently being constructed by the Cambridge West developers through a Credit for Service Agreement. The planned budget for the capital project is \$7.2M (2023 costs), funded through Development Charges and the Capital Works Reserve Fund.
- The Transportation Engineering Operating Budget already includes funds for the maintenance of this crossing, however the new crossing may result in slightly higher maintenance costs, which will be included in future Operating Budgets.

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## Background

The Master Environmental Servicing Plan (MESP) for the Cambridge West Development area, and the subsequent Cambridge West Collector Road Network Class Environmental Assessment, identified the realignment of Blenheim Road to improve the transportation network and to improve the crossing of the Canadian Pacific Railway.

The construction of the realigned Blenheim Road also requires the reconstruction of the existing railway crossing. The design of the road and the railway crossing has been completed by the Cambridge West developers, who are leading this work through a Credit for Service Agreement with the City.

The execution of the Construction and Maintenance Agreement is required prior to Canadian Pacific Railway commencing any of the railway crossing works.

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## Analysis

### Strategic Alignment

PROSPERITY: To support and encourage the growth of a highly competitive local economy where there is opportunity for everyone to contribute and succeed.

Goal #7 - Transportation and Infrastructure

Objective 7.2 Work with the Region and other partners to better coordinate the planning, communication and delivery of infrastructure (including roads and other transportation assets) in Cambridge.

The design and construction of capital projects within the Cambridge West Development area is being led by the developers through a Credit for Service Agreement, which is allowing the development to advance ahead of when the City had identified funding in the capital forecast. This agreement, and the associated

construction of Blenheim Road and the railway crossing, will allow development and associated house construction to begin in 2021.

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## Comments

The requirement for the reconstruction of the railway crossing on Blenheim Road was identified through the various studies completed to support the Cambridge West Development area.

The Construction and Maintenance Agreement will formalize the responsibilities of the City and Canadian Pacific Railway with respect to the construction of the new crossing and on-going maintenance.

Maintenance of this crossing will be a 50/50 split between Canadian Pacific Railway and the City for the ongoing upkeep of the warning system and the surface. This is consistent with agreements between the City and railway for other railway crossings.

Should the agreement not be executed, construction of the realigned Blenheim Road would not proceed, impacting the development of the overall Cambridge West area.

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## Existing Policy/By-Law

There is no existing policy/by-law.

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## Financial Impact

The railway crossing reconstruction is included in the capital project for the reconstruction of Blenheim Road. This is a planned 2023 capital project, that is currently being constructed by the Cambridge West developers through a Credit for Service Agreement. The planned budget for the capital project is \$7.2M (2023 costs), funded through Development Charges and the Capital Works Reserve Fund.

The Transportation Engineering Operating Budget already includes funds for the maintenance of railway crossings, however the new crossing may result in slightly higher maintenance costs, which will be included in future Operating budgets.

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## Public Input

The completion of the various studies that support the Cambridge West area, including the Master Environmental Servicing Plan and the Cambridge West Collector Road Network Class Environmental Assessment, as well as the various development applications, have included public meetings at various stages throughout each of the studies and/or applications.

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## Internal/External Consultation

Consultation with Canadian Pacific Railway has occurred through the completion of the design of the railway crossing and through the review of the Construction and Maintenance Agreement,

Staff from the City's Engineering and Legal Services divisions will be involved through the finalization of the Construction and Maintenance agreement with Canadian Pacific Railway.

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## Conclusion

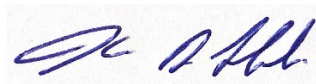
Staff recommend that Council authorize the Mayor and Clerk to execute the Construction and Maintenance Agreement with Canadian Pacific Railway.

By authorizing the Mayor and Clerk to execute the agreement, the City of Cambridge continues to work with partners including Canadian Pacific Railway and the development community to coordinate the planning and construction of key infrastructure.

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## Signature

### Division Approval



Reviewed by the CFO

Reviewed by Legal Services

**Name: Kevin De Leebeeck**  
**Title: Director of Engineering**

### Departmental Approval



**Name: Hardy Bromberg**  
**Title: Deputy City Manager, Community Development**

### City Manager Approval



**Name: Cheryl Zahnleiter**  
**Title: Acting City Manger**

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## Attachments

- n/a