

Date: 2022-05-02

Subject: **Goreway Drive CN Rail Grade Separation between Steeles Avenue and Brandon Gate Drive, Project Update – Ward 8**

Contact:
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Report Number: Public Works & Engineering-2022-484

Recommendations:

1. **THAT** the report from Solomon Choi, Senior Project Engineer, Capital Works, Public Works & Engineering dated May 2, 2022, to City Council Meeting of May 4, 2022, re: **Goreway Drive CN Rail Grade Separation between Steeles Avenue and Brandon Gate Drive, Project Update – Ward 8** be received.

Overview:

- **At the April 27, 2022 Committee of Council meeting, staff were directed to provide a project update to the City Council meeting of May 4, 2022.**
- **The report provides the background of the project, the challenges and constraints presented by the project to date, the current project status and forecast of the tendering date.**

Background:

The City of Brampton in partnership with the City of Mississauga and CN, completed a Class Environmental Assessment for the improvements to Goreway Drive, which recommended the construction of a new bridge carrying Goreway Drive over the existing CN Rail tracks at the south city limit.

The project will remove the existing level crossings at the CN Rail Halton subdivision and reconstruct Goreway Drive as an overpass crossing over the CN Rail tracks. The CN Rail tracks at the Halton subdivision is the border between Brampton and Mississauga. A segment of Goreway Drive reconstruction within Mississauga boundary is required to complete the work.

Major Challenges and Scope Changes:

Detailed design was initiated in 2010 and the project was delayed due to the following events, challenges and scope changes:

1. TransCanada Pipe Lines and Bell360/CN Communication Cable

Design review and approval was delayed because of the close proximity of two TransCanada (900 & 1050mm) gas pipes and the Bell360/CN fiber optic communication cables to the proposed bridge piled foundations. Approval/clearance from Bell360/CN was only granted on October 8, 2021.

2. Properties and Easement Acquisition

Various properties and easements acquisitions are required to accommodate the proposed grade separation structure and approaches.

As the easements acquired between 2013 and 2015 all expired on December 31, 2020, Realty Services are in the process of negotiations to extend the easement agreements and securing the new easement required to accommodate the new Region of Peel access road (See 4 below).

3. CN Rail Request to close Goreway Drive During Construction

CN Rail has requested both Brampton and Mississauga to consider closing down Goreway Drive at the CN Rail tracks completely to road traffic during the 12 to 15 month construction period. As the closure would impact local traffic and Brampton Transit services, a Traffic Assessment Study on the Closure of Goreway Drive was subsequently completed and a Public Information Centre was held in September 2018 to consult the local residents.

4. New Region Access Road Modification

With the last property that staff at the time believed was required for the project acquired in December 2017, the tender package was completed in February 2018. At that time, the Region requested an access road be constructed to access their sanitary sewers within the private Parkshore golf course, east of Goreway Drive. This change required re-design to include a new Region access Road and required re-application of all permits that had already been in place.

5. Brampton/Mississauga/CN Rail Agreement

The agreement negotiations were started in December 2014. CN was very slow in responding despite repeated requests/follow up from City staff up to the level of the Mayor's Office. The agreement is currently being finalized.

6. Joint Municipal Agreement with Mississauga

It is at an advance stage of finalizing, after more than 4 years of negotiations for the apportionment of the total project costs which includes capital maintenance, final demolition costs, project risks and indemnification etc.

7. New Excessive Soil Management Regulations and Illegal Dumped Materials

In 2020, the Province introduced new Soil Management Regulations that impose new constraints and requirements on the removal of excessive materials from site. In view of the new Excessive Soil Management Regulations, the City consultant has completed an additional soil sampling and investigation to include the findings in the tender documents.

Current Situation:

1. New Region of Peel Access Road

- Detailed design revision for new access road is 99% complete.
- Tender document package is under revision to include the additional soil sampling and testing reports.

2. Easements & Licence Acquisition/Extension

- Realty & Legal Services are reviewing a proposed ground lease prior to releasing to Parkshore Golf, expecting release within next couple of weeks, however, there could be potential delays dependent on the Vendor's response on the terms & conditions of the ground lease.
- Negotiating with Infrastructure Ontario (IO) for a new equitable license agreement in progress.

3. Toronto and Region Conservation (TRCA) Permit

To be issued by TRCA once the City confirms that all required easements are in place.

4. Agreement between CN Rail/Brampton/Mississauga

Brampton Legal staff provided an updated draft to Mississauga for review and comments on April 26, 2022. Mississauga to review and provide comments.

5. Joint Municipal Agreement between Brampton and Mississauga

Brampton Legal staff provided an updated draft to Mississauga for review and comments on March 29, 2022. Mississauga to review and provide comments.

6. Agreement with the Region of Peel

Agreement to be signed after the Brampton/Mississauga/CN Rail agreement is executed.

7. Notice of proposed work under the Railway Safety Act

The notice will be sent out once all the above issues are resolved.

A Begin to Procurement report is forthcoming to the Committee of Council Meeting schedule on May 11, 2022 for Contract Administration and Inspection Services for the Construction.

Estimated Schedule

The design and approvals for the Goreway Drive Grade Separation project are being finalized to allow the project to be tendered in Fall 2022.

Project Schedule

Council Approval	June 2018
Issue for Tender	September 2022
Tender Closing	October 2022
Construction Start	November 2022
Completion	Summer 2024

Note: Above timelines are subject to completion of all outstanding tasks and cooperation of all external parties as listed above.

Term of Council Priorities:

The Goreway Drive Grade Separation project would support the City in achieving its Term of Council Priorities for a Healthy and Safe City by building well planned infrastructure and aligns with Brampton’s 2040 Vision – Transportation and Connectivity, and Health.

Conclusion:

This report provides the background of the project, the challenges and constraints faced by the design staff, the current project status and forecast of the tendering date for Council information.

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Attachment:

Appendix I - Key Plan