



City of
Peterborough

To: **Members of the General Committee**

From: **Cynthia Fletcher,
Commissioner of Infrastructure and Planning Services**

Meeting Date: **May 6, 2019**

Subject: **Report IPSTR19-003
Request to Provide Update on the Transportation Master Plan**

Purpose

A report and presentation to provide background on previous discussions with Council, the current situation of the North-South Corridor known as the Parkway extension and an update on the work plan in place to advance completion of the next Transportation Master Plan.

Recommendation

That Council approve the recommendations outlined in Report IPSTR19-003 dated May 6, 2019, of the Commissioner of Infrastructure and Planning Services, as follows:

That the presentation and Report IPSTR19-003 be received for information.

Budget and Financial Implications

Approval of the recommendations of this report has no immediate financial implications.

Background

Council, at its meeting of January 28, 2019, adopted the Finance Committee recommendation:

“That staff provide a report on the steps required to update the Transportation Master Plan with alternatives to the Parkway and addressing a north-south transportation route, and that the report be brought to the March General Committee Meeting.”

Parkway Corridor Background

The Class Environmental Assessment (EA) Study completed for the Parkway Corridor in 2013, reviewed a number of alternatives for a north-south transportation route. The recommended plan approved by Council at that time was intended to provide a long-term solution to accommodate planned growth to 2031 and beyond, but it also provided a solution to address a number of existing operational and safety concerns that are currently occurring at a number of key intersections. The specific intersections and areas of concern identified in the Class EA study include:

- The Clonsilla Avenue corridor between The Parkway and Monaghan Road,
- Parkhill Road between Medical Drive and Fairbairn Street,
- The Charlotte Street/Monaghan Road intersection,
- The Clonsilla Avenue/Goodfellow Road intersection, and
- The Sherbrooke Street/Clonsilla Avenue intersection

Many of these intersections are included in the list of top ten collision locations in the City each year.

On September 16, 2016 the Minister of the Environment and Climate Change (now Minister of Environment, Conservation and Parks) issued an Order requiring the City to comply with Part II of the **Environmental Assessment Act** for the Parkway Extension project. This Order, attached in Appendix A, requires the City to complete an Individual Environmental Assessment prior to proceeding with any portion of the project. City Staff have held numerous discussions with Ministry staff to clarify the extent of the Order issued and based on those discussions the Ministry staff confirmed that the Order also restricts:

- the City's ability to implement any other road improvements that may be considered as alternatives to the Parkway; and
- measures that may be considered in the short term to address intersection operational and safety issues that were studied as part of the Parkway Class EA.

In response to the Order issued by the Minister, staff presented Report USDIR18-002, “Transportation Planning and The Parkway” which was approved by Council at its meeting of April 30, 2018. This report recommended a series of “background studies” that would allow the City to consider the feasibility and costs associated with implementing more aggressive approaches to transit use, optimizing our signal system, investing in cycling and walking infrastructure, and implementing intersection improvements; along with the degree to which these initiatives may reduce the need for new roads.

Much of this type of work would be required as part of completing an Individual EA study as well. Rather than waiting until the end of a long and complex study to be able to seek Council endorsement for the recommendations, Provincial approval of the study, and then Council approval of funding to implement some of these measures, the current approach will allow Council to be able to consider the recommendations of each study and determine the appropriate level of funding to direct towards these types of initiatives each year. Each study will provide a number of recommendations and improvements that can be implemented, in other parts of the City, to improve transportation in the City in the short term.

These background studies will also establish the planning context to guide the development of the next Transportation Master Plan update and/or an Individual Environmental Assessment for The Parkway, or any alternate North-South corridor.

A brief overview of these background studies, many of which are ongoing, is outlined in Appendix B.

Impact of the Minister’s Order

Unfortunately, due to the breadth of the Minister’s Order related to the Parkway Extension, it is no longer within Council’s authority to simply update the Transportation Master Plan by removing the Parkway and adopting an alternative plan. Any plan intended to address the City’s transportation needs associated with long-term growth must proceed under the Individual EA process. While Council will still be able to make decisions at each step of the Individual EA process, the final decision to accept the Individual EA report and approve the recommendations will rest with the Minister.

The first step in the Individual EA process is the completion of a Terms of Reference. The Terms of Reference establishes the work plan for the Individual EA study, including:

- the purpose of the study,
- how alternatives will be generated and evaluated,
- how and when stakeholders will be consulted, and
- how decisions on the project will be made.

Consultation with the public, reviewing agencies and First Nations is required during the development of the Terms of Reference. Council will be able to approve this document prior to submission to the Province, but the final decision on how the study will be completed also rests with the Minister.

Discussions with Ministry staff have indicated that they would be looking for proponents to identify and consider all reasonable alternatives during an Individual EA. Eliminating certain alternatives from consideration prior to starting the Individual EA study is known as “focusing” and can result in significant objections from stakeholders. In the Richmond Landfill EA (2003-2004), the issue of focusing an EA study to eliminate certain alternatives from consideration as part of the Terms of Reference approval was subject to numerous court challenges. Ministry staff advised that proponents would need to provide a significant amount of justification for eliminating an alternative from consideration, or “focusing” the EA study, and that a “focused” Terms of Reference would require approval of the Minister. Ministry staff advised that this approach would increase the risks associated with obtaining approval of the Terms of Reference from the Minister.

Simply removing the Parkway Corridor from the Official Plan does not mean that the Parkway alternative would not need to be considered as part of the Individual EA Study, either. Ministry staff indicated that all reasonable alternatives need to be studied as part of an EA, even if they are not necessarily reflected in the Official Plan. Since the corridor is identified in the current Official Plan it would be difficult to declare in advance that this is no longer a “reasonable” alternative. Ministry staff noted that an unpopular or controversial alternative is not sufficient rationale to exclude it from consideration, although these factors could be proposed in the Terms of Reference and, if approved, considered during the EA study as part of the evaluation process.

Staff would caution that a unilateral removal of the Parkway from the Official Plan, particularly without a viable alternative being identified and substituted via an amendment to the document, would also introduce a number of risks to other initiatives, including:

- Official Plan Approval – Eliminating the Parkway Corridor from the new Official Plan with no assessment of alternatives could be subject to appeal through the **Planning Act** and could impact the timeline for adoption of the entire new Official Plan.
- Development Charge Update Study - There is also a significant financial risk in terms of development charges if the Parkway were to be simply eliminated prior to identifying an alternative. The Development Industry may demand that future development charges be based on a “no Parkway” scenario if no alternative is identified and appropriate cost estimates provided. Any alternative to the Parkway is going to incur new capital costs, and the City should be collecting Development Charges from new growth to support whatever new infrastructure is needed. Rather than striking the Parkway from the Official Plan, Development

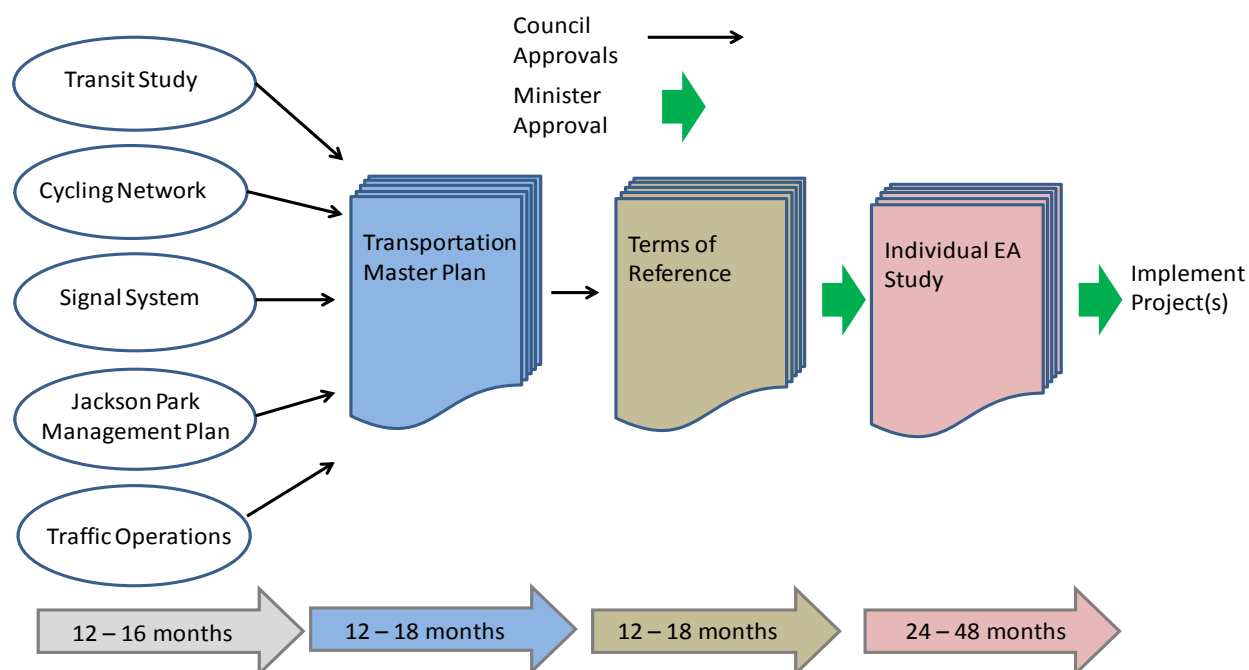
Charge Background Study, and Capital Budgets it would be better to rename the project (such as “North-South Transportation Corridor”), in recognition of the need to protect for and fund some form of transportation improvement to address future growth needs.

Updating the Transportation Master Plan

The background studies noted in Appendix B are incorporated into the current work plan that staff have recommended and Council has approved. These studies will specifically examine the role that transit, walking and cycling, smart signals, and minor intersection improvements can play in addressing future transportation needs. The work plan for these studies have been funded from pre-committed capital funding set aside for the Parkway Corridor project, and each study is intended to provide a number of actionable improvements that can be approved by Council and implemented in the near term, without waiting for a long and complicated Individual EA Study to be completed and approved by the Province.

These background studies will provide the framework for a new Transportation Master Plan that may include updated mode share targets, and other efficiencies and policy decisions developed through the studies described above and approved by Council. The next Transportation Master Plan will provide the opportunity for Council to determine if a new north-south transportation solution is needed to support the City’s long-term growth and define the range of alternatives that should be considered in any subsequent Terms of Reference and Individual EA Study, as depicted in Figure 1, below.

Figure 1 – Transportation Planning Process



Alternative Option

If Council wishes to expedite this process, the only way this could happen is through a formal request for the province to reconsider the breadth of the previous Order of September 16, 2016. Ministry staff has indicated, typically, there would need to be a compelling reason for the Minister to reconsider an Order, and there is no guarantee that such a request would be entertained.

Summary

Direction provided by Council in April 2018 led to staff establishing a work program incorporating a new and comprehensive planning process to address the City's long-term growth and transportation needs.

The work plan in Appendix B will take up to 16 months to complete and a number of years to fully implement, but it will allow Council to make key decisions at the conclusion of each step in the process. These decision points will guide the next steps of the planning process. Each study will result in a number of practical recommendations that will incrementally improve various aspects of the transportation system, and can be implemented in the near term subject to available operating and capital budgets.

Following the completion of the background studies described in Appendix B, the Transportation Master Plan is anticipated to take approximately a year and half to complete, followed by three to five years to complete an Individual EA.

Under the current workplan it could be about 8 years before improvements could be implemented to address North-South transportation needs, and the corridors and intersections where current operational and safety concerns have been identified.

Submitted by,

Cynthia Fletcher
Commissioner of Infrastructure and Planning Services

Contact Name:

Kevin Jones
Manager, Transportation
Phone 705-742-7777 ext 1895
Toll Free: 1-855-738-3755
Fax 705-876-4621
E-mail address: kjones@peterborough.ca

Robert Dunford
Senior Project Manager
Phone 705-742-7777 ext 1867
Toll Free: 1-855-738-3755
Fax 705-876-4621
E-mail address: rjdunford@peterborough.ca

Attachments:

Appendix A Minister's Order
Appendix B Description of Background Studies