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CORNELL TERMINAL STATUS REPORT

The Rapid Transit Public/Private Partnership Steering Committee recommends the following:

- 1. The presentation by David Clark, Chief Architect, Infrastructure and Development, be received; and**
- 2. The recommendations contained in the following report, September 12, 2007, from the Vice-President, York Region Rapid Transit Corporation, be adopted:**

1. RECOMMENDATIONS

It is recommended that:

1. Regional staff report back to Committee and Council on a comprehensive budget for the Cornell terminal works and a process and timing for the securing of the Cornell terminal property in the earliest timeframe.
2. Regional staff report back to Committee and Council on the work programme and construction schedule for the opening and commencement of operations at the Cornell terminal.

2. PURPOSE

This report updates Committee and Council regarding the identification of the Cornell terminal as a project recommended by the Greater Toronto Transportation Authority (GTТА) for early delivery under the Province's MoveOntario 2020 initiative (*see Attachment 1*). The report further advises Committee and Council on the status of the acquisition of the lands through dedication and the investigation into bringing Viva service to the hospital.

3. BACKGROUND

In April 2007, Council authorized staff to seek the acquisition of the Cornell terminal lands through a land dedication under the provisions of the Planning Act. Since that time, staff has monitored the progress of the H&R Developments (H&R) Draft Plan of Subdivision through the Town of Markham. Through the circulation process, Regional staff provided Conditions of Draft Plan Approval to the Town of Markham, requiring the terminal lands to be dedicated to the Region for transit purposes with the initial plan

registration. The staff report and recommendations for adoption of an Official Plan Amendment, Draft Plan of Subdivision, Zoning and Site Plan approvals for the first phase of the development including the transit terminal, were endorsed by Town of Markham Council on June 26, 2007. H&R did not appeal the approvals and the Regional conditions for the dedication of the terminal. There was one appeal from a non-participating area resident. The area resident in the vicinity of the applications appealed both the Draft Plan and zoning approvals. H&R has been engaged in discussions with the appellant to resolve the outstanding issues. The Official Plan Amendment OPA 166, adopted by the Town of Markham, is before the Region for approval. Regional staff will work with the Town and the landowners to resolve issues and participate in any OMB proceedings to protect Regional interests should it become necessary.

4. ANALYSIS AND OPTIONS

The landowner did not appeal the Region's land dedication conditions

On April 19, 2007, Council endorsed the acquisition of the Cornell terminal lands through a dedication under the Planning Act as part of the Draft Plan of Subdivision application by the landowner, H&R. The Region forwarded conditions of approval to the Town of Markham that were incorporated into the final recommendations for Draft Plan approval endorsed by Markham Council on June 26, 2007. The conditions were not appealed by H&R, indicating their willingness to continue to work with the Region to transfer the terminal lands as part of the registration of the first phase of their development on the south side of Highway 7 in the Cornell Centre district.

An adjacent landowner who is not a participating member of the area developer's group; however, has appealed the Subdivision Plan and zoning for the H&R applications which includes the lands to be transferred to the Region for the rapid transit terminal. It is staff's understanding that discussions are ongoing between the appellant and H&R and it is hoped there will be an amicable settlement of the outstanding issues and an early resolution. Regional staff has not been directly engaged in discussions to date; however, staff is monitoring the progress to protect Regional interests should it become necessary.

Discussions with the landowner to secure the lands are ongoing

Staff has been in contact with representatives of H&R to continue the discussions to finalize the land transfer. Timing of the transfer is of key concern given that the Cornell terminal is identified as an "early wins" project (*see Attachment 1*). There is some risk that the finalization of the land transfer may get bogged down in the appeals process if an expeditious resolution of issues is not possible and an Ontario Municipal Board (OMB) hearing is necessary. Staff is in discussion with legal counsel to determine if the early dedication of the Cornell lands can occur without being tied down by the OMB process.

The Cornell terminal has been recommended for early funding under the MoveOntario 2020 funding announcement

The Cornell terminal project was included in the \$255 million in funding announced by the Federal Government on March 6, 2007 and by the Province on March 22, 2007. The budget breakdown of the Phase 2 funding announcements was presented to Council on March 8, 2007 and identified \$6 million for the development of the terminal. On June 15, 2007, the Provincial government announced funding for a comprehensive GTA wide rapid transit strategy (\$17.5 billion), including all of the Phase 2 projects identified in the Region's Rapid Transit plan, including projects identified under previous announcements. The Cornell terminal was specifically identified as one of fifty projects listed in the MoveOntario 2020 announcement.

As part of the Provincial announcement, the GTTA was given the responsibility to establish project priorities for all of the announced GTA-wide projects. In its submission of August 14, 2007 to the GTTA, the Region identified a number of elements of the Viva network as an early priority. Following the submissions of the transit stakeholders, the GTTA was requested to identify some "early wins" projects (*Attachment 1*) that could be readily developed and implemented beginning in 2008. Of the projects identified by the Region as "early wins" candidates meeting the selection criteria, in its report of August 24, 2007, the GTTA recommended the implementation of the Cornell terminal as a project and assigned a budget of \$5.6 million to an early funding commitment. The "early wins" recommendations will require approval by the Province, which has not yet been announced.

The funding request includes funding for Viva stations along the Cornell route

The funding announcements and recommendation of the GTTA, taken together, provide financial support for bringing the Viva service eastward from its current terminus at McCowan including the development of the Viva stations along Highway 7 and in to the Markham Stouffville Hospital precinct as well the terminal facilities on the H&R lands. The funding also allows the Cornell terminal to facilitate the integration of transit service with Durham transit and GO. Staff is currently working on a consolidated Cornell terminal budget for all of the elements of the Cornell terminal project and will be reviewing the budget with GTTA staff. A final consolidated budget will be brought back to Committee and Council for endorsement.

A preliminary work plan and schedule has been prepared

A preliminary work plan and schedule has been prepared for the terminal design and engineering work. Following confirmation, the work plan will be finalized to incorporate the elements of the Cornell terminal and station development identified in the Region's submission to the GTTA and put out for pricing. The final work plan will reflect the commitment to a construction commencement in 2008 established as an objective of the "early wins" programme. It is anticipated that the terminal and associated Viva station development along the east Markham corridor can be completed and operational no later than 2010.

Preliminary planning for bringing Viva service to the hospital in 2008 is underway

Rapid transit and YRT staff has been working on bringing Viva rapid transit service to the Markham Stouffville Hospital precinct in an early timeframe in advance of the construction and opening of the Cornell terminal. Staff has identified a location for a curb side rapid transit stop and platform on the south side of Church Street west of Bur Oak. A preliminary work plan and schedule have been developed in anticipation of the commencement of service in January 2008. The achievement of the aggressive schedule is contingent on the cooperation of the Town of Markham to review and approve the improvements within the municipal right of way. Given the previous concerns of the local community, the proposed location will need to be vetted with the Cornell Advisory Committee for input and comment. The assistance of local and Regional Markham Councillors may be required to help assist in securing the necessary inputs and approvals for the timely delivery of the rapid transit station facilities.

5. FINANCIAL IMPLICATIONS

Staff is now in the process of confirming all of the project elements of the Cornell terminal and will be developing a preliminary consolidated budget to report back to Council. As part of the budget preparation, staff will seek confirmation of the funding levels from each of the senior government levels. Staff will also undertake, as part of its discussions with the GTTA, to review the consolidated budget and make a determination if all the project elements identified can be accommodated in the GTTA “early wins” recommendation and when a provincial announcement confirming the early wins might be expected. The budget will be prepared to list the elements of the terminal project that can be accommodated by both announcements.

6. LOCAL MUNICIPAL IMPACT

Service to the Cornell area by Viva and supported by York Region Transit (YRT) service is part of the approved rapid transit plan. Current residential development is proceeding quickly and the proposed update to the Cornell Centre Secondary Plan incorporates significantly higher densities of commercial retail, employment, institutional and higher density residential development. The transportation support for this level of development is planned through a major shift in the modal split to transit and other non-automobile modes. The expected rapid pace of development within East Markham needs to be supported and as such will necessitate the implementation of the full Viva system into Cornell and the integration with GO Transit and Durham Transit services in the near term.

7. CONCLUSION

The opportunity to deliver the Cornell terminal and associated Viva station improvements along the east Markham corridor in an early time frame has been identified through two separate funding announcements by the senior levels of government and the recommendation of the GTTA. In anticipation of a confirmation of the funding commitments, Regional rapid transit staff has been moving forward to finalize a consolidated budget, work plan and schedule as well as the acquisition of the lands from the landowner through dedication in the earliest time frame. With the funding commitments in place, staff is confident that the engineering can be completed and construction commenced in 2008 to assure that the terminal will be in operation no later than 2010.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the September 20, 2007 Committee meeting.)