

Ref: 2005-12-I(05)

December 19, 2005

Mr. Denis Kelly
Regional Clerk
The Regional Municipality of York
17250 Yonge Sreet
Newmarket, Ontario
L3Y 6Z1



REGION OF YORK
CLERK'S OFFICE

FILE No. 1

P206
→ B Macgregor
Chair
CAO

Dear Mr. Kelly:

City Council on December 5, 6 and 7, 2005, re-opened Works Committee Report 6, Clause 5, headed "Morningside Avenue/Markham By-pass Extension – Individual Project Environmental Assessment Study Status Report (Ward 42 – Scarborough Rouge River)", for further consideration, and adopted the balance of the following Motion, without amendment:

I(5) Morningside Avenue/Markham By-pass Extension

Moved by Councillor Cho, seconded by Councillor De Baeremaeker

"WHEREAS City Council on June 14, 15 and 16, 2005 adopted, without amendment, Works Committee Report 6, Clause 5, headed 'Morningside Avenue/Markham By-pass Extension – Individual Project Environmental Assessment Study Status Report (Ward 42 – Scarborough Rouge River), and in so doing, requested York Region to conduct additional community consultation on the by-pass extension; and

WHEREAS Scarborough Community Council recently held an evening meeting to consider the results of the additional community consultation and the further transportation analysis which was conducted by the York Region study team arising from City Council's request; and

WHEREAS as a result of this further information, Council should make new recommendations on the Morningside Avenue/Markham by-pass extension;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Works Committee Report 6, Clause 5, headed 'Morningside Avenue/Markham By-pass Extension – Individual Project Environmental Assessment Study Status Report (Ward 42 – Scarborough-Rouge River)', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT City Council delete the Recommendation of the Works Committee contained in the Clause and adopt instead the following new recommendations:

'It is recommended that City Council:

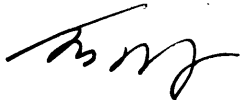
- (1) advise York Region that it strongly opposes and formally objects to any north/south road in York Region that will increase traffic congestion in the City of Toronto;
- (2) advise York Region that it strongly opposes and formally objects to the extension of Morningside Avenue south of Steeles Avenue East, as developed in the Environmental Assessment Study for transportation improvements in the Markham By-pass Corridor;
- (3) request York Region to do the following:
 - (a) re-evaluate Alignment C north of Steeles Avenue East, and
 - (b) conduct an additional community consultation meeting with City of Toronto residents and the Scarborough Community Council, following completion of this further evaluation of Alignment C, with notice being provided to the residents in consultation with local City of Toronto Ward Councillor; and
- (4) inform York Region that:
 - (a) the City intends to keep Steeles Avenue, east of Markham, at its current width of two traffic lanes in keeping with its rural surroundings; and
 - (b) the City neither intends nor has budgeted any funds to construct the Alignment C south of Steeles Avenue East;

AND BE IT FURTHER RESOLVED THAT Council's position be forwarded to the Province of Ontario, the Regional Municipality of York, the Town of Markham, the Toronto and Region Conservation Authority, the Rouge Park Alliance, the Friends of the Rouge Watershed and the Save the Rouge environmental groups."

Council also considered the following:

- Petition submitted by Councillor Raymond Cho, Ward 42 - Scarborough - Rouge River, containing the signatures of approximately 323 individuals in opposition to the Morningside Avenue/Markham By-pass Extension ; and
- Communication (October 31, 2005) from the Regional Municipality of York.

Yours truly,



for City Clerk

M. Toft/cd

Attachments

Sent to: Ministry of the Environment, Province of Ontario
Ministry of Transportation, Province of Ontario
Regional Municipality of York
Town of Markham
Chief Administrative Officer/Secretary-Treasurer,
Toronto and Region Conservation Authority
Gord Weeden, Rouge Park Alliance
Jim Robb, Friends of the Rouge Watershed
Murray Johnson, Save the Rouge Valley System Inc.
General Manager, Transportation Services

c. Deputy City Manager Fareed Amin

CONSIDER WITH NOTICE OF MOTION

Moved by

Seconded by

Lulu. Cho
Lulu. Cho

Petition

22(a)

Definitely "NO" to the Markham Bypass

October 2005

Submitted by Lulu. Cho

To the Honourable Mayor David Miller, Councillor Raymond Cho and all City of Toronto Councillors:

"We, the undersigned, beg leave to petition the City of Toronto as follows: We register our strong and definite objection to the Markham Bypass, a new highway that will go through our neighbourhood, proposed by the York Region.

The proposed Markham Bypass will increase unbearable amount of traffic in the area, environmental hazard, and noise and air pollution. This proposal, if implemented, will inevitably destroy the very sensitive fabrics of our community of Scarborough-Rouge River.

"We demand that the City of Toronto absolutely reject the construction of this highway."

Name	Address	Postal Code	Phone / Email
<i>S. Koudhuzam</i>	<i>14 half moon sq</i>	<i>M1C 3V3</i>	<i>416-282-1553</i>
<i>Kerran Denny</i>	<i>milcar Drive</i>	<i>M1B 6G6</i>	<i>—</i>
<i>VEDANT DAVE</i>	<i>Mourning Dove Cres</i>	<i>M1B 3F6</i>	<i>—</i>
<i>K. D. K. K. K.</i>	<i>53 Crosby Drive</i>	<i>M1B 3T6</i>	<i>—</i>
<i>Hiren Patel</i>	<i>Mourning Dove</i>	<i>M1B 6A8</i>	<i>—</i>
<i>A. M. V. B. B.</i>	<i>Robbingtne dr.</i>	<i>M1B 2E7</i>	<i>—</i>
<i>AIENA N. N.</i>	<i>49 Purvis Cres.</i>	<i>M1B 1H8</i>	<i>—</i>
<i>Takiyah Williams</i>	<i>Wickson Trail</i>	<i>M1B 1M3</i>	<i>—</i>
<i>Techaney V. V. V.</i>	<i>"Crow Trail"</i>		

Kesha
—

Brangorway
—



22(b)

October 31, 2005

Ms. Ulli S. Watkiss
City Clerk
City of Toronto
City Hall, 100 Queen Street W
2nd Floor
Toronto, Ontario
M5H 2N2

CONSIDER WITH NOTICE OF MOTION

Moved by

Brh. Cho

ICS

Seconded by

Brh. De Baeremaeker

3015

RECEIVED

NOV 04 2005

CITY OF TORONTO
CITY CLERK

Dear Ms. Watkiss:

**Re: Transportation Improvements
Markham Bypass to Morningside Avenue Link**

The Council of the Regional Municipality of York, at its meeting held on Thursday, October 27, 2005 adopted, as amended, the attached Clause No. 8, Report No. 8 of the Transportation and Works Committee.

By the adoption of the foregoing clause, Regional Council has authorized the following:

1. The Recommended Alignment for the Markham Bypass to Morningside Avenue road link as determined through the Individual Environmental Assessment (EA) study and outlined in this report be endorsed.
2. Council endorse the proposed EA commitment not to proceed with implementation of the project through the Parkview Golf Course until such time as the golf course redevelops as allowed for in the Markham Official Plan.
3. The Commissioner of Transportation and Works be authorized to formally submit the Markham Bypass EA Report to the Ministry of Environment for review prior to the December 31, 2005 deadline.
4. Upon approval of the EA by the Minister of the Environment, the Commissioner of Transportation and Works, together with the Town of Markham, investigate opportunities to begin implementation of the Markham Bypass Extension in conjunction with area land development and report further to Council.
5. Upon approval of the EA, the Commissioner of Transportation and Works and Commissioner of Planning and Development Services work with the City of Toronto to address any outstanding concerns regarding this project and ensure that the road corridor is protected within development plans until time of implementation.

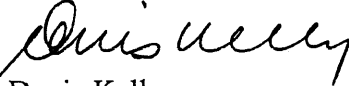
6. The Purchase Order P-02-11 for the consulting assignment to undertake the EA be increased by \$75,000 to address potential additional work to be undertaken following submission of the EA for approval.
7. The Regional Clerk forward this report to the Clerks of the City of Toronto and Town of Markham and to the Ministry of the Environment and Ministry of Transportation.

Regional Council, at its meeting on October 27, 2005 amended the above-noted clause by adding the following recommendation:

8. The Region continue to work with the Ratepayers Association of Box Grove regarding noise and visual mitigation as this project proceeds.

A copy of Clause No. 8, Report No. 8 of the Transportation and Works Committee is attached for your information.

Sincerely,



Denis Kelly
Regional Clerk
E. Stevenson/mg
Attachment

Copy to: Commissioner of Transportation and Works

Clause No. 8 in Report No. 8 of the Transportation and Works Committee was adopted, as amended, by the Council of The Regional Municipality of York at its meeting on October 27, 2005.

8

**TRANSPORTATION IMPROVEMENTS
MARKHAM BYPASS TO MORNINGSIDE AVENUE LINK**

(Regional Council at its meeting on October 27, 2005 amended the following clause by adding the following recommendation:

- 8. The Region continue to work with the Ratepayers Association of Box Grove regarding noise and visual mitigation as this project proceeds.**

The Transportation and Works Committee recommends:

- 1. The presentation by Paul May, Director, Infrastructure Planning and Martin Scott, McCormick Rankin, be received; and**
- 2. The recommendations contained in the following report, September 23, 2005, from the Commissioner of Transportation and Works and the Commissioner of Planning and Development Services be adopted:**

1. RECOMMENDATIONS

It is recommended that:

- 1. The Recommended Alignment for the Markham Bypass to Morningside Avenue road link as determined through the Individual Environmental Assessment (EA) study and outlined in this report be endorsed.**
- 2. Council endorse the proposed EA commitment not to proceed with implementation of the project through the Parkview Golf Course until such time as the golf course redevelops as allowed for in the Markham Official Plan.**
- 3. The Commissioner of Transportation and Works be authorized to formally submit the Markham Bypass EA Report to the Ministry of Environment for review prior to the December 31, 2005 deadline.**
- 4. Upon approval of the EA by the Minister of the Environment, the Commissioner of Transportation and Works, together with the Town of Markham, investigate opportunities to begin implementation of the Markham Bypass Extension in conjunction with area land development and report further to Council.**

5. Upon approval of the EA, the Commissioner of Transportation and Works and Commissioner of Planning and Development Services work with the City of Toronto to address any outstanding concerns regarding this project and ensure that the road corridor is protected within development plans until time of implementation.
6. The Purchase Order P-02-11 for the consulting assignment to undertake the EA be increased by \$75,000 to address potential additional work to be undertaken following submission of the EA for approval.
7. The Regional Clerk forward this report to the Clerks of the City of Toronto and Town of Markham and to the Ministry of the Environment and Ministry of Transportation.

2. PURPOSE

The purpose of this report is to update Committee and Council on the project team's progress in resolving key stakeholder issues regarding the Individual Environmental Assessment (EA) for a new road from the Markham Bypass / Highway 407 interchange south to Morningside Avenue and to present a final recommendation on the alignment.

3. BACKGROUND

3.1 General

The EA included an evaluation of all reasonable alternatives to address transportation demand in the study area (*Attachment 1*). The preferred alternative recommended is a multi-modal solution that combines various transportation strategies that include a base case of planned road network improvements, transit initiatives, TDM initiatives plus a new road in the Markham Bypass Corridor South of Highway 407.

At the April 6, 2005 Transportation and Works Committee meeting, the project team presented the key findings of the EA, including the need for a new four-lane road link from the Markham Bypass / Highway 407 interchange to the existing terminus of Morningside Avenue in Toronto. On April 6, an alignment (referred to as the Technically Preferred Alignment) was presented to Committee in advance of the final round of Public Consultation Centres (PCCs). At that time, Staff were instructed to report back with a final Recommended Alignment upon completion of the public and stakeholder consultation.

A further project update was reported to Transportation and Works Committee on June 15, 2005.

As reported previously, York Region is the sole proponent for this EA. Although the City of Toronto has not agreed to participate in this study as co-proponent, City staff have been involved throughout the project and have provided key input related to issues within the City of Toronto.

3.2 Consultation

Following the April 6, 2005 presentation to Committee, the project team undertook the following consultation activities:

- PCCs on April 20, 2005 in Markham and April 21, 2005 in Scarborough
- Presentation to the Markham Transportation Committee on April 18 and June 20, 2005
- Presentation to the Toronto Works Committee on May 26, 2005
- Presentation at a July 13, 2005 public meeting organized by the Parkview Golf Club
- Presentation at a Markham Council Workshop on September 1, 2005 (included a site visit at the Parkview Golf Club to review road alignment alternatives).

One of the key conclusions reached during the recent public and stakeholder consultation is that there are no easy answers and no one solution will satisfy all stakeholders. With any significant undertaking, there will be impacts to the natural environment as well as to area landowners, residents, businesses and the development community. The project team has focused on mitigating adverse impacts to the extent possible and to finding a fair balance between the interests of the various stakeholders.

Additional information regarding previous public consultation on this project can be found in the staff report to Transportation and Works Committee on April 6 and June 15, 2005.

4. ANALYSIS AND OPTIONS

4.1 General

The Recommended Alignment developed through the EA for the proposed four-lane arterial road between the Markham Bypass / Highway 407 interchange and Morningside Avenue is shown on *Attachment 2* and includes minor refinements to what was presented to Council and the public in April 2005.

4.2 Overall Alignment Options

The project team developed and evaluated nine distinct alternative alignments and presented them to the public in April 2005. As part of the recent consultation with the public and stakeholders, most of the discussion and interest focussed on four of the nine alternatives. For the purpose of simplifying the discussion in this report, the short listed four alignments are shown on *Attachments 3 through 6* and the key advantages and disadvantages of each are described below.

Table 1
 Technically Preferred Alignment (from April 2005 PCC) – *Attachment 3*

Advantages	Disadvantages
• Continuous alignment with at grade intersection at Steeles Avenue provides best traffic operation • Maintains link from Steeles Avenue to Markham Bypass via 9th Line (provides network flexibility) • Provides good service to Tapscott employment lands south of Steeles Ave • Avoids key natural environmental features • Better for transit service (continuous route) • Provides flexibility to add capacity to the corridor for long term growth in travel demand	• Potential for significant impact to Parkview Golf Club and substantial mitigation cost • New crossing of Morningside Tributary south of Steeles Avenue would be added cost for Toronto (when compared to discontinuous alignment)

Table 2
 Discontinuous Alignment – *Attachment 4*

Advantages	Disadvantages
• Easier to implement within existing corridors • No new crossings of the Rouge River and Morningside Tributary • Least expensive alternative if Steeles Avenue is maintained as a 4-lane cross-section as proposed by Toronto	• Discontinuous corridor would not service projected travel demand • 4-lane cross-section on Steeles Avenue as proposed by Toronto would be severely congested • Heavy turning movements at intersections • Does not provide flexibility to add further capacity to the corridor since intersection turning movements are the limiting factor and will already be at capacity • Encourages infiltration onto local streets • Not as conducive to transit

Table 3
Alignment Parallel to North Side of CP Rail – *Attachment 5*

Advantages	Disadvantages
• Continuous alignment provides better traffic operation • Reduces impact to Parkview Golf Club only if connector road can be constructed south of Steeles Avenue (shifts impact into Tapscott Lands) • Better for transit service • Provides flexibility to add capacity to the corridor for long term growth in travel demand	• Additional impact to Woodlot along the CP Rail slope • Grade separation at Steeles Avenue would be more expensive and difficult to stage (may require CP Rail grade separation at the same time) • Connector road north of Steeles Ave would sever Parkview Clubhouse from course • No link from Steeles Avenue to Markham Bypass via 9th Line due to intersection proximity to CP at grade crossing (less network flexibility)

Table 4
Alignment South of CP Through Conservation Lands – *Attachment 6*

Advantages	Disadvantages
• Continuous alignment provides better traffic operation • Maintains link from Steeles Avenue to Markham Bypass via 9th Line • Better for transit service • Provides flexibility to add capacity to the corridor for long term growth in travel demand	• Significant impact to pristine natural areas south of the CP Rail through Conservation Lands and south of Steeles Avenue • Significant socio-economic effects south of Steeles Avenue (runs along the back of existing residential homes and does not serve Tapscott Lands) • Grade separation at Steeles Avenue would be more expensive and difficult to stage (may requires CP Rail grade separation at the same time)

4.3 Response to City of Toronto Position

As reported previously, Toronto staff requested that the project team present the EA findings to City of Toronto's Works Committee following the final round of PCCs. The presentation was made on May 26, 2005.

A brief summary of the key points noted in the Toronto Works Committee report that support the project and the Recommended Alignment include:

- Finalizing an alignment will allow development in the area to proceed.
- The preferred alternative would provide additional N-S capacity necessary to support growth.

- A discontinuous alignment with a widening to eight lanes on Steeles Avenue has no operational advantages and has the potential for significant local impacts.
- The alignment serves the Tapscott Employment District well.
- Based on the EA evaluation, the Technically Preferred Alignment has the least impact on the natural environment and quality of life of residents.
- If the undertaking is not built within Toronto, the inevitable increase in traffic between York and Toronto will lead to infiltration through rural and residential areas.
- Inter-regional traffic belongs on an arterial road designed to carry it.
- The planning for Morningside Heights includes planning for the Morningside Avenue extension to Steeles Avenue.
- South of Finch Avenue, the existing Morningside Avenue is bordered by employment uses or residential back lots such that the impact of additional traffic would be minimized.

A brief summary of the key concerns noted in the Toronto report include:

- The project would be costly and controversial.
- This road would serve an inter-regional/provincial function and should be cost shared by the Province.
- A discontinuous alignment is closest to the past position of the City of Toronto Council.
- The initial phases of construction through Box Grove will carry traffic down 9th Line to Steeles Avenue, similar to a discontinuous alignment.
- The City prefers to extend Morningside Avenue due north to Steeles Avenue. York and Toronto could then partner to implement the approved four lanes on Steeles Avenue.
- Upon completion of further analysis, additional public consultation is recommended.

From the summary of the Toronto staff report to Works Committee, it is clear that many of the advantages of the continuous alignment recommended through the EA have been recognized.

At the May 26th, Toronto Works Committee indicated their opposition to the Technically Preferred Alignment south of Steeles Avenue. They also indicated preference for a discontinuous alignment that jogs at Steeles Avenue and that the project team re-evaluate this option.

The recommendations endorsed by the Toronto Works Committee and adopted by Toronto Council include the following (a copy of the full recommendations was included as an attachment to the June 15, 2005 report to Transportation and Works Committee):

1. *City Council advise York Region that it strongly opposes and formally objects to the Technically Preferred Alignment for the extension of Morningside Avenue south of Steeles Avenue East, as developed in the EA Study for transportation improvements in the Markham Bypass Corridor south of Highway 407;*
2. *City Council request York Region to:*

- (a) *re-evaluate the discontinuous alignment north and south of Steeles Avenue East, that being the City's preferred alignment south of Steeles Avenue East, and advise City Council of the implications of maintaining Steeles Avenue at its approved width of four traffic lanes; and*
- (b) *Conduct additional community consultation with City of Toronto residents and Scarborough Community Council following completion of this further evaluation of the discontinuous alignment, with notice being provided to the residents in consultation with City staff.*

In accordance with the requirements of the EA Act and the Terms of Reference approved by the Minister of the Environment on July 13, 2004, the alternative with the greatest overall benefit to the environment (both natural and man made) was selected as the recommended undertaking. The Recommended Alignment (*Attachment 2*) is similar to the Technically Preferred Alternative presented to Toronto in May 2005 except for a small number of local refinements incorporated into the final alignment to address specific environment and stakeholder issues.

Given that the final alignment being recommended by the project team is very similar to the alignment strongly opposed by Toronto in May 2005, Toronto's position is not expected to change from that noted above.

As recommended by Toronto, the project team re-evaluated the discontinuous alignment alternative while maintaining Steeles Avenue at its approved width of four traffic lanes. This alternative would involve surcharging all of the volume of north-south traffic onto Steeles Avenue to travel east-west along the discontinuous alignment. Since the projected east-west travel demand along Steeles Avenue is already expected to exceed the capacity of a widened four lane Steeles Avenue by 2021, the result of surcharging north-south traffic onto Steeles Avenue will create severe congestion in the area with very heavy turning movements at intersections and encourage traffic infiltration through local streets.

The City of Toronto has also recommended additional community consultation with City residents and Scarborough Community Council. Since the key EA findings presented to the public in April 2005 have not changed and the final alignment being recommended by the project team is similar to the Technically Preferred Alignment previously presented, no additional PCCs are planned for this project. The public will have a further opportunity to review and comment on the EA when it is formally submitted to the Ministry of the Environment for approval (an Individual EA includes an initial seven week public and agency review period).

4.4 Deadline for Filing the EA

The February 1999 Morningside Heights OMB Decision provided for a Morningside Avenue extension in a 36m right-of-way through part of the Morningside Heights lands, with a condition that an EA study for the northerly extension to Steeles Avenue be submitted for approval by December 31, 2005, or that the Terms of Reference for such a study be submitted for approval by December 31, 2004. Failing such submissions, the further extension of Morningside Avenue to Steeles Avenue is to be completed through the plan of subdivision process.

The Terms of Reference were submitted to the Ministry of the Environment on April 15, 2004 and approved on July 13, 2004, thereby satisfying one of the timing restrictions imposed by the OMB decision.

The deadline for submission of the final EA by December 31, 2005 is a critical deadline for this project. Should we fail to submit the EA by the prescribed deadline, the City of Toronto may proceed to define the corridor through plans of subdivision. As they have already identified a preference for a discontinuous corridor, it is likely that the development plans will be approved accordingly.

The area temporarily reserved by the OMB Decision for development of alignment alternatives is shown on Attachment 7.

4.5 The Recommended Alignment

As noted previously, the Recommended Alignment for a new four-lane road from the Markham Bypass / Highway 407 interchange to Morningside Avenue is shown on Attachment 2. There are three main segments to the alignment, including the segment from Highway 407 to the existing 9th Line (through the Box Grove Secondary Plan), the segment from 9th Line to Steeles Avenue (including through Parkview Golf Course) and the section south of Steeles Avenue.

The alignment is described in more detail in the remainder of section 4.5.

4.5.1 Alignment through the Box Grove Secondary Plan (Segment 1)

4.5.1.1 Alignment at Highway 407

The Markham Bypass has recently been constructed from Highway 407 to Highway 7 and includes a partial interchange with Highway 407 to and from the north. Once the Markham Bypass is extended to the south, there will be a need to complete the interchange to allow access to the highway from the south.

The additional ramps that will be required were not included in the EA undertaken for the Highway 407. In order to avoid having to do a separate EA for completion of this interchange, the missing ramps have been included in the EA for the Markham Bypass to Morningside Avenue Link. There is currently no funding commitment from the 407 ETR to construct these ramps and funds are not included in the Region's DC Bylaw.

4.5.1.2 Alignment South of Highway 407 to the CP Rail

Immediately south of Highway 407, the proposed alignment impacts lands owned by Box Grove Hill Development Inc. and M. Highcock (see *Attachment 8*).

The Highcock property includes an old farmhouse occupied by the landowners along with barn structures near the west limit of their site. The landowners have consistently attended all PCCs during the conduct of the EA and have emphasized their desire to continue residing on the property in the long term. They have also emphasized the desire to eliminate the road alignment from their lands or reduce the impact to the extent possible.

The alignment through the Box Grove Hill land falls within the Phase II Box Grove Secondary Plan development phasing. This area of the Box Grove Hill land has not been draft plan approved and must accommodate the final alignment of the Markham Bypass Extension in accordance with the Box Grove Secondary Plan (Markham OPA 92).

Representatives of Box Grove Hill Developments have also attended all PCCs for this project. They have identified concern with the alignment that was presented to Committee on April 6, 2005, and to the public on April 20 and 21, 2005. That alignment would impact approximately 12 proposed townhouse units, one proposed auto service centre and the size of one remnant parcel east of the alignment.

Following the input received by the adjacent landowners, the project team developed a refined alignment (shown on *Attachment 8*) with the following key features:

- Provides acceptable geometry consistent with the design speed of the road and with the required MTO standards at the Highway 407 interchange.
- Alignment impacts the west limit of the Highcock property but avoids impact to the barn structures.
- Impacts the landscape strip at the north-east edge of the planned townhouse development but should be accommodated without any loss of townhouse lots.
- Required relocation of the planned gas bar.
- Results in a 1.2 ha remnant block east of the Markham Bypass Extension.

The refined alignment has been developed in consideration of the comments received by both affected landowners and both have identified general agreement with the alignment.

The agreement by Box Grove Hill Developments is subject to the proposed auto service centre being relocated to the east of the bypass (utilizing the remnant parcel) and site access being provided to the bypass. Staff have agreed, in principle, to access being provided to the bypass and will work with the Town of Markham and the developer through the usual zoning and site plan approval process.

4.5.1.3 Alignment at 14th Avenue

The proposed alignment for the Markham Bypass and 14th Avenue intersection is shown on *Attachment 9*. The planned alignment includes an interim at-grade intersection and protection for an ultimate grade separated alignment where 14th Avenue would go over both the Markham Bypass and the CP Rail line. When the alignment was presented to Committee in April, this intersection geometry was still being refined and a conceptual alignment was presented.

The proposed at-grade intersection includes a minor realignment of the Markham Bypass westerly to provide for a required 30m setback to the 14th Avenue /CP Rail level crossing. The interim scenario also includes a realignment of 14th Avenue to provide for improved intersection geometry on the east and west approaches to the Markham Bypass. The realignment of 14th Avenue has also been developed to function as a detour allowing construction of a future grade separation over the Markham Bypass and the CP Rail when warranted and with minimal impact to traffic.

Currently there are approximately two trains per day on this CP Rail line which would not warrant grade separation with 14th Avenue. The long-term plan for this CP Rail line is to include GO Train Service to the Pickering Airport and Seaton development area. With increasing train service and increasing traffic, the warrant for a grade separation is likely to ultimately be realized.

The EA for the Markham Bypass Extension has developed the future grade separation in sufficient detail to identify property limits to be protected within the Box Grove Development.

4.5.1.4 Alignment at the South End of Box Grove

At the south end of the Box Grove development area, a storm water management pond has recently been constructed as part of the Phase I development. The alignment presented to Committee on April 6th would result in the need to reconfigure this pond to accommodate the planned road.

In consultation with the Box Grove landowners, the project team developed a refined alignment in this area that minimizes the impact to the existing storm water management pond.

4.5.1.5 Implementation Through the Box Grove Secondary Plan

Through the Box Grove Community Memorandum of Understanding (MOU), the Box Grove Landowners will be constructing the 9th Line Bypass as a four-lane urban cross section from the existing 9th Line just south of the Highway 407 interchange to fully bypass the Hamlet of Box Grove and reconnect to the existing 9th Line south of the Hamlet and just north of the CN Line / CP Line crossings.

A section of this 9th Line Bypass has been identified in the EA as part of the Markham Bypass Extension to Morningside Avenue alignment and is planned to be constructed as part of the Phase 1 Box Grove Development.

The MOU also commits the Box Grove Landowners to the construction of the road link between the Markham Bypass / Highway 407 interchange and the 9th Line Bypass as a two-lane Town of Markham road with a rural cross section. This road is currently proposed to be built in conjunction with Phase 2 of the Box Grove Development.

Rather than build this road as a two-lane rural cross section as envisioned in the MOU, the Region and the Town of Markham will investigate the opportunity to have it constructed as a four-lane urban road as part of the Phase 2 Box Grove Development (subject to final approval of the EA for the Markham Bypass to Morningside Avenue link). Construction of this road would provide a good quality continuous arterial connection from the Markham Bypass north of Highway 407 to the south limit of the Box Grove Secondary Plan where it would connect to the existing 9th Line.

4.5.2 Alignment from Box Grove to Steeles Avenue (Segment 2)

At the south limit of Box Grove, the proposed alignment swings west past the existing 9th Line alignment and crosses the Rouge River, approximately 150m south of an existing residential area (Ridgevale Drive and Rouge River Circle). The noise assessment undertaken as part of the EA has determined that noise mitigation is not warranted in accordance with the MTO/MOE Noise Protocol and the Region's current Noise Policy. The Region is in the process of reviewing the current Noise Policy. At the time of detailed design, the noise impact associated with this project will be reviewed against the latest Noise Policy and mitigation will be included in the design if warranted.

4.5.2.1 Impact to Parkview Golf Club

The proposed alignment west of 9th Line crosses an existing hydro corridor north of the CN Rail line before crossing under the rail. In this area, the proposed alignment impacts the existing Parkview Golf Club. The Parkview Golf Club includes a total of 36 holes on lands directly owned by the Club south of the CN Rail line and within the hydro corridor north of the CN Rail on lands leased from Ontario Realty Corporation.

The Owners of Parkview have identified significant concerns with the proposed road alignment through the golf course and the resulting impact on their business. The project team retained a golf course architect to develop concepts for reconfiguration of the course to accommodate the proposed road alignment and try to mitigate adverse effects. Although the concepts are feasible, there would still be a net effect on the overall course yardage and significant disruption during construction. Parkview continues to oppose any alignment through the course noting concerns with significant effects to their business during the construction phase with potential to impact the long term viability of the golf course.

The project team recognizes the potential impact to the Parkview Golf Course as the most significant adverse socio-economic effect of the Recommended Alignment. It is for this reason that staff recommend that Council endorse the proposed EA commitment not to proceed with implementation of the project through the Parkview Golf Course until such time as the golf course redevelops as allowed for in the Markham Official Plan (the lands are designated for future residential development).

Implementation of this segment of the overall alignment should be coordinated with the section south of Steeles Avenue to complete the continuous link from the Markham Bypass to Morningside Avenue. In the interim, the first segment through the Box Grove Secondary plan can be implemented and can rely on the existing 9th Line connection to Steeles Avenue until the segment through the Parkview Golf Club can be implemented.

The section of the proposed road through the Parkview Golf Course includes a crossing of the Rouge River and the CN Rail, making it an expensive section to construct. If this section is staged with development of the Parkview lands, there are opportunities to reduce costs. In conjunction with land development, the right-of-way would be acquired in accordance with Regional policy for new road alignments (the first 20m of right-of-way dedicated free of cost and the remainder purchased at fair market value). There would also be an opportunity to coordinate overall road grading with the subdivision grading as well as construction of underground services and utilities.

4.5.2.2 Alignment Through Villages of Fairtree East Draft Plan

Immediately north of Steeles Avenue, the proposed alignment runs generally parallel to the existing property line between the Parkview Golf Club and the planned Villages of Fairtree East subdivision (Forest Bay Homes Inc.). The preliminary draft plan of subdivision has been developed in consideration of potential alignments for the Markham Bypass Extension. The Recommended Alignment is different from what was assumed on the preliminary draft plan, however, the effects are considered comparable. Forest Bay Homes has not identified any issues with the proposed alignment and are required to incorporate the alignment into the final plan of subdivision in accordance with the conditions of draft plan approval.

4.5.3 Alignment South of Steeles Avenue (Segment 3)

South of Steeles Avenue, the alignment crosses the Morningside Tributary and goes through mostly vacant lands designated for industrial development (Tapscott Industrial Area). At the south limit, the alignment is proposed to go over the CP Rail line to connect to the existing terminus of Morningside Avenue at the McNicoll Avenue Extension.

The affected landowners have not identified any significant issues regarding the proposed alignment through the Tapscott Industrial Area. The employment lands will benefit directly from the proposed alignment as it provides a continuous high quality connection to the arterial road network and broader freeway network.

South of Passmore Avenue, the proposed alignment also avoids any impact to an existing low level radioactive storage facility (identified on *Attachment 2* as the Malvern Remediation Site).

The one area of significant issue identified south of Steeles Avenue is associated with the proposed connection to the existing terminus of Morningside Avenue within the Morningside Heights community. As reported previously, 111 people signed in at the final PCC on April 21 in Scarborough. Many were residents of Morningside Heights and were concerned with the impact of traffic through their community that would result from a connection between the Markham Bypass and Morningside Avenue.

Morningside Avenue has been extended from Finch Avenue East to a future extension of McNicoll Avenue as part of the Morningside Heights development. This section of Morningside Avenue is constructed as a two-lane road with a wide grassed median for future widening to four lanes. Currently, Morningside Avenue terminates at the McNicoll Avenue extension and is used mainly by local traffic.

The Toronto Official Plan, Schedule 2, includes designation of planned but unbuilt roads, including Morningside Avenue from Finch Avenue E to Steeles Avenue E. An amendment to the Metro and Scarborough OP was approved by the OMB in 1999 for the Morningside Heights Development. The OPA includes protection for an extension of Morningside Avenue from McNicoll Avenue to Steeles Avenue to be defined through an EA to be submitted by December 2005 or through plans of subdivision if an EA was not completed.

Regardless of whether a continuous or discontinuous alignment is implemented, once Morningside Avenue is extended to Steeles Avenue, there will be a significant increase in traffic on Morningside Avenue through the Morningside Heights Community.

The Recommended Alignment defined through the EA is consistent with both the OMB decision and the Toronto OP. In addition, the continuous alignment will provide better overall transportation service and reduce the traffic infiltration through the neighbourhoods south of Steeles Avenue as compared to the discontinuous alignment.

5. FINANCIAL IMPLICATIONS

The original purchase order amount for the consulting assignment for this EA will be fully spent by the time the EA is formally submitted for approval. During the submission period, there will likely be public and agency comments that will require additional work beyond the original scope of the consulting assignment. Staff recommend that the purchase order be expanded by \$75,000 to address these expected costs. These funds will only be expended if needed.

There are sufficient funds in the 2005 and Draft 2006 Roads Capital Budgets to cover project costs this year and next.

6. LOCAL MUNICIPAL IMPACT

The Town of Markham has been actively involved in every aspect of the EA project.

Although the City of Toronto is not a co-proponent in this study, City staff have been involved through the Technical Advisory Committee (TAC) and have attended and provided input at all PCCs.

Both the Town of Markham and City of Toronto are key members of the Government and Agency Review Team for this project and will have an opportunity to review the EA report when it is formally submitted for approval.

7. CONCLUSION

The alignment presented to Council in April 2005 has been refined to address input received by the public and stakeholders. The final Recommended Alignment for a new four-lane road from the Markham Bypass / Highway 407 interchange to Morningside Avenue is shown on *Attachment 2* and discussed in detail in this report.

The project team seek authorization to formally submit the Markham Bypass EA Report to the Ministry of Environment for review prior to the December 31, 2005 deadline.

Additional information is available on the project website "www.markhambypass.ca".

The Senior Management Group has reviewed this report.

(The attachments referred to in this clause are attached to this report.)

Town of Markham
Regional Municipality
of York

City of Toronto

STUDY AREA

York Subdivision

TRIBUTARY A
OF LITTLE
POLICE CREEK

TRIBUTARY B
OF LITTLE
POLICE CREEK

Subdivision

STEELES AVENUE

MORRISBURD
TINSOTT
INDUSTRIAL
DEVELOPMENT

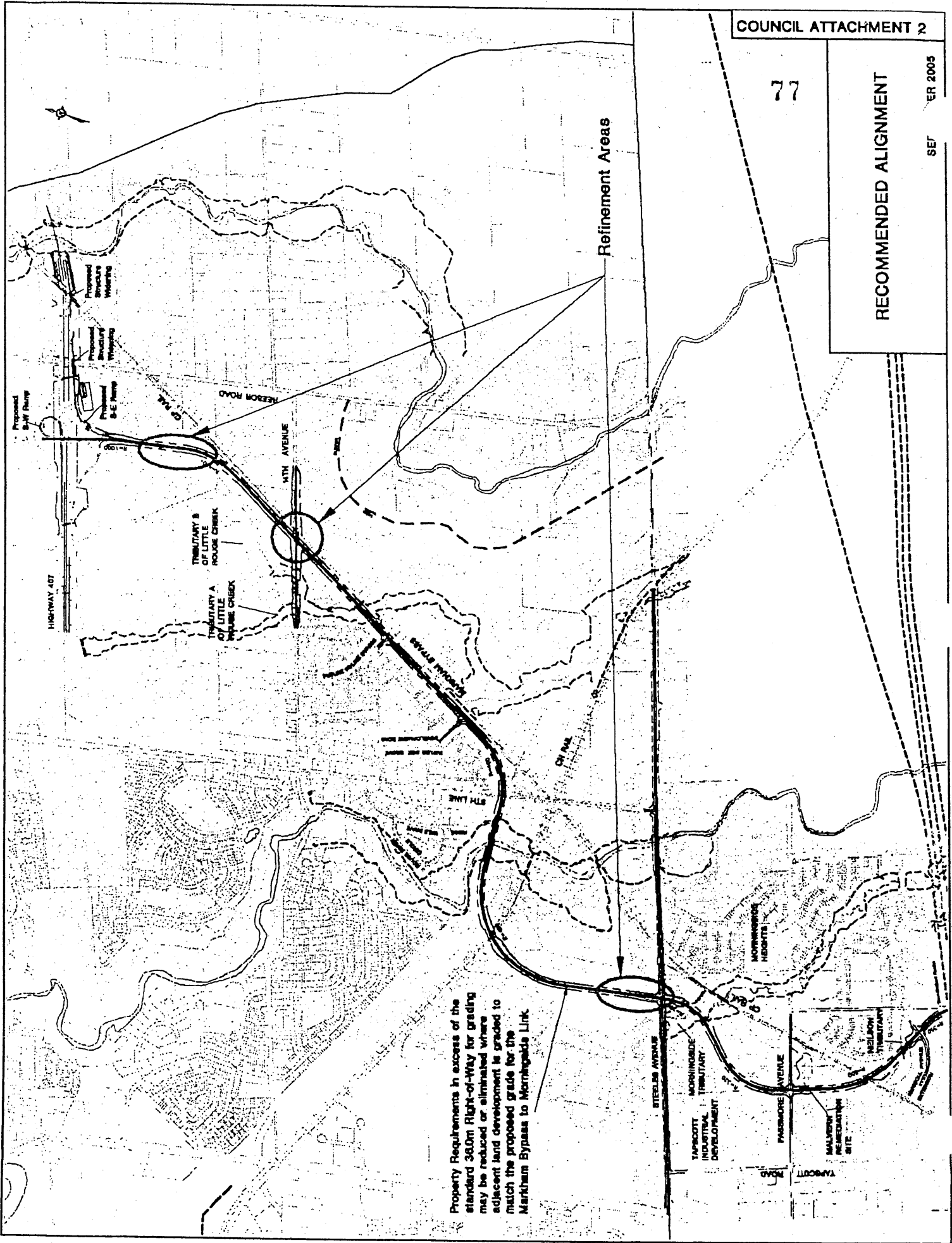
PASSMORE AVENUE

1

MALVERN
RECREATION
SITE

RECOMMENDED ALIGNMENT

SEP 2005

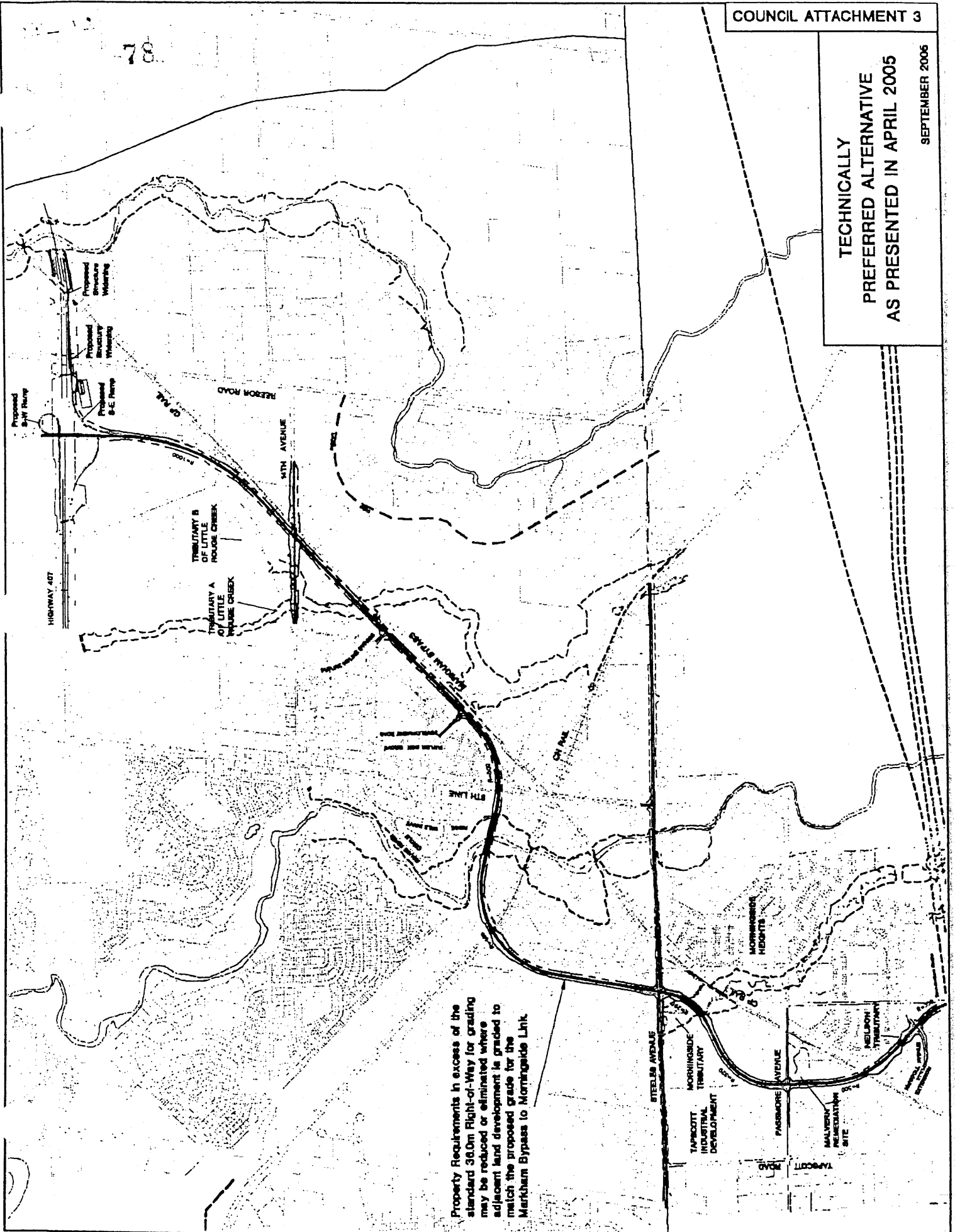


Property Requirements in excess of the standard 30.0m Right-of-Way for grading may be reduced or eliminated where adjacent land development is graded to match the proposed grade for the Markham Bypass to Morningfields Link.

Refinement Areas

TECHNICALLY
PREFERRED ALTERNATIVE
AS PRESENTED IN APRIL 2005

SEPTEMBER 2006



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