



November 30, 2010

Mr. Denis Kelly
Regional Clerk
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1



REGION OF YORK
CLERK'S OFFICE

FILE No. - 043

RE: 407 TRANSITWAY ENVIRONMENTAL PROJECT REPORT (5.7)

Dear Mr. Kelly:

This will confirm that at a meeting held on November 23, 2010, Council of the Town of Markham adopted the following resolution:

- "1) That the staff memo dated November 19, 2010 outlining suggested revisions to the recommendation regarding 407 Transitway Environmental Project, be received; and,
- 2) That the November 16, 2010 report entitled "407 Transitway Environmental Project Report", be received; and,
- 3) That the Ministry of Transportation be requested to defer filing a notice of completion for the 407 Transitway until December 2011 to enable the outstanding issues as outlined in the report to be finalized; and,
- 4) That the Town of Markham request the Province of Ontario to implement Light Rail Transit (LRT) in place of the proposed Bus Rail Transit (BRT); and,
- 5) And that the CAO and the Mayor be requested to arrange a meeting with the Minister of Transportation, Metrolinx Chair, and appropriate staff to review the role and function of the Highway 407 transitway, including design criteria and transit technology; and,
- 6) That if the Ministry of Transportation proceeds to file the 407 Transitway Environmental Project Report with the Ministry of Environment, it be endorsed in principle only, and subject to the following revisions/conditions;
 - That the transportation modelling take account of the full urban density and transit potential of the Urban Growth Centres, including Markham Centre and Richmond Hill/Langstaff Gateway and the design of the alignment be efficient to best serve these centres;

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The Corporation of the Town of Markham • Clerk's Department

Anthony Roman Centre, 101 Town Centre Boulevard, Markham, ON L3R 9W3 • Tel: 905.475.4744 • Fax: 905.479.7771 • www.markham.ca

- That the Ministry of Transportation be requested to review the proposed Leslie Street station and consider re-locating the station to the north side of Highway 407, adjacent to the south of South Park Road, to better serve the Leitchcroft Residential Community and Commerce Valley Business/Beaver Creek Areas;
- The Environmental Project Report be amended to provide for consideration of a potential alternative transitway station at Yonge Street to be outlined by ARUP consultants on behalf of the Town of Markham, and reviewed by the stakeholders;
- The Ministry of Transportation revise the 407 Transitway alignment options in Markham Centre to provide additional flexibility to facilitate development of the Pan AM pool facility on the Town owned lands at the S/W corner of YMCA Blvd and Kennedy Road;
- The Environmental Project Report be amended to provide for consideration of alternative transitway alignments and stations in Markham Centre as per the June 2010 Markham Council resolution (Calthorpe Associates transit alignment concept) and on the south side of Highway 407;
- The Transitway stations within Markham be subject to the Site Plan approval process;
- The Ministry of Transportation be requested to consult with area Municipalities in the detail design of the Transitway;
- The Ministry of Transportation and Ontario Realty Corporation be encouraged to implement Transit Oriented Development at the stations;
- The Ministry of Transportation or future transit providers enter into negotiations, and if necessary an agreement, with the Town of Markham for the operation and management of the 407 transitway stations parking facilities;
- The Ministry of Transportation provide a release to Ontario Realty Corporation to allow for an access easement to the Town of Markham and Magna for the Magna East lands at the S/E corner of Rodick Road and Hwy 407;
- The Ministry of Transportation continue to provide at their cost access to the Magna East Lands east of Rodick Road including the extension of the Rodick Rd underpass structure;
- Metrolinx be requested to advance funds for preliminary design and to pre-build certain sections of the transitway infrastructure to facilitate development, particularly in Markham Centre;
- Metrolinx be requested to advance the timing of the 407 transitway capital program from Jane St. (Spadina subway) to Kennedy Road within its Phase One investment plan to be completed within the next 10 years;

- And that the Ministry of Transportation and Ontario Realty Corporation conduct the necessary studies to protect land for a potential Hwy 404/ 407 Transit interface; and,
- 7) That in the requested deferral period (1 year) the Ministry of Transportation be requested to complete a Transitway Environmental Assessment Study for the 407 Transitway from Kennedy Road to the Box Grove Mobility Hub; and,
 - 8) That staff report back with an update on the Quebec City to Windsor Rapid Transit Feasibility study, and that the MTO be requested to review potential implications to the transitway alignment option if a high speed corridor is located within the Parkway Belt/Hwy 407 Corridor in a linear and high speed alignment; and,
 - 9) That staff report back at the preliminary and detailed design stages with further details, land requirements, financial implications, potential partnership arrangements, transit oriented development opportunities, and any required agreements between Stakeholders; and,
 - 10) That the Ministry of Transportation and Ontario Realty Corporation be requested to finalize the land exchange and financial arrangements to the satisfaction of Markham District Energy for the Birchmount/407 plant; and,
 - 11) That the MTO and 407 ETR be requested to review the feasibility of access and egress ramps at Birchmount Ave; and,
 - 12) That the MTO be requested to review with Markham and adjust the 407 transitway alignment and Rodick Road station layout concept to reflect a preferred Millar Ave alignment; and,
 - 13) That Staff be authorized and directed to do all things necessary to give effect to this resolution; and further,
 - 14) And that the Minister of Transportation, Ministry of the Environment, Metrolinx Chair, Ontario Realty Corporation, Richmond Hill, Vaughan and Region of York, be advised accordingly."

If you have any questions, please contact Alan Brown, Director of Engineering, at 905-477-7000 ext. 7527.

Yours sincerely,



Andrew Brouwer
Deputy Town Clerk

Report to: Development Services Committee Date Report Authored: November 16, 2010

SUBJECT: 407 Transitway Environmental Project Report
PREPARED BY: Alan Brown, Director of Engineering, Ext.7507
Sepideh Majdi, P.Eng. Development Engineer, Ext. 2414

RECOMMENDATION:

- 1) That the November 16, 2010 report entitled "407 Transitway Environmental Project Report", be received;
- 2) And that the Ministry of Transportation be requested to defer filing a notice of completion for the 407 transitway until December 2011 to enable the outstanding issues as outlined in this report to be finalized;
- 3) And that if the Ministry of Transportation proceeds to file the 407 Transitway Environmental Project Report with the Ministry of Environment, it be endorsed in principle subject to the following revisions/conditions;
 - That the transportation modeling take account of the full urban density and transit potential of the Urban Growth Centres, including Markham Centre and Richmond Hill/Langstaff Gateway;
 - The Environmental Project Report be amended to provide for consideration of a potential alternative transitway station at Yonge Street to be outlined by ARUP consultants on behalf of the Town of Markham, and reviewed by the stakeholders;
 - The Ministry of Transportation revise the 407 Transitway alignment options in Markham Centre to provide additional flexibility to facilitate development of the Pan AM pool facility on the Town owned lands at the S/W corner of YMCA Blvd and Kennedy Road;
 - The Environmental Project Report be amended to provide for consideration of alternative transitway alignments and stations in Markham Centre as per the June 2010 Markham Council resolution (Calthorpe Associates transit alignment concept) and on the south side of Highway 407;
 - The Transitway stations within Markham be subject to the Site Plan approval process;
 - The Ministry of Transportation be requested to consult with area Municipalities in the detail design of the Transitway;
 - The Ministry of Transportation and Ontario Realty Corporation be encouraged to implement Transit Oriented Development at the stations;

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- The Ministry of Transportation or future transit providers enter into negotiations, and if necessary an agreement, with the Town of Markham for the operation and management of the 407 transitway stations parking facilities;
 - The Ministry of Transportation provide a release to Ontario Realty Corporation to allow for an access easement to the Town of Markham and Magna for the Magna East lands at the S/E corner of Rodick Road and Hwy 407;
 - The Ministry of Transportation continue to provide at their cost access to the Magna East Lands east of Rodick Road including the extension of the Rodick Rd underpass structure;
 - Metrolinx be requested to advance funds for preliminary design and to pre-build certain sections of the transitway infrastructure to facilitate development, particularly in Markham Centre;
 - Metrolinx be requested to advance the timing of the 407 transitway capital program from Jane St. (Spadina subway) to Kennedy Road within its Phase One investment plan to be completed within the next 15 years;
 - And that the Ministry of Transportation and Ontario Realty Corporation conduct the necessary studies to protect land for a potential Hwy 404/ 407 Transit interface;
- 4) And that the Ministry of Transportation be requested to complete a Transitway Environmental Assessment Study for the 407 Transitway from Kennedy Road to the Box Grove Mobility Hub;
 - 5) And that staff report back with an update on the Quebec City to Windsor Rapid Transit Feasibility study, and that the MTO be requested to review potential implications to the transitway alignment option if a high speed corridor is located within the Parkway Belt/Hwy 407 Corridor in a linear and high speed alignment;
 - 6) And that staff report back at the preliminary and detailed design stages with further details, land requirements, financial implications, potential partnership arrangements, transit oriented development opportunities, and any required agreements between Stakeholders;
 - 7) And that the Ministry of Transportation and Ontario Realty Corporation be requested to finalize the land exchange and financial arrangements to the satisfaction of Markham District Energy for the Birchmount/407 plant;
 - 8) And that the MTO and 407 ETR be requested to review the feasibility of access and egress ramps at Birchmount Ave;

- 9) And the MTO be requested to review with Markham and adjust the 407 transitway alignment and Rodick Road station layout concept to reflect a preferred Millar Ave alignment;
- 10) And that Staff be authorized and directed to do all things necessary to give effect to this resolution;
- 11) And that the Ministry of Transportation, Ministry of the Environment, Metrolinx Chair, Ontario Realty Corporation, Richmond Hill, Vaughan and Region of York be advised accordingly;

PURPOSE:

To provide Council with comments and staff recommendations with respect to the Ministry of Transportation Preliminary Design report and Transit Environmental Project study for the 407 Transitway from Yonge St. to Kennedy Rd.

BACKGROUND:**1) 407 Transitway Concept**

In 2006 the Government of Ontario established the Greater Toronto Transportation Authority (GTTA) under the Greater Toronto Transportation Authority Act. The GTTA which became known as Metrolinx in December 2007, was given the mandate to develop and implement an integrated multi-modal transportation plan for the GTHA. In 2007, the Province of Ontario announced "MoveOntario 2020", a provincial plan to fund 52 Transit projects in the Greater Toronto and Hamilton Area (GTHA) over a +25- year period starting in 2008. Its primary goal is to create a modern rapid transit system that moves people and goods quickly and efficiently by improving the transit services of Southern Ontario's largest transit providers. The province identified Highway 407 as one of its priority corridors for new rapid transit initiatives in the GTHA.

On November 28, 2008, the Metrolinx Board of Directors adopted a Regional Transportation Plan (RTP). The RTP identified the 407 Transitway from Pearson International Airport to Kennedy Road in phase three of its investment plan to be completed between 2023 and 2033.

The Ministry of Transportation (MTO) is undertaking a planning and preliminary design study for the 23km central segment of a Transitway facility along Highway 407 corridor through York Region, from east of Highway 400 to Kennedy Road (407 Transitway). This 23 km segment is the priority section of the 150 km long interregional facility which is planned to be ultimately constructed on a separate right-of-way that parallels Highway 407 from Burlington to Highway 35/115. The 407 Transitway includes running way, stations, platforms, parking, buildings, shelter, passenger pick-up and drop-off facilities, maintenance and

storage facilities. The 407 Transitway will be implemented initially as bus rapid transit (BRT) with the opportunity to convert to light rail transit (LRT) in the future.

2) 407 Transitway Design Criteria

A comprehensive, state-of-the-art travel demand forecasting model has been developed for the Greater Golden Horseshoe (GGH) by Metrolinx. The GGH model has been developed to forecast passenger and freight demand on the transportation network for the a.m. and p.m. peak periods. The GGH Model is a major breakthrough in the Province's transportation-land use planning in that it directly links with the Province's Growth Plan and;

- provides a transportation demand and forecasting tool to assess the ability of transportation alternatives and supportive options and policies to support the Growth Plan
- promotes sustainable transportation
- reduces urban sprawl
- protects the environment
- enhances the economy through a more efficient transportation system
- other objectives (i.e. Travel Demand Management)

A process was undertaken to develop and define the Transitway stations in terms of number of stations, relative station spacing and location. Eleven potential Transitway stations were initially identified based on the presence of nearby developments, major roads serviced by local transit (including Viva, TTC, YRT and GO Transit), or perceived gaps in existing service. Generally, stations are feasible at all 11 locations due to the available land on the corridor resulting from property protection measures. The main approach for evaluating stations is forecasted ridership. It was found through the modeling review that demand would be approximately 10% higher with a seven-station concept than the eleven-station concept given the higher attainable transit operating speed of 65km/h versus 50km/h. The resulting seven station location plan provides an average station spacing of about 3.8 km. The Transitway infrastructure design will allow buses to achieve a speed of 100km/h between stations and an average speed of 65km/h including station stop time. The recommended alignment and seven station locations are denoted in Attachment "C".

3) Ministry of Transportation – Transit Project Assessment

Currently MTO is carrying out pre-planning activities for the 407 Transitway under the Transit Project Assessment as per the Transit Projects and Greater Toronto Transportation Authority Undertakings Regulation; Ontario Regulation 231/08, June 2008 (Transit Projects Regulation).

The Transit Project Assessment Process will include the preparation and release of an Environmental Project Report (EPR) by February 2011.

The timeline for the EPR is as following:

- Notice of the Commencement for Transit Project Assessment – August 26, 2010
- Stakeholders comments – December 1, 2010
- Notice of Completion of EPR (30-days final review) – December 24, 2010
- End of 30-day review and appeal period - January 24, 2011
- Ministerial Review (35 days) – February 28, 2011 (end of 35 day period)
- Statement of Completion – (between February 28, 2011 – March 30, 2011)

Under the Ontario transit Project Assessment Process the appeal process is limited to potential negative impact on provincially important matters related to the natural environment, cultural, heritage and Aboriginal treaty rights.

4) Public/Council Communication

The first Public Information Centre (PIC) was held by the MTO on May 26 and 28, 2009. They presented information on past studies, need and justification, existing conditions, objectives, station sites and route alternatives, and the technically preferred 7 station sites and route alternatives. The second Public Information Centre was held on June 24 and 29, 2010. MTO staff presented the preliminary design of the technically preferred alignment, design concepts of the stations, anticipated environmental impacts and mitigation measures proposed.

On March 9, 2010, the MTO (Robb Minnes) and their consultant (Khaled El Dalati, Project Manager- Delcan) delivered a PowerPoint presentation with respect to the Transit Project Assessment Study, Planning and preliminary design process for the 407 Transitway to our Development Services Committee. Committee members expressed that they had some concerns with respect to the 407 alignment, LRT concept, grading, dwell time and station locations. Committee and Council directed that the Town engage world class transportation engineers to provide a study and comment on the Council concerns related to the Richmond Hill/ Langstaff Urban Growth Centre Mobility Hub. ARUP consultants were retained by the Town to provide a peer review of the transit and land use options and are being scheduled to provide their preliminary comments to Council (possibly on December 13, 2010).

A second presentation to Development Services Committee by the Ministry of Transportation took place on September 21, 2010. Committee members had further comments related to the Markham District Energy plant at Birchmount Rd/407, environmental impact, technology (BRT & LRT), and implementation. (See resolution attached as Attachment B)

Staff also held a drop in Centre on November 9, 2010 to enable Council and Senior Management to review the proposed alignment in detail.

5) 407 Transitway Benefit to Markham/Region of York

The population and employment forecasts presented in the Provincial Growth Plan illustrate that, after the Region of Halton, York Region is expected to

experience the second highest growth in population and employment between 2001 and 2031. York Region population is projected to grow from 760,000 to 1,500,000 and employment is projected to grow from 390,000 to 780,000 over a thirty-year period from 2001 to 2031. To accommodate such significant growth rates, the plan identifies the Highway 407 Corridor as one of the major candidates for improved higher-order Transit.

The primary objective of the 407 Transitway is to foster and support sustainable travel behavior and a more compact urban structure in the Greater Toronto Area (GTA). In this regard, the 407 Transitway is an integral element of the Growth Plan for the Greater Golden Horseshoe. In its final form, the 407 Transitway would complement the existing predominately north/south radial system of high order regional transit facilities to and from the City of Toronto into a network configuration, thereby expanding travel choices in the east-west direction as well as reinforcing the utilization of the existing system. It supports the emergence and development of mixed-use urban growth centers in the vicinity of the Highway 407 Corridor, mostly comprised of office, retail, institutional and residential elements.

The 407 Transitway objectives include to;

- Improve transit accessibility to existing/planned major urban centers/nodes
- Increase support for a more compact urban structure
- Enhance east-west cross-regional mobility
- Reduce reliance on energy resources, reduce automobile dependence and gas emissions
- Offer a faster, safer and more efficient way of moving people
- Maximize utilization of protected 407 Corridor
- Improve integration with regional transportation network
- Ability to increase capacity to meet additional travel demand
- Minimize adverse effects on the natural environment
- Minimize adverse effects on the social environment
- Increase cost-effectiveness of moving people in corridor.

Detailed ridership forecasts have been prepared for the seven-station scenario in 2031 morning peak hour using the GGH travel demand model.

The peak direction load of 5,400 riders is located from Yonge Street to Kennedy Rd. for the 2031 morning peak hours. Of the stations in the central section, Richmond Hill Centre and Markham Centre have the highest boarding and alighting demands.

6) Issues

Staff has identified the following issues that require further analysis and study and or revisions to the Ministry EA study;

a) Population/ Employment Forecasts

Markham's population and employment forecasts for Markham Centre and the Langstaff Gateway portion of the Richmond Hill/Langstaff Gateway suggest that

both Urban Growth Centres will achieve the minimum 200 persons plus jobs per hectare density target by 2031 and exceed it at full build out. However, Figures 2a and 2b in Section 2.1.2 Allocation of Growth and Density of the 407 Transitway Draft Planning report do not appear to accurately reflect the existing 2001 and proposed 2031 densities for Markham's Urban Growth Centers within the boundaries identified by the Province. In particular, the transportation modeling does not appear to take into account the full urban density and transit potential of the Urban Growth Centers at build out, recognizing that both also have significant additional growth potential beyond 2031. Also, the symbol depicting the Richmond Hill/Langstaff Gateway Urban Growth Centre is centered on the mobility hub in the Richmond Hill portion which suggests that the growth assignment to the Regional traffic zones which include the Langstaff Gateway in Markham, do not account for either the planned potential by 2031 or full build out.

b) Richmond Hill/ Langstaff Urban Growth Centre

On March 9, 2010 the IBI Group, Urban Strategies, York Region Rapid Transit Corporation and the Ministry of Transportation delivered a PowerPoint presentation regarding Rapid Transit/Mobility Hub and Yonge Subway extension to Development Services Committee. Committee and Council requested staff to retain a world class consultant familiar with similar transit projects in other jurisdictions at the Langstaff developers' costs to review alternatives and to obtain alternative opinions with respect to the transit connectivity within the Richmond Hill/ Langstaff Urban Growth Centre. The Region of York is also undertaking a Transportation study for the Richmond Hill/Langstaff Urban Growth Centre that has just begun and is anticipated to be complete in early 2011.

"ARUP Consultants" was retained by the Town, at the developers cost, to undertake a review and to comment on the previous studies and develop solutions that assist in achieving the planned densities, connectivity and increased ridership and create the most efficient, seamless and timely transit experience for riders and ensure that the transit plan is not adding unnecessary cost to riders and taxpayers. The study will look at methods to bring the subway stations to the front door of the Richmond Hill/ Langstaff Urban Growth Centre. The study will also review the need to advance the Langstaff concourse concept (Calthorpe Associates Master Plan) as a key linkage between the Langstaff Gateway and Richmond Hill Centre. ARUP are tentatively scheduled to present their draft findings at Development Services Committee on December 13, 2010.

c) Design issues

The 407 Transitway Draft Planning Report (March 2010) presents the results of the planning phase for the preliminary design and Transit Project Assessment for the 407 Transitway. It outlines the project need and justification, defines the study area, profiles existing conditions and discusses alternatives to the undertaking, including the selection of the technically preferred alternative. During the Preliminary Design and Detailed Design phase of the study the technically

preferred route and station sites will be used to generate alternative horizontal and vertical alignments and station configurations. In this phase of the study, based on the technically preferred horizontal and vertical alignment option, technical issues such as infrastructure conflicts, utility conflicts, SWM issues and environmental protection will be considered and be addressed in detail. In addition, any potential impacts on Town infrastructure and necessary arrangements with the MTO (ie Rodick Road SWM facility, utility relocations, etc) need to be defined.

It is anticipated that various agreements between the MTO/transit providers and the Town will be required, which staff will report back on.

d) Bayview Avenue

A station was initially proposed at the south west corner of Highway 7 and South Park Road, east of Bayview Avenue as part of the eleven seven station option. This station is no longer part of the Highway 407 Transitway plans under the seven station options. To date, development of this parcel has not proceeded, as MTO originally wanted to protect this site for a possible transitway station.

Currently, this site is designated and zoned Business Corridor Area in the Markham Official Plan, the Leitchcroft Secondary Plan (OPA 41) and Zoning By-law 177-96. The Town's intent is to provide for a mix of employment uses on these lands.

Currently the site is subject to a Minister's Zoning Order, which limits uses to open space, agriculture and similar low-intensity uses. If the Province lifts the Minister's Zoning Order on this site, the underlying official plan and zoning provisions, noted above, will come into effect.

e) Access to Magna East Lands

When building the Rodick Rd/ Hwy 407 overpass Markham provided access to the Magna East Lands with an access road as noted in Attachment "D".

To date the MTO has not provided a release to ORC to provide the Town and Magna access rights across the future 407 Transitway corridor. Upon construction of the 407 Transitway the Town should request the MTO, at their cost, to extend their Rodick underground Transitway structure easterly for approximately 10m to accommodate the Magna access road. As a condition of the Town's Transit Project Assessment approval for the 407 Transitway staff recommend that the MTO provide their release to ORC and provide continued access to the Magna lands upon construction of the 407 transitway.

f) Markham Centre

In July, 2003, Council granted draft plan approval to the Remington Group's Markham Centre Precinct Plan. This 250 acre project, with a projected 20 plus year build-out, provides for the introduction of Viva Rapid Transit along a dedicated alignment within the Civic Mall ("Simcoe Promenade") linear park, and reserves another block for the future 407 Transitway. Remington recently engaged Calthorpe Associates to review their Markham Centre precinct plan,

which includes consideration of the 407 and Viva transit alignments and interface with the Unionville GO Station and Mobility Hub as per Attachment "A". In May, 2010, Calthorpe presented their preliminary concept for potential alternative transit alignments and Mobility Hub station location to Markham staff, MTO and Viva. MTO and Viva representatives indicated that a Markham Council resolution is required in order for them to review the Calthorpe concept in the context of their Environmental studies/approvals and to seek direction from their respective ministries and/ or boards. On June 22, 2010, Markham Council formally requested the MTO and Viva to review and report back on potential alternative 407 transitway alignments, Viva rapidway routes and Mobility Hub station location in Markham Centre. Both agencies have advised they need to report back to their Ministry and/ or board for direction regarding review of the Calthorpe alternative.

Recently the option of an alignment south of Highway 407 and a station that straddles Highway 407 is being considered. The MTO should be requested to protect all alignment and station locations in Markham Centre until a further review of land use and mobility hub stations is finalized.

A staff report outlining the agencies response to the alternative is tentatively scheduled for December 13, 2010.

g) Station Site Plans

Staff recommends the MTO and/or subsequent transit providers obtain site plan approval and provide transit oriented development at the four currently proposed Markham station locations (Leslie St and Rodick Rd, in addition to the Richmond Hill/ Langstaff Urban Growth Centre and Markham Centre developments).

This would enable staff to assure:

- Good Urban design;
- Finalize the number of parking spots at each station;
- Allow the agencies/Markham to achieve an integrated transit service to enable Markham residents fast and convenient service to stations without taking cars;
- Ensure sustainable and environmentally sensitive development;
- Ensure opportunities for transit oriented development.

h) Hwy 404/407 transit interface

The Metrolinx "Big Move" transportation plan did not recommend the protection for a potential Hwy 404 and 407 Transitway interface on ORC lands south of Highway 407 and east or west of Highway 404. Staff request the MTO and Ontario Realty Corporation review the feasibility of the Highway 404 transit corridor and protect lands at key transit interfaces for potential stations (i.e. Hwy 407).

i) Markham Transportation Strategic Plan

Over the next 20 years, Markham's population and employment is expected to grow significantly. Approximately 20-25% of planned growth (some 40,000 persons and 20,000 jobs) will be directed to Markham's Regional Centres by

2031 (Langstaff Gateway and Markham Centre). Given the limitations on expanding road capacity in these areas, combined with Markham's goals for improving transit modal splits, it is imperative that a hierarchy of transit options be provided. This includes the 407 Transitway (which would serve longer distance trips across the Region and to/from others areas of the GTA), Yonge subway, all day GO rail service, and VIVA rapid transit.

The Metrolinx Regional Transportation Plan (The Big Move) indicates that transit service in the Highway 407 corridor will comprise BRT on the existing controlled access expressway in the Phase One 15 year plan while the first component of the dedicated 407 Transitway is currently slated for the Phase Two 16-25 year timeframe. Implementation of the outer portions through Durham and Peel/Halton are identified as beyond the 25 year horizon.

Given Markham will be incurring significant growth to 2031, it is essential that the 407 Transitway be implemented in conjunction with or in advance of development over this timeframe, as part of Phase One of the Metrolinx Plan. This requires that the preliminary design, currently being undertaken by MTO, be finalized in the next year so that near term development projects in Markham Centre and Langstaff can be designed around the Transitway. It may also mean that some structures may need to be pre-built well in advance of the implementation of full dedicated rapidway starting operation, as development projects proceed along the transit alignments. If Metrolinx is not prepared to advance the detailed design and construction of certain sections of the transitway it may lose the preferred transit alignment and have to settle on an alignment that is available after development.

j) Quebec City to Windsor Rapid Transit Feasibility study

The Federal, Ontario and Quebec governments are currently updating the feasibility study for a high speed rail service from Quebec City to Windsor. Staff will update committee as to the outcome of this study and opportunity for Markham's input. The MTO should consider the potential implications to the Transitway alignment options, if a high speed corridor is located within the Parkway Belt/Hwy 407 Corridor in a linear and high speed alignment.

k) Markham District Energy

In accordance with Markham District Energy's (MDE) letter dated September 27, 2010 (Attachment 'F'), MDE did not object to the 407 transitway alignment. However they are requesting conditions related to a land exchange with the Province and reimbursement of MDE associated costs.

l) Pan Am Pool

The Town of Markham has been selected to host the 2015 Water Polo and Badminton events as part of the Pan Am Games, including facilities being directed to the Town owned lands at the South/West corner of YMCA Blvd and

Kennedy Road. The Town will be moving into a design build process with the Pan Am Bid Committee and Infrastructure Ontario this fall and needs to be in a position to confirm the preferred building placement, grading and site requirements. In order to ensure that the Town's urban design objectives and schedule are appropriately addressed, the Town needs to protect lands for the preferred location, infrastructure requirements and parking lot. As noted the conceptual layout for the Pan Am Pool overlaid into the MTO's 407 alignment (Attachment "E") reveals that the 407 alignment needs to be relocated to the south in order to facilitate construction of the Pan Am complex in 2013. Consideration by MTO of alternative alignments was requested by resolution of Council dated June 22, 2010.

m) Limits of Environmental Assessment

Markham Council at the commencement of the Ministry's EA Study requested them to extend the east limit of the study to the Box Grove Mobility station at Highway 407 and the Donald Cousens Parkway. The Ministry did not accept Markham's request at the time, and stopped the EA study approximately 150m east of Kennedy Road. Now based on the MTO study it is even more apparent that the Transitway EA study should be extended to the east limit of Markham's Urban area (Donald Cousens Parkway). Council requested staff to undertake a conceptual design of the Box Grove Mobility station in 2010/2011 which will be difficult without the Ministry addressing the 407 alignment options at Box Grove. The current easterly terminus of the transitway EA alignment is approximately 150m east of Kennedy Road which presumes an alignment south of Highway 407. Markham Council should again request the MTO to extend the EA study to the Donald Cousens Parkway.

n) Millar Ave Extension

The Town is currently in a Environmental Assessment and feasibility study for the extension of Millar Ave from Rodick Road to Kennedy Road. There are opportunities for a joint transitway/Millar Ave right of way which requires further review with Town staff and the MTO.

In addition Hydro constraints east of Rodick Road may require Millar Ave to be relocated through the Ministry's proposed Rodick Road transit station.

The Ministry should be requested to review if necessary their 407 transitway alignment to reflect the impacts of the proposed Millar Ave extension.

o) Deferral Request

With the preceding issues/concerns needing to be addressed by MTO, and with no pending design for the 407 transitway being considered in the next two years, the Ministry should be requested to delay filing the notice of completion of their Environmental Planning Report from December 24, 2010 to December 2011. This would enable the numerous issues and alignment options to be finalized in co-operation with the various stakeholders.

ALIGNMENT WITH STRATEGIC PRIORITIES:

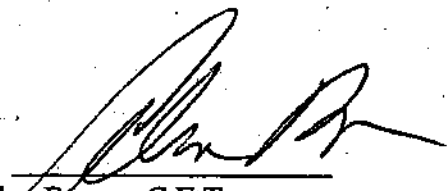
The report aligns with Growth Management; Transportation/Transit and Environment initiatives. The provision of the 407 transitway is critical in achieving these strategic objectives.

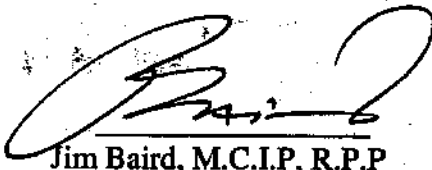
BUSINESS UNITS CONSULTED AND AFFECTED:

The Planning Department, and Community Services Commission, have reviewed and commented on this report.

RECOMMENDED

BY:

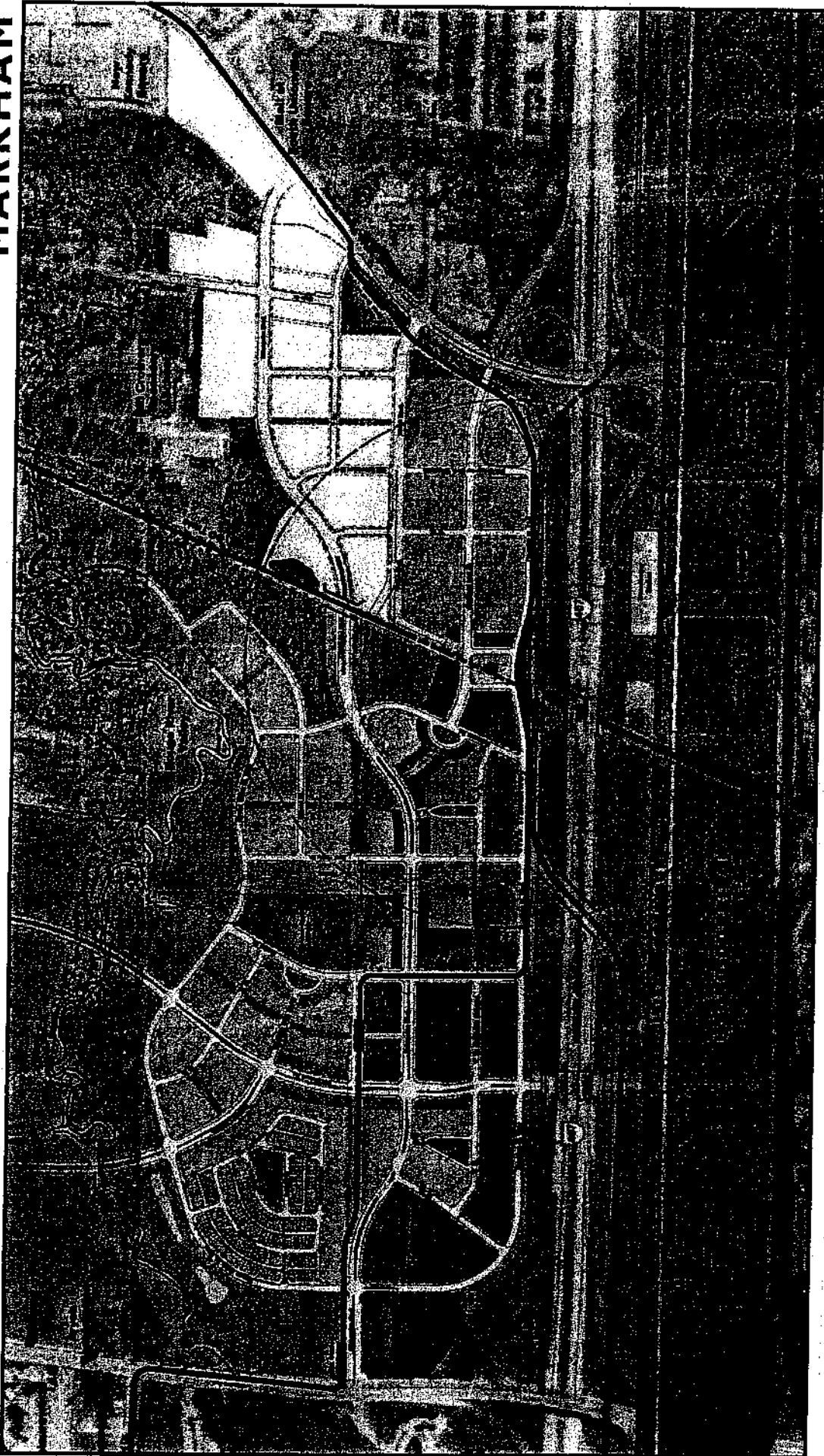

Alan Brown, C.E.T.
Director, Engineering


Jim Baird, M.C.I.P., R.P.P.
Commissioner, Development

ATTACHMENTS:

- Attachment A: - Calthorpe Concept
- Attachment B: - September 21, 2010 Council Resolution
- Attachment C: - Preferred alignment route (Yonge to Kennedy)
- Attachment D: - Magna East Access
- Attachment E: - Pan AM Pool/Hwy 407 Transitway
- Attachment F: - MDE letter of September 27, 2010

**DOWNTOWN
MARKHAM**



CALTHORPE

quadrangle
ARCHITECTURE

Attachment B



THE CORPORATION OF THE TOWN OF
MARKHAM

EXTRACT CONTAINING ITEM #0002 OF THE DEVELOPMENT SERVICES COMMITTEE OF MEETING NO. 21 (Sep 21, 2010)

2. 407 TRANSITWAY (5.10)

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Presentation

Mr. Khaled El Delati, Project Manager, Delcan, delivered a PowerPoint presentation regarding the 407 Transitway (east of Highway 400 to Kennedy Road) relative to the planning and preliminary design.

There was discussion regarding the width of the 407 Transitway between stations and the areas where the 407 Transitway will be outside of the 407 right-of-way.

Mr. Alan Brown, Director of Engineering advised that following the circulation of the draft environmental project report for the 407 Transitway, staff will be bringing forward to Development Services on November 16, 2010 a detailed report providing comments and recommendations.

There was brief discussion with respect to the 407 Transitway potentially going through the lands of Markham District Energy.

The Committee inquired about what is being done to minimize the adverse affects on the natural habitat and how the stormwater run-off will be lessened. Mr. El Delati advised that drainage studies have been completed and that they intend on doing everything possible to mitigate impacts on natural habitats.

The Committee discussed whether Light Rail Transit (LRT) should be implemented in place of the proposed Bus Rapid Transit (BRT). The Committee suggested that the proposed date of December 2010 to file the Environmental Project report should be pushed back a month.

The Committee stated their disappointment with respect to the Town of Markham Workshop scheduled for October 4, 2010 that will be reviewing the proposed configuration of the Richmond Hill/Langstaff station and the lack of participation from the various agencies and other levels of government.

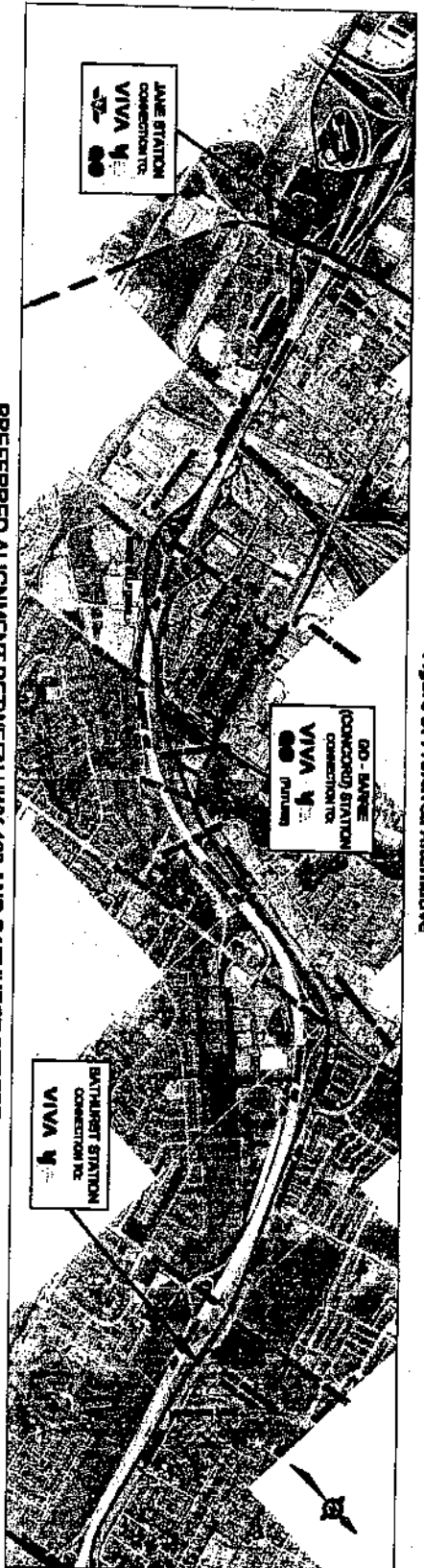
Moved by Councillor A. Chiu

Seconded by Deputy Mayor J. Heath

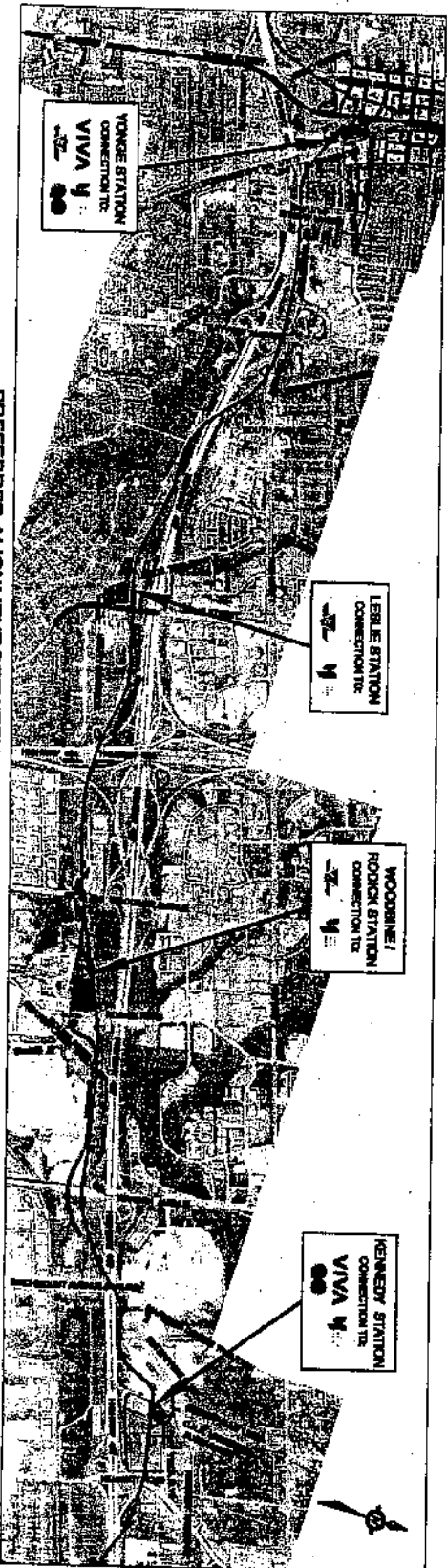
- 1) That the presentation provided by Mr. Khaled El Delati, Project Manager, Delcan, be received.

CARRIED

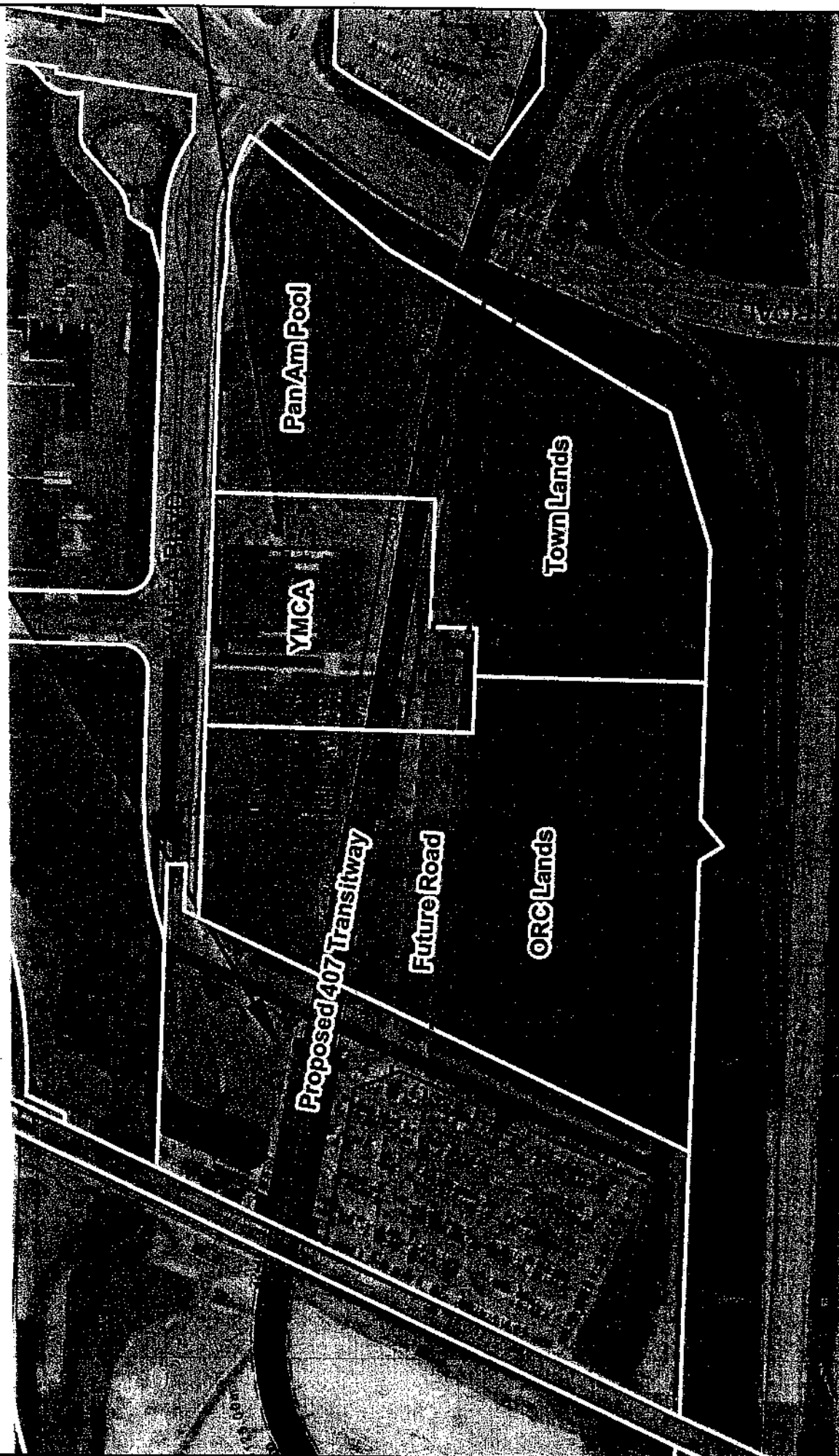
Figure 5i: Preferred Alternative



PREFERRED ALIGNMENT BETWEEN HWY 400 AND BATHURST STREET



PREFERRED ALIGNMENT BETWEEN BATHURST STREET AND KENNEDY ROAD





September 27, 2010

Mr. Jim Baird
Commissioner, Development Services
Town of Markham,
101 Town Centre Boulevard,
Markham, Ontario L3R 9W3

Dear Jim,

Subject: 407 Transitway – Assessment Process

I understand your staff are reviewing the proposed MTO Transitway alignment in preparation for a formal submission to the Assessment Process. MDE's Board has asked that we communicate our concerns to be included in the Town's formal comments to the Province.

By way of background, and as you know, MDE commenced a process in the fall of 2004 with Municipal Affairs and Housing (MMAH) to amend the Parkway Belt West Plan to accommodate the Birchmount Energy Centre. This involved a re-alignment of the 30 metre wide utility corridor. This lengthy process resulted in a Minister's order on December 6, 2007 after securing endorsement and approval from a long list of agencies including MTO.

Following MMAH approval, MDE embarked on the next phase to purchase a 3.255 acre permanent easement from ORC for \$1.455 million which closed on March 31, 2009. Days before the closing, MTO provided email confirmation to ORC stating *"upon review of the most recent submission (site plan dated January 16, 2009) which was received on March 17, 2009, the Ministry finds it now satisfactory as a site plan for the purposes for ORC to proceed with the property arrangement with MDE"*.

MDE was more than a little surprised when MTO, several months later, presented a Transitway alignment that cuts the MDE property in half. In the event that MTO maintains the proposed new alignment and MDE is unable to negotiate a satisfactory alternate arrangement with MTO, MMAH and ORC for a new property boundary, MDE would have a legitimate and substantial claim against MTO for injurious infection, disturbance damages, business loss, and for the value of any land taken by MTO.

Therefore, MDE's position is as follows:

1. Proposed Transitway Alignment:

Conditional on points 2 & 3, MDE does not object to the proposed Transitway alignment.

Letter to Jim Baird, Town of Markham

September 27, 2010

Page 2

2. New MDE Property Alignment:

MTO has proposed that MDE and MTO negotiate a "land swap". The MTO alignment frees up land to the north of the MDE property immediately west of Birchmount Road. As MTO takes the western half of the MDE property for the Transitway, MDE would assume the land to the north resulting in a new property configuration for MDE. MDE does not object to this concept subject to point 3.

3. Compensation:

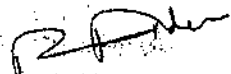
MDE will actively explore the concept of a land swap with MTO on the firm condition that MTO will cover the following costs:

- a. All MDE engineering costs to review and re-engineer an alternate site and plant configuration.
- b. Justifiable changes to MDE infrastructure costs to accommodate the revised land configuration.
- c. All surveying, permitting and legal costs to work with MMAH, ORC, Hydro One and other agencies to re-configure the MDE easement lands.
- d. MDE Management time to work with MMAH and ORC to re-configure the MDE easement lands.
- e. Any costs imposed by Powerstream to move a portion of their distribution assets (the pole-line) that would not have been necessary had the parties being given adequate notice of the new Transitway boundary; and any costs charged by Powerstream to undo any of their re-location work recently completed.

In summary, MDE is supportive of MTO's proposed Transitway alignment. Further, MDE is receptive to MTO's concept of a "land swap" for the benefit of both parties. However, MDE's support is conditional on MTO's commitment to providing compensation for any reasonable costs that result from this final alignment proposal.

Best regards

Markham District Energy Inc.



Bruce Ander, P.Eng.
President

c.c. Mr. Alan Brown, Town of Markham
Mr. Jack Heath, Deputy Mayor, Chair Markham District Energy