MARKHAM

REGION OF YORK
CLERK'S OFFICE
FILE No. - P07

September 29, 2010

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

RE: DONALD COUSENS PARKWAY
(HIGHWAY 407 TO STEELES AVENUE)
AMENDMENT TO THE ENVIRONMENTAL ASSESSMENT (5.10)

Dear Mr. Kelly:

This will confirm that at a meeting held on September 21, 2010 , Council of the Town of Markham adopted the following resolution:

"1) That the report entitled "Donald Cousens Parkway (Highway 407 to Steeles Avenue) Amendment to the Environmental Assessment" be received; and,

2) That the discontinuous alignment (Alternative C2) presented by York Region at the April 13, 2010 Town of Markham Development Services Committee meeting be endorsed; and,

3) That the City of Toronto be requested to install interim traffic control signals at the Steeles Avenue East / Ninth Line intersection; and,

4) That York Region and the City of Toronto be requested to design off road multi-use paths instead of on-street bike lanes in the design phase; and,

5) That the City of Toronto and York Region protect for future grade separations of CP Rail crossings on both Ninth Line and Steeles Avenue; and,

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6) That the Ministry of Transportation Ontario and York Region be requested to confirm the timing for implementation of the outstanding Highway 407 Ramps at Donald Cousens Parkway; and further,

7) That Staff be authorized and directed to do all things necessary to give effect to this resolution." (Item 7 of Report No. 52)

If you have any questions, please contact Joseph Palmisano, Senior Transportation Engineer, at 905-477-7000 ext. 6200.

Yours sincerely,

Kimberley Kitteringham
Town Clerk

MARKHAM

Agenda Item 14

Report to: Development Services Committee Date Report Authored: September 21, 2010

SUBJECT: Donald Cousens Parkway (Highway 407 to Steeles Avenue) Amendment to the Environmental Assessment

PREPARED BY: Joseph Palmisano, Senior Transportation Engineer, ext. 6200

RECOMMENDATION:

1) That the report entitled "Donald Cousens Parkway (Highway 407 to Steeles Avenue) Amendment to the Environmental Assessment" be received;

2) That the discontinuous alignment (Alternative C2) presented by York Region at the April 13, 2010 Town of Markham Development Services Committee meeting be endorsed;

3) And that the City of Toronto be requested to install interim traffic control signals at the Steeles Avenue East / Ninth Line intersection;

4) And that York Region and the City of Toronto be requested to design off road multi-use paths instead of on-street bike lanes in the design phase;

5) And that the City of Toronto and York Region protect for future grade separations of CP Rail crossings on both Ninth Line and Steeles Avenue;

6) And that the Ministry of Transportation Ontario and York Region be requested to confirm the timing for implementation of the south to east and south to west Highway 407 Ramps at Donald Cousens Parkway;

7) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to seek Council endorsement of the discontinuous alignment (Alternative C2) presented by York Region at the April 13, 2010 Town of Markham Development Services Committee Meeting.

BACKGROUND:

In 2002, York Region initiated an Individual Environmental Assessment (IEA) for Transportation Improvements in the Markham Bypass Corridor south of Highway 407. The purpose of the EA was to address existing and future transportation needs between the southeastern areas of the Town of Markham and the northeastern areas of the City of Toronto. The EA Report was submitted for review to the Ministry of the Environment (MOE) in December 2005. The continuous alignment (See Attachment A) presented in

the EA as the Recommended Alignment was endorsed by Markham Council and York Region Council at that time.

In June 2005, the City of Toronto confirmed that they were opposed to the continuous alignment for the proposed Donald Cousens Parkway to Morningside Avenue Link and identified a preference for the discontinuous alignment. The City of Toronto indicated that they would not be willing proponents for the continuous alignment. The MOE identified this issue as significant, and requested that jurisdictional issues be resolved before making a decision, and if not resolved, it is unlikely that the proposed alignment can be implemented as recommended in the EA if approved.

Both York Region and the City of Toronto agreed to re-examine the alternative road alignments considered in the original EA and ensure that the recommendation of the final alignment meets the needs of both municipalities and is implementable. A detailed work plan was prepared for the amendment to the EA process and was approved by the MOE in July 2, 2009. The EA Amendment commenced in July 2009 and the following key consultation tasks have been completed to date:

- Issue Notice of Commencement to EA Amendment – December 2009
- Meeting No. 1 with Technical Agencies – September 17, 2009
- Meeting No. 2 with Technical Agencies – January 26, 2010
- Presentation to Town of Markham Development Services Committee – April 13, 2010
- Public Consultation Centre – May 11, May 13, 2010

Town staff have been participants of the Technical Advisory Committee.

The final submission of the EA Amendment to the MOE is anticipated to occur by the end of 2010.

OPTIONS/ DISCUSSION:

Given the City of Toronto's opposition to the continuous alignment, York Region and Toronto agreed to re-examine the alternative road alignments to take into consideration the outstanding jurisdictional issue and seek approval of a project that can be implemented. A total of 9 alternatives (8 discontinuous alignments and 1 continuous alignment) were considered in the original 2005 EA.

As presented by York Region at the April 13, 2010 Town of Markham Development Services Committee meeting, the discontinuous alignment (Alternative C2) has been identified as the Technically Preferred Alternative. Alternative C2 (See Attachment B) consists of:

- Widening of Steeles Avenue to 6 lanes between the Morningside Avenue Extension and Ninth Line (instead of 8 lanes proposed in the original EA)
- Widening of Ninth Line north of Steeles Avenue to 4-lanes and a new 4-lane road in the Morningside Avenue Extension corridor
- At grade CP crossing on Ninth Line, Steeles Avenue and north of McNicoll Avenue
- Steeles Avenue widening minor shift to the north at Morningside Tributary

The discontinuous alternative with 4-lanes along Steeles Avenue between Ninth Line and the Morningside Avenue Extension would not provide sufficient capacity for the expected demand and as a result 2 additional lanes (i.e. 6 lanes) are required to provide sufficient capacity.

A comparative assessment of the different alternatives resulted in the following findings:

- Alternative C2 has the least impact to adjacent properties as it generally follows the existing rights-of-way of Ninth Line and Steeles Avenue and has been protected in plans of subdivision for the Box Grove Planning Area and Tapscott Employment Area
- Alternative C2 would not introduce any new water crossings of the Rouge River and Morningside Tributary
- Alternative C2 has the lowest cost to implement

The continuous alternative performs best from a transportation perspective, however is not achievable as the City of Toronto has identified opposition to all continuous alternatives.

Alternative C2 has been identified as the technically preferred alternative based on consideration of the socio-economic environment, cultural environment, natural environment, agriculture, transportation, and cost / implementation / constructability.

The EA Process provides for the identification of mitigation measures related to property requirements, noise, archaeology, built heritage, fisheries and aquatic resources, surface water quality and quantity, wetlands, vegetation, wildlife and wildlife habitat, and groundwater resources. Attachment C provides a general outline of the proposed mitigation measures.

Cycling Facilities

On-street bike lanes are proposed to be accommodated along Donald Cousens Parkway, Morningside Avenue Extension, and Steeles Avenue (See Attachment D). Although the boulevard width will accommodate a multi-use path, it is our understanding that the implementation of multi-use paths will not be confirmed until the detailed design stage. Due to the relative higher volume and higher speed on these sections of roadways, Town staff are requesting York Region and the City of Toronto to design off road multi-use paths for cyclists.

Highway 407

The EA for Highway 407 did not include the south to east or south to west Ramps for the interchange at Donald Cousens Parkway. With the extension of Donald Cousens Parkway southerly, the ramps would be required as part of the interchange configuration in order to serve traffic to and from the south. The two additional ramps will be included as part of the EA Amendment. Town staff are requesting that the Ministry of Transportation Ontario and York Region confirm the timing for implementation of the two additional ramps.

Timing

The final submission of the EA Amendment to the MOE is anticipated to occur by the end of 2010. The EA Amendment will be made available for a seven (7) week public and government agency inspection period. During this time all interested persons or agencies may submit comments on the EA Amendment.

Timing for construction will be subject to a finalization of negotiations between the City of Toronto and York Region as to ownership, funding, and future operations. The widening of Steeles Avenue from its current 2-lane cross-section to 4-lanes has received EA approval through a previous Class EA completed by the City of Toronto in 1992. The

timing for the widening of Ninth Line north of Steeles Avenue is anticipated to be coordinated with the timing of work on Steeles Avenue and Morningside Avenue extension and at this time has not be confirmed.

Ninth Line / Steeles Avenue

The Ninth Line / Steeles Avenue intersection is under the jurisdiction of the City of Toronto. Requests have been forwarded to the City of Toronto to determine if the necessary signal warrants are satisfied at this intersection. The results of the most recent (2009) Study indicated that the required minimum technical warrants were not satisfied at that time.

The Technically Preferred Alternative includes traffic control signals at the Ninth Line / Steeles Avenue intersection under ultimate conditions. Given the uncertainty of the overall timing of completion of the subject works and to improve the overall operations of the Ninth Line / Steeles Avenue under the interim condition, Town staff are requesting the City of Toronto to advance the implementation of traffic control signals at this location.

FINANCIAL CONSIDERATIONS:

At the detailed design stage, Town staff will coordinate sidewalk and illumination requirements on Ninth Line and the north sidewalk along Steeles Avenue. This work will be funded during construction from Development Charges.

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable

RECOMMENDED BY:

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

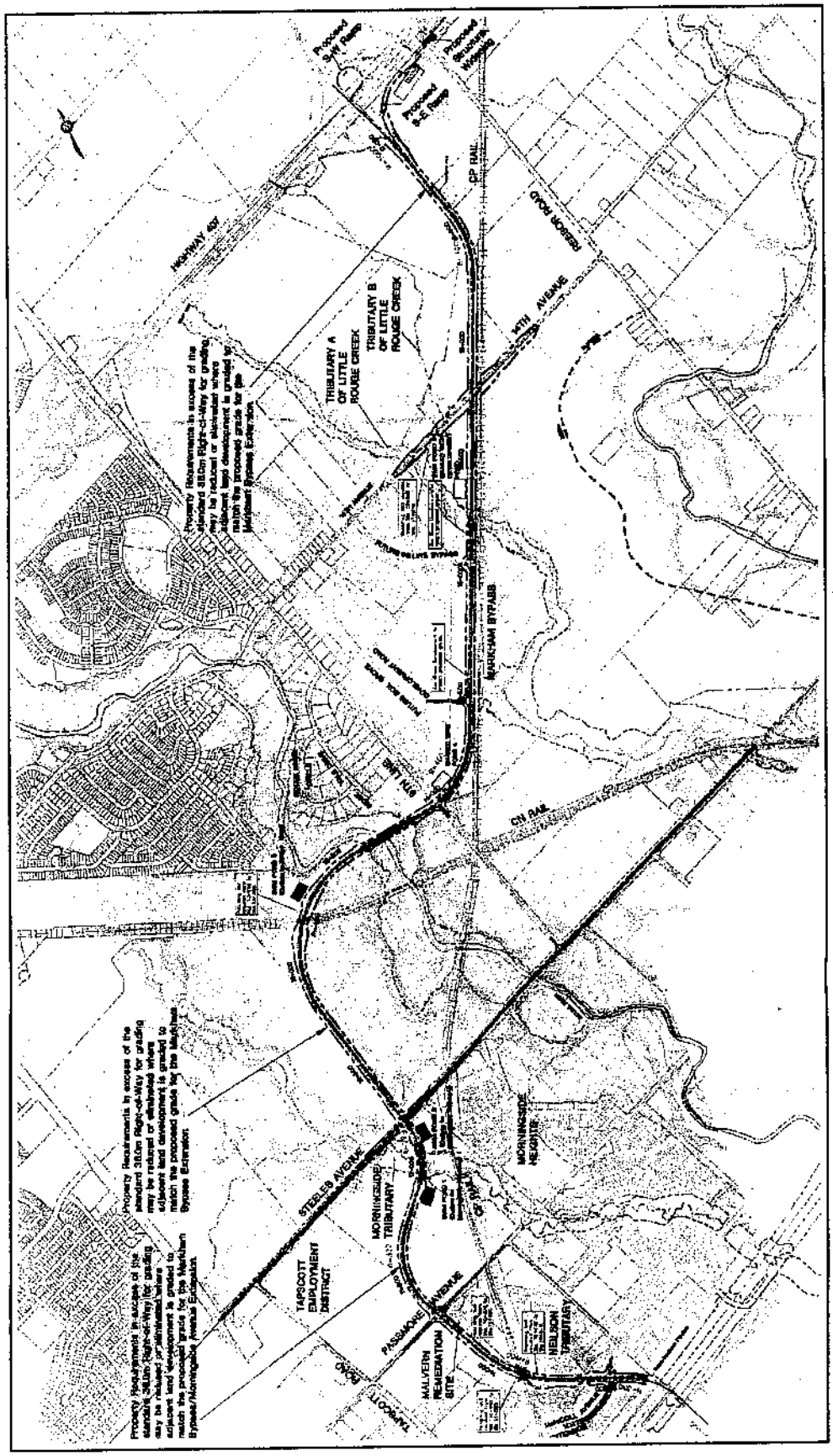
Jim Baird, M.C.I.P., R.P.P
Commissioner, Development Services

ATTACHMENTS:

Attachment A – Recommended Alignment (2005 EA Report)
Attachment B – Technically Preferred Alternative (EA Amendment)
Attachment C – Proposed Mitigation Measures (EA Amendment)
Attachment D – Technically Preferred Alternative – Cross-sections (EA Amendment)

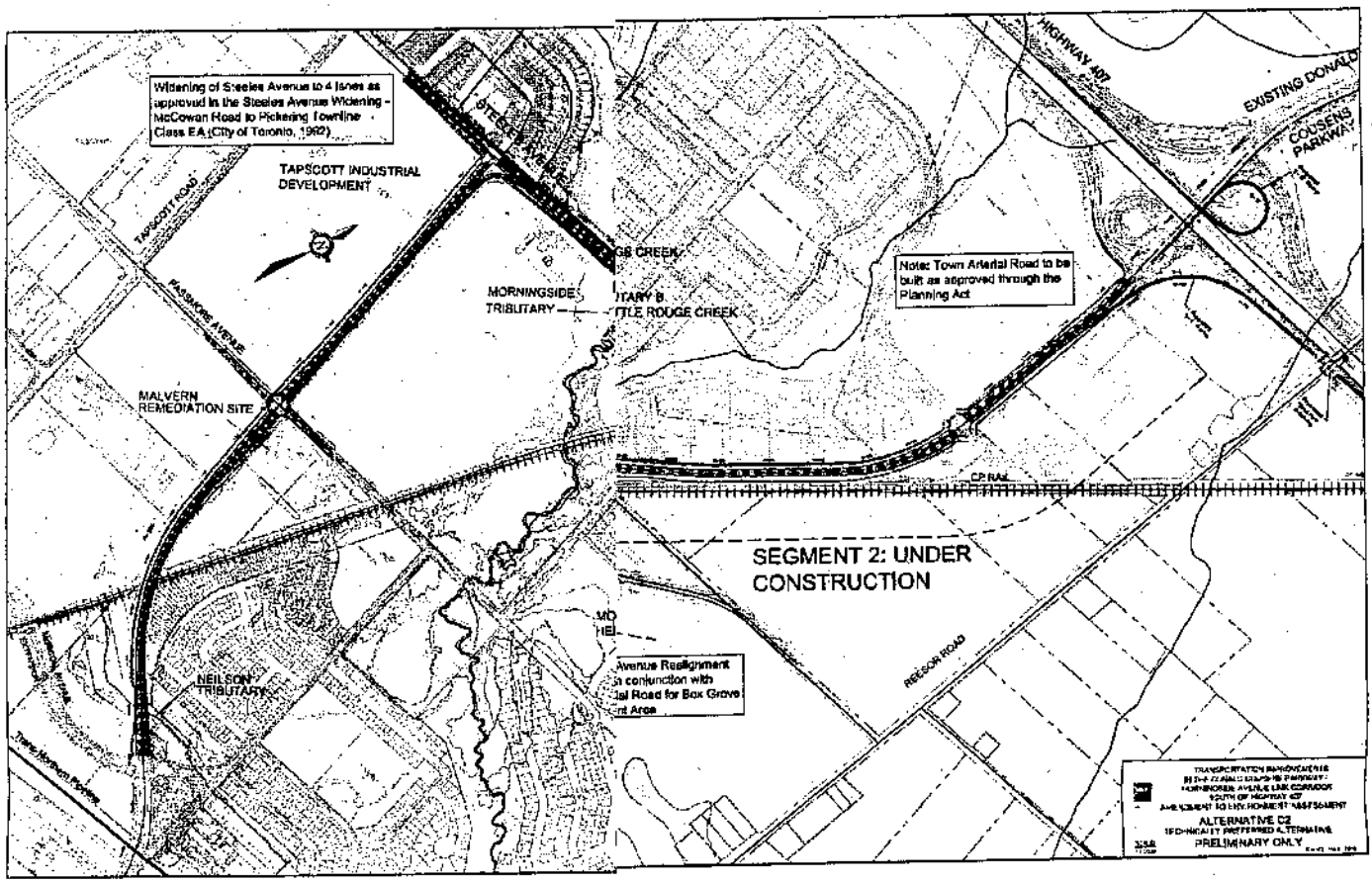
Attachment A: Recommended Alignment

(2005 EA Report)



Attachment B: Technically Preferred Alternative

(EA Amendment)



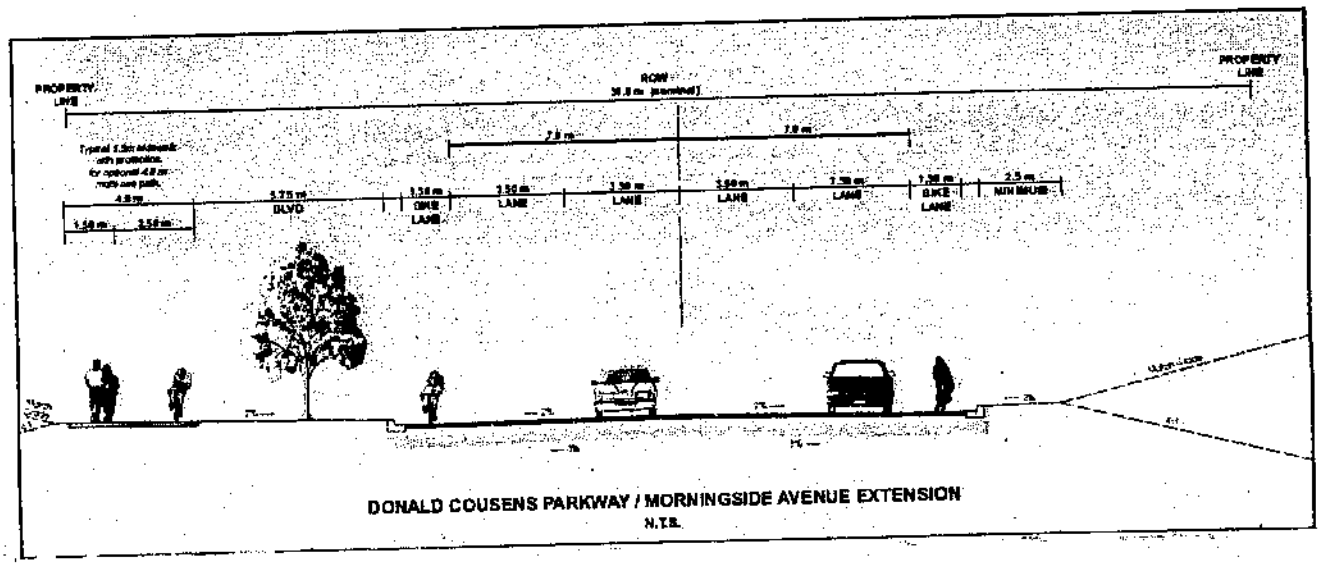
Attachment C: Proposed Mitigation Measures

(EA Amendment)

Effect	Proposed Mitigation Measure
Property Requirements	• Secure required right-of-way through development process within areas of active development. • Negotiated settlement with property owners in areas not under active development.
Noise	• During construction of the Donald Cousens Parkway / Morningside Avenue Link, the contractor will abide by the municipal noise control by-laws. The Contractor will be required to keep idling of construction equipment to a minimum and to maintain equipment in good working order to reduce noise from construction activities.
Archaeology	• Provisions will be provided in th e contract on how to address any archaeological finds during construction. A Stage 2, 3 and 4 Archaeological Assessment would be carried out as required.
Built Heritage	• Provisions will be made to minimize any disruption to cultural landscapes during construction.
Fisheries and Aquatic Resources	• Crossing structures to be designed to maintain flows, fish passage, and prevent flooding/downstream erosion. • Instream works will be avoided if possible. If not avoidable, timing constraints and mitigation approaches for fish habitat protection will be confirmed with Toronto and Region Conservation (TRCA) • All near and in stream works will be managed to avoid introduction or disturbance and downstream transport of sediment during or following construction. • Other measures-spill contingency plan, wet weather shutdowns, maintenance and materials storage away from watercourses. • Sediment and erosion controls to be implemented and maintained prior to and throughout construction. • Temporary vegetation protection fencing to be installed at all valley crossings. Vegetation removal will be restricted to only what is necessary to construct facilities. Areas disturbed by construction will be stabilized and re-planted as quickly as possible, using compatible native species.
Surface Water Quality and Quantity	• Addressed by mitigation measures identified for fisheries and aquatic resources, in addition to the following storm water runoff management measures: o Road drainage design to be an urban cross-section with runoff collected and treated in SWM facilities prior to release to watercourses where feasible. The drainage and SWM design will meet current Ministry of the Environment (MOE) requirements for water quality. o Design considerations include meander belt width, floodplain width, slope and direction of flow. Number of piers will be minimized. o Post-development peak flows to be controlled to pre-development levels (100 yr. storm) for Morningside Tributary. o All ponds to be designed with clay liner to protect groundwater from potential salt contamination. Salt levels to be monitored and remedial measures taken when necessary (e.g. pond draining). o Storm water pond outflows to be conveyed through cooling trenches to reduce thermal impacts on receiving watercourses.
Wetlands	• Only one wetland area will be directly impacted (i.e. by vegetation removal) by the preferred alternative, at the Morningside Tributary between Steeles Avenue and the CPR – only vegetation directly affected by grading will be removed. • Potential indirect impacts such as road contaminants and groundwater interception will be mitigated by storm water management and measures to maintain groundwater flow.
Vegetation	• Vegetated areas bordering the right-of-way to be delineated and protected with temporary vegetation protection and silt fencing prior to and throughout construction. • Only vegetation directly affected by grading will be removed. All disturbed areas will be re-vegetated following construction. • Valley restoration plans will be developed at detailed design to address construction access, valley protection areas, erosion controls, slope stabilization and appropriate planting treatments or edge management – subject to further review at detailed design.
Wildlife and Wildlife Habitat	• Includes measures identified for protection of vegetation and aquatic resources, in addition to the following: o Measures for the protection of nesting migratory birds (Migratory Birds Conven tion Act and Regulations) to be implemented during construction in consultation with Environment Canada (e.g. scheduling of vegetation removal to avoid peak nesting periods, pre-construction nest surveys). o Watercourse / valley crossing structures will permit terrestrial wildlife movement. The valley restoration plans will include design measures to facilitate continued terrestrial wildlife movement under bridge structures – by providing suitable ground surface conditions, avoiding extensive areas of large rip rap and providing stumps or other cover elements.
Groundwater Resources	• Further geotechnical work will be undertaken at the valley crossings during detailed design. Based on that additional work, specific mitigation requirements for groundwater protection and well protection will be developed in consultation with TRCA and MOE staff. • Any private wells that must be closed or removed to be decommissioned following MOE standards. Impact resolution strategy for any well interference claim to be developed at detailed design stage. • A groundwater monitoring and testing program of all municipal and private wells within proximity of the preferred alternative will be undertaken to establish baseline (pre-construction) and post-construction groundwater conditions.

Attachment D: Technically Prefered Alternative –Cross-sections

(EA Amendment)



DONALD COUSENS PARKWAY / MORNINGSIDE AVENUE EXTENSION

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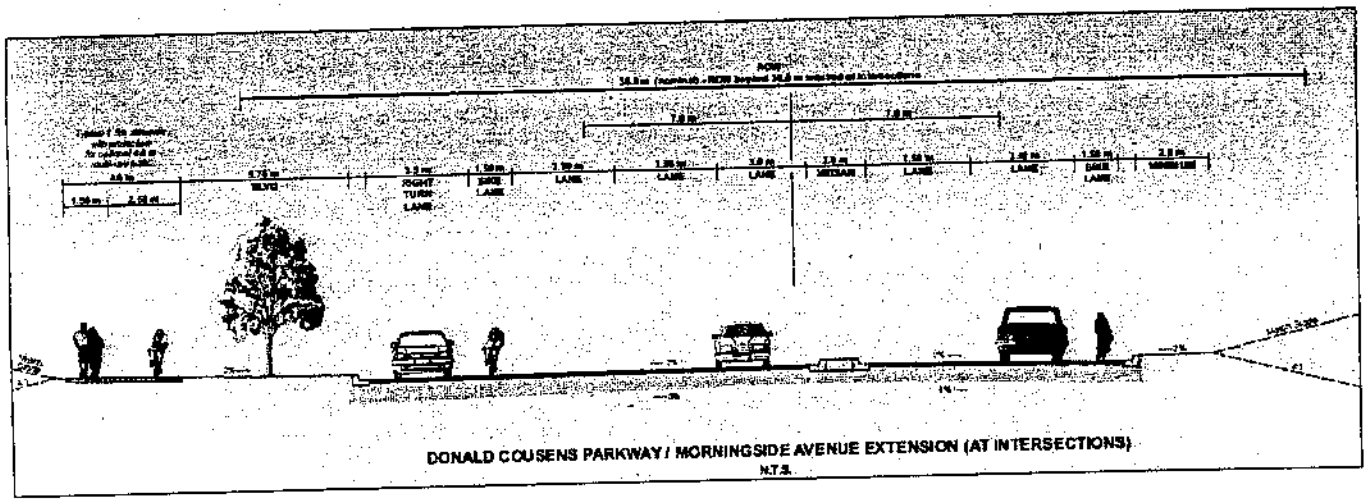

DONALD COUSENS PARKWAY / MORNINGSIDE AVENUE EXTENSION (AT INTERSECTIONS)

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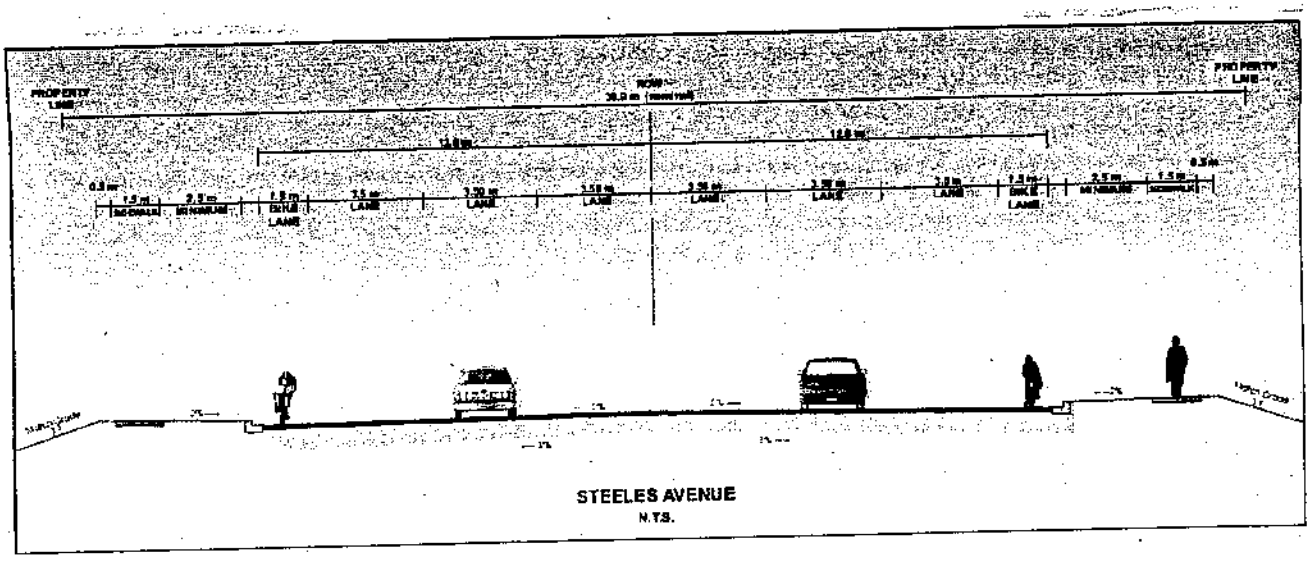

STEELES AVENUE

N.T.S.