

TOWNSHIP OF KING

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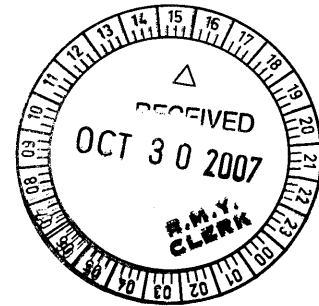
October 30th, 2007

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

FAX: (905) 895-3031 and 905-836-4590

Dear Mr. Kelly:

**RE: Deputation by James Harbell, Stikeman Elliott LLP
And Operations Department Report No. OP07-30
Regional Municipality of York EA Study
Reconstruction of Bathurst Street from Green Lane West to Yonge Street**



At its meeting of October 15th, 2007, Committee of the Whole received a deputation from Mr. James Harbell, Stikeman Elliott LLP, regarding reconstruction of Bathurst Street from Green Lane West north to Yonge Street. At the same meeting, Committee considered Operations Department Report OP07-30 regarding the Region of York EA Study on the reconstruction of Bathurst Street.

A copy of the Operations Report OP-07-03 and Extract #C.O.W. 2007-236, as adopted by Council on October 29th, 2007 of the related Committee of the Whole Report are enclosed for your information and reference.

Yours truly,

Chris Somerville
Township Clerk

Encl.

c.c. Paul Jankowski, General Manager, Roads Branch, Region of York
Daniel Kostopoulos, Manager, Engineering, Region of York
Scott Somerville, CAO, Township of King

TOWNSHIP OF KING

COMMITTEE OF THE WHOLE REPORT

The following item from the Committee of the Whole Report of October 15th, 2007 was adopted by Council at its meeting of October 29th, 2007.

COPIES TO: FILE

JODY LAPLANTE

C.O.W. #2007-236

Operations Department Report No.: OP07-30

Re: Regional Municipality of York EA Study –

Reconstruction of Bathurst Street from Green Lane West to Yonge Street

DEPUTATIONS

- (i) James Harbell, Stikeman Elliott LLP

Mr. Harbell from Stikeman Elliott, Barristers & Solicitors appeared on behalf of Paddy Ann and Latham Burns who are the owners of property on Bathurst Street north of Green Lane. He distributed a hand-out to members of the Committee and staff, and provided a presentation requesting Committee's support of resolutions he had prepared with respect to the Environmental Assessment Study (EA) being undertaken by the Region. He commented that he believes the west side of Bathurst Street belongs to the Township of King and that the Township should investigate further the implications of the Region's conducting an EA on Township-owned lands. He suggested that the scope of the study has been narrowed to focus on Bathurst Street, rather than looking at a route that would keep the traffic out of King and directed through the municipalities it is originating from. Mr. Harbell opined that the proposal will ultimately result in just re-directing traffic from one poorly designed intersection to a worse one. Mr. Harbell noted that the proposal to extend Bathurst Street to Highway #11 would do more harm than good for the Township of King as it will be expensive, will not resolve any traffic problems in the Township, and will be constructing a 4 lane highway in an ecologically sensitive area along a narrow and hilly corridor. Mr. Harbell commented that the Region has not been forthcoming with information on this matter. He suggested that a more complete study of the area be done and asked that Committee of the Whole consider approving the Resolutions he submitted.

Committee recommends that the deputation by Mr. Harbell be received and the correspondence submitted be received.

Committee considered Operations Department Report No. OP07-30, regarding the Regional Municipality of York EA Study on the reconstruction of Bathurst Street from Green Lane to Yonge Street along the eastern boundary of the Township of King.

C.O.W. Item #2007-236

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Committee recommends that Operations Department Report No. OP07-30 be received as information, and that Staff report further on the ownership of the west side of Bathurst Street and the implications the Township ownership would have on the EA process; further, Committee recommends that the Resolutions prepared by Mr. Harbell be adopted, as amended, as follows:

1. The Township of King requests the Region to revise the scope of the environmental assessment of Bathurst Street from Green Lane to Yonge Street to include all lands east to Highway 404. Further, the Township requests that the Region complete its updated Transportation Master Plan in advance of completing this environmental assessment process.
2. The Township requests the Region to make available to the citizens of King the following background information as soon as possible:
 - a) any previous environmental assessment work concerning Bathurst Street;
 - b) current traffic counts for roads and intersections in the broader study area between Highway 400 and 404, north of Green Lane;
 - c) all ecological data and information collected as part of the current environmental assess work;
 - d) the specifics of the proposal including number of lanes, climbing lanes, geometry, grade and potential cost;
 - e) evaluation criteria; and
 - f) alternative proposals.
3. King Township confirm the ownership of the road allowance of the west side of Bathurst Street north of Green Lane.

CHRIS SOMERVILLE
CLERK

TOWNSHIP OF KING

DATE: October 15, 2007

TO: Committee of the Whole

FROM: Operations Department
Operations Report No. OP07-30

SUBJECT: Regional Municipality of York EA Study -- Reconstruction of Bathurst Street from Green Lane West to Yonge Street

1. **RECOMMENDATIONS**

The Operations Department respectfully submits the following recommendations for your consideration:

- a) That this report be received for information.

2. **PURPOSE**

The purpose of this report is to provide Council with information regarding the proposed Region of York improvements to Bathurst Street from Green Lane to Yonge Street along the eastern boundary of the Township of King.

3. **BACKGROUND**

Bathurst Street from Steeles Avenue north to Yonge Street is a Regional Road.

Prior to 1995, this section of Bathurst Street was a through road only during the summer months and subsequently, the road was closed at the bridge by the Region. It remains closed, however the Regional Municipality of York has indicated in its Traffic Master Plan (2002) that the connection of Bathurst Street from Green Lane to Yonge Street, is necessary to accommodate future growth in the area.

The Master Plan models and identifies road improvements at a high level taking into account future traffic volumes both within and outside the Region. Individual EA (Environmental Assessment) are then conducted on each road segment to select the best route.

The Region held the first Public Consultation Centre (PCC) on May 17th, 2007, for the Bathurst Street Improvement EA project. The issues raised at this meeting and the responses from the Study Team are included in Schedule "C."

The Region has included this section of Bathurst Street in its 2006 – 10 Year Road Construction Program and the construction is scheduled for 2009, (see Schedule "A")

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OCT. 15/07

As a result of this proposed project, a series of deputations were received by the Township of King Committee of the Whole on July 9, 2007..

4. ANALYSIS

It may also be useful to review the function of a Regional Road;

- Carries higher volumes of traffic than local roads
- Serves primarily through, longer distance traffic
- Moves traffic between urban areas and provides connections to other Regional Roads/highways
- Higher design standards (wider lane and shoulder widths, etc.)
- Fewer entrances and residential driveways
- An effective grid of Regional Roads is required to support planned development and to provide for overall traffic capacity

The destination of the majority of the commuter traffic through the Township of King is Highway 400. For some time, the main concern of Township residents has been the increase in traffic on local roads. This issue will only compound with the future growth planned for East Gwillimbury and Bradford West Gwillimbury, (see Schedule "B").

Currently there are concerns with the traffic volumes through the hamlet of Ansnorveldt and the marsh and more recently roads adjacent to the canal. These areas will experience greater volumes if no Regional roads are built.

The problem identified in the EA as stated by the Region is as follows;

- Traffic capacity
 - Lack of north-south traffic capacity
- Regional network continuity/missing road link
 - Bathurst Street is a designated Regional road but discontinuous north of Morning Sideroad
- Yonge Street is the only continuous north-south Regional road in the study area
 - No alternative Regional roads exist for use by local or through traffic
- Yonge Street Green Lane Intersection is at capacity

Until now, the Region has been able to defer improvements to Bathurst Street. However existing traffic volumes have increased and considerable growth is anticipated both within the study area and outside the study area which will result in significantly increased traffic volumes.
- Based on traffic projections, it is anticipated that north-south travel through the area will exceed the capacity of the existing roads in the south end of the study area by 2011. By 2031 significant additional north-south capacity in the area will be required.

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- Due to the current reliance on Yonge Street to handle the area's traffic, the Yonge Street/Green Lane intersection will experience significant capacity shortfalls, particularly for left-turning traffic.

The Township of King will be affected by new traffic patterns. It is anticipated that the new north-south collector road may relieve some of the demands on Township roads such as Dufferin and Keele Streets.

If no Regional Road improvements are built this will place a burden on the Township of King;

- Capital Cost – Township roads are not designed to accommodate large volumes of traffic and would require extensive reconstruction.
- Operation Cost – increase substantially as our level of service would increase as per the Minimum Maintenance Standards identified in the Municipal Act. More equipment, staff and would be required to meet the increasing demands.
- Liability – increased exposure to more claims.

5. FINANCIAL IMPLICATIONS

There is no cost associated with these recommendations.

6. CONCLUSION

The planned improvement will provide a continuous route from Yonge Street to Steeles Avenue through York Region and will be the only Region road north of Highway 9 in the Township of King.

Growth around King Township will continue to place pressure and increase volumes on Township Roads thus increasing capital and operating costs. Staff is generally supportive of projects that reduce traffic volumes on Township roads which will reduce the burden on King tax payers.

Site specific concerns regarding the proposed alignment will be addressed through the EA process.

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7. **ATTACHMENTS**

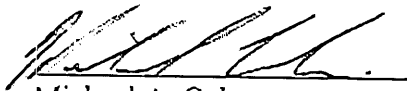
Schedule "A" – Plan of the Regional 2006 – 10 Year Roads Construction Program

Schedule "B" – Selected Slides from the Regional PCC on May 17, 2007

Schedule "C" – Summary of Key Issues and Responses from the Regional PCC on May 17, 2007

Submitted by:

Reviewed by:



Michael A. Cole

Manager of Engineering & Development



Judy LaPlante

Director of Operations

Schedule A

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**2006 - 10 YEAR ROADS
CONSTRUCTION PROGRAM**

APPROVED BY COUNCIL DECEMBER 15, 2005

Roads Project	Year
	Under Construction
	2006
	2007
	2008
	2009
	2010
	2011
	2012
	2013
	2014
	2015
	Intersection / Interchange Improvement

York Region

Produced by:
Capital Delivery - Roads
Transportation and Works Department
December 2005

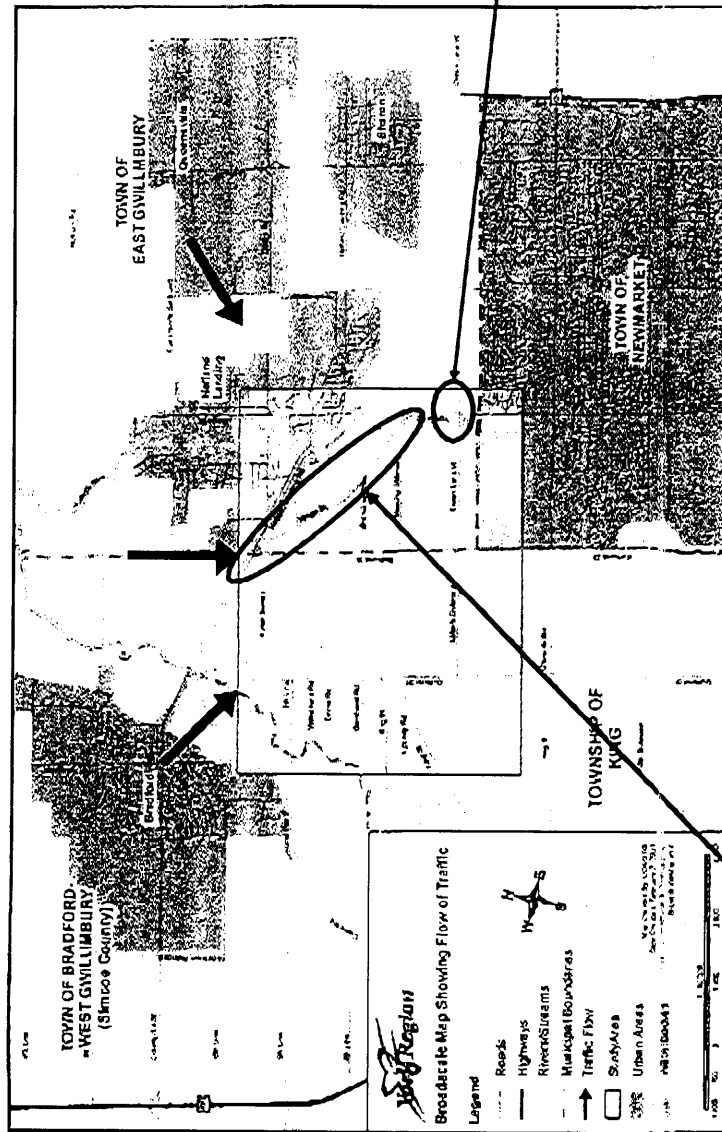
Cook's Bay

Lake Simcoe

City of Toronto

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Current Traffic Issues



Yonge/Green Lane Intersection

This intersection is currently operating at capacity.

Commuter traffic passes through the area to get to and from the neighbouring communities or key highways such as 400 and 404. Yonge Street is the only operating north-south Regional road through this area.

Other north-south roads in the area are:

- ♦ Dufferin Street – low speed local road through the community of Ansonveldt
- ♦ Bathurst Street– Regional road with very steep grades and currently closed to through traffic;

Reliance on Yonge Street

- ♦ Growth within the Region and areas to the north (Bradford, Innisfill, Barrie) will continue to add commuter traffic through the area.
- ♦ Previously Yonge Street in this area has had little commercial or retail development. However, recent growth pressure along Yonge Street will result in new entrances and traffic signals and will add local traffic and increase congestion.



Bathurst Street Class EA (Green Lane to Yonge Street)



Schedule 'B'

Future Growth

Other Communities to the North

Barrie and Innisfill are expected to continue to grow. While employment in these communities will also grow, commuters to and from areas to the south are still expected and many may travel through the study area.

Bradford West Gwillimbury

Current urban population: approximately 22,000
Future urban population: approximately 40,000 (close to full build-out expected by 2015)

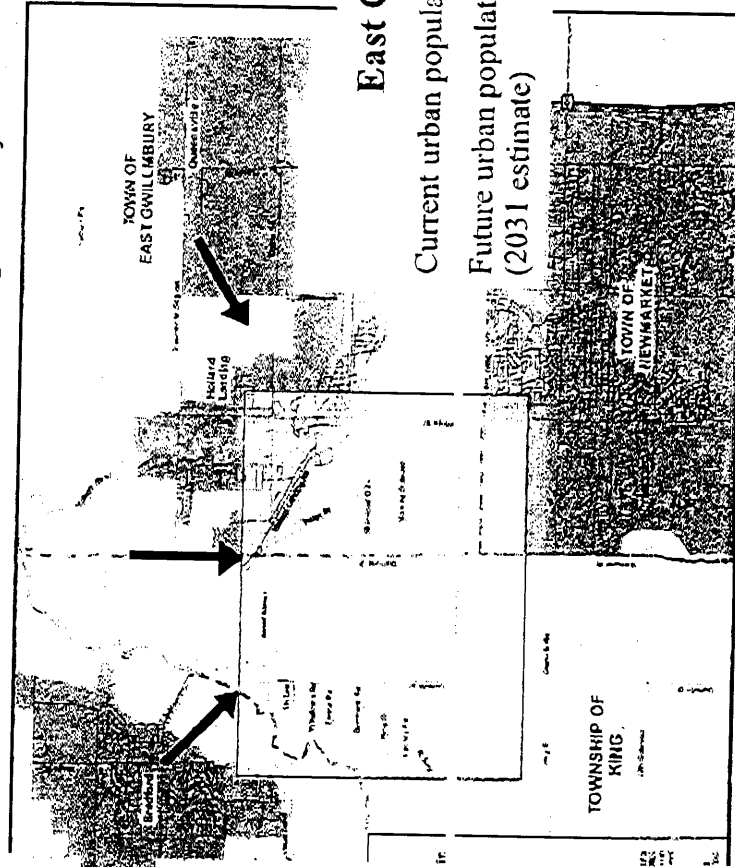
Local Development

Development is planned and approved primarily along the Yonge Corridor which will add to local traffic:

- Yonge/Bathurst (SE quadrant) – 30-40,000 sq² commercial (pending)
- Yonge/Green Lane (NE quadrant) – commercial (approved)
- Yonge/Green Lane (SW quadrant) – 635 unit residential subdivision (under construction)
- Yonge/Green Lane (SE quadrant) – 150,000 sq² commercial (approved)
- East Gwillimbury employment levels: 7,300 (2006) expected to grow to 32,000 (2031)

East Gwillimbury

Current urban population: approximately 22,500
Future urban population: approximately 75,500 (2031 estimate)



Regional Municipality of York
Bathurst Street Class EA – Green Lane to Yonge Street

Schedule C


Summary of Key Issues and Responses

The following is a summary of key issues based on the May 17th Public Consultation Centre. A number of the comments and questions from this meeting can be captured within 7 main themes or issues:

- Overall network considerations – “The Big Picture”
- Other corridors for consideration
- Extent of development and growth
- Bathurst and Yonge Street Intersection
- Class EA vs Individual EA
- Decision making process
- Environmental impact of Bathurst Street improvements

This summary was prepared to provide the Study Team's response to these main themes/issues.

Key Issue Raised	Study Team Response
Overall Network Considerations – “The Big Picture” It was suggested that the Region needs to look at the big picture and whether there are other or roads or different solutions that would be better suited to improve traffic movement. There was a need to understand how this project fits within the context of transportation planning for the Region as a whole and to plan outside of the Region (i.e. Simcoe County). Some specific thoughts raised included: • Much of the traffic is through traffic from areas outside of York Region so the provincial government should take responsibility for improvements to move the traffic • The development, congestion and need to move traffic is to the east between Yonge Street and Highway 404 so improvements should be to the east of Yonge. • Only one piece is being studied and making improvements to Bathurst will just create congestion and problems somewhere else.	Transportation Planning at the Region starts with examining the big picture. The Region's Transportation Master Plan (TMP) addresses the broader transportation improvements over the next 30 years. The York Region TMP is updated approximately every 5 years. The most recent Master Plan was completed in 2002 and it identified transportation improvements needed to address the population and employment to 2031. The purpose of this master plan is to predict traffic patterns and identify improvements needed into the future for the entire Region. The traffic modelling that is used to develop the Master Plan is based on the projection of population and employment for the region available at the time. The TMP is an essential element in enabling the Region to reach its goal of sustainable natural development, economic vitality and healthy communities, while providing safe, affordable, efficient and effective transportation for people and goods. The Viva Rapid transit system is an example of the influence of the 2002 Transportation Master Plan. As the plan is carried out at the “big-picture” level, it ensures that boundary and cross corridor network issues are addressed. The output of the Transportation Master Plan is a number of individual projects.

Regional Municipality of York
Bathurst Street Class EA – Green Lane to Yonge Street



Key Issue Raised	Study Team Response
Need a more thorough examination of transportation demand management.	These projects are all pieces needed to achieve the broader objectives outlined in the Master Plan. Reopening Bathurst Street was identified as a needed improvement in the 2002 Transportation Master Plan. The Region is currently updating their Transportation Master Plan. It will be revised to accommodate the significant growth anticipated for East Gwillimbury. The traffic modelling for the Bathurst Class EA was based on accommodating the most recent population projections for this area of the Region, as well as anticipated growth to the north (including Bradford), outside of the Region. The results of this model clearly showed that additional north-south traffic capacity is needed in the study area in the long term. Based on the significant increase/growth in population projected, it is likely that a number of the other roads suggested as better alternatives to the Bathurst Street corridor will also be required. For example, the 2002 Transportation Master Plan identified north-south capacity improvements for the Sharon area. As part of this, the Region's 2007 10 Year capital plan has scheduled improvements for both 2nd Concession and Leslie Street, between Green Lane and Mount Albert Road, in 2015.
Traffic Patterns Participants questioned where the traffic was coming from as they did not see evidence of congestion in the area that would be improved significantly by opening up Bathurst Street. Information on the traffic patterns was not provided in sufficient detail for people to understand the problem to be solved.	Currently traffic congestion is focused on the Yonge Street – Green Lane intersection. This study however must look at future traffic patterns and the potential for future congestion. Traffic volume projections were based on population forecasts. The forecasted trips are a combination of commuter trips to both 400 series highways as well as new local trips to sites fronting Yonge Street, resulting from planned area developments. Growth is forecast to continue in the Region and the surrounding communities and as a result, traffic volumes utilizing the network will also increase. Traffic from a combination of origins and destinations are crossing through the area all vying for the same road space on the way to both Highway 404 and Highway 400. Yonge Street is currently carrying all of the north/south traffic on the east side of the study area. Completing and improving Bathurst Street provides additional capacity in relative close proximity to Yonge Street.

Regional Municipality of York
Bathurst Street Class EA – Green Lane to Yonge Street

Schedule C



Key Issue Raised		Study Team Response
Other Corridors for Consideration During the meeting a number of people suggested that other corridors should be looked at for improvement instead of Bathurst including: • Build the Bradford Bypass. • Dufferin Street extended northerly • Keele Street north into Simcoe County • Ravenshoe Road • Extension of Queensville Side Road as a parallel route to Green Lane • Main Street • 2nd Concession • Construction improvements at the Yonge/Green Lane intersection (i.e. ramps)		As noted above the Transportation Master Plan addresses the big picture and identifies the road links needed in addition to Bathurst Street. Based on the growth projected for East Gwillimbury, the transportation modelling clearly indicates that additional capacity is needed within the study area even with all other proposed improvements in place as identified in the 2002 TMP. MTO's Bradford By-pass project (a provincial initiative, hence outside the control of the Region) is long range and currently not expected within the 25 year planning period.
Extent of Development and Growth It was suggested that the Region needs to consider the option of reducing the amount of growth. Too much growth will reduce the quality of life for those living in this area.		The Province of Ontario has allocated a level of growth to York Region and at the same time required that this growth occur outside of the Greenbelt. Some of the growth will be accommodated through intensification in areas that already exist. Some growth will occur in new areas that are outside of the Greenbelt. The Region is currently undertaking a Growth Management Initiative (Planning for Tomorrow) to determine growth patterns within the York Region for the next 50 years. As part of this initiative, the Region of York is liaising with all York Region communities through a number of public meetings. Planning for Tomorrow has projected significant growth for East Gwillimbury. The current population of East Gwillimbury is approximately 22,500 (2006). The projected population for 2031 is 75,500. Additional traffic associated with this population increase, combined with the additional congestion expected on Yonge Street as it develops as a commercial area and through traffic associated with growth to the north results in the need for additional capacity.
Bathurst-Yonge Intersection Participants noted that even with improvements to Bathurst Street, northbound traffic would still all come together at the Bathurst-Yonge Intersection. This would result in moving congestion from Yonge and Green Lane to Bathurst and Yonge, which is a complex intersection.		With Bathurst Street improvements, traffic from the north will have two north-south options. The intersection of Bathurst and Yonge Street will require reconfiguring to accommodate the traffic and to address operational concerns. This intersection can operate at an acceptable level of service with overall reduced congestion and driver delay.

Regional Municipality of York
Bathurst Street Class EA – Green Lane to Yonge Street



Key Issue Raised	Study Team Response
Traffic on Bathurst trying to get on to Yonge could block the entrance to the new school location (Bathurst and Graham Side Road) and make it difficult for residents on Graham Side Road or other local roads to get out of their residential area.	Effects on entrances will be identified and assessed in detail in the next phase of the study.
Class EA vs Individual EA It was suggested that given the nature of this project, opening a closed road with the potential for significant impact, the Class Environmental Assessment process is not adequate and that the Region should follow the more comprehensive Individual Environmental Assessment process.	The Region has determined that the Class EA process is an appropriate process to follow for this project as it meets the intention of the Environmental Assessment Act, is flexible to address the complexities and level of impact of the project, ensures a rigorous assessment of effects with input from the public, and follows a streamlined approach.
How the Region decided that this project should be a Class EA was questioned.	Successful environmental assessment for individual EAs and Class EAs must both include: • Consultation; • Consideration of a reasonable range of alternatives; • Consideration of effects on all aspects of the environment; • Systematic evaluation; • Clear documentation; and • Traceable decision making.
	The steps in the Municipal Class Environmental Assessment process meet the key EA principles noted above. The Class EA process has three different "schedules" of projects, each representing different levels of potential impact and complexity.
	This project is being undertaken as a "Schedule C" as it has the potential for significant environmental effects and thus we must complete the required 5 phase planning process in the Class EA process: Phase 1: Identify Problem or Opportunity Phase 2: Identify and Evaluate Alternative Solutions Phase 3: Identify and Evaluate Alternative Design Concepts Phase 4: Prepare an Environmental Study Report including an assessment of effects and mitigation for the project Phase 5: Implementation
	Consultation is an important part of the Class EA process and the public and agencies must have an opportunity to comment on the problem and alternative

Regional Municipality of York
Bathurst Street Class EA – Green Lane to Yonge Street

Key Issue Raised	Study Team Response
	solutions, alternative design concepts, and the Environmental Study Report (ESR). The ESR will be available for public review and comment for a required minimum 30-day review period. During the 30-day review period, the public may request that the project be 'bumped-up' to a Part II Order (formerly known as the "bump-up" request), if you feel, after consulting with the Region, that serious environmental concerns remain unresolved. The decision to 'bump-up' the project to a Part II Order rests with the Minister of the Environment.
Decision Making Process Concern was raised that the Region has made a decision to move forward with improvements to Bathurst Street prematurely or based on insufficient information and that they have already made up their minds. Some participants were not satisfied with the level of detail presented in the evaluation of alternatives. The collection of baseline survey data, which has been underway on Bathurst Street, was used at the meeting as "proof" that decisions had already been made and that the Region was only really looking at Bathurst Street. Related to this, participants also raised comment that people would feel more comfortable with the Region's activities if they were sure that experts in all aspects of the environment were working on this project.	The EA process is designed to look at increasing levels of detail as the process progresses and the alternatives become more defined. The initial alternatives, called "Alternative Solutions", represent broad, or all encompassing ways to solve the identified problem. Typically secondary source data is used to compare alternative solutions as that is the level of detail required in order to come to a conclusion on which is preferred. The consultant team, which includes aquatic and terrestrial biologists, planners and engineers, have collected this secondary source data and used it to compare the alternatives. We have used an appropriate level of data to make a decision on alternative solutions including identifying a preferred corridor. As the alternatives being considered are narrowed and refined, the level of detail of data collection and analysis increases. This means that the evaluation of alternative design concepts or different ways to design improvements within the preferred corridor will include detailed field investigation. This investigation will allow us to avoid impacts where possible and to identify appropriate mitigation if impacts can not be avoided.
Environmental Impact of Bathurst Street Improvements The importance of the natural environment in the area was emphasized. Concerns were raised that there has not been a sufficient assessment of the potential effects of roadway improvements in the Bathurst Corridor on the natural environment. Specifically, comment was made that: - A new road would go right through a natural heritage area reserve. - More than just vegetation will be impacted. Potential impacts on the turtles in the area, disturbance on	As noted above, we have used secondary source information, including detailed environmental information from the previous Class EA, to evaluate alternative solutions which are in keeping with the requirements of the EA process. It is noted that the previous Class EA identified improving Bathurst Street as the preferred alternative. The study team has also met with the Lake Simcoe Region Conservation Authority to review information they may have available and discuss the environmental sensitivity of the area. We will be collecting detailed environmental data for the preferred corridor to allow us to avoid impacts where possible and to identify appropriate mitigation if

Regional Municipality of York
Bathurst Street Class EA – Green Lane to Yonge Street



Key Issue Raised	Study Team Response
wildlife from noise and dust impacts, etc. need to be addressed It was suggested that a more detailed look at environmental effects is necessary before a decision can be made to proceed with Bathurst or any other improvements in the study area and that avoidance of impacts should be the focus rather than mitigation.	Impacts cannot be avoided. This will involve: - Ecological Land Classification (vegetation scale) - data collection/survey of breeding birds - data collection/survey of amphibians - three season botanical survey (spring, summer, fall) - assessment of corridor function This information, along with any valuable local knowledge that can be gained through planned discussions with environmental associations such as Ontario Nature and the York Simcoe Naturalists, will be used to develop our knowledge of existing conditions and sensitive features/functions to help guide the development of the preferred corridor. From an aquatic perspective, all watercourses within the preferred corridor will be investigated and characterized as to the type of fish habitat they provide. The terrestrial and aquatic data will be helpful in identifying the most appropriate location and form for improvements within the corridor as well as to help establish appropriate mitigation and fully understand the net effects of the project.
Important Design Considerations	
A number of written comments emphasized the importance of the following design characteristics for a roadway improvement: • public/pedestrian friendly • provision for bike paths for safety and recreation • transit friendly • adequate space for farm vehicles • speed control • consideration of consolidating laneway access for safety • noise reduction	These suggestions will be taken into consideration in the evaluation of alignment alternatives for the preferred corridor as well as the conceptual design of the preferred roadway improvement.