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PINE VALLEY DRIVE TRANSPORTATION CORRIDOR ENVIRONMENTAL ASSESSMENT UPDATE

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, October 20, 2004, from the Commissioner of Transportation and Works, subject to replacing the words “a maximum of” with “an estimated” in Recommendation 3:

1. RECOMMENDATIONS

It is recommended that:

1. The Commissioner of Transportation and Works be authorized to submit, jointly with the City of Vaughan, the Pine Valley Drive Transportation Corridor Environmental Assessment (EA) Terms of Reference for the EA Act statutory review and Ministry of Environment approval.
2. Council endorse a 50/50 cost share with the City of Vaughan for the joint Individual EA, including costs incurred in the preparation of the EA Terms of Reference.
3. The Commissioner of Transportation and Works be authorized to contribute a maximum of \$40,000 from the 2004 Roads Budget to cover the Region's 50% share of the costs incurred in the preparation of the EA Terms of Reference.
4. The Commissioner of Transportation and Works be authorized to proceed in conjunction with the City of Vaughan, at the appropriate time after submission of the EA Terms of Reference for approval, with the consultant selection to undertake the Individual EA and to administer the consultant assignment for this joint project.
5. The Commissioner of Transportation and Works continue to report back at major milestones of the joint study.
6. A copy of this report be sent by the Regional Clerk to the Clerk at the City of Vaughan and to the Ministry of the Environment.

2. PURPOSE

This purpose of this report is to provide an update on the Individual Environmental Assessment (EA) for transportation improvements in the Pine Valley Drive Corridor from Highway 7 to Teston Road in the City of Vaughan. Staff are also seeking authorization to proceed, jointly with the City of Vaughan, with formal submission of the EA Terms of Reference for the mandatory public review and Ministry of Environment approval.

3. BACKGROUND

3.1 General

In the spring of 2002, the City of Vaughan initiated a Schedule 'C' Class EA for the section of Pine Valley Drive from Langstaff Road to Rutherford Road. The preferred solution identified through the Class EA process was to widen Pine Valley Drive to four lanes from Langstaff Road north to the current terminus and construction of a new four lane road from the terminus to Rutherford Road. The Class EA was never completed.

Through the consultation process in the Class EA, a number of stakeholders including the Toronto and Region Conservation Authority (TRCA), identified concerns with environmental effects which may result from construction of the road widening and new road link. In early 2004, the Minister of the Environment received several requests to issue a "Part II Order" which would require the City of Vaughan to undertake an Individual EA for the proposed undertaking.

The City of Vaughan, after consultation with the TRCA, Ministry of Natural Resources (MNR) and the Ministry of the Environment (MOE), agreed that elevating the Class EA study to an Individual EA would be the preferred method to address the significant concerns raised by the stakeholders.

In addition to the environmental concerns raised by the stakeholders for the section of Pine Valley Drive south of Rutherford Road, expansion of the study area to include the section from Rutherford Road to Teston Road was also identified as an issue. Road improvements to this section of Pine Valley Drive, which is under Regional jurisdiction, are planned by 2021. Several of the stakeholders also requested the study area be expanded south to Highway 7 so that a full range of alternatives to the undertaking can be developed and a more comprehensive assessment of environmental effects can be undertaken.

There are benefits to both the Region and City of Vaughan in combining efforts and undertaking a single EA for the entire Pine Valley Drive corridor. A joint study will provide for streamlined public and stakeholder consultation resulting in less confusion, which often accompanies multiple studies in close proximity. A joint study will also provide for a more efficient and comprehensive transportation planning effort in the corridor, regardless of road jurisdiction.

The expanded study area proposed for the Individual EA is shown on *Attachment 1* and is bounded by Highway 7 to the south, Teston Road to the north, Highway 27 to the west and Weston Road to the east.

At its meeting on May 25, 2004, Vaughan Council adopted a resolution requesting the Minister of the Environment issue an Order requiring the Pine Valley Corridor undergo an Individual EA and that the Region of York be requested to support the request and to participate in the Individual EA as a co-proponent.

Regional Council on June 24, 2004 adopted Clause 4 of Report No. 6 of the Transportation and Works Committee, authorizing the Region to participate as co-proponent with the City of Vaughan for a joint Individual EA for transportation improvements in the Pine Valley Drive Corridor.

On July 16, 2004, the Minister of the Environment issued an Order, pursuant to subsection 16(1) of the EA Act, requiring the City of Vaughan and The Regional Municipality of York undertake an Individual EA for the project.

3.2 Road Jurisdiction and Existing Conditions

The Region has jurisdiction over Pine Valley Drive from Steeles Avenue to Teston Road with the exception of the section from Langstaff Road to Rutherford Road which is under the jurisdiction of the City of Vaughan.

The section of Pine Valley Drive from Steeles Avenue to Langstaff Road consists of a four-lane cross section with a six-lane structure over Highway 407. The adjacent lands along this section are generally developed. There are predominantly employment uses along the section from Steeles Avenue to Highway 7 and residential subdivisions from Highway 7 to Langstaff Road.

The section of Pine Valley Drive from Langstaff Road to about 1.2 km north consists of a two-lane rural cross section. Pine Valley Drive terminates at this point (at the intersection with Clubhouse Road) with no current connection to Rutherford Road, which is approximately 800m to the north. The adjacent lands include estate residential, a golf course and natural features including significant valley and woodlot areas.

The section of Pine Valley Drive from Rutherford Road north to Teston Road is currently a two-lane rural road. The adjacent existing land uses are generally rural in nature (farm land, open fields, woodlots, Toronto and Region Conservation Authority lands etc.) with a number of residential subdivisions in various stages of development (as part of the Vellore Village – Vaughan OPA 600 development area).

3.3 Planned Road Improvements

Road improvements for the section of Pine Valley Drive from Langstaff Road to Rutherford Road have been identified in Vaughan's OPA 600 and the Region's Transportation Master Plan.

Road improvements for the section of Pine Valley Drive from Rutherford Road to Teston Road are identified in the Region's Transportation Master Plan and the 2003 Development Charge Background Study. The section from Rutherford Road to Major Mackenzie Drive is in the 10-Year Roads Program scheduled for construction in 2009. The section from Major Mackenzie Drive to Teston Road is planned in the 2014 to 2021 period.

4. ANALYSIS AND OPTIONS

4.1 Progress on the Joint Study

The first step in the process for an Individual EA is to prepare a Terms of Reference (TOR), in consultation with the public and government agencies, for approval by the Minister of the Environment. The main purpose of the TOR is to set out in detail the requirements for the preparation of the EA. The TOR sets out how the EA will address the following EA Act requirements:

- a) A description of the purpose of the undertaking.
- b) A description of the rationale for the undertaking, Alternative methods of carrying out the undertaking and Alternatives to the undertaking.
- c) A description of the environment that may be affected, effects caused to the environment and the actions required to mitigate the environmental effects.
- d) An evaluation of the advantages and disadvantages to the environment.
- e) A description of public and agency consultation.

Since June 2004, Regional Staff have been working jointly with Vaughan staff to prepare the TOR for the follow-on EA.

In early July 2004, a notice was placed in the Vaughan local papers advising the public that a draft TOR for the Individual EA was available for review and comment. The draft TOR was available at the City and Region Clerk's Departments, the Vaughan Public Library and via the internet. Copies of the draft TOR were also provided to government review agencies.

In late July 2004, a notice was placed in the Vaughan local papers advising that a Public Consultation Centre (PCC) was being held on September 14, 2004 at the City of Vaughan Offices. The purpose of the PCC was to inform the public of the start of the Individual EA for the Pine Valley Drive Corridor, to explain the EA process moving forward, explain how the new process relates to the previous Class EA, and to present key elements of the draft TOR.

Approximately forty members of the public and stakeholders attended the PCC to view the material being presented and ask questions of the project team. Most of those who attended were in favour of the City and Region being co-proponents for an Individual EA to look at opportunities within an expanded study area and a full assessment of alternatives to address transportation deficiencies in the area.

4.2 EA Terms of Reference

During October 2004, the project team will consider all public and government agency input received on the draft TOR and finalize the TOR for formal submission and approval by the MOE. The formal submission includes a mandatory five-week public and agency review period, followed by a seven-week period for the Minister of the Environment to consider input received and make a final decision on the TOR. The initiation of the formal submission process is planned for mid November 2004 with MOE approval of the TOR expected by the end of February 2005.

In early summer of 2004, the City of Vaughan expanded the scope of work for the consultant team that had been working on the Pine Valley Drive Class EA. The scope of work was expanded to include preparation of the TOR in expectation that the MOE would ultimately issue an Order requiring an Individual EA be conducted. When the Region agreed to join as co-proponent for an expanded study area, staff consulted with Vaughan staff and agreed that it would be quicker and less expensive to have the existing consultant team complete the TOR phase of this project.

4.3 Follow-on Environmental Assessment

Once the TOR is complete, an RFP is proposed for the follow-on EA phase of this project. The RFP will likely be issued in January 2005 so that a consultant team can be ready to start the follow-on EA immediately upon MOE approval of the TOR. The follow-on EA will likely take twelve to sixteen months to complete.

5. FINANCIAL IMPLICATIONS

The consultant team lead by Cansult Limited, originally retained by the City of Vaughan to undertake the Class EA for Pine Valley Drive, has been working since early summer of 2004 on the TOR for the Individual EA. The Region's proposed 50% share of costs for the preparation of the TOR is expected to be approximately \$40,000 including consultant fees and disbursements for newspaper notices and mail-outs. Sufficient funds are available in the 2004 Roads Budget to cover this project expenditure.

Once the TOR is complete, a Request for Proposal is proposed for the follow-on EA phase of this project. Given the scope, complexity and sensitive nature of the proposed study, it is difficult to foresee all the issues that will be raised during the EA and the level of effort that will be required to address those issues. Sufficient funds have been included in the proposed 2005 Roads Budget to cover the expected project costs next year.

Staff met with Vaughan staff to discuss cost sharing. A 50/50 cost share has been agreed to in principle for both costs related to preparation of the TOR and for the follow-on EA, subject to Council authorization. This cost-sharing arrangement takes into account the shared jurisdiction for the Pine Valley Drive corridor and the relative benefit to both York Region and Vaughan associated with the proposed improvements.

6. LOCAL MUNICIPAL IMPACT

As requested by the City of Vaughan, York Region has agreed to a joint Individual EA study to address needs and opportunities for Transportation Improvements in the Pine Valley Drive corridor.

A joint study will provide for streamlined public and stakeholder consultation and provide for comprehensive transportation planning in the entire Pine Valley Drive corridor.

Staff have extensive experience undertaking Individual EA's and bring valuable expertise to the joint project team.

In an effort to share project management duties on this joint project, Vaughan staff have requested that the Region administer the consultant selection process for the follow-on EA. If agreed to by Council, this will allow Vaughan staff to focus their time and effort on the technical aspects of the project rather than consultant administration.

7. CONCLUSION

During October 2004, the Pine Valley Drive EA project team will consider all public and government agency input received on the draft TOR and finalize the TOR for formal submission and approval by the MOE. The initiation of the formal submission process is planned for mid November 2004 with approval of the TOR expected by the end of February 2005.

Once the TOR is complete, a Request for Proposal is proposed for the follow-on EA phase of this project. Detailed proposals to conduct the EA in accordance with the approved TOR will be evaluated and a new consultant assignment awarded prior to commencing the follow-on EA.

Vaughan staff have requested that the Region administer the consultant selection process for the follow-on EA so that they may focus their time and effort on the technical aspects of the project rather than consultant administration.

The Commissioner of Transportation and Works will continue to report back at major milestones of the joint study.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause is attached to this report.)