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VIVANEXT

H3 - ENTERPRISE SIMCOE PROMENADE – WARDEN PROPERTY ACQUISITION

The Rapid Transit Public/Private Partnership Steering Committee recommends the adoption of the recommendations contained in the following report, October 8, 2008, from the Vice-President, York Region Rapid Transit Corporation and the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Council authorize staff to work with the Ministry of Transportation Ontario and Metrolinx to seek approval to reallocate \$16 million of Quick-Wins Tranche 2 funding to cover property acquisition and construction costs for the Enterprise Simcoe Promenade rapidways, inclusive of Warden Avenue lands.
2. Council authorize the Regional Chair and Clerk to execute a purchase and sale agreement with the Ontario Realty Corporation for the Warden Avenue lands in a form acceptable to staff and legal counsel.

2. PURPOSE

This report seeks authorization for staff to seek the reallocation of \$16 million in provincial Quick-Wins funding for property and construction of the Markham Town Centre civic mall rapidway from Warden Avenue to Birchmount Drive. It also seeks approval for York Region to purchase the necessary lands from the Ontario Realty Corporation on Warden Avenue, and that Council authorize the Regional Chair and Clerk to execute a contract with the Ontario Realty Corporation for the land required in a form acceptable to staff and legal counsel subject to their price being cost competitive.

3. BACKGROUND

On February 16, 2006 and April 20, 2006, Council authorized staff to enter into negotiations for the purchase of the Warden Avenue lands and undertake necessary studies to confirm the purchase price of the lands and to report back on its due diligence.

In June 2007, the Province announced an aggressive transportation investment program, MoveOntario 2020, which included Yonge Street - Richmond Hill Centre to 19th Avenue (Y2), and Highway 7 – Richmond Hill Centre to Markham Centre (H3).

During October 2007, the York Region Rapid Transit Corporation prepared a detailed submission of all rapid transit Quick-Win Projects that could be delivered in the next five years as requested by Metrolinx. These have been referenced as Quick-Wins Tranche 2 projects. This list included rapidway corridors on Highway 7 from the just west of Pine Valley Drive in Vaughan to just east of Kennedy Road in Markham (H2/H3), and on Yonge Street from Richmond Hill Centre to Newmarket (Y2/Y3), as illustrated in Figure 1.

Figure 1
York Region Rapid Transit Network – vivaNext



Quick-Wins Tranche 2 recommendations were addressed during the 2008-2009 Provincial Budget process. York Region was successful in having \$100 million of Quick-Wins Tranche 2 projects funded in the Provincial 2008 Spring Budget, specifically, funding for preliminary engineering, vehicles and intelligent transportation system for rapidways on Highway 7 from the just west of Pine Valley Drive in Vaughan to just east of Kennedy Road in Markham (H2/H3), and on Yonge Street from the Richmond Hill Centre to Newmarket (Y2/Y3), as illustrated in Table 1. An additional \$5.6 million was approved for preliminary engineering, land/parking and additional bus stops for Cornell Terminal, under the Quick-Wins Tranche 1 umbrella of projects.

Of the \$105.6 million that was approved in the Provincial Budgets, \$67.6 million has been received, as indicated in Table 1.

Metrolinx and the Province are considering a draft request to allow the Region to reallocate funds received under Quick-Wins Tranche 2 to fund immediate Highway 7 construction needs. The details and written confirmation through the Minister's Office have yet to be finalized and are pending authorization by Regional Council to proceed.

Table 1
Quick-Wins – Status of Funds Received
(millions \$)

Quick-Wins Tranche 1	PE	ITS*	Vehicles	Land	Interim Stops	Total	Funds Received	Outstanding
▶ Cornell Terminal	0.6			3.0	2.0	5.6	5.6	-
Quick-Wins Tranche 2	PE	ITS*	Vehicles	Land	Interim Stops	Total	5.6	-
▶ York-Viva Highway 7, Pine Valley Drive to Kennedy	14.0	17.0	21.0	-	-	52.0	52.0	-
▶ York-Viva Yonge Street, Richmond Hill Centre to 19th Avenue	8.0	6.0	5.0	-	-	19.0	5.0	14.0
▶ York-Viva Yonge Street, 19th Avenue to Newmarket (Inclusive of Davis Drive)	15.0	9.0	5.0	-	-	29.0	5.0	24.0
Total Quick-Wins Tranche 2	37.0	32.0	31.0	-	-	100.0	62.0	38.0
Total 2008 Budget Announcement	37.6	32.0	31.0	3.0	2.0	105.6	67.6	38.0

* ITS = Intelligent Transportation Systems (including ticket vending and validation equipment, traffic signals and controllers, the communications infrastructure and onboard equipment)

The proposed reallocation of Quick-Wins Tranche 2 funding to enable immediate construction of the Enterprise Drive – Markham Civic Mall is provided in Table 2. A total budget requirement of \$16 million has been identified and includes property acquisition, design/build costs, owner's engineer involvement, and project administration costs. The proposal allocates \$16 million from Highway 7 Intelligent Transportation Systems (ITS) for land, construction and project management. Staff will include the \$16 million of the reallocated ITS funds in subsequent MoveOntario 2020 funding proposals.

Table 2
Reallocation of Quick Wins Funds for Enterprise Drive – Markham Civic Mall

		(millions \$)				
Original Proposal – Part of MoveOntario 2020 Quick-Wins 2		PE	ITS	Vehicles	Design/Build/Land	Total
▶	York-Viva Highway 7, Pine Valley Drive to Kennedy (H2, H3)	\$ 14.0	\$ 17.0	\$ 21.0		\$ 52.0
Reallocation Proposal						
▶	York-Viva Highway 7, Pine Valley Drive to Kennedy (H2, H3)	\$ 14.0	\$ 1.0	\$ 21.0		\$ 36.0
▶	York-Viva Enterprise Drive – Markham Civic Mall (H3)				\$ 16.0	\$ 16.0
Total Project Allocation		\$ 14.0	\$ 1.0	\$ 21.0	\$ 16.0	\$ 52.0

4. ANALYSIS AND OPTIONS

Markham Centre Civic Mall Rapidway – Warden Avenue to Birchmount Drive

The Markham Centre Civic Mall Rapidway is a 1 km. segment of the “Centre to Centres” Highway 7 Viva rapid transit system. It is unique in character in that it runs along a shared use corridor through the heart of Markham Centre. The Civic Mall section will connect eastward to the intermodal facilities at the Unionville GO Transit station, allowing Viva transit users to connect to higher order GO Rail and 407 Transitway systems, as well as to local transit routes.

Development construction has begun along the Markham Centre Civic Mall

Construction of high density condominium buildings along the northern edge of the corridor is well underway and occupancy is expected to commence later this year, with full occupancy expected in early 2009.

Early construction of rapidways along the Civic Mall has been approved by Council subject to funding

In September 2008 the Regional Council approved the early construction of the Civic Mall segment from Warden Avenue to Birchmount Drive. Preliminary design and engineering of the Civic Mall is nearing completion for the underground civil works portion. In order to be ready for the construction of the park elements during 2009, the underground civil works (storm sewer, utility relocation and rapidway granular material placement) are scheduled for this fall with completion in spring 2009.

The current contractors, Remington, are not expected to clear site before October 31st, and only then can a site survey can be conducted to establish existing ground conditions.

The construction will take place in several phases:

- Phase 1 – rough grading, drainage and other underground works (from Warden to Birchmount, but excluding jug-handle).

Phase I construction is scheduled to begin November 17, 2008, and is expected to be completed before the end of December, and will be let as a Design-Build Contract to Kiewit EllisDon.

The remaining works will be let under a single Design Build contract and will include:

- Phase 2 – Vivastation (canopy design, fabrication and installation).
- Phase 3 – final grading, base and surface works (entire length and entire works for jug-handle – see Figure 2).

Phase 2 and 3 will be awarded in December 2008, with construction completion expected early August 2009, followed by commissioning and commencement of Viva service on the rapidways and using the new stations in September.

The construction of rapidways from Warden Avenue to Birchmount Drive will require the acquisition of Ontario Realty Corporation lands on Warden

Figure 2
Rapidway Configuration on Warden

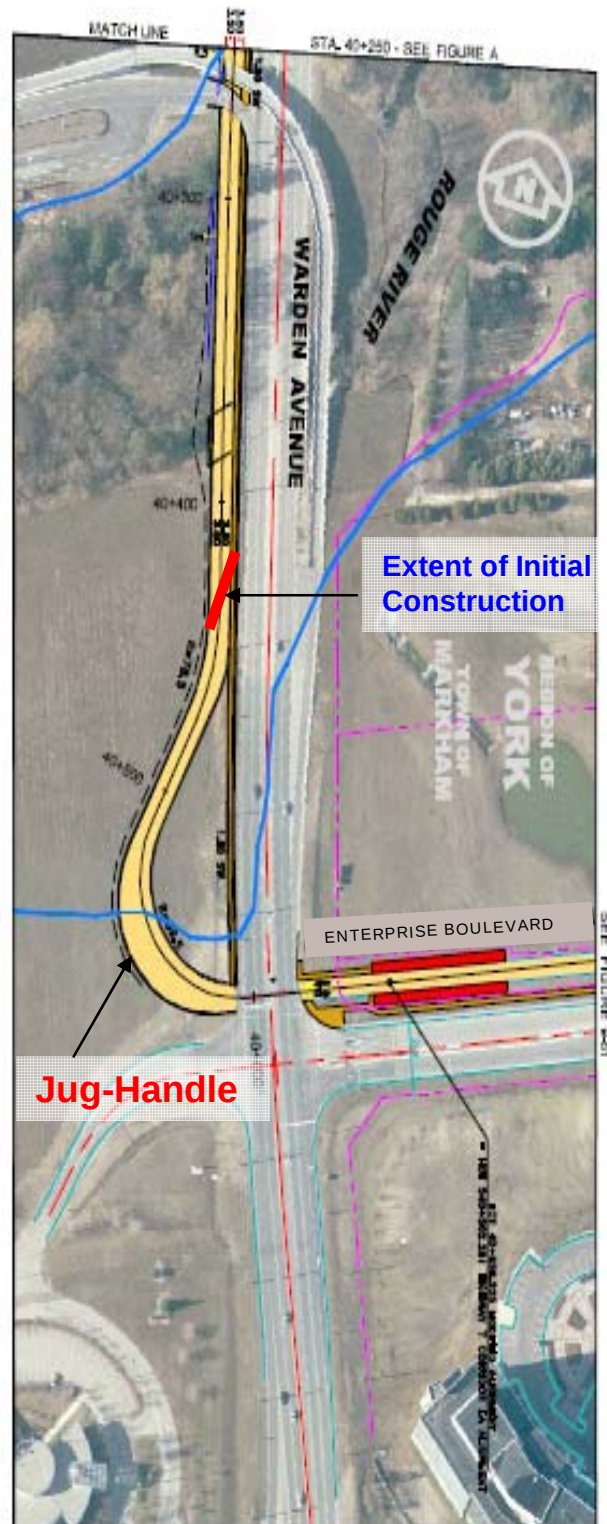
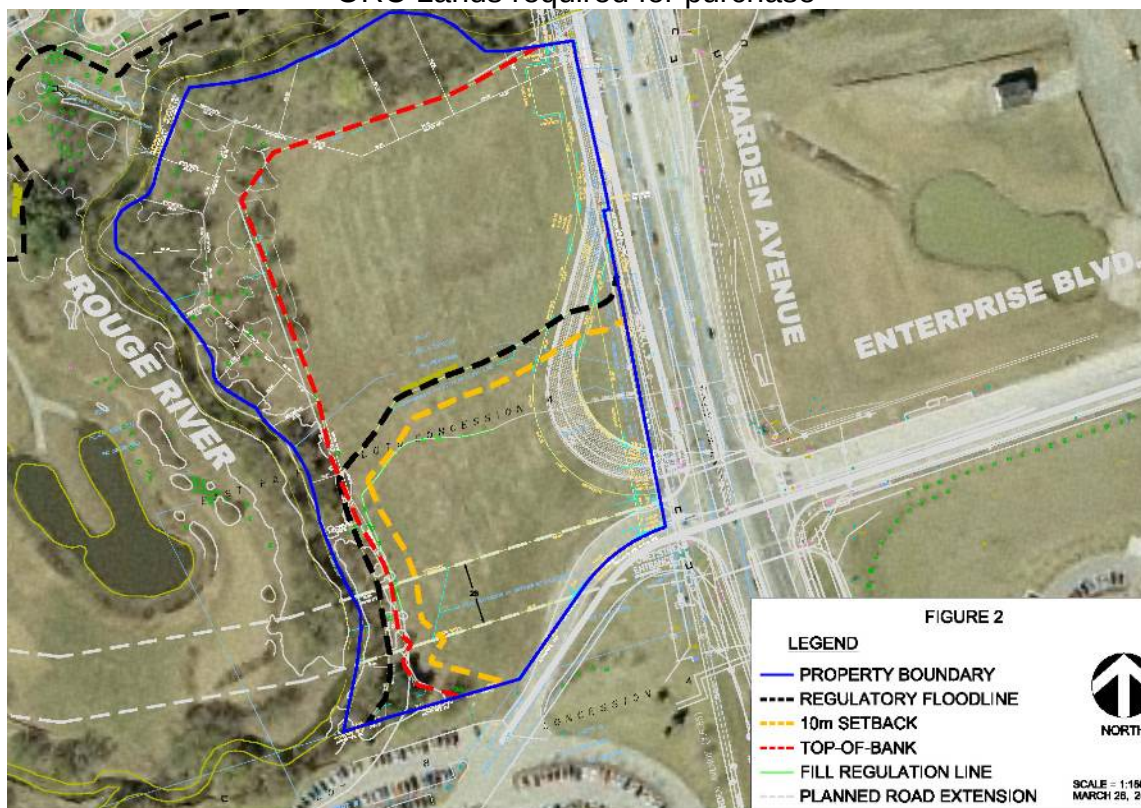


Figure 2 shows the configuration of the Rapidways at the intersection of Warden Ave and Enterprise Boulevard requiring the purchase of the land necessary for the construction of the “jug-handle”.

Access to Ontario Realty Corporation lands prior to purchase will be secured

The Ontario Realty Corporation has agreed that it will be able to support access to the Ontario Realty Corporation lands on Warden Avenue that are part of this construction project. Figure 3 shows the extent of the lands within the entire property boundary that are required to be purchased from the ORC for the construction of the “jug-handle”. It is expected that the acquisition of these lands will follow shortly after the announcement of construction this fall. If required, authorization will be secured from the ORC to enter the lands for construction purposes prior to final settlement.

Figure 3
ORC Lands required for purchase



5. FINANCIAL IMPLICATIONS

Markham Town Centre civic mall rapidway – Warden Avenue to Birchmount Drive

There are a number of funding commitments that will cover the cost of land acquisition and construction is estimated to be up to \$16 million. However, the timing of this project is ahead of the timing of available capital dollars through the Move Ontario 2020 – alternative financing and procurement process and the FLOW/Provincial Announcement. As indicated in Table 1, the Region has received \$67.6 million for MoveOntario 2020 – Quick-Wins 1 and 2, specifically for preliminary engineering, Cornell terminal lands and additional bus stations, buses and intelligent transportation systems (ITS). Working with the Ministry of Transportation of Ontario and Metrolinx, staff will endeavour to have a portion of the funds advanced for ITS, reallocated to the acquisition of land and construction of the Enterprise Simcoe Promenade rapidways. The funds to be reallocated would be those that will not be needed until 2010 or later. It is staff's intention to ensure that the elements in Quick-Wins Tranche 2 that had funds reallocated to the Warden lands and construction of the civic mall, will be funded under subsequent MoveOntario 2020 funding announcements.

6. LOCAL MUNICIPAL IMPACT

The Yonge Street rapidway corridor from Richmond Hill Centre to 19th Avenue (Y2) and Highway 7 rapidway corridor from Richmond Hill Centre to east of Kennedy Road (H3) preliminary engineering and construction activities are being closely coordinated with local planning and economic development activities along the rapid transit corridors.

7. CONCLUSION

The York Region Rapid Transit Corporation has proposed, and Council has approved, early construction of the Civic Mall segment from Warden Avenue to Birchmount Drive for this fall in order to be ready for the construction of park elements during 2009.

The land and construction costs for this project are not currently funded. Preliminary discussions with the Ministry of Transportation Ontario and Metrolinx have suggested a willingness on their part to consider a reallocation of Quick-Wins funding to projects that are ready for construction.

For more information on this report, please contact Mary-Frances Turner, Vice-President, York Region Rapid Transit Corporation at (905) 886-6767 ext. 2226.

The Senior Management Group has reviewed this report.