

Clause No. 11 in Report No. 3 of the Planning and Economic Development Committee was adopted, with amendment, by the Council of The Regional Municipality of York at its meeting on March 24, 2011.

**11**

**407 TRANSITWAY ENVIRONMENTAL ASSESSMENT PROJECT UPDATE**

*(Regional Council at its meeting on March 24, 2011 amended this report as follows:*

*(In considering this Clause, Regional Council had before it a letter from the Minister of the Environment, dated February 28, 2011, addressed to Robb Minnes, Project Manager, Ministry of Transportation, attaching a copy of the Notice to Proceed with the Transit Project.)*

*Committee recommendation 4 be deleted and replaced with the following:*

*4. Adoption of recommendations 1 and 2 contained in the following report dated February 25, 2011 from the Commissioner of Planning and Development Services with the following additional recommendation:*

*3.(a) A letter be sent to Robb Minnes, Project Manager, Ministry of Transportation, Central Region, detailing Concord West, Richmond Hill/Langstaff and Markham Centre as the three areas of ongoing concern and reminding the Ministry of the responsibility to carry out the commitment as noted in the 407 Transitway Environmental Project Report, as follows:*

*"It is important to emphasize that the preferred transitway alignment and station locations were selected based on designated Urban Growth Centres identified in the Growth Plan, approved municipal land use plans, and the location of existing and approved transit facilities including GO Transit rail, Subway and YRT/Viva corridors. MTO recognizes that there are ongoing studies within this section of the transitway including Richmond Hill-Langstaff Gateway and Markham Centre. Should significant changes to land use plans and planned transit alignments be agreed to in the future by all parties, MTO will modify the 407 Transitway Environmental Project Report as required."*

*(b) the letter request that the Ministry include Concord West in the 407 Transitway EA Project Report and amend the Project Report if*

***significant changes to land use plans and planned transit alignments are agreed to in the future, through the secondary plan process, and to protect for all options until the study is completed.***

- 4. Regional Council send a letter of thanks to the Minister of Transportation and the Minister of the Environment, copying Premier Dalton McGuinty, expressing the Region's appreciation for their consideration of the issues expressed and requesting that the Minister of Transportation include Concord West in the 407 Transitway EA Project Report.)**

**The Planning and Economic Development Committee recommends:**

- 1. Receipt of the deputation from Dr. Paulo Correa, on behalf of Concord West Residents Ad Hoc Committee;**
- 2. Receipt of the communication from Mr. J. Abrams, City Clerk, City of Vaughan, dated February 22, 2011, regarding 407 Transitway – Environmental Project Report – Ministry of Transportation – City Wide;**
- 3. Receipt of the communication from the Honourable J. Wilkinson, Minister of the Environment, to Mr. R. H. Minnes, Project Manager, Ministry of Transportation, Central Region, dated February 28, 2011, regarding the approval from the Ministry of the Environment for the 407 Transitway Environmental Assessment; and**
- 4. Adoption of recommendations 1 and 2 contained in the following report dated February 25, 2011 from the Commissioner of Planning and Development Services with the following additional recommendation:**
  - 3. Regional Council send a letter to the Minister of Transportation detailing Concord West, Richmond Hill/Langstaff and Markham Centre as the three areas of ongoing concern and reminding the Minister of the responsibility to carry out the commitment as noted in the 407 Transitway Environmental Project Report:**

***"It is important to emphasize that the preferred transitway alignment and station locations were selected based on designated Urban Growth Centres identified in the Growth Plan, approved municipal land use plans, and the location of existing and approved transit facilities including GO Transit rail, Subway and YRT/Viva corridors. MTO recognizes that there are ongoing studies within this section of the transitway including Richmond Hill-***

*Langstaff Gateway and Markham Centre. Should significant changes to land use plans and planned transit alignments be agreed to in the future by all parties, MTO will modify the 407 Transitway Environmental Project Report as required."*

## **1. RECOMMENDATIONS**

It is recommended that:

1. Regional Council support the 407 Transitway Environmental Assessment (from east of Highway 400 to Kennedy Road) subject to the satisfactory resolution of outstanding issues submitted by York Region, Town of Markham, and City of Vaughan, either through an amendment to the environmental assessment or during the project design phase.
2. A copy of this report be forwarded by the Regional Clerk to the Ministry of Transportation, Ministry of the Environment and the Clerks of the City of Vaughan, Town of Richmond Hill and Town of Markham.

## **2. PURPOSE**

This report provides an update on the Ministry of Transportation of Ontario's plans for the 407 Transitway from East of Highway 400 to Kennedy Road.

## **3. BACKGROUND**

**Council referred the original report to Planning and Economic Development Committee for further consideration**

At its meeting of February 17, 2011, Regional Council referred Clause 6, Report No. 2 of the Planning and Economic Development Committee entitled "407 Transitway Environmental Assessment Project Update" to the Committee's next meeting for further consideration. Based on discussions at the Council meeting, Regional staff have submitted a revised report for Committee's consideration. The original report is attached as Council Attachment 5 but for ease of reference the revisions are highlighted below:

- Recommendation 1 has been revised to specifically identify the need for MTO to address Regional and local municipal issues.
- Section 4 has been revised to clarify the potential for modifications to the Environmental Assessment due to significant changes to land use planning and planned transit alignments.

The remainder of this report is identical to the one considered by Council on February 17, 2011.

### **The Environmental Assessment (EA) for the central section of the 407 Transitway constitutes a small portion of the entire transitway corridor**

In 2007, the Ministry of Transportation of Ontario (MTO) initiated the environmental assessment (EA) study for the first segment of the 407 Transitway extending from just east of Highway 400 to Kennedy Road, a distance of 23 kilometres. This segment of the 407 Transitway is located within the City of Vaughan, Town of Richmond Hill and Town of Markham and represents the central section of the planned 407 Transitway which is identified in the Provincial Growth Plan, ultimately extending from Hamilton in the west to Highway 48 in the east. A map of the study area is included as *Council Attachment 1*.

There has been no funding commitment announced for the 407 Transitway, but the segment from Highway 427 to the Markham Centre is identified in the Metrolinx Regional Transportation Plan and recommended for implementation in the 25 year network schedule.

The segment from Highway 400 to Kennedy Road for which the EA has already been completed would likely be the first phase of implementation for the overall corridor extending from Hamilton to Highway 48. The specific timing for implementation of this first phase and an overall phasing plan for the entire transitway has not been determined by MTO.

### **EA was completed by MTO in December 2010**

The EA was undertaken in accordance with the 6-month process prescribed in Ontario Regulation 231/08 for Transit Projects and Greater Toronto Transportation Authority Undertakings. The EA was completed by MTO in December, 2010 and the Final Environmental Project Report was filed for public review from December 23, 2010 to January 24, 2011.

### **The Minister of Environment has 35 days to consider the EA**

Following the public review period for the Environmental Project Report, the Minister of the Environment will have 35 days to consider whether the transit project may have a negative impact on a matter of provincial importance or a constitutionally protected aboriginal or treaty right, as prescribed in O.Reg. 231/08.

Before the Minister makes a decision on the EA, he is required to consider any objections that may have been submitted during the review period. Whether there is an objection or not, if the Minister acts within the 35 day period, one of three notices may be issued to the proponent (MTO):

- A notice to proceed with the transit project as described in the Environmental Project Report;
- A notice that requires the proponent to take further steps, which may include further study or consultation; or,
- A notice allowing the proponent to proceed with the transit project subject to conditions.

If the Minister does not act within the 35 day period, the EA is approved and the transit project may proceed as described in the Environmental Project Report.

### **The first segment of the 407 Transitway will connect the three Regional Centres and key north-south rapid transit corridors**

The 407 Transitway is an important element of the Region's Transportation Master Plan and will serve an inter-regional function connecting the radial network of GO Rail services with an east-west transit service that caters to longer distance transit trips and ultimately will also provide connectivity between regional transit services throughout the Greater Toronto and Hamilton Area.

The alignment of the 407 Transitway (from Highway 400 to Kennedy Road) is shown in *Council Attachment 2* and provides an important transit link between the Vaughan Metropolitan Centre, the Richmond Hill/Langstaff Centre and the Markham Centre as well as planned north-south rapid transit corridors.

There are seven stations planned along this segment of the 407 Transitway spaced on average at 3.5 kilometres. These are comprised of four multimodal interchange stations connecting with the future Yonge Subway and Spadina Subway extensions and with existing GO commuter rail services at the GO Barrie, Richmond Hill and Stouffville lines. The three remaining line stations at Bathurst Street, Leslie Street and Woodbine Avenue/Rodick Road provide access by local bus services, passenger pick-up and drop-off, and additional park-and-ride facilities.

The seven 407 Transitway stations and their key characteristics are listed below:

- Jane Station – major gateway station connecting the 407 Transitway to the Spadina Subway Extension (linking with the Vaughan Metropolitan Centre) and providing access by bus services including GO Transit and YRT/Viva, and providing access to commuter parking and passenger pick-up and drop-off.
- GO Barrie (Concord) Station – intermodal station connecting the 407 Transitway to the GO Barrie regional commuter rail line and providing access by bus services including YRT/Viva, and providing access to commuter parking and passenger pick-up and drop-off.
- Bathurst Station – line station providing a connection to YRT/Viva services and providing access to commuter parking and passenger pick-up and drop-off.

- Yonge Station – major gateway station connecting the 407 Transitway to the Richmond Hill-Langstaff Gateway at the planned Yonge Subway Extension Richmond Hill Centre Station, and connection to the YRT/Viva and GO Transit bus terminal and GO Transit Richmond Hill regional commuter rail service.
- Leslie Station – line station providing a connection to the future Don Mills/Leslie Street LRT, local bus routes serving the Beaver Creek Business Park and providing commuter parking and passenger pick-up and drop-off.
- Woodbine/Rodick Station – line station providing access for local bus routes serving the 404 Business District and providing commuter parking and passenger pick-up and drop-off.
- Kennedy Station – intermodal station serving the Markham Centre, connecting the 407 Transitway to the GO Stouffville regional commuter rail line and allowing access by local bus services including YRT/Viva, and providing access to commuter parking and passenger pick-up and drop-off.

Thirty-nine structures are required to fully grade separate the transitway from all crossing roads, railways and rivers. Made up of 18 underpasses and 21 overpasses, these structures are the largest component of the overall capital cost.

The 407 Transitway is planned as a regional rapid transit service using bus rapid transit vehicles initially and transitioning to light rail transit in the long term using electrified multiple-unit trains up to 100 metres in length as ridership grows. In both cases, the vehicle's maximum in-service speed will be 100 kilometres per hour and the spacing between the seven stations will produce travel times of approximately 18 minutes between Markham Centre and the Spadina Subway Extension in Vaughan. Peak bus rapid transit service would be at one minute intervals, while light rail transit trains will be five minutes apart to provide the required capacity in the future at the peak load point east of Yonge Street.

A 17 hectare site immediately east of Highway 400 protected by MTO in 1998 for both bus rapid transit and light rail transit vehicle maintenance facilities remains the preferred location within the study area. This site will accommodate a bus rapid transit facility with capacity to service a fleet of 160 vehicles as well as a separate light rail transit facility to maintain and store up to 100 vehicles.

### **MTO undertook a comprehensive consultation program during the EA**

The EA included two rounds of public consultation centres in May 2009 and June 2010. In addition, a Technical Resource Group was formed to consult and seek technical input from municipalities and agencies, including York Region staff (from Infrastructure Planning, York Region Rapid Transit Corporation and York Region Transit), as well as staff from the City of Vaughan, Town of Richmond Hill and Town of Markham. There were six Technical Resource Group meetings at key milestones during the EA, and the Technical Resource Group was provided with an opportunity to review and comment on the draft and final Environmental Project Report.

#### **4. ANALYSIS AND OPTIONS**

##### **York Region staff comments can be addressed during the design phase**

Staff from the Infrastructure Planning Branch, York Region Transit (YRT) and the York Region Rapid Transit Corporation (YRRTC) were consulted during the 407 Transitway EA. Staff provided technical input at key stages of the study and identified several issues that will be addressed further during detailed design of the Transitway. Staff are supportive of the project and will continue to work with MTO and local municipal staff during the design phase to address detailed issues. York Region staff comments at the EA stage include:

- The need for a vertical passenger connection (e.g. elevator) between the GO Barrie (Concord) Station and the 407 Transitway Station.
- The need to coordinate with YRRTC on the detailed layout of the Bathurst Station to determine an optimal site layout for all users.
- The need for continued coordination with the Yonge Subway Extension and Spadina Subway Extension design teams with regard to final design of these major gateway stations.

Staff provided comments to the Ministry of the Environment by the January 24, 2011 public review deadline advising that the Region is supportive of the transitway project with the expectation that we will continue to be consulted during the design phase and that any preliminary issues we identified during the EA will be addressed during the design phase (*Council Attachment 3*). The correspondence to the Ministry of the Environment also acknowledged that the Town of Markham and City of Vaughan have identified a number of issues with the EA (as described below) and that York Region staff will continue to work with MTO and local municipal staff to assist in resolving the outstanding issues either during the final stages of the EA approval process or during the subsequent design phase of the project.

##### **The Town of Markham has identified a number of issues**

Town of Markham staff identified a number of outstanding issues with the 407 Transitway EA. A copy of the Markham Council Resolution dated November 23 and 24, 2010 is included in *Council Attachment 4*. The Markham staff report to the November 2010 Development Services Committee is also available on the Town's website and includes a full discussion of their issues. Some of the key issues identified by the Town of Markham include the following:

- MTO be requested to implement light rail transit in place of the proposed bus rapid transit. As noted in Section 3 of this report, the EA has recommended regional rapid transit service using bus rapid transit vehicles initially and transitioning to light rail transit in the long term as ridership grows.

- MTO review the Leslie Street station and consider re-locating the station to the north side of Highway 407 to better serve the Leitchcroft Residential Community and Commerce Valley Business/Beaver Creek Areas.
- TO amend the EA 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. ARUP Consultants were retained by the Town of Markham to develop solutions to achieve the planned urban densities, transit connectivity and increased transit ridership in the Langstaff Urban Growth Centre area.
- MTO revise the 407 Transitway alignment in the Markham Centre to provide additional flexibility to facilitate development of the Pan American games pool facility at the south-west corner of YMCA Blvd and Kennedy Road.
- MTO provide for consideration of alternative transitway alignments and stations in the Markham Centre as per a June 2010 Markham Council resolution (Calthorpe Associates transit alignment concept) and on the south side of Highway 407.
- Metrolinx be requested to advance funds for preliminary design and to pre-build certain sections of the transitway infrastructure to facilitate development, particularly in the Markham Centre.
- That MTO be requested to defer completion of the EA for a period of one year and complete an EA study for the 407 Transitway from Kennedy Road to the Box Grove Mobility Hub. The requested deferral would give MTO an opportunity to further consider the comments provided by the Town of Markham and consider input from ongoing planning work in the Langstaff Urban Growth Centre and Markham Centre area.

### **City of Vaughan had previously identified a number of issues**

City of Vaughan staff identified a number of issues with the draft 407 Transitway EA environmental project report, including potential impacts on some industrial properties, the Concord West Community and West Don River valley. Vaughan staff is reviewing the final environmental project report to determine if these issues have been addressed. Issues related to the potential impacts on the Concord West Community were also raised by the resident's association in this area. The key issues raised include effect on community access to the Bartley Smith Greenway/Langstaff Ecopark, the loss of greenspace that will result from the planned 407 Transitway station at this location (including a bus terminal and commuter parking) and potential effects of transitway operations on the residential area. Vaughan staff is taking an information report to their Committee on February 1, 2011.

In addition, Vaughan is currently undertaking a secondary plan study in the GO Barrie (Concord) Station area to look at the appropriate land uses around the station. The conclusions of the secondary plan study should be incorporated by MTO during the design phase of the transitway as a refinement to the preliminary design identified in the EA. As such, staff have requested MTO to protect for a full range of options until the secondary plan is complete.



### **Town of Richmond Hill staff have no significant issues with the 407 Transitway EA**

Town of Richmond Hill staff have reviewed the final 407 Transitway environmental project report and have indicated support for the study.

### **The EA recognizes that there may be future changes to the 407 Transitway alignment depending on the outcome of Municipal planning studies**

The 407 Transitway EA includes the following wording:

*"It is important to emphasize that the preferred transitway alignment and station locations were selected based on designated Urban Growth Centres identified in the Growth Plan, approved municipal land use plans, and the location of existing and approved transit facilities including GO Transit rail, Subway and YRT/Viva corridors. MTO recognizes that there are ongoing studies within this section of the transitway including Richmond Hill-Langstaff Gateway and Markham Centre. Should significant changes to land use plans and planned transit alignments be agreed to in the future by all parties, MTO will modify the 407 Transitway Environmental Project Report as required."*

If the EA is approved by the Minister of the Environment, MTO is allowed to proceed with the transit project in accordance with the environmental project report. The approval of new secondary plans for the Markham Centre or Concord West area will require MTO to consider and modify the 407 Transitway through an amendment to the EA if the revision to the transitway required to accommodate the secondary plans is significant. The Transit Project Assessment Process (O.Reg. 231/08) includes a specific process for dealing with amendments to a transit project once approval of the original EA has been granted. The amendment process includes consultation with potentially affected stakeholders and is estimated to take a minimum of six months.

If the land use plans result only in minor changes to the 407 Transitway, those minor changes can be accommodated through the design process and an amendment to the EA will not be required.

Therefore, any modifications to the 407 Transitway can be accommodated through either an amendment to the EA or during the detailed design phase.

### **Next steps in the project**

Following approval of the EA for this segment of the 407 Transitway, MTO can begin the design phase of the project and can also proceed with the EA phase for other segments of the 407 Transitway west of Highway 400 and east of Kennedy Road. MTO has not indicated timing for the next phases as yet. As further work proceeds, staff will

continue to work with MTO to ensure issues are addressed and the 407 Transitway is fully integrated with YRT and Viva services.

As noted previously, there has been no funding commitment announced for the 407 Transitway, but the segment from Highway 427 to the Markham Centre is identified in the Metrolinx Regional Transportation Plan and recommended for implementation in the 25 year network schedule. The specific timing for implementation of the Highway 400 to Kennedy Road segment and an overall phasing plan for the entire Transitway has not been determined by MTO. Staff will report back with any changes to the Metrolinx implementation schedule for the 407 Transitway.

## **5. FINANCIAL IMPLICATIONS**

There are no financial implications as a result of this report.

## **6. LOCAL MUNICIPAL IMPACT**

The City of Vaughan, Town of Richmond Hill and Town of Markham have been actively involved during the EA as members of the Technical Resource Group and provided input to the project at key milestones.

York Region staff will continue to work with MTO and local municipal staff to assist in resolving any outstanding issues during the final stages of the EA approval process and during the design phase of the project.

## **7. CONCLUSION**

MTO has completed the EA for the first segment of the 407 Transitway extending from just east of Highway 400 to Kennedy Road and the final Environmental Project Report was filed for public review from December 23, 2010 to January 24, 2011. A notice of decision by the Minister of the Environment is expected by February 28, 2011. The Region is supportive of the project and staff will continue to work with MTO and local municipal staff during the design phase of the project to address detailed issues.

There has been no funding commitment announced for the 407 Transitway, but the project is in the Metrolinx Regional Transportation Plan and recommended for implementation in the 25 year network schedule. The 407 Transitway is an important element of the Region's Transportation Master Plan and will serve an inter-regional function connecting transit services throughout the Greater Toronto and Hamilton Area.

For more information on this report, please contact Steve Mota, Program Manager-Transportation Engineering, Infrastructure Planning Branch at 905-830-4444 ext. 5056 or Loy Cheah, Director Infrastructure Planning at ext. 5024.

*(The five attachments referred to in this clause are attached to this report.)*