



## TOWN OF RICHMOND HILL

### COMMITTEE OF THE WHOLE

May 5, 2008

SREPW.08.043

Engineering and Public Works

Transportation, Environmental & Development Engineering

**SUBJECT:** Environmental Assessment Study. Proposed Highway 404 Mid Block Flyover Between Major Mackenzie Drive and Elgin Mills Road. (SREPW.08.043)

---

### PURPOSE:

To advise Council on a resolution by the Town of Markham regarding an Environmental Assessment (EA) with respect to the establishment of a Highway 404 flyover between Major Mackenzie Drive and Elgin Mills Road.

### RECOMMENDATION(S):

- a) That the Region of York, as a party to the original Environmental Assessment study undertaking, be requested to take the lead and assume the role of Project Manager in completing the Environmental Assessment study for the Highway 404 flyover between Major Mackenzie Drive and Elgin Mills Road utilizing the services of the existing consultant McCormick Rankin Corporation; and,
- b) That, in accordance with the current conditions of draft approval for the affected lands located in the Town of Markham's Cathedral Community and the in the Town of Richmond Hill's Bayview Northeast Business Park, the Region of York be requested to not release its conditions of approval until the Environmental Assessment for the proposed mid-block Highway 404 flyover is complete.

Contact: Marcel Lanteigne, Ext. 2456

Submitted by:

Italo Brutto, P.Eng  
Commissioner of Engineering and Public Works

Approved by:

M. Joan Anderton  
Chief Administrative Officer

## **BACKGROUND:**

At its meeting of February 19, 2008, the Town of Markham Development Services Committee received a petition from the residents of the Cathedral Community objecting to the proposed Highway 404 mid-block crossing between Major Mackenzie Drive and Elgin Mills Road. Following some discussion, Markham Council decided to withdraw its support for this flyover (see Appendix 1).

This decision is in direct conflict with the Town of Richmond Hill's 2006 Transportation Master Plan, approved in October 2006. The Master Plan supported the establishment of four flyovers across Highway 404. Specifically, the flyovers would be located between the following roads:

- Highway 7 and 16<sup>th</sup> Avenue;
- 16<sup>th</sup> Avenue and Major Mackenzie Drive;
- Major Mackenzie Drive and Elgin Mills Road; and,
- Elgin Mills Road and 19<sup>th</sup> Avenue.

The Highway 7 to 16<sup>th</sup> Avenue Environmental Assessment has been approved by the Ministry of the Environment. Before detailed design can proceed, the long-term replacement issues (i.e. 100-year replacement of structure) must be resolved with the Ministry of Transportation and the Region. Discussions are continuing with Ministry staff on their recent change to past practice. The Ministry now requires the proponent municipalities to assume full responsibility for the long-term replacement costs of the crossing structure.

The Major Mackenzie Drive to Elgin Mills Road Environmental Assessment was initiated in early 2007. The Town of Markham, on behalf of the Town of Richmond Hill and the Region of York, was administering the study. Richmond Hill Council approved the Town's participation in the study as part of the recommendation of Staff Report SREPW.07.004.

Feasibility Studies are still to be undertaken for the two remaining flyover's subject to alignment opportunities and Ontario Municipal Board appeals (North Leslie).

### *Discussion:*

The consulting firm of McCormick Rankin Corporation (MRC) was engaged to undertake the Environmental Assessment study for the proposed flyover north of Major Mackenzie Drive. At the first PCC meeting in June 2007, the Cathedraltown community ratepayers association raised concerns about traffic infiltration and visual (negative) impact on the Cathedral.

Subsequently, the consultant analyzed and evaluated the various options, taking into consideration the comments received at the first PCC, and a preferred alignment was identified. Additional meetings were held with specific land owners on either side of Highway 404, namely Urbacon Properties Limited and Monarch Corporation. Both were supportive of the preferred option subject to a minor adjustment. At Richmond Hill's Gridlock Taskforce meeting held on January 16, 2008, the consultant provided an overview of the flyover alternatives and identified a preferred alignment. McCormick Rankin also noted that a similar presentation would be made to an upcoming Town of Markham committee meeting.

*Analysis:*

It should be noted that the establishment of mid-block connections over 400 series highways is supported through the policies of the Regional Official Plan (Sections 5.2.7(d) and 6.1.15). In keeping with the Region's policies, the Official Plans of both the Town of Richmond Hill and Town of Markham include specific policies which encourage the construction of mid-block flyovers of Highway 404 in order to relieve congestion on arterial roads and to promote efficient and effective transportation and transit service. The Official Plans of both municipalities stipulate that the need, location and configuration of the mid-block crossings is to be determined through an EA approval process to be undertaken jointly between the Region and the two municipalities.

As noted previously, an EA study for the proposed mid-block flyover between Major Mackenzie Drive and Elgin Mills Road was commenced in 2007. The EA study identified three corridors (North Crossing Corridor, Mid Crossing Corridor and South Crossing Corridor) that were evaluated for a flyover between Major Mackenzie Drive and Elgin Mills Road (Exhibit 2). In consideration of the preceding, both the Region of York and the Town of Markham imposed specific conditions of approval for the lands to be developed in Markham's Cathedral Community in order to ensure that the lands within these corridors could not be developed until a preferred alignment was selected. Traffic forecasts were prepared, the alternative corridors were evaluated and a preferred alignment selected.

Based on the preferred alignment located within the south crossing corridor, the consultant prepared preliminary designs for further discussion with landowners as required for the second PCC (see Exhibit 3). Additional meetings were held with Urbacon Properties Limited and Monarch Corporation prior to the second PCC to discuss the preferred alignment and both land owners were generally satisfied with the proposal subject to a minor shift in the preferred alignment to accommodate proposed development.

The overall budget for the EA project was set at \$250,000 to complete the Environmental Assessment study with the Town's share set at 1/3 of the total cost. To date, the consultant has expended approximately \$150,000 completing a considerable amount of analysis as part of the overall study. While a good portion of the work is completed, further discussions are required with TRCA and MTO and a final PCC (public consultation centre) is necessary. Once the final PCC is held, the EA study report will be finalized and the document will be filed for the mandatory 30 day review period.

Given the current status and significance that the proposed flyover has in respect of the collective municipalities, staff recommends that the current consultant be retained to finalize the EA report. Since one of the primary roles of the Region is to ensure continuity amongst municipal boundaries, and given that this project is necessary for the collective benefit of all three municipalities, it would be prudent at this time to have the higher order of government take the lead in finishing the EA.

Should this flyover not be constructed, there will be pressure on the Region of York to advance the widening of Elgin Mills Road East to 6 lanes. In addition, the 19<sup>th</sup> Avenue / Highway 404 interchange may have to be constructed earlier than the latter part of the 2012 to 2016 timeframe.

#### **FINANCIAL/STAFFING/OTHER IMPLICATIONS:**

At this time, given that there are current approved budget funds available there should not be any additional funds necessary to complete the balance of the study. However, since the budget was developed on a 1/3 share and given Markham's position, the balance of the project will require ½ funding from the Region and Richmond Hill. Once it is determined how much funding has been applied to this project thus far and project reconciliation is complete, further funding may be necessary to compensate for the 1/3 portion that Markham would have applied towards the project.

#### **RELATIONSHIP TO THE STRATEGIC PLAN:**

Completing the Environmental Assessment and protecting the required property demonstrates responsible municipal management.

#### **CONCLUSION:**

The EA project for the proposed Highway 404 flyover between Major Mackenzie Drive and Elgin Mills Road was initiated in early 2007 and the Town of Markham took the lead in administering the project on behalf of the Town of Richmond Hill and the Region of York. The EA project is near completion with a preferred alignment having been developed. Before meeting with the public as required by the EA process, presentations were made to the Town of Richmond Hill Gridlock Task Force and subsequently to the Town of Markham. At their March 2, 2008 meeting, Markham Council directed that they were withdrawing from the EA study and that they no longer supported the Highway 404 mid-block crossing north of Major Mackenzie Drive. Based on the traffic studies done as part of the EA study and the policies endorsed by all three municipalities, Richmond Hill and Regional staff believe that the study should not be terminated at this stage of the process.

Given that this study crosses a municipal boundary, Richmond Hill staff recommend that the Region of York take the lead of the study using all the work done to date, complete the study on behalf of the Town of Richmond Hill and the Region. Furthermore, staff request the Region of York not to release their conditions of draft approval for the affected lands until the environmental assessment study for the mid-block flyover between Major Mackenzie Drive and Elgin Mills Road is completed.

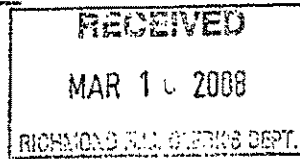
ML/pm

Attachment: Exhibit 1, Exhibit 2, Exhibit 3



cc  
Joan Anderton  
Ane Bessie

March 6, 2008



Clerk's Copy To		
Mayor	✓	Finance
Council	✓	Fire
Bldg.		Legal
C.A.O.	✓	Parks
Corp. Serv.		Planning
Engineering	✓	
File		

Ms. Donna McLarty  
Town Clerk  
Town of Richmond Hill  
P. O. Box 300  
225 East Beaver Creek Road  
Richmond Hill, ON L4C 4Y5

**RE: CLASS ENVIRONMENTAL ASSESSMENT  
FOR THE HIGHWAY 404 MID-BLOCK CROSSING  
BETWEEN MAJOR MACKENZIE DRIVE AND ELGIN MILLS ROAD (5.10)**

Dear Ms. McLarty:

This will confirm that at the meeting of Council held on March 4, 2008, Clause 12 of Report No. 9, was approved as follows:

"That the staff report entitled "Class Environmental Assessment for the Highway 404 Mid-block Crossing between Major Mackenzie Drive and Elgin Mills Road," be received; and,

That the petition dated February 15, 2008 submitted by the Cathedraltown Residents be received; and further,

That the Town of Markham withdraw as a proponent of the Environmental Assessment for the Highway 404 Mid-Block Crossing between Major Mackenzie and Elgin Mills Roads and that the Region of York and the Town of Richmond Hill be advised that the Town no longer supports the Highway 404 Mid-Block Crossing."

Yours sincerely,

Sheila Birrell  
Town Clerk

SREPW.08.043  
Exhibit 1

## CORRIDOR ALTERNATIVES



SREPW.08.043  
Exhibit 2

[illegible]

73