

EXCERPT CONTAINING ITEM #0023 OF THE GENERAL COMMITTEE OF MEETING NO. 16 (Oct 17, 2005)**23. HIGHWAY 407 INTERCHANGES WITH NINTH LINE AND MARKHAM BY-PASS (5.10)****Report**

The Committee noted concerns regarding the official position of the 407ETR with respect to the installation of Highway 407 interchanges with Ninth Line. There was discussion in relation to the cost of installing both interchanges and whether the Ministry of Transportation has imposed requirements to do so.

It was agreed that Members of Council would meet on October 18, 2005 following the Development Services Committee meeting to review the format and the attendees.

Moved by Deputy Mayor F. Scarpitti

Seconded by Regional Councillor Heath

That the matter of Highway 407 Interchanges with Ninth line and Markham By-Pass be deferred until such time as staff receive written confirmation from the Ministry of Transportation as to whether there are obligations on behalf of the 407ETR to complete the interchanges with Ninth Line and Markham By-Pass.

CARRIED

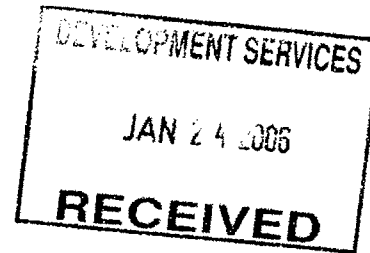
Moved by Councillor A. Chiu

Seconded by Councillor J. Virgilio

That the following communications be received:

Ministry of
Transportation
Office of the Regional Director
Central Region
2nd Floor, Bldg. D
1201 Wilson Avenue
Downsview, ON M3M 1J8
Tel (416) 235-5400
Fax (416) 235-5266

Ministère des
Transports
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Région du Centre
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1201, avenue Wilson
Downsview ON M3M 1J8
Tél: 416 235-5400
Télé: 416 235-5266



January 16, 2006

Mr. Alan Brown
Director of Engineering
Town of Markham
Anthony Roman Centre
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Dear Mr. Brown:

Thank you for your letter dated December 23rd, 2006, and for sending me a copy of the October 17, 2005 resolution to Markham General Committee regarding Highway 407 interchange ramps at Ninth Line and Markham Bypass.

The details of 407ETR's and the Province's obligations are outlined in the Concession and Ground Lease Agreement (CGLA). In general, the Province, through the Ministry of Transportation, is responsible for setting safety standards and undertaking safety audits on 407ETR's highway improvements to ensure safety standards are met. 407ETR's obligations as they relate to the Ninth Line and Markham Bypass interchanges are detailed below.

Ninth Line

Planning for the Highway 407/Ninth Line interchange began in 1991. At a Public Information Centre, numerous residents of the Hamlet of Box Grove were opposed to an interchange at Highway 407 and Ninth Line because of the potential for increased traffic volumes on Ninth Line through their community, located south of Highway 407. Because of this opposition, the Environmental Assessment Report for Highway 407/Transitway in this location (Feb. 1997) clearly highlighted that the 407/Ninth Line interchange would not provide access to and from the south.

In May 1997, after the Town of Markham endorsed the Environmental Assessment Report, the obligation to construct south-oriented ramps was not included in the agreement signed with the Concessionaire, and 407ETR therefore is not obligated by the CGLA to build these ramps.

Markham Bypass:

At the time of the sale of Highway 407 in 1999, there were no plans to continue the Markham Bypass route south of Highway 407. This is due to the cancellation of the *Markham/Scarborough Link Environmental Assessment Study* in 1995. For this reason, south-oriented ramps were not included in the Environmental Assessment Report for the Highway 407 Transitway (Feb. 1997).


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In 1997, both the Town of Markham and Region of York councils endorsed this EA report, including the interchange configuration without south-oriented ramps. Subsequently, the CGLA was drafted to reflect this, and therefore 407ETR is not obligated to provide south-oriented ramps at the Markham Bypass interchange.

407ETR is required to work co-operatively with any municipality on planning and engineering activities affecting municipal routes and Highway 407. The Town of Markham should contact 407ETR regarding any changes to these interchanges. The Ministry would be pleased to provide available background information and input.

If you have any other questions or would like to discuss these matters further, please do not hesitate to contact Mr. Tibor Szekely of the Ministry's Strategic Highways Management Office at (416) 235-5180.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Hanmer', with a stylized flourish extending to the right.

Roger Hanmer, MBA, P.Eng
Regional Director