

Clause 11 in Report No. 3 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on February 18, 2016.

11

Acquisition of Land

8 The Seneca Way

Highway 404 Midblock Crossing North of Highway 7 and
Northbound Ramp Extension at Highway 404 and Highway 7
City of Markham

Committee of the Whole recommends adoption of the following recommendations contained in the report dated January 15, 2016 from the Commissioner of Corporate Services:

1. Recommendations

It is recommended that:

1. Council authorize the acquisition of the following land required for the Highway 404 Midblock Crossing North of Highway 7 and Northbound Ramp Extension at Highway 404 and Highway 7, in the City of Markham.

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	The Seneca College of Applied Arts and Technology	8 The Seneca Way, Markham	Part of Block 9, Plan M-2029, City of Markham; more specifically described as Parts 1, 3 and 15 through 27, inclusive, Draft Reference Plan prepared by Lloyd & Purcell Ltd. Ontario Land Surveyors on December 9, 2015	Fee Simple
			Part of Block 9, Plan M-2029, City of Markham; more specifically described as Parts 2 and 4, Draft Reference Plan prepared by Lloyd & Purcell Ltd. Ontario Land Surveyors on December 9, 2015	Temporary Easement

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No.	Owner	Municipal Address	Legal Description	Interest Required
				The temporary easement will run for a term of three years, commencing on the date of registration of the easement, and is required for the purpose of entering on the lands with all vehicles, machinery, workmen and other material for construction purposes, which may include (1) work that supports the construction of municipal infrastructure within the Region's permanent takings, (2) staging and storage of materials and equipment, (3) hard and soft landscaping, paving, grading and reshaping the lands to the limit of the construction, (4) the installation and removal of temporary (i) pedestrian access and walkways, (ii) shoring and formwork, (iii) traffic signals, (iv) fencing, and (v) handrails, and (5) works ancillary to any of the foregoing.

2. The Commissioner of Corporate Services be authorized to execute all necessary documents to complete the transaction.

2. Purpose

This report seeks Council approval to acquire land for the Highway 404 Midblock Crossing North of Highway 7 and Northbound Ramp Extension at Highway 404 and Highway 7, in the City of Markham, as shown in Attachment 1.

3. Background

The Highway 404 corridor in Markham and Richmond Hill is a rapidly growing area that is continually experiencing traffic volume increases. Lengthy delays caused by congestion, especially during rush hour, are a huge problem for area businesses and residents. The lack of road capacity, alternate routes and accessibility are contributing factors.

The Highway 404 Midblock Crossings Study confirmed that midblock crossings and ramp extensions are integral to the area transportation network

In 2012, the Region completed the Highway 404 Midblock Crossings Study. The study involved detailed traffic modelling of the area bounded by Highway 7 and 19th Avenue, and Leslie Street and Woodbine Avenue. The traffic modelling considered the benefits of constructing the following:

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- Four Highway 404 midblock crossings north of: Highway 7, 16th Avenue, Major Mackenzie Drive and Elgin Mills Road
- Northbound ramp extensions at Highway 7, Major Mackenzie Drive and Elgin Mills Road
- A Highway 404 and 19th Avenue interchange

The analysis concluded that implementing the following improvements will yield an immediate traffic benefit in this area:

- A midblock crossing of Highway 404, north of Highway 7 and south of 16th Avenue
- A northbound Highway 404 off ramp extension from Highway 7 to the midblock crossing

The Region is providing improvements within the Highway 404 corridor to benefit road users, area residents and businesses

The proposed midblock crossing will connect the City of Markham and the Town of Richmond Hill. The proposed ramp extension at Highway 404 and Highway 7 is located in Markham. To address project implementation and coordination needs, Regional staff has been facilitating detailed designs and approvals, and will extend this approach to the construction phase.

The midblock crossing and ramp extension advance key road infrastructure that will provide additional capacity and improved access to existing and future development in the Highway 404 and Highway 7 area.

Environmental Assessments were approved for both the Highway Crossing (November 2005) and Ramp Extension (January 2008)

The Municipal Class Environmental Assessment (EA) for the Highway 404 Midblock Crossing North of Highway 7 was filed in October 2005. The Ministry of the Environment approved the Environmental Assessment in November 2005.

The approved recommendations in the EA included a two-way, four-lane road and bridge overpass, extending from East Beaver Creek Road in Richmond Hill to Allstate Parkway in Markham. The new road will be called Norman Bethune Avenue.

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The Municipal Class Environmental Assessment for the Northbound Ramp Extension at Highway 404 and Highway 7 was filed in December 2007. The Ministry of the Environment approved the Environmental Assessment in January 2008.

The approved design of the ramp extension included a two-way, two-lane road, which extends from Highway 7 to the midblock crossing. The northbound ramp extension crosses under a realigned westbound Highway 7 on-ramp bridge to northbound Highway 404. The project also includes the relocation of a Regional water main, an Enbridge gas main and other utility-related requirements.

Lands for the midblock crossing have already been acquired

Both Richmond Hill and Markham acquired all of the lands required for the midblock crossing by development application conveyances and negotiated acquisitions. The lands required for the northbound ramp extension from Highway 7 to the midblock crossing have not been acquired yet and are the subject of this report.

Lands for the northbound ramp extension need to be acquired from Seneca College's Markham Campus

The property that is the subject of this report is located at the northeast corner of Highway 404 and Highway 7. It is bound on the west by Highway 404, on the south by Highway 7, on the east by Allstate Parkway and on the north by the future midblock crossing road allowance. It is improved with an office building that has been converted to a post-secondary educational institution. The site also includes surface parking, walking trails, outdoor rugby/soccer playing field, large storm water pond, trees, open space and landscaping (see Attachment 2).

The requirements do not impact Seneca College's office building

A portion of the subject property is required for the Highway 7 to the midblock crossing ramp extension and for the westbound Highway 7 to Highway 404 on-ramp realignment. The requirements affect portions of existing walking trails, outdoor rugby/soccer playing field, open space and landscaping that are along the Highway 404 and Highway 7 frontages.

Construction is scheduled to take three years

Transportation Services is in the process of finalizing provincial permitting, design and tendering. Construction is scheduled to begin in the spring of 2016

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and end in late 2018, for an overall construction period of approximately three years.

4. Analysis and Options

The land requirements preserve Seneca College's ability to develop its campus master plan

In 2012, Seneca College adopted a master plan for this property. It consists of four new campus buildings ranging from three to ten storeys. The buildings are envisioned to be mixed-use including academic, social gathering, meeting and conference, residences, offices and commercial uses. Parking will be a mix of above and underground parking. To reduce transportation impacts, the master plan incorporates surrounding roads and transit infrastructure. Based on the Region's project design, the land requirements do not impede Seneca College's ability to develop its campus master plan.

Negotiations have been successfully completed for this property

Staff has completed negotiations with Seneca staff for an agreement of purchase and sale to acquire portions necessary for the ramp extension. In accordance with the Region's Corporate Land Acquisition Policy, the compensation is based on two independent appraisals completed in late 2015. The total compensation includes the loss of fee simple land, temporary construction easement, reimbursement of Seneca College's legal and planning consultant fees, and disturbance damages consisting of landscaping, fencing, trees, signage and the temporary loss of an outdoor rugby/soccer playing field during construction.

The Region has completed Environmental Due Diligence

The Region commissioned a Phase One environmental site assessment to assess potential environmental concerns with the property. Based on the results of this work, two potential concerns were identified and additional testing was undertaken to assess soil quality related to these concerns. The results of the additional soil testing identified one location where there were slight exceedances of applicable provincial site condition standards that also had asphalt, concrete, plastic and other debris present. The unsuitable material will be addressed and managed during construction in accordance with regulatory requirements. It is expected that Seneca will require the Region to acquire the lands in "as is, where-is" condition, without representations and warranties as to their condition, including their environmental condition.

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Link to key Council-approved plans

The proposed acquisition for this project supports the objectives of Vision 2051, the Regional Official Plan and the 2015 to 2019 Strategic Plan.

One of the goal areas of Vision 2051 is Interconnected Systems for Mobility, which the project addresses by providing an interconnected network for mobility that links people to jobs. As well, this project supports one of the objectives of the Regional Official Plan, which is to ensure streets support all modes of transportation. Lastly, a strategic objective identified in the Strategic Plan is the focus on networks and systems that connect people, goods and services.

5. Financial Implications

Funds for both the midblock crossing and ramp extension are included in the 2016 Capital Budget for Transportation Services, Capital Planning and Delivery Branch. Funding for the ramp extension will also be included in the 2017 Development Charges Bylaw update.

Pursuant to the Council-approved Funding Collector Road Crossings of 400-Series Highways policy of 2007, Transportation Services staff is finalizing an equal cost sharing agreement with Richmond Hill and Markham for the midblock crossing, and a separate equal cost sharing agreement with Markham for the ramp extension.

6. Local Municipal Impact

The Highway 404 Midblock Crossing North of Highway 7 and Northbound Ramp Extension at Highway 404 and Highway 7 are critical infrastructure components that will ensure adequate transportation capacity for growth in York Region. The project will further support the accommodation of the forecasted growth within the Region, as established by "Places to Grow" and reflected in the Region's Official Plan.

Staff consulted with the City of Markham and Town of Richmond Hill regarding the delivery of this project and both local municipalities are in agreement with the Region moving them forward. Staff is formalizing this arrangement with cost sharing agreements, which are expected to be complete before construction.

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The project provides improved access opportunities and will provide benefit to road users, area residents and businesses, and potential future development areas along the corridor in both Markham and Richmond Hill.

7. Conclusion

Staff has concluded negotiations for the acquisition of land from Seneca College's Markham Campus for the Highway 404 Midblock Crossing North of Highway 7 and Northbound Ramp Extension at Highway 404 and Highway 7. Construction is scheduled to commence in the spring of 2016 and the acquisition of the necessary lands will facilitate timely completion of the project. Accordingly, staff recommends that Council approve the acquisition of the lands detailed in this report.

For more information on this report, please contact Michael Shatil, Director, Property Services Branch at ext. 71684.

The Senior Management Group has reviewed this report.

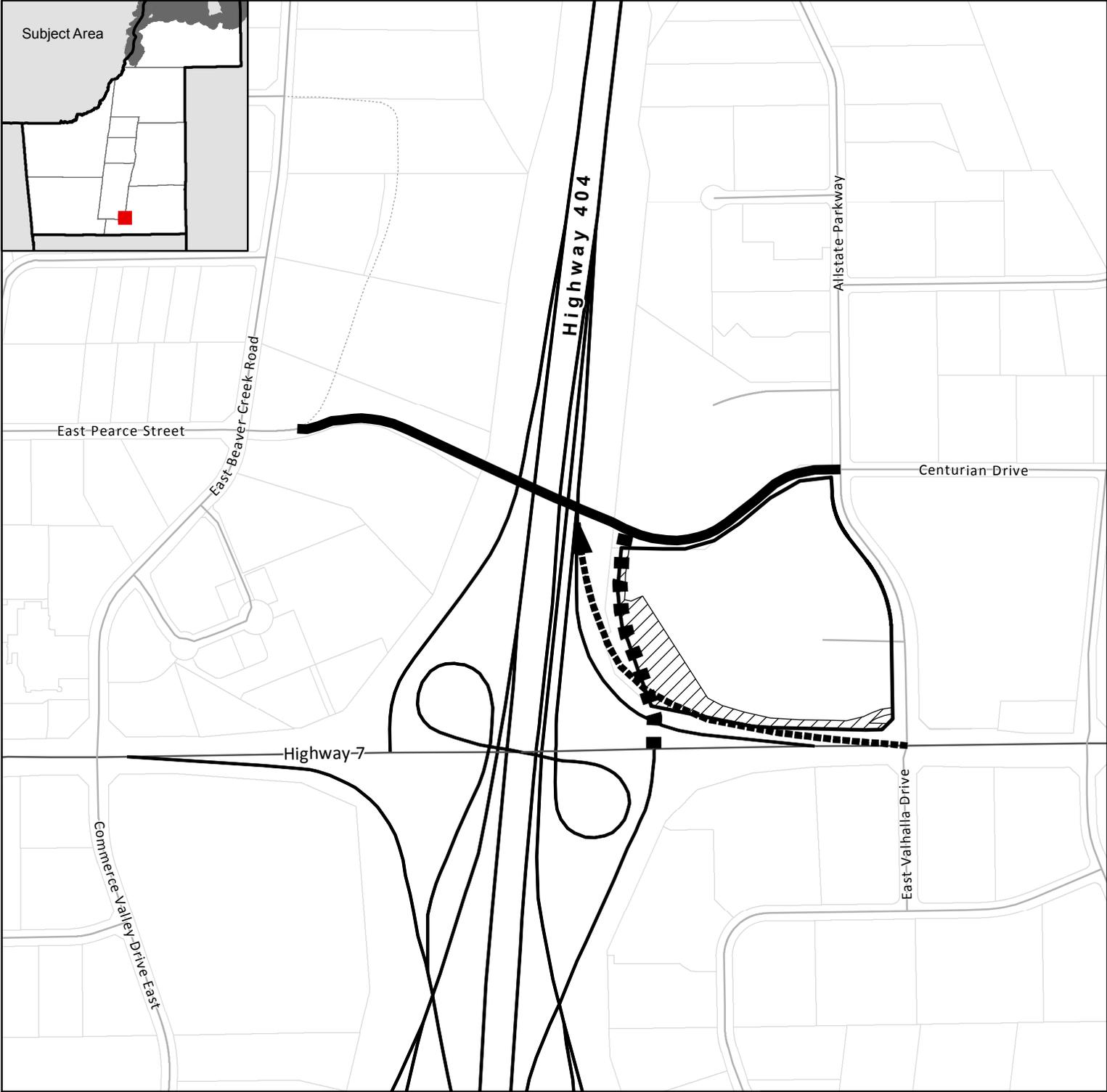
January 15, 2016

Attachments (2)

Private Attachments (1)

eDOCS #6550570

Accessible formats or communication supports are available upon request



LOCATION PLAN

Acquisition of Land, 8 The Seneca Way
Highway 404 Midblock Crossing North of Highway 7 and
Northbound Ramp Extension at Highway 404 and Highway 7
City of Markham, February 18, 2016

Produced by:
The Regional Municipality of York
Property Services, Corporate Services
January 2016

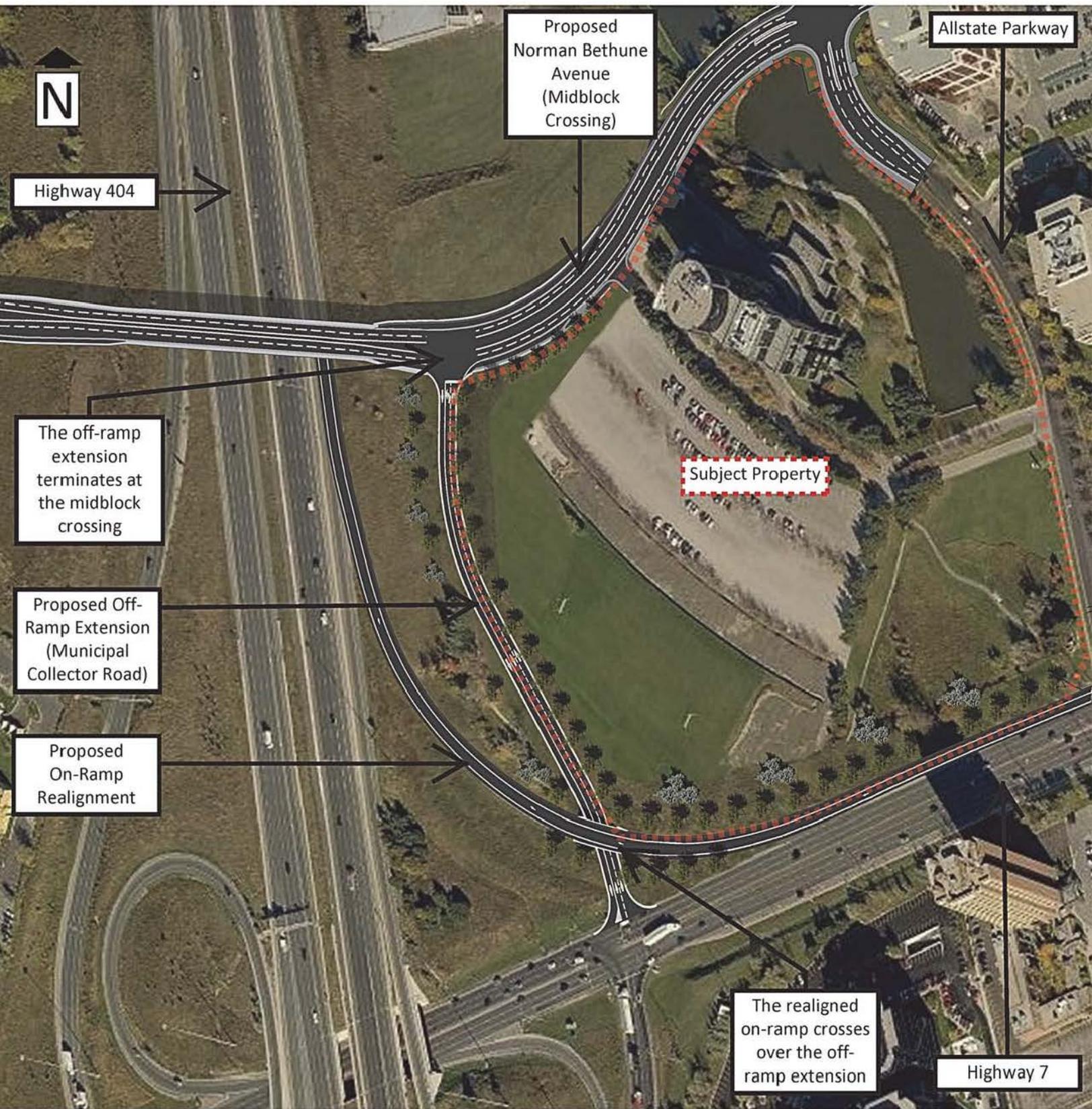
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Legend

-  Subject Property
-  Interest Required
-  Midblock Crossing
-  Northbound Ramp Extension
-  Northbound On-Ramp Realignment



Highway 404

Proposed Norman Bethune Avenue (Midblock Crossing)

Allstate Parkway

The off-ramp extension terminates at the midblock crossing

Proposed Off-Ramp Extension (Municipal Collector Road)

Proposed On-Ramp Realignment

Subject Property

The realigned on-ramp crosses over the off-ramp extension

Highway 7