

**COMMITTEE OF THE WHOLE MAY 16, 2005**

**HIGHWAY 427 TRANSPORTATION CORRIDOR  
ENVIRONMENTAL ASSESSMENT TERMS OF REFERENCE**

**RECOMMENDATION**

The Commissioner of Planning and the Commissioner of Engineering and Public Works recommend:

1. THAT the draft Highway 427 Transportation Corridor Individual Environmental Assessment Terms of Reference, prepared by the firm URS MRC for the Ministry of Transportation of Ontario, BE ENDORSED; and,
2. THAT the Ministry of Transportation and the Ministry of the Environment be strongly urged to approve the Terms of Reference as soon as possible and, subsequently, to expedite the rest of the Environmental Assessment process in any way possible; and,
3. THAT the Individual Environmental Assessment be carried out in such a manner that, once lands are determined to not be required for the future transportation corridor they can be processed for development; and,
4. THAT the Minister of Transportation of Ontario and the Minister of the Environment be so informed; and,
5. THAT the Regional Municipalities of York and Peel, the City of Brampton, the Town of Caledon and the Township of King also be so informed of the City of Vaughan's position.

**Economic Impact**

Completion of an approved Environmental Assessment for an extension of Highway 427 to address existing and short-term mobility problems will provide the necessary clarity on the future highway alignment to permit development of needed employment area land. This will result in needed development and long-term assessment revenues. The EA study is being funded by the Province and there is no impact on the City's approved budget.

**Purpose**

The purpose of this report is to determine the City of Vaughan's position respecting the draft "Highway 427 Transportation Corridor Environmental Assessment Terms of Reference", prepared by URS MRC for the Ministry of Transportation of Ontario (Attachment 1) and to provide timely comments to the Ministry of Transportation of Ontario (MTO) prior to its submission to the Ministry of the Environment for approval.

It is the intent of Staff that the City of Vaughan should meet MTO's deadline for comments by June 9, 2005.

**Background/Analysis**

On March 31, 2005, MTO officially terminated the "GTA North Transportation Corridor Study" that had been in progress for several years. In keeping with the province's "Places to Grow - Draft Growth Plan for the Greater Golden Horseshoe", (Draft Growth Plan), MTO has now commenced the formal Environmental Assessment (EA) process for the Highway 427 transportation corridor within the western part of Vaughan and the eastern part of Brampton. The Draft Growth Plan clearly supports the need to consider solutions to the existing and short-term transportation deficiencies/needs created by Highway 427's current terminus point at Regional Road 7.

Associated mobility problems for people and goods will be addressed by the EA process. Through the EA, transportation problems and opportunities and their potential solutions will be evaluated.

A critical first step in the EA process is the development and approval of the EA Terms of Reference. This document, the "427 Transportation Corridor Environmental Assessment Terms of Reference" (ToR) outlines the framework for completing the EA study. This ToR document will be submitted to the Ministry of the Environment (MOE) for approval as required by Section 6 (2) (a) of the Ontario Environmental Assessment Act (OEAA). Under this process, the subsequent EA will consider every phase of the planning process including: need; the fundamentally different ways of addressing the issues (alternatives to the (highway) undertaking); alternative methods (i.e. route alternatives); and recommendations for specific required infrastructure including associated impacts and mitigations methods. Once the EA is underway it is possible that additions to the process and work tasks may be introduced, as required, based upon consultation input, changes to Provincial Policy and availability of new information.

The ToR specifically addresses the following:

- Chapter 1 - Identification of the Proponent;
- Chapter 2 - The purpose of the undertaking;
- Chapter 3 - The process for selecting preferred alternatives to the undertaking;
- Chapter 4 - The process for generating the study area;
- Chapter 5 - The process for generating and selecting preferred alternative methods;
- Chapter 6 - A commitment to carry out compliance monitoring, and
- Chapter 7 - A description of the Consultation Plan proposed for the EA.

Of particular interest to the City is Chapter 2, "Purpose of the Undertaking". In it, the ToR describes its Purpose as:

"To

- Address existing and short-term transportation problems related to the current Highway 427 terminus, truck traffic accessibility to and from the CP Vaughan Inter-modal facility and their impact on inter-regional traffic on Highway 50 and York Regional Road 7;
- Identify and protect required property for any proposed transportation corridor and allow planned development to occur outside of the transportation corridor;
- Ensure that alternatives / preferred solution will not preclude or predetermine planning for the other future transportation corridors such as the GTA West corridor or a future extension of the transportation corridor northerly."

In short, the Purpose is to provide for an EA that will provide for an extension of Highway 427 to alleviate existing and short-term traffic constraints to improve the mobility of people and goods throughout the area notably from areas to the north and east. The Summary of Transportation Problems section (p. 15) notes that, "The existing transportation network is not capable of supporting the projected growth in population, employment, and goods movement. Failure to address these transportation deficiencies could result in unacceptable travel delay that would be costly to industry and negatively affect the traveling public."

The ToR notes that such an extension should neither preclude a possible future connection to a future east-west GTA West corridor to connect to the Kitchener Waterloo area (as identified in The Draft Growth Plan) nor a future extension northerly of Highway 427. At such time as these may be considered, both these undertakings would require EA approval.

It is important to note clearly that the ToR, and the subsequent EA study once approved by MOE, is not intended to be a phased step towards a longer-term north-south transportation corridor. This EA process has a specific purpose to address a distinct set of existing and short-term transportation problems and has as one of its objectives to not preclude or predetermine the location of any future extension of Highway 427 if it should be required.

Furthermore, the ToR makes it clear that, at this stage in the EA process, it is not the role of the ToR to predetermine the terminus point of an extended Highway 427. This is to be determined by the EA study itself. Therefore, should the City of Vaughan wish to establish a position on a terminus point for the 427 extension, this should be done during the EA study process.

This is also the case for defining the EA Study Area. Chapter 5 of the ToR notes that the study area will be generated, as part of the EA study, through consultation with affected stakeholders. It also indicates that, "It is fundamental to note that the study area does not limit the potential to examine environmental impacts and effects outside of its boundaries." The Study Area limits will be determined through the following inputs:

- "Identification of transportation problems and opportunities;
- Significant natural, socio-economic and cultural environmental features;
- Current government land use planning policies and initiatives;
- Ensuring that the preferred alternative will not predetermine or preclude future transportation initiatives; and,
- Existing transportation infrastructure."

At this stage in the process, however, it is imperative that the Draft Terms of Reference be finalized in a timely manner and submitted to the MOE as soon as possible for approval. Once received by MOE, it will undergo public and government agency review and comment. Once approved, the ToR framework will guide the preparation of the EA.

A large portion of the area to be covered by the Environmental Assessment, as envisioned by this ToR, has been the subject of a number of City and Regional initiatives and other considerations. These are: OPA 450 Employment Land Needs study; Regional Official Plan Amendment No. 19; City of Vaughan OPA No. 600; the employment land shortfall; and, existing and new development applications coming forward. A brief description of these is attached as Attachment 2.

### **Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council.

### **Conclusion**

The extension of Highway 427 to address existing and short-term mobility problems has become a Provincial priority. It is critical to determine the location of this highway corridor to serve already designated urban areas, critical major employment lands and existing uses like the CP Intermodal facility. It is also critical to serve mobility needs of Vaughan's neighbouring municipalities to the west and north.

The draft Highway 427 Transportation Corridor Environmental Assessment Terms of Reference is the first step in the statutory requirements for an EA under the Environmental Assessment Act. Stakeholder municipalities are reviewing the draft ToR, prepared by MTO with the intention of a final ToR being submitted to MOE by the end of June 2005. MTO is coordinating this review. The ToR neither defines the EA study area nor the future terminus of extended Highway 427. The EA Study itself will determine this.

Completion of the EA will clarify land use approvals in Blocks 57 and 58, currently designated under OPA 450, and will permit the preparation of a secondary plan for the West Vaughan employment lands within the area defined within the Urban Boundary by Regional OPA 19. MTO completion and MOE approval of this EA, therefore, is critical to addressing the shortfall of employment lands in Vaughan. The first step is to secure MOE approval of the Terms of Reference for the EA.

**Report prepared by:**

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**Attachments:**

1. Draft MTO Highway 427 Transportation Corridor Environmental Assessment Terms of Reference (Councillors only)
2. City of Vaughan and York Region initiatives and other considerations in west Vaughan

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

BILL ROBINSON, P. Eng.  
Commissioner of Engineering and Public Works

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## ATTACHMENT 2

### CITY OF VAUGHAN AND YORK REGION INITIATIVES AND OTHER CONSIDERATIONS IN WEST VAUGHAN

#### **1) OPA 450 Employment Land Needs study:**

In June of 1998, Vaughan Council directed that staff proceed with an employment area review. The terms of reference for the Vaughan Employment Area/OPA 450 Review included three phases that consisted of:

- (i) Determining the required employment lands (Phase 1a) and, a Highway 427 Route Selection Study in the form of an Environmental Assessment (Phase 1b)
- (ii) Allocation of the employment lands through as comprehensive secondary plan study to the necessary employment lands (Phase 2).
- (iii) Preparation of implementing Official Plan amendments.

The Phase 1a report was conducted jointly with the Region of York. It included an analysis of the City's employment lands needs and identified the extent to which the 'West Vaughan' lands to the north of the currently OPA 450 designated employment lands could accommodate those needs. Council adopted the Phase 1a) results in April of 1999. In addition to identifying the employment lands needs for the City, the report also indicated that the ultimate timing of a secondary plan for the West Vaughan employment lands will be affected by the results of the Province's Highway 427 route selection study.

#### **2) Regional Official Plan Amendment No. 19:**

On the basis of the City's Phase 1 study, the Region of York proceeded with an amendment to the York Region Official Plan (Regional OPA Number 19) changing the designation of the West Vaughan lands from "Agriculture Policy Area" and "Rural Policy Area" to 'Urban Area'. The Ministry of Municipal Affairs and Housing approved Regional OPA Number 19 on October 22, 2001.

#### **3) City of Vaughan OPA No. 600:**

In an effort to further protect the urban land designation in the Regional Plan for employment uses, the City's Official Plan Amendment No. 600 adopted by Council in September 2000 identifies the area as an "Employment Secondary Plan Study Area". The lands are currently subject to the City's Rural Area General, Agricultural Area and Rural Use Area policies in OPA No. 600 until such time as a secondary plan is adopted and approved.

#### **4) Employment land shortfall:**

The 1998 Employment Land Needs study identified an existing employment land supply of about 3,000 acres. Using historical employment land absorption rates as well as the Regional employment forecasts at that time, the study identified an employment land supply that was approaching a 10-year supply. Now, after seven more years of strong employment land absorption, the City's employment lands needs have reached a serious shortfall of approximately a 2-year supply. The lands designated in Regional OPA 19 were designed to address this looming employment land shortfall. However the unknown ultimate route of the Highway has delayed a secondary plan land use study and, therefore, development approvals in this area. The

new MTO initiative to proceed with an EA for the 427 Highway Corridor as soon as possible will clarify the 427 alignment and will subsequently permit the secondary plan study to proceed.

**5) Existing and Possibly New Development Applications Coming Forward:**

In accordance with the policies of OPA 450, a Block Plan application was received for the concessions blocks to the south of Langstaff Road on the east side of Highway 50. Block 57/58 is being revised to accommodate the Highway 427 transitway facilities identified by the Ministry of Transportation. The Block Plan also reflects the interim road network identified by the Boundary Area Transportation Study (BATS) conducted jointly by the Regions of Peel and York, as well as the Cities of Brampton and Vaughan. The Block Plan has not yet been approved but has thus far included the potential to protect for the Highway 427 corridor into Brampton and Peel south of the CP Intermodal facility.

In August of 2004 the City received an application for a Secondary Plan and Block Plan for Block 64 (bounded by Langstaff, Huntington, Rutherford and Highway 50). The approval of this plan could preclude a westerly Highway 427 alignment into Brampton. Applications such as this are in response to the shortfall of designated employment land supply, and can be expected to continue in this regionally designated urban area. The City needs to be in a position of responding to the logical development of urban uses in this area; and, this is best achieved through the preparation of a Secondary Plan for the employment area. This perspective is also supported by the City of Brampton. On October 13, 2004 Brampton Council approved a recommendation to "work with the Regions of Peel and York, the City of Vaughan, the Town of Caledon, and the Ministry of Transportation to initiate a process that could allow further decision-making around land use and road network issues...while protecting technically feasible alternatives for the proposed Highway 427 extension."