

Clause No. 16 in Report No. 13 of the Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on September 11, 2014.

16
PUBLIC HIGHWAY DESIGNATION
NINTH LINE AT MAIN STREET, 19TH AVENUE,
MAJOR MACKENZIE DRIVE EAST AND ELGIN MILLS ROAD

Committee of the Whole recommends adoption of the recommendations contained in the following report dated August 14, 2014 from the Commissioner of Transportation and Community Planning:

1. RECOMMENDATIONS

It is recommended that:

1. The lands acquired by the Region to construct the Ninth Line (Y.R. 69) alignment and jog eliminations at Main Street, 19th Avenue, Elgin Mills Road, and Major Mackenzie Drive East (Y.R. 25), described in *Attachment 1 – Table 1*, be established as public highway to form part of Ninth Line (Y.R. 69) and Major Mackenzie Drive East (Y.R. 25) by September 2014.
2. The lands described in *Attachment 1 – Table 2*, being portions of the original Ninth Line (Y.R. 69) and Mackenzie Drive East (Y.R. 25) that will no longer be required be stopped up and closed as public highway by November 2014.
3. The lands described in *Attachment 1 – Table 3*, being portions of the original Ninth Line (Y.R. 69) alignment, be removed from the Regional road system to revert these portions of public highway to the jurisdiction of the Town of Whitchurch-Stouffville by November 2014.
4. The lands described in *Attachment 1 – Table 4*, acquired by the Region to facilitate the reconstruction of Ninth Line, be conveyed to the Town of Whitchurch-Stouffville and the City of Markham to incorporate these lands into their local road systems by November 2014.
5. The portions of Ninth Line currently under the jurisdiction of the local municipalities described in *Attachment 1 – Table 5*, be added to the Regional road system to form part of Ninth Line (Y.R. 69) by November 2014.

6. The existing speed limit of 50 km/h on Ninth Line (Y.R. 69) from the north limit of John Davis Gate to 430 metres south of Main Street, be established at 50 km/h along the new alignment, as shown in *Attachment 7*, in the Town of Whitchurch-Stouffville.
7. The speed limits on the newly aligned Major Mackenzie Drive (Y.R. 25) be established to be consistent with the existing condition, which is 70 km/h for the section to the west of Ninth Line (Y.R. 69), and 80 km/h for the section to the east of Ninth Line (Y.R. 69), as shown in *Attachment 8*, in the City of Markham.
8. The Regional Clerk circulate this report to the City of Markham, Town of Whitchurch-Stouffville and York Regional Police.
9. The Regional Solicitor prepare the necessary bylaws.

2. PURPOSE

This report seeks Council authorization to complete legislative tasks which are necessary as a result of improvements to Ninth Line. These tasks include establishing lands acquired by the Region to construct the new Ninth Line alignment as public highway and making adjustments to the jurisdiction of Ninth Line between the Region and the local municipalities.

In addition, this report seeks Council authorization to establish speed limits for specific Regional roads on their new alignment as a result of the Ninth Line improvements.

3. BACKGROUND

Work is currently underway to implement improvements to Ninth Line between Whitchurch-Stouffville and Markham

In 2006, the Region initiated an Environmental Assessment (EA) addendum study to determine if the previously-recommended road improvements from the 1999 Class EA were still valid. The EA addendum study confirmed the need to eliminate the jogs at the intersections of Ninth Line at Major Mackenzie Drive East and Elgin Mills Road.

In addition, the study recommended Ninth Line be widened from two to four lanes between Major Mackenzie Drive East and Hoover Park Drive, and the jogs at the intersections of Ninth Line at 19th Avenue and Ninth Line at Main Street be eliminated. The EA addendum was completed by the Region in March 2009.

The lands needed to eliminate jogged intersections along Ninth Line require public highway designations

In accordance with section 31 of the Municipal Act, 2001, land may only become a highway if a bylaw is passed establishing the highway and not by the activities of the municipality or any other person in relation to the land, including the spending of public money.

In order to enforce the Highway Traffic Act regulations, it is necessary to designate the lands associated with the jog eliminations at Ninth Line and Main Street, 19th Avenue, Elgin Mills Road and Major Mackenzie Drive East as public highway.

4. ANALYSIS AND OPTIONS

Jog eliminations play an important role in improving the effectiveness of the road network to meet increasing transportation demands

Jogged intersections create inefficiencies in the road network as vehicles crossing the jogged legs are forced to make two turns rather than proceeding straight across the intersection. It is therefore important to ensure that as Ninth Line is improved to accommodate increased north-south transportation demands, the various existing intersection jogs also be eliminated to maximize the efficiency of the road network for the crossing roads as well.

The Region acquired lands to eliminate jogs on Ninth Line at Main Street, 19th Avenue, Elgin Mills Road and Major Mackenzie Drive East

To eliminate the intersection jogs on Ninth Line at Main Street, 19th Avenue, Elgin Mills Road and Major Mackenzie Drive East as shown on *Attachments 2 to 6*, the Region acquired property from private owners and Transport Canada. In order to enforce the Highway Traffic Act regulations, it is necessary to establish these lands as set out in *Attachment 1 – Table 1* as public highway.

As a result of eliminating the jogs at Main Street and Major Mackenzie Drive East, lands on which the original alignment of Ninth Line is located are no longer required as public highway. It is necessary to pass a bylaw to stop up and close these lands as public highway (see *Attachment 1 – Table 2*).

Lands identified in *Attachment 1 – Table 3* formed part of the old Ninth Line right-of-way before the Region's construction and are no longer required as part of the Ninth Line right-of-way. When construction is complete, these lands will be reverted to the Town of Whitchurch-Stouffville.

In addition, the Region acquired lands to construct the jog eliminations which do not form part of the new Ninth Line right-of-way and now need to be conveyed to the Town of Whitchurch-Stouffville and the City of Markham to be added to their local road system, as identified in *Attachment 1 – Table 4*.

It is necessary for the Region to assume lands that are currently highways under the jurisdiction of the City of Markham and the Town of Whitchurch-Stouffville, as identified in *Attachment 1 – Table 5*, so that these lands form part of the new Ninth Line right-of-way when the Region's construction is complete. The assumption of these lands is in accordance to the Regional Road Assumption Policy endorsed by Council on June 26, 2014.

Staff has discussed the assumption and reversion of the portions of Ninth Line with local municipal staff through a letter in March 2014 and to date, no comments or concerns have been received.

The lands on the new Ninth Line alignment, which eliminated the jog at Main Street, need to be established with regulatory speed limits

Ninth Line at Main Street is a two-lane, urban roadway with a posted speed limit of 50 km/h. There are direct residential and commercial driveway accesses with two signalized intersections and partial sidewalks on this section.

The new realigned section of Ninth Line at Main Street (which eliminated the jog) as shown in *Attachment 7*, needs to be established with a regulatory speed limit of 50 km/h. This speed limit is consistent with the speed limit on the existing alignment and satisfies the Region's speed limit policy (*Establishing Speed Limits on Regional Roads Policy, 2011*).

The lands on the new Major Mackenzie Drive East alignment, which eliminated the jog at Ninth Line, need to be established with regulatory speed limits

Major Mackenzie Drive at Ninth Line is a two-lane, rural roadway with a posted speed limit of 70 km/h, which transitions to 80 km/h east of Ninth Line. There is one driveway access into an agricultural facility, no signalized intersections and no sidewalks.

The new realigned section of Major Mackenzie Drive East, (which eliminates the jog) as shown in *Attachment 8*, needs to be established with a regulatory speed limit of 70 km/h west of Ninth Line, and 80 km/h east of Ninth Line. This speed limit is consistent with the speed limit on the existing alignment and satisfies the Region's speed limit policy (*Establishing Speed Limits on Regional Roads Policy, 2011*).

The community has been apprised of the permanent road closure as per Council's approved communication process

Staff has complied with the Region's Public Notice Requirements Policy by issuing newspaper notices in the Markham Economist and Sun on Thursday, August 21 and Thursday, August 28, 2014. In addition, to align with the Policy's timing, staff issued personal notices to affected property owners on August 21, 2014.

Link to key Council-approved plans

This report supports the Region's *Transportation Master Plan* objective of widening two-lane arterial roads to accommodate new population and employment in the emerging growth areas within the Region. In addition, this report supports the *Strategic Plan 2011-2015's* priority area to develop critical infrastructure which promotes improved road networks, including the completion of missing links necessary to support York Region's communities. The goals of providing interconnected systems for mobility and developing livable cities and complete communities as stated in *Vision 2051*, are supported by this report. Achievement of these goals will provide a network of complete streets, move our economy and an integrated urban system.

5. FINANCIAL IMPLICATIONS

The approved 2014 Roads Capital Budget includes sufficient capital spending authority for all costs associated with the jog eliminations on Ninth Line. These costs are funded 90 per cent from Development Charges and 10 per cent from Tax Levy.

6. LOCAL MUNICIPAL IMPACT

A letter was sent in March 2014 to local municipal staff advising of the proposed changes within this report and to date, no comments or concerns have been received.

Eliminating the jogs along Ninth Line will benefit the surrounding communities by providing a more efficient road network.

7. CONCLUSION

This report summarizes legislative tasks that are necessary as a result of improvements that are currently being constructed on Ninth Line between Major Mackenzie Drive and Main Street. Certain lands associated with the new Ninth Line alignment, which eliminated jogged intersections at Main Street, 19th Avenue, Elgin Mills Road and Major Mackenzie Drive East, require public highway designations. In addition, lands that are removed from the Regional Road System need to be transferred to the appropriate local municipality. Bylaws are also required to establish regulatory speed limits along the new Regional Road alignment.

For more information on this report, please contact Brian Titherington, Director, Roads and Traffic Operations at ext. 75901.

The Senior Management Group has reviewed this report.

Attachments (8)

**PUBLIC HIGHWAY DESIGNATION
NINTH LINE AT MAIN STREET, 19TH AVENUE, MAJOR MACKENZIE DRIVE EAST
AND ELGIN MILLS ROAD**

Legal Description of Lands

Table 1
Lands to be Established as Public Highway

Plan	Part Number	Description	Municipality
65R-31664	1, 3, 7, 10, 11, 13, 20, 23	Ninth Line at Main Street	Town of Whitchurch-Stouffville
YR 1695357	3	Ninth Line at Main Street	Town of Whitchurch-Stouffville
YR 1695361	1	Ninth Line at Main Street	Town of Whitchurch-Stouffville
YR 1695355	1	Ninth Line at Main Street	Town of Whitchurch-Stouffville
65R-34816	2	Ninth Line at Main Street	Town of Whitchurch-Stouffville
65R-31445	3, 4, 6, 7, 9, 10, 11	Ninth Line at 19 th Avenue	City of Markham
YR 1695232	2	Ninth Line at 19 th Avenue	City of Markham
YR 1695636	1	Ninth Line at 19 th Avenue	City of Markham
65R-31056	1, 2, 3, 4, 6, 7	Ninth Line at Elgin Mills Road	City of Markham
65R-24274	1, 3, 4	Ninth Line at Elgin Mills Road	City of Markham
YR 1313965	1	Ninth Line at Elgin Mills Road	City of Markham
65R-29769	2, 3, 4, 5, 6	Ninth Line at Major Mackenzie Drive East	City of Markham
65R-30376	1, 2	Ninth Line at Major Mackenzie Drive East	City of Markham
65R-30377	2, 9	Ninth Line at Major Mackenzie Drive East	City of Markham
65R-30377	1, 3, 4, 5, 6, 7, 8	Ninth Line at Major Mackenzie Drive East	City of Markham

Table 2
Highways to be Stopped Up and Closed

Plan	Part Number	Description	Municipality
65R-31664	3	Main Street at Ninth Line	Town of Whitchurch-Stouffville
65R-31569	2	Major Mackenzie Drive East at Ninth Line	City of Markham

Table 3
Highways to be Removed from Regional Road System and Incorporated into Local Road System

Plan	Part Number	Description	Municipality
65R-34816	3, 4, 5	Ninth Line at Main Street	Town of Whitchurch-Stouffville
65R-31664	53	Ninth Line at Main Street	Town of Whitchurch-Stouffville

Table 4

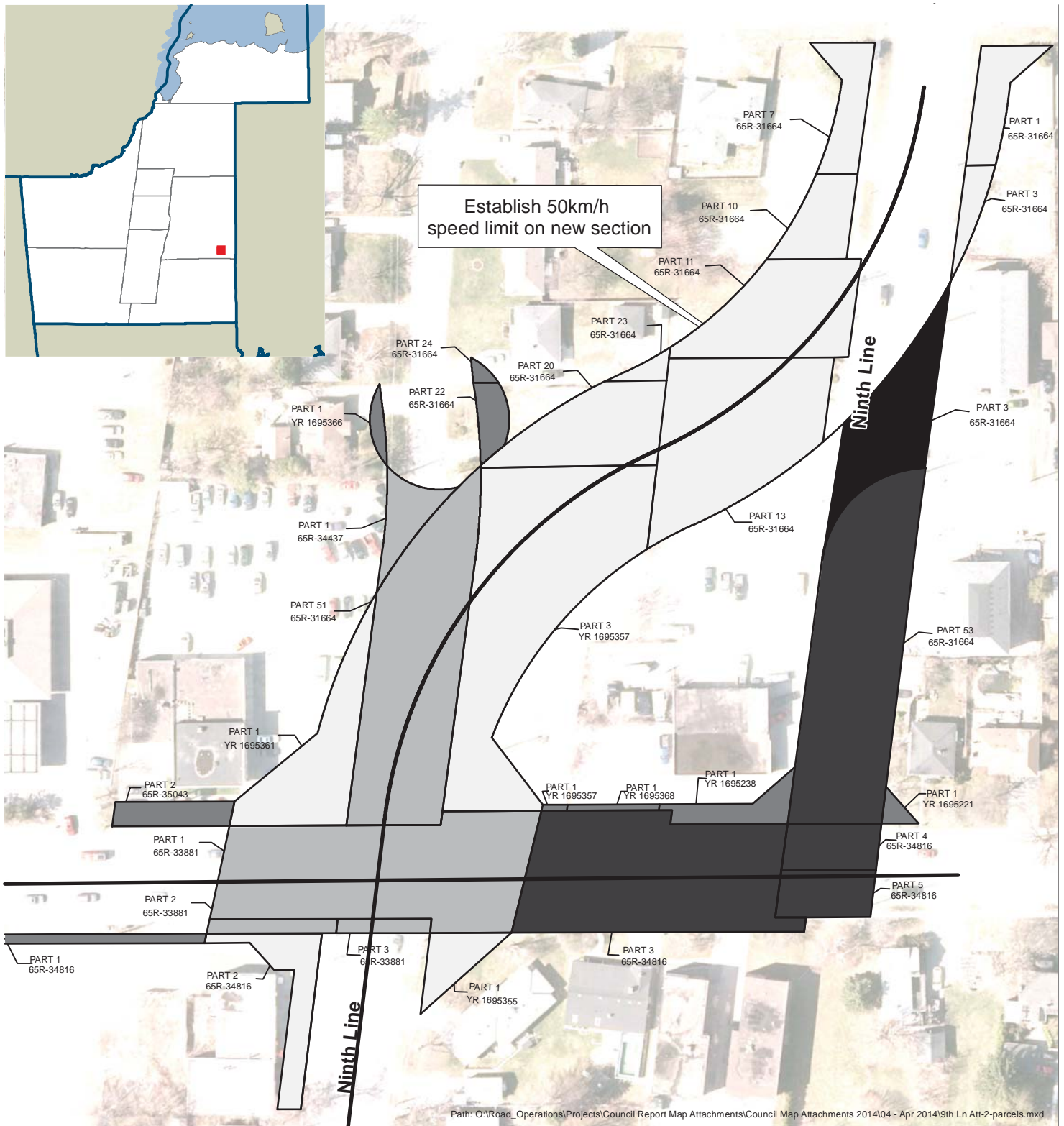
Lands to be Conveyed to Local Municipality to be incorporated into Local Road System

Plan	Part Number	Description	Municipality
65R-31664	22, 24	Ninth Line at Main Street	Town of Whitchurch-Stouffville
65R-34816	1	Ninth Line at Main Street	Town of Whitchurch-Stouffville
YR 1695221	1	Ninth Line at Main Street	Town of Whitchurch-Stouffville
YR 1695238	1	Ninth Line at Main Street	Town of Whitchurch-Stouffville
YR1695368	1	Ninth Line at Main Street	Town of Whitchurch-Stouffville
YR 1695357	1	Ninth Line at Main Street	Town of Whitchurch-Stouffville
YR 1695366	1	Ninth Line at Main Street	Town of Whitchurch-Stouffville
65R-35043	2	Ninth Line at Main Street	Town of Whitchurch-Stouffville
65R-31447	2, 4	Ninth Line at 19 th Ave	City of Markham
YR 1695232	1	Ninth Line at 19 th Ave	City of Markham
YR 1695636	2	Ninth Line at 19 th Ave	City of Markham
65R-31054	1, 5	Ninth Line at Elgin Mills	City of Markham
65R-31055	1, 6	Ninth Line at Elgin Mills	City of Markham

Table 5

Highways to be Added to the Regional Road System






Plan	Part Number	Description	Municipality
65R-31664	51	Ninth Line at Main Street	Town of Whitchurch-Stouffville
65R-33881	1, 2, 3	Ninth Line at Main Street	Town of Whitchurch-Stouffville
65R-34437	1	Ninth Line at Main Street	Town of Whitchurch-Stouffville
65R-34747	1	Ninth Line at 19 th Ave	City of Markham
65R-31445	2	Ninth Line at 19 th Ave	City of Markham
65R-31054	3	Ninth Line at Elgin Mills Rd	City of Markham
65R-31055	3, 4	Ninth Line at Elgin Mills Rd	City of Markham



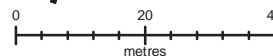
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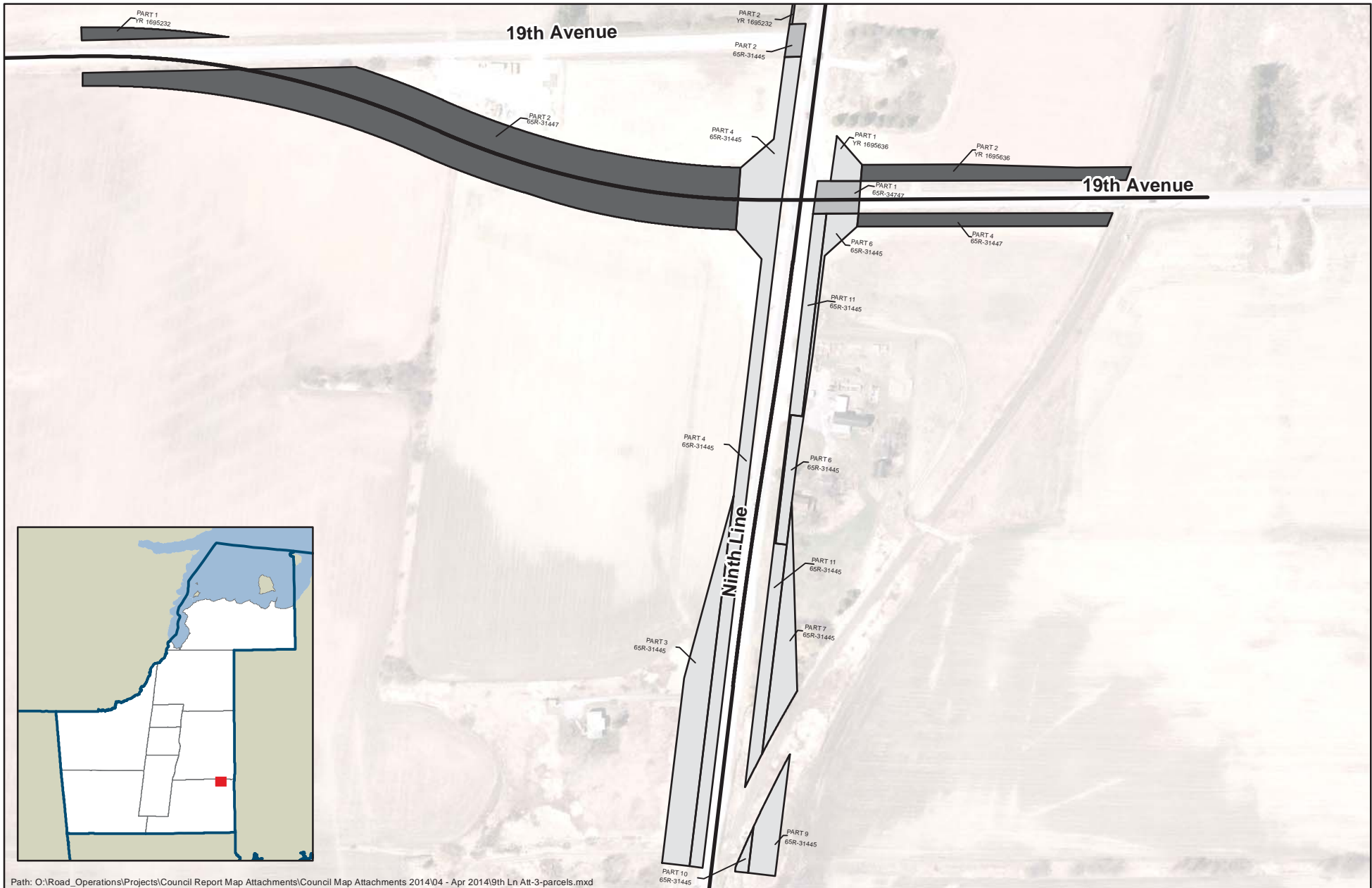
Proposed Configuration - Ninth Line at Main Street

Public Highway Designation
 Ninth Line at Main St., 19th Ave., Major Mackenzie Dr. E., Elgin Mills Rd
 City of Markham and Town of Whitchurch-Stouffville
 September 4, 2014

- Stop Up and Close 
- Establish as Public Highway-Ninth Line 
- Assume Highway from Town 
- Convey to Town 
- Revert Highway to Town 

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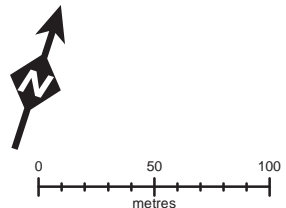




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Proposed Configuration - Ninth Line at 19th Avenue

Public Highway Designation
 Ninth Line at Main St., 19th Ave., Major Mackenzie Dr. E., Elgin Mills Rd
 City of Markham and Town of Whitchurch-Stouffville
 September 4, 2014

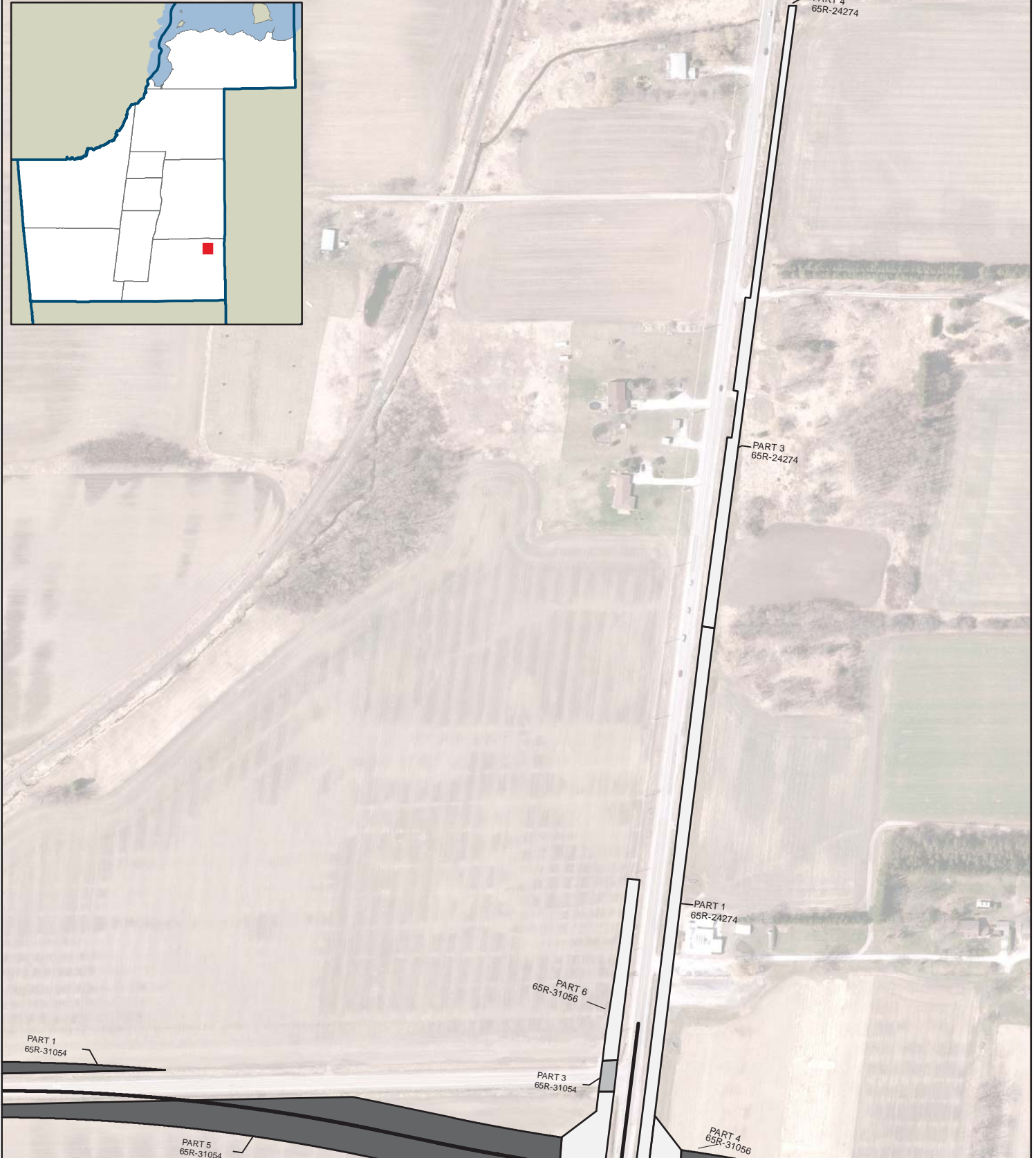


- Establish as Public Highway
- Assume Highway from City
- Convey to City

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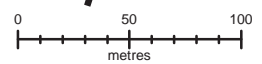
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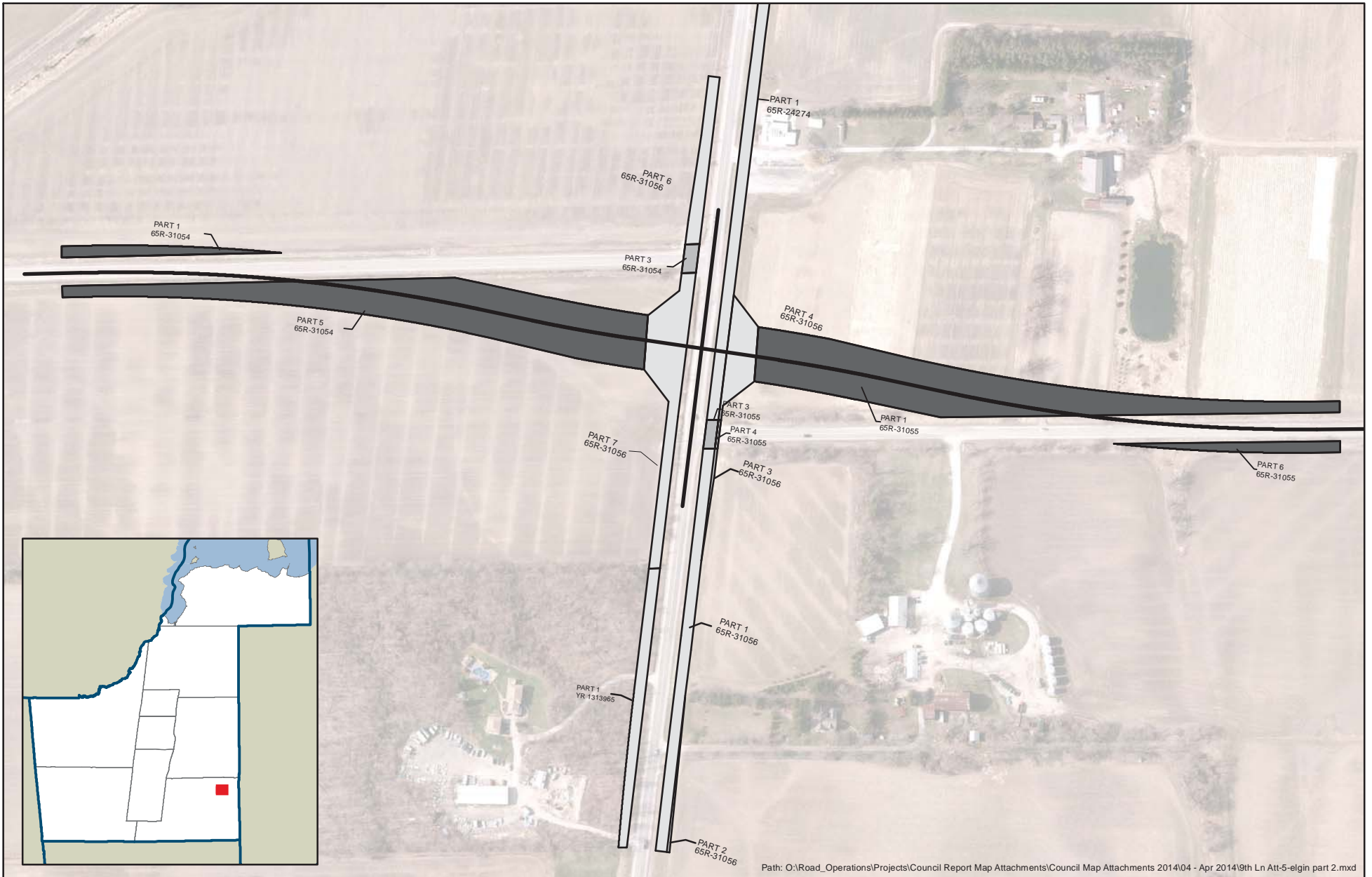


Proposed Configuration - Ninth Line north of Elgin Mills Road

Public Highway Designation
 Ninth Line at Main St., 19th Ave., Major Mackenzie Dr. E., Elgin Mills Rd
 City of Markham and Town of Whitchurch-Stouffville
 September 4, 2014

- Establish as Public Highway - Ninth Line
- Assume Highway from City
- Convey to City



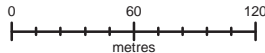


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Proposed Configuration - Ninth Line at Elgin Mills Road

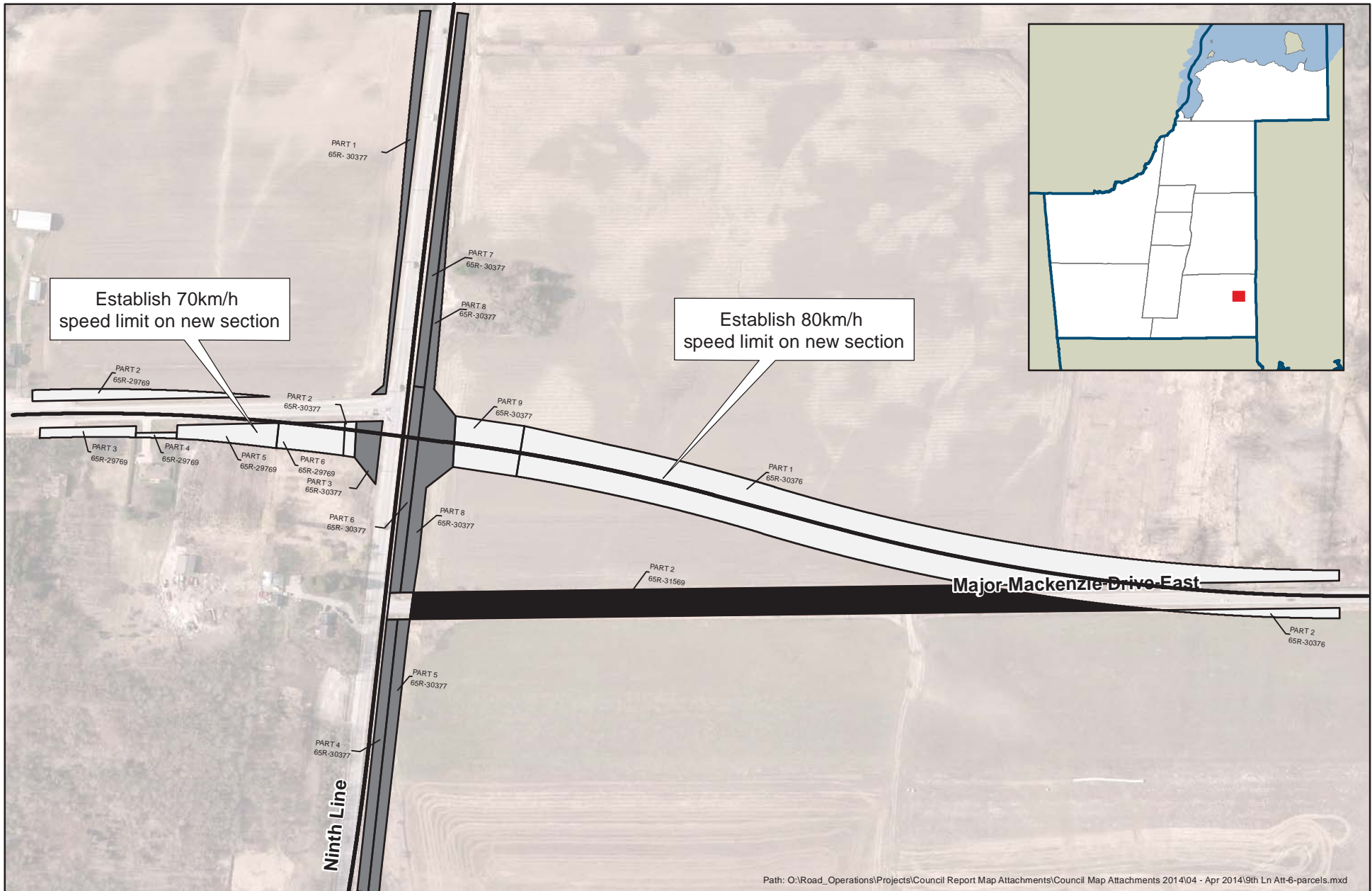
Public Highway Designation
 Ninth Line at Main St., 19th Ave., Major Mackenzie Dr. E., Elgin Mills Rd
 City of Markham and Town of Whitchurch-Stouffville
 September 4, 2014

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- Establish as Public Highway -Ninth Line
- Assume Highway from City
- Convey to City



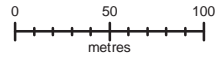


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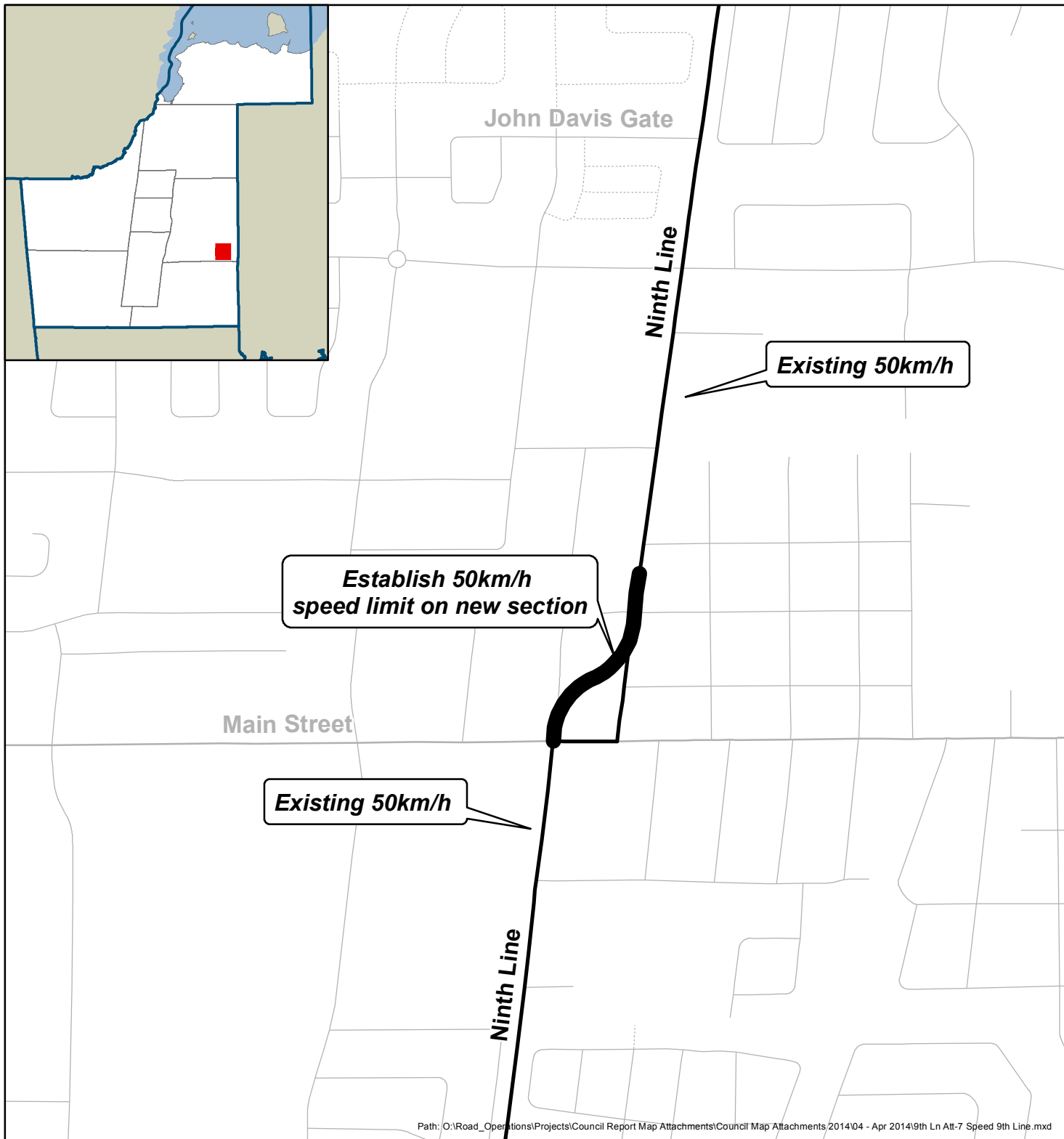
Proposed Configuration - Ninth Line at Major Mackenzie Drive East

Construction of Ninth Line
 From North of Elgin Mills Road to Hoover Park Drive
 City of Markham and Town of Whitchurch-Stouffville
 September 4, 2014

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- Establish as Public Highway Major Mackenzie Drive
- Establish as Public Highway Ninth Line
- Stop Up and Close York Region Property



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Speed Limit Revision on Ninth Line

Construction of Ninth Line
From North of Elgin Mills Road to Hoover Park Drive
City of Markham and Town of Whitchurch-Stouffville
September 4, 2014

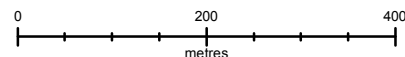


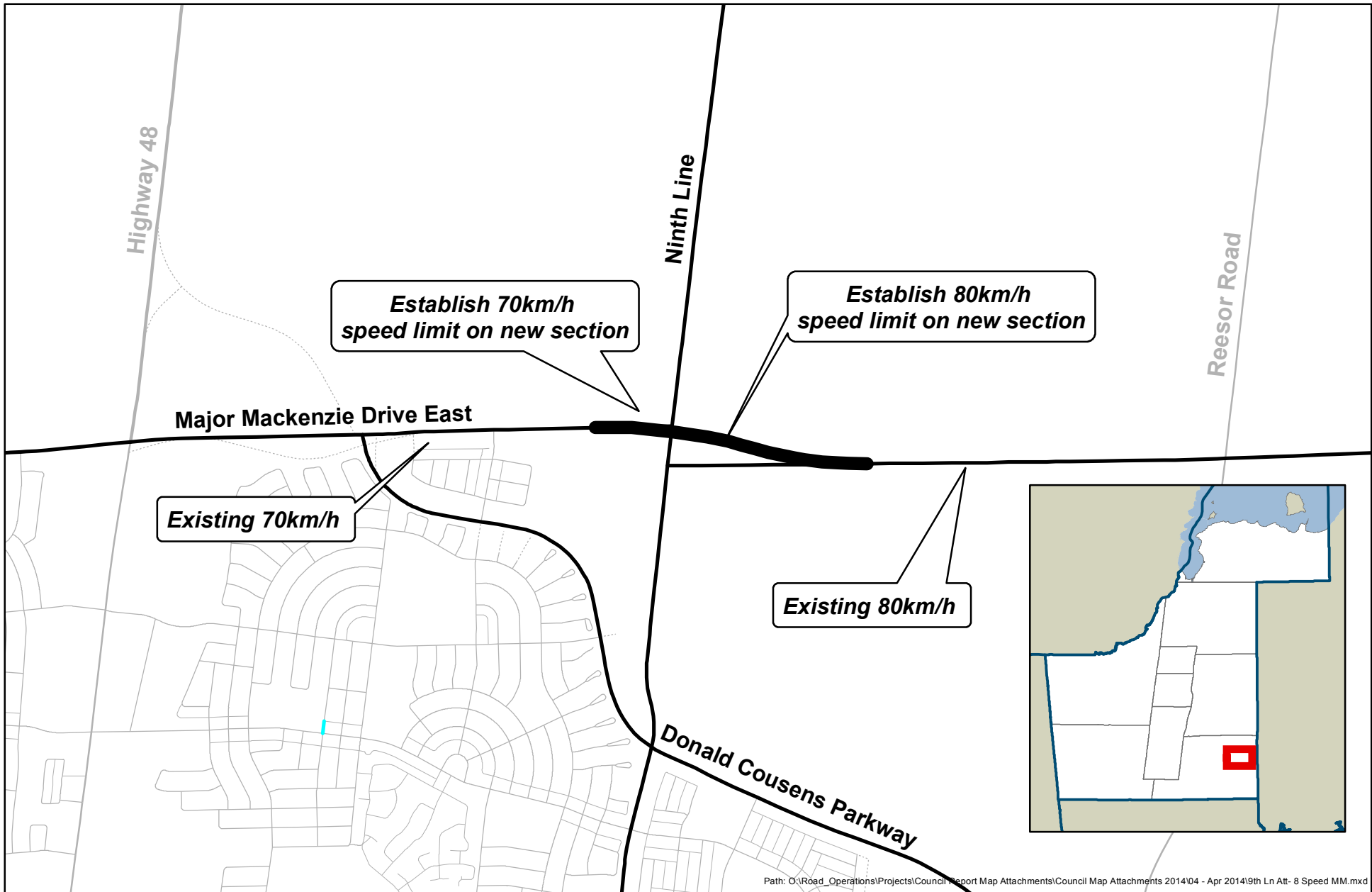
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Regional Road —

Local Municipal Road —





Speed Limit Revision on Major Mackenzie Drive East

Construction of Ninth Line

From North of Elgin Mills Road to Hoover Park Drive

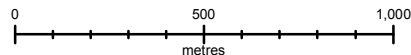
City of Markham and Town of Whitchurch-Stouffville

September 4, 2014

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Regional Road ———

Local Municipal Road ———