

**COUNCIL MEETING – DECEMBER 15, 2020
COMMUNICATIONS**

		<u>Rpt. No.</u>	<u>Item No.</u>	<u>Committee</u>
<u>Distributed December 11, 2020</u>				
C1	Hiten Patel, dated November 25, 2020	56	1	Special Committee of the Whole
C2	Alexandra Battiston, dated November 30, 2020	57	3	Committee of the Whole
C3	Interim Director, Economic and Cultural Development, Presentation Material		3.1	Ceremonial Presentations
<u>Distribution December 14, 2020</u>				
C4	John McGovern, Rice Group, Tiverton Court, Markham, dated December 11, 2020	61	8, 9 10	Committee of the Whole
C5	City Clerk/Returning Officer, dated December 11, 2020	59	2	Committee of the Whole (Working Session)
C6	Village of Woodbridge Ratepayers Association, dated December 14, 2020	61	4	Committee of the Whole
C7	Deputy City Manager, Infrastructure Development, dated December 11, 2020	57	7	Committee of the Whole
C8	Deputy City Manager, Administrative Services and City Solicitor, dated December 13, 2020	61	13	Committee of the Whole
C9	Deputy City Manager Infrastructure Development, dated December 15, 2020	61	8	Committee of the Whole
C10	Deputy City Manager Infrastructure Development, dated December 15, 2020	61	9	Committee of the Whole
C11	Deputy City Manager Infrastructure Development, dated December 15, 2020	61	10	Committee of the Whole
<u>Distributed December 15, 2020</u> (at the meeting)				
C12	Councillor Iafrate, dated December 15, 2020	61	13	Committee of the Whole

Disclaimer Respecting External Communications

Communications are posted on the City's website pursuant to Procedure By-law Number 7-2011. The City of Vaughan is not responsible for the validity or accuracy of any facts and/or opinions contained in external Communications listed on printed agendas and/or agendas posted on the City's website.

Please note there may be further Communications.

From: Hiten Patel [REDACTED]
Sent: Wednesday, November 25, 2020 2:04 PM
To: Leung, Isabel <Isabel.Leung@vaughan.ca>
Cc: Clerks@vaughan.ca
Subject: [External] Re: Information for Speakers - Nov 25 Special CW Meeting at 1PM

Hi Isabel,

I'll not be able to stay on to verbally to present today. In lieu, please find the written form of my deputation. Please distribute it to the relevant stakeholders after the meeting.

Racism does not exist in nature. Privileged human beings through self-interest, whether intended or unwittingly, created and sustain this inhumane disease. So, what can City of Vaughan within their jurisdictional powers do to eradicate such a disease?

- 1. Council at City and Regional level should continue to genuinely lead and support modest and affordable housing zoning and development so that individuals and families that rely on working class manufacturing jobs can afford to live a responsible, dignified and self-reliant manner in Vaughan and throughout York Region rather than dealing with long commutes from other municipalities and regions that put heavy strain on household relationships.***
- 2. Demand that elected MPs and MPPs of ridings within Vaughan and York Region make a top priority to eradicate daylight savings time and needless practice of changing clocks twice a year. Those who are disadvantaged and less fortunate in our society do not benefit from brighter evenings at the expense of darker mornings during all four seasons.***
- 3. Ensure existing policies support an inclusive, diverse communities within Vaughan not just based on geographical but also ethnic, cultural and social-economic lenses.***
- 4. Policies, once enacted, must be continually monitored and governed by committees and enforced by city staff. No need to rely on ad-hoc, external consultants.***

***Thank you,
Hiten Patel***

Thornhill Woods Drive

Thanks,
Hiten

Hiten N. Patel



Call 365-597-0717
Text/WhatsApp 416-262-5963
<https://HitenPatel.ca>

From: Leung, Isabel <Isabel.Leung@vaughan.ca>
Sent: November 25, 2020 9:11 AM
Cc: Britto, John <John.Britto@vaughan.ca>; Coles, Todd <Todd.Coles@vaughan.ca>
Subject: Information for Speakers - Nov 25 Special CW Meeting at 1PM

Good Morning,

I am writing to confirm receipt of your Request to Speak at the Special Committee of the Whole Meeting on November 25 at 1pm. The chosen technology is Microsoft Teams, which allows for participation by telephone, computer and mobile devices.

Please use the following link "Join Microsoft Teams Meeting" or dial in to connect to the **meeting at 1pm**. If you would like to participate in a **Technical Test Session**, please log in using the same link **from 11:30pm – 12pm** to test your equipment and connectivity in advance of the meeting. It is not mandatory but recommended.

If you have a presentation or visual aid, you are required to share your screen and control the slides.

Microsoft Teams meeting
Join on your computer or mobile app
[Click here to join the meeting](#)
Or call in (audio only)

[+1 647-749-0217](tel:+1647-749-0217), 45560611# Canada, Toronto
Phone Conference ID: 455 606 11#

DO NOT SHARE THIS LINK WITH ANYONE UNLESS PERMISSION IS PROVIDED BY OUR OFFICE.

HOW TO ADDRESS THE COMMITTEE IN ELECTRONIC MEETINGS?

1. Enter your full FIRST and LAST name when prompted.
2. Upon entering the call, you will be placed in a Virtual Lobby (you will not hear anything).
3. Please remain on mute until it is your time to present to the Committee.
4. The Chair will call your name to present. Prior to starting your presentation, please state your full name and address.
5. Please UNMUTE your mic from your personal computer/device before presenting.
6. Each Speaker is limited to 5 minutes. When your five minutes are up and after answering any questions that may be directed to you, you may disconnect from the meeting.

Attached are resources for using Microsoft Teams and guidelines for electronic participation in the Committee Meeting.

Regards,

Isabel Leung, MPPAL, Dipl M.M.

Deputy City Clerk

905-832-8585, ext. 8190 | isabel.leung@vaughan.ca

City of Vaughan | Office of the City Clerk

2141 Major Mackenzie Dr., Vaughan ON L6A 1T1

vaughan.ca



This e-mail, including any attachment(s), may be confidential and is intended solely for the attention and information of the named addressee(s). If you are not the intended recipient or have received this message in error, please notify me immediately by return e-mail and permanently delete the original transmission from your computer, including any attachment(s). Any unauthorized distribution, disclosure or copying of this message and attachment(s) by anyone other than the recipient is strictly prohibited.

November 30, 2020

Honourable Mayor, Council and City of Vaughan Planners
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

COMMUNICATION – C2
Council – December 15, 2020
Committee of the Whole
Report No. 57, Item 3

Dear Mayor, Members of Council, and City Planners,

**Re: Portside Developments (Kleinburg) Ltd. Application re: 10568 Islington Avenue, Kleinburg
File # Z.17.018 and related files DA.17.042**

I reside at ■■■ Nashville Road, Kleinburg, and have been a Kleinburg resident for almost 20 years.

I wish to express my concern regarding the above-mentioned Application submitted by Portside Developments (Kleinburg) Ltd. ("Portside") for various amendments to the Official Plan and Zoning Bylaws regarding the property located at 10568 Islington Avenue (the "Property").

My concerns are as follows:

- i) the Applicant's proposed building height exceeds the allowed 9.5 metres and at three-storeys is a significant deviation from the Official Plan requirement;
- ii) the Applicant fails to meet all by-law set-back requirements;
- iii) the Applicant's proposal to clear cut 57 mature trees is an irreversible and irresponsible violation of the Official Plan's objective which encourages the protection of significant trees;
- iv) the Applicant's proposed structure vastly exceeds the recommended maximum FSI and fails to take into account the pattern of development of all adjacent properties in complete ignorance and violation of a major objective of the Official Plan;
- v) the excavation of 90% of this site and grading will threaten the entire tree canopy on the Property as well as trees on adjacent properties and fails to recognize the unique environment features which give the Kleinburg Village its special character.

The Applicant, Portside, should be required to produce a block plan in order to more accurately show the context of their proposed project in relation to all adjoining properties so comparisons of massing can be better reviewed.

I respectfully submit that Portside's Application should be denied in its current form.

It is the City of Vaughan's duty and responsibility to enforce and uphold, to the fullest extent possible, the well-established Official Plan and Heritage Plan for the area and failure to do so will set an irreversible precedent that will threaten the unique character of the Village of Kleinburg.

Yours truly,

 Alexandra Battiston

Summer Company 2020



Summer Company

A Provincial grant and Municipal training program. Participants receive:

- A \$3,000 grant from the Province of Ontario
- Training from staff in Vaughan's Economic and Cultural Development Department

COVID-19 Impact

- Reduced Participants



Summer Company: Talent City

Summer Company remains an **in-demand** program

Summer Company helps to:

- Grow Vaughan as a hub for entrepreneurship
- Grow Vaughan's homegrown talent

Entrepreneurs: 2020

Alan Nemirovski, *Slingshot Media Solutions*

- Recently hired by a local gym for young and teenage girls to manage their social media marketing

Ananya Vishwanath, *VQueues*

- Gained a contract from Indigo to launch the app in 87 retail locations

Anthony Tovbis, *Best Press Printing*

- Gained a contract to be the official custom clothing manufacturer for an e-commerce apparel business

Eric Pimentel, *HIIT Excellence*

- over 15 current active members and currently training other trainers on how to adapt & pivot online



**COMMUNICATION – C4
Council – December 15, 2020
Committee of the Whole
Report No. 61, Items 8, 9 and 10**

December 11, 2020

By E-Mail Only to clerks@vaughan.ca

Mayor and Members of City Council
City of Vaughan
c/o Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, Ontario L6A1T1

Dear Mayor and Members of Council:

**Re: Committee of the Whole Meeting December 8, 2020
Agenda Items 6.8, 6.9 and 6.10 Anatolia Capital Corp. Zoning by-law Amendment Files Z.18.025,
Z.18.026 and Z.18.027 and Site Development Files DA.18.065, DA.18.066 and
DA.18.067 (the "Applications")**

We are writing on behalf of Highway 27 Langstaff GP Limited regarding our comments on the captioned files that were presented in correspondence dated Dec. 1, 2020 from Davies Howe and included with those reports in Attachment #10.

On Dec. 8 we observed the Committee proceedings virtually and have reviewed Staff Communications C: 8, C: 9, and C: 10 which proposed amendments to the Recommendations and Attachments. The concerns expressed in our Dec. 1 communication have been addressed with these amendments which confirm that the obligations in the Block Plan and Site Plan Conditions are to be fulfilled by the Block 59 West Landowners Group and not by the Block 59 East Landowners. We commend the City Manager and staff for quickly and effectively addressing our concerns. Thank you.

We support the approval of these applications and ask Members of Council to create some certainty out of a period of time that has arguably been the most uncertain of times in recent history. In 2016, with the Costco and FedEx approvals in place, the Province brought forward the Highway 427 extension project and those works are well underway now. It is incumbent upon us to leverage that substantial infrastructure investment by getting more people to work in this area as soon as possible. When the Highway is open to the public you will have businesses ready to benefit from the improvements to the transportation network. You will help them succeed in the future by approving these applications today.

Thank you for the consideration of these comments.

Sincerely,

A handwritten signature in blue ink that reads "John McGovern". The signature is fluid and cursive, with the first name "John" and last name "McGovern" clearly legible.

John McGovern
Senior Vice President, Policy and Planning

DATE: DECEMBER 11, 2020

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: TODD COLES, CITY CLERK / RETURNING OFFICER

**RE: COMMUNICATION
COMMITTEE OF THE WHOLE (WORKING SESSION)
DECEMBER 2, 2020, ITEM #2,
CONSIDERATION OF INTERNET VOTING FOR THE 2022 MUNICIPAL
ELECTION**

1. PURPOSE

The purpose of this communication is to respond to questions posed by Members of Council in respect to the report titled “Consideration of Internet Voting for the 2022 Municipal Election” as presented to Committee of the Whole (Working Session) on December 2, 2022.

2. ANALYSIS

Does internet voting increase voter turnout?

Voter turnout is a statistic driven by numerous factors such as electoral competitiveness, election type, demographics and accessibility just to name a few. While researchers are able to identify varying factors influencing voter turnout, there is no consensus on the proportion of each factor’s influence. When isolating for the specific impact of internet voting on voter turnout, majority of studies have found minimal correlation. Preliminary data from a current study by Dr. Daniel Stockemer of the University of Ottawa, reveals that municipalities that adopt internet voting see slight increases in voter turnout. Adjusted for other factors, an Ontario municipality with online voting sees an average 2.8 percent higher voter turnout than a municipality that does not engage in online voting. However, when comparing year over year voter turnout for municipalities that have offered online voting for more than one election cycle, the data shows no significant fluctuations.

It is worth noting that although changes to voter turnout (directly attributed to online voting) are minimal, the method by which voters cast their ballots is very adaptive to the choices offered. The Town of Newmarket eliminated the use of all paper-ballots in 2018, offering online voting and telephone voting (through an automated attendant). The total voter turnout rate remained at 35%, in line with previous paper-based elections. The City of Markham is another example of how voter turnout can remain consistent regardless of the voting methods offered. Figure 1 shows the percentage of year over year voter turnout – this figure has remained fairly consistent. Figure 2 shows the percentage of total votes cast online as a percentage of total voter turnout. In 2018, Markham saw a spike in ballots cast online, as online voting was the sole

method offered on Voting Day for the first time. Despite this change, Markham did not see a drastic change in their overall voter turnout.

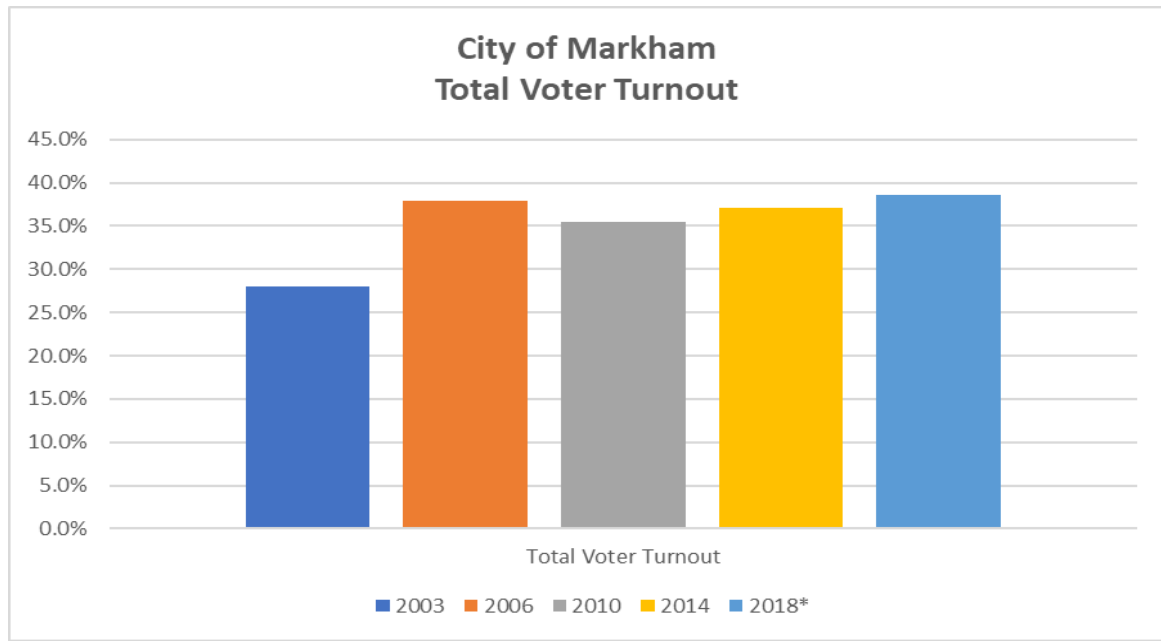


Figure 1: City of Markham Total Voter Turnout (2003 - 2018)

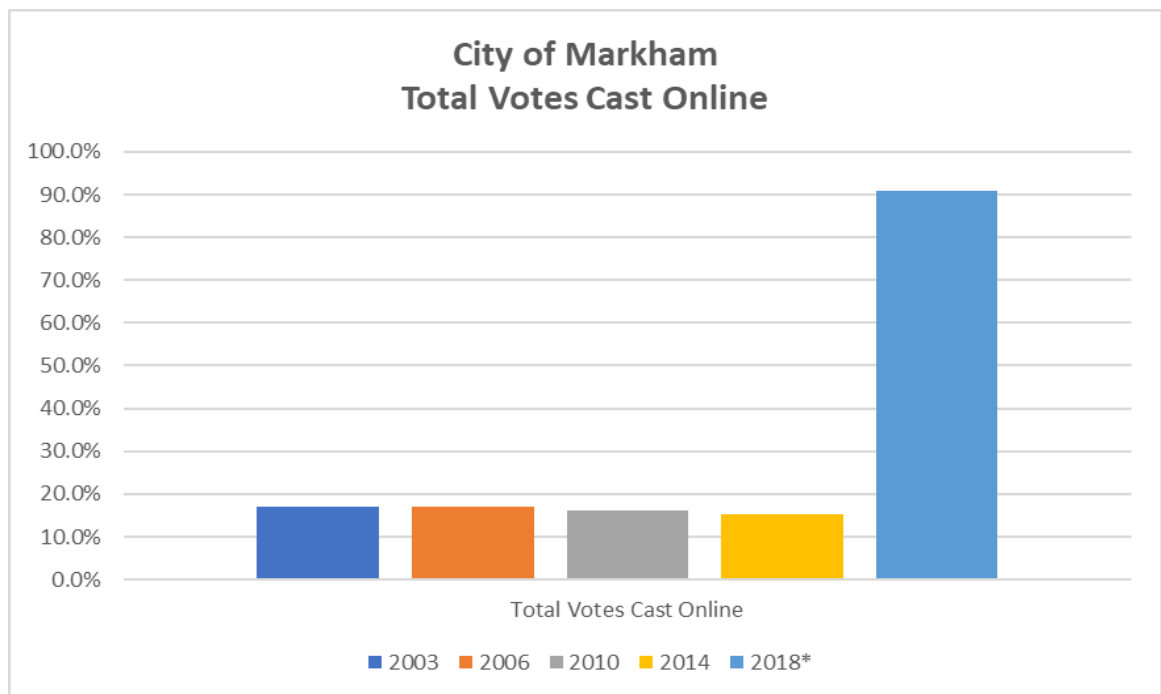


Figure 2: City of Markham Total Votes Cast Online (2003 - 2018)



Have there been reported incidents of fraud connected with internet voting?

There is no evidence of fraud connected with internet voting (as defined in the recommended model, remote online voting).

How do we address or mitigate coercion?

Voter coercion is a risk that exists in all elections, regardless of the delivery method. This risk may increase in a remote voting setting (online voting, telephone or vote by mail). There are three primary opportunities to address or mitigate coercion.

1. Before Voting Period - Voter and Candidate Education, Security Protocols

- Extensive voter education campaigns can help inform voters of their rights, how to protect the secrecy of their ballot, how to identify potential coercion and where to seek assistance if needed.
- Educate candidates on their role and responsibilities, what can be considered as coercion and the consequences and penalties associated with their actions.
- Actively promote Voter Assist Centres as a safe place to cast a ballot for individuals that do not feel comfortable or have limited or no access to a secure computer or internet connection.
- Establish security protocols to identify and flag IP addresses with high activity (casting or attempting to cast multiple ballots). Vendors offer IP blocking which can restrict connectivity from any suspicious IP addresses.

2. During Voting Period – Active Monitoring

- 24/7 monitoring for compliance of established security protocols.
- Monitoring of online voting system for any suspicious activity such as high number of failed login attempts, high activity from a single IP address, IP address spoofing, etc.
- Maintain detailed call log to identify potential patterns.
- Voters to be presented with a declaration of qualification to vote (which must be read and accepted) prior to accessing a ballot.

3. Post Voting Period – Review, Investigate and Report

- Vendor must provide logs and reports of online voting system activity, including the identification of any flagged activity.
- Any flagged or suspicious activity must be reported to authorities and thoroughly investigated as required.



How can we improve the accuracy of the Voters' List?

The accuracy of the municipal Voters' List is an ongoing problem for most jurisdictions in Ontario. With internet voting, where voters would receive credentials in the mail based on the Voters' List, inaccuracies and gaps would be magnified. To address this risk, an enumeration blitz is proposed to encourage residents to confirm and/or update their information or add themselves to the Voters' List. High traffic locations such as community centres, malls and transit hubs will be targeted. Trained election representatives will be strategically placed in these locations with mobile devices to enumerate residents on the spot and provide information on the process as well as information regarding the upcoming election. This will be supplemented with a robust online and social media enumeration campaign. Numerous municipalities such as Markham and Newmarket have had success with this community-based approach. This blitz is in addition to ongoing efforts encourage the use of MPAC's VoterLookup tool and the City's own tool for Voters' List revisions.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'T. Coles', is written over a horizontal line.

Todd Coles

City Clerk / Returning Officer

Co

From: info@villageofwoodbridge.ca <info@villageofwoodbridge.ca>
Sent: December 14, 2020 10:44 AM
To: Council@vaughan.ca; Harnum, Jim <Jim.Harnum@vaughan.ca>; Spensieri, Nick <Nick.Spensieri@vaughan.ca>; Peverini, Mauro <MAURO.PEVERINI@vaughan.ca>; Marrelli, Carmela <Carmela.Marrelli@vaughan.ca>; Clerks@vaughan.ca; Coles, Todd <Todd.Coles@vaughan.ca>
Cc: Fera, Eugene <EUGENE.FERA@vaughan.ca>
Subject: [External] PROPOSED CITY PARK DEVELOPMENT - CONCERNS

For the public record the Village of Woodbridge Ratepayers Association would like it duly documented that on Tuesday, December 8th we participated in the Committee of the Whole Meeting regarding report #61 City Park (Woodbridge Gates North) Inc.

For awareness, we have copied by BCC the Village of Woodbridge Ratepayers Association members.

We request the City Manager and Commissioner of Planning to address the following two procedural concerns:

a) Madame Chair arbitrarily changed the order of presentations by asking the residents to present their deputations prior to the Developer. By allowing the Developer to speak after the residents, this did not give us the opportunity to dispute some of the false statements made by the Developer. For example a misrepresentation was made, falsely stating that at the October 2020 meeting, this project met all Heritage Guidelines. This is not true.

b) City Councillors did not address concerns regarding the adherence to the Ontario Heritage Act. Under the Ontario Heritage Act, heritage district guidelines are meant to supersede planning rules. Why is Vaughan not adhering to these OHA principals, and why are staff not being advised to adhere to the letter and the spirit of the OHA rules? In particular, Section 41.2 (1) (a) and (b) and Section 41.2 (2).

In addition, the following concerns were raised through deputations and there was no courteous acknowledgement of these concerns by Councillors.

a) This application fails to align with setbacks as approved with the most recent applications in the Village.

b) This application fails to meet setback guidelines as documented in the Woodbridge Heritage Conservation District Plan.

c) Current residents will be adversely affected by the noise and vibrations of a 7m crash wall. The Developer stated that no noise mitigation would be provided to the neighbours to the north and east of this proposed development. Who will address the concerns of these residents?

d) Section 37 Bonusing Agreements do not enhance the community and no community input was sought.

e) The Developer did nothing to address issues concerning safety, shadowing and the removal of trees as expressed by the resident immediately to the north of the proposed building.

f) This application is fraught with numerous variances which is an indicator of a proposed development that is too large trying too hard to fit into a space that is too small.

The Village of Woodbridge Ratepayers Association is also concerned with the traffic, parking and pedestrian safety issues that this development will create once it begins. We are requesting that a construction management plan be provided prior to the onset of this project so that we can share with our association members.

The Village of Woodbridge Ratepayers Association is not opposed to development. We just ask for development that is appropriate and sympathetic to the Woodbridge Village Core.

It is disappointing that we do not see any effective challenge by elected

City Councillors to express the consistent concerns raised by their constituents and voiced by the Village of Woodbridge Ratepayers Association.

And although City Councillors have the authority to accept development applications with exaggerated expectations, such as this one, it does not mean that these applications are right!

Sincerely,

The Village of Woodbridge Ratepayers Association

DATE: December 11, 2020

TO: Mayor and Members of Council

FROM: Nick Spensieri, Deputy City Manager, Infrastructure Development

RE: **Item 7, Report 57 – Committee of the Whole (1), December 1, 2020**

Allocation of Servicing Capacity Annual Distribution and Update

Recommendation

That the Recommendations and the report of the Deputy City Manager, Infrastructure Development dated December 1, 2020 titled Allocation of Servicing Capacity Annual Distribution and Update, be amended as follows:

1. That Recommendation 6 be added as follows:
 - 6) That staff be authorized to enter into any necessary agreements with the Block 27 Landowners Group Inc., related to servicing capacity allocation to Block 27, as agreed to in an executed Prepaid Development Charge Credit / Reimbursement Agreement between the Regional Municipality of York and Block 27 Landowners Group Inc.
2. That paragraph 4 in the section titled **Broader Regional Impacts / Considerations** in the subject report be deleted and replaced with:

As part of the Draft Prepaid Development Charge Credit / Reimbursement Agreement (Agreement), an item related to Regional servicing capacity specific to Block 27 has been included. The City understands this final servicing capacity assignment is currently being discussed between the parties and has yet to be finalized. Upon successful execution of the Agreement, City staff will work closely with York Region and the Block 27 Developer Group Trustee to ensure Regional servicing capacity is efficiently, effectively and appropriately allocated to Block 27, pursuant to the terms of the Agreement, the conclusions and recommendations of the Interim Servicing Strategy Study and the City's Servicing Capacity Distribution Policy in effect.

Background

On December 1, 2020, staff proceeded to the Committee of the Whole with its annual Allocation of Servicing Capacity Annual Distribution and Update report. Typically, the report contains a section that updates Council on Regional projects and initiatives. This

year's report contained information related to a proposed prepaid development charge credit / reimbursement agreement between Block 27 and York Region regarding advancing certain water, wastewater and transportation infrastructure in northeast Vaughan.

In October 2020, the City was provided a draft version of the agreement for information purposes only. The City was not involved in drafting the agreement. In recent days, the City was notified that the agreement had undergone many revisions since the version it had in its possession, including information related to a servicing capacity assignment to Block 27, also included in the staff's allocation report. Therefore, staff have revised the clause to better align with the current unexecuted draft agreement. The execution of the Agreement is pending and will expire on December 31, 2020 if not executed.

As well, the Block 27 Developer Group Inc. has requested the City enter into an agreement, as necessary, with its ownership to formalize the distribution of the anticipated Regional servicing capacity assignment to Block 27 per the Agreement. This commitment is dependent on the successful execution of an Agreement between Block 27 and York Region.

For more information, contact Frank Suppa, Director, Development Engineering ext. 8255.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Nick Spensieri', is written over a horizontal line.

Nick Spensieri
Deputy City Manager Infrastructure Development

DATE: December 13, 2020

TO: Mayor and Members of Council

FROM: Wendy Law, Deputy City Manager, Administrative Services and City Solicitor

RE: **STAFF COMMUNICATION – December 15, 2020 Council**
Bill 229, the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020 – Schedule 6, amendments to the Conservation Authorities Act and Planning Act*

1. Purpose

To provide information regarding the changes to the *Conservation Authorities Act* (“CAA”) and *Planning Act* (“PA”) by Schedule 6 to Bill 229, the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* (“Bill 229”). Bill 229 received Royal Assent on December 8, 2020.

2. Analysis

On November 5, 2020 the Province brought forward Bill 229 for first reading in the Ontario Legislature. Schedule 6 to Bill 229 was amended following consideration by the Standing Committee on Finance and Economic Affairs on December 4, 2020. Bill 229 received Royal Assent as amended on December 8, 2020.

Schedule 6 to Bill 229 proposes changes to the *Conservation Authorities Act* (“CAA”) and the *Planning Act* (“PA”).

Bill 229 changes how conservation authorities are involved in the land use planning process, institutes new statutory requirements for the issuance of permits involving lands subject to Ministerial Zoning Orders and institutes new appeal rights and processes regarding permits and fees.

Bill 229 can be accessed in its entirety here - <https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-229>

The more consequential impacts of the proposed changes arising out of Schedule 6 are set out below:

Act	Section	Old Provision	Bill 229 Change	Impact on City of Vaughan
<u>Conservation Authority Board– Membership Structure</u>				
<i>Conservation Authorities Act</i> ("CAA")	s. 14	<p>Members of a conservation authority board are appointed by the councils of participating municipalities.</p> <p>The members appointed by council are required to be a resident in the participating municipality.</p>	<p>At least 70 percent of the members of a conservation authority appointed by participating municipalities are to be municipal councillors. Upon application to the Minister, permission may be given to select less than 70 percent of the appointees as council members.</p> <p>The Minister has the authority to appoint an additional member to a conservation authority to represent the agricultural sector. This agricultural member has limited voting rights in that they cannot vote on resolutions regarding:</p> <ul style="list-style-type: none"> • Enlarging an authority's area of jurisdiction; • Amalgamating an authority with another authority; • Dissolving the authority; • Budgetary matters. 	No City impact expected; the current Toronto and Region Conservation Authority ("TRCA") board structure is consistent with the current composition.
<u>Conservation Authority Board – Term of a Vice-Chair or Chair</u>				
CAA	s. 17	The conservation authority shall appoint a Chair and one or more Vice-Chairs from among the members of the authority	<p>The term of a Vice-Chair or Chair is 1 year and for a maximum of two terms.</p> <p>In instances where there are multiple participating municipalities within a conservation authority board the Vice Chair/Chair must be appointed on a rotating basis. The effect of this change is that no single municipality can appoint a Chair/Vice Chair in consecutive terms.</p>	No City impact expected.

			The Minister has the authority to vary the restriction on the length of service, maximum terms and application of the rotating rule if a municipality applies for a change to the Minister	
<u>Objects of a Conservation Authority</u>				
CAA	20(1)	The objects of an authority are to provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals.	<p>Section 20(1) is substituted with narrower objects, limited to:</p> <ul style="list-style-type: none"> (i) mandatory programs and services; (ii) municipal programs and services; and (iii) other programs and services. 	<p>The updated TRCA mandatory program and services based on the new legislation is not available at this time. Accordingly, the impact on the City is not known.</p> <p>However, if the programs and services are reduced, municipalities may want to consider whether to take the lead in the creation and implementation of those programs and services, for instance restoration planning, green infrastructure development, education and outreach. The City can assess its interest/mandate in such areas at that time.</p>
<u>Powers - Modification of Conservation Authority Powers</u>				
CAA	21(1)	<p>21(1)(a) - permits a conservation authority “to study and investigate the watershed and to determine programs and services whereby the natural resources of the watershed may be conserved, restored, developed and managed”</p> <p>21(1)(b) - Currently conservation authorities can enter onto lands for any purpose connected to a</p>	<p>Section 21(1) is changed in the following ways:</p> <ol style="list-style-type: none"> 1. Replaces 21(1)(a) with “to research, study and investigate the watershed and to support the development and implementation of programs and services intended to further the purposes of this Act”; 2. Amends 21(1)(b) and limits a conservation authority’s ability to enter onto and survey lands by requiring that 	<p>The biggest change in s. 21(1)(a) seems to be that in the current section, the conservation authority has the authority “to determine” the programs and services it is to provide re: natural resources of the watershed vs. the new wording “to support the development” of such programs. The exact implications of this change are not known at this time. If the TRCA’s programs and services are narrowed as</p>

		<p>project considered or being done by the conservation authority.</p> <p>21(1)(c) – permitted a conservation authority to acquire by purchase, lease or otherwise and to expropriate any land that it may require</p>	<p>“consent of the occupant or owner” be obtained prior to entering onto lands;</p> <p>3. Amends 21(1)(c) and removes the power of a conservation authority to expropriate any land that it may require.</p>	<p>result of the amendments, the City may wish to supplement same, but this is likely to come at an additional cost to the City.</p>
Programs and Services (Mandatory, Municipal and Other)				
CAA	21.1	<p>The CAA generally sets out the programs and services that a conservation authority is required or permitted to provide within its area of jurisdiction.</p> <p>[Note – The stipulation of mandatory programs and services that a conservation authority shall provide and the requirements for a conservation authority to enter into memorandum of understandings (“MOUs”) or other agreements when providing municipal programs and services were amendments made to the CAA via Bill 108 - the <i>More Homes, More Choice Act, 2019</i>, S.O. 2019, c. 9. The Bill 108 amendments to this section did not come into effect. Bill 229 repeals and replaces those amendments.]</p>	<p>Section 21.1 requires an authority to provide mandatory programs and services that are prescribed by regulation and meet the requirements set out in that section, which include the following:</p> <ul style="list-style-type: none"> i. the risk of natural hazards; ii. the conservation and management of lands owned or controlled by the conservation authority; iii. duties, functions and responsibilities as a source protection authority under the <i>Clean Water Act</i>; iv. duties, functions and responsibilities that may be set out under other legislation prescribed by regulation. <p>All programs and services must be provided in accordance with any prescribed standards and requirements.</p> <p>Section 21.1.1 allows authorities to enter into agreements with participating municipalities to provide programs and services on behalf of the municipalities, subject to the regulations. The programs and services provided are required to be in line with the terms and conditions set out in the MOU and any requirements that may be set out in regulations. The requirements set out in regulation supersede the terms and</p>	<p>The new section 21.1 specifies in greater detail the services and programs that are mandatory (though the regulation has not been drafted) and the way conservation authorities are to provide municipal services through an MOU or other agreement. Discussions between Staff and the TRCA regarding the terms of an MOU commenced following the initial amendments proposed through Bill 108. We will take the amendments in Bill 229 into account as we continue to negotiate that MOU for Council's consideration at a later date.</p> <p>With changes in this legislation and the future release of the regulations, staff will further assess the implications to determine whether there are potential changes in the services currently provided by the TRCA. Any gaps that staff determine to be of importance, we will assess and bring back to Council for further consideration as may be required. The details of the relationship</p>

			<p>conditions set out in the MOU if there is a conflict.</p> <p>Section 21.1.2 would allow authorities to provide such other programs and services as it determines are advisable to further the purposes of the Act, subject to the regulations.</p> <p>At a future date to be set by regulation, if municipal funding is required to fund a program, the authority must enter into an agreement for such funding and to set out the terms of the arrangement.</p>	<p>between the City and the TRCA will be flushed out in the MOU.</p> <p>MOU's that are entered into for municipal programs or services are required to be made public and the MOU is subject to periodic regular review by the TRCA and the City.</p> <p>At a future date to be set by regulation, the City may be required to enter into a funding agreement with the TRCA if the City intends to receive certain programs and services. This may have budget implications.</p>
Appeal Rights – Permit Application Fee				
CAA	21.2	New provisions creating a new right of appeal with respect to permit application fees.	<p>If a request is made to a conservation authority to reconsider its permit application fee, the conservation authority must decide within 30 days. If the conservation authority fails to decide within 30 days, the requester may appeal the matter to the Local Planning Appeal Tribunal ("LPAT").</p> <p>In instances where the conservation authority decides within 30 days and the person making the request disagrees, they may pay under protest and appeal to the LPAT within 30 days of payment.</p> <p>The LPAT is empowered under the CAA to hear an appeal regarding fees, and after hearing the appeal may dismiss the appeal, vary the amount of the fee or order that no fee be charged.</p>	<p>The City generally does not have a role in these appeals, unless the LPAT decides to consolidate such hearings with appeals filed in relation to <i>Planning Act</i> applications. If LPAT chooses to do so, this may lead to longer hearings.</p>

Minister's Order regarding Compliance and Appointment of Administrator				
CAA	23.2	New provisions	<p>New sections 23.2 and 23.3 of the CAA would allow the Minister to take certain actions after reviewing a report on an investigation into an authority's operations.</p> <p>The Minister may order the authority to do anything to prevent or remedy non-compliance with the CAA.</p> <p>The Minister may also recommend that the Lieutenant Governor in Council appoint an administrator to take over the control and operations of the authority.</p>	This provision introduces the concept of the Minister as an oversight body.
Permission for development, Minister's Zoning Order under <i>Planning Act</i> ("MZO") (application for permission submitted to an authority under a regulation made by the Conservation Authorities under subsection 28 (1))				
CAA	28.0.1	New provision [Note: s. 28(1) currently provides conservation authorities the ability to pass regulations with respect to water, wetlands, flooding and erosion control etc., as well as the appointment of enforcement officers. The current s. 28(1) is due to be repealed upon proclamation with replacement provisions passed by the legislature in 2017. Those provisions prohibit similar activities without the need for the conservation authorities to pass regulations.]	<p>Conservation authorities are required to issue permission for developments subject to an MZO provided that the lands subject to the zoning order are not located in the Greenbelt Area.</p> <p>The conservation authority when granting the mandatory permit may apply conditions to mitigate:</p> <ul style="list-style-type: none"> a) any effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or pollution or the conservation of land; b) any effects created by the development project that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property; or c) any other matters that may be prescribed by regulation. 	<p>This provision is in effect as of December 8, 2020 when Bill 229 received Royal Assent. This section will be repealed upon proclamation.</p> <p>This change has implications for landowners within Vaughan for which Minister's Zoning Orders have recently been enacted.</p> <p>As a result of this change, the TRCA is required to issue permission with respect to the lands subject to the MZO but can issue conditions.</p> <p>If those conditions are not acceptable to the landowner, the landowner can ask the Minister to</p>

			<p>However, if the applicant disagrees with the conditions they can be reviewed by the Minister or appealed to the LPAT. The process for review and appeal are set out in the CAA. The Minister and LPAT have the authority to confirm, remove or add to the conditions when deciding.</p> <p>When permission to develop is granted, the permit holder must enter into an agreement with the conservation authority to compensate for ecological impacts.</p> <p>If the conditions of an issued permit conflict with the terms of an MZO, the MZO shall prevail.</p>	<p>review same, or appeal them to the LPAT.</p> <p>If appealed to the LPAT, the City would need to determine whether it wanted to be a party to the appeal, such as in instances where the permission may impact related planning approvals and/or appeals for which the City has an interest.</p>
Permit Decision – Appeal Rights				
CAA	28.1(8) and (9)	<p>Under the CAA a person who wishes to conduct development activities that may impact watercourses or wetlands are required to obtain a permit from the applicable conservation authority.</p> <p>Allows a person who applied to a conservation authority for a permit under subsection 28.1 (1) to appeal that decision to the Minister if the authority has refused the permit or issued it subject to conditions.</p>	<p>Bill 229 amends the CAA to allow an applicant to request a review by the Minister or appeal the permitting decision to the LPAT.</p> <p>Minister – Request for Review Process:</p> <p>An applicant may, within 15 days of decision, request a review by the Minister of a permit refusal or decision imposing conditions on a permit.</p> <p>The Minister, after receiving the request, is required to reply within 30 days whether they intend to hear the request or not.</p> <p>If the Minister chooses to conduct the review, the Minister must publish notice on the Environmental Registry within 30 days of reply.</p> <p>The Minister may choose not to conduct the review by providing a response saying so or if</p>	<p>The amendment, in addition to providing a review request of a decision to the Minister also provides an alternate route of appeal to the LPAT. The section also sets the process and stipulations regarding the appeal processes.</p> <p>The new review process permits the Minister the authority to issue a permit with or without conditions following its review.</p> <p>The ability to appeal permits to the LPAT increases the duties the Tribunal is responsible for. With the potential increase in workload, there may impacts on the timeliness of the scheduling and hearing of other matters before the LPAT, to accommodate these appeals. Also, and as referenced</p>

			<p>the Minister fails to give a reply to the request within 30 days.</p> <p>If the Minister refuses to conduct a review or fails to decide within 90 days of giving a reply, the applicant can appeal to the LPAT.</p> <p>The Minister when conducting a review can decide to refuse the permit or issue the permit, with or without conditions. The Minister's decision is final.</p> <p>LPAT Permit Appeals Process:</p> <p>Alternatively, an applicant may appeal a non-decision or decision regarding a permit application to the LPAT.</p> <p><u>Appeal of a Decision:</u></p> <p>An applicant can appeal a permit refusal or conditions of approval within 90 days of receiving reasons for the decision.</p> <p>However, a person who has submitted a Request for Review to the Minister cannot appeal to the LPAT unless the Minister has refused to conduct a review or has not replied to the review request within 30 days of submission.</p> <p><u>Appeal of a Non-Decision by the Conservation Authority</u></p> <p>An applicant can appeal a non-decision if no decision has been given within 120 days of an application.</p>	<p>above, appeals may be consolidated at the request of applicants with its <i>Planning Act</i> development application appeals, which could potentially lengthen hearings.</p>
--	--	--	---	---

			<p><u>Appeal of a Non-Decision by the Minister</u></p> <p>If the Minister has given a reply to a request for review and the Minister does not decide within 90 days, the applicant may appeal the non-decision to the LPAT within the next 30 days.</p> <p>For all appeals, the LPAT has the power to refuse the permit or to order that the permit be issued, with or without conditions.</p>	
Power – Minister Order regarding non-issuance or issuance of Permits				
CAA	28.1.1	New Provision	<p>Bill 229 empowers the Minister to order a conservation authority to not issue a permit or class of permits for an activity that would otherwise be prohibited under section 28 (prohibitions re: watercourse, wetlands etc.).</p> <p>The Minister may subsequently issue a permit themselves if, in the Minister's opinion, the following criteria are satisfied:</p> <ul style="list-style-type: none"> a. the activity is not likely to affect the control of flooding, erosion, dynamic beaches or pollution or the conservation of land; b. the activity is not likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property; and c. any other requirements that may be prescribed by the regulations are met. 	<p>The Minister has the potential to exert greater influence in development proposals through the permitting process. The impacts, if any, will be determined based on the frequency of use and how this power is utilized in practice.</p>

			The Minister, when making an order, must give notice after an order is made and post it on the Environmental Registry within 30 days.	
Power – Mandatory Issuance of Permit and Minister Zoning Order (“MZO”) (permit application submitted to an authority under 28.1)				
CAA	28.1.2	New Provision	<p>This section, like section 28.0.1 of the CAA which came into effect on December 8, 2020, requires a conservation authority to grant a mandatory permit if an MZO has been made <u>and</u> the lands subject to the zoning order are not located in the Greenbelt Area.</p> <p>The Conservation Authority when granting the mandatory permit may apply conditions to this approval to mitigate:</p> <ul style="list-style-type: none"> a) any effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or pollution or the conservation of land; b) any effects created by the development project that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property; or c) any other matters that may be prescribed by regulation <p>However, if the applicant disagrees with the imposed conditions, they can seek its review by the Minister or appealed to the LPAT. The process for review and appeal are set out in the CAA. The Minister and LPAT have the authority to confirm, remove or add to the conditions when deciding.</p>	<p>Section 28.1.2 mirrors new section 28.0.1 in substance and is intended to be proclaimed when section 28.0.1 is repealed and the new section 28.1 of the CAA, which provides for permits to be issued by conservation authorities, comes into force. (The new s. 28.1 was passed in 2017 but not yet proclaimed into force.)</p> <p>The potential implications to the City are as noted above.</p>

			<p>When permission to develop is granted, the permit holder must enter into an agreement with the conservation authority to compensate for ecological impacts.</p> <p>If the conditions of an issued permit conflict with the terms of an MZO, the MZO prevails.</p>	
Appeal Rights - Cancellation of Permit/New Order by Conservation Authority				
CAA	28.3	New Provision	<p>Bill 229 provides new appeal rights for an applicant to appeal a conservation authority's decision to cancel a permit or when making another order that the permit holder objects to.</p> <p>A permit holder, within 90 days of receiving notice of the decision may appeal the decision to the LPAT.</p> <p>At a hearing the LPAT may decide to confirm the decision, rescind the decision or vary the decision to cancel the permit, with or without conditions.</p>	<p>If appealed to the LPAT, the City would need to determine whether it wanted to be a party to the appeal such as in instances where the permit appeal may impact related <i>Planning Act</i> approvals/appeals.</p>
Planning Act – Conservation Authority Appeal Rights and Party Status				
<i>Planning Act</i> ("PA")	1(4.1)	New section limiting a conservation authorities' ability to participate in appeals at the LPAT regarding certain matters.	<p>Unless the appeal or an issue in the appeal relates to a prescribed natural hazard risk, a conservation authority cannot appeal or become a party in the following instances:</p> <ol style="list-style-type: none"> 1. Decision of Official Plans/Amendments; 2. Passing of a Zoning Bylaw/ amendments; 3. Extension of an Interim Control Bylaw; 4. Decision of the Committee of Adjustment on Minor Variances; 5. Plans of Subdivision Decisions, including conditions of approval; and 	<p>The implication of the changes is that a conservation authority is unable to appeal decisions of a municipality when they approve or refuse planning applications, but it can seek party status in non-decision appeals.</p> <p>However, appeals of decisions are still permitted by the conservation authority when there is an issue of a natural hazard risk as prescribed.</p>

			6. Consents Decisions, including conditions of the consent, unless the conservation authority is the applicant.	
Transition – Conservation Authority Participation in LPAT Hearings				
PA	1(4.1)	New section addressing transition	A conservation authority that was a party to an appeal on December 7, 2020 may continue as a party to the appeal after that date until the final disposition of the appeal.	Conservation Authorities can continue to participate fully in appeals that they were given party status in prior to December 8, 2020.

In addition to the above, additional changes to the CAA arising out of Schedule 6 include, but are not limited to, the modification to the circumstances that an officer may enter onto lands, modification to the circumstances when Stop Work orders can be issued, inclusion of indemnification for officers when taking actions in the course of their duties and modifications to the regulation making authority of the Lieutenant Governor in Council regarding the CAA. Changes to TRCA enforcement abilities will require the City to assess current practices and whether there may be a need for additional enforcement and monitoring resources, i.e., fill permit process and by-law updates.

For more information, contact: Caterina Facciolo, Deputy City Solicitor, Planning and Real Estate, ext. 8662

Prepared by: Gurnick Perhar, Legal Counsel, ext. 8385

Caterina Facciolo, Deputy City Solicitor, Planning and Real Estate, ext. 8662

DATE: December 15, 2020

TO: Mayor and Members of Council

FROM: Nick Spensieri, Deputy City Manager Infrastructure Development

RE: **Report No. 61 Item 8 – Council, December 15, 2020,**
Anatolia Capital Corp.
Zoning By-law Amendment File Z.18.025, Site Development File
DA.18.065
8811 Huntington Road
Vicinity of Huntington Road and Langstaff Road (REFERRED)

Recommendations

That the Recommendations and staff report for Anatolia Capital Corp., Zoning By-law Amendment File Z.18.025 & Site Development File DA.18.065 be amended as follows:

1. That Recommendation 3 be amended as follows:
 - i) 3b) be deleted and replaced with the following:

“3b) All remaining Block 59 conditions of Block Plan approval as they relate to the Block 59 West Landowners.”;
 - ii) 3c) be deleted and replaced with the following:

“3c) For the lands zoned EM2(H) General Employment Area Zone with the Holding Symbol “(H)” as shown on Attachment 3 lot consolidation is required with the abutting property to the south”;
 - iii) Adding the following condition:

“3d) until a complete servicing strategy is developed to the satisfaction of the City that will have no negative impact on the Blocks 57/58.”
2. That reference to the term “Block 59 Landowners Group” and “Block 59 Developer’s Group” be deleted and replaced with “Block 59 West Landowners” throughout the report and in Attachments 1 and 8.
3. That Attachment 7 – “Block 59 Land Use Distribution and Land Owner Participation” be deleted.

Background

Council on December 1, 2020 deferred Zoning By-law Amendment File Z.18.025 and Site Development File DA.18.065 (Anatolia Capital Corp.) to the December 8, 2020 Committee of the Whole(2) meeting to allow staff the opportunity to respond to Communications respecting these applications. Specifically, the Communications related to the following matters:

i) Block 59 Plan - Street L

The staff report identifies the final Block 59 Plan has been modified to show Street 'L' connecting Line Drive to Highway 27 which was previously shown as "proposed". This change reflects the Traffic and Transportation Study update (October 2020) which includes Street 'L' as part of the transportation network and has been approved to the satisfaction of York Region and the City of Vaughan. A landowner submitted a Communication regarding their desire to delete Street L from the Block 59 Plan.

Vaughan Official Plan 2010, Volume 2, Section 11.9 West Vaughan Employment Area Secondary Plan includes policy 2.2.8 c.) which provides for the following:

"A request to delete a road or portion thereof must be accompanied by a comprehensive transportation study being completed to the satisfaction of the City and the Region. The transportation study must include, among other things, an assessment of the effects of such change on the surrounding local and regional road network to ensure that there are no negative impacts resulting on the development and functioning of the surrounding lands."

This policy in the Official Plan provides a clear process for staff to consider the deletion of Street L. Staff will review a request from the landowner(s) to delete Street L upon submission of a transportation study to support the request, to the satisfaction of the City.

ii) References to Block 59

The staff report includes references to servicing arrangements as they relate to Block 59. The intent in the staff report is that all costs for Phase 1 infrastructure requirements be borne by the Block 59 West landowners. Accordingly, a Recommendation is included to reflect this intent.

iii) Servicing for Blocks 57/58

The proposed phase 2 of the development utilizes an interim servicing strategy which will convey flows to the Huntington trunk sewer. The landowners in Block 57/58 have expressed concerns that the additional flows from the interim strategy will result in capacity constraints in Blocks 57/58.

In consideration of the above, Staff recommends Condition 3b) be amended to add an additional condition to remove the Holding Symbol "(H)" subject to a complete servicing strategy to be developed to the satisfaction of the City to demonstrate there will be no negative impacts on the ability to service future development in Blocks 57/58.

iv) Revision to the Holding Symbol condition related to lot consolidation requirement

The Recommendation includes a condition for the removal of Holding Symbol from the lands zoned EM1(H) Prestige Employment Area Zone and EM2(H) General Employment Area Zone each with the Holding Symbol "(H)" to require lot consolidation with the abutting property to the south. The Owner has requested the parcel zoned EM1(H) Prestige Employment Area Zone with the Holding Symbol "(H)" abutting the property to the south be excluded from this requirement as the parcel complies with the minimum lot size requirements of Zoning By-law 1-88 and can be developed independently. Accordingly, reference to the EM1 Prestige Employment Area Zone in this condition can be deleted. Staff has no objection to this request.

For more information, contact, Frank Suppa, Director, Development Engineering ext. 8255.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read 'Nick Spensieri', with a long horizontal line extending to the right.

Nick Spensieri
Deputy City Manager Infrastructure Development



DATE: December 15, 2020

TO: Mayor and Members of Council

FROM: Nick Spensieri, Deputy City Manager Infrastructure Development

RE: **Report No. 61 Item 9 - Council, December 15, 2020**

**Anatolia Capital Corp.
Zoning By-law Amendment File Z.18.026, Site Development File
DA.18.066
6560 Langstaff Road
Vicinity of Langstaff Road and Huntington Road (REFERRED)**

Recommendations

That the Recommendations and staff report for Anatolia Capital Corp., Zoning By-law Amendment File Z.18.026 & Site Development File DA.18.066 be amended as follows:

1. That Recommendation 3 be amended as follows:
 - i) 3b) be deleted and replaced with the following:

“3b) All remaining Block 59 conditions of Block Plan approval as they relate to the Block 59 West Landowners.”;
2. That reference to the term “Block 59 Landowners Group” and “Block 59 Developer’s Group” be deleted and replaced with “Block 59 West Landowners” throughout the report and in Attachments 1 and 9.
3. That Attachment 8 – “Block 59 Land Use Distribution and Land Owner Participation” be deleted.

Background

Council on December 1, 2020 deferred Zoning By-law Amendment File Z.18.026 and Site Development File DA.18.066 (Anatolia Capital Corp.) to the December 8, 2020 Committee of the Whole 2 meeting to allow staff the opportunity to respond to Communications respecting these applications. Specifically, the Communications related to the following matters:

i) Block 59 Plan - Street L

The staff report identifies the final Block 59 Plan has been modified to show Street 'L' connecting Line Drive to Highway 27 which was previously shown as "proposed". This change reflects the Traffic and Transportation Study update (October 2020) which includes Street 'L' as part of the transportation network and has been approved to the satisfaction of York Region and the City of Vaughan. A landowner submitted a Communication regarding their desire to delete Street L from the Block 59 Plan.

Vaughan Official Plan 2010, Volume 2, Section 11.9 West Vaughan Employment Area Secondary Plan includes policy 2.2.8 c.) which provides for the following:

"A request to delete a road or portion thereof must be accompanied by a comprehensive transportation study being completed to the satisfaction of the City and the Region. The transportation study must include, among other things, an assessment of the effects of such change on the surrounding local and regional road network to ensure that there are no negative impacts resulting on the development and functioning of the surrounding lands."

This policy in the Official Plan provides a clear process for staff to consider the deletion of Street L. Staff will review a request from the landowner(s) to delete Street L upon submission of a transportation study to support the request, to the satisfaction of the City.

ii) Reference to Block 59

The staff report includes references to servicing arrangements as they relate to Block 59. The intent in the staff report is that all costs for all Phase 1 infrastructure requirements be borne by the Block 59 West landowners. Accordingly, a Recommendations are included to reflect this intent.

For more information, contact, Frank Suppa, Director, Development Engineering ext. 8255.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read 'Nick Spensieri', with a long horizontal line extending to the right.

Nick Spensieri
Deputy City Manager Infrastructure Development

DATE: December 15, 2020

TO: Mayor and Members of Council

FROM: Nick Spensieri, Deputy City Manager Infrastructure Development

RE: **Report No. 61 Item 10 – Council, December 15, 2020**

**Anatolia Investments Corp.
Zoning By-law Amendment File Z.18.027, Site Development File
DA.18.067
9151 Huntington Road
Vicinity of Huntington Road and Rutherford Road (REFERRED)**

Recommendations

That the Recommendations and staff report for Anatolia Investments Corp., Zoning By-law Amendment File Z.18.027 & Site Development File DA.18.067 be amended as follows:

1. That Recommendation 2 be amended as follows:
 - i) 2b) be deleted and replaced with the following:

“2b) All remaining Block 59 conditions of Block Plan approval as they relate to the Block 59 West Landowners.”;
 - ii) Adding the following condition:

“2c) until a complete servicing strategy is developed to the satisfaction of the City that will have no negative impact on the Blocks 57/58.”
2. That reference to the term “Block 59 Landowners Group” and “Block 59 Developer’s Group” be deleted and replaced with “Block 59 West Landowners” throughout the report and in Attachments 1 and 8.
3. That Attachment 7 – “Block 59 Land Use Distribution and Land Owner Participation” be deleted.

Background

Council on December 1, 2020 deferred Zoning By-law Amendment File Z.18.027 and Site Development File DA.18.067 (Anatolia Investment Corp.) to the December 8, 2020

Committee of the Whole 2 meeting to allow staff the opportunity to respond to Communications respecting these applications. Specifically, the Communications related to the following matters:

i) Block 59 Plan - Street L

The staff report identifies the final Block 59 Plan has been modified to show Street 'L' connecting Line Drive to Highway 27 which was previously shown as "proposed". This change reflects the Traffic and Transportation Study update (October 2020) which includes Street 'L' as part of the transportation network and has been approved to the satisfaction of York Region and the City of Vaughan. A landowner submitted a Communication regarding their desire to delete Street L from the Block 59 Plan.

Vaughan Official Plan 2010, Volume 2, Section 11.9 West Vaughan Employment Area Secondary Plan includes policy 2.2.8 c.) which provides for the following:

"A request to delete a road or portion thereof must be accompanied by a comprehensive transportation study being completed to the satisfaction of the City and the Region. The transportation study must include, among other things, an assessment of the effects of such change on the surrounding local and regional road network to ensure that there are no negative impacts resulting on the development and functioning of the surrounding lands."

This policy in the Official Plan provides a clear process for staff to consider the deletion of Street L. Staff will review a request from the landowner(s) to delete Street L upon submission of a transportation study to support the request, to the satisfaction of the City.

ii) Reference to Block 59

The staff report includes references to servicing arrangements as they relate to Block 59. The intent in the staff report is that all costs for Phase 1 infrastructure requirements be borne by the Block 59 West landowners. Accordingly, a Recommendation is included to reflect this intent.

For more information, contact, Frank Suppa, Director, Development Engineering ext. 8255.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read 'Nick Spensieri', with a long horizontal line extending to the right.

Nick Spensieri
Deputy City Manager Infrastructure Development

MEMBER'S RESOLUTION**Date: DECEMBER 15, 2020 – COUNCIL****Title: BILL 229 - SCHEDULE 6, AMENDMENTS TO THE CONSERVATION AUTHORITIES ACT****Submitted by: COUNCILLOR MARILYN IAFRATE**

Whereas on November 5, 2020, the Province of Ontario introduced Bill 229, *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, which proposes amendments to the *Conservation Authorities Act* and *Planning Act* through Schedule 6; and

Whereas Bill 229 received Royal Assent on December 8, 2020 and limited amendments to the *Conservation Authorities Act* are now in force; and

Whereas most of the Bill 229 amendments to the *Conservation Authorities Act* will come into force on a day to be proclaimed by the Lieutenant Governor; and

Whereas the Bill 229 amendments to the *Conservation Authorities Act* reinforce that conservation authorities, like the Toronto and Region Conservation Authority ("TRCA"), exist to deliver programs and services that further the conservation, restoration, development, and management of natural resources in watersheds in Ontario; and

Whereas in accordance with this purpose, the TRCA has confirmed in a press release issued on December 8, 2020 that it will continue using a science-based watershed approach to its decision making and will not change its practices related to planning and permitting except as required when the amendments to the *Conservation Authorities Act* as set out in the Act are proclaimed; and

Whereas the TRCA did advise the Province of concerns it had regarding governance, planning, permitting and enforcement sections within Schedule 6 to Bill 229 prior to Bill 229's passage; and

Whereas the TRCA acknowledges the Province for modifying some parts of Schedule 6 in Bill 229 to reflect the TRCA's input, including the "Membership and Governance" and "Objects, Powers and Duties" sections, which reinforce that board members have a fiduciary responsibility to act in the best interest of the conservation authority in which they serve, and that conservation authorities have flexibility to provide optional programming and services to its partner municipalities and stakeholders in their jurisdiction, without Provincial restriction; and

Whereas it is the TRCA's position that several unprecedented challenges and concerns related to planning and permitting remain within the version of the amendments to the *Conservation Authorities Act* and the *Planning Act* that received Royal Assent on the 8th of December; and

Whereas local residents groups, environmental groups, Associations of Municipalities of Ontario ("AMO"), Ontario Big City Mayors, David Suzuki Foundation, Environmental Defence, Ontario Nature, various Ontario municipalities and notably, Canadian Environmental Law Association, indicated their opposition to the changes made by the Province in Schedule 6 of Bill 229 prior to Bill 229's passage; and

Whereas conservation authorities will no longer be deemed a "Public Body" under the *Planning Act* in some instances which impacts the ability of conservation authorities to participate in most appeals to the Local Planning Appeal Tribunal ("LPAT") of development applications where a decision has been made; and

Whereas new appeal procedures have been created to allow for applicants to go directly to LPAT or the Minister to receive approval of a permit when it has been denied by a conservation authority; and

Whereas new mandatory permitting requirements have been placed on conservation authorities where a Minister's Zoning Order has been issued, provided that the lands are outside of the Greenbelt; and

Whereas the mandatory permission requirements came into effect as of December 8, 2020; and

Whereas demoting the role and authority of conservation authorities is not in the public interest and does not provide the protection and assurance that the public relies upon.

It is therefore recommended that:

- 1. The City of Vaughan request that the Government of Ontario reconsider the amendments to the Conservation Authorities Act and Planning Act in Bill 229 relating to planning, permitting and enforcement and include strengthened provisions related to enforcement including powers to require the restoration of lands including taxation abilities involving local municipalities if they have been subjected to illegal activities, including enforcement powers that are on par with other Provincial Officers in order to support a balanced approach to development, enable conservation authorities to mitigate natural hazards and protect natural heritage, and to prevent any downloading of enforcement costs to municipalities;*
- 2. The City of Vaughan requests that the Government of Ontario allow for further discussions to take place regarding the amendments to the Conservation Authorities Act and the Planning Act set out in Schedule 6 to Bill 229 before proclaiming them to come into effect;*
- 3. The City of Vaughan requests that the Government of Ontario consult with the conservation authorities when developing the newly proposed regulations to ensure they have an opportunity to apply their knowledge and best practices as part of the consultation process to inform development of the guidelines prior to the guidelines being approved by the Province;*
- 4. This resolution be distributed by the Clerk to the Premier, Minister of Environment, Conservation and Parks, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the Minister of Finance, MPPs in the City of Vaughan, the Region of York, and the TRCA.*

Respectfully submitted,

Marilyn lafrate
Councillor, Ward 1
Maple & Kleinburg