

**C22**  
**COMMUNICATION**  
**COUNCIL - April 25, 2023**  
**CW (PM) - Report No. 17, Item 2**

**From:** IRENE FORD <[REDACTED]>

**Sent:** Tuesday, April 04, 2023 1:42 PM

**To:** [Clerks@vaughan.ca](mailto:Clerks@vaughan.ca)

**Cc:** [Council@vaughan.ca](mailto:Council@vaughan.ca); John MacKenzie <[john.mackenzie@trca.ca](mailto:john.mackenzie@trca.ca)>; Todd Coles <[Todd.Coles@vaughan.ca](mailto:Todd.Coles@vaughan.ca)>; Wendy Law <[Wendy.Law@vaughan.ca](mailto:Wendy.Law@vaughan.ca)>; Paul Bottomley <[paul.bottomley@york.ca](mailto:paul.bottomley@york.ca)>; Hosseini, Hossein (MTO) <[hossein.hosseini@ontario.ca](mailto:hossein.hosseini@ontario.ca)>; [project\\_team@highway413.ca](mailto:project_team@highway413.ca); Ontario Region / Region d'Ontario (IAAC/AEIC) <[iaac.ontarioregion-regiondontario.aeic@canada.ca](mailto:iaac.ontarioregion-regiondontario.aeic@canada.ca)>

**Subject:** [External] 611428 ONTARIO LIMITED ZONING BY-LAW AMENDMENT FILE Z.14.032 PART OF LOT 9, CONCESSION 9 VICINITY OF RAINBOW CREEK DRIVE AND HIGHWAY 427

Clerks,

This communication is late but I ask that it be considered and forwarded to staff for consideration in review of the Planning file and by Council in the decision making process.

[611428 ONTARIO LIMITED ZONING BY-LAW AMENDMENT FILE Z.14.032 PART OF LOT 9, CONCESSION 9 VICINITY OF RAINBOW CREEK DRIVE AND HIGHWAY 427 - Committee of the Whole \(Public Meeting\) - April 04, 2023](#)

In Nov, 2021 a permit was issued by TRCA to fill and grade the subject lands ahead of any development planning applications being submitted. The land is already altered so I find myself puzzled by what exactly the public is being consulted about today if the site has been graded, servicing connections installed as per the permit issued by the TRCA? How can a site be graded and receive 64,000 tonnes of material ahead of any development planning application being submitted to the City for public consultation, review and approval as well as servicing connections? What City of Vaughan inspector could have inspected and signed off on the servicing connections if there was no approved development application, how is that possible?

I drove to the site after reading the TRCA staff report last Nov, 2021. There were piles of rubble everywhere. It has since miraculously disappeared.

f.	TRCA	<ul style="list-style-type: none"><li>▪ The TRCA must review and provide comments on the Application as the Subject Lands are located within the TRCA's Regulated Area</li> <li>▪ The TRCA has issued Permit No. C-211358 granting the Owner permission for fill placement/compaction and grading to level the Subject Lands, and the installation of servicing connections from Rainbow Creek Drive to the south property limit</li> <li>▪ The Owner is required to submit a Slope Stability Study for review and approval by the TRCA</li></ul>
----	------	---

It would appear the permit was granted by TRCA because the natural heritage features that were present on this site were 'damaged' during the Highway 427 construction.

<https://pub-trca.escribemeetings.com/filestream.ashx?DocumentId=7925>

**"In particular, the subject lands and the associated natural features were impacted by the construction of the Highway 427 extension, a portion of which was expropriated by the Ministry of Transportation (MTO). Also, the valley corridor historically had greater flows. Due to significant development in the surrounding landscape since the initial TRCA Fill Permit Application was submitted, the feature no longer has significant flows."**

TRCA says they only gave Phase 1 of a 2 Phase permit yet the real estate [Listing](#) reports the site is graded & filled. I asked if they would be conducting a site investigation based on the fact it's being advertised as graded and filled. I have not heard back from them.

The listing is no longer available but if memory serves it was for sale for \$21M worked out to \$5M/acre on land that a portion or all became developable after the Highway 427 expansion resulted in site 'alterations'. I also don't understand how the site no longer has significant flows due to upstream development - where did that flow go and how/when was that approved? Is there a culvert under the 427 here? No answers to these question either....

I did not pursue or formally ask the MTO if there was any consequence for the 'alteration' (destruction?) of these natural heritage features that are now filled over. I did however ask them how they proposed to build a 59km long highway over 85 tributary and waterways - Highway 413- and expect the public to have any faith in their ability to protect Ontario's natural heritage and the free natural asset management services provided as source and store water protection that benefit millions in the GTA and will be increasingly critical as Climate Change risks escalate and worsen? I have not heard back.

As I understand because the MTO is exempt from the CAA there was no consequence for MTO or the applicant, had this been destroyed and was **not** related to the construction of Highway 427 extension, it would have been illegal and TRCA could have pursued legal action or whatever mechanism is permitted under the CAA.

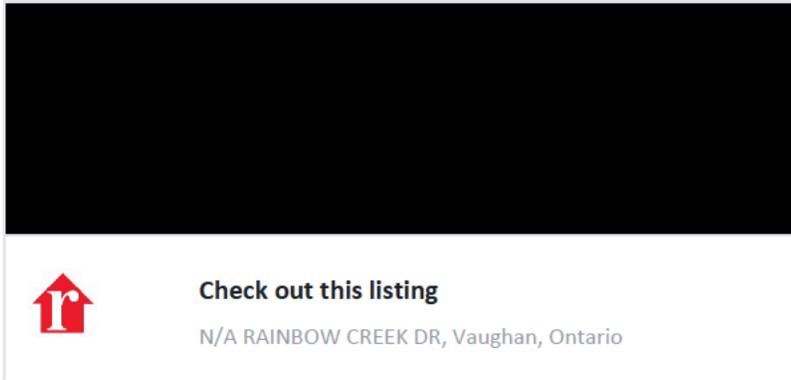
It would appear that the MTO's (or their contractor) damage during the construction of the Highway 427 extension will result in a financial windfall for a landowner who has been trying to develop this land since the 90's and under the current provincial government has achieved this some 30 years later. Land near two streets named Zenway Blvd and Milani Blvd. Approval by Vaughan Council will only further reward the reckless disregard for the protection of Ontario's natural heritage, whether it was intentional or not.

It is troubling that the same lawndowner has already received a Minister's Order for development on the Oak Ridges Moraine under the former government, was documented to have had secret meetings with the current Ontario PC Government in 2019 seeking to remove protections and allow further development on the protected Oak Ridges Moraine, possibly on the same land Vaughan Council somehow entered into an agreement to support development on land that is not within their planning authority to approve. Then at the 11th hour during the public open house on York Region's Official Plan last May, Regional Councillor Jackson chose to bring forward a member's motion to get these same lands approved via York Region's Official Plan. It does not appear to have occurred, but it is not clear to me at all, since the Minister made over 80 changes and a Minister's Order can be issued in the absence of any public notification or documentation under the Oak Ridges Moraine Conservation Act.

2019 Article: [Ford government had 'discussions' on removing Greenbelt land for PC party donor | CBC News](#)

Refer to Motion #6 here: [Draft Regional Official Plan Consultation Update and Statutory Public Meeting - Special Meeting of Committee of the Whole - May 19, 2022](#)

Minutes of Settlement Agreement: <https://pub-vaughan.escrimemeetings.com/filestream.ashx?DocumentId=103585>



This is what it looks like during construction; an access point, used by the Contractor that went right through the natural heritage features that were damaged? Like other material migrated off site towards the unevaluated wetland?



I do not know what to request of Council but at the very least I think you should understand the history as perceived by a member of the public concerned about the continual loss of Vaughan's natural heritage and the future proposed Highway 413 that will pass through the Nashville Conservation Reserve the heritage Humber River and it's tributaries.

Thank you,  
Irene Ford