

From: Coles, Todd
Sent: January-16-19 3:45 PM
To: Bellisario, Adelina
Subject: FW: Special Committee of the Whole Report No.1 Bill 66

Todd Coles, BES, ACST(A), MCIP, RPP
City Clerk
905-832-8585, ext. 8281 | todd.coles@vaughan.ca

City of Vaughan | Office of the City Clerk
2141 Major Mackenzie Dr., Vaughan ON L6A 1T1
vaughan.ca



From: Simone Barb [REDACTED]
Sent: Wednesday, January 16, 2019 12:22 PM
To: Coles, Todd <Todd.Coles@vaughan.ca>; Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>; Carella, Tony <Tony.Carella@vaughan.ca>; DeFrancesca, Rosanna <Rosanna.DeFrancesca@vaughan.ca>; Racco, Sandra <Sandra.Racco@vaughan.ca>; Ferri, Mario <Mario.Ferri@vaughan.ca>; lafrate, Marilyn <Marilyn.lafrate@vaughan.ca>; Rosati, Gino <Gino.Rosati@vaughan.ca>; Shefman, Alan <Alan.Shefman@vaughan.ca>; Linda D. Jackson (Regional) [REDACTED]; Michaels, Gus <Gus.Michaels@vaughan.ca>; Suppa, Frank <Frank.Suppa@vaughan.ca>; Pearce, Andrew <Andrew.Pearce@vaughan.ca>; Pucci, Ben <Ben.Pucci@vaughan.ca>
Cc: Phyllis Barbieri [REDACTED]; Richard T. Lorello (Regional) [REDACTED]; Lori Perri [REDACTED]; Pam Lombardo [REDACTED]; [REDACTED]; [REDACTED]; Frank Durante [REDACTED]; [REDACTED] Mike Russo [REDACTED]; Marylou Bel Monte [REDACTED]; Marie Donato [REDACTED]; Tony Caputo [REDACTED]; Integrity Commissioner <Integrity.Commissioner@vaughan.ca>; Craig, Suzanne <Suzanne.Craig@vaughan.ca>; Reali, Mary <Mary.Reali@vaughan.ca>; Rigakos, Demetre <Demetre.Rigakos@vaughan.ca>; Cardile, Lucy <Lucy.Cardile@vaughan.ca>; Teresa Veldhuis [REDACTED]; Andrzej Dominski [REDACTED]; Brian Bridgeman <brian.bridgeman@durham.ca>; Lauren Chee-Hing <lcheehing@ombudsman.on.ca>; Angie Pijo [REDACTED]; Lety Lauye Fernandez [REDACTED]; [REDACTED]; Steve P. [REDACTED]; Joe Christini [REDACTED]; Dugas Celeste (MECP) <celeste.dugas@ontario.ca>; Noor Javed <njaved@thestar.ca>; Zach Dubinsky <zach.dubinsky@cbc.ca>; liam.casey@canadianpress.com; Pat F. <patrick.foran@bellmedia.ca>; DONOFRIO AUTO GROUP [REDACTED]; Sones Kristen (MOECC) <kristen.sones@ontario.ca>; Collins, Stephen <Stephen.Collins@vaughan.ca>; Michaela Barbieri [REDACTED]; sean.oshea@globalnews.ca; Gabriel Ruffa [REDACTED]; Lee, Andy <Andy.Lee@vaughan.ca>; Chan, Albert <Albert.Chan@vaughan.ca>; Rick Girard <rick.girard@vaughan.ca>; MARY MONACO [REDACTED]; Messere, Clement <Clement.Messere@vaughan.ca>; Brusco, Nicolino <Nicolino.Brusco@vaughan.ca>; Peverini, Mauro <MAURO.PEVERINI@vaughan.ca>; Patrick Brown <patrick.brown@pc.ola.org>; gina.cimpa@vaughan.ca; minister.mecp@ontario.ca; Brian Moyle <bmoyle@trca.on.ca>; Andrea Horwath - QP <horwatha-qp@ndp.on.ca>; Brown Andrea (MECP) <andrea.j.brown@ontario.ca>; Dufresne Tina (MOECC) <tina.dufresne@ontario.ca>; Jennifer E. Barnett <jennifer.e.barnett@ontario.ca>; Dugas Celeste (MECP) <chris.hyde@ontario.ca>; Ciafardoni, Joy <Joy.Ciafardoni@vaughan.ca>; Schmidt-Shoukri, Jason <Jason.Schmidt-Shoukri@vaughan.ca>; KEEP VAUGHAN GREEN

<keepvaughangreen@gmail.com>; Michael Tibollo <michael.tibollo@pc.ola.org>; Doug Ford <doug.ford@pc.ola.org>; Doug Fordco <doug.fordco@pc.ola.org>; Caroline Mulroney <caroline.mulroney@pc.ola.org>; Caroline Mulroneyco <caroline.mulroneyco@pc.ola.org>; Christine Elliott <christine.elliott@pc.ola.org>; Christine Elliottco <christine.elliottco@pc.ola.org>; Rod Phillips <rod.phillips@pc.ola.org>; rod.phillipsco@pc.ola.org; Magnifico, Rose <Rose.Magnifico@vaughan.ca>; Simmonds, Tim <Tim.Simmonds@vaughan.ca>

Subject: Re: Special Committee of the Whole Report No.1 Bill 66

Todd Coles, City Clerk, Mayor, & Council,

Special Committee of the Whole Report No.1 Bill 66- Restoring Ontario's Competitiveness Act.

Thank you for your email how ever,

When Reviewing Bill 66 and the changes that are trying to be forced through

Schedule 5 of Bill 66 is regarding the Ministry of the Environment, Conservation and Parks.

- 1) Toxics Reduction Act, 2009 (TRA) and ONTARIO Regulation 455/09.
- 2) Service of Documents, under Toxics Regulations Act, 2009, S. O. 2009, c. 19

The Toxics Reduction Act, 2009 (TRA) and Ontario Regulation 455/09 (O.Reg. 455/09) came into force on January 1, 2009. The purposes of the Act are to prevent pollution and prevent human health and the environment by reducing the use and creation of toxic substances and to inform Ontarians about toxic substances.

5550 Langstaff Rd, Woodbridge , Ontario represents all of the above. and the only reason you are trying to violate my civil right to bring this forth on the public agenda is because by passing Bill 66 then the municipalities gain more power and the planning Act gain more power to cut out the Public from the Public consultation requirement.

O. Reg 296/18 Service Documents if passes under Bill 66 that means the municipalities or Government bodies don't have to involve the public in the planning process or disclose documents that can reveal human health risks to the public there for removing the "Red Tape" of performing Human Health Risks reports and sharing them with the potentially affect residents that could be put a risk from exposure of toxic substances.

So Todd Coles City Clerk,

Respectfully Speaking as my Democratic Right, of the Charter Rights and Freedom, my original submission has validly under the concerns of Bill 66 being passed.

Regards
Simone Barbieri

(original submission)

Todd Coles, City Clerk, Mayor & Council,

Special Committee of the Whole Report No.1 Bill 66- Restoring Ontario's Competitiveness Act.

This letter below that was sent to the City of Vaughan on June 25/2018, is the very reason we have to vote against Bill 66.

On June 3/2018 City of Vaughan inspector Norm, was present on the Site of 5550 Langstaff Rd, when he was advised by the Director of 5550 Langstaff where the waste was going to be stock piled. There for, the City of Vaughan was fully aware of the illegal industrial dumping that took place at 5550 Langstaff rd. site before it even started. Please keep in mind as the illegal industrial dumping was occurring the director 1668135 Ontario Inc. was also in Contravention of the ECA 9523-9DSL7V which mean that the whole remedial operation was being conducted in a non-compliance mode to the ECA issued to 1668137 Ontario Inc. and the City of Vaughan was aware of these actions as well. But failed to take any action against the non-compliance and the illegal dumping.

On June 5/2018, the Director of 1668135 Ontario Inc. commenced the illegal operations of industrial dumping without City of Vaughan Permits issued out from a Chief Building officer of the City of Vaughan. As it was confirmed by a senior City of Vaughan staffer that permits were not issued out for the industrial dumping that took place at 5550 Langstaff rd. Between June 5-2018- November-2018.

Between June 3/2018- June 5/2018 the City of Vaughan had the opportunity to enforce City of Vaughan bylaws prescribed within the corporation of the City of Vaughan which is incorporation pursuant to the laws of Ontario, under the Municipal Act, 2001.

But failed to.

By-law 189-96 Alliterating and Changing the Grading. Section 223.1 of the Municipal Act R.S.O. 1990, should have been enforced by our Bylaw department the minute the illegal industrial dumping started on June 5/2018. video's and pictures were sent to the bylaw department and City of Vaughan Staff, Mayor, and Council, yet nothing was done. As well as the Court documents from CV-16-561498. prohibited 1668135 Ontario Inc. from using Campania court as Hauling route. Yet 1668135 Ontario Inc. used it as a hauling route during all the unapproved activities and the City of Vaughan failed to enforce the Courts decision in the court document CV-16-561498. While all that unpermitted activity was taking place 1668135 Ontario Inc., 1668137 Ontario Inc., failed to enter into a Hydro One Encroachment agreement to actively work under and across a Hydro One Corridor and next to a

Hydro One Transmission Tower. The City of Vaughan and at all relevant times the City of Vaughan was aware of this and took no action to enforce this requirement or agreement that would protect the residents from further exposure, harm, and danger.

Calls were placed to the city day after day as the industrial dumping was occurring 10 feet from residents front door and all calls went unaddressed and or ignored. the wellbeing of residents did matter to the City of Vaughan because this illegal industrial dumping continued until November 2018.

On June 25/2018 the City received the Letter below from the Ministry of Environment indicating the industrial dumping.

In the letter it stated that the following:

Prohibition on certain changes of use

168.3.1 (1) Subject to subsection (2), a person shall not,

(a) change the use of a property from industrial or commercial use to residential or parkland use;

(b) change the use of a property in a manner prescribed by the regulations; or

(c) construct a building will be used in connection with a change of use that is prohibited by clauses (a) or (b).

The letter went on to say the following:

"The ministry has determined that RSC #224542 does not support a future change to a more sensitive use as a result of the waste processing activities that have taken place or may continue to take place on the RSC Property after the RSC certification date of May 23, 2017. The RSC certification date is the last day on which sampling was done on the RSC Property and is the date that the qualified

person referred to in providing the opinion that the RSC Property met the applicable site condition standards."

After receiving this letter from the MEPC on December 19/2018 after requesting a copy as I only found out about this letter when I was requesting an update from the MEPC regarding 5550 Langstaff rd. That's when I was told in communication of the phone call that "said letter" was sent out to the City of Vaughan and the Director of 1668135 Ontario Inc. regarding the industrial dumping on the land.

I immediately asked why a copy was not shared to the Effected residents in the form of an update at the same time the City of Vaughan was in ownership of this letter? did not receive a response there fore a immediately requested a copy of the letter.

With the non-compliance that has been occurring on the site of 5550 Langstaff Rd. Unapproved landfill, Our Mayor Maurizio Bevilacqua, has never made it his priority to come out to the site or reach out to the adversely stigmatized effected residents as these non-complying activities have been occurring for over a decade. With residents reaching out to Mayor Maurizio Bevilacqua requesting a meeting or a visit, every email and phone message left for him when unaddressed and ignored for the last decade. it is Now Jan 15/2019 and the residents still have not received any support, protection under our City of Vaughan by-laws, or relief from the Adverse Effects and stigmatizing exposure of the non-compliance activities that we the residents have been subjected to from 5550 Langstaff Rd, Unapproved landfill.

The Director Of Our Bylaw department Gus |Michaels has failed the residents as well. Not one bylaw prescribed under the Municipal Act, 2001 were not enforced to protect effected Residents from harm and or property damages. all pictures and video submitted to the Bylaw department were ignored and unaddressed.

Our Ward 2 Council has failed to represent his constituents, Tony Carella, Has failed to act on any and all emails that were submitted to the City of Vaughan regarding 5550 Langstaff rd. Unapproved landfill. With residents reaching out to Tony Carella requesting a meeting or a visit, every email and phone message left for him when unaddressed and ignored. it is Now Jan 15/2019 and the residents still have not received any support, protection under our City of Vaughan by-laws, or relief from the Adverse Effects and stigmatizing exposure of the non-compliance activities that we the residents have been subjected to from 5550 Langstaff Rd, Unapproved landfill.

How was the Environment being protected?

How was the water shed being protected?

How was the Woodlot area being protected?

How were the people being protected?

So just to recap, the City of Vaughan was aware of the unpermitted industrial dumping before it commenced 2 days later and failed to enforce City of Vaughan Bylaws to stop the industrial dumping from occurring. The City of Vaughan received the letter below from the MEPC on June 25/2018 and failed to act once again and provide the residents with a public update regarding the unapproved operations. The City of Vaughan failed to protect the residents and our environment and water shed from harm or damages while being exposed to the unapproved activities of 5550 Langstaff rd. Now the City wants to remove the most important parts of Bill 66 that holds everyone accountable when operating on Brownfield property.

Please tell me who will gain from these changes of Bill 66?

As of Sunday June 13/2019 @ 2:38pm I received a call from the Premier of Ontario, the Honorable Doug Ford, that filled me in there is an action plan in place for the clean up of 5550 Langstaff rd. to commence in February 2019. But yet once again no updates or communication was provided to the Adversely Effected residents. As this plan was in place and in discussion in 2018. Probably why the big push for Bill 66 to be pushed through and remove the "RED TAPE".

As that conversation continued, I asked while you have this action plan in place to clean up the land 5550 Langstaff rd. What is the action plan to protect the residents, and community from further Adverse Effects, Stigmatization, and damages? I was not provided a response to my question because the protection of residents was not a priority when this action plan was being devised. In my opinion it was all about getting the developer more power to bypass what's most important to protect the environment, residents, and animals from harm, damages, adverse effects, and stigmatization.

So I ask City of Vaughan Mayor and Council was is the Engineered action plan to protect the residents from further Adverse Effects, Stigmatization, harm and damages?

and

Will there be a Human Health Risk assessment done before any activity commences here at 5550 Langstaff Rd?

and

Will an Air Quality machine be brought on to the site of 5550 Langstaff Rd Site and remain here to measure our air quality as the waste is being removed from 5550 Langstaff site?

and

Will the waste be hauled out of the phase 1 exit?

and

Is 1668135 Ontario Inc. Bonded with the City of Vaughan to conduct such activities under the Environmental Protection Act, R.S.O. 1990, c. E. 19. ? or have they ever been Bonded with the City of Vaughan?

Regards,

Simone Barbieri

Ministry of the Environment and Climate Change Central Region
York Durham District Office
230 Westney Road South, 5th Floor
Ajax ON LIS 7J5
Toll-Free : 1-800-376-4547
Telephone.: 905-427-5600
Fax: 905-427-5602

June 25, 2018

Mr. Ben Pucci, P.Eng

Chief Building Official, Building Standards Department

City of Vaughan

2141 Major Mackenzie Drive

Vaughan ON L6A ITI

RE: 5550 Langstaff Road, Record of Site Condition #224542 (RSC #224542)

The purpose of this letter is to provide the City of Vaughan with clarification on the Ministry of Environment and Climate Change (ministry) regulatory requirements as it pertains to the property being part of the 5550 Langstaff Road site, namely, Parts 4 and 5 on Reference Plan 66R-35952 (RSC Property), that is the subject matter of RSC #224542 filed in the ministry Environmental Site Registry on June 15, 2018, for your consideration in your planning and permitting decisions relating to this site.

The ministry has determined that RSC #224542 does not support a future change to a more sensitive use as a result of the waste processing activities that have taken place or may continue to take place on the RSC Property after the RSC certification date of May 23, 2017. The RSC certification date is the last day on which sampling was done on the RSC Property and is the date that the qualified person referred to in providing the opinion that the RSC Property met the applicable site condition standards.

Under Part XV.1 of the Environmental Protection Act (EPA), a property owner may file an RSC to the Ministry's Registry if the applicable standards are met for soil, ground water and sediment. Section 168.3.1 of the EPA requires the filing of an RSC prior to a change in property use to a more sensitive use. These provisions are in place to ensure that properties being converted to a more sensitive use, such as a change from industrial use to residential use, meet the appropriate environmental standards and are protective of the human health and the environment.

Prohibition on certain changes of use

168.3.1 (1) Subject to subsection (2), a person shall not,

(a) change the use of a property from industrial or commercial use to residential or parkland use;

(b) change the use of a property in a manner prescribed by the regulations; or

(c) construct a building if the building will be used in connection with a change of use that is prohibited by clause (a) or (b).

The 5550 Langstaff Road site was previously an illegal waste disposal site and in the course of the redevelopment of portions of the site, wastes have been excavated, processed and stored on the RSC Property. The RSC submitted on April 9, 2018 certifies that soil and groundwater sampling met the applicable residential criteria as of May 23, 2017. The ministry's acknowledgement of the RSC on June 15, 2108 notes site activities after the certification date affect the liability provisions under 168.7(1) of the EPA. A copy of the written acknowledgement letter is attached for your files.

Further, the ministry considers the waste processing and storage activities carried out on the adjacent western parcel and involving the RSC Property, to be a continuation of an industrial use of the RSC Property. Therefore, no change to residential use is permitted without an RSC that characterizes these activities and the current site conditions.

The definition of industrial use under O. Reg. 153/04 includes the following activities:

5. Use as a waste disposal site as defined in section 25 of the Act, except a site for organic soil conditioning as defined in Regulation 347 of the Revised Regulations of Ontario, 1990 made under the Act.

Waste disposal sites are defined under the EPA;

'waste disposal site" means,

(a) any land upon, into, in or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and

(b) any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause (a).

The ministry therefore has determined that activities on the RSC Property constitute an industrial use of the site and an RSC with a certification date which is after the cessation of any industrial use is required to ensure that any impacts resulting from this use are properly assessed prior to a change to any more sensitive use.

Should you have any questions please contact either Andrea Brown, District Engineer at (905) 427-5624, and Andrea.J.Brown@ontario.ca , or Jennifer Barnett, Senior Environmental Officer for the West Vaughan at (905)-836-7887 and Jennifer.E.Barnett@ontario.ca .

Yours truly,

Celeste Dugas, District Manager, York Durham District Office

cc: J. Barnett, Senior Environmental Officer, York Durham District, MOECC

A. Brown, District Engineer, York Durham District, MOECC

A. Pearce, Director, Development & Transportation Engineering at City of Vaughan

A. Gentile, Director, 1668135 Ontario Inc.

File Storage Number: SI YD VA LA 142

On Wednesday, January 16, 2019 11:17:34 AM EST, Coles, Todd <Todd.Coles@vaughan.ca> wrote:

Simone,

Thank you for your submission for the Special Committee of the Whole (Working Session) scheduled for January 17th. Your communication has been reviewed in accordance with the City's Procedural By-law. The Procedural By-law speaks to communications that "pertain to an item on that agenda".

It is not clear to me how the communication you provided relates to Bill 66. You note in your first line that "This letter below that was sent to the City of Vaughan on June 25/2018, is the very reason we have to vote against Bill 66." The remainder of the submission does not reference Bill 66, or make any connections. For this reason your communication, as submitted, will not be included on the agenda.

I do encourage you to express your views on Bill 66 through another submission that connects Bill 66 to your concerns and issues around the development of the neighbouring property.

Thank you,