

**COMMUNICATION : C 2  
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ITEM # 21**

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**Sent:** Sunday, June 14, 2020 3:38 PM  
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**Subject:** [External] Response to Item 21 of the June 16, 2020 agenda -KIRBY ROAD EXTENSION BETWEEN BATHURST STREET AND DUFFERIN STREET CLASS ENVIRONMENTAL ASSESSMENT STUDY-COST REVIEW AND CAPITAL BUDGET AMENDMENT

Dear Members of Vaughan Council,

I looked at the Committee of the Whole agenda for June 16, 2020 and found some **very disturbing information** involving the City of Vaughan **squandering more taxpayers' dollars** due to issues related to the Milani's. As noted below, the City agreed to give the Milani's **\$325,000.00** to complete the Kirby Road Environmental Assessment Study. Then, the **Milani's recently came back to the City and now want 1.2 million dollars**. In other words, almost **FOUR TIMES** as much. Keeping in mind that this was a contractual agreement that the Milani's agreed to in order to complete the Kirby EA. Now, after doing the Kirby EA, they are asking for what amounts to a ridiculous quadruple increase in costs. Keep in mind that the Milani's hired these consultants and were in charge of the EA.

See the extract from the attached June 16, 2020 agenda (I added in the bolding, underlining, and italics):

**Rizmi Holdings Limited submitted a request for additional costs in the amount of approximately \$875,000 for professional consultant services** associated with completing the Environmental Assessment Study. Together with the **original \$325,000**, Rizmi is seeking a compensation value of approximately **\$1.2M**. **Following direction received at the Committee of the Whole (Closed Session) May 20, 2020**, staff seek authorization to further amend the agreement with Rizmi Holdings Limited, subject to certain terms and conditions, and approval of an associated mid-year capital budget amendment with funding from City-Wide Development Charges (Engineering).

I also have evidence which has been sent to the City and TRCA that the **Milani's have tried to deceive the City, Region, and TRCA by providing a 2019 EIS which significantly differed from the 2018 EIS** in terms of **deleting essential information, including misleading statements, and omitting facts** that were indispensable (the EIS is a requirement of the 2015 Rizmi Minister's Zoning Order). **Our Ecologist completed a "T chart" comparison between the 2018 EIS and 2019 EIS, revealing a clear absence of professional integrity and a lack of ethics** associated with those who the Milani's hired to complete the 2019 EIS. The question is then, what are we paying almost four times as much for, especially when Savanta, the same consultants who did the 2018 and 2019 EIS, and were responsible for doing the consulting on the natural heritage part of the Kirby Environmental Assessment?

**Please tell me why, as taxpayers, we would want to give the Milani's almost four times what they asked for to pay professional consultants that they hired, instructed, and were responsible for overseeing based on a budget of \$325,000. In fact, a recorded vote was taken on May 27, 2020 and only Councillor lafrate, Councillor Shefman, and Mayor Bevilacqua voted against giving the Milani's the extra \$875,000.00 (+\$325,000 = 1.2 million) for the overspending on the Kirby EA (see the link below). All the **other Councillors seemingly voted in favour of giving the Milani's the money. If it was coming out of these Councillor's personal bank accounts or their monthly pay, I would be much happier to hear that Councillors Carella, DeFrancesca, Ferri, Jackson, Yeung-Racco, and Rosoti** were going to pay from their own pocket or make the Milani's pay for their foolish mistake. As long as we do not have to pay using the taxpayers to supplement incompetence, this would make more sense.**

**The Milani's and Schaeffers Consulting Engineers (the professional consultants) have never done a full Environmental Assessment of this scale (or, I am told, ever)! When I sat on that sham of a "Kirby Road Citizens Liaison Committee," asked a lot of questions, got few answers, and spent time questioning Cam and others about the costs; all I got were red-faced responses and few, if any, answers - just a lot of push-back. The whole committee was a farce.**

See the link below and go to the 3:00:00.

<https://pub-vaughan.escribemeetings.com/Players/ISISStandAlonePlayer.aspx?ClientId=vaughan&FileName=Council%20Meeting%202020-05-27.mp4>

## **Conclusion**

It is ridiculous that the city allocates Mr. Milani \$325,000 and in 2019 he asks for another \$875,000.00 bringing the total up to 1.2 million, almost quadrupling the bill. I think Mr. Milani should pay for this out of his own pocket, as he knew he only had \$325,000.00, directed the EA, and took on the contractual responsibility to complete it for \$325,000.00. If the six Vaughan Councillors, who took part in the recorded vote and were in favour of paying Mr. Milani an additional \$875,000.00 feel that Mr. Milani should receive the money for almost quadrupling the bill, please have them pay out of their own pocket or have their pay garnished to cover the \$875,000.00. This would make more sense than making taxpayers responsible for poor decisions.

**What is more disturbing is that Savanta, the environmental consultants, who did both the problematic Kirby Road 2019 EIS also did the work on the natural heritage part of the Kirby EA. Keeping in mind that the 2019 EIS, which is misleading, omits crucial information, and provides a deceptively different analysis to support the developer's interests, how do we know that the Kirby Road EA does not also include problematic and inaccurate information? Overall, as taxpayers, we may be paying for misleading information in the Kirby EA that could account for an almost four-fold increase in the bill that six Vaughan Councillors have burdened taxpayers with. During COVID-19, when democracy has clearly been curtailed, this is both egregious and irresponsible.**

The cost breakdown for the Kirby EA is not part of a public document. We would like to see it. Item 21 in the City of Vaughan COW June 16, 2020 agenda does not disclose this information. I have found the whole process to be dubious and disingenuous. The cost breakdown should be a public document that was included in the COW agenda. In addition, an external auditor should be brought in to review and report to the public.

The 2018 EIS is clear and accurate. In addition, the 2018 EIS is half the length of the 2019 EIS. The problem is, as noted, that the 2019 EIS is misleading, omits crucial information, and provides a deceptively different analysis to support the developer's interests rather than the more accurate 2018 EIS which is more in line with the public and environmental interest.

The taxpayers are stuck with an absurd bill for the EA and the six irresponsible Councillors who voted in favour of it are getting away, yet again, with squandering more tax dollars.

### **Recommendations**

As ratepayers, particularly the MRRA, we are not against thoughtful and responsible development or the Kirby Road extension. However, we do want a proper Kirby EA completed by the city (and not the Milani's), the 2015 Rizmi MZO followed properly by the Milani's, the City of Vaughan, TRCA, and the Region. At this point, we have found this whole development process fraught with problems and think it should be halted until the work done on the 2019 Environmental Impact Statement required as part of the MZO and the Kirby Road Environmental Assessment are both peer reviewed by an outside independent group of consultants paid for by Mr. Milani (and properly directed by city staff).

Finally, a proper independent inquiry completed by the Integrity Commissioner, Suzanne Craig, is necessary in order to investigate the Rizmi subdivision process, the application/interpretation of the 2015 MZO, the Kirby Road EA, the role Councillors, and the role others have had in turning this into a problematic mess. There also should be more transparency, and making sure developers that have a conflict of interest do not complete EA's ever again. Overall, it should have been the city that conducted the Kirby Road EA and that developers should not be completing EA's due to their inherent conflict of interest and related issues.

Sincerely,  
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