



**COUNCIL MEETING – JUNE 29, 2020
COMMUNICATIONS**

		<u>Rpt. No.</u>	<u>Item No.</u>	<u>Committee</u>
<u>Distributed June 26, 2020</u>				
C1	Mr. Gerry Iuliano, dated June 15, 2020	25	21	Committee of the Whole
C2	Joe Apollinaro & Paola (Apollinaro) Crocetti, dated June 15, 2020	25	21	Committee of the Whole
C3	Mr. Perry Bender, dated June 15, 2020	25	21	Committee of the Whole
C4	Andrei Avsiannikov and Susan Sigrist, dated June 15, 2020	25	21	Committee of the Whole
C5	Mr. Tony Di Giuseppe, dated June 15, 2020	25	21	Committee of the Whole
C6	Ippoliti Family, dated June 15, 2020	25	21	Committee of the Whole
C7	Mr. Roland Gatti, dated June 15, 2020	25	21	Committee of the Whole
C8	Mr. Filippo Bello, dated June 15, 2020	25	21	Committee of the Whole
C9	Mr. Nat Pietrangelo, dated June 15, 2020	25	21	Committee of the Whole
C10	Mr. Aaron Hershoff, TACC Developments, Applewood Crescent, Vaughan, dated June 15, 2020 on behalf of Block 41 Landowners Group	25	32	Committee of the Whole
C11	Ms. Susan Rosenthal, Davies Howe LLP, Adelaide Street West, Toronto, dated June 15, 2020	25	10	Committee of the Whole
C12	Mr. Richard Lorello, dated June 15, 2020	25	32	Committee of the Whole
C13	Mr. Paul Talluri, dated June 15, 2020	25	21	Committee of the Whole
C14	Mr. Matthew A. Di Vona, Di Vona Law Professional Corporation, Bloor Street West, Toronto, dated June 16, 2020	25	10	Committee of the Whole

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Please note there may be further Communications.



**COUNCIL MEETING – JUNE 29, 2020
COMMUNICATIONS**

		<u>Rpt. No.</u>	<u>Item No.</u>	<u>Committee</u>
C15	Mr. Romano Baldassarra, dated June 16, 2020	25	21	Committee of the Whole
C16	Ms. Sonia Fiorini, dated June 16, 2020	25	21	Committee of the Whole
C17	Dr. Mary Nadalini, dated June 15, 2020	25	21	Committee of the Whole
C18	Ms. Lucy Galante, dated June 16, 2020	25	21	Committee of the Whole
C19	Mr. Hiten Patel, dated June 18, 2020	25	34	Committee of the Whole
C20	Mr. Robert A. Kenedy, MacKenzie Ridge Ratepayers Association, dated June 22, 2020	25	32	Committee of the Whole
C21	Ms. Jessica Ferri, CRH Canada Group Inc., Steeles Avenue, Concord, dated June 22, 2020	28	3	Committee of the Whole (Public Hearing)
C22	Ms. Kathryn Angus, Kleinburg & Area Ratepayers' Association, dated June 23, 2020	25	32	Committee of the Whole
C23	Director of Environmental Services and Deputy City Manager, Public Works, dated June 23, 2020	25	2	Committee of the Whole
C24	Director of Parks, Forestry, and Horticulture Operations, dated June 29, 2020 (R)	22	10	Committee of the Whole
C25	Acting Deputy City Manager, Planning and Growth Management, dated June 29, 2020 (R)	22	1	Committee of the Whole
C26	Ms. Helen A. Mihailidi, Brattys Barristers and Solicitors, Keele Street, Vaughan, dated June 25, 2020 on behalf of Block 59 Landowners Group	25	10	Committee of the Whole
C27	Mr Terri Steeves, Canada Gas Operations, TC Energy, dated June 26, 2020	25	32	Committee of the Whole

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**COUNCIL MEETING – JUNE 29, 2020
COMMUNICATIONS**

		<u>Rpt.</u>	<u>Item</u>	<u>Committee</u>
		<u>No.</u>	<u>No.</u>	
C28	Deputy City Manager, Infrastructure Development; and the Director, Infrastructure Planning and Corporate Asset Management, dated June 26, 2020 (R)	25	21	Committee of the Whole
C29	Acting City Manager and Deputy City Manager, Community Services, Deputy City Manager, Public Works and the Director, Recreation Services, dated June 29, 2020 (R)	25	34	Committee of the Whole
C30	Acting Deputy City Manager, Planning and Growth Management, dated June 25, 2020			BY-LAW 090-2020
C31	Acting Deputy City Manager, Planning and Growth Management, dated June 29, 2020			BY-LAW 081-2020

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From: Gerry Iuliano [REDACTED]
Sent: Monday, June 15, 2020 1:17 PM
To: Council@vaughan.ca
Subject: [External] Item 21 of June 16, 2020 Meeting - Cost Overruns for Kirby Road Extension Class EA Study

Dear Mayor Bevilacqua and Members of Vaughan City Council,

I am a resident of the City of Vaughan and was made aware of an Environment Assessment for the Kirby Road extension through the Rizmi Holdings lands.

I understand that there was an agreement in 2016 to reimburse Rizmi Holdings \$325,000 to perform this self-assessment. While this seems to be a conflict of interest in itself, I was also made aware that Council are now considering increasing the original reimbursement amount by \$875,000 for a total re-imburement of \$1.2M!

Not only is the handling of this matter irresponsible behaviour of elected officials but also wrong on so many levels and should be consider criminal in nature.

Where is the accountability on this matter? How is council not questioning this? How can council allow something like this happen?

Please let me know the reasoning behind such a move and how we can have an open debate on this subject prior to something like this being agreed to.

Best Regards,

Gerry Iuliano
Cell: [REDACTED]

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:

COMMUNICATION – C2

Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 21

From: Paola Apollinaro <[REDACTED]>
Sent: Monday, June 15, 2020 1:25 PM
To: Council@vaughan.ca
Cc: Mark Pulciani <keepvaughangreen@gmail.com>; Bob Moroz <[REDACTED]>; Daniela Villani <[REDACTED]>; Laura Federico <[REDACTED]>; Richard Lorello <[REDACTED]>
Subject: [External] Regarding the June 16, 2020, Committee of the Whole, Item 21

Dear Mayor and Members of Council.

Re the above matter, we resident taxpayers are outraged and opposed to the approval of the additional \$875,000 for the RHL Environmental Assessment and ask that council rescind its approval. This is a blatant mismanagement of taxpayer money. In addition to which items of such importance and magnitude ought not be acted upon behind closed doors. Why would Council agree to pay \$1.2 million for a \$325,000 contract. This is a repeat of the City Hall over budget issue that cost taxpayers millions of dollars more.

An external audit is in order.

I also wish to understand how staff can approve and facilitate a 1.2 million payment to RHL, Yet they are reluctant and cannot approve a request submitted by the taxpaying community and affected residents to the City, for an Interim Control By-Law for the Board of Trade Golf Course zoning by-law change and development application that has been received by the City, from the developers of such.

Council is bound to answer to the taxpaying residents not the developers. It is within the Interim Control By-Law that specific studies would take place on the Board of Trade property, at a fraction of the cost of the 1.2 million dollars motion that was passed by Council, to pay RHL.

I call this wrong out, this is not right and each and every member of Council needs to be aware that as residents and taxpayers we will not and cannot accept this blatant mismanagement of taxpayer funds.

Sincerely

Joe Apollinaro & Paola (Apollinaro) Crocetti

**COMMUNICATION – C3
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 21**

-----Original Message-----

From: Perry Bender [REDACTED]
Sent: Monday, June 15, 2020 11:56 AM
To: Council@vaughan.ca
Subject: [External] Kirby funding.

I think it is very shameful that council would even consider giving The Milani Group more of taxpayers money .
Our entire neighbourhood is upset. You r suppose to represent us. Please do the right thing.
Sent from my iPhone

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From: [REDACTED]
Sent: Monday, June 15, 2020 1:33 PM
To: Council@vaughan.ca; Clerks@vaughan.ca
Cc: 'Susan Sigrist' [REDACTED]; 'Mackenzie Ridge Rate Payers Association' <mackenzieridgerpa@gmail.com>
Subject: [External] Item 21 of June 16, 2020 Meeting - Cost Overruns for Kirby Road Extension Class EA Study

Dear Mayor and Members of Vaughan Council,

This is so sad that I need to write this message to you not to express my appreciation of what you have done and are doing for my city, but to express my deep frustration on how the situation around the subject Environmental Assessment is being handled. This looks absolutely inappropriate and unethical.

I agree 100% with Susan's email below and demand that this time the request from Rizmi Holdings to be rejected and returned back to them to redo this assessment for their own expense; or give this work to a company with a more appropriate expertise level. No guarantee that after spending an additional money, Schaeffers will do the job right. If I had made this kind of a mistake at my work, I would have been fired and faced an ethical hearing as a P. Ehg., not given an additional money to correct myself.

You have a chance to salvage you reputation by fixing what could still be fixes at this point.

Sincerlely,
Andrei Avsiannikov, P. Eng.
Vaughan resident

From: Susan Sigrist <[REDACTED]>
Sent: Sunday, June 14, 2020 10:54 PM
To: Vaughan Council <council@vaughan.ca>; Clerks Department - City Of Vaughan <clerks@vaughan.ca>
Subject: Item 21 of June 16, 2020 Meeting - Cost Overruns for Kirby Road Extension Class EA Study

Dear Mayor and Members of Vaughan Council,

According to Vaughan City reports

Council at its meeting in December 2015 approved recommendations permitting Rizmi Holdings Limited (RHL) to undertake the Environmental Assessment Study (EAS) and subject to the basic conditions set out in Council report – including the following:

“That Rizmi Holdings Limited be reimbursed for the cost of retaining professional consulting services associated with undertaking the Kirby Road Extension Class EA Study to an upset limit of \$325,000 (exclusive of HST) or the actual cost of the study whichever is lesser only after the Class EA study receives final approval from the Ministry of the Environment and Climate Change with funding from Capital Project DT-7112-14.”

The City subsequently entered into an agreement in November 2016 with RHL setting out the terms under which the City will reimburse for cost associated with undertaking the EAS to an upset limit of \$325,000 per Council approval December 2015.

In May 2019, RHL submitted a request for additional costs in the amount of approximately \$875,000, together with the original \$325,000 associated with completing the Environmental Assessment Study.

Why are there additional costs? What are the additional costs for? When were RHL and the City of Vaughan aware that there were cost overruns? Who should bear these cost overruns?

Why has Vaughan Council in a closed session voted to pay for these additional costs? And more precisely why has Vaughan Council agreed that taxpayers pay for these overruns?

Upon review of the OSPE (Ontario Society of Professional Engineers) Fee Guideline 2015, Section 1.0 METHODS OF REMUNERATION, Method 1.2 Time Basis states “A time and material arrangement is recommended in situations when the scope of services and/or schedule cannot be clearly defined. Rather than commit to an upset limit which imposes a fixed return for unknown risks, it is recommended that the engineer monitor fees and provide the client with regular status and forecast updates.”

According to Schaeffers’ website homepage

Schaeffers Consulting Engineers has provided innovative civil engineering services for the development industry and government agencies in the Greater Toronto Area for over four decades.

Class EA Studies have not been the expertise of Schaeffers Consulting Engineers prior to the Kirby Road Extension project. Why would Schaeffers enter into an “upset limit” contract with RHL?

Did the contract between Schaeffers and Rizmi Holdings Limited have an upset limit of \$325,000 for the Kirby Road Extension project.

So the question becomes why would RHL propose an upset limit contract for the Kirby Road Extension Class EA Study with the City of Vaughan?

The Kirby Road Extension Class EA Study was not in the Vaughan planned budget for a number of years. But RHL wants Kirby Road to open between Dufferin and Bathurst as soon as possible. It is in their interest to have this transportation route planned, approved, and completed so they can proceed with land development, and marketing and sales of a new subdivision adjacent to an extended Kirby Road.

RHL proposed an upset limit contract of \$325,000 with the City of Vaughan so that the City would agree to the Kirby Extension Class EA Study project, and agree they did. It would be difficult not to, there was no risk.

Now, four years later, RHL has asked the City to pay for the risk costs associated with this project. And Vaughan Council, excluding Councillors Iafraite and Sheffman, and Major Bevilaqua have voted to pay for the cost overrun of \$875,000.

Would Vaughan Council have agreed to a project cost of \$1.2 million in 2015/2016? This is 3.7 times the original price (not taking into account inflation). I do not think the answer to this question is “Yes”.

I severely question the credibility of our elected officials and the integrity of city processes,

- firstly for allowing a landowner / developer to carry out a Class EA Study that is clearly a conflict of interest situation,

- secondly for agreeing that taxpayers pay an exorbitant amount for project overruns - 3.7 times the maximum original agreed to price,
- and finally for allowing a precedent to be set that proclaims contract prices between the City of Vaughan and any other party are not really the final price. Vaughan Council can be influenced to change their mind and vote to spend taxpayer's money without accountability.

Sincerely,
Susan Sigrist P.Eng., MBA, REA
Vaughan Resident

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**COMMUNICATION – C5
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 21**

From: Tony <[REDACTED]>
Sent: Monday, June 15, 2020 11:52 AM
To: Council@vaughan.ca
Cc: Cardile, Lucy <Lucy.Cardile@vaughan.ca>; Laura [REDACTED]
[REDACTED] [External] June 16, 2020, Committee of the Whole, Item 21

Dear Mayor and Members of Council

Regarding the June 16, 2020, Committee of the Whole, Item 21

I am outraged and opposed to the approval of the additional \$875,000 for the RHL Environmental Assessment and I ask that you rescind your approval.

We did not elect you to manage our money in this way. This should not have been voted on and approved behind closed doors. Why would Council agree to pay \$1.2 million for a \$325,000 contract. There is no difference between this matter and the City Hall over budget issue that cost taxpayers millions of dollars more.

An external audit is in order.

Regards,

Tony Di Giuseppe
[REDACTED]

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**COMMUNICATION – C6
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 21**

From: julia.ippoliti julia.ippoliti <[REDACTED]>
Sent: Monday, June 15, 2020 9:28 AM
To: Council@vaughan.ca; Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>
Subject: [External] RHL Environmental Assessment -

Dear Mayor and Members of Council

Regarding the June 16, 2020, Committee of the Whole, Item 21

I am outraged and opposed to the approval of the additional \$875,000 for the RHL Environmental Assessment and I ask that you rescind your approval.

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An external audit is in order.

Sincerely....

Ippoliti Family

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:
:

From: roland gatti <[REDACTED]>
Sent: Monday, June 15, 2020 8:57 AM
To: Council@vaughan.ca
Subject: [External] June 16 council meeting

Dear Mayor and Members of Council

Regarding the June 16, 2020, Committee of the Whole, Item 21

I am outraged and opposed to the approval of the additional \$875,000 for the RHL Environmental Assessment and I ask that you rescind your approval.

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An external audit is in order.

Roland Gatti, Kleinburg

**COMMUNICATION – C8
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 21**

June 15, 2020

Dear Mayor and Members of Council

Regarding the June 16, 2020, Committee of the Whole, Item 21

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An external audit is in order.

Regards,



R. Bello

 Firglen Ridge, Woodbridge Ontario, 

From:
To:
Subject:
Date:
Attachments:

-
-----Original Message-----

From: Filippo Bello [REDACTED]
Sent: Monday, June 15, 2020 1:54 PM
To: Council@vaughan.ca
Cc: Carella, Tony <Tony.Carella@vaughan.ca>; Cardile, Lucy <Lucy.Cardile@vaughan.ca>
Subject: [External] FW: Send data from MFP11721750 06/15/2020 13:51

Please find attached formal request for clarification to be presented at Committee of Whole meeting tomorrow.

Regards,

R. Bello

[REDACTED] Firglen Ridge
Woodbridge Ontario
[REDACTED]

:
:
:
:

From: Nat Pietrangelo <[REDACTED]>
Sent: Monday, June 15, 2020 11:28 AM
To: Council@vaughan.ca
Subject: [External]

Dear Mayor and Members of Council

Regarding the June 16, 2020, Committee of the Whole, Item 21

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An external audit is in order.

Sincerely....

Best Regards

Nat Pietrangelo

Briar Group Inc.
[REDACTED]

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:
:
:

From: Nat Pietrangelo <[REDACTED]>
Sent: Monday, June 15, 2020 11:28 AM
To: Council@vaughan.ca
Subject: [External]

Dear Mayor and Members of Council

Regarding the June 16, 2020, Committee of the Whole, Item 21

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An external audit is in order.

Sincerely....

Best Regards

Nat Pietrangelo

Briar Group Inc.
[REDACTED]

**COMMUNICATION – C10
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 32**

**BLOCK 41
LANDOWNERS GROUP**

June 15, 2020

Mayor Maurizio Bevilacqua and Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mayor Bevilacqua and Members of Council:

RE: Block 41 New Community Area Lands, City of Vaughan

This letter is in response to TransCanada Pipelines Limited's ("TCPL") letter to City Council, dated June 8, 2020. TCPL opposes the City requesting a Minister's Zoning Order ("MZO") from the Honourable Steve Clarke, Minister of Municipal Affairs and Housing. On behalf of the Block 41 Landowners Group, we categorically disagree with the TCPL letter.

There are only two aspects of the TCPL letter which warrant a response. These are 1) Jurisdiction and 2) Conformity with the Secondary Plan.

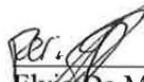
The TCPL letter submits that the Minister would not have the jurisdiction to enact an MZO which implements the Block Plan. Because TCPL's pipeline and facility is federally regulated. Minister Clarke would not enact an MZO which he lacked jurisdiction to enact. The MZO would not apply to the TCPL lands in any way whatsoever. Moreover, 'roads' are not zoned and are thus not part of a MZO. There is no jurisdictional question regarding the MZO and certainly there is no question of jurisdiction when the City simply requests Minister Clarke to enact the MZO.

The TCPL letter alleges that the MZO would fail to conform with the Council adopted Secondary Plan. This suggestion is simply without foundation. It essentially alleges that City staff would recommend, and City Council would request, a MZO which fails the conformity test. City Council should never be presumed to do any such thing. The Block 41 Landowners Group has complete faith that the City would only request a MZO which conformed with the objectives and intent of Secondary Plan and which represented good planning. Of course, not all of the procedural steps which TCPL would like followed will be followed but that is the nature of a MZO and the reason why Minister Clarke is enacting many of them during the tough economic times. Minister Clarke will only enact a MZO which the City supports and requests. The City can take great comfort in knowing that it maintains full control over this process.

The MZO is needed for the Block 41 Lands to provide a shovel-ready project that can support the economic recovery during these unprecedented times. TCPL has appealed the City adopted Secondary Plan and it may take years for the appeal to work its way through the backlogged queue at the LPAT. Through not only this MZO but the further land use approval processes, the City will ensure good planning and compatibility with TCPL's facility. The Block 41 Landowners will continue to work with TCPL in good faith to address their concerns.

Sincerely,

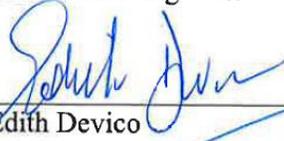
BLOCK 41 LANDOWNERS GROUP



Elvio De Meneghi
Kirbywest Ltd.



Bobby Pilliteri
AMMP Holdings Inc.



Edith Deviso
1212763 Ontario Limited
1212765 Ontario Limited



Jack Eisenberger
Block 41-28W Developments Inc



Silvio De Gasperis
Block 41-28E Developments Inc



Eddy Mastrogiuseppe
Richmond Properties (Block 41) Inc.

cc: Mary Reali, Deputy City Manager, Community Services

June 15, 2020

By E-Mail Only to *clerks@vaughan.ca*

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: City Clerk

Dear Mayor and Members of Council:

Re: Committee of the Whole Meeting June 16, 2020, Item 10- Application for Block Plan Approval File BL.59.2014, Block 59 Landowners Group Inc.

We are counsel to Highway 27 Langstaff GP Limited (“Rice”). Rice is the developer of the lands which are shown on Attachment 2 as the Existing Costco Distribution Centre (the “Costco Lands”), which development was completed in November 2016.

We are writing with respect to Item 10 on the Agenda for the June 16 meeting of the Committee of the whole, being the Application for Block Plan Approval File BL.59.2014. The purpose of this letter is to obtain the City’s confirmation as part of the approval in principle that the Costco Lands are included in the Block Plan for information purposes only, and that the Conditions of Block Plan Approval set out in Attachment 1 do not apply to the Costco Lands. Without this confirmation, my client has no choice but to strongly object to the Block Plan as proposed to be approved in principle.

Background

As you know, my client, the City and the other landowners in the Block 59 Landowners Group Inc. entered into Minutes of Settlement in February 2014. These Minutes required the submission of a zoning by-law amendment and site plan application in connection with the development of the Costco Lands, which applications would address infrastructure issues, including the need for certain roads and parkland in relation to the land. Although there was a recognition that a Block Plan would also be submitted, it was also clearly agreed that the Block Plan was not needed in order for the City to provide site plan approval, building permit issuance or to allow for parkland or road conveyance.

When the Block Plan application was submitted by the Landowners’ Group, all owners were aware and had agreed that neither the processing nor approval of the Block Plan

was needed in order to assess my client's development applications and the roads and infrastructure needed to service the Costco Lands. The development was permitted to proceed to approvals without the Block Plan process and in fact it did, obtaining approval by the City on August 23, 2016, all in accordance with the Minutes of Settlement. The Costco distribution centre has been constructed and has been operational since November 2016. No further infrastructure, road construction or any other matter governed by the Block Plan is required to permit the Costco's operation on the lands. Its continued operation is independent of the Block Plan.

Block Plan Approval

The purpose of Block Plan approval is set out in the first paragraph of the staff report: "The approved Block Plan would form the basis for the submission and review of the implementing Zoning By-law Amendment, Draft Plan(s) of Subdivision and Site Plan Applications."

This purpose does not apply to the Costco Lands. As noted, they already have an approved zoning by-law and site plan approval. The City determined that for the Costco Lands there was no need for a draft plan of subdivision. The City also determined that the processing of these applications did not have to wait until the finalization of the Block Plan. The Block Plan was not needed "to form the basis for the submission and review of the [planning applications]". Accordingly, the express purpose for which the Block Plan is being prepared and approved does not apply to the Costco Lands, and, as such, neither the Block Plan nor the conditions associated with it in Appendix 1 apply to the Costco Lands. This should be expressly recognized in the report and associated conditions.

Furthermore, the infrastructure and services needed for the Costco Lands has all been constructed, and or paid for, as part of the approval process for the Costco Lands. All required conveyances, including parkland and road infrastructure have been completed in accordance with the Minutes of Settlement entered into with the Landowners and the City. The Minutes of Settlement set out the process for finalization of full parkland contribution and road requirements.

There was no requirement or reservation in the Costco approvals for the construction of future infrastructure, or costs related thereto, to allow for the approval of and continued operation of development of the Costco Lands. None of the infrastructure contemplated within the Block 59 Block Plan, and yet to be constructed, is needed for the continued operation of the Costco Lands, nor do the Costco Lands benefit from such future infrastructure. As such, my client should not be required to pay for the costs related to interim infrastructure, final infrastructure or studies associated therewith.

As this infrastructure is unrelated to the Costco Lands. my client strongly objects to the conditions which would require it to enter into agreements as part of the Landowners Group, including, without limitation, conditions 4-8, and will not do so.

Conclusion

The conclusion of the planning report reiterates that the purpose for the Block Plan and associated conditions is for future planning purposes and does not apply to already existing developments. It provides:

“This Conditional approval is part of a series of steps that are required for the ultimate development of Block 59. For the planning to continue, staff may determine it appropriate to report back to Council as a Communication related to this report *or as part of the technical report for draft plans of subdivision approval, explaining how the conditions have been fulfilled...*”

The Costco Lands are already approved. They have been operational for almost four years. They were permitted to proceed without a Block Plan through the consent of the City and the other Block 59 landowners. Accordingly, there is no need for a Block Plan for the Costco Lands.

While we have no objection to the Costco land being shown in the Block Plan document for informational purposes, clarification is required in the report that the Block Plan and associated conditions in Appendix 1 do not apply to the Costco Lands. Without this clarification, my client has no choice but to strongly object to the approval of the Block Plan.

Please do not hesitate to contact me should you have any questions.

Yours sincerely,
DAVIES HOWE LLP



Susan Rosenthal
Professional Corporation

SR:akl

copy: Jennifer Grove, *Planner*
Frank Marzo, *Senior Planner*
Client

**COMMUNICATION – C12
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 32**

From: Richard Lorello [REDACTED]
Sent: June 15, 2020 3:50 PM
To: Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>
Cc: Marilyn lafrate <mdiafrate@gmail.com>; Carella, Tony <Tony.Carella@vaughan.ca>; DeFrancesca, Rosanna <Rosanna.DeFrancesca@vaughan.ca>; lafrate, Marilyn <Marilyn.lafrate@vaughan.ca>; Racco, Sandra <Sandra.Racco@vaughan.ca>; Shefman, Alan <Alan.Shefman@vaughan.ca>; Ferri, Mario <Mario.Ferri@vaughan.ca>; Rosati, Gino <Gino.Rosati@vaughan.ca>; Jackson, Linda <Linda.Jackson@vaughan.ca>; Bob Moroz <bobm@rfidcanada.com>; Kathryn Angus <[REDACTED]>; Noor Javed <njaved@thestar.ca>; Robert A. Kenedy <rkenedy@yorku.ca>; Coles, Todd <Todd.Coles@vaughan.ca>; Elvira Caria <[REDACTED]>; Adam Martin-Robbins <amartinrobbins@yrmg.com>; LAURA RINALDO <[REDACTED]>; Nick Pinto <[REDACTED]>; Maria Verna <[REDACTED]>
Subject: [External] June 16 Committee of the Whole Addendum Item 32 Motion to Approve Ministerial Zoning Order

Good day Mr. Coles

Please place this communications as it relates to the agenda item for tomorrow's meeting.

Mayor Bevilacqua

I am formally and respectfully requesting that you remove your motion to approve a request for a Ministerial Zoning Order (MZO) for Block 41.

<https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=36470>

While MZO's are considered to be undemocratic and an abuse of the planning process, it is further disingenuous for any member of council to bring a motion for an

MZO as an addendum item and further cutting the public out of the process.

It is astonishing to see that most requests from the development sector are promptly acted on without delay at the expense of the public's rights to participate while residents group's requests wait forever.

The Block 41 development should follow the legal planning process just as other developments have in the past. I urge you not to follow into the undemocratic practice that the provincial government has chosen to follow by handing out MZOs to developers which has the effect of undermining the public's right to participate in the planning of our city.

Recently the province has issued MZOs to developers as if they were handing out candy. I remind you that proceeding with this motion will make you and Vaughan Council complicit with the province's abuse of the planning process.

It is incredibly disturbing that residents have to fight now for the right to be heard. Your motion is an act of bad faith, please remove it.

Regards
Richard T. Lorello

**COMMUNICATION – C13
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 21**

:

From: Paul Talluri [REDACTED]
Date: June 15, 2020 at 10:08:32 PM EDT
To: "Council@vaughan.ca" <Council@vaughan.ca>
Cc: "Carella, Tony" <Tony.Carella@vaughan.ca>
Subject: [External] Rizmi Holdings Limited
Reply-To: Paul Talluri <[REDACTED]>

Dear Mayor and Members of Council

Regarding the June 16, 2020, Committee of the Whole, Item 21

I am outraged and opposed to the approval of the additional \$875,000 for the RHL Environmental Assessment and I ask that you rescind your approval.

We did not elect you to manage our money in this way. This should not have been voted on and approved behind closed doors. Why would Council agree to pay \$1.2 million for a \$325,000 contract. There is no difference between this matter and the City Hall over budget issue that cost taxpayers millions of dollars more.

An external audit is in order.

Sincerely....

Best Regards,

Paul Talluri

**COMMUNICATION – C14
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 10**

From: Matthew Di Vona <matthew@divonalaw.com>
Sent: Tuesday, June 16, 2020 11:13 AM
To: Clerks@vaughan.ca
Subject: [External] COW Agenda Item 10 - Block Plan Approval (Municipal File No. BL.59.2014;
Applicant: Block 59 Landowners Group Inc.)

Dear Committee of the Whole -

I am counsel to 611428 Ontario Ltd., the owner of lands immediately south of Block 59. As the City is aware, my client has front-end financed and constructed a segment of the Rainbow Creek Sanitary Sub-Trunk Sewer (750mm diameter sewer) located on Milani Boulevard and Innovation Drive, which was designed and oversized to accommodate sanitary flows from Block 59.

I am writing to request that the City include a condition of approval to the above noted application, requiring the applicant to pay its proportionate share of the oversizing costs of the Rainbow Creek Sanitary Sub-Trunk Sewer, pursuant to Draft Plan of Subdivision 19T-90018. If payment is not made by the applicant, the City should properly draw upon the applicant's Letter of Credit.

We trust that this is satisfactory. Please provide us with notice of all decisions in this matter and the related applications.

Kind regards,
Matthew A. Di Vona



Di Vona Law Professional Corporation

77 Bloor Street West, Suite 600
Toronto, ON M5S 1M2
Direct Line 416-562-9729
www.divonalaw.com

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**COMMUNICATION – C15
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 21**

:

From: R Romano Baldassarra [REDACTED] >
Sent: Tuesday, June 16, 2020 8:06 AM
To: Council@vaughan.ca
Subject: [External] RHL Environmental Assessment

Dear Mayor and Members of Council,

The message is regarding the June 16, 2020 Committee of the Whole, Item 21.

I am writing to express my outrage and opposition to the approval of the additional \$875,000 for the RHL Environmental Assessment and I ask that you rescind your approval.

We did not elect you to manage our money in this manner. This should not have been voted on and approved behind closed doors. Why have MY representatives agreed to pay \$1.2 million for a \$325,000 contract? There is no difference between this matter and the City Hall over budget issue that cost taxpayers millions of dollars more.

An external audit is in order.

Regards,

Rosanna Romano Baldassarra

**COMMUNICATION – C16
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 21**

From: Sonia Fiorini <[REDACTED]>
Sent: Tuesday, June 16, 2020 1:01 PM
To: Council@vaughan.ca
Subject: [External] Item #21 Committee of the Whole Meeting

Dear Mayor and Members of Council

Regarding the June 16, 2020, Committee of the Whole, Item 21

I am outraged and opposed to the approval of the additional \$875,000 for the RHL Environmental Assessment and I ask that you rescind your approval.

We did not elect you to manage our money in this way. This should not have been voted on and approved behind closed doors. Why would Council agree to pay \$1.2 million for a \$325,000 contract. There is no difference between this matter and the City Hall over budget issue that cost taxpayers millions of dollars more.

An external audit is in order.

Sincerely,

Sonia Fiorini

**COMMUNICATION – C17
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 21**

|

From: Dr. Mary [REDACTED] >
Sent: Monday, June 15, 2020 7:23 AM
To: Council@vaughan.ca
Subject: [External] Waste of our money!!!!

Dear Mayor and Members of Council

Regarding the [June 16, 2020](#), Committee of the Whole, Item 21

I am outraged and opposed to the approval of the additional \$875,000 for the RHL Environmental Assessment and I ask that you rescind your approval.

We did not elect you to manage our money in this way. This should not have been voted on and approved behind closed doors. Why would Council agree to pay \$1.2 million for a \$325,000 contract. There is no difference between this matter and the City Hall over budget issue that cost taxpayers millions of dollars more.

An external audit is in order!

Dr. Mary Nadalini. Sent from my iPhone

**COMMUNICATION – C18
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 21**

From: Lucy <[REDACTED]>

Sent: June-16-20 4:51 PM

To: Council@vaughan.ca

Subject: [External] Regarding the June 16, 2020, Committee of the Whole, Item 21

Dear Mayor and Members of Council

Regarding the June 16, 2020, Committee of the Whole, Item 21

I am outraged and opposed to the approval of the additional \$875,000 for the RHL Environmental Assessment and I ask that you rescind your approval.

We did not elect you to manage our money in this way. This should not have been voted on and approved behind closed doors. Why would Council agree to pay \$1.2 million for a \$325,000 contract. There is no difference between this matter and the City Hall over budget issue that cost taxpayers millions of dollars more.

An external audit is in order.

Sincerely,

Lucy Galante

Sent from my iPhone

:

From: Hiten Patel <hiten@hitenpatel.ca>
Sent: Thursday, June 18, 2020 9:50 PM
To: Council@vaughan.ca; david.sherman@yrdsb.ca; juanita.nathan@yrdsb.ca
Cc: Clerks@vaughan.ca; Trustee Services <trustee.services@yrdsb.ca>
Subject: [External] please consider renaming The Benjamin Vaughan Complex

Dear Vaughan Councilors and YRDSB Trustees,

Westmount Collegiate attached to Rosemount Arena/CC and City Playhouse is collectively known as The Benjamin Vaughan Complex. As a Vaughan and York Region citizen residing 4km from this facility I ask that you work collectively to rename the complex to honour a different historical figure not tied to fighting the ending of slavery.

Thank you,

Hiten Patel

Hiten Patel



Community Advocate

 HitenPatel.ca

 416-262-5963

 365-597-0717

 Hiten@HitenPatel.ca



 541 Thornhill Woods Drive L4J 8Z9

Call 365-597-0717 * Text/WhatsApp 416-262-5963

<https://HitenPatel.ca>

From: Robert A Kenedy <rkenedy@yorku.ca>
Date: June 22, 2020 at 4:12:55 PM EDT
To: "minister.mah@ontario.ca" <minister.mah@ontario.ca>
Cc: "Bevilacqua, Maurizio" <Maurizio.Bevilacqua@vaughan.ca>, "Iafrate, Marilyn" <Marilyn.Iafrate@vaughan.ca>, "Carella, Tony" <Tony.Carella@vaughan.ca>, "DeFrancesca, Rosanna" <Rosanna.DeFrancesca@vaughan.ca>, "Racco, Sandra" <Sandra.Racco@vaughan.ca>, "Shefman, Alan" <Alan.Shefman@vaughan.ca>, "Ferri, Mario" <Mario.Ferri@vaughan.ca>, "Rosati, Gino" <Gino.Rosati@vaughan.ca>, "Jackson, Linda" <Linda.Jackson@vaughan.ca>, Bob Moroz <bobm@rfidcanada.com>, Kathryn Angus <Kathryn.Angus@hhangus.com>, Furio Liberatore <furiol@rogers.com>, Noor Javed <njaved@thestar.ca>, Adam Martin-Robbins <amartinrobbins@yrmg.com>, "jgray@globeandmail.com" <jgray@globeandmail.com>, "Tibollo Michael (MCSCS)" <michael.tibollo@ontario.ca>, Richard Lorello <riorello@rogers.com>, "janice_badgley@tcenergy.com" <janice_badgley@tcenergy.com>, Mackenzie Ridge Rate Payers Association <mackenzieridgerpa@gmail.com>, Robert A Kenedy <rkenedy@yorku.ca>
Subject: [External] Re: Ministerial Zoning Order

Dear Mr. Clark:

I am the President of the MacKenzie Ridge Ratepayers Association in Vaughan. Our association prides itself on participating in the development process. We think that both the quantity and types of Ministerial Zoning Orders being issued across the province and especially in Vaughan are highly problematic.

Fundamentally, it is our opinion that MZO's constitute "**acts of bad faith**" and do not respect the integrity of our community through eliminating our right to appeal and challenge inappropriate development. With this record number of recent

MZO's, Mayor Bevilacqua and Premier Ford (and various Municipal Councillors and MPP's) will inevitably end up putting themselves in a precarious position as our community will remember the most recent request for a Ministerial Zoning Order, passed last week by Vaughan Council (See links below).

<https://pub-vaughan.escrimemeetings.com/filestream.ashx?DocumentId=36700>
<https://pub-vaughan.escrimemeetings.com/filestream.ashx?DocumentId=36701>
<https://pub-vaughan.escrimemeetings.com/filestream.ashx?DocumentId=36702>

We are extremely dissatisfied with this government's disappointing record regarding the environment and planning in terms of the authoritarian and thoughtless practices that excludes citizen consultation and civic input.

We are requesting that you reject Mayor Bevilacqua's motion to impose a Ministerial Zoning Order on Block 41 and that any other MZO's that may be coming forward be rejected. Unfortunately, we were not permitted to speak on this motion due to it being brought forward as a late addendum item and how the COVID crisis has severely restricted our ability to speak to problematic addendums in person. We are **deeply disappointed in Mayor Bevilacqua's irresponsible and disingenuous actions.**

Mr. Clark, your ministry has already made the mistake of negotiating with the Milani's regarding properties between Dufferin and Bathurst, close to Kirby Road in Vaughan. This exposed your misguided practices as reported by Mike Crawley (CBC) in September 2019.

Again, as in 2019, when your Ministry was considering the Milani case regarding lands in the Oak Ridges Moraine and Greenbelt, the rights and interests of the development sector, who have contributed to your party and conservative candidates over the years, are negating the rights of the citizens specifically in Vaughan and generally in Ontario.

To ignore citizen's concerns will continue to bring you and your government as well as the Mayor and most of Vaughan Council, the negative publicity all of you clearly deserve. In order to resolve this disturbing trend, your government must begin to demonstrate that the rights of citizens are just as important as the rights of corporate land development interests.

Your blatant disregard for our Planning Act rights to participate in the planning and development of our municipality is an erosion of our democratic rights. This government has had a dismal record concerning autism education, long-term care, Francophone issues, and especially the environment with the mindless "Open for Business" policy. Though you may claim that your government inherited some of these issues, ultimately not listening to citizens contributed to the provincial Liberal's woes. Inevitably, this may end up having history repeating itself during the next election, with the fickle electorate, again, being quite capable of removing problematic governments and incumbents.

Sincerely

Robert A. Kenedy
President of the MacKenzie Ridge Ratepayers Association
Vaughan (Maple), Ontario

--

Robert Aaron Kenedy, PhD
Associate Professor
Department of Sociology
238 McLaughlin College
York University
4700 Keele Street
Toronto, Ontario M3J 1P3
CANADA
rkenedy@yorku.ca
416 736-2100 ext. 77458

From: Richard Lorello <rlorello@rogers.com>
Sent: Wednesday, June 17, 2020 9:48 AM
To: minister.mah@ontario.ca <minister.mah@ontario.ca>
Cc: keepvaughangreen@gmail.com <keepvaughangreen@gmail.com>; Maurizio Bevilacqua <maurizio.bevilacqua@vaughan.ca>; Marilyn Iafrate <marilyn.iafrate@vaughan.ca>; Tony Carella <tony.carella@vaughan.ca>; Rosanna DeFrancesca <rosanna.defrancesca@vaughan.ca>; Sandra Racco <sandra.racco@vaughan.ca>; Alan Shefman <alan.shefman@vaughan.ca>; Mario Ferri <mario.ferri@vaughan.ca>; Gino Rosati <gino.rosati@vaughan.ca>; Linda Jackson <linda.jackson@vaughan.ca>; Robert A Kenedy <rkenedy@yorku.ca>; Bob Moroz <bobm@rfidcanada.com>; Kathryn Angus <kathryn.angus@hhangus.com>; Furio Liberatore <furiol@rogers.com>; Maria Verna <mariaverna@rogers.com>; Noor Javed <njaved@thestar.ca>; Adam Martin-Robbins <amartinrobbins@yrmg.com>; jgray@globeandmail.com <jgray@globeandmail.com>; Tibollo Michael (MCSCS) <michael.tibollo@ontario.ca>
Subject: Ministerial Zoning Order

Dear Mr. Clark

I am concerned and outraged at the number of Ministerial Zoning Orders that are unfolding across the province and especially in the community in which I live. The most recent request for a Ministerial Zoning Order was passed yesterday by Vaughan Council. See links from yesterday's meeting below

<https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=36700>

<https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=36701>

<https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=36702>

I know that I speak for many others when I say that we are sick and tired of seeing our rights eroded by these autocratic practices.

I know that I speak for many others who are demanding that you reject Mayor Bevilacqua's motion to impose a Ministerial Zoning Order on Block 41 or any other request that may be coming forward. We were not even allowed to speak on this motion because it was brought forward as an addendum item and the COVID crisis has severely restricted our ability to react to this last minute addendum. I hold Mayor Bevilacqua responsible for his insensitive and outrageous behaviour.

However, you as Minister must stop facilitating this behaviour by rejecting these requests.

It has become abundantly obvious that the rights and interests of the development sector are more important than the rights of the average resident.

It has become abundantly clear that residents groups who spend thousands of hours in time and thousands of dollars on expert consultants are being trampled on by the all powerful development groups.

It is our democratic right and our right under the Planning Act to participate in the planning and development of our municipality.

Your government and your ministry need to demonstrate that our rights under the Planning Act mean something.

We are not servants of the development sector who just want us to buy their homes and shut up when we attempt to speak out on poorly designed subdivision development.

You can continue to impose the Ministerial Zoning Orders on us but we will not forget that you failed to listen to us and act to protect our rights.

Sincerely
Richard T. Lorello



CRH Canada Group Inc.
2300 Steeles Ave W, 4th floor
Concord, Ontario
L4K 5X6 Canada

T. 905-761-7100
F. 905-761-7200

www.crhcanada.com

DELIVERED VIA EMAIL

June 22, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan ON
L6A 1T1
clerks@vaughan.ca

**COMMUNICATION – C21
Council – June 29, 2020
Committee of the Whole (Public
Hearing)
Report No. 28, Item 3**

Dear the Office of the City Clerk,

**RE: Zoning By-law Amendment File Z.15.029
Draft Plan of Subdivision File 19T-15V010
Blackthorn Development Corp.
10316 Keele Street**

CRH Canada Group Inc. (“CRH”) operates a concrete batching operation at 10351 Keele Street on lands designated “General Employment” and in very close proximity to the property subject to the above-noted application for the development to create a block of 20, three-storey townhouse units served by a common element road.

Coco Paving Inc. (“Coco”), our immediate neighbour to the north, at 10431 and 10445 Keele Street and also designated “General Employment”, operates an asphalt plant operation and is also in very close proximity to the proposed development.

The existing concrete batching plant on CRH’s lands has been in operation for approximately 49 years and Coco’s asphalt plant has been in operation for 37 years. These operations are strategic locations for each respective company and for the long term. I am providing these comments for City staff and Council’s consideration on behalf of both CRH and Coco.

If approved, this application will bring a new sensitive lands use (residential) within approximately 150 m of a Class II Industrial land use (concrete batching plant operation on CRH’s lands) and within approximately 318 m of a Class III Industrial land use (asphalt plant operation on Coco Paving’s lands).

It is, therefore, the applicant’s responsibility to demonstrate that this new development is appropriately designed and built in a manner that prevents land use incompatibility and potential adverse effects.

Until the applicant provides the appropriate studies and necessary information, it is not possible to adequately assess the proposed development and we feel that this proposed development is premature. Based on the information provided to date, it does not appear that the applicant has: (1) completed an adequate noise study; (2) demonstrated



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consistency with applicable provincial policies, including the new Provincial Policy Statement; (3) demonstrated conformity to the York Official Plan; (4) demonstrated conformity to the City of Vaughan Official Plan; and (5) completed an adequate compatibility analysis to ensure that the proposed development represents good planning. Further, we are not aware of any consideration of the Ministry of Environment Conservation and Parks D-6 Guidelines and NPC-300 was being addressed in this application.

MINISTRY OF THE ENVIRONMENT CONSERVATION AND PARKS (“MECP”) D-6 GUIDELINES

The MECP sets out guidelines to manage compatibility between industrial facilities and sensitive land uses (Guideline D-6: Compatibility between Industrial Facilities and Sensitive Land Uses).

Generally, these guidelines have been incorporated into the City of Vaughan Official Plan 2010 under Sections 5.1.2.3 (b), 5.2.1.2, and 9.2.2.10 (d) respectively.

Section 4.1.1 of the D-6 Guideline identifies influence areas (areas within which adverse effects may be experienced) of 300 metres for Class II facilities and 1000 metres for Class III industrial land uses. Pursuant to section 4.5.1 of the D-6 Guideline, unless actual influence areas are known, no sensitive land shall be permitted within the potential influence areas of Class II and Class III industrial land uses, without evidence to substantiate the absence of a problem.

Section 4.3 and Appendix ‘C’ of the D-6 Guidelines provides “Recommended Minimum Separation Distances” for Redevelopment, Infilling, and Mixed Use Areas in adjacent to existing industrial uses within which no sensitive land uses shall be permitted, subject to very limited circumstances.

In association with Section 4.3, Section 4.10 of the D-6 Guidelines provides further detail on minimum separation distances where infilling, urban development and a transition to mixed use is taking place. In such cases, the Guidelines recommend that the applicant (or municipality) provide a “justifying impact assessment (i.e. a use specific evaluation of the industrial processes and the potential for off-site impacts on existing and proposed sensitive land uses). Mitigation is the key to dealing with less than the minimum to the greatest extent possible”.

Based on our review of the applicant’s reports for the proposed development application, there is no evidence that the existing industrial operations, including the concrete batching plant and asphalt operations, have been taken into account in the design and layout of the proposed residential subdivision.

As well, the applicant must be required to provide the necessary impact assessment as recommended in the D-6 Guidelines, which would consider the types and levels of potential adverse impacts that would result from a “worst case scenario”.



CRH Canada Group Inc.
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F. 905-761-7200

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MECP ENVIRONMENTAL NOISE GUIDELINES (“NPC-300”)

Since the 2010 VOP was adopted, the Province released new noise criteria guidelines on October 21, 2013 entitled “Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning, Publication NPC-300” (“NPC-300”).

NPC-300 is intended to address the control of sources of noise emissions to the environment by providing sound level limits for stationary sources such as industrial establishments. Compliance with the NPC-300 Guidelines must be demonstrated by applicants when filing Environmental Compliance Approval (ECAs) under the Environmental Protection Act (ECA). NPC-300 is to be used in conjunction with the Guideline D-6 and does not supercede it.

Similar to the D Series Guidelines, NPC-300 is intended for use by land use planning authorities that exercise decision-making authority under the Planning Act in the preparation of local noise policies/guidelines, Official Plans, Official Plan Amendments, comprehensive zoning by-laws, zoning by-law amendments, and other applications made pursuant to the Planning Act.

As noted above, the applicant’s reports for the proposed development do not provide evidence that such studies in accordance with the NPC-300 Guidelines have been conducted in support of the proposed residential development (and associated outdoor amenity space) to demonstrate land use compatibility with existing industrial uses in the surrounding area.

Until such further study is completed, we anticipate providing a more detailed review of the proposed development. At this time, we respectfully ask that City Staff direct the applicant and their respective consultants to consider what we have described above so that we can discuss CRH and Coco’s concerns in further detail. Approving the development applications as currently prepared will be premature and unjust to the future residents of this development.

Should you have any questions with respect to the foregoing, please do not hesitate to contact the undersigned with a copy to Mr. Anthony Rossi at ARossi@cocogroup.com as well as our joint legal counsel Mr. Steven Ferri, Loopstra Nixon LLP sferri@loonix.com.

Regards,

A handwritten signature in blue ink, appearing to read 'J Ferri'.

Jessica Ferri, MCIP RPP
Manager of Policy and Planning
CRH Canada Group Inc.
jessica.ferri@ca.crh.com

c.c Anthony Rossi, Coco Paving Inc.
Steven Ferri, Loopstra Nixon LLP

June 23 2020

Dear Honourable Minister

I am the President of the Kleinburg & Area Ratepayers' Association and we pride ourselves in actively participating and contributing to the planning process. We believe that public participation is essential to creating great communities and we are very concerned regarding an MZO which has been requested by the Block 41 Landowners Group and supported by Vaughan Council at the June 16 Committee of the Whole meeting. I have provided the link to the agenda item below.

<https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=36700>

Given that this does not receive formal approval by Council until the end of the month, we felt that it was important for you to understand why we are both ethically and morally opposed to a measure that circumvents the normal planning process. Our concerns have no bearing on either the landowners' group or the Appellant, being TransCanada – this is simply a matter of right of appeal or rather, denying one's right of appeal.

Below are some public comments that were made regarding this matter by Council. I trust that you will give them due consideration before you proceed entertaining the request that we gather will be presented to you within the not too distant future.

MZO – CW (2) June 16, 2020 Item #32

“We ask that this be deferred to the next Committee of the Whole for further discussion about the ramifications of pursuing an MZO for a residential subdivision rather than the intended use for an MZO for particularly unique situations for employment lands”.

“Asking for an MZO for Block 41 is setting the bar so low that Council will not be able to justify refusing all requests that come in the future”.

“We have never asked for an MZO where there has been appeals by 3rd parties, to do so now would make us the facilitators of obstructing a public appeal process. No one wants their right of appeal to be stripped away from them”.

“Council has a duty to protect and enhance the rights of their citizens and corporations”.

There is no urgency for an MZO for this parcel of land as it does not have the full sewer and water capacity to build out and such services are still years away thus there is plenty of time for the LPAT process to proceed to a decision.

Should this request be granted, then what we believe would follow would be another request for the Copper Creek development application which is also under appealed. What would be next..... the Toronto Board of Trade lands in Woodbridge? There would be no closing of the flood gates once Council deviates from the present policies of what does get their support for an MZO.

What we feel would have been more appropriate would have been for Council to request that the LPAT process for Block 41 be fast tracked.

I thank you for your consideration,

Kathryn Angus, President
Kleinburg & Area Ratepayers' Association

DATE: June 23, 2020

TO: Honourable Mayor and Members of Council

FROM: James Steele, Director of Environmental Services
Zoran Postic, Deputy City Manager, Public Works

RE: **COMMUNICATIONS – COUNCIL MEETING – JUNE 29, 2020
COMMITTEE OF THE WHOLE (2) JUNE 16, 2020 (ITEM #2)
INTERNAL AUDIT REPORT – 2019 ANNUAL REPORT
(DETAILED STATUS UPDATE FOR WATER, WASTEWATER AND
STORMWATER AUDIT)**

1. Purpose

The purpose of this Communication is to provide the Honourable Mayor and Members of Council further details on the status of the 14 high level recommendations identified in the Water, Wastewater and Stormwater Audit, dated April 2019 and the 32, more detailed, Management Action Plan Items, developed to guide the implementation of the recommended improvements.

Status of Management Action Plan (MAP) Items are detailed below. For convenience, excerpts from the [Internal Audit Report – 2019 Annual Report](#), considered by Committee of the Whole (2) on June 16, 2020, are shown in *italics*.

2. Status of Management Actions

All, but two, of the MAP items with deadlines on, or before, the end of 2019 (Urgent and Critical Actions) were completed within the recommended timelines identified in the April 2019 Audit Report. The remaining two were MAP Items 6.2 and 8.4. These items, although completion is overdue, are both in progress and any portions of these actions related to immediate risks, were completed immediately. The balance (mostly administrative) portions of the items continue to progress.

A scorecard, showing the progress on each of the recommendations are provided below, with the status of each Management Action Item identified in one of the following categories: Complete; In Progress; Not Started; or Overdue. In addition, the status of Overdue items are provided in their respective sections.

Recommendation No. 1 – Water Sampling Policies, Procedures and Practices

All management actions have been completed, with the exception of the establishment of a Service Level Agreement with an accredited lab to complete microbiological testing, this work is underway and is expected to be fully actioned in Q2, 2020.

Management Action Status: 5 Complete, 1 In Progress, 0 Not Started, 0 Overdue

Recommendation No. 2 - Ensure that the Catch Basin Inspection and Cleaning Program Complies with the City's and York Region's Sewer By-Law

All management actions have been completed and management continues to optimize the catch basin cleaning program, using Lean Green Belt Techniques and evaluating the feasibility of sourcing a decanting facility within close proximity to the City, potentially in partnership with other local municipalities and/or York Region.

Management Action Status: 2 Complete, 0 In Progress, 0 Not Started, 0 Overdue

Recommendation No. 3 - Ensure the Hydrant Inspection and Maintenance Program Complies with the Ontario Fire Code

All management actions are complete, 100% of the City's hydrants were inspected in 2019 and will be inspected annually. Communication protocols between Environmental Services and Vaughan Fire and Rescue Services have been developed and will continue to evolve as the partnership continues.

Management Action Status: 2 Complete, 0 In Progress, 0 Not Started, 0 Overdue

Recommendation No. 4 - Re-establish the Valve Turning Program

All management actions have been completed. System valves were prioritized and in 2019, Pure Technologies was hired to implement the City's priority valve turning program, which was completed as expected. More comprehensive, risk based, valve prioritization will take place in coming years, by using data obtained during the valve turning exercise and as more advanced analytical software tools are implemented over the next few years.

Management Action Status: 2 Complete, 0 In Progress, 0 Not started, 0 Overdue

Recommendation No. 5 - Implement a Risk Based Preventative Maintenance Program

This recommendation has yet to be fully implemented. The 2021 budgeting process will consider service risk, infrastructure integrity, life cycle of the infrastructure, potential for service disruption, asset management practices and plans to prioritize infrastructure investment. Close coordination with Corporate Asset Management will continue ensuring entire lifecycle performance is integrated into condition assessment and preventative maintenance activities.

Management Action Status: 0 Complete, 1 In Progress, 0 Not Started, 0 Overdue

Recommendation No. 6 - Implement the Recommendations for Improving the Maintenance Conditions of Water and Wastewater Facilities

Of the three recommendations only one has yet to be started. Discussions related to the work that ought to be completed and who is best equipped to incorporate it into their programs have already begun resourcing and formalization of the handover still need to be completed. In general terms, Facilities will be taking care of the building envelope of facilities, while Environmental Services will take carriage of the process equipment.

Management Action Status: 0 Complete, 1 In Progress, 1 Not Started, 1 Overdue

The key action in MAP 6.2 is focused on management of the City's water and wastewater assets and delivery of minor capital projects. Over the past year, staff have been recruited with a focus on the required skill sets to ensure appropriate planning, procurement and construction take place. Ensuring that appropriate investments to maintain the systems using proactive asset management.

Furthermore, significant progress has been made in maturing the department's asset management approach, which will be supported by the implementation of a Corporate Computerized Maintenance Management System.

Interim control measures were put into place during the first three months (enhanced tracking processes), however, due to the broader organizational changes required to fully implement the Corporate asset management system, this will be listed as "overdue" until this last piece is implemented.

Recommendation No. 7 - Ensure the Recommendations for Improving the City's Emergency Response Plan are Implemented

Significant progress has been made in improving Environmental Services Emergency response planning. Completed initiatives include the implementation of Automatic Vehicle Location system for Environmental Services vehicles, integrating water/wastewater/storm water emergencies into Corporate Emergency exercise, defining emergency levels as part of the Public Works Portfolio response escalation plan and several tabletop emergency exercises with front line operators.

Management Action Status: 0 Complete, 1 In Progress, 0 Not Started, 0 Overdue

Recommendation No. 8 - Improve Asset Management Planning, Project Management, Contract Administration and Procurement Practices

Low value purchase orders (LDMs) in 2019 have been reduced by approximately 50% from the previous year and Environmental Services continues to work with Procurement Services to develop strategies to ensure that the appropriate procurement processes are used. The Vendor of Record process is being evaluated to address a number of areas where LDMs have been used in the past, further reducing their use.

Management Action Status: 0 Complete, 3 In Progress, 0 Not Started, 1 Overdue

MAP Item 8.4 was identified as Urgent (requiring action in 0-3 months) and due to the number of LDM contracts being used by the Department to acquire critical parts for operations, this MAP was triaged, starting with contracts that would provide the greatest benefit in reducing LDMs. The first two contracts, awarded in 2019 through a competitive procurement process, avoiding more than 180 LDM procurements, annually. Work continues developing contract documents and strategic procurement, keeps this MAP Item in the overdue category.

Recommendation No. 9 - Perform an Operational Health and Safety and Public Hazard Risk Assessment

Work to address the job hazard analysis recommendation from the audit is closely related to a corporate wide initiative that is currently underway. Environmental Services staff are working closely with Corporate Health and Safety on this project and will be one of the first areas that are evaluated on this corporate initiative.

Management Action Status: 0 Complete, 2 In Progress, 1 Not Started, 0 Overdue

Recommendation No. 10 - Fully Operationalize the SCADA System

Modifications have been made to provide more universal access to the City's SCADA system for operators to use and minor adjustments to the SCADA system are currently underway. In addition, to provide a longer-term vision for full implementation of SCADA, a consultant has been engaged to develop a SCADA Master Plan, providing an implementation roadmap to implement the SCADA system and realize the investment that has been made to date.

Management Action Status: 0 Complete, 1 In Progress, 0 Not Started, 0 Overdue

Recommendation No. 11 – Leverage Advances in Technology to Improve Business Processes

Both the management actions related to the software system for tracking monitoring sampling results have been initiated. During the course of investigating the feasibility of using the WaterTrax mobile app, another more effective system for automatically uploading chlorine residuals became available. Trials continue with this system, with the plan for full implementation by Q4 2020.

Management Action Status: 1 Complete, 2 In Progress, 0 Not Started, 0 Overdue

Recommendation No. 12 - Update Development Agreements to Clarify Timing of Payment Requirements for New Watermain Connections

Coordination between Environmental Services and Development Engineering continues to improve. The two departments have developed RASCI charts to determine responsibilities amongst the teams and quarterly coordination meetings have taken place. Discussions continue to ensure that the requirements for watermain connections, construction water and payments for the same are integrated into new development agreements. For agreements that are already in place, payments/invoices are requested regularly. Formalization of the discussions and process remain to be completed.

Management Action Status: 0 Complete, 2 In Progress, 0 Not Started, 0 Overdue

Recommendation No. 13 - Provide Greater Oversight of the Main Flushing and Closed-Circuit Television (CCTV) Programs

Interim tools to assist in tracking and monitoring the main flushing and CCTV programs have been in use and full implementation of Info Asset Manager (planned for Q3 2020) will modernize these processes, not only allowing the monitoring of the programs individually but providing analytical tools to evaluate condition assessments. This data, along with work order and customer complaints, will be used to prioritize the programs into the future and will feed into asset management planning efforts.

Management Action Status: 0 Complete, 1 In Progress, 0 Not Started, 0 Overdue

Recommendation No. 14 - Analyze Insurance claims

The management action has been initiated as Environmental Services staff have met with Risk Management staff to leverage Clear Risk software system to provide info on claims. Risk Management has started to provide regular status reporting on the types of claims from Environmental Services activities.

Management Action Status: 0 Complete, 1 In Progress, 0 Not Started, 0 Overdue

3. Conclusions

Environmental Services' commitment to supply of safe drinking water, responsible collection of wastewater and efficient stormwater management continues.

The above illustrates that significant effort in implementing the recommendations provided through the Internal Audit report has been completed over the past year and continues to be top of mind for the Department. A summary of the 32 Management Action Plan Items is provided, below.

Complete	12 items	38%
In Progress	16 items	50%
Not Started	2 items	6%
Overdue	2 items	6%

For clarity, the two items identified as overdue have progressed significantly and have addressed immediate risks, mostly administrative work, remains to be able to confirm that these items have been fully actioned.

For additional information, please contact James Steele, Director, Environmental Services, ext. 6116



**COMMUNICATION – C24
Council – June 29, 2020
Committee of the Whole
Report No. 22, Item 10**

DATE: June 29, 2020

TO: Mayor and Members of Council

FROM: Nadia Paladino, Director of Parks, Forestry, and Horticulture Operations

RE: **COMMUNICATION – Council Meeting - June 29, 2020
Woodlot Naming Proposal (Report 22, Item 10 Committee of the
Whole (1))**

Purpose

To provide an update to the report regarding the Woodlot Naming Proposal (Item 10) as directed at the June 9, 2020 Committee of the Whole (1) Meeting and seek Council endorsement for the recommendations in this communication.

Report Highlights

- Of the City's 25 woodlots, 19 are proposed for new names.
- The City's archival records were consulted in the naming process.
- Names have been proposed in accordance with the City's naming policy.
- Proposed signage will be installed to identify each woodlot, using design standards consistent with City Parks Entry 911 signage.

Recommendations

1. THAT, the Woodlot Names, as presented in this communication, be approved.
2. THAT, the installation of woodlot signage be considered in the 2021 capital budget.

Background

Council directed staff to amend the proposed woodlot names to further reflect their historic significance and naming continuity.

At the Council meeting of June 9, 2020, staff were directed to amend the proposed names of the municipally-owned woodlots, and report back to Council with a plan for naming said woodlots with a focus on historical significance.

The scope of naming the unidentified woodlots was expanded to include previously named woodlots to provide consistency with the naming approach, categorizing all identified lands as woodlots. The names of the woodlots will be incorporated into future maps published by the City.

Staff were requested to review status of signage of existing woodlots for consistency.

Signage establishes recognition of the woodlots to the community. There are two designs considered for the signage -- the Park Entry 911 sign and the smaller aluminum sign referenced in Item 19, Report No. 21 of the Committee of the Whole on May 29, 2012, Revised Policy for Naming of Stormwater Management Ponds and Associated Signage.

The status of the Thornhill Green wooded area was reviewed and determined to be classified a Bioforest.

The lands associated with the Thornhill Green Park have been conveyed to the City through the Thornhill City Centre (19T-04V08), subdivision agreement 65M-3872. Approximately 0.4 ha of lands have been conveyed to the City for preservation of the existing treed areas. Over the last several years the existing treed area has been enhanced and improved through Section 37 funding contributions to improve drainage and provide public access.

Previous Reports/Authority

[Extract from Council Meeting Minutes of May 29, 2012 - Item 19, Report No.21 of the Committee of the Whole](#) "Naming of Storm Water Management Ponds and Associated Signage".

[Extract from Council Meeting Minutes of September 9, 2014 - Item 48, Report No. 36 of the Committee of the Whole](#), "Creating Places: Naming of Municipally-owned Woodlots".

[Policy Manual, Policy No. TPF – 006](#), "Policy For Naming City Parks, Open Spaces, Community Facilities and Other Municipal Buildings or Properties".

[Council Meeting of June 9, 2020 - Item 10, of the Committee of the Whole \(1\)](#), "Woodlot Naming Proposal."

Analysis and Options

Historical significance was the primary criteria considered when selecting the names for the woodlots.

There are situations where the primary criteria for naming could not be met – for instance, woodlots that are in close proximity to each other or have a shared historical significance. In these situations, secondary criteria for naming included consideration for adjacent streets, functional use, and community names.

Names are proposed for 19 of the 25 City-owned woodlots.

Proposed names are provided in Table 1, which include two existing woodlots and 17 unnamed woodlots.

There are two previously named woodlots that are proposed to be renamed. Airdrie Woods is proposed to be renamed Airdrie Woodlot to provide consistency for the “woodlot” designation. Secondly, Promenade Woodlot is proposed to be renamed Pierre Elliot Trudeau Woodlot being located adjacent to the Pierre Elliot Trudeau Park.

The naming of the 17 unnamed woodlots was based on the following:

- Ten instances describe historical significance,
- Six instances describe adjacent streets,
- One instance describes a community feature.

Table 1: Proposed Names for City of Vaughan Registered Woodlots

Ward	Block	Woodlot Name	Type of Change	Basis for Name	Naming Consideration	Location
3	37	Airdrie Woodlot	Modification	Adjacent Street	The original name of Airdrie Woods will be changed to Woodlot providing consistency.	Woodbridge Corner of Langstaff Rd. & Pine Valley Dr.
3	39	Johnston Woodlot	New	Historic Significance	Name associated with the area in 1860 is D. Johnston	Woodbridge East of Pine Valley Dr. and West of Via Campanile, North of Grandvista Cres.
3	39	McCarter Woodlot	New	Historic Significance	Name associated with the area in 1860 is H. McCarter & Johnston	Woodbridge East of Pine Valley Dr. and West of Via Campanile, South of Davos Rd.
3	39	McDonald Woodlot	New	Historic Significance	Name associated with the area in 1860 is H. McCarter & G. McDonald. The woodlot is located adjacent to Pierre Berton Public School.	Woodbridge South of Major Mackenzie Dr. - Corner of Via Campanile & Maria Antonia Ave.
3	39	McNaughton Woodlot	New	Historic Significance	Name associated with the area in 1860 is P. McNaughton	Woodbridge South of Major Mackenzie Dr. East of Pine Valley Dr. and North of Via Teodoro Way

3	39	Beauvista Woodlot	New	Adjacent Street	Name associated with the area in 1860 is H. McCarter & G. McCarter is already in use for McCarter Woodlot. Beauvista Cr. is a unique street adjacent to the woodlot.	Woodbridge North of Rutherford Rd. East of Pine Valley Dr. and West of Via Campanile, West of Beauvista Cr.
3	40	Constable Woodlot	New	Historic Significance	Name associated with the area in 1860 is William Constable	Woodbridge North of Major Mackenzie Dr. at the end of Millwood Cr.
3	40	Poetry Woodlot	New	Adjacent Street	Name associated with the area in 1860 is Gilbert Matheson.	Woodbridge North of Major Mackenzie Dr. at the corner of Headwind Blvd. and Poetry Drive
4	10	Peter Cobert Woodlot	New	Historic Significance	Name associated with the area in 1860 is Peter Cobert	Thornhill North of Hwy #7 North of Summeridge Dr. and South of Coltrane Dr.
4	10	Hugh Bennett Woodlot	New	Historic Significance	Name associated with the area in 1860 is Hugh Bennett	Thornhill West Side of Thornhill Woods Dr. South of Apple Blossom Dr.
4	10	Autumn Hill Woodlot	New	Adjacent Street	Name associated with the area in 1860 is Jonathan Baker. The Baker name is already been referenced with the Sugar Baker Bush Woodlot.	Thornhill East Side Thornhill Woods Dr., North of Autumn Hill Blvd.
4	10	McDougall Woodlot	New	Historic Significance	Name associated with the area in 1860 is W.M. McDougall	Thornhill North of Hwy #7 West Side of Bathurst Glen Dr. (attached to a park and school)
4	10	Firtree Woodlot	New	Adjacent Street	Name associated with the area in 1860 is Jonathan Baker. The Baker name is already been referenced with the Sugar Baker Bush Woodlot	Thornhill North East corner of Langstaff Rd. and Dufferin Str. West of Firtree Trail.
4	11	Carrville Woodlot	New	Community Name	Name associated with the area in 1860 is Thomas Cook. The name Cook is already been referenced with the Cook Woodlot. Carrville is a historical geographic reference and an adjacent street.	Maple North of Rutherford Road East Side of Dufferin Str. connected to open space & a park

4	12	Redelmeier Woodlot	New	Historic Significance	Name associated with the area in 1860 is Robert Metcalf. The name Redelmeier has been proposed to recognize the historic relevance of that family.	Maple East of Dufferin Str. North of Major Mackenzie Dr. South Side of Lady Valentina Ave. connected to Open Space (beside Maple Nature Reserve Trail)
4	12	Heintzman Woodlot	New	Adjacent Street	Name associated with the area in 1860 is H. Bowes. The name Heintzman has been proposed to recognize the historic relevance of that family.	Maple East. of Dufferin Str. North of Major Mackenzie Dr. South Side of Heintzman Cres. connected to Open Space & a park
4	18	Cook Woodlot	New	Historic Significance	Name associated with the area in 1860 is Thomas Cook	Maple North of Rutherford Rd., between Keele Str. and Dufferin Str. West Side of Peter Rupert Ave. and Halo Crt.
4	18	Peter Rupert Woodlot	New	Adjacent Street	Name associated with the area in 1860 is Thomas Cook. Cook is already in use for Cook Woodlot. Peter Rupert is a unique street adjacent to the woodlot.	Maple North of Rutherford Rd. between Keele Str. and Dufferin Str. East Side of Peter Rupert Ave. and West of Lady Bianca Crt.
5	8	Pierre Elliot Trudeau Woodlot	Modification	Functional Use	Name is associated with the adjacent Pierre Elliot Trudeau Park.	Thornhill West of Bathurst St. North Side of Clark Ave. at Promenade Cir.

Signage proposed for identifying City-owned woodlots will be consistent with those used for Park Entry 911 signs.

Signs will be placed at the main access point of each woodlot, in a publicly visible location. For woodlots without public access frontage onto a key road or intersection will be considered the preferred location. Further review has identified that seven of the previously named woodlots do not presently have signs consistent with the Park Entry 911 sign design. Signage will be extended to all previously named woodlots that have no signs to provide uniformity.

Financial Impact

The total capital cost for the proposed signage using the Parks Entry 911 sign design is estimated at \$132,000 + HST. The cost estimate represents an increase of \$ 38,500 + HST from the original report to accommodate the proposed additional signage of the

previously named woodlots. Alternatively, the costs for the smaller aluminum signs are estimated at \$13,200 + HST.

The estimated capital costs will be included in the 2021 Parks, Forestry and Horticulture budget request.

Conclusion

In response to Council's direction, it is recommended that the proposed names for 19 woodlots, throughout Wards 3, 4 and 5, be adopted.

Installation of signage is conditional on the approval of the 2021 Parks, Forestry and Horticulture Operations capital budget request, in consideration of affordability and prioritization.

For more information, please contact:

Nadia Paladino, Director, Parks, Forestry and Horticulture, ext. 6146

Prepared by

Joerg Hettmann, Manager, Forestry and Horticulture, ext. 6139

Nadia Paladino, Director, Parks, Forestry and Horticulture, ext. 6146

**COMMUNICATION – C25
Council – June 29, 2020
Committee of the Whole
Report No. 22, Item 1**

TO: HONOURABLE MAYOR AND MEMBERS OF COUNCIL

**FROM: NICK SPENSIERI, ACTING DEPUTY CITY MANAGER,
PLANNING AND GROWTH MANAGEMENT**

DATE: JUNE 29, 2020

**RE: COMMUNICATION
ITEM NO. 4, REPORT NO. 1, COMMITTEE OF THE WHOLE (1)
JUNE 9, 2020**

**2748355 CANADA INC. (QUADREAL BLOCK 3N)
OFFICIAL PLAN AMENDMENT FILE OP.19.006
3301 HIGHWAY 7
VICINITY OF REGIONAL ROAD 7 AND INTERCHANGE WAY**

Recommendation

The Deputy City Manager, Planning and Growth Management recommends:

1. THAT the following be added to condition 1 of Item No. 4, Report No. 1 of the June 9, 2020, Committee of the Whole (1):
 - “e) To permit a publicly accessible pedestrian mews with a localized pinch-point of 10 m towards Highway 7, whereas the balance of the mews shall have generally a minimum width of 15 m.
 - f) To permit a minimum floor to floor height of 3.3 m where residential units are located on the ground floor of buildings.”

Background

At the June 9, 2020 Committee of the Whole (1), Council received all recommendations of Item No. 4, Report No. 1 (the “Report”) which included approving Official Plan Amendment Application File OP.19.006, Zoning By-law Amendment Applications Files Z.19.017 and Z.19.018 (density transfer) and draft approving Site Development File DA.18.075.

Condition 1 of the Report recommends that Official Plan Amendment Application File OP.19.006 be approved, to amend Vaughan Official Plan 2010 (‘VOP 2010’) and Volume 2 of VOP 2010, specifically the Vaughan Metropolitan Centre Secondary Plan

(VMCSP), to add a new Site-Specific Policy Area on Schedule 'K' to permit the following:

- a) An increase to the maximum permitted building height from 30-storeys to a maximum building envelope not exceeding 59-storeys in height, in which each individual tower shall be limited to and not exceed the maximum geodetic height permissions prescribed in the Zoning By-law.
- b) No minimum building heights apply for stand-alone commercial and accessory buildings and/or structures.
- c) An increase to the maximum permitted density (Floor Space Index (FSI)) from 5.0 times the area of the lot to an FSI of 7.8 times the area of the lot.
- d) An increase to the maximum permitted tower floor plate size from 750 m² to 820 m.

The purpose of adding conditions 1 e) and f) as identified in this Communication, will allow the development to proceed as draft approved by Council for Site Development File DA.18.075 at the June 9, 2020 Committee of the Whole (1).

Policies 4.3.3 and 4.3.16 and Schedule C – Street Network of the Vaughan Metropolitan Centre Secondary Plan (the “VMCSP”) requires that all pedestrian mews have a minimum width of 15 metres. Through the detailed design process, the Vaughan Design Review Panel and staff requested that the mews be contracted at the pedestrian opening of the site from Highway 7 in order to achieve a sense of arrival as a gateway to invite people into the privately owned-publicly accessible space (POPS) and retail mews. The reduction of the width of the pedestrian mews at the specific pinch-point as identified in Condition 1 e) of this Communication is consistent with staff direction and Council’s draft-approval of the Site Development Plan at the June 9, 2020 Committee of the Whole as shown on Attachment 2 of the Report.

Schedule H – Areas for Retail, Service Commercial or Public Uses of the VMCSP recommends that the ground floor frontages of the site along Interchange Way and the new east-west public road (Street A) that is located immediately south of the site be lined with retail, service commercial or public uses to activate streetscapes and corridors. Policy 8.6.3 further requires that the ground floor heights along these frontages have a minimum floor to floor height of 5 m to allow the flexibility of converting these ground floor areas to accommodate for retail and service commercial uses in the future. However, the main retail portions of this development are concentrated along Highway 7 and the pedestrian mews that is internally centralized within the site. Condition 1 f) as identified in this Communication permits a minimum floor to floor height of 3.3 m for residential uses as opposed to 5 m. Condition 1 f) is in keeping with the intent of Policy 8.6.3 to provide street level animation, as all ground floor residential uses of this development are proposed to have front door accesses along public streets, including Interchange Way and Street A, which will have the effect of activating street frontages and the abundance of retail proposed (over 8,100 m²) will promote pedestrian traffic in and around the site. Further, retail uses wrap the corners of the Highway 7, as

well as the mid-block opening of the pedestrian retail mews along Street A, providing further animation and retail presence within the development.

Should the conditions identified in this Communication be approved, the implementing Official Plan Amendment and Zoning By-law Amendments are also proposed to be approved by Council at the same meeting at the By-laws / Formal Resolutions portion of this Council agenda.

Conclusion

The VMC Program recommends that Council approves the addition of conditions 1 e) and f) to be included as part of the Official Plan Amendment as they are consistent with the policies of the Provincial Policy Statement 2020, conforms to the Provincial Growth Plan ("A Place to Grow – Growth Plan for the Greater Golden Horseshoe, 2019), the York Region Official Plan and the VMCSP and will facilitate Site Development File DA.18.075 that was draft-approved by Council at the June 9, 2020 Committee of the Whole (1).

Prepared By

Jessica Kwan, VMC Senior Planner, ext. 8814
Amy Roots, VMC Senior Manager, ext. 8035
Christina Bruce, Director, VMC Program, ext. 8231

Respectfully submitted,

Nick Spensieri
Acting Deputy City Manager
Planning and Growth Management

Copy to: Todd Coles, City Clerk
Mary Reali, Interim City Manager

BLOCK 59 LANDOWNERS GROUP INC.

c/o 7501 KEELE STREET
SUITE 200
VAUGHAN, ONTARIO
L4K 1Y2

**COMMUNICATION – C26
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 10**

Delivered via Email
and Courier

June 25, 2020

City Clerk, Todd Coles
c/o The Corporation of The City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Sir:

**RE: Committee of the Whole Meeting June 16, 2020, item 10 - Application for
Block Plan Approval - File BL.59.2014, Block 59 Landowners Group Inc.**

We act as Trustee on behalf of the Block 59 Landowners Group (the "**Block 59 Landowners Group**") pursuant to the Block 59 Development Area - Block Plan Funding Agreement dated August 17, 2012 (the "**Block 59 Block Plan Funding Agreement**"), entered into by the Block 59 Landowners Group in respect of the development of lands within the Block 59 Development Area.

We are writing to you in response to the correspondence dated June 16, 2020 which was delivered by Davies Howe LLP on behalf of Highway 27 Langstaff GP Limited ("**Rice**").

In brief response to such correspondence, please be advised as follows:

- Rice (and its subject lands, hereinafter the "**Rice Lands**") have always been, and continue to be, part of the Block 59 Development Area and the Block 59 Landowners Group.
- Rice is a signatory to the Block 59 Block Plan Funding Agreement, wherein it expressly agreed to bear its pro-rata share of the costs related to the Block 59 Block Plan.
- Notwithstanding the timing of the Costco development, we are not aware of any provisions within the Minutes of Settlement that absolved the Rice Lands from

the City's Block Plan process, nor has the same ever been presented to the Block 59 Landowners Group by either Rice or their solicitors.

- In keeping with other Block Plans within the City of Vaughan, the City Block Plan report's recommendations are consistent in ensuring that cost sharing obligations and principles are applied to all lands within the Block.
- We have provided our high level comments to be on the record. However, we believe that many of the points brought forward by the Davies Howe letter are precipitated by private group matters and should remain as such.

In consideration of the above, we respectfully submit and request that the Block Plan as approved by the Committee of the Whole on June 16, 2020 proceed and be endorsed by Council on June 29, 2020 as written.

We trust the foregoing will be of assistance in providing additional background and context to the City.

Should you have any questions or concerns, please feel free to contact the writer.

Yours truly,

BLOCK 59 LANDOWNERS GROUP INC.

Per: 
Helen Mihailidi

TC Energy
450 - 1 Street S.W. Calgary, AB
Canada, T2P 5H1
Tel: 403-920-5128
terri_steeves@tcenergy.com



**COMMUNICATION – C27
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 32**

June 26, 2020

Mayor Maurizio Bevilacqua and Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Cc: Mary Reali, Deputy City Manager, Community Services

Dear Mayor Bevilacqua and Members of Council,

RE: Committee of the Whole, June 16, 2020
Addendum Agenda Item 32
Request from Block 41 Landowners Group for a Minister's Zoning Order

We understand that Committee of the Whole's recommendation to Council on this request will be considered by Council at its meeting of June 29, 2020.

You are already aware of TransCanada PipeLines Limited (TCPL)'s view with respect to this matter. While we understand the City's position on this request to the Minister for a zoning order, we wanted to advise Council that TCPL has provided the Block 41 Landowners Group with a proposal to try and resolve our outstanding concerns. While it would not be appropriate to provide any of the details of that proposal in a public forum, we have requested meeting dates from the Block 41 Landowners Group over the next two weeks and look forward to meeting with them to discuss in more detail. We ask that Council consider deferring making the request to the Minister while we engage with these discussions with the Landowners.

We understand the importance to the City of Vaughan of moving this residential development forward however, would stress again that in our view it is also important to do it in a way that best ensures land-use compatibility and the long-term health and safety of residents. In our view, the municipal zoning process is an important step toward achieving this result.

Yours truly,

A handwritten signature in black ink that reads "Terri Steeves".

Terri Steeves
Vice President, Canada Gas Operations
TC Energy

DATE: June 26, 2020

TO: Hon. Mayor Bevilacqua and Members of Council

FROM: Nick Spensieri, Deputy City Manager, Infrastructure Development; and Vince Musacchio, Director, Infrastructure Planning and Corporate Asset Management

RE: Report No. 25, Item No. 21 – Committee of the Whole (2), June 16, 2020
KIRBY ROAD EXTENSION BETWEEN BATHURST STREET AND
DUFFERIN STREET CLASS ENVIRONMENTAL ASSESSMENT STUDY
COST REVIEW AND CAPITAL BUDGET AMENDMENT

**COMMUNICATION – C28
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 21**

Purpose

To amend an incorrect By-Law reference in Recommendation #3 in the subject report and to provide Council with information requested of staff.

Recommendations

- 1) That Recommendation 3 in the report of the Deputy City Manager, Infrastructure Development dated June 16, 2020 be amended to read as follows:
 3. That the inclusion of this matter on a Public Committee or Council agenda with respect to amending the Capital Budget DT 7112-14 is deemed sufficient notice pursuant to Section 2(1)(c) of By-Law ~~394-020~~ 394-2002 as amended; and
- 2) That Council receive the information requested of staff as provided in Attachments 1 and 2 of this Memorandum.

Background

Committee of the Whole, at its meeting of June 16, 2020 adopted, inter alia, the following recommendations:

- 1) That staff be directed to request Rizmi Holdings Limited (RHL) to provide clarity of the costs they incurred to undertake the Kirby Road Extension Class Environmental Assessment Study, and that such information be provided at the June 29, 2020 Council meeting;
- 2) That the report of the third-party peer review be made public;

Conclusion

The information requested is provided in Attachments 1 and 2 of this Memorandum.

Attachments

1. Request for Clarification of Costs to undertake the Environmental Assessment Study for Kirby Road Extension between Bathurst Street and Dufferin Street, Schaeffers Consulting Engineers, June 25, 2020
2. 3rd Party Review: Findings & Conclusions
Third-Party Review of Rizmi Holding Limited's (RHL) Request for Reimbursement of Additional Costs May 2019 -Kirby Road Extension between Bathurst Street and Dufferin Street Class Environmental Assessment Study, HDR, June 5, 2020

Respectfully submitted,



Nick Spensieri
Deputy City Manager, Infrastructure Development

June 25, 2020

File #: 4339



6 Ronrose Drive, Vaughan, Ontario L4K 4R3
Tel: (905) 738-6100 Fax: (905) 738-6875
Tor. Line: (416) 213-5590 E-mail: general@schaeffers.com

**Attention: Cam Milani
Chief Executive Officer
Rizmi Holdings Limited**

VIA EMAIL ONLY

Dear Mr. Milani:

Re: Request for Clarification of Costs to undertake the Environmental Assessment Study for Kirby Road Extension between Bathurst Street and Dufferin Street

The City of Vaughan (CoV) asked Rizmi Holdings Limited (RHL) to provide information clarifying the costs they incurred to undertake the Kirby Road Extension Environmental Assessment Study (EAS) with a purpose that such information will be provided at the June 29, 2020 Council meeting. With this in mind and at your request, we have prepared the following overview explaining why actual spending exceeded the original fee proposal.

Background

The CoV through the transportation master planning process determined that the Kirby Road Extension between Dufferin and Bathurst Streets would be required in place by 2021. In accordance with the Ontario Environmental Assessment (EA) Act, a new municipal road project is subject to a Class EA planning and design process prepared by the Municipal Engineers Association (MEA) of Ontario. A Class EA is a method to obtain approval under the EA Act and to provide an alternative to carrying out an individual assessment. In addition, the Class EA provides a means for integrating the requirements of the EA Act and the Planning Act.

The City's Council, at its meeting on April 21, 2015, directed staff to: "work with the landowner along the Kirby unopened road allowance between Dufferin Street and Bathurst Street with a goal to having the missing link constructed by Fall of 2018 if possible". RHL agreed to carry out the Municipal Class EAS earlier than it could have been achieved by City staff and frontend the cost of undertaking. It was advantageous to both parties to coordinate the effort with the development of the abutting lands owned by RHL.

SCE Fee Proposal

In September 2015 RHL engaged professional services of Schaeffers Consulting Engineers (SCE) and submitted a fee proposal to the CoV to advance the Kirby Road Extension EAS, whereby RHL would be a sole proponent of the study. Different from a typical Municipal Class EA, there were no Terms of Reference provided by the City, the circumstance necessitating the

project team to have identified the scope of work based on a limited understanding of the project at that time.

The EAS was envisioned as a scoped EA which will follow an integrated approach and satisfy requirements of both the EA Act and Planning Act. SCE, acting a civil engineer assembled a team of professional consultants to supplement our in-house capabilities, including transportation, natural heritage, planning, geotechnics and hydrogeology, geomorphology, archeology and noise disciplines. Each of the consultants, including SCE provided their cost estimates with a total of \$325,000.00 (exclusive of HST). It was assumed that the master planning undertaken in advance of the EAS has completed Phases 1 and 2 of the Class EA process and the project team is required to complete Phases 3 and 4 only. Public consultation efforts and desktop investigations by the study disciplines were proposed to fit into a tight period of 10 months for completion of the study.

City's staff had reviewed the fee proposal and it was further supported by the City's Council in December 2015 recommending to reimburse RHL to an upset limit of \$325,000.00 (exclusive of HST) and enter an agreement with the CoV to formalize the arrangements.

RHL and CoV Agreement

The project team started working on the elements of the EAS immediately after the Council's approval. It took almost a year, until mid-November 2016, when the City and RHL entered into an agreement authorizing the RHL to undertake the EAS.

Some of the clauses imposed new requirements surpassing the original scope. For example, Clause 8 of the agreement required the developer to "confirm that each agency has accepted the methodology, conclusions, and recommendations of the EAS". Clause 12 required to undertake a comprehensive and inclusive public consultation process throughout the study, including the formation of a Citizen Liaison Committee (CLC).

The agreement provided that the completed Class EA and related Environmental Study Report (ESR) may only be filed for the mandatory public review once the CoV is satisfied that the key agencies and stakeholders have accepted the recommendations and conclusions of the Class EAS. Achieving the requirements led to significant budget overruns.

Overview of the Actual Effort

As the project understanding evolved, the actual effort to complete the Class EA rose from a limited scope Class EA to the level of an Individual EA. The extreme level of EAS intricacy was triggered by the recognized extreme complexity of issues and environmental sensitivity associated with the Kirby Road extension study area. For example, a similar setting for the Teston Road extension between Dufferin Street and Keel Street has required the preparation of a Terms of Reference approved by the Ministry of Environment, Conservation and Parks (MECP) and then carrying out an Individual EA Study, which represents the highest level of investigation.

Cam Milani, Rizmi Holdings Limited
June 25, 2020

Notably, in response to the advertisement of study initiation, the York Region and Ministry of Natural Resources and Forestry (MNR) both requested to elevate the investigation to an Individual EA. As a result, the Kirby Road Class EAS was completed to the level of detail well exceeding routine municipal Class environmental investigations. This in general explains the significant amount of work completed beyond the original scope and cost overruns.

Comparison between selected budget estimates provided in the 2015 fee proposal by the key project team members to the actual spending is summarized in the table below.

Project Team Member	Expert knowledge provided	Original Estimate (excluding HST)	Actual Spending (excluding HST)	Difference (%)	Difference (\$)
SCE	<ul style="list-style-type: none"> • Project Management • Class EA Planning • Public Consultation • Transportation Engineering • Stormwater Management • Cost Estimates 	\$74,545.00	\$524,432.50	604	\$449,887.50
Savanta	<ul style="list-style-type: none"> • Natural Heritage 	\$31,005.00	\$231,131.51	645	\$200,126.51
Lucas & Associates Ltd.	<ul style="list-style-type: none"> • Socio-economic Analysis 	\$16,125.00*	\$101,520.00	530	\$85,395.00

* Original cost estimate was provided by SGL

The table illustrates that the budget overages experienced by the three key consultants are in the same order of magnitude with the Natural Heritage as a most costly component.

Key activities that were not included in the original proposal and required additional budget, including some reasoning are summarized as follows:

- Field investigations such as geotechnical drilling, groundwater monitoring, topographic survey, wildlife surveys, basal area, and creek centerline surveys (support selection of alternatives).
- Establishment of the Technical Advisory Group (TAG) and Citizen Liaison Committee (CLC) and conducting milestone meetings, including creation terms of reference, venue rentals, preparing presentations, and meeting minutes (flows from the agreement).

Cam Milani, Rizmi Holdings Limited
June 25, 2020

- Advertising of study notices in four local newspapers; engaging public facilitator for the TAG meetings; creating and updating a study web page.
- Indigenous Peoples consultation.
- Screening of ten Alternative Road Alignments.
- Revisiting Phases 1 and 2 of MEA MCEA planning and design process (requested by review agencies).
- Development and detailed evaluation of five Alternative Road Cross-sections (requested by the City).
- Development and assessment of Modified Road Alignment 6A (requested by review agencies).
- Confirming conformity to the 2017 Oak Ridges Moraine Conservation Plan (requested by review agencies).
- Satisfying requirements of Endangered Species Act and Ecosystem compensation (requested by the MNRF and TRCA).
- Preparation of Air Quality, Climate Change Assessment and Contamination Overview Study (requested by the MECP).
- Refinement of Technically Preferred Road Alignment 5 (requested by review agencies)
- Preparation of design drawings to a 30% level, including preliminary intersection design and cost analyses (requested by the City).
- Two full ESR submissions to review agencies before a final third submission of the ESR to the MECP.
- TRCA review fees.

Communication with the CoV Staff Related to the Budget

EAS budget concerns were raised at the meeting on March 1, 2018. It was discussed that the approved budget of \$325,000.00 is insufficient for the completion of the study and expenditure stands at \$464,503.25, exclusive of HST.

Following submission of the Final Draft ESR to review agencies, RHL met with CoV staff on May 17, 2019 to discuss costs incurred over the duration of the EA study. It was communicated that the actual project spending stands at \$1,143,191.73, exclusive of HST. It was agreed that the City's staff will accept reasonable cost overruns. A Memo providing a detailed analysis of EAS costs was provided to RHL by SCE on May 27, 2019.

Third Party Cost Review

HDR was retained by the City of Vaughan in February 2020 to perform a Third Party Review of the fees incurred by the Kirby Road Extension EAS. SCE has provided HDR with a detailed account of the study activities and actual spending. Their comments to the City have not been provided to us.

Cost of Comparable EA Studies

In September 2016, the bid received from MMM Group Limited for Contract No. P-16-94 for Class Environmental Assessment (EA) Study - Langstaff Road from Weston Road to Highway 7 has been accepted by York Region in the amount of \$1,647,359.99, excluding HST.

In January 2017, the bid received from Hatch Corporation for Contract No. P-16-164 for Consulting Services for Class Environmental Assessment Study at Dufferin Street from Langstaff Road to Teston Road has been accepted by York Region in the amount of \$998,077.00, excluding HST.

In November 2019, the bid received from Morrison Hershfield Limited for Contract No. P-19-218 for an Individual Environmental Assessment for the Teston Road Area Transportation Improvements to construct a missing link between Dufferin Street and Keele Street has been accepted by York Region in the amount of \$2,499,956.25, excluding HST. Notably, the bids from only pre-qualified consultants ranged from \$5.3 to \$2.5 Millions and an additional fee was paid before the bid by York Region to WSP to deliver Terms of Reference for the study.

Value for Money

The project team was prepared to file the ESR as early as in December 2018. The capital cost of the Technically Preferred Alignment 5 was estimated at \$32,018,318.00. However, TRCA staff was not satisfied with the recommendations of the draft ESR and recommended amendments that included additional study and evaluation of modifications to the currently preferred alignment prior to the finalization of the ESR. In their comment letter dated February 1, 2019, TRCA indicated that their staff would pursue a new hybrid route (Suggested Alternative Alignment for Further Consideration) with the CoV, study proponent (read RHL), and involved agencies. It should be noted that the suggested hybrid route largely resembled the Alternative Road Alignment 6A with an estimated cost of \$66,455,265.00, the alignment that was ruled out through a detailed evaluation process.

The pushback resulted in the second Final Draft ESR submission to the review agencies in May 2019. Committed to the RHL-CoV agreement and working in a close dialog with review agencies, the project team was able to demonstrate the stakeholders that refinements to the Technically Preferred Alignment 5 would provide a satisfactory outcome.

Nevertheless, the refinements required additional analysis and investigations, revisions to the ESR and preliminary design, and addressing the following comments from the review agencies, including the CoV. Finally, the ESR was filed with the MECP and placed on the public domain in September 2019 with the CoV as a co-proponent.

As a result of the project team's diligent effort, the Refined Preferred Alignment 5A was approved with an estimated capital cost of \$43,221,851.00. Compared to the worst-case scenario

Cam Milani, Rizmi Holdings Limited
June 25, 2020

of creating a new hybrid route similar to Alignment 6A, the final Alignment 5A still offers savings to the City in the order of **\$20+Millions**.

Summary

Full set of records documenting the EAS expenses is available on our file. Actual spending to undertake the Kirby Road Extension Class EAS has significantly exceeded the budget allocation of \$325,000.00 stipulated in the 2016 RHL-Vaughan agreement. Notably, budget overages experienced by the key project team members are in the same order of magnitude with the Natural Heritage as a most costly component. This illustrates that spending was driven by the actual scope of work rather than by the opinions of any specific consultants.

Cost comparison to similar EA studies shows that the project expenses are in line with the fees requested by others. The most important causes for this EAS budget increase are the limited scope of work provided in the original fee proposal, extreme level of EA complexity due to the highly legislated study area, and continuous changes in the scope of the study.

The Kirby Road Extension Municipal Class EAS was successfully delivered to the City. Connecting Kirby Road between Dufferin Street and Bathurst Street will considerably improve the transportation network in the area. This continuous road network will provide opportunities for growth and provide long-awaited travel demand relief in the surrounding area. The final Alignment 5A offers capital budget savings to the City in the order of \$20+Millions while ensuring wise management of important environmental resources.

Should you require further clarifications or additional information, please contact the undersigned at 905-738-6100, ext.: 216, or by e-mail: asteedman@schaeffers.com.

Respectfully,
On behalf of Schaeffers Consulting Engineers



Al Steedman, P. Eng.

Cc: Peter Stefanovic, SCE
Hacik Tozcu, SCE
Vijay Gupta, SCE
Koryun Shahbikian, SCE
Leonid Groysman, SCE



3rd Party Review: Findings & Conclusions

Third-Party Review of Rizmi Holding Limited's (RHL) May 2019 Request for Reimbursement of Additional Costs - Kirby Road Extension between Bathurst Street and Dufferin Street Class Environmental Assessment Study

City of Vaughan
June 5, 2020



Project: Third-Party Review of Rizmi Holding Limited's (RHL)
Request for Reimbursement of Additional Costs May 2019 -
Kirby Road Extension between Bathurst Street and Dufferin
Street Class Environmental Assessment Study

Prepared For: City of Vaughan – Infrastructure Planning and Corporate
Asset Management

Prepared By: HDR



Legal

The material contained in this report reflects HDR's professional judgment considering the scope, schedule and other limitations stated in the document and in the contract between HDR and the City of Vaughan. The opinions in the document are based on conditions and information existing at the time the document was published and do not consider any subsequent changes. In preparing the document, HDR did not verify information supplied to it by others, which information has not been independently verified by HDR and which HDR has assumed to be accurate, complete, reliable, and current. Therefore, while HDR has utilized its best efforts in preparing this report, HDR does not warrant or guarantee the conclusions set forth in this report which are dependent or based upon data, information or statements supplied by third parties or the City of Vaughan, or that the data and information have not changed since being provided in the report.

This report is intended for City of Vaughan's sole and exclusive use and is not for the benefit of any third party and may not be distributed to, disclosed in any form to, used by, or relied upon by, any third party without prior written consent of HDR, which consent may be withheld in its sole discretion.

Use of this report or any information contained herein, if by any party other than the City of Vaughan, shall be at the sole risk of such party and shall constitute a release and agreement by such party to defend and indemnify HDR and its affiliates, officers, employees and subcontractors from and against any liability for direct, indirect, incidental, consequential or special loss or damage or other liability of any nature arising from its use of the report or reliance upon any of its content. To the maximum extent permitted by law, such release from and indemnification against liability shall apply in contract, tort (including negligence), strict liability, or any other theory of liability.



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1. Introduction and Background

HDR Corporation was retained by the City of Vaughan to provide a third-party review of Rizmi Holdings Limited (RHL) submission and request for reimbursement of additional costs received by the City on May 28, 2019, for the Kirby Road Extension between Bathurst Street and Dufferin Street Schedule 'C' Class Environmental Assessment Study (approved December 2019). This third party review follows in association with and per [City of Vaughan Council recommendation at the meeting June 5, 2019](#) “*That staff review the submission and request from Rizmi Holdings Limited to be reimbursed for the additional costs associated with completing the Kirby Road Extension Class Environmental Assessment Study and report back to Council once the Kirby Road Extension Class Environmental Assessment Study has received final approval by the Ministry of Environment Conservation and Parks*”.

The following report summarizes HDR's review of RHL's May 28, 2019 submission to the City comprised of a draft memo May 27, 2019 prepared by SCE with respect to a cost review, actual spending and invoices for professional consultant services and costs incurred as of that date. It is noted that the submission also included a March 6, 2018 memo prepared by SCE to project file summarizing discussion points from a meeting held on March 1, 2017 with RHL, SCE and City staff at that time.

This memo summarizes and documents HDR's review of the information sources, and provides HDR's updated cost estimate, findings and trends, and conclusions.

Information Sources

To complete the review, background information and data was obtained through three sources:

1. City of Vaughan
2. In-person meeting with Rizmi Holdings Limited and Schaeffers Consulting Engineers (February 19, 2020)
3. Written requests for information (RFI's) to Schaeffers: RFI#1 February 18, 2020 (responses received March 19 and 27, 2020) and RFI#2 April 9, 2020 (response received April 22, 2020)

The background documents provided to HDR are outlined in **Table 1-1**.



Table 1-1: Information Sources

Background Review Documents	
2.1a	RHL Preliminary Proposal Scoped Class EA September 2015
2.1b	December 2015 Cost Breakdown Structure
2.2	Council Extract December 2015. https://www.vaughan.ca/council/minutes_agendas/Agendaltems/CW1201_15_10.pdf
2.3	2018-03-01 Memorandum of Understanding (Schaeffers Consulting Engineers)
2.4	2018-04-24 Kirby Road Extension Class EA Schedule pdf
2.5	PIC Notification Letter (img-612135353-0001)
2.6	2018-11-09 Kirby RoAD Extension Class EA Schedule
2.7	TRCA staff report to Executive Committee.url
2.8a	City letter to Schaeffers Revised Schedule November 9, 2018.pdf
2.8b	2019-01-08 Letter to Vince Musacchio.pdf
2.9	2019-05-27 Draft Kirby EAS Cost Review V5.pdf
2.10	Council Extract June 2019 https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=18416
2.11a	Fully executed Agreement between the City & Rizmi Holdings LTD.
2.11b	Kirby EA Amending Agreement April 2018 Fully Executed.pdf
2.11c	238799 Kirby EA 2nd Amending Agreement October 2019 Fully Executed.pdf
2.12	Invoice Submissions
2.13	RFI#1
2.13a	Introductory Meeting and Request for Information #1 Feb 18, 2020
2.13b	Response from SCE to HDR RFI Feb 18, 2020.pdf (File # 4339) March 19, 2020
2.14	RFI#2
2.14a	Response to HDR RFI #2 of April 9, 2020 with attachments.pdf on April 22,2020

It is noted that at times the data conflicted or had errors. In these instances HDR flagged the item and when necessary made a reasonable assumption.

Understanding of Timeline of Agreement and Amendments

Executed Agreement dated November 11, 2016 following Council authorization December 2015 (https://www.vaughan.ca/council/minutes_agendas/Agendaltems/CW1201_15_10.pdf) had identified that the City will reimburse the RHL for the total costs of the undertaking to an upset limit of \$325,000.00 (exclusive of HST) or actual cost of EAS, whichever is lesser.

A memo to the project file prepared by SCE dated March 6, 2018 to summarize key discussion points raised during the March 1, 2018 meeting with City Staff at that time was included as part of RHLs May 28, 2019 submission to the City. The memo identified that project expenditures were at \$464,503.25 when approved budget is \$325,000.00. City staff clarified any cost adjustment would require Council's approval. Post meeting note to park EAS fees when opportunity to amend.

The Agreement was amended April 23, 2018 which included extension from December 31, 2017 to December 2018. It is noted there was no amendment to the terms of the agreement with respect to reimbursement to the upset limit of \$325,000 or the lesser associated with the undertaking and completion of the EA to approval. .



A Second Amendment following Council authorization June 2019 (<https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=18416>) with an executed date of October 2, 2019 maintained the \$325,000.00 upset limit and included conditions of payment (80% upon filing EAS, and remaining 20% upon EAS clearance).



2. HDR Cost Estimate

To develop a 2019 cost estimate for completing the Environmental Assessment the HDR team brought in sub consultants to cover the following disciplines:

- NRSI – Natural Environment
- Thurber – Hydrogeological, Geotechnical, Contamination Overview
- Tham – Ontario Land Surveyor
- Cumming + Company – Public Facilitation
- MSH – Socio Economic

The resulting cost estimate is approximately \$753,900 (excluding HST).

This updated estimate reflects the following assumptions:

- Facilitator is only needed for the CLC
- Topographic survey assumes no existing and / or current data
- Conformity memo would not need an update
- No additional traffic reassessment without GTA West
- A 24 month schedule for the estimate of project management fees
- PIC's are attended by HDR staff only
- Technical disciplines attend only relevant agency meetings with HDR staff
- Consultant pays for venues, media and web costs, and TRCA review costs

This updated estimate does not include:

- Environmental field work required for detailed design

This updated estimate includes the following items not fully included in the original scope / December 2015 proposal:

- Contaminant Overview Study

3. Findings and Trends

HDR's cost estimate was approximately 65% of the actual spending indicated by Schaeffers Consulting Engineer in their May 27, 2019 memo. This variance may be attributed to several factors.

Reasons the cost for the EA should be more than \$325,000 where reimbursement can be considered relative to and where not scoped and/or provision made for in the December 2015 proposal to the City:

- Website and Venue costs
- TRCA review costs including floodplain mapping fee
- Additional TAG meetings (original scope only identified joint CLC)
- Facilitation for CLC meetings
- Reconfirming Phase 1&2 - Needs and Justification and Planning Solution beyond reconfirming City-Wide TMP
- Indigenous Communities Consultation

- GTA West Corridor Sensitivity Analysis
- Additional costs for LID options
- Efforts to address Contamination
- Design effort to tie into Dufferin Street and Bathurst Street intersections beyond existing T-intersections
- Underestimation of the amount of geotechnical and hydrogeology work in the original scope for various alignments

Potential reasons the cost for the EA exceeded HDRs cost estimate:

- Bringing various technical discipline leads to several meetings
- Advancing an alternative alignment (alignment 5) as the preferred, without having fully addressed public, and stakeholder comments including regulatory and review agencies
- Advancing some areas (i.e. natural heritage, fluvial geomorphology) to a detailed design level

It is noteworthy to mention that there were several instances where there were discrepancies in the values, including as based on HDR's review of invoice documentation, provided by SCE. Some examples are listed below:

- The November 11, 2016 Executed Agreement is for \$325,000. There was an error in original proposal spreadsheet (September 2015) where the spreadsheet total was submitted as \$325,037.75. Based on the values in the spreadsheet however the total value would be \$343,288 exclusive of HST resulting in a calculation error of \$21,050.25.
- The total value of the invoice submitted for HDRs review was \$1,140,571.73 excluding HST however the Memo from May 27, 2019 identified expenditures of \$1,143,191.73.
- The Memo from May 27, 2019 included an Original Estimate column that was missing services listed in the original scope (OLS – Legal Survey and Tree Inventory) of a value of \$5,000 each.
- The Memo from May 27, 2019 included an Original Estimate column that listed Geotechnical and Hydrogeology as \$18,643.56 however the original proposal spreadsheet listed this work as \$39,600.
- The Memo from May 27, 2019 included a request for \$18,701.90 for the First Nations Engineering Services Ltd. (FNESL), but in response to RFI #2 the request was \$13,890 but invoicing only to support \$13,640. It is also noted FNESL was invoiced under SCE.
- The Memo from May 27, 2019 requests for GEO Morphix was for \$16,677.04 but in response to RFI #2 was \$18,280.84 but invoicing to support \$16,677.04.
- In response to RFI #2 the Savanta detailed fee request breakdown table had calculation errors.
- There were instances where SCE's sub-consultants provided the reason for being over budget on certain task as "it is a time and materials contract."



4. Conclusions

Based on review and analysis of the data, and as based on the findings and trends HDR provides the following conclusions based on information available at the time:

- An updated 2019 cost estimate, for undertaking and completing this Environmental Assessment, noting assumptions, is approximately \$753,900 (excluding HST). This cost estimate is approximately 65% of the actual spending indicated by Schaeffers in their May 27, 2019 memo.
- Findings with respect to the review of the request and where costs for reimbursement can be considered over and above the original upset limit of \$325,000 are within ranges with upset limit as tabled below (excluding HST):

Cost Reimbursement Consideration	Range	Total Upset Limit (inclusive of original \$325,000)
Environmental Assessment	\$157,613 to \$191,318	\$482,613 to \$516,318
Detailed Design	\$28,130 to \$38,240	\$510,743 to \$554,558

- The total value of the invoices submitted for HDRs review was \$1,140,571.73 (excluding HST) noting there were observed discrepancies and that the SCE May 27, 2019 memo identified expenditures of \$1,143,191.73.



memorandum

**COMMUNICATION – C29
Council – June 29, 2020
Committee of the Whole
Report No. 25, Item 34**

DATE: June 29, 2020

TO: Mayor Maurizio Bevilacqua and Members of Council

FROM: Mary Reali, Acting City Manager and Deputy City Manager, Community Services
Zoran Postic, Deputy City Manager, Public Works
Sunny Bains, Director, Recreation Services

RE: Naming of Jean Augustine Complex and Jean Augustine District Park

Background:

The City of Vaughan is committed to honouring individuals and organizations who have and continue to make a meaningful, significant and enduring contribution to our city as well as our nation and the world.

During a meeting of Committee of the Whole (2) on June 16, 2020, Council endorsed a Member's Resolution brought forward by Mayor Bevilacqua, that created an opportunity to name the complex consisting of the Rosemount Community Centre, The City Playhouse Theatre and Westmount Collegiate Institute and the district park.

Recommendation:

Staff researched, reviewed and analyzed potential naming options in accordance with corporate policies. Based on the different amenities and opportunities provided by the complex and the park, the Hon. Jean Augustine was identified as an appropriate figure in Canadian society for this naming distinction.

Ms. Augustine is a passionate educator, life-long public servant and a national trailblazer who, among her many formidable accomplishments, became the first African-Canadian woman elected to the Parliament of Canada as well as the first African-Canadian woman appointed to the federal cabinet.

In 2014, Ms. Augustine was the keynote speaker at the City of Vaughan's International Women's Day event and in 2019 met with Mayor Bevilacqua to discuss issues of diversity, inclusion and multiculturalism.

Therefore, City staff recommend:

1. THAT the City of Vaughan name the complex and district park (including soccer field and baseball diamond) in honour of Jean Augustine, PC, OOnt, CBE, CM

About Jean Augustine:

Born in Grenada, Ms. Augustine immigrated to Canada in 1960. She earned both a bachelor's and a master's degree in education from the University of Toronto. In 1993, Ms. Augustine was elected Member of Parliament for the constituency of Etobicoke-Lakeshore, serving until 2006. In 2002, Ms. Augustine was appointed Secretary of State (Multiculturalism and Status of Women), and, in 2003, she became Minister of State (Multiculturalism and Status of Women). She later served as Assistant Deputy Speaker of Parliament until her retirement in 2006. Ms. Augustine is the first African-Canadian woman to be elected to parliament and appointed to cabinet.

In 2007, Ms. Augustine was nominated by the Government of Ontario to become the first Fairness Commissioner, a position created to advocate for Canadians with foreign professional credentials. She retired from the position in March 2015. In 2008, the Jean Augustine Chair in Education was established in the Faculty of Education at York University. Ms. Augustine also served as the National President of the Congress of Black Women of Canada. She has received multiple awards and recognitions for her work. Of note, Ms. Augustine is a Member of the Order of Canada and a recipient of multiple honorary doctorates.

City staff informed their counterparts at York Region District School Board and Westmount Collegiate Institute about the naming. They are supportive of the choice. Mayor Bevilacqua informed Ms. Augustine of the City's proposal.

Next Steps:

Upon Council's approval, signage that is consistent with park design standards will be updated at the adjacent park. The expenditure to install a new park sign is approximately \$1,500 and will be allocated from the existing parks operation budget. Online references and maps will also be updated.

The City will co-ordinate with the York Region District School Board to address signage at the complex.

Corporate and Strategic Communications will develop a full communications campaign to inform the public and stakeholder organizations about the naming. Recognizing that the City remains in a declared state of emergency as a result of the global COVID-19 pandemic, an event with all Members of Council, Ms. Augustine and community representatives will be held once it is safe to do so.

Contact:

For more information, please contact:

- Mary Reali, Acting City Manager and Deputy City Manager, Community Services ext. 8234
- Zoran Postic, Deputy City Manager, Public Works ext. 6137
- Sunny Bains, Director, Recreation Services ext. 8336

TO: HONOURABLE MAYOR AND MEMBERS OF COUNCIL

**FROM: NICK SPENSIERI, ACTING DEPUTY CITY MANAGER,
PLANNING AND GROWTH MANAGEMENT**

DATE: June 25, 2020

**RE: COMMUNICATION
COUNCIL, JUNE 29, 2020**

**PART LOT CONTROL FILE PLC.20.001
BLOCK 2- PLAN 65M-3992
CONAIR CONSUMER PRODUCTS
WARD 2 – 100 CONAIR PARKWAY**

Recommendation

The Acting Deputy City Manager, Planning and Growth Management recommends:

1. THAT this Communication BE RECEIVED for information.

Background

Vaughan Council, on March 11, 2020, adopted By-law 025-2020, to exempt Block 2 on Registered Plan 65M-3992 from the Part Lot Control provisions of the *Planning Act* for the purposes of creating 4 Parts as shown on Attachment 1. Parts 1 and 2 were to form future developable parcels, Part 3 was required for the purpose of a servicing easement, and Part 4 was to remain to include an existing building on the Subject Lands.

Subsequent to the adoption of By-law 025-2020, the Owner has pursued a revised development concept as shown on Attachment 2. As such, a new By-law is required to exempt Block 2 from the Part Lot Control provisions of the *Planning Act* for the purposes of creating 3 Parts. Part 1 will form a future developable parcel, Part 2 is required for the purpose of a servicing easement, and Part 3 will remain and includes an existing building.

Approval from the Committee of Adjustment is required for a reduced rear yard setback for a building located on Part 3. This By-law shall take effect upon registration in the appropriate Land Registry Office following the expiration of the appeal period for approved related Committee of Adjustment application A022/20.

By-law 025-2020 will be repealed, should Council approve this By-law.

Prepared By

Jennifer Kim, Planner, ext. 8592

Respectfully submitted,

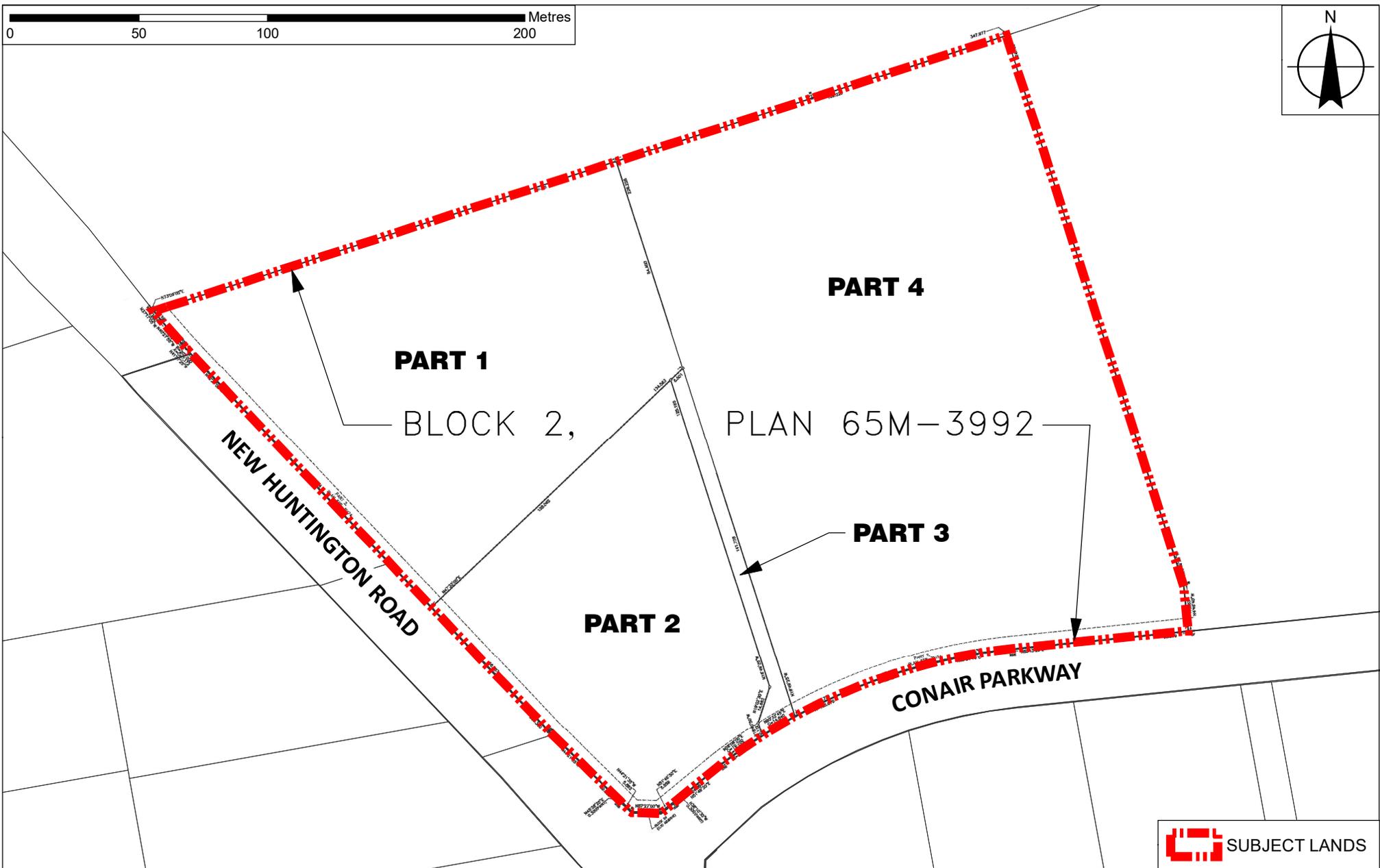


NICK SPENSIERI
Acting Deputy City Manager
Planning and Growth Management

Attachments

1. Reference Plan, Block 2, Plan 65M-3992
2. Revised Reference Plan - Block , Plan 65M-3992

Copy to: Todd Coles, City Clerk
Mary Reali, Acting City Manager
Mauro Peverini, Director of Development Planning



 SUBJECT LANDS

Reference Plan - Block 2, Plan 65M-3992

LOCATION:
100 Conair Parkway

APPLICANT:
Conair Consumer Products

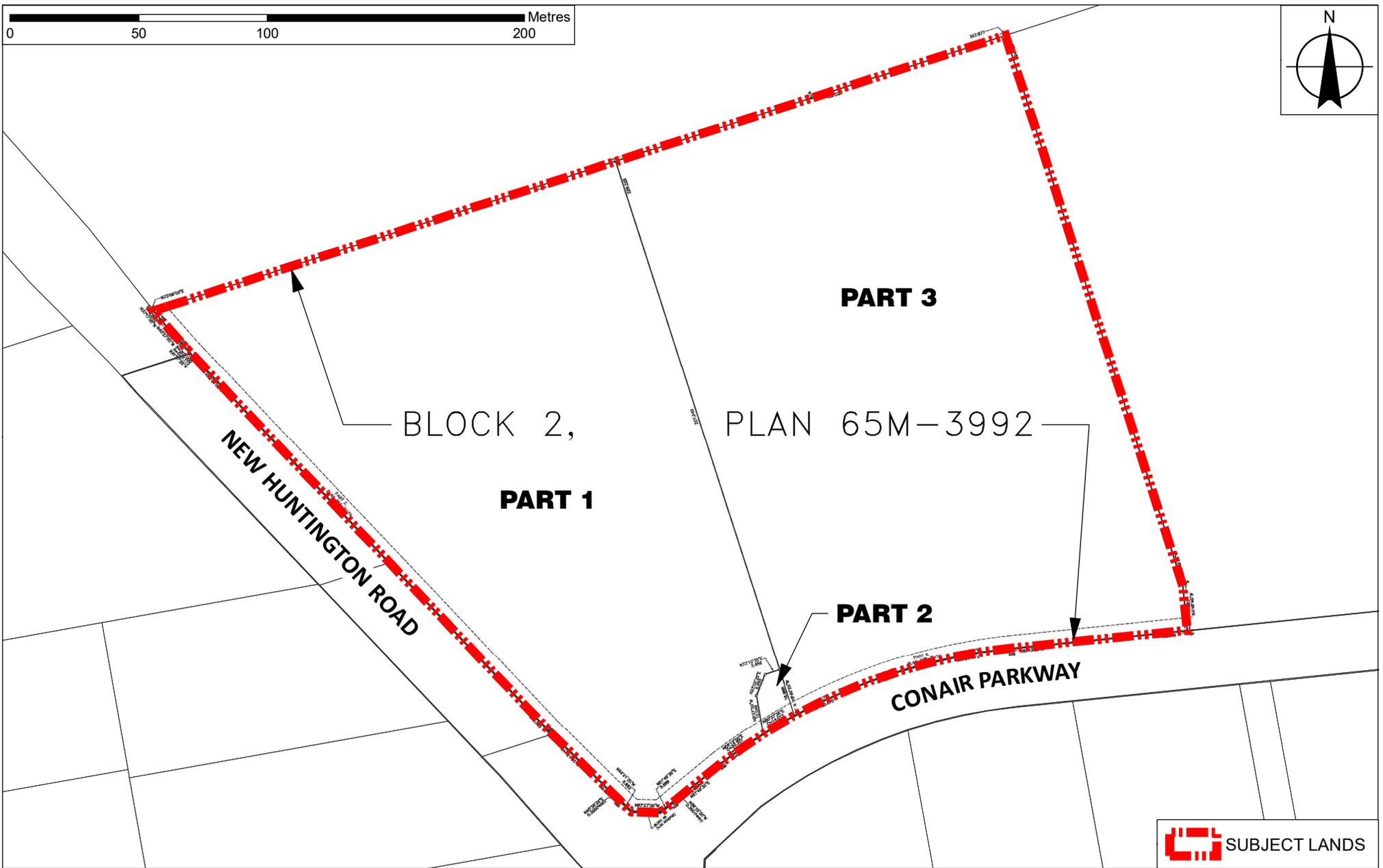


Attachment

FILES:
PLC.20.001

DATE:
June 25, 2020

1



Revised Reference Plan - Block 2, Plan 65M-3992

LOCATION:
100 Conair Parkway

APPLICANT:
Conair Consumer Products



Attachment

FILES:
PLC.20.001

DATE:
June 25, 2020

2



memorandum

DATE: June 29, 2020

TO: HONOURABLE MAYOR AND MEMBERS OF COUNCIL

FROM: NICK SPENSIERI, ACTING DEPUTY CITY MANAGER, PLANNING AND GROWTH MANAGEMENT

RE: COMMUNICATION – June 29, 2020
Withdraw By-law 081-2020 from Council Meeting of June 29, 2020

Purpose

The purpose of this Staff Communication is to withdraw By-law 081-2020 from Council meeting of June 29, 2020, at the request of the Owner.

Background

On January 3, 2020, the Local Planning Appeal Tribunal (LPAT) issued an Order for appeal PL1800665, wherein the Tribunal approved Official Plan and Zoning By-law Amendment Files OP.17.010 and Z.17.026 for the development at the northwest-corner of Teston Road and Dufferin Street, municipally known as 1600 Teston Road (Teston Sands Inc.).

The Clerks Department has scheduled the Official Plan and Zoning By-law Amendments implementing documents to be assigned by-law numbers at the June 29, 2020 Council meeting.

The Applicant has requested to withdraw By-law 081-2020, to allow further discussions to address concerns regarding the implementing Zoning By-law for the approved Teston Sands Inc. development.

Conclusion

That Council withdraw By-law 081-2020 from the Council meeting of June 29, 2020, at the request of the Applicant and in consultation with staff, in order to address concerns with the Zoning By-law Amendment approved and implemented by the LPAT.

Respectfully submitted,

Nick Spensieri,
Acting Deputy City Manager, Planning and Growth Management

cc. Mary Reali, Acting City Manager
Mauro Peverini, Director of Development Planning