

February 27, 2020  
Mayor Maurizio Bevilacqua and Council  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

Dear Mayor and Council

As you and Council are aware, Conmar Developments Inc. and Fenlands Vaughan Inc. ("Conmar/Fenlands"), in cooperation with DG Group and Lorwood Holdings Inc. ("DG Group/Lorwood"), have filed applications with the City of Vaughan seeking approval for a major distribution facility north of Teston Road between Highway 400 and Jane Street.

We have been working diligently and cooperatively with staff at the City to expedite this application, which will bring significant economic, social and a myriad of other benefits to the City. To date, we have insisted on a thorough approach to our work and excellence in design so as to construct a leading-edge facility for the City. The investment in the land, buildings, infrastructure, robotic equipment, and employment training will exceed \$500 Million. Further, this site will be home to some 2,000 quality employment opportunities within this world class facility, located in the heart of the City.

The policies of the Provincial Policy Statement (2014) and A Place to Grow (2019) support economic development and competitiveness by providing an appropriate range and mix of employment uses to meet long-term needs, and integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.

The Conmar/Fenlands and DG Group/Lorwood lands (the "subject lands") are cumulatively approximately 112 hectares (276 acres) in size and generally comprise the southerly half of Block 34 East which is a vital employment area in the City of Vaughan.

The York Region Official Plan (2010) (YROP) designates the subject lands as an 'Urban Area'. Further, the subject lands are designated 'Strategic Employment Lands' in the YROP. Strategic Employment Lands are to be prioritized and developed for employment uses and help to achieve the employment growth targets of the Growth Plan. The YROP states that it is the policy of Council to "protect strategic employment lands. These lands are identified based on their proximity to existing or planned 400-series highways and shall be designated for employment land uses in local municipal official plans" (Section 4.3.6).

The City of Vaughan's Official Plan (2010) (VOP) designates Block 34 East primarily as 'Employment Areas' within the limits of the Urban Boundary. The VOP further designates the subject lands as being within the Highway 400 North Employment Lands Secondary Plan (OPA 450, as amended by OPA 647). The Secondary Plan designates the subject lands for a range of employment and commercial uses.

From the outset, we have recognized that three small wetlands on the subject lands are identified by the Ministry of Natural Resources and Forestry (MNRF) as Provincially Significant Wetlands (PSWs). The two adjacent PSWs in the northwest corner of the Conmar/Ferlands property and their required 30 metre buffers eliminate almost 200 trailer parking and staging spaces and add up to 10 acres isolated from remaining developable lands while providing little ecological value. The third PSW to the south in the DG Group/Lorwood properties is in direct conflict with the required mid-block arterial collector road.

Our Team of diversified consultants have conducted detailed field investigations and surveys of these wetlands over numerous seasons and years (between 2014 and 2019) and have concluded that the wetlands do not meet the criteria outlined in the Ontario Wetland Evaluation System (OWES) Manual to be designated as Provincially Significant Wetlands (PSWs). Our consultants' reports have been reviewed by both City staff and the staff of the Toronto Region Conservation Authority (TRCA) to come to this conclusion.

The wetlands in question are very small (0.33 ha, 0.22 ha and 0.58 ha) in area and are isolated in actively cultivated fields. One of the wetlands was determined to be better described as an upland forest as it has become a drier community over recent years. Two of the wetlands currently support invasive species (e.g., European Common Reed and Common Buckthorn), and none of the wetlands support rare species. The wetlands provide weak ephemeral inputs (i.e., tiled drainage, ploughed through and cultivated fields, highway ditch) to downstream habitat, some of which is expected to be heavily polluted with road salt and refuse due to the Highway 400 ditch. These wetlands are not providing a significant contribution in form or function to the overall PSW complex and are therefore not meeting the intent of the OWES Manual of providing important ecological benefit. Further, the recent reconstruction and significant lane widening work on Highway 400 has greatly impacted their local drainage and accelerated the degradation of the wetlands.

Our consultants have worked extensively with The Ministry of Environment, Conservation and Parks (MECP) to design a Mitigation and Compensation Plan to replicate and enhance Redside Dace (RSD) contributing habitat including the replacement and enhancement of the ecological functions of the PSWs. An on-site Compensation and Restoration Area has been designed to recreate RSD contributing habitat in the form of wetland habitat and a drainage swale. Wetland habitat will also be created on lands to the immediate south, and when combined, the area of created RSD contributing habitat (0.63 ha) will exceed the area of RSD contributing habitat that is proposed for removal (0.58 ha). Mitigation measures during construction include sediment and erosion controls; adhering to the Redside Dace fisheries timing window; detaining the first 10 mm of precipitation; and directing a portion of the storm water runoff to a downstream storm water management pond that will be designed in accordance with the "Guidance for Development Activities in Redside Dace Protected Habitat" manual, published by the MNRF. Together as cooperating landowners, we have worked to provide a significant net environmental gain to the lands in the form of more robust wetlands and terrestrial habitat. This net environmental gain far exceeds the current conditions and will significantly improve the state of the natural environment in the area.

Both the TRCA and the MECP support the approach we are taking, and the City will be ensuring the proper sequencing of the environmental mitigation and enhancement work to be undertaken by our group of companies.

The MNRF has reviewed our Compensation Plans and have commented that the Plans are indeed a net benefit to the environment. However the MNRF lacks the ability to reclassify PSWs like this in a timely manner.

In order to move the project forward to meet the required timeline of the facility's delivery, we have approached the Province about a Minister's Zoning Order (MZO), which will allow us to proceed in an expeditious timeframe. This is not the strategy we intended to pursue initially but we are left with little recourse if the project is to become a reality. The Ministry of Municipal Affairs has asked us to secure your support for the MZO under these special circumstances and due to the many benefits of the project.

As such, we respectfully request the City's support for the MZO and thank all of you so very much for your attention to this matter.

Respectfully yours,



Sam Balsamo  
Vice President  
Conmar Development Inc. &  
Fenlands Vaughan Inc.



Robert De Gasperis  
President  
DG Group



Michael Guglietti  
ASO  
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