

C3
Communication
CW (1) – September 14 2021
Item# - 1

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Cc: [John Britto](mailto:John.Britto)
Subject: FW: Black Creek ASDC
Date: September-09-21 10:51:53 AM

From: Cam Milani [REDACTED]
Sent: Thursday, September 09, 2021 10:42 AM
To: Clerks@vaughan.ca
Cc: Michael Coroneos <Michael.Coroneos@vaughan.ca>; Nick Spensieri <Nick.Spensieri@vaughan.ca>; Matthew Di Vona <matthew@divonalaw.com>; Rosanna DeFrancesca <Rosanna.DeFrancesca@vaughan.ca>; Sandra Yeung Racco <Sandra.Racco@vaughan.ca>; Gino Rosati <Gino.Rosati@vaughan.ca>; Mario Ferri <Mario.Ferri@vaughan.ca>; Maurizio Bevilacqua <Maurizio.Bevilacqua@vaughan.ca>; Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Tony Carella <Tony.Carella@vaughan.ca>; Alan Shefman <Alan.Shefman@vaughan.ca>; Linda Jackson <Linda.Jackson@vaughan.ca>
Subject: [External] Black Creek ASDC

Please include these as comments to the Black Creek ASDC:

We have reviewed the report and oppose the recommendation that City Wide DC's pay for flood mitigation in this area. The idea that growth pays for growth is not achieved here. There is no nexus or benefit to developments in the greater Vaughan area to solving the flood issues in Black Creek. New development that has not even occurred yet did not cause the flood problems. The land owners who directly and exclusively benefit from this flood mitigation should be the ones to pay for it.

While staff have indicated the estimate on impacts to the current Vaughan City Wide DC rates to be approximately 5%, without a full review of the entire City of Vaughan capital expenditure needs, it is tough to tell. The principle of appropriateness to charge City wide DC's with this capital project however, remains unchanged. Setting a precedent is just as dangerous. The proponent is in fact using precedent of other seemingly ineligible City Wide DC capital projects that should have been more appropriately put into ASDCs as a rationale to now include this project in the City Wide DC. Should Vaughan do this, there will inevitably be the next \$220M project, and then then next one and the next one. DC's should not be treated as an exercise to see how much the development industry is willing to absorb before they get upset in terms of increases. The argument under the DC Act is simply if the project is eligible, who benefits and is it appropriate or not. The financial impacts on who should pay should be irrelevant. According to the leading case on the matter, facts drive the decision, not the quantity of the financial impact.

I can see a potential argument regarding benefit to existing population, using the argument that growth that has already occurred upstream caused this flooding problem, however, the ratios may not be appropriate as proposed.

I would also like to conclude with the fact that the substantial portion of this flood solution includes

land acquisition costs. I know the EA is complete, however, are there any other practical solutions to the flood mitigation that could be implemented that don't cost \$220M? I do not know the details so I do not know specifics, however, having gone through an EA process myself, I know how cost of delivering the infrastructure project can be overlooked by approval authorities sometimes during the EA process, especially land acquisition costs.

Cam Milani

<https://pub-vaughan.escrimemeetings.com/filestream.ashx?DocumentId=82412>