



BRATTYS ^{LLP}
BARRISTERS AND SOLICITORS

PLEASE REFER TO:
Caterina Facciolo (Ext: 293)
Email: cfacciolo@bratty.com
Assistant: Linda Lau (Ext: 263)
Email: llau@bratty.com
Telephone: (905)760-2600

June 16, 2015

Delivered via E-mail

City of Vaughan Committee of the Whole
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

C	<u>4</u>
Item #	<u>11</u>
Report No.	<u>26 (cw)</u>
<u>Council - June 23/15</u>	

Attention: Chair and Members of the Committee of the Whole

Dear Chair and Members of the Committee of the Whole:

Re: Item No. 11 – Committee of the Whole Meeting, Report No. 26 scheduled for Tuesday June 16, 2015 at 11:00 a.m.

**Class Environmental Assessment Study – Notice of Study Completion
Proposed Collector Street (Street "A") Between Huntington Road and Regional Road 27
Ward 2 – West Vaughan Employment Area**

We are the solicitors acting on behalf of the Block 59 West Landowners Group with respect to the above referenced matter.

We note that the staff recommendations with respect to the above referenced matter are as follows:

1. that the Notice of Study Completion regarding the Class Environmental Assessment Study for the proposed collector street (Street "A") between Huntington Road and Regional Road 27 be issued; and
2. a necessary by-law be enacted authorizing the Mayor and Clerk to execute all necessary agreements related to the design, construction, financing and implementation of the Block 59 Street "A" Highway 427 crossing structures to the satisfaction of the Commissioner of Public Works and the Interim Commissioner of Legal and Administrative Services/City Solicitor.

We are writing herein with respect to the capital funding strategy and the agreements required for the Street "A" Highway 427 crossing structures. We note that the report

references the fact that the Block 59 East Landowners Group has committed to front end 1/3 of the initial capital costs up to a maximum of \$4 million, and that the City is funding the remaining 2/3 of the capital costs, 1/3 of which is to be recovered from York Region.

While the Block 59 East Landowners Group has financial obligations with respect to the Street "A" Highway 427 crossing structures, the Block 59 West Landowners Group does not. This distinction needs to be made clear in the agreements regarding the Street "A" Highway 427 crossing structures to be entered into by the City. Specifically, we request herein an acknowledgement from the City that the Block 59 West Landowners Group will not be responsible for any of the costs attributable to the Street "A" Highway 427 crossing structures.

While we understand that arrangements have already been made as between the City and the Block 59 East Landowners Group regarding the cost sharing of the Street "A" Highway 427 crossing structure, those arrangements have not included language that explicitly confirms that the financial obligations are the responsibility of the Block 59 East Landowners Group only, and not the Block 59 West Landowners Group. The explicit reference is important as the Block 59 East Landowners Group and the Block 59 West Landowners Group were once one landowners group, as opposed to two. The split has resulted in the need to confirm the arrangements for required "inter-block" cost sharing and servicing items as between Block 59 East and Block 59 West.

In addition to confirming the cost sharing obligations related to the Street "A" Highway 427 crossing structures with the City and the Block 59 East Landowners Group, the Block 59 West Landowners Group also need to confirm that the sanitary sewer easement required as per the MESP over the Block 59 East lands will be provided, without cost or compensation, when required by the Block 59 West owners and/or the City of Vaughan or Region of York.

Attempts have been made to clarify the foregoing since the split of the Landowners Group, but satisfactory arrangements have not yet been made. These arrangements need to be finalized before the City releases any development within the Block 59 East area.

Should you have any questions or concerns with respect to the foregoing, please do not hesitate to contact the undersigned.

Yours truly,
BRATTYS LLP



Caterina Facciolo

cc: Heather Wilson, City of Vaughan
Client Group
Daniel Steinberg, Davies Howe Partners, LLP