

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 9, 2014

Item 11, Report No. 36, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 9, 2014.

11

**NATURAL HERITAGE NETWORK STUDY
INVENTORY AND IMPROVEMENTS PHASES 2 TO 4
AMENDMENT TO THE VAUGHAN OFFICIAL PLAN 2010
BUDGET AMENDMENT
FILE 25.5.4**

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the Commissioner of Planning and Acting Director of Policy Planning, dated September 2, 2014, be approved; and**
- 2) **That the deputation of Mr. David Brand, Camlaren Crescent, Kleinburg, be received.**

Recommendation

The Commissioner of Planning and Acting Director of Policy Planning, in consultation with the Director of Purchasing Services and Manager of Financial Planning and Analysis, recommend:

1. THAT a contract Change Order be executed with the lead consultant North-South Environmental Inc., to extend the existing contract to include the additional tasks identified in the Scope of Work set out below, in the amount of \$46,372.36, for the purposes of completing the Natural Heritage Network Study, through the study and Official Plan approval process to the approval of the City-adopted amendments to the Vaughan Official Plan 2010;
2. THAT work conducted under the Change Order be funded further:
 - a. To the full extent of the non-allocated portion of the existing budget in the amount of \$28,299.64;
 - b. Through an increase in the budget for the Capital Project PL-9025-11 (Natural Heritage Network Study Inventory and Improvements) of \$18,072.72, funded \$7,229.09 (40%) from the City-Wide Development Charges (CWDC) – Management Studies and \$10,843.63 (60%) from the 2014 Policy Planning Operating Budget – Professional Fees;
3. THAT the inclusion of this matter on a Public Committee or Council agenda with respect to increasing the Capital Budget identified as “Natural Heritage Network Study Inventory and Improvements Phases 2 to 4 – Amendment to the Vaughan Official Plan, Budget Amendment”, is deemed sufficient notice pursuant to Section 2(1)(c) of By-Law 394-2002.

Contribution to Sustainability

Two specific action items in Green Directions Vaughan (2009), the City’s Community Sustainability and Environmental Master Plan, relate to the need to complete a natural heritage system.

1.3.2. Through the development of the City’s new Official Plan, and in partnership with the Toronto and Region Conservation Authority, ensure protection of remaining natural features and explore opportunities for habitat restoration in headwater areas, along riparian corridors, and around wetlands.

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2.2.4. Develop a comprehensive Natural Heritage Strategy that examines the City's natural capital and diversity and how best to enhance and connect it. As part of this action:

- *Develop an inventory of Vaughan's natural heritage, and identify opportunities for habitat restoration;*
- *Ensure that policies in the City's new Official Plan protect all ecological features and functions as per current provincial and regional policies, and also include consideration for locally significant natural features and functions;*
- *Develop policies to create opportunities for near urban agriculture within Vaughan's rural areas, through policies described in the City's new Official Plan.*

Consistent with Green Directions Vaughan, the Environmental policies in Chapter 3 of VOP 2010 direct that appropriate studies be undertaken to determine the precise limits of "natural heritage features and any additions to the mapped network". VOP 2010 is consistent with the York Region Official Plan policies, which directs local municipalities to develop local greenlands systems.

Economic Impact

Additional tasks are required to be undertaken by the City's lead consultant to take the project through the study and Official Plan approval process to the approval of the City-adopted amendments to VOP 2010. The projected cost of undertaking the additional tasks, as reflected in the Scope of Work described below, is \$46,372.36 which will be funded from the non-allocated portion of the existing budget in the amount of \$28,299.64, from City-Wide Development Charges (CWDC) – Management Studies in the amount of \$7,229.09, and from the 2014 Policy Planning Operating Budget – Professional Fees in the amount of \$10,843.63.

The existing budget for undertaking the Natural Heritage Network Study was included in the 2011 Capital Budget (PL-9025-11) on the basis of a two part allocation. Phase 1 was treated as a stand-alone project and was funded in the amount of \$52,400. In the 2012 Capital budget, the funding for Phases 2, 3, and 4 was approved at \$199,700. The total budget for the preparation of the Natural Heritage Network Study was \$252,100. The balance remaining from the existing Capital Project (PL-9025-11) is \$28,299.64, such that the request for additional funds is in the amount of \$18,072.72 and funded 40% or \$7,229.09 from the City-Wide Development Charges (CWDC) – Management Studies and 60% or \$10,843.63 from the 2014 Policy Planning Operating Budget – Professional Fees.

Communications Plan

A communications and public consultation plan was implemented as part of the process of conducting Phases 2 to 4 of the Natural Heritage Network Study. A summary of the stakeholder and broader public consultation processes and resulting outcomes was provided in the staff report to the Committee of the Whole (Public Hearing) on June 17, 2014. Ongoing consultation to arrive at agreements and/or solutions to issues related to the NHN mapping and recommended policies comprises one of the additional tasks identified in the Scope of Work set out below.

Purpose

To obtain Council direction on a requested budget amendment for the purposes of completing the Natural Heritage Network Study, through the study and Official Plan amendment approval processes through the approval of the City-adopted amendments to VOP 2010. The forthcoming Technical Report will be prepared with recommendations that respond to input resulting from the

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June 17, 2014 public hearing, comments in writing submitted thereafter and any additional comments from public agencies. This will form the basis for the approved Natural Heritage Network Study and the finalization of the draft amendment to VOP 2010 for the purposes of its adoption by Council. Further support from the consultant will be required through this stage of the process, in accordance with the proposed scope of work.

Background - Analysis and Options

NHN Study Process and Consultation To-Date

The NHN study has been undertaken in four Phases:

- Phase 1 – Data compilation and draft ecosystem targets;
- Phase 2 – Field investigations, with a focus on evaluation of headwater drainage features and significant wildlife habitat;
- Phase 3 - Data analysis, synthesis and recommendations; and
- Phase 4 - Long-term land securement strategy.

Phase 1 of the NHN Study has been completed and a staff report summarizing the findings was provided to Committee of the Whole (Working Session) on December 4, 2012. Committee of the Whole recommended that a summary of the public consultation component be provided to the January 15, 2013 Committee of the Whole meeting; and Phase 1 was subsequently approved by Council on January 29, 2013. A comprehensive GIS database was developed and delivered to the City, recommendations to revise the Environmental Management Guideline were provided, and recommendations for field investigations assisted in identifying sample sites and in finalizing the survey protocols.

The Terms of Reference for Phases 2-4 of the NHN Study was approved by Council on September 25, 2012, and the consulting contract for the corresponding Request for Proposal (RFP) was awarded on January 29, 2013. An update following completion of the field investigations was provided to the Committee of the Whole (Working Session) on December 3, 2013.

The consulting team's draft reports were made available to the public for the June 17, 2014 Committee of the Whole (Public Hearing). The staff report summarized the findings of the Study for the purposes of obtaining public comment prior to its finalization with particular emphasis on:

- Criteria for refinement of the Core Features and Enhancement Areas of the NHN; and
- Recommended modifications to select policies of Chapter 3 (Environment) and Schedules of the VOP 2010.

Consultation has occurred throughout the process, with particular emphasis on Phases 2 to 4. This is documented in the staff report for the June 17, 2014 Committee of the Whole (Public Hearing). In addition to interactive online information updates, the following is a summary of public consultation measures:

- Four presentations and/or “round-table” sessions for residents;
- Two consultation sessions with First Nations organizations;
- Two external stakeholder meetings;
- One internal stakeholder meeting;
- One presentation to BILD;
- Over 15 individual meetings with landowners and their agents;
- One community consultation event for not-for-profit organizations; and
- Seven public meetings.

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Next Step: Technical Report Content Outline

The Technical Report will be provided to a future Committee of the Whole meeting. It will summarize the feedback received at the June 17, 2014 public hearing during the public comment period and any resulting changes that may be recommended to the:

- consulting team report on the NHN Study findings and recommendations;
- consulting team report on the Conservation Land Securement Strategy;
- Environmental Management Guideline; and
- Policies and schedules of the VOP 2010.

An outline of the content of the Technical Report is provided below, which informs the Scope of Work and budget estimate for additional funds to extend the North-South Environmental contract. The Technical Report will:

- a) Identify and justify further administrative changes to the NHN mapping based on:
 - A review of complete and/or approved development applications that impact the NHN; and
 - A review of the history of modifications to the Core Features and Enhancement Areas through the VOP 2010 review process to ensure consistent application of criteria and decision rules.
- b) Identify and justify amendments to the NHN mapping and/or policies of Chapter 3 of the VOP 2010 based on:
 - Review of all submissions made by agents and the public in response to the materials made available to the public for the June 17, 2014 Public Hearing;
 - Review the final NHN scenarios, as prepared by the consulting team, in relation to the draft ecosystem targets; and
 - Review the assessments of headwater drainage features and significant wildlife habitat, particularly in relation to the final NHN scenarios and feasibility of the long-term maintenance of ecological features and functions.
- c) Revise the Environmental Management Guideline (EMG)
 - Review and incorporate comments provided in response to the draft EMG made available in June 2013; and
 - Update the EMG based on the relevant findings of the NHN Study.
- d) Provide an outline of the recommendations regarding (i) the Provincial review of the ORMCP and Greenbelt Plan; (ii) the GTA West Corridor EA, and (iii) a habitat compensation framework as a tool to implement the NHN Study findings.
 - Review the NHN scenarios, including the assessment of the potential impact of the GTA West Corridor, in relation to achieving select ecosystem targets.

Proposed Scope of Work

It is recommended that the contract with North-South Environmental Inc. be extended to support the completion of the Technical Report, following the June 17, 2014 Public Hearing, including the review of changes based on stakeholder input into the materials made available to the public. Specific tasks required to complete the Technical Report include:

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- Changes to the GIS data comprising the NHN mapping based on recent approvals of development applications by the City;
- Changes to NHN mapping, revisions to Schedule 2 “Natural Heritage Network” of VOP 2010 and review of the proposed policy changes as a result of the review of the submissions and required stakeholder consultations following the meeting of the Committee of the Whole (Public Hearing) on June 17, 2014;
- Refinements to the NHN study resulting from the discussions with stakeholders.
- A thorough review of the history of modifications to Core Features and Enhancement Areas boundaries to ensure consistent application of decision rules;
- Responses to recommendations from the public for updated interactive maps of the NHN data; and
- Cataloguing GIS data to share with appropriate City partners to aid in projects related to infrastructure and/or conservation.

As a result, the additional funding request is based on the following main activities which will be supported by the consulting team:

- Edits and management of GIS data and VOP 2010 schedules;
- Consultation with stakeholders, evaluation of submissions;
- Analysis and Reporting; and
- Following the completion of the Technical Report, efforts to refine the GIS data and/or VOP 2010 schedules and resolution of policies through the official plan approval process.

City staff have completed a review of recently approved development applications and required changes to the NHN mapping. City staff have also completed a preliminary review of all submissions in response to the materials made available for the June 17, 2014 Public Hearing. This allows for additional consultation to be scheduled over the next two months to finalize any amendments to Schedule 2 and policies of Chapter 3 of VOP 2010.

It is expected that the Technical Report will proceed to Committee of the Whole in early 2015. Subject to Council approval, the implementing amendment to the policies and schedules of VOP 2010 will go to Council for adoption; and then move to the York Region approval process. It will take approximately one year to complete these processes. It will be important to maintain the consulting services after the adoption of the Official Plan amendment in the event that post adoption modifications are required. Through this period, it will also be important to continually update the mapping data to maintain currency to the point of the final approval of the Official Plan amendment.

Implications for the Approved Budget

Funding for the Natural Heritage Network Study was included in the 2011 Capital Budget (PL-9025-11) in the amount of \$252,100 on the basis of a two part allocation. Phase 1 was treated as a stand-alone project and was funded in the amount of \$52,400. In the 2012 Capital budget, the funding for Phases 2, 3, and 4 was approved at \$199,700. The staff report to the January 29, 2013 meeting of the Committee of the Whole (Item 1, Report No. 1, of the Committee of the Whole, which was adopted without amendment by Council on January 29, 2013) also provided a breakdown of the Phases 2-4 budget, including a \$20,000 contingency allowance.

The contract was awarded based on the successful bid in the amount of \$148,780 (less HST). A Change Order was subsequently processed to provide additional funds of \$18,219.56 (less HST) from the contingency allowance. Invoices processed to date, not including the 3% administrative fee, total \$164,879.91 (less HST), such that \$2,157.31 is remaining.

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The following is the budget breakdown for the NHN Study with the incorporation of the additional funds for the proposed Scope of Work.

Approved Budget	252,100.00	
Less:		
Actual to date	221,578.33	
Open Commitments	2,157.31	
3% Administrative Recovery	64.72	
	223,800.36	
Remaining Budget	28,299.64	
Award Amendment	44,243.03	
HST @ 1.76%	778.68	
Administration Recovery @ 3%	1,350.65	
	46,372.36	
Additional Budget	(18,072.72)	
Proposed Funding		
City-Wide Development Charges (CWDC) Management Studies	7,229.09	40%
Policy Planning Operating Budget	10,843.63	60%
	18,072.72	

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the Vaughan Vision 2020 Strategic plan, through the following initiatives, specifically:

Service Excellence:

- Lead & Promote Environmental Sustainability

Management Excellence:

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- Demonstrate Leadership & Promote Effective Governance

This report is consistent with the priorities previously set by Council.

Regional Implications

Policies in the York Region Official Plan 2010 support the efforts of local municipalities to identify local greenlands systems.

Conclusion

The proposed addition to the Policy Planning Capital Budget for this Study is necessary to reflect the proposed Scope of Work, to be undertaken by the consultants, beyond the current contract, to support the finalization of the process through the approval of the resulting Official Plan amendment. The budget to complete the proposed Scope of Work is \$46,372.36, of which \$28,299.64 is provided from the balance remaining in the existing Capital Budget (PL-9025-11). It

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is recommended that the additional funding be sourced \$7,229.09 (40%) from the City-Wide Development Charges (CWDC) – Management Studies and \$10,843.63 (60%) from the 2014 Policy Planning Operating Budget – Professional Fees. The current budget for the NHN Study is \$252,100. The additional funding will bring the final budget to approximately \$270,200.

Should Council concur with the recommended budget amendment, this action would be considered as an amendment to the Capital Budget. Pursuant to the Municipal Act, before amending a budget, a municipality shall give notice of its intention to amend the budget at a Council meeting. Where a capital project has been subject to a public meeting during the adoption of the approved Capital Budget, and where additional funding is required to complete the approved works, inclusion of the matter on a Public Committee or Council agenda, in this case in the report identified as “Natural Heritage Network Study Inventory and Improvements Phases 2 to 4 – Amendment to the Vaughan Official Plan 2010, Budget Amendment”, is deemed sufficient notice pursuant to Section 2(1)(c) by By-Law 394-2002.

On this basis it is recommended that the recommendations set out in this report be approved.

Attachments

n/a

Report prepared by:

Tony Iacobelli, Senior Environmental Planner, ext. 8630

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INVENTORY AND IMPROVEMENTS PHASES 2 TO 4
AMENDMENT TO THE VAUGHAN OFFICIAL PLAN 2010
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Proposed Funding		
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This report is consistent with the priorities previously set by Council.

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The proposed addition to the Policy Planning Capital Budget for this Study is necessary to reflect the proposed Scope of Work, to be undertaken by the consultants, beyond the current contract, to support the finalization of the process through the approval of the resulting Official Plan amendment. The budget to complete the proposed Scope of Work is \$46,372.36, of which \$28,299.64 is provided from the balance remaining in the existing Capital Budget (PL-9025-11). It is recommended that the additional funding be sourced \$7,229.09 (40%) from the City-Wide Development Charges (CWDC) – Management Studies and \$10,843.63 (60%) from the 2014 Policy Planning Operating Budget – Professional Fees. The current budget for the NHN Study is \$252,100. The additional funding will bring the final budget to approximately \$270,200.

Should Council concur with the recommended budget amendment, this action would be considered as an amendment to the Capital Budget. Pursuant to the Municipal Act, before amending a budget, a municipality shall give notice of its intention to amend the budget at a Council meeting. Where a capital project has been subject to a public meeting during the adoption of the approved Capital Budget, and where additional funding is required to complete the approved works, inclusion of the matter on a Public Committee or Council agenda, in this case in the report identified as "Natural Heritage Network Study Inventory and Improvements Phases 2 to 4 – Amendment to the Vaughan Official Plan 2010, Budget Amendment", is deemed sufficient notice pursuant to Section 2(1)(c) by By-Law 394-2002.

On this basis it is recommended that the recommendations set out in this report be approved.

Attachments

n/a

Report prepared by:

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Respectfully submitted,

Per:
JOHN MACKENZIE
Commissioner of Planning

ROY MCQUILLIN
Acting Director of Policy Planning

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