

Magnifico, Rose

**SPECIAL C W
COMMUNICATION**

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Date: Nov 26/14 ITEM NO. 3

Subject: Item 3 november 26 2014 agenda

From: Carrie Liddy <carrie.liddy@sympatico.ca>

Sent: Wednesday, November 26, 2014 11:49 AM

To: Bevilacqua, Maurizio; Racco, Sandra; Iafrate, Marilyn; Schulte, Deb; DeFrancesca, Rosanna; Carella, Tony; Shefman, Alan; Abrams, Jeffrey

Subject: Item 3 november 26 2014 agenda

Mayor and Members of Vaughan Council

I completely disagree with item 3 on today's agenda.

There are significant planning issues at stake and the matter MUST be brought to an open session of Council to discuss.

The "revised term lease" is not specifically outlined.

There are outstanding issues in the lease that include (in addition to the more detail provided below):

1. the size and location of the land
2. the land specified for the hospital is in breach of OPA 725 and the previous OPA 715 that OPA 725 amends
3. the transportation hub is not included
4. accessibility requirements in both the OPA and legislation have not been met
5. previous financial instruments outlined in the OPA are ignored and this lease runs counter to the previous terms in the OPA, the debenture, the tax surcharge and all other OPA requirements
6. ALL items previously raised

I do not support the enacting this bylaw and am strongly considering bringing including the matter in the current appeal or bringing a new appeal to have the bylaw overturned, (through the OMB or the courts) and/or bringing a motion to quash the bylaw.

I strongly urge you to address ALL outstanding court matters and mediate an outcome, which is in the public interest.

Thank you

Carrie Liddy

Defects to Item 3: November 26 2014

I intend on appealing this to the OMB, due to the following issues and defects in this bylaw and with OPA 715, OPA 725, the zoning bylaw (unamended and still subject to an appeal, and amended zoning bylaw, that has yet

to be approved by Vaughan Council) and now the ground lease:

1. This matter cannot proceed until the appeal period for the zoning bylaws 075 -2014 and 076-2014 has been exhausted.
2. The appeal of the Divisional Court has yet to be heard
3. The amendments are subject to public consultation and subject to appeal
4. OPA 715, OPA 725 requirements have not been met and OPA 725 has yet to be voted on by York Region
5. Leasing part of the land to the hospital does NOT meet the legal requirements already outlined in several previous bylaws, and the OPAs and there is no decision from the Divisional Court.
6. The land must be given to the hospital first and the surplus lands disposed of according to previous contractual agreements.
7. This council still is not disclosing the discussion of the more than 40 closed meetings held, one of which has been determined to be illegal and the remaining under appeal to Divisional Court.
8. This Council must meet the public meeting and public input requirements of the Planning Act and Municipal Act, neither of which have been met.
9. This Council is acting in bad faith by passing an amended lease knowing that there are considerable items still in the courts and knowing the consequences of enacting a bad faith bylaw.

Here are the outstanding details of the bylaws and the ground lease, previously brought to your attention that remain:

Public Transportation

10. Requirements for public transportation set out in OPA 715 and OPA 725 have not been met in item 38
11. Requirements for reduction of single car use set out in OPA 715 and OPA 725 and as stated in zoning bylaw 076-2014 have not been met
12. Transportation demand plan has not been developed
13. Provision for seniors, handicapped transportation has not been met, either to meet provincial standards or OPA 715

Land use: Official Plan

14. Land use outlined in OPA 715, OPA 725 a) and now in as added in c) are inconsistent and contradictory

15. Land use for 87 (82) acres is not addressed in full and has several defects with OPA 715, OPA 725, contribution agreement, May/June 2009 debenture and financing agreements and as implemented or not implemented

16. The plan for infrastructure is extremely unclear in this document as to scope and detail for the 42 acres not part of the hospital primary land, which is also subject to change depending on the outcome of the appeal of the August 27 OMB motion to dismiss without a hearing

Public Safety

17. Requirements for public safety have not been met, as set out in OPA 715, OPA 725

Landscape Features

18. Landscape feature do not meet requirements OPA 715, OPA 725, or what was stated as implied and/or what is current ion zoning bylaw 076-2014, and in possible amendments to 076-2014

Public Consultation

19. There has been no public consultation for item 38 , and where public consultation is a requirement under OPA 715 and other previous agreements

20. The defects of previous lack of public consultation have not been remedied

21. Specific Defects

22. No provision for seniors or handicapped

23. No or inadequate allowance or provision for other handicapped use of lands

Region of York Approval

24. No regional approvals have been obtained for this item and where some aspects of this item may require regional approval

Financing Issues

25. There is funding in place, and no budget approved and no amendments to the 2014 budget or 2015 budget, or any future budget for infrastructure: the economic impact statement "There are no requirements for new funding associated with this report" is not correct

26. Listed issues 65 thru 69 have not been addressed and have major financial impact

27. Infrastructure funding is not in place and the budget for infrastructure funding is not been approved and there is a major impact on the budget of the City of Vaughan, which could reach as much as 400% of the current operational budget of the City, depending on the community share portion of the hospital and infrastructure costs, not yet known

28. The trust fund and debenture enacted in a bylaw in June 2009 were not implemented according to statements made during the August 27 motion to dismiss and the current budget does not demonstrate there is \$20 million in trust according to the requirement of the May/June 2009 bylaw

29. The debenture conditions terms and use have not been met

Sustainability

30. This item does not meet sustainability requirements outlined in OPA 715, OPA 725, and as is a requirement

Vaughan Legal Services

31. The "non-institutional uses" are not defined, and are not specifically proposed through the Stage 2 Site development do not appear on this approval, and parkland and cash in lieu for publicly owned land are contradictory and do not comply with OPA 715, OPA 725 and zoning bylaw and public policy

Waste Public Work

32. There is no evidence the waste proponent meets the City of Vaughan Collection standards

TRCA Approval

33. TRCA approvals have not yet been obtained and the plan is subject to amendment once the approvals are completed

34. Section 43. A) thru f) are subject to further approval and with no standards whereby the approval could be sought

Pedestrian Connections

35. Pedestrian connections do not meet the requirements of OPA 715 and OPA 725

36. No provisions for seniors, handicapped as outlined in OPA 715 and OPA 725

Transit

37. Items 53 thru 55: are inadequate and do not meet requirements of OPA 715, OPA 725

38. There are no transportation impact studies completed and no major hub and no links to points as outlined in OPA 715

Region, Noise and Streetscape, etc

39. Premature and no standards and outlined detailed requirements for approval

40. Noise abatement measures for neighboring residential or residential or further use of 82 acre site have not been considered

Appendix Notes:

41. There is no provision for the appeal of the zoning bylaw, as is stated in report: until the appeal to the August 27 oral and further written orders has been distributed, no approvals can be permitted on this land

42. Note in 4) etc : the owner is the City of Vaughan residents and this and following paragraphs make no sense, as there is no approved "representative"