

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 20, 2016

Item 12, Report No. 9, of the Finance, Administration and Audit Committee, which was adopted without amendment by the Council of the City of Vaughan on September 20, 2016.

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**BLACK CREEK RENEWAL
CLASS ENVIRONMENTAL ASSESSMENT STUDY (DT-7058-11)
BUDGET AMENDMENT FOR ADDITIONAL PROFESSIONAL ENGINEERING SERVICES
VAUGHAN METROPOLITAN CENTRE
WARD 4**

The Finance, Administration and Audit Committee recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management and the Director of Development Engineering and Infrastructure Planning, dated September 6, 2016:

Recommendation

The Deputy City Manager, Planning and Growth Management and the Director of Development Engineering and Infrastructure Planning, in consultation with the Director of Procurement Services, and the Director of Financial Planning and Development Finance and Deputy City Treasurer, recommend:

1. THAT Capital Project DT-7058-11 Black Creek Regional Storm Improvement Class EA Study be increased from \$451,000 to \$644,000 with additional funding from City-wide Development Charges (Engineering); and
2. THAT the scope of work for the Black Creek Regional Storm Improvements Class EA Study be expanded to explore an alternative stormwater management strategy for the south-east quadrant of the Vaughan Metropolitan Centre Secondary Plan area; and
3. THAT the contract with The Municipal Infrastructure Group Ltd. for consulting engineering services to complete the Black Creek Regional Storm Improvements Class EA Study be increased from \$391,160 to \$534,000 plus applicable taxes; and
4. THAT a contingency allowance of \$80,100 plus applicable taxes be approved within which the Director of Development Engineering and Infrastructure Planning or designate is authorized to approve amendments to the contract; and
5. THAT the inclusion of this matter on a Public Committee or Council agenda with respect to amending the capital budget identified as DT-7058-11 Black Creek Regional Storm Improvements Class EA Study is deemed sufficient notice pursuant to Section 2(1)(c) of By-law 394-2002.

Contribution to Sustainability

The City's Community Sustainability and Environmental Master Plan (Green Directions Vaughan, April 2009) objectives will assist in guiding the completion of the VMC Black Creek Renewal Class Environmental Assessment Study. The conclusions and recommendations of this study will have regard for:

- Supporting enhanced standards of stormwater management and working with others to care for Vaughan's watersheds;
- Sharing sustainable best practices and ideas between and among municipal staff and the community;
- Achieving sustainable growth and development; and
- The creation of a City with sustainable built form.

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Economic Impact

Capital project DT-7058-11, Black Creek Regional Storm Improvement Class EA Study (Black Creek Renewal), was originally approved in the 2011 capital budget in the amount of \$257,500. A budget amendment of \$194,000 was approved at the June 25, 2013 Committee of the Whole meeting (Item 15, Report No. 32). This increase was necessary to expand the project consulting team and allow for completion of a series of facilitated stakeholder workshops.

Based on the outcome of the stakeholder consultation program and the concurrent Ontario Municipal Board mediation process relating to the VMC Secondary Plan, the scope of the Study will need to be further expanded to explore an alternative stormwater management strategy for the south-east quadrant of the VMC Secondary Plan. This work has been scoped and costed in consultation with staff. As a result, a further budget increase/amendment of \$192,500 is required with funding from City-wide development charges (Engineering).

Communications Plan

An enhanced public and stakeholder consultation program has been established as a key component to successfully completing the Black Creek Regional Storm Improvements Class EA Study.

Purpose

The purpose of this report is to seek Council approval to amend the City's consulting engineering services contract with The Municipal Infrastructure Group Ltd., and to increase the associated Capital Project DT-7058-11 for the Black Creek Regional Storm Improvements Class EA Study.

Background - Analysis and Options

In July 2012 the City retained The Municipal Infrastructure Group Ltd. (TMIG) to undertake the VMC Black Creek Renewal Class EA Study. This Study will determine a preferred renewal strategy and preliminary design alternative for the Black Creek corridor extending through the Vaughan Metropolitan Centre (VMC) Secondary Plan area between Highway 7 and Highway 407.

TMIG's work plan to-date has involved technical analyses to confirm the channel and crossing dimensions required to convey the Regional storm, preparation of alternative channel concepts that illustrate the range of urban versus natural configurations that could be implemented, and extensive consultation with the City's Engineering, Planning, and Urban Design Groups, York Region, the Toronto and Region Conservation Authority, and affected landowners.

An initial stakeholder meeting was held in November 2012 to present the preliminary channel renewal concepts. Based on the outcome of this meeting, and issues raised by the majority of stakeholders (landowners within the VMC Secondary Plan area) directly impacted, it became clear that an expanded/enhanced consultation process was necessary to develop a renewal plan for the Black Creek corridor which could be supportable by a majority of the stakeholders.

A facilitated stakeholder consultation process has confirmed the need to expand the scope of the Class EA Study

In June 2013, the consulting team for the Study was expanded to include a specialized facilitation group led by Swerhun Inc. in collaboration with Real Estate Search Corporation, TMIG, Schollen & Company Inc. and Public Work. Over the following year, the consulting team was engaged with key stakeholders to understand their perspectives and priorities regarding the project and to ultimately propose a path forward for the Black Creek renewal design and alignment that would be supported by a majority of stakeholders.

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The stakeholders involved in the facilitated consultation process included various City staff and representatives from York Region, TRCA, the Province of Ontario, landowners, and community interest groups such as Sustainable Vaughan. With additional development and re-development proposed along the Black Creek corridor within in the VMC Secondary Plan Area, a more specific assessment of stormwater management needs and opportunities is required to minimize future impacts on infrastructure and property.

Based on input received from the group working sessions and individual stakeholder meetings led by the development facilitator, the consulting team prepared an integrated overall concept plan for the Black Creek corridor based on an interim and ultimate channel concept. These concepts were presented to all stakeholders at a working session held in April 2014. The concept plan was generally agreed upon, subject to finalizing more detailed cost estimates and an overall financial strategy for implementation.

A refined stormwater management strategy for the south-east quadrant of the VMC Secondary Plan area will be determined and incorporated within the Black Creek Renewal and channel re-alignment

The servicing strategy for the VMC Secondary Plan area established the need for a new stormwater management pond to service redevelopment of the lands within the south-east quadrant of the Plan. The proposed pond was to be located on the south side of Peelar Road, just east of the existing Black Creek corridor. However, the need and location for the proposed pond has been challenged through both the VMC Secondary Plan appeals process and the original servicing strategy process.

Alternative opportunities to incorporate stormwater management control features within the Black Creek channel corridor were identified in conjunction with the Black Creek Renewal facilitation process. These include the integration of stormwater management features within the 'Blue' and 'Green' streets contemplated by the VMC Secondary Plan / Streetscape and Open Space Master Plan. Adjacent landowners and their respective consultants have also indicated the ability and willingness to achieve higher levels of stormwater management control through the implementation of on-site measures.

A detailed analysis of the combined effect of the above control features could demonstrate that the proposed SWM facility for the south-east quadrant could be reduced in size or possibly eliminated. The analysis would further identify additional alternatives by which the SWM requirements for the area could be achieved in lieu of the proposed stormwater management pond.

Completing this analysis in conjunction with the Black Creek Renewal Class EA Study would be cost effective and ensure completion in a timely manner. Accordingly, it is recommended the City's consulting engineering services contract with The Municipal Infrastructure Group Ltd. and associated Capital Project DT-7058-11 for the Black Creek Regional Storm Improvements Class EA Study be amended to address this new requirement arrived at through the OMB appeals process and Black Creek Renewal facilitation process.

Additional funding is required to complete the Black Creek Renewal Class Environmental Assessment Study

A proposal has been submitted by TMIG to expand the scope of the Study to include an analysis of feasible design options for addressing the stormwater management needs and how these measures may be effectively and efficiently integrated within the renewal plan for the Black Creek channel. Staff has reviewed the proposal and find it to be acceptable and complete.

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The Study scope is technical in nature and involves collection, review and analysis of large amounts of data. In accordance with the City's Contingency Matrix a contingency allowance of 15% has been identified as an appropriate amount to address any unforeseen work in completing the Study. Any residual funds will be returned to the original funding source.

A detailed summary of the necessary budget amendment, overall project funding and consulting contract amendment are included in Tables 1 and 2 below.

TABLE 1: CONSULTING COSTS (DT-7058-11)	
	Total
The Municipal Infrastructure Group Ltd. (includes additional scope of work)	\$ 534,000
Contingency Allowance (15%)	80,100
Sub-Total	614,100
H.S.T. (1.76%) Not Recoverable	10,808
Total	624,909
Administration Recovery (3%)	18,747
Total Consulting Costs	643,656
ROUNDED	\$ 644,000

TABLE 2: PROJECT FUNDING POSITION SUMMARY (DT-7058-11)	
	Total
Approved Budget	\$ 451,500
Less: Total Consulting Costs (rounded)	(644,000)
Additional Funding Required from City-wide DC (Engineering)	\$ (192,500)

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

In consideration of the strategic priorities set by Council, the recommendations of this report will assist in:

- Facilitating the development of the VMC;
- Ensuring the safety and well-being of citizens;
- Cultivating an environmentally sustainable City;
- The pursuit of excellence in service delivery; and
- Planning and managing growth and economic vitality.

The recommendations contained in this report are consistent with the priorities set by Council and the necessary resources have been allocated and approved.

Regional Implications

The Region of York is one of the key public agency stakeholders on all notification lists associated with this Study. Works around or on Region of York lands may be required to complement the study findings. To date Regional staff has participated and will continue to be invited to participate throughout the duration of the Study to provide input and comment as required to ensure its successful completion.

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Conclusion

To facilitate timely development within the VMC area, the City must complete the VMC Black Creek Renewal Class Environmental Assessment Study for the existing channel that extends from just north of Highway 7 to Highway 407.

Since commencement of the Class EA, the City has engaged the stakeholders in a facilitated consultation process related to the establishment of the preferred alignment and design option for the Black Creek renewal project.

The facilitation process has resulted in the development of a preliminary interim and ultimate overall concept plan for the renewal of the Black Creek. In addition, the facilitation process identified a number of alternative storm water solutions for the south-east quadrant of the VMC that should be explored further. The completion of the Black Creek Renewal Class EA and the review of storm water management options will require additional work not envisioned in the original scope of work for the study.

Accordingly, staff is recommending the work plan for the study be expanded to include additional professional engineering services and that the budget for capital project DT-7058-11, Black Creek Regional Storm Improvement Class EA Study be increased by \$192,500, from \$451,000 to \$644,000 with funding from City-wide Development Charges (Engineering).

It is anticipated that the Black Creek Renewal Class EA Study will be completed by Q4-2017.

Attachments

None

Report prepared by:

Jennifer Cappola-Logullo, VMC Project Manager, Ext. 8433
Michael Frieri, Manager of Engineering Planning and Studies, Ext. 8729
Kay-Ann Brown, Senior Financial Analyst, Ext. 8252

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Michael Frieri, Manager of Engineering Planning and Studies, Ext. 8729
Kay-Ann Brown, Senior Financial Analyst, Ext. 8252

Respectfully submitted,

JOHN MACKENZIE
Deputy City Manager
Planning and Growth Management

ANDREW PEARCE
Director, Development Engineering
and Infrastructure Planning