



## **Staff Report for Council Meeting**

**Date of Meeting:** May 26, 2021

**Report Number:** SRPI.21.054

**Department:** Planning and Infrastructure  
**Division:** Infrastructure and Engineering Services

**Subject:** Muirhead Crescent and Stouffville Road  
Watermain and Sanitary Sewer Servicing

---

### **Purpose:**

To report back to Council as per Staff Report SRPI.20.022 recommendation d) That Staff report back to update council on the outcome of validating the community support for the (Muirhead Crescent and Stouffville Road Watermain and Sanitary Sewer Servicing) Local Improvement Project.

### **Recommendation(s):**

- a) That the approved 2020 capital project for design be closed based on the results from the petitions received which did not meet the required community support in accordance with Ontario Regulation 586/06, as amended, Local Improvement Charges - Priority Lien Status.
- b) That the Capital Project account be closed and the remaining funds returned to source as part of the 2021 Capital Status process.
- c) That Staff provide notice back to the community regarding the results of the petitions and closure of the project.

### **Contact Person:**

Mohammad Kashani, Manager, Design and Construction, Extension 5479

### **Report Approval:**

**Submitted by:** Kelvin Kwan, Commissioner of Planning and Infrastructure Department

**Approved by:** Mary-Anne Dempster, City Manager

## Page 2

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

### Background:

**Staff exercised its due diligence while undertaking the preliminary design of the Muirhead Crescent and Stouffville Road Local Improvement project to ensure alignment with evolving City initiatives and community needs.**

On November 10, 2020, Council paused the Muirhead Crescent and Stouffville Road Watermain and Sanitary Sewer Servicing Project as a result of several area specific issues that would require future information to ensure a proper design of the requested services.

The project constraints detailed in staff report **SRPI.20.022** (Attached as appendix A) included:

**1) Master Plan Updates:** The Richmond Hill Official Plan and Urban Master Environmental Servicing Plan are currently being updated and would inform and update the future development needs for watermain and sanitary pipe sizing for the future growth in this whole area.

**2) Future Development:** A development concept emerged during design that could affect the entire Muirhead Crescent lands. Although the development plans have not been formally submitted, the developer has begun preliminary planning and design.

**3) Regulatory Approvals:** Property and design negotiations with the Region of York were being undertaken to determine the location of the trunk sewer and connection along Yonge Street. The Trunk sewer required to transfer the community's sanitary flows from Muirhead Crescent to the existing infrastructure at Jefferson Sideroad was expected to require additional land acquisitions resulting in additional costs to the residents and the City.

**4) Change in Property Ownership:** Several properties have changed ownership since the original petition from 2016. Since the residents are responsible for 100% of the costs directly affecting Muirhead Crescent and Stouffville Road it was recommended by Council that City Staff re-engage the community to ensure the support remains positive. This was undertaken by virtual public meeting and re-petitioning the community.

## Page 3

### **Following council direction to re-engage the community to validate support, a virtual Public Meeting for all affected property owners was held**

On February 25, 2021, City staff notified the 34 affected property owners of the virtual public meeting by registered mail and door to door hand delivery. The notice to the property owners included an invitation to the virtual public meeting, information on the local improvement costs, clear communication that the costs were to be paid by the affected property owners, project design concept plans and 2 new petitions (one for water servicing and one for sanitary servicing).

On March 11, 2021, City staff re-engaged the Muirhead Crescent and Stouffville Road community that requested municipal servicing in 2016 with the virtual public meeting. The objective was to share information on the project scope, design findings, discuss design issues, cost estimates, re-emphasize the responsibility of cost is borne by the benefiting residents as per Ontario Regulation 586/06, and communicate the process moving forward.

An independent facilitator supported the project delivery team in the virtual public meeting. The meeting was well attended which included 27 of 34 property owners. A live presentation was conducted by the independent facilitator and the Project Team followed by a question and answer period.

The presentation included the following information:

- Purpose and Format of Meeting
- Timelines and History of the Project from 2014 to current date
- Scope of Work
- Design Drawings
- Project Issues
- Fiscal responsibilities outlining the costs associated with the project and estimated costs to be borne by the residents.
- Information on the Local Improvement legislated process
- Next steps dependent on updated petition results
- City Contact information should other questions arise after the meeting
- Question and Answer Period

### **Post virtual *Public Information Meeting* feedback regarding transparency was positive and several property owners expressed their opposition to the project moving forward**

Following the meeting, staff received feedback from residents to the City to convey their appreciation for the virtual public meeting as some were not aware of the original petition from 2016. Many were not fully aware of the cost implications to be borne by the property owners as part of the process and the full transparency of information and issues the project entailed were well received in order to assist in making an informed

## Page 4

decision. Several residents responded via email that they were not in favor of the project moving forward.

### **The process for determining sufficiency to proceed was described and petitions were circulated and to all affected property owners**

The updated petition forms were delivered with the resident notices on February 25<sup>th</sup> 2021 and highlighted in the Virtual Public Meeting. The forms outlined the proposed infrastructure (Watermain and Sanitary Sewer) and the estimated individual costs borne by each property owner. The petition followed the same format as the original petitions submitted in 2016. Based on the Local Improvement process, the City required approval of the majority of benefiting property owners (via petition of impacted property owners, which needs to be signed by at least 2/3 of the owners representing at least 50% of property value). The petitions were required to be signed and returned to the City by March 27<sup>th</sup> by all property owners in favor of the project moving forward to construction.

### **The petition results determined that there was not sufficient support to continue with the project**

The following chart outlines the results from the process. The calculation shows that the petitions submitted by area residents does not meet the sufficiency of a favorable petition as determined under Ontario Regulation 586/06, as amended, Local Improvement Charges – Priority Lien Status.

#### Petition Guidelines and results

|  |                      |
|--|----------------------|
| Number of Total Owners (Properties)    | 34                   |
| Number of Owners in Favor              | 8                    |
| Percentage                             | 23.5%                |
| Percentage Required to Support Project | Two Thirds or 66.67% |

### **Financial/Staffing/Other Implications:**

The associated capital account P/000762.01 will be closed and the remaining funds be returned to source as part of the 2021 Capital Status process.

### **Relationship to Council's Strategic Priorities 2020-2022:**

This report is aligned with Strategic Priority Area Two – Fiscal Responsibility in Richmond Hill by planning to ensure continued and sustained asset and infrastructure health through long term financial sustainability planning, and Strategic Priority Area

## **Page 5**

Four– Strong Sense of Belonging by keep residents and stakeholders informed and engaged about what is going on in the City.

### **Climate Change Considerations:**

Climate change considerations are not applicable to this staff report.

### **Conclusion:**

Staff will close and file the project in its current state at the 60% design milestone. Should the support for the project change in the future and once trunk servicing is more readily available, the design to date can be leveraged to continue the process. However, at this time, it is apparent the community does not support this project moving forward as a Local Improvement based on the returned petitions and community feedback. Funding can be redistributed and staff can be redeployed to support other City priorities. Staff will provide notice back to the community regarding the results of the petitions and closure of the project.

### **Attachments:**

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- SRPI.21.054 - Appendix A - SRPI.20.022

## Page 6

### Report Approval Details

|                      |  |
|----------------------|--|
| Document Title:      | SRPI.21.054 Muirhead Crescent and Stouffville Road Watermain and Sanitary Sewer Servicing.docx |
| Attachments:         | - SRPI.21.054- Appendix A- SRPI.20.022.pdf   |
| Final Approval Date: | May 6, 2021  |

This report and all of its attachments were approved and signed as outlined below:

#### No Signature found

**Mohammad Kashani - May 4, 2021 - 4:01 PM**

**Bob Levesque - May 4, 2021 - 4:02 PM**

**Paolo Masaro - May 4, 2021 - 4:54 PM**

**Kelvin Kwan - May 4, 2021 - 7:32 PM**

**MaryAnne Dempster - May 6, 2021 - 1:07 PM**