

August 12, 2021

To:

Office of the Clerk - Legislative Services Division

**Re: Muirhead Community Presentation, September 14, 2021
Council Meeting.**

Critical information and support for Water and Sanitary Sewer Servicing
Reinstatement for Muirhead Crescent

Submitted by:

The Muirhead Community,
Paul Nolis, MBA. M.Sc. B.Comm. B.A.S.

Purpose and Objective for submission:

The Muirhead Community is requesting and demanding that the 2016 Council Approved and Council Directed, residents petition that was included in the 10 year capital Plan and Budget to deliver water and sewage services to Muirhead Crescent be **immediately** recommenced and reinstated.

The Muirhead Community will present information and evidence that will clearly demonstrate that the determination made by the City to initially pause and subsequently cancel the 2016 Council approved water and sanitary sewer project was based on misleading, inaccurate, unsubstantiated, misguided, deeply rooted and motivated by age discrimination, disrespect and untrue information.

Historical Developments:

March 19, 2020, Notice to Residents: (attached)

A) Residents were advised by Project Manger, Kyle Paterson, Infrastructure Delivery Services Division as follows:

“ Survey crews, and consultants will be in your area over the next three months (March to June 2020, to undertake detailed topographic survey and geological and utility investigations. This

information is being collected to produce a base of existing features which is required for developing the design.”

In 2020, The City paid and squandered in excess of \$450,000.00 taxpayer’s money, completing topographic survey and geological and utility investigations, for the purpose of installing water and sanitary sewers for Muirhead as approved and budgeted by City Council in 2016.

Email from Mohammad Kashani, February 6, 2020

B) On Thu, Feb 6, 2020 at 5:16 PM Mohammad Kashani

<mohammad.kashani@richmondhill.ca> wrote:

Mr. Nolis,

Just to provide further detail, below outlines the steps for this local improvement project:

1. Council authorizes Richmond Hill staff by approving design budget for year one (2020) to initiate the design phase of project
2. Staff retain the services of a consultant and proceed with preliminary design
3. A *Notice of Intention* to the affected property owners with a date for petition submission is circulated
4. Property owners are invited to view the preliminary design and offer their comments at a Public Information Drop-In Centre
5. City Clerk reports to Council on sufficiency of petition
6. Council passes a resolution and a by-law to proceed with the project or cancels the project and provides staff with further direction
7. The results of Council’s decision are advertised
8. Richmond Hill staff proceed to complete the detail design of the project
- 9. Council authorizes Richmond Hill staff by approving construction budget for year two (2021) to initiate the construction phase of project**

I hope this answers your question.

Thank you.

Mohammad Kashani, M.Eng, P.Eng, PMP

Manager, Design & Construction

Infrastructure Delivery Services Division, EIS Department

225 East Beaver Creek Road, L4B 3P4

905-771-5479, mohammad.kashani@richmondhill.ca, RichmondHill.ca



Environment & Infrastructure Services Department
Infrastructure Delivery Services Division

March 19, 2020

NOTICE TO RESIDENTS

Dear Property Owner,

**Re: Servicing to Muirhead Crescent
Detailed Topographic Survey and Field Investigations**

As part of the City of Richmond Hill's ongoing commitment to maintaining high quality municipal services, the City will be undergoing field investigations for the neighborhood requested design of watermain and sanitary servicing to Muirhead Crescent and Stouffville Road.

Please be advised that the City survey crews and consultants will be in your area over the next three months (**March to June 2020**) to undertake detailed topographic survey and geotechnical and utility investigations. The information is being collected to produce a base plan of existing features which is required for developing the design.

In order to complete the survey, City survey staff will need to briefly enter upon your property to locate existing features and collect elevations beyond the municipal road allowance. This action is necessary to ensure that all adjacent property surface details are accurately identified on the base plan.

If you have any questions or concerns, please do not hesitate to contact the undersigned.

Yours truly,

Kyle Paterson, CET, PMP
Project Manager
Infrastructure Delivery Services Division
Phone: 905-747-6341
Email: kyle.paterson@richmondhill.ca

c: Mayor and Members of Council
P. Masaro, Interim Commissioner of Environment and Infrastructure Services
K. Baddeley, Executive Administrative Assistant to the Commissioner



Project Update

Dear Resident,

The detail design for the municipal servicing project to Muirhead Crescent including Stouffville Road has reached a key milestone at 60% completion. Development interests have emerged that would likely alter the design requirements to suit future needs.

During detail design, it was revealed that Newhouse Developments has begun purchasing lots as part of a larger vision to redevelop the area. The development vision shared with the City will increase the demand for sewer and water allocation and therefore influence the design.

By proceeding, the City could be installing infrastructure that may become obsolete if the development precedes. As part of the initial local improvement process, the cost for this infrastructure is to be borne by the residents and as such it is not in the Community's best interest to proceed to construction in 2021 especially if these become throw away costs.

Therefore, the design has been paused until additional information regarding redevelopment can be confirmed.

Servicing to Muirhead Crescent & Stouffville Road

Location Map



Project Location:
Muirhead Crescent, Stouffville Road - Yonge St. to Muirhead Cr. and Yonge Street - Muirhead Cr. To Jefferson SR.
(See map for Project Location)

Contact/Project Lead:
Kyle Paterson, Project Manager
T: 905-747-6341
E: kyle.paterson@richmondhill.ca

Infrastructure Delivery Services Division
Environment and Infrastructure Services Department

**C) Undated Project Update (Attached)
Update mailed to Muirhead residence in June 2020.**

Quote from Project update notice to residents:

“It was revealed that Neuhaus Developments has begun purchasing lots as part of a larger vision of redevelopments to suit future needs. Therefore, the design has been paused until additional information regarding **REDEVELOPMENT** can be confirmed.”

Clearly, Neuhaus is not and was not a developer. Neuhaus was a purchaser of property for the sole purpose of selling at a profit in later and more favorable markets.

The City is and was fully cognizant of this fact. Neuhaus has sold all of its real-estate holdings including their office location on 108 Stouffville Rd.

Being fully aware and fully informed that Neuhaus was not pursuing development of Muirhead, the City continued with the pausing of the project **without** a justifiable reason or cause.

**D) Neuhaus Developments Letter to the Muirhead Residence
April 5th 2020. (Attached)**

5th April 2020

Dear Neighbour,

I would like to take this opportunity to introduce myself. I am your neighbor based in 108 Stouffville Road and am pursuing a development in our neighborhood block.

As you are all aware, several attempts were made in the past by the neighborhood block to convince the City to fund the extension of municipal services to this block. Those attempts did not succeed despite at least 2 well organized campaigns by the neighbors that came together. Currently the City is engaged in survey work for the neighborhood, the purpose of which is to help the City design municipal infrastructure for this neighborhood block. This process of design alone will likely years since there is still no decision as to what exactly they are designing for. Is it single detached homes? Or is it more? To that end, the City is engaged in an Official Plan Review to determine what the appropriate use of land is in this neighborhood block. This process will take a minimum of 3 years and will likely be delayed through appeals and other reviews. In short, the City is not currently doing anything that would add value to our properties in the immediate future. In addition, City staff are not in the habit of achieving highest and best use but are rather programmed to follow the safer and less ambitious route. Therefore, we feel that greater benefit can be gained from the planning process if pursued with the right set of skills and experience.

I am an experienced developer with over a dozen current projects in Richmond Hill and I also happen to own half a dozen properties in this block which I am currently about to take through the planning process. As part of the process, I am obligated to ensure that my neighbors' property values are not negatively impacted and future development is not precluded. My team and I have had many discussions with members of City Council, primarily Deputy Mayor Carmine Pirelli, regarding the development of this neighborhood block and it appears that we have their support. Please do feel free to approach our local councillor to discuss our plans for this block.

As part of our process, I am offering all my neighbors the following

1. If your objective is to simply get municipal services and then not develop your property, we would be happy to help.
2. If you wish to independently develop your property and take it through the planning process, we are here to help and will be happy to guide you free of cost.
3. If you wish to participate in our development as a contributing landowner who stands to gain from our expertise and experience in the form of highest and best use for your property, we are willing to engage with you to do that. Further discussions can be had regarding how exactly the

land would be valued, how it would be contributed and what we would do to add value greater value to the property than would otherwise have been the case.

Certainly we recognize that through the passage of time, most properties gain value any way. However, we are currently part of the block and are pursuing our own development. Therefore, if one wishes to do more than simply wait for the passage of time, we are available in your neighborhood to facilitate exactly that process.

I can be reached at 289-234-9300 Ext 205 Monday-Friday 9-5 or you can simply walk in and meet my team and I at 108 Stouffville Rd during office hours.

Best Regards,



Khalid Yusuf

CEO

Neuhaus Developments Ltd

E) Discussion

Quote from Neuhaus Developments Neuhaus Letter dated April 5, 2020).

“ My team and I have had **many** discussions with members of City Council, primarily Deputy mayor Carmine Pirelli, regarding the development of this neighborhood block and it appears that we have their support”

E1) Discussions and Communication with Deputy Mayor Carmine Pirelli

Mr. Pirelli's email on October 6 2020 to the Muirhead Community and to the identified council members and the Mayor.

Oct 6,
2020, 2:32
PM

Carmine Perrelli <carmine.perrelli@richmondhill.ca>
to me, Dave, Joe, Councilor, Paolo, Mohammad, Tom, David, Karen, Godwin, Castro

3.” Please do not try and misrepresent my role as a member of council. The only relationship I have with neuhaus is the same relationship I have with all residents, land owners and developers. A professional relationship. As a matter of fact, **I have had more communication with you than neuhaus.**”

4. **“I cannot and will not speak for Councillor Beros. To suggest that I have a close relationship with neuhaus is categorically false. Truth be told, i have a closer relationship with you despite never having met you. At no time have I stated that neuhaus will be re developing the entire Muirhead area saving residents money, as you have stated.”**

Please note:

Mr. Perrellis' email and words are extremely opposite to Nehaus' letter of April 5,2020.

1) The Neuhaus letter clearly states “ My team and I have had **many** discussions with members of City Council, primarily Deputy mayor Carmine Pirelli, regarding the development of this neighborhood block and it appears that we have their support”

2) Mr. Perelli clear states in his email to the community:
“ as a matter of fact I have had more communication with you than Neuhaus”

Please understand, Mr. Perrelli and the Muirhead Community have had only one discussion, thus if Mr. Perrilis' words are accurate,
 "As a matter of fact I have had more communication with you than Neuhaus" mathematically it is safe to assume Mr. Perrelli has had no discussions with Neuhaus, which is completely in contrast to Neuhaus' email, which states:

"My team and I have had **many** discussions with members of City Council, primarily Deputy mayor Carmine Pirelli, regarding the development of this neighborhood block and it appears that we have their support"

Why does Mr. Perrilli, Deputy Mayor wish to mislead us regarding his communication and relationship with Neuhaus??? WHY????

This inconsistent information contributed to and likely caused the pause with the Muirhead project.

As quoted in the Project update determination to pause the project:

"It was revealed that Newhaus Developments has begun purchasing lots as part of a larger vision of redevelopments to suit future needs. Therefore, the design has been paused until additional information regarding **REDEVELOPMENT** can be confirmed."

E2) Discussion with Neuhaus Developments

Quotes from Neuhaus' letter to the Landowners of Muirhead, dated April 5th 2020.

- 1) "As you are all aware, several attempts were made in the past by the neighborhood block to convince the City to fund the extension of municipal services to this block"
 "Those attempts did not succeed despite 2 well organized campaigns by the neighbors who came together"

The determination to pause the water and sanitary sewer project was announced by the CITY to the Muirhead Community in June of 2020,

One wonders how did Neuhaus become aware in April, 3 months prior to the Muirhead Community being made aware of the pause? That the project did not succeed?????

2) The April 5th, 2020 Neuhaus letter states as follows:

As part of our process, I am offering all my neighbors the following:

- 1) "If your objective is to simply get services and then develop your property we would be happy to help"
- 2) If you wish to independently develop your property and take it through the planning process we are here to help and will be happy to guide you free of cost."

There is little if any indication in the April 5, 2020 letter from Nuehaus that this supposed developer actually has any intent or plan to develop the neighborhood.

3) "In short, the City is not currently doing anything that would that would add value to our properties in the immediate future. In addition, City staffs are not in the habit of achieving highest and best use"

Clearly Neuhaus is more interested with the City adding value to his real-estate holdings purchased conditionally and not in any way interested in developing.

Why than, has the City in their Project Update memo clearly acted on and believed their statement and relational for Pausing the project as follow???

"It was revealed that Neuhaus Developments has begun purchasing lots as part of a larger vision of redevelopments to suit future needs.

Therefore, the design has been paused until additional information regarding REDEVELOPMENT is confirmed."

Neuhaus has not discussed nor revealed to neither the City nor the Muirhead

Community any intentions to develop any portion of Muirhead.

Neuhaus has not applied for any development project to be approved by the City.

How did the City determine **“It was revealed that Neuhaus Developments has begun purchasing lots as part of a larger vision of redevelopments to suit future needs?”**

In fact Neuhaus had revealed no intention to develop or redevelop any properties, in part nor on a larger version

F) Neuhaus’ actual objective:

Neuhaus purchased 4 lots in the Muirhead community conditionally. No funds were exchanged and title was not altered.

This so called developer is actually a purchaser of real estate for the purpose of profiting via resale in a future market. Purchasing un-serviced property is less expensive than purchasing fully serviced properties.

Neuhaus has sold all real-estate holdings in the Muirhead community.

Neuhuse has not closed on any of the conditional sales that it had agreed upon.

Neuhaus has sold its real estate holding which functioned as Neuhaus’ commercial business address on 108 Stouffville Rd.

The City was and is aware of Neuhaus’ actual objectives, yet the City proceeded to pause a City Council Approved water and sanitary sewer project that commenced and thus squandered \$450,000.00 tax payer funds.

Conclusion:

Undisputed facts

1) Notice to Residents (Attached)

1) Residents were advised by the Project Manger, Kyle Paterson, Infrastructure Delivery Services Division.

“ Survey crews, and consultants will be in your area over the next three months (March to June 2020, to undertake detailed topographic survey and geological and utility investigations. This information is being collected to produce a base of existing features which is required for developing the design.”

The City spent in excess of \$450,000 taxpayers money, completing topographic survey and geological and utility investigations.

2) Mohammad Kashani, M.Eng, P.Eng, PMP

Manager, Design & Construction

Infrastructure Delivery Services Division, EIS Department

225 East Beaver Creek Road, L4B 3P4

905-771-5479, mohammad.kashani@richmondhill.ca, RichmondHill.ca

Email February 6 2020

Council authorizes Richmond Hill staff by approving construction budget for year two (2021) to initiate the construction phase of project

3 Project update: (Attached)

“It was revealed that Neuhaus Developments has begun purchasing lots as part of a larger vision of redevelopments to suit future needs. Therefore, the design has been paused until additional information regarding REDEVELOPMENT can be confirmed.”

Neuhaus is not and was not a developer. He was a purchaser of property for the sole purpose of selling at a profit in later and more favorable markets. The City is and was fully cognizant of this fact. Neuhaus has sold all holdings including his office location on 108 Stouffville Rd.

- 3) Neuhaus advised the City that there is no development opportunity as originally believed and Neuhaus will not be pursuing application for any development or redevelopment.
- 5) The City revisited and re-budgeted the project 7 years after approval. Each household was asked to pay \$100,000 to continue with the water and sewer project, to confirm if interest continued to exist.

The majority of the Muirhead community is seniors and surviving with pensions and supplements.

The City was very cognizant that the majority of Muirhead are seniors, simply unable to financially neither afford nor agree to \$100,000 per household to be provided with consumable water. Yet the City Manager continued with this nonsensical re-budgeting, being fully aware that her approach was eliminating any possibility of Muirhead seniors able to agree to this \$100,000 per household, which will ultimately be paid by taxpayer funds.

**Email from Paul Nolis to City Manager:
Regarding the anxiety the City is and has been causing by misleading,
and lying to the Muirhead Community.**

From: Paul Nolis [mailto:nolis.paul@gmail.com]

Sent: Wednesday, January 20, 2021 3:04 PM

To: Mary-Anne Dempster <maryanne.dempster@richmondhill.ca>; Dave Barrow <dave.barrow@richmondhill.ca>

Subject: Muirhead Sewer and Water

! Ms. Dempster:

Further to your response email of today and our 2 emails today, and our two responses.

After reading your reply email today to us, we are concerned and annoyed with your response ". Our approach is consistent with applicable By-laws."

We are of the opinion that you have
abused your position authority
abused your organizational authority.
ignored and over reached the approval of the 2016 Capital Budget
approval of Council

You have exceeded your reach for revisiting the Muirhead Resident
Petitions your authority to revisit costs years after approval

You claim, "Our approach is consistent with applicable By-laws."

We believe you are not within your positional authority and applicable
bylaws

**You have caused anxiety and potential health issues to our
community particularly our senior citizens.**

We are waiting for you to reply to our emails so we may begin the process
of proceeding with meetings with the Minister of Municipal Affairs and
Housing
Engaging legal counsel to challenge your abuse of authority and over reach.

Please respond in detail addressing our concerns and position on your
revisiting of Residents Petitions, costs etc. years after approval by Council.

Thank You for your anticipated quick and prompt response

Paul Nolis

City Mangers' response email to Paul Nolis, June 5, 2020, 5:12 PM

Mary-Anne Dempster <maryanne.dempster@richmondhill.ca>

Good afternoon Mr. Nolis,

I respectfully direct you to the City's notice of claim process, should you wish to make a formal claim <https://www.richmondhill.ca/en/our-services/notice-of-claim.aspx>

Stay Safe

Mary-Anne Dempster, MBA, CPA, CGA
City Manager
City of Richmond Hill
PH: 905 771 2497
Email: Maryanne.dempster@richmondhill.ca

The City Manager is suggesting that our seniors apply for disability benefits if they are affected by unconsumable water.

She has provided the site for our seniors to obtain applications for disability benefits.

Clearly, a completely, irresponsible, arrogant, disrespectful, illogical and hurtful response from the City Manager, towards our seniors and tax payers

F) Discussions with: The Honorable Steve Clark Minister of Municipal Affairs and Housing:

The Muirhead Community completed numerous discussions and exchanged numerous emails, with The Minister of Municipal Affairs and Housing and His Staff.

The Minister responded on several occasions as follows:

My staff and I drove by the Muirhead community to observe the makeup and condition of the local services.

“We were totally surprised to see that a community only **meters** away from Yonge St, meters away from many, many commercial establishments such as banks grocery stores personal services and Government services, as well as thousands of residential homes is not serviced with City water nor City sanitary sewers.

We also noted that the fire hydrant that likely is capable of supplying sufficient City consumable water to this community is less than 50 meters from the first resident to be supplied.

We were disappointed that a City is allowing such conditions.

G) Discussions with the Ontario Ombudsman

The Muirhead Community completed numerous discussions and exchanged numerous emails, with Ontario Ombudsman and staff.

The Ombudsman staff reacted exactly in the same manner as the Minister and his staff, confused and astonished of the determined and ridiculous position of the City against its taxpayers and its seniors

Both the Minister and the Ombudsman could not understand the intent and disrespectful words of the City Mangers’ email.

“I respectfully direct you to the City’s notice of claim process, should you wish to make a formal claim <https://www.richmondhill.ca/en/our-services/notice-of-claim.aspx>”

H) The Muirhead Community is unique. The Muirhead Community deserves Consumable Water.

It is essential that the City of Richmond Hill respects the taxpayers and takes them seriously, not only those that have voted for this Council, and those communities that possess sufficient voting power to achieve re-election, but all the residents.

The majority of the Muirhead community is senior citizens with an occupancy period within Muirhead that exceeds 40 years. Yes there are sales of homes. However the sales are in the majority of cases due to residents who are unable due to age, to continue to manage their homes and property.

Recently, we emailed, on several occasions and left voice messages for our Ward 1, Councilor, and for the Acting Mayor. Unfortunately we were neither respected enough to be blessed with a return call or response to our email, in fact our efforts were not even acknowledged, by both parties.

Our Community is simply too small thus our Community does not possess sufficient re-election voting power, to deserve an acknowledgement and or respect.

The City recently determined that the previously Council approved water and sanitary sewer budget needs to be re-evaluated. The City determined that a \$100,000.00 per household is required to be levied against each and every household to allow the City to continue with the previously approved promise to install consumable water. Taxpayer's funds will obviously be utilized to pay for the installation, in addition to the \$100,000.0 per household. It is quite obvious that senior citizens surviving on pensions and supplements were unable to accept and unable to pay this unreasonable cost request, thus the City cancelled the water and sanitary sewer project, leaving the Community without consumable water.

SAD is it not. Our City cannot bless our senior citizens and tax payers, living on pensions and supplements that have been paying realty taxes for many in years living in the Muirhead Community with consumable water. WHY? Simply because we do not have sufficient re-election voting power.

SAD, because the Community does not possess sufficient voting power for re-election purposes, the City has determined us as **insignificant** and we do not deserve consumable water.

SAD, real SAD.

The advice provided by the City to replace consumable water for our Senior Citizens is as presented by the City Manager, and we quote:

“I respectfully direct you to the City’s notice of claim process, should you wish to make a formal claim <https://www.richmondhill.ca/en/our-services/notice-of-claim.aspx>”.

The Senior Citizens of our Community have been directed and advised to apply for disability and health benefits to replace consumable water. Is This the City’s’ position and professional response and professional advise.

Please, respect the residents, and take all Communities seriously, not only those Communities that possess sufficient voting re-election authority and power.

The Muirhead Community needs consumable water.
The Muirhead Community has been **begging** the City for Consumable Water for a period in excess of 15 years.
The Muirhead Community is not insignificant, as we have been labeled.

The Muirhead Community has present information and evidence that clearly demonstrate that the determination made by the City to initially pause and subsequently cancel the 2016 Council approved water and sanitary sewer project was based on:

Misleading,

Inaccurate,

Unsubstantiated,

Misguided,

Deeply rooted and motivated by age discrimination and disrespectful attitude and behavior by senior managerial and technical staff

Untrue information.

Abuse of positional authority and power, by senior managerial, elected and technical staff

Abuse of corporate power and authority by senior managerial and technical staff

Over reaching of positional power and authority, by senior managerial and technical staff.