

Meeting Notes – July 15, 2020
Garden Trails Subdivision (510-05/99)

Attendees:

- City of Burlington - Kyle Plas, Melissa Morgan, Jeff McIsaac
- Halton Region - Adam Huycke
- Conservation Halton - Emma DeFields
- Proponent – Dana Anderson, Michael Shih, Kristina Didiano, Scott Llewellyn

All comments from the City of Burlington; the Region of Halton and Conservation Halton must be considered in conjunction with previous comment letters provided to the applicant as part of the current request to extend draft approval of the Subdivision (510-05/99, 24T099005/B).

Submission Requirements:

The following must be updated and submitted to continue processing the application:

- Draft Plan of Subdivision
- Geotechnical Slope Stability Assessment
- Environmental Site Assessment
- Environmental Noise and Vibration Study
- Functional Servicing and Stormwater Management Report
- Tree Inventory and Preservation Plan
- Landscape and Restoration Plan
- Fluvial Geomorphic Assessment
- Environmental Impact Assessment including edge management strategy
- Topographic Survey delineating regulatory hazards and allowances
- Updated drawings, including:
 - Construction and mobility management
 - Utility coordination
 - Grading and Stabilization
 - Servicing
 - Stormwater management
 - Erosion and sediment control
 - On-street parking
 - Tree inventory and preservation
 - Tree planting and landscaping

Application Fees:

Application fees will be determined based upon which type of application will be required.

Additional Comments:

Region of Halton:

Environmental Impact Assessment (EIA) & Constraint Mapping:

As noted in my March 24, 2020 comment letter, sufficient information was not provided to demonstrate that the Draft Approved Subdivision addressed current Natural Heritage System planning policy. To address current constraints, Key Features, buffers, enhancement and restoration area requirements, and to demonstrate that the proposed residential development and any changes to existing infrastructure result in 'no negative impact' to the RNHS, an EIA is required. This EIA can be scoped in accordance with the Region's 2020 EIA Guidelines (see attached). Of note, and due to the fact that natural environment work completed as part of the consideration of the draft plan in the early 2000's, additional field work and surveys may be required which could be season dependent. In advance of starting any EIA work, a Terms of Reference needs to be developed in accordance with Regional EIA Guidelines.

In addition to an updated EIA, a Constraint Map that outlines all natural heritage, natural hazard and development constraints should be developed. This plan would compile all of the constraints identified by

the various studies CH have highlighted below, in addition to any other agency constraints (e.g. noise berm requirements).

Conservation Halton:

I have reviewed Conservation Halton's response and support their comments and submission requirements.

Municipal Servicing:

An updated FSR or Servicing Brief is required to demonstrate that the proposed draft plan, or revisions to the draft plan can be serviced via municipal water and sanitary services based upon current Regional engineering standards and requirements. Additional discussion between the proponents Engineer and the Region's Development Project Manager should occur to scope the extent of analysis required.

Noise Study:

ROP policy identifies that development adjacent or in proximity to railway lines or railway yards to undertake, prior to development approval to consider noise, vibration and air quality assessments that demonstrates that the proposed sensitive land use can be supported and what, if any, mitigation measures are required. The subject lands are located adjacent to a major railway corridor. Confirmation that the proposed development and mitigation measures have been addressed and do not impact the lot fabric should be provided. While this has not been highlighted in the past, I am cognisant that should CN or Metrolinx require additional mitigation measures, that these measures may impact the ultimate development envelope and by extension the Draft Plan. Ultimately, I defer to the technical comments from CN or Metrolinx on the technical experts will confirm any additional submission or mitigation requirements.

Conservation Halton:

Conservation Halton – Ontario Regulation 162/06

Pursuant to Ontario 162/06, Conservation Halton (CH) regulates all watercourses, valleylands, wetlands, Lake Ontario and Hamilton Harbour shoreline and hazardous lands, as well as lands adjacent to these features. The Garden Trails Phase II Subdivision (24T-99005) lands are adjacent to a tributary of Grindstone Creek and contain or are adjacent to the flooding and erosion hazards associated with that watercourse. CH regulates a distance of 15 metres from the greater of the limit of the flooding or erosion hazards for this particular site. Permission is required from CH prior to undertaking any development within CH's regulated area and development must meet CH's *Policies and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Policy Document* (last amended February 25, 2016) (<https://conservationhalton.ca/policies-and-guidelines>).

CH staff understands that City Council has extended the draft approval date of subdivision 24T-99005 until August 31, 2020, at which time a decision will be made on whether the current draft approval will be granted a further extension or be allowed to lapse, in which case a new application would be required to support development on the subject lands.

Based on CH's regulatory policies, no new development is permitted within the regulated area associated with riverine flooding and erosion hazards. Therefore, through review of planning applications, CH recommends that all new lots be located beyond the 15 metre hazard allowance, and that lands within the regulated area be zoned for protection and placed into public ownership. Additional setbacks or requirements related to the Natural Heritage System (NHS) may also be required.

Submission Requirements

CH has considered the request for extension based on CH's current regulation and policies and provides the following summary of technical studies, application revisions and fees that would be required to support the draft extension. The following should be read in conjunction with CH's letter dated March 24, 2020 regarding outstanding items for the requested draft plan extension, and any correspondence related to CH Permit file A/15/B/97 regarding proposed channel rehabilitation at the stormwater outfall and valley stabilization measures.

- **Geotechnical Slope Stability Assessment**, prepared by a qualified geotechnical engineer, to the satisfaction of CH. This assessment must determine existing and proposed conditions erosion hazard limits for the Grindstone Creek valley feature. The assessment must confirm the proposed slope will be stable, including the applicable toe erosion allowance in keeping with Provincial Technical Guidelines. Any

proposed grading within CH's regulated area in excess of 10H:1V may be considered an extension of the existing valley feature and associated regulation limits. **Top of bank staking** will be required to verify existing hazard limits.

- **Grading and Stabilization plans to address erosion and slope stability issues**, prepared by qualified professionals, to the satisfaction of CH. Use of engineered controls to stabilize an unstable slope will not be supported for the purposes of facilitating new development or for the determination of hazard limits. Requirements to relocate existing infrastructure to outside hazard areas and allowances will be determined through review of the updated SWM report and Slope Stability Analysis.
- **Fluvial Geomorphic Assessment**, prepared by a qualified fluvial geomorphologist, to the satisfaction of CH. The assessment must evaluate the subject reach of Grindstone Creek and make recommendations as to an appropriate toe erosion allowance, restoration of existing bank erosion, and management of the stormwater management facility's outfall. Opportunities to improve existing conditions within the watercourse would be viewed favourably.
- **Updated Functional Servicing and Stormwater Management (SWM) Reports**, prepared by qualified professionals based on current policies, regulations and standards, to the satisfaction of the Region of Halton, the City of Burlington and CH. Existing modelling and/or reports must be updated to reflect the updated development form. It must be demonstrated that the proposed development's SWM strategy complies with current quality, erosion, and quantity control requirements for Grindstone Creek. It must also be demonstrated that the SWM pond will not impact slope stability or exacerbate existing erosion concerns, and that it meets current CH regulatory setbacks. Modifications to the existing SWM pond, and block size may be required based on the above.
- **Environmental Impact Assessment (EIA) including edge management strategy**, to be prepared by qualified professionals based on current policies, regulations and standards, to the satisfaction of the Region of Halton, the City of Burlington and CH. A Terms of Reference should be reviewed and endorsed by all agencies prior to study commencement. The EIA will need to incorporate the results of all other updated/new reports. Feature-based water balance may be necessary to demonstrate the development will not impact wetland feature(s) if any are identified through the EIA process.
- **Tree Inventory and Preservation Plan**
- **Landscape and Restoration Plans**
- **Engineering Drawing Set (Grading & Servicing Plans)**
- **Topographic Survey delineating regulatory floodplain, CH staked top of bank, stable top of bank, meander belt (if applicable), and 15m regulatory allowance from the greater of the hazards.**
- **Updated Draft Conditions and Draft Plan** based on evaluation of current conditions and constraints, and implementation of current policies, regulations and requirements as listed above. Plans must demonstrate that the limits of the Open Space block to be dedicated to the City encompass the current extent of CH's regulated area (regulatory floodplain, meander belt, stable top of slope -including physical top of slope, and 15m allowances) and any buffers required from natural heritage features. CH will recommend that the Natural Heritage System, including the regulated areas, be zoned for protection and dedicated to a public agency (e.g. the City).