

ONTARIO MUNICIPAL BOARD

PROCEEDING COMMENCED UNDER Subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant: Golf North Properties Inc.
Subject: Application to amend Zoning By-law No. 110-01 - Neglect of the County of Brant to make a decision
Existing Zoning: Holding provision Residential Type One A with a special exception (h-R1A-3), Open Space with a special exception (OS-3), Environmental Protection (EP), and Environmental Protection with a special exception (EP-1)
Proposed Zoning: Residential First Density with a special exception (R1-___), Residential Multiple First Density (R4), Residential Multiple Second Density (R5), and Open Space (OS)
Property Description: Concession 1 & 2, Part Lots 27, 28 & 29
Municipality: County of Brant
Municipality File No.: ZBA47-13-MD
O.M.B. Case No.: PL160012
O.M.B. File No.: PL160012
O.M.B. Case Name: *Golf North Properties Inc. v. Brant (County)*

PROCEEDING COMMENCED UNDER Subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant: Golf North Properties Inc.
Subject: Proposed Plan of Subdivision - Failure of the County of Brant to make a decision
Property Description: Concession 1 & 2, Part Lots 27, 28 & 29
Municipality: County of Brant
Municipality File No.: PS4/13/MD
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REVISED ISSUES LIST ON BEHALF OF THE COUNTY OF BRANT

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ISSUES LIST**Planning**

1. Do the applications for a Zoning By-law Amendment and Draft Plan of Subdivision have regard to matters of provincial interest?
2. Are the proposed Zoning By-law Amendment and Draft Plan of Subdivision applications consistent with the Provincial Policy Statement (PPS), 2014 and do they conform to the County of Brant Official Plan?
3. Does the proposed development conform with Policies 2.3.4.2 (Aggregate Impact Assessment) and 3.13.3 (Geotechnical Study) of the Official Plan?
4. Is it premature for the Applicant to require roadway improvements to accommodate partial development of the lands before ultimate improvements are made to the Grand River Street North corridor?
5. Should the Applicant commence the Stage 2 Archeological Assessment as soon as possible, particularly on areas with key municipal servicing (ie. SWM Pond Blocks and the Sanitary Sewer Lift Station Block)?
6. Should the Planning Justification Report prepared by GSP include a figure for Block 23 which includes concept plans for access to the areas from the main development?
7. Does the proposed development represent good land use planning?
8. Are there other conditions which should be imposed by the Ontario Municipal Board if development is approved for the subject lands?

Draft Plan of Subdivision

9. Does the proposed Draft Plan of Subdivision meet the requirements of 51(24) of the Planning Act?
10. Will the proposed development implement the serviceability plan to accommodate future growth of build out of the development lands in accordance with the Class EA Study for Grand River Street North?
11. Is a road widening required to Paris Links Road, over the existing 20 metre ROW, to accommodate an increase in the Average Daily Traffic?
12. Does the ROW width of Paris Links Road allow sufficient room for any replacement/extension of the culvert on Gilbert Road?
13. Is the sanitary sewer pumping station (Block 27) appropriately located relative to the SWM Block, taking into account accessibility and separation from the residential area?

14. Should Part Block 23 be connected to the subdivision and existing developed areas to make efficient use of it?
15. Is the 20 metre minimum for the centerline radii appropriate and is it met?
16. Should Block 20 (Stage 1) and Block 11 (Stage 2) provide access to Streets A and M, respectively, in order to minimize direct access to Paris Links Road? Should a 0.3 m reserve be placed along the Paris Links Road Frontage?
17. Can the SWM Pond at Block 26 be completed without encroaching into the Regional Floodplain Limit?
18. Has the Applicant provided a 0.3 metre reserve along all flankages and daylight triangles for the following:
 - a. Stage 1: Blocks 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 20 [Paris Links Road], 21;
 - b. Stage 2: Blocks 1, 2, 4, 5, 6, 8, 10, 11; and
 - c. Stage 3: Blocks 2, 3, 4, 10, 11, 12, 13.
19. Has the Applicant provided adequate site distances for the driveways along Blocks 16,17,18,19 and 22 (Stage 1)?
20. Should there be a “knuckle” in the horizontal road curvature on the following:
 - a. Street A and Block 1;
 - b. Street I and Block 1; and
 - c. Street J and Block 1.
21. Can the routing of the drain from Street A to Gilbert Creek be adjusted to the south to intercept the drainage branch that leads to Gilbert Creek (not to run under the storm pond) so that an easement is no longer required?
22. As the Class EA for Grand River Street North has not been completed, should the road network be reverted to a previous version which depicted a road connection to the Dufferin lands to the north west of the site (railway corridor)?
23. Should the walkway that was shown along the westerly edge of Block 5 be reinstated as it allows for a more direct connection to the Open Space, Block 24?

Paris Grand Area Study

Residential Units

24. Are the Preliminary Trail Routes in Figure 4 of the Area Study prepared by GSP based on the up to date subdivision layout?

Water Servicing

25. Are the values in Table 1 and Table 2 of the Planning Justification Report prepared by GSP correct?

26. Has the Applicant demonstrated, to the satisfaction of the County, that there is sufficient capacity in the Airport Aquifer?

Financial

27. Are the conclusions in the Altus Fiscal Impact Analysis, with respect to financial benefits of the development, up to date considering the significant changes that have been made to the proposed development?

Traffic, Roads and Parking

28. Does the traffic analysis include a review of storage length requirements for the left turn lanes for Paris Pinks Road and Silver Street at the intersection of those left turn movements?
29. Should the roundabout for the intersection of Grand River Street North and Paris Links Road/Silver Street be changed to an aligned four leg signalized intersection?
30. Should the proposed width of Paris Links Road be reconsidered to accommodate on-street parking?

Grading and Stormwater Management

31. With respect to the overland flows of the northeast portion of the site over Paris Links Road, does the Applicant demonstrate that the 2-100 year flows do not enter Gilbert Creek as per the Gilbert Creek Sub-Watershed Study without having quantity control for 72 hours?
32. Has the Applicant demonstrated that the proposed overland flows for the northeast portion of the site over Paris Links Road do not pose a hydroplaning hazard for vehicles travelling along Paris Links Road?
33. Has the Applicant for the development confirmed the hydraulic capacity of the 100-year storm sewer?
34. Has the Applicant for the development confirmed the catchbasin capacity calculation depth that can be achieved with respect to the road grading and cross section?
35. Has the Applicant for the development:
- Provided a cross section at the sag point of Paris Links Road Station 0+505;
 - Provided overland flow elevation and flow path to Gilbert Creek;
 - Ensured that the overland flows are only engaged above the 100-year storm event; and
 - Ensured that the overland flows do not compromise the structural integrity of the retaining wall and has been accounted for within the retaining wall design.
36. Has the Applicant for the development clarified if a 50% reduction of opening area is used for the catchbasin at sag calculation to estimate inlet capacity?
37. Has the Applicant for the development provided confirmation that the depth of flow over the road does not exceed 150 mm over the crown in the 100-year storm?

38. Has the Applicant determined the existing drainage conditions accurately?
39. Has the Applicant confirmed the hydraulic grade lines at the following 90 degree bends and junctions:
 - a. Street M and Paris Links Road;
 - b. Street G and Paris Links Road;
 - c. Street F and Paris Links Road; and
 - d. Street F and Street E.
40. Has the Applicant ensured that when flowing full, there will be no backwater effects or pop manhole lids due to surcharging at the following locations:
 - e. Street M and Paris Links Road;
 - f. Street G and Paris Links Road;
 - g. Street F and Paris Links Road; and
 - h. Street F and Street E.
41. Do the SWMF 1 and SWMF 2 Access Roads provide adequate space to turn around and the ends and access to the outlets/infiltration gallery (SWMF 1) for maintenance purposes?
42. Has the Applicant for the development confirmed the major overland flow route for external pond SWM P6? If so, has the Applicant ensured that the overland flow route does not include private property?
43. Has the Applicant for the development clarified whether SWMF P6 will have 72 hour quantity controls and/or cooling trench provided?
44. Has the Applicant for the development provided Regional Flood Elevations on the drainage and grading plans?
45. Has the Applicant for the development confirmed that the grading does not extend outside of the site limits? Does SWM Pond F2 need to be extended north and east?
46. Has the Applicant for the development confirmed the impacts of the Regional Flood elevation on SWM F1 and connected sewer network? Does the size of the SWM Block need to be expanded to the west?
47. Has the Applicant for the development confirmed the impacts of the Grand River water level and the removal of the weir on the Paris Links Road Culvert Master Analysis? Are there backwater impacts from either the weir or river respectively?
48. Does the GRCA accept the modeling that was performed using a 24 hour Type II SCS Storm?
49. Has the storm modeling been completed as per the County of Brant Development and Engineering Standards (May 2014) – Section 8.1.01?
50. Has the Applicant for the development confirmed that the SWM F1 characteristics in Table 5.1 of the Preliminary Stormwater Management Report match the values provided in Figures 5.1 and 5.2?

51. Does the proposed development provide a relief culvert or outlet from the low area bounded by Streets G, I and M?
52. Has the Applicant determined the existing drainage conditions accurately?
53. Has the Applicant used data from 2017 for the proposed GAWSER model?
54. Should SWMF #2 be categorized as normal protection as opposed to enhanced protection since the discharge occurs near Brook Trout spawning areas?
55. Has the Applicant provided supporting calculations for roads and developed areas?
56. Is the proposed development located outside of the floodplain (ie. SWM Ponds 1,2 and Street G)?
57. Are the development setbacks at the tributary near SWM Ponds 1 and 2 the same in the MTE drawings and in the Preliminary Geotechnical Investigation Report prepared by LVM, dated June 22, 2012?
58. Has the Applicant ensured that the proposed development does not include grading beyond the LVM recommended slope setback for the:
 - a. SWM Ponds 1 and 2;
 - b. Grading at Paris Links Road; and
 - c. Sanitary pumping station?
59. Has the Applicant ensured that the modeling for stormwater management has an overall identical pre and post development study limits?
60. Has the Applicant confirmed the accuracy of the catchments along the railway and to POI 740 (drawings ST1.1 and ST2.1)?
61. Should the pre-development catchment 407-3 flow towards the Grand River rather than Gilbert Creek?
62. Has the catchment area for SWM Pond 1 (catchment 5405) been included in the post development model?
63. Has the Applicant provided, in table 5.3 of the Stormwater Management Report, the drawdown time for the increase in volume from the 100-year storm, rather than from the larger volume?
64. Has the Applicant made a splitter manhole for SWM Pond 1 apparent?
65. Has the Applicant calculated the dispersion length for the forebays using the inlet pipe capacity?

Sanitary

66. Has the Applicant demonstrated that the infrastructure is in place to support the proposed development from a sanitary servicing capacity?

67. Should the Servicing Brief indicate the sanitary sewer alignment that would convey the existing flows from the existing Sanitary Pumping Station to the new Sanitary Pumping Station as it does in Drawing SA 1.1 (Section 5.0)?
68. Has the Applicant correctly calculated and confirmed the flows to the Sanitary Pumping Station?
69. Has the Applicant for the development addressed the equalization tank and/or Sanitary Pumping Station oversizing concerns (ie. generation of odours)?
70. Is there sufficient water and sanitary sewer capacity for the development, taking into account the estimated flows in the Paris Master Servicing Plan?
71. Has the Applicant determined whether upgrades are required to the existing forcemain for 800 units?
72. Has the Applicant determined if the 800 units will further impact the downstream system?
73. Has the Applicant for the development provided updated data of the sanitary analysis based on the sanitary sewer flow monitoring program?
74. Has the Applicant run the Paris Grand System Hydraulic model to confirm the watermain sizing for the proposed development layout and increased density?
75. Has the Applicant demonstrated how the overland flow routes for major storm events from the north easterly portion of the proposed development will be conveyed across Gilbert Creek and onto Street F without overflowing to Gilbert Creek and what the depth of flows will be on Street G, Paris Links Road and Street F?
76. Has the Applicant provided details of roadway width, boulevard width and sidewalk requirements, parking expectations so the appropriate ROW width for Paris Links Road can be determined?
77. Does the Draft Plan of Subdivision support the identified linkages in Figure 4 of the Paris Grand?
78. Has the Applicant considered links to existing developed area to the parkland areas between existing Lots 214 and 215 on Riverview Terrace?
79. Why does the per unit runoff depth, ET and infiltration in the spreadsheet decrease post development?
80. Why does the water balance sheet have an area of 1.84 ha while drawing ST2.1 shows an area of 1.15 ha?
81. Has the Applicant included the post development catchment 245-5 and local depression in the total to Paris Links Road?
82. Has the Applicant correctly included the post development catchment 247-1 in the existing calculations for local runoff to wetland 3?

83. Has the Applicant included catchment 407-2 in the existing conditions calculation for local runoff to wetland 3?
84. Has the Applicant revised the MOECC Infiltration spreadsheet in Appendix D so that it does not double count the roof area for catchment 245-2?
85. Do the proposed revisions to the road profile of Paris Links Road along the frontage of the development meet TAC standards for vertical curves?
86. Has the Applicant defined the impact of the centerline profile revisions on the existing trunk watermain along Paris Links Road?
87. Does the operation of the 200 mm diameter existing forcemain operate to the satisfaction of the County?

Water Supply

88. Was the Azimuth report updated in 2017 to reflect a modified water demand?
89. Should the Applicant be relying on the findings of the Azimuth Study without the criteria of the Tier 3 Study on the Whiteman's creek watershed applied to it?
90. Does the Applicant's Water Supply Study adequately consider all components of water supply, including but not limited to storage and the distribution system's ability to move water from the source to the points of demand?
91. Is the County of Brant's average daily demand standard of 350 L/day per capita reflective of the current usage?
92. Should the Applicant consider applying alternative occupancy figures in accordance with the County of Brant's Official Plan to obtain more favorable water supply calculations?
93. Has the Applicant for the development applied updated design criteria to maximize design flows?
94. Has the Applicant for the development conducted a hydraulic analysis of the proposed distribution system in the Draft Plan of Subdivision to reflect the conditions that are currently proposed?
95. Has the Applicant provided/identified a suitable and sustainable source for the required water supply?
96. Has the Applicant for the development provided updated reports to those referenced in the Paris Grand Final Functional Servicing Report?
97. Does the Water Supply Study and Functioning Servicing Report submitted by the Applicant distinguish between the existing water supply and the Airport aquifer?

98. Has the proponent secured a potable water supply to service the proposed development to the satisfaction of the County of Brant?
99. Has the Applicant investigated the North Paris Upper Aquifer and the Glen Morris Bedrock Aquifer as possible sources for potable water supply?
100. Has the Applicant included the changes in infiltration within each wetland catchment separately, rather than just an overall site change?
101. Has the Applicant summarized and discussed the change in annual infiltration to each wetland using the results from the GAWSER model and the MOECC method (hydrologic cycle component values)?
102. Has the Applicant modelled lands outside of this application as existing conditions?
103. Has the Applicant included flows from upstream of the site in its assessment of change in flow in Gilbert Creek?
104. Has the proponent secured a potable water supply to service the proposed development to the satisfaction of the County of Brant?
105. Has the Applicant investigated the North Paris Upper Aquifer and the Glen Morris Bedrock Aquifer as possible sources for potable water supply?

Environmental

106. Has the Applicant for the development provided additional information with respect to the adequacy of pavement structure and current condition and width for the proposed pedestrian trial system?
107. Has the wetland boundary on the newly acquired Locke property been field reviewed by the GRCA and subsequently surveyed and included on site plan drawings?
108. Does the proposed development include a 30 metre buffer from the wetland boundary and a 30 metre buffer from the watercourse? Have these buffers been applied to the Locke property as well?
109. Has the Applicant provided groundwater balance for each wetland catchment? If so, have changes in the groundwater balance for each wetland been discussed as part of the EIS along with potential impacts and mitigation measures?
110. Has the Applicant clearly identified all areas of proposed buffer encroachment or proposed encroachments into natural heritage features on a map?
111. Has the Applicant provided a map highlighting the areas of proposed changes in the new draft plan in relation to natural heritage features?

112. Has the Applicant corrected the labelling errors between the EIS Addendum (Section 2.0 and 3.0) and labelling on Map 2?
113. Has the Applicant revised the trail alignment to avoid encroachments into the wetland feature and to provide a suitable buffer?
114. Has the Applicant completed monitoring of the bank erosion within the watercourses and SWMF outfall erosion? Has this erosion monitoring been included as part of the comprehensive monitoring plan and submitted to the GRCA for review?
115. Is the Applicant proposing tree removal with SWMF 1, Block 27 (Map 2), ELC community WODM5-3? If so, has the Applicant identified the extent of this tree removal on a figure and completed a tree inventory and preservation plan?
116. Are there other conditions which should be imposed by the Ontario Municipal Board if development is approved for the subject lands?

Noise/Air Quality

117. Does the Environmental Noise Assessment completed by Novus Environmental reference the receptor locations accurately in Figure 3 and Figure 4 of the Report?
118. Has the Applicant entered into an agreement with Dufferin Pit, to the satisfaction of the County of Brant, confirming that Dufferin Pit will undertake or allow the Applicant to undertake the required noise mitigation work to the berms within the existing Dufferin Pit?
119. Has the Applicant provided sufficient analysis with respect to the required noise mitigation measures along Paris Links Road as they relate to Outdoor Living Areas that occur on the end units on Blocks 2, 3, 4, 7, 8, 9, 10 and 11 etc?
120. Has the Applicant provided guidance on what offset to an Outdoor Living Area would be required if the arrangement of units on Block 20 or Block 11 exposed rear yard amenity areas to Paris Links Road?
121. Does the Air Quality Assessment Report prepared by Novus Environmental address complaints received (if any) during the operation of the existing pit? If complaints have been received, how have they been addressed?
122. Has the Applicant entered into an agreement with CRH Canada Group Inc. (Dufferin Aggregates) that provides for the necessary noise mitigation berms and the buy-sell agreement for homes on the north side of Paris Links Road in Stages 1 and 2 which are to include MOECC Noise Warning Clause "Type E"?