HALDIMAND COUNTY

Report PDD-25-2019 Information Report 2 – Applications for McClung South Subdivision

For Consideration by Council in Committee on August 27, 2019

OBJECTIVE:

To respond to public comments raised as part of the initial public meeting for the McClung South subdivision in Caledonia; introduce a revised subdivision layout resulting from public comments; and to introduce a revised stormwater management strategy resulting from the change to the subdivision layout and public and agency comments.

RECOMMENDATIONS:

1. THAT Report PDD-25-2019 Information Report 2 – Applications for McClung South Subdivision be received;
2. AND THAT, in accordance with delegated authority, the General Manager of Community & Development Services advise Council when draft approval for the two plans of subdivision have been issued.

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Approved: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

The subject report is a follow-up to staff report PED-PD-36-2018 (September 18, 2018), during which the statutory public meeting was held and Council was advised of the details relating to applications for the proposed McClung South plan of subdivision in Caledonia. The previous report was presented to provide an opportunity for public involvement and engagement in the planning process and to assist Council in understanding the potential impacts of the proposal. As part of that process, a number of comments were received from members of the public which relate to traffic infiltration into the existing neighbourhood to the south, stormwater management infrastructure, and the public involvement and engagement process.

The subject report responds to the concerns raised at the previous public meeting and through further engagement with the public. The subject report also introduces the new subdivision layout which was amended as a result of public comments. The changes include isolation of McClung South from the neighbourhood to the south and a change to the stormwater quality controls/infrastructure, which in part, serves to protect private water supplies in the area. These changes are addressed in detail in the subject report and have been deemed appropriate by the Ministry of Environment, Conservation and Parks (MECP), Grand River Conservation Authority (GRCA), and staff. These changes also, in the view of staff, respond positively to the concerns raised previously by the public. Provided Council is satisfied with the proposed changes, Planning staff will prepare the draft plan conditions for review and approval

by the General Manager of Community & Development Services. The proponent will then move into the detailed design stage of the subdivision process.

BACKGROUND:

Property Descriptions:

The subdivision is located in Caledonia (Attachment 1). The subject lands consist of the following three properties:

1. Part 1 has no municipal address and is approximately 2.54 hectares (6.27 acres) in size. Part 1 surrounds Part 2B, fronts onto the north side of Park Street, and abuts McClung Road to the east. Part 1 is owned by Park and McClung Limited (also referred to as Park and McClung/Corrado).
2. Part 2A is municipally known as 31 Seneca Street and is approximately 6.15 hectares (15.19 acres) in size, and fronts onto Seneca Street. Part 2A is owned by McClung Properties Limited (also referred to as Empire).
3. Part 2B is municipally known as 654 Park Street, is approximately 0.09 hectares (0.22 acres) in size, and fronts onto the north side of Park Street. Part 2B is surrounded by Part 1. Part 2B is owned by McClung Properties Limited.

While applications were submitted for each property, the overall development will function as one subdivision. As such, the proposals were submitted and reviewed together to ensure integrated design and functionality. The overall proposal is referred to as “McClung South” (Attachment 2 – newest/current subdivision layout). The overall land size is approximately 8.78 hectares (21.68 acres).

Subject Proposal:

The proponents are Michael Corrado and Empire Communities, herein referred to as the “proponent”. Armstrong Planning is the agent and WSP provided the engineering and technical analysis.

Staff Report PED-PD-36-2018 was presented to Council in Committee (CIC) on September 18, 2018 to hold a public meeting to receive feedback from the public and to inform Council of the details relating to the planning applications for the proposed subdivision in Caledonia. To serve as a recap, the details of the project are summarized as follows:

1. The plan of subdivision will serve to “fill the gap” between an existing neighbourhood on the northeast side of the Grand River and Avalon (Attachment 3). The subject lands have been designated by the County and approved by the Province for urban residential development for many years. Infill development and contiguous development is encouraged. The proposal will meet the prescribed Provincial development density targets, and other matters of Provincial interest.
2. A lotless block approach is proposed which allows greater flexibility to respond to consumer demand. The blocks will subsequently be divided after review by the County and prior to registration. The subdivision will consist of single detached dwellings (at the periphery), semi-detached dwellings and townhouse units (internal to the subdivision). No commercial or institutional development is proposed. A maximum build-out of 188 units was proposed under the original plan of subdivision and a maximum build-out of 163 units is proposed under the current plan, a reduction of 25 units or 13%. Under the current plan, a maximum of eighty (80) single detached and semi-detached dwellings and eighty-three (83) townhouse units are proposed (equating to a maximum population of 481 people). The maximum build-out is based on all lots meeting the minimum lot size and frontage. The actual build-out will be less and will, in part, depend on consumer demand for a range of lot sizes.
3. A parkette is proposed in the northwest portion of Part 2A and will be conveyed to the County.

4. Seneca Creek Valley System on the west side of the lot will remain undeveloped and the woodlands will be retained in their entirety. A 10 metre buffer area is proposed. This area will be conveyed to the County and preserved in the long-term as a naturalized open space area.
5. A road network, stormwater management facilities, and municipal water and wastewater infrastructure are proposed. These infrastructure items will be conveyed to the County.
6. The proposal will be subject to draft plan conditions that will address phasing of development to coincide with road network and infrastructure improvements, obligations (of the developer) for municipal service extensions/upgrades and road improvements, and requirements for high quality community development via a set of strict urban design guidelines.

As part of the public process that took place on September 18, 2018, Council and staff received concerns from the public that focused on traffic infiltration into the existing neighbourhood to the south, stormwater management infrastructure, and the public involvement and engagement process. To that end, Council received a previous report (PED-PD-36-2018) as information and requested that the proponent work with staff and the public to address the concerns raised as part of the public consultation and engagement process.

The revised subdivision layout assessed and included as part of this report (Attachment 2) is the third and final layout. The original layout (Attachment 4) was presented at the private open house held by the proponent's team on July 3, 2018 and the September 18, 2018 CIC meeting. The second layout (Attachment 5) was presented at the following private open houses held by the proponent's team on February 19 and March 11, 2019. The final revised layout (Attachment 2) will be presented at the August 27, 2019 Council in Committee meeting. It represents the layout that responds to all of the comments/requirements of the public, external agencies (GRCA, MECP) and County staff.

The subject report intends to serve as a response to Council by:

1. Responding to the main concerns raised at the previous public meeting;
2. Outlining the additional staff and public engagement processes that occurred between the September 18, 2018 and August 27, 2019 Council in Committee meetings; and
3. Introducing a new draft plan design, which has been amended to address public and agency concerns.

ANALYSIS:

The previous staff report PED-PD-36-2018 provided the full analysis of Provincial and County policy and thus is not required for this report. Planning staff note that the unit count for the new plan has been reduced by 25 units due to the redesign; the density targets prescribed by the Province are still met. The previous report addressed matters of public interest (i.e. building strong communities, preservation of natural heritage systems and archaeological resources, etc.) and thus, same is not required as part of the subject report. The previous report also provided a full analysis of the proposed zoning and customized zone provisions for the development. Those zoning provisions do not change as part of the plan revision and thus further analysis of them is not required. Lastly, the previous report provided a detailed assessment of the key technical matters including stormwater management, roads and grading, water servicing, and sanitary servicing, among other items. Of those, the subject analysis will focus only on stormwater and transportion as they have substantively changed since the previous presentation and plan iterations.

As a whole, the subject report will provide summaries of:

1. Response to key comments/concerns (traffic, stormwater, and public consultation/engagement process); and
2. Additional staff and public engagement processes.

The new draft plan will be introduced through items 1 and 2 where appropriate.

1. Response to Key Comments/Concerns

A number of concerns were raised via correspondence (letters, emails) received by staff, at the public meeting (oral submissions), and at the subsequent proponent-lead open house meetings. The concerns raised can be summarized into three key themes: traffic infiltration into the existing neighbourhood to the south, stormwater management infrastructure, and the public consultation and engagement process. These themes are discussed below.

1.1. Traffic Infiltration

As a result of public comments and concerns received regarding potential traffic infiltration, the proponent has changed their subdivision layout to address the concerns. To fully inform Council and the public regarding the changes and to address the comments and concerns, this section will address three items: the first subdivision layout (Attachment 4), comments/concerns regarding the former subdivision layout, and the new subdivision layout (Attachment 2).

1.1.1. Former Subdivision Layout

The original McClung South design required the construction of Park Street between Seneca Street and Cayuga Street and the upgrade of Park Street between Cayuga Street and McClung Road (Attachment 4). Two intersections were proposed – an intersection at Seneca Street, Park Street, and Street A (located at the north terminus of Seneca Street) and intersection at Park Street and Street B (located between Seneca and Cayuga Street). Seneca and Cayuga Street would remain open as they were with no physical barriers between McClung South and the subdivision to the south. McClung South was designed based on a grid pattern and would have direct access to Caithness Street East via Seneca and Cayuga Street. This design essentially allowed for free flow of traffic from Caithness at the south end, through the existing residential neighbourhood and into McCluang South and Avalon (and vice versa).

1.1.2. Comments/Concerns Regarding the Former Subdivision Layout

The residents residing in the subdivision to the south of McClung South raised concerns about traffic infiltrating into their neighbourhood. Their specific concerns were the following:

1. Residents will use the path of least resistance. Infiltration will occur regardless of proposed traffic calming measures.
2. Residents use Cayuga, Seneca, and King William Street to avoid the stop sign at the intersection of McClung Road and Caithness Street East. The traffic volume using this cut-through has increased as a result of the build-out of Avalon. Use will increase as a result of McClung South. The proposal is unsafe.
3. Cayuga, Seneca, and King William Street were not built/are too narrow for two-way traffic. Use of these roads will increase potential for injury and accident. The proposal is unsafe.
4. There are no sidewalks provided. Children in this area have to walk to school. Increasing traffic will increase potential for injury and accident. The proposal is unsafe.
5. It will become difficult to back out of driveways if new residents (to the north) use these roads. The proposal is unsafe.
6. The residents are not receiving any benefit (i.e. water and wastewater services) such that it is unfair to burden them with extra traffic volumes.

A few residents suggested that they would be interested in meeting with the proponent's team to review potential options. Many residents suggested that McClung South be isolated from the neighbourhood to the south.

1.1.3. New subdivision Layout

The proponent has addressed traffic concerns by isolating McClung South from the residential neighbourhood to the south (Attachment 2). The proponent is proposing to:

1. Replace the intersection at Seneca Street, Park Street and Street A (located at the north terminus of Seneca Street) and intersection at Park Street and Street B (located between Seneca and Cayuga Street) with an intersection to the east of Cayuga Street at Park Street and Street D. Motorists will not be able to access Seneca and Cayuga Street from McClung South. Instead, motorists will be required to enter and exit McClung South via McClung Road to Park Street and Larry Crescent (in Avalon).
2. Loop Street B in McClung South rather than opening it to the aforementioned intersections. The loop will provide opportunities for single detached and semi-detached dwellings along Street B where dwellings would have been constructed on Park Street. The loop will ensure motorists and maintenance, operations, and emergency services vehicles can easily manoeuver within the subdivision.
3. Not construct Park Street between Seneca and Cayuga Street as a road. To isolate McClung South from the residential neighbourhood to the south, this portion of Park Street cannot be constructed as a road. The road allowance will remain in County ownership and as greenspace.
4. Terminate ("dead end") Seneca and Cayuga Street with hammerheads. The Haldimand County (engineering) Design Criteria require culs-de-sac to be constructed when streets are terminated to ensure there is adequate space for snow plows, garbage trucks, and emergency services vehicles to turn around without reversing. In this case, the Park, Seneca, and Cayuga Street right-of-way is not wide enough to accommodate culs-de-sac. Also, given the width of Seneca and Cayuga Street, installing large culs-de-sac at the end of these roads is not the preferable option.

Any variance from the Design Criteria requires approval by the Manager of Engineering Services and Director of Planning & Development. The County's Engineering and Capital Works, Public Works (including Roads Operations), and Emergency Services have agreed to the hammerhead solution following site inspection and review of the turning template designs provided by WSP on behalf of the proponent. WSP has demonstrated that snow plows and garbage trucks will be able to use the hammerheads to turn around. This will ensure that operators of snow plows and garbage trucks that attend to Seneca and Cayuga Street will be able to turn around as required. The proponent has included a snow storage area at the end of hammerheads to ensure the hammerheads do not become blocked with snow in the winter months.

Given the length of a firetruck, firefighters cannot turn a firetruck around using the hammerheads. As such, the Emergency Services Division has requested that emergency paths be provided so that they can drive through either subdivision to the next in case of an emergency. The emergency paths will be for emergency vehicles ***only*** and will be physically blocked by a barrier (i.e. bollards or gate) which only emergency services can remove. The emergency paths will also provide pedestrian connection between the subdivisions.

Through subsequent consultation and engagement processes following the September 18, 2018 Council in Committee meeting, residents voiced concerns that the emergency paths will provide future incentive and opportunity to open Seneca Street to Street A and Park Street to Cayuga Street. The proponent has stated that if the draft plans are approved as proposed, they would have no incentive to (re)construct these emergency paths as roads at their cost. Both subdivisions will function without the need to open the emergency paths to everyday traffic. Also, any future request to remove the emergency access and construct this portion of the road would require Council's approval.

To support the change in subdivision layout, the proponent submitted an amended Traffic Impact Statement (TIS) prepared by WSP to review the subdivision layout changes. The TIS finds that traffic

infiltration has been mitigated as a result of the changes. The TIS finds that both study intersections (McClung Road and Park Street intersection and McClung Road and Caithness Street East intersection) will still operate at good levels of service with all movements operating within capacity. The TIS finds that the site-generated traffic from McClung South has limited impact on the road network and the McClung South traffic can be accommodated.

The TIS also speaks to the two hammerheads at the northerly terminus of Cayuga Street and Seneca Street. As mentioned above, truck templates were developed to represent the County's standard snow plow and garbage truck (truck details were provided by County staff). WSP's evaluations confirm that these vehicles can adequately turnaround at the two hammerheads through 3-point turns. As discussed above, staff have accepted these turning templates and WSP's conclusions. The TIS has confirmed that the subdivision can be accommodated as designed.

Overall, staff feel the subdivision layout has been amended to address the public's concern regarding traffic infiltration while, at the same time, maintaining functionality for maintenance and service staff. The houses will still face roads (i.e. there will be no 'back lotting'), such that 'good' urban design principles will be maintained. McClung South residents will not be able to utilize Seneca and Cayuga Street to travel directly to Caithness Street East. Cut-through at Park Street to avoid the McClung Road and Caithness Street East intersection will no longer be possible. Residents did raise further concern regarding the existing cut-through at King William Street to avoid the same intersection. Stop-up of this intersection at this point in time would require further analysis should Council wish to pursue it now however, it is not influenced by or assessed as part of the McClung South proposal.

1.2. Stormwater Management Infrastructure

As a result of the change in the subdivision layout and concerns raised by the public, the proponent has changed their stormwater management strategy. To fully inform Council and the public regarding the changes and to address the comments and concerns, this section will address the following items: what is and how does stormwater management work, the former stormwater management strategies, and the current stormwater management strategy. Response to stormwater comments/concerns are addressed in these sections as necessary.

1.2.1. What is and How Does Stormwater Management Work?

Urban stormwater is rainfall and snowmelt that seeps into the ground or runs off the land into stormsewers, rivers, lakes, etc. It may also include runoff from activities such as watering lawns, washing cars, and draining pools.

The ultimate goal of stormwater management is to maintain the health of rivers (i.e. the Grand River), lakes (i.e. Lake Erie) and aquatic life, as well as provide opportunities for human uses of water by mitigating the effects of urban development. To achieve this goal, stormwater management strives to maintain the natural hydrologic cycle, prevent an increased risk of flooding, prevent undesirable stream erosion, and protect water quality. Stormwater management plans are prepared by professional engineers to address these issues as part of the subdivision application package. Stormwater management plans are reviewed by Haldimand County technical staff to ensure they conform to the Ministry of Environment, Conservation and Parks (MECP) guidelines, Haldimand County (engineering) Design Criteria, and industry standards. In this case, the stormwater management plans were also reviewed by the Grand River Conservation Authority (GRCA) as the subject lands are partially regulated by the GRCA and the receiving waterbody is the Grand River. The MECP was also available to provide assistance in interpreting the MECP technical guidelines.

Stormwater management systems consist of conveyance systems, quantity and infiltration controls, and quality controls. Conveyance systems include roadways, stormsewers, swales, etc. Stormsewers are designed to convey five year storms. A five year storm refers to a storm that statistically occurs once every 5 years and is based on the historical rainfall record for the area. Major events (i.e. 5 to 100

year storm events) are conveyed via the minor system (stormsewers) and overland routes such as roadways and swales.

Quantity controls includes detention and slow release of stormwater into the system so that stormwater does not surge the system (i.e. stormwater management ponds, underground storage, etc.). Infiltration is permeation of stormwater into the ground (i.e. soakaway pits, infiltration trenches, bioswales, etc.). To maintain the hydrologic cycle, post-development infiltration typically must maintain pre-development infiltration. Quality controls include treatment/cleaning of stormwater (i.e. stormwater management ponds, bioswales, oil and grit separators, etc.).

1.2.2. Former Stormwater Management Strategy

To recap from Report PED-PD-36-2018, WSP provided a stormwater management report to the County on behalf of the proponent to review the existing site conditions and propose a stormwater management strategy for McClung South. Under current (undeveloped) conditions, approximately 4.46 hectares (11 acres) of the site drains to the west across a treed area to Seneca Creek, approximately 250 metres upstream from the Grand River. Approximately 1.12 hectares (2.77 acres) drains to the south of the site towards the residential area. Approximately 3.36 hectares (8.3 acres) drains to the south east of the site to the McClung Road roadside ditch.

Approximately 6 hectares (14.83 acres) will be developed. The Seneca Creek Valley System and a 10 metre buffer area will be preserved in the long-term. The GRCA determined that no quantity control (i.e. holding and slow release of stormwater) is required for the site due to the sites' proximity to the Grand River (i.e. the major stormwater receiver).

1.2.2.1. Former Stormwater Management Strategy – September 18, 2018 Design

The original McClung South design proposed that the majority of stormwater would have been collected via a storm sewer system. The stormwater collected via the stormsewer system would have passed through a Jellyfish Filter in the McClung Road right of way prior to outletting into a proposed stormsewer in McClung Road and ultimately to the Grand River. The stormsewer system would have collected stormwater from 5.16 hectares (12.75 acres) of the 6 hectare (14.83 acre) developable area. Not all stormwater in this catchment area would have been collected and treated this way; a small portion of the stormwater from 0.45 hectares (1.1 acres) of the site would have been conveyed via overland flows and treated via a bioswale. Stormwater from the remaining 0.39 hectares (0.97 acres) of developable area from the rear lots and roofs of lots located on the west side of Seneca Street would have drained towards Seneca Creek.

The GRCA and staff were accepting of this stormwater management strategy and treatment approach subject to detailed design review. The public and Council raised concerns pertaining to implementation of the jellyfish filter as a "pilot project". As a result of the change in the subdivision layout and received public comments, a change to the stormwater strategy was proposed such that this concern has been addressed. WSP provided an amended stormwater management strategy on behalf of the proponent.

1.2.2.2. Former Stormwater Management Strategy – February 19 and March 11, 2019 Design

Under the second design (proposed following the September 18, 2018 Council-in-Committee meeting and presented at two proponenent-lead open house meetings), two stormsewers were proposed to collect flows from the developed area (streets and residential lots). The stormwater runoff collected by the west stormsewer would have outlet into a bioswale. Park Street was no longer proposed to be constructed as a road between Seneca and Cayuga Street such that the proposed bioswale could not have been located within the middle of the road. A new bioswale was proposed which would have stretched from Seneca to Cayuga Street (Attachment 4). Stormwater from the west stormsewer would have been directed to the bioswale. The new bioswale would have treated 4.58 hectares (11.3 acres) of area, which is much larger than the original catchment area. Any overflow would have been directed to the east sewer outlet. The stormwater runoff collected by the east stormsewer would have passed

through catchbasin shields and a Stormseptor (Oil and Grit Separator) before outletting into the stormsewer in McClung Road and ultimately into the Grand River.

The public raised further concerns regarding groundwater pollution from the bioswale as their lots are serviced by wells and cisterns. Staff reached out to the MECP for their opinion regarding potential cistern and well contamination. The MECP is of the opinion that properly constructed cisterns and wells should not be at risk from groundwater contamination. Bioswales and stormwater management facilities are meant to collect and convey water away from an area into a suitable surface body (i.e. the Grand River). The naturally occurring clay in the area also acts to prevent the downward movement of water into the aquifer. However, staff could not guarantee the construction of the existing wells and cisterns and thus there could be potential for contamination.

Further to the above, the GRCA determined that a bio-retention swale was not suitable as an end of pipe control for the size of the enlarged catchment area. The GRCA suggested that the catchment area was large enough to support a stormwater management pond. The MECP has confirmed that the proposed catchment area (4.58 hectares) is too large for a bioswale (which recommends a maximum 2 hectare catchment area). As such, WSP again revised the stormwater management strategy on behalf of the proponent.

1.2.3. Current (Final) Stormwater Management Strategy – August 27, 2019 Design

Under the current design (presented for implementation as part of this report), a storm sewer system will collect flows from all developed areas (streets and residential lots). The runoff collected by the storm sewer will outlet to a stormwater management pond (located between Street B and D at the north terminus of Cayuga Street – Attachment 2), then to a storm sewer in McClung Road, which will direct flows south-east to the McClung Road and Caithness Street East intersection where flows will be conveyed overland to the Grand River.

The stormwater management pond has been sized preliminarily following the MECP Stormwater Management Planning and Design Manual (2003) and modelled via software to ensure it behaves as intended.

Also, to ensure the cistern/well contamination concern was adequately addressed even with the change in infrastructure from a bioswale to a stormwater management pond, staff reached out to the MECP for their opinion regarding potential groundwater contamination. The MECP's comments are provided in full in the Stakeholder Impacts section of the subject report. Overall, the MECP concluded that given the characteristics of the area and the intended purpose and design of the stormwater management pond, there is no evidence to suggest that area groundwater supplies should be negatively impacted.

Further, the stormwater management report states that the stormwater management pond will achieve quality control for this site, however, it will require proper maintenance to remain effective. According to WSP, the stormwater management pond should undergo visual inspection 1 to 4 times per year, with at least one inspection after large precipitation events (i.e. greater than or equal to 25 mm) in general. Sediment depth of the stormwater management pond should be measured every 3 to 5 years. Once the level of sediment within the pond reaches the pre-determined removal depth, the sediment will need to be removed. As part of the draft plan conditions, the proponent (through WSP) will be required to provide the County with a detailed performance and maintenance manual which includes recommended schedules for tasks. WSP's estimate is that it will cost $200,000 to $400,000 to dredge the pond and $150,000 to restore the landscape around the pond (depending on dredging method used/access location) every ten years. It will also cost $1,000 for periodic maintenance and $2,500 for routine landscape maintenance every few months.

The GRCA and staff are accepting of this stormwater management strategy subject to detailed design.

Overall, it is staff's opinion that the stormwater infrastructure proposed is appropriate and meets technical requirements. It also addresses the public's concern regarding the installation of alternative

stormwater infrastructure technologies (preference for no “pilot projects”). Final approval will be subject to detailed design.

1.3. Public Consultation and Engagement Concerns

As part of the September 18th public meeting at Council in Committee, the residents raised a number of concerns regarding the public engagement process, including:

1. The timeline is unfair. The developer has had a long time to prepare the proposal with experts. The public was not provided sufficient time to prepare proper objections.

   Planning Comment: The County went beyond the minimum requirements of the *Planning Act* to hold and its process of holding a public meeting without requiring a decision is designed to solicit input from the public. In this case, the public input received resulted in significant changes to the subdivision layout to address the concerns raised.

2. Public notices were only circulated to property owners within 120 metres of the subject lands. Parties outside of the 120 metres who may be interested and affected by the proposal would not have been notified. A wider distribution is required.

   Planning Comment: The *Planning Act* requires the County to notify residents within 120 metres of the subject lands about the proposal via mail. Planning staff do not vary from this requirement on a site/project specific basis for consistency and fairness reasons. Residents that spoke at the September 18, 2018 public meeting were invited to the subsequent neighbourhood meetings hosted by Armstrong Planning. All residents that spoke at the September 18, 2018 meeting (including those that reside outside of the 120 metre radius) were invited to attend the August 27, 2019 public meeting. Public notice signs are also posted onsite in advance of the September 18, 2018 and August 27, 2019 meetings and contained Planning staff contact information. Public notice signs are a tool used to notify residents that often pass by the site and could have an interest in the development.

3. The public notice sign was not updated to notify residents of the date of the meeting.

   Planning Comment: The Haldimand County Official Plan requires that public notice signs be posted at least 14 days prior to a public meeting. Three yellow development signs were posted soon after the complete application was submitted. They included a description of the plan of subdivision and County contact information. The meeting date was listed as “to be determined”. They were posted well in advance of the meeting to provide the public with the opportunity to contact Planning staff early in the process. Planning staff acknowledge that the signs should have been updated to include the date, time, and location of the public meeting. However, a decision for approval/refusal was not made.

   Public notice signs were posted with all required information for the August 27, 2019 Council in Committee meeting. This includes the date, time, and location of the public meeting; a description of the proposed plan of subdivision; where and when additional information and materials regarding the proposed plan of subdivision will be available to the public for inspection; the required statements. The public notice signs were posted on July 19, 2019, in accordance with the *Planning Act*.

4. The previous report was to be received as information. The residents were concerned that this process would not allow for further public review of any future approvals.

   Planning Comment: Further public consultation and engagement has taken place. This will be discussed in Section 2. A second public meeting is being held on August 27, 2019 and all people who made submissions will be directly notified of this second meeting.

5. The residents requested an extension to review the information.

   Planning Comment: Additional time was provided to consult and engage with the public between September 18, 2018 and August 27, 2019. The residents also had this time to review additional information.

6. The applications should not be approved prior to an election.

   Planning Comment: The *Planning Act* requires Planning staff to bring the applications that are complete and have addressed all technical requirements forward for Council's consideration within 180 days of application submission. Planning staff brought these applications forward within that prescribed timeframe. In other words, staff followed their legislated obligations. However, Council deferred the applications to allow the proponent to propose a different subdivision layout. The August 27, 2019 public meeting is being held after the election, which addresses this concern.

2. Additional Staff and Public Consultation and Engagement Processes Undertaken

At the September 18, 2018 Council in Committee meeting, Council requested that staff work with the proponent and public to address the public's concerns. Following the September 18, 2018 Council in Committee meeting, staff and the proponent's team met on October 10, 2018 to review preliminary options for terminating Seneca and Cayuga Streets and December 7, 2018 at the site to review termination of these roads "on the ground". The proponent's team held two private neighbourhood meetings on February 19 and March 11, 2019 to discuss proposed changes to the subdivision layout relating to the road layout/network and stormwater infrastructure. Planning staff attended both private neighbourhood meetings to monitor and understand community concerns. Further consultation with staff, the MECP, and GRCA relating to technical aspects of the project occurred throughout the review and consultation process and has lead to the final subdivision layout (Attachment 2). A public meeting is scheduled for August 27, 2019 to present the final subdivision layout. A table outlining the full staff and public engagement process is included as Attachment 7.

Overall, the public consultation and engagement process has been fulsome and has lead to changes and compromises in the subdivision layout that address the key issues raised by neighbouring residents.

3. Conclusion

The changes to the subdivision were outlined in the sections above. The proponent has revised the subdivision layout (Attachment 2) to address the public concerns regarding traffic infiltration into the existing, residential neighbourhood to the south. The proponent has also amended the stormwater management strategy to "fit" with the new subdivision layout and to address both the public and GRCA's concerns. These changes were supported by the amended traffic impact study and stormwater management brief prepared by WSP. Both technical reports find that the amended subdivision can be accommodated.

WSP also provided an amended functional servicing report (FSR), which provides the conceptual framework for the McClung South water distribution, sanitary sewage, storm drainage, and grading and stormwater management. The original FSR was discussed in detail in report PED-PD-36-2018. The same design principles are applied to the amended subdivision layout. The amended FSR finds that the existing services surrounding the subject lands have adequate capacity to support the development.

Further, as discussed in report PED-PD-36-2018, it is Planning staff's opinion that the proposal is consistent and conforms to Provincial and County policy. More specifically, the subject lands have been identified for residential development for many years. The subject proposal will serve to "fill the gap" between Avalon and the residential neighbourhood to the south. Contiguous development is encouraged by Provincial and County policy. Based on all of the information presented, the

development complies with policy and is considered functional. Provided Council is satisfied with the changes, new draft plan conditions will be produced and provided to the General Manager of Community & Development Services for approval. Draft Plan conditions will include, but will not be limited to the following:

- detailed evaluation and completion of infrastructure requirements, including water, storm, and sanitary systems;
- final approval requirements from external agencies including the GRCA, Hydro One, and telecommunication provides;
- final acceptance and approval of technical studies;
- the requirement to enter into a Subdivision Agreement including providing financial securities; and
- confirmation of servicing allocation.

If approved, notice of approval will be provided to Council (including outlining how any public comments were addressed), all required parties under the *Planning Act* and those requesting a copy of the notice through the public meeting process. Pursuant to the delegation by-law, if the proponent objects to a proposed condition or the General Manager of Community & Development Services does not approve the subdivision, the matter would be referred to Council for a decision.

With regards to zoning, once the detailed technical matters are dealt with and functionality/appropriateness of design is determined, the final zoning requirements for the project can be established and the implementing zoning by-law will then be brought forward to Council for consideration and approval as part of the Council Agenda process. This is intended as an implementation step based upon the policy and technical review being completed in the previous stages and the required public meeting having been held previously.

The holding provision placed on the subject lands will remain in place until such time as servicing capacity is confirmed, all matters of a technical nature are addressed, and the developer completes and registers a subdivision agreement. The General Manager of Community & Development Services can then remove the holding provision to allow for development to proceed. This is an in-house process and does not require a return to Council for passage of a further by-law, which is a standard approach in Haldimand County.

Ultimately, this process recognizes that subdivision approval is largely a technical matter and it allows the subdivision to proceed through the approvals process in a more expeditious manner, while still allowing for public input prior to decision making and further eliminating the presentation of long and detailed technical reports that address conditions of draft approval. Registration of the subdivision can take place only when all draft plan conditions are fully met.

FINANCIAL/LEGAL IMPLICATIONS:

All financial requirements will be addressed through the required subdivision agreement for the proposed development. Additionally, development charges will be required at the time of building permit application.

STAKEHOLDER IMPACTS:

Planning staff circulated the original proposal to all required agencies and staff members. Planning staff circulated the newer proposals to the following staff and agencies to overview the changes:

Ministry of Environment, Conservation and Parks: Our groundwater staff have reviewed the information that was provided specifically to address the concerns that area residents have expressed

that the proposed stormwater infrastructure for McClung South subdivision may cause an impact to their private water supplies (wells and cisterns).

Please consider the following:

- The review was to determine whether there was a technical basis for concern for private water well supply, and to determine if the information provided by the developer's consultant sufficiently addressed the residents' concerns regarding their private water wells.
- The proposed stormwater management (SWM) pond will service a residential area, and generally, associated surface water runoff would be considered a low risk for contaminants of concern for groundwater. The proposed SWM pond has been designed in accordance with the MECP "Stormwater Management Planning and Design Manual" and will adhere to Haldimand County's criteria of 80% reduction in total suspended solids (TSS) to improve water quality. In the Ontario Drinking Water Standards (ODWS) an aesthetic objective for turbidity has been established at the point of consumption. TSS is the main cause of turbidity. Therefore, in addition to the engineering elements included in the design of the SWM pond to reduce turbidity, there would also be significant distance between the SWM pond and the private water wells in which the soils would provide more than adequate in-situ filtration prior to reaching the point of consumption. Microbiological pathogens would likely also be filtered out in the same manner due to the low permeability characteristics and thickness of the surficial soils and distance to private water wells. Accordingly, there is nothing to suggest that there would be any relevant health-based or aesthetic parameters that would be applicable to stormwater at the site and the potential for impact to the bedrock water supply aquifer is very low.
- Although the developer's consultant does not directly address the potential for groundwater impact to private water wells as a result of the SWM pond, the materials submitted are sufficient based on the level of risk to groundwater wells, which as been deemed to be very low. It should be noted that the design of the SWM pond is not intended for groundwater infiltration, but rather for a management of surface water runoff with the eventual discharge to storm sewer or surface water feature. For this project, the end discharge point for the accumulated water in the SWM pond is ultimately the Grand River. It is noted that in the May 2019 letter by WSP, the consultant stated that there was need for the geotechnical consultant to confirm if the SWM pond design will require a clay liner. The Qualified Person designing the SWM pond will evaluate whether the native clay soils are suitable for use as the base of the pond or whether the pond will require an engineered clay liner. The determination of the need of a clay liner for the SWM pond effectively addresses the issue of infiltration in to groundwater.

In summary, given the characteristics of the area and the intended purpose and design of the SWM pond, there is no evidence to suggest that area groundwater supplies should be negatively impacted.

Haldimand-Norfolk Health and Social Services Department: Stagnant bodies of water lacking an existing ecosystem (e.g. man-made ponds, stormwater retention ponds) can make for ideal mosquito breeding sites; known vectors of West Nile virus and other vector-borne diseases. The Haldimand-Norfolk Health Unit (HNHU) encourages management practices for these types of bodies of water that include integrated pest management and integrating ecological principles. Such strategies can include but are not limited to:

- Increase rate of water flow or surface agitation.
- Increase water depth that creates cooler water temperatures (<20C) which then promotes more natural predators for mosquitoes.
- Sediment filtration to improve water quality.

- Planting trees and shrubs around perimeter of pond as female mosquitoes like to lay their eggs in sunlit areas.
- Planting emergent plants (e.g. reeds, sedges) as well as floating leaved and submerged vascular plants (e.g. water lilies, pondweeds) to improve water quality and promote habitat for natural predators of mosquitoes.
- Introducing natural predators of mosquitoes including fish, amphibians, birds (e.g. install bird houses) and invertebrates such as dragonflies.

Please note, should the pond not be sufficiently maintained, the HNHU may legally order the owner of the stormwater management pond to take additional remedial actions (e.g. larvaciding) to prevent mosquito breeding and the transmission of vector-borne disease(s) such as the West Nile virus.

In addition to the application of integrated pest management and ecological principles to the development of the SWM listed above, the HNHU requires that the construction and operation of the SWM adheres to all applicable regulatory requirements regarding the protection of groundwater and drinking water sources.

> **Planning Comment:** The Ministry of Environment, Conservation and Parks (MECP)'s Design Manual from 2003 provides good engineering practices that should be followed when designing a stormwater management pond, which will address these comments.

Grand River Conservation Authority (GRCA): Based on the plans provided (Stormwater Management Report – May 15, 2019 and Functional Servicing Support Memo – May 16, 2019) the GRCA has no comments or requested details. Therefore, we have no objection to the plan receiving draft plan approval or zoning bylaw amendment.

Please find attached GRCA's requested conditions of draft approval.

1. Prior to any grading or construction on the site and prior to registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the Grand River Conservation Authority.

    a) A detailed Stormwater Management Report in accordance with the 2003 Ministry of Environment Report entitled, "Stormwater Management Practices Planning and Design Manual" and in keeping with the Stormwater Management Report (WSP May 15th, 2019).

    b) Detailed Lot Grading and Drainage Plans showing existing and proposed grades.

    c) An Erosion and Siltation Control Plan in accordance with the Grand River Conservation Authority's Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction.

Mississaugas of the Credit First Nation: No comments received.

Six Nations Council: No comments received.

Emergency Services: No objections.

Engineering & Capital Works – Water & Wastewater Capital Projects Technologist: No objections.

Engineering & Capital Works – Transportation Engineering Technologist: No concerns.

Engineering & Capital Works – Manager of Engineering & Planning – Development & Design Technologist: We have reviewed the proposed stormwater management design and we can support the proposal. However, further discussion with the GRCA should occur throughout the design phase as it may be possible to achieve the required outcome with a lower cost solution.

Public Works Operations – General Manager: The hammerheads appear to capture everything discussed onsite. We will need to receive details relating to the emergency areas.

REPORT IMPACTS:

Agreement: Yes

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Location Map.
2. Current Subdivision Layout (Aug 27, 2019).
3. Location Context Map.
4. First Subdivision Layout (Sept 18, 2018).
5. Second Subdivision Layout (Feb 19 and Mar 11, 2019).
6. Avalon Phases.
7. Additional staff and Public Engagement.