

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL ADDENDUM

Wednesday, April 9, 2014
7:00 PM

9. PUBLIC MEETING(S) UNDER THE PLANNING ACT OR OTHER LEGISLATION
 - c. OTHER PUBLIC MEETINGS
 - Pages 1-15**
 - (ii) Supplemental Information Pertaining to Site Alteration Permit Application as provided by Applicant

Blanchard – Site Alteration Permit – Town of Georgina Response to Questions/Comments at Public Meeting of October 15, 2013

Questions/Comments at Public Meeting October 15, 2013	Response From Applicant and Consulting Team
(1) Amount & Composition of Fill	
a. Why 700,000 cubic metres, why not 100,000 cubic metres?	<p>a. The initial volume was a calculation of the cubic metres to be filled to the original proposed height which maximized potential for receiving fill. The design of the Fill Site has been revised to address the concerns expressed.</p> <p>The revised plans result in a reduction in volume to approximately 298,000 cubic metres. This amount supports an economically viable fill site and the prescribed organic topsoil and grass/hay vegetation will improve the land for agriculture and visually improve the landscape.</p>
b. Why not just add one foot of topsoil to the property?	<p>b. The Applicant has applied in accordance with Town By-law 2011-044 (REG-1) to place clean fill on the site from construction and excavation sources graded to a and then grading and restoring the new surface with organic topsoil and vegetation for future agricultural uses.</p>
c. Where are the soils coming from, resident wants the Town to ensure steps as to how they will be dealing with contaminated soil.	<p>c. Fill/soils brought to the Site are required to meet and implement the “Fill Source Acceptance Protocol” developed by the Town of Georgina. This Protocol includes provisions with respect to soils reports and chemical analysis relating to source material. This information is to be reviewed by a Geotechnical Consultant, who then issues a Letter of Acceptance (or Rejection). Only material from approved sites will be permitted to be imported. In addition, regular on-site testing is required to be conducted on the Fill Site on an established schedule of frequency.</p> <p>The Town of Georgina adopted a By-law in April 2011 to prohibit or regulate the placing of fill and alteration of the grade of land to prepare for the growth demands of Ontario, and in particular, the Growth Plan of the Greater Golden Horseshoe. By-law 2011-0044 (REG-1), spells out the requirements to be adhered to for both the “Fill Source” and the “Fill Receiver”.</p>
d. How will the Town ensure fill is not contaminated?	<p>d. The Town is expected to enforce the provisions of the By-law Refer as addressed in response c. above. This includes extensive sampling by a qualified person on a regular basis. The Town requires the owner to enter into an Agreement with the Town specifying all matters.</p>
e. Do we have resources to determine reasonable amount of fill for the site?	<p>e. The growth of the Greater Golden Horseshoe requires receiver sites such as</p>

	<p>this one to accommodate excess fill. The plans have been revised to accommodate a reduced volume of fill and address the public concerns. The 298,000 cubic metres is a reasonable amount to fill and is compatible with the surrounding landscape. The agricultural end use will be improved.</p>
(2) Volume of Truck Traffic	
a. Why is Old Homestead Road being used as part of the truck route, has steep hills?	a. The Traffic Control Plan has been revised with the submission of March 11, 2014, to eliminate the use of Old Homestead Road.
b. Concern of impact of the number of trucks to the quiet area and quality of life in this quiet area.	<p>b. The volume of fill and therefore the number of trucks has been significantly reduced. The Traffic Control Plan directs the trucks to use Smith Blvd east of the subdivision.</p> <p>The applicant also proposes to revise the Operation Protocol by having no work performed:</p> <p><i>5) On Saturdays in July and August unless required for a public authority job with advance notice to the Town and neighbours. Should a Saturday operation be disruptive to a particular event on one or more of the abutting lots, the applicant will not operate on that particular day.</i></p>
c. Truck noise will be disruption.	c. Fill site operations and trucking must comply with Town By-law and provincial regulations. There will be a large sign at the entrance advising truck drivers to adhere to the Hours of Operation, Noise By-law and No Engine Brake regulations.
d. Concern of impact of the number of trucks on the roads and damage to the roads.	d. The Town of Georgina will be receiving revenue of \$.50 per cubic metre of placed fill as regulated in By-law 2011-0044. This is available to maintain the roads used or any purpose the Town chooses.
e. Are half load restrictions applicable? Can they be lifted for Smith Blvd to permit truck traffic year round?	e. The applicant will comply with half load restrictions on Smith Blvd. The applicant understands that restrictions are not generally lifted.
f. Will half load restrictions increase the estimated time of completion (4 yrs to 6 yrs)? Was this taken into account in the 4 year proposal?	f. The time of completion based on market, weather and road restrictions under the revised plan is estimated to be completed 3 years.
g. Large amount of truck traffic is dangerous to ride horses on the road.	g. This is the case with all roads with truck traffic, as all traffic is required to adhere

	to the <i>Highway Traffic Act</i> .
h. Concern for speeding trucks on the Smith Blvd.	<p>h. Trucks, like all traffic in Ontario, are subject to rules and regulations of the <i>Highway Traffic Act</i> and enforced by the York Region Police. The speed limit is 70km per hour.</p> <p>Should Council consider decreasing the speed limit on Smith Blvd., this would be acceptable to the Applicant.</p>

(3) Hydrogeological Assessment & Monitoring	
a. If a well is contaminated and a new well is drilled, can it become contaminated?	<p>a. No wells are expected to be contaminated. The Hydrogeological Investigation has concluded that there will be no impact to any residential wells near the Receiving Fill Site.</p> <p>As per the regulations and requirements of the MOE and the Town's By-law 2011-044, a Monitoring Program will be established and implemented in advance of the fill operations commencing.</p> <p>This will supply the necessary information on the Existing Conditions of the Ground Water Quality and Domestic Well Quality.</p>
b. A resident in subdivision noted has had flooding in his basement, raising the property 40 feet will affect the surface water drainage, as it will run into the subdivision and compound the problem more.	<p>b. The grading for the Fill Site has been changed by decreasing the amount of cubic metres imported to the Site. The fill will be graded to a final slope of approximately 3% which is considered by OMAFRA to be gently rolling fields.</p> <p>The highest depth of fill will be about 4 m (13.1 feet) above the existing grade in one area along the east edge. The rest of the site has less fill depth. The fill grading has been designed in a manner that avoids drainage onto neighbouring properties. The drainage is to remain the same from pre-filling to post filling. The double layer of silt fence protects the exiting drainage ditch from sediments in runoff.</p>
c. Concerned for the impact to quality of family life and ground water source.	c. Monitoring programs and mitigation measures will be in place to ensure

	protection of groundwater from fill operations.
d. Will monitoring wells be installed on the subject property? It was the Town's understanding that the monitoring of the adjacent residential wells was a temporary measure? Please confirm and revise the Operating Measures document.	d. Yes, three (3) monitoring wells are to be installed on subject site prior to fill import. The monitoring program will continue for the duration of filling the site and two years afterwards, as per the requirements of the Town's By-law and Protocol. Refer to response a. above.

(4) Agricultural Use	
a. Intent of application does not appear to be solely for agriculture, appears to be a commercial fill operation. The By-law does not restrict commercial fill operations like other municipal by-laws so (ex. Uxbridge), a restriction is required on commercial fill operations.	<p>a. The application is for a fill permit for placing 298,000 cubic metres of clean fill in accordance with Town of By-law 2011-0044 (REG-1). The Town regulates all fill operations such as proposed.</p> <p>The Town issued a Fill permit for 680,000 cubic metres on a site to the east on Smith Blvd in 2011.</p> <p>The Applicant has revised the Design and reduced the amount of fill to 298,000 cubic metres to be placed on site based on Council and public comments. The Applicant has met the requirements of the Town By-law which was modelled on the Whitchurch Stouffville Fill By-law.</p>
b. What has to be done to clearly define this as a site alteration permit versus a commercial fill operation	b. The Applicant submitted an application for a Fill Permit as per the provisions of the By-law 2011-0044 and has met the requirements of the By-law, including the required technical and Plan submissions. The By-law does not distinguish between fill and commercial fill. The By-law regulates the filling activities regardless of whether or not it is commercial.
c. Ensure staff view on application is that of a commercial enterprise	c. Town Staff have thoroughly reviewed the application in compliance with By-law 2011-044. Refer to response 4 (b).
d. The numbers do not seem to add up, for example, to grow alpha is \$577/acre and would amount is approx \$23,000/year, as compared to \$100/truck load of fill with 70000 trucks amounts to \$7million in revenue to applicant.	d. The application is for a large Fill Permit pursuant to the provisions of the By-law. This will be an economically worthwhile fill operation and leave the land in an improved agricultural condition for grass and hay.
e. Feel that the long term view for this property is a non-agricultural use (example airport).	e. The applicant is a farmer involved in several agricultural uses. He proposes to place Town approved fill on the site with restoration of the surface with organic topsoil and grass/ hay vegetation for improved agricultural land use.

	No non-agricultural use is proposed. No use, not permitted by the RU Zone, would be permitted without a Zoning By-law Amendment. That would involve an application and public review process.
f. Information should be provided on the yield of the proposed crops.	f. The site is to be restored with 200-300 mm of organic topsoil and grass/hay vegetation.
g. Applicant should be required to demonstrate benefit or improvement to farming operation.	g. Filling the pond and restoring top soil and grass/hay crop over the placed fill will be an improvement of the site over the existing site conditions.
h. Can information be brought back to Council that indicates how much fill and topsoil is needed for agricultural use? What is the minimum number of cubic metres?	h. Correspondence March 21, 2014 from J.G. Ritter, P.Eng., C.R.S.P. Engineer, Soil Management, Ministry of Agriculture and Food, Ministry of Rural Affairs. (OMAFRA) OMAFRA has indicated that due to variations in farming practices, soil conditions, crops, cropping practices, equipment, and topography, it is difficult to establish universal criteria for land improvement (email January 24, 2014). The site is to be restored with 200-300 mm of organic topsoil and grass/hay vegetation over 298,000 cubic meters of fill.
i. Why can't soil be turned today and used for agriculture?	i. The site is generally composed of gravel. The Applicant proposes to place and grade clean fill on the site and when filling is completed to improve the site for future agricultural uses with organic topsoil cover and grass/hay vegetation.
j. What is the reason why the applicant wants to put fill on this property?	j. The applicant seeks permission to place fill on site to accommodate approximately 298,000 cubic metres of clean fill from construction and excavation sources.
k. Is 700,000 cubic metres required for useable farmland? How much fill would be necessary for farmland?	k. The Grading and Drainage Plan design has been revised for approximately 298,000 cubic metres. The site will be restored with 200-300 mm of organic topsoil and grass/ hay vegetation.
l. Ability of applicant to create revenue.	l. With the increased need to supply control for such activities taking place in municipalities in Ontario, Site Alteration By-law and Fill Permits are being created and amended around the Province. At the "Large Fill Symposium" held in Port Perry last year, the Town of Georgina was applauded as one of the only municipalities in Ontario to be proactive and create By-law 2011-0044 (REG-1).

	<p>The Town By-law ensures that excess fill resulting from the economic growth in Ontario is regulated by the Town for the purposes stated in the By-law. There is a significant cost required for the studies, plans and other requirements of the fill permit application as set by By-law 2011-0044 (REG 1).</p> <p>The Town regulates the fill placement on a site and the requirements and related fees, securities and costs of an application and fill operation. The Town does not address the ability of an applicant to recover costs or create revenue.</p>
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(5) Application/Site Plan	
a. What are the contours of the Site Plan?	a. The existing contours and the proposed fill grade elevations are shown on the Grading and Drainage Plan.
b. What is the final height/elevation after the fill?	b. The revised Plan, with the reduced volume of fill being placed, will involve fill depth from less than .3 m (1 foot) at the western limit of fill to 4.0 m (13.1 feet) along one part of the eastern edge. The highest elevation after fill will be 237.7 m at a location which is now approximately 235 m in elevation.
c. Appendix 6, Subsection 2 of Agenda Package – cross section of what finished grade would look like, is that what we as residents want?	<p>c. The Grading Plan has been revised and redesigned to accommodate concerns over a visual impact.</p> <p>The fill grading plan proposes the future the finished elevation to match the existing elevations along a portion of the west boundary that is the closest to the residents. The visual effect will be similar to existing conditions when looking eastward from those residences. The slope up to the eastern height of fill will be approximately 3%.</p>
d. There are grey areas in the application, 4 years is not temporary. Applicant has owned for 40 years, why is this a problem now that fill needs to be brought in to improve for agriculture.	d. The reduced volume of fill is to be placed and graded on site in three years. This is listed as the Fill Schedule- Phasing on the Grading and Drainage Plan.
e. Four years of filling and then farming for alpha does not make sense.	e. After three years of placing clean fill on the property would be restored with organic soil cover for grass and hay and continuing agricultural use.
f. LSRCA map – public seeing for first time, why the changes to the map from previous map obtained by residents vs. that in the presentation of SBA?	f. LSRCA reviewed and revised the map as provided in an email dated January 31, 2014. This map is the same as the map received and presented Skelton Brumwell & Associates at the October 15, 2014 meeting.

g. Does this application make good planning sense with this amount of fill adjacent to a subdivision? This application has a residential component that would be a concern.	g. The applicant proposes to accommodate a reasonable portion of the demand for excess fill from construction and excavation. The plans have been revised to address the public concerns including those of the residential neighbours.
h. If council restricted applicant from being able to receive revenue for dumping of fill, would the applicant still proceed with his proposal?	h. The question of monetary value is not a provision of the By-law. Refer to response 4(l).
i. Placing fill is not a use permitted in the Zoning By-law.	i. Placing fill is not a land use regulated by zoning. The Planning Department has advised of no planning concerns and advised that the continuing agricultural use complies with the RU rural zoning. The Town Fill By-law 2011-0044 regulates the placement of clean fill on a site.
j. Is there a restriction related to the gravel pit?	j. The gravel pit is a separate parcel of land under the jurisdiction of the Ministry of Natural Resources. A fill permit does not give permission for extraction of gravel.
k. The follow up report and information from applicant should be clear that the proposal meets the Site Alteration By-law.	k. The revised submission to March 11, 2014 meets the requirements of the Town's By-law 2011-044(REG-1). The Town Staff will advise on the compliance with the By-law and the procedural requirements for issuance of the Permit in accordance with By-law 2011-044(REG-1).

(6) Adjacent Subdivision	
a. Any changes made in relation to lot lines of the adjacent subdivision?	a. No lot line changes are proposed. The limit of fill, starting at .3 m (1 foot) is setback 25 m from the residential lots across an existing ditch and drainage easement.
b. If there are contamination issues, the responsibility will fall on the Town and residents as there is no deposit to the Town for the environment.	b. All fill being received at this Site will meet all testing requirements. The Site operator is responsible to satisfy MOE guidelines and the Town's Protocol. Materials are to be certified as clean prior to importation. There is sampling required at the source sites and the receiving site.

	<p>Any remediation required for problems caused by the fill operation are the responsibility of the applicant.</p> <p>The Town By-law Section 4.2 i) requires the owner: "i) To provide security to be used to remedy any breach . . .and to indemnify the Town for any liability costs, damages or losses . .</p>
(7) Security	
<p>a. Security amount/requirements of the applicant, what it is for, the process?</p>	<p>a. The Town of Georgina's By-law 2011-044 requires an Applicant to supply a "Letter of Credit" or equal, in the amount of 50 cents per cubic metre of fill to be placed. This is calculated on the total amount of fill that the Site is approved to receive. This is required in advance of the issuance of the Site Alteration and Fill Permit.</p> <p>The revised fill plan requires a security deposit of \$149,000. The deposit is held In Trust for the duration of the Permit. At the end of the Fill Permit, if the Operation has met the requirements to the satisfaction of the Town of Georgina, then the original Security Deposit will be returned to the applicant.</p> <p>The fill operator will also provide the Town of Georgina with a cheque every three (3) months for part of the Municipal Services Fees calculated on the volume of fill received in that period multiplied by 50 cents per cubic metre. This Fee is used by the Town at its discretion.</p> <p>The Terms are set out in the Town By-law and in the Site Alteration Agreement.</p>
<p>b. Is \$350,000 security adequate should there be environmental contamination?</p>	<p>c. The \$149,000 security amount is set by the Town By-law 2011-044 (REG-1) as \$.50 per cubic metre of fill to be placed.</p>

Blanchard – Site Alteration Permit – Town of Georgina Response to Questions of Debbie Molnar Letter of March 19, 2014

Questions/Comments from Debbie Molnar Letter of March 19, 2014	Response From Applicant
<p>1. What are the criteria used for the fill amount of 298,000 cu M? Why was the amount changed from 700,000 cu M as originally proposed?</p>	<p>The initial volume was a calculation of the cubic metres to be filled to the original proposed height which maximized potential for receiving fill. The design of the Fill Site has been revised to address the concerns expressed. The revised plans result in a reduction in volume to approximately 298,000 cubic metres. This amount supports an economically viable fill site and will improve the utility of the land for agriculture.</p>
<p>2. As previously commented, the site alteration Bylaw 2011-0044 requires that several steps must be taken by the applicant prior to commencing any filling operation if the fill volume to be introduced to the site exceeds 2,000 cu M. Again we ask, is it reasonable to consider the same requirements for 2,000 cu M of fill as it is for 298,000 cu M of fill?</p>	<p>The Applicant has submitted an application for a Fill Permit as per the provisions of By-law 2011-0044 (REG-1) and has met the requirements of the By-law, including the required technical and Plan submissions.</p> <p>Town Staff have thoroughly reviewed the application in compliance with By-law 2011-044 (REG-1). The By-law regulates the placing of fill material of all operations and requires a Site Alteration Agreement with Council for fill amounts greater than 2,000 cubic metres.</p>
<p>3. Considering the application is being submitted to "improve the lands for farming", has this application been assessed within the context of Provincial legislation put in place to govern Normal Farm Practices as set out by the Normal Farm Practices Protection Board (NFPPB) under the Ontario Ministry of Agriculture Foods and Rural Affairs (OMAFRA) and The Farming and Food Production Protection Act? Specifically, are the volumes and scope of this proposed fill operation consistent with the spirit of the regulations and the Act?</p>	<p>OMAFRA – email of March 21, 2014 from Jim Ritter, Engineer Soil Management, Ministry of Agriculture and Food and Ministry of Rural Affairs:</p> <p>“The Ministry of Agriculture and Food (OMAF) and Ministry of Rural Affairs (MRA) does not have a regulatory role with respect to fill activities. These activities are normally regulated by municipal by-laws under Section 142 of the Municipal Act, 2001. It is my understanding that Mr. Blanchard has applied for a site alteration permit and has been working diligently with your department to satisfy all of the requirements of By-law 2011-0044 (REG-1).”</p> <p>“It appears that by-law 2011-0044 (REG -1) is very comprehensive and detailed document designed to ensure that existing drainage patterns are maintained, that any changes to existing drainage patterns are appropriate to protect environmental features, that the importation of hazardous material is prevented and that the disturbance of landform characteristics is minimized.”</p> <p>“Grade alterations on agricultural land, including the placement of fill, is routinely done to address soil erosion problems, to improve workability issues related to the safe and efficient operation of farm equipment and/or to improve crop yield/productivity. As discussed yesterday, variations in types of crops, cropping practices, equipment, and topography makes it difficult to establish a land improvement criteria that could be applied universally.”</p>

	<p>“As I understand it the final grade of the field is proposed at three percent. Agricultural fields in the 2-6% slope range are considered “gently sloping fields”.</p>
<p>4. If this assessment has not yet been made, has the Town of Georgina requested comment and/or a hearing from the NFPPB and OMAFRA to make this determination?</p>	<p>No assessment is required. See Response 3 above.</p>
<p>5. If a hearing has taken place and a ruling set forth, then, according to the regulations, all residents within a 120 M radius of the proposed fill site are to be notified. This has not happened.</p>	<p>No hearing is required. See Response 3 above.</p>
<p>6. If a hearing has not taken place our interpretation of the Act is that this must be done prior to approval of any filling application that is being submitted for the purposes of improving land for farming.</p>	<p>No hearing is required. See Response 3 above.</p>
<p>7. Has the Town's Planning Department established an appropriate minimum farm parcel size for the proposed amendment to this land to facilitate farming? A minimum parcel size of 40 hectares is recommended as set out in the OMAFRA regulations. We are seeking further clarification of this point from the Ontario Ministry of Municipal Affairs and Housing (OMMAH) and OMAFRA. From the Geotechnical Report submitted within the Staff Report for the October 15, 2013 Council meeting, the parcel of land for the proposed filling site is 13.34 hectares of farm land and of an insufficient size to be further amended to facilitate farming.</p>	<p>Town Planning response - email of March 20, 2014 from Harold Lenters, Director of Planning and Building, Town of Georgina:</p> <p>“Based on the information provided, the lands to be filled under this application are zoned Rural (RU) in the Town’s Zoning Bylaw 500, as amended. Agricultural Uses are permitted in the Rural (RU) zone provided the subject property has a minimum lot area of 8,000 sq. m (0.8 ha) and minimum lot frontage of 60 m.”</p> <p>The lot is 17 ha with two sections of frontage of 72 metres and 28 metres on Smith Blvd. The continuing agricultural use of the site complies with zoning.</p>
<p>8. Have the zoning regulations been further reviewed to clarify which zone the proposed filling site will fall under? As currently written, the rural zoning of the proposed fill site allows for agriculture, of which farming is a part. What amount of fill is reasonable to facilitate farming operations and maintain the zoning of this property as rural?</p>	<p>Town Planning response - email of March 20, 2014 from Harold Lenters, Director of Planning and Building, Town of Georgina:</p> <p>“an agricultural use is only permitted on the portion of the property zoned Rural (RU)”</p>

<p>9. The residents have still not been advised as to where the fill will be coming from Approval cannot be granted until this has been established.</p>	<p>Fill/soils brought to the Site are required to meet and implement the “Fill Source Acceptance Protocol” developed by the Town of Georgina. This Protocol includes provisions with respect to soils reports and chemical analysis relating to source material. This information is to be reviewed by a Geotechnical Consultant, who then issues a Letter of Acceptance (or Rejection). Only material from approved sites will be permitted to be imported. In addition, regular on-site testing is required to be conducted on the Fill Site on an established schedule of frequency.</p> <p>The Town of Georgina renewed the Site Alteration By-law to prepare for the growth demands of Ontario, and in particular, the Growth Plan of the Greater Golden Horseshoe in 2006. By-law 2011-0044 (REG-1), spells out the requirements to be adhered to for both the “Fill Source” and the “Fill Receiver”.</p>
<p>10. The residents are still greatly concerned about the possibility of the fill contaminating the ground water, our water wells as well as the adverse effects on the quality of the wetlands surrounding the proposed filling site. We are not convinced that sufficient protection of the lands and wetlands has been ensured. Nor do we feel that the interests of the residents have been fully considered regarding such things as:</p> <ol style="list-style-type: none"> a. Property values; b. Storm water management and flood containment; c. The health and well-being of the residents and their families; and, d. The environment, should the areas surrounding the proposed fill site become contaminated or adversely affect the water table. e. This would amount to a loss of revenue for the Town and exposes both the municipality and its taxpayers to the potential for substantial mitigation expenses. 	<p>No wells are expected to be contaminated. The Hydrogeological Investigation has concluded that there will be no impact to any residential wells near the Receiving Fill Site.</p> <p>As per the regulations and requirements of the MOE and the Town’s By-law 2011-044 (REG-1), a Monitoring Program will be established and implemented in advance of the fill operations commencing.</p> <p>This will supply the necessary information on the Existing Conditions of the Ground Water Quality and Domestic Well Quality.</p> <p>Monitoring programs and mitigation measures will be in place to ensure protection of groundwater from fill operations.</p>
<p>11. How has the Town protected its liability in this regard and protected the residents?</p>	<p>The Town prepared and adopted By-law 2011-0044 (REG-1), a By-law to regulate the placing of fill material in all areas of the Town of Georgina. This By-law requires a security and indemnification for the Town.</p>

<p>12. What studies have been done to ensure the turn radius is acceptable for trucks turning from Park to Smith Blvd. and from Smith Blvd. to the proposed fill site road at or near 6003 Smith Blvd. prior to any fill operation approval? The sight lines at this intersection are already less than optimal, and with the grossly exaggerated traffic this proposal will bring could very well put someone's life at risk.</p>	<p>According to the Region of Peel, clearance was provided and did not request further studies to be completed. There is no reference to inadequate site lines. Smith Blvd is a truck route.</p>
<p>13. What studies have been done to ensure the structural integrity of the roadway will remain intact during and after the transport phase of the proposed filling operation prior to any approval being granted?</p>	<p>Smith Blvd is used by two gravel pits as a haul route. The Town staff can advise on monitoring roadway conditions.</p>
<p>14. When will appropriate well water samples be taken prior to approval? The benchmark samples taken in June 2013 did not meet the MOE guidelines for well water sampling. Only surface samples were taken and tested. However, the test results were included in the report for the Town Council meeting of October 15, 2013 as "acceptable."</p> <p>Further email comment:</p> <p>“Although access was gained to an exterior outlet which bypassed all water treatment components within the house, the samples were not taken according to MOE guidelines which requires the outlet to be flushed for 2-3 minutes prior to the sample being removed. This was not done and so the report included is not representative of a benchmark. In order to receive a proper sample that is to be used for a benchmark for this project, proper sampling must be done and the tests repeated.”</p>	<p>Email of March 27, 2014 from Ross Campbell, Hydrogeologist, Alpha Environmental Services Inc.:</p> <p>The sampling protocol followed was:</p> <p>Sampling protocol:</p> <ul style="list-style-type: none"> • Sample an outlet that bypasses all water treatment components • Open the tap and feel the water temperature • Label the bottles while the water is running <ul style="list-style-type: none"> - First set of samples had 7 bottles were collected on June 13, 2013 - The samples were collected between 12:10 pm and 7:10 pm on this date, the first samples were collected at the Molnar residence at 12:10 pm and because the other residents were not home, their samples were collected that evening at 6:50 pm (Chaisson) and 7:10 pm (Garcia) - To label the 7 bottles would take at least 3 minutes - Second set of samples had 5 bottles that were collected on July 4, 2013 between 7:15 pm and 7:45 pm – this would take at least 2 minutes to label

	<ul style="list-style-type: none"> • Upon completion of labeling the bottles, feel the water temperature again and determine if it cold and therefore fresh • Continue to let the water run and fill the bottles, again taking additional time • Ice the water samples and drive them to the lab for analyses <ul style="list-style-type: none"> - The first set were delivered to the lab June 14, 2013 at 11:20 am - The second set were delivered to the lab July 5, 2013 at 11:15 am • The water samples met MOE guidelines for all the tested parameters <p>Department of Operations and Engineering comment to applicant in email March 27, 2014:</p> <p>It should be noted that before you begin any fill placement, you will be required to install 3 monitoring wells on your property downstream from the fill area. These wells will be monitored to establish a (second) baseline prior to the first load being placed on the site. This should eliminate any question with regards to the baseline condition of the groundwater in the area.</p>
<p>15. The Lake Simcoe Conservation Authority (LSRCA) has not acknowledged the hydro easement to the west of the proposed fill site as wetlands, yet it meets all of the criteria set out in the MNR guidelines and the Town of Georgina definition of "wetlands". What steps is the Town undertaking to further study this area for inclusion in conservation lands prior to any fill operation approval?</p>	<p>No further steps are required.</p> <p>Comment from Town Department of Operations and Engineering email March 24, 2014:</p> <p>“The drainage ditch directly behind the Audubon properties (on the west side of 6003 Smith Blvd.) is constructed on lands owned by Baldwin 33 Inc. This ditch is part of the perimeter drain of the subdivision, to which surface drainage from the subdivision and external properties is directed.</p> <p>As part of the subdivision agreement, the Town was granted a drainage easement over the perimeter drainage ditch, including the portion located on lands owned by Baldwin 33 Inc. The purpose of this easement is to allow the Town access to the property to maintain the function of the perimeter drain and undertake any repairs or maintenance as may be necessary. I have looked through our files and have not been able to locate any “hydro” easements over said lands. However, even if HydroOne has an easement over these lands, the purpose of the ditch is to convey drainage, and the easement granted to the Town would allow the Town access to the</p>

	<p>lands to undertake any necessary work required to maintain said drainage in accordance with the overall subdivision drainage plan.</p> <p>It should be noted that the proposed work at 6003 Smith Boulevard does not include any disturbance or alteration to the perimeter drainage ditch located at the western most part of the property. Erosion and sediment control measures have been proposed in order to ensure that the ditch is not adversely affected by the works during construction.”</p> <p>Further comments from the Town (email of March 25, 2014): “Based on my conversation with Harold Lenters, Director of Planning and Building as well as staff at the LSRCA, and given that the drainage ditch was constructed solely for the purposes of conveying storm water drainage, it is <u>not</u> considered a wetland feature.</p> <p>The Ontario Wetland Evaluation System, which is maintained by the Ministry of Natural Resources states that:</p> <p style="padding-left: 40px;"><i>“Wetlands constructed for purposes other than wetland conservation (e.g., storm water management ponds, sewage lagoons, water treatment ponds) and in active use as such are not considered under OWES.”</i></p> <p>Further, the LSRCA has responded as follows:</p> <p style="padding-left: 40px;"><i>“The Ontario wetland evaluation criteria states “as a rule, wetland areas effectively converted to other uses should not be considered wetlands”. On this basis, drainage features for agricultural, transportation, storm water purposes are not considered wetlands. The pre to post development water balance was assessed by staff of the LSRCA and it was determined that the hydrological function of the adjacent wetlands would be maintained, and that the ecological function would continue to be supported downstream.”</i></p> <p>If a storm water management facility (pond, swale, lagoon, etc.) were to be designated as a wetland feature, the ability to perform maintenance in order to ensure the function of the facility is effectively removed. In this case, a failure to maintain the function of the ditch may result in ponding/flooding on the adjacent lots, being those in Audubon Acres.</p>
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	<p>Based on the above, and given that the ditch makes up the drainage system for the Audubon Acres development and continues to receive and convey storm drainage, no further studies or analysis are required. Sediment and erosion control measures have been designed and proposed by the Owner's Engineer's and are required to be implemented and maintained for the duration of the project."</p>
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