

**ONTARIO MUNICIPAL BOARD**

1281216 Ontario Inc. (Intracorp) has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 270-2004, as amended, of the City of Brampton to rezone lands respecting Part of Lots 14 and 15ND, Concession 7, EHS from "Recreational Commercial" and "Floodplain" to "Executive Residential, Valley Land and Parkette" to permit residential uses.

OMB File No. PL081113

1281216 Ontario Inc. (Intracorp) has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Brampton to redesignate land at Part Lot 14 and 15ND, Concession 7 from "Recreational Commercial" to "Residential" to permit residential developments.

Approval Authority File No. C07E15.009

OMB File No. PL081175

1281216 Ontario Inc. (Intracorp) has appealed to the Ontario Municipal Board under subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from the failure of the City of Brampton to make a decision respecting a proposed plan of subdivision on lands composed of Part of Lots 14 and 15, Concession 7ND, in the City of Brampton.

Approval Authority File No.

OMB File No. PL081174

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**Witness Statement of  
Susan E. Jorgenson**

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**Background:**

1. This witness statement has been prepared by:

**Susan Jorgenson, MCIP, RPP**

Manager, Environmental Planning

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2. I am an environmental planner with the City of Brampton with over twenty-eight years of progressive planning experience providing input into, and/or the implementation of, the: planning- environmental programs at the City of Brampton [Manager, Environmental Planning]; planning-regulatory-natural heritage programs at the Credit Valley Conservation [Planner/Ecologist and Regulations Officer]; planning-resource management programs of the Ontario Ministry of Natural Resources; and municipal planning extension services of Ducks Unlimited. I have a degree in Environmental Studies (Geography) from the University of Waterloo, and a Fish and Wildlife and Forestry Technician Diplomas from Sir Sandford Fleming College. I am a member of the Canadian Institute of Planners and a Registered Professional Planner since 2008. A copy of my curriculum vitae is attached to this witness statement as Attachment "A".
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## Property Overview

3. During my testimony before the Board I will provide an assessment of the subject site and surrounding area, with particular emphasis on the identification of significant natural features and functions and will identify the impacts and any required mitigation from the proposed development.

The subject Intracorp subdivision lands lie immediately adjacent to, and east of, a West Humber River Tributary valley corridor. This Tributary of the West Humber River provides Redside Dace survival habitat; is designated a River Valley Connection in the Greenbelt Plan; is Core Greenland in the Region of Peel Official Plan, and is a defined Valleylands/Floodplains in the City of Brampton OP 1993, Schedule D. The subject development application consists of two tablelands areas (referred to as the southern and northern areas) that are located north and south of Tortoise Court, and extend from the West Humber River Tributary valley corridor to Goreway Drive. These two tableland areas of proposed development are traversed by two tributaries of Salt Creek that are generally located within the eastern half of the subject property. Referred to in this witness statement as the East and West Tributaries of Salt Creek, these tributaries on the subject lands provide both direct and indirect (contributing) fish habitat, and are partially contained within reaches that are defined as Valleylands/Floodplains as per Brampton's OPs (Schedule D). The main branch of Salt Creek is located downstream of Goreway Drive, and provides Redside Dace Survival Habitat; is a Core Greenland in the ROP; and is defined as Valleylands/Floodplains in the Brampton OP 1993 (Schedule D).

It should be noted that the proposed development lands represent tablelands that are being severed from a parcel of land owned by 1281216 Ontario Inc. (Intracorp) known as the Castlemore Golf and Country Club, generally located between Airport Road and Goreway Drive, south of Countryside Drive. The development of the subdivision will result in a redesign of an existing eighteen (18)-hole golf course to a nine (9) hole executive course, to be located mainly within the West Humber River Tributary valley corridor.

The subject development of two tableland areas proposes the realignment of the East and West Tributaries of Salt Creek, the removal of two (2) tableland offline ponds (Ponds C and D), the reconfiguration of one (1) tableland offline pond (Pond E) as part of the reconfigured 9 hole course, and the removal of two (2) online ponds (Pond A, Salt Creek West Tributary and an unnamed pond, Salt Creek West Tributary, south of Tortoise Court). There will also be scattered planted native and non-native vegetation removed to facilitate the proposed development.

In reviewing the proposed application, I have reviewed Provincial, Region of Peel, City of Brampton and Toronto and Region Conservation designations, policies, guidelines and standards. The review of these policies will direct the examination of the natural heritage features of the subject property and define the treatment of these features to mitigate the impacts from any proposed residential subdivision, as well as restore and enhance these areas because of impacts from past agricultural and golf course activities.

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## Issues List

I will be providing evidence at the scheduled Ontario Municipal Board hearing in relation to Issues 1, 3, 4, 5, 6, 7, 8, 10 and 11 on the Issues List approved by the Ontario Municipal Board. My evidence will focus on the draft plan of subdivision submitted by Candevcon Limited, revised January 24, 2008. I will be referring mainly to the 1993 Official Plan (OP 1993) and referencing the 2006 Official Plan (OP 2006), as appropriate. I will also reference, as appropriate the: Peer Review: Environmental Impact Study prepared by Dillon Consulting dated November 18, 2008 on behalf of the City of Brampton; Environmental Impact Study prepared by Aquafor Beech Limited dated March 2008 (EIS); Addendum: Environmental Impact Study prepared by Aquafor Beech Limited dated November 28, 2008 (AEIS); Summary Report, Environmental Enhancement and Low Impact Development Features prepared by Candevcon Limited dated November 27, 2008 (EE-LID); and the Functional Servicing Study (FSR) prepared by Candevcon Limited revised November 21, 2008.

Senior government legislation that identifies the protection and conservation of significant natural heritage features, as well as the protection of endangered and threatened species and fish habitat, will both complement and provide direction for the implementation of City policies, including the Provincial Policy Statement 2005, Endangered Species Acts of the federal (ESA 1998) and provincial (ESA 2007) governments, and the federal Fisheries Act, 1985. The federal Fisheries Act administered by the Department of Fisheries and Oceans (DFO) prohibits the harmful alteration, disruption and destruction of fish habitat without authorization from DFO, and their Policy for the Management of Fish Habitat advocates and promotes a net gain in the productive capacity of the fish habitat.

The Fundamental Goals and Objectives (Sec. 3.1) of the City's Official Plan 1993 (2007 Office Consolidation) identifies the Basic Organizing Principles for the City's Environment and Open Space that directs land use planning to "*maintain and enhance the system of ecological features*" by "*protecting and conserving ecological functions and biodiversity*" that will ensure a "*sustainable and healthy environment*", Sec. 3.3 promotes Environmental Management that will "*maintain a liveable and environmentally responsible community which utilizes, manages and conserves resources in a pro-active manner to achieve an attractive built and natural environment*" by "*maintaining and enhancing the natural conditions of valleylands, watercourses and natural hazards*" and to "*enhance Brampton's character as a 'green city' in which vegetative features and systems play a vital role in the quality of life.*" Sec. 4.4.9 of OP 1993 further identifies that City activities including plantings, parkland development and management, and the alteration and/or restoration of impacted watercourses should ensure that fish and wildlife habitats are restored or enhanced, and wherever possible, achieves a net gain.

As an Environmental Planner, it is my opinion that the OP 1993 is promoting sustainable development and directing land use proposals to recognize the importance of the natural environment in the context of their proposed site development, as well as the human and environmental health beyond their lands. Each development application must consider all of

these elements in order to build a responsible community that conserves and enhances the quality of life for all residents of Brampton.

Furthermore, the Official Plan 2006 qualifies that the principle of sustainable development is the foundation of the City's holistic approach to planning to achieve a balance between the social and economic needs of the community and cultural and environmental conservation. The City's long standing ecosystem approach to land use planning that was established in the 1993 Official Plan is further supported by comprehensive policies that recognize the dynamic interrelationship of all elements of the biophysical community that are necessary to achieve a sustainable, diverse and healthy natural heritage ecosystem. Sec. 4.5.12, OP 2006 identifies the City's requirements for sustainable development by providing policies that recognize the significant habitat of threatened and endangered species in accordance with PPS and the ESA 2007, and fish habitat in accordance with the Fisheries Act.

The Toronto and Region Conservation Authority (TRCA) has jurisdiction within the West Humber River watershed and will apply Ontario Regulation 166/06, Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses passed under the Conservation Authorities Act, as well as implementing the Valley & Stream Corridor Management Program 1994 (VSCMP). The regulations and development policies of the TRCA support the City's Official Plans 1993 and 2006.

TRCA's VSCMP outline policies that seek to retain watercourses and valley and stream corridors as open, natural landforms, from the headwaters to the river estuary marshes. These policies guide Development Services staff when commenting on land use planning policy documents and development applications. Supporting these policies, TRCA has produced a Planning and Development Procedural Manual, Updated January 2008 that is a guidance document of current procedures and practices to provide clarity and transparency around their review procedures and submission requirements.

**4. Issue 1: What are the appropriate limits of development having regard to the environmental features and constraints on the subject lands which may include the natural heritage systems, features, functions, and areas, and to the site biodiversity consisting of fish, endangered and threatened species and other wildlife?**

It will be my evidence that the proposed application has not defined the appropriate limits of development and as such it is premature to approve any form of development until such time as the environmental features and constraints on the subject lands have been identified and how these features are to be protected has been identified.

The OP 1993 (Sec. 4.4) recognizes that the extent of the natural heritage features and therefore, the limits of development should be determined by defining the greatest extent of the natural hazards and environmental sensitivities of valleylands, watercourses, woodlands, wetlands, and fish and wildlife habitat. Beyond these natural areas naturalized buffers or setbacks are to be imposed from the physical limit of natural features and have regard for ecological function or sensitivity of such features. Furthermore, City policies encourage the retention, enhancement and development of natural and man-made linkages between elements of the natural feature framework or ecosystem and this can include the alignment of tableland parks and valley systems, incorporation of hedgerows, woodlots and tributary watercourses and their associated corridors, and the conservation of new natural linkages established through landscaping and development design.

Sec. 4.4.9 of the OP 1993 confirms that it is the City's objective to '*protect and enhance fisheries and wildlife habitat and achieve a net gain*' by identifying, protecting and where possible enhancing fish and wildlife populations and habitat to the greatest extent practical and conserving and enhancing habitat corridors and linkages. Therefore, environmental reports shall include an inventory of existing populations and the consideration of relocation, redesign, and mitigation measures in assessing potential impacts on habitat. Longer term management practices necessary to maintain and enhance such populations and habitat must also be addressed. The City will ensure the implementation of these policies through consultation and co-operation with the Department of Fisheries and Oceans (DFO), Ministry of Natural Resources (MNR) and the Toronto and Region Conservation Authority (TRCA) regarding the conservation and enhancement of habitat resources.

Conservation and restoration of the existing natural features of the West Humber Tributary valley corridor and the two tributaries to Salt Creek, offer the best opportunity to maintain the biodiversity of the site. The submitted development plan proposes to sever the tableland from the remainder of property and redesign a nine hole executive golf course in the West Humber River Tributary valley corridor. The redesign of the golf course is provided in the EE-LID November 27, 2008 report prepared by Candevcon, and identifies opportunities for the environmental enhancement of the executive golf course

Within the proposed development lands, the only features to be protected are approximately 45 metres of the East Tributary of Salt Creek immediately upstream (west) of Goreway Drive, and native and planted trees along the Tortoise Court property boundary. The subject development plan proposes to realign approximately 160 metres of the East Tributary of Salt Creek; and approximately 440 metres of the West Tributary of Salt Creek, including the removal of Pond A (e.g. approximately 0.34 ha of open water and wetland vegetation), and an unnamed pond south of Tortoise Court (e.g. approximately 0.2 ha). Furthermore, the development of these lands will require the removal of two offline ponds, Ponds C and D (e.g. approximately 0.56 ha), and the reconfiguration of Pond E (e.g. approximately 0.25 ha). Pond E would be reconfigured immediately west of the proposed Street 1 (e.g. that accesses the development lands off of Countryside Drive).

The applicant's environmental reports propose to mitigate the realignment of the two Salt Creek tributaries and the elimination of the online and offline ponds, through natural channel and corridor designs for the two Salt Creek tributaries. However as submitted, the environmental reports have not adequately defined and/or qualified the features and functions of the existing natural heritage system, both onsite and on the adjacent lands (i.e. the four Tortoise Court properties), in order to demonstrate that the proposed channel realignments and mitigation measures will maintain and enhance the environmental features and functions of the two Salt Creek tributaries.

The proposed engineering and ecological designs for the realignment of the two Salt Creek tributaries must demonstrate that natural channel and corridor functions can be achieved both onsite and maintained offsite (i.e. through the Tortoise Court properties), including the storage, conveyance and attenuation of the Regulatory Storm, channel erosion, water quantity and quality, direct and indirect fish habitat, and wetland-riparian-vegetation communities that provide and/or support wildlife habitat (e.g. Snapping turtle, amphibians, and local mammals and birds), and wildlife corridor-linkage functions.

In recent years in addition to addressing natural watercourse hazards, typical corridor designs for headwater drainage features in the City of Brampton such as the Salt Creek tributaries are

implementing the provincially recommended 15 and 15 metre warmwater fisheries buffers (e.g. as measured from the watercourse channel bank). Resulting corridors have generally been a minimum of 30 to 35 metres wide. As an example, the West Tributary of Salt Creek natural channel realignment proposal that traverses the Intracorp development lands south of Tortoise Court, was recommended to be constructed within a 33 to 35 metre corridor.

Further, while the West Humber River Tributary valley corridor is not part of the subject planning application, the limit of development (e.g. rear lot line) for the lots to be developed adjacent to the valley corridor is to be based on an ecological buffer as defined by policy. TRCA's VSCMP identify a minimum 10 metre setback to be measured from the stable and/or predicted long-term stable slope line. The City's OP 1993, Sec. 4.4.10.3 requires that naturalized buffers or setbacks be imposed from the physical limit of natural features and have regard for ecological function or sensitivity of such features. The City's Official Plan 2006 Sec. 4.5.13.7 has qualified that a minimum 10 metre buffer to define the limit of development will be required from all natural features, including stable slope and/or predicted hazards, dripline of woodlands, wetlands, environmentally significant-sensitive areas, areas of natural and scientific interest and the predicted hazards of watercourses including the Regulatory Storm floodplain plus 0.3 metre freeboard.

**5. Issue 3: Has the development application adequately identified the natural heritage systems, features and functions of the subject property and any necessary connections with the adjacent lands?**

The proponent has submitted an Environmental Impact Study dated March 2008; an addendum EIS dated November 28, 2008, and a Summary Report, Environmental Enhancement and Low Impact Development Features dated November 27, 2009. The environmental reports have not confirmed the full extent of habitat and potential habitat on the subject lands, and/or qualified the habitat and potential habitat on the adjacent lands (e.g. Tortoise Court properties), including the potential habitat for Snapping turtles (as it relates to the onsite online and offline ponds), and other potential fish and wildlife habitat functions of the off line ponds. In addition, the reports have not identified satisfactory mitigation strategies to address the necessary connection of the two Salt Creek tributary realignments to the existing watercourses that traverse the Tortoise Court properties.

With regard to the southerly reach of the West Tributary of Salt Creek, the Intracorp EIS documents have referred to an Environmental Impact Study prepared by LGL Limited dated April 2006 on behalf of Goldpark Homes for the Ridgecore Plan of Subdivision (21T- 05019). The Intracorp EIS has relied on the Ridgecore EIS to describe the natural features for the southern half of the West Tributary to Salt Creek, as well as the mitigation measures for the proposed realignment of this feature. However, the Ridgecore EIS did not adequately examine the southern Intracorp tablelands and/or West Tributary of Salt Creek including identification, assessment and analysis of the vegetation communities, and fish and wildlife features and functions.

It will be my evidence that until such time as the studies and reports submitted by the applicant have appropriately addressed the environmental constraints and opportunities, and in particular have properly identified in a comprehensive manner the natural heritage systems, features and functions on the subject site and their connection to adjacent lands, that it is premature to allow development to proceed or to define with precise detail the limits of development that must be applied to the subject lands.

**6. Issue 4: Does the proposed development meet policy requirements of the City's applicable Official Plan to maintain, protect and enhance the natural heritage systems, and represent a net environmental gain as per the objectives of the 2006 Official Plan?**

Both the 1993 and 2006 Official Plans provide objectives that direct the protection and enhancement of fish and wildlife habitat to achieve a net gain of such habitat. At this time, the proposed tributary channel-corridors have not addressed these objectives including conformance to typical fish habitat buffers, provision of wildlife habitat and terrestrial species linkages along the corridors, particularly in the vicinity of the road crossings, and as such do not maintain, protect or enhance the natural heritage system in accordance with the 1993 and 2006 Official Plans.

It will be my evidence that given the lack of qualification of the specific details for a natural channel-corridor design (e.g. appropriate fisheries buffers, and wildlife habitat and natural corridor functions) in the proposed application, the proposal fails to not only enhance the natural heritage system, but also fails to maintain the natural heritage system, both its features and functions.

**7. Issue 5: Do the proposed reconstructed ponds and features represent an enhancement of the environmental features and functions of the City's applicable Official Plan and a net environmental gain as per the objectives of the 2006 Official Plan?**

The subject development proposes to reconfigure Pond E, to be located immediately west of new Street 1. The environmental reports provided by the applicant have examined neither the hydrogeological effects of this tableland pond on the local groundwater resources and/or watercourses (i.e. West Tributary of Salt Creek and the West Humber River Tributary), nor qualified the fish and wildlife habitat of the pond. Therefore, I can provide no opinion whether this reconstructed feature will maintain the environmental features and functions of the local natural heritage system, or represent a negative impact on the natural ecosystem.

The subject development further proposes to realign the East and West Tributaries of Salt Creek. Due to an inadequate inventory of both onsite and adjacent lands natural features and functions, and the lack of specific details for a natural channel design, appropriate fisheries buffers, and wildlife habitat and natural corridor functions, it is not evident that the proposal will enhance the natural heritage system.

**8. Issue 6: Is the proposed application consistent with the Natural Heritage Policy 2.1 of the PPS?**

The Provincial Policy Statement 2005, Section 2.1 addresses the protection of natural heritage features and areas including the habitat of endangered and threatened species, wetlands, valleylands, woodlands, wildlife habitat, areas of natural and scientific interest and fish habitat. There is a prohibition against development within the significant habitat of endangered and threatened species, provincially significant wetland and significant coastal wetlands. There is a general restriction against development within significant valleylands, significant woodlands, significant wildlife habitat and significant areas of natural and scientific interest unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. Furthermore, development

and site alteration on adjacent lands to these significant natural heritage features and areas shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

It will be my evidence and it is my opinion that the proposed realignments of the East and West Tributaries of Salt Creek have not satisfactorily addressed and/or mitigated impacts to the natural hazards and ecological features that will be impacted by the proposed residential development, both fish and wildlife habitat. It should be noted that Snapping Turtle, which have been identified on the subject lands has been added as a species of concern to the federal Endangered Species Act, and while the environmental information provided for the project has qualified evidence of Snapping turtle, it has not confirmed the habitat attributes of the subject lands, nor a mitigation strategy for maintaining this wildlife habitat. Therefore, it is my opinion that the proposed application is not consistent with the Natural heritage Policy 2.1 of the PPS.

**9. Issue 7: Are there any environmentally hazardous and/or ecologically sensitive lands, [and/or natural heritage systems] that should be dedicated to the City? If so, does the Board have jurisdiction to order such dedication?**

The Official Plan 1993 recognizes that valleylands, watercourses and natural hazards constitute an integral part of the natural water-related ecosystem and the City's overall open space network. These natural features and functions represent not only constraints to development due to their physical hazards, but also opportunities for the preservation and restoration of natural landscapes. The City encourages public ownership of these lands to ensure the long-term protection, maintenance and enhancement of the ecological integrity and biodiversity of these natural areas.

The proposed Salt Creek tributary corridors will be characterized by both environmental hazards and ecological sensitivities and should be placed in municipal ownership. The existing East Tributary of Salt Creek, immediately upstream of Goreway Drive, should be placed in municipal ownership. The proposed buffer along the valley corridor of the Tributary to the West Humber River should also be dedicated to the City. Ultimately, the West Humber River Tributary valley corridor should be placed in municipal ownership in order to ensure its long-term protection.

**10. Issue 8: Does the proposed development implement storm water management best practices? Do the stormwater management ponds offset the loss of natural features and functions and represent an environmental enhancement and net environmental gain of fisheries and wildlife habitat as per the City's applicable Official Plan the Region of Peel Official Plan and TRCA storm water management policies and guidelines?**

The proposed stormwater management facilities will be designed to prevent damage to downstream properties and the tributary channel resulting from the floodwaters of Regulatory Storm flows including channel erosion and natural channel fluvial geomorphological processes, and water quality impairment. Stormwater management facilities by design are intended to contain contaminated sediments and must be maintained by sediment dredging, outfall maintenance, etc. Therefore, stormwater management facilities cannot be considered to provide fish and/or wildlife habitat, as their basic functions are to mitigate the impacts of land use development and associated activities.

The stormwater management facilities represent a mitigative measure to maintain both the physical features and water quality functions of downstream watercourse channels. The environmental reports identify additional stormwater best management practices that may be referred to as Low Impact Development measures that are necessary to maintain the groundwater system contributions to the West Humber River Tributary and the tributaries of Salt Creek.

**11. Issue 10: Does the proposed development conform with City's Official Plan policies at the date of application with regards to buffers and setbacks? How much weight should be given to the proposed development's consistency with the objectives of the City's 2006 Official Plan policies with regards to buffers and setbacks and good planning principles? Does the proposed buffer achieve the environmental policies and objectives of the 2006 Official Plan and represent environmental enhancement or net environmental gain?**

Sec. 4.4.10.6 of the Official Plan 1993 identifies that the City requires the establishment of buffers, setbacks and linkages in recognition of site specific and local conditions, and will use the policies and guidelines of the Conservation Authority to achieve this requirement. Furthermore, Sec. 4.4.10.7 of the OP 1993 qualifies that the City may set policies and guidelines based on technical justification for the establishment of standard buffers and/or setbacks from any type of class of natural or environmental features. Sec. 4.5.13.7 of 2006 Official Plan, has qualified that a minimum 10 metre buffer to define the limit of development will be required from all natural features, including stable slope and/or predicted hazards, dripline of woodlands, wetlands, environmentally significant-sensitive areas, areas of natural and scientific interest and the predicted hazards of watercourses including the Regulatory Storm floodplain plus 0.3 metre freeboard.

The development application proposes a 2.5 metre buffer between the stable top of bank of the West Humber River Tributary valley corridor and the rear lot lines. The City's OP93 supports TRCA's VSCMP requirement for a minimum 10 metre buffer-setback to be established (and measured) from the stable and/or predicted long term stable slope line. The City's Official Plan 2006 Sec. 4.5.13.7 further qualifies that a minimum 10 metre buffer is appropriate to define the limit of development will be required from all natural features, including stable slope and/or predicted hazards, and/or limits of vegetation.

In addition, the environmental reports have not qualified whether any buffers have been used as part of the delineation of proposed channel-corridor sizing, including the provincially recommended 15 and 15 metres fisheries buffer (to be measured from the realigned channel banks) and/or a 10 and 10 metre setback (to be measured from the Regulatory Storm and/or meander belt width hazard) as per TRCA's VSCMP, Sec. 3.1.2.

Therefore, it will be my evidence and it is my opinion that the proposed 2.5 metre buffer along the West Humber River Tributary valley corridor and/or the proposed realignments of the East and West Tributaries of Salt Creek are not in conformance with City 1993 and 2006 Official Plan policies (as supported by TRCA's policies) with regard to buffers and setbacks.

**12. Issue 11: Will the proposed development give rise to negative impacts to the Salt Creek and West Humber River Tributaries as a result of the proposed foundation drain collectors that are designed to redirect water to the West Humber River? Are these**

**impacts consistent with the policies and objectives in the City's applicable Official Plan and those of the TRCA?**

Sec. 4.4.3 of the OP 1993 identifies the City's objectives to maintain and enhance the quantity and quality of groundwater resources, and to protect and enhance the natural functions of areas critical for groundwater recharge and discharge. Sec. 4.4.3.2 qualifies that site specific stormwater management plans must identify, inventory and assess the development of a site and address the necessary measures or restrictions to maintain the quality and quantity of recharge and discharge functions.

The environmental reports provided by the applicant have not addressed the hydrogeological (groundwater) conditions of the subject lands. The proposed engineering plans provided in the FSR indicate that foundation drains will be employed throughout the northern tablelands to facilitate development and will discharge to the West Humber River Tributary. These foundation drains are located within the surficial drainage areas of the East and West Tributaries of Salt Creek. Pending a hydrogeological assessment of the subject property, there is a potential that the diversion of groundwater flows via the proposed foundation drain collectors to the West Humber River Tributary may cause an impact to the groundwater contributions to the East and West Tributaries of Salt Creek.

Pending a hydrogeological report, it is also unknown whether the local groundwater system supports and/or contributes to the flows in the two Salt Creek tributaries, and therefore, contributes and/or supports local fish and/or wildlife habitat, both on the subject lands, and on adjacent lands (i.e. those reaches of the Salt Creek tributaries through the Tortoise Court properties).

Therefore, it is my opinion that the potential impacts of the foundation drain collection system would not be consistent with the policies and objectives of the City's Official Plan 1993.

All of which is respectfully submitted



Susan Jorgenson, MCIP, RPP

March 30, 2009