

August 15, 2022

Township of Georgian Bluffs
177964 Grey Road 18
Owen Sound, ON
N4K 5N4

Attention: Jennifer Burnett, Senior Planner

Dear Ms. Burnett:

Re: **Notice of Complete Application for Consents and Zoning By-law
Amendment Z-17-21 and Severance Applications B11/21, B12/21 & B13/21**
Part Lot 17, Concession 2
Geographic Township of Sarawak, Township of Georgian Bluffs
128 Maple Ridge Drive
Owner: Blair and Cheryl Radbourne of the City of Toronto, Ontario

Further to our *January 26th written submission*; our *participation at the February 15th Severance Application Meeting* and the *February 16th Zoning By-Law Amendment meeting* considering the Radbourn Applications; and our *June 1st supplemental written submission*, we are writing to you with our final comments at this stage in the process regarding the above noted Zoning Amendment Application Z-17-21 to facilitate severance applications B11/21, B12/21 and B13/21.

Just because something may physically be done if the municipality elects to amend its zoning by-law and drastically alter its setbacks to zero (0), does not mean that it is in the public good and should be done.

- The proposed change will have a huge impact on the character of the area that is not desirable or compatible.

Why are these applications being made? What is the rational or the basis for these applications?

- It is not for the betterment of the community and environment

The impact and risk to the environment, safety and rural lifestyle of the local residents in Maple Ridge Subdivision for the sole interests of the Applicants that do not live here and enjoy the rural lifestyle Georgian Bluffs bestows its residents must be carefully weighed.

After reading all of the documents, including Peto MacCallum Ltd.'s addendum report, as previously stated, we vehemently oppose the aggressive intensification of four single family residences on the subject property. We implore the Township of Georgian Bluffs to deny these applications to amend the zoning with no setbacks to facilitate the severance of three lots from the retained farm property. As observed by Councillor Pringle during his site visit of the proposed development, the creation of the proposed three lots in addition to the original farm house is an “**aggressive**” development for this site.

This site is adjacent Niagara Escarpment Commission (NEC) lands and has hazards, water courses and Environmental Protection (EP) zones. A cautious approach to development must be taken. Municipal setbacks should be applied to the new expanded 'EP' zoning.

Outstanding Questions and Concerns:

It is clear from reading the documents that no one (provincial/municipal levels of government, agencies, current property owners and their hired consultants/engineers) will be held accountable for any harm or damage to this environmentally sensitive area, the existing subdivision resident's properties, or the purchasers of these new homes due to failure of their recommendations and opinions. Sadly, all of the risk, including health and safety issues and any costs to correct the damage will be endured by the environment, the existing Maple Ridge residents and the owners of these new homes. This is extremely unnerving and stressful because we feel the reports provided with this application have been treated as red tape hoops and hurdle irritants that needed to be checked off, rather than the green tape protection measures they are intended to be for the public welfare.

Many of our questions and concerns with the reports (and included again in this submission) have still not been directly responded to.

Have municipal planning, building and operations staff (municipality) read and understood the applications and documents? Can they answer our questions and respond to our concerns laid out in our written submissions (January 26, 2022, June 1, 2022 & August 15, 2022)?

Have Council, the Committee of Adjustment and the Committee of the Whole (Committees) read and understood the applications and documents? Can they answer our questions and respond to our concerns laid out in our written submissions?

We are encouraged to participate in this process, but the lines of communication only seem to flow one way rather than back and forth in an open and transparent conversation. We have poured months of our time into trying to educate ourselves on the planning and

development process, reviewing provincial/county/municipal policies, reviewing the applications documents, attending meetings (2) and writing our own submissions (3) with no direct response to our questions and concerns. Understandably, depending on the decision, we need detailed responses to our specific questions and concerns in order to be able to accept the decision or assess whether or not we are going to proceed to the next step and appeal the decision of the Council of the Township of Georgian Bluffs and/or the Committees to the Local Planning Appeal Tribunal (LPAT) at a financial cost to ourselves.

If the municipality and the Committees cannot respond to our questions and concerns or if they have questions and concerns of their own, when acting in the public interest, how can they be prepared to approve these applications for such an aggressive development that will have an enormous impact on the environment, the health and safety of local residents and our rural lifestyle? To do so would be irresponsible.

We the public are dependent on you to act in the best interest of your local residents. Accordingly, these **applications/documents must be reviewed by you with a critical probing eye using your expertise, local knowledge of the area, and the municipality's own impartial tendered reports of the area.**

Health, Safety and Rural Lifestyle of Local Residents

The proposed development is too aggressive for the environmentally sensitive area and does not align with Official Plan policies, or compliment the Townships identity as a rural community and its Vision and Mission to preserve rural residential lifestyles and natural landscapes. The proposed development does not work well with the landscape or the existing large wide lots in Maple Ridge subdivision.

Grey County's and Georgian Bluffs' Official Plans (OPs) align with the Provincial Policy Statement and contain policies to protect farmlands, woodland and wetlands. The OPs promote taking a cautious approach to development in rural settings at a proper scale with an objective to protect the environment, health and safety of residents.

Tertiary Settlements allow for infilling and **minor rounding-out** of existing development, but increasing the total dwellings to four including the retained portion, is more than minor rounding.

Georgian Bluffs Official Plan Section 7 Definitions:

ROUNDING-OUT: Means, for the purposes of this Plan, *new development* or *redevelopment* within a defined *settlement area* which may occur by consent or plan of

subdivision that represents a logical extension or completion of an existing adjacent development pattern and takes into consideration, the capacity of existing services.
[underline added]

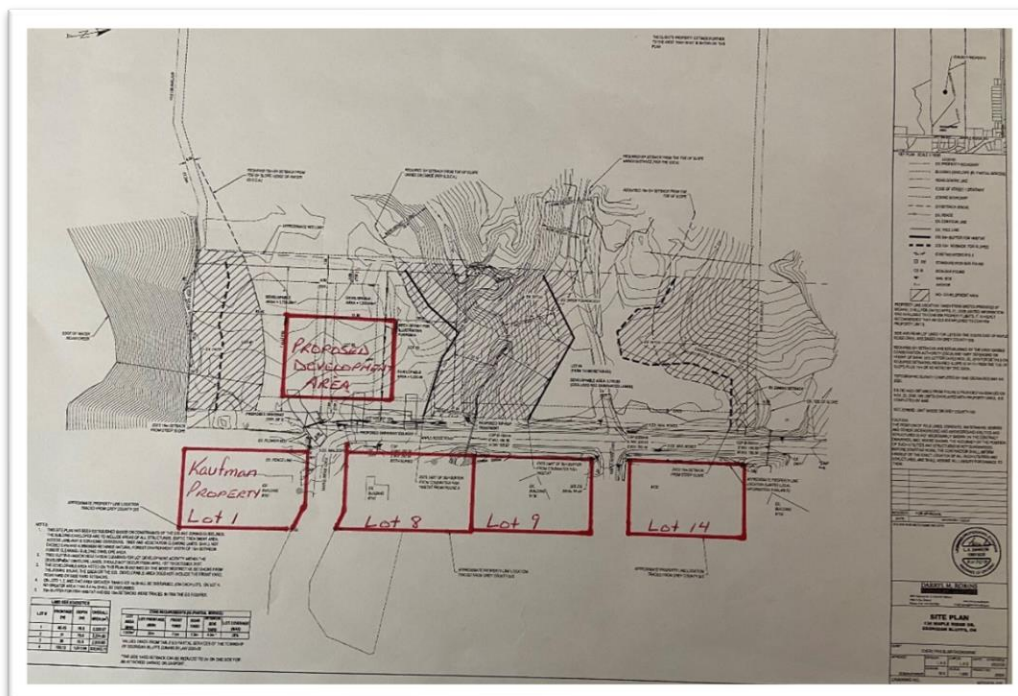
The **vision** and **mission** for the Township of Georgian Bluffs:

“Georgian Bluffs is a community of communities, which will preserve its agricultural and rural residential lifestyles, natural landscapes, heritage and enhance business opportunities through fiscal responsibility and proactive planning.

Our mission is to balance growth and our existing assets and lifestyles through responsible management and proactive planning.”

How does removing Significant Woodlands to over-build and squeeze three new lots with alternative tertiary septic systems into this existing plan of subdivision, in addition to the already existing/retained site on the subject property align with the Ops, the Townships vision and mission and consider the existing adjacent development pattern?

Rather, OP policies and the attractive living environment of the established homes in the exiting subdivision with wide spacious lots, in particular, the two lots directly across the from the proposed development area with 68m and 61.9m frontages support the argument that only one single family residential lot within the realigned EP zone with 15m setbacks on the proposed development area is the proper scale to be considered for the neighbourhood as shown below.



The amendments being sought by the property owners impacts the Municipality's ability to achieve their stated principal.

The proposed development is not consistent with the subdivisions existing standards and lot sizes.

Services

Water

The current water system does not adequately service the existing homes within the subdivision, let alone four more single family dwellings. Without the recommended upgrade to the watermain made by the Townships own impartial consultants ("Watermain Review" 2019) and adjustment to the pressure reducing valve, Council cannot conclude the system has capacity to service 4 more residential homes.

In addition to the water quantity concerns, the impact on water quality has not been examined.

The fire hydrant in the subdivision is painted black and decommissioned due to lack of water pressure. This was a factor when the original farm house on the subject property burned down.

What is the plan to rectify this existing safety risk? When?

Has the pressure reducing valve been adjusted to see if it alleviates the current water pressure inadequacies in the subdivision?

Infrastructure upgrades should be made prior to putting further stress on the existing system. To do otherwise is putting the cart before the horse.

Before implementing the Townships own impartial consultants recommended 150mm (6 inch) upgrade to the watermain and adjusting the pressure reducing valve, how can Council be convinced it has the capacity to service four more homes in this subdivision?

Ontario Clean Water Agency (OCWA):

A Friday afternoon email was flipped to OCWA's Senior Operations Manager by the Townships Operations and IT Coordinator asking for his "opinion on if this (4 parcels of land) will affect the volume or pressure to the other residents".

By Tuesday morning, the response back by email was that “the 75mm watermain on Maple Ridge Road **should** be able to accommodate 4 additional 19 mm water services without affecting available water volume to other residents.”

OCWA’s use of the word “should” instead of “will” is not very reassuring.

How closely was this looked into by OCWA between Friday afternoon and Tuesday morning?

Is the Operations Manager aware of the inadequacies of the current system?

Is the Operations Manager aware of the Township’s Watermain Review Study recommending a 150mm watermain?

Does the size of the homes and number of fixtures impact the water volume?

The OCWA also indicated that four additional water services on the current inadequate water system may compound the water pressure problem by further affecting the first few properties situated south of the Indian Acre/Grey Road 1 Pressure reducing valve. OCWA suggests that increasing flow through the pressure reducing valve “**may**” be enough to get the valve to open further to allow the water pressure for those first few properties to be sustained or even increased, but if the flow cannot be increased, the available pressure to the first few houses may be reduced.

OCWA’s use of the word “may” instead of “will” is not very reassuring.

Have the first few properties situated south of the Indian Acre/Grey Road 1 Pressure reducing valve site been notified of the potential impact the proposed development may have on them?

Can the flow be increased through the pressure reducing valve?

The OCWA’s mitigation strategy to increase the flow through the pressure reducing valve to get the valve to open further should be implemented now to see if this strategy is effective in alleviating the water pressure concerns the Maple Ridge Subdivision residents already face today before more development is allowed that may further impact the residents in the subdivision and additional residents south of the Indian Acre/Grey Road 1.

Georgian Bluffs Official Plan Section 7 Definitions:

NEGATIVE IMPACT: Means:

- In regard to water resources, the degradation to the quality and quantity of water..., due to single, multiple or successive development or site alteration activities;

It is not just water quantity, but also the water quality that should be examined.

Does the location of these proposed new sites abutting a farm and at the end of a dead-end road impact the water quality due to the potential for nitrification, the loss of chlorine, a buildup of sediment, and increased water age resulting in bacterial growth?

If the watermain dead ends here, is there potential for bad taste, odor, and water discoloration?

Would this only affect the new homes or other homes in the subdivision?

Are these not important considerations the OCWA should be concerned with investigating and provide an opinion on, particularly since the Walkerton Water Crisis?

Will the proposed development impact water quality?

Septic

Local municipalities need to be satisfied that any new development by way of consent can be adequately serviced by individual on-site private systems and minimize the potential for adverse groundwater impacts resulting from their use.

The nitrate loading calculation did not meet the Ministry of Environment, Conservation and Parks (MECP) acceptable regulatory requirement in the D-5-4 Guideline. As an alternative, Peto MacCallum Ltd. (PML) suggests a non-standard Tertiary Treatment Septic System be considered by the Township Building Department or the proposed lots be enlarged in order to accommodate the calculated nitrate loading. (Report 1, page 7)

Due to the water drainage concerns and the environmentally sensitive nature of the proposed development area and surrounding lands, a less aggressive development with one single family dwelling on an enlarged lot that would conform to the regulatory nitrate standard is the responsible and prudent option.

The MECPs website states that the purpose of the D-5-4 guideline is to protect the environment and public health by ensuring developments with onsite sewage systems proceed “at a density and scale which will not result in, or cause degradation of, groundwater resources in exceedance of acceptable limits.” The scale of the proposed development is such that an increased degree of assurance is appropriate.

Peto MacCallum Ltd. Report 1 and Report 2:

The Nitrate Study conducted by Peto MacCallum Ltd. seems to employ a very minimal and weak sampling program to support these applications. The Nitrate Study as completed and written is not transparent or convincing that the proposed three lots can accommodate the nitrate loading with alternative Tertiary Treatment Septic Systems. Due to the environmental sensitivity of the area and the minimal sampling program conducted, if a non-standard Tertiary Septic System that barely meets (9.8mg/L) the D-5-4 nitrate regulatory requirements (<10mg/L) is being considered by the Township, then as suggested by MECP, a professional should be retained by the municipality to peer review Peto MacCallum Ltd.'s report prior to approval.

MECP does not normally review development proposals consisting of 5 or few lots, however municipalities are encouraged to retain, on their behalf, professionals with demonstrated expertise in hydrogeology with emphasis on development on private services, to review studies prepared in accordance with Guideline D-5-4.
[underline added]

Three **test pit locations** were selected and established in the field by PML. All three of these test pits were located at the front of the proposed development area close to Maple Ridge Road where the driveways for the proposed lots would be located rather than further back where the residential dwellings and septic systems would be located.

- PML's Statement of Limitations recognizes that "...sampling explorations at a particular location may not be representative of conditions between and beyond sample locations. Soil, ground water, surface water or building material conditions between and beyond the sample locations may differ from those encountered at the sampling locations ...".
- PML indicated the test pits were excavated close to Maple Ridge Road due to access constraints and for minimizing tree cutting.

PML **visited the site** on August 11, 2021 and eight months later on April 11, 2022 to measure ground water levels in the three test pits. The logs for August 11, 2021 have been included with the report, but not the April 11, 2022 logs. [For the record, can the missing logs be requested?](#)

The D-5-4 Guideline states that "determining the representative existing background nitrate nitrogen levels in the receiving groundwater "involves the collection of groundwater samples from various location on and adjacent to the development site. The consultant must provide a clear rationale for the number of times the site is sampled, the period of time over which the sampling has been undertaken (capturing seasonal variations), and the manner in which this information is used in the assessment."
[underline added]

The local Maple Ridge Subdivision residents have attested to the drainage and standing water problems they currently experience on their properties throughout the year over the years. The report admits “Ground water levels will fluctuate seasonally, and in response to variations in precipitation”. The Study should capture **seasonal variations** as stated in the D-5-4 Guideline. If not, Council should weigh these limited observations with their own local knowledge of precipitation events and drainage issues in the area to determine how much weight this report should be given and if the limited data impacts their comfort level to approve such an aggressive development.

Figure 1 on page 4 of Report 1 and page 5 of Report 2 shows the hydraulic conductivity of the soil samples for each test pit and notes that the K-values do not take into consideration site specific details.

For our understanding, please explain in layman’s terms what the results in Figure 1 mean.

How do these results compare to regulatory requirements? Are these high infiltration rates?

Are the soil types present considered highly permeable soils?

Unlike Report 1 that only provided **ground water quality** parameters for Test Pit 3, Report 2 provides ground water quality parameters for all three Test Pits (Report 2, Page 6 table & Appendix A). It is interesting to note the variation in the water quality parameters for Test Pit 3 between August 11, 2021 and eight months later on April 11, 2022. The PH and Phosphorus measurements are higher.

For our understanding, please explain in layman’s terms what the results in the table and Appendix A mean.

How do these results compare to regulatory requirements?

The D-5-4 Guideline states that every proposed development involving individual on-site septic systems requires an assessment of the groundwater impact potential. This assessment is a three-step process. The *first step* involves a definition of the proposed development’s minimum lot size.

The lot sizes vary between Report 1 and Report 2.

LOT	Report 1 Total Area (m ²)	Report 1 Area (ha)	Report 2 Total Area (m ²)	Report 2 Area (ha)
1	5,448.62 5,209.82 (79.6m x 65.45m)	0.54 0.52	5,090.07 (76.6m x 66.45m)	0.54 0.509
2	2,467.6 (79.6m x 31.0m)	0.25	2,374.60 (76.6m x 31.0m)	0.25 0.237
3	3,024.8 (79.6m x 38.0m)	0.30	2,910.80 (76.6m x 38.0)	0.30 0.291
Total	10,941.02 10,702.22	1.09 1.07	10,375.47	1.04 1.037

Please confirm the correct proposed lot sizes – Report 1 vs. Report 2 vs. other.

The lot sizes in the reports do not adjust for minimum set back/separation distances required by O. Reg. 358 (sewage systems), O. Reg. 903 (Ontario Water Resources: Wells) and/or other municipal by-laws/considerations.

What is each proposed lot's minimum lot size?

The *second step* in the three-step assessment is evaluating the relationship between the individual on-site sewage systems and the groundwater. Where the proposed lot sizes are less than one hectare, the consultant is responsible for assessing the potential risk to groundwater. The consultant evaluates the most probable groundwater receiver for sewage effluent and defines the most probable lower hydraulic or physical boundary of the groundwater receiving the sewage effluent. This is assessed on a site-specific basis and may involve assessments of geologic and/or hydraulic boundaries.

The systems must be isolated from sensitive surface water environments. The consultant must make recommendations regarding optimal location and orientation of on-site systems. Due to the Significant Woodlands, watercourses with fish habitat, and valleys throughout the proposed development area, this is an important step in determining the lot density of the proposed development area.

Why is the system isolation not being considered at this stage of the investigation? When will it be considered?

Is hydrogeological data and information not available from the three test pits and Stormwater Management Report or does this require an auger hole and/or test drilling on a site-specific basis?

Step three involves a detailed examination of contaminant loading to the groundwater. A hydrogeologic study assesses the risk that the development's individual on-site systems will cause concentrations of nitrate-nitrogen in groundwater to exceed 10mg/L at the downgradient property boundary.

PML did not consider groundwater flux in the nitrate dilution calculation because they considered it insignificant due to the sandy silt with trace clay low permeability soils on the subject site. Report 1 notes that this will result in the nitrate loading assessment being conservative.

Is it an acceptable practice to ignore groundwater flux?

PML removed from Report 2 its statement that:

“Since the equations employed to compute the volume of surface water runoff were developed for heavy rainfall events of short duration, and a large volume of the precipitation occurs at a light to moderate rate over an extended period of time, the procedure over-estimates the volume of runoff and yields a conservative assessment of the infiltration rate.”

Why was this statement removed from Report 2?

Proper due diligence and transparency tells us that three individual Nitrate Loading Computations should be done. One computation for each individual proposed lot using site specific data should be provided to prove each individual lot meets the septic system standards on its own merits, taking into account minimum setback/separation distances required according to O. Reg.358, O. Reg.903 and other municipal by-laws/considerations to ensure each individual proposed lot meet the standards.

The Nitrate Loading Computation provided in the report treats the proposed development area as one site (1.04ha) with three single family residential dwellings. This does not adequately account for the unique characteristics present on each individual lot, site specific nitrate concentrations, downgradient lot boundaries, groundwater flux and required minimum setback/separation distances.

Can the three Nitrate Loading Calculations supporting Report 2’s findings be provided similar to Report 1’s original calculations that were included in that report as Figure 2 and Figure 3 tertiary treatment system?

Are the Nitrate Loading Calculations in Report 2 for a standard on-site septic system or a tertiary treatment system and/or some other type of septic system? Report 2 is not clear on what the three different approaches take represent.

Can the computation discrepancies between Report 1 page 7 and Report 2 page 9 laid out below be explained?

1) **Report 2**

N_s = nitrate mass in septic effluent (40g/Lot/day per the Guideline, total $N_s V_s = 120,000\text{mg/day}$)

Report 1

N_s = nitrate concentration in septic effluent (40L/day per MOEE Procedure)

2) **Report 2**

N_b = background nitrate concentration (assumed 0.1 mg/L based on the test results, total background nitrate mass = 830 mg/day)

Should 830mg/day be 830mg/day/lot = 2,490mg/day?

Where does 830mg/day come from?

3) **Report 2**

V_s = daily sewage flow volume (2,000 L/day/Lot per the **OBC**)

Report 1

V_s = daily sewage flow volume (2,000 L/day/Lot per the **MOEE Procedure**)

4) **Report 2**

V_b = **total** volume of sewage effluent is 6000 L/day

Report 1

V_b = volume of sewage effluent (2,000 L/day/lot per **MOEE Procedure**)

On Page 10 of Report 2, are the nitrate loading **calculations assumptions**.

- Can assumption iii) be explained?
 - The 2,000 L/day diluting sewage flow rate per **MOEE** was referred to in Report 1 and the 2,000 L/day per the **OBC** was referred to in Report 2.
 - This is the first time the **1,000 L/day per the Ministry Guideline** is referred to.
- Assumption iv) says '*the calculations are done for three lots per the original site plan provided on July 26, 2021.*'
 - The lot area from Report 1 to Report 2 has changed from 1.09 to 1.04.
 - The calculations are done on the total proposed site area with three single family residential dwellings, not for three individual lots each with a single family dwelling per lot as the calculation should be done to properly account for site specific data to prove each individual lot meets the septic system standards on its own merits, taking into account minimum setback/separation distances required according to the regulations and other municipal by-laws/considerations.
- Assumption v) say the groundwater background quality is shown on the Table in Section 4.3.
 - Should this say Section 4.2?

Three approaches were taken in Report 2 for the nitrate loading calculation. These results differ from the two results published in Report 1.

Can the Nitrate Loading Calculations supporting Report 2's findings be provided similar to Report 1's original calculations in Figure 2 and 3 of that report?

Are the Nitrate Loading Calculations in Report 2 for a standard on-site septic system or a tertiary treatment system and/or some other type of septic system? Report 2 is not clear on what the three different approaches take represent.

Georgian Bluffs Official Plan Section 7 Definitions:

QUALIFIED PROFESSIONAL: Means an individual who possesses training, education, skills and relevant practical experience in a particular field of expertise or discipline and may belong to, or hold a membership affiliation with a governing organization or association presiding over that particular field or discipline. The qualified professional must be accountable to and responsible for any work or opinion provided.
[underline added]

PML's Statement of Limitations indicate the Reports:

- Are prepared for his clients named in the Reports and disclaims any liability or responsibility to any person or entity, other than those for whom the reports are specifically issued.
- Shall not be used to express or imply warranty as to the fitness of the property for a particular purpose.
- Are not a certification of compliance with past or present regulations, codes, guidelines and policies.

Since five different results have been presented between Report 1 and Report 2, as suggested by MECP, will the Municipality have an impartial professional retained to peer review Peto MacCallum Ltd.'s reports and findings?

- Two results failed the regulatory requirements (16.3mg/L and 10.7mg/L); 1 barely satisfied the regulatory requirement if a tertiary treatment system is used (9.8mg/L)
- Is it appropriate to use the "average value" (8.2mg/L) of three different nitrate calculations (8.4mg/L, 10.7mg/L, 5.4mg/L) to argue the lots can accommodate adequate dilution of nitrate loading to below 10.0mg/L?
 - If so, why is it not appropriate to use a larger sample size of the five different nitrate calculations (8.4mg/L, 10.7mg/L, 5.4mg/L, 16.3mg/L, 9.8mg/L) to argue the average value (10.12mg/L) can NOT accommodate adequate dilution of nitrate loading to below 10.0mg/L?

The nitrate loading calculations completed by PML cannot be relied on without question to conclude each lot can accommodate adequate dilution of nitrate loading to below the acceptable regulatory level (10.0mg/L). Considering the

conservative assessments noted in the Reports and our concerns mention above, it is not convincing that the proposed development of three lots, each with a four-bedroom single family dwelling, can be adequately serviced.

PML suggests considering the use of Tertiary Treatment Systems with the risks that come with those systems or enlarging the proposed lots to accommodate the calculated nitrate loading (Bottom of Page 7, Report 1).

- Why should local residents and the environment be exposed to unnecessary risk if a less intensive development of the site can maintain a safe and proper standard?
- Can Georgian Bluffs Building Officials provide a report regarding the use of three tertiary septic systems instead of conventional septic systems, including associated risks, and long-term maintenance requirements/monitoring?
- Would a less aggressive development of the proposed site (one lot with one single family dwelling instead of three lots and three single family dwellings) allow for the benefit of a safer conventional septic system rather than an alternative tertiary system that requires more maintenance and monitoring with the risk of filters, pumps or electrical components breaking down or clogging?

For the protection of its residents and this environmentally sensitive area, a cautious approach to development should be taken by the Township. The standard of a conventional septic system should be maintained with a scaled back development of the proposed area to one lot with one single family dwelling.

Stormwater Management

As you know, Balmy Beach has been identified by the Township of Georgian Bluffs through its own impartial study as an area requiring improve drainage. It would be irresponsible for the Township to permit the extensive removal of the natural buffer area of the woodlands, vegetation and soil on the subject property that currently absorb and slow the flow of water towards residents situated at a lower elevation for the development of four residential dwellings, septic systems and pervious surfaces. This exposes the current residents of Maple Ridge subdivision and those further downstream to greater risk of flooding on our properties without upgrades made first to the existing culvert infrastructure.

Official Plan policies promote the avoidance of development of Significant Woodlands that help provide natural shade, prevent erosion, maintain soil integrity and ground water levels. Fragmentation of the woodlands is generally discouraged.

The proposed development area in these applications contains watercourses, valleys and Significant Woodlands.

Contrary to policy, approval of these applications would eliminate designated Significant Woodlands causing fragmentation of the woodlands and jeopardizing soil integrity and ground water levels.

What is the point of designating an area “Significant Woodlands” if the designation can simply be disregarded when a property owner decides for their benefit that they want to aggressively develop their property beyond what is allowed under current policies and municipal zoning and By-laws?

The creation of three new lots in addition to the retained parcel will have a negative impact on the drainage patterns in the area.

The fact that the existing outlet and drainage ditches do not adequately control the stormwater and groundwater in the subdivision as it exists today has been documented in the written submissions you have received and further attested to during the public meetings in February by the local residents that live here. The proposed new lots will drain towards the Maple Ridge Road Allowance adjacent to our property with the existing ultimate outlet for the water remaining the same. Directing more water towards us, situated at a lower elevation and putting more stress on the existing overburdened outlet poses a major risk the residents of Maple Ridge Subdivision and those downstream.

The downstream culvert crossing Maple Ridge Road is only 450mm in diameter which is supposedly “acceptable”, but not “optimal” (25-year storm). Flooding is real. Without this culvert being updated to an “optimal” level (100-year storm) the culvert will be further overburdened as a result of the proposed development causing greater flooding to the local residents.

Without first having the infrastructure required to support the current development in the subdivision, you cannot put residents at further risk by proceeding to allow further development. The Township has experienced first hand what can happen when the proper infrastructure is not in place with other developments such as Pottawatomie Village, the Village of Kemble and Big Rock Road for example.

Due to the proposed development area size and the topography of the area, it was determined that as an alternative, grassed swales will need to be used to mitigate the lack of space for a management pond to manage stormwater.

How is the best drainage system for a development area determined? Is there a hierarchy that is followed?

Other than grassed swales, what other mechanisms are there to manage stormwater?

In addition to the original farm house, if only one lot instead of three lots were created in the proposed development area, what system/mechanism would be used to manage stormwater? Could a more optimal system/mechanism such as an on-site management pond be used to manage stormwater?

Grassed swales are not aesthetically pleasing to look at and will inevitably get over grown and fill with sediment. It has been recommended the maintenance of the proposed swales be addressed through a site plan agreement registered on title. Maintenance of the grassed swales includes inspection each spring and fall and after major storm events to ensure any accumulated sediment is removed. This places us in the unenviable and vulnerable position of being at the mercy of the property owners of the proposed lots doing their due diligence to properly maintain the grassed swales.

Who is responsible for regularly inspecting and enforcing the site plan agreement proactively before flooding damage and ensuring it is carried forward and applied to subsequent property owners of the individual lots?

Who is responsible for maintaining the proposed grassed swale on the Township's Road Allowance?

The Road Allowance is adjacent to our property and is lined with large, old Maple trees. We are concerned about damage to the root system of these trees with the installation of the grassed swale and driveway access to proposed lot one (1), creating the potential for a tree to fall on our home during construction or afterwards in a storm when the trees are not longer protected and erosion from the run off into the swale begins to occur.

Has this been considered by the engineers and what are their findings and recommendations?

Rather than disturbing the soil around these trees with an unsightly grassed swale and creating another hazard and potential impairment to our property, what are the alternatives?

Would a smaller development footprint with only one centrally located lot in the proposed development area reduce the need for a grassed swale along the Road Allowance with the old Maple trees or permit the use of an alternative mechanism to manage stormwater?

It is documented that there are hazard lands, streams and springs running all over the proposed development area that if interfered with will pose a risk of flooding not only to the current residents of Maple Ridge Subdivision situated at a lower elevation and those in the community located downstream towards Georgian Bay, but also to the new

residents that choose to invest and build on these new lots. Water has to flow somewhere and when its course is altered and interrupted it will find a new path.

- **Should the Zoning Amendment Application be approved, we further oppose the reduction of the EP setback to 0m. The revised hazard mapping should be included in the Township comprehensive Zoning By-Law as environmental protection and the required By-Law set-backs should be from the revised hazard mapping boundaries.**

As mentioned in the Stormwater Management Report, proposed Lot 3 has a stream running along the rear and north side of the proposed lot in addition to “water from somewhere” flowing over it. There is also an obvious sink hole as observed by Councillor Pringle during his site visit and shown in the photo below taken *April 9, 2022* of Test Pit 3. This area is adjacent to the sinking portion of Maple Ridge Road.



Based on the on-site observations of depressions, crevasses, disappearing springs and sinkholes, can a Karst Assessment be completed to assess any impacts or potential hazards on the surface and groundwater supply and make sure the bedrock is structurally sound and that there are no fractures, joints or faults?

Has it been established that the proposed development area is not a hydrogeologically sensitive?

The photo also shows standing water around the white Stand Pipe at Test Pit 3. Determining where this water is coming from is important.

Is this water coming from an underground spring and if so, is the grassed swale between proposed lots 2 and 3 the correct solution to manage this groundwater or is that measure more effective at managing stormwater runoff?

Water from an underground spring has to flow somewhere and when its natural path is altered with building foundations and septic systems the water from the underground spring will have to find a new path underground to flow.

Removing woodlands, vegetation and soil and replacing these water absorbing features with impervious surfaces will result in more runoff and more standing water on the land surrounding the new path the underground spring was forced to take.

This photo illustrates the safe buffer zone the proposed development area is for the adjacent residents of Maple Ridge Subdivision situated at a lower elevation.

- It is in our best interest to maintain as much of this area as possible in its natural state, or the standing water we currently experience on our properties could become unmanageable.

Squeezing three lots into the sensitive area is too aggressive and will have a negative impact on the drainage patterns in the area.

Minimizing the disturbance to the natural landscape and avoiding interference or changing/diverting the watercourse running through the proposed development area is safe and prudent planning for the local residents.

Environmental Impact

The proposed development will have a negative impact on the features and functions of environmentally sensitive features in the area. While residential dwellings can be built on a variety of land use types, there are only certain precious lands that can sustain agriculture, significant woodlands, fish and wildlife habitat.

The lands subject to these applications are within the Niagara Escarpment Plan. Ecologically, these lands perform and contain a variety of natural functions and features, including supporting water quality, erosion protection, creating shade and a habitat for fish and wildlife, including species of concern.

The Township has the mandate to determine the intensity of the residential development within the Development Envelope in relation to its local Official Plan and Intensification Strategy. Justification for its decision should address the balance between the environment protection, and the promotion of growth.

“We need areas for people to interact with nature without overwhelming it”.

(Grey County’s Official Plan)

In support of Councillor Pringle’s remarks and the concerns of the local residents, an additional alternative development and mitigative measure not presented in the EIS, would be a less aggressive residential development of the Development Envelope areas that allows two instead of four building sites. Instead of three lots squeezed into the **southern “Development Envelope”** area, permit **one lot** in addition to the northern Development Envelope on the retained parcel to allow the replacement of the old farm house that burnt down.

The southern Development Envelope land area forest cover is deemed a Significant Woodland. Natural Heritage Provincial Policy and the Grey County Official Plan state that no development or site alteration may occur within Significant Woodlands or their adjacent lands unless it can be demonstrated that there will be no negative impact on their natural features or their ecological functions. It is not logical to believe that when these significant forested lands are permanently removed for developed and the natural environment is altered forever, particularly as aggressively as is being proposed with three lots in the southern “Development Envelope”, that there is not a negative impact on the natural and ecological features of the land. Features that are not only important to the nesting and rearing habitat of the Eastern Wood-pewee migratory song bird (species of concern) and fish habitat, but to the habitat for other delicate species we see in the area, including numerous bats, ruffed grouse and salamanders that were not mentioned in the EIS.

Climate Change

We are asking you to evaluate this application through a climate action lens to facilitate resilient sustainable land-use planning and development within our community that will protect people and natural systems from the impact of climate change.

The Township says it recognizes that we have to take action now to adapt to and mitigate the effects of climate change to reduce the negative impacts expected from extreme weather conditions. This requires you to commit to resilient land-use planning and development decisions within our community.

The Township has heard specifically about the impact of climate change from long-term residents of Maple Ridge Subdivision who have reported on the changes that have occurred over time on their properties, including increased water ponding, death of trees, erosion and the sinking Maple Ridge Road.

Georgian Bluffs aspires to be recognized as stewards of the environment, remaining true to its natural roots. Georgian Bluffs natural roots is why we chose to live here 27 years ago and why we chose Maple Ridge Subdivision in particular with its spacious lots, the nature and beauty of the Niagara Escarpment, natural trails, waterfalls and river. Aligned with your aspiration, we are asking you to leverage the natural-based assets of the neighbourhood for a sustainable future and not allow the proposed aggressive intensification on the subject property. For the public good, it is clear that the right decision and balance approach that is in the best interest of the community as a whole, is to scale back the development on the subject property to allow one single family lot in addition to the original farm house. Otherwise, will be too big a cost to the environment and local residents.

Should the Zoning Amendment Application be approved, we further oppose the reduction of the EP setback to 0m. The required setbacks in the Zoning By-law should be maintained from the re-mapped EP feature.

Closing Remarks

Respectfully, for the reasons expressed here, along with our previous written submissions (January 26th & June 1st) and remarks at the February 15th and 16th meetings considering the Radbourn Application, we are requesting the Township of Georgian Bluffs deny the Zoning Amendment Application to facilitate the severance application for three lots on the subject property. It is a far too aggressive development on these sensitive lands and for the current infrastructure to support.

- The proposed development will change the character of the area and is too aggressive for the environmentally sensitive area and does not align with the Official Plans policies, the Townships Vision and Mission or the existing large wide lots in Maple Ridge subdivision.
- It has not been demonstrated that the proposed aggressive development can be serviced with an adequate quality and quantity water supply and means of sanitary sewage disposal to accommodate a 100% contingency envelope on the lot.
- In an area identified as an area requiring improved drainage, the development of three lots with single family homes in addition to the original farm house will have a negative impact on the drainage patterns in the area exposing the residents of Maple Ridge subdivision to greater risk of flooding on our properties.

- The proposed development will have a negative impact on the features and functions of environmentally sensitive features in the area including the removal of designated Significant Woodlands, causing fragmentation of the woodlands and jeopardizing soil integrity, ground water levels and future nesting and rearing habitat for migratory birds, including the Eastern Wood-pewee identified as a “species of concern”.
- Council’s evaluation of this application and its decision should be done through a climate action lens to protect its residents and natural systems from the impacts of climate change and ensure over-built development does not contribute to it.
- The required 15m setback in the Zoning By-law should be maintained from the re-mapped EP feature.

For the public good, it is imperative Council act in the best interest in areas that directly impact the local residents in the Township they represent. Development of more than one residential lot in addition to the original farm house would do more harm than good. One residential lot in addition to the original farm house conforms to policy and is reasonable. It is the proper scale for the neighbourhood.

By denying the Applications and maintaining the integrity of the neighbourhood, the Township is acting in the best interest of the public, providing the local residents a safe attractive living environment and protecting its natural resources and the environment. Climate Change has reinforced the importance of striking this balance between aggressive development projects and the environment.

Thank you again Ms. Burnett for the opportunity to provide you with our submission for yours and Council’s/Committees consideration. We look forward to receiving responses to our questions and concerns.

Sincerely,

Peter & Kathryn Kaufman