

ONTARIO MUNICIPAL BOARD

Eden Oak (Creditview Heights) Inc. has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, from the neglect or refusal of the Town of Halton Hills to amend Zoning By-law No. 74-51 to permit a development consisting of 33 single detached lots, Part lot 20, Concession 9, Town of Halton Hills
Municipal File No. D14ZBA08.004
OMB File No. PL150128

Eden Oak (Creditview Heights) Inc. has appealed to the Ontario Municipal Board under subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, from the failure of the Town of Halton Hills to make a decision to permit a development consisting of 33 single detached lots, Part Lot 20, Concession 9, Town of Halton Hills
Municipal File No. D12SUB09.001
OMB File No. PL150129

WITNESS STATEMENT OF ZAHIR NAJAK

February 9, 2017

WITNESS STATEMENT OF ZAHIR NAJAK, P. ENG.

INTRODUCTION

1. The following witness statement is submitted by Zahir Najak, Development Engineer with the Regional Municipality of Halton (the “**Region**”).
2. My testimony will be directed at Issue 3 on the Town and Region Issues List.

QUALIFICATIONS

3. I am a Registered Professional Engineer (P. Eng.) and have been employed by the Region since January 28, 2002.
4. In my current role as the Development Engineer in the Legislative & Planning Services Department at the Region, I am responsible for overseeing a team of Development Project Managers in the delivery of comments and the review and approval of technical reports and engineering drawings related to water, wastewater and other Regional infrastructure required for new developments. In the course of my employment with the Region, I have reviewed numerous applications, many of which relate to assessing Regional infrastructure in the context of plan of subdivision approvals. As a result, I am familiar with the development approval process at the Region and the types of conditions and tests that must be met before the Region will approve a proposed planning application or engineering submission.
5. My *Curriculum Vitae* outlining my professional qualifications and experience is attached hereto as Appendix “A”. My Acknowledgment of Expert’s Duty is attached hereto as Appendix “B”.

MATERIALS REVIEWED

6. I will rely on the following documents as part of my evidence:
 - a. Functional Servicing Report for Proposed Low Density Residential Development by Eden Oak (Creditview Heights) Inc., revised December 2016, prepared by Condeland Engineering Limited.
 - b. Assessment Report Regional Municipality of Halton John Street Sewage Pumping Station dated January 2006, prepared by Associated Engineering.
 - c. John Street Wastewater Pumping Station (76) Condition Assessment dated May2013, prepared by Genivar Inc.
 - d. Letter from Condeland Engineering Ltd. to the Town of Halton Hills, dated June 27, 2016.
 - e. Region of Halton Water and Wastewater Linear Design Manual, April 2015.

ISSUE TO BE ADDRESSED

7. In this witness statement and my oral evidence before the Board, I will address the following issue on the Town and Regions Issue List:

Issue 3: Can the development proposal be serviced to the required standards, and have the Functional Servicing Report and supporting technical work (i.e. hydraulic analysis) been completed to the Region's satisfaction to support the provision of water and sanitary municipal services and the approval of the development proposal? Does the servicing proposal include other Glen Williams lands owned by the appellant, or lands owned by others, including the Town, and if so, are there additional considerations that need to be addressed?

EVIDENCE

Review of The Functional Servicing Report

8. Regional staff have reviewed the revised Functional Servicing Report, dated December 2016 by Condeland Engineering Ltd. The Functional Servicing Report proposes the extension of municipal watermains and sanitary sewers to service the proposed development. The servicing proposal does not include any other Glen Williams lands owned by the applicant or lands owned by others.

Water

9. Two points of supply (two connections) to water servicing have been identified in the Functional Servicing Report. Looping of the watermain system is a requirement. With respect to easement requirements for looping of the water system through Ann Street, the Region would require an 8.5 metre wide easement to accommodate this connection. The minimum requirement for this type of easement is 8 metres wide, but due to the size of the proposed emergency access, 8.5 metres will be provided in this instance. The easement would partially be over Town-owned property (Wildwood Trail Corridor) and is subject to Town of Halton Hills approval, which is acknowledged by the applicant in the June 27, 2016 letter from Condeland Engineering Ltd. to the Town of Halton Hills.

Wastewater

10. Conveyance for sanitary sewage of the proposed subdivision has been addressed via discharge to the existing Gamble Street sanitary sewer, part of Georgetown Investment Phase 2 development. To ensure that a gravity based conveyance system is attainable, a portion of existing Gamble Street sanitary sewers is to be reconstructed to a point where connection to the existing sanitary sewer invert downstream is achievable. The flows will ultimately be conveyed to the existing John Street Pumping Station.

11. The Functional Servicing Report references a deepening of a sanitary sewer that may require dewatering as part of the construction process. Regional staff have asked that further information be provided by the applicant's hydrogeologist that speaks to the protection of groundwater resources for the portion of the sanitary sewer that may require dewatering. A further submission has been received as of February 8, 2017 and is under review by the Region's peer review hydrogeologist.

CONCLUSION

12. In conclusion, Regional staff are in support of the Functional Servicing Report provided by the applicant in support of this development proposal provided that the hydrogeological concerns noted above have been addressed.

Dated the 9th of February, 2017



A handwritten signature in black ink, appearing to read "Zahir Najak".

Zahir Najak, P. Eng.

APPENDIX "A"

**CURRICULUM VITAE
OF
ZAHIR NAJAK, P. Eng.**

Education

1986

B.A.Sc., Civil Engineering
University of Waterloo
Waterloo, Ontario

Professional Experience

2002-present

Development Engineer, Community Planning, Legislative and Planning Services
Regional Municipality of Halton, Oakville, ON

- Oversee a team of Development Project Managers responsible for providing servicing comments on planning applications and engineering submissions.
- Prepare development control reports to establish water and wastewater system capacities.
- Oversee the monitoring of development approvals and servicing allocations.
- Establish and implement design standards and procedures.
- Responsible for the review and approval of Master Servicing Plans related to Secondary Plans.
- Provide input on the Region's Water and Wastewater Master Plan, Water and Wastewater Development Charge By-Law, Development Budget, Official Plan and other Regional policy documents.

1996-2002

Senior Engineering Assistant, Engineering Department
City of Vaughan, Vaughan, ON

- Responsible for the review and approval of engineering design related to the construction of municipal servicing projects.
- Provided technical assistance in the preparation and administration of subdivision agreements.
- Responsible for design, project management and contract administration of local improvement municipal servicing projects.
- Prepared technical reports and/or analysis on municipal projects.
- Reviewed Master Environmental Servicing Plans.

1993-1995

Project Manager, Metropolitan Planning & Engineering Inc
Burlington, ON

- Designed storm sewers, sanitary sewers watermains and roads for private and public sector municipal projects.
- Assisted in the preparation of Master Servicing Plans.
- Prepared Stormwater Management reports.
- Obtained municipal and other agency approvals on development projects.
- Prepared tender documents for municipal projects.

1988-1992

Project Engineer, Ashenhurst Nouwens Limited
Hamilton, ON

- Assisted in the preparation of draft plans of subdivision.
- Prepared functional servicing reports.
- Prepared grading and servicing plans.

1986-1988

Geotechnical Inspector, Trow Ontario Limited
Cambridge, ON

- Supervised drilling operations for foundation investigations.
- Prepared foundation investigation reports.
- Inspected construction projects.

Professional Memberships

Professional Engineers of Ontario
Municipal Engineers Association

APPENDIX "B"



Ontario
Ontario Municipal Board
Commission des affaires municipales de l'Ontario

ACKNOWLEDGMENT OF EXPERT'S DUTY

Case Number	Municipality
PL150128	Town of Halton Hills

1. My name is..... ..Zahir Najak.....(*name*)
 I live at theCity of Hamilton(*municipality*)
 in the.....(*county or region*)
 in theProvince of Ontario(*province*)
2. I have been engaged by or on behalf of...Region of Halton(*name of party/parties*) to provide evidence in relation to the above-noted Board proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
 - a. to provide opinion evidence that is fair, objective and non-partisan;
 - b. to provide opinion evidence that is related only to matters that are within my area of expertise; and
 - c. to provide such additional assistance as the Board may reasonably require, to determine a matter in issue.
4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date...February 9, 2017..... ..

Signature