

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

PROCEEDING COMMENCED UNDER subsection 34(11) of the Planning Act, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Eden Oak (Creditview Heights) Inc.
Subject: Application to amend Zoning By-law 74-51 –
Refusal or neglect of the Town of Halton Hills to
make a decision
Existing Zoning: RU
Proposed Zoning: RE
Purpose: To permit a development consisting of 31 single
detached lots
Property Address/Description: Part Lot 20, Concession 9
Municipality: Town of Halton Hills
Municipality File No.: D14ZBA08.004
OMB Case No.: PL150128
OMB File No.: PL150128
OMB Case Name: Eden Oak (Creditview Heights) Inc. v. Halton Hills (Town)

PROCEEDING COMMENCED UNDER subsection 51(34) of the Planning Act, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Eden Oak (Creditview Heights) Inc.
Subject: Proposed Plan of Subdivision – Failure of the
Town of Halton Hills to make a decision
Purpose: To permit a development consisting of 31 single
detached lots
Property Address/Description: Part Lot 20, Concession 9
Municipality: Town of Halton Hills
Municipality File No: D12SUB08.001
OMB Case No.: PL150128
OMB File No.: PL150129
Hearing Date: Monday, February 27, 2017 – Town of Halton Hills
10 days

**WITNESS STATEMENT
OF
ROBERT P. DE ANGELIS, P. ENG
(February 9, 2017)**

WITNESS STATEMENT OF

Robert P. De Angelis, P.Eng

Position: Principal
Condeland Engineering Limited
350 Creditstone Road, Unit 200
Concord, Ontario L4K 3Z2

Qualifications: Bachelor of Engineering, 1982
Licensed Professional Engineer in the Province of Ontario, since
November 12, 1984
Designated Consulting Engineer by the Association of Professional
Engineers of Ontario, Since September 6, 1991

Issues Addressed: I will be providing opinion on the list of issues found in Appendix 1
attached as it relates to my expertise.

1. INTRODUCTION

- 1.1 I, Robert P. De Angelis, prepared this Witness Statement in respect of appeals to the Ontario Municipal Board (OMB) regarding a proposed Plan of Subdivision and Amendment to the Zoning By-law approval application for the lands municipally known as Part of 20, Concession 9, Town of Halton Hills.
- 1.2 This Witness Statement outlines my qualifications, the issues and matters I will cover in evidence before the OMB, and summarizes my opinions and conclusions as they relate to the appeals.

2. QUALIFICATIONS

- 2.1 I am a Professional Engineer licensed to practice in Ontario, with over thirty-three years of experience in municipal and land development engineering. I am President of Condeland Engineering Limited, a consulting civil engineering practice with expertise in municipal infrastructure and land development. My work with the firm includes master

servicing planning and detailed infrastructure design. My work and expertise involves both private land development and public infrastructure projects.

- 2.2 Attached to this Witness Statement is a copy of my Curriculum Vitae and my Acknowledgement of Expert's Duty

3. RETAINER

- 3.1 Our firm was retained by Eden Oak (Creditview Heights) Inc. to review servicing, grading and stormwater management feasibility with respect to a residential development proposal for the lands known Part of Lot 20, Concession 9, Town of Halton Hills.
- 3.2 The purpose of our review was to examine servicing feasibility of the proposed development within the framework of existing infrastructure, to address Stormwater Methods to address post development conditions and to provide a conceptual grading plan.
- 3.3 We prepared a Functional Servicing Report dated December 2016 that would address the servicing of the subject lands owned by Eden Oak (Creditview Heights) Inc. Attached to this witness statement is my signed 'Acknowledgment of Expert's Duty' statement.
- 3.4 I attended several meeting of like experts from the Town and their peer reviewer, RJ Burnside and as well as Urbantech who represented the Irvines and the Griffins, who each own adjacent residences to the subject lands. As a result of the meetings many of the issues have been addressed and were reflected in the Town approved Report PI-2017-0012, dated January 18, 2017.

4. DOCUMENTS TO BE RELIED UPON

- 4.1 As part of my review and opinion, I will rely on the following documents:
1. *Functional Servicing Report, Proposed Low Density Residential Development, Eden Oak (Creditview Heights) Inc. December 2011, Revised October 2015, Revised June 2016, Revised December 2016*
 2. *Letter from V. Wood dated February 8, 2017.*

5. REPONSE TO SERVICING RELATED ISSUES ON THE ISSUES LIST

Town and Region Issues List

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?*

The Region has approved the Proposal to connect the Sanitary system through the adjacent subdivision, to the John Street Pump Station. The proposal is to service only the Subject Lands. The water distribution system will be connected to the existing mains on Gamble Street and Anne Street for a complete looped system. We are currently investigating other methods to service other lands owned by Eden Oak in discussion with the Region of Halton. Those other lands are not part of this draft plan.

4. *Does the development proposal have allocated water and sewage capacity, and if not, are there appropriate planning mechanisms in place to permit the approval of the development proposal?*

The Council approved report does provide allocation for water and sewage capacity.

5. *Is the lot layout and grading appropriate so that the lot fabric may be approved?*

The proposed grading plan does, to the extent possible, respect the existing topography while providing a safe and functional plan addressing the concerns of the municipality.

6. *Is the road layout appropriate, and does the emergency access from Ann St. address emergency provider concerns appropriately?*

The Region of Halton have approved the location and size of Emergency access and it relates to Emergency services, Fire, Ambulance and Police.

12. *Is the stormwater management system appropriate addressing issues of function, maintenance, flooding potential, design, downgradient and offsite impacts and property rights, so that it may be supported, and if so, what stormwater conditions are necessary?*

The proposed SWM facility has been designed to address all storm events including the Regional Storm condition by introducing a 2-tier pond system. The SWM Pond has also been reviewed by Eden Oak's Geotechnical Consultant who has provided certain recommendations that will form part of the detailed design.

17. *Are conditions of draft plan approval appropriate to be issued to ensure that the development proposal proceeds in accordance with the evidence before the OMB, should the Board approve the development proposal?*

Yes, as it relates to Engineering, there are a substantial number of Conditions instituted in the Draft Approval that will ensure that the SWM techniques, Grading ,Servicing as identified in our Functional Servicing Report will be adhered to.

Credit Valley Conservation Issues List

Note: CVC is satisfied that its issues are satisfactorily addressed in the Town and Region Issues List, including Issue No. 14

The Hamlet of Glen Williams Residents Association Issues List

2. *Does the proposed draft plan design contemplate future sanitary servicing to other hamlet lands owned by the developer utilizing the publicly owned Rail Trail and if so, is that appropriate?*

The proposal to service the site is through Gamble Street, we are not using the Public Rail Lands. See above issue No. 3

21. *Does the extent of cut and fill planned for grading this development comply with the Glen Williams Secondary Plan goal of maintaining natural heritage and topography of the hamlet?*

The proposed grading design provides for the preservation of significant undisturbed areas and the preservation of vegetation

24. *Are monitoring measures required to determine the impacts on neighbouring wells and septic systems, and if so are those measures appropriate? If impacts are determined, are sufficient remediation measures in place to address the impacts? Are any proposed measures of sufficient duration?*

Vic Wood our client's independent Hydrologist has addressed this issue in his latest letter report dated February 8th, 2017. Based on his findings there will no adverse impacts to well or septic systems in the area as a result of on-site construction and the limited amount of dewatering necessary to install the sanitary sewer The Region will provide conditions of Draft Approval that will require monitoring of wells within a designated area. These conditions are designed to address any situations where off-site well interference might occur.

25. *Are the proposed rear lot soak away pits appropriate and adequate for managing surface water on the planned lots?*

The proposed soak away pits are used as a measure of Water Balance. In order to address the reduced infiltration caused by Hard surfaces such as roads and roof areas. Soak away pits are a proven measure to accept roof drainage and encourage infiltration and maintain ground water re-charge as required by the Conservation Authority.

26. *Is the proposed design, grading and location of the Storm Water Management facility appropriate? Are issues of function, maintenance and potential flooding addressed?*

See response above to issues No. 12 and 27

27. *Is the proposed Storm Water Management system designed to provide sufficient and appropriate protection for downstream properties including the intersection of Credit and Erin Streets?*

The proposed Storm Water Management system provides an enhanced level of discharge control, not only will Eden Oak's system be controlling the 2-100 storm events to predevelopment conditions, with the 2-tier design, it will also control to the Regional Storm event. All discharges from the 2-tier pond will be conveyed via pipe along Credit Street to the downstream Floodplain.

**Issues List for Robert and Donna Irvine
and Joan Griffin**

2. *Has the Functional Servicing Report and supporting technical work been properly completed?*

The FSR has been reviewed by the Town's Engineer and its Peer review Engineer, (Burnside's) and a third independent engineer retained by the Irvines and Griffins, It has been accepted by both of these reviewers. We are continuing our work with the Engineers group on addressing their Outstanding matters as identified in Schedule "E" of the Town's Report.

3. *Are potential off-site impacts for surface water and for hydrology appropriately addressed? Have potential impacts for ground water been satisfactorily addressed? Is the proposed stormwater management system designed to provide sufficient and appropriate protection for downstream properties?*

See response above to issues No. 12, 17, and 27

5. *Does the stormwater management system appropriately address issues of function, location, maintenance, flooding potential, and design?*

See response above to issues No. 12 and 27

6. *What conditions are necessary and appropriate with respect to all of the foregoing issues?*

See response above to issue No. 17

Issues List for Wayne Scott

Note: Mr. Scott has identified stormwater management as his area of concern and those issues are listed in the issues list of other parties.

Issues List for Yvonne Devins

1. *Does the Functional Servicing Report rely on appropriate information?*

See response above to Town and Region Issue No. 3

2. *Does the sanitary servicing of this development allow or permit for the future extension of sewers to existing residents in the area, and if so, is this appropriate??*

See response above to Town and Region Issue No. 3

3. *If the wastewater servicing proposal results in the alteration of the existing Gamble St. sewer, what are the impacts of such alteration?*

Approximately 111 meters of existing sanitary sewer on Gamble Street will be re-constructed to service the site with a gravity solution. Construction methods such as trench boxes, will be utilized to minimize the area of disturbance.

Note: Ms. Devins also adopts and incorporates the Region/Town Issue No. 3, as one of her issues.

Issues List for Jonathan Kolenda (Participant)

1. *If Credit Street is to be used for any construction access, is that appropriate, and if so, how should that usage be conditioned?*

The main construction entrance will be from Gamble Street, however, there will also be construction on Credit Street to construct the Storm Sewer System. The Town is proposing appropriate draft plan conditions which deal with Construction traffic management and access.

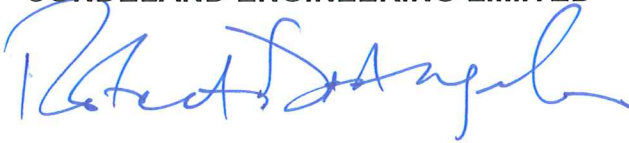
2. *Is the stormwater management system appropriately designed?*

See response above to Town and Region Issue No. 12 and The GWRA Issue No. 27

I am prepared to testify on the topics addressed in this witness statement and to elaborate and provide additional detail as may be necessary and to be cross-examined.

Respectfully submitted,

CONDELAND ENGINEERING LIMITED

A handwritten signature in blue ink, appearing to read "Robert P. De Angelis". The signature is fluid and cursive, with the first name "Robert" and last name "De Angelis" clearly distinguishable.

Robert P. De Angelis, P.Eng
Principal

CURRICULUM VITAE

ROBERT P. DE ANGELIS, P. ENG.
President
CONDELAND ENGINEERING LIMITED
Planners, Project Managers, and Consulting Civil Engineers

350 Creditstone Road, Suite 200
Vaughan (Concord), Ontario L4K 3Z2
Telephone: (905) 695-2096
Email: rob@condeland.com

HIGHLIGHTS OF QUALIFICATIONS

- 30 Years experience in civil engineering in the land development industry in Canada
- More than 21 Years as a Professional Engineering Consultant (P.Eng.) in civil engineering related to land development in Canada and the United States
- President and Principal Engineer, Condeland Engineering Limited, since 1993
- Fostered a 30 year working relationship with Ontario's Regional and local municipalities, Conservation Authorities and land use regulatory agencies
- Designed and implemented storm water management systems, sanitary sewer systems and water distribution systems. This includes areas where storm water management ponds are not feasible with the use of pre-cast concrete box culverts.

PROFESSIONAL EXPERIENCE

Professional Engineer, President and Principal
CONDELAND ENGINEERING LTD., 1993-PRESENT

- Land Use and Development Planning
- Project Management
- Feasibility Studies
- Cost analyses/Estimates
- Municipal Engineering
- Pre-Design and Detailed Design Services
- Storm Water Management Reports

General Manager, Project Manager, Design & Site Engineer
ANDER ENGINEERING LTD. 1983-1993

- Feasibility Studies/Cost Studies
- Design of civil engineering developments, projects, storm water management and municipal servicing
- Supervision of staff of ten engineers and engineering technicians
- Supervision of construction and site inspections

CONDELAND ENGINEERING LTD. PROVIDES FULL RANGE SERVICES IN:

- Land Use and Development Planning
- Project Management
- Engineering Design – Draft Plans of Subdivisions
- Residential, commercial, industrial, institutional site planning
- Official Plan Amendment and Zoning Amendment Applications
- Full Contract Administration and Supervision of Construction

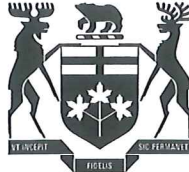
EDUCATION AND PROFESSIONAL DESIGNATIONS/AFFILIATIONS

- 30 Year Member of the Association of Professional Engineers, Ontario (APEO)
- 23 Year Member of the Association of Consulting Engineers, Ontario (APEO)
- Member of the BILD

- McMaster University, Hamilton, Ontario 1982
Bachelor of Engineering

- Association of Professional Engineers, Toronto, Ontario 1984
Designated Professional Engineer – P. Eng.

- Association of Professional Engineers, Toronto, Ontario 1991
Designated Consulting Engineer



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... Robert P. De Angelis(name)
I live at theTownship of King.....(municipality)
in the..... Region of York(county or region)
in the Ontario(province)
Eden Oak (Creditview Heights) Inc.
2. I have been engaged by or on behalf of.....(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 9th., 2017

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Signature