

REPORT

REPORT TO: Mayor Bonnette & Members of Council
REPORT FROM: Planning & Infrastructure
DATE: October 9, 2015
REPORT NO.: PI-2015-0029
RE: **INFORMATION REPORT**

Update on:
**PROPOSED DRAFT PLAN OF SUBDIVISION &
ZONING BY-LAW AMENDMENT APPLICATIONS**

**Files: D12SUB08.001- 24T-08001/H & D14ZBA08.004
EDEN OAK (CREDITVIEW HEIGHTS) INC.
Part of Lot 20, Concession 9
Town of Halton Hills (Glen Williams)
(formerly D12/Desol Developments)**

RECOMMENDATION:

THAT Report No. PI-2015-0029, dated October 9, 2015, with respect to an update on the applications by Eden Oak (Creditview Heights) Inc., for a Zoning By-law Amendment and a residential plan of subdivision in Glen Williams, be received.

AND FURTHER THAT a final Recommendation Report be prepared to Council prior to the start of the formal Ontario Municipal Board Hearing on the appeals filed by Davies Howe Partners LLP on behalf of the owners Eden Oak (Creditview Heights) Inc.

BACKGROUND:

1. Purpose of Report:

This report is to update Council and the public on the status of the applications for a Draft Plan of Subdivision and Zoning By-law Amendment submitted by Eden Oak (Creditview Heights) Inc., hereafter referred to as Eden Oak. Staff last reported on these applications to Council on March 23, 2015, via memo MEM-PDS-2015-0004.

2. Location & Site Characteristics:

The subject property is located in the western portion of the Hamlet of Glen Williams, adjacent to the former CN Railway right of way, which is now the Town owned Wildwood Trail. The property lies between the terminus of Gamble Street and Ann Street and abuts the Georgetown urban boundary to the west.

The subject lands are 8.251ha (20.39 acre) in size and are currently vacant. The surrounding land uses are residential to the north, west and east, and vacant open space and residential to the south. See **APPENDIX 1 – LOCATION & AERIAL PHOTO**.

3. Town Official Plan & Zoning Context:

The Glen Williams Secondary Plan (GWSP) predominately designates the subject property as *Hamlet Residential*. A small portion of the property is designated *Greenlands*.

The Hamlet Residential designation recognizes existing residential areas and lands that, subject to the fulfillment of the policies of the GWSP, may be suitable for new residential development. Single detached residential uses are a permitted use in this designation.

Development within the Hamlet Residential designation shall be consistent with the following land use policies:

- All new development shall be serviced with piped Regional water and wastewater services
- Lot creation shall occur by way of a plan of subdivision for any development proposal of more than four lots
- The minimum lot size for residential development on Regional services will be 0.10 hectare
- The maximum permitted density of any plan of subdivision developed on Regional services shall be 5 units per net residential hectare
- Prior to draft plan approval, plans of subdivisions must be supported by the following studies:
 - Transportation study
 - Design study
 - Functional Servicing Plan
 - Environmental Implementation report

The current zoning on the subject property is a Development (D) Zone under By-law 2010-0050 that permits only building and structures that existed on the effective date of By-law 2010-0050. The Development (D) Zone applies to lands that are designated in the Official Plan for future development.

The proposal is to rezone the property to a Hamlet Residential One (HR1) Zone, which conforms to the GWSP.

4. Applications & Processing:

Eden Oak filed Draft Plan of Subdivision and Zoning By-law Amendment applications in February 2008, to permit a residential subdivision. The proposed development consists of:

- 32 single detached lots to be serviced by regional water and wastewater systems
- a proposed road network which is an extension of the existing Gamble Street
- an emergency access point via the Town owned Wildwood Trail to Anne Street
- a cul-de-sac
- pedestrian walkways
- a stormwater management facility
- open space blocks

The applications were deemed complete on March 19, 2008 and a Statutory Public Meeting pursuant to the *Planning Act* was held on October 5, 2009 (Report PDS-2009-0094). A further public consultation meeting was held on February 9, 2010.

In March 2008 and January 2012, the applications were circulated to all departments, agencies and the Glen Williams Community Association (GWCA). In March 2013 a technical submission was circulated to only Town staff and the CVC.

More recently, over the course of the last year, the applicant, Town and CVC staff have exchanged information and held discussions centred on grading issues and lot layout of the proposed subdivision. However, many of the comments provided by staff in 2012 and 2013 remain unresolved or unaddressed by the applicant.

Comments on the last circulation were provided to the Applicant on January 26, 2015, with the understanding that Eden Oak would be submitting another full submission for comment.

On October 8, 2015, Town received the following Engineering Submission from Eden Oak:

- Response Letter to Town and CVC comments
- Conceptual Engineering Drawings
- Revised Functional Servicing Report and Plans
- Revised Geotechnical Investigation and Slope Stability Assessment Report

The submission was circulated on October 9, 2015, to Town departments, the CVC, Halton Region, and the GWCA. In addition, all the materials were placed on the project website.

5. Appeal to the Ontario Municipal Board (OMB):

By way of a letter dated February 3, 2015, the Applicant's legal counsel appealed both applications to the OMB on the basis that the Town had not made a decision within 180 days of the receipt of the applications, in accordance with the *Planning Act*. Planning forwarded the necessary documentation to the OMB on February 24, 2015, in accordance with *Planning Act* requirements, and on March 2, 2015, the OMB acknowledged receipt of the material.

COMMENTS:

1. Status of OMB Appeal:

Since the appeals were filed, Mr. Jeff Wilker, of Thomson Rogers, has been providing legal representation for the Town and Halton Region on a joint retainer.

On July 14, 2015, the first Pre-hearing was held which dealt with various procedural matters. See **APPENDIX 2 – OMB 1st Pre-hearing Decision**. A number of residents attended the Pre-hearing and six residents requested party status, which the Board Member deferred to the next Pre-hearing. The CVC requested party status and the GWCA was granted participant status at the Pre-hearing.

The OMB also received contact details from those individuals in attendance and from an additional 96 residents whose letters to the OMB were filed at the Pre-hearing. All individuals have been added to the OMB circulation list.

The next Pre-hearing is scheduled for Tuesday, November 10, 2015, in the Council Chambers at the Civic Centre.

2. Information Website:

To assist the public in accessing materials related to the applications, Planning created a project webpage (<http://haltonhills.ca/omb/edenoak.php>) which is located on the Town's website. The webpage will be updated as additional materials are received from Eden Oak.

3. Technical Issues:

In August 2015, Eden Oak submitted a revised Draft Plan of Subdivision, in response to detailed discussions that have been held regarding grading and lot layout. On October 2, 2015, another revised plan was received by Planning, which proposes to delete Lot 16 from the subdivision. See **APPENDIX 3 – REVISED DRAFT PLAN (Sep 25/15)**. Both plans were circulated for technical comments and placed on the project webpage on the Town's website.

The primary issues still under review by Town staff include:

- Conformity with the Glen Williams Secondary Plan, Town of Halton Hills Official Plan and Halton Region Official Plan
- Technical servicing issues (Halton Region)
- Well protection including any required conditions (Halton Region)
- Natural Environment, restoration, mitigation,
- Lands within natural hazards (CVC regulatory issue)
- Stormwater Management – design and function
- Grading and lot layout
- Road pattern and the interface of the extension of Gamble Street, Wildwood Trail and Ann Street for an emergency access connection only
- Character of the development/urban design issues

Servicing has not been allocated to this proposal at this time.

On October 9, 2015, Planning circulated the most recent Engineering submission from Eden Oak (received Oct 8/15) for review and comment and placed all the materials on the project website. Comments on this submission are due by October 30, 2015.

Public Concerns:

Public involvement in the review of this proposal has included the Public Meeting held in October 2009 and circulation of materials to interested residents and the GWCA for which comments have been received. Additionally, on February 9, 2010, interested residents, the applicant, consultants representing Eden Oak, Town Councillors, Town staff and agency staff from the CVC and Halton Region met to discuss the residents' issues.

Staff had intended to meet with interested residents to follow-up on these discussions to review technical responses to the various issues. However, although the applicant made an effort to respond to various comments from the public, a number of key issues were either not addressed or resolved through the various submissions and as a result, Planning was unable to provide a response to the public through this forum.

Generally, the public's concerns fall into seven categories:

- **Planning Policy** – includes questions about conformity of the development with the Halton Region Official Plan, Town of Halton Hills Official Plan and the Glen Williams Secondary Plan (GWSP)
- **Hydrogeological** – includes questions related to the impact on existing wells and the availability of a servicing allocation for this development (full Regional services, allocated by the Town)

- **Natural Environment** – includes questions related to the impacts on wildlife, the Wildwood Trail, maintaining existing greenspace and any environmental or soil condition issues
- **Stormwater Management & Drainage** – includes questions related to the impact from water-run off, drainage and grading, confirmation of the details on the Stormwater Management System, related to the scale, design, management and potential failure impacts of the pond
- **Transportation** – includes questions related to the potential for an increase in traffic, also question raised related to the interface of the extension of Gamble Street, Wildwood Trail and Ann Street – will this be a full access or emergency access only
- **Urban Design** – includes questions related to street pattern, rural vs. urban cross-section, the number of lots, their configuration and size, and the general character of the development
- **Other** – includes questions concerning construction of the subdivision and its impacts on the existing residents

The February 9, 2010, Public Consultation Meeting Notes and the applicant's September 7, 2010 Response to Resident's Issues can both be found on the project website.

Concerned residents in attendance at the July 14, 2015, OMB Pre-hearing reconfirmed their issues with the proposed development as follows:

- A resident of Credit Street advised the Board Member that water drains through her property and has flooding/erosion concerns. The resident feels that proposed stormwater management pond will increase the water drainage. The resident indicated that an increase in water drainage could cause a potential septic system failure, which would lead to the contamination of well water. The resident was also concerned with the additional vehicular traffic the development will generate.
- Another resident of Credit Street advised the Board Member that while not opposed to development they were concerned about stormwater management pond. They also raised the issue of the Chelton St. wells and would there be a monitoring program to determine any impacts. The resident also raised the issues of conformity with the GWSP and the increase in vehicular traffic. They also requested evening sessions when the formal hearing started.
- A Glen Williams resident advised the Board Member of their concerns regarding the proposed stormwater management pond. They stated the construction of the pond was complicated and expensive and the design may not work. The

resident wanted to know if the Town was assuming liability for the stormwater design if it does not work and stormwater has to be taken through another design.

- An Ann Street resident advised the Board Member of their concerns regarding connections between Ann Street and the future extension of Gamble Street and how this interface would work in conjunction with the Town owned Wildwood Trail.
- Another Glen Williams resident advised the Board Member of their concerns with flooding in the Glen and the design and function of the proposed stormwater management system.
- Another Ann Street resident advised the Board Member of their concerns regarding sewage lines. More specifically, will the residents of Ann Street be forced to connect to the wastewater system proposed for the new subdivision?

4. Next Steps:

Town staff will be preparing for the second OMB Pre-hearing, scheduled for November 10, 2015, and are working towards finalizing the Issues List with Legal Counsel. A copy of the DRAFT Issues List to date is included in **APPENDIX 4 – DRAFT OMB ISSUES LIST**, of this report.

Town staff anticipates holding a Public Information Centre (PIC) Meeting on these applications prior to a Recommendation Report being presented to Council for their final disposition on this matter. The Recommendation Report will go to Council before the start of the formal OMB Hearing which, to date, has not been scheduled.

Town staff will continue to update the Eden Oak Creditview Heights project webpage to ensure the public has the most up to date information regarding the applications.

Town staff will continue to keep Council and the public up-to-date as to the progress of the applications and appeals before the OMB via reports to Council.

RELATIONSHIP TO STRATEGIC PLAN:

There is no direct relationship to the Strategic Plan as this report is for information only.

FINANCIAL IMPACT:

There is no financial impact associated with this report as it is for information only.

COMMUNICATIONS IMPACT:

There is no communications impact associated with this report, as it is an information report only. However, members of the public who have expressed an interest in the applications and the OMB proceedings were notified that this report would be before Council.

SUSTAINABILITY IMPLICATIONS:

There are no sustainability implications as this report is for information only.

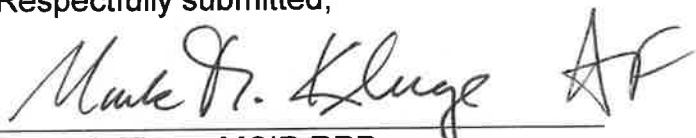
CONSULTATION:

Town staff consulted with the Town’s Legal Counsel, Mr. J. Wilker, in preparation of this report.

CONCLUSION:

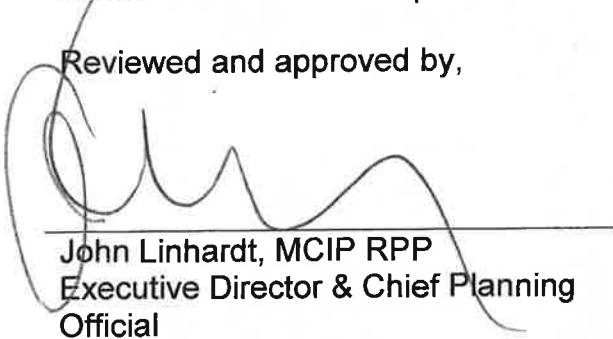
The report advises Council and the public as to the progress of the Eden Oak (Creditview Heights) Inc. development applications and associated appeals before the OMB. Planning staff will continue to review any additional material submitted and to update the public through the project webpage on the Town’s website. Planning staff will also advise Council and the public as to the outcome of the second OMB Pre-hearing scheduled for November 10, 2015.

Respectfully submitted,

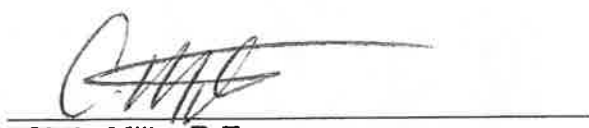


Mark H. Kluge, MCIP RPP
Senior Planner – Development Review

Reviewed and approved by,



John Linhardt, MCIP RPP
Executive Director & Chief Planning
Official

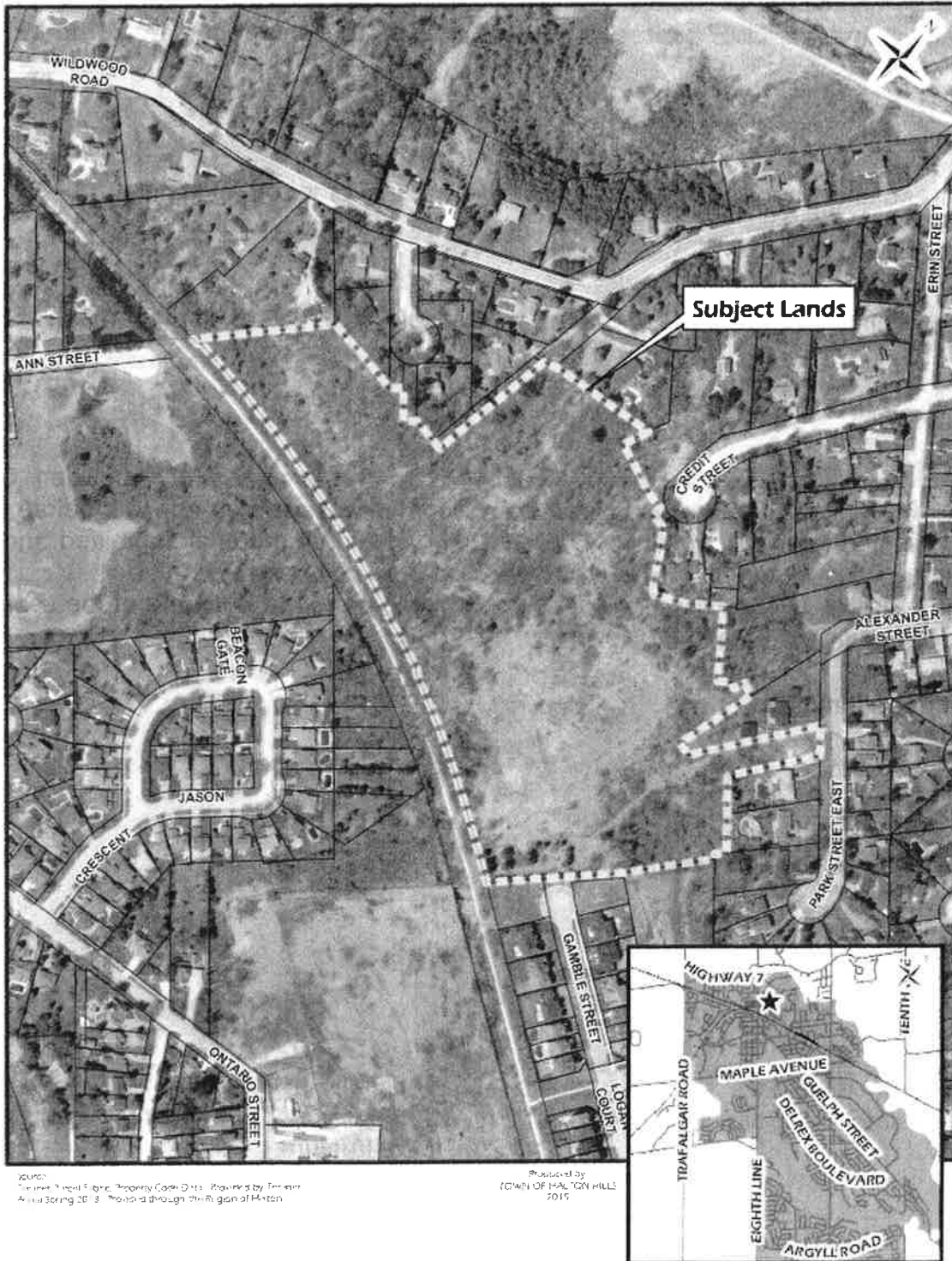


Chris Mills, P.Eng.
Commissioner of Planning &
Infrastructure



for Brent Marshall
Chief Administrative Officer &
Fire Chief

APPENDIX 1 – LOCATION MAP & AERIAL PHOTO



Source:
Aerial Photo: Eagle Property Corp. Provided by Terence
Aerial Spring 2013. Provided through the Region of Halton.

Prepared by:
TOWN OF HALTON HILLS
2015

APPENDIX 2 – OMB 1st Pre-hearing Decision (issued July 28/15)

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: July 28, 2015

CASE NO(S): PL150128

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 No. 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 33 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 33 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

Heard: July 14, 2015 in Georgetown, Ontario

APPEARANCES:

<u>Parties</u>	<u>Counsel*/Representative</u>
Eden Oak (Creditview Heights) Inc.	J. Alati*
Town of Halton Hills	J. Wilker*
Regional Municipality of Halton	J. Wilker*
Credit Valley Conservation	J. Campbell

**MEMORANDUM OF ORAL DECISION DELIVERED BY M. CARTER-WHITNEY ON
JULY 14, 2015 AND ORDER OF THE BOARD**

[1] This is the first pre-hearing conference (“PHC”) concerning appeals by Eden Oak (Creditview Heights) Inc. (“Applicant”) in relation to the lack of a decision by the Town of Halton Hills (“Town”) on its applications for a zoning by-law amendment and draft plan of subdivision to permit a development of 33 single detached lots in the Hamlet of Glen Williams within the Town, in the Regional Municipality of Halton (“Region”).

[2] John Alati, counsel for the Applicant, and Jeffrey Wilker, counsel for the Town and the Region, provided background information about these applications. Several years have now elapsed since the applications were made in 2008 and the statutory public meeting was held in 2009. Mr. Alati summarized a number of revisions that have been made to the original proposal as a result of input from the Town and Region. The Applicant is engaged in further dialogue with the other parties on a range of issues, and it is anticipated that an updated report about the proposed development will be brought to Town Council in fall 2015, which will provide interested members of the public with additional information.

[3] The Board granted a request by Credit Valley Conservation (“CVC”) for party status and a request by Wayne Van Hinte, representing the Glen Williams Community Association, for participant status.

[4] The following individuals requested party status, but these requests were deferred: Joan Griffin, Jonathan Kolenda, Wayne Scott, Henry Kaplan, James

Waldbusser and Jim Cochrane. They raised a number of different concerns in relation to the proposed development, and also raised concerns about the limited information available about the current status of the proposed development. Some of these individuals indicated that, once they receive updated information about the proposal, they may change their status requests to that of participant. Therefore, the Board deferred the party status requests by Ms. Griffin, Mr. Kolenda, Mr. Scott, Mr. Kaplan, Mr. Waldbusser and Mr. Cochrane, to be determined at the second PHC.

[5] Mr. Wilker undertook to prepare a draft issues list, in conjunction with the CVC, and provide it in a timely manner prior to the second PHC. He further undertook to ensure that the issues raised by the six individuals seeking party status are included on the draft issues list.

[6] Ms. Griffin indicated that a large number of additional individuals are interested in seeking participant status and provided their contact information to the Board. Through Ms. Griffin, the Board encouraged those interested in participating in this matter to work together to identify common issues and spokespeople to provide evidence to the Board. The Board also received contact information from members of the public who attended the PHC, as well as those seeking party status. These contacts have been provided to counsel and will be added to the Board's circulation list. None of the individuals present at the hearing objected to their contact information being provided to Mr. Van Hinte to allow the Glen Williams Community Association to share information about the proposed development as the matter proceeds.

[7] The Board declined to set the hearing dates for two weeks in January 2016, as requested, because there is not sufficient certainty about the length of time that will be required for the hearing. There are currently many unresolved issues and approximately 14 witnesses were identified who may be called by the parties, in addition to participants and any witnesses on behalf of parties whose requests for status have not yet been determined. The draft issues list will be addressed at the second PHC and the Board will assess at that time whether the matter is ready for hearing dates to be set.

[8] The second PHC is scheduled to commence at **10 a.m. on Tuesday, November 10, 2015 at:**

**Civic Centre
Council Chambers
1 Halton Hills Drive, Georgetown
Halton Hills, ON L7G 5G2**

[9] No further notice will be given.

[10] The Member will continue with case management of this matter, subject to the requirements of the Board's calendar, but is not seized.

"M. Carter-Whitney"

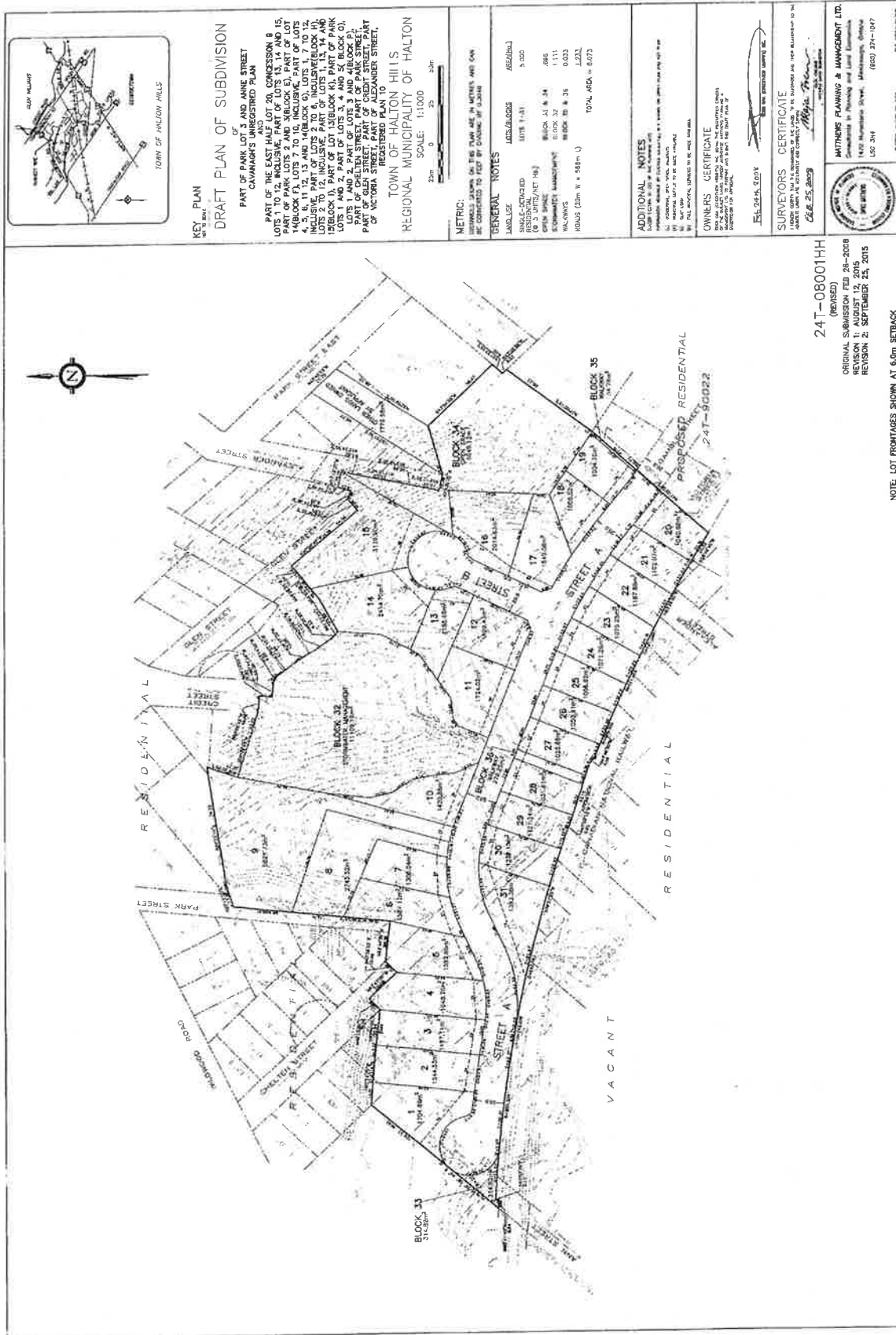
M. CARTER-WHITNEY
MEMBER

If there is an attachment referred to in this document,
please visit www.elfo.gov.on.ca to view the attachment in PDF format.

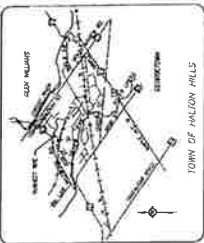
Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elfo.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

APPENDIX 3 – REVISED DRAFT PLAN (Sep 25/15)



KEY PLAN
TOWN OF HALTON HILLS



DRAFT PLAN OF SUBDIVISION
PART OF PARK LOT 3 AND ANNE STREET
CAVANAUGH'S UNREGISTERED PLAN

PART OF THE EAST HALF LOT 20, CONCESSION 8
LOTS 1 TO 12, INCLUSIVE, PART OF LOTS 13, 14 AND 15,
PART OF PARK LOTS 1 TO 10, BLOCK 1, PART OF LOT
14800 (LOT 14), BLOCK 1, PART OF LOT
4, 5, 6, 11, 12, 13 AND 14 (BLOCK 0), LOTS 1, 7 TO 12,
INCLUSIVE, PART OF LOTS 2 TO 6, INCLUSIVE (BLOCK 10),
BLOCK 10, PART OF LOT 13 (BLOCK 10), PART OF PARK
LOTS 1 AND 2, PART OF LOTS 3, 4 AND 5 (BLOCK 0),
PART OF GLEN STREET, PART OF CREDIT STREET, PART
OF CHILTON STREET, PART OF PARK STREET,
PART OF VICTORIA STREET, PART OF ANNE STREET,
REGISTERED PLAN TO

TOWN OF HALTON HILLS
REGIONAL MUNICIPALITY OF HALTON

SCALE: 1:1000

0 25 50m

METRIC:
DIMENSIONS SHOWN ON THIS PLAN ARE IN METERS AND CAN
BE CONSIDERED TO BE BY DIMENSION OF 0.30M

GENERAL NOTES

LAND USE	LOTS/BLOCKS	AREA/BLK
SINGLE-FAMILY RESIDENTIAL (R1)	LOTS 1-31	3.000
COMMERCIAL (C1)	BLOCK 11 & 14	0.85
INDUSTRIAL (I1)	BLOCK 10	1.111
VACANT	BLOCK 28 & 26	0.033
TOTAL		5.004

ADDITIONAL NOTES
1. ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONSIDERED TO BE BY DIMENSION OF 0.30M.
2. ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONSIDERED TO BE BY DIMENSION OF 0.30M.
3. ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONSIDERED TO BE BY DIMENSION OF 0.30M.

OWNERS CERTIFICATE
I, the undersigned, being the owner of the land described in this plan, do hereby certify that the same is as shown on this plan and that the same is as shown on this plan and that the same is as shown on this plan.

SURVEYORS CERTIFICATE
I, the undersigned, being a duly qualified and licensed surveyor, do hereby certify that this plan is a true and correct copy of the original plan as shown to me by the owner of the land described in this plan and that the same is as shown on this plan and that the same is as shown on this plan.

DATE: 24T-08001HH

24T-08001HH
(REVISED)
ORIGINAL SUBMISSION FEB 25-2018
REVISION 1: AUGUST 12, 2015
REVISION 2: SEPTEMBER 23, 2015

NOTE: LOT FRONTS SHOWN AT 6.0m SETBACK

APPENDIX 4 – DRAFT OMB ISSUES LIST

1. Is the development proposal (rezoning and draft plan of subdivision) consistent with the PPS 2014, and in conformity with the Growth Plan, the Region's Official Plan and, the Town's Official Plan including the Glen Williams Secondary Plan?
2. Does the draft plan of subdivision satisfactorily address the section 51 (24) *Planning Act* criteria?
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, and if so, are there additional considerations that need to be addressed?
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?
5. Is the lot layout and grading appropriate so that the lot fabric may be approved?
6. Is the road layout appropriate, and does the emergency access from Ann St. address emergency provider concerns appropriately?
7. Are potential offsite impacts for surface water and for hydrogeology, including addressing off site wells and septic systems, appropriately mitigated, and if so, what conditions are necessary to address such mitigation and more particularly:
 - a. Have potential impacts to groundwater been satisfactorily addressed?
 - b. Has a groundwater and well monitoring plan been developed by the appellant that adequately addresses Regional requirements and concerns expressed by residents?
 - c. Is the appellant willing to enter into an agreement with the Region of Halton to ensure well monitoring occurs and to ensure that any well complaints are addressed satisfactorily, including providing well restoration/redevelopment of water supplies for residents, if deemed necessary by a Region designated hydrogeologist?
8. Is the character and urban design of the development proposal appropriate and in conformity with the Town's Official Plan, including the Glen Williams Secondary Plan?
9. Is the interface of the development proposal with the Town trail appropriate including addressing any grading issues, and if so, what conditions are necessary for the approval of the development proposal?

10. Is any reforestation necessary?
11. Are the Natural Heritage/Hazard constraints satisfactorily addressed including all requirements of the Official Plans and including the Credit Valley Conservation ("CVC") regulation?
12. Is the stormwater management system appropriate addressing issues of function, maintenance, flooding potential, design so that it may be supported, and if so, what stormwater conditions are necessary?
13. Is the Phase 1 ESA satisfactory and meeting all requirements of the Region, and is any additional work, including any further Phase 1 or Phase 2 work, required to address all standards and requirements of the Region?
14. Are comments from all public authorities and agencies, including Credit Valley Conservation ("CVC") current and have their issues been addressed?
15. Can the development proposal be supported at the OMB, or are the filings of the appellant insufficient to support such approval?
16. Is the form of the Zoning By-law, including the Holding Provisions satisfactory so that it may be recommended to the OMB for approval?
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?