

Presentation made at the Council meeting on November 20th concerning the rezoning of the Geranium lots on Lakeshore Road by resident, Kate Greenway

What I hear and see now in my backyard: wild turkeys; occasional deer; opossum; rabbits; abundant birdsong; woodland habitat.

What I will see and hear: clear-cutting of trees, not deemed 'ecologically significant'; bulldozers; loss of the reasons I moved here: 'country close to the city' – you remember that town motto?

I have concerns about the proposed amendment to the zoning bylaw for the proposed subdivision on Lakeshore Rd. based on two areas: environmental, including ongoing water problems that have plagued Ballantrae for years, and the aesthetic/ character of area. I have concerns about how it affects the natural lands, and the proprieties abutting the land in question; the quality of life and character of the village; groundwater and contamination; surface water flooding and ponding; and the upsetting of natural drainage patterns.

I'm not naïve enough to think no development will occur. I know this is a 'designated settlement area'; but on the flip side I'm not stupid enough to think that this development amendment is about anything but maximizing money – the more houses on any piece of land, and less recommended studies done or compliance with suggested best environmental practices, the greater the profit. Those living here are then left with the results.

The development proposal by Geranium applies to add 19 homes to land previously rural/agricultural in use, more than currently allowed. This doesn't sound like a lot – but keep in mind the site in question is located within a settlement area in the Oak Ridges Moraine, and the Oak Ridges Moraine Conservation Plan considers major developments to be of **four lots or more**; The Ministry of Environment requires evaluation of the combined or total impact on groundwater of development proposals of **more than 5 units**, and a detailed nitrate loading assessment for septic systems. I'd like to speak to concerns about water, drainage and waste, and lot sizes.

So, my first concern: environmental and aesthetic impact. The loss of cultural meadow; woodland vegetation and habitat; and removal of mature trees. Also there is the stress of compaction, and dewatering on remaining vegetation, including mature trees on abutting properties. There is a natural feature enhancement to the left of the properties that the zoning says will require a 15m. corridor and building restrictions, yet conceivably a fence line can be built right through this.

Second, the site is located within an area of high aquifer vulnerability. A highly vulnerable aquifer is one that is particularly susceptible to contamination because of its location near the ground's surface, or where the types of materials in the ground around it are highly permeable. This heightens the importance of keeping impervious surfaces to a minimum, and keeping the disruption of natural groundwater flow to a minimum.

Approximately three hectares of land to the north and west of the property drain east THROUGH the site – what happens to this drainage pattern? If it is interrupted, where does the water go? Now combine this with increased run off from paved surfaces.

In the already long list of concerns about the proposal prepared by the town planner, you heard the word 'water' repeatedly. As I am not a hydrologist, I do not know why our area has had water problems, running from extremes: flooding to drought. But it doesn't appear that other experts have any better idea of why we have had, and continue to have, issues. I can only report them to reinforce their sensitive and volatile nature:

The development of Ballantrae Golf and Country Club and subdivision included a number of infiltration galleries that are used to discharge surplus water if not needed for spray irrigation on the golf course: a study after the fact suggested these features may be impacting groundwater in the area. After development to the north side of Aurora Rd. was completed two things happened: flooding and groundwater issues that hadn't happened before, and drying up of aquifers used for well water, a previously even and ample supply that had serviced all houses in Ballantrae for all potable, household and outdoor use. The one neighbour I know who still uses his well for outdoor watering had to tap into one of the second deeper aquifers.

Conversely, homeowner complaints over spring/summer 2009 of wet basements and/or continuously running sump pumps – especially in vicinity of Hwy 48 and Aurora Rd., finally prompted public meeting and investigation, but little in the way of anything but delayed or superficial action, and the hope that the condition was temporary and weather dependent.

On our property, and typical of the area, we had the following: a wet basement; when we dug out the top of septic tank for pumping, we hit water one foot down and it did not go away; a large surface water pond developed halfway down our backyard, spreading over two adjacent properties for entire summer that did not go away – it was large enough that ducks landed on it; and we could not even access back half of our property. The flooding killed our grass, created a swamp area for the following year, and several large mature trees were killed including maple, walnut, pine, and beech.

According to subsequent investigation by AECOM we have very shallow groundwater in area, three main aquifers, two deeper aquifers, and a surface water table or upper aquifer underlain by fine grained low permeability soils or glacial till which can be found throughout the community at ground surface. If summer is dry and precipitation is low it drains...if not, such in 2008 – 2010, it created these perched water table conditions. And the trend in precipitation, as recorded at Buttonville, shows increases since 2002.

Yet a mere year later, and two years before the promised ditch enhancement procedures along Aurora Rd. were carried out to help mitigate these same flooding and storm water issues in front yards, the development of this Lakeshore site was being scouted – I have concerns about the hastiness of this. We already are experiencing volatile and difficult water management issues in the area, and what is being proposed? Adding more houses, more strain on a system that is not functioning, more unknowns.

(One of the developer's responses to water issues in council was that they know there is a high groundwater table and that this would also impact them: not that they have environmental concerns but construction ones. The suggestion was that they would not dig down – hard to avoid I submit – but to build up. This elevation of land or structures above existing grades would seem to all but guarantee runoff, flooding and ponding of all properties adjacent to the site which would be at a lower elevation. It would definitely obstruct natural existing drainage patterns. And it would detract from the natural rural aesthetic of the area by placing houses in visual prominence.)

Here are some alarming statements in reports of local interest about development and water problems: “The York Region State of the Environment Report 2000” noted that “physical restructuring can have a dramatic and sometimes irreversible effect...the act of urbanisation – replacing permeable surfaces with impermeable pavement - alters the hydrogeological cycle dramatically. Less infiltration of rain takes place, more overland run off must be dealt with and flood potential increases.”

The “Groundwater Engineering Report” in the town of Markham by Beatty and Associates December 2001, states: “There are many examples of developments in Markham, Vaughan and Whitchurch Stouffville where groundwater conditions have required costly remedial action. For most of the projects, the need for remedial measures to control groundwater conditions was not identified prior to construction.”

In this site case, Golder and Associates based their evaluation on the safety and advisability of increasing development on public data and ‘visual reconnaissance’ carried out by “a member of the staff” from publically accessible areas – noting that the properties along the south side are partially wooded and therefore visually obstructed; no direct subsurface hydrogeological or other investigation has been carried out at the site. By their own admission “special risks occur whenever engineering or related disciplines are applied to identify subsurface conditions and even a comprehensive investigation may fail to detect all conditions... The environmental, geological, geotechnical, geochemical, and hydrogeological conditions that Golder INTERPRETS to exist may differ from those that ACTUALLY exist.”

The Lake Simcoe Region Conservation Authority has informed the developer the site is within a recharge area in an area of high aquifer vulnerability. There must be an Environmental Impact Statement, and a number of hydrogeological information points addressed, including an assessment of post-development impacts – i.e. changes to water table elevation, changes in groundwater flow direction, all of which are concerning.

To the north and east of the site are a pond or kettle lake, considered a significant groundwater recharge feature, a wetland area, and an intermittent stream where flow happens southeast to the lakes here and on the south side of Lakeshore. Yet this application for amendment is happening BEFORE any of the environmental studies required by MOE, ORMCP, or Lake Simcoe Region Conservation Authority.

No matter what the scale of the allowed development, ALL environmental considerations must be followed: we all know that ‘recommendations’ are just that, are not necessarily followed, especially if they cost more or increase the difficulty or time of construction: Council should not ‘recommend’ but MANDATE the use of permeable or alternative pavements, not concrete; the use of a balance of cut and fill site grading to maintain the natural drainage patterns; not allow the import of finer grained off site soils which will reduce post-development infiltration potential; and retain the treed portions of the site, ecologically significant or not, as higher rates of recharge are associated with wooded areas.

I question, as the Golder report itself points out, what is the impact of any potential temporary or permanent water takings, temporary construction dewatering, or structures below the water table that require permanent drainage. Depressurization of deeper confined aquifer units is ‘not *expected*’ they write, although seasonal high groundwater tables require sub pumps and this affects impact assessment. They also note “drainage of subsurface water is commonly required for temporary or permanent installations for this project... Improper design or construction of drainage or dewatering can have serious consequences.”

What kind of post development monitoring program would be in place, run by whom, and remediation if needed, paid for by whom?

Also concerning are their notes on intended septic systems: “With the proposed private sewage disposal systems, the surficial unconfined sandy aquifer will offer little protection from contaminant sources.”

Currently for this site, development on a communal water system with individual private sewage treatment facilities is zoned at a MINIMUM of .5 ha – they are asking for an amendment to reduce this to .2 ha, or a reduction by 60%. That’s huge. Yes, they will tell you they are using a relatively new and more efficient Waterloo septic system, which is great: it is one that advertises itself as in use for difficult sites, perhaps a warning bell. We should be using the most efficient there is, but bottom line is, we are still dumping waste into the environment. Their own literature is designed to sell, yet let’s read between the lines a little: “it *minimizes* tree removal – does not eliminate it; optimal numbers, for top running systems with no operating errors (yet manufacturer’s claims might be taken with a grain of salt - think of the recent fuel consumption claims of Hyundai and Kia) say the system removes up to 65% of nitrogen – best case scenario; and therefore a minimum of 35% total nitrogen is NOT removed, nitrogen which contributes to algae blooms, fish kills, contamination of source waters and human health problems – and wastewater in some form will enter the environment. This is all assuming the septic systems will work to the maximum potential and never fail. The spec sheets suggest reliability, unless the homeowner uses bleach, disinfectants or excessive fats in cooking. Since most cooking involves fats I wonder what is considered ‘excessive.’ Even with compliance, the manufacturer expects 5% of systems to fail within 5 years. It also notes nozzles can become plugged.

Lastly, of concern: the developers are asking to pinch lot sizes to reduce required minimum frontage and yard sizes: for example, a major reduction of the minimum rear yard from 12 metres to a mere 7.5. and an increase of the maximum lot coverage by another 5%. I ask, why are suburban subdivision standards being applied in a rural village community, one that residents want to keep? Do we really want to become ‘the city close to the city?’

Ballantrae Musselmans Lake Secondary Plan Review states: “comments received from survey and the Visioning workshop indicated the community does not want any significant changes – it is viewed as a green rural community with a village scale of development and residents want it to stay that way.”

This is confirmed by the lack of earlier success of Mr. Shickedanz’s attempts to buy the majority of the back sections of the acre lots along the south side of Aurora Rd. abutting the site in order to even further increase the profitability and number of houses developed on the proposed site. Although he assured me ‘everything has a price’ it seems that my neighbours were all of the same mind: we moved here BECAUSE of the rural environment, preferring smaller houses on larger pieces of land, for our quality of life. He was not successful in this attempt.

There is no reason to amend zoning to decrease lot size and pack in more houses than should be there, only to line a developer’s pockets. Some houses could still be built, which I still regret, but at least they could comply with the existing rural village minimum lot sizes and setbacks. I urge council to vote AGAINST this amendment. AND to ensure that ALL ENVIRONMENTAL STANDARDS ARE MET OR EXCEEDED, and that concerns about the volatility of the watertable are dealt with, especially as even the existing problems in Ballantrae have not been resolved. In this way, existing residents’ concerns are met and their properties are not detrimentally affected; the town still achieves revenue while being environmental stewards for existing and future generations; and the developer still makes profit – We ALL win.