

Additional Questions from residents (July 2020)

Town Staff response in red

Section 41 of the *Planning Act* – Site Plan

Site plan approval is a tool to manage the functionality and appearance of the site rather than “permitted uses”. Building heights and setbacks, and the number of permitted or required parking spaces are addressed through zoning.

Subsection (4) - The site plan approval process involves the review of detailed drawings which illustrate the physical arrangement and layout on the property such as the location of buildings, driveways, parking areas, pedestrian sidewalks, landscaping, fences, light fixtures, waste collection areas, snow storage, stormwater drains, municipal services and similar facilities. Municipal staff and commenting agencies review the drawings to ensure they comply with development standards, regulations and policies.

Subsection (7) – Municipalities can impose conditions of approval relating to:

1. Road widenings – as required by the Official Plan of Town/Region
2. Access to/from Roads – curbs, access ramps, traffic direction signs
3. Loading and Parking Facilities – covered or uncovered, driveways, surfaces
4. Walkways / Pedestrian Access
5. Accessibility for People with Disabilities
6. Lighting
7. On-site Landscaping – including walls, fences, hedges, trees, shrubs or other groundcover, for the landscaping of the lands or the protection of adjoining lands
8. Garbage/Waste – vaults, central storage, collection areas, enclosures
9. Municipal Easements – related to watercourses, ditches, land drainage works, sanitary sewage facilities and other public utilities of the municipality or local board
10. Grading and Drainage – includes disposal of storm, surface, and waste water

Subsection (12) – Only the applicant/landowner can appeal the municipality’s lack of a decision within 30 days of submission of the application (Note: the current application was submitted in January 2020 and is already eligible for appeal). The applicant/landowner can also appeal the conditions imposed by the municipality. On an appeal, the Tribunal determines the details of the drawings/conditions that will be approved as opposed to refusing a development.

Third parties (such as abutting neighbours) have no right of appeal for a site plan application.

#1. Calculations of sound generation include delivery vans and large trucks bringing goods for final delivery, as well as roof top A/C units but I saw no evidence that included the noise being generated by:-
i) the workers' personal vehicles (arriving and departing each shift)
ii) noise sources being generated by traffic on South service Road, Royal Windsor Drive or from the immediate residential area including the Chestnut Hill Homes sub-division and Ford Drive traffic.
iii) nor were there any inclusions of existing noise levels from other sources - including from GO and VIA rail traffic, from the Ford plant itself or any accounting for employees and delivery trucks servicing the Ford plant. So I have a major concern that this study has not been asked to estimate or predict noise levels from all sources. It's the **total cumulative noise levels** that they should be concerned with. Where is that study? Has the Town's planning department done that or are they only looking at the incremental noise generation? If so, they are failing us.

Response:

The noise sources listed in this question form part of the background or "ambient" noise levels which were measured as a starting point for the analysis. Noise levels from the proposed facility would need to EXCEED the ambient noise levels to have an impact. All projected noise levels are within the provincial NPC 300 guidelines and the requirements of the noise by-law.

1 (i) Employees vehicles would not have a significant impact on the overall sound level and would be negligible against ambient noise levels.

(ii) Traffic noise from the surrounding areas are considered to be ambient noise

(iii) These sources are a significantly greater distance from the receptor locations. Noise levels are affected by distance. Predictable noise levels from the proposed facility have been taken into consideration in the report.

#2 In respect of the future (2025) time window, the study appears to have taken into account other proposed developments on Cornwall Road (i.e. the 4 identified by the H&R REIT engineering study) but again they have probably not included base levels of noise generated from existing noise sources including i) through III) identified above. I can't tell because that data was not included in the document

Response: These sources do not yet exist, and may not be a factor due to distance from the point of reception (which are predictable worst case scenarios). Distance to the receptor locations significantly decreases noise. Each of these developments would be subject to their own site plan process which would control anticipated noise impacts if any.

#3 How is the water run off from the very large parking lot being addressed on the site so it does not end up in the creek?

Response: There is an existing stormwater management pond on-site that is designed to control the flow of water. Without the pond, large amounts of water would enter the stream all at once, causing flooding and eroding soil from the stream banks.

The pond is also designed to improve water quality. The permanent pool of water within the pond allows sediment to settle before water enters the stream. Vegetation in landscaped areas also improves the water quality by helping to filter the sediment.

#4 Given the increase in carbon emissions to the neighbourhood what study is being provided to understand the impact on our air quality and what mitigation measures are the Town staff proposing?

Response: Falls outside of the scope of Section 41 of the *Planning Act*.

Environmental Policy staff advise that concerns related to carbon emissions (or “greenhouse gas emissions” GHGs) relate to climate change rather than direct health impacts. The main source of GHGs come from the combustion of fuel. In the case of the Amazon facility, GHGs would come from the potential increase in traffic (fuel use) not the building itself.

GHGs emissions are not measured at such a local level – they are generally estimated at a broader level and are usually estimated through modelling rather than direct measurement. Local emissions of GHGs do not cause local climate change impacts. Rather local emissions contribute to the larger, global, accumulation that in turn is changing the global climate and manifests in changing weather patterns at the community scale.

There are a number of town programs to reduce GHG emissions by 2041 including the Community Energy Strategy, and the Conservation Demand Management Plan. Links are provided below. Neither program is related to the site plan approval.

<https://www.oakville.ca/assets/general%20-%20environment/Community-Energy-Strategy.pdf>.
<https://www.oakville.ca/environment/corporate-energy-management.html>.

#5 What is the current air quality index and how will this new business impact the air quality?

Response: Falls outside of the scope of Section 41 of the *Planning Act*.

The Air Quality Health Index (AQHI) replaced the Air Quality Index on June 24, 2015. From the Ministry of the Environment, Conservation and Parks website (<http://www.airqualityontario.com>), Air Quality Health Index is a scale (from 1 to 10) developed by health and environmental professionals to communicate the health risk posed by air pollution. The index reading also describes the level of health risk associated (e.g. Low, Moderate, High, or Very High Health Risk). It is designed to help the public understand what the quality of the air means to a person’s health along with some suggestions on how one might adjust their individual activity levels depending any health risks.

In Ontario, the Air Quality Health Index represents the relative risk of a mixture of common air pollutants which are known to harm human health. Three pollutants were chosen as indicators of the overall outdoor air:

Ground-level Ozone (O₃)
Fine Particulate Matter (PM_{2.5})
Nitrogen Dioxide (NO₂)

In Oakville, there is a Ministry of the Environment, Conservation and Parks air quality monitoring station located at Glenashton Drive and Eighth Line area. It is a regional monitoring station and is for the entire Oakville area. The current air quality index is provided publicly on an hourly basis at <http://www.airqualityontario.com/aqhi/today.php?sites=44017> (MECP Hourly Air Quality Health Index Readings).

Since the AQHI reading includes many emission sources within the community and surrounding areas, it is designed to measure the relative health risk of the air pollution mixture at a regional level instead of a localized level. With the main source of new emissions would be the potential increase in traffic rather than the building itself, the air quality at a regional level would not have substantial changes. Please note that local air pollution levels can be affected by many factors, such as the weather pattern and distance from air pollution sources.

#6 What if any discussions have occurred regarding the using more environmentally friendly vehicles?

Response: None – falls outside of the scope of Section 41 of the *Planning Act*.

#8 Will there be a berm added to the large parking area to mitigate noise?

Response: Along Cornwall Road the minimum required landscaping buffer in the Zoning By-law is 3 m. The applicant is providing 11 m (to the proposed parking lot) which will include the retention of 11 existing trees, and planting of 18 new trees and various plants and shrubs. Staff asked Amazon to review the potential of a berm in this location. A berm may result in the loss of the 11 existing trees currently proposed to be retained and a reduction in the amount of plantings that can occur on the slope of the berm.

The proposal meets the current standard under the noise by-law. The Town's noise by-law is based on provincial standards. A berm in this location is not required for noise mitigation. We are expecting a revised noise study as part of the next submission, which will be reviewed to ensure it continues to comply with the noise by-law.

#9 If Traffic volumes exceed what they have reported when it opens? What if any tools does the Town have to address this?

Response: The municipality undertakes traffic counts on its roads every few years. In 2018 traffic counts illustrate that Cornwall Road in this location accommodated 15,380 vehicles/day. Cornwall Road is a Multi-Purpose Arterial Road with the capacity to handle 40,000-60,000 vehicles per day. The revised TIS should/will determine if the traffic generated from the proposed use can safely be accommodated on Cornwall Road. Since Cornwall Road is a 4-lane cross-section (and not 6 lanes like some other multi-purpose arterial roads) in the vicinity of the site, hence we would not expect to see 60,000 vehicles per day on this road. If volumes increase because of this use or any other use it is expected that Cornwall Road can handle the volumes safely.

#10 Can a better noise wall be provided to the neighbouring residents?

Response: The proposal meets the current standard under the noise by-law. The Town's noise by-law is based on provincial standards. A new noise wall is not required for noise mitigation.

We are expecting a revised noise study as part of the next submission, which will be reviewed to ensure it continues to comply with the noise by-law.

#11 Please advise what is the actual number of parking spaces they can have if they do not get approval for developing on the parkway belt.

Response: If the Ministry does not remove the "Road" designation from the Parkway Belt West Plan the applicant would lose approximately 100 of their proposed parking spaces. I expect the applicant would relocate the "lost" parking spaces between the existing building and Cornwall Road, affecting existing mature landscaping that would otherwise be retained.

#12 Are all of the applicant's application materials posted on the website?

Response: Yes. When the 3rd submission is received it will also be placed on the website.

#13 In anticipation of the potential for a peer review, has the Town developed a scope of work to measure the Applicant's submission against robust criteria and to expedite the process?

Response: Staff has already contacted the third party consulting firm to undertake a peer review of the TIS once submitted. Once we receive an updated submission from the applicant then we will work on the peer review step. The scope of the peer reviewer's work will be to review the TIS submitted by the applicant, to identify any concerns with the assumptions, analysis or conclusions contained therein, and to provide recommendations to the town based on their findings.

#14 Should be a compliance review measured against existing jurisdictional requirements captured in provincial, regional and municipal policies, procedures, standards, bylaws and all building and electrical codes but not limited to.

Response: Provincial, regional and municipal standards which are relevant to the site plan process (such as noise, grading, tree canopy coverage, and availability of municipal services) have been reviewed in conjunction with this application. Other matters (such as building code and electrical codes) are reviewed as part of other processes including the review of building permits.

#15 What is the cost of road repairs on Cornwall based on the traffic that will be generated?

Response: Falls outside of the scope of Section 41 of the *Planning Act*.

Engineering and construction staff advise that while traffic volumes can be a factor in the lifespan of a road traffic volumes are not expected to have a significant impact on the resurfacing program.

We have an annual Road Resurfacing Program, and through that program we monitor the pavement condition of all town roads and use approved thresholds to determine when the road needs to be resurfaced (repaved). There are different thresholds for arterial roads than for collectors. (Cornwall Road is an arterial road)

The cost to resurface a road is dependent on a number of factors. Through our annual Resurfacing Program, we create a tender that includes multiple streets (could be 30+) and work to combine adjacent or nearby streets into the same contract so that we are not returning to the same neighbourhood for multiple years in a row. We also coordinate work with Halton Region so that we are not resurfacing a

road in Year 1 that they need to disturb in Year 2 for planned sanitary sewer or watermain work. Some of the factors that influence the costs to resurface a particular road include, but are not limited to:

- the classification of the road,
- the quality of the asphalt at the time that we proceed with the work,
- the length of road segment to be resurfaced,
- the number of other roads in the contract and their locations (is the contractor required to mobilize and demobilize in multiple locations, and if so, are they spread out across town?),
- any other work included in the contract (sidewalk and curb repairs, as examples),
- any timing restrictions (i.e. it is in a school zone so work must be completed by Labour Day, or it is a major arterial so the resurfacing needs to be staged to keep one lane in each direction open at all times or occur at night), and
- the cost of materials and labour

Additional Questions from residents (July 2020)

Questions that fall outside the scope of Section 41 of the *Planning Act*. Staff requested Amazon to provide responses.

#6 What if any discussions have occurred regarding the using more environmentally friendly vehicles?

#7 What are examples of mitigation that have been put in place at other Amazon warehouses relative to traffic, noise and safety?