



Proposed Rand Subdivision threatens increased flooding of One Mile Creek in Old Town

Presented to NOTL Public Meeting on July 14, 2021

By Michael Fox, 362 Gate St., Niagara on the Lake

Re Town files OPA-02-2020, ZBA-11-2020, 26T-18-20-01

I am chair of Friends of One Mile Creek, a volunteer group in Old Town founded in 2003 because of concerns regarding the condition of One Mile Creek and associated Lansdowne Pond. My comments are from the perspective of the landowners downstream from the proposed development.

Much of the water that flows in One Mile Creek originates in what is now the open land of the proposed development. Today, rainfall is absorbed on the open land to slowly infiltrate into the ground.

A drop of rain in the location of the proposed subdivision will eventually reach One Mile Creek. Once in the creek, it will travel on a winding route of about 1.6 kilometres through Old Town — behind houses on streets such as William St., Johnson St., Simcoe St., Gage St and Lansdowne St. — before eventually reaching Lake Ontario.

One of the reasons that the creek winds through Old Town is that it follows the natural contours of the land. When much of Old Town was settled 200 years ago, there were no trucks and heavy equipment that could level the natural hills and fill in the valleys. The character of many settled areas in NOTL are, in fact, defined by the preservation of the natural heritage of those areas.

In contrast, this plan for this proposed subdivision tries to defy the reality of the site's natural features. The site is part of what's called the headwaters of One Mile Creek — the area where the creek starts.

According to the developer's land use schedule, of the total 30 acres, 10 acres for the area cannot be developed — the greenbelt area, natural heritage and stream and buffer. Of the remaining 20 acres, about 15 acres will be built on — with housing, streets, sidewalks, patios. This means that 75% of the development land will be covered with impermeable surfaces — roofs, asphalt, concrete. To be clear, impermeable surfaces do not absorb water.

The rainwater will need to travel to the creek much faster than it does today.

We already have flooding of One Mile Creek along John Street when there is a heavy rain. This has become worse with the faster runoff of rainwater from the Rand property after the tree clearing on the Rand Estate in 2018.

Developers and planners tend to fixate on how many units can be squeezed on to a parcel of land. The Town is asked for exemptions — to be allowed to cover the area for semi-detached with 60% rather than the allowed 33% level and of the area for singles with 55%.

However, the density requirements in our Town plans are part of mechanisms to protect our natural heritage. By establishing limits to the proportion of built area on a parcel of land, it ensures that there will be sufficient unbuilt areas to absorb rainwater.

Many developers in Old Town work in harmony with nature. It is disappointing that this proposal reads more like an assault on nature.

The Provincial Place to Grow has several policies that have been disregarded here. Specifically, a proposal is expected to “mitigate and adapt to the impacts of a changing climate, improved resilience and reduce greenhouse gas emissions and contribute to environmental sustainability.” Further, a proposal should “integrate green infrastructure and appropriate low-impact development.”

There are no provisions for green infrastructure. The proposed “low-impact development” methods don’t seem to consist of anything more than an initial disconnect of downspouts from storm water pipes. Frankly, the proposed back yards are so tiny that any so-called swales will not be effective.

There are no plans for riparian planting along the One Mile Creek tributary that borders and flows through the property.

An immense engineering project is proposed to create an underground water storage system. At the open house, the developer did not seem to know the capacity it would provide. However, it is difficult to visualize that it can contain the water falling on 20 acres in a severe rainstorm.

We need a detailed analysis from a qualified expert to answer several questions. In these times of volatile climate conditions, we have significant rain events. What happens when it rains 50 millimetres of rain on the paved 20 acres? The water will flow off roofs, streets, sidewalks. That water will need to go somewhere. It is not clear that the storage tanks would hold that amount of water — so it will flow directly into One Mile Creek.

Residents in Old Town need to be aware that water will race off the elevated Marotta subdivision. The water from those 15 paved acres will flow downstream. It is likely that the volume will be so significant that it will over-flow One Mile Creek — and end up in the basements of houses along the creek in Old Town. Filling Old Town’s basements with water from the Marotta subdivision is not a good storage system.

Certainly, we need some sort of provision about how this proposed underground storage system at the subdivision gets maintained long term. This will be a private condominium. We all now are more aware of the reluctance of some condominium boards to make necessary investments in infrastructure because of the costs.

What happens in 20 years when the storage system needs to be replaced? The developer will have made his money and left it to the residents to deal with deficiencies. We need some sort of a financial bond paid upfront to provide the money to take care of the inevitable problems with water. Otherwise, residents will

expect the Town to pick up the tab — even though the subdivision is not even on public land.

Given all of these concerns, I think the prudent approach would be to stick to the existing guidelines regarding density. The subdivision's density should be consistent with that of the adjacent streets in the neighbourhood. We need to see meaningful provisions for green infrastructure.

Further, we need detailed plans for riparian plantings along all of One Mile Creek and its tributaries.

Thank you.

About Friends of One Mile Creek

Landowners abutting One Mile Creek and other interested individuals in Niagara on the Lake formed the Friends of One Mile Creek (FOMC) in 2003 because of concerns regarding the condition of the creek and associated Lansdowne Pond. Working with the Niagara Peninsula Conservation Authority (NPCA), the group implemented a number of stewardship projects to revitalize the creek's natural heritage. The goal of Friends of One Mile Creek: "Collaborate with the community and relevant agencies to work efficiently toward restoring and revitalizing the water quality, wildlife and natural environment of the One Mile Creek watershed."

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