

**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
CELINE BATTERINK, B.SC. ECOLOGY
(January 30, 2017)

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TAB 1

A. INTRODUCTION

1. This Witness Statement has been prepared by:

Celine Batterink, B.Sc. Ecology
Ecologist, ISA Certified Arborist #ON-1546A

Kuntz Forestry Consulting Inc.
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Oakville, ON L6K 0B3
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Cell: 647-390-0554
Fax: 1-866-693-6390
Email: cbatterink@kuntzforestry.ca

2. The Ontario Municipal Board has scheduled a 2 week hearing to begin February 27, 2017 to deal with the "failure of the Town of Halton Hills to make a decision" regarding the proposed plan of subdivision located at Park Lot 20, Concession 9, known as Creditview Heights and hereby referred to as the "subject property". 31 single detached lots are proposed for the site.
3. Our work addresses a number of issues from the Procedural Order Issues List, including:
- a. *Town and Region Issues List:*
 10. *Is any reforestation necessary?*
 14. *Are comments from all public authorities and agencies, including Credit Valley Conservation ("CVC") current and have their issues been addressed?*
 - b. *Joan Griffin Issues List:*
 12. *Is the proposed reforestation and tree preservation and replacement plan being proposed adequate and appropriate?*

P. O. G. W. P. M.
I 380E # 23

B. QUALIFICATIONS

4. I am a Certified Arborist (ISA) at Kuntz Forestry Consulting Inc. (KFCI), with 10 years of experience in the field of forestry and urban forestry. My curriculum vitae is attached as Appendix A of this witness statement.
5. The evidence provided within involves matters of science respecting tree and forest resources located on the subject property. My Acknowledgement of Expert's Duty is attached on Appendix B of this witness statement.

C. RETAINER

6. KFCI was retained by Eden Oak (Creditview Heights) Inc. to comment on the degree of tree removals required to accommodate the proposed development located on the

subject property. KFCI worked with and provided input to LGL Limited with respect to the preparation of LGL's Environmental Implementation Report and subsequent updates.

D. SUMMARY OPINION

6. The Environmental Impact Report prepared by LGL incorporates the results of KFCI's studies. The memo prepared by KFCI and LGL Limited dated 10 January 2017 includes KFCI's most recent conclusions based on the current site plan. 1,064 trees on the subject lands are identified for removal.
7. Through discussions with the Town of Halton Hills, a compensation paradigm of 2:1 replacement for trees to be removed in native woodlands, and 1:1 replacement for trees to be removed within early successional woodlands was agreed to. This would result in a total required compensation of 1,128 trees.
8. However, through recent discussions between the Appellant, the Town of Halton Hills, and LGL staff, compensation of trees will not be fewer than 1,374, as per the tree removal analysis carried out in October 2015.
9. The compensation paradigm and the proposed amount of trees to be planted are consistent with current industry standards. Over time, we would expect there to be an increase in canopy cover across the landscape as a result of the proposed compensation.
10. I am prepared to expand upon and be cross examined on our methodology and conclusions in my testimony at the Ontario Municipal Board, if required.
11. The list of reports and information I will refer to when I testify are:
 - a) LGL 2017. Memo re. EIR Addendum for Creditview Heights Subdivision, Glen Williams. 10 January 2017
 - b) LGL 2016. Creditview Heights, Glen Williams Ontario, Environmental Implementation Report (updated June 2016).



Signature

12 January 2017

Date

TAB A

APPENDIX A. CURRICULUM VITAE



Celine Batterink, B.Sc. Env. Ecology
Associate Ecologist, ISA Certified Arborist #ON-1546A
Kuntz Forestry Consulting Inc.

EDUCATION

Honours Bachelor of Science in Environmental Science September 2005-December 2009
 University of Guelph, Guelph, Ontario

- Major in Ecology, with an area of emphasis in Development and Stewardship

CERTIFICATIONS:

- Certified Arborist: 2011, International Society of Arboriculture.
- Ecological Land Classification Certificate: 2012 – OMNR.
- Certified Tree Marker: Spring 2013 – MNR Certification Course.
- Butternut Health Assessor: Summer 2014 – Endangered Species Act 2007 Ontario.
- Certified Tree Risk Assessor: July 2014 – ISA - Pacific Northwest Chapter.

RELATED EXPERIENCE

Kuntz Forestry Consulting Inc. August 2010 - present
 Ecologist, Certified Arborist, Oakville, Ontario

- Have worked as an ecologist and arborist, completing reports required under regulatory process for development companies and planning firms all over the GTA
- Perform vegetation surveys and assessments, analyze results in the context of site plans, and prepare reports
- Prepare Restoration Plans, assist with Forest Management Plans, Environmental Impact Statements, among others.
- Use Autocad mapping, ArcGIS and Excel to compile data for reports
- Effectively communicate with clients and government officials of all levels

Tree Planting Assessor May-Aug. 2006 and 2007, and May-June 2009 and 2010
 Outland Reforestation, Alberta & Manitoba

- Worked all over Northern Alberta and Manitoba planting trees for two summers, then was later given the position of tree assessor for these last two summers
- Was responsible for ensuring the quality of an entire camp's trees by walking planted land, throwing plots, and often asking people to fix their planted trees

Turf Environmental and Administrative Assistant Apr.-Oct. 2008, and June-Oct. 2009
 Greystone Golf Club, Milton, Ontario

- Dealt with the administrative aspects of running the golf course
- Handled the environmental components of turf management, including the monitoring of water and pesticide usages
- Helped implement a Forestry Management Plan that the golf course now abides by

ADDITIONAL QUALIFICATIONS

- ISA Certified Arborist
- Certified in Ecological Land Classification
- Attended OMNR Tree Marking Course, Candidate Certified Tree Marker
- Certified Tree Risk Assessor, Ontario Chapter ISA

- Proficient in many computer programs, including MS Powerpoint, Word, Access, AutoCAD, ArcGIS and Excel
- Have WHMIS certification

TAB B

APPENDIX B. ACKNOWLEDGEMENT OF EXPERT'S DUTY



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 Celine Battenink.....(name)
 I live at the Town of Port Perry.....(municipality)
 in the Region of Durham.....(county or region)
 in the Province of Ontario.....(province)
2. I have been engaged by or on behalf of Eden Oak (Creditview Heights) Inc. (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 Jan. 12, 2017

Signature