

**LPAT Case Nos. PL171084
PL180158
PL180580
MM180022
MM170004**

LOCAL PLANNING APPEAL TRIBUNAL

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Clublink Corporation ULC and Clublink Holdings Ltd.
Subject:	Request to amend the Official Plan - Refusal of request by the Town of Oakville
Existing Designation:	Private Open Space and Natural Area
Proposed Designation:	Site Specific (to be determined) – including Residential, Mixed Use and Community Commercial
Purpose:	To permit the redevelopment of the Subject Lands for a mix of residential, commercial and open space uses
Property Address/Description:	1333 Dorval Drive
Municipality:	Town of Oakville
Approval Authority File No.:	OPA.1519.09
LPAT Case No.:	PL171084
LPAT File No.:	PL171084
LPAT Case Name:	Clublink Corporation ULC v. Oakville (Town)

See Appendix “A”

WITNESS STATEMENT OF KATHERINE ARMSTRONG

Prepared for ClubLink Corporation ULC and ClubLink Holdings Limited

May 17, 2021

Qualifications

1. I am an Air Quality Specialist with approximately 15 years of experience at Golder Associates Ltd. providing air quality consulting in Canada and abroad.
2. I have an undergraduate degree in Mathematics from the University of Warwick, U.K. and a Masters degree in Weather, Climate and Modelling from the University of Reading, U.K. I have extensive experience working with the Ontario Ministry of Environment, Conservation and Parks (MECP) air quality requirements, and I directly worked with the MECP in developing sample application packages to be used by regulated industries and the consulting industry in Ontario. I have worked on land use planning projects for sites across Ontario. I have previously been

retained by and provided advice to planning authorities, existing industries and developers on planning projects where sensitive land use was being proposed adjacent to established operating industries.

3. A copy of my curriculum vitae is attached to this Witness Statement, together with a signed Acknowledgement of Expert's Duty form.

Retainer

4. Golder Associates Ltd. (Golder) was retained by Clublink Corporation ULC and Clublink Holdings Limited (Clublink) in 2015 to complete an air quality study for the proposed redevelopment of the Glen Abbey Golf Club property (Property) in accordance with the Town of Oakville's Development Application Guidelines (Town of Oakville, 2011).
5. My role on the project was as the lead investigator of the Air Quality Report. The initial air quality study was finalized in October 2016 (Golder, 2016). It was later updated in 2021 (Golder, 2021) in response to peer reviewer comments and to incorporate updates to surrounding land use information and more recent air quality monitoring data.

Summary of Evidence and Opinions

6. Air Quality was assessed in accordance with the Town of Oakville's Development Application Guidelines for an Air Quality Report (Town of Oakville, 2011), which identifies the following objectives:
 - a) Determine if the proposed land use is suitable for the site;
 - b) Determine if the proposal meets human health and air quality criteria, including the Town's Health Protection Air Quality By-Law 2010-035; and
 - c) Assist the Town of Oakville with their reports and analysis.
7. To meet these objectives, the Air Quality Report included an assessment of the existing air quality in the area surrounding the Property, identification of existing sources of air emission in the area, and application of the Ontario MECP D-series guidelines for Land Use Planning to identify whether the proposed redevelopment is located within the potential area of influence of existing industrial sources.
8. The Property is primarily surrounded by existing residential land use and is not identified to be within the area of influence of any existing industrial land uses. No industrial land use is planned as part of the redevelopment of the Property. The proposed redevelopment of the Property is therefore considered to be a compatible land use under MECP D-6 guidelines.
9. To assess existing air quality in the study area, data was taken from a local monitoring station. Five years of data was assessed and the results indicate that

levels of criteria air contaminants within the vicinity of the Property are within the current Provincial ambient air quality criteria, indicative of good air quality.

10. ClubLink has identified that the proposed redevelopment plans for the Property include low and mid-rise residential use, offices, retail and open spaces and no industrial sources. As a result, it is understood that there are no significant stationary air emission sources associated with the redevelopment and the Property is not expected to include any buildings classified as major emitters under the Oakville Health Protection and Air Quality By-law 2010-035.

11. The issues identified in the Issues List that pertain to air quality include the following:

Issue 9a: "Should the Applications be refused on the basis that intensification of the nature and scale proposed should be located in the Town's strategic growth areas (growth areas in the Livable Oakville Plan), based on:

(a) consistency with the policies of the Provincial Policy Statement regarding nodes and corridors; intensification and redevelopment; transit-supportive development; and coordinating planning and infrastructure; including sections 1.1.1, 1.1.3.2, 1.1.3.3, 1.2.1, 1.2.4, 1.6.1, and 1.6.3;"

12. Section 1.1.3.2 of the Provincial Policy Statement states that "Land use patterns within settlement areas shall be based on densities and a mix of land uses which: ... c) minimize negative impacts to air quality and climate change, and promote energy efficiency".

13. As mentioned above, there are no significant stationary air emission sources or activities associated with the proposed redevelopment of the Property. It is acknowledged that the redevelopment of the property will introduce new on-site roads and additional traffic into and out of the study area. However, the amount of traffic that would likely be generated by the proposed redevelopment would be minimal in comparison to the amount of existing vehicular traffic within the Town or the Region. This level of traffic is therefore not expected to impact the local airshed in any meaningful way. Therefore, the proposed redevelopment of the Property is not anticipated to have a significant impact on the local airshed or on air quality.

List of Documents to be Referred To

The following is a list of documents which I have reviewed in preparing my report and evidence:

- CCME. 1999. Canadian Council of Ministers of the Environment, Canadian National Ambient Air Quality Objectives: Process and Status

- CCME. 2012. Canadian Council of Ministers of the Environment, Guidance Document on Achievement Determination Canadian Ambient Air Quality Standards for Fine Particulate Matter and Ozone
- *Environmental Protection Act*, R.S.O. 1990, c.19
- Golder Associates Ltd. October 2016. *Air Quality report – Proposed Redevelopment of Glen Abbey Golf Club, prepared for ClubLink Corporation ULC and Clublink Holdings Limited*
- Golder Associates Ltd. February 2021. *Updated Air Quality report – Proposed Redevelopment of Glen Abbey Golf Club, prepared for ClubLink Corporation ULC and Clublink Holdings Limited*
- MECP (Ontario Ministry of the Environment, Conservation and Parks). 1995. D-6 Compatibility between Industrial Facilities. July 1995
- MECP (Ontario Ministry of the Environment, Conservation and Parks). 2012. Ontario's Ambient Air Quality Criteria. PIBS#6570e01 April 2012
- MECP (Ontario Ministry of the Environment, Conservation and Parks). 2017a. Guideline A-11: Air Dispersion Modelling Guideline for Ontario (ADMGO), Version 3.0 PIBS 5165e03. February 2017
- MECP (Ontario Ministry of the Environment, Conservation and Parks). 2017b. Procedure for Preparing an Emission Summary and Dispersion Modelling Report, Version 4.0. PIBS#: 3614e04. February 2017
- *Ontario Regulation 419/05-Air Pollution – Local Air Quality*
- The Region of Halton. 2014. Air Quality Guidelines – Regional Official Plan Guidelines
- Town of Oakville (2011) – Development Application Guidelines: Air Quality Report - Available online at: www.oakville.ca/assets/2011%20planning/dag-airqualityreport.pdf



Katherine Armstrong

Appendix "A"

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Subject:	Clublink Corporation ULC and Clublink Holdings Ltd. Application to amend Zoning By-law No. 2014-014 - Refusal of Application by the Town of Oakville
Existing Zoning:	Private Open Space (O2), Private Open Space-Special (O2-Sp. 114), and Natural Area (N)
Proposed Zoning:	Site Specific (to be determined)
Purpose:	To permit the redevelopment of the Subject Lands for a mix of residential, commercial and open space uses
Property Address/Description:	1333 Dorval Drive
Municipality:	Town of Oakville
Municipality File No.:	Z.1519.09
LPAT Case No.:	PL171084
LPAT File No.:	PL171085

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Subject:	Clublink Corporation ULC and Clublink Holdings Ltd. Proposed Plan of Subdivision - Failure of the Town of Oakville to make a decision
Purpose:	To permit the redevelopment of the Subject Lands for a mix of residential, commercial and open space uses
Property Address/Description:	1333 Dorval Drive
Municipality:	Town of Oakville
Municipality File No.:	24T-17003/1519
LPAT Case No.:	PL171084
LPAT File No.:	PL171086

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Subject:	Clublink Corporation ULC and Clublink Holdings Ltd. Proposed Plan of Subdivision - Failure of the Town of Oakville to make a decision
Purpose:	To permit the redevelopment of the Subject Lands for a mix of residential, commercial and open space uses
Property Address/Description:	1333 Dorval Drive
Municipality:	Town of Oakville
Municipality File No.:	24T-17003/1519
LPAT Case No.:	PL171084
LPAT File No.:	PL171167

PROCEEDING COMMENCED UNDER subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Clublink Corporation ULC and Clublink Holdings Ltd.
Subject:	Proposed Plan of Subdivision
Property Address/Description:	1333 Dorval Drive
Municipality:	Town of Oakville
Municipality File No.:	24T-17003/1519
LPAT Case No.:	PL171084
LPAT File No.:	PL180034

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	ClubLink Corporation ULC & ClubLink Holdings Ltd.
Subject:	Proposed Official Plan Amendment No. 24
Municipality:	Town of Oakville
LPAT Case No.:	PL180158
LPAT File No.:	PL180158
LPAT Case Name:	ClubLink Corporation ULC et al. v. Oakville (Town)

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	ClubLink Corporation ULC & ClubLink Holdings Ltd.
Subject:	By-law No. 2018-016
Municipality:	Town of Oakville
LPAT Case No.:	PL180158
LPAT File No.:	PL180159

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	ClubLink Corporation ULC & ClubLink Holdings Ltd.
Subject:	Proposed Official Plan Amendment No. 15
Municipality:	Town of Oakville
LPAT Case No.:	PL180580
LPAT File No.:	PL180580

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

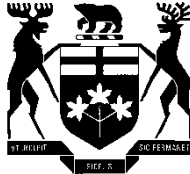
Appellant:	ClubLink Corporation ULC & ClubLink Holdings Ltd.
Subject:	Proposed Official Plan Amendment No. 16
Municipality:	Town of Oakville
L.P.A.T. Case No.:	PL180580
L.P.A.T. File No.:	PL180581

PROCEEDING COMMENCED UNDER subsection 34.1(1) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd.
Subject: Appeal of a decision of Council on an application to
demolish a building or structure
Municipality: Town of Oakville
LPAT Case No.: MM180022
LPAT File No.: MM180022

PROCEEDING COMMENCED UNDER subsection 69(3) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd.
Subject: Appeal against the levying of an application fee
Municipality: Town of Oakville
LPAT Case No.: MM170004
LPAT File No.: MM170004



Ontario

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement local

ACKNOWLEDGMENT OF EXPERT'S DUTY

Case Number	Municipality
PL171084, PL180158, PL180580, MM180022, MM170004	Town of Oakville

1. My name is..... Katherine Armstrong.....(name)
I live at theCity of Toronto.....(municipality)
in the.....City of Toronto(county or region)
in theOntario.....(province)

2. I have been engaged by or on behalf of **ClubLink Corporation ULC and ClubLink Holdings Limited** (name of party/parties) to provide evidence in relation to the above-noted LPAT 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 LPAT may reasonably require, to determine a matter in issue.
 - d. not to seek or receive assistance or communication, except technical support, while under cross examination, through any means including any electronic means, from any third party, including but not limited to legal counsel or client.

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.....May 17, 2021.....

Signature

Education

MSc Weather, Climate and Modelling, University of Reading, UK, 2006

BSc Mathematics, Honours, University of Warwick, UK, 2005

Golder Associates Ltd. – Mississauga**Employment History*****Golder Associates Ltd – Mississauga, Canada***

Air Quality Specialist (2009 to Present)

Katherine Armstrong works with the Atmospheric Services Group within Golder Associates Ltd. specialising in air quality. She is responsible for the preparation of Ontario Ministry of the Environment, Conservation and Parks (MECP) Environmental Compliance Approval (ECA) applications and Environmental Activity Sector Registry (EASR) submissions, air quality and odour assessments and dispersion modelling as well as Environment and Climate Change Canada National Pollutant Release Inventory and MECP Regulation 127/01 reports. This work typically includes the preparation of detailed emission inventories and/or dispersion modelling of the emissions on the local and/or regional air quality. Her duties include various client services such as: project management, preparation of proposals (work scopes, budgets and schedules), maintaining project budgets and schedules, client liaison, conducting site visits, preparation of reports and intermediate review of work prepared by junior staff.

Katherine's project experience includes a variety of industry sectors such as: mining, power generation, aggregate processing, chemical manufacturing, automotive manufacturing and assembly and waste. Additional experience includes air dispersion modelling using AERMOD, SCREEN3, CALPUFF, MOVES, EDMS and GasSim2.

Katherine has also been involved in the design and management of air quality monitoring and sampling programs. This work includes quantification of VOC emissions, dust monitoring assessments and odour assessments. This work was typically completed in response to complaints or concerns from members of the public and involved designing and maintaining a monitoring program that meets the needs of the public, industry and regulatory body. Some of these projects also involved significant portions of data analysis. For example, detailed review of the monitoring data to identify areas for remediation activities.

Golder Associates (UK) Ltd – Nottingham, United Kingdom

Air Quality Specialist (2006 to 2009)

Ms Armstrong gained experience in various areas of work carried out by Golder Associates. Such work included producing Air Quality Impact assessments and gas risk assessments for a variety of Landfill and Energy from Waste (EFW) sites using ADMS, AERMOD and GasSim modelling software; completing vehicle impact assessments for various road schemes in the UK using DMRB and ADMS-Roads software; completing nuisance impact assessments and management plans for dust, odour and bioaerosols at a mixture of Landfill, EFW and mine sites across the UK and wider world; completing lateral migration risk assessments for landfill sites across the UK; and helping with the updating of the GasSim2 software and providing training and support for its users.

PROJECT EXPERIENCE – AIR QUALITY**Bell Canada – Various facilities**
Toronto, Canada

Ms. Armstrong assisted Bell Canada with the completion of Environmental Screening under the Ontario Electricity Act (O.Reg. 116/01) for peak shaving activities at four facilities in Toronto. As project manager for this work, Ms Armstrong co-ordinated all public and stakeholder communications for the project, in addition to preparing the environmental screening report and completing detailed air quality calculations and modelling for the supporting air quality studies. Following the successful completion of the Environmental Screening, Ms. Armstrong assisted Bell Canada with preparation and submission of applications under the ECA or EASR processes.

CIMA+ Partnership
City of Vaughan, Ontario

Ms Armstrong prepared an Air Quality assessment in support of a Municipal Class Environmental Assessment for the proposed road widening and extension of Portage Parkway in the City of Vaughan, from Applewood Crescent to Jane Street. She completed a baseline air quality assessment using local air quality data and prepared an assessment of the impacts of the project on ambient air quality concentrations

City of Barrie - Barrie Landfill
Barrie, Ontario

Ms. Armstrong designed and managed a VOC sampling program to support a nuisance assessment concerning odour emissions from Barrie Landfill. In addition, Ms. Armstrong completed a landfill gas walkover survey of the capped and temporary capped areas of site to help identify any potential weaknesses in the cap or areas for remediation.

City of Toronto – Various Precinct Planning
Toronto, Ontario

Ms. Armstrong prepared Odour and Air Quality Feasibility studies to assist with precinct planning initiatives for The City of Toronto. This work included characterizing existing air quality in each precinct and using data from existing industry to identify areas that may be suitable for future residential development from an air quality or odour perspective without compromising the ability of existing industry to operate in compliance with relevant provincial legislation.

Further support has also been provided to the City to peer review air quality and odour studies submitted by developers in support of zoning amendment applications to identify whether proposed new land uses can demonstrate land use compatibility with existing land uses.

City of Toronto - BBTCA
Toronto, Ontario

Ms. Armstrong prepared emission estimates for Billy Bishop Toronto City Airport using the EDMS dispersion model under a number of different proposed operating scenarios. She conducted air dispersion modelling using CALPUFF to assess the cumulative impacts in the city of Toronto to feed into a larger Health Impact Assessment.

**City of Toronto –
Airshed Study**
Toronto, Ontario

Ms. Armstrong prepared emission rates for industrial, commercial, residential, agricultural, mobile (roads) and non-road mobile (e.g. trains, aircraft, marine) sources in South Western Ontario at a 12km resolution and for the City of Toronto on a finer 1km resolution. This data was used in conjunction with regional emissions data for the North Western US to compile a regional emissions database. Ms Armstrong then conducted air dispersion modelling using this regional emissions database and the CALPUFF model to create an airshed model for the City of Toronto.

**City of Toronto –
Highland Creek
Wastewater Treatment
Plant**
Toronto, Ontario

Ms. Armstrong prepared a cumulative air quality assessment for Highland Creek Wastewater Treatment Plant. Four different on-site biosolid management options were assessed in addition to two different transportation options. Off-site transportation emissions were calculated using the US EPA Motor Vehicle Emissions Simulator (MOVES) model and modelled in CALPUFF. The emissions of over 40 different contaminants were calculated and modelled for each scenario using both gaseous and particulate deposition model options to provide additional information to a Human Health Impact Assessment

**Covanta Energy
Corporation**
Clarington, Ontario

Ms. Armstrong completed an Environmental Compliance Approval application for air and odour emissions at a waste to energy facility in Clarington, Ontario, using the CALPUFF dispersion model.

**County of
Northumberland -
Brighton Landfill**
Brighton, Canada

Ms. Armstrong prepared emission estimates for Brighton Landfill using the GasSim2 dispersion model under a number of different proposed operating scenarios. She conducted air dispersion modelling using AERMOD and assisted in the preparation of the technical supporting documents for air quality as part of an Environmental Assessment.

**Enwave Energy
Corporation**
Toronto, Ontario

Ms. Armstrong prepared detailed dispersion modelling assessments for three steam generation facilities located in downtown Toronto using the AERMOD atmospheric dispersion model. She completed regular updates and maintenance of these models to assess the impacts of proposed new developments on compliance with Ontario Regulation 419/05 and provide comment on new developments from a land use compatibility perspective. Completed emission calculations and submissions for the National Pollutant Release Inventory, Ontario Regulation 127, ChemTRAC and both provincial and federal greenhouse gas reporting programs for all three facilities.

K+S Windsor Salt
Windsor, Ontario

Ms. Armstrong completed an Environmental Compliance Approval application for air emissions from the salt manufacturing facility and new combined heat and power equipment at the K +S Windsor Salt Facility in Windsor, Ontario using the AERMOD dispersion model.

R. W. Tomlinson Ltd.
Ottawa, Ontario

Ms. Armstrong completed over 20 Environmental Compliance Approvals for air emissions at numerous aggregate sites located throughout the Ottawa area including quarries, concrete ready-mix facilities, asphalt plants, construction and demolition recycling facilities and portable crushing equipment. This work has also included assessment of fugitive dust sources and control technologies.

**The International
Group Inc.**
Scarborough, Ontario

Ms. Armstrong completed an Environmental Compliance Approval application for air emissions from the wax manufacturing facility and new combined heat and power equipment at the IGI Wax Facility in Scarborough, Ontario using the AERMOD dispersion model. In addition, Ms Armstrong assisted IGI with the assessment of a proposed new development in the surrounding area to assess its impact on the facilities ability to maintain compliance with O.Reg. 419/05.

**Thomas Cavanagh
Construction**
Ottawa, Ontario

Ms. Armstrong completed an Environmental Compliance Approval application for air emissions at the Henderson Quarry in Ottawa, Ontario using the AERMOD dispersion model.

**Tomlinson
Environmental
Services Inc.**
Ottawa, Ontario

Completed various Environmental Compliance Approvals for air emissions at numerous sites located throughout the Ottawa area including recycling facilities and waste transfer equipment. This included emission calculations and air dispersion modelling and detailed analysis of results to determine likelihood of impacts off-site.

**Town of New
Tecumseth**
New Tecumseth, Ontario

Ms. Armstrong completed a peer review of an air quality and odour study to assess the land use compatibility of a proposed new development in close proximity to an existing abattoir.

Try Recycling
Oro-Medonte, Ontario

Completed Environmental Compliance Approvals for air emissions at a proposed material recovery facility located in the township of Oro-Medonte, Ontario.

Walterfedy Partnership
Waterloo, Ontario

Ms Armstrong prepared an Air Quality assessment in support of a Municipal Class Environmental Assessment for the proposed Erb Street Widening & Corridor Study, Fischer-Hallman Road to Wilmot Line in the Region of Waterloo. She completed a baseline air quality assessment using local air quality data and prepared an assessment of the impacts of the project on ambient air quality concentrations

Woodfibre LNG
Squamish, British
Columbia

Ms. Armstrong prepared detailed emissions calculations for a proposed LNG facility as part of a larger Environmental Assessment. She prepared dispersion modelling protocol documents and assisted with the QA of CALPUFF modelling files