

Ministry  
of the  
Environment

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Ministère  
de  
l'Environnement

2, avenue St. Clair Ouest  
Toronto ON M4V 1L5



June 24, 2008

Mr. Rob Mackay  
Director  
Economic and Environmental Sustainability Branch  
Planning, Transit and the Environment  
City Of Ottawa  
110 Laurier Avenue West  
Ottawa ON K1P 1J1

Dear Mr. Mackay:

This letter is being sent in response to the emerging issues and concerns about developments proceeding in the Kanata West development area, as defined by the City of Ottawa (City) and the Kanata West Owners Group (KWOG). As you are aware, the Ministry of the Environment is currently reviewing Part II Order requests for the proposed Carp River, Poole Creek and Feedmill Creek Restoration Class Environmental Assessment (EA) Project (Carp River Restoration Project); several projects under the Kanata West Master Servicing Study, specifically, Stormwater Management Ponds # 1, 2, and 5, and Signature Ridge Pump Station Upgrade and associated gravity sanitary sewers; and, selected projects under the Kanata West Road Network Transportation Master Plan, specifically, Maple Grove Road Widening from west of Huntmar Road to Terry Fox Drive and North-South Arterial from Hazeldean Road to Campeau Drive Extension, located in the City (Projects). These seven Projects are part of a larger development plan, the Kanata West development area, the lands defined by the Kanata West Concept Plan, which comprises of a total of 22 projects. The Minister of the Environment will be making a decision about whether or not the City and KWOG should be required to prepare individual EA for the seven Projects.

Since the time of the submission of the Part II Order requests, ministry staff have been thoroughly reviewing the issues raised in the requests. On January 25, 2008, the Environmental Assessment and Approvals Branch (EAAB) received a letter from the City asking that the ministry put on hold its review of the four Part II Order requests, due to errors recently found with stormwater management modeling for the Carp River Restoration Project. Following the receipt of the letter, the ministry was advised that the City is actively seeking a third-party engineering review of the stormwater management modeling, and that the timeframe for determining the implications of these modeling errors to the seven projects subject to the Part II Order requests, and the remaining of the 22 projects within the Kanata West development area, and the impact to floodplain levels, is unknown.

This ministry is also in receipt of the February 8, 2008 memo submitted to the City's Mayor and Council, signed by the City's Director of the Planning Branch, in which the City assessed which subdivision applications within the Kanata West development area, are not impacted by the Carp River Restoration Project.

It is the understanding of this ministry that, as required under the *Environmental Assessment Act* (EAA), the seven projects subject to the Part II Order requests have not proceeded to implementation; however, the remaining 15 Kanata West projects have been moving forward through the planning and approvals stages. The ministry is aware that applications for approval for sewage, stormwater, and water works under the *Ontario Water Resources Act* (OWRA) continue to be made to the ministry by various developers within the Kanata West development area. The ministry is also aware that several Certificates of Approval have recently been approved and issued, under the OWRA, to developers within the Kanata West development area.

Due to the potential impacts of recent hydrologic and hydraulic errors on all projects within the Kanata West development area, and on any future ministry-issued approvals being sought by developers in the Kanata West development area, as the signing Director for OWRA Certificates of Approval, I would like to see the following information included with any future OWRA applications being submitted to this ministry:

The studies and information requested below is to ensure through appropriate studies that the impacts of development in Kanata West will be properly factored into the establishment of and/or modifications to sewage and stormwater facilities.

In addition, submitting complete applications, with supporting technical assessments that involve District Office input, will help to reduce the back and forth between ministry staff and the applicants and will ultimately result in quicker decisions being made.

### Applications for Approval for Existing and Future Sewage Works

- 1) For any further Certificate of Approval applications for the Kanata West development area, applicants are encouraged to engage in pre-consultation with the Ottawa District Office, Ministry of the Environment.
- 2) For any further Certificate of Approval applications made to the ministry, the applicants are encouraged to identify the project as being located within the Kanata West development area.
- 3) Once the third-party engineering review of recent modeling errors is completed, the ministry requires an assessment of the impacts of the hydrological and hydraulic modeling errors and any inconsistencies in the application of one and two-zone floodplain policies on:
  - o Existing approvals under the OWRA for works in the Kanata West development area,
  - o Future applications for approval under the OWRA, in the Kanata West development area, and,
  - o Need for application for Approval under the OWRA Section 53 with respect to any modifications to the Carp River.

### Certificates of Approval Applications for Stormwater Management Facilities

- 4) As part of the applications for temporary and/or permanent stormwater management facilities in the Kanata West development area, the ministry requests that additional technical studies be submitted to the ministry. These studies should at a minimum include the following:
  - o a water level analysis for comprehensive interim conditions, as the a projects are evolving taking into account:
    - i. partial buildout;
    - ii. already filled areas and structures within the floodplain;
    - iii. works to be constructed within five years; and,
  - o geotechnical assessments, including the erosion control criteria of receiving streams,
  - o an investigation of the stability of soils and mitigation measures, if needed, for ensuring structural stability of stormwater pond berms.

- 5) Any additional studies submitted to support stormwater management applications should reflect any corrections made to the existing engineering studies resulting from the third-party review.

I would like to remind you that, as a result of the requests for an individual EA having been made, applications for approval under the OWRA for works associated with the Kanata West development area will not be reviewed under the ministry's Transfer of Review program. The Transfer of Review program allows the City to conduct the administrative and technical review of certain types of municipal water and sewage works under the OWRA. All applications and supporting documents for sewage, stormwater, and water works to be constructed in the City, which are part of the Kanata West development area projects, must be made as direct submissions for review and approval by this ministry.

If you have any concerns with this approach, or have any further questions, please feel free to contact Mr. Mansoor Mahmood, Supervisor, Water and Wastewater Unit, Environmental Assessment and Approvals Branch at 416-314-8573. Ministry staff can be made available to further discuss the contents of this letter.

Sincerely,



Doris Dumais  
Director  
Environmental Assessment and Approvals Branch

c: Mr. Mike Green, Senior Project Manager, Kanata West Owners Group  
Ms. Kelly Roberts, Planner, Delcan  
His Worship Larry O'Brien, Mayor, City of Ottawa  
Requesters