

September 5, 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 to provide additional information to the City of Ottawa (City) and Kanata West Owners Group (KWOG) about the Ministry of the Environment's expectations with regards to the Minister of the Environment's Order for projects in the Kanata West development area. This letter is also to clarify expectations for areas outside of the Kanata West development area, but which drain to the Carp River or its tributaries.

The Minister's Order, issued on July 21, 2008, was based on the ministry's understanding that the City would be proceeding with an independent third-party review, the results of which, among other matters, would require the City and KWOG to assess several aspects of the 22 projects within the Kanata West development area. While the independent third-party review must be completed to ensure compliance with the Order, as the City and KWOG are co-proponents of the projects, they must decide whether it is prudent to move forward with the 15 projects that the Order does not prevent from proceeding. That being said, the ministry expects that the City would be duly diligent and proceed with the remaining 15 projects following the third-party review, when the environmental effects and potential mitigation measures are most fully understood. This ministry is of the understanding that the comprehensive review, which has been passed as a motion by City Council, is a means for developers to assess the impacts of development on stormwater for lands outside of the Carp River floodplain, and must meet the satisfaction of the City. The ministry understands that this is a separate initiative than the independent third-party review, for which the City has obtained an independent consultant.

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Be advised that the ministry is of the view that the City and KWOG are accepting the risks for acting on planning approvals issued in the absence of the completion of the independent third-party review.

It is also the expectation of this ministry that following the independent third-party review of the 22 Class EA projects, the City will consider whether an addendum to the Class EA documents is required. If determined that it is necessary, the City must follow the addendum provisions of the Municipal Engineer's Association Municipal Class Environmental Assessment.

It is this ministry's understanding that sewage works applications are being made by developers, for ministry review and approval, for works draining into the Carp River and its tributaries, but located outside of the Kanata West development area. For these works, the ministry expects that the City will confirm that the independent third-party review is not required for the lands on which these works are located and that work completed to-date for these lands will not be impacted by any changes to future reviews of modeling or updates to the Kanata West EA documents.

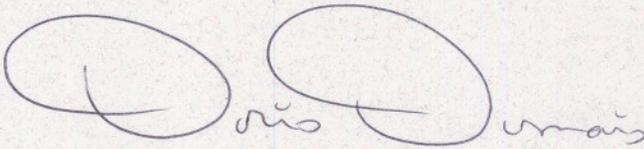
If the City determines that the comprehensive review is required by the developers for these lands outside of the Kanata West development area, the ministry expects that one will be initiated and that the City identifies this requirement to the developers. If the City deems that no independent third-party or comprehensive review is required for these lands, the City must provide a rationale to this ministry, in its application for approvals under the *Ontario Water Resources Act* (OWRA), explaining why the sewage works on these lands will have no adverse impacts on the Carp River. Again, it is the ministry's view that the City and KWOG are accepting the risks for acting on planning approvals issued in the absence of the completion of the third-party review.

Lastly, all OWRA applications submitted to the ministry for sewage works located within the Kanata West development area, as well as those lands within the tributaries of the Carp River, must be made as direct submissions to this ministry, and not through the Transfer of Review program. These submissions can be made to the ministry only after pre-submission consultation with the local ministry office has occurred, and must also indicate to the Environmental Assessment and Approvals Branch that they are within the Kanata West development area or in neighbouring lands that drain to the Carp River or its tributaries.

These submissions are not dependent on the completion of the independent third-party review, but will require the steps outlined above to be followed.

If you have any concerns or further questions, please feel free to contact Mr. Mansoor Mahmood, Supervisor, Waste and Wastewater Unit, Environmental Assessment and Approvals Branch at 416-314-8573.

Sincerely,

A handwritten signature in blue ink that reads "Doris Dumais". The signature is written in a cursive style with large, rounded loops for the first and last letters of the first and last names.

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