



Greenspace Alliance of Canada's Capital
Alliance pour les espaces verts de la capitale du Canada

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August 2, 2016

The Honourable Glen Murray,
Minister of the Environment and Climate Change,
77 Wellesley Street West, 11th Floor, Ferguson Block
Toronto, ON M7A 2T5

By Email: EAASIBgen@ontario.ca

Dear Minister,

Re: Notice of Completion of Class Environmental Assessments
Kanata North Urban Expansion Area

We write to object to the location of Stormwater retention Pond #3 and associated storm sewers to serve the Kanata North Urban Expansion Area and request that you issue a Part II Order under section 16 of the *Environmental Assessment Act* to locate this pond within the urban area, not in the adjacent rural area.

During the 2013 Comprehensive Official Plan Review by the City of Ottawa we proposed to include a policy requiring that stormwater facilities always be located within the urban boundary. In response, John Moser, acting general manager of planning, infrastructure and economic development, replied:

"The City's standard practice is to require that stormwater ponds be located ... within urban or village boundaries. However, the final decision on the location and design of stormwater facilities is best determined through the development and infrastructure review processes, based on all relevant Provincial, Conservation Authority and City guidelines." (correspondence with the Alliance, 25 November 2013)

We found no reference in the Master Servicing Study to Provincial, Conservation Authority or City guidelines that would justify deviating from the City's standard practice. On the contrary, your Ministry's Stormwater Management Planning and Design Manual (March 2003) states:

The location of end-of-pipe stormwater management facilities is a contentious issue since the use of tableland reduces the overall area available for development. In an effort to minimize the loss of developable land, some municipalities allow the use of parkland dedication for SWMPs which offer recreational opportunities such as trails and playing fields. By offsetting the potential loss of land area available for development, the stormwater management facility, designed in whole or in part as usable parkland, may be considered acceptable. (page 4-7)

Since parkland serving a new community is located within the urban area, the clear implication is that the Ministry does not contemplate locating stormwater facilities outside the development area.

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Figure 6.4 and Table 6.4 in section 6 of the Kanata North Community Design Plan shows that four options were considered for the location of Pond #3. Option 4 is the only one that would see the pond located inside the urban boundary. Preferred Option 1 would accommodate "Future expansion ... to service lands east of "the Kanata North Urban Expansion Area. This underlines our concern that locating the Pond in the adjacent rural area will open the door to and is designed to accommodate further conversion of rural into urban land.

The table also notes that Option 1 would see part of woodlot S23 eliminated, while Option 4 would result in no loss of natural areas outside the urban expansion area. The remainder of woodlot S23 would be conveyed to the City. Such conveyance is not assured in any legally binding documents and holding it out as a prospect amounts to an attempt at a form of bribery.

The simple reality is that locating Pond #3 into the rural area would allow several hundred additional houses to be built in the new urban area. In fact, at Planning Committee on June 28 the agent for the proponents pointed to this as a benefit. It is a benefit the City of Ottawa does not need, having at present a 24-year supply of residential land, not including the Kanata North and other urban expansion lands.

We wish to point out that the purpose of the Act is the "protection, conservation and wise management in Ontario of the environment" (section 2). Diminished profit for the proponent does not enter into an environmental assessment.

Finally, we note that the City appears to misunderstand how section A.2.9 of the Municipal Class Environmental Assessment process is supposed to work. It is our understanding that under this integrated process any Environmental Assessment issues are to be resolved before the proposal is approved and becomes appealable to the Ontario Municipal Board. Instead, here the OMB appeal period and the period for a Part II Order request almost perfectly overlap, making it impossible to resolve concerns in discussion as the Notice suggests be attempted. We are therefore forced to launch an OMB appeal at the same time as we request this Part II Order.

We look forward to your response.

Sincerely,

Erwin Dreessen

Erwin Dreessen,
Co-chair

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