

<b>TO:</b>	<b>CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON MAY 24, 2016</b>
<b>FROM:</b>	<b>JOHN BRAAM, P.ENG. MANAGING DIRECTOR, ENVIRONMENTAL &amp; ENGINEERING SERVICES AND CITY ENGINEER</b>
<b>SUBJECT</b>	<b>KILALLY SOUTH STORMWATER MANAGEMENT STUDY MUNICIPAL CLASS ENVIRONMENTAL STUDY ADDENDUM</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director Environmental & Engineering Services and City Engineer, the following actions **BE TAKEN** with respect to the Addendum to the Kilally South Stormwater Management Study Municipal Class Environmental Assessment (Kilally South EA):

- (a) The preferred servicing alternative for the Kilally South EA **BE ACCEPTED** in accordance with the Municipal Class EA addendum process requirements; it being noted that the preferred servicing Alternative 6 for the West Basin identified in 2003 has been reviewed and is consistent with the current planning context;
- (b) A Notice of Addendum **BE FILED** with the Municipal Clerk; and,
- (c) The Addendum to the Kilally South Stormwater Management Study Municipal Class EA Schedule "B" **BE PLACED** on public record for a 30-day review period.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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Environment Transportation Committee (ETC) - February 9, 2004. Municipal Class Environmental Assessment Schedule B Environmental Screening Report: Recommendation for Proposed Stormwater Management Servicing Work Kilally South Community Area Plan.

<b>2015-19 STRATEGIC PLAN</b>
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The 2015 – 2019 Strategic Plan identifies this objective under Building a Sustainable City: 5B. Responsible Growth. Build new stormwater servicing infrastructure as London grows.

<b>BACKGROUND</b>
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**Purpose:**

The following report outlines the process required to reconfirm the outcome of the Kilally South Storm Water Management Study, Schedule 'B' Municipal Class Environmental Assessment (Kilally South EA) through a process referred to as an "environmental assessment addendum".

## Context:

Environmental Assessment (EA) studies expire after a 10-year period if the EA's preferred option has not been implemented. The Kilally South Stormwater Management Study, Schedule 'B' Municipal Class Environmental Assessment (Kilally South EA) was completed in 2003 and provides a stormwater servicing solution for the Edge Valley development area (Appendix 'A' Project Location Map). As over 10-years have passed since the EA was completed, this EA has now formally expired. The following report outlines the process required to reconfirm the outcome of the Kilally South EA through a process referred to as an "environmental assessment addendum".

## DISCUSSION

The Kilally South EA study provides a preferred stormwater servicing option for lands highlighted in the Official Plan for future residential development. The EA recommended the construction of a wet pond facility referred to as the "West Basin" (See Appendix A – Location Map). The City of London issued the Notice of Completion for the EA in 2003.

As this pond is financed by the Urban Works Reserve Fund (UWRF), the construction and design of the West Basin SWM facility will be undertaken by the developer. The construction of this pond is identified as a Draft Plan condition for the Edge Valley subdivision (39T-05505, 1522 Kilally Road). This development application is currently at the Design Studies stage of the subdivision approval process.

In accordance with the guidance document for Municipal Class Environmental Assessments (Municipal Engineers Association (MEA), as amended 2007 & 2011):

*"If the period of time from (i) filing the Notice of Completion of Environmental Study Report (ESR) in the public record or (ii) the MOE's denial of a Part II Order request(s), to the proposed commencement of construction for the project **exceeds ten (10) years**, the proponent shall review the planning and design process and the current environmental setting to ensure the project and mitigation measures are still valid given the current planning context. The review shall be recorded in an addendum to the ESR which shall be placed on the public record (p. A-74)."*

Since the Kilally South EA was completed in 2003 and no works were constructed, the EA has now expired; therefore, on April 8, 2016, the 2003 Kilally South EA was circulated to City staff and the Upper Thames River Conservation Authority (UTRCA) for comment. The scope of the review was limited to confirming "*the planning and design process and the current environmental setting to ensure the project and mitigation measures are still valid given the current planning context*" (MEA, 2011).

### Kilally South EA Review

The 2003 Kilally South EA evaluated seven alternatives and ultimately recommended a 2.5 ha wet pond to be constructed on tablelands to provide stormwater management for a 140 hectare drainage area. This preferred option was reconsidered in the context of review of current legislation (including any changes to the *Environmental Protection Act*, *Endangered Species Act*, and the *Ontario Water Resources Act*) and compliance with the *Provincial Policy Statement*. The outcome of this review is discussed in the form of a letter included as "Appendix B: Notice of Filing of Addendum". This letter also reconfirms the need for the developer to undertake further Environmental Impact Study (EIS) work to confirm the appropriate location of the outlet of the Facility.

## **Future EA Work**

The 2003 Kilally South study area considered stormwater servicing for a 140 ha tributary area. The EA study did not fully evaluate the servicing needs for the 96 hectares immediately to the east of these lands. Therefore, these lands will need to be considered in a future EA process. The timing for this future EA will be determined through the 2017 Growth Management Implementation Strategy (GMIS) process.

## **First Nations Consultation**

As part of this Notice of Filing of Addendum, the 2003 EA report and this review will be circulated to all applicable First Nations.

## **In-house Work**

In 2014, PricewaterhouseCooper (PwC) undertook an audit of the stormwater service area and made several recommendations to improve administrative efficiency including completing in-house work typically outsourced to consultants. Since this time, Stormwater Engineering Division (SWED) has undertaken several in-house work initiatives. All of the work related to the completion of the EA Addendum was completed in-house by the Stormwater Engineering Division. An EA Addendum of this complexity would typically cost approximately \$20,000 if conducted by a private consultant.

## **CONCLUSION**

Based on the comments received to date, it is concluded that:

- (1) “the project and the mitigation measures are still valid given the current planning context” (MEA, 2011),
- (2) Additional environmental work (EIS Study) should be completed as part of the subdivision development process, and,
- (3) The 2003 Kilally South EA’s recommendation for a stormwater management facility on table lands is still the preferred option.

Staff recommend the Notice of Addendum to the Kilally Municipal Class EA (Appendix B) be placed on public record at City Hall (3<sup>rd</sup> floor, Clerk’s Office & 9<sup>th</sup> floor, Stormwater Engineering Division) as well as the Beacock Public Library (1280 Huron Street). The stormwater management and EIS requirements outlined in the notice should be completed and updated as necessary as part of the subdivision approval process for the Edge Valley subdivision (39T-05505, 1522 Kilally Road).

## **Next Steps:**

Upon acceptance by Council:

- 1) A “Notice of Addendum” will be published identifying that the study report is available for public review for the mandatory 30 calendar days.
- 2) Stakeholders will be encouraged to provide input and comments regarding this study during this period.
- 3) Should stakeholders feel that issues have not been adequately addressed, they may provide written notification within the 30-day review period to the Minister of the Environment requesting further consideration. This process is termed a “Part II Order” (formerly known as a Bump-Up Request).
- 4) Subject to no requests for a Part II Order being received, the project will be in a position to move forward to the design and construction stages in accordance with the recommendations of the study.

## Acknowledgements

This report was prepared by Shawna Chambers, P.Eng. Environmental Services Engineer, Stormwater Engineering Division.

<b>SUBMITTED BY:</b>	<b>REVIEWED &amp; CONCURRED BY:</b>
<b>SCOTT MATHERS, MPA, P.ENG. DIVISION MANAGER, STORMWATER ENGINEERING</b>	<b>JOHN LUCAS, P.ENG. DIRECTOR, WATER AND WASTEWATER</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN BRAAM, P. ENG. MANAGING DIRECTOR, ENVIRONMENTAL &amp; ENGINEERING SERVICES &amp; CITY ENGINEER</b>	

May 16, 2016

Attach: Appendix 'A' – Project Location Map  
Appendix 'B' – Notice of Filing of Addendum

cc:

Jennie Ramsay, Manager of Development Services – Engineering Liaison  
Nancy Pasato, Development Services, Senior Planner  
Andrew Macpherson, Manager of Environmental & Parks Planning  
Christine Creighton, UTRCA