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BY EMAIL

February 18, 2015

Glen Gower – Stittsville Central News

Re: 6279 Fernbank Road - Chenier/Cavanagh Tree Permit

We are the solicitors for the applicants J.P Chenier Company Limited (the "Applicant"). I am responding to your Feb 15, 2015 email:

"My question is about the hydrogeological testing being done on the site. Why are such large 'test pads' and clearing needed for the drilling and monitoring? I see that Golder previously completed surveys in when the original site plan was submitted, with a similar number of boreholes required -- and yet that work was much less disruptive to the natural environment.

Can you clarify what the work is being done and why such a large area needed to be cleared?"

1. The boreholes installed by Golder, in 2013, were for hydrogeological and geotechnical purposes. Boreholes were made at select locations in order to determine the general groundwater and soil conditions across the site. The 2013 geotechnical investigation and report was completed in accordance with the City guidelines for such work, and the hydrogeological component of the investigation (reported in the geotechnical report) addressed the site specific requirements for development approval.
2. Following the submission of the geotechnical report, after many months, the City suggested that additional information, primarily hydrogeological information, was required. The City has never clearly stated what information it is seeking or the reasons why additional hydrogeological information is required.
3. The Applicant, relying on the advice of its consultants, did not agree that the scope of the study requested was appropriate or reasonable. The request extends far beyond what has ever been requested for a development application.
4. Notwithstanding the Applicant's opinion, Golder (on behalf of the Applicant) prepared an additional hydrogeological and geotechnical work plan. The study terms of reference was provided to the City in

September, 2014. Details of the work to be done, location of test pads and boreholes, was contained in the proposal.

5. Both the City and community insisted on an issue being included on the issues list, as part of the Ontario Municipal Board hearing process, which requires the additional hydrogeological information.
6. A motion was brought by the Applicant to the Ontario Municipal Board, on November 24, 2014, seeking to have the issue struck on the ground that, as previously stated, the work was not necessary at this stage of development approval. The work could be done later after draft approval, if required, for detailed design.
7. The City and community representative were provided with the motion materials that included the September 2014 study proposal and affidavit evidence from the Applicant's consultants.
8. The City and community representative both advised the Ontario Municipal Board that they wanted the additional study done.
9. The item remains on the issues list for the Ontario Municipal Board hearing; however, the Applicant is still entitled to argue that the work is not necessary.
10. In the Applicant's attempt to satisfy the City, notwithstanding that the Applicant may still argue the study is not required, it commenced site clearing (after obtaining the requisite tree clearing permit in January) and installing the works required as outlined in the September 2014 work proposal.
11. The purpose of the current work is to supplement the previous hydrogeological work and provide additional subsurface information in order to satisfy the City and the community. The purpose of the test pads (and the monitoring wells located within the test pads) is to provide groundwater elevation measurements that can be easily related to post development grades. Note that this is a fill site in that fill will be placed to raise the grade of the area to be developed. This is required for servicing purposes. The elevations of the test pads are approximately the same as the proposed design finished grades.

To summarize, the area disturbed and scope of work is being done in accordance with City approval. The community was also provided with the proposed work details and spoke in support of the requirement for the study. Site clearing was required to access previously inaccessible areas and to permit installation of the test pads. Any clearing was done in accordance with City approval.

I trust this answers your questions.

Yours very truly,

Ursula K. Melinz

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