



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Growth Management Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	September 15, 2015
SUBJECT/REPORT NO:	Mewburn Stormwater Pond – Implementation of Minutes of Settlement (PED15137) (Ward 8)
WARD(S) AFFECTED:	Ward 8
PREPARED BY:	Sally Yong-Lee (905) 546-2424 Ext. 1428
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATIONS

- (a) That the stormwater management (SWM) resolution as outlined in Section 27 in the Minutes of Settlement dated August 18, 2014, signed by 1804482 Ontario Limited, DiCenzo Construction Company Limited, 1804487 Ontario Inc. and the City of Hamilton, attached hereto as Appendix “A” to Report PED15137, be endorsed.
- (b) That staff be directed and authorized to proceed with land acquisition, detailed engineering design, and construction of the centralized stormwater management facility to serve the Mewburn Neighbourhood.

EXECUTIVE SUMMARY

1804482 Ontario Limited, DiCenzo Construction Company Limited, and 1804487 Ontario Inc. are landowners within the Mewburn Neighbourhood who appealed their applications to the Ontario Municipal Board for failure of Council to make a decision. As a result of negotiations between the City and the appellants, a settlement proposal was agreed upon. Minutes of Settlement was executed by all parties on August 18, 2014.

In accordance with provisions in Section 27 of Minutes of Settlement, attached hereto as Appendix “A” to Report PED15137, requires Council to pass a resolution directing and authorizing staff to commence with construction of a stormwater management (SWM) facility to serve the Mewburn Neighbourhood.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The stormwater management facility (H-24) is a growth related project identified in the 2014 DC Background Study and is 100% funded from Development Charges. Approved Capital Budget No. 5181580586.

Staffing: There is no staffing implication arising from this recommendation.

Legal: Legal Services had been involved in the development of the Minutes of Settlement between the private landowners and the City.

HISTORICAL BACKGROUND

In 2004, the Mewburn and Sheldon Neighbourhoods Master Servicing Plan Class EA study was completed. The Study examined both sanitary servicing and SWM issues in these two neighbourhoods, and concluded that a new centralized stormwater pond was required in the Mewburn Neighbourhood, as well as the expansion of an existing pond in the Sheldon Neighbourhood to address planned future growth.

Later, through the City-wide Stormwater Master Plan Class EA (2007), computer modelling of the existing storm sewer system identified significant issues with respect to the hydraulic capacity of the storm trunk system on the mountain which prompted the City to undertake a more detailed study of the West Central Mountain area to confirm stormwater infrastructure needs and any enhancements that might be required to address downstream constraints. The West Central Mountain Drainage Assessment was completed in October 2011, and confirmed the need for the Mewburn pond, and that it be sized such that flows from it would not exceed the capacity of the downstream storm sewer; this pond would provide water quality treatment in addition to quantity control.

1804482 Ontario Limited, DiCenzo Construction Company Limited, and 1804487 Ontario Inc. are landowners within the Mewburn Neighbourhood who appealed their applications to the Ontario Municipal Board for failure of Council to make a decision. The significant issue of concern was the identification of a mutually acceptable stormwater management solution to service developments in the Mewburn Neighbourhood. As a result of negotiations between the City and the appellants, a settlement proposal was agreed upon. Minutes of Settlement was executed by all parties on August 18, 2014.

The landowners support the proposed stormwater management pond design measuring approximately 1.3 hectares in size. The proposed stormwater management pond design and land requirements from the various landowners are shown in Appendix “B” to Report PED15137.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

City Manager's Office – Legal Services Division
Corporate Services Department – Financial Planning and Policy Division

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The City has undertaken three engineering studies related to stormwater:

- Mewburn and Sheldon Neighbourhoods Master Servicing Plan Class EA (2004);
- City-wide Stormwater Master Plan Class EA (2007); and,
- West Central Mountain Drainage Assessment (2011).

These studies confirm the need for a stormwater management pond in the Mewburn Neighbourhood to support planned growth in the area.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

- 1.2 Continue to prioritize capital infrastructure projects to support managed growth and optimize community benefit.
- 1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents.
- 1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

Strategic Priority #2

Valued & Sustainable Services

WE deliver high quality services that meet citizen needs and expectations, in a cost effective and responsible manner.

Strategic Objective

- 2.1 Implement processes to improve services, leverage technology and validate cost effectiveness and efficiencies across the Corporation.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” Excerpt from Minutes of Settlement dated August 18, 2014

Appendix “B” Stormwater Management Pond Footprint

SYL/mah