

S U M M A R Y

PUBLIC MEETING HELD ON TUESDAY SEPTEMBER 5, 2023

SUBJECT:

2 Ovida Boulevard

The applicant is proposing the installation of a Multiphase Extraction (MPE) remedial system within a 29.72 m² (320 ft²) enclosed container at the subject lands. The purpose for the MPE system is to mitigate further migration of subsurface petroleum hydrocarbon (PHC) impacts to soil and groundwater from the operating Petro-Canada Gas Station located at 5739 Highway 7 East. The system is expected to operate for a minimum of three years to achieve these objectives.

To facilitate this proposal, a Temporary-Use Zoning By-law is required to permit the temporary Multiphase Extraction (MPE) remedial system on the subject lands for three years.

NOTICES SENT:

98 notices were mailed out on August 16, 2023

Public Meeting sign was posted August 14, 2023 and confirmation was executed on August 15, 2023

WRITTEN SUBMISSIONS RECEIVED FROM:

1. Jim Paraskevopoulos
2. Tupper Wheatley

WRITTEN SUBMISSIONS RECEIVED AFTER PRINTING OF AGENDA (attached):

1. None

NOTIFICATION REQUESTED:

See attached list.

From: Jim Paras <jimp@tshirtgang.com>
Sent: Monday, August 14, 2023 12:06 PM
To: Manoharan, Brashanthe <bmanoharan@markham.ca>
Subject: 2 Ovida

Hi my name is Jim
And I live beside this proposed development (im at 4 Ovida)

Is their any other info you can give me
In regards to this project and the contamination ?

Thanks
Jim

On Aug 14, 2023, at 2:37 PM, Manoharan, Brashanthe <BManoharan@markham.ca> wrote:

Good afternoon,

Thank you for your email. The purpose of this application is to allow a one-storey Multiphase Extraction ("MPE") remedial system located in an enclosed container on a temporary basis to mitigate further migration of subsurface petroleum hydrocarbon impacts to soil and groundwater from the Petro Canada gas station.

There was a gasoline leak back in 2014, at which point the underground storage tanks were replaced, but no remediation was completed. The system is expected to operate for a minimum of 3 years to achieve these objectives. As such, the applicants have applied for a temporary-use bylaw to allow for the temporary use.

By way of this email, I am copying Henningham, Alecia AHenningham@markham.ca, the City's Notifications Officer to ensure you are included in the notification list of the any future meetings and/or correspondence.

Please let me know if you have any

questions. Thanks,

Brashanthe Manoharan
Planner II, East District | Development Services
City of Markham Planning and Urban Design Department
101 Town Centre Boulevard, Markham ON L3R 9W3
905-477-7000, Extension 2190 – bmanoharan@markham.ca

From: Jim Paras <jimp@tshirtgang.com>
Sent: Monday, August 14, 2023 6:07 PM
To: Manoharan, Brashanthe <BManoharan@markham.ca>
Cc: Henningham, Alecia <AHenningham@markham.ca>
Subject: Re: 2 Ovida

Thanksfortheinfo!

Seems like the drawings on notice are backwards can and is confusing. Can they revise.

Is their known contamination on my property I see testing has been done on city property on the top of my driveway. Where do I submit my written concerns?

Thanks for your assistance with this as I really appreciate

it. Jim

Sent from my iPhone

Development Notice

Zoning By-law Amendment

A change is proposed for these lands: 2 Ovida Boulevard

The city has received an application to amend the Zoning By-Law to allow for a temporary use on this property, which would permit a multi-phase extraction (MPE) remedial system.



1 Storeys
3.7 Metres

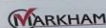


1 Unit

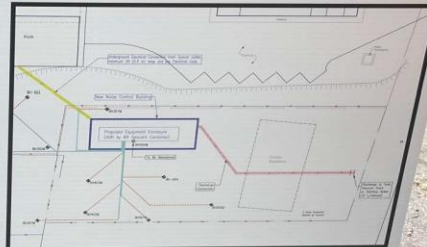
Public Meeting — September 5, 2023, 7:00PM

In-person — Council Chamber at the Civic Centre, 101 Town Centre Boulevard, Markham, ON L3R 9W3

Online Livestream — <https://pub-markham.escribemeetings.com>
File #23.131550.000.00.PLAN



Disclaimer: The above represents the applicant's proposal at the time this notice was prepared and is subject to change



APPLICANT'S PROPOSAL

July 10 2023

Tell us what you think:



CITY PLANNING
Brashantho Manoharan
905.477.7000 ext. 2190
bmanoharan@markham.ca



CLERK'S OFFICE
notifications@markham.ca

To learn more about this application, visit:



markham.ca/MappiT

From: J Paras <jparas@rogers.com>

Sent: Thursday, August 31, 2023 11:40 AM

To: Manoharan, Brashanthe <BManoharan@markham.ca>; Clerks Public <ClerksPublic@markham.ca>; Henningham, Alecia <AHenningham@markham.ca>

Subject: 2 Ovida urgent COA meeting Sept 5 item# 4.2

Honourable Members of the Committee of Adjustment,

Re: COA meeting Sept 5 item # 4.2 - MPE Facility temporary re zoning

My name is Jim Paraskevopoulos and live adjacent (4 Ovida) to the property at 2 Ovida blvd with my wife and two daughters.

With deep respect and utmost urgency, I am writing to formally request a rescheduling of our meeting to a date no sooner than 90 days from the scheduled date, to allow for a comprehensive review. The well-being and safety of our neighborhood's residents, particularly my family, are at stake, and we require more time to fully understand and navigate the implications of this matter.

Reasons for Request:

- **Lack of information required to make an informed decision:** The application is in respect to the building of a remediation facility, yet we have not been provided with complete information related to the environmental issue at hand. It is impossible to make an informed decision as to what is necessary without complete disclosure as to what has occurred, contamination levels reports, what the intended process entails (in terms of timelines, anticipated outcomes, and risk factors), alternative options that have or should have been considered, and what the current and potential risks to residents are.
- **Application premature:** The application is in respect to the building of a remediation facility that requires approval from the Ministry of the Environment. As of August 27, 2023, the Ministry has indicated that an application for the MPE system is not yet submitted. As such, it is premature to consider the application until such time as the facility itself has received approval.
- **Significance of Decision:** This is an exceptional circumstance and not a standard variance that normally comes before the Committee. The decision with respect to building an industrial remediation facility in a residential neighbourhood has profound and irreversible implications on the neighbourhood's character, and the safety and welfare of the community. It is not a decision that should be taken lightly and one that should not be considered without full and candid disclosure being made beforehand.
- **An adjournment is not prejudicial to the applicant:** The applicant has been aware of the situation for which it wishes to build a remediation facility since at least 2014. It has chosen not to take action until now. I have lived beside the applicant's property since 2015 and I only found out that there had been an incident requiring remediation on August 14, 2023, upon seeing the Committee of Adjustment sign on the property. Given the applicant has waited almost a decade to initiate the process, a 90 day adjournment will not prejudice its rights in any manner. On the other hand, forcing residents to advance an informed position without full disclosure in a short-time frame is undoubtedly prejudicial.

As such, I respectfully reiterate my request that the application be adjourned for no less than 90 days to allow the community and the Committee sufficient time to obtain all the information that is necessary to make an informed decision.

In the alternative, if the Committee rejects the request for adjournment, I respectfully object to the application on the basis that the proposal will have the following detrimental impact on my property, surrounding properties, and the community at large:

- **Air Emissions:** Risks from untreated contaminants jeopardize the respiratory health of my family and the broader community.
- **Noise:** The incessant noise from the MPE system stands to disrupt the tranquility of our lives and the enjoyment of our property (including but not limited to our outdoor living spaces).
- **Ground Vibrations:** Vibrations, especially during crucial operational phases, are a potential threat to the structural soundness of our homes.
- **Odors:** Potential emissions of potent and possibly harmful odours are of significant concern given our proximity.
- **Health Risks:** Direct exposure to contaminants, due to any operational lapses, is a tangible health threat, especially to my young daughters whose bedrooms windows are just 4 feet away from this property.
- **Land Disturbance & Aesthetics:** The MPE system's installation and operation threaten the visual charm and value of our property.
- **Weed Growth:** The potential surge of invasive weeds could impact our property's aesthetics and raise maintenance challenges. Current grass on the property which are now weeds has not been cut this year.
- **Wildlife Encroachment:** Altered environmental conditions may draw unwelcome wildlife, leading to numerous associated concerns. Currently it's a property full of weeds. I am regularly finding mice/rats and other wildlife in my swimming pool. Also I have seen foxes and coyotes on the property.

In conclusion, while I recognize and support the importance of the overarching goal of remediation, it is nonetheless imperative that a fully-informed decision be made that considers the needs of all residents and allows this process to proceed in a manner that is least disruptive and most effective to the neighbourhood residents. We were not party to the actions that cause the need for remediation in the first place, nor did we even know about it until earlier this month. I trust that the Committee will give this matter the deep consideration that it warrants and not unnecessarily rush to judgment until such time as full and complete disclosure has been provided.

Please see attached pictures to give an idea of how close the proposed zoning land is to my houses and my 11 & 12 year old daughters bedroom windows.

Jim Paraskevopoulos
Resident 4 Ovida Blvd
416 836 3669









From: tupper wheatley <mpca.tup@hotmail.com>

Sent: Saturday, September 2, 2023 12:33 PM

To: notifications

<notifications@markham.ca> **Subject:** file
number PLAN 23 131550 2 Ovida

In case I am unable to attend the meeting, here are my comments. Thank you

Chairman Jones and members of the committee. Item 4.2

In reference to file number PLAN 23 131550 2 Ovida

You might recall that two houses one 2 Ovida Blvd. and one at 1 Grandview Blvd. to the south of Petrocan were demolished. The proposal is to set up, for three years, a structure that would effectively clean contaminants in the soil that have accumulated from leakage, etc. from the adjacent gas station.

This is a good thing. However, I have concerns. What are the intentions for these properties after the clean-up is complete? Currently they are zoned R1, low rise residential. Would they revert back to that same zoning after the amendment period? Could they be added to the gas station property for further expansion, since by then they would have been “vacant” for some time?

Remember the issue we had with the portion of 7 Erlane being added “temporarily” to the parking lot of the Lynde clinic.

Tupper Wheatley

