



Report to: Development Services Committee

Meeting Date: May 14, 2018

SUBJECT: Acceptance of Excess Soil for Park Construction
PREPARED BY: Linda A. Irvine, Manager, Parks and Open Space
Development, x 2120

RECOMMENDATION:

- 1) That the report entitled “Acceptance of Excess Soil for Park Construction”, dated May 14, 2018, be received;
- 2) That the Director of Planning and Urban Design be authorized to execute agreements with land developers to permit excess soil from greenfield residential development sites to be delivered to City-owned lands and to be used for park construction purposes which shall include terms and conditions relating to compensation to the City, as well as appropriate environmental procedures, provided that the form and content of such agreement is acceptable to the City Solicitor and the Director of Engineering;
- 3) That the Director of Planning and Urban Design and Treasurer be authorized to negotiate the compensation payable by developers who enter into agreements with the City to transport excess soil on to City lands as described in Recommendation #2; and,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to seek Council’s authority for:

- (a) The use of excess soil from greenfield residential subdivision within the City of Markham for park construction, and
- (b) The Director of Planning and Urban Design negotiate compensation and execute agreements with land developers to permit excess soil from greenfield residential development sites to be delivered to City-owned lands for park construction.

BACKGROUND:

The construction of development sites often results in excess soil from excavation (e.g., sewer trenches, basement excavation, etc.) that will not be re-used at the site and must be transported away. Developers have occasionally offered to transport such excess soil to City-owned lands for the construction of City parks without cost to the City.

OPTIONS/ DISCUSSION:

The construction of City parks often involves the shaping, filling, grading, and altering of the existing topography, all of which requires suitable soil. Importing and re-using suitable excess soil from greenfield residential subdivision developments within the City of Markham for use in City park sites is an initiative that staff supports as it would benefit both the City and the developer.

If there is a City park site that requires soil for park development and a developer has offered to transport excess soil from its greenfield residential development site to the City park site at no cost to the City, staff recommend that authority be delegated to the Director of Planning and Urban Design to execute an agreement with the developer to set out the terms and conditions for the acceptance and transport of such soil to City park-sites. The terms and conditions of the agreement would include, but not be limited to, the following:

- Access onto the City-owned lands or future park block;
- *Environmental screening requirements such as characterization, testing, and documentation of the excess soil to protect the City from environmental risks;
- *Procedures for the import and placement of the excess soil, including inspection requirements, record keeping requirements and any transportation stipulations
- Insurance and indemnification requirements;
- *Costs to cover any environmental screening including the hiring of a peer reviewer for the City;
- *Compliance with applicable laws governing the transport and re-use of excess soil; and,
- Any compensation and applicable internal administration charges payable by the developer to the City.

*Watermark Environmental, an environmental consulting firm, has been retained by the City to provide guidance on the environmental terms and conditions to be included in such agreement.

“Greenfield” development sites comprise undeveloped land that is either currently used for farming/agricultural or left in its natural state. Staff recommend only accepting soil excavated from greenfield residential development sites since such soil is more likely free of contaminants as compared to other types of development sites (e.g. commercial/industrial re-development sites). However, to confirm, staff will still ensure that appropriate environmental testing is conducted on the excess soil being accepted by the City.

Further, staff recommend that the Director of Planning and Urban Design be authorized to negotiate compensation payable by developers to the City in consideration for being permitted to move excess soil onto City lands.

FINANCIAL CONSIDERATIONS

None.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

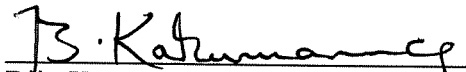
ALIGNMENT WITH STRATEGIC PRIORITIES:

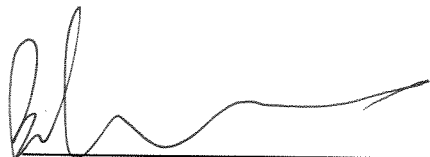
This initiative aligns with the strategic areas of: Fiscal Management, Environment, Municipal Services and Parks.

BUSINESS UNITS CONSULTED AND AFFECTED:

Engineering and Legal have been consulted.

RECOMMENDED BY:


Biju Karumanchery, M.C.I.P., R.P.P.
Director of Planning and Urban Design


Brian Lee, P. Eng.
Acting Commissioner,
Development Services