

MEMORANDUM

To: Jim Baird, City of Markham

From: Carolyn Woodland, Toronto & Region Conservation Authority

Date: June 16, 2014

Re: Question and Answers – Cathedral Town SWM Pond/Lake status.

Question: Is a permit required from TRCA for the proposed “Lake” improvements proposed by owner? Will you issue permit if City is satisfied with design?

We cannot defer to the City only here - we still regulate the area of pond and stream channel/floodplain. We need the City to lead the direction of good design with our collaboration to receive approvals.

The stream channel and wetland are a floodplain and that area provides conveyance and storage for waters through the Carlton Creek. We understand that there is a backwater flooding issue at the Woodbine culvert (and an overtopping of the roadway) and narrowing the channel could make that situation worse. Detailed engineering would be needed to confirm, but our engineers are not supportive of this narrowing of the creek/floodplain here. Managing flood hazard is a provincial interest.

The loss of wetland habitat and stream channel would also now be a MNR issue re: Red Side Dace and may trigger a MNR approval - complicates approvals that we have no control over. A DFO approval may also be required as there would undoubtedly be loss of fish habitat with removal of the wetland or any portion thereof.

We are not supportive of enlarging the pond and narrowing the channel for these reasons. A longer approval period would also likely be needed to address all agency approvals.

Question: Is a permit required from TRCA for the “belvedere” over look structural elements proposed by the owner adjacent to “Lake”? Will you issue permit if City is satisfied with design?

The belvedere would also have to be approved as an alteration to our original permit for the pond and construction in the regulated area. Our advice to staff and the developer back in 2012 was to keep the belvedere and upper level urban park but plant and soften

the lower edges of the pond. Hard surfaces and edge conditions are going to be difficult and costly to maintain for the City (this would also be less expensive for developer - I provided pictures of some excellent design work as example's at that last meeting). The pond water levels are going to fluctuate so a softer edge design could help the aesthetics of the pond from our perspective. However, in the end the pond will be the City's to own and maintain, so we would be supportive of resolving a finished pond as soon as possible.

Trying to stabilize those steep slopes is a design challenge. A compromise would be helpful for all of us here to collectively move on the belvedere design and achieve approvals as soon as possible.

Question: Would a permit have been required from TRCA to convert natural watercourse feature to north and east of lake to the hard surface "canal" feature that was originally proposed by applicant, and would TRCA have issued a permit if the City was satisfied with the design?

Any old proposals for canals are totally out of the question. City staff needs to lead the design resolution here with our assistance. Our professional time is being wasted going back over old issues in this development scheme. You may want to consider a "peer" design reviewer to establish the "public interest" side of this issue if necessary. The developer's concept of a "lake" (from early renderings) versus what is really feasible on the site is the challenge today. Implementing a feasible lake could be very difficult, costly and would involve lengthy approvals, if approvable at all. We believe it best to agree to make the best design out of what exists on the site, and the pond edges and parks need to be finished for the community.