

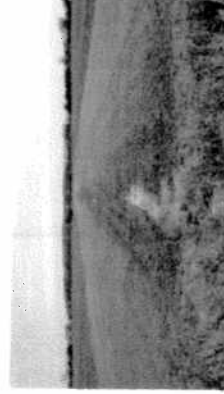


Small Streams Study

DRAFT FINAL REPORT

Development Services Committee

6 June, 2006



SCHOLLEN & Company Inc.
Landscape Architects

Aquafor Beech



THE PLANNING
PARTNERSHIP

6 June 2006



Agenda

- **Background of Small Streams Study**
- **Summary of consultations**
- **Implementation strategy**
- **Next step**



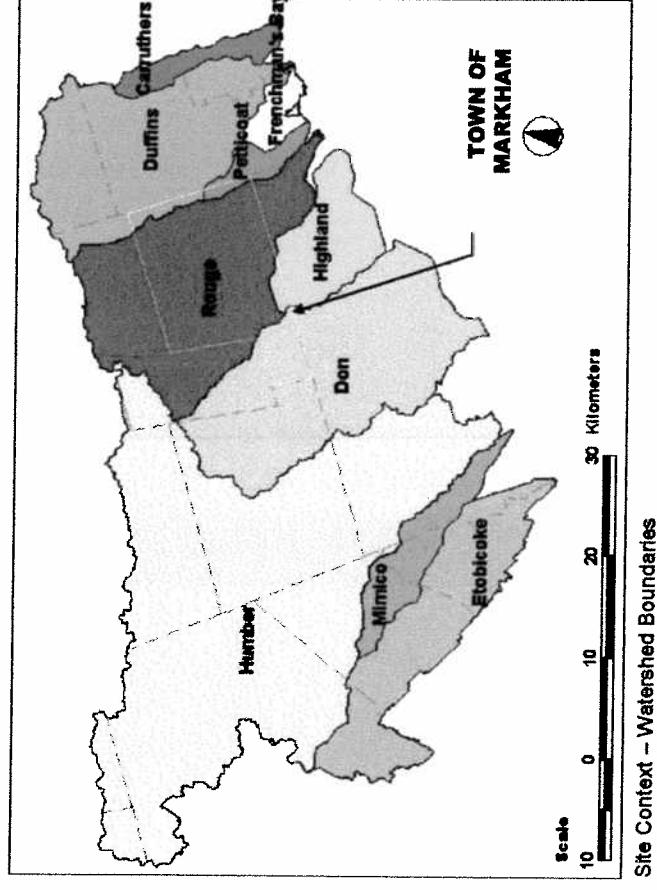
Background

- **Originated in 1990s (planning applications)**
- **Triggered considerable debate**
- **Council directed staff to initiated the Study**
- **The Study is part of existing larger initiatives (Greenbelt Act, Clean Water Act, Rough Park, Oak Ridges Moraine)**

Background

Purpose of the Study

- To generate recommendations to facilitate the protection and management of small streams



- To provide the Town with a clear decision-making tool to guide the management of small streams

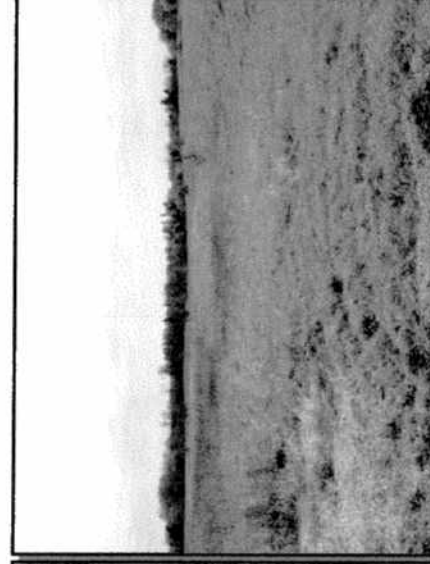
Study Goal

To generate strategies to establish guidelines to help achieve the followings:

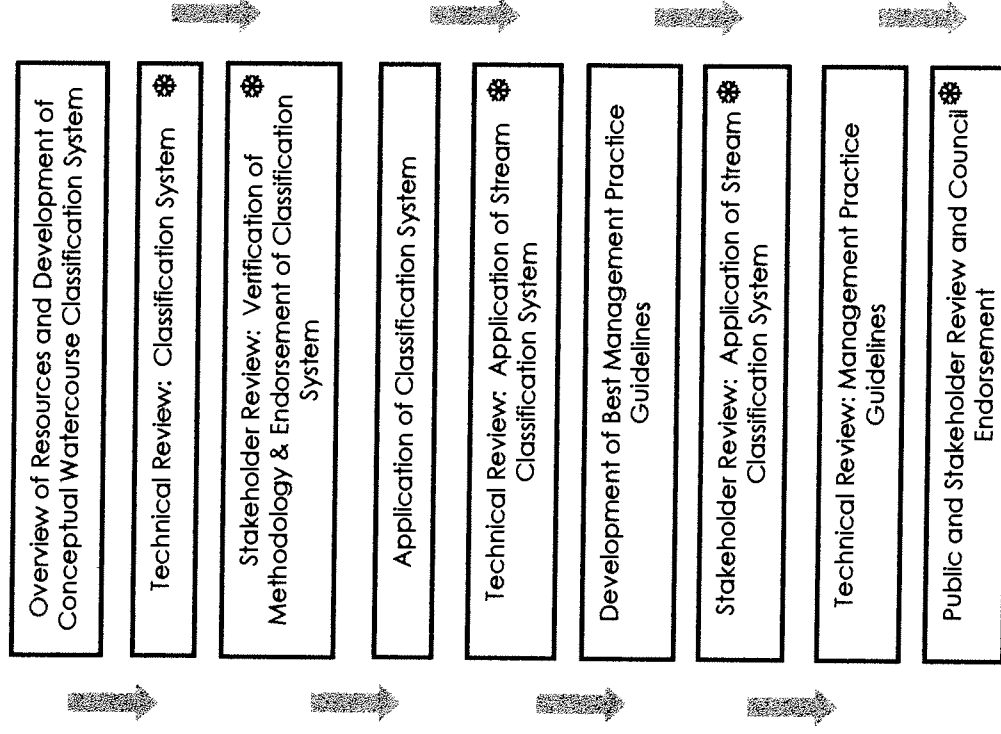
- **Protecting and enhancing small streams within the boundary of the Town**
- **Ensuring the long-term sustainability of the watersheds associated with these small streams**

Study Focus

- Understand the function of small streams
- Develop a classification system
- Generate guidelines to establish management scenarios
- Provide recommendations to facilitate management objectives



Study Process



⚙️ **Key points of review by Technical Advisory Committee and/or Stakeholder Advisory Committee to:**

- Review and confirm findings
- Evaluate criteria
- Confirm managements recommendations
- Review deliverables

Application

The classification system and management recommendations apply to drainage features which:

- **Cannot be defined as ‘watercourses’ in accordance with Conservation Authority Act definition**
- **Do not have a defined bed and banks**
- **Are not permanently flowing features**

Features with these characteristics are subject to regulation by the Toronto and Region Conservation Authority (TRCA).

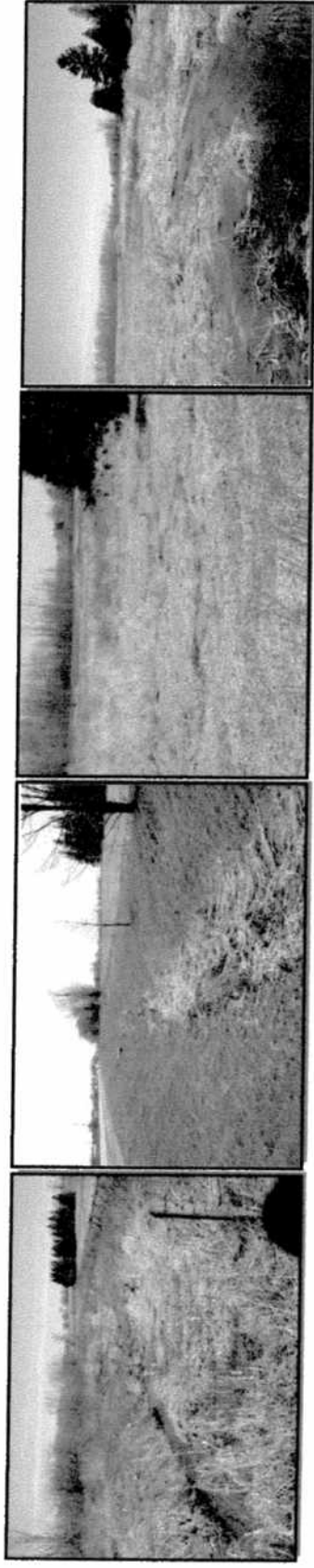
In addition, features that provide habitat for fish or contribute to downstream fish habitat are subject to the provisions of the Federal Fisheries Act.

Application

Drainage features which are addressed by this study include:

- **Features which are ill-defined or discontinuous**
- **Natural, altered or man-made features**
- **Features which have intermittent or periodic flow**

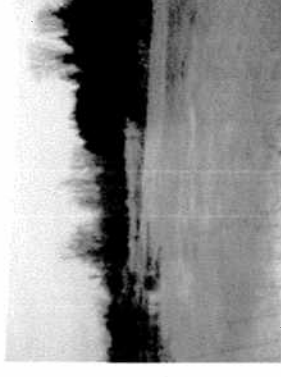
The drainage features which are the focus of this study exist in a variety of forms.



Classification System

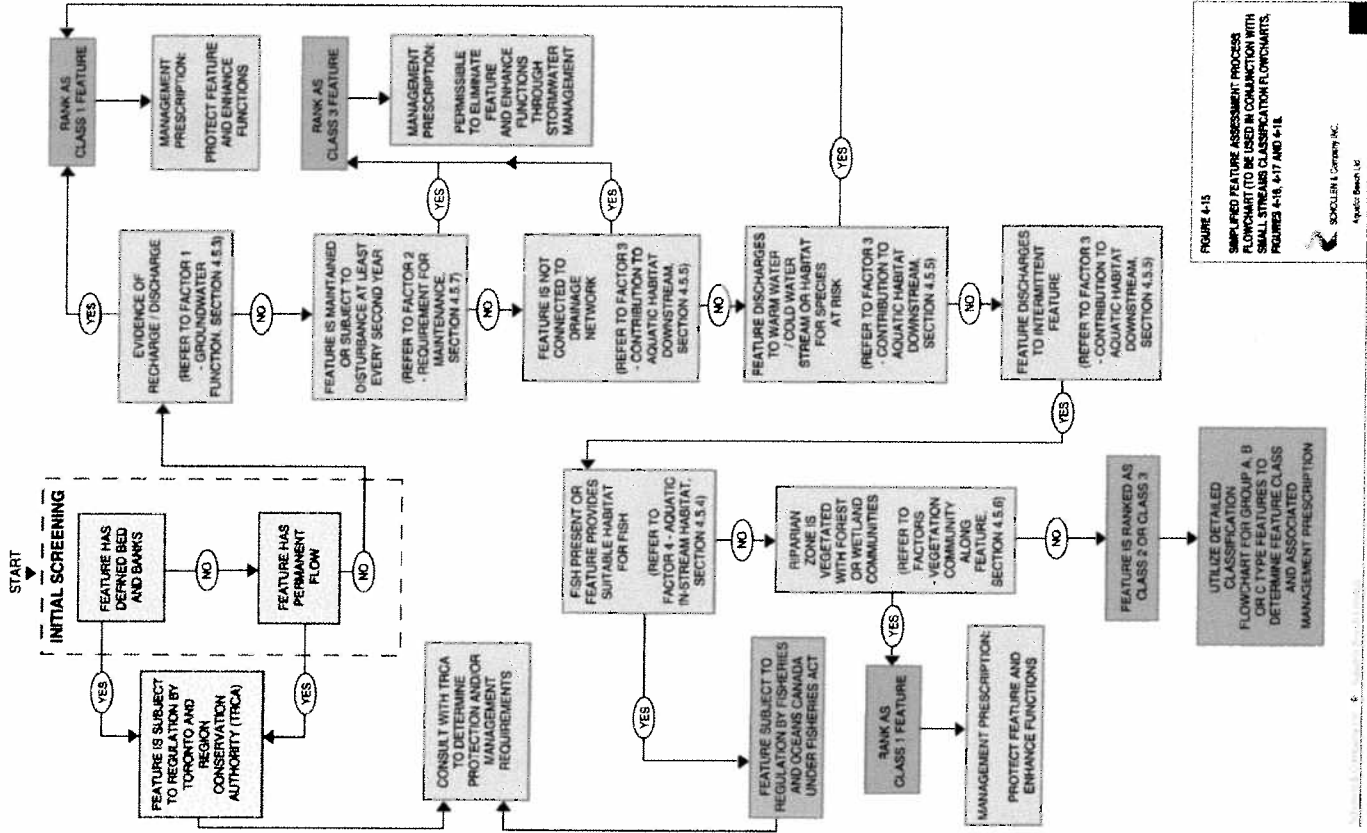
A methodology was developed to classify small drainage features based on the following criteria:

- **Form**
- **Flow Characteristics**
- **Groundwater Function**
- **Requirement for Maintenance**
- **Aquatic In-Stream Habitat**
- **Contribution to Aquatic Habitat Downstream**
- **Vegetation Community Along Feature**



Classification System

Application – Simplified Process Flowchart



Classification System

- **'Initial Step' inserted in the flowcharts to identify features that are regulated by TRCA and therefore not subject to the Small Streams Study process**
- **Simplified process set out to aid in screening features**
- **'Score' is not additive, rather flowcharts function as a 'Decision Support System' using default scores**

Classification System

Applying the Classification System, features are ranked as:

Class 1: Most significant in terms of form and feature

Class 2: Moderate significance

Class 3: Least significant



Classification System

Management Strategies

A Management Strategy is prescribed for each class of feature as follows:

Class 1: Protect existing shape and enhance function

Class 2: Permissible to alter if form and function are enhanced

Class 3: Possible to eliminate – maintain function and compensate off-site

Purpose

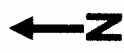
- **To test the classification system**
- **Three case study sites evaluated**
- **Case studies verified the utility and logic of the preliminary classification system**

Demonstration Study

A Demonstration Study was completed to evaluate the implications of the classification system and management recommendations on development potential, community design and servicing.

The site is bounded by Major Mackenzie on the south, Elgin Mills Road on the north, McCowan Road on the east, and Kennedy Road on the west (approximately 405 ha).

The site was selected because of its complexity to provide a true test of the classification system and management recommendations.



Case Study Site



Approximately 405 hectares in rural Markham

Summary of Consultations

Public Meetings (PIC)

- **2 Meetings**
 - 25 January 2005 - To review classification system and preliminary management recommendation
 - 4 May 2006 - To review Draft Final Report

Technical Advisory Committee (TAC)

- **3 Meetings**
 - 27 September 2002 – To review legislative context and confirm Terms of Reference
 - 17 April 2003 – To review inventory information and draft classification framework
 - 23 June 2004 – To review classification system, case study and management recommendations

Summary of Consultations

Stakeholder Advisory Committee (SAC)

- **4 Meetings**
 - 27 September 2002 – To confirm objectives and Terms of Reference
 - 1 November 2002 – Site tour and background review
 - 25 June 2003 – To review draft classification system and case studies
 - 24 June 2004 – To review management recommendations

Other Interested Parties

- **UDI – 2 Meetings** – One to review the Draft Final Report and discuss implementation implications and a follow-up session to discuss modifications made to the document in response.

Results of Public Consultation

- **Environmental Groups** – Generally supportive of the study and encouraged the Town's leadership role and commitment in preserving and protecting the environment.
- **Friends of the Rouge Watershed (FRW)**
 - Asked to defer the Study
 - Need for watershed strategy, water budget, Natural Heritage System (NHS), and subwatershed plans prior to preparing guidelines for the small streams
 - Percent impervious cover/natural cover must be addressed first
 - Study should be reviewed by Dr. Williams of UoT
- **UDI**
 - Defer submission of the Study to Council for approval (Study is pre-mature)
 - The Study will greatly impact the Town's Growth Plan
 - Not enough time given to UDI to review the Draft Final Study
 - Need for further consultation between Town and UDI

Recently submitted letter by UDI is attached

Response to Comments

Key Modifications

- Executive Summary added
- Additional background information on the role and function of small streams provided
- Additional wording included to enhance clarity of classification criteria
- Simplified Process Flowchart added
- Case studies relocated to appendix
- Demonstration Study relocated to appendix
- Optional stormwater management techniques compendium relocated to appendix
- Wording revisions made in response to specific comments received
- List of references provided
- Photographic inventory provided
- Glossary provided

Implementation Strategies

Implementation Recommendations address three key areas within the Town of Markham:

- Existing urban areas
- Potential future urban expansion areas
- Existing rural areas



Implementation Strategies

Existing Urban Areas:

- Restoration program focussed on three objectives:
 - Recreating small stream features
 - Replicating small stream functions
 - Restoring and enhancing degraded watercourses
- Limitations
 - Availability of land
 - Availability of funding
 - Implications on Town resources
- Application of management recommendations on a 'best efforts' basis in respect of existing development approvals

Implementation Strategies

Potential Future Urban Expansion Areas:

- **Small Streams Study recommendations implemented through Official Plan Amendments**
- **Small Streams Study recommends implementation roles for agencies and government**
 - **Federal Government**
 - **Provincial Government**
 - **Toronto and Region Conservation Authority**
 - **Region of York**
 - **School Boards/Other Public Agencies**
 - **Town of Markham**

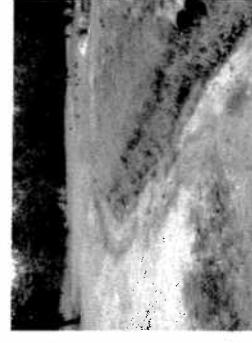
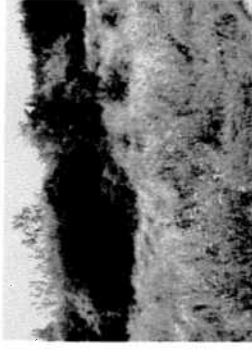
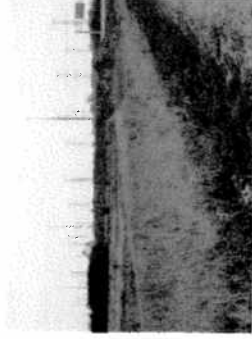
Implementation Strategies

Existing Rural Areas:

- Landowner education and stewardship program comprised of the following initiatives:
 - Education
 - Encouragement
 - Incentives
 - Recognition
- Recommendation to expand the scope of the current Site Alteration By-Law to facilitate interim protection of features

Implementation Actions

- **Town of Markham Engineering and Planning Departments**
 - Reviewing study recommendations and implementation scenarios
 - Conducting interdepartmental coordination (Parks, Operations and Maintenance etc.) to ensure objectives of each department are reflected in the final implementation strategy
 - Further consultation with UDI and FRW groups
 - Develop OP policies for the protection of Small Streams



Implementation Strategies

- **Implementation of recommendations will be determined by:**
 - **Council approval**
 - **Timing/process for updating of Town standards, guidelines and policies**
 - **Integration with existing guidelines and policies (other Agencies)**
 - **Availability of land resources**
 - **Availability of Town staff and resources**
 - **Availability of funding**

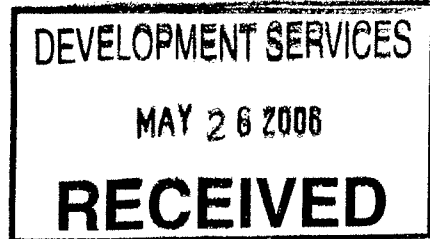
Next Steps

- **Finalize the Study (Summer of 2006)**
- **Meet with UDI and FRW to address their issues (Summer 2006)**
- **Report back to Council in Fall 2006 with Final Recommendations and Implementation Strategies**



May 23, 2006

Mayor Don Cousens
Town of Markham
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3



Dear Mayor Cousens:

Re: *Markham Small Streams Study, Final Draft Report, Revised April 17, 2006*

On May 4, 2006, the Town of Markham ("Town") released *Markham Small Streams Study, Principles and Strategies for the Protection and Management of Small Drainage Courses, Final Draft Report, Revised April 17, 2006* ("draft Study") along with a companion document: the *Town of Markham Small Streams Study Comment Response Report* ("Response Report"), which documents the Consultant's response to the comments received regarding the first draft of the Small Streams Study as released in December 2004. We understand that it is the intention of Town staff to submit the draft Study to Council on June 13, 2006.

We are writing to advise you of the Urban Development Institute/Ontario's ("UDI") reservations respecting the draft Study as well as our discontent with the timing of this initiative.

UDI is of the firm belief that the draft Study, if widely implemented, will greatly impact the Town's ability to meet its obligations under the, soon to be released, Growth Plan for the Greater Golden Horseshoe, *Places to Grow*. UDI/Ontario believes that the draft Study will not only negatively impact future growth in the Town but that these impacts will reverberate in other municipalities across the Greater Golden Horseshoe and quite possibly the province.

UDI understands that the Town does not intend to implement the draft Study until all the other required background studies are completed and integrated into a comprehensive policy and plan. Unfortunately, past experience reveals that once this type of study is released and sanctioned by a municipal Council, Conservation Authorities, other agencies and municipalities (with a less than thorough understanding of Markham's municipal planning process) will adopt the recommendations and require applicants to integrate them into their plans.

As the Town does not have plans to implement the draft Study's recommendations in the near future and in light of the potential significant impacts identified, UDI does not comprehend the haste with which this initiative is moving forward.

As well as the speed with which this initiative is proceeding, the consultation process undertaken by the Town in this matter also concerns UDI. As a significant stakeholder, UDI York Chapter has made good faith efforts to monitor and consult with the Town respecting the development of the draft Study. Our members have provided the Town with comprehensive technical written submissions, along with a request for further meetings to engage in detailed discussions. Town staff appeared to be receptive to UDI involvement and input and agreed to: 1. Keep UDI informed of the progression of the draft Study; 2. Provide additional information to our sub-committee so that UDI could respond more fully prior to the draft Study being released; and, 3. Coordinate a meeting to discuss our concerns.

Regrettably, due to delays and tight constraints, the originally agreed upon consultation process and timeline was not realized - leaving UDI unable to respond prior to the draft Study being released on May 4, 2006. UDI members have some apprehension that the Town is not interested in our input and does not intend to address UDI's concerns. We request clarification of the Town's intent respecting further consultation so that we can determine the most strategic future investment of our volunteer sub-committee's time and effort.

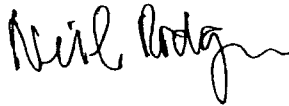
UDI understands that differences of opinion are inevitable and agreement cannot always be reached, but in our past experience with the Town we have found that UDI members and staff have been able to establish genial working relationships and undertake good faith negotiations. UDI submits that both organizations benefit from a transparent process that is built on trust, which is why we are disillusioned by our recent experience with the Town.

In conclusion, we request that the draft Study not be submitted to Council at this time as we submit that it is premature and will have unintended consequences if adopted and also so that we may engage the Town in further detailed discussion.

For your information we have attached a copy of our previous submission to the Town along with further technical comments. (Due to time constraints we are unable to offer comprehensive comments at this time regarding the draft Study as revised and released on May 4, 2006.)

Please do not hesitate to contact me if you would like to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Rodgers", with a stylized, flowing script.

Neil Rodgers
President

Copy to: Frank Scarpitti, Deputy Mayor
Members of Council
John Livey, Chief Administrative Officer
Alan Brown, Director, Engineering
Lilli Duoba, Senior Project Coordinator, Rouge Park & Environment

UDI/Ontario York Chapter
UDI/Ontario Markham Small Streams Study Sub-Committee
