

Item 11.1.

Section IV – Ontario Regulation 166/06, As Amended

TO: Chair and Members of the Executive Committee
Meeting #4/19, May 3, 2019

FROM: Sameer Dhalla, Interim Director, Development and Engineering Services

RE: **APPLICATIONS FOR PERMITS PURSUANT TO ONTARIO REGULATION 166/06, AS AMENDED**
Development, Interference with Wetlands and Alterations to Shorelines and Watercourses

KEY ISSUE

Pursuant to Ontario Regulation 166/06, as amended, written permission from the Authority is required for:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) development, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

A permit may be refused through a Hearing Process, if in the opinion of the Authority, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land is affected.

RECOMMENDATION

THAT permits be granted in accordance with Ontario Regulation 166/06, as amended, for the applications which are listed below:

MAJOR PERMIT APPLICATIONS 11.1 - 11.7 – REGULAR – FOR APPROVAL

Applications that involved a more complex suite of technical studies to demonstrate consistency with policies; applications that cover a significant geographic area, extensive modifications to the landscape, major infrastructure projects, applications requiring site specific conditions and permissions that extend beyond two years.

CITY OF PICKERING

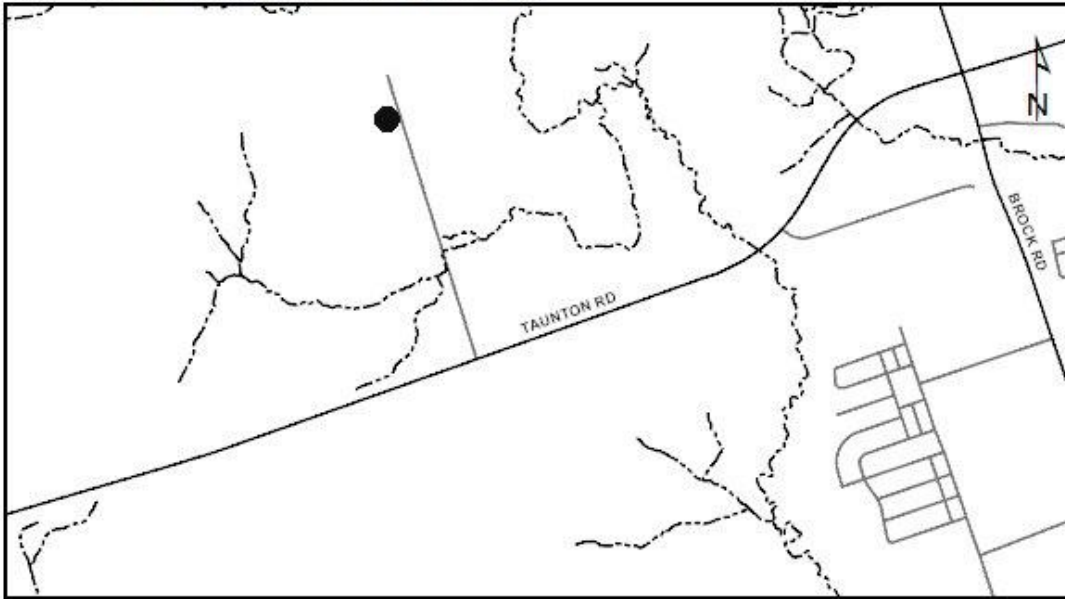
1133373 ONTARIO INC

To site grade and temporarily or permanently place, dump or remove any material, originating on the site or elsewhere on Part Lot 22, 23, 24, 25, Concession 4, (Taunton Road and Sideline 24 (Burkholder Drive)), in the City of Pickering, Duffins Creek Watershed as located on the property owned by 1133373 Ontario Inc.

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The purpose is to site grade and install temporary sediment and erosion control outfalls north of Taunton Road at Sideline 24 in the City of Pickering.

MAP LOCATION: North of Taunton Road near Sideline 24



The permit will be issued for the period of May 3, 2019 to May 2, 2021 in accordance with the following documents and plans which form part of this permit:

- **Drawing No. 601, Erosion Sediment Control Plan - Stage 1 Phase 1, prepared by Cole Engineering, Revision 4, stamped April 16, 2019, received April 16, 2019;**
- **Drawing No. 602, Erosion Sediment Control Plan - Stage 1 Phase 1, prepared by Cole Engineering, Revision 4, stamped April 16, 2019, received April 16, 2019;**
- **Drawing No. 603, Erosion Sediment Control Plan - Stage 2 Phase 2, prepared by Cole Engineering, Revision 5, stamped April 16, 2019, received April 16, 2019;**
- **Drawing No. 604, Erosion Sediment Control Plan - Stage 2 Phase 2, prepared by Cole Engineering, Revision 4, stamped April 16, 2019, received April 16, 2019;**
- **Drawing No. 605, Erosion Sediment Control Sections - Stage 1 Phase 1, prepared by Cole Engineering, Revision 3, stamped January 24, 2019, received April 16, 2019;**
- **Drawing No. 606, Erosion Sediment Control Sections - Stage 1 Phase 1, prepared by Cole Engineering, Revision 3, stamped January 24, 2019, received April 16, 2019;**
- **Drawing No. 607, Erosion Sediment Control Details - Stage 1 Phase 1, prepared by Cole Engineering, Revision 3, stamped January 24, 2019, received April 16, 2019.**

Application-Specific Permit Conditions

14. The Owner shall coordinate a pre-construction meeting with the agent, contractor, engineer, inspector, TRCA, municipality and any other regulatory agencies prior to the commencement of the approved works to the satisfaction of TRCA.
15. The Owner shall ensure all works within and adjacent to the watercourse are directly supervised by a qualified ecologist and/or fluvial geomorphologist (or an equivalent as approved by TRCA) to the satisfaction of TRCA.
16. The Owner shall ensure all erosion and sediment controls are monitored by an environmental monitoring professional certified by CISEC; and the environmental monitoring professional shall utilize an on-line erosion and sediment control document

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- monitoring software as may be updated from time to time in carrying out their duties; and the appropriate access permissions to the software shall be granted to TRCA staff.
17. No work as authorized by the issuance of this permit may be commenced by the permit holder unless and until all conditions precedent as set out in the Licence of Land for Temporary Use and Access dated _____ between Her Majesty The Queen In Right Of Ontario, as represented by The Minister of Economic Development, Employment and Infrastructure ("I/O") and 1133373 Ontario Inc. or waived by I/O. For greater certainty, the purpose of the foregoing is to ensure that 1133373 Ontario Inc. does not rely on this permit to commence work, or even enter onto the subject lands, unless and until all requisite permissions to enter as granted by I/O are in full force and effect and without outstanding conditions precedent.
 18. The Owner shall obtain clearance from TRCA Planning & Development staff prior to requesting the full or partial release of any Letters of Credit or other securities from the City of Pickering for the approved works.

RATIONALE

The application was reviewed by staff on the basis of the following information:

Proposal:

The proposal is to site grade and install temporary sediment and erosion control outfalls within the TRCA regulated area north of Taunton Road near Sideline 24 in the City of Pickering. This is one of many TRCA permits required to construct the Seaton Community, the planning approvals of which were the result of a lengthy Ontario Municipal Board mediation process in 2012. The works are required to support the rough site grading of draft approved Plan of Subdivision SP-2008-11 owned by 1133373 Ontario Inc. (Lebovic Enterprises). The works will take place on lands within the Natural Heritage System owned by the Ontario Infrastructure and Lands Corporation and leased to 1133373 Ontario Inc. The lease will be triggered upon all approvals being obtained from the TRCA and City of Pickering.

Control of Flooding:

The proposal is not located within the Regional Storm Floodplain.

Pollution:

Temporary sediment controls have been provided per the Greater Golden Horseshoe Area Conservation Authorities, Erosion and Sediment Control Guideline for Urban Construction.

Dynamic Beaches:

Not applicable.

Erosion:

Temporary erosion control has been provided per the Greater Golden Horseshoe Area Conservation Authorities, Erosion and Sediment Control Guideline for Urban Construction. There are no geotechnical slope stability concerns with the proposal as the temporary outfalls and grading is located well away from any valley slopes.

Conservation of Land:

The project by its nature must locate in the Natural Heritage System and will involve the unavoidable removal of 0.34 ha of forest. An agreement will be executed with the landowner to secure funds to compensate for the lost habitat per the Guideline for Determining Ecosystem Compensation, prior to the issuance of the permit for the permanent stormwater management infrastructure. The landowner will restore the remaining disturbed portions of the natural

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heritage system located outside of the infrastructure. Vegetation was removed in the February-March period in order to avoid migratory birds. Through restoration and compensation, the proposal will have no impact on the conservation of land.

Plantings

Woody vegetation will be planted in former agricultural fields within the Natural Heritage System to restore and compensate for lost natural features as part of the compensation agreement that will be secured through direct payment to TRCA. The landowner has confirmed their commitment to this. Plantings will take place when the permanent infrastructure is installed as part of a subsequent permit.

Policy Guidelines:

This proposal complies with Section 8.9., Infrastructure Policies, of The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority.

CFN: 61416 - Application #: 0365/19/PICK

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