

## Section IV – Ontario Regulation 166/06, As Amended

**TO:** Chair and Members of the Executive Committee  
Meeting #11/19, February 7, 2020

**FROM:** Sameer Dhalla, 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

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### 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 APPLICATION 10.1 – REGULAR – FOR APPROVAL - AFTER THE FACT**

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.

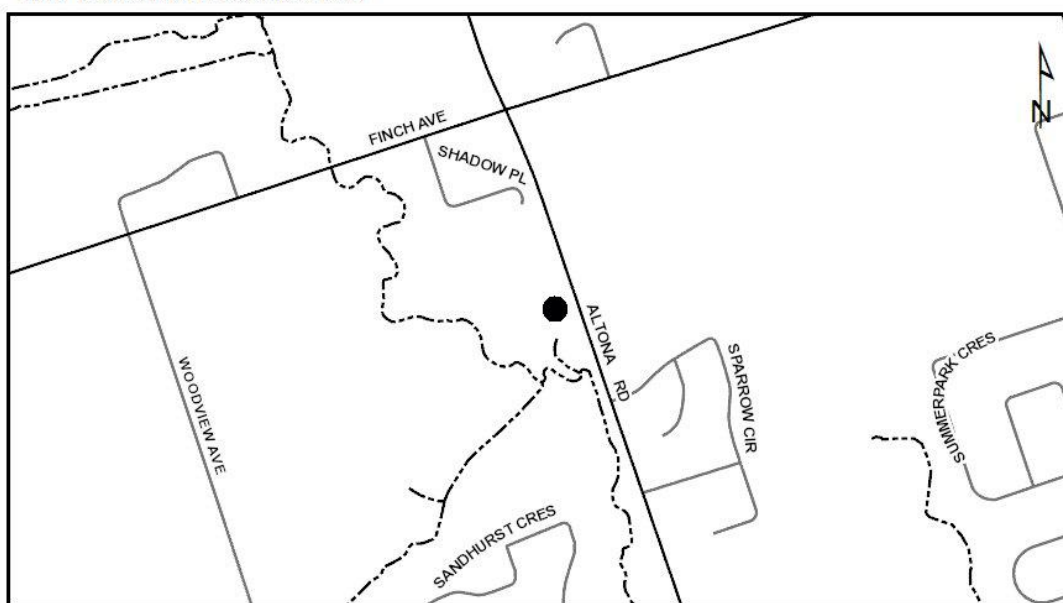
### CITY OF PICKERING

#### **10.1 2399478 ONTARIO INC. C/O MARSHALL HOMES**

To site grade and temporarily or permanently place, dump or remove any material, originating on the site or elsewhere on Lot 2, 3, Plan 388, (1956 Altona Road), in the City of Pickering, Petticoat Creek Watershed as located on the property owned by 2399478 Ontario Inc. c/o Marshall Homes. The purpose is to site grade, service and construct a townhouse development at 1956 Altona Road in the City of Pickering.

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MAP LOCATION: 1956 Altona Road



The permit will be issued for the period of February 7, 2020 to February 6, 2022 in accordance with the following documents and plans which form part of this permit:

- Drawing No. A1, Site Plan, prepared by Hunt Design Associates Inc., Revision No. 5 dated January 15, 2020, received by TRCA on January 22 2020;
- Drawing No. DET1, Details, prepared by Candevcon East Limited, dated January 16, 2020, stamped by M. A. Favit, P. Eng., received by TRCA on January 22 2020;
- Drawing No. DET2, Details, prepared by Candevcon East Limited, dated January 16, 2020, stamped by M. A. Favit, P. Eng., received by TRCA on January 22 2020;
- Drawing No. CMERS1, Construction Management & Temp. Erosion & Sediment Control Plan, prepared by Candevcon East Limited, dated January 16, 2020, stamped by M. A. Favit, P. Eng., received by TRCA on January 22 2020;
- Drawing No. CMERS2, Construction Management & Temp. Erosion & Sediment Control Plan, prepared by Candevcon East Limited, dated January 16, 2020, stamped by M. A. Favit, P. Eng., received by TRCA on January 22 2020;
- Drawing No. SG, Site Grading Plan, prepared by Candevcon East Limited, dated January 16, 2020, stamped by M. A. Favit, P. Eng., received by TRCA on January 22 2020;
- Drawing No. SS, Site Servicing Plan, prepared by Candevcon East Limited, dated January 16, 2020, stamped by M. A. Favit, P. Eng., received by TRCA on January 22 2020;
- Drawing No. L1, Landscape Plan, prepared by cosburn nauboris Ltd, Revision No. 9 dated January 16, 2020, received by TRCA on January 22 2020;
- Drawing No. LR1, Restoration Planting Plan, prepared by cosburn nauboris Ltd, Revision No. 9 dated January 16, 2020, received by TRCA on January 22 2020;
- Drawing No. LD1, Details, prepared by cosburn nauboris Ltd, Revision No. 9 dated January 16, 2020, received by TRCA on January 22 2020;
- Drawing No. LD2, Details, prepared by cosburn nauboris Ltd, Revision No. 9 dated January 16, 2020, received by TRCA on January 22 2020;

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- **Drawing No. LD3, Details, prepared by cosburn nauboris Ltd, Revision No. 9 dated January 16, 2020, received by TRCA on January 22 2020.**

### **RATIONALE**

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

#### Proposal:

The proposal is to site grade, install servicing, a micro-grid power system and 27 townhouses at 1956 Altona Road. The site is located west of Altona Road, south of Finch Avenue and includes the Petticoat Creek valley system. The site was historically filled and a fill peninsula extends into the valley corridor. During the review of the zoning by-law amendment, it was determined the area of fill was low functioning and deemed appropriate by the municipality to be developed and compensated for elsewhere. As these discussions pre-dated TRCA's Guideline for Determining Ecosystem Compensation (which was approved in June, 2018), this Guideline does not apply to this development. However, TRCA's staff approach, and the compensation attained, are consistent with the Guideline. As a result of these discussions, the landowner agreed to provide both land-based and feature-based compensation funds to be used for additional off-site land acquisition and ecosystem restoration within the City of Pickering.

TRCA staff and the landowner have executed this ecosystem compensation agreement, payment has been received by TRCA Restoration and Infrastructure staff, and the subject permit is required to facilitate the removal of trees and allow for development within the natural system on the subject property. The owner has also provided a comprehensive plan for enhancement and edge management of other lands being conveyed by the landowner to TRCA as part of the planning approvals.

#### Permit After the Fact:

The landowner started construction without the benefit of a TRCA permit. As a result, the landowner has paid the application fee plus 100% as required for a permit "after the fact".

#### Control of Flooding:

The works with the exception of a small stormwater outfall are not located in the regional storm floodplain. The proposal will have no impact on the control of flooding.

#### 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:

The proposal was reviewed by TRCA's geotechnical and water resource engineers. The engineer is satisfied that the proposal will not have any impact on slope stability or long-term watercourse erosion. Temporary erosion controls have been provided per the Greater Golden Horseshoe Area Conservation Authorities, Erosion and Sediment Control Guideline for Urban Construction.

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### Conservation of Land:

Through the suite of compensation measures being secured through the compensation agreement, TRCA staff are satisfied that the function of the existing natural system on-site will be replicated and enhanced.

### *Plantings*

A comprehensive planting and enhancement strategy has been proposed and will be implemented for off-site enhancement proposed in the municipality. In addition, additional planting and edge-management will take place on site.

### Policy Guidelines:

This proposal with the ecosystem compensation is consistent with the intent of Section 8.4., General Regulation Policies, and Section 7.4., Compensation, of The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority.

**CFN: 51739 - Application #: 0814/14/PICK**

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**Date: January 29, 2020**