

Section IV – Ontario Regulation 166/06, As Amended

TO: Chair and Members of the Executive Committee
Meeting Date May 14, 2021

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

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 11.1 – 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

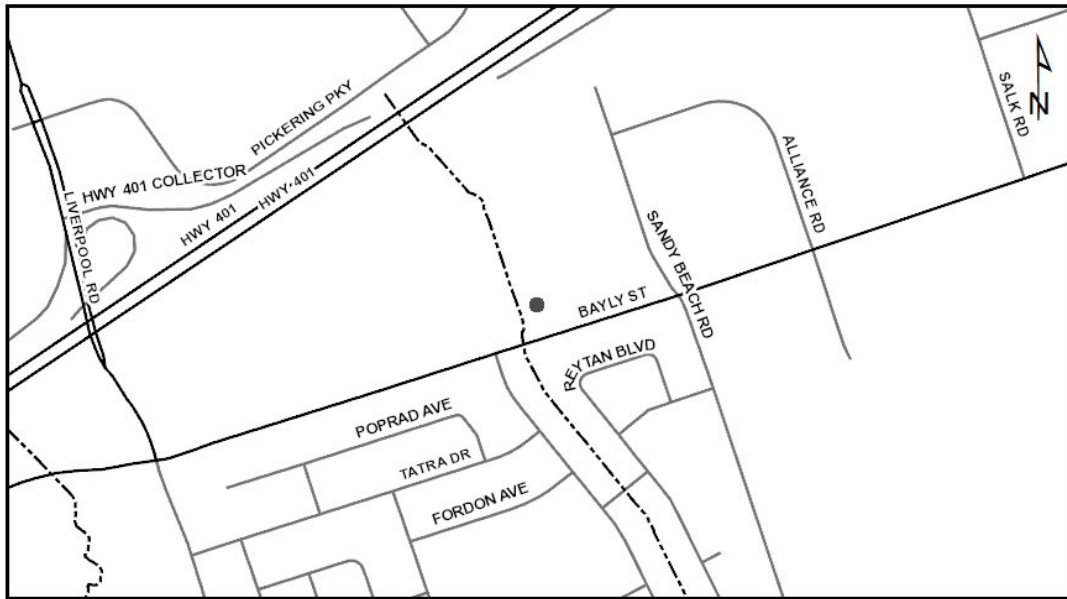
11.1 UNIQUE AT HOLDING CORPORATION; NAL-BAND HOLDINGS; GESTION NAL-BAND INC.; CITY OF PICKERING

To construct, reconstruct, erect or place a building or structure, site grade and temporarily or permanently place, dump or remove any material, originating on the site or elsewhere on Lot 21, Concession 1, (1458 Bayly Street, 1466 Bayly Street, 1470 Bayly Street, Krosno Creek Lands), in the City of Pickering, Frenchman's Bay Watershed as located on the property owned by Unique At Holding Corporation; Nal-Band Holdings; Gestion Nal-Band Inc.; City of Pickering. The purpose is to implement Phase 1 of the rehabilitation of a 250 m stretch of the east side of Krosno Creek slope and install associated sanitary and storm water infrastructure to facilitate the

Item 11.1

development of Universal City at 1458 Bayly Street, 1466 Bayly Street, 1470 Bayly Street, and the City-owned Krosno Creek Lands in the City of Pickering.

MAP LOCATION: 1458, 1466 & 1470 Bayly Street, Krosno Creek Lands



The permit will be issued for the period of May 14, 2021 to May 13, 2023 in accordance with the following documents and plans which form part of this permit:

- **Drawing GEO-1, Interim Channel Restoration Design Plan and Profile, prepared by Geomorphix, stamped by Paul V. Villard, P. Geo, Revision 2, revised April 8, 2021, received April 9, 2021;**
- **Drawing DET-1, Interim Channel Restoration Details, prepared by Geomorphix, stamped by Paul V. Villard, P. Geo, Revision 2, revised April 8, 2021, received April 9, 2021;**
- **Drawing DET-2, Interim Channel Restoration Details, prepared by Geomorphix, stamped by Paul V. Villard, P. Geo, Revision 2, revised April 8, 2021, received April 9, 2021;**
- **Drawing PESC-1, Phasing and Erosion and Sediment Control Planform and Details, prepared by Geomorphix, stamped by Paul V. Villard, P. Geo, Revision 2, revised April 8, 2021, received April 9, 2021;**
- **Drawing RES-1, Restoration Design Planting Plan, prepared by Geomorphix, stamped by Paul V. Villard, P. Geo, Revision 2, revised April 8, 2021, received April 9, 2021;**
- **Monitoring Plan Letter, prepared by Geomorphix, dated February 24, 2021, received March 1, 2021;**
- **Drawing ESC-1A, Erosion Sediment Control Plan for Interim Channel, prepared by Schaeffers Consulting Engineers, Revision 3, revised February 19, 2021, stamped by H. Sarkissian, P. Eng., on February 19, 2021, received April 9, 2021;**
- **Drawing ESC-2A, Erosion Sediment Control Details for Interim Channel, prepared by Schaeffers Consulting Engineers, Revision 2, revised December 8, 2020, stamped by H. Sarkissian, P. Eng., on December 8, 2020, received April 9, 2021;**

Item 11.1

- **Drawing INT-CH-1, Plan and Profile Proposed Interim Krosno Creek Channel, prepared by Schaeffers Consulting Engineers, Revision 2, revised December 8, 2020, stamped by H. Sarkissian, P. Eng., on December 8, 2020, received April 9, 2021;**
- **Drawing INT-CH-2, Proposed Interim Channel Sections, prepared by Schaeffers Consulting Engineers, Revision 2, revised December 8, 2020, stamped by H. Sarkissian, P. Eng., on December 8, 2020, received April 9, 2021;**
- **Drawing INT-CH-3, Proposed Interim Channel Sections, prepared by Schaeffers Consulting Engineers, Revision 2, revised December 8, 2020, stamped by H. Sarkissian, P. Eng., on December 8, 2020, received April 9, 2021.**

RATIONALE

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

Proposal:

The proposal is to implement Phase 1 of the rehabilitation of a 250 m stretch of the east side of Krosno Creek and install storm and sanitary pipes and manholes, storm outfalls and headwalls, stone core wetlands, and a new road cul-de-sac to facilitate the development of Universal City at 1458 Bayly Street, 1466 Bayly Street, 1470 Bayly Street, and the City-owned Krosno Creek Lands in the City of Pickering. Universal City is a multi-tower mixed use development in the City of Pickering's growth centre located east of the Pickering GO station, north of Bayly Street and south of Highway 401. Universal City is currently undergoing phased construction of several residential and commercial towers. The site included the former Art Thompson Arena and is partially located in the Regional Storm Floodplain and adjacent to the City-owned Krosno Creek corridor. The creek was channelized several decades ago and is unable to provide adequate floodplain storage. As a result of the rezoning of the subject sites, TRCA worked with the landowners, City of Pickering and Durham Region to establish a rehabilitated and naturalized creek corridor and buffer / setbacks to contain the floodplain within a widened and reconstructed creek corridor. This permit includes the Phase 1 "interim" works on the east bank of the creek corridor only and does not include work in the channel itself or the west side of the creek bank. Phase 2 which includes the creek channel and the west side of the corridor plus the remaining renaturalization planting will take place at a later date when lands under separate non-participating ownership to the west become available for development. Both phases have been secured by the City of Pickering under a development agreement.

Control of Flooding:

The subject sites are located partially in the Regional Storm Floodplain of Krosno Creek. The creek corridor will be widened in parts and narrowed elsewhere in order to contain the floodplain within the valley corridor. The applicant submitted a Flood Study and associated flood modelling which have demonstrated to staff satisfaction that there will be no impact on up or down stream flood storage or flows. The Region of Durham has confirmed that they are satisfied that the proposal will have no impact on the Bayly Street right-of-way.

Pollution:

Temporary sediment controls have been provided per the Greater Golden Horseshoe Area Conservation Authorities, Erosion and Sediment Control Guideline for Urban Construction. These include utilizing a temporary coffer dam and/or turbidity curtain and, if needed, a temporary pump, dewatering hose and filter bag discharge.

Dynamic Beaches:

Not applicable.

Item 11.1

Erosion:

Geotechnical slope stability and geomorphology reports have been reviewed to the satisfaction of TRCA technical staff. An enhanced monitoring plan is in place to ensure any potential future erosion can be addressed.

Conservation of Land:

Vegetation along the east bank of the creek will be removed and ultimately restored. The creek corridor will be expanded and the portion of the restored slope and buffer has been zoned for natural heritage purposes and will be transferred to the City of Pickering.

Plantings

Shrub beds and native seed mix will be installed on the restored slope.

Policy Guidelines:

This proposal complies with Section 8.5 Valley and Stream Corridors of The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority, including policies related to redevelopment and infrastructure.

CFN: 63682 - Application #: 1043/20/PICK

Report Prepared by: Steve Heuchert, extension 5311, email steve.heuchert@trca.ca

For information contact: Steve Heuchert, extension 5311, email steve.heuchert@trca.ca

Date: April 9, 2021