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**From:** Catherine Rose, MCIP, RPP  
Chief Planner

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**Subject:** Official Plan Amendment Application OPA 19-001/P  
Zoning By-law Amendment Application A 05/19  
Pickering Harbour Company Ltd.  
(505 and 591 Liverpool Road)

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## **1. Purpose of this Report**

The purpose of this report is to provide preliminary information regarding applications for Official Plan Amendment and Zoning By-law Amendment, submitted by the Pickering Harbour Company Ltd., to permit a high density mixed use condominium development. This report contains general information on the applicable Official Plan and other related policies, and identifies matters raised to date.

This report is intended to assist members of the public and other interested stakeholders to understand the proposal. The Planning & Development Committee will hear public delegations on the applications, ask questions of clarification, and identify any planning issues. This report is for information and no decision is being made at this time. Staff will bring forward a recommendation report for consideration by the Planning & Development Committee upon completion of a comprehensive evaluation of the proposal.

## **2. Property Location and Description**

The subject properties are located on the east side of Liverpool Road, south of Wharf Street within the Bay Ridges Neighbourhood (see Location Map, Attachment #1). The subject lands comprise two properties, municipally known as 505 and 591 Liverpool Road, having a combined area of approximately 2.42 hectares with approximately 134 metres of frontage along Liverpool Road.

The lands municipally known as 591 Liverpool Road are owned by Pickering Harbour Company Ltd., and are occupied by the Frenchman's Bay Marina office and boat storage yard. The lands municipally known as 505 Liverpool Road are owned by the City of Pickering, and are utilized as a public parking lot with approximately 72 parking spaces.

Surrounding land uses include (see Air Photo Map, Attachment #2):

**North:** Immediately north is the Region of Durham Pumping Station, and further north is the Nautical Village development consisting of live-work units fronting Liverpool Roads and associated parking area.

**East:** Immediately east is the Provincially Significant Frenchman's Bay Coastal Wetland Complex (also referred to as Hydro Marsh).

South: Hydro Marsh, Millennium Square at the foot of Liverpool Road, Beachfront Park and the Waterfront Trail, and beyond is Lake Ontario.

West: Across Liverpool Road is the Tenkey Marina (formerly known as the Frenchman's Bay Marina) and a restaurant, and north of the Marina is the Nautical Village development consisting townhouse dwellings and live-work units along Liverpool Road. Further east is Frenchman's Bay.

### 3. Applicant's Proposal and Vision

The Pickering Harbour Company Ltd. has submitted a proposal for the lands municipally known as 505 and 591 Liverpool Road. The lands located at 505 Liverpool Road are owned by the City of Pickering. The City of Pickering is not a co-applicant in these applications. In order to proceed with the proposal, the applicant would be required to purchase 505 Liverpool Road from the City of Pickering on terms acceptable to the City. The City has not yet made a decision on the proposal nor considered the sale of the lands.

The Pickering Harbour Company Ltd. is proposing a high density mixed use development on the subject lands. The proposal consists of two buildings having heights of 23 storeys and containing 498 apartment units (see Submitted Concept Plan, Attachment #3). Figure 1 below is a conceptual rendering of the proposal.



**Figure 1: Rendering of Proposal**

Grade related commercial uses are proposed within Buildings 1 and 2 along Liverpool Road, and along a 20 metre wide pedestrian promenade through the centre of the site. The promenade area is envisioned as a shared space for pedestrians, cyclists and a shopping area. Commercial uses are envisioned to serve the daily needs of the community, tourists, recreational and boating needs. Approximately 1,900 square metres of grade related commercial uses is being proposed within both buildings.

Two levels of underground parking and one level of above ground parking are proposed containing a total of 739 parking spaces for residents, visitors, commercial uses and 200 public parking spaces. See Attachment #5, Site Statistics, for a summary of the proposed parking ratios and total parking spaces provided for residents, visitors and commercial uses.

The submitted Transportation and Parking Study indicates that the primary vehicular access is proposed at the north end of the site accessed from a 6.5 metre wide private road off of Liverpool Road. The submitted Concept Plan illustrates a proposed secondary parking access from Liverpool Road to Building 2. An at grade vehicular connection through the promenade area is also proposed between Buildings 1 and 2.

To improve connectivity and alleviate congestion, the applicant has indicated that there may be an opportunity for a future road connection between Liverpool Road and Sandy Beach Road in the vicinity of the terminus of Liverpool Road.

The submitted Concept Landscape Plan on Attachment #4, illustrates a 20 metre wide public open space area adjacent to the Hydro Marsh, which will include a boardwalk, a playground, tiered seat walls, lounge seating area on sand with optional firepits, and enhanced landscaping.

As shown below on Figure 2, Building 1 has a podium height of 5 storeys with stepbacks along Liverpool Road at the 4<sup>th</sup> and 5<sup>th</sup> storeys with additional terracing between 7<sup>th</sup> and 11<sup>th</sup> storeys and a total building height of 23 storeys. Building 2 has a podium height of 4 storeys with stepsback at the 3<sup>rd</sup> storey with additional terracing between the 5<sup>th</sup> and 10<sup>th</sup> storeys and a total building height of 23 storeys.



**Figure 2: Proposed Building Heights**

The applicant has submitted an application for an Official Plan Amendment to re-designate the developable portion of the subject lands to “Mixed Use – Community Node” and the environmentally sensitive lands, including the vegetation protection buffer, to “Open Space System – Natural Areas”. The applicant proposes a site specific permissions for an increase in the residential density for the “Mixed Use - Community Node” from 140 units per net hectare to approximately 340 units per net hectare, and an increase in the maximum permitted Floor Space Index from 2.5 to 4.4. Also submitted is a Zoning By-law Amendment Application to rezone the subject lands to an appropriate mixed use zone category to facilitate the proposal.

The development will be subject to site plan approval.

### 3.1 Vision for Applicant’s Other Landholdings

In addition to the lands at 591 Liverpool Road, the Pickering Harbour Company Ltd. also owns approximately 80 hectares of land, including 600 Liverpool Road, lands under Frenchman’s Bay and part of Lake Ontario, and boat docking facilities in Frenchman’s Bay (see Applicant’s Landholdings Map, Attachment #6).

In 1853, 14 years before Canadian Confederation, an Act to incorporate the Pickering Harbour Company was deeded the water rights and ownership of the land under the water of Frenchman’s Bay and parts of Lake Ontario, entitling it to operate the harbour and to charge and collect tolls. The original charter remains in place to this day.

As part of the supporting information for the development applications, the Pickering Harbour Company Ltd. identified a broader vision for their landholdings. As shown on Figures 3 & 4 below, the Pickering Harbour Company Ltd. proposes a recreation and park opportunities for the City.



Figure 3: Pickering Waterpark Design Vision

The design vision includes creating a “Pickering Waterpark”, consisting a waterfront boardwalk connecting the east and west sides of Frenchman’s Bay. The design vision includes elements such as: community gardens, outdoor gym, swimming pool in open natural and enclosed settings, washrooms, spaces for non-motorized watercrafts, places to slide, sit, jump, walk and bike. The waterpark design vision is not included in the subject development applications.



Figure 4: Waterpark Design Concept

## 4. Policy Framework

### 4.1 Durham Regional Official Plan

The subject lands are designated “Greenlands System – Waterfront Areas” in the Durham Regional Official Plan and Frenchman’s Bay is identified as a “Waterfront Place”.

Lands within the “Waterfront Areas” designation shall generally be developed as “people places”. To the north, lands are designated “Living Areas”. Lands within the “Living Areas” designation are predominantly for housing purposes and incorporate a variety of housing types, sizes and tenure. Living Areas shall be developed in a compact form through higher densities, especially along arterial roads by intensifying and redeveloping in existing areas, provided that it complies with the provisions of the area municipal official plan and zoning by-law. The boundary between “Waterfront Areas” and “Living Areas” are approximate and shall be identified in the area municipal plans and zoning by-law.

The “Waterfront Places – Frenchman’s Bay” designation requires waterfront areas within the vicinity of Frenchman’s Bay to be developed as focal points along the Lake Ontario waterfront having a mix of uses, which may include residential, commercial, marina, recreational, tourist, and cultural and community facilities. The scale of development shall be based on and reflect the characteristics of each Waterfront Place. The boundaries and land uses of Waterfront Places are to be defined in local official plans. Where appropriate, Waterfront Places shall be planned to support an overall, long-term density target of at least 60 residential units per gross hectare and a floor space index of 2.0. The built form should vary, and be developed in a manner that is sensitive to the interface with the natural environment, as detailed in area municipal official plans.

### 4.2 Pickering Official Plan

The lands municipally known as 591 Liverpool Road are designated “Open Space System – Natural Areas” and “Open Space System – Marina Areas”, and the lands municipally known as 505 Liverpool Road are designated “Open Space System – Natural Areas” within the Bay Ridges Neighbourhood.

The “Open Space System – Marina Areas” designation provides for marinas, yacht clubs, marina supportive uses such as restaurants, limited retail sales, limited residential uses in conjunction with marinas and yacht clubs, and aquaculture, in addition to conservation, environmental protection and agriculture uses. The “Open Space System – Natural Areas” designation provides for conservation, environmental protection, restoration, education, passive recreation, and similar uses.

As noted above, the easterly and westerly portions of the subject lands abut the Hydro Marsh, which is a provincially significant wetland complex. An Environmental Impact Study is required for any proposed development within 120 metres of a key natural heritage or key hydrologic feature. The purpose of the Study is to identify and evaluate the natural heritage features and hydrologic feature, determine the minimum required vegetation protection zones (VPZ), and determine the site’s development limits to prevent potential negative impacts from the proposed development on the natural heritage features. The Official Plan requires a minimum 30 metre wide VPZ abutting wetlands. The VPZ could be reduced where the conservation authority determines it to be appropriate and where it can be demonstrated that there is no increase in risk to life or property; no impact to the control of flooding, erosion, dynamic beach or pollution; and where a net environmental benefit can be established on the property.

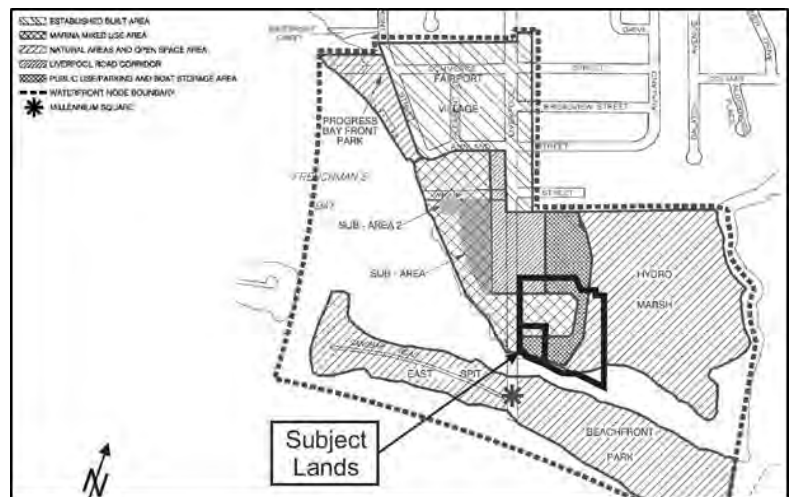
The subject lands are also within the Bay Ridges Neighbourhood and the Liverpool Road Waterfront Node area in the southern part of the neighbourhood. The Official Plan policies for this Node restrict permitted uses to non-residential uses that promote the Waterfront Node as a boating, tourism and recreation area.

The Liverpool Road Waterfront Node is described as an area that exhibits an unique mix of built and natural attributes. Building form and public spaces within the Waterfront Node are to be of high quality design with a nautical theme as detailed in the Liverpool Road Waterfront Node Development Guidelines.

The applicant’s proposal will be reviewed in detail for conformity with the policy provisions of the City’s Official Plan.

### 4.3 Liverpool Road Waterfront Node Development Guidelines

The Council adopted Liverpool Road Waterfront Node Development Guidelines designates the subject lands as Marina Mixed Use Area, Natural Areas and Open Space Area, Liverpool Road Corridor and Public Use Parking and Boat Storage Area as shown on Figure 5.



**Figure 5: Liverpool Road Waterfront Node Development Guidelines**

The centre of the subject lands are shown as Marina Mixed Use Area and are intended to develop in a manner that creates a high quality built form that is sensitive to views of the water, provides a critical link for visual and physical public accessibility to the waterfront where appropriate, has an attractive pedestrian scale, and builds upon existing neighbourhood patterns.

The easterly limits of the subject lands are shown as Natural Areas and Open Space Area, which includes the Hydro Marsh lands. The Hydro Marsh is an environmentally sensitive wetland in which development is not permitted.

The northwest corner of the lands are shown as Liverpool Road Corridor. Development along Liverpool Road is intended to achieve a high level of design and architectural quality, featuring a vibrant pedestrian environment. This area represents the tourism and service commercial uses that complement the marina, recreation and waterfront trail uses within the Waterfront Node. Residential uses within the Liverpool Road Corridor will be permitted provided that a significant public benefit is provided.

The remaining lands are shown as Public Use Parking and Boat Storage Area. This area includes the City’s parking lot and lands east of the City’s parking lot which includes boat storage.

The Guidelines set out detailed development standards and policies addressing the protection of views and vistas, maintenance of existing road network, opportunities for additional off-road trail connections, continuance of street and block patterns, provision of pedestrian friendly built form, creative parking strategies, compliance with relevant environmental management policies, and stormwater best management practices.

The applicant’s proposal will be reviewed in detail for compliance with the requirements of the Liverpool Road Waterfront Node Development Guidelines.

#### 4.4 Zoning By-law 2520

The subject lands are zoned “(H)O3B-2”, “OS-HL-5” and “M4” within Zoning By-law 2520.

The “(H)O3B-2” Zone permits marinas support uses including boat storage, temporary structures related to marina uses and a business office in the existing structure. The subject lands are subject to an “H” Holding provision. The Holding provision prevents any new development on the lands until the owner has executed a Site Plan and Development agreement to the satisfaction of the City and a servicing agreement with the Region of Durham.

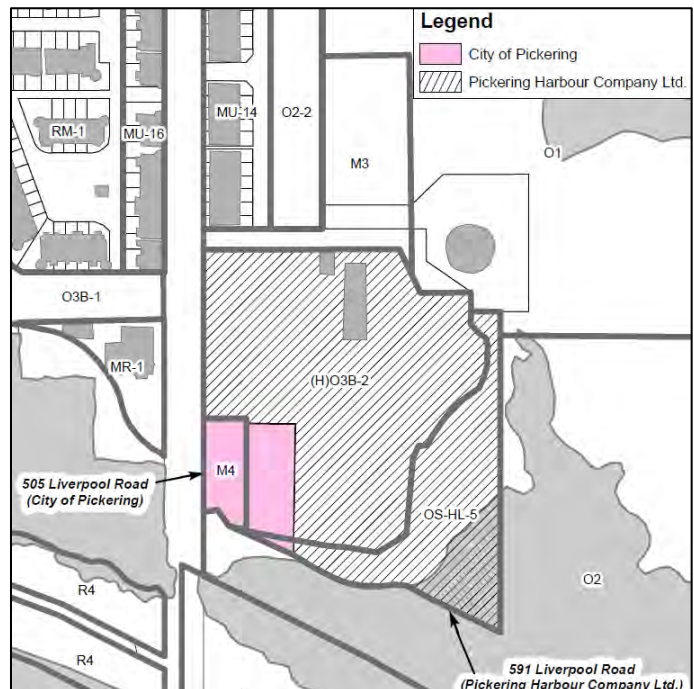


Figure 6: Current Zoning

The “OS-HL-5” Zone permits the preservation and conservation of the natural environment, soil and wildlife and resource management. The lands owned by the City of Pickering are zoned “(H)03B-2” and “M4” permits aquaculture facility.

The applicant has requested that the subject properties be rezoned to an appropriate mixed use zone to permit the proposed mixed use condominium building.

## **5. Comments Received**

### **5.1 Public comments from public open house meeting and written submissions**

On October 17, 2019, a Public Open House meeting was hosted by the City Development Department to inform area residents about the development proposal. Approximately 250 persons attended the Open House meeting. The City advertised the meeting by posting the notice on the City’s social media pages, a Sign was posted on the lands and ads were in the Pickering News Advertiser. In addition, a notice was distributed to the residents of Bay Ridges and to individuals who provided comment. The following is a list of key concerns that were verbally expressed by area residents at the meeting and written submissions received from approximately 150 residents:

#### **5.1.1 Use of the properties**

- commented that the proposal is not appropriate for the waterfront and is not in keeping with the character of the Nautical Village
- commented that the City should not sell the surface parking lot for a residential development
- commented that the proposal would eliminate the boat storage facility
- commented that the proposal is not the best use of the subject lands
- commented that the proposal is not consistent with the Provincial Policy Statement, does not conform to the Growth Plan and does not adequately consider the Liverpool Road Waterfront Node Development Guidelines

#### **5.1.2 Traffic and Parking**

- concerned that there is insufficient capacity on the existing road network to accommodate the development and that will lead to more congestion
- commented that the traffic impact study submitted in support of the applications should include data from the summer months (particularly during weekend events)
- concerned that the proposal will result in an increase in traffic congestion particularly during the summer months
- commented that there are existing problems with available parking and this development would further exacerbate these issues
- commented that the area is not well served by public transit to be a real transportation alternative
- commented that the proposal provides insufficient resident parking and each unit will require parking for two or more vehicles



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### 5.1.3 Environmental Impacts

- concerned that the proposal will worsen the significant flooding experienced in the area
- concerned that the proposal will have adverse environmental and ecological impacts
- concerned that the proposal will have adverse impacts on migrating birds
- concerned that the proposal will result into run off into Frenchman's Bay

### 5.1.4 Height, Massing and Scale

- concerned that the proposed buildings are too tall, out of scale, and do not fit into the surroundings neighbourhood
- concerned that the proposed height will have shadow impacts on the nautical village townhouse units
- concerned that the density proposed is out of character and far higher than the density in the surrounding neighbourhood and more appropriately located near the GO station

### 5.1.5 Waterfront and Frenchman's Bay

- concerned that the proposal will have negative impacts on the waterfront including the loss of lake views and the loss of access to the waterfront
- commented that the waterfront should be preserved for parkland for all residents to enjoy
- concerned that the proposal will contribute to the declining support of recreational boating in the area
- commented that the "waterpark" design vision for Frenchman's Bay is not desirable or appropriate

### 5.1.6 Pickering Nuclear Generating Station

- concerned that additional residents will increase the delay for emergency evacuation of the area
- concerned with the City's interest in obtaining a minor variance to the Pickering Nuclear Generating Station Exclusion Zone to allow for the subject proposal and not consulting with area residents

### 5.1.7 Other Comments

- concerned that this proposal may be the catalyst for similar developments in the area
- concerned that the quality of life for existing surrounding residents will be impacted

### 5.1.8 Infill and Replacement Housing Survey

For Phase 2 of the City's Infill and Replacement Housing Study, an online survey was made available to the public. Question 24 asked respondents to comment on what was important to them for the future of the Liverpool Waterfront Node. The result of this survey question is summarized in Attachment #7 to this report.

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## **5.2 Agency Comments**

### **5.2.1 Region of Durham**

The following is a summary of key comments from the Region of Durham (see Region of Durham letter dated October 28, 2019, Attachment #8):

- the proposed development generally conforms with the waterfront policies of the Region of Durham Official Plan; and the Official Plan Amendment application is exempt from Regional Approval
- notwithstanding conformity with the Region of Durham Official Plan, the amendment may be premature in the absence of support from Ontario Power Generation (OPG) given that the subject lands are located within the exclusion zone associated with the Pickering Nuclear Generating Station and permanent dwellings are not permitted within the exclusion zone
- the Traffic Impact Study (TIS) has been reviewed and there are several technical areas of the report that are not compliant with the Region's TIS Guidelines; in response to comments, the applicant has submitted a revised TIS which is currently under review
- the TIS suggests that a bus route along Liverpool Road to Annland Street is available to serve the proposed development; however, this route is no longer in service. The current bus route along Liverpool Road travels along Krosno Boulevard, which is located more than one kilometre from the subject lands
- given the level of intensification that is anticipated with this proposal and an increase in transit demand in the area that is currently not available, DRT is open to collaboration with the applicant to provide solutions to service the area and recommends further discussion
- the preliminary site plan does not provide a sufficient turning radius should transit be implemented to service the southern portion of Liverpool Road
- it is recommended that options be considered in order to allow adequate bus turning radius within the southern portion of Liverpool Road
- as a change to a more sensitive land use is being proposed, the Region will require a Record of Site Condition to the Region's satisfaction
- although sanitary and water services are available, the unit breakdown is not known at this time; the Region is unable to determine the population of this proposed development and determine if there is adequate capacity available in the existing sanitary sewer system
- a waste management plan is required at a future development application stage
- the Region requires the registration of the archaeological assessment with the Ministry of Tourism, Culture and Sport, and copy of the Ministry's clearance letter

### **5.2.2 Toronto and Region Conservation Authority (TRCA)**

The following is a summary of key comments from the TRCA (see TRCA letter dated August 26, 2019 & Baird Letter dated November 6, 2019, Attachments #9 & #10):

- the subject lands are within the TRCA Regulated Area of the Krosno Creek Watershed and Lake Ontario Shoreline, and a permit is required from the TRCA prior to any development taking place within the Regulated Area limits

- the Regulated Area limits are defined as 30 metres inland from the provincially significant wetland and 10 metres from the Shoreline Hazard or Flood Hazard
- TRCA's policy document, the Living City Policies (LCP) for Planning and Development in the Watersheds of the TRCA apply to this application
- a 30 metre naturalized buffer is not provided from the limits of the Provincially Significant Frenchman's Bay Coastal Wetland Complex; it is recommended that the proposed development layout be adjusted to allow for a continuous 30 metre buffer or to increase the buffer area to the equivalent of 30 metres, with some minor reductions in one area and an increase in others
- the applicant's coastal engineer has submitted a letter of opinion regarding the potential for a shoreline hazard to exist on the subject site. TRCA's coastal engineer (see Attachment #10) has reviewed this letter and recommends a full coastal hazard study be submitted for their review as there are concerns with the ability of the eroding sand spit to adequately protect the subject site from long term coastal erosion. Further discussions are taking place between TRCA and the applicant
- the proposed public recreation benefits including public access along the east and south portion of the site, and a new "waterpark" design vision for Frenchman's Bay require a meeting with the TRCA to discuss the vision for these recreation uses and how they relate to the application

### 5.2.3 Ontario Power Generation (OPG)

The following is a summary of key comments from OPG (see OPG letter dated November 19, 2019, Attachment #11):

- OPG owns and operates the Pickering Nuclear Generating Station (PNGS), a six-unit station which is located less than a kilometre from the subject lands
- the PNGS has a restrictive zone measuring 914 metres (3,000 feet) from the exterior face of any reactor building that precludes permanent dwellings from locating in this area for public health and safety reasons
- this restrictive zone is referred to as the "exclusion zone" (see map attached to OPG letter, Attachment #11)
- the proposed development is located within the "exclusion zone" and OPG advises that the applications do not adequately address the issue of siting residential uses inside the zone and do not sufficiently address the protection of public health and safety in the vicinity, including the land use compatibility policy set out in the Provincial Policy Statement (PPS)
- in August 2018, the Canadian Nuclear Safety Commission (CNSC) renewed the operating license for PNGS until 2028, after which decommissioning activities will take place
- the PNGS is anticipated to continue commercial operations until at least 2024
- at this time, OPG does not have enough information available to confirm that the "exclusion zone" may be amended when units 1 and 4 cease commercial operations
- any change to the "exclusion zone" will require a safety analysis and licensing safety case to be presented to the CNSC for comment and direction

### 5.2.4 Durham District School Board

- Comments have not been received at the time of writing this report.

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### **5.2.5 Durham Catholic District School Board (DCDSB)**

The following is summary of key comments from the DCDSB (see DCDSB letter dated December 2, 2019, Attachment #12):

- no objections to the proposed development
- students from this development will attend Father Fenelon Catholic Elementary School and St. Mary Catholic Secondary School

### **5.3 City Departments Comments**

#### **5.3.1 Engineering Services**

The following is a summary of key comments from Engineering Services (see Engineering Services memo dated October 17, 2019, Attachment #13):

- the City of Pickering has retained Paradigm Transportation Solutions Limited to peer review the Transportation Impact Study, including the Parking Justification
- the Provincially Significant Wetland (PSW) buffer limits must be confirmed with the TRCA to determine the feasibility of the location of the proposed boardwalk and other landscape amenities within the buffer area
- the accuracy of the edge of water and PSW limits must be confirmed for the high water conditions, given the extreme high lake water levels that have been experienced since 2017 and again in 2019, and the possibility of this event becoming a regular occurrence
- further information is required regarding the opportunity for a future road connection between Liverpool Road and Sandy Beach Road, in the vicinity of the terminus of Liverpool Road, in order to improve connectivity
- should the application be approved, the applicant shall satisfy the City, through the site plan application review stage, respecting the submission of appropriate engineering drawings that detail, among other things, municipal service connection, sidewalks, lot grading, fencing and tree planting, and financially secure such works

### **6. Planning & Design Section Comments**

The following is a summary of key concerns/issues or matters of importance raised to date. These matters, and other identified through the circulation and detailed review of the proposal, are required to be addressed by the applicant prior to a final recommendation report to Planning & Development Committee:

#### **6.1 Land Use**

- assess the appropriateness of introducing a high density mixed-use development at the south end of Liverpool Road that is at least six times greater than the existing Nautical Village development, whereas the City's intensification strategy has been to direct high-density residential along transit corridors and the City Centre
- assess the proposal against the Provincial Policy Statement (PPS), the Growth Plan, and the Region of Durham Official Plan
- assess whether the proposed 200 public parking spaces and boardwalk constitutes as a significant public benefit

- assess the Planning Rationale submitted in support of the applications against the intent of the policies of the City's Official Plan, Bay Ridges Neighbourhood policies and Liverpool Road Waterfront Node Development Guidelines

#### **6.1.1 Height, Massing, Scale and Design**

- assess whether the proposed building height, massing and scale of development is in keeping with the character of the established surrounding neighbourhood and the Nautical theme of the area
- assess the transition and contextual fit into the neighbourhood
- assess impacts related to shadowing, privacy and sky view
- ensure the preservation and enhancement of views and vistas towards Frenchman's Bay, Hydro Marsh and Lake Ontario
- assess the appropriateness, location and design of the boardwalk given that it does not connect to other trails etc.
- assess the appropriateness of retail uses located within the pedestrian promenade
- assess the function of the pedestrian promenade

#### **6.1.2 Traffic and Parking Impacts**

- assess whether the proposal will result in any significant traffic impacts and/or operation issues on Liverpool Road, Bayly Street, and others roads within the neighbourhood
- ensure sufficient resident and visitor parking is provided to support the proposal
- ensure sufficient commercial parking is provided to support the proposed commercial uses
- assess whether the public parking spaces proposed are a sufficient number to serve the visitors of the area
- assess the public transit options proposed by the applicant
- review the loss of the current ability of vehicles to turn around at the end of Liverpool Road by going through the City's parking lot
- review and assess the opportunity for an appropriate bus turning radius within the southern portion of Liverpool Road
- require further information regarding the opportunity for a future road connection between Liverpool Road and Sandy Beach Road, and assess the potential advantages, and financial and environmental impacts of such a connection

#### **6.1.3 Environmental**

- ensure that there is an appropriate continuous vegetation buffer between the Provincially Significant Frenchman's Bay Coastal Wetland Complex and the proposed development
- assess the reduction in width of the vegetation buffer from 30 metres to 20 metres, and assess the function of the buffer with a boardwalk and other amenities, as opposed to being naturalized
- examine extreme high lake water levels that have been experienced since 2017 and again in 2019 and the possibility of this event becoming a regular occurrence
- assess whether the subsurface soil can support the design and construction of the proposal without any negative impacts to the provincially significant wetlands

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- ensure dewatering of the site will not impact the provincially significant wetlands
  - ensure conveyance of provincially significant wetlands and required vegetation protection buffer to public ownership

#### **6.1.4 Pickering Nuclear Generating Station**

- assess whether it is in the public's interest to consider any residential proposal on the subject lands in advance of a possible amendment to the exclusion zone given that commercial operations are planned to cease at the Pickering Nuclear Generating Station

#### **6.1.5 Other significant matters to be addressed by the applicant**

- assess the impact of the proposal on the future of marina activities in the area
- assess the appropriateness of the applicant's proposed vision for recreation and park opportunities on the applicant's other landholdings
- ensure that the required technical submissions and reports meet City standards

Further issues may be identified following receipt and review of comments from the circulated departments, agencies and the public. The City Development Department will conclude its position on the application after it has received and assessed comments from the circulated departments, agencies and the public.

### **7. Information Received**

Copies of the plans and studies listed below are available for online viewing at [pickering.ca/devapp](http://pickering.ca/devapp) or in person at the offices of the City of Pickering, City Development Department:

- Planning & Urban Design Rationale Report, prepared by The Biglieri Group Ltd., dated April 2019
- Draft Concept Plan, prepared by The Biglieri Group Ltd., dated April 9, 2019
- Traffic Impact Study, prepared by HDR Corporation, updated November 2019
- Shadow Study, prepared by The Biglieri Group Ltd., dated April 2019
- Wind Study, prepared by RWDI, dated March 26, 2019
- Stage 1 and 2 Archaeological Assessment, prepared by AECOM, dated July 24, 2017
- Functional Servicing Report/Site Servicing Study, prepared by SKA Engineering, dated March 26, 2019
- Environmental Impact Study/Natural Heritage Evaluation, prepared by Beacon Environmental, dated March 2019
- Bird Strike Recommendations, prepared by Beacon Environmental, dated April 9, 2019
- Hydrogeological and Water Budget Study, prepared by Golder and Associates, dated January 31, 2019
- Phase I & II Environmental Site Assessment, prepared by Haddad Geotechnical, dated March 17, 2017 and May 11, 2017
- Environmental Noise Feasibility, prepared by Valcoustics Canada Ltd., dated March 27, 2019
- Land Use Compatibility Study, prepared by The Biglieri Group Ltd., dated April 5, 2019

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- Nuclear Emergency Evacuation Plan, prepared by HDR Corporation, dated April 8, 2019
  - Geotechnical/Slope Stability/Shoreline Hazard Study, prepared by Haddad Geotechnical, dated February 5, 2019
  - Arborist Report, prepared by D.A.W. Treecare, dated April 2, 2019
  - Topographic Survey, prepared by J.D. Barnes, dated May 2, 2017
  - Landscape Master Plan Vision, prepared by MSLA, dated April 8, 2019
  - Public Consultation Strategy, prepared by The Biglieri Group Ltd, dated April 2019

## **8. General**

- written comments regarding this proposal should be directed to the City Development Department
- oral comments may be made at the Public Information Meeting
- all comments received will be noted and used as input to a Planning Report prepared by the City Development Department for a subsequent meeting of Council or a Committee of Council
- any member of the public who wishes to reserve the option to appeal Council's decision must provide comments to the City before Council adopts any by-law for this proposal
- any member of the public who wishes to be notified of Council's decision regarding this proposal must request such in writing to the City Clerk

## **9. Applicant Information**

The applicant is the Pickering Harbour Company Ltd. represented by The Biglieri Group Ltd.

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## **Attachments**

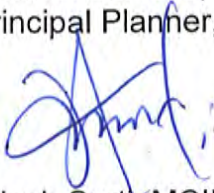
1. Location Map
  2. Aerial Photo Map
  3. Submitted Concept Plan
  4. Submitted Concept Landscape Plan
  5. Site Statistics
  6. Applicant's Landholdings Map
  7. Infill and Replacement Housing in Established Neighbourhood Study – Liverpool Road Waterfront Node
  8. Region of Durham Comment Letter, dated October 28, 2019
  9. Toronto and Region Conservation Authority Comment Letter, dated August 26, 2019
  10. Baird Comment Letter, dated November 6, 2019
  11. Ontario Power Generation Comment Letter, dated November 19, 2019
  12. Durham Catholic District School Board Comment Letter, dated September 2, 2019
  13. Engineering Services Comment Memo, dated October 17, 2019
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**Prepared By:**




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**Approved/Endorsed By:**

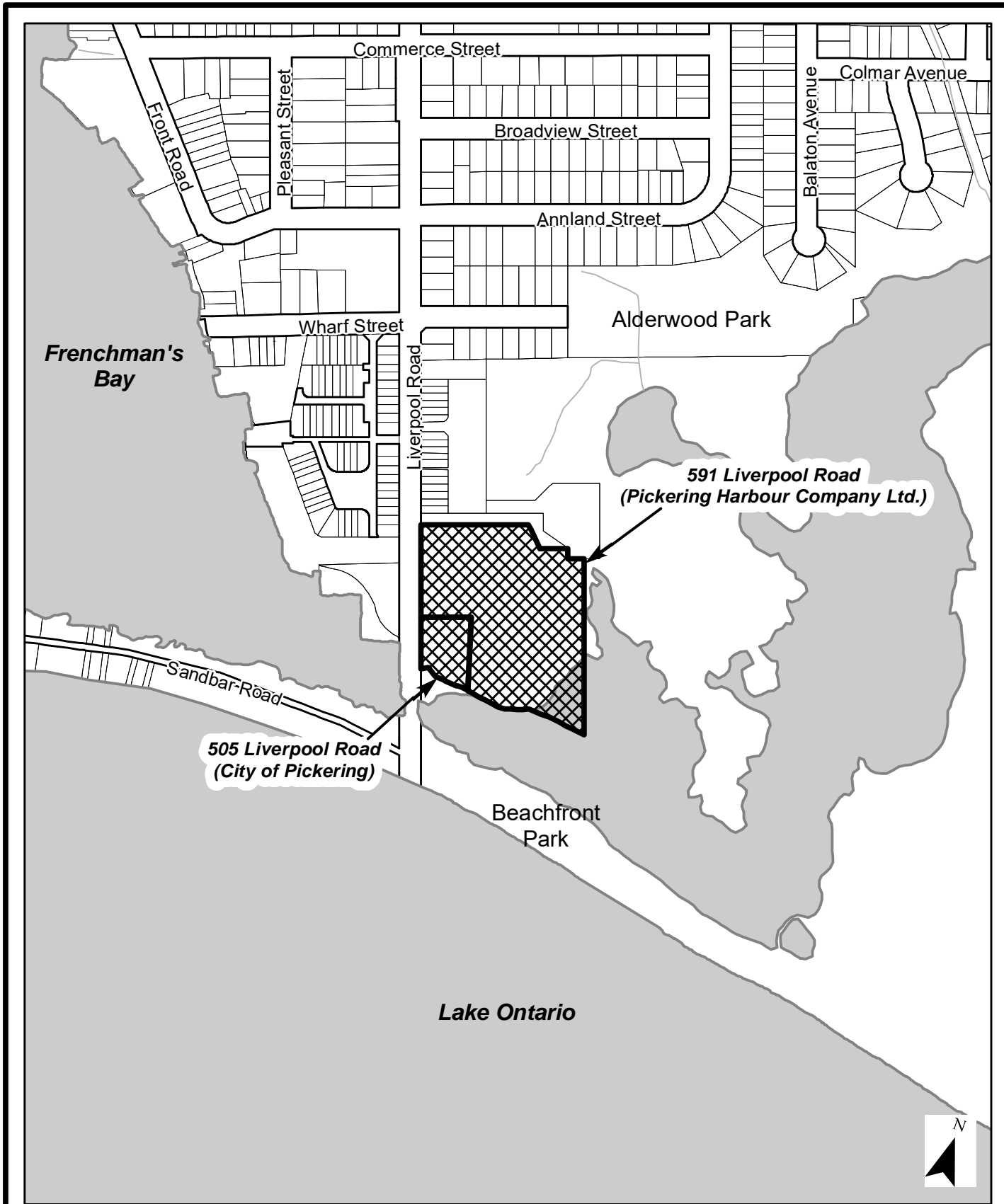


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Date of Report: January 16, 2020





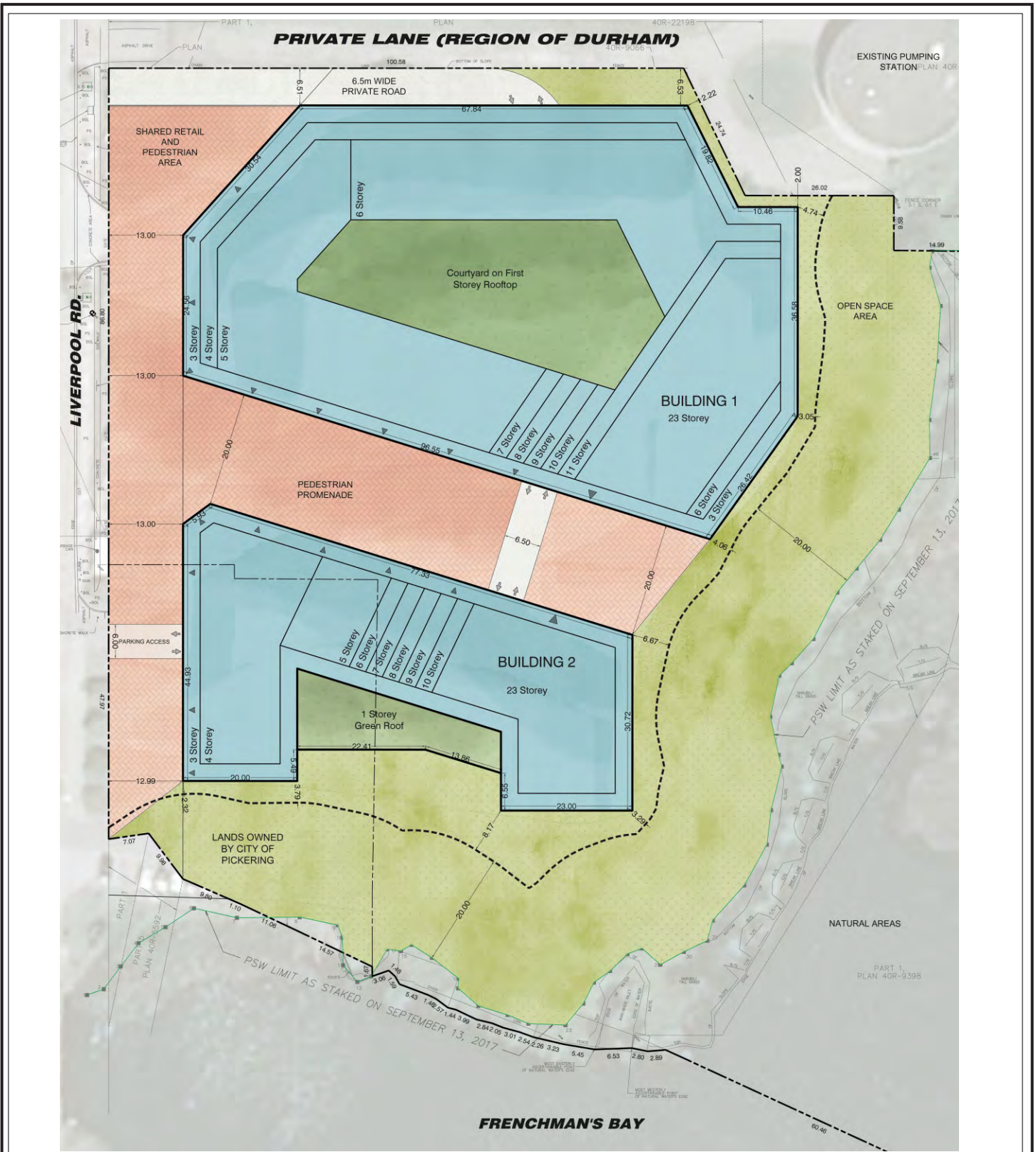
  
**PICKERING**  
 City Development  
 Department

<b>Location Map</b>	
<b>File:</b> OPA 19-001/P and A 05/19	
<b>Applicant:</b> Pickering Harbour Company Ltd.	
<b>Property Description:</b> Part of Lot 22, Range 3	
<b>(505 &amp; 591 Liverpool Road)</b>	
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<small>SCALE: 1:5,000</small>	<small>THIS IS NOT A PLAN OF SURVEY.</small>



  
**PICKERING**  
 City Development  
 Department

<b>Air Photo Map</b>	
<b>File:</b> OPA 19-001/P and A 05/19	
<b>Applicant:</b> Pickering Harbour Company Ltd.	
<b>Property Description:</b> Part of Lot 22, Range 3	
<b>(505 &amp; 591 Liverpool Road)</b>	
<b>Date:</b> Dec. 13, 2019	<b>SCALE:</b> 1:5,000
THIS IS NOT A PLAN OF SURVEY.	



City of  
**PICKERING**  
City Development  
Department

**Submitted Concept Plan**

**File No:** OPA 19-001/P and A 05/19

**Applicant:** Pickering Harbour Company Ltd.

**Property Description:** Part of Lot 22, Range 3  
(505 & 591 Liverpool Road)

FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.

**DATE:** Dec 12, 2019



City of  
**PICKERING**  
City Development  
Department

**Submitted Concept Landscape Plan**

**File No:** OPA 19-001/P and A 05/19

**Applicant:** Pickering Harbour Company Ltd.

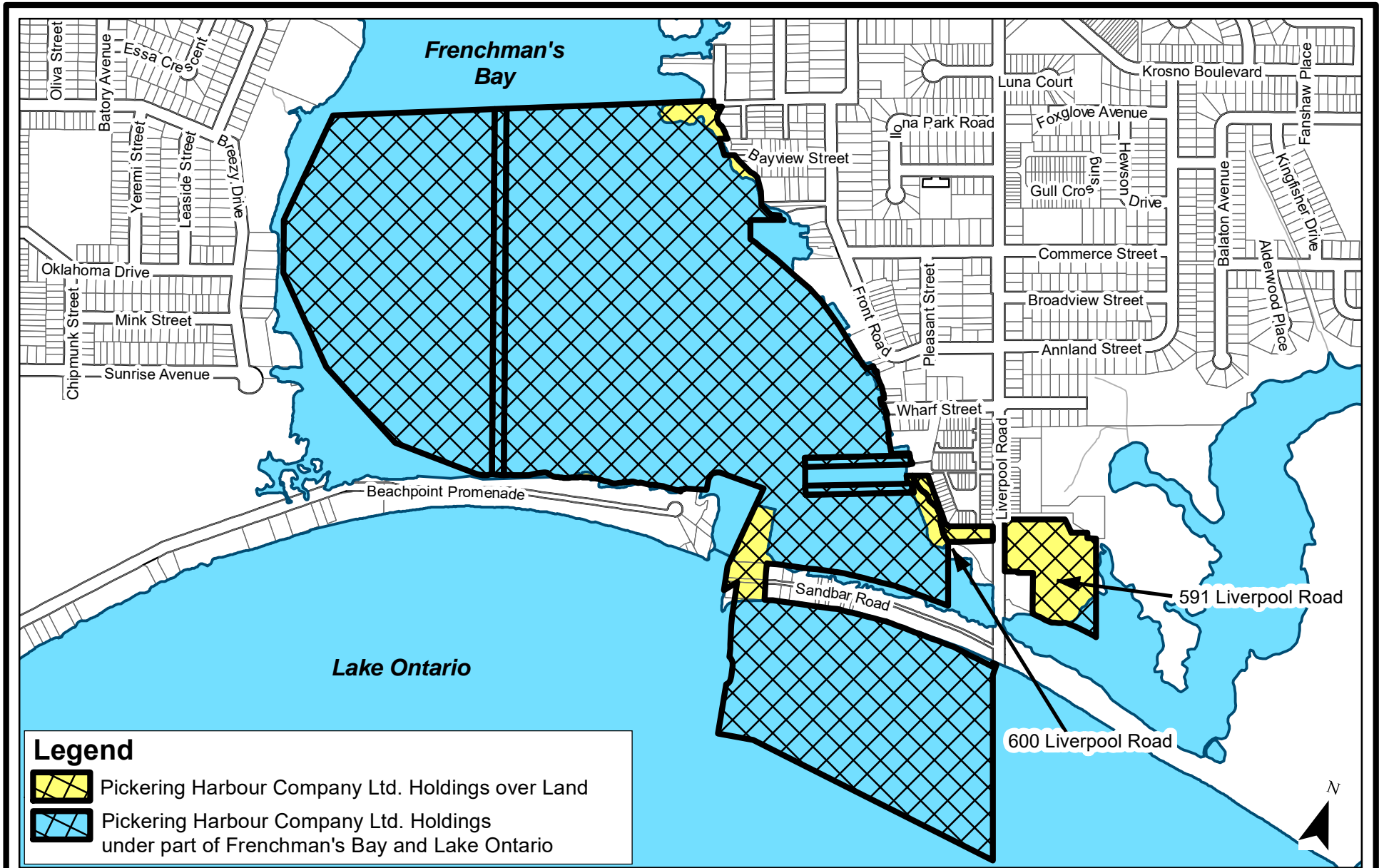
**Property Description:** Part of Lot 22, B.F.C. Range 3  
(505 & 591 Liverpool Road)

FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING CITY DEVELOPMENT DEPARTMENT.

**DATE:** Dec 12, 2019

### Site Statistics

<b>Total Area</b>	2.42 hectares
<b>Total Net Developable Area</b>	1.46 hectares
<b>Density</b>	340 units per net hectare
<b>Total Number of Units</b>	Building 1 – 309 units Building 2 – 189 units Total: 498 units
<b>Residential Gross Floor Area</b>	Building 1 – 35,163 square metres Building 2 – 21,138 square metres
<b>Floor Space Index</b>	4.4 FSI
<b>Number of Storeys &amp; Building Height</b>	23 storeys 70.5 metres
<b>Unit Types</b>	Mix of Bachelor, 1 bedroom, 2 bedroom and 3 bedroom
<b>Commercial Gross Floor Area</b>	Building 1 – 1,000 square metres Building 2 – 900 square metres
<b>Commercial Parking Ratio</b>	3 spaces per 100 square metres of gross floor area: 66 spaces
<b>Residential Parking Ratio</b>	0.95 spaces per residential unit: 473 spaces Breakdown: 0.8 spaces per unit: 398 resident spaces 0.15 spaces per unit: 75 visitor spaces
<b>Public Parking</b>	200 spaces
<b>Total Parking</b>	739 spaces
<b>Outdoor Private Amenity Area</b>	Building 1 – Outdoor Courtyard: 1,258 square metres Building 2 – Green Roof: 335 square metres



<p><b>PICKERING</b> City Development Department</p>	<b>Applicant's Landholdings Map</b>	
	<b>File:</b> OPA 19-001/P and A 05/19	
	<b>Applicant:</b> Pickering Harbour Company Ltd.	
	<b>Property Description:</b> Part of Lot 22, B.F.C. Range 3 (505 & 591 Liverpool Road)	
		<b>Date:</b> Jan. 16, 2020
		<b>SCALE:</b> 1:9,000 THIS IS NOT A PLAN OF SURVEY.

## LIVERPOOL ROAD WATERFRONT NODE

The Liverpool Road Waterfront Node is located at the southern tip of the Bay Ridges Neighbourhood. The infill and Replacement Housing in Established Neighbourhoods Study does not include a Visioning Exercise for the area.

### Question 24

Participants were asked if they wanted to comment on what is important to them for the future of the Liverpool Road Waterfront Node.

The following provides a summary of responses received. Overall, respondents noted a desire for the future of the area to be connected to the natural environment, filled with walking trails, an updated boardwalk, and protected waterfront views for residents and visitors. A desire for the area to be protected as a park to support tourism was also noted. With respect to new development, respondents indicated a desire for low-rise buildings no higher than 3 storeys with higher buildings being built further north.

- There should be no more development on Liverpool Road South
- **Traffic, drainage, watershed issues, impact on the view and impact on the environment**
- **Low density housing**
- **Maintain waterfront access and views**
- **Emergency access and evacuation routes**
- **Provide more parking**
- **Preserve the wetland and area's ecology**
- **More Parks and increased naturalized spaces**
- **Improve walking trails and add new ones**
- Enhance native trees and plants
- Entire area should be protected.
- **Maintain the character of the area**
- No more development
- **Capacity of city services to handle influx of people**
- No roads through the marsh.
- Bylaw against BBQ in the area, no smoking/vaping. More kids/families at the waterfront.
- Waterfront is safe for bikes and pedestrians
- Infill with appropriate height (not towers) - not the downtown look
- **Accessibility is important**, new rentals should be accessible
- **Pedestrian friendly with lots of parking**

- Encourage local businesses such as Grandpa's Ice-cream.
- Side streets don't have sidewalks, can't handle fast cars trying to avoid traffic on main streets
- High rise buildings should be north of the 401. Smaller affordable housing should be in this area
- **Keep characteristic of Nautical Village**
- Wharf Street should not extend to Sandy Beach – it will result in increased traffic on Sandy Beach
- Development should be focused in the Highway 7 corridor with high rises there instead.
- Traffic should not increase in case of a nuclear emergency. Liverpool Road is the only direct access in and out of the waterfront area. We saw this occur in the summer of 2019 when emergency response time was delayed to rescue swimmers in distress, resulting in the death of a young mother.
- Concern that condos will cause crime
- Sections of Whites Road and Liverpool should have sidewalks along Highway 2, there has been a promise to have sidewalks there for over 30 years
- **Develop the area into a true touristic destination for visitors and residents. Should be the pride of Pickering.**
- **No buildings taller than 3 storeys**
- No condos at the bottom of Liverpool road and no buildings south of Bayly taller than 3 storeys.
- Cape Cod style housing would look great
- Roadways and access to the area should be improved before adding any housing density – traffic is already bad
- This area is already the backyard for Pickering on a sunny day, the City's desire for redevelopment in this area needs to consider the lack of infrastructure and the current use of the parkland.
- Made into a completely commercial area to provide citizens with a view of the lake and provide attractions and views of the lake
- Improved beach area, marine gas station
- Waterfront should be developed as a promenade including parks/beaches, restaurants, bars and water sports like kayaking, canoeing and jet skiing
- One exception that could allow for a 10-storey building is if it were so attractive and green that it became an attraction in itself. If a condo is erected it should be LEED Gold or Platinum and respect the swamp land. It should have a restaurant in it to replace the Waterfront bistro. The marina should be larger to invite more boats from other regions, and there should be at least 3 places to eat. A pedestrian bridge should connect the boardwalk



- Reducing environmental and climate change impact should be a top priority
- Encourage investors to establish businesses to get more visitors into Pickering
- Underground parking in a flood prone area is irresponsible
- Like the smaller front yard setbacks because they provide the feeling of a cozy nautical village. Allow people to design their houses with freedom so they are unique
- **Add shops and restaurants**
- Provide a free shuttle bus service from the mall
- With closing of the nuclear facility in the future, this opens opportunities for a marine facility to serve the area



October 28, 2019

The Regional  
Municipality  
of Durham

Planning and Economic  
Development Department

Planning Division

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Brian Bridgeman, MCIP, RPP  
Commissioner of Planning  
and Economic Development

Ms. Cristina Celebre, MCIP, RPP  
Principal Planner  
City Development Department  
City of Pickering  
One The Esplanade  
Pickering, ON L1V 6K7

Dear Ms. Celebre:

**Re: Regional Comments on an Application to Amend the  
City of Pickering Official Plan**  
**File: OPA 19-001/P**  
**Cross Ref: A 05/19**  
**Applicant: Pickering Harbour Company Ltd.**  
**Location: 505 & 591 Liverpool Road**  
**City of Pickering**

This application has been reviewed and the following comments are offered with respect to the Regional Official Plan (ROP), Provincial Plans and policies, the Region's delegated provincial plan review responsibilities, the proposed method of servicing and transportation.

The application proposes an amendment to the City of Pickering's Official Plan to designate the site as Mixed Use Area – Community Node, permit a maximum net residential density of up to 240 dwellings per hectare and a maximum Floor Space Index (FSI) of 4.4. This will facilitate the development of two, 23 storey buildings, containing a total of 498 units and approximately 1,900 square metres of grade related retail.

### **Durham Regional Official Plan**

The subject site is designated "Waterfront Areas" in the ROP. Lands located within the Waterfront Areas designation are intended to be developed as "people places", with the exception of significant natural areas.

The subject site is also identified as the Frenchman's Bay "Waterfront Place". Waterfront Places shall be developed as focal points along the Lake Ontario waterfront having a mix of uses, including residential, commercial, marina, recreational, tourist and cultural and community facilities. Where appropriate, Waterfront Places shall be planned to support an overall, long term density target of at least 60 residential units per gross hectare and an FSI of 2.0. The

If this information is required in an accessible format, please contact Planning Reception at 1-800-372-1102, extension 2551.

built form should be developed in a manner that is sensitive to the interface with the natural environment. The proposed development appears to conform to the waterfront policies of the ROP.

### **Provincial Policy and Delegated Plan Review Responsibilities**

#### **Provincial Policy**

Policy 1.1.3.2 a) of the Provincial Policy Statement (PPS) encourages development within settlement areas that support densities and a mix of land uses that efficiently use land, resources and planned infrastructure, as well as being supportive of transit and active transportation. Policy 1.4.3 states that planning authorities shall provide an appropriate range and mix of housing types and densities. The proposed development is a compact and efficient use of land and would increase the mix of housing types in the general area.

The subject site is located within the Province's Built Boundary for the Growth Plan. As such, this development will contribute to reaching the City of Pickering's minimum intensification allocation as included in Schedule 'E' – Table 'E9' of the ROP.

#### **Provincial Plan Review Responsibilities**

This application has been screened in accordance with the terms of the provincial plan review responsibilities.

#### ***Site Contamination***

A Phase 1 and Phase 2 Environmental Site Assessment (ESA) were prepared by Haddad Geotechnical Inc. (March and May 2017, respectively). The studies were prepared in accordance to the standards set by the Canadian Standards Association (CSA). The Phase 2 ESA concluded that due to exceedances of the Table 1 Site Condition Standards excavation and removal of soil is required prior to the submission of a Record of Site Condition (RSC).

The Region requires ESA studies to be fully compliant with the requirements of the Ministry of Environment, Conservation and Parks for a Record of Site Condition (RSC). Additionally, a Reliance Letter stating that the Region can rely on the findings of the ESA study and a Certificate of Insurance is required from the environmental consultants (templates attached). Moreover, ESA studies cannot be more than 18 months old when submitted to the Region. It is recommended that the requirement for an updated Phase 1 ESA and Phase 2 ESA, Reliance Letter and Certificate of Insurance be addressed prior to approval of the Official Plan Amendment. The submission of a Record of Site Condition can be included as a condition of the amendment.

### *Archaeology*

A Stage 1 and 2 Archaeological Assessment was prepared by AECOM (July 2017). The Stage 2 field assessment confirmed that archaeological potential has been removed from the study area as a result of commercial and recreational development and no further archaeological work is required. The study was submitted to the Ministry of Tourism, Culture and Sport who have advised that they are satisfied and that the report has been entered into the Ontario Public Register of Archaeological Reports. No further archaeological work is required.

### *Environmental Noise*

An Environmental Noise Feasibility Study was prepared by Valcoustics (March 2019) and submitted in support of the application. The study examined road noise from Liverpool Road, as well as stationary noise from the Liverpool Road Sanitary Pumping Station and the wind turbine from the Pickering Nuclear Generating Station. Noise mitigation measures or warning clauses are not required for the proposed development.

### *Land Use Compatibility*

A Land Use Compatibility Assessment was prepared by The Biglieri Group (April 2019). The purpose of the report is to address land use compatibility (noise and odour) between the proposed development and the existing Liverpool Road Sanitary Pumping Station. The study references the Environmental Noise Feasibility Study prepared by Valcoustics. The assessment concludes that there are no noise or odour impacts from the pumping station on the proposed development.

### *Pickering Nuclear Generating Station*

The subject site is located within the exclusion zone associated with the Pickering Nuclear Generating Station. Permanent dwellings are not permitted within the exclusion zone. Consideration of the amendment may be premature in the absence of support from Ontario Power Generation on the proposed amendment.

### *Stormwater Management*

The proposed development does not create any significant stormwater challenges for the Region. Any possible stormwater management issues will be addressed to the City of Pickering and the Conservation Authority's satisfaction.

There are no further provincial interests or delegated review responsibilities applicable to these applications.

### **Servicing**

The development proposal is for 498 apartment units and 1900 square metres of ground floor retail in a 23 storey mixed use building. Without knowing the unit breakdown (number of 1, 2 and 3 bedroom units) Regional Works is unable to determine the population for this development proposal and determine if there is adequate capacity available in the existing sanitary sewer system. Using the Region's design criteria, the theoretical population would be approximately 1743 people. Based on this population the design flow would be 29 litres per second. A detailed unit breakdown is required by the Region.

### **Municipal Sanitary Sewer Servicing and Water Supply**

Sanitary sewer servicing for this development is available from the existing 900 mm sewer within an existing easement adjacent to Liverpool Road.

Redevelopment of the subject lands may require relocating Regional sanitary sewers that cross the property in order to provide a sufficient building envelope. All costs associated with relocating and abandonment of the existing sanitary sewers shall be borne by the applicant. Refer to the Region's Design Criteria for minimum easement requirements.

The Functional Servicing Report (FSR) submitted in support of this proposal does not address how the existing 900mm sanitary sewer would be supported during excavation of the underground parking structure. Additional details must be submitted in support of future development applications.

Under Section 6.2 Proposed Sanitary Sewers in the FSR the sentence indicating Regional staff have indicated there is adequate capacity in the existing 900 mm sanitary sewer should be deleted as this has yet to be determined. Sanitary capacity is assigned upon execution of a development agreement with the Region of Durham. A revised FSR is required.

The subject property is located within the Zone 1 water pressure district and the estimated static water pressure for this area is approximately 97 psi. Water supply is available for this development from the existing 200mm watermain on Liverpool Road.

### **Waste Management**

Future development applications shall include a waste management plan. Requirements to receive municipal waste collection service on private

roadways can be found in Schedule "P" of the Regional Waste Bylaw 46-2011. If the development does not meet the Region's Guidelines and Standards for waste collection on private property, then the applicant will be responsible for retaining private waste collection services.

### **Traffic Impact Study**

The Traffic Impact Study prepared by HDR Inc. has been reviewed by the Region. Detailed comments are attached to this letter. In general, there are several technical areas of the report that are not compliant with the Region's TIS Guidelines and a revised TIS is required.

Any requirements of the Region concerning the provision of Regional services, financial and otherwise, associated with the development of this property shall be addressed through the submission of a future site plan application.

### **Transit**

The application was reviewed from a transit perspective and Durham Region Transit (DRT) offers the following comments and recommendations:

- The Planning & Urban Design Rationale Report and the Traffic Impact Study mention DRT Route 101 – Bay Ridges. This route was revised in April 2019 and the route no longer extends down Liverpool Rd to Annland St., and instead travels along Krosno Blvd. This has a large impact on transit service coverage for the subject site as the closest transit stop during rush hour and evening service is located greater than one kilometre at Liverpool and Krosno.
- Both the Planning & Urban Design Rationale Report and the Traffic Impact Study mention that there is an opportunity to work with DRT to provide a shuttle service or to increase frequency on DRT Route 101 – Bay Ridges or DRT Route 193. As DRT will be updating the current Five Year Service Strategy for the next horizon of 2021-2025, DRT is open to collaboration with the applicant to provide solutions to the subject site and recommends further discussion. The level of intensification is anticipated to produce an increase in transit demand and mobility pressure in an area that is currently not serviced.
- Given the preliminary site plans for the development, transit access will be a significant issue as to properly service the southern portion of Liverpool Road, a bus will require a sufficient turning radius should transit service be implemented. Given the current orientation of the designs, this does not seem feasible. It is recommended that options be considered in order

to allow a 12.25-metre bus to adequately turn around within the southern portion of Liverpool Road.

### **Exemption**

The proposed amendment supports redevelopment and intensification in a "Waterfront Place" and generally conforms with the ROP. In accordance with By-law 11-2000 the Official Plan Amendment application is exempt from Regional Approval.

Please advise the Commissioner of Planning and Economic Development of your Council's decision. If Council adopts an Amendment, a record must be submitted to this Department within 15 days of the date of adoption. The record must include the following:

- two (2) copies of the adopted Amendment;
- a copy of the adopting by-law; and
- a copy of the staff report and any relevant materials.

Please contact Lori Riviere-Doersam, Principal Planner, with any questions or concerns.

Yours truly,



Gary Muller, MCIP, RPP  
Director of Planning

Attach: Traffic Impact Study comments  
Regional Reliance Letter and Certificate of Insurance Templates

c.c. Pete Castellan, Regional Works  
Christopher Norris, Durham Region Transit  
Melinda Holland, The Biglieri Group

## Traffic Impact Study

The Traffic Impact Study prepared by HDR Inc. has been reviewed by staff from the Transportation Infrastructure, Planning and Traffic Engineering and Operations Divisions with assistance from Paradigm Transportation Solutions Ltd. The Traffic Impact Study (TIS) has been done in support of the redevelopment of Frenchman's Bay Marina at the foot of Liverpool Road in Pickering for residential (498 condominium units) and commercial uses (1,900 SM gross floor area and a 200-space expansion of an existing public parking lot).

The focus of this review is on the Bayly Street (Regional Road 22)/Liverpool Road (Regional Road 29) intersection since this is the only intersection in the study area that is under Regional jurisdiction. Major findings can be summarized as follows:

- There are several technical areas of the report that are not compliant with the Region's TIS Guidelines. As a result, the methodology and assumptions used in some parts of the study do not meet the Region's needs.
  - The report should include a more detailed and comprehensive description of existing transportation conditions in the study area, including on-site peak period observations of the existing road network, traffic operations, and any potential safety concerns.
  - The operational analysis includes adjustments to various operational parameters that were not clearly stated in the report and that may not be compliant with the Region's guidelines. As well, overall intersection operations for the signalized Liverpool Road/Bayly Street intersection should have been included in all analysis summary tables.
  - There is a lack of supporting information contained in the TIS as related to the background traffic forecasts.
  - The consultant has identified a potential improvement to the southbound approach of Liverpool Road at Bayly Street that should be explored further with regard to feasibility, design, safety, and operations. The purpose of the improvement is to increase southbound left turn storage, which under existing conditions and all future conditions is deficient.
- 
- The site trip generation calculations require checking and clarification to confirm their accuracy for forecasting site trips. If necessary, there may be need to revise the forecasts and analysis of future traffic conditions.
  - Under total traffic conditions, the consultant recommends a new traffic signal for the Liverpool Road/Krosno Boulevard intersection to address a southbound capacity deficiency during the PM peak hour. However, the analysis presented in support of this recommendation is currently insufficient. As well, it appears that no other improvement alternatives were considered to address the stated deficiency. This is of interest since the signal, if approved, would be operated by the Region.



- A standard list of TDM measures is presented mostly as potential future considerations. Since standard ITE trip generation rates were reported to be used for forecasting purposes, there is no reliance on TDM to reduce the site trip generation or related traffic impacts.

Given these findings, the Region will require the submission of an Addendum letter to address the above general findings and the detailed comments provided below. Depending on those responses, which should include clearly identifying methodologies and key assumptions for review and approval by Regional staff, it may be necessary to prepare a revised report.

Detailed comments on the report are as follows:

1. Existing Conditions Analysis:

- The summary of operational results in Table 3 should include the overall LOS and v/c ratio not just the individual movements;
- There are no reported observations of existing operations that can be related to the operational assessment. Traffic observations during the peak periods are a requirement of the Region's TIS Guidelines;
- The consultant notes that they "worked within the analysis software defaults to optimize intersection operations". For future reference, the details of any adjustments to the software should be documented within the report and related to the guidance provided in the Region's "Design Specifications for Traffic Control Devices, Pavement Markings, Signage and Roadside Protection";
- The consultant does not relate the results to the Region's criteria for acceptable operations;
- It is not clear what the significance is of the analysis results presented in Table 8 for pedestrian and bicycle level of service. The Synchro output related to these analysis results show no pedestrian or bicycle volume, i.e. "flow rates" of "0";
- The signal timing plan obtained from the Region was not included in appendix, and therefore, the correct coding within Synchro was not confirmed as part of this review;
- Similarly, the raw traffic data was not included in an appendix, and therefore, inputs such as peak hour factor (PHF) and truck percentages could not be confirmed as part of this review; and
- A gap study was done on Liverpool Road at other intersections south of Bayly Street. Table 6 is described as summarizing the availability of gaps for drivers turning onto or crossing Liverpool Road. There is inadequate detail provided in terms of how the study was done or what was measured to allow the reviewer to understand the

numbers presented in Table 6 or the consultant's conclusion that there are sufficient gaps for turning and crossing movements.

## 2. Background Traffic Forecasts:

- Two background developments for sites located along Liverpool Road were stated to be accounted for in this part of the traffic forecasts, but it was not possible to check the traffic assignments since no excerpts from the traffic studies for these developments were provided; and
- Liverpool Road and Bayly Street through traffic volumes were increased by 0.5% per year. The growth rate is reasonable, however, there is no explanation provided for why turning movements would experience no growth.

## 3. Background Traffic Analysis:

- As noted regarding the analysis of existing conditions, the analysis results for future background traffic should include the overall LOS and v/c ratio;
- It is stated that "we have worked within the analysis software defaults to optimize intersection operations for future analysis". Any assumptions or Synchro calibrations outside of Regional guidelines should be noted and justified. It is recommended that the consultant clarify the Synchro calibration assumptions and provide HCM reports for Bayly and Liverpool (only Synchro timing and queue reports were included).
- The consultant concludes that under 2027 and 2032 background traffic conditions the Liverpool Road/Bayly Street will operate at LOS D and within capacity, but southbound left turn queues exceed the available storage. This is also a deficiency under existing conditions, but the consultant did not identify it as one earlier in the report;
- The consultant correctly notes that the existing width of the Liverpool Road structure over the Lakeshore East GO Rail and Highway 401 restricts extending the southbound left turn lane further north to increase storage; and
- The consultant suggests that the Region could realign the southbound pavement markings (currently single lanes for right, through, and left) to extend the southbound left turn storage. This is described as having the centremost southbound lane over the bridge become the left turn lane, the curb lane would be the through lane rather than becoming the southbound right turn lane as it does now, and the southbound right turn lane would be marked within the existing pavement width starting from beyond the bridge structure (consultant reports a 60 metre storage length but does not state the taper length). This appears to be physically feasible but reconfiguration of the southbound lanes on Liverpool Road, north of Bayly Street is not recommended as the proposed reconfiguration may encourage weaving conflicts (see southbound Simcoe Road, north of Winchester Road).

#### 4. Proposed Development Traffic Generation:

- The presentation of trip generation for the expansion of the public parking lot is not clear given differences in public parking lot trip generation rates between Table 23 and Table 24;
- Table 24 includes a typo with regard to the retail component of the development, i.e. Shopping Centre rates have been used and not Specialty Retail Centre as written in the column heading;
- The peak hour trips for the residential component appear to have an error, i.e. the calculated gross trips shown in Table 24 could not be replicated using either the average rate or trip equations for Land Use Code 230 (9th Edition, ITE Trip Generation Manual);
- No reductions to the vehicle trip estimates were made to account for travel by transit or other modes but the consultant did cite TTS mode split data with regard to auto driver splits to estimate person trips, and transit mode splits to determine how many person trips would be by transit; and
- The estimates of vehicle trip generation while not entirely clear or replicable, are likely "close enough" for the development of site traffic forecasts and the analysis of total traffic forecasts as pertaining to this development. Clarifications and corrections should be made however, if this report's forecasts are to be used as background traffic for future TIS studies for other nearby sites.

#### 5. Total Traffic Analysis:

- As previously noted, the operational results for the Liverpool Road/Bayly Street intersection should include the overall LOS and v/c;
- The 2032 total trips for various movements are similar if not identical to existing trip movements. Please clarify;
- The analysis shows that the addition of site traffic volumes has no significant effect on the operational results as presented for the Liverpool Road/Bayly Street intersection;
- Since signalization is of interest to the Region, it should be noted that the consultant recommends signalization of the Liverpool Road/Krosno Boulevard intersection to address the over-capacity operation of the southbound through/left lane during the PM peak hour. The consultant notes that a "1-hour" signal warrant was undertaken and that it showed that the warrants would not be met. The consultant also notes that the warrant analysis is included in Appendix C, however, it is not. Since the need for signalization has not been clearly demonstrated and no other improvement

alternative was considered, it appears that this capacity issue during one peak hour period should be re-evaluated. Please provide signal warrant analyses for any intersections that are proposed to be signalized. Appendix C is referenced in the report, but Appendix C contains 2027 and 2032 Synchro reports.

- The concluding section of the report introduces a possible road connection between Liverpool Road and Sandy Beach Road. Please provide further details on this proposal, including the location, if “we” refers to HDR, etc. If the connection is a potentially feasible endeavour, it should be noted as background information at the beginning of the report.

#### 6. Traffic Demand Management Measures:

- The consultant notes the bicycle parking will be provided in sufficient numbers to meet the City's Zoning B-law requirements for residential and retail development;
- The consultant notes that walking will be facilitated by the available sidewalk network and connections with the subject site. The consultant notes that the walk time to the GO station is 28 minutes but does not provide any context for the significance of this;
- The consultant notes the relative infrequency of public transit directly serving this site and that the small number of site person trips by transit will not impact existing transit services (i.e. require a change in service);
- The consultant notes that a dedicated shuttle bus between the site and the Pickering GO station could contribute to a reduction in site auto-generated trips but this is presented only as a potential future scenario in the TDM section of the report. The Conclusions and Recommendations section elaborates on this by suggesting there is an opportunity “to work with” Durham Region Transit and Metrolinx to provide this shuttle bus service;
- The consultant notes that on-site carshare and bikeshare can be considered for the proposed development but acknowledges that this requires coordination with providers of these services;
- The consultant notes that transit maps and schedules could be made available to the new residents to encourage transit usage;
- The consultant notes that unbundled parking will be offered as an option for “many units”, and this will contribute to less reliance on the private automobile; and
- In summary, a standard list of TDM measures has been outlined, however, the report is short on any commitment to most of the measures. Please confirm if the measures will be carried out and if so, by whom. A shuttle on Liverpool appears to be a constructive initiative.

The applicant shall submit 2 copies each of the revised Traffic Impact Study for review with the next submission.



August 26, 2019

CFN 60787.01

**VIA E-MAIL ONLY**

Cristina Celebre, MCIP, RPP  
 Principal Planner, Development Review  
 City of Pickering  
 City Development Department  
 One the Esplanade  
 Pickering, ON L1V 6K7

Dear Ms. Celebre:

**Re: Official Plan Amendment OPA 19-001/P  
 Zoning By-law Amendment Application A 05/19  
 505 and 591 Liverpool Road  
 City of Pickering  
 Pickering Harbour Company Ltd.**

Thank you for the opportunity for TRCA to review the following materials in received June 11, 2019 in connection with the above referenced applications:

- Application Letter, prepared by Biglieri Group, dated April 10, 2019;
- Survey, prepared by J. D. Barnes, dated May 2, 2017;
- Conceptual Site Plan, prepared by Biglieri Group, dated April 10, 2019;
- Planning and Urban Design Rationale Report, prepared by Biglieri Group, dated April 2019;
- Draft OPA;
- Draft ZBA;
- FSR, prepared by SKA, dated March 26, 2019;
- Arborist Report, prepared by DA White Tree Care, dated June 11, 2019;
- EIS, prepared by Beacon, dated March 2019;
- Phase 1 and Phase 2 Environmental Site Assessments, prepared by Haddad, dated March 17, 2017;
- Geotechnical Investigation and Slope Stability Assessment, prepared by Haddad, dated February 5, 2019;
- Preliminary Hydrogeological Assessment, prepared by Golder, dated January 31, 2019.

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2014); as a regulatory authority under Ontario Regulation 166/06; and under our Partnership Memorandum (2011) with the Region of Durham regarding the requirements for and adequacy of studies which assess impacts of and propose mitigation measures to the natural heritage system and hydrologic features, and stormwater management. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board-approved Living City Policies. We offer the following comments:

### ***Our Understanding of the Proposal***

The site is located adjacent to Frenchman's Bay to the west, a sandbar to the south, and abuts the mouth of the Krosno Creek (Hydro Marsh) to the east. It is designated as Waterfront Areas in the Region of Durham OP and Natural Area and Marina Area in the City of Pickering OP. It is zoned as Waterfront Area, "(H) 03B-2" in the City of Pickering Zoning By-law 2520.

We understand that the proposal consists of a mixed-use development consisting of 2 buildings having heights of 23 storeys containing a total of 498 apartment units and approximately 1,900 square metres of grade related commercial on lands located on the east side of Liverpool Road and south of Wharf Street. An OPA is required to change the Natural Area and Marina Area designation to Mixed Use – Community Node (amongst other changes), and to re-zone to Community Node ("CN") and lift the Holding Designation.

### ***TRCA Regulation***

The subject property is within a TRCA Regulated Area of the Krosno Creek Watershed and Lake Ontario Shoreline. In this case, the Regulated Area limits are defined as 30 meters inland from the provincially significant wetland and 10 metres from the Shoreline Hazard or Flood Hazard. Pursuant to Ontario Regulation 166/06 (*Development, Interference with Wetlands and Alterations to Shoreline and Watercourse Regulation*), a permit is required from the TRCA prior to any development taking place within the Regulated Area limits.

### ***TRCA Policy – The Living City (LCP), 2014***

TRCA's policy document, the Living City Policies (LCP) for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority, guides TRCA's role as an approval authority under the above noted Ontario Regulation 166/06, and as an advisor to municipalities under the *Planning Act* with respect to natural heritage and natural hazards. Because the subject site abuts a wetland, includes a floodplain spill, and the shoreline and associated natural features, the LCP applies to this application.

The LCP describes a "Natural System" as being made up of natural features and areas. These include water resources, natural hazards, potential natural cover and/or buffers. TRCA aims to maintain and enhance all natural features that make up the Natural System. Specific policies include applying a 30 metre buffer to all Provincially Significant Wetlands, and a 10 metre buffer to all natural hazards.

### ***Natural Hazards***

1. As mentioned in our e-mail to the applicant and the City on June 20, 2019, a Shoreline Hazard Study is required for a complete application. The Geotechnical Report includes an analysis of the small slope around the east and south portion of the property and applies an erosion access allowance to the toe of the slope. However, it does not appear to be completed by a coastal engineer and it does not include an analysis of the erosion potential of the sand spit to the south and high lake level flooding and other matters as identified in the MNR Procedure for Understanding Natural Hazards, Great Lakes, St. Lawrence River System and Large Inland Lakes.

There are no concerns with the Long-Term Stable Slope Inclination of 3H:1V proposed in the Geotechnical Investigation and Slope Stability Assessment for the small slope of about 2 m high. The slope seems to be mainly constituted of fill materials and an inclination of

3H:1V is satisfactory for the Long-term Stable Slope Inclination to be used as an input for the delineation of the coastal hazards. As such, a Shoreline Hazard Study must be provided. TRCA has offered to work with the applicant to develop the scope of work for the Study, which must be peer reviewed by TRCA's external coastal engineering consultant at the applicant's cost.

2. It appears from lidar data that the site is above the 100-year storm elevation; however, areas of the site are within the TRCA Regulatory floodplain. Please update the FSR to discuss floodproofing measures to meet the TRCA Regulatory floodplain elevation of 76.26 m plus 0.3 m freeboard, and revise drawings as required. Please note that, typically, a cut/fill balance would be required; however, given that the site drains directly to Frenchman's Bay, is outside the 100-year flood elevation, and there appears to only be a shallow spill onto the site, this will not be required.

### ***Natural Heritage***

3. Section 2.1.8 of the PPS states that "Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions". TRCA's Living City Policies are designed to implement the PPS. A 30 metre naturalized buffer from the Provincially Significant Frenchman's Bay Coastal Wetland Complex (identified in Section 2.1.4 of the PPS) is required under the LCP.

A 0.12 ha reduction to the 30 m buffer is proposed, with an overall buffer area of 0.55 ha and a variable buffer width of 22.3 m to 35.6 m. We recommend that the proposed development layout be adjusted to allow for a continuous 30 m buffer or to increase the buffer area to the equivalent of 30 metres, with some minor reductions in one area and an increase in others. For example, a relocation or reduction in the size of the shared retail and pedestrian area immediately adjacent to Liverpool Road could allow for increased buffer opportunities to the wetland.

4. Drawing No. L1-01, Landscape Master Plan, illustrates that the proposed buffer to the Provincially Significant Wetland (PSW) complex will be comprised of manicured lawn and planting areas, playground and other recreational areas, pavement and a continuous boardwalk. This plan does not contemplate the restoration of the buffer to natural conditions. The Plan should be revised to include a restoration plan that restores a natural buffer to protect the Provincially Significant Wetland complex from the significantly intensified development and associated recreational uses. The Plan should detail how the buffer area will be re-naturalized and how the function and form of the wetland will be maintained. The buffer and remaining natural system lands should be delineated in a separate block and conveyed into public ownership for long term protection.

The Phase II ESA noted exceedances at BH14 which is located on the portion of the lands that should be conveyed. Please note that the site is potentially contaminated and TRCA does not accept land that is contaminated. The Phase II ESA recommends that any excavation and removal of soils found to exceed application site condition standards is to be removed. TRCA will also need to undertake its own Phase 1 (and most likely Phase 2) and further investigation about the extent of contamination on the parcel to be acquired and proposed works to remediate will need to be completed if TRCA is to take the lands.



Further discussion as to the future landownership should take place with TRCA and the City of Pickering.

5. Section 5.2 of the FSR proposes a bioretention swale to retain some runoff and promote uptake of stormwater runoff by vegetation. The bioretention swale is meant to capture drainage from the amenity area and overflow to the existing wetland to maintain some drainage to the wetland. Please provide additional details to show pre-development drainage and anticipated post-development drainage to illustrate how drainage to the wetland will take place.

### ***Stormwater Management***

6. We understand that the design and supporting calculations for the proposed LIDs will be provided at the detailed design stage; however, the selection of appropriate LIDs for the site and the corresponding area footprint should be determined at this stage. Please discuss the proposed LID measures with preliminary footprint calculations in the FSR and show them on the drawings. The FSR mentions that infiltration may not be feasible due to high groundwater table. Please elaborate on site constraints such as this in the FSR and use this to select appropriate LID measures (for example, if groundwater is high, then surface LIDs such as bioswales, bioretention with impermeable liners if required, and permeable pavers can be used).
7. Please revise the FSR to demonstrate how the proposed LIDs in combination with the OGS will meet the 80% water quality requirement.
8. Please revise the FSR to demonstrate how the proposed LIDs will meet the 5mm on-site retention for all impervious surfaces (above the initial abstraction).

### ***Hydrogeology***

9. From TRCA's perspective, we have no concerns with the proposed development from a hydro-geological perspective. However, given the groundwater conditions and the fact that permanent dewatering may be required, there may be concerns with the constructability of the underground garage component of the development. TRCA would be pleased to provide advisory comments at this stage of the planning process if requested to do so by the City of Pickering.

### ***Recommendation***

Given the above comments, it is the opinion of the TRCA that:

- A Shoreline Hazard Study must be provided to identify the location of the natural hazard on the site prior to the application being declared complete. Consistency with Section 3.1 of the PPS has not been demonstrated as the location of the shoreline hazard has not been identified.
- Ontario Regulation 166/06 applies to the site. A permit from TRCA will be required prior to any development taking place. The proposal is inconsistent with TRCA Living City Policies in that the location of the shoreline hazard on site has not been identified, flood proofing has not been addressed, and a 30 m naturalized buffer is not provided from the limits of the Provincially Significant Wetland.

- Further to the Partnership Memorandum with the Region of Durham, we advise that consistency with Section 2.1 of the PPS has not been demonstrated as a 30 m naturalized buffer is not provided from the limits of the Provincially Significant Wetland.
- The Planning Rationale refers to some public recreation benefits including public access along the east and south portion of the site, and a new “waterpark” design vision for Frenchman’s Bay. We recommend that a meeting take place with the City, TRCA and the applicant to discuss the vision for these recreation uses and how they may be related to this application.

We recommend that a meeting be convened to discuss further. Following this, we recommend that the applicant provide a numbered response to the above comments and an updated submission.

We trust these comments are of assistance. Please feel free to contact me if you have any questions.

Sincerely,



Steven Heuchert, MCIP, RPP, MRTPI  
Associate Director, Development Planning and Permits  
Development and Engineering Services  
Ext. 5311

- cc. Lino Trombino, Region of Durham  
Irina Maruchko, City of Pickering  
Melinda Holland, The Biglieri Group  
Nancy Gaffney, TRCA  
Jill Attwood, TRCA

Mr. Steve Heuchert, RPP, MCIP, MRTPI  
Associate Director  
Development Planning and Permits  
Development and Engineering Services  
Toronto Region Conservation Authority  
101 Exchange Avenue, Vaughan, ON L4K 5R6

By email: Steve.Heuchert@trca.ca

**Status: Final**

November 06 2019

Dear Mr. Heuchert,

**Reference # 11791.501**

**RE: 505 & 591 Liverpool Rd, Pickering – REQUIREMENT FOR SHORELINE HAZARD ASSESSMENT**

As requested, this letter provides Baird's opinion on potential study requirements to assess shoreline hazards for the above noted property that is being considered for new residential and commercial developments. While the proposed development area is subject to riverine/inland flooding, it has been protected from wave uprush component of shoreline flooding and erosion by a barrier beach that separates it from Lake Ontario (i.e., shoreline is subject to 100-year flood level but without wave uprush). TRCA would like to know whether the 505 and 591 Liverpool Road properties would be subject to a shoreline hazard in the future or not and how the existing barrier beach may be impacting those potential hazard conditions.

Our opinion provided herein is based on observations during a site visit conducted on October 29, 2019 and professional experience. It does not include an exhaustive check of all the details and is not to be used by TRCA for any purpose other than an appraisal of shoreline hazard conditions at the site.

The following documents were provided by TRCA:

- Shoreplan's letter to Ms. MacRory, dated September 16, 2019; File 19-3112
- "591 Liverpool Road, City of Pickering Environmental Impact Study" by Beacon Environmental Limited; March 2019; Project 216450
- "Geotechnical Investigation and Slope Stability Assessment" by Haddad Geotechnical Inc., February 05, 2019; Project: 15-11612

**Site Visit**

Baird visited the site on October 29, 2019. The water level at the time of Baird's visit was approximately 75.0 m IGLD'85 (i.e., approximately 0.8 m above Chart Datum). The 505-591 Liverpool Rd property is located on

[www.baird.com](http://www.baird.com)

the east side at the south end of Liverpool Road. It fronts onto the bay known as “Hydro Marsh” (see Figure 1 and Figure 2). Frenchman’s Bay Provincially Significant Coastal Wetland Complex (PSW) extends onto the eastern and southern portions of the subject property. The property is currently operating as Frenchman’s Bay Marina and a municipal parking lot.



**Figure 1: Overview of the project site**

The east half of the barrier beach separating Frenchman’s Bay and Hydro Marsh from Lake Ontario is approximately 900 m long and extends from the jetties to the border of the power plant (Figure 1). We shall refer to it as the East Barrier Beach or EBB hereafter. EBB represents an enclosed beach system with little to no exchange of sediment with its neighbouring shorelines. It has been designated as part of a municipal park (Beachfront Park) with a walking trail/boardwalk and a few other amenities. A lookout platform (Millennium Square) and washroom building have been constructed on the beach at the end of Liverpool Road creating two short headlands that further divide the East Barrier Beach into two sections (EBB1 and EBB2 in Figure 1). The outlook platform was estimated to be at approximately +77 m IGLD’85. The boardwalk on EBB2 starts at the outlook and runs along the beach crest while lowering in elevation. Beach crest elevation was lowest at the east end of EBB2 just before where the boardwalk turns inland.

At the time of Baird’s visit, both EBB2 and EBB1 had signs of severe erosion on their east ends as noted in both Figure 1 and Figure 2 and shown in Figure 3 and Figure 4, respectively. At the west ends (i.e., immediately east of the washroom headland and the jetties), however, both beaches were wide with no signs of significant recent erosion. This would suggest that the predominant direction of transport prior to Baird’s visit must have been from east to west. The shoreline/waterline area was covered with a gravel/pebble lag all along the beach indicating loss of finer sediment (e.g., sand).



Figure 2: 505-591 Liverpool Rd property, Hydro Marsh, barrier beach, and boardwalk



Figure 3: Beach erosion and damaged boardwalk near the east end of EBB2 on October 29, 2019. A city worker told Baird that the boardwalk was covered with 3~4 ft of sand after storm (date unknown). Sand was pushed back on the beach and subsequently taken away by waves. Few channels created in deposited sand back of the beach indicated overtopping water must have drained into Hydro Marsh.



**Figure 4: Beach erosion around the east end of EBB1 uprooting trees and exposing old cottage concrete stairs and foundations**

**Summary and Recommendations:**

- At present Hydro Marsh and the subject property are separated from Lake Ontario and thus protected from shoreline wave uprush and erosion hazards by an approximately 30~40 m wide barrier beach (EBB2).
- Our observations during the site visit indicate that the EBB2 barrier beach may have been suffering from long-term gradual erosion. Erosion has been more severe at the east end.
- Given that the EBB barrier beach features an enclosed system with little to no exchange of sediment with neighbouring shorelines, it is likely suffering from continuous net loss of sediment, making the beach narrower and potentially breaching (e.g., at the east end) in the long term.
- It is not possible to determine if and/or when the barrier beach at the east end of EBB2 would breach in the future without a proper coastal sediment transport study. It is also not clear if the City of Pickering or TRCA intend/plan to maintain this beach (through supply of additional sediment or other shoreline protection measures) in the future or not.
- In the absence of a beach maintenance program, we recommend that a coastal study should be completed to determine the future stability of the EBB2 barrier beach. Such a study would be including but not limited to the following tasks:
  - 1) Historic shoreline analysis to define long term erosion rates.
  - 2) Geotechnical (in-depth) investigation to determine the exact combination of sediment material (e.g., percentage sand, gravel, and corresponding grain size distributions) forming the barrier beach. This information is required for prediction of beach profile response to storm events.
  - 3) Detail topographic survey of the barrier beach to define elevations.
  - 4) Hydrographic survey of the nearshore area.
  - 5) Beach profile response modelling for various barrier beach widths to examine breaching potential and/or conditions.
  - 6) Overtopping and overwash analysis under various barrier beach width, wave, and lake level conditions.

- 7) Assessment of the impact on the subject property shoreline.
  - 8) Clause 3.1.3 in the Provincial Policy Statement (PPS) requires planners to consider the potential impacts of climate change that may increase risk associated with natural hazards.
- Should the City of Pickering or TRCA have established plans to maintain the EBB2 beach in the future, there is no need for a shoreline hazard study.

Please contact the undersigned if you have any questions or wish to discuss our comments.

Sincerely,



**Mohammad Dibajnia, Ph.D., P.Eng.** | Associate Principal  
Baird & Associates  
t: 905 845 5385 | m: 647 990 9885  
e: mdibajnia@baird.com



Ray Davies, RPP  
Senior Manager, Real Estate Services

700 University Avenue, Toronto ON  
M5G 1X6

416-592-1743

Ray.davies@opg.com

November 19, 2019

City of Pickering  
City Development Department  
One the Esplanade  
Pickering ON L1V 6K7

Attention: Cristina Celebre, MCIP, RPP  
Principal Planner, Development Review

**Re: Official Plan Amendment Application OPA 19-001/P and Zoning By-law Amendment Application A 05/19, Pickering Harbour Company**

---

Ontario Power Generation Inc. (“OPG”) received a copy of the notice of applications submitted by Pickering Harbour Company to amend the City of Pickering Official Plan and a related zoning by-law amendment proposing a mixed-use development on lands located on the east side of Liverpool Road and south of Wharf Street municipally known as 505 and 591 Liverpool Road. The applications propose two buildings having heights of 23-storeys containing a total of 498 apartment units with approximately 1,900 m<sup>2</sup> of grade related commercial uses.

OPG owns and operates the Pickering Nuclear Generating Station (“PNGS”), a six-unit station that provides an output of 3,100 MW of clean electricity, approximately 14% of the province’s electricity supply. The PNGS is located less than a kilometre from the lands subject to this application. The first four units at PNGS went into commercial service in 1971 and have been powering electricity to Ontarians safely and reliably since this time. In August 2018, the Canadian Nuclear Safety Commission (“CNSC”) renewed the operating license for PNGS until 2028, after which decommissioning activities will take place. During operations of the PNGS there are no planned changes to the exclusion zone.

We wish to provide the following comments with respect to the proposed development as it relates to OPG’s existing operations at the PNGS site.

**Nuclear Safety and Control Act (Class I Nuclear Facilities Regulations) – SOR 2000/204**

The PNGS has a restrictive zone measuring 914 metres (3,000 feet) measured from the exterior face of any reactor building that precludes permanent dwellings from locating (refer to Attachment 1). This zone is referred to as the “exclusion zone” and has been in existence since the commencement of commercial operations in 1971. The federal Class I Nuclear Facilities Regulations define the concept of an “exclusion zone” while the federal policy document (REGDOC.2.5.2 Design of Reactor Facilities: Nuclear Power Plants) sets out the specific requirements and guidance for the establishment of exclusion zones. The definition of the exclusion zone “means a parcel of land within or surrounding a nuclear facility on which there is no permanent dwelling and over which a licensee has legal authority to exercise control”.

**Licence Conditions Handbook for Pickering Nuclear Generating Station**

The Licence Conditions Handbook with respect to the PNGS further specifies that the exclusion zone is an area, immediately surrounding a nuclear facility where no permanent habitation is allowed. A licensee is required to ensure that the use and occupancy of the land within the exclusion zone does not compromise the safety and control measures in the licensing basis. This requirement applies to land the licensee occupies as



well as to land occupied by others. OPG is required to notify the CNSC of any changes to the use and occupation of any land within the exclusion zone.

### **Provincial Policy Statement, 2014**

The Provincial Policy Statement (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development and issued under the authority of Section 3 of the *Planning Act* requiring decisions affecting planning matters to be consistent with policy statements issued under the Act. Policy 1.2.6.1 requires that *major facilities* (defined to include energy generation facilities) and *sensitive land uses* (defined to include residences) be appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of *major facilities*.

### **Comments**

It is OPG’s position that it is premature for the City to consider the applicant’s request to amend the City of Pickering Official Plan and zoning by-law at this time. The applicant’s proposal seeks to introduce sensitive residential land uses (498 residential apartment units) within the existing exclusion zone, which has been in place since 1971 to exclude residential uses for public health and safety reasons. The reports filed in support of the applications do not adequately address the issue of siting residential uses inside the federally regulated exclusion zone nor do they sufficiently address the protection of public health and safety in the vicinity, including the land use compatibility policy set out in the PPS.

The Planning and Urban Design Rationale Report filed in support of the applications references that OPG and the City have had discussions with respect to the exclusion zone being amended, such that when Units 1 and 4 are shut down, the exclusion zone will be amended so that the subject site no longer falls within the exclusion zone limits. The PNGS is anticipated to continue commercial operations until at least 2024. At this time, OPG does not have enough information available to confirm that the exclusion zone may be amended when Units 1 and 4 cease commercial operations. Any changes to the exclusion zone will require a safety analysis and licensing safety case to be presented to the CNSC for comment and direction.

OPG will continue to cooperate and work collaboratively with the City of Pickering as more information becomes available with respect to federal licensing requirements and the extent of the exclusion zone post-commercial operations.

We respectfully request to be notified when the subject applications are taken to the statutory public information meeting, as OPG is committed to participating in this planning process.

If you have any questions, please do not hesitate to contact me.

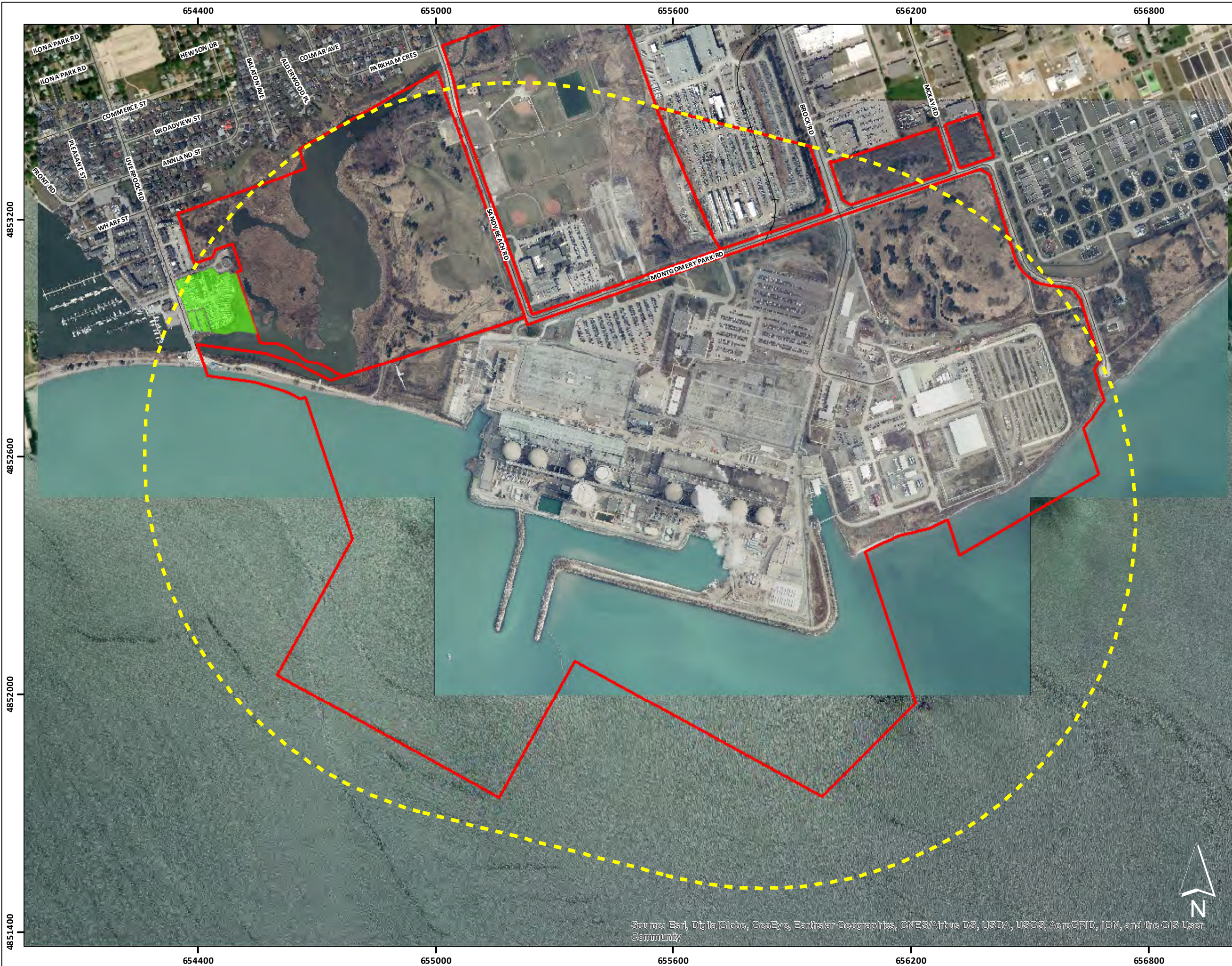
Sincerely,



Ray Davies, RPP  
Senior Manager

Attachment

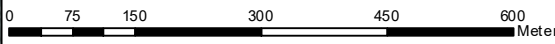
Copies: Randy Lockwood, SVP, Pickering Nuclear Generating Station  
Saad Haseen, Manager, Pickering Regulatory Affairs  
Jennifer Knox, Director, Stakeholder Relations  
Laura Andrews, CNSC



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- Legend**
- OPG Ownership
  - Application OPA 19-001/P & A 05/19
  - Exclusion Zone
  - Roads
  - Railway



**PICKERING NGS**

**ONTARIO POWER GENERATION** Real Estate Services

date - yr/month/day	requested by	coordinate system
2019/09/16	R. DAVIES	NAD 1983 CSRS
scale	client group	zone
1:9,000	RES	UTM 17N
units	designed by	datum
Meters	N. BRYAN	NA 1983 CSRS
electronic filename	sheet	version
PickeringNGS_OPA19-001P_A0519_v00_2019-09-16.pdf	1 of 1	00

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**Durham Catholic District School Board**



December 2, 2019

**RECEIVED**

DEC 06 2019

**CITY OF PICKERING**  
CITY DEVELOPMENT DEPARTMENT

Cristina Celebre, MCIP, RPP,  
Principal Planner, Development Review  
Development Department  
City of Pickering  
One The Esplanade  
Pickering, Ontario. L1V 6K7

**RE: OFFICIAL PLAN AMENDMENT APPLICATION: OPA 19-001/P  
ZONING BY-LAW AMENDMENT APPLICATION A 05/19  
PICKERING HARBOUR COMPANY LTD.  
505 & 591 LIVERPOOL ROAD  
EAST SIDE OF LIVERPOOL ROAD AND SOUTH OF WHARF STREET  
CITY OF PICKERING**

Planning Staff at the Durham Catholic District School Board have reviewed the above noted applications.

The Board has no objections to the plan's proposal to develop 498 Apartment units within two 23-storey buildings.

Students from this development will attend Father Fenelon Catholic Elementary School located at 795 Eyer Drive and St. Mary Catholic Secondary School located at 1918 Whites Road in the City of Pickering

If you have any further questions or concerns, please feel free to contact me at 905-576-6150 ext. 22211

Sincerely,

Jody Dale  
Assistant Planner  
Durham Catholic District School Board

c.c Lewis Morgulis, Manager of Planning and Admissions and Partnerships

*Catholic Education: Learning & Living in Faith*

To: Cristina Celebre  
Principal Planner – Development Review

October 17, 2019

From: Richard Holborn  
Director, Engineering Services

Copy: Division Head, Water Resources & Development Services  
Manager, Capital Projects & Infrastructure  
Manager, Development Services  
Project Manager, Development Approvals

Subject: Official Plan Amendment (OPA 19-001/P) – Submission 1 (Revised)  
Zoning By-law Amendment A 05/19  
- Pickering Harbour Company Ltd.  
- 505 & 591 Liverpool Road  
File: D-3100

---

The Engineering Services Department has reviewed the materials submitted in support of the above noted applications, and offer the following comments:

Please ensure the next submission includes a letter re-stating the City's comment followed by an appropriate response, immediately afterwards, outlining how the proponent addressed the comment.

### **Development Services**

#### **Conceptual Site Plan**

1. It is unclear how the proposed driveway will function with the existing Region of Durham driveway immediately adjacent to it. The current location will also necessitate relocation of the existing hydro transformer.

---

### **Capital Projects**

#### **General Comments**

1. Further review and comments are deferred to the detailed site plan review stage.

#### **Landscape Comments**

2. The Provincially Significant Wetland (PSW) buffer limits must be confirmed with Toronto and Region Conservation Authority (TRCA), and/or the Ministry of Natural Resources & Forestry (MNRF), as well as the feasibility of the location of the proposed boardwalk and other landscape amenities within the buffer area.

3. Include City of Pickering Standard P-1100 – Tree Protection Fencing, and P-1101 – Tree Protection Notes in the Arborist Report.
4. With the extreme high lake water levels that have been experienced in 2017 and again in 2019 and the possibility of this event becoming a regular occurrence, confirm that the edge of water and PSW limits are accurate for the high water conditions.

### **Traffic Impact Study**

5. Page 6 – As per the Official Plan, Edition 8, Liverpool Road, south of Annland Street, is a local road. Please revise accordingly.
6. Page 7 - Wharf Street is a local road with a posted speed limit of 40 km/hour. Revise the report to include the posted speed limit.
7. Page 33 – Table 24 shows the trip rates for the land-use (230) residential condominium of 0.35 for AM, 0.37 for PM and 0.36 for Saturday peak hour. However, the ITE Manual - Edition 9 - Code 230 shows a trip rate of 0.44 for AM peak hour and 0.52 for PM Peak hour. Please confirm the trip rates as they appear to be low.
8. Page 33 –Table 24 also shows the trip rates for the land-use (826) Retail Centre for AM Peak is 0.96, while the ITE Manual - Edition 9 recommends an AM Peak Hour trip rate of 2.71 for this use. Please clarify.
9. Page 50 – The report is recommending to install a new traffic signal at the intersection of Krosno Boulevard and Liverpool Road. With the traffic signal installation, the LOS at this intersection (SB left turn for PM Peak hour) has improved from F to B, however, the 95<sup>th</sup> percentile queue increased to 130 m. Also, the Saturday Peak hour queue length is 74 m which will block the Haller Avenue access. Provide recommendations to improve the queue lengths.
10. Page 55 - The report says that there is an opportunity for a future road connection between Liverpool Road and Sandy Beach Road, in the vicinity of the terminus of Liverpool Road, in order to improve connectivity. Please provide more information.
11. Provide a site access location review, including a sightline review. The review should emphasize that the proposed access is adjacent to the existing access for the Region of Durham.
12. Provide the traffic counts data sheet in the appendices for our review.
13. Provide a Synchro file for our review and record.
14. Provide an Autoturn diagram for the fire truck and the delivery vehicles.
15. A Peer Review of the Traffic Impact Study is required, and all costs will be the responsibility of the applicant.

## Water Resources Comments

1. No comments.
- 

In addition to the above comments, the following comments are for the applicant's consideration at the detailed design stage:

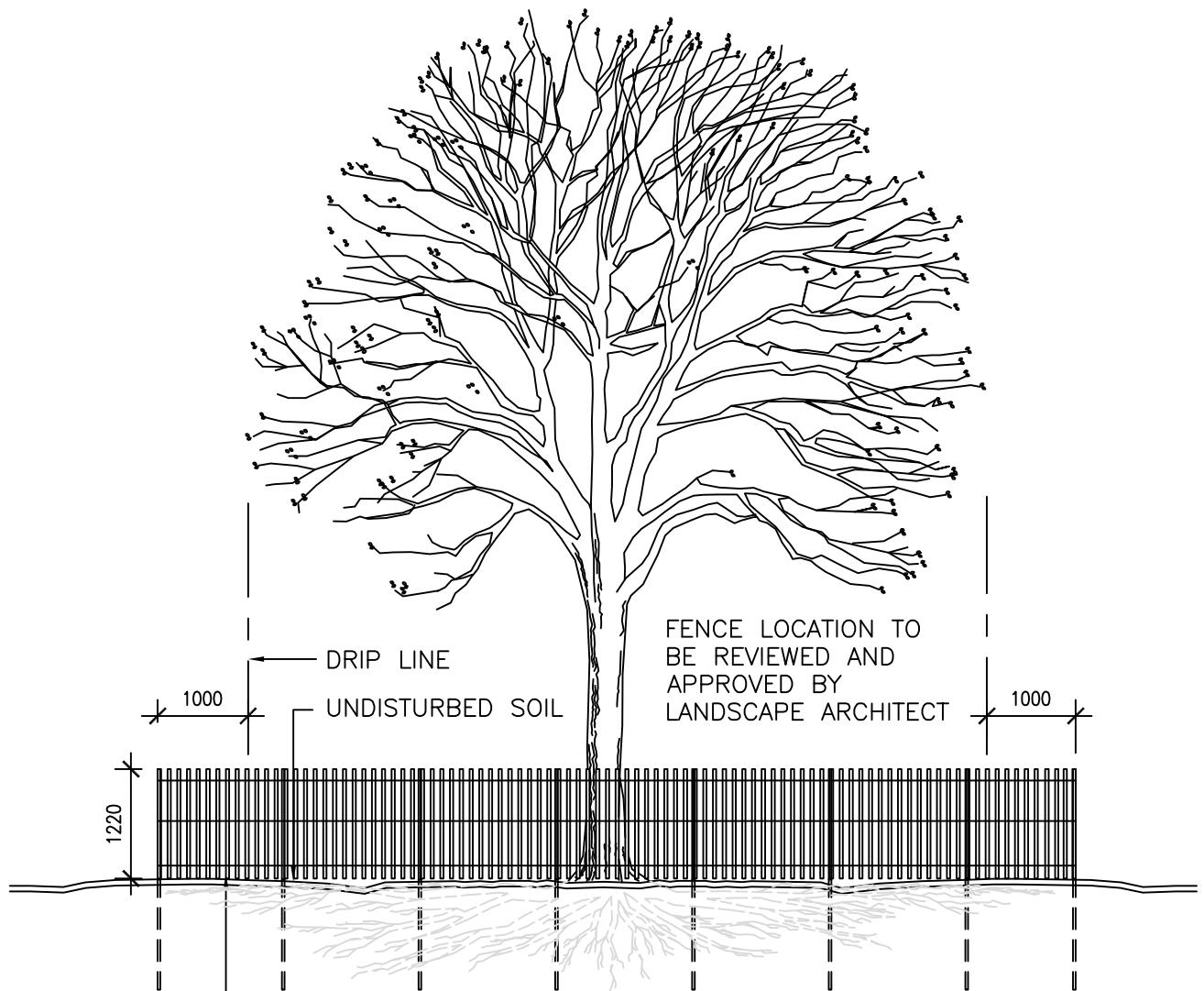
### Development Services

1. The Functional Servicing Plan - Drawing SS-1 proposes to reuse certain storm infrastructure, including headwall and sewer segments which must be assessed at detailed design.
2. The logical discharge location for both surface drainage and groundwater pumping is directly into Krosno Creek as opposed to the municipal storm sewer on Liverpool Road.



PH:dp

Attachment      City of Pickering Standard P-1100  
                         City of Pickering Standard P-1101



37 X 37 X 5 X 2400mm LONG T-BAR STAKES,  
 SPACED AT A MAXIMUM OF 1525mm ON CENTRE,  
 PLACED ON INSIDE OF FENCE.

STANDARD WOODEN LATHE SNOW FENCING ERECTED  
 AT A MINIMUM OF 1.0M BEYOND DRIPLINE OF  
 INDIVIDUAL TREE OR GROUPING. FASTEN TO T-BAR  
 POSTS AT THREE LOCATIONS WITH #10 GALVANIZED  
 WIRE.

All dimensions are in millimetres unless otherwise noted.

City of Pickering

Engineering Services Department

DRAWN A. MOSTERT
APPROVED
DATE AUGUST 2015

**TREE PRESERVATION  
 PROTECTION FENCING DETAIL**

REVISION NO.
DATE
P-1100

1. ALL EXISTING TREES WHICH ARE TO REMAIN SHALL BE FULLY PROTECTED WITH SNOW FENCING OR SIMILAR STRUCTURES ERECTED OUTSIDE THE DRIP LINE OF THE TREES, PRIOR TO COMMENCEMENT OF CONSTRUCTION. GROUPS OF TREES AND OTHER EXISTING PLANTINGS TO BE PROTECTED SHALL BE DONE IN A LIKE MANNER WITH SNOW FENCING OR OTHER SIMILAR STRUCTURES AROUND THE ENTIRE CLUMP(S). AREAS WITHIN THE PROTECTIVE FENCING SHALL REMAIN UNDISTURBED AND SHALL NOT BE USED FOR THE STORAGE OF BUILDING MATERIALS OR EQUIPMENT.
2. NO RIGGING CABLES SHALL BE WRAPPED AROUND OR INSTALLED IN TREES AND SURPLUS SOIL, EQUIPMENT, DEBRIS OR MATERIALS SHALL NOT BE PLACED OVER THE ROOT SYSTEMS OF THE TREES WITHIN THE PROTECTIVE FENCING. NO CONTAMINANTS ARE TO BE DUMPED OR FLUSHED WHERE FEEDER ROOTS OF TREES EXIST.
3. THE CONTRACTOR SHALL TAKE EVERY PRECAUTION NECESSARY TO PREVENT DAMAGE TO TREES OR SHRUBS TO BE RETAINED.
4. WHERE LIMBS OR PORTIONS OF TREES ARE REMOVED TO ACCOMMODATE CONSTRUCTION WORK, THEY WILL BE CLEANLY CUT IN ACCORDANCE WITH ACCEPTABLE ARBORICULTURAL PRACTICES.
5. WHERE ROOT SYSTEMS OF PROTECTIVE TREES ARE EXPOSED DIRECTLY ADJACENT TO OR DAMAGED BY CONSTRUCTION WORK, THEY SHALL BE TRIMMED NEATLY AND THE AREA BACK-FILLED WITH APPROPRIATE MATERIAL IN A TIMELY MANNER TO PREVENT DRYING.
6. WHERE NECESSARY, THE TREES SHALL BE GIVEN AN OVERALL PRUNING TO RESTORE THE BALANCE BETWEEN ROOTS AND TOP GROWTH OR TO RESTORE THE APPEARANCE OF THE TREE.
7. TREES SCHEDULED FOR PRESERVATION THAT HAVE DIED OR BEEN DAMAGED BEYOND REPAIR SHALL BE REPLACED BY THE CONTRACTOR AT HIS OWN EXPENSE BY TREES OF A SIMILAR SIZE AND SPECIES OR SUCH SIZE AND SPECIES AS APPROVED BY THE LANDSCAPE ARCHITECT.
8. IF GRADES AROUND TREES TO BE PROTECTED ARE LIKELY TO CHANGE, THE CONTRACTOR SHALL BE REQUIRED TO TAKE SUCH PRECAUTIONS AS DRY WELLING AND ROOT FEEDING TO THE SATISFACTION OF THE CITY OF PICKERING.
9. SHOULD A CONFLICT OCCUR BETWEEN TREES SCHEDULED FOR PRESERVATION AND THE PROPOSED CONSTRUCTION, APPROVAL SHALL BE OBTAINED IN WRITING FROM THE CITY OF PICKERING PRIOR TO PROCEEDING WITH THE REMOVAL OF SUCH.
10. ANY TREES DESIGNATED FOR REMOVAL SHALL BE REMOVED IN ENTIRETY INCLUDING ALL STUMPS AND ROOTS AND DISPOSED OF OFF SITE. NO BURYING OF TREE BRANCHES AND STUMPS WILL BE PERMITTED.

City of Pickering		Engineering Services Department	
DRAWN A. MOSTERT	TREE PROTECTION NOTES	REVISION NO.	
APPROVED		DATE	
DATE AUGUST 2015		P-1101	