



CMD 23-M36.18

Date: 2023-10-30

File / dossier : 6.02.04

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Oral Presentation

**Written submission from
Pickering Harbour Company
Limited, Frenchman's Bay
Harbour & Marine Service
Company Limited**

Exposé oral

**Mémoire de
Pickering Harbour Company
Limited, Frenchman's Bay
Harbour & Marine Service
Company Limited**

Regulatory Oversight Report for
Canadian Nuclear Power Generating
Sites: 2022 and Mid-term update for
Ontario Power Generation's Pickering
Nuclear Generating Station

Rapport de surveillance réglementaire
des sites de centrales nucléaires au
Canada : 2022 et Rapport de mi-parcours
d'Ontario Power Generation pour la
centrale nucléaire de Pickering

Commission Meeting

Réunion de la Commission

December 13 and 14, 2023

13 et 14 décembre 2023

Reply To: David Spencer
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Email: dspencer@srlawpractice.com

October 30, 2023

Delivered Via Email: interventions@cnsccsn.gc.ca

Delivered Via Fax: 613-995-5086

Canadian Nuclear Safety Commission
280 Slater Street,
P.O. Box 1046, Station B
Ottawa, Ontario
K1P 5S9.

Dear Sirs

Re: Pickering Harbour Company Limited (“**PHC**”), Frenchman's Bay Harbour & Marine Service Company Limited (“**FBHMSC**”) and Ontario Power Generation (“**OPG**”) application for licence renewal to the Canadian Nuclear Safety Commission (“**CNSC**”) for the Pickering Nuclear Power Generating Station (“**PNPG**”) Our File No.: 31403

Please be advised that we represent the Frenchman's Bay Harbour & Marine Service Company Limited and its subsidiary company, Pickering Harbour Company Limited, which latter company owns the following lands:

- a. 591 Liverpool Road Pickering, comprised of approximately 5.8 acres of lands with a boatyard, parking and administrative offices;
- b. 600 Liverpool Road, Pickering, comprised of approximately 1 acre of lands with a harbourmaster building and event centre together with a marina/waterlot containing with approximately 250 boatslips;
- c. the majority of the waterlot (including waterbed) comprising Frenchman's Bay in Pickering Ontario, comprising approximately 130 acres;
- d. approximately 2.5 acres of lands on the spit at the east harbour entrance to Frenchman's Bay
- e. approximately 34 acres of waterlot and lakebed in Lake Ontario at the harbour entrance to Frenchman's Bay.

*Services provided through a Professional Corporation

REPLY TO: **Vaughan Office** | 302-610 Applewood Crescent, Concord, ON L4K 0E3 | T 416 363 2211 | F 289 695 0045

Toronto Office: 1000-120 Adelaide St W, Toronto, ON M5H 3V1 | T 416 363 2211 | F 416 363 0645

It is our understanding that our client PHC is the largest single landowner in near proximity to the PNPG.

Currently a portion of PHC's lands at 591 Liverpool Road are subject to a restriction for the benefit of the PNPG restricting any residential occupation of the said lands due to such lands being within an exclusionary zone measured from the generating plants at the PNPG. Our client's understanding was that this zone was calculated in accordance with the requirements at the time that reactor No. 1 entered into service in the 1970's and has not been reviewed or amended in relation to our client's lands since that time. To the best of the knowledge and belief of our clients, its lands subject to the exclusionary zone are the only private lands subject to this type of restriction in Ontario. This exclusion zone was not noted on the title to the lands at the time of its acquisition and our clients did not become aware of this restriction until long after the acquisition of the lands.

Our clients are of the further understanding that OPG is looking to extend the licences of reactors 5 through 8 only at PNPG and our client is hopeful that since reactors 1 through 4 (being those in closest proximity to PHC's lands) will not continue in use, the licence renewal process will also prompt a review and re-calculation of the limits of the current exclusion zone, with the hope that this exclusion line will no longer affect our client's lands.

We are requesting status as intervenor for both of our clients in the hearings and public meetings being held by CNSC with respect to the review of the licence terms and/or extension of the licences of PNPG, with the right to receive all materials relating to the extension of the licences as may be permitted by law, including copies of the application materials. In addition, our clients request the right as intervenor(s) to submit and/or present further and other information and materials with respect to the matters raised above at any meeting or hearing.

This letter is the only official submission and request being made by PHC and FBHMS with respect to the PHC lands and no other party has any authority to represent PHC and FBHMS or bind the companies in any manner.

Thank you for your consideration and we look forward to your confirmation that our clients will have intervenor status with respect to the hearings and materials relating to the CNSC consideration of the extension of the licences for PNPG.

**Yours truly,
SCHNEIDER RUGGIERO SPENCER MILBURN LLP**



**Per: David R. Spencer
Partner ***

c. Board of Directors – Pickering Harbour Company Limited

*Legal services provided through David R. Spencer Professional Corporation