



Council Meeting Minutes
Tuesday, October 3, 2006
7:30 PM

PRESENT:

Mayor David Ryan

COUNCILLORS:

K. Ashe
M. Brenner
D. Dickerson
R. Johnson attended the meeting at 10:00 pm
B. McLean
D. Pickles

ALSO PRESENT:

E. Buntsma - Director, Operations & Emergency Services left the meeting at 7:41 pm
N. Carroll - Director, Planning & Development
G. Paterson - Director, Corporate Services & Treasurer left the meeting at 7:41 pm
D. Bentley - City Clerk
L. Taylor - Manager, Development Review
R. Pym - Principal Planner-Development Review
D. Shields - Deputy Clerk

(I) INVOCATION

Mayor Ryan called the meeting to order and led Council in the saying of the Invocation.

Moved by Councillor Dickerson
Seconded by Councillor McLean

That the rules be suspended in order to deal with the Adoption of the Minutes, Correspondence and Executive Report 2006-EC-14 at this time.

CARRIED ON A 2/3RD
MAJORITY VOTE



(II) ADOPTION OF MINUTES

Moved by Councillor Dickerson
Seconded by Councillor McLean

Council Meeting of September 18, 2006

CARRIED

Moved by Councillor Dickerson
Seconded by Councillor McLean

“In Camera” Council Meeting of September 18, 2006

CARRIED ON A
RECORDED VOTE:

YES

NO

Councillor Brenner
Councillor Dickerson
Councillor McLean
Councillor Pickles
Mayor Ryan

Councillor Ashe

Councillor Johnson absent

(III) CORRESPONDENCE

1. CORR. 65-06
PATTI BARRIE
MUNICIPAL CLERK
Municipality of Clarington
40 Temperance Street
Clarington, ON L1C 3A6

That CORR. 65-06 from Patti Barrie, Municipal Clerk, advising that at a meeting held on September 11, 2006, the Council of the Municipality of Clarington passed a resolution with respect to the shortage of Justices of the Peace in Durham Region and urging Council to give this matter utmost attention, be endorsed.



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2. CORR. 66-06
YVONNE BOSCH, CHAIR
BILL PARISH, CO-CHAIR
FRIENDS OF THE AJAX PICKERING HOSPITAL
68 Hills Road
Ajax, ON L1S 3W4

That CORR. 66-06 from Yvonne Bosch, Chair and Bill Parish, Co-Chair, Friends of the Ajax Pickering Hospital, submitting a letter dated August 21, 2006 advising that the Central East LHIN, of which Durham Region is a part, is in the process of preparing its first Integrated Health Services Plan which is scheduled to be completed by October 31, 2006 be received and the submission to the Central East LHIN by the Friends of the Ajax Pickering Hospital, be endorsed.

3. CORR. 67-06
JOHN S. BURKE
DEPUTY MINISTER
MINISTRY OF MUNICIPAL AFFAIRS
17th Floor, 777 Bay Street
Toronto, ON M5G 2E5

That CORR. 67-06 from John S. Burke, Deputy Minister, advising Council that the Ministry of Municipal Affairs will be entering the third year of the Long-standing Service Program, which is a special recognition program for locally elected officials who have served 25 years or more in municipal government, be received for information.

4. CORR. 68-06
LORRAINE CHIASSON
REGULATORY COORDINATOR
ENBRIDGE
500 Consumers Road
North York, ON M2J 1P8

That CORR. 68-06 from Lorraine Chiasson, Regulatory Coordinator, submitting a letter advising that as directed by the Ontario Energy Board in its Letter of Direction to Enbridge Gas Distribution, attached hereto is a copy of the Notice in both the English and French versions, together with a copy of the Application filed by Enbridge Gas Distribution Inc. on August 18, 2006, be received for information.



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Resolution # 139/06

Moved by Councillor Dickerson
Seconded by Councillor Brenner

That Correspondence Items 1 to 4 are approved, as directed.

CARRIED

(VI) EXECUTIVE COMMITTEE REPORT

Executive Committee Report EC 2006-14 of the Meeting Held on September 25, 2006

1. Director, Operations & Emergency Services, Report OES 32-06
Tender T-12-2006
Sandy Beach Road Bridge Replacement & Road Reconstruction

COUNCIL DECISION

1. That Report OES-32-06 regarding the Sandy Beach Road Bridge Replacement and Road Reconstruction be received;
2. That Tender T-12-2006 submitted by Dagmar Construction Inc. for the Sandy Beach Road Bridge Replacement and Road Reconstruction at a cost of \$1,694,042.48 (GST included) be accepted;
3. That the total gross project cost of \$ 1,827,602.48 (GST included) including the tender amount, and other associated costs and the total net project cost of \$1,724,153.28, be approved;
4. That Council authorize the Director, Corporate Services & Treasurer to finance the project as follows:
 - a) the sum of \$666,665 to be funded from the Canada Ontario Municipal Rural Infrastructure Fund (COMRIF) Grant Intake 2;
 - b) the sum of \$1,050,000 to be financed by the issue of debentures through the Region of Durham, over a period not exceeding 10 years, at a rate to be determined;
 - c) the balance amount of \$7,488 to be funded from the 2006 Current Budget;



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- d) the annual repayment charges in the amount of approximately \$138,000 be included in the annual Current Budget for the City of Pickering commencing in 2007, continuing thereafter until the loan is repaid, and any financing cost to be paid out of the Current Budget;
 - e) the Director, Corporate Services & Treasurer has updated the City's 2006 Annual Repayment Limit and certified that this loan and the repayment thereof falls within the City's Annual Repayment Limit for debt and financial obligations, as established by the Province for municipalities in Ontario, and would not cause the City to exceed the updated Limit, and therefore, Ontario Municipal Board approval was not required prior to City Council's authorization;
 - f) the Treasurer is authorized to take any actions necessary in order to effect the foregoing; and
5. That the appropriate City of Pickering officials be authorized to take necessary action to give effect thereto.
2. Director, Operations & Emergency Services, Report OES 33-06
Tender No. T-6-2006 – Playground Construction
Request for Proposal – RFP-9-2006 Playground Equipment
Quote Q-51-2006 – Quotation for Safety Surface Material

COUNCIL DECISION

1. That Report OES 33-06 of the Director, Operations & Emergency Services regarding playground construction, playground equipment, and safety surface material be received;
2. That Tender No. T-6-2006 as submitted by Royalcrest Paving & Contracting Ltd. for park and playground construction in the amount of \$98,094.00 (excluding GST) be accepted;
3. That the Request for Proposal, RFP-9-2006 as submitted by Crozier Agencies for the supply and installation of playground equipment in various parks in the amount of \$108,568.95 (excluding GST) be accepted;
4. That Quotation Q-51-2006 as submitted by Playcare Inc. for Safety Surface Material in various parks in the amount of \$33,845.00 be accepted;
5. That all other associated project costs of \$59,492.05, and the total project cost of \$300,000 (excluding GST), be accepted;



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6. That the Director Corporate Services & Treasurer be authorized to transfer \$300,000 from the Parkland Reserve Fund as provided for in the 2006 Capital Budgets; and
 7. Further, that the appropriate officials of the City of Pickering be authorized to take the necessary actions to give effect thereto.
3. Director, Operations & Emergency Services, Report OES 35-06
Tender T-5-2006 – Concrete Sidewalk Installations
Various Locations
-

COUNCIL DECISION

1. That Report OES 35-06 of the Director, Operations & Emergency Services regarding the installation of concrete sidewalks in various locations in the City of Pickering be received;
 2. That Tender T-5-2006, as submitted by Trisan Construction for concrete sidewalk installations at various locations in the City of Pickering in the amount of \$236,975.52 (GST included) be accepted;
 3. That the total gross project cost of \$263,475.52 and a net project cost of \$248,561.81 (GST excluded), including the tender amount and other project costs as outlined in Report OES 35-06 of the Director, Operations & Emergency Services be approved;
 4. That \$248,561.81 be financed from Development Charges Reserve Fund (\$119,794.79), City Share – DC Reserve (\$123,855.43) and Property Taxes (\$4,911.39) and the Director of Corporate Services & Treasury be authorized to transfer these funds; and
 5. Further, that the appropriate officials of the City of Pickering be authorized to take the necessary actions to give effect thereto.
4. Director, Operations & Emergency Services, Report OES 36-06
Supply and Delivery of Street Sweeper
Q-41-2006/Q-41A-2006
-
1. That Report OES 36-06 of the Director, Operations & Emergency Services regarding the supply and delivery of a Street Sweeper be received;
 2. That Quotation No. Q-41-2006 submitted by Joe Johnson Equipment for the supply and delivery of an Elgin Eagle Waterless Street Sweeper Factory



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Stock Demonstration Unit Serial No. FW-2303-D in the amount of \$240,500.00 (GST, PST extra) be accepted;

3. That the total gross purchase cost \$274,170.00 and a net purchase cost of \$259,740.00 be approved;
4. That Council authorize the Director, Corporate Services & Treasurer to finance the project as follows:
 - a) the sum of \$240,000.00 to be financed by the issue of debentures through the Regional Municipality of Durham, over a period not exceeding five years, at a rate to be determined;
 - b) the balance amount of \$19,740.00 to be funded from the general savings realized per project code - 5320-0607-6178 - Tiger Mower and 5320-0608-6178 – Hot Box, both paid from property taxes
 - c) the annual repayment charges in the amount of approximately \$55,600 be included in the annual Current Budget for the City of Pickering commencing in 2007, continuing thereafter until the loan is repaid, and any financing cost to be paid out of the Current Budget
 - d) the Director, Corporate Services & Treasurer has updated the City's 2006 Annual Repayment Limit and certified that this loan and the repayment thereof falls within the City's Annual Repayment Limit for debt and financial obligations, as established by the Province for municipalities in Ontario, and would not cause the City to exceed the updated Limit, and therefore, Ontario Municipal Board approval was not required prior to City Council's authorization;
 - e) the Treasurer is authorized to take any actions necessary in order to effect the foregoing; and
5. That the appropriate City of Pickering officials be authorized to take necessary action to give effect thereto.



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5. Director, Operations & Emergency Services, Report OES 34-06
No Parking By-law – Wharf Street
Amendment to By-law 6604/05

COUNCIL DECISION

1. That Report OES 34-06 regarding a proposed amendment to the municipal traffic by-law 6604/05 be received; and
 2. That the attached draft by-law be enacted to amend Schedule '2' to By-law 6604/05 to provide for the regulating of parking on highways or parts of highways under the jurisdiction of the Corporation of the City of Pickering and on private and municipal property.
6. Director, Corporate Services & Treasurer, Report CS 49-06
Section 357/358 of the *Municipal Act* – Adjustment to Taxes

COUNCIL DECISION

1. That Report CS 49-06 of the Director, Corporate Services & Treasurer be received;
 2. That the write-offs of taxes as provided under Section 357/358 of the *Municipal Act* be approved; and
 3. Further, that the appropriate officials of the City of Pickering be authorized to take the necessary action to give effect thereto.
7. Director, Corporate Services & Treasurer, Report CS 50-06
Tender/Contract Approval
Councils' Summer Recess

COUNCIL DECISION

1. That Report CS 50-06 of the Director, Corporate Services & Treasurer reporting on tendering and contract approvals during Councils' Summer Recess be received; and
2. That Council pass a resolution ratifying the approval of the Tenders and Contracts contained in this Report by the Chief Administrative Officer during Council's summer recess (i.e., from June 26 to July 23, 2006 and from July



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24, 2005 to September 11, 2006) being RFP-7-2006 Network Switch Replacement Project; the Microsoft (Software) BPS Enterprise Agreement and Tender T-2-2006 Lighting Retrofit Pickering Civic Complex and Pickering Public Library.

8. Director, Corporate Services & Treasurer, Report CS 51-06
Veridian Corporation – Promissory Notes

COUNCIL DECISION

1. That Report CS 51-06 of the Director, Corporate Services & Treasurer be received;
 2. That the maturity dates on the Promissory Notes in the amount of \$7,095,000 to Veridian Corporation and \$17,974,000 to Veridian Connections Inc. be amended to November 1, 2009 at their face value with the existing terms and conditions including interest at 7.6% per annum;
 3. That a By-law in the form attached providing for the approval and execution of a Note Amending Agreement be passed;
 4. That the Mayor and Clerk be authorized to execute the Note Amending Agreement on behalf of the City of Pickering in the form attached;
 5. That the Director, Corporate Services & Treasurer be authorized to undertake any actions including negotiations or amendments to the terms and conditions necessary in order to put the foregoing into effect; and,
 6. That the appropriate officials at the City of Pickering be given authority to give effect thereto.
9. Director, Corporate Services & Treasurer, Report CS 52-06
Investment Portfolio Activity for the Year Ended December 31, 2005

COUNCIL DECISION

That Report CS 52-06 of the Director, Corporate Services & Treasurer be received for information.



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10. Director, Corporate Services & Treasurer, Report CS 53-06
Municipal Performance Measurement Program – Provincially
Mandated Public Report of Performance Measures

COUNCIL DECISION

That Report CS 53-06 of the Director, Corporate Services & Treasurer be received for information.

11. Director, Corporate Services & Treasurer, Report CS 56-06
Points of Sale Agreement for Durham Region Transit Fares

1. That Report CS 56-06 of the Director, Corporate Services & Treasurer be received;
2. That the Mayor and Clerk be authorized to execute a Point of Sale Agreement with the Durham Region Transit Commission (DRTC) in a form substantially as attached and acceptable to the Director, Corporate Services & Treasurer and the City Solicitor;
3. That the Director, Corporate Services & Treasurer be authorized to make any changes necessary to effect the foregoing; and,
4. That the appropriate staff at the City of Pickering be given authority to give effect thereto.

12. Director, Corporate Services & Treasurer, Report CS 57-06
Formal Quotations – Quarterly Report for Information

COUNCIL DECISION

That Report CS 57-06 of the Director, Corporate Services & Treasurer be received for information.

Resolution # 140/06

Moved by Councillor Dickerson
Seconded by Councillor Johnson

That the Report of the Executive Committee EC 2006-14, dated September 25, 2006, be adopted.

CARRIED



(V) DELEGATIONS

Bonnie Littley, 1499 Sandhurst Crescent, appeared before Council in opposition to Report PD 45-06. Ms. Littley stated that she felt the development plan did not suit the area and she would like to see a more urban concept for this location. She noted that a market area would be nice or an area similar to the distillery district in downtown Toronto. She noted that the applications residential density was too high and that she would like to see more commercial uses for the site and would also like to see a grocery store come back to the area. Ms. Littley noted that the community would like to see this site redeveloped but does not feel this application is the right fit. Ms. Littley requested Council postpone their decision on Report PD 45-06 to a later date to give everyone the opportunity to work on the plan to make it the best for the City and the community.

Paul Crawford, 867 Antonio Street, appeared before the Council in opposition to Report PD 45-06. Mr. Crawford requested that Council postpone the decision on this matter to a later date in order to give Council, City staff, the developers and the community an opportunity to discuss the plan in more detail. He noted that the community had asked a lot of questions but felt none of them had been answered. Mr. Crawford noted that he felt comments in the report with regards to "places to grow" should be removed and stated that this neighbourhood was part of a stable residential neighbourhood not part of a downtown core. He noted that the site was zoned commercial and with commercial zoning came height restrictions. He felt that the height of the towers were too high, too much density in one area. Mr. Crawford was concerned with the sewer capabilities. He also noted his concerns with the loss of jobs from the commercial component. Mr. Crawford stated that the Community had done their homework on the development and would like the opportunity to meet and discuss it further. Mr. Crawford requested that Council support the residents in the area.

Carolyn Huston, 898 Antonio Street, appeared before the Council and stated her concerns with regards to the reduction in commercial space. She noted that a Vet use had been left off the list of permitted uses in the zoning by-law. She felt that the "H" Holding symbol should be reinstated on the property. She stated she would like to see a grocery store in the neighbourhood again and was concerned with the loss of retail jobs. Ms. Huston noted that busing in the area was not very good and it took a long time to get from place to place. She stated that the developer had placed unreasonable expectations on GO Transit and noted that people do not get on GO Transit to grocery shop or go to the movies. Ms. Huston stated that this development created too much growth in the area all at once and stated that a moratorium should be placed on development in the area and felt that



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just because there is a high rise building already in the area doesn't mean there should be more built.

Sylvain Trepanier, 1218 Monica Cook Place, appeared before Council and stated that he was not opposed to redevelopment but noted that the height and density of this project was too much. He noted that there was a high rise already in the south end and that we can't do anything about that now but felt that building should never have been built either. Mr. Sylvain stated that the apartment building was too high. He noted that Council needed to make a good decision and needed to listen to the residents. He stated that the developer needed to discuss the project more with the residents and felt that they could come to a compromise by working together.

Doris Hopper Reide, 204-1210 Bayshore Towers, appeared before the Council in opposition to the application. She noted that after the last meeting Council had basically approved the application which left the residents with no cards to hold when they met with the developer. The developer knew they didn't have to make any concessions or try and work with the residents. She questioned what the rush was and hoped the approval of the application would be postponed so residents could discuss their concerns further and offer alterations to the plan. She stated that the neighbourhood did not need a 16 or 18 storey high rise. She noted that she was concerned with business ethics of the developer and how he was dealing with the existing tenants of the plaza. She noted that she was concerned with traffic safety at Bayly and Liverpool and noted that it was dangerous to turn south because of the blind spots. With the additional population this development would create it would be even more dangerous. Ms. Hopper Reide requested that the decision be delayed and noted that Council should take their time deciding with this one.

Paul Fieldhouse, 306-1210 Radom Street, stated that after the last meeting he circulated a petition and most of the people he approached were in opposition to the development. He stated that he would like Council to deny the application. Mr. Fieldhouse noted that once the H was lifted at the last meeting the developer had no reason to negotiate and at the meeting the developer didn't want to compromise on anything. He noted that the neighbourhood wanted the grocery store back and did not want the additional traffic this development would create. He noted that the community is not opposed to the redevelopment of the plaza because it needs it but would like the project scaled down and more community friendly.



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Barb Fannin, 306-1210 Radom Street, noted that as she spoke to people throughout the community regarding the development she was sad to hear that people felt their voices weren't being heard, that there was no sense fighting for what they want because it was a "done deal". She requested Council postpone their decision on the application and hoped that the voices of the community were being heard.

Hazel Daubeny, 807-1210 Radom Street, appeared before Council and stated that she had lived in the area since 1964 and was concerned with the high density residential component of the project. She stated that the communities life style was being ruined. She noted her concerns with, where children would play, the overcrowding of schools, the increase in traffic congestion and air pollution. She stated that she felt this type of density attracts crime. Mrs. Daubeny stated that she was looking for sensible shopping opportunities and would like to see a grocery store.

Jim Daubeny, 807-1210 Radom Street, appeared before Council and questioned how often has the Council Chambers been this full, how often have you had this many residents in opposition to an item. He stated that he knows high density areas exist elsewhere but noted that those areas had better road systems to handle it.

Jacqueline Smart, 839 Fairview Avenue, appeared before Council and stated that if Council followed the Invocation they would not be approving this application. She noted that the community had a vision for their neighbourhood and this application wasn't part of it. She stated that the density was too high and would attract crime. She noted that retail space had been lost in the area. She stated that most of the compromises given by the developer wouldn't have been approved anyway so it was for them to give them up. She requested that Council put the "H" Holding symbol back in place.

Wilma Robb, 1806-1210 Radom Street, appeared before Council and noted that she had moved to Pickering to enjoy a smaller community and as a pedestrian chose to live in this area because of the close proximity to the retail plaza. She noted that the people she had spoke to about the project were in opposition to the development. She stated that she was upset when the grocery store closed and noted that it was not easy to get around because the transit system was not that great. She questioned when and what type of retail would be going into the development. She also stated that she was concerned with the increase in traffic the development would create.



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Georgs Kolesnikovs, 707-1210 Radom Street, appeared before Council and noted that the developer continues to make demands on the City, they are looking for fewer parking spaces, they want to move the buildings closer to the street, they have requested 7 last minute demands. It is time the City started making demands of the developer and started listening to the residents. He noted that there were concerns with increased traffic, parking problems and the high residential density. Mr. Kolesnikovs asked Council if they wanted to be remembered as the Council that opened the gates for rampant development, concrete and glass high rises, traffic and noise pollution in south Pickering. Mr. Kolesnikovs asked Council to delay their decision, reconsider the development and allow an opportunity to meet and discuss the development. He stated that the community did not want this development as proposed.

Eileen Higdon, 852 Fairview Avenue, appeared before Council in opposition to this development. She noted that meetings had been held, designs had been picked and the developer had ignored what the residents wanted. She questioned what is wrong with a walkable community and stated that the developer should build a project that is compatible with the existing neighbourhood. Ms. Higdon requested that Council put the "H" Holding symbol on again and delay the decision until after the Election.

Ed Fulton, 705-1210 Radom Street, stated that he felt the residents were not given enough time to go over the application. He stated that he felt Council had abandoned the residents. His concerns with the application were with the loss of commercial uses, that GO Transit does not provide transit from A to B and noted that there is not a viable transit system for the development and he noted that greenspace was at a minimum on the site. He questioned where the community benefits from this project and how the application enhances the life of the older and long term residents in the area. Mr. Fulton requested that the "H" Holding symbol be placed back on the property.

Myrna Picotte, 1210 Radom Street, appeared before Council in support of the application. She did note that she was concerned with having a grocery store and was looking into making an arrangement with another grocery store for residents to be bused. Ms. Picotte noted that she respected the work that Council and staff had did on this project.

Tim Dobson 1310 Broadview Street, appeared before Council representing PESCA and the residents in the area and their opposition to the development. Mr. Dobson requested that the "H" Holding symbol be placed back on the site. He stated that they were still concerned with the high residential density for the site, the high rise building configuration, the traffic increase in the area, parking problems that they feel will be created and the impact the development will have



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on the Douglas Ravine and Frenchmens Bay. He also noted that residents were concerned with how this will affect the emergency evacuation plan due to the increase in population the development will create. He noted that the meeting with City Staff and the developer was informative but not very productive. He believes the design of the project can be made to work for everyone if the developer would work with the residents. He noted that the changes that the developer had made, had to be made, the developer wasn't doing the residents any favours. He stated that the retail tenants feel like they have been left behind and not treated fairly. PESCA requested that the application be denied or postponed.

Councillor Johnson arrived at the Council meeting at 10:00 pm.

Norlene Chong, 707-1210 Radom Street, appeared before Council in opposition to the proposed development. She noted that she had picked this area because it was close to commercial retail and noted that a grocery store back in the area is very important to her. Ms. Chong requested that Council delay the approval on this application.

Margaret Drake, 899 Reytan Blvd., appeared before Council in support of the application. She noted that the single apartment that already existed looked strange all by its self and felt this development would enhance the area. She noted that the Province has designated Pickering as a high residential area so this development is a good fit. She also noted that if the grocery store and retail stores were making money they would not have left, it just wasn't profitable to stay in the area for them. She did note that she was concerned with the increase traffic but also noted that the developer would be doing upgrades and traffic lights would be installed.

Reece Wolanski, 456 Broadgreen Street, stated that he was for the redevelopment and noted that the existing plaza was an eye soar and felt it attracted illegal activities. He noted that he felt this development was proactive.

Carmen Montgomery, 239 Lupine Drive, appeared in support of the commercial component and noted that it needed to be built in Phase 1 of the project. She noted that maybe a mediator should be called in to work with the developer and the retail tenants. She stated that a walk to everything community is a significant bonus to a neighbourhood. She stated that Council had the ability to allow Bayridges to flourish but, had to put goals in place and make the developer stick to them.

Linda Rehel, 1009 Albacore Manor, appeared before Council in support of the redevelopment and noted that the plaza is not a viable plaza for the area and that crime is increasing. She stated that this area was prime land because of its



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proximity to GO Transit, the 401 and the waterfront and is confident this development will improve the area.

Susan Carlevaris, 1310 Broadview Street, appeared before Council and stated that the residents views were not “not in our backyard”. She stated that their concerns were with the quality of life for the residents and felt that things had to be done better and that residents should not have to do without. She noted that they did not agree with reducing the commercial component and felt that the plan commercial had to be completed in the first phase. She stated that with this plan people will be forced to get into their cars to find commercial retail. She also noted that they were concerned with the residential density and stated that there was a minimal of recreational area. Ms. Carlevaris requested that Council defer the application and noted that she was concerned that this application would set a precedent for similar development.

Stephanie Newitt, 1001 Albacore Manor, noted that the residents she had talked to with regards to this application were disappointed with how it was handled and comments were made as to what’s the point of fighting, it’s a done deal. She noted that her concerns were with the high density of the development, increase in traffic, the height of the buildings, the decrease in commercial space and that the development was not compatible with the existing neighbourhood. She noted that she felt the developer had no desire to fit into the community and noted that people will not be walking from one place to another they will have to get into their cars and drive. She was concerned with the impact this development would have on the evacuation route and concerned with the fact that she had heard their would be a third tower. Ms. Newitt requested that Council refer the application back and requested a recorded vote on the matter.

Pasquale Malandrino, 633 Dunn Crescent, appeared before Council as a representative for the retail tenants. He noted that there has been a lack of co-operation on the part of the developer throughout this process. He noted that some of the tenants had not received offers and the offers that had been received were unacceptable. He stated that they were disappointed in Council lack of support to the tenants and noted that there should have been more commercial space in this development.

Florinel Olaru, 1017 Redbird Crescent, appeared before Council in support of the application and noted that he passes by the plaza daily and it definitely needs to be redeveloped.

Steve Webster, 613 Atwood Crescent, appeared before Council in support of the application and noted that the plaza is an eye soar and needs to be redeveloped.



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Anna Silva, 613 Atwood Crescent, appeared before Council in support of the application and stated that South Pickering need to catch up and redevelopment in this area is a good thing.

Mark Willis, 1866 Fairport Road, appeared before the Council in support of the application and noted that he was the owner of Jacqueline's School of Dance. He stated that the developers were very helpful with their relocation and noted that the development would bring new families to the area. He noted that this area was ready for redevelopment.

John Moniz, 1299 Kingston Road, appeared before Council in support of the application and stated that Council should look closely at the project because they wouldn't want it to go to the OMB and loose control of it.

Stephen Fagyas, 69 Yorkville Avenue, Toronto, appeared before Council as the lead Planner for the project. He noted that they had reviewed the by-law and stated that a letter had been sent to the Planning Department with their recommendation. He stated that his clients would really like to see a reduction in parking spaces and felt that 3.5 would be more than appropriate for this area. He also noted that they would like to see the building closer to the street and wanted to know how soon the commercial space had to be in place.

Gardner Church, representative for S R & R Developments Ltd., appeared before Council and stated that he agreed with PESCA that the developer should be held to the commercial space. He noted that the only possibility of another grocery store opening in the area would be with this development. He also stated that the developer has had the option of going to the OMB for the last 40 days but has chose to try and work with City Staff and the residents. He stated that they would still like to see a contract in place instead of the "H" Holding Symbol.

(VI) NEW AND UNFINISHED BUSINESS

1. Director, Planning & Development, Report PD 45-06
Zoning By-law Amendment Application A06/06
S.R. & R. Bay Ridges Ltd.
1215-1235 Bayly Street
Part of Block Y, Plan M-16
City of Pickering
-



Resolution #141/06

Moved by Councillor Ashe
Seconded by Councillor Johnson

1. That Council adopt the Development Guidelines for the Bay Ridges Plaza area, as set out in Appendix III, as amended, to Planning Report PD 45-06;
2. That Zoning By-law Amendment Application A06/06 submitted by S.R. & R. Bay Ridges Ltd., on lands being Part of Block Y, Plan M-16, City of Pickering, to amend the zoning to permit a mixed use development consisting of apartment buildings containing commercial/retail uses and townhouse dwelling units, be approved, subject to the conditions outlined in Appendix I to Planning Report PD 45-06, as amended, to reflect 15% of the townhouse development to be withheld until the commercial area is constructed;
3. That the amending zoning by-law, to implement Zoning By-law Amendment Application A06/06, as set out in Appendix II, as amended, to Planning Report PD 45-06, be forwarded to City Council for enactment; and
4. That traffic signals be installed at the intersection of Bayly Street and St. Martins Drive, in consultation with the Region of Durham and the City of Pickering, as a condition of proceeding with development and that the full cost of design and construction be the responsibility of the owner.

CARRIED AS AMENDED
LATER IN THE MEETING
(See Following Motions)

Resolution #142/06

Moved by Councillor McLean
Seconded by Councillor Brenner

That recommendation #2 of the main motion be deleted in its entirety and replaced with the following:

'That Zoning By-law Amendment Application A 06/06, submitted by S.R. & R. Bay Ridges Ltd. on lands being part of Block Y, Plan M-16, City of Pickering, to amend the zoning to permit a mixed use development consisting of apartment buildings containing commercial/retail uses and townhouse dwelling units, be approved, with a "(H)" holding provision



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subject to the conditions outlined in Appendix I, to Planning Report PD 45-06.'.

MOTION DEFEATED ON
THE FOLLOWING
RECORDED VOTE:

YES

Councillor Brenner
Councillor McLean

NO

Councillor Ashe
Councillor Dickerson
Councillor Johnson
Councillor Pickles
Mayor Ryan

Detailed discussion ensued with respect to the execution of a performance agreement by the developer with the City. Council recessed in order to provide staff with the opportunity to revise the 'Recommended Conditions of Approval for Zoning By-law Amendment Application A 06/06', as noted on page 89 of the agenda, to reflect registration of a performance agreement to the satisfaction of the City; providing any required utility easements; entering into a site plan agreement; maintenance of minimum 1,200 square metres of retail floor space during construction of the townhouses and up to commencement of construction of the apartments, following which, 500 square metres of retail floor space shall be maintained until such time as a minimum of 2000 square metres of retail floor space is constructed in the "RH'MU-2" zone; and the construction of 2,500 square metres of retail gross floor area.

Resolution #143/06

Moved by Councillor Dickerson
Seconded by Councillor Johnson

That Recommendation #2 of the main motion (#141/06) be amended to reflect the execution of a performance agreement and Appendix I, as amended.

CARRIED UNANIMOUSLY
ON A RECORDED VOTE



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Resolution #144/06

Moved by Councillor Pickles
Seconded by Councillor Ashe

That Item 4 (2) (c) (i), of the draft amending by-law, as amended, be changed by deleting '4.5 parking spaces' and inserting '4.0 parking spaces'.

MOTION DEFEATED ON
THE FOLLOWING
RECORDED VOTE:

YES

Councillor Ashe
Councillor Johnson
Councillor Pickles

NO

Councillor Brenner
Councillor Dickerson
Councillor McLean
Mayor Ryan

The main motion (#141/06), as amended, of Councillor Ashe and Councillor Johnston was then put to a recorded vote and CARRIED as follows:

YES

Councillor Ashe
Councillor Dickerson
Councillor Johnson
Councillor Pickles
Mayor Ryan

NO

Councillor Brenner
Councillor McLean

(VIII) BY-LAWS

Councillor Johnson, seconded by Councillor Pickles, took leave to introduce by-laws of the City of Pickering, save and except By-law 6705/06;



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- 6706/06 Being a by-law to approve and authorize the execution of a note amending agreement made as of the 1st day of October, 2006 in respect of promissory notes dated September 28, 2001 issued by Veridian Corporation and Veridian Connections Inc. in favour of The Corporation of the Town of Ajax, The Corporation of the City of Belleville, The Corporation of the Municipality of Clarington and The Corporation of the City of Pickering, and to approve the issue of seconded amended and restated promissory notes dated as of the 1st day of October, 2006.
- 6707/06 Being a by-law to amend By-law 6604/05 providing for the gulating of parking, standing or stopping on highways or parts of highways under the jurisdiction of the City of Pickering and on private and municipal property.
- 6708/06 Being a by-law to amend Restricted Area (Zoning) By-law 3037, as amended, to implement the Official Plan of the City of Pickering, Region of Durham in Part of Lot 7, Concession 5 (Parts 1 and 2 Plan 40R-23455) in the City of Pickering. (A 25/02).

THIRD READING:

Councillor Johnson, seconded by Councillor Pickles moved that By-law Numbers 6706/06 to 6708/06 be adopted and the said by-laws be now read a third time and passed and that the Mayor and Clerk sign the same and the seal of the Corporation be affixed thereto.

Councillor Johnson, seconded by Councillor Pickles, took leave to introduce by-law 6705/06 of the City of Pickering;

- 6705/06 Being a by-law to amend Restricted Area (Zoning) By-law 3037, as amended, to implement the Official Plan of the City of Pickering, Region of Durham in Part of Block Y, Plan M16, in the City of Pickering. (A06/06) [AS AMENDED EARLIER IN THE MEETING]

THIRD READING:

Councillor Johnson, seconded by Councillor Pickles moved that By-law Numbers 6705/06 be adopted and the said by-law be now read a third time and passed and that the Mayor and Clerk sign the same and the seal of the Corporation be affixed thereto.



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(IX) OTHER BUSINESS

1. Councillor Johnson gave notice that he would be presenting a Notice of Motion at the next meeting of Council with respect to the reduction of the speed limit to 60 km/hr on Sideline 16, between Hwy #7 and the 7th Concession.
2. Councillor Johnson gave notice that he would be presenting a Notice of Motion at the next meeting of Council with respect to a request to the Planning & Development Department to prepare architectural control guidelines for the City.
3. Councillor Johnson gave notice that he would be presenting a Notice of Motion at the next meeting of Council with respect to requesting staff to investigate changing the lastest subdivision in Claremont to Karsten Way.

(X) CONFIRMATION BY-LAW

By-law Number 6709/06

Councillor Dickerson seconded by Councillor Johnson moved for leave to introduce a By-law of the City of Pickering to confirm those proceedings of the Council of The Corporation of the City of Pickering at its Regular Meeting of October 3, 2006.

CARRIED

(XI) ADJOURNMENT

The meeting adjourned at 1:53 am.

DATED this 3rd day of October, 2006.

MAYOR DAVID RYAN

DEBI A. BENTLEY
CITY CLERK