



**Executive Committee  
Meeting Minutes  
Monday, April 10, 2006  
7:30 pm  
Council Chambers  
Chair: Councillor McLean**

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**PRESENT:**

Mayor Ryan

**COUNCILLORS:**

K. Ashe  
M. Brenner  
D. Dickerson  
R. Johnson  
B. McLean  
D. Pickles

**ALSO PRESENT:**

N. Carroll - Director, Planning & Development  
G. Paterson - Director, Corporate Services & Treasurer  
D. Bentley - City Clerk  
C. Rose - Manager, Policy  
D. Shields - Deputy Clerk

**(I) DISCLOSURE OF INTEREST**

Councillor Johnson declared a conflict of interest in accordance with the Municipal Conflict of Interest Act with respect to Report PD 27-06 of the Director, Planning & Development. Councillor Johnson did not take part in the discussion or vote on the matter.

**(I) ADOPTION OF MINUTES**

Moved by Councillor Johnson  
Seconded by Councillor Pickles

Meeting of March 27, 2006

CARRIED



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**(II) DELEGATIONS**

1. Anthony Biglieri  
The Biglieri Group Ltd.  
Re: PD 27-06 Zoning By-law Amendment  
Application A29/05

Anthony Biglieri, the representative for the applicant, appeared before the Committee in support of Zoning By-law Amendment Application A29/05. Mr. Biglieri noted that although they would have liked to have a full range of "C2" uses, they were in agreement with Planning's recommendations. He stated that his client was looking to develop the property in the future and that the uses requested would only be temporary. He also stated that his client agreed with the City about not wanting a Flea Market or Exhibition Hall at the site. Mr. Biglieri questioned whether the Committee would accept a change in the definition for an Antique Market in the zoning by-law and stated that the amended wording would define the use more appropriately. A copy of the proposed definition was provided to the Committee.

2. Anthony Niceforo  
DOT Patio & Home  
Re: PD-27-06 Zoning By-law Amendment  
Application A29/05

Anthony Niceforo, the owner of the subject property, appeared before the Committee in support of Zoning By-law Amendment Application A29/05. He stated that they had completed extensive work on the property to clean it up and noted that he wanted to be proud of his site and was willing to work with the City in this regard. He noted that he understood the City's mistrust as to what went on previously at this location but stated that he was at the site on a daily basis and would be able to monitor the tenants and make sure they abided by the zoning regulations.

**(III) MATTERS FOR CONSIDERATION**

1. Director, Planning & Development, Report PD 19-06  
Rougecrest Construction Inc. / Grand Oak Homes  
(Eastern Division) Inc.  
Plan of Subdivision 40M-1439  
Rougecrest Construction Inc. / Headgate Investments Limited  
Plan of Subdivision 40M-1440 / Plan 40R-10805  
Rougecrest Construction Inc.



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Plan of Subdivision 40M-1441  
Final Assumption of Plans of Subdivision

Moved by Councillor Pickles  
Seconded by Councillor Dickerson

That by-laws be enacted to:

1. Assume roads and services within Plan 40M-1439 (save and except from Blocks 75, 80 and 82), Plan 40M – 1440 and Plan 40M-1441;
2. Amend By-law 1416/82 (Places of Amusement) to include the roads within Plans 40M-1439, 40M-1440 and 40M-1441; and
3. Authorize the release and removal of the Subdivision Agreements and related Amending Subdivision Agreements from title relating to Plan 40M-1439 (save and except from Blocks 75, 80 and 82), Plan 40M-1440 / Plan 40R-10805 and Plan 40M-1441.

CARRIED

2. Director, Planning & Development, Report PD 21-06  
Plan of Subdivision 40M-2014  
Final Assumption of Plan of Subdivision

Moved by Councillor Ashe  
Seconded by Councillor Brenner

That by-laws be enacted to:

1. Assume roads and services with Plan 40M-2014 (save and except from Blocks 29 and 32);
2. Amend By-law 1416/82 (Places of Amusement) to include the roads within Plan 40M-2014; and
3. Authorize the release and removal of the Subdivision Agreement from title relating to Plan 40M-2014 (save and except from Lots 8 and 9 and Blocks 30, 31 and 32).

CARRIED



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3. Director, Planning & Development, Report PD 26-06  
Official Plan Amendment Application OPA 02-004/P  
Zoning By-law Amendment Application A 21/02  
Minister's Zoning Order Application 18-ZO-02903-01  
Bill & Ann Clancey  
(Part of Lot 8, Concession 5, Parts 1, 2 and 3, Plan 40R-16157)  
(South side of Concession 6, east of Westney Road)  
City of Pickering
- 

Ann and Bill Clancey appeared before the Committee in opposition to Report PD 26-06 of the Director, Planning & Development. Mr. and Mrs. Clancey stated that they did not want a Temporary Use By-law, but rather permanent zoning put in place for the driving range. They felt that it could be years before the decision on the by-pass location was made and noted that they would be spending a large amount of money on this endeavour, so they wanted the zoning to be permanent.

It was noted to the Clancey's that the Regional Municipality of Durham would object to the permanent use therefore the temporary use on the property was being recommended.

Serge Rielau, 345 Greenwood Road, appeared before the Committee and noted his support of the driving range. He stated that a driving range was better than a subdivision on the property. Mr. Rielau stated that his concerns for any development in the area related to how the development would affect the Duffins & Carruthers Creek system. He stated that he didn't feel traffic would be a problem, however if a problem were encountered, it would not be hard to rectify.

Joel Dahl, 2745 Concession 6, appeared before the Committee and noted his concerns with possible drainage issues as his property was immediately east of the subject property and sloped down from the site. He also noted his concerns on how the development would affect Duffins & Carruthers Creek system and stated that they needed to be protected. He further advised he had no problem with a driving range use provided his drainage concerns were addressed.

Michael Fearon, 3620 Westney Road, appeared before the Committee and expressed concerns with the effect of the development on the Carruthers and Duffins Creek system. He felt that pesticides and herbicides used on the property would damage the water and felt that the area was environmentally sensitive. Mr. Fearon stated that the Toronto & Region Conservation Authority should review the



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use to make sure the development would not be environmentally detrimental to the area.

Russell Phillips, 2595 Concession 6, appeared before the Committee and stated that he was west of the property and expressed concern with increased traffic in the area. He stated that traffic calming devices were put in this area to reduce traffic and the traffic would increase due to this development. Mr. Phillips felt that by approving the application it would be giving false hope due to the fact that no decision had been made on the Westney Road by-pass.

The Committee was provided with correspondence from the Director of Current Planning, Region of Durham dated April 10, 2006 advising that the Region did not require the applicant to enter into an agreement with the Region to address the future alignment of Westney Road, as part of the temporary use by-law process.

Moved by Councillor Ashe  
Seconded by Mayor Ryan

1. That Official Plan Amendment Application OPA 02-004/P, submitted by Bill & Ann Clancey, to amend the Pickering Official Plan to permit the development of a golf driving range on lands being Part of Lot 8, Concession 5, Parts 1, 2 and 3, Plan 40R-16157, City of Pickering, be tabled, until such time as an Environmental Assessment for the Westney Road By-pass is complete;
2. That Zoning By-law Amendment Application A 21/02, submitted by Bill & Ann Clancey, to amend Zoning By-law 3037 to permit a golf driving range on lands being Part of Lot 8, Concession 5, Parts 1, 2 and 3, Plan 40R-16157, City of Pickering, be approved as revised, as a temporary use for an initial period of three years, subject to the conditions outlined in Appendix I to Report PD 26-06; and
3. That Council recommend to the Minister of Municipal Affairs and Housing that Minister's Zoning Order Application 18-ZO-0293-01 to permit a golf driving range be approved as revised, to permit the golf driving range as a temporary use subject to the conditions outlined in Appendix II to Report PD 26-06.

CARRIED LATER IN THE  
MEETING (See Following  
Motions)



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Moved by Councillor Ashe  
Seconded by Councillor Pickles

That Item #2 of the main motion be amended by adding the following after the words 'Appendix I'; 'as amended to reflect the deletion of Condition 1(a)'; and

That Item #3 of the main motion be amended by adding the following after the words 'Appendix II'; 'as amended to reflect the deletion of Condition 1(a).

CARRIED

The main motion, as amended, was then put to a vote and CARRIED AS AMENDED.

4. Director, Planning & Development, Report PD 27-06  
Zoning By-law Amendment Application A 29/05  
2075729 Ontario Inc.  
1962 Guild Road and 1640 Kingston Road  
(Part of Lots 1 & 2, Plan 316 and Part of Lot 20, Concession 1)  
City of Pickering

Ian Rankin, owner of the Pickering Markets appeared before the Committee in support of the revised definition for an Antique Market. He noted that an additional clause should be placed in all lease agreements for the property, which would state the definition of an Antique Market and felt that would give more support to the enforcement of the zoning on the property. He stated that he believes the owner would like to do the right thing and supported the application with the definition change.

Based on the delegation heard earlier in the meeting, it was the consensus of the Committee that the definition of Antiques Market be amended to reflect the following definition;

Antiques Market – shall mean a building or part of a building in which is provided for the sale of any old, used, collectible and authentic objects of personal property and which has unique appeal and enhanced value mainly because of its age and/or, due to public demand, has attained a value in a recognized commercial market which is in excess of its original value, but shall not include a flea market or exhibition hall.



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Moved by Councillor Ashe  
Seconded by Councillor Johnson

1. That Zoning By-law Amendment Application A 29/05 be approved, as set out in the draft by-law attached as Appendix I to Report PD 27-06, as amended to reflect a revised antiques market definition, to amend the existing zoning on the subject property to permit limited retail and commercial uses including a patio furniture outlet and an antiques market for a temporary period of three years, on lands being Part of Lots 1 & 2, Plan 316 and Part of Lot 20, Concession 1, City of Pickering;
2. That the applicant's request to permit the full range of uses permitted under Section 12, "C2" - General Commercial Zone, By-law 3036, as amended, be denied; and
3. That the amending zoning by-law to implement Zoning By-law Amendment Application A 29/05, as set out in Appendix I to Report PD 27-06, be forwarded to City Council for enactment.

CARRIED LATER IN THE  
MEETING (See Following  
Motions)

Moved by Councillor Dickerson  
Seconded by Councillor Ashe

That Item #1 of the main motion be amended by replacing the words "period of three years", with the following, "period of two years".

MOTION LOST

The Committee then had before it the main motion, which was CARRIED.

5. Director, Operations & Emergency Services, Report OES 01-06  
Quotation Q-7-2006 Quotation for Street Lighting – Capital Installation

A question and answer period ensued. Staff were requested to obtain information related to energy efficient and solar powered lighting.



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Moved by Councillor Ashe  
Seconded by Mayor Ryan

1. That Report OES 01-06 regarding Street Lighting Capital Installation be received;
2. That Quotation Q-7-2006 submitted by Dundas Power Lines Limited for Street Lighting Capital Installation in the amount of \$116,630 (GST included) be accepted;
3. That the total gross project cost of \$130,527 (GST included) and a net project cost of \$121,988 including the above quotation amount and other project costs identified in this report be approved; and
4. That the appropriate City of Pickering officials be authorized to take necessary action to bring effect thereto.

CARRIED

6. Director, Operations & Emergency Services, Report OES 16-06  
Encroachment of City of Pickering lands, Milton Road road allowance  
Web-Tech Safety Products Inc., 500 Rosebank Road, Pickering, Part Lots  
82, 83 & 84 on Plan 350  
- File: A-2130
- 

Moved by Councillor Ashe  
Seconded by Councillor Brenner

1. That Report OES 16-06 regarding an encroachment agreement be received;
2. That the request by Web-Tech Safety Products Inc. (the "Owner") to encroach upon the Milton Road road allowance (the "Highway") be approved; and
3. That the Mayor and the City Clerk be authorized to sign an encroachment agreement with Web-Tech Safety Products involving City lands, subject to certain terms and conditions as set out in the Encroachment Agreement prepared by the City Solicitor.

CARRIED



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7. Director, Operations & Emergency Services, Report OES 17-06  
Encroachment on City of Pickering lands, Milton Road road allowance  
Harold Lloyd Ferguson and Carol Ferguson, 503 Oakwood Drive,  
Pickering,. Lot 81 on Plan 350, Save and Except Part 1 on  
Plan 40R-11951  
- File A-2130

Moved by Councillor Ashe  
Seconded by Councillor Brenner

1. That Report OES 17-06 regarding an encroachment agreement be received;
2. That the request by Harold Lloyd Ferguson and Carol Ferguson (the "Owners") to encroach upon the Milton Road road allowance (the "Highway") be approved; and
3. That the Mayor and the City Clerk be authorized to sign an encroachment agreement with Harold Lloyd Ferguson and Carol Ferguson involving City lands, subject to certain terms and conditions as set out in the Encroachment Agreement prepared by the City Solicitor.

CARRIED

8. Director, Operations & Emergency Services, Report OES 18-06  
Encroachment on City of Pickering lands, Milton Road road allowance  
Monica Porter, 481 Oakwood Drive, Part Lot 110 on Plan 350  
- File: A-2130

Moved by Councillor Ashe  
Seconded by Councillor Brenner

1. That Report OES 18-06 regarding an encroachment agreement be received;
2. That the request by Monica Porter (the "Owner") to encroach upon the Milton Road road allowance (the "Highway") be approved;
3. That the Mayor and the City Clerk be authorized to sign an encroachment agreement with Monica Porter involving City lands, subject to certain terms



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and conditions as set out in the Encroachment Agreement prepared by the City Solicitor.

CARRIED

9. Director, Operations & Emergency Services, Report OES 19-06  
Extension of Encroachment / Licence Agreement between  
Gerard Cryan and Lorrie Cryan and City of Pickering upon lands  
Known as Block 50, Plan 40M-1627, Pickering  
- File: A-2130
- 

Moved by Councillor Ashe  
Seconded by Councillor Brenner

1. That Report OES 19-06 regarding the extension of an Encroachment / Licence Agreement be received;
2. That the request by Gerard Cryan and Lorrie Cryan, collectively called "Cryan" to encroach upon the land known as Block 50, Plan 40M-1627 be approved; and
3. That the Mayor and the City Clerk be authorized to sign an Extension Agreement with Gerard Cryan and Lorrie Cryan involving City lands, subject to certain terms and conditions as set out in the Extension Agreement prepared by the City Solicitor.

CARRIED

10. Director, Operations & Emergency Services, Report OES 20-06  
Extension of Encroachment / Licence Agreement between  
Caryn Johnston and John Johnston and City of Pickering upon lands  
Known as Block 50, Plan 40M-1627, Pickering  
- File: A-2130
- 

Moved by Councillor Ashe  
Seconded by Councillor Brenner

1. That Report OES 20-06 regarding the extension of an Encroachment / Licence Agreement be received;



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2. That the request by Caryn Johnston and John Johnston, collectively called "Johnston" to encroach upon the land known as Block 50, Plan 40M-1627 be approved;
3. That the Mayor and the City Clerk be authorized to sign an Extension Agreement with Caryn Johnston and John Johnston involving City lands, subject to certain terms and conditions as set out in the Extension Agreement prepared by the City Solicitor.

CARRIED

11. Director, Corporate Services, Report CS 12-06  
Section 354 of the *Municipal Act* – Write-off of Taxes

Moved by Councillor Dickerson  
Seconded by Councillor Ashe

1. That Report CS 12-06 of the Director, Corporate Services & Treasurer be received;
2. That under the authority of the *Municipal Act*, 2001, Section 354(3) provides for the write-off of property taxes due to an unsuccessful tax sale; and
3. That the appropriate officials of the City of Pickering be authorized to take the necessary action to give effect hereto.

CARRIED

12. Director, Corporate Services, Report CS 13-06  
Section 357/358 of the *Municipal Act* – Adjustment to Taxes

Moved by Councillor Dickerson  
Seconded by Councillor Ashe

1. That Report CS 13-06 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*, 2001 be approved; and



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3. That the appropriate officials of the City of Pickering be authorized to take the necessary action to give effect hereto.

CARRIED

13. Director, Corporate Services, Report CS 21-06  
Cash Position Report as at December 31, 2005

Moved by Councillor Dickerson  
Seconded by Councillor Ashe

That Report CS 21-06 from the Director, Corporate Services & Treasurer be received for information.

CARRIED

**(IV) OTHER BUSINESS**

**(V) ADJOURNMENT**

The meeting adjourned at 9:35 pm.