



**Executive Committee
Meeting Minutes
Monday, March 27, 2006
8:00 pm
Council Chambers
Chair: Councillor Johnson**

PRESENT:

Mayor Ryan

COUNCILLORS:

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

ALSO PRESENT:

T. J. Quinn - Chief Administrative Officer
E. Buntsma - Director, Operations & Engineering Services
N. Carroll - Director, Planning & Development
G. Paterson - Director, Corporate Services & Treasurer
A. Allison - City Solicitor
D. Bentley - City Clerk
T. Melymuk - Division Head, Corporate Projects & Policy present for part of meeting
C. Rose - Manager Policy

(I) ADOPTION OF MINUTES

Moved by Councillor Brenner
Seconded by Councillor Ashe

Meeting of February 27, 2006

CARRIED



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(II) DELEGATIONS

1. Gord Weeden, Chair,
Rouge Park Alliance
Re: Rouge Park Successes, Vision and Moving Forward

Mr. Gord Weeden and Mr. Lewis Jaeger of Rouge Park Alliance appeared before the Committee to outline Rouge Park Alliance successes, vision and moving forward, with the aid of a PowerPoint presentation. The presenters made specific reference to Rouge Parks' unique contributions to the GTA eco systems and the fact that over two million dollars in seed funding had been provided to groups and in turn, the groups obtained matching funding. In summary, Mr. Jaeger requested Council to aggressively ask the Federal and Provincial governments to dedicate their public lands that were awarded for this purpose to Rouge Park.

A question and answer period ensued.

2. Inspector Jim Douglas
Durham Regional Police Service
Re: CS 14-06 Changes to Proposed Body Rub Parlour By-law

Inspector Jim Douglas of the Durham Regional Police Service appeared before the Committee in support of the final draft body rub parlour by-law as presented by the City Clerk in correspondence dated March 24, 2006. He thanked staff for the co-operative effort in developing the body rub parlour by-law.

3. Dan Dragan Gavrilovic, Barrister & Solicitor
Solicitor Representing a number of Commercial Tenants at
1050 Brock Road, Pickering
Re: PD 22-06, Zoning By-law Amendment Application A22/05

Mr. Gavrilovic, Barrister & Solicitor, appeared before the Committee representing two commercial tenants at 1050 Brock Road. He expressed concern that the notice requirements under the Planning Act were not adhered to; along with the fact there was no signage on the property. He stated that simply due to this, the application should not be approved. He further advised that under the Municipal Act, the definition of an Adult Entertainment Establishment was very well defined and there was a misrepresentation by the applicant at the January 19, 2006 Statutory Public



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Information Meeting, wherein it was stated that the services offered included children. In summary, Mr. Gavrilovic advised that the application should be denied.

4. Samantha Keser, Barrister & Solicitor
Solicitor Representing an Interested Party
Re: PD 22-06, Zoning By-law Amendment Application 22/05
And CS 14-06 Changes to Proposed Body Rub Parlour By-law

Ms. Samantha Keser, Barrister & Solicitor, appeared before the Committee on behalf of Christopher Trzinski, the applicant for a body rub parlour rezoning for property municipally known as 1630-1634 Bayly Street. Ms. Keser stated that the misrepresentation of facts by the applicant at the January 19, 2006 Statutory Public Information meeting, such as catering to mental health and offering services to men, women and children was indicative that in terms of the draft body rub parlour by-law, the applicant would not be operating a 'legal and honest operation'. She referenced a number of sections of the proposed by-law in relation to the comments made at the public meeting. Ms. Keser further expressed concern that until recently, her client was not aware of any license restrictions, ie.: only 3 available in the new by-law and further stated that her client had not been provided a sufficient turnaround time of 30 days for the hearing of his application at a public meeting. In summary, Ms. Keser requested that the rezoning application for 1050 Brock Road be denied.

(III) MATTERS FOR CONSIDERATION

1. Director, Planning & Development, Report PD 01-06
Zoning By-law Amendment Application A 13/05
Wal-Mart Canada Inc.
1899 Brock Road
Part of Lot 18, Concession 1
(40R-12591, Part 1 & 40R-19801 Parts 3, 4, 5, 6, 7,8,& 10)
City of Pickering
-

The Chair advised that a meeting was scheduled with the Store Manager for March 28, 2006 for the purpose of reviewing concerns related to garbage and shopping carts throughout the parking lot at the subject site.

Mr. Franco Cirelli, Store Manager was in attendance in order to answer any questions or concerns of the Committee.



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Moved by Councillor Ashe
Seconded by Councillor Brenner

1. That Zoning By-law Amendment Application A 13/05, be approved as set out in the draft by-law attached as Appendix 1 to Report PD 01-06, to amend the existing zoning on the subject lands to permit a seasonal drive-thru garden centre for outdoor sales and display on lands being Part of Lot 18, Concession 1 (40R-12591, Part 1 & 40R-19801, Parts 3, 4, 5, 6, 7, 8, & 10), in the City of
2. That the amending zoning by-law to implement Zoning By-law Amendment Application A 13/05, as set out in Appendix 1 to Report PD 01-06 be forwarded to City Council for enactment.

CARRIED

2. Director, Planning & Development, Report PD 15-06
Disposal of Lands
Part of Lot 31, Concession 1, Pickering
Part 2. Plan 40R-24050
Sheppard Avenue, Pickering
File No. RE0602
-

Moved by Councillor Dickerson
Seconded by Mayor Ryan

That a by-law be enacted to:

1. Stop-up and close the portion of Sheppard Avenue described as that part of Lot 31, Concession 1, Pickering, being Part 2, Plan 40R-24050, as public highway;
2. Declare the lands described as that part of Lot 31, Concession 1, Pickering, being Part 2, Plan 40R-24050, surplus to the needs of the Corporation for the purpose of sale to the abutting owner, in accordance with the provisions of the *Municipal Act* and the Acquisition and Disposal of Land Policy Subject to any required easements; and



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3. Authorize the Mayor, City Clerk, Director, Planning & Development and the City Solicitor to obtain all relevant documentation necessary and execute all documentation required to effect the stopping-up and closing of that part of Lot 31, Concession 1, Pickering, being Part 2, Plan 40R-24050 and to effect the conveyance of it to the abutting owner for nominal consideration, subject to any required easements.

CARRIED

3. Director, Planning & Development, Report PD 22-06
Zoning By-law Amendment Application A 22/05
1430658 Ontario Inc.
1050 Brock Road, Unit 25
South Part of Lot 19, Concession 1
City of Pickering
-

A question and answer period ensued. Based on the delegations heard earlier in the meeting, staff were requested to confirm that the notice provisions under the Planning Act and the appropriate signage notifying of the application were adhered to.

Moved by Councillor Dickerson
Seconded by Councillor Brenner

1. That Zoning By-law Amendment Application A 22/05 be denied, to amend the existing zoning on the subject property to add a body-rub parlour as a permitted use on lands being South Part of Lot 19, Concession 1, City of Pickering.

CARRIED

4. Director, Planning & Development, Report PD 23-06
Zoning By-law Amendment Application A 26/05
1044910 Ontario Inc.
1890 Glenview Road
(Part of Lot 41, Plan 509)
City of Pickering
-



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Mr. Bob Martindale, planning consultant for the applicant, appeared before the Committee in support of Report PD 23-06, save and except a minor modification request within the draft by-law. Mr. Martindale requested that the northerly portion setback be amended to 4.4 metres instead of 4.5 metres.

Discussion ensued on this matter and it was the consensus of the Committee that the request was minor in nature, however, staff were requested to contact the northerly abutting property owner to ensure they were made aware of the change.

Moved by Councillor Pickles
Seconded by Councillor Dickerson

1. That Zoning By-law Amendment Application A 26/05 be approved, as set out in the draft by-law attached as Appendix 1 to Report PD 23-06, to amend the existing zoning on the subject property to permit professional office uses, on lands being Part of Lot 41, Plan 509, City of Pickering.
2. That the amending zoning by-law to implement Zoning By-law Amendment Application A 26/05, as set out in Appendix 1 to Report PD 23-06, as amended, be forwarded to City Council for enactment.

CARRIED

5. Director, Planning & Development, Report PD 24-06
Durham Regional Official Plan Review
 - Recommended Directions Report for Population, Employment and Urban Land, dated January 2006
 - Proposed Amendments for Transportation, Commercial, Rural and Environmental components, dated November 2005
 - Recommended Arterial corridor Guidelines, dated November 2005

General discussion ensued on this matter.

Moved by Councillor Ashe
Seconded by Mayor Ryan

1. That Council receive Report PD 24-06 of the Director, Planning & Development as the City's comments on the Recommended Directions Report for Population, Employment and Urban Land, dated January



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2006, Proposed Amendments for Transportation, Commercial, Rural and Environmental components of the Durham Regional Official Plan, dated November 2005; and the Recommended Arterial Corridor Guidelines, dated November 2005;

2. In preparing the amendments to the Durham Regional Official Plan to implement the Recommended Directions Report for Population, Employment and Urban Land, dated January 2006, that Council REQUEST the Region to identify the Cherrywood Community as a *Future Urban Policy Area* and to expand the urban area boundary to include lands in the northeast area of Pickering (lands outside of the Greenbelt Plan) and to designate these lands as *Future Urban Study Area* in order to accommodate Pickering's growth potential; and in addition, review the matters set out in Appendix I to Report PD 24-06;
3. That Council request the Region to address the issues identified by City staff regarding the assumptions used in the analysis of population and land supply in the Recommended Directions Report for Population, Employment and Urban Land, dated January 2006, as set out in Appendix I to Report PD 24-06;
4. To provide clarity to the Proposed Amendments on Transportation, Commercial, Rural and Environmental policies of the Durham Regional Official Plan and the Recommended Arterial Road Guidelines, that Council request the Region to incorporate the revisions as set out in Appendix II, Appendix III and Appendix IV to Report PD 24-06, which among other matters would include the following:
 - continue to permit the severance of a farm retirement lot;
 - permit as-of-right stand-alone farm-related commercial uses (such as farm markets, auction barns);
 - allow the limits of development for Hamlets located outside the urban area boundary to be reviewed by local area municipalities at the time of the ten-year comprehensive review of Provincial Plans;
 - identify Downtown Pickering (Liverpool and Kingston Roads) as an *Urban Growth Centre*;
 - phase the minimum density target of 2.5 FSI for Regional Centres over the timeframe of the Regional Official Plan in conjunction with transit and infrastructure upgrades;



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- identify the Greenbelt Plan area as a separate component of the Natural Heritage System and retain the existing *Major Open Space* designation for lands outside of the Greenbelt;
 - designate four additional major arterial roads segments as *Regional Corridor*; and
 - correction of editorial and technical matters;
5. That Council request the Region to defer the Proposed Amendments to the Durham Regional Official Plan affecting Central Pickering in order to re-examine, in consultation with the City of Pickering, policies, schedules and outstanding deferrals including Dixie Road, in light of more recent planning initiatives for this area;
 6. That Council request the Region to examine Bill 51, the *Planning and Conservation Land Statute Law Amendment Act* and incorporate any enabling policies in the Durham Regional Official Plan such as the funding of community improvement plans;
 7. That Council request the Region to defer its approval of the Recommended Arterial Road Guidelines, and further, that Council direct City staff to continue discussions with the Region on cost sharing arrangements and to report back; and
 8. That the City Clerk forward a copy of Report PD 24-06 to the Region of Durham and to local municipalities in Durham Region.

CARRIED LATER IN THE MEETING
(See Following Motion)

Moved by Councillor Pickles
Seconded by Councillor Ashe

That Item #2 of the main motion be amended by adding after '(lands outside of the Greenbelt Plan)', the following; 'considering Provincial Plan designations including the status of the lands under the recommended Places to Grow plan.

MOTION LOST

The main motion was then put to a vote and CARRIED.



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6. Director, Operations & Emergency Services, Report OES 15- 06
Draft Regional Trail Network
- Durham Trail Coordinating Committee (DTCC)
 - File A-2130
-

Moved by Councillor Pickles
Seconded by Mayor Ryan

1. That Report OES 15-06 regarding the Draft Regional Trail Network be received; and
2. That Council endorse the comments received from staff in this report and provide direction for staff to forward a copy of Report OES 15-06 to the Region for their consideration

CARRIED

7. Director, Corporate Services & Treasurer, Report CS 14-06
Changes to Proposed Body Rub Parlour By-law
- L-2314
-

A detailed question and answer period ensued. Staff and the Durham Regional Police Services were commended for their assistance with the development of a comprehensive, model by-law governing body rub parlours.

A. Allison, City Solicitor provided clarification with respect to the legal ramifications of limiting the number of body rub parlour licences and rezoning applications that were currently being considered by the City.

D. Bentley, City Clerk, in response to questions raised, provided clarification with respect to the rationale for three licences. She advised that in consultation with Municipal Law Enforcement staff, three licences was considered reasonable in terms of monitoring and enforcement of the establishments. She advised that the Municipal Law Enforcement staff actively monitored the City in relation to body rub parlours.

Moved by Mayor Ryan
Seconded by Councillor Pickles



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1. That Report CS 02-06 of the Director, Corporate Services & Treasurer be received for information;
2. That Report CS 14-06 regarding changes to the proposed Body Rub Parlour By-law be received;
3. That the attached draft by-law presented by the City Clerk in a memorandum dated March 24, 2006 be enacted to provide for the licensing and regulation of Body Rub Parlours within the City of Pickering, and
4. That the appropriate officials of the City of Pickering be given the authority to give effect thereto.

CARRIED LATER IN THE MEETING
(See Following Motion)

Moved by Councillor Ashe
Seconded by Councillor Dickerson

That the draft by-law noted in Item #3 of the main motion, be amended by changing Item #10 of the draft by-law to reflect four (4) instead of three (3).

MOTION LOST

The main motion was then put to a vote and CARRIED.

8. Director, Corporate Services & Treasurer, Report CS 15-06
Statement of the Treasurer Respecting 2005 Remuneration and Expenses of
Members of Council and Council Appointees to Boards, Agencies and Other
Bodies
-

Moved by Councillor Ashe
Seconded by Councillor Pickles

That Report CS 15-06 of the Director, Corporate Services & Treasurer,
Statement of the Treasurer respecting Remuneration and Expenses of Members
of Council and Council Appointees for the year 2005, be received.



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CARRIED

9. Director, Corporate Services & Treasurer, Report CS 18-06
Sidewalk Snow Removal By-law
- File: L-2200
-

Moved by Councillor Dickerson
Seconded by Councillor Ashe

1. That Report CS 18-06 regarding a revised Sidewalk Snow Removal By-law be received;
2. That the attached draft by-law be enacted to require the removal of ice and snow from sidewalks within the City of Pickering, and
3. That the appropriate officials of the City of Pickering be given the authority to give effect thereto.

CARRIED

(IV) OTHER BUSINESS

- a) Councillor McLean and Councillor Ashe gave notice of their intention to present a Notice of Motion with respect to Library funding at the next meeting of Council.
- b) Councillor Brenner requested staff to review the position(s) taken by Council in the past with respect to transport / exporting of garbage within the City of Pickering boundaries. Discussion ensued with respect to a report being presented to City of Toronto Council on April 28, 2006 and any scheduled presentations / reports, prior to that date to the City of Pickering. It was the understanding of staff that a presentation by City of Toronto staff would be made at the April 10, 2006 Management Forum and based on further discussion, staff were requested to report back on this matter at the April 18, 2006 meeting.

(V) ADJOURNMENT

The meeting adjourned at 10:27 pm.