



# Council Meeting Minutes

Tuesday, February 19, 2008  
7:30 PM  
Council Chambers

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## **PRESENT:**

Mayor David Ryan

## **COUNCILLORS:**

D. Dickerson  
R. Johnson  
B. Littley  
J. O'Connell  
D. Pickles

## **ABSENT:**

B. McLean

## **ALSO PRESENT:**

E. Buntsma - Director, Operations & Emergency Services  
N. Carroll - Director, Planning & Development  
T. Melymuk - Director, Office of Sustainability  
G. Paterson - Director, Corporate Services & Treasurer  
D. Wilcox - City Clerk  
D. Shields - Deputy Clerk

## **(I) INVOCATION**

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

## **(II) ADOPTION OF MINUTES**

### Resolution # 22/08

Moved by Councillor Johnson  
Seconded by Councillor Littley

In Camera Council Minutes, January 21, 2008  
Council Meeting Minutes January 21, 2008  
Planning & Development Committee, February 4, 2008  
Executive Committee, February 11, 2008

CARRIED



## Council Meeting Minutes

Tuesday, February 19, 2008  
7:30 PM  
Council Chambers

---

### (III) PRESENTATIONS

1. Donald Igbokwe, Chairperson  
Durham Multifaith World Religion Day Committee  
Re: Plaque Presentation – World Religion Day

Donald Igbokwe, Chairperson for the Durham Multifaith World Religion Day Committee appeared before Council to present the City with a plaque in appreciation for the City's support and participation in World Religion Day.

### (IV) DELEGATIONS

1. Myrna Picotte  
Chairperson, Royal Canadian Legion,  
Branch 606, Ladies Auxiliary  
Re: 5<sup>th</sup> Annual Easter Parade

Myrna Picotte, Chairperson, Royal Canadian Legion Ladies Auxiliary appeared before Council to thank the City for their continued support and involvement with the Annual Easter Parade. Ms. Picotte also represent's the Rotary Club and thanked the City for providing the venue for the upcoming Ribfest event.

Moved by Councillor Dickerson  
Seconded by Councillor O'Connell

That the rules of procedure be suspended in order to introduce a motion with respect to a grant for the Annual Easter parade.

CARRIED ON A 2/3  
MAJORITY VOTE

#### Resolution # 23/08

Moved by Councillor Dickerson  
Seconded by Councillor O'Connell

That a grant in the amount of \$1,200.00 be provided to the Royal Canadian Legion, Branch 606, Ladies Auxiliary for the 5<sup>th</sup> Annual Easter Parade and that this amount be included in the 2008 grant budget (2195.2712).

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## Council Meeting Minutes

Tuesday, February 19, 2008  
7:30 PM  
Council Chambers

---

### (V) CORRESPONDENCE

1. CORR. 10-08  
CAROLYN DOWNS, CITY CLERK  
CITY OF KINGSTON  
216 Ontario Street  
Kingston, ON K7L 2Z3

#### Resolution # 24/08

Moved by Councillor Dickerson  
Seconded by Councillor Littley

That CORR. 10-08 from Carolyn Downs, City Clerk, City of Kingston, seeking support of a resolution passed on January 8, 2008 regarding encouraging municipalities with a population in excess of 50,000 to declare January 11<sup>th</sup> as Sir John A. Macdonald Day be received for information.

CARRIED

2. CORR. 11-08  
CAROLYN DOWNS, CITY CLERK  
CITY OF KINGSTON  
216 Ontario Street  
Kingston, ON K7L 2Z3

#### Resolution # 25/08

Moved by Councillor Dickerson  
Seconded by Councillor Pickles

That CORR. 11-08 from Carolyn Downs, City Clerk, City of Kingston, seeking support of a motion passed on January 22, 2008 with respect to the recognition of April 25, 2008 as World Malaria Day and to "Net a Village" in Africa to help prevent the incidence of malaria be received for information.

CARRIED



## Council Meeting Minutes

Tuesday, February 19, 2008  
7:30 PM  
Council Chambers

---

3. CORR. 12-08  
S. ROSS, 19 DIVISION  
DURHAM REGIONAL POLICE  
605 Rossland Road East  
Box 911  
Whitby, ON L1N 0B8

Resolution # 26/08

Moved by Councillor Dickerson  
Seconded by Councillor O'Connell

1. That CORR. 12-08 from S. Ross, Durham Regional Police, expressing his interest in continuing the Community Liaison Committee and requesting assistance by having two councillors join the Committee be received; and
2. That Councillor Dickerson and Councillor O'Connell be appointed to the Committee, and Inspector Ross be so advised.

CARRIED

4. CORR. 13-08  
PATTIE L. BARRIE, CMO  
MUNICIPAL CLERK  
CORPORATION OF THE MUNICIPALITY  
OF CLARINGTON  
40 Temperance Street  
Bowmanville, ON L1C 3A6

Resolution # 27/08

Moved by Councillor Dickerson  
Seconded by Councillor O'Connell

That CORR. 13-08 from Pattie Barrie, Municipal Clerk, Municipality of Clarington, with respect to a motion passed on January 28, 2008 regarding the Energy from Waste Project, and advising that the Municipality of Clarington is an unwilling host to the proposed Durham/York garbage incinerator, be endorsed.

CARRIED ON A  
RECORDED VOTE



## Council Meeting Minutes

Tuesday, February 19, 2008  
7:30 PM  
Council Chambers

---

YES

Councillor Dickerson  
Councillor Littley  
Councillor O'Connell  
Councillor Pickles

NO

Councillor Johnson  
Mayor Ryan

5. CORR. 14-08  
NESTOR CHORNOBAY, M.C.I.P., R.P.P.  
DIRECTOR, STRATEGIC PLANNING BRANCH  
REGION OF DURHAM PLANNING DEPARTMENT  
605 Rossland Road East  
Whitby, ON L1N 6A3
- 

Resolution # 28/08

Moved by Councillor Dickerson  
Seconded by Councillor Littley

That CORR. 14-08 from Nestor Chornobay, Director, Strategic Planning, Region of Durham, providing a report and consultation schedule for the Growth Plan Implementation Study be received for information.

CARRIED

6. CORR. 15-08  
SCOTT JEFFERY, PRESIDENT  
DURHAM REGION HOME  
BUILDERS' ASSOCIATION  
King Street Postal Outlet  
P.O. Box 26064  
206 King Street East  
Oshawa, ON L1H 1C0
- 

Resolution # 29/08

Moved by Councillor Dickerson  
Seconded by Councillor O'Connell

That CORR. 15-08 from Scott Jeffery, President, Durham Region Home Builders' Association, requesting the City of Pickering proclaim April, 2008 as New Homes Month, be proclaimed.

CARRIED



## Council Meeting Minutes

Tuesday, February 19, 2008  
7:30 PM  
Council Chambers

---

7. CORR. 16-08  
LYNDA SHEPHERD  
OFFICE ADMINISTRATION  
THE CANADIAN HEARING SOCIETY  
PETERBOROUGH REGIONAL OFFICE  
315 Reid Street  
Peterborough, ON K9J 3R2

Resolution # 30/08

Moved by Councillor Dickerson  
Seconded by Councillor O'Connell

That CORR. 16-08 from Lynda Shepherd, Office Administration, The Canadian Hearing Society, requesting the City of Pickering proclaim May, 2008 as Hearing Awareness Month, be proclaimed.

CARRIED

8. CORR. 17-08  
MARISA CARPINO  
SUPERVISOR, CULTURE & RECREATION  
CITY OF PICKERING  
One the Esplanade  
Pickering, ON L1V 6K7

Resolution # 31/08

Moved by Councillor Dickerson  
Seconded by Councillor O'Connell

That CORR. 17-08 from Marisa Carpino, Supervisor, Culture & Recreation, on behalf of the Advisory Committee on Race Relations & Equity, requesting the City of Pickering proclaim March 21, 2008 as the International Day for the Elimination of Racial Discrimination, be proclaimed.

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## Council Meeting Minutes

Tuesday, February 19, 2008  
7:30 PM  
Council Chambers

---

9. CORR. 18-08  
JOHN DURANT  
ASSOCIATE EXECUTIVE DIRECTOR  
CHILD FIND ONTARIO  
440A Britannia Road East  
Mississauga, ON L4Z 1X9

Resolution # 32/08

Moved by Councillor Dickerson  
Seconded by Councillor O'Connell

That CORR. 18-08 from John Durant, Associate Executive Director for Child Find Ontario requesting the City of Pickering proclaim May, 2008 as Green Ribbon of Hope Month and May 25, 2008 as National Missing Children's Day, be proclaimed .

CARRIED

10. CORR. 19-08  
DONNA MACDOUGALL, CLERK  
MUNICIPALITY OF KINCARDINE  
1475 Concession 5, R.R. #5  
Kincardine, ON N2Z 2X6

Resolution # 33/08

Moved by Councillor O'Connell  
Seconded by Councillor Dickerson

That CORR. 19-08 from Donna MacDougall, Clerk, Municipality of Kincardine, with respect to a resolution passed on January 23, 2008 seeking support in urging the Federal Minister of Natural Resources and the Government of Canada to consider the role of the Canadian Nuclear Safety Commission as an independent body, and through this independence CNSC can ensure the public's safety, be endorsed.

CARRIED



## Council Meeting Minutes

Tuesday, February 19, 2008

7:30 PM

Council Chambers

---

11. CORR. 20-08  
R. ANDREW BIGGART  
RITCHIE KETCHESON HART & BIGGART LLP  
BARRISTERS, SOLICITORS, NOTARIES  
1 Eva Road, Suite 206  
Toronto, ON M9C 4Z5
- 

Resolution # 34/08

Moved by Councillor Johnson  
Seconded by Councillor Pickles

That CORR. 20-08 from R. Andrew Biggart, Ritchie Ketcheson Hart & Biggart, representing Christopher Trzcinski, with respect to a request to defer consideration of Report CS 01-08 of the Director, Corporate Services & Treasurer, be received for information.

CARRIED

(VI) COMMITTEE REPORTS

a) REPORT PD 2008-02 OF THE PLANNING & DEVELOPMENT COMMITTEE

1. Director, Planning & Development, Report PD 05-08  
Director, Operations & Emergency Services  
Request for Funding Support From Toronto and Region Conservation  
Authority for Petticoat Creek Watershed Plan

COUNCIL DECISION

1. That Report PD 05-08 of the Director, Planning & Development and Director, Operations & Emergency Services, regarding the funding request from Toronto Region Conservation Authority be received;
2. That Council approve the request for funding assistance; and
3. Further, that the amount of \$10,000 be charged to account #2195-2712 as a Joint Funded Environmental Project.



## Council Meeting Minutes

Tuesday, February 19, 2008  
7:30 PM  
Council Chambers

---

2. Director, Planning & Development, Report PD 06-08  
Zoning By-law Amendment Application A 11/06  
Richard Gosling  
425 Whitevale Road, Hamlet of Whitevale  
(Part of Lot 24, Lots 25 to 27, Plan 21)  
Parts 5 and 6, 40R-1139)  
City of Pickering

### COUNCIL DECISION

1. That Zoning By-law Amendment Application A 11/06 submitted by Richard Gosling, on lands being Part of Lot 24, Lots 25 to 27, Plan 21, City of Pickering, to amend the zoning to permit a bed & breakfast establishment, day spa and restaurant as additional uses on the lands being Part of Lot 24, Lots 25 to 27, Plan 21, City of Pickering, be approved, and;
2. Further, that the zoning by-law to implement Zoning By-law Amendment Application A 11/06, and to remove the "(H)" Holding Symbol preceding the existing "HMC9" zone designation, as set out in Appendix II to Report PD 06-08, be forwarded to City Council for enactment.

### Resolution # 35/08

Moved by Councillor Dickerson  
Seconded by Councillor O'Connell

That the report of the Planning and Development Committee PD 2008-02, dated February 4, 2008, be adopted.

CARRIED

### b) REPORT EC 2008-01 OF THE EXECUTIVE COMMITTEE

1. Director, Corporate Services & Treasurer, Report CS 01-08  
Request to Amend Body-Rub Parlour By-law  
- Grant Morris Associates Ltd on Behalf of Christopher Trzcinski  
- 1630 Bayly Street, Pickering

### COUNCIL DECISION

1. That Report CS 01-08 of the Director, Corporate Services & Treasurer be received;



## Council Meeting Minutes

Tuesday, February 19, 2008

7:30 PM

Council Chambers

---

2. That the request from Grant Morris Associates Limited, on behalf of Christopher Trzcinski, to amend Body-Rub Parlour By-law 6649/06 to increase the maximum number of body-rub parlour licenses to 4 be denied; and
  3. That the City Clerk be directed to forward a copy of Report CS 01-08 of the Director, Corporate Services & Treasurer to Grant Morris Associates Limited.
2. Director, Operations & Emergency Services, Report OES 04-08  
Reduced Load Highways  
- Amendment to the Municipal Traffic & Parking By-law 6604/05

### COUNCIL DECISION

1. That Report OES 04-08 of the Director, Operations & Emergency Services 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 By-law 6604/05 to provide for the regulation of reduced load periods on highways or parts of highways under the jurisdiction of the Corporation of the City of Pickering.
3. Director, Corporate Services & Treasurer, Report CS 02-08  
Updated Boulevard and Clean & Clear By-laws and Amendment to  
Traffic & Parking By-law

### COUNCIL DECISION

1. That Report CS 02-08 of the Director, Corporate Services & Treasurer be received;
2. That the draft by-laws included as Attachments 1, 2 & 3 providing regulations for boulevard maintenance, requirements to clean & clear properties, and an amendment to the Traffic & Parking By-law regulating obstructions such as basketball nets and shopping carts left on City roads and boulevards, be adopted; and,
3. That the appropriate staff of the City of Pickering be given the authority to give effect thereto.



## Council Meeting Minutes

Tuesday, February 19, 2008

7:30 PM

Council Chambers

---

4. Director, Corporate Services & Treasurer, Report CS 03-08  
Updated Noise Control By-law

### COUNCIL DECISION

1. That Report CS 03-08 of the Director, Corporate Services & Treasurer be received;
  2. That the draft Noise Control By-law, included as Attachment 1, providing regulations for noise within the City of Pickering, be enacted; and,
  3. That the appropriate staff of the City of Pickering be given the authority to give effect thereto.
5. Director, Corporate Services & Treasurer, Report CS 04-08  
Section 357/358 of the *Municipal Act* – Adjustment to Taxes

### COUNCIL DECISION

1. That Report CS 04-08 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
3. That the appropriate officials of the City of Pickering be authorized to take the necessary action to give effect hereto.

6. Director, Corporate Services & Treasurer, Report CS 05-08  
Corporate Records Retention By-law

### COUNCIL DECISION

1. That Report CS 05-08 of the Director, Corporate Services & Treasurer be received;
2. That By-law 737/77, be repealed and the draft Records Retention By-law attached to Report, CS 05 -08 be approved and enacted; and,
3. That the City Clerk forward the approved by-law to the City's Auditors, Deloitte and Touche LLP, for certification.



## Council Meeting Minutes

Tuesday, February 19, 2008  
7:30 PM  
Council Chambers

- 
7. Director, Office of Sustainability, Report OS 01-08  
Sustainable Pickering  
Update and 2008 Work Program

### COUNCIL DECISION

1. That Report OS 01-08 of the Director, Office of Sustainability, providing an update on the Sustainable Pickering initiative and 2008 work program be received;
2. That Council authorize staff and the Sustainable Pickering Advisory Committee to continue to work on the City's Sustainable Pickering initiative as outlined in this report, with the continued assistance in 2008 of Durham Sustain Ability; and
3. That Council agree to the City's participation in "Earth Hour" on March 29, 2008 between 8:00 and 9:00 pm, and that all residents, business and institutions within the City be challenged to also participate, and furthermore, that the Sustainable Pickering Advisory Committee and staff be authorized to take the appropriate actions to engage the City and community in this event.

### Resolution # 36/08

Moved by Councillor Dickerson  
Seconded by Councillor O'Connell

That the report of the Executive Committee EC 2008-01, dated February 11, 2008, be adopted.

CARRIED

### **(VII) REPORTS – NEW AND UNFINISHED BUSINESS**

1. Director, Planning & Development Report PD 08-08  
The Region of Durham Growth Plan Implementation Study  
Draft Phase 1 & 2: Summary of Understanding and Initial Analysis

A question and answer period ensued on this matter.

### Resolution # 37/08



## Council Meeting Minutes

Tuesday, February 19, 2008

7:30 PM

Council Chambers

---

Moved by Councillor Dickerson  
Seconded by Councillor Littley

1. That Report PD 08-08 of the Director, Planning & Development regarding the Region of Durham Growth Plan Implementation Study, Draft Phase 1 & 2: Summary of Understanding and Initial Analysis, be received;
2. That the Region of Durham be requested to expand the scope of its Growth Plan Implementation Study to include an analysis of the financial implications related to the provision of infrastructure and services necessary to support the growth scenarios to be developed in the next phases of the Study;
3. That the Region of Durham be requested to revise the Growth Plan Implementation Study process to provide more regular on-going dialogue with local municipalities respecting the Study progress, and share raw data and analysis with local municipalities early in the process to allow for evaluation of, comment on, and issue identification, prior to report releases; and
4. That the Region of Durham be requested to direct the consultants to incorporate the following changes in the Final Phase 1 & 2 Report of the Growth Plan Implementation Study:
  - a) revise the methodology and assumptions used in the “available land suitable for intensification” analysis to reflect the market forces and opportunities in play across the different parts of the Region; and
  - b) use the most recent draft boundary for the Downtown Pickering Urban Growth Centre as established between Ministry of Public Infrastructure Renewal and City staff; and
5. Further, that the City Clerk be requested to forward a copy of Report PD 08-08 together with Council's resolution on the matter to the Region of Durham and the other area municipalities in Durham.

CARRIED

### **(VIII) BY-LAWS**

- 6828/08 Being a by-law to amend Restricted Area (Zoning) By-law 3037, as amended by By-law 2677/88, to implement the Official Plan of the City of Pickering, Region of Durham, Part of Lot 24, and Lots 25, 26 & 27, Plan



## Council Meeting Minutes

Tuesday, February 19, 2008

7:30 PM

Council Chambers

---

- 21 (Parts 5 and 6, 40R-1139), City of Pickering. (A 11/06)[Refer to Planning Pages 35 to 37]
- 6829/08 Being a by-law to dedicate certain roads within the City of Pickering, Regional Municipality of Durham, as public highway.
- 6830/08 Being a by-law to amend By-law 6604/05 to provide for the regulation of reduced load periods on Highways or parts of Highways under the jurisdiction of the Corporation of the City of Pickering. [Refer to Executive Pages 20 to 21]
- 6831/08 Being a by-law to regulate the maintenance and use of boulevards. [Refer to Executive Pages 27 to 38]
- 6832/08 Being a by-law to require owners and occupiers of land to clean and clear the land [Refer to Executive Pages 39 to 43]
- 6833/08 Being a by-law to amend the Traffic and Parking By-law [Refer to Executive Pages 44 to 45]
- 6834/08 Being a by-law to prohibit and regulate noise [Refer to Executive Pages 48 to 54]
- 6835/08 Being a by-law to establish retention periods for records of the Corporation of the City of Pickering [Refer to Executive Pages 60 to 63]
- 6836/08 Being a By-law to amend Restricted Area Zoning By-law 3036, as amended by By-law 2244/86, to implement the Official Plan of the City of Pickering, Region of Durham, Part of Lot 33, Range 3 B.F.C., City of Pickering, (A 34/05 & SP-2005-03)
- 6837/08 Being a by-law to appoint By-law Enforcement Officers for the purpose of enforcing parking restrictions on private property.

### **THIRD READING:**

Councillor Dickerson, seconded by Councillor Johnson moved that By-law Numbers 6828/08 to 6837/08 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.

CARRIED



## Council Meeting Minutes

Tuesday, February 19, 2008

7:30 PM

Council Chambers

---

### (IX) OTHER BUSINESS

1. Councillor O'Connell questioned the City Clerk on whether we had received any response from the Federal Government regarding her rail safety motion.

Councillor O'Connell noted that she would be bringing motions forward regarding a proclamation for the Waterfront Great Trail Adventure and a motion for endorsing the sale and use of cosmetic pesticide.

### (X) CONFIDENTIAL MATTERS

#### In Camera Meeting of Council

In accordance with Procedural By-law 6746/07 and the provisions of the *Municipal Act* an In Camera meeting of Council was held prior to the regularly scheduled meeting.

#### Resolution # 38/08

Moved by Councillor Johnson  
Seconded by Councillor Littley

That Council go In Camera in accordance with the provisions of the *Municipal Act* for the purposes of receiving advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

- a) Confidential Correspondence dated January 30, 2008 from the City Solicitor to the Chief Administrative Officer with respect to an Oil Spill on Woodview Avenue

Refer to the In Camera minutes for further information. [City Clerk has custody and control of the In Camera minutes].

#### Resolution # 39/08

Moved by Councillor O'Connell  
Seconded by Councillor Pickles

That Council rise into open session of Council.

CARRIED



## Council Meeting Minutes

Tuesday, February 19, 2008  
7:30 PM  
Council Chambers

---

### Resolution # 40/08

Moved by Councillor Dickerson  
Seconded by Councillor O'Connell

That the recommendation as contained in the Confidential memorandum dated January 30, 2008 from the City Solicitor, be adopted.

CARRIED

### (XI) CONFIRMATION BY-LAW

#### By-law Number #6838/08

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 In Camera and Regular Meeting of February 19, 2008.

CARRIED

### (XII) ADJOURNMENT

The meeting adjourned at 8:50 pm.

**DATED** this 19th day of February, 2008

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**MAYOR DAVID RYAN**

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**DEBI A. WILCOX**  
**CITY CLERK**