



Council Meeting Minutes
Monday, November 16, 2009
7:30 PM
Council Chambers

PRESENT:

Mayor David Ryan

COUNCILLORS:

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

ALSO PRESENT:

T. Melymuk - (Acting) Chief Administrative Officer
N. Carroll - Director, Planning & Development
G. Paterson - Director, Corporate Services & Treasurer
K. Thompson - Manager, By-law Enforcement Services
Tim Moore - Chief Building Official
L. Harker - Coordinator, Records & Elections
L. Roberts - Committee Coordinator

(I) INVOCATION

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

(II) DISCLOSURE OF INTEREST

No disclosures of interest were noted.

(III) ADOPTION OF MINUTES

Resolution # 265/09

Moved by Councillor Dickerson
Seconded by Councillor Johnson

Special In Camera Council Minutes, October 19, 2009
Council Minutes, October 19, 2009
Planning & Development Committee Minutes, November 2, 2009
In Camera Special Council Minutes, November 9, 2009



Special Council Minutes, November 9, 2009
Executive Committee Minutes, November 9, 2009

CARRIED

(IV) DELEGATIONS

1. Paul Savel, Chair
Pickering Public Library
Re: Annual Report

Paul Savel, Chair of the Pickering Public Library provided an overview of the achievements in 2009 of the Pickering Public Library Board through the use of a power point presentation. He outlined their shared vision with respect to diversity, literacy and bridging the digital divide. He thanked the Board members as well as Council for their support.

2. Maurice Brenner
Re: Notice of Motion
Accessibility in Pickering

Maurice Brenner, Pickering resident, appeared before Council with respect to a motion on Accessibility in Pickering. He commended the City of Pickering for their efforts to date with respect to their participation in training on accessibility issues. He noted his interpretation of the motion being brought forward was that it was asking for comments from the community. He suggested that it be referred to the Accessibility Advisory Committee for review and comments.

A question and answer period ensued.

(V) CORRESPONDENCE

1. CORR. 104-09
SHELLEY MELANSON, CHAIRPERSON
CANADIAN FEDERATION OF STUDENTS
900-180 Bloor Street West
Toronto, ON M5S 2V6

Resolution #266/09

Moved by Councillor McLean
Seconded by Councillor Dickerson



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That CORR. 104-09 from Shelley Melanson, Chairperson, Canadian Federation of Students, calling on municipalities to take immediate action to address the current housing crisis by way of introducing resolutions that will declare an immediate moratorium on evictions and the sale of public housing units, ensure the replacement of all shelter beds lost due to closures and funding cutbacks and to call on the provincial government to dedicate new funding to a province-wide housing strategy be received for information

CARRIED

2. CORR. 105-09
DAVID KOWCH
MEMBER SERVICES COUNSELLOR
CANADIAN FEDERATION OF INDEPENDENT BUSINESS
4141 Yonge St., Suite 401
Toronto, ON M2P 2A6

Resolution # 267/09

Moved by Councillor Dickerson
Seconded by Councillor McLean

1. That CORR. 105-09 from David Kowch, Member Services Counsellor, Canadian Federation of Independent Business to the Chair of the Alcohol and Gaming Commission requesting the results of the review of the regulations pertaining to the serving of liquor in licensed establishments, in particular the business operating as the Bear and Firkin at 1-1550 Kingston Road in Pickering be received for information; and
2. That a letter be forwarded to the Minister of Government Services from the Mayor on behalf of Council encouraging an acceptable solution for both parties.

CARRIED

3. CORR. 106-09
EVELYN SMITH, PRESIDENT
ROTARY CLUB OF PICKERING
P.O. Box 7
Pickering, ON L1V 2R2



Resolution # 268/09

Moved by Councillor O'Connell
Seconded by Councillor Johnson

That CORR. 106-09 from Evelyn Smith, President, Rotary Club of Pickering, requesting permission for the Ribfest to be held on June 4, 5 and 6, 2010 at the Esplanade Park in Pickering be approved. The Rotary Club of Pickering recognized Council's support of the Ribfest event with a plaque.

CARRIED

4. CORR. 107-09
MARISA CARPINO
SUPERVISOR, CULTURE & RECREATION
CITY OF PICKERING
One The Esplanade
Pickering, ON L1V 6K7

Resolution #269/09

Moved by Councillor O'Connell
Seconded by Councillor Dickerson

That CORR. 107-09 from Marisa Carpino, Supervisor, Culture & Recreation, requesting the City of Pickering proclaim various cultural celebrations on behalf of the Advisory Committee on Race Relations & Equity in the months of November and December be declared.

CARRIED

(VI) COMMITTEE REPORTS

a) REPORT PD 2009-10 OF THE PLANNING & DEVELOPMENT COMMITTEE

1. Director, Planning & Development, Report PD 31-09
Pickering Official Plan
-Informational Revision 16 (Housekeeping Matters)

COUNCIL DECISION



1. That Report PD 31-09 of the Director, Planning & Development regarding Informational Revision 16 (Housekeeping Matters) for inclusion in Edition 6 of the Pickering Official Plan be received; and
2. Further, that the Informational Revision 16 of the Director, Planning & Development, as set out in Appendix I to Report PD 31-09, be adopted for inclusion in Edition 6 of the Pickering Official Plan save and except tabling #4 regarding Map 14, Brock Industrial Neighbourhood.

Resolution #270/09

Moved by Councillor Pickles
Seconded by Councillor Littley

That the Report of the Planning & Development Committee 2009-10, dated November 2, 2009, be adopted.

CARRIED

b) REPORT EC 2009-09 OF THE EXECUTIVE COMMITTEE

1. Director, Corporate Services & Treasurer, Report CS 42-09
Solemnization of Marriages

COUNCIL DECISION

1. That Report CS 42-09 of the Director, Corporate Services & Treasurer be received;
2. That the City Clerk or the Clerk's designate be authorized to undertake, at their discretion, the performance of a civil marriage ceremony at locations and times outside the parameters set out in By-law 6605/05;
3. That the attached draft by-law be forwarded to Council authorizing the City Clerk and the appropriate delegated person(s), as permitted, to solemnize civil marriage ceremonies as provided in the *Marriage Act* and Regulations thereto; and
4. That the appropriate officials of the City of Pickering be authorized to take the necessary actions to give effect thereto.

2. Director, Corporate Services & Treasurer, Report CS 43-09
Application for Variance to Sign By-law 2493/87, as amended
-Snap Fitness, 631 Kingston Road

COUNCIL DECISION

That the application for variance to Sign By-law 2439/87, as amended, submitted by Kathi Hall on behalf of Snap Fitness, for property municipally known as 631 Kingston Road, be denied.

Resolution #271/09

Moved by Councillor Pickles
Seconded by Councillor Johnson

That the Report of the Executive Committee EC 2009-09, dated November 9, 2009, be adopted, save and except Item 3.

CARRIED

3. Director, Corporate Services & Treasurer, Report CS 14-09
Updated Sign By-law

Discussion ensued on this matter.

Resolution # 272/09

Moved by Councillor Pickles
Seconded by Councillor Johnson

1. That Report CS 14-09 of the Director, Corporate Services & Treasurer be received;
2. That the proposed sign by-law, as amended, included as Attachment #1, providing regulations for signs erected within the City of Pickering, be enacted as amended to reflect the following:
 - Deletion of Section 63(7) to the proposed sign by-law, relating to the number of election signs allowed on a single property;
 - Deletion of Section 63(8) to the proposed sign by-law, relating to the erection of election signs in close proximity to polling stations on election day.



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- 64(1) No person shall erect a flag other than a flag bearing the crest, emblem or insignia of any corporation, federal, provincial and municipal government agency, or religious, charitable or fraternal organization.
 - 41(8) Notwithstanding section 38, a maximum of 4 licences for portable signs may be issued concerning an individual business or service in any calendar year provided at least 30 days have elapsed since the expiry of the last portable sign licence and the sign has been removed;
3. That the minor housekeeping revisions on Special Sign Districts and other types of sign provisions as outlined in the memorandum dated November 3, 2009 from the Manager, By-law Enforcement Services be incorporated into the proposed sign by-law; and
4. Further, that the appropriate staff of the City of Pickering be given the authority to give effect thereto.

Resolution # 273/09

Moved by Councillor O'Connell
Seconded by Councillor McLean

That Item 63 (2) of the proposed Sign By-law be amended to read as follows:

No person shall erect an election sign that is more than 2.5 m² in area.

**MOTION DEFEATED
ON A RECORDED VOTE
AS FOLLOWS:**

YES

Councillor Littley
Councillor O'Connell

NO

Councillor Dickerson
Councillor Johnson
Councillor McLean
Councillor Pickles
Mayor Ryan

Resolution # 274/09

Moved by Councillor O'Connell
Seconded by Councillor Littley

That Item 64 (1) of the proposed Sign By-law be deleted.

MOTION DEFEATED

The main motion was then CARRIED.

(VII) MOTIONS & NOTICES OF MOTION

a) ACCESSIBILITY IN PICKERING

Resolution # 275/09

Moved by Councillor O'Connell
Seconded by Councillor Dickerson

WHEREAS The Accessibility for Ontarians with Disabilities Act, 2005 Part V11 requires every Municipal Council with a population greater than 10,000 persons to work together to develop and implement accessibility standards including the establishment of an accessibility advisory committee; and that

WHEREAS Section 29 (4) requires that the committee shall,

- (a) Advise the council about the requirements and implementation of accessibility standards and the preparation of accessibility reports and such other matters for which the council may seek its advice under subsection (5);
- (b) Review in a timely manner the site plans and drawings described in section 41 of the *Planning Act* that the committee selects; and
- (c) Perform all other functions that are specified in the regulations. 2005, c. 11, s. 29 (4).

WHEREAS Section 29 (5) the council shall seek advice from the committee on the accessibility for persons with disabilities to a building, structure or premises, or part of a building, structure or premises,

- (a) That the council purchases, constructs or significantly renovates;
- (b) For which the council enters into a new lease; or
- (c) That a person provides as municipal capital facilities under an agreement entered into with the council in accordance with section 110 of the *Municipal Act, 2001* or section 252 of the *City of Toronto Act, 2006*. 2005, c. 11, s. 29 (5); 2006, c. 32, Sched. C, s. 1.

WHEREAS On July 14, 2009, the Ontario government released the initial proposed Accessible Built Environment Standard for a public review period. It aims to break



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down barriers in buildings and other structures for people with disabilities by proposing requirements in areas such as:

- o Entrances, doorways and ramps
- o Parking spaces
- o Signs and displays
- o Recreation, such as parks and trails.

WHEREAS Under the Act, a "barrier" means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice ("obstacle");

NOW THEREFORE BE IT RESOLVED that the Corporation of the City of Pickering shall lead by example and requires that

- (1) All future sidewalks, trails, parks and pedestrian connections with-in the City to be built fully accessible (as defined under the Act) and where not defined projects are to be reviewed by the Accessibility Advisory Committee;
- (2) All future sidewalks on arterial roads and highway bridges/overpasses be built with a minimum width of 1.8m;
- (3) Effective immediately to ensure that all pending infrastructure projects pose no barrier to those with disabilities that City of Pickering Accessibility Committee be invited to review and comment on all proposed drawings, site plans and other materials to ensure no "physical barrier, architectural barrier or technological barrier prior to being adopted by Council and or approved for tendering/construction;
- (4) Staff be directed to establish a standard procedure to have the Accessibility Advisory Committee's comments presented in writing to Council on any and all projects reviewed to ensure their comments are accurately represented and part of the formal reporting process.

And Further that

The Ministry of Transportation of Ontario (MTO) be requested to reconsider its decision to build sidewalks 1.5m in width on all 400 series highway bridges and overpasses. And that the MTO reconsiders its position not to have any sidewalks on some bridges/overpasses on the 407 Highway extension into Durham Region.



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And that a copy of this resolution be sent to the Region of Durham for endorsement.
And that a copy of this resolution be sent to The Honourable Madeleine Meilleur,
Minister of Community and Social Services and the Honourable **Gerry Phillips**,
Minister of Infrastructure and The Honourable **Jim Bradley**, Minister of Transportation.

A question and answer period ensued.

Councillor O'Connell provided an explanation with respect to the intent of the motion
and was in agreement to send the motion to the Accessibility Advisory Committee for
review and comments.

The (Acting) Chief Administrative Officer indicated that some of the items noted in the
motion have already been completed and staff members are in the process of working
on additional items as well. He also noted that staff members have a general
knowledge of the process, but not technical knowledge. It was suggested that the
public consultation process take place at the Provincial level for now.

Resolution # 276/09

Moved by Councillor Johnson
Seconded by Councillor Littley

That the Notice of Motion regarding Accessibility in Pickering be tabled.

MOTION DEFEATED
ON A RECORDED VOTE
AS FOLLOWS:

YES

Councillor Johnson
Councillor Littley
Councillor Pickles

NO

Councillor Dickerson
Councillor McLean
Councillor O'Connell
Mayor Ryan

Resolution # 277/09

Moved by Councillor McLean
Seconded by Councillor Littley



That the Notice of Motion regarding Accessibility in Pickering be referred to the Accessibility Advisory Committee for review and comment.

CARRIED

(VIII) BY-LAWS

- 6998/09 Being a by-law to provide for Civil Marriage Services to be offered by the City of Pickering.
- 6999/09 A by-law to regulate signs in the City of Pickering.
- 7000/09 Being a by-law to dedicate that part of Lot 16, Registrar's Compiled Plan 1051, Pickering, being Part 8, Plan 40R-22043, as public highway
- 7001/09 Being a by-law to appoint By-law Enforcement Officers for the purpose of enforcing parking restrictions on private property.

THIRD READING:

Councillor Johnson, seconded by Councillor Dickerson moved that By-law Numbers 6998/09 to 7001/09, 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.

CARRIED

(IX) OTHER BUSINESS

1. The Acting Chief Administrative Officer was requested to action the following:
 - a) Councillor O'Connell requested the (Acting) Chief Administrative Officer to clarify the number and deployment of street sweepers currently being operated by the City of Pickering;
 - b) Councillor O'Connell requested that staff provide an update to Council with respect to the flooding issues in Pickering, particularly the West Shore Area.

(X) CONFIRMATION BY-LAW

By-law Number # 7002/09



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Councillor Johnson, seconded by Councillor O'Connell, 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 November 16, 2009.

CARRIED

(XI) ADJOURNMENT

Moved by Councillor Johnson
Seconded by Councillor McLean

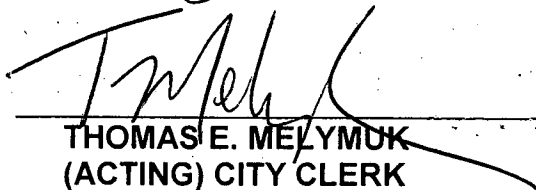
That the meeting be adjourned at 9:20 PM

CARRIED

DATED this 16th day of November, 2009



MAYOR DAVID RYAN



THOMAS E. MELYMUK
(ACTING) CITY CLERK