



Council Meeting Minutes

Monday, January 19, 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:

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

(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 # 01/09

Moved by Councillor Johnson
Seconded by Councillor Pickles

In Camera Council Minutes, December 15, 2008
Council Meeting Minutes, December 15, 2008



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Planning & Development Committee Minutes, January 5, 2009

Special Council Meeting Minutes, January 12, 2009

In Camera Council Minutes, January 12, 2009

Executive Committee Minutes, January 12, 2009

CARRIED

(IV) DELEGATIONS

1. Kirsten Schmidt-Chamberlain
Executive Director
Marian Timmermans, Board Member
Durham Hospice
Re: Ongoing work of Durham Hospice

Kirsten Schmidt-Chamberlain and Marian Timmermans of Durham Hospice appeared before Council to update the City of Pickering on the Durham Hospice initiatives for 2009 with the aid of a power point presentation. Ms. Schmidt-Chamberlain noted the need to educate and communicate to Durham Region the need for Hospice programs. She stated that a new Bereavement Group would be opening soon in Pickering and invited all to attend the Durham Hospice Gala in Oshawa on May 9, 2009.

2. Chaitanya Kalevar
Just One World
Re: Nuclear Concerns

Chaitanya Kalevar of Just One World appeared before Council and noted that he felt the City of Pickering had not answered the questions he had brought before Council at the December 15, 2008 meeting. Mr. Kalevar reiterated his concerns regarding the refurbishment of the Pickering Nuclear Plant and noted that Pickering Council should not be supporting it.

3. Donald Tim Seitz Sr.
Re: Refurbishment of Pickering Nuclear Plant

Donald Tim Seitz Sr. of Kingston, Ontario appeared before Council and also noted his concerns regarding the refurbishment of the Pickering Nuclear Plant. Mr. Seitz stated that he has spent many years investigating and researching nuclear power and feels that we should be more concerned with the standards that are in place and feels that those standards are not strict enough. Mr. Seitz also noted that he felt that Pickering Council should not support the refurbishment of the Pickering site.



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4. Kate Cherrett
Re: Director, Planning & Development, Report PD 05-09
Rosebank Properties Inc.
Lands located west of Rosebank Road, east of Oakwood Drive
and south of Maitland Drive
City of Pickering

Kate Cherrett, 518 Rosebank Road appeared before Council and noted that she would not reiterate the same concerns she spoke about at the Planning and Development Meeting on January 5, 2009. She stated that she did not feel Council supported the communities concerns and noted that she would make her case at the OMB hearing. Ms. Cherrett submitted a petition to the Clerk to be placed on record.

(V) CORRESPONDENCE

1. CORR. 01-09
HONOURABLE JOHN GERRETSEN
MINISTER OF THE ENVIRONMENT
12th Floor – 135 St. Clair Avenue West
Toronto, ON M4V 1P5

Resolution # 02/09

Moved by Councillor Dickerson
Seconded by Councillor Littley

That CORR. 01-09 from the Association of Municipalities of Ontario requesting Council's support of the AMO position on the Waste Diversion Act and the Blue Box Program Plan Review be endorsed.

CARRIED LATER
IN THE MEETING
(See Following Motion)

Resolution # 03/09

Moved by Councillor O'Connell
Seconded by Councillor Littley



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That CORR.01-09 from the Association of Municipalities of Ontario be referred back to staff for additional information.

MOTION DEFEATED

2. CORR. 02-09
P.M. MADILL, REGIONAL CLERK
REGION OF DURHAM
605 Rossland Road East
Whitby, ON L1N 6A3

Resolution # 04/09

Moved by Councillor Pickles
Seconded by Councillor Johnson

That CORR. 02-09 from P.M. Madill, Regional Clerk, Region of Durham advising that at a meeting of Regional Council held December 10, 2008, a recommendation regarding 2009 interim property tax levy was adopted, be received for information.

CARRIED

3. CORR. 03-09
REGIONAL COUNCILLOR BILL MCLEAN
Pickering Civic Complex
One the Esplanade
Pickering, ON L1V 6K7

Resolution # 05/09

Moved by Councillor Pickles
Seconded by Councillor Johnson

That CORR. 03-09 from Bill McLean, Regional Councillor – Ward 2 expressing his appreciation to Staff Sergeant Mitch Colling for his long term dedication to the Durham Regional Police Service, be received for information.

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4. CORR. 04-09
GARY MCNEIL
MANAGING DIRECTOR & CEO
GO TRANSIT
20 Bay Street, Suite 600
Toronto, ON M5K 2W3

Resolution # 06/09

Moved by Councillor Pickles
Seconded by Councillor Johnson

That CORR. 04-09 from Gary McNeil, Managing Director & CEO, GO Transit, in response to the issue of security and safety at GO stations, be received for information.

CARRIED

5. CORR. 05-09
D. PATRICK MCNEIL
SENIOR VICE PRESIDENT
GENERATION DEVELOPMENT
ONTARIO POWER GENERATION
889 Brock Road
Pickering, ON L1V 3J2

Resolution # 07/09

Moved by Councillor Pickles
Seconded by Councillor Johnson

That CORR. 05-09 from D. Patrick McNeil, Senior Vice-President, Generation Development, Ontario Power Generation, expressing their thanks for the City's participation during the recent hearings for the Pickering B Refurbishment Environmental Assessment (EA), be received for information.

CARRIED



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6. CORR. 06-09
RESIDENTS OF SIDELINE 14
HAMLET OF CLAREMONT

Resolution # 08/09

Moved by Councillor Dickerson
Seconded by Councillor O'Connell

That CORR. 06-09 received from residents of Sideline 14, in the Hamlet of Claremont, with respect to issues regarding the maintenance and condition of Sideline 14, be received and referred to the 2009 Budget discussions.

CARRIED

7. CORR. 07-09
C. ANNE GREENTREE, DEPUTY CLERK
MUNICIPALITY OF CLARINGTON
40 Temperance Street
Bowmanville, ON L1C 3A6

Resolution # 09/09

Moved by Councillor Dickerson
Seconded by Councillor Johnson

That CORR. 07-09 from Anne Greentree, Deputy Clerk, Municipality of Clarington, seeking the City of Pickering's endorsement with respect to process streamlining for lottery licensing through the Alcohol and Gaming Commission of Ontario, be endorsed.

CARRIED

8. CORR. 08-09
R.J. DWAYNE MILLER
PROFESSOR OF CHEMISTRY AND PHYSICS
INSTITUTE FOR OPTICAL SCIENCES
60 St. George Street, Suite 331
Toronto, ON M5S 1A7

Resolution # 10/09



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Moved by Councillor Dickerson
Seconded by Councillor Pickles

That CORR. 08-09 from R.J. Dwayne Miller, Professor of Chemistry and Physics for the Institute for Optical Sciences, be received and that the City of Pickering proclaim May 9, 2009 as Science Rendezvous Day.

CARRIED

9. CORR. 09-09
MELISSA MCBRIDE
EVENT COORDINATOR
EPILEPSY DURHAM REGION
850 King Street West, Unit #20
Oshawa, ON L1J 8N5

Resolution # 11/09

Moved by Councillor Dickerson
Seconded by Councillor Pickles

That CORR. 09-09 from Melissa McBride, Event Coordinator, Epilepsy Durham Region, be received for information and that the City of Pickering proclaim March 26, 2009 as Purple Day for Epilepsy.

CARRIED

10. CORR. 10-09
MARK DODICK
SENIOR PUBLIC AFFAIRS ADVISOR TO THE CEO
CORPORATE COMMUNICATIONS
ONTARIO POWER AUTHORITY

Resolution # 12/09

Moved by Councillor Dickerson
Seconded by Councillor Pickles



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That CORR. 10-09 from Mark Dodick, Senior Public Affairs Advisor to the CEO, Corporate Communications, Ontario Power Authority, be received for information and that the City of Pickering, proclaim May 17-23, 2009 as Energy Conservation Week.

CARRIED

11. CORR. 11-09
JANICE FRAMPTON

Resolution # 13/09

Moved by Councillor Dickerson
Seconded by Councillor McLean

That CORR. 11-09 from Janice Frampton, Pickering resident, with respect to the Mayor's and Councillor's salaries, and requesting a "Fair Salary and Benefit Committee" be formed, be received for information.

CARRIED

VI) COMMITTEE REPORTS

a) REPORT PD 2009-01 OF THE PLANNING & DEVELOPMENT COMMITTEE

1. Director, Planning & Development, Report PD 01-09
Road Closing – Conveyance of Land
Portion of West Shore Boulevard (aka Fairport Road) between
Kingston Road and Highway 401, being the Road Allowance between
Lots 26 and 27, Range 3, BFC, Pickering
Parts 3 and 10, Plan 40R-25703

COUNCIL DECISION

1. That Report PD 01-09 of the Director, Planning & Development regarding the stopping-up, closing and conveyance of a portion of West Shore Boulevard be received; and
2. That Council enact a by-law to:
 - a) stop-up and close lands legally described as West Shore Boulevard (aka Fairport Road) being the road allowance between Lots 26 and 27, Range 3,



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BFC, Pickering, designated as Part 3 (north portion) and Part 10 (south portion) Plan 40R-25703 (the "subject lands") as public highway;

- b) declare the subject lands surplus to the needs of the Corporation for the purpose of sale to the adjacent owners, subject to required easements and in accordance with the provisions of the *Municipal Act* and the City's Acquisition and Disposal of Land Policy; and
- c) authorize the execution of all relevant documentation necessary to effect the above.

2. Director, Planning & Development, Report PD 02-09
Cougs (Whites) Ltd.
Plan of Subdivision 40M-2208
Plan 40R-23305
Final Assumption of Plan of Subdivision

COUNCIL DECISION

1. That Report PD 02-09 of the Director, Planning & Development regarding the Final Assumption of Plan of Subdivision 40M-2208 and a portion of 40R-23305 be received;
2. That the highway being Sunbird Trail within Plan 40M-2208 be assumed for public use;
3. That the services required by the Subdivision Agreement relating to Plan 40M-2208, which are constructed, installed or located on lands dedicated to, or owned by the City, or on lands lying immediately adjacent thereto, including lands that are subject to easements transferred to the City, including those parts of Blocks 75 and 76, designated as Parts 5, 6 and 7, Plan 40R-22846 and Part 1, Plan 40R-23305 be accepted and assumed for maintenance; and
4. That the Subdivision Agreement and any amendments thereto relating to Plan 40M-2208 be released and removed from title.

3. Director, Planning & Development, Report PD 03-09
Zoning By-law Amendment A 10/08
S. Whiffin
2330 Dixie Road
(North Part of Lot 25, Concession 2)
City of Pickering



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COUNCIL DECISION

1. That Zoning By-law Amendment Application A 10/08 submitted by S. Whiffin to amend the existing zoning on the subject property to allow for a commercial dog kennel and associated uses, a caretaker's residence (within the existing building) and a new detached dwelling on lands situated on the North Part of Lot 25, Concession 2 be approved; and
 2. Further, that the amending zoning by-law to implement Zoning By-law Amendment Application A 10/08 as set out in Appendix I to Report PD 03-09 be forwarded to City Council for enactment.
6. Director, Planning & Development, Report PD 07-09
Stop-up and Close Portions of Pickering Parkway
Transfer of Easements (Access and Servicing)
Road Dedication By-law
Pickering Parkway (formerly Sheridan Mall Parkway)

COUNCIL DECISION

1. That Report PD 07-09 of the Director, Planning & Development regarding the stopping-up, closing, conveyance and dedication of portions of Pickering Parkway be received; and
 2. That Council enact By-laws to:
 - a) stop-up and close those parts of Pickering Parkway, Plan 40M-1231, being Parts 6 to 20, Plan 40R-25784, as public highway for the purpose of conveying them to the abutting owner, subject to easements; and
 - b) dedicate that part of Block 1, Plan 40M-1231, being Part 28, Plan 40R-25784 as public highway.
7. Director, Planning & Development, Report PD 08-09
Growing the Greenbelt, August 2008 – Final Criteria
Prepared by the Ministry of Municipal Affairs and Housing

COUNCIL DECISION

That Report PD 08-09 of the Director, Planning & Development regarding the Final Criteria for *Growing the Greenbelt, August 2008*, from the Ministry of Municipal Affairs and Housing be received for information.



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Resolution # 14/09

Moved by Councillor Johnson
Seconded by Councillor Dickerson

That the Report of the Planning and Development Committee PD 2009-01, dated January 5, 2009, be adopted, save and except Items 4 and 5.

CARRIED

4. Director, Planning & Development, Report PD 05-09
Draft Plan of Subdivision SP-2007-01
Part of Lots 79 to 85, 108 to 111, Plan 350

Zoning By-law Amendment Application A 13/07
Part of Lots 79 to 85, 110 and 111, Plan 350

Rosebank Properties Inc.
Lands located west of Rosebank Road, east of Oakwood Drive
and south of Maitland Drive
City of Pickering

Detailed discussion ensued on this matter.

Resolution # 15/09

Moved by Councillor Johnson
Seconded by Councillor Dickerson

1. That Draft Plan of Subdivision SP-2007-01 submitted by Rosebank Properties Inc., to permit a residential plan of subdivision on lands being on Part of Lots 79 to 85, 108 to 111, Plan 350 (save and except Part of Lots 108 & 109, Plan 350) as shown on Attachment #3, to Report PD 05-09, be endorsed;
2. That the proposed conditions of draft plan of subdivision to implement Draft Plan of Subdivision SP-2007-01 as set out in Appendix I to Report PD 05-09 be endorsed;
3. That Zoning By-law Amendment Application A 13/07 submitted by Rosebank Properties Inc., to amend the zoning of the subject property to implement Draft Plan of Subdivision SP-2007-01, as outlined in Appendix II to Report PD 05-09 be endorsed; and



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4. Further, that the City Solicitor be authorized to attend to the Ontario Municipal Board Hearing of February 9, 2009 to support Draft Plan of Subdivision SP-2007-01 and Zoning By-law Amendment Application A 13/07 as endorsed by Council.

CARRIED LATER
IN THE MEETING
(See Following Motions)

Resolution # 16/09

Moved by Councillor O'Connell
Seconded by Councillor McLean

That an H Holding provision be added to the zoning by-law amendment application A13/07 and not removed until such time as the pumping station is built and the dwelling units within the draft plan will connect to the rebuilt pumping station.

CARRIED ON A
RECORDED VOTE

YES

Councillor Dickerson
Councillor Littley
Councillor McLean
Councillor O'Connell
Mayor Ryan

NO

Councillor Johnson
Councillor Pickles

Resolution # 17/09

Moved by Councillor Dickerson
Seconded by Councillor Littley

That Report PD 05-09 be deferred until the February 17th, 2009 meeting of Council.

DEFEATED ON A
RECORDED VOTE



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YES

Councillor Dickerson
Councillor McLean
Councillor O'Connell

NO

Councillor Johnson
Councillor Littley
Councillor Pickles
Mayor Ryan

Resolution # 18/09

Moved by Councillor O'Connell
Seconded by Councillor McLean

That lot 15 and 16 be deemed premature and the road end in a cul de sac at this time and that the future road alignment for Maitland Drive go northerly in a straight delineation.

DEFEATED ON A
RECORDED VOTE

YES

Councillor Dickerson
Councillor McLean
Councillor O'Connell

NO

Councillor Johnson
Councillor Littley
Councillor Pickles
Mayor Ryan

Resolution # 19/09

Moved by Councillor Dickerson
Seconded by Councillor Pickles

That recommendation 2 be amended to read as follows:

2. That the proposed conditions of draft plan of subdivision to implement Draft Plan of Subdivision SP-2007-01 as set out in Appendix I to Report PD 05-09 be endorsed, as revised;

CARRIED

Resolution # 20/09



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Moved by Councillor O'Connell
Seconded by Councillor McLean

That Street B be re-oriented to the east in line with Maitland Drive to the extent possible technically and any necessary lotting amendments be completed as required.

CARRIED ON A
RECORDED VOTE

YES

NO

Councillor Dickerson
Councillor Johnson
Councillor Littley
Councillor McLean
Councillor O'Connell
Councillor Pickles
Mayor Ryan

The main motion, as amended, was then CARRIED.

5. Director, Planning & Development, Report PD 06-09
Drinking Water Source Protection Planning
Comments on Proposed Terms of Reference for the development of
Assessment Reports and Source Protection Plans, dated October, 2008

Resolution # 21/09

Moved by Councillor Johnson
Seconded by Councillor Dickerson

1. That Report PD 06-09 of the Director, Planning & Development regarding Drinking Water Source Protection be received for information; and
2. Further, that a copy of report PD 06-09 be forwarded to the Chief Administrative Officer (CAO) of the Toronto & Region Conservation Authority (TRCA), the CAO of the Central Lake Ontario Conservation Authority (CLOCA), the Chair of the Credit Valley/Toronto/Central Lake Ontario (CTC) Region Source Protection Committee, and the Regional Municipality of Durham.

CARRIED



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b) REPORT EC 2009-01 OF THE EXECUTIVE COMMITTEE

1. Chief Administrative Officer, Report CAO 01-09
Customer Service
-Accessibility Standards for Customer Service Policy
-Accessibility for Ontarians with Disabilities Act (AODA)
-Ontario Regulation 429/07
-Customer Service Policy
-

COUNCIL DECISION

1. That Report CAO 01-09 of the Chief Administrative Officer regarding Customer Service and the Accessibility Standards for Customer Service Standards be received;
 2. That Council approve policy ADM 160, Customer Service;
 3. That Council approve policy ADM 90, Accessibility Standards for Customer Service; and,
 4. That the appropriate officials of the City of Pickering give effect thereto.
-
3. Director, Operations & Emergency Services, Report OES 02-09
City of Pickering 2009 Annual Accessibility Plan
-Reviewed by the Accessibility Advisory Committee for
Council Consideration
-

COUNCIL DECISION

1. That Report OES 02-09 of the Director, Operations & Emergency Services regarding the City of Pickering 2009 Annual Accessibility Plan be received; and
 2. That Council endorse the City of Pickering 2009 Annual Accessibility Plan as presented and reviewed by the City of Pickering Accessibility Advisory Committee.
-
5. Director, Operations & Emergency Services, Report OES 05-09
Southeast Collector Trunk Sewer
-Individual Environmental Assessment
-Comments on Final EA Report, November 2008
-



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COUNCIL DECISION

1. That Report OES 05-09 of the Director, Operations & Emergency Services regarding the Southeast Collector Trunk Sewer IEA, Final EA Report of November 2008 be received;
2. That Council endorse the Regions of York and Durham's selection of "Constructing a new SEC Trunk Sewer in combination with Implementing of water efficiency and Inflow/Infiltration reduction measures" as the preferred alternative to the undertaking subject to the Minister of Environment imposing the following conditions of approval:
 - a) a commitment to and EA compliance monitoring of the water efficiency and inflow/infiltration reduction measures;
 - b) more information on the haul roads under the jurisdiction of the City of Pickering and approval of those haul roads by the City of Pickering;
 - c) a commitment to construction of additional temporary traffic lanes at the Liverpool Road/Finch Avenue intersection during Shaft 2 construction;
 - d) require the re-evaluation of the Odour Control Facility location with the objective of securing a site outside of Pickering, and that this re-evaluation include additional public meetings; and
3. That a copy of Report OES 05-09 be provided to the Region of York, the Region of Durham and the Ministry of Environment as the City's detailed comments and conditions of approval on the Southeast Collector Trunk Sewer Environmental Assessment – Final Environmental Assessment Report.
6. Director, Operations & Emergency Services, Report OES 06-09
Pickering Sports Medicine & Wellness Centre
-Renewal Lease Agreement

COUNCIL DECISION

1. That Report OES 06-09 of the Director, Operations & Emergency Services be received;
2. That the Mayor and the Clerk be authorized to execute a renewal lease agreement to which the Pickering Sports Medicine & Wellness Centre will be permitted to continue to operate a Wellness Centre and Wellness Spa at the Pickering Recreation Complex from January 1, 2009 to December 31, 2013, that is in the form and substance acceptable to the Director, Operations & Emergency Services and the Chief Administrative Officer.



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7. Director, Operations & Emergency Services, Report OES 07-09
Highway 407 East – Environmental Assessment
City of Pickering Comments on Technically Preferred Route
& Preliminary Design (September 2008)
-

COUNCIL DECISION

1. That Report OES 07-09 of the Director, Operations & Emergency Services, regarding the Highway 407 East Environmental Assessment be received;
2. That Council support the Highway 407 East Technically Preferred Route (See Attachment #1) for the easterly extension of Highway 407, including transitway corridor/facilities and the two north-south links connecting to Highway 401;
3. That the Highway 407 EA Project Team revise the preliminary design for the proposed bridge crossings over Highway 407 (See Attachment #2) within Pickering, to include:
 - a) raised sidewalks (including sufficient right-of-way and the inclusion of platforms with 1.8 metre minimum width) on both sides of the roadways for all 407 East bridge crossings in Pickering;
 - b) dedicated 1.5 metre-wide bicycle lanes on the outer lanes on both sides of the roadways for all 407 East bridge crossings in Pickering, while maintaining the proposed pavement width of 3.5 metres for each vehicle lane; and,
 - c) lighting of appropriate quality, intensity and standards;
4. That the Ministry of Transportation Ontario (MTO) acquire and transfer to the City of Pickering sufficient land for 18 metre-radius cul-de-sacs for the candidate roads for permanent closure (existing Brock Road, Paddock Road and Sideline 4), and any other lands required for municipal rights of way;
5. That the environmental impact on surrounding properties within the study corridor be minimized and mitigated with adequate measures as well as that amicable resolutions be sought with affected property owners;
6. That Council request the 407 EA Team to consider a better location for the highway maintenance facility that does not conflict with potential urban development plans for these lands; and



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7. Further, that a copy of Report OES 07-09 be forwarded to the MTO the 407 EA Project Team, the Regional Municipality of Durham, and all Durham Area Municipalities.

Resolution # 22/09

Moved by Councillor Johnson
Seconded by Councillor Littley

That the Report of the Executive Committee EC 2009-01, dated January 12, 2009, be adopted, save and except Items 2 and 4.

CARRIED

2. Director, Operations & Emergency Services, Report OES 01-09
Urban Forest Strategy

General discussion ensued on this matter.

Resolution # 23/09

Moved by Councillor Johnson
Seconded by Councillor Littley

1. That Report OES 01-09 of the Director, Operations & Emergency Services be received;
2. That Council endorse the concept of the development of an Urban Forest Strategy for the City of Pickering;
3. That Council receive and endorse in principle the proposal from the Toronto and Region Conservation Authority to undertake the Urban Forest Study and that staff be directed to include funding for this study in its 2009 budget submission for Council's consideration;
4. That should budget approval be granted in the 2009 budget, notwithstanding the requirements of the City's Purchasing Policy, TRCA be retained to undertake the Urban Forest Study; and
5. That a copy of Report OES 01-09, be forwarded to the Toronto and Region Conservation Authority for their information.

CARRIED



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4. Director, Operations & Emergency Services, Report OES 04-09
Southeast Collector Trunk Sewer
Individual Environmental Assessment
Enhancement Projects in the City of Pickering

General discussion ensued on this matter.

Resolution # 24/09

Moved by Councillor Johnson
Seconded by Councillor Littley

1. That Report OES 04-09 of the Director, Operations & Emergency Services and the Director, Planning & Development, regarding the enhancement projects for the Southeast Collector Trunk Sewer be received;
2. That Council endorse the ecological, recreational and infrastructure enhancement projects as set out in Attachment #2 to Report OES 04-09, as amended, to include the following in Ecological Enhancements;

That the City of Pickering propose to the School Boards that they put forward a request to the Region of Durham to initiate a scholarship program for students who provide excellence in environmental academic achievements as one of the enhancement projects;

3. That Council authorize staff to work with York Region on finalizing and implementing the enhancement projects in the City of Pickering; and
4. That a copy of Report OES 04-09 be forwarded to the Region of York, Region of Durham, Toronto and Region Conservation Authority, Durham District School Board, Durham Catholic School Board, and Rouge Park Alliance for information.

REFERRED LATER
IN THE MEETING
(See Following Motion)

Resolution # 25/09

Moved by Councillor O'Connell
Seconded by Councillor Johnson



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That Report OES 04-09 of the Director, Operations & Emergency Services be referred back to staff until all outstanding issues have been addressed.

CARRIED ON A
RECORDED VOTE

YES

Councillor Johnson
Councillor Littley
Councillor McLean
Councillor O'Connell

NO

Councillor Dickerson
Councillor Pickles
Mayor Ryan

(VII) NOTICE OF MOTION

1. SOUTHEAST COLLECTOR TRUNK SEWER & WATERFRONT POLLUTION CONTROL PLANT EXPANSION

Discussion ensued on this matter.

Resolution # 26/09

Moved by Councillor O'Connell
Seconded by Councillor McLean

WHEREAS York Region plans to grow from 950,000 to 1.5+ million people over the next 25 years by piping its raw sewage from East Gwillimbury, Newmarket, Aurora, King City, Richmond Hill and Markham through Oak Ridges Moraine drinking water aquifers, Bob Hunter Memorial Park, Rouge Park and the Golden Horseshoe Greenbelt (DRAP) to Pickering and Lake Ontario; and

WHEREAS without the proper technology Pickering and Ajax residents are at risk of not being able to fully enjoy our Lake Ontario waterfront because of E. Coli bacterial pollution, nuisance algal blooms, closed beaches and foul odours from the Duffins Water Pollution Control Plant; and

WHEREAS during the 9th Line, 16th Avenue and other YDSS sewer projects, York Region repeatedly and grossly under-estimated (misrepresented) the environmental, social and economic impacts; and

WHEREAS in November 2008 the Council of the City of Pickering approved a rezoning application to allow a gymnastics facility in the general vicinity of the Water Pollution Control Plant expansion. This facility provides a range of activities for more



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that 600 young people in our community. York Region has appealed the City's decision to the Ontario Municipal Board claiming that "they may not be able to mitigate odours from the plant and they do not want future law suits requiring them to upgrade the filtrations systems"; and

WHEREAS the Water Control Pollution Plant is directly adjacent to Pickering's Waterfront Trail, the jewel of this community. Any potential odours from the plant will negatively impact our waterfront trail and its uses;

NOW THEREFORE BE IT RESOLVED that the Regions of York and Durham resolve the odour issues at the Water Pollution Control facility located in Pickering prior to any expansion in order to ensure and maintain the public use of Pickering's waterfront trail and resolve the OMB zoning application appeal made by the Region of York regarding Pickering Athletic Centre. And that all odour mitigation will be sufficient to handle the future expansion and any increase in waste to ensure public safety as well as the right to the enjoyment of life in and around the expanded facility

AND THAT starting immediately York Region be required to pay 40 cents (\$0.40) towards the funding of a Rouge, Petticoat, Duffins Watershed and Land Trust for each 1000 litres of precious groundwater and surface water which leaks into the YDSS and is exported (wasted) from local aquifers and watersheds;

THAT a copy of this resolution be forwarded to the Region of York and the Region of Durham.

REFERRED LATER
IN THE MEETING
(See Following Motion)

Resolution # 27/09

Moved by Councillor Johnson
Seconded by Councillor Dickerson

That the Notice of Motion regarding the Southeast Collector Trunk Sewer and Waterfront Pollution Control Plan Expansion be referred back to staff for review.

CARRIED

(VIII) BY-LAWS

6927/09 Being a by-law to appoint By-law Enforcement Officers for the purpose of enforcing parking restrictions in private property



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- 6928/09 Being a by-law to stop-up and close certain portions of West Shore Boulevard (aka Fairport Road) as public highway, being Parts 3 and 10, Plan 40R-25703 for the purpose of sale to the abutting owner.
- 6929/09 Being a by-law to amend Restricted Area (Zoning) By-law 3036, as amended to implement the Official Plan of the City of Pickering District Planning Area, Region of Durham, in North Part of Lot 25, Concession 2, in the City of Pickering. (A 10/08)
- 6930/09 Being a by-law to dedicate that part of Block 1, Plan 40M-1231, Pickering, being part 28, Plan 40R-25784, as public highway.
- 6931/09 Being a by-law to stop-up and close as public highway those parts of Pickering Parkway (formerly Sheridan Mall Parkway), Plan 40M-1231, being Parts 6 to 20, Plan 40R-25784, for the purpose of sale, subject to required easements.

THIRD READING:

Councillor O'Connell, seconded by Councillor Johnson moved that By-law Numbers to 6927/09 to 6931/09, 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

(IX) OTHER BUSINESS

1. SOUTHEAST COLLECTOR TRUNK SEWER
INDIVIDUAL ENVIRONMENTAL ASSESSMENT
FINAL EA REPORT, NOVEMBER 2008

Resolution # 28/09

Moved by Councillor Johnson
Seconded by Councillor McLean

WHEREAS the Community of Cherrywood needs more time to understand the significance of an Odour Control Facility;



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WHEREAS Pickering Council has asked for the Odour Control Facility to be built in the Region of York;

WHEREAS the Durham Region Works Committee has referred this item back to staff to review the possibility of fulfilling Pickering's request;

WHEREAS the co-proponents filed the Final Environmental Assessment Report with the Minister of Environment on November 28, 2008 and stakeholders agencies and the public have until January 23, 2009 to provide comments on the report;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pickering hereby requests the Honourable John Gerretsen, Minister of Environment to extend the commenting period on the Final Environmental Assessment Report for an additional three months; and

That a copy of this resolution be forwarded to the Ministry of Environment, Durham Regional MPP's, the Region of York and the Region of Durham.

CARRIED

2. FEDERAL BUDGET INFRASTRUCTURE PROJECTS

Resolution # 29/09

Moved by Councillor Littley
Seconded by Councillor Pickles

WHEREAS a viable business case for an airport in Pickering has yet to be presented;

WHEREAS the Council of the City of Pickering does not support building an airport in Pickering;

WHEREAS that it would be premature for the Minister of Finance to consider allocating an estimated 2 billion dollars in the current and future budget deliberations without a viable business case;

WHEREAS the municipalities in the Region of Durham are looking to the Minister of Finance in this budget to fund other critical infrastructure needs such as transit, roads, water & sewer projects that exist in the Region at this time;



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THEREFORE BE IT RESOLVED that the Council of the City of Pickering request that the Federal Minister of Finance and the Regional Chair of Durham Region do not advocate for federal infrastructure funding for an airport in Pickering until such time as a viable and accepted business case can be presented; and,

And that a copy of this resolution be forwarded to the Federal Minister of Finance, MP's, Durham Regional MPP's, The Regional Municipality of Durham and its' member Municipalities.

CARRIED ON A
RECORDED VOTE

YES

NO

Councillor Dickerson
Councillor Johnson
Councillor Littley
Councillor McLean
Councillor O'Connell
Councillor Pickles
Mayor Ryan

3. The Chief Administrative Officer was requested to action the following:
- a) Council requested from the Region of Durham a history of all spills that have occurred from the Rodd Avenue pumping station and further that a protocol be established whereby the City is notified of any further spills.
 - b) Councillor McLean requested that the Region of Durham be contacted with respect to signage on the boulevard on Bayly Street to assist Millennium Veterinary as there now is a median on Bayly Street preventing left turns.
 - c) Councillor O'Connell requested staff to investigate the City of Kingston anti-idling by-law as it appeared more restrictive than the City's.
 - d) Council requested a listing of all ongoing environmental assessments on the York/Durham Sewer System, including the status (stage) of them.



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(X) CONFIDENTIAL MATTERS

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 # 30/09

Moved by Councillor O'Connell
Seconded by Councillor McLean

That Council go In Camera in accordance with the provisions of the *Municipal Act* for the purpose of dealing with personal matters about an identifiable individual, including municipal or local board employees.

CARRIED

a) Appointments to Boards and Committees

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

Moved by Councillor McLean
Seconded by Councillor O'Connell

That the following appointments be confirmed thereto for a term to expire on November 30, 2010:

i) Accessibility Advisory Committee

Kelly Collins
Keith Falconer
Stephen Little

ii) Heritage Pickering Advisory Committee

Keith Falconer

iii) Pickering Public Library

Mary K. Anderson



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vi) Pickering Museum Village Advisory Committee

Charmaine Brown
Suzanne Primrose

CARRIED

(XI) CONFIRMATION BY-LAW

By-law Number #6932/09

Councillor Johnson, seconded by Councillor McLean, 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 January 19, 2009.

CARRIED

(XII) ADJOURNMENT

Moved by Councillor Johnson
Seconded by Councillor O'Connell

That the meeting be adjourned at 10:20 pm.

CARRIED

DATED this 19th day of January, 2009


MAYOR DAVID RYAN


DEBI A. WILCOX
CITY CLERK