

Due to COVID-19 and the Premier’s Emergency Orders to limit gatherings and maintain physical distancing, the City of Pickering continues to hold electronic Council and Committee Meetings.

Members of the public may observe the meeting proceedings by viewing the [livestream](#). A recording of the meeting will also be available on the [City’s website](#) following the meeting.

5:30 pm In Camera Council

	Page
1. Roll Call	
2. Invocation	
Mayor Ryan will call the meeting to order and lead Council in the saying of the Invocation.	
3. Indigenous Land Acknowledgment Statement	
Mayor Ryan will read the Indigenous Land Acknowledgment Statement.	
4. Disclosure of Interest	
5. Adoption of Minutes	
Council Minutes, May 25, 2021	1
Special Council Minutes, June 3, 2021	34
Executive Committee Minutes, June 7, 2021	37
Special Council Minutes, June 7, 2021	50
(Confidential Special Council Minutes, June 7, 2021, provided under separate cover)	
Planning & Development Committee Minutes, June 7, 2021	53
6. Presentations	
7. Delegations	
Due to COVID-19 and the Premier’s Emergency Orders to limit gatherings and maintain physical distancing, members of the public may provide a verbal delegation to Members of Council via electronic participation. To register as a delegate, visit www.pickering.ca/delegation , and complete the on-line delegation form or email clerks@pickering.ca . Delegation requests must be received by noon on the last business	

day before the scheduled meeting. All delegations for items not listed on the agenda shall register ten (10) days prior to the meeting date.

The list of delegates who have registered to speak will be called upon one by one by the Chair and invited to join the meeting via audio connection. A maximum of 10 minutes shall be allotted for each delegation. Please ensure you provide the phone number that you wish to be contacted on.

Please be advised that your name and address will appear in the public record and will be posted on the City's website as part of the meeting minutes.

7.1 Shawn A. Oakley, Vice President, Real Estate Advisory Services
Deloitte LLP
Re: City Centre Project Procurement Process

7.2 Daren Crawford, Otter Energy
Re: Solar Panel Grant Funding
- Green Inclusive Community Building Program

7.3 Seana Haley
Re: Corr. 32-21
Jennifer O'Connell, Member of Parliament, Pickering-Uxbridge
Re: Enabling Accessibility Fund Programs

7.4 Paul White, President
Fairport Beach Neighbourhood Association (Inc.1949)
Re: Report CLK 03-21
Ward Boundary Review
- Final Report – Watson & Associates Economists Ltd.

7.5 Jack Ammendolia, Managing Partner and Director, Education
Watson & Associates Economists Ltd.
Dr. Robert J. Williams, Public Affairs Consultant
Re: Report CLK 03-21
Ward Boundary Review
- Final Report – Watson & Associates Economists Ltd.

8. Correspondence

8.1 [Corr. 29-21](#)
Cynthia Davis, President & CEO

75

Lakeridge Health
Re: Proposed Acute Care Hospital
- City of Pickering's Expression of Interest

Recommendation:

That Corr. 29-21, from Cynthia Davis, President & CEO, Lakeridge Health, dated May 11, 2021, regarding a Proposed Acute Care Hospital - City of Pickering's Expression of Interest, be received for information.

8.2 [Corr. 30-21](#) 79

Cynthia Davis, President & CEO
Sharon Cochran, Chair of the Board of Trustees
Lakeridge Health
Re: Independent Site Selection Process for a Potential Future New Hospital in Durham Region

Recommendation:

1. That Corr. 30-21, from Cynthia Davis, President & CEO, and Sharon Cochran, Board Chair, Lakeridge Health, dated May 26, 2021, regarding the Independent Site Selection Process for a Potential Future New Hospital in Durham Region, be received; and,
2. That the Council for The Corporation of the City of Pickering supports the need for a new hospital to be built in Durham Region and re-affirms that the City of Pickering be considered as a potential location and welcome the opportunity to have input into the selection process.

8.3 [Corr. 31-21](#) 82

Elizabeth Martelluzzi, Planner II, Heritage
City of Pickering
Re: Heritage Pickering Advisory Committee
- 2020 Year End Report and 2021 Work Plan

Recommendation:

That Corr. 31-21, from Elizabeth Martelluzzi, Planner II, Heritage, City of Pickering, dated June 18, 2021, regarding the Heritage Pickering Advisory

Committee - 2020 Year End Report and 2021 Work Plan, be received for information.

- 8.4 [Corr. 32-21](#) **85**
Jennifer O’Connell, Member of Parliament, Pickering-Uxbridge
Re: Enabling Accessibility Fund Programs

Recommendation:

1. That Corr. 32-21, from Jennifer O’Connell, Member of Parliament, Pickering-Uxbridge, dated June 18, 2021, regarding Enabling Accessibility Fund Programs, be received; and,
2. That Staff be directed, through the CAO, to submit an application for funds to be used to retrofit an existing playground to achieve accessibility for children with disabilities.

9. **Report EC 2021-06 of the Executive Committee held on June 7, 2021** [Refer to Executive Committee Agenda pages:](#)

- 9.1 Director, Corporate Services and City Solicitor, Report AS 01-21 **1**
Dunmoore Park
- Conversion of Small Baseball Diamond to Leash Free Area

Recommendation:

1. That Report AS 01-21 regarding the conversion of the small baseball diamond in Dunmoore Park to a leash free area be received;
2. That Council endorse the creation of a leash free area in Dunmoore Park; and,
3. That appropriate City of Pickering officials be authorized to take the actions necessary to implement the recommendations in this report.

- 9.2 Director, Corporate Services & City Solicitor, Report CLK 03-21 **13**
Ward Boundary Review
- Final Report – Watson & Associates Economists Ltd.

This matter was referred to Council by the Executive Committee at its meeting held on June 7, 2021.

- 9.3 (Acting) Director, Community Services, Report CS 09-21 **119**
Community Association Lease Agreement
- Pickering Ajax Italian Social Club

Recommendation:

1. That the Mayor and City Clerk be authorized to execute the Lease Agreement with the Pickering Ajax Italian Social Club as set out in Attachment 1 to this report, subject to minor revisions as may be required by the (Acting) Director, Community Services and the Director, Corporate Services & City Solicitor; and,
2. That the appropriate City officials be authorized to take the necessary actions as indicated in this report.

- 9.4 (Acting) Director, Community Services, Report CS 23-21 **132**
Claremont Golden Age Seniors Club
- Lease Agreement

Recommendation:

1. That the Mayor and City Clerk be authorized to execute the Lease Agreement with Claremont Golden Age Seniors Club set out in Attachment 1 to this Report, subject to minor revisions as may be required by the Director, Community Services and the Director, Corporate Services & City Solicitor; and,
2. That the appropriate City officials be authorized to take the necessary actions as indicated in this report.

- 9.5 (Acting) Director, Community Services, Report CS 25-21 **154**
Community Safety and Well-Being Plan
- Update

Recommendation:

1. That Council receive Report CS 25-21 for information regarding the update on the City of Pickering's Community Safety and Well-Being Plan;
2. That Council endorse the City of Pickering's application for membership with the Canadian Municipal Network on Crime Prevention and that the Mayor be authorized to execute and submit the corresponding letter of support, as set out in Attachment 1; and,
3. That the appropriate officials of the City of Pickering be authorized to take necessary actions as indicated in this report.

- 9.6 Director, Engineering Services, Report ENG 14-21 **160**
Automated Speed Enforcement Implementation
- Status Update

Recommendation:

1. That Report ENG 14-21 regarding the status update of the implementation of the Automated Speed Enforcement program, as a follow-up to Report ENG 05-21 and in response to Resolution #543/21, be received for information; and,
2. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.

- 9.7 Director, Finance & Treasurer, Report FIN 10-21 **177**
Annual Indexing – Development Charges and Seaton Financial Impacts Agreement

Recommendation:

1. That Report FIN 10-21 of the Director, Finance & Treasurer be received;
2. That effective July 1, 2021 as provided for in By-law No. 7595/17, as amended by By-laws No. 7727/19 and No. 7802/20, the Development Charges referred to in Schedule "C" of that By-law be increased by 3.1 per cent;

3. That effective July 1, 2021 the payments related to “10 per cent Soft Services” as provided for by the Seaton Financial Impacts Agreement dated November 26, 2015 be increased by 3.1 per cent; and,
4. That the appropriate City of Pickering officials be authorized to take the necessary actions as indicated in this report.

- 9.8 Director, City Development & CBO, Report PLN 30-21 **184**
Local Enhancement and Appreciation of Forests (LEAF) Organization’s
Tree Planting Program Update

Recommendation:

1. That Report PLN 30-21 of the Director, City Development & CBO, on the update of the Local Enhancement and Appreciation of Forests (LEAF) Organization’s Tree Planting Program, be received;
2. That the Mayor and City Clerk be authorized to execute a 4-year joint agreement between the Region of Durham, the Local Enhancement and Appreciation of Forests (LEAF) organization and participating municipalities to deliver the tree planting program from July 1, 2021 to June 30, 2025, as set out in Attachment #1 of this report, subject to minor revisions with terms and conditions satisfactory to staff from a legal services and insurance perspective;
3. That the appropriate City staff be directed to take the necessary actions as indicated in this report; and,
4. That staff be directed to report back with a summary of the results, and if successful, consider continuing the program in subsequent years pending budget approval.

**10. Report PD 06-21 of the Planning & Development
Committee held on June 7, 2021**

[Refer to Planning &
Development Agenda
pages:](#)

- 10.1 Director, City Development & CBO, Report PLN 28-21 **46**
Pickering Housing Strategy Study
- Status Update, Phase 2

Recommendation:

That Report PLN 28-21 of the Director, City Development & CBO, providing an update on the status of the City of Pickering Housing Strategy Study, be received for information.

- 10.2 Director, City Development & CBO, Report PLN 29-21 **59**
The Municipal Comprehensive Review of the Durham Regional Official Plan: Proposed Policy Directions

Recommendation:

1. That Council endorse the following recommendations regarding Envision Durham's Proposed Policy Directions in support of a Prosperous Economy (Proposed Directions 1-4):
 - a. That the City Centre, Kingston Road Corridor and Brock Mixed Node Intensification Areas, Employment Lands in Seaton and along Highway 407, and the planned employment hub surrounding the Federal Airport lands be prioritized for adequate servicing to support economic growth and diversification and to accommodate the 2051 growth forecasts; and,
 - b. That the planned future Pickering Airport be recognized as a major catalyst for economic development and diversification;
2. That Council endorse the following recommendations regarding Envision Durham's Proposed Policy Directions in support of Healthy Communities (Proposed Directions 5-28):
 - a. That the Goals for Healthy Communities be expanded to:
 - i. align with the Canadian Institute of Planners' Healthy Communities Policy Statement to ensure individuals have access to healthy built, social, economic, and natural environments that give them the opportunity to live to their fullest potential, regardless of their race, ethnicity, gender, income, age, abilities, or other circumstances; and,

- ii. align with objectives or outcomes from the Region's Community Safety and Well-being Plan, Age-Friendly Durham Strategy;
- b. That the City supports the inclusion of policies regarding the implementation of a region-wide building retrofit program, and recommends that the Regional Official Plan (ROP) include broader policy direction around additional initiatives and incentives to encourage and enable energy efficient construction and green building design, including net-zero and net-zero ready development;
- c. That the City supports the inclusion of tree canopy targets for urban areas and rural areas in the ROP, following the identification of the current baseline, as well as the inclusion of policy direction in support of Regional tree planting initiatives along regional roads and on regionally-owned properties where appropriate;
- d. That in addition to recognizing and supporting historic downtowns, the Region include robust policies in the ROP related to cultural heritage that conform with, and implement, provincial policy direction and other regional interests related to heritage;
- e. That with regard to the proposed policy directions related to Housing:
 - i. the City supports the Region undertaking a Regional Housing Assessment Report (Assessment Report) and developing policies that would enable area municipalities to implement Inclusionary Zoning within their respective jurisdictions;
 - ii. the City recommends the establishment of affordable housing targets for Strategic Growth Areas in the ROP be based on the outcome of the Assessment Report, rather than assigning a 35 percent target prior to evaluation;

- iii. the City supports the policy direction to strengthen the rental to ownership housing conversion policies in the ROP and further recommends that when considering permission for conversion from a rental to ownership property, the Region:
 - consider increasing to greater than one year, the number of years required to maintain the minimum rental vacancy rate of 3 percent in both the region as a whole and the respective area municipality; and,
 - require a Regional Official Plan Amendment Application if the rental vacancy rate is below 3 percent;
 - iv. the City supports the proposed policy direction to encourage area municipalities to protect existing rental housing from demolition by using tools, such as a demolition control by-law, and recommend this be expanded upon, particularly in locations such as Strategic Growth Areas or areas in proximity to transit, where existing rental housing may be older and therefore more susceptible to demolition and redevelopment; and,
 - v. the City recommends policies be included in the ROP to support “co-ownership housing” and that enable municipalities to address this type of housing in a local and context-specific manner.
3. That Council endorse the following recommendations regarding Envision Durham’s Proposed Policy Directions regarding Supportive Infrastructure (Proposed Directions 29-33):
- a. That the City encourages the development of a Regional “Dig Once” policy as it would align with, and support, the City’s policy and interest in broadband deployment; and,
 - b. That the City recommends policies be included in the ROP that encourage the Region to work with the provincial

government to upgrade the existing infrastructure to support renewable and alternative energy projects;

4. That Council endorse the following recommendations regarding Envision Durham's Proposed Policy Directions in support of a Vibrant Urban System (Proposed Directions 34-53):
 - a. That the City supports the direction that Waterfront Places (e.g., Frenchman's Bay) not be identified as Strategic Growth Areas and recommends that any policies referring to minimum density targets for these areas be removed if this designation is retained in the ROP;
 - b. That the City supports removal of the existing specific policy prohibition on Places of Worship within Employment Areas, and the proposed direction that area municipalities would regulate the location of these uses;
 - c. That the City requests that the Employment Area Conversion submission for the Durham Live lands between Squires Beach Road and Church Street, which has been supported by City Council, be considered through the Land Needs Assessment;
 - d. That the City requests that the Region have regard to Pickering Council Resolutions #140/19 and #173/19 (Attachments #2 and #3 to Report PLN 29-21) requesting, among other things, the inclusion of northeast Pickering in an urban area boundary expansion; and,
 - e. That the City recommends the Land Needs Assessment consider a scenario reflecting a future airport and the potential implications it may have in terms of population and employment allocation and growth;
5. That Council endorse the following recommendations regarding Envision Durham's Proposed Policy Directions in support of a Thriving Rural System (Proposed Directions 54-65):
 - a. That the City recommends the goals and directions with regard to the Thriving Rural System in Durham be expanded

to also support the provision of reliable internet services to the rural area; and,

- b. That the City requests that the designation of High Potential Aggregate Resource Areas on lands within the limits of Settlement Areas (e.g., Barclay Estates) be removed;
6. That Council endorse the following recommendations regarding Envision Durham's Proposed Policy Directions in support of a Protected Greenlands System (Proposed Directions 66-85):
 - a. That the Region consider requesting the Province to make resources available to Indigenous Peoples to facilitate the sharing of Traditional Ecological Knowledge; and,
 - b. That the City recommends the Region, through coordinated relationship-building and consultation with Indigenous communities, endeavour to provide guidance to local area municipalities in terms of establishing appropriate engagement processes to facilitate input on land use planning matters;
 7. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report; and,
 8. That a copy of Report PLN 29-21 and Council's Resolution thereon be forwarded to the Regional Municipality of Durham and Durham Area Municipalities.

- 10.3 Director, City Development & CBO, Report PLN 31-21 **359**
Northeast Pickering Area
Request for Proposals Particulars for Preparation of a Community Plan for Northeast Pickering
Funding Agreement for Consulting Assistance
Funding Agreement for a Senior Project Manager

Recommendation:

1. That Council approve the draft "Appendix D – Request for Proposals Particulars Northeast Pickering Community Plan", which identifies the deliverables, including scope of work, project

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management, consultation and engagement, and timetable, for the consulting assignment for the preparation of an overall community plan for the Northeast Pickering Area for the consideration of Council, generally as set out in Appendix I to Report PLN 31-21;

2. That Council approve the funding agreement between the North East Pickering Landowners Group Inc. and the City of Pickering, for the hiring of a planning consulting team to prepare a Community Plan for the Northeast Pickering Area, generally as set out in Appendix II to Report PLN 31-21;
3. That Council approve the funding agreement between the North East Pickering Landowners Group Inc. and the City of Pickering, for the hiring of a Senior Project Manager (contract) dedicated to managing the preparation of the overall community plan for the Northeast Pickering Area, generally as set out in Appendix III to Report PLN 31-21;
4. That the Mayor and City Clerk be authorized to execute the funding agreements subject to any minor refinements acceptable to the Chief Administrative Officer, the Director, Corporate Services & City Solicitor and the Director, Finance & Treasurer;
5. That staff be authorized to issue Request for Proposals for the overall Northeast Pickering Community Plan, subject to any minor refinements to the project particulars acceptable to the Director, City Development & CBO and the Director, Economic Development & Strategic Projects, following the execution of the funding agreements and the hiring of the contract Senior Project Manager;
6. That staff report back to Council on the recommended planning consulting team; and,
7. That Council authorize the appropriate City officials to undertake the necessary actions required to implement the above recommendations.

11. Reports – New and Unfinished Business

- 11.1 [\(Acting\) Director, Community Services, Report CS 19-21](#)
Request for Additional Funding for Consulting Services

87

- Tillings Operations Yard Remediation (Phase 2)

Recommendation:

1. That the additional fee proposal and project costs as submitted by Cambium Inc. in the gross amount of \$346,235.00 (HST included), and the net amount of \$311,795.00 (net HST rebate) for Phase 2 to increase the scope of work to allow for the remediation of the Tillings Operations Yard, in accordance with Purchasing Policy, Item No. 10.03 (c) be accepted;
2. That the total estimated consulting costs including the additional costs of Phase 2 amount referenced in Recommendation 1 in the amount of \$482,856.00 (net HST rebate) be approved;
3. That the Director, Finance & Treasurer be authorized to finance the additional fee referenced in Recommendation 1 in the amount of \$311,795.00 by a transfer from the Operations Centre Reserve Fund; and,
4. That the appropriate City of Pickering officials be authorized to take the necessary action to give effect hereto.

11.2 [\(Acting\) Director, Community Services, Report CS 24-21](#)

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Relocation of Pickering Rouge Canoe Club

Recommendation:

1. That Council endorse staff's recommendation to approve the relocation of Pickering Rouge Canoe Club ("PRCC") to Progress Frenchman's Bay East Park for the operation of only their Special Olympics (PaddleAll) and Masters programs, as outlined in Report CS 24-21;
2. That City staff be directed to prepare a lease agreement with PRCC, subject to further Council approval, that sets out the terms and conditions of their use at Progress Frenchman's Bay East Park; and,
3. That the appropriate City of Pickering officials be authorized to take the necessary actions as indicated in this report.

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11.3 [\(Acting\) Director, Community Services, Report CS 28-21](#) **120**

Reallocation of Funds and Grant Endorsement

- Green and Inclusive Community Buildings Grant Application for the Restoration of the Redman House Program Centre at the Pickering Museum Village

Recommendation:

1. That staff be directed, through the Chief Administrative Officer, to submit an application under the Government of Canada's Green and Inclusive Community Buildings (GICB) program for the restoration of the Redman House Program Centre at the Pickering Museum Village;
2. That Pickering Council supports the Redman House application for the Government of Canada's GICB grant program; and,
3. That the appropriate City of Pickering officials be authorized to take the necessary action to give effect hereto.

11.4 [Director, Engineering Services, Report ENG 16-21](#) **123**

School Crossing Guard Program

- Quotation No. Q2021-7

Recommendation:

1. That Quotation No. Q2021-7 submitted by Neptune Security Services Inc. in the total amount of \$1,423,800.00 (HST included) with a net project cost of \$1,282,176.00 (net of HST rebate) be approved for the 3 year period from September 2021 to June 2024; and,
2. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.

11.5 [Director, Engineering Services, Report ENG 17-21](#) **130**

Road Servicing Agreement with Seaton TFFM Inc.

- Fifth Concession Road

Recommendation:

1. That the City of Pickering enter into a Road Servicing Agreement with Seaton TFPM Inc. to facilitate the reconstruction of Fifth Concession Road between Brock Road and Sideline 16 as contemplated in the Seaton Financial Impacts Agreement;
2. That the Mayor and City Clerk are hereby authorized to execute the Road Servicing Agreement between the City of Pickering and Seaton TFPM Inc. in substantially the same form as attached to this report, subject to minor revisions acceptable to the Director, Corporate Services and City Solicitor; and,
3. That the appropriate City of Pickering officials be authorized to take the necessary actions as indicated in this report.

11.6 [Director, Engineering Services, Report ENG 18-21](#) **142**
Proposed Skate Spot - West Shore Community Centre

Recommendation:

1. That Report ENG 18-21 regarding the creation of a skate spot at the West Shore Community Centre be received;
2. That Council endorse the creation of a skate spot at the West Shore Community Centre; and,
3. That appropriate City of Pickering officials be authorized to take the actions necessary to implement the recommendations in this report.

11.7 [Director, Engineering Services, Report ENG 19-21](#) **156**
Consulting Services
- Design and Contract Administration for the Brock Road Clean Water Collector Pipe

Recommendation:

1. That Council approve the hiring of Stantec Consulting Ltd. for consulting and professional services for the preparation of detailed design drawings, tender specifications, and contract administration services for the construction of a clean water collector pipe on

Brock Road in Duffin Heights, in accordance with Purchasing Policy Item 10.03 (c), as the assignment is above \$50,000.00;

2. That the fee proposal submitted by Stantec Consulting Ltd. for consulting and professional services for the preparation of detailed design drawings, tender specifications and contract administration services for the construction of a clean water collector pipe on Brock Road in Duffin Heights, in the amount of \$88,479.00 (HST included) be accepted;
3. That the total gross project cost of \$111,260.00 (HST included), including the fee amount and other associated costs, and the total net project cost of \$100,193.00 (net of HST rebate) be approved;
4. That Council authorize the Director, Finance & Treasurer to finance the total net project cost of \$100,193.00 as follows:
 - a) the sum of \$2,505.00 to be funded by a transfer from Development Charges – City’s Share Reserve; and,
 - b) the sum of \$97,688.00 to be funded by a transfer from the Development Charges Reserve Fund – Protection Services ;
5. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.

11.8 [Director, Finance & Treasurer, Report FIN 11-21](#)

162

Annual Treasurer’s Statement Report – Summary of Activity for the Year Ended December 31, 2020

Recommendation:

1. That Report FIN 11-21 of the Director, Finance & Treasurer entitled “Annual Treasurer’s Statement Report: Summary of Activity for the Year Ended December 31, 2020” as required by the *Development Charges Act* and *Planning Act* be received for information; and,
2. That the City of Pickering’s “Annual Treasurer’s Statement Report” be made available to the public on the City of Pickering’s website.

- 11.9 [Director, Finance & Treasurer, Report FIN 12-21](#) **171**
2021 Final Property Tax Due Date for Commercial, Industrial, and Multi-Residential Realty Tax Classes

Recommendation:

1. That Report FIN 12-21 of the Director, Finance & Treasurer be received;
2. That the Director, Finance & Treasurer be authorized to issue the final 2021 Property Tax Bills for Commercial, Industrial, and Multi-Residential properties with a due date of September 28, 2021;
3. That the Director, Finance & Treasurer be authorized to make any changes or undertake any actions necessary, including altering the due date, in order to ensure that the tax billing process is completed and in order to comply with Provincial Regulations;
4. That the draft By-law attached to this report be enacted; and,
5. That the appropriate City of Pickering officials be authorized to take the necessary actions as indicated in this report.

- 11.10 [Director, Corporate Services & City Solicitor, Report LEG 10-21](#) **176**
Parking Control Measures at the City's Waterfront
- Current and Proposed Actions

Recommendation:

1. That Report LEG 10-21 regarding parking control measures at the City's waterfront be received;
2. That staff be directed to conduct a review of City parking fine amounts and report back to Council in September, 2021 regarding any fine increases required to provide effective deterrence to illegal parking;
3. That staff be directed to proceed with a public consultation prior to September, 2021 to obtain feedback from residents regarding: (i) the adequacy of the City's current parking measures and (ii) the

proposal to implement paid permit parking, both on-street and at City waterfront parking lots;

4. That staff be directed to report back to Council in September, 2021 with the results of the public consultation and recommended options for additional parking enforcement, including paid permit parking, and, if so directed by Council, that staff include such additional enforcement measures in the 2022 budget report; and,
5. That appropriate City of Pickering officials be authorized to take the actions necessary to implement the recommendations in this report.

11.11 [Director, Corporate Services & City Solicitor, Report LEG 11-21](#)
TRCA – Waterfront Trail MOU

179

Recommendation:

1. That the Memorandum of Understanding (“MOU”) between the City of Pickering and the Toronto and Region Conservation Authority (“TRCA”) (Attachment No. 1) be approved, subject to: (i) obtaining the necessary approvals of the Ministry of the Environment, Conservation and Parks; and (ii) minor revisions satisfactory to the Director, Corporate Services & City Solicitor, the Director, Engineering Services and the Chief Administrative Officer;
2. That the Chief Administrative Officer be authorized to execute the MOU;
3. That, as contemplated by the MOU, City staff be directed to negotiate agreements of purchase and sale for the acquisition of: (i) the lands municipally known as 501 Marksbury Road from Zoltan and Barbara Szinessy and (ii) the lands municipally known as 520 West Shore Boulevard from Marshall Homes (Copperfield) Ltd., and that those agreements of purchase and sale be subject to further Council approval;
4. That, as contemplated by the MOU, City staff be directed to: (i) determine, in collaboration with TRCA, the dimensions of the lands not required for the waterfront trail and (ii) negotiate an agreement, subject to further Council approval, to sell those lands for an amount equal to their fair market value;

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5. That the Director, Finance & Treasurer be authorized to finance the total net project costs of \$2,728,011.00 by a transfer from the Parkland Reserve Fund; and,
6. That the appropriate City of Pickering officials be authorized to take the actions necessary to implement the recommendations in this report.

- 11.12 [Director, City Development & CBO, Report PLN 32-21](#)
Lease Agreement – Mr. Delicious Cakes and Pastries Inc.
- Temporary Patio Program – use of City owned lands

189

Recommendation:

1. That Council approve the Draft Lease Agreement for the Temporary Use of City Property adjacent to 1295 Wharf Street, Unit 44A, between the City of Pickering and Mr. Delicious Cakes and Pastries Inc. for the period July 1, 2021 to November 30, 2021, as set out in Attachment #2 to Report PLN 32-21;
2. That the Mayor and City Clerk be authorized to execute the Lease Agreement between the City of Pickering and Mr. Delicious Cakes and Pastries Inc. in the form as attached to this report subject to revisions as may be acceptable to the Chief Administrative Officer, the City Solicitor, and the Director, City Development & CBO; and,
3. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.

12. Motions and Notice of Motions

12.1 Three-digit Suicide and Crisis Hotline

Moved by Councillor Pickles
Seconded by Councillor Ashe

WHEREAS, the Federal government has passed a motion to adopt 988, a National three-digit suicide and crisis hotline;

And Whereas, on December 11th, 2020, the House of Commons passed a motion introduced by MP Todd Doherty, through unanimous consent, to bring a national 3-digit suicide prevention hotline line to Canada:

That, given that the alarming rate of suicide in Canada constitutes a national health crisis, the House call on the government to take immediate action, in collaboration with our provinces, to establish a national suicide prevention hotline that consolidates all suicide crisis numbers into one easy to remember three-digit (988) hot-line that is accessible to all Canadians.

And Whereas, the ongoing COVID-19 pandemic has increased the demand for suicide prevention services by 200%;

And Whereas, existing suicide prevention hotlines require the user to remember a 10-digit number and go through directories or be placed on hold;

And Whereas, in 2022 the United States will have in place a national 988 crisis hotline;

And Whereas, the City of Pickering recognized that it is a significant and important initiative to ensure critical barriers are removed to those in a crisis and seeking help;

Now therefore be it resolved that the Council of The Corporation of the City of Pickering declares:

1. That the City of Pickering endorse this 988 crisis line initiative; and,
2. That a letter demonstrating Pickering's support be sent to Todd Doherty, MP, Caribou-Prince George, Jennifer O'Connell, MP, Uxbridge-Pickering, the Honourable Peter Bethlenfalvy, MPP, Uxbridge-Pickering, the Honourable Patty Hajdu, Federal Minister of Health, and the Canadian Radio-television and Telecommunications (CRTC).

12.2 Investigation of Missing Children at Residential Schools

Moved by Mayor Ryan
Seconded by Councillor Ashe

WHEREAS, the Truth and Reconciliation Commission identified the need for further investigation of missing children at Residential Schools;

And Whereas the discovery of a mass grave containing the remains of 215 children at the Kamloops residential school underscores this need;

Now therefore be it resolved that the Council of The Corporation of the City of Pickering supports the demands on the Federal Government to respond to the calls to action of the Truth and Reconciliation Commission by providing the needed supports to find and return the remains of all the lost children from all residential school sites and to secure the release of information held by the various religious groups involved in the operation of the residential schools.

13. By-laws

- | | | |
|------|---|------------|
| 13.1 | By-law 7855/21 | 174 |
| | Being a By-law to Establish the 2021 Final Property Tax Due Date for the Commercial, Industrial, and Multi-Residential Realty Tax Classes. [Refer to Item 11.9 FIN 12-21] | |
| 13.2 | By-law 7856/21 | 203 |
| | Being a By-law to amend Schedule A of By-law 7362/14 appointing Inspectors. | |
| 13.3 | By-law 7857/21 | 207 |
| | Being a by-law to amend Restricted Area (Zoning) By-law 7364/14, as amended, to implement the Official Plan of the City of Pickering, Region of Durham. (A 04/21). | |
| 13.4 | By-law 7858/21 | 212 |
| | Being a By-law to amend Restricted Area (Zoning) By-law 3037, as amended, to implement the Official Plan of the City of Pickering, Region of Durham, being Part of Lot 18, Concession 3, Part 2, 40R-6962, City of Pickering. (A 14/18) | |

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| 13.5 | By-law 7859/21 | 221 |
| | Being a By-law to amend Restricted Area (Zoning) By-law 3037, as amended, to implement the Official Plan of the City of Pickering, Region of Durham, Part Lot 6, Plan 585, Now Pt 11, Plan 40R-2633, City of Pickering. (A 02/19) | |
| 13.6 | By-law 7860/21 | 232 |
| | Being a By-law to amend Restricted Area (Zoning) By-law 3036, as amended, to implement the Official Plan of the City of Pickering, Region of Durham, being Lots 1, 2, 43 and 46, Plan 316 and Part of Lot 20, Concession 1, City of Pickering. (A 11/18) | |
| 13.7 | By-law 7861/21 | 246 |
| | Being a by-law to exempt Blocks 116, 117, 177 and 178, Plan 40M-2632, from the part lot control provisions of the <i>Planning Act</i> . | |
| 13.8 | By-law 7862/21 | 249 |
| | Being a by-law to establish Part Block 43, Plan 40M-2089, being Part 20, 40R-30118 as public highway (Valley Farm Road). | |
| 13.9 | By-law 7863/21 | 252 |
| | Being a by-law to establish Block 29, Plan 40M-2470 as public highway (Maitland Drive). | |
| 13.10 | By-law 7864/21 | 255 |
| | Being a by-law to stop-up and close Block 31, 40M-2014 as a public highway. | |

14. Confidential Council – Public Report

15. Other Business

16. Confirmation By-law

17. Adjournment

Present:

Mayor David Ryan

Councillors:

K. Ashe
M. Brenner
S. Butt
I. Cumming
B. McLean
D. Pickles

Also Present:

M. Carpino - Chief Administrative Officer
K. Bentley - Director, City Development & CBO
P. Bigioni - Director, Corporate Services & City Solicitor
B. Duffield - (Acting) Director, Community Services
J. Hagg - Fire Chief
J. Flowers - CEO & Director of Public Libraries, Pickering Public Library
R. Holborn - Director, Engineering Services
F. Jadoon - Director, Economic Development & Strategic Projects
S. Karwowski - Director, Finance & Treasurer
S. Cassel - City Clerk
C. Rose - Chief Planner
S. Milton - Manager, Recreation Services
V. Plouffe - Manager, Facilities Capital Projects
R. Gagen - Supervisor, Parks Operations
T. Ryce - Supervisor, Cultural Services
C. Whitaker - Supervisor, Sustainability
D. Bhatt - Senior Planner, Sustainability
C. Blumenberg - Deputy Clerk
M. Edmund - Coordinator, Sustainability
K. Gagen - Coordinator, Environmental Engagement
T. Higgins - Accessibility Coordinator
E. Martelluzzi - Planner II - Heritage

1. Roll Call

The City Clerk certified that all Members of Council were present and participating electronically in accordance with By-law 7771/20.

2. Invocation

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

3. Indigenous Land Acknowledgment Statement

Mayor Ryan read the Indigenous Land Acknowledgment Statement.

4. Disclosure of Interest

No disclosures of interest were noted.

5. Adoption of Minutes

Resolution # 590/21

Moved by Councillor Brenner

Seconded by Councillor Cumming

Council Minutes, April 26, 2021

Executive Committee Minutes, May 3, 2021

Planning & Development Committee Minutes, May 3, 2021

Carried

6. Presentations

- 6.1 Paul Ronan, Executive Director
Shelley May, Office Manager
Ontario Parks Association
Re: Presentation of Award
2021 Protecting Tomorrow Today - Parks Champion Award to Rob Gagen,
Supervisor, Parks & Property, City of Pickering

Shelley May, Office Manager and Paul Ronan, Executive Director, Ontario Parks Association (OPA), joined the electronic meeting via video connection to present the 2021 Protecting Tomorrow Today - Parks Champion Award to Rob Gagen, Supervisor, Parks & Property, City of Pickering. Ms. May advised that OPA's award celebrated staff who demonstrated a passion for the environment and who made an impact through innovative green strategies and mentorship. She noted that Mr. Gagen's leadership, expertise, and willingness to take initiative were a few of the factors that contributed to him receiving the award, with notable achievements including the implementation of solar-powered lights in three parks and LED lighting on two baseball diamonds, initiating a Lighting Control System, and introducing electric wheelbarrows and battery powered property maintenance tools.

Mayor Ryan, on behalf of Council congratulated Rob Gagen for his contributions and meaningful initiatives in sustainability, and for being a parks champion.

- 6.2 Paul Ronan, Executive Director
Shelley May, Office Manager
Ontario Parks Association
Re: Presentation of Award
2021 Protecting Tomorrow Today - Community Engagement Award to the City of Pickering - Sustainability

Paul Ronan, Executive Director, and Shelley May, Office Manager, Ontario Parks Association (OPA), presented the City of Pickering with the Community Engagement Award for its efforts in sustainability. Mr. Ronan noted that the award provides recognition to a group that raised awareness of parks, open spaces, and/or the environment through the development and implementation of community engagement activities. Mr. Ronan congratulated the City of Pickering and its citizens, schools, businesses, and volunteers for their remarkable sustainability efforts in ensuring a healthy and engaged community. He recognized the meaningful sustainability efforts undertaken by the City, including environmental school grants, virtual and in-person Earth Month activities and Farmers' Markets, various park enhancement projects, and litter and waste awareness initiatives.

Resolution # 591/21

Moved by Councillor Brenner
Seconded by Councillor Cumming

That the rules of procedure be suspended to allow two additional delegations from Inspector Mitch Martin and St. Paul's on-the-Hill.

Carried on a Two-Thirds Vote

7. Delegations

- 7.1 Mitch Martin, Inspector
Durham Regional Police Services
Re: Debrief of the Car Rally that occurred on May, 23, 2021 in Pickering

Mitch Martin, Inspector, Durham Regional Police Service (DRPS), joined the electronic meeting via audio connection to provide a debrief on the Car Rally event that occurred on May 23, 2021 in Pickering. He noted that DRPS was apprised of the 'Redemption Car Meet' through social media, and noted that officers created an operational plan which included increasing staff and working

with the Smart Centre property owners to obtain trespass permission to access and remove people from the plaza property in anticipation of the event. Additionally, Mr. Martin noted that DRPS worked with enforcement partners, such as utilizing the Air1 helicopter, additional West-Division officers, and City of Pickering By-Law enforcement. He further spoke to the details of the incident, with crowds gathering at approximately 2:00 p.m. and officers making attendees aware of the violations under the *Emergency Management and Civil Protection Act* (EMCPA) and *Reopening Ontario Act* (ROA). Mr. Martin stated officers took a proactive patrol approach, issuing 54 provincial offense notices, and using social media to warn people that the car rally event was illegal. He advised of an incident where approximately at 6:20 p.m. police recovered 2 handguns, following a crash caused by a vehicle speeding on Bayly Street, heading to the event and that by 8:00 p.m. there was more than 2,000 people and 1,000 vehicles in attendance. The civil disobedience and crowd dynamic shifted, and the incident continued to develop with DRPS requesting additional resources and eventually clearing the crowd by 10:00 p.m. Mr. Martin advised DRPS is continuing to investigate and following up with violations of the EMCPA and ROA.

A question and answer period ensued between Members of Council and Mitch Martin, regarding:

- road racing being a prevalent issue since 2019, and whether there was a reason why assistance and support was not requested from other forces, such as the OPP and ERASE (Eliminate Racing Activity On Streets Everywhere);
- the car rally transitioning from an “older style car show” to civil disobedience beginning to occur after 9:00 p.m., and whether the OPP, ERASE, and Toronto Regional Police were aware of the situation;
- the learning outcomes of the situation, and possible approaches for future similar incidents, including communication strategies. Mr. Martin confirmed that the event was scheduled to occur in a plaza where businesses were open, and that shutting down the entire parking lot would have adverse impacts on businesses. He spoke to the challenges of enforcing a large crowd, and interest in reviewing steps to learn and operationally plan differently in the future;
- whether the City could be a partner in communication efforts and support in the future, and if the City can aid in a communicate of the timeline and actions taken to the broader community;
- the Smart Centre being cooperative, with the restaurant in question being approached in advance by DRPS, noting that an investigation is on-going;
- the entertainment company encouraging the attendance of people via marketing materials, with DRPS investigating this encouragement of mass gathering;

- providing joint messaging from the City and the DRPS to businesses/property owners and business tenants about participating, planning, and supporting civil disobedience events, and its negative impact on the community to avoid a similar situations in the future;
- information on the number of charges laid under COVID-19 legislation, and whether there were applicable statistics available;
- the impact of fireworks and municipal by-laws regulating the use and sale of same, and how DRPS may not be adequately staffed and the challenges in enforcement of fireworks;
- whether the redemption car meet was intended to raise funds for charities; and,
- the volume of calls and approach of DRPS in the enforcement of modified vehicles. Mr. Martin spoke to the strategies and training in dealing with modified vehicles, and the shortage of traffic officers to deal with the volume of traffic enforcement activities.

7.2 Mathieu Goetzke, Vice-President, Planning, Metrolinx
David Dunn, Manager, Rapid Transit Office, The Regional Municipality of Durham
Margaret Parkhill, Consultant Project Manager, IBI Group
Re: Metrolinx Durham-Scarborough Bus Rapid Transit Project Update

Mathieu Goetzke, Vice-President, Planning, Metrolinx, David Dunn, Manager, Rapid Transit Office, The Regional Municipality of Durham, and Margaret Parkhill, Consultant Project Manager, IBI Group, joined the electronic meeting via audio connection to provide an update on the Metrolinx Durham-Scarborough Bus Rapid Transit (BRT) Project. With the aid of a PowerPoint presentation, the delegates highlighted the project study area taking into account future employment and population density in 2041. Ms. Parkhill discussed existing and future transit ridership statistics on Highway 2, with usage in 2019 being 10,000 daily riders on DRT PULSE, which was expected to increase to 38,400 daily riders in the corridor by 2041. She advised that as part of the Initial Business Case (IBC), a benefit to cost ratio (BCR) was calculated, and that the Benefits of the Durham Scarborough BRT would generate more benefits than its costs to build and operate. The delegates provided a high level overview of the project schedule, consultation to date, public feedback, and various design elements of the BRT. Ms. Parkhill spoke to the next steps for spring/summer 2021, including the commencement of the Transit Project Assessment Process (TPAP) and a formal public consultation period focusing on environmental impacts and mitigation.

A question and answer period ensued between Members of Council and Mathieu Goetzke, David Dunn, and Margaret Parkhill, regarding:

- timelines for service resumption with Ms. Parkhill advising that the corridors could be built in sections with the ability to take advantage of dedicated

lanes in pieces. She further noted that the City of Pickering would be one of the first segments constructed, commencing in late 2022/early 2023, with completion of the BRT in 2027, aligning with the Canada Infrastructure Funding deadline;

- ensuring the bus shelter design is updated, and that accommodation is provided to keep transit users warm in winter months. Ms. Parkhill noted that the updated shelter design would be taller, with wider platforms to accommodate different mobility devices, including 14 inch tall platforms that would make them more accessible. She further noted that a roof, and additional glass walls would be built for weather protection;
- the particulars of the preliminary design concept of the road expansion with new CN Bridge on Kingston Road, and the proposed positioning of the new bridge and train tracks;
- confirmation that the Kingston Road expansion and the CN Bridge would be funded by the Federal, Provincial and Regional governments at a cost of approximately 13-15 million dollars;
- how construction on the BRT section stop from Dixie to Bainbridge is expected to commence in 2024;
- platforms being located in the centre of the road, with bus stops being located in proximity to dedicated traffic signals at each of the lights for safe passenger arrival and departure; and,
- whether there would be additional stops added as density and areas develop, with Ms. Parkhill advising that the study had taken into account growth in Pickering to 2041, however there is flexibility to add more buses or bus routes to take advantage of dedicated transit lanes.

7.3 Peter Clewes, Principal
architects-Alliance

Re: Update on the Pickering City Centre Project's Design Development

Peter Clewes, Principal, architects-Alliance, joined the electronic meeting via audio connection to provide an update on the Pickering City Centre Project's Design Development. With the aid of a PowerPoint presentation Mr. Clewes highlighted the Master Plan design elements, including the design timeline completion in fall 2021, following public consultation and potential construction commencing in 2022. He provided an overview of the designs for the library, the senior/youth centre, and the performing arts centre. Mr. Clewes stated the block planning was to work with the South Block to create a public piazza, and to be as flexible as possible with the design so that when the piazza is not occupied it feels like a beautiful place that could also accommodate large crowds. Mr. Clewes stated that the piazza needed to be a certain size to feel welcoming and intimate when not utilized for public events. He further explained the landscape elements of the piazza, and overall design of the City Centre including different species of trees, natural stones and interlocking pavers that would be used. Mr. Clewes

stated the piazza would also include a water element, as well as benches with electrical utility for connection points.

Resolution # 592/21

Moved by Councillor McLean

Seconded by Councillor Brenner

That the rules of procedure be suspended to extend the delegation speaking limit and allow the delegation an additional 5 minutes.

Carried on a Two-Thirds Vote

Mr. Clewes highlighted the design elements of the street sections, which are parallel to Glenanna Road, and provided examples of the streets lined with residential, and continuous street paving which will make the area feel open and special. He went through the detailed interior and exterior design plans of the library, the senior/youth centre, the principle underground public parking facility, and performing arts centre.

A question and answer period ensued between Members of Council and Peter Clewes Principal, architects-Alliance regarding:

- how the cohesiveness of the design and placing the library, performing arts centre and senior/youth centre in close proximity adds value in creating public spaces. Mr. Clewes responded that the design is attempting to create a sense of urbanity, and a sense of community where people can gather and is served by both rapid transit, and vehicle access with the underground parking. He further added that there is convenience and a synergy between all of the complimentary uses of the proposed structures;
- ensuring there are restaurants, shops, and other commercial uses in addition to the residential uses, and how the City Centre will become a catalyst for shops and restaurants in the future;
- how the balance of the site will be a comprehensive master plan, and Ontario Pension Board (OPB) is keen on a range of mixed uses, such as employment uses that will bring people to the City Centre during the day, including the development of office space and other employment uses that will create a demand for independent shops;
- the impact of the COVID-19 pandemic on commodity retail, and how street related retail would become more specialty shops that would enhance the village feel and create a sense of vibrancy;
- whether there were plans for an outdoor ice rink, and how it is envisioned to be built behind City Hall in Esplanade Park;
- how the COVID-19 Pandemic had changed the use of space and structures, in terms of architectural and interior design, and if the design team is reflecting on what, if anything, needs to change in terms of building

design due to the Pandemic. Mr. Clewes noted that it is early to have concrete ideas of what changes need to be made, however learnings have occurred in the mechanical and ventilation systems area, with a potential review of such matters in the Building Code. He further added that lobbies and gathering spaces in buildings had to be ample to ensure there could be physical distancing, and that businesses were moving to a larger shared work environment and remote work spaces;

- how library book collection, storage needs, and program delivery are evolving, and to ensure there is open dialogue with the Pickering Public Library in how it may refocus its service delivery model, and as a result, impacting the design of the new Library;
- ensuring there is a holistic cost analysis for the project, inclusive of how there may be a capacity limit due to increased construction activity, and ensuring this will be part of the financial costing of the project;
- whether the design connectivity of the project can be phased, with Mr. Clewes confirming that the project could be phased, pending discussions with OPB and other partners;
- how a major component of the project is the cost, with 85% of design development completed, and that there is a lot of work to prepare to complete the design development and update the costing;
- an explanation of how design contingency works, which includes an escalation amount for the project and a cost consultant who can predict the cost escalation, including a list of all costs incurred and potential savings and strategies to keep within the allocated budget;
- the cost of underground parking and benefits such as mobilization space around the perimeter, and ability to blend the cost between partners; and,
- if a detailed analysis could be provided on the underground parking cost.

- 7.4 Nikosa Holland, John Currie, and John Sabeau
Cultural Advisory Committee
Re: Corr. 27-21
Cultural Advisory Committee
- 2020 Report & 2021 Work Plan

John Currie, Cultural Advisory Committee, was unable to attend as a delegation. Nikosa Holland, Cultural Advisory Committee, could not connect to the electronic Council Meeting due to technical difficulties.

John Sabeau, Cultural Advisory Committee joined the electronic meeting via audio connection to provide an update on the Cultural Advisory Committee - 2020 Report & 2021 Work Plan. He advised his availability for questions and introduced the members of the Public Arts Sub-Committee.

Tanya Ryce, Supervisor, Cultural Services, highlighted the work of the Committee, including providing expertise and hosting round table discussions in preparation of the creation of the Pickering Anti-Black Racism Taskforce. She stated that the Committee also focused on Indigenous relationship building, including helping to create an Indigenous Land Acknowledgement statement and continuation of building a strong relationship with the Mississaugas of Scugog Island. She advised that the Committee took the initiative to participate in a conversation regarding how the City and community can best support underfunded, or unsupported, cultural and community partners during COVID-19. Ms. Ryce provided a brief overview of the 2021 work plan, including the work of the Indigenous Relationship building Circle Sub-committee and continuation of the work of the public art policy and formation of the Public Art Sub-committee terms of reference and work plan.

Mayor Ryan, on behalf of Council expressed appreciation for the work the Committee was undertaking and their commitment to the City.

- 7.5 Robert Rollings
Re: Report PLN 24-21
Official Plan Amendment OPA 18-005/P
Zoning By-law Amendment Application A 11/18
Highmark (Pickering) Inc.
1640 Kingston Road, 1964 and 1970 Guild Road

Robert Rollings, 1974 Guild Road, joined the electronic meeting via audio connection to express opposition to the application. He advised of the 241 name petition that had been submitted to the City which requested Council vote 'no' on the proposed development, and further noted that there is also a social media presence under the acronym 'SNIP' which stands for Save Neighbourhoods in Pickering. Mr. Rollings stated that the May 18, 2021, Council memo outlined the intent to meet population targets, and not the vision and general intent of the Council endorsed Intensification Plan. He advised that the proposal does not reflect the character of the existing neighbourhood, height guidelines, and would result in a negative impact on privacy for adjacent properties. Mr. Rollings stated that the proposed tower heights are not compatible with the neighbourhood, and do not have appropriate transitions, massing, and scale. He urged Council to reflect if the proposal meets the intent, vision, and goals of the Council endorsed design guidelines and policies. Mr. Rollings added that there is insufficient surface parking spaces which does not meet the intent of the parking guidelines, and spoke to the negative impact of the proposal on traffic on Guild Road.

- 7.6 Alan Jeffs
Re: Report PLN 24-21
Official Plan Amendment OPA 18-005/P
Zoning By-law Amendment Application A 11/18

Highmark (Pickering) Inc.
1640 Kingston Road, 1964 and 1970 Guild Road

Alan Jeffs, 1995 Royal Road, joined the electronic meeting via audio connection, and spoke in opposition of the application. He discussed the intensification efforts of the City, including the Kingston Mixed Corridor Plan and Intensification Plan, which have been underway and evolving for several years. Mr. Jeff's spoke to the importance of the studies and plans in providing maximum height guidelines, and meeting intensification objectives along with input from the Province, Region and public to ensure the plans are aligned and on target. Mr. Jeffs advised that the Kingston Mixed Corridor Plan provides an opportunity to put into place the key elements to meet population, job targets, and to ensure the growing population is well served by retail and commercial services, sufficient infrastructure with synergy between new developments and existing neighbourhoods. He asked that each application along the Kingston Road Corridor needs to be assessed in a cumulative manner, and advised that the proposed application does not meet height requirements, angular plain requirements and negatively impacts privacy on adjacent residents. He noted the application exceeds density limits, setbacks, and only includes 52 surface parking spaces. He spoke of the non-conforming characteristics of the application and urged Council to not approve the application as it the wrong location for a development of that nature.

A brief question and answer period ensued between Members of Council and Allan Jeffs regarding:

- whether the meeting with the developer addressed concerns, and any outcomes of the meeting. Mr. Jeff's spoke to finding common ground and the residents made 3-4 metrics known to the developer without a compromise reached; and,
- how Mr. Gilchrist extended another avenue for further discussion regarding option of Hydro Lands for possible discussion that would be mutually enticing.

7.7 Steve Gilchrist
Re: Report PLN 24-21
Official Plan Amendment OPA 18-005/P
Zoning By-law Amendment Application A 11/18
Highmark (Pickering) Inc.
1640 Kingston Road, 1964 and 1970 Guild Road

Steve Gilchrist, 1995 Royal Road, joined the electronic meeting via audio and thanked the three Councillors who voted in opposition to the application at the May 3, 2021 Planning and Development Committee Meeting. He noted that the Kingston Road Corridor Intensification Study was approved by Council, which laid out objectives such as maximum building height, density and parking. Mr. Gilchrist

questioned the point of the guidelines in the Study if they are not followed. He sought clarification of the professional planning advice of staff stating that the proposal is consistent with the Provincial Planning Policy Statement (PPS) and conforms to the intent of the Provincial Growth Plan. Mr. Gilchrist advised he met with the developer, and highlighted the parking ratio issue, inconsistency in meeting guidelines, height, density, and traffic congestion. He spoke to the potential net profits of the proposed development, and suggested Council delay approval to ensure the Hydro One corridor land lease can be renegotiated, and provide an increase in parking, and to register the lack of parking on title.

- 7.8 Mike Pettigrew, Planner
The Biglieri Group Ltd.
Re: Report PLN 24-21
Official Plan Amendment OPA 18-005/P
Zoning By-law Amendment Application A 11/18
Highmark (Pickering) Inc.
1640 Kingston Road, 1964 and 1970 Guild Road

Mike Pettigrew, Planner, The Biglieri Group Ltd., on behalf of the applicant, joined the electronic meeting via audio connection to provide an update on the on-site meeting between the developer and concerned residents. He stated it was a cordial meeting and the developer was looking at opportunities to address concerns regarding road access, angular planes and procedural issues. Mr. Pettigrew noted that planning staff provided comprehensive responses to comments and that his client was in agreement with the staff recommendations. He further added the development achieves the population and transit targets, meets the intent of the Kingston Corridor Intensification Study guidelines, is an appropriate development for the area, and encouraged Council to vote in favour of the application. He noted willingness to address any concerns of residents at the site plan control stage.

A brief question and answer period ensued between Members of Council and Mike Pettigrew regarding:

- exploring the possibility of utilizing the Hydro One corridor for visitor parking, Mr. Pettigrew advised that the possibility had not been discussed with the client, however it may be possible to explore additional parking options; and,
- exploring accommodating additional parking spaces, should the need arise for a higher parking ratio. Mr. Pettigrew noted that the development is by a major transit line and to support that investment a lower parking rate encourages transit use, he added that if during the pre-sale process there is demand for more parking, there would be a possibility to explore increasing the parking ratio.

- 7.9 Phyllis Milton, Peter Bashaw, and Tammy Lyle-Gravlev
Accessibility Advisory Committee
Re: Corr. 28-21
Accessibility Advisory Committee
- 2020 Year End Report and 2021 Proposed Work Plan

Phyllis Milton, Peter Bashaw, Tammy Lyle Gravlev, Accessibility Advisory Committee (AAC) joined the electronic meeting via audio connection to provide an update on the Accessibility Advisory Committee 2020 Year End Report and 2021 Proposed Work Plan. They advised of some of the challenges people face living with a disability navigating the City, and urged Council to think of the opportunities that exist, for not merely meeting the minimum in accessibility compliance, but surpassing it, so that the entire community can use and enjoy the built environment. Ms. Milton noted that the Accessibility Advisory Committee reviewed the City Centre Urban Design Guidelines, which is dedicated to creating a barrier-free and accessible City Centre. The delegates asked that projects, such as Durham Live, and Seaton be viewed through an accessibility lens, with accessibility experts providing advice at the design stage, and that the AAC be included in the planning proactively. Ms. Milton discussed potential improvements to recreation, such as an autonomous lifts in pools, installing power sources or charging stations for wheelchairs and scooters within the City's parks network, and to make the parks and recreation website more user friendly toward people who are differently abled. The delegates highlighted that the 2021 work plan will focus on business improvement and employment opportunities for people with disabilities. Mr. Bashaw spoke to the benefits of employing people with disabilities and goal of facilitating a job fair in partnership with community organizations.

A brief question and answer period ensued between Members of Council and Phyllis Milton, Peter Bashaw, Tammy Lyle Gravlev regarding:

- whether the Accessibility Advisory Committee was aware of the petition for a fully accessible park. Mr. Higgins, Accessibility Coordinator advised that he was aware, and that he had referred it to the Manager, Landscape & Parks Development. Mr. Higgins further added that playgrounds do not need to be fully accessible, as it is better to not segregate people of different abilities and that the rational process is to upgrade playgrounds, and prioritize the retrofits over time. He stated he will reach out to the petition creators to move forward together; and,
- the variety of individuals with expertise serving on the Committee, and if there are sufficient funds for members to take educational courses, with Mr. Higgins noting that there are funds for members to attend training to enhance their knowledge of accessibility matters. He further added that many courses are free, and that they have always found the AAC budget to be sufficient.

Mayor Ryan, on behalf of Council, thanked the Accessibility Advisory Committee for their work, advocacy and being a fantastic asset to community.

- 7.10 Pam Johnstone, Rector's Warden
Reverend Fran Kovar, Priest-in-Charge
Bruce Hampson, People's Warden
St. Paul's on-the-Hill
Re: Report PLN 26-21
Additions to Municipal Heritage Register
401 Kingston Road, 1 Evelyn Avenue and 882-886 Kingston Road

Rev. Fran Kovar, Interim-Priest in Charge, Pam Johnstone, and Bruce Hampson, St. Paul's on-the-Hill, joined the electronic meeting via audio connection, to express opposition to the addition of 886 Kingston Road to the Municipal Heritage Register, and potential heritage designation, and that St. Paul's on-the-Hill wishes to decline invitation.

Resolution # 593/21

Moved by Councillor Pickles
Seconded by Councillor Cumming

That Council take a short recess.

Carried

Council recessed at 10:14 p.m. and reconvened at 10:23 p.m.

Upon reconvening, the City Clerk certified that all Members of Council were once again present and participating electronically in accordance with By-law 7771/20.

8. Correspondence

- 8.1 Corr. 23-21
Carol Schofield, Manager, Legislative Services/Clerk
Town of Fort Erie
Re: Township of The Archipelago - Road Management Action on Invasive Phragmites

Resolution # 594/21

Moved by Councillor Cumming
Seconded by Councillor Ashe

That Corr. 23-21, from Carol Schofield, Manager, Legislative Services/Clerk, Town of Fort Erie, dated April 27, 2021, regarding the Township of The Archipelago - Road Management Action on Invasive Phragmites, be received for information.

Carried

- 8.2 Corr. 24-21
Jennifer O'Connell, Member of Parliament, Pickering-Uxbridge
Re: Government of Canada's Green and Inclusive Community Buildings (GICB) Program

Resolution # 595/21

Moved by Councillor Cumming
Seconded by Councillor Ashe

1. That Corr. 24-21, from Jennifer O'Connell, Member of Parliament, Pickering-Uxbridge, dated April 26, 2021, regarding the Government of Canada's Green and Inclusive Community Buildings (GICB) Program, be received; and,
2. That Staff be directed, through the CAO, to submit an application under the Government of Canada's GICB Program for the construction of the Council approved Pickering Heritage & Community Centre.

Carried

- 8.3 Corr. 25-21
Guy Giorno, Integrity Commissioner for the City of Pickering
Re: 2019 and 2020 Annual Reports

Resolution # 596/21

Moved by Councillor Pickles
Seconded by Councillor Brenner

That Corr. 25-21, from Guy Giorno, Integrity Commissioner for the City of Pickering, dated April 30, 2021, regarding the 2019 and 2020 Annual Reports, be received for information.

Carried

- 8.4 Corr. 26-21
Robyn Kurtes, Director

Environmental Policy Branch, Ministry of the Environment, Conservation and Parks

Re: Notification of Proposal on Modernizing Environmental Compliance Practices and Ontario Community Environment Fund Re-Launch

Resolution # 597/21

Moved by Councillor Butt

Seconded by Councillor Brenner

1. That Corr. 26-21 , from Robyn Kurtes, Director, Environmental Policy Branch, Ministry of the Environment, Conservation and Parks, dated May 5, 2021, regarding the Notification of Proposal on Modernizing Environmental Compliance Practices and Ontario Community Environment Fund Re-Launch, be received; and,
2. That Staff be directed, through the CAO, to review and submit comments pertaining to the #1 Proposed Land Use Compatibility Guidelines and #3 Upgrading the Ministry's Compliance Policy.

Carried

- 8.5 Corr. 27-21
Tanya Ryce, Supervisor, Cultural Services
City of Pickering
Re: Cultural Advisory Committee
- 2020 Report & 2021 Work Plan

Resolution # 598/21

Moved by Councillor McLean
Seconded by Councillor Pickles

That Corr. 27-21, from Tanya Ryce, Supervisor, Cultural Services
City of Pickering, dated May 14, 2021, regarding the Cultural Advisory Committee
- 2020 Report & 2021 Work Plan, be received for information.

Carried

- 8.6 Corr. 28-21
Tim Higgins, Accessibility Coordinator
City of Pickering
Accessibility Advisory Committee
- 2020 Year End Report and 2021 Proposed Work Plan

Resolution # 599/21

Moved by Councillor McLean
Seconded by Councillor Pickles

That Corr. 28-21, from Tim Higgins, Accessibility Coordinator, City of Pickering, dated May 14, 2021, regarding the Accessibility Advisory Committee - 2020 Year End Report and 2021 Proposed Work Plan, be received for information.

Carried

9. Report EC 05-21 of the Executive Committee held on May 3, 2021

- 9.1 Director, Corporate Services & City Solicitor, Report CLK 02-21
2022 Municipal Election
- Approval of Voting Method and Changes to the *Municipal Elections Act*

Council Decision:

1. That Report CLK 02-21, regarding the 2022 Municipal Election, Approval of Voting Method and Changes to the *Municipal Elections Act* be received;
2. That a hybrid solution including internet voting and paper ballots, using vote tabulation equipment, be approved as the voting method for the 2022 Municipal Election and any by-elections that may occur during the 2022-2026 Term of Council;
3. That the draft By-law, included as Attachment #1, be forwarded to Council for enactment;
4. That the City Clerk be directed to proceed with a Request for Proposal (RFP) for the approved voting method and associated services and report back to Council to award the voting contract to the most appropriate vendor(s); and,
5. That the appropriate City of Pickering officials be authorized to take the necessary actions as indicated in this report.

- 9.2 (Acting) Director, Community Services, Report CS 17-21
Quotation No. Q2021-40
- Supply and Delivery of 1 Ton Trucks

Council Decision:

1. That each of the following bids be accepted under Quotation No. Q2021-40:
 - a) East Court Ford Lincoln Sales Ltd. for Units A and B in the amounts of \$134,890.74 (HST excluded) and \$85,364.24 (HST excluded), respectively;
 - b) Donway Ford Inc. for Unit C in the amount of \$124,320.00 (HST excluded); and,
 - c) Blue Mountain Chrysler for the Western Wideout-X Plow in the amount of \$12,800.00 (HST excluded);
2. That the total gross quotation cost of \$403,833.73 (HST included) and the total net project cost of \$365,700.00 (net of HST rebate) be approved;
3. That Council authorize the Director, Finance & Treasurer to finance the project as follows:
 - a) The amount of \$200,000.00 as approved in the 2021 Fleet Capital Budget to be funded from Development Charges Reserve Fund-Transportation Services be increased to \$225,149.00, and be revised by a transfer from the Development Charges Reserve Fund-Other Services Related to a Highway;
 - b) The sum of \$127,526.00 as provided for in the 2021 Fleet Capital Budget by a transfer from the Vehicle Replacement Reserve;
 - c) The sum of \$13,025.00 as provided for in the 2021 Roads Equipment Capital Budget by a transfer from the Development Charges Reserve Fund-Other Services Related to a Highway; and,
4. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.

- 9.3 Director, Engineering Services, Report ENG 06-21
Bridge Modification Term Sheet Agreement
- Metrolinx GO Expansion Program – Granite Court Bridge

Council Decision:

1. That the City of Pickering enter into a Bridge Modification Term Sheet Agreement with Metrolinx;
2. That the Mayor and City Clerk are hereby authorized to execute the Bridge Modification Term Sheet Agreement between the City of Pickering

and Metrolinx for the purpose of affixing Metrolinx infrastructure to the bridge on Granite Court, in substantially the same form as attached to this report, subject to minor revisions satisfactory to the City Solicitor; and,

3. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.

9.4 Director, Engineering Services, Report ENG 11-21
Rotary Frenchman's Bay West Park

- Consulting Services for Final Phase of the Master Plan Implementation

Council Decision:

1. That Council approve the hiring of The MBTW Group for Consulting and Professional Services for the preparation of detailed design drawings and tender documents and for contract administration services for the final phase of the implementation of the Rotary Frenchman's Bay West Park Master Plan, in accordance with Purchasing Policy Item 10.03 (c), as the assignment is above \$50,000.00;
2. That the fee proposal submitted by The MBTW Group for Consulting and Professional Services for the preparation of detailed design drawings and tender documents and for contract administration services for the final phase of the implementation of the Rotary Frenchman's Bay West Park Master Plan in the amount of \$160,273.55 (HST included) be accepted;
3. That the total gross project cost of \$176,301.00 (HST included), including the fee amount and other associated costs, and the total net project cost of \$158,765.00 (net of HST rebate) be approved;
4. That Council authorize the Director, Finance & Treasurer to finance the total net project cost of \$158,765.00 as follows:
 - a) The sum of \$79,382.00 to be funded by a transfer from the Development Charges – City's Share;
 - b) The sum of \$79,383.00 to be funded by a transfer from the Development Charges Reserve Fund – Parks & Recreation Services; and,
5. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.

9.5 Director, Engineering Services, Report ENG 12-21
Rotary Frenchman's Bay West Park

- Consulting Services for Proposed Park Washroom Facility

Council Decision:

1. That Council approve the hiring of The MBTW Group for Consulting and Professional Services for the preparation of detailed design drawings and tender documents and for contract administration services for a public washroom facility in Rotary Frenchman's Bay West Park, in accordance with Purchasing Policy Item 10.03 (c), as the assignment is above \$50,000.00;
2. That the fee proposal submitted by The MBTW Group for Consulting and Professional Services for the preparation of detailed design drawings and tender documents and for contract administration services for a public washroom facility in Rotary Frenchman's Bay West Park in the amount of \$148,453.75 (HST included) be accepted;
3. That the total gross project cost of \$163,299.00 (HST included), including the fee amount and other associated costs, and the total net project cost of \$147,056.00 (net of HST rebate) be approved;
4. That Council authorize the Director, Finance & Treasurer to finance the total net project cost of \$147,056.00 as follows:
 - a) the sum of \$73,528.00 to be funded by a transfer from Development Charges – City's Share Reserve;
 - b) the sum of \$73,528.00 to be funded by a transfer from the Development Charges Reserve Fund – Parks & Recreation Services; and,
5. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.

9.6 Director, Engineering Services, Report ENG 13-21
Amendments to Traffic and Parking By-law 6604/05

- Proposed All-way Stop, Rosebank Road at Highview Road/Summerpark Crescent
- Proposed Community Safety Zone Extension & Speed Limit Reduction – Rosebank Road

Council Decision:

1. That the attached draft by-law be enacted to amend Schedule "7", Stop Signs, to By-law 6604/05 to provide for the regulation of stop signs on

highways or parts of highways under the jurisdiction of The Corporation of the City of Pickering, specifically to address the proposed installation of an all-way stop control at the intersection of Rosebank Road and Highview Road/Summerpark Crescent;

2. That the attached draft by-law be enacted to amend Schedule "14", Community Safety Zones, to By-law 6604/05 to provide for the addition of community safety zones on highways or parts of highways under the jurisdiction of The Corporation of the City of Pickering, specifically to extend the existing Community Safety Zone on Rosebank Road from Foxwood Trail to Highview Road/Summerpark Crescent;
3. That the attached draft by-law be enacted to amend Schedule "9", Speed Limits, to By-law 6604/05 to provide for the regulation of speed limits on highways or parts of highways under the jurisdiction of The Corporation of the City of Pickering, specifically that that speed limit be reduced from 50 km/h to 40 km/h on Rosebank Road from Foxwood Trail to Highview Road/Summerpark Crescent; and,
4. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.

9.7 Director, Finance & Treasurer, Report FIN 07-21
Commodity Price Hedging Agreements Report

Council Decision:

It is recommended that Report FIN 07-21 from the Director, Finance & Treasurer regarding commodity price hedging agreements be received for information.

9.8 Director, Finance & Treasurer, Report FIN 08-21
2019 Building Permit Stabilization Reserve Fund

Council Decision:

It is recommended that Report FIN 08-21 from the Director, Finance & Treasurer regarding the 2019 Building Permit Stabilization Reserve Fund be received for information.

Resolution # 600/21

Moved by Councillor Pickles
Seconded by Councillor Brenner

That Report EC 05-21 of the Executive Committee Meeting held on May 3, 2021 be adopted.

Carried

10. Report PD 05-21 of the Planning & Development Committee held on May 3, 2021

- 10.1 Director, Corporate Services & City Solicitor, Report LEG 06-21
E. Ovide Holdings (Altona) Inc. – Plan of Subdivision 40M-2557
- Final Assumption of Plan of Subdivision
 - Lots 1 to 12 and Blocks 13 to 17, Plan 40M-2557
 - File: 40M-2557

Council Decision:

1. That Shadow Place within Plan 40M-2557 be assumed for public use;
2. That works and services required by the Subdivision Agreement within Plan 40M-2557, 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, be accepted and assumed for maintenance;
3. That E. Ovide Holdings (Altona) Inc. be released from the provisions of the Subdivision Agreement and any amendments thereto relating to Plan 40M-2557;
4. That Council enact a by-law to dedicate Block 17, Plan 40M-2557 as a public highway; and,
5. That the appropriate City of Pickering officials be authorized to take the actions necessary to implement the recommendations in this report.

- 10.2 Director, Corporate Services & City Solicitor, Report LEG 09-21
E. Ovide Holdings (Altona) Inc. – Plan of Subdivision 40M-2558
- Final Assumption of Plan of Subdivision
 - Block 1, Plan 40M-2558
 - File: 40M-2558

Council Decision:

1. That works and services required by the Subdivision Agreement within Plan 40M-2558, 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, be accepted and assumed for maintenance;

2. That E. Ovide Holdings (Altona) Inc. be released from the provisions of the Subdivision Agreement and any amendments thereto relating to Plan 40M-2558; and,
3. That the appropriate City of Pickering officials be authorized to take the actions necessary to implement the recommendations in this report.

10.3 Director, City Development & CBO, Report PLN 23-21
Zoning By-law Amendment Application A 04/21
City Initiated

Corner Rounding Zoning Provisions

Council Decision:

That City Initiated Zoning By-law Amendment Application A 04/21 to amend Seaton Zoning By-law 7364/14, as amended, to include a corner rounding definition and provisions, be endorsed, and that the draft Zoning By-law Amendment containing the standards set out in Appendix I to Report PLN 23-21 be finalized and forwarded to Council.

10.4 Director, City Development & CBO, Report PLN 24-21
Official Plan Amendment OPA 18-005/P
Zoning By-law Amendment Application A 11/18
Highmark (Pickering) Inc.
1640 Kingston Road, 1964 and 1970 Guild Road

Council Decision:

1. That Official Plan Amendment Application OPA 18-005/P, submitted by Highmark (Pickering) Inc., to re-designate the lands municipally known as 1964 Guild Road from "Urban Residential Areas – Medium Density Areas" to "Mixed Use Areas – Mixed Corridors", and to permit a maximum residential density of 350 units per net hectare and a maximum floor space index of 2.53 for the portion of the subject lands within the "Mixed Use Areas – Mixed Corridor" designation located at the northwest corner of Kingston Road and Guild Road to facilitate a high-density residential condominium development, be approved, and that the draft by-law to adopt Amendment 43 to the Pickering Official Plan as set out in Appendix I to Report PLN 24-21 be forwarded to Council for enactment; and,

2. That Zoning By-law Amendment Application A 11/18, submitted by Highmark (Pickering) Inc., to facilitate a high-density residential condominium development consisting of 346 apartment units, be approved subject to the provisions contained in Appendix II to Report PLN 24-21, and that staff be authorized to finalize and forward an implementing Zoning By-law to Council for enactment.

Resolution # 601/21

Moved by Councillor Butt
Seconded by Councillor Ashe

That Report PD 05-21, save and except Item 10.5, PLN 26-21, of the Planning & Development Committee Meeting held on May 3, 2021 be adopted.

Carried

- 10.5 Director, City Development & CBO, Report PLN 26-21
Additions to Municipal Heritage Register
401 Kingston Road, 1 Evelyn Avenue and 882-886 Kingston Road

A brief question and answer period ensued between Members of Council and Kyle Bentley, Director, City Development & CBO, regarding the intent of the designation and listing of the St. Paul's on-the-Hill property, including what it means for listing the property on the Registry and potentially designating the property in the future under the *Ontario Heritage Act*. Mr. Bentley advised that the designation of the property would require a Heritage permit for any alterations, and the listing of the property means further evaluation of the property would take place if there is an intent to have it demolished.

Resolution # 602/21

Moved by Councillor Butt
Seconded by Councillor Ashe

1. That Report PLN 26-21 of the Director, City Development & CBO, regarding the listing of 401 Kingston Road, 1 Evelyn Avenue and 882-886 Kingston Road on the Municipal Heritage Register be received;
2. That Council endorse the recommendations of the Heritage Pickering Advisory Committee, dated November 25, 2020, to list 401 Kingston Road, 1 Evelyn Avenue, and 882-886 Kingston Road on the City of Pickering Municipal Heritage Register, under Section 27, Part IV of the *Ontario Heritage Act*;

3. That Council authorize staff to pursue designating 882-886 Kingston Road (St. Paul's-on-the-Hill Anglican Church) under Section 29, Part IV, of the *Ontario Heritage Act*; and,
4. That staff be directed to take necessary actions to include the properties on the City of Pickering Municipal Heritage Register.

Carried Later in the Meeting (See Following Motion)

Resolution # 603/21

Moved by Councillor Ashe
Seconded by Councillor Pickles

1. That Item 2 of the main motion be amended by deleting "882-886 Kingston Road"; and
2. That Item 3 of the main motion be deleted in its entirety.

Carried on a Recorded Vote as Follows:

Yes	No
Councillor Ashe	Councillor Brenner
Councillor Butt	Councillor McLean
Councillor Cumming	
Councillor Pickles	
Mayor Ryan	

The Main Motion, as amended, was then Carried.

11. Reports – New and Unfinished Business

- 11.1 Chief Administrative Officer, Report CAO 04-21
Pickering City Centre Project
- Construction Cost Estimating Services & Next Steps

A question and answer period ensued between Members of Council and City Staff regarding:

- assurance that this staff recommendation was intended to provide an update on the cost of project, bringing forward an asset management plan, as well as a five year financial plan, so that Council is aware of all the costs and utilizing this data as a roadmap that will demonstrate the City's debt capacity to assist Council in its decision-making and that no other

approvals were being given to give a green-light to the project moving forward;

- opportunities for generating revenues, including naming rights and meeting room rentals, to offset the costs of the project;
- details regarding the proposed company being contracted to assist the City in undertaking a naming rights process for the City Centre project. Fiaz Jadoon, Director, Economic Development & Strategic Projects, outlined the particulars of the company, who have municipal experience for naming rights noting that he would provide additional information to Council on this matter;
- the process of selecting a company to assist in the naming rights endeavor, as outlined in the Marketing Partnership and Advertising Policy;
- the use of the casino reserve to fund part of the project. Stan Karwowski, Director, Finance & Treasurer, outlined the particulars of the casino reserve fund to offset costs, and how it would show a deficit until funds begin to flow in once the casino opens;
- utilizing Development Charges to partially fund the project, noting that there may be a deficit in the Development Charges fund for a period of time until further charges are collected noting that a similar process was utilized for the construction of the new Operations Centre;
- how the financing is currently in the exploratory stage, and risk of increasing debt, credit limit, or eliminating a project would be presented to Council prior to any actions being taken;
- how the recommendation outlined in report CA0 04-21 would result in a comprehensive report back to Council, and was not committing to the project construction until the subsequent report is presented to Council in the fall;
- how the fall report would include a range of options, and a detailed plan with options, completing the project in phases, cost analysis, and impact on other projects so Council can make an informed decision;
- ensuring there is robust analysis, to take a critical look at the design to get a cost effective project, as well as a competitive process for a project management firm to represent the City's interests;
- the next steps, including community engagement, targeted towards youth, seniors, the East Shore Community Association and other community organizations to solicit feedback and input on the design and project particulars with staff noting this engagement would take place in June/July in collaboration with Pickering Public Library;
- commitment that there will be a fulsome discussion by Council for Naming Rights and other marketing and sponsorship decisions;
- the impact of the COVID-19 Pandemic on gaming revenues, and identifying all financial options and risks;
- potential of identifying and selling off City assets to increase revenues for the project, which would form part of the fall report; and,

- how there is a need for these facilities in a centralized location in the City, noting that the staff recommendation was providing for a prudent approach to the project.

Resolution # 604/21

Moved by Councillor Ashe

Seconded by Councillor Cumming

1. That Report CAO 04-21 of the Chief Administrative Officer be received;
2. That Council approve staff to undertake the following one-time actions to facilitate the development of the five year capital and operating financial plan as it relates to the City Centre project:
 - a. That request for proposal RFP 2021-1 Cost Estimating Services – Pickering City Centre submitted by Turner & Townsend Canada Inc., in the amount of \$46,217 (HST included) and a net project cost of \$41,620 (net of HST rebate) to be funded from 2019 Capital Budget account 5203.1902.6500;
 - b. That architectsAlliance be approved to participate in the stakeholder and community design consultation exercises, cost estimating value engineering and “Savings By Design Program” review with costs not to exceed \$25,000 (HST included) and a net project cost of \$22,513 (net of HST rebate) and to be to be funded from 2019 Capital Budget account 5203.1902.6500;
 - c. That Sponsorship Canada be retained to undertake sponsorship asset valuation services for the three Pickering City Centre facilities (Library, Performing Arts Centre, Seniors & Youth Centre), Piazza & Public Realm, and other new municipal construction projects originally budgeted at \$30,000 and now increased to an upset limit of \$45,000 (HST included) and a net project cost of \$40,524 (net of HST rebate) and to be charged to account 2121.2392.0000 and funded 100% from the Casino Reserve (7067.0000.0000);
 - d. That IBI Group be retained to undertake a parking strategy that reviews the immediate and short-term parking needs for the Pickering Civic Complex at a cost not to exceed \$50,000 (HST included), and a net project cost of \$45,027 (net of HST rebate) and to be funded from 2019 Capital Budget account 5203.1902.6500; and,
 - e. That Deloitte LLP be engaged to assist with quantitative analysis as it applies to the five year financial plan and the corresponding City’s debt

capacity as it relates to the Annual Repayment Limit and develop corresponding options at a cost not to exceed \$45,000 (HST included) and a net project cost of \$40,524 (net of HST rebate) to be funded from the 2019 Capital Budget account 5203.1902.6500;

3. That Council approve staff to undertake the following actions related to the ongoing development of the City Centre project as part of the development of the five year capital and operating financial plan:
 - a. That Tory's LLP be retained at a cost of \$228,960 (net of HST rebate) to advise and assist with the negotiation of the various contracts which define the Pickering City Centre Project, sufficient to identify project costs so they can be accounted for in the project cost estimate, and that these costs be allocated to the following 2020 Capital Budget accounts as follows:
 - i. Seniors & Youth Centre (5740.2003) – 50%;
 - ii. Central Library (5740.2002) – 25%; and,
 - iii. Performing Arts Centre (5740.2001) – 25%;
 - b. That the services of CAM Consulting be retained to undertake a review of the architectural drawings for the Performing Arts Centre at an upset limit of \$25,000 (HST included) and a net project cost of \$22,513 (net of HST rebate) to be funded from account 2740.2392 and funded 100% from the Casino Reserve; and,
 - c. That through a competitive process that the services of a project management firm be approved to undertake project management services for the City Centre Project for a period of 4 months at an upset limit of \$81,100 (HST included), and a net project cost of \$73,000 (net of HST rebate) and to be funded from account 2121.2392 and funded 100% from the casino reserve;
4. That appropriate City of Pickering officials be authorized to take the actions necessary to implement the recommendations in this Report.

Carried Unanimously on a Recorded Vote:

- 11.2 (Acting) Director, Community Services, Report CS 02-21
Tender T2021-32
- Tender for Bay Ridges Kinsmen Park – South East and South West Baseball Lighting

Resolution # 605/21

Moved by Councillor Pickles
Seconded by Councillor McLean

1. That Tender No. T2021-32 as submitted by Sentry Electric Inc. in the tender amount of \$508,000.00 (HST excluded) be accepted;
2. That the total gross project cost of \$639,473.00 (HST included), including the tendered amount and other associated costs and the total net project cost of \$575,865.00 (net of HST rebate) be approved;
3. That the Director, Finance & Treasurer be authorized to finance the total net project cost of \$575,865.00 as provided for in the 2020 Parks Capital Budget by a transfer from the Federal Gas Tax Reserve Fund; and,
4. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.

Carried

- 11.3 (Acting) Director, Community Services, Report CS 26-21
Tender for Civic Complex Garage Ramp and Overhead Door Replacement
- Tender No. T2021-10

Resolution # 606/21

Moved by Councillor Butt
Seconded by Councillor Pickles

1. That Tender No. T2021-10 submitted by SMID Construction Limited, in the amount of \$489,290.00 (HST included), be accepted;
2. That the total gross project cost of \$617,545.00 (HST included), including the amount of the Tender and other associated costs, and the total net project cost of \$556,118.00 (net of HST rebate), be approved;
3. That the Director, Finance & Treasurer be authorized to finance the total net project cost of \$556,118.00 as follows:
 - a) the sum of \$222,500.00 be funded by Federal and Provincial grant funding from the Investing in Canada Infrastructure Program (ICIP) COVID-19 Resilient Infrastructure stream;

- b) the sum of \$247,500.00, as provided for in the 2021 Civic Complex Capital Budget be funded by a 10-year internal loan;
 - c) the sum of \$31,118.00 by a transfer from the Rate Stabilization reserve;
 - d) the sum of \$55,000.00 from property taxes; and,
 - e) the Treasurer be authorized to make any changes, adjustments, and revisions to amounts, terms, conditions, or take any actions necessary in order to effect the foregoing;
4. That the appropriate City of Pickering officials be authorized to take the necessary action to give effect hereto.

Carried

11.4 Director, Corporate Services & City Solicitor, Report LEG 08-21
Right of Entry By-law

A question and answer period ensued between Members of Council and Paul Bigioni, Director, Corporate Services & City Solicitor, regarding:

- how the By-law was prepared to manage, contain and define the extent of access rights, including a requirement for insurance in an effort to limit the intrusion and liability;
- how there needs to be a balance of interest;
- how the public survey included 5 questions with additional information on the by-law, noting that the response rate was low;
- the process of research to arrive at the proposed By-law, including research on staff reports and texts of by-laws from other municipalities to ensure the By-law is reflective of what is best for the City;
- timeframes, and how staff would monitor requests on an on-going basis to see if circumstances may make it more suitable to enact a by-law in the future; and,
- confirmation that without the enactment of a right of entry By-law, property owner consent would be needed to access property.

Resolution # 607/21

Moved by Councillor Ashe
Seconded by Councillor Pickles

1. That Report LEG 08-21 regarding a Right of Entry By-law be received;

2. That the Right of Entry By-law included as Attachment No. 3 to this Report not be enacted, but that staff be directed to monitor, on an ongoing basis, by-law enforcement and complaint matters for which a Right of Entry By-law may be of use, to determine if such a by-law should be enacted in future; and,
3. That appropriate City of Pickering officials be authorized to take the actions necessary to implement the recommendations in this Report.

Carried Later in the Meeting (See Following Motion)

Resolution # 608/21

Moved by Councillor Brenner
Seconded by Councillor McLean

That Report LEG 08-21, Right of Entry By-law, be referred back to staff to monitor and report back on the adoption of a Right of Entry By-Law in six months.

Lost on a Recorded Vote as Follows:

Yes
Councillor Brenner
Councillor McLean

No
Councillor Ashe
Councillor Butt
Councillor Cumming
Councillor Pickles
Mayor Ryan

The Main Motion, was then Carried.

- 11.5 Director, City Development & CBO, Report PLN 27-21
Changes to the *Conservation Authorities Act* and the *Planning Act* Arising from Bill 229, *Protect, Support and Recover from COVID-19 Act*
(Budget Measures)

Resolution # 609/21

Moved by Councillor Brenner
Seconded by Councillor Butt

That Report PLN 27-21 of the Director, City Development & CBO, regarding the implications for the City of Pickering on the changes to the *Conservation Authorities Act* and the *Planning Act* arising from Bill 229, *Protect, Support and Recover from COVID-19 Act* (Budget Measures), be received.

Carried

- 11.6 Director, Finance & Treasurer, Report FIN 09-21
2021 Property Tax Deferral Program
- Phase II Implementation

Resolution # 610/21

Moved by Councillor Pickles
Seconded by Councillor Butt

1. That Report FIN 09-21 of the Director, Finance & Treasurer be received;
2. That the Director, Finance & Treasurer be authorized to implement Phase II of the 2021 Property Tax Deferral Program for the residential property tax class, consistent with the principles of the Council approved program established through Report FIN 02-21 and that property tax payments be deferred and interest and penalty be waived from June 1, 2021 to October 25, 2021 for those applicants that meet the criteria;
3. That the Director, Finance & Treasurer be authorized to waive interest and penalty for residential properties for an extended period from November 1, 2021 up to December 31, 2021 and that the deferral of the interest and penalty be based on financial hardship due to the pandemic; and,
4. That the appropriate City of Pickering officials be authorized to take the necessary actions as indicated in this report.

Carried

12. Motions and Notice of Motions

There were no notices of motion.

13. By-laws

- 13.1 By-law 7846/21

Being a by-law to authorize the use of internet voting, paper ballots and vote tabulators for the 2022 Municipal Election.

- 13.2 By-law 7847/21

Being a by-law to amend By-law 6604/05 providing for the regulating of traffic and parking, standing and stopping on highways or parts of highways under the jurisdiction of the City of Pickering and on private and municipal property.

13.3 By-law 7848/21

Being a by-law to establish Block 17, Plan 40M-2557 as public highway (Finch Avenue).

13.4 By-law 7849/21

Being a by-law authorizing entry upon adjoining lands for the purpose of making repairs or alterations to buildings, fences or other structures.

13.5 By-law 7850/21

Being a By-law to adopt Amendment 43 to the Official Plan for the City of Pickering. (OPA 18-005/P)

13.6 By-law 7851/21

Being a by-law to establish Block 89, 40M-1419 as public highway (Dencourt Drive).

Resolution # 611/21

Moved by Councillor Butt
Seconded by Councillor Cumming

That By-law Numbers 7846/21 through 7851/21, save and except By-law 7849/21, be approved.

Carried

14. Other Business

14.1 Councillor Pickles gave notice that he would be bringing forward a Notice of Motion regarding support for a National three-digit suicide and crisis hotline.

14.2 Councillor Pickles referred to the dialogue during the delegation from Mr. Pettigrew regarding additional parking and requested that staff follow up with the applicant to confirm these commitments with regard to additional on-site resident parking spaces beyond the minimum parking ratio of the zoning by-law should

there be an increased demand, as well as additional surface parking in the Hydro One right-of-way.

- 14.3 Councillor McLean requested that staff explore and evaluate municipal firework by-laws, to restrict the frequency of fireworks due to the volume of calls and complaints of firework celebrations this past Victoria Day weekend.

15. Confirmation By-law

By-law Number 7852/21

Councillor Cumming, seconded by Councillor Ashe moved for leave to introduce a By-law of the City of Pickering to confirm the proceedings of May 25, 2021.

Carried

16. Adjournment

Moved by Councillor Butt
Seconded by Councillor Cumming

That the meeting be adjourned.

Carried

The meeting adjourned at 11:39 p.m..

Dated this 25th of May, 2021.

David Ryan, Mayor

Susan Cassel, City Clerk

Present:

Mayor David Ryan

Councillors:

K. Ashe
M. Brenner
S. Butt
I. Cumming
B. McLean
D. Pickles

Also Present:

M. Carpino - Chief Administrative Officer
B. Duffield - (Acting) Director, Community Services
S. Karwowski - Director, Finance & Treasurer
S. Cassel - City Clerk
V. Plouffe - Manager, Facilities Capital Projects
L. Gibbs - Supervisor, Museum Services

1. Roll Call

The City Clerk certified that all Members of Council were present and participating electronically in accordance with By-law 7771/20.

2. Disclosure of Interest

No disclosures of interest were noted.

3. Delegations

There were no delegations.

4. Matters for Consideration

- 4.1 (Acting) Director, Community Services, Report CS 27-21
Request for Additional Funding for Consulting Services
- Green and Inclusive Community Buildings Grant Application for Pickering Heritage & Community Centre

Brief discussion ensued regarding the requirement for additional funding in order that municipalities may be able to participate in applications for grant funding at both the Provincial and Federal levels of government. It was noted that these

requirements may put some smaller municipalities, with limited budgets, at a disadvantage when it comes to applying for grants.

Further discussion ensued regarding the opportunities that the Green and Inclusive Community Buildings (GICB) grant posed, and that through the work of the consultants, and the detailed work already completed by staff, that the City would be in a position to qualify for the maximum amount available.

Resolution # 612/21

Moved by Councillor Brenner
Seconded by Councillor Cumming

1. That, in accordance with Purchasing Policy item 10.03 (c), the additional fee proposal submitted by Hariri Pontarini Architects (HPA) in the gross amount of \$140,685.00 (HST included), and the net amount of \$126,691.00 (net HST rebate) for technical work required to complete the City's application to the Green and Inclusive Community Buildings (GICB) grant for the Pickering Heritage & Community Centre (PHCC), and associated costs, be accepted;
2. That the total estimated consulting costs including the amount referenced in recommendation 1 above, in the amount of \$126,691.00, as presented in Table 2, be approved;
3. That the Director, Finance & Treasurer be authorized to finance the total net consulting costs of \$126,691.00 as follows:
 - a) the sum of \$34,826.00 by a transfer from the Development Charges Reserve Fund – Parks & Recreation Services;
 - b) the sum of \$24,808.00 by a transfer from the Development Charges Reserve Fund – Library Services;
 - c) the sum of \$67,057.00 by a transfer from the Rate Stabilization Reserve; and,
 - d) if the GICB grant application is unsuccessful, the source of funds be revised up to 100 per cent funding through by a transfer from the Rate Stabilization Reserve;
4. That the appropriate City of Pickering officials be authorized to take the necessary action to give effect hereto.

Carried Unanimously on a Recorded Vote

5. Confirmation By-law

By-law Number 7853/21

Councillor McLean, seconded by Councillor Pickles, moved for leave to introduce a by-law of the City of Pickering to confirm the proceedings of June 3, 2021.

Carried

6. Adjournment

Moved by Councillor Butt
Seconded by Councillor Cumming

That the meeting be adjourned.

Carried

The meeting adjourned at 3:06 pm

Dated this 3rd of June, 2021.

David Ryan, Mayor

Susan Cassel, City Clerk

Present:

Mayor David Ryan

Councillors:

K. Ashe
M. Brenner
S. Butt
I. Cumming
B. McLean
D. Pickles

Also Present:

M. Carpino - Chief Administrative Officer
K. Bentley - Director, City Development & CBO
P. Bigioni - Director, Corporate Services & City Solicitor
J. Eddy - Director, Human Resources
J. Hagg - Fire Chief
R. Holborn - Director, Engineering Services
F. Jadoon - Director, Economic Development & Strategic Projects
S. Karwowski - Director, Finance & Treasurer
S. Cassel - City Clerk
S. Booker - Manager, Capital Projects & Infrastructure
V. Plouffe - Manager, Facilities Capital Projects
A. Mostert - Manager, Landscape & Parks Development
N. Emery - Coordinator, Traffic Operations
C. Whitaker - Supervisor, Sustainability
C. Blumenberg - Deputy Clerk

1. Roll Call

The City Clerk certified that all Members of Council were present and participating electronically in accordance with By-law 7771/20.

2. Disclosure of Interest

No disclosures of interest were noted.

3. Delegations

3.1 Julia Hummel

Re: Report AS 01-21

Dunmoore Park

- Conversion of Small Baseball Diamond to Leash Free Area

Julia Hummel, 685 Hillview Crescent, joined the electronic meeting via audio connection and spoke to Report AS 01-21 regarding Conversion of Small Baseball Diamond to Leash Free Area. She spoke to the tragedy of losing Ricky, her six-year-old German Shephard/Labrador retriever mix that was found near Petticoat Creek. Ms. Hummel spoke of the immense community support in searching for Ricky and how much it meant to her family. She noted that when her family was appraised of the plans for the leash free dog park, the idea to somehow memorialize Ricky in some way resonated with them. Ms. Hummel sought Committee's support to incorporate Ricky into the design to include a memorial of him, and further added that this is an opportunity for a dog memorial concept.

A brief discussion period ensued between Members of the Committee, and Julia Hummel, regarding how Ricky's disappearance had touched a lot of people in the City and brought the community together.

4. Matters for Consideration

4.1 Director, Corporate Services and City Solicitor, Report AS 01-21

Dunmoore Park

- Conversion of Small Baseball Diamond to Leash Free Area

A question and answer period ensued between Members of the Committee, and Paul Bigioni, Director, Corporate Services & City Solicitor, regarding:

- exploring the memorial component as part of the design work for the leash free portion of the park;
- how the leash free park enables responsible pet ownership and socializing in a safe environment;
- how the leash free park is a 'use at owners' risk' facility, and the City does not take liability or responsibility for damage or injury;
- confirmation that a memorial has not been a feature of any existing off-leash dog areas;
- how off leash park safety is considered through careful design;
- the waste management options at the leash free park, with Mr. Bigioni advising that separate receptacles would be in place for dog waste and ordinary waste, and how it is the personal responsibility of all pet owners to clean up after their pets;
- applying memorial protocols to all off-leash dog parks in the City and consideration of the current procedures in place for memorials through the

planting of trees, benches, and plaques, all of which are at the request and cost of the requestor;

- whether there have been any issues with dog bites or attacks in current dog parks. Mr. Bigioni stated he is not aware of any issues but would confirm this prior to the June 28th Council Meeting; and,
- whether there had been exchanges on the memorialization matter between staff and the delegate. Mr. Bigioni advised that staff were aware and have been actively engaged in discussions and would continue to explore options on how the memorial might be incorporated. He noted staff will ensure naming rights and other established procedures that may need to be modified are in order, prior to implementing a memorialization component.

Recommendation:

Moved by Councillor Brenner
Seconded by Councillor Ashe

1. That Report AS 01-21 regarding the conversion of the small baseball diamond in Dunmoore Park to a leash free area be received;
2. That Council endorse the creation of a leash free area in Dunmoore Park; and,
3. That appropriate City of Pickering officials be authorized to take the actions necessary to implement the recommendations in this report.

Carried Unanimously on a Recorded Vote

- 4.2 Director, Corporate Services & City Solicitor, Report CLK 03-21
Ward Boundary Review
- Final Report – Watson & Associates Economists Ltd.

Consultant Delegation

Jack Ammendolia, Managing Partner and Director, Education, Watson & Associates Economists Ltd., and Dr. Robert J. Williams, Public Affairs Consultant, on Report CLK 03-21

Jack Ammendolia and Dr. Robert Williams joined the electronic meeting via video connection to provide an overview of the Ward Boundary Review. Through the aid of a PowerPoint presentation, Mr. Ammendolia provided a project summary, including research and information gathering, technical components including

population forecasting, development of preliminary ward boundary options, public engagement, and the creation of the final ward boundary options. Mr. Ammendolia spoke to the reasons why the ward boundary review has been initiated, and noted that the project was tackled in two phases including comprehensive virtual engagement due to the COVID-19 Pandemic, which included two surveys with 730 responses, social media engagement, which reached 70,000 people, and virtual public information sessions.

Dr. Williams provided an overview of the public feedback received on the guiding principles and stated that the results had been considered in the design of the final ward options, noting that effective representation had been ranked highest. He spoke about the history of the existing system which has been in place since 1974, and the methodology utilized to arrive at the 3 recommended options. He highlighted the population projections and how the current wards do not reach optimal range. The consultants provided a detailed overview of each of the recommended options for Committee's consideration. In conclusion, the consultants outlined next steps, including the adoption of a By-law and the Ontario Land Tribunal appeal process.

A question and answer period ensued between Members of the Committee, Jack Ammendolia, and Dr. Williams, regarding:

- the risk of not taking action, and how through the professional evaluation of the current wards, against the guiding principles, it was clear that there were deficiencies in the current system;
- how there is significant population change coming, and how the recommended options bridge the gap to move forward;
- how Final Option 2 met most of the guiding principle criteria, and may be the optimal choice;
- the timelines to implement the new ward boundaries for the 2022 Municipal Election;
- the particulars of the appeal process and how no action can be taken until after the 45-day appeal period has ended, and the associated impacts pertaining to the preparations for the 2022 Municipal Election and ability to develop a voters' list that is reflective of any ward boundary changes;
- whether the public engagement provided a good cross representation of feedback;
- the length of time the current ward structure has been in place, perpetuating an already inequitable system by retaining the status quo, and the tendency to wait for the growth to occur prior to making ward boundary changes;
- how the recommended options ensure the proposed ward system is one the City can grow into. Dr. Williams commented that it is a best practice to

conduct a periodic review of the ward boundaries as a routine exercise noting that a reasonable time frame for reviewing ward boundaries and composition could be every 3 elections;

- the methodology utilized for population projections, including an analysis of City building permit data, the Region's Official Plan and City's population forecasts noting that growth is a moving target;
- clarification on recommended Option 3B, and how it can be decided in the future based on a population thresholds and further technical analysis;
- whether this was a topic of interest to Pickering residents, and how there were not many people engaged with minimal attendance at the virtual open houses. Mr. Ammendolia stated that it is challenging to engage the public on municipal matters, and this is reflective in the general low voter turnout rates in municipal elections. He further added that a concerted effort was made in the second phase for more engagement on the preliminary ward options;
- the inequalities in recommended Option 2, and how it does not become optimal until 2030, creating disparity that is well below the acceptable range for the 2022 Election, with the consultant noting that Option 2 was focused on future population growth and that it met all other guiding principles;
- whether a modification to the existing boundaries to extend Ward 1 and 2 boundaries could be an interim step to bridge the population disparity until the 2026 Election with the goal of moving to Option 2 in the future;
- the effective representation challenges in the Supreme Court, and how population equity is sometimes not in everyone's best interest. Dr. Williams advised that you cannot apply population numbers rigidly, and that population data needs to be applied fairly, taking into consideration communities of interest, geography, urban/rural characteristics, and other unique distinctions within the municipality itself;
- whether demographics had been considered as part of the Review and how there needs to be connectivity and connection, noting that the City is a blend of characteristics with many communities of interest and the need to provide distinction between those communities;
- how the ward boundary review process is about equity and effective representation, noting that the status quo is not equitable and provides the message that the current ward structure serves residents well;
- whether the proposed changes are accomplishing what is needed for the near future given the flip in the population disparity that is currently seen in Ward 3;
- the impacts to residents if an interim change is made for the 2022 Election and another change in the boundaries is made for the 2026 Election and the potential confusion this may create;

- how replacing a flawed system with another flawed system in the short term is not a viable option;
- the demographics of communities of interest and voters in the City; and,
- the need for continued discussions to see whether an alternative option might be a compromise prior to the June 28th Council Meeting.

Recommendation:

Moved by Councillor Brenner
Seconded by Councillor Ashe

1. That Report CLK 03-21, regarding the Ward Boundary Review Final Report, from Watson & Associates Economists Ltd., be received;
2. That Final Option 2, as outlined in the 2020/2021 Ward Boundary Review Final Report for the City of Pickering be approved;
3. That the Clerk be directed to bring forward the applicable By-law to change the ward boundaries at the June 28, 2021 Council Meeting for enactment; and,
4. That the appropriate City of Pickering officials be authorized to take the necessary actions as indicated in this report.

Lost on a Recorded Vote as Follows:

Yes
Councillor Ashe
Councillor Brenner
Councillor McLean

No
Councillor Butt
Councillor Cumming
Councillor Pickles
Mayor Ryan

Moved by Councillor Ashe
Seconded by Councillor Brenner

1. That Report CLK 03-21, regarding the Ward Boundary Review Final Report, from Watson & Associates Economists Ltd., be received;
2. That Final Option 1, as outlined in the 2020/2021 Ward Boundary Review Final Report for the City of Pickering be approved;

3. That the Clerk be directed to bring forward the applicable By-law to change the ward boundaries at the June 28, 2021 Council Meeting for enactment; and,
4. That the appropriate City of Pickering officials be authorized to take the necessary actions as indicated in this report

Lost on a Recorded Vote as Follows:

Yes

Councillor Ashe
Councillor Brenner
Councillor McLean

No

Councillor Butt
Councillor Cumming
Councillor Pickles
Mayor Ryan

Moved by Mayor Ryan
Seconded by Councillor Butt

1. That Report CLK 03-21, regarding the Ward Boundary Review Final Report, from Watson & Associates Economists Ltd., be received; and,
2. That the existing ward boundaries for the City of Pickering be maintained.

**Note: The disposition of this matter
was handled through the referral motion below:**

Moved by Councillor Ashe
Seconded by Councillor Brenner

That the motion to retain the existing ward boundaries for the City of Pickering be referred directly to Council at the June 28, 2021, Council meeting.

Carried on a Recorded Vote as Follows:

Yes

Councillor Ashe
Councillor Brenner
Councillor Cumming
Councillor McLean

No

Councillor Butt
Councillor Pickles
Mayor Ryan

- 4.3 (Acting) Director, Community Services, Report CS 09-21
Community Association Lease Agreement
- Pickering Ajax Italian Social Club

Discussion ensued regarding the ownership of the Pickering Ajax Italian Social Club, and booking facility. Vince Plouffe, Manager, Facilities Capital Projects, advised that the City owns the bocce court, kitchenette and external storage room, and that the Italian Social Club owns the portable structure. He clarified that non-members of the Club can use the facility, and play bocce ball by booking the space through the Italian Club.

Recommendation:

Moved by Councillor Brenner
Seconded by Councillor Pickles

1. That the Mayor and City Clerk be authorized to execute the Lease Agreement with the Pickering Ajax Italian Social Club as set out in Attachment 1 to this report, subject to minor revisions as may be required by the (Acting) Director, Community Services and the Director, Corporate Services & City Solicitor; and,
2. That the appropriate City officials be authorized to take the necessary actions as indicated in this report.

Carried

- 4.4 (Acting) Director, Community Services, Report CS 23-21
Claremont Golden Age Seniors Club
- Lease Agreement

Recommendation:

Moved by Councillor Pickles
Seconded by Councillor Brenner

1. That the Mayor and City Clerk be authorized to execute the Lease Agreement with Claremont Golden Age Seniors Club set out in Attachment 1 to this Report, subject to minor revisions as may be required by the Director, Community Services and the Director, Corporate Services & City Solicitor; and,
2. That the appropriate City officials be authorized to take the necessary actions as indicated in this report.

Carried

- 4.5 (Acting) Director, Community Services, Report CS 25-21
Community Safety and Well-Being Plan
- Update

Recommendation:

Moved by Councillor Brenner
Seconded by Councillor Butt

1. That Council receive Report CS 25-21 for information regarding the update on the City of Pickering's Community Safety and Well-Being Plan;
2. That Council endorse the City of Pickering's application for membership with the Canadian Municipal Network on Crime Prevention and that the Mayor be authorized to execute and submit the corresponding letter of support, as set out in Attachment 1; and,
3. That the appropriate officials of the City of Pickering be authorized to take necessary actions as indicated in this report.

Carried

- 4.6 Director, Engineering Services, Report ENG 14-21
Automated Speed Enforcement Implementation
- Status Update

A brief question and answer period ensued between Members of the Committee, and Richard Holborn, Director, Engineering Services regarding:

- timelines of the Automated Speed Enforcement program's implementation, with Mr. Holborn advising that the two cameras would be installed on August 19, 2021, with signage already installed at the two locations advising they are coming soon;
- how the City of Toronto agreement had been executed, and the agreements with the Ministry of Transportation and Redflex Traffic Systems were in the process of being executed;
- the rotation of the cameras being in the first 2 locations for 6 weeks, and then moving them to the next location so that by the end of 2021, they will have covered several locations; and,
- how road safety is a major concern and how these cameras are an important tool for community safety.

Recommendation:

Moved by Councillor Brenner
Seconded by Councillor Butt

1. That Report ENG 14-21 regarding the status update of the implementation of the Automated Speed Enforcement program, as a follow-up to Report ENG 05-21 and in response to Resolution #543/21, be received for information; and,
2. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.

Carried Unanimously on a Recorded Vote

- 4.7 Director, Finance & Treasurer, Report FIN 10-21
Annual Indexing – Development Charges and Seaton Financial Impacts Agreement

Recommendation:

Moved by Councillor Pickles
Seconded by Councillor Butt

1. That Report FIN 10-21 of the Director, Finance & Treasurer be received;
2. That effective July 1, 2021 as provided for in By-law No. 7595/17, as amended by By-laws No. 7727/19 and No. 7802/20, the Development Charges referred to in Schedule “C” of that By-law be increased by 3.1 per cent;
3. That effective July 1, 2021 the payments related to “10 per cent Soft Services” as provided for by the Seaton Financial Impacts Agreement dated November 26, 2015 be increased by 3.1 per cent; and,
4. That the appropriate City of Pickering officials be authorized to take the necessary actions as indicated in this report.

Carried

- 4.8 Director, City Development & CBO, Report PLN 30-21
Local Enhancement and Appreciation of Forests (LEAF) Organization’s Tree Planting Program Update

A brief question and answer period ensued between Members of the Committee, and Kyle Bentley, Director, City Development & CBO regarding:

- how the 4-year lease Program would help subsidize residents' planting of trees and shrubs, noting that the City would contribute an annual amount to the Program and that the Region of Durham and 5 of the lower tier municipalities would also be contributing to the Program. Mr. Bentley noted that the Local Enhancement and Appreciation of Forests (LEAF) Organization orchestrates the Program, and a resident may have to pay for a portion of the cost, but not the full amount;
- how the Program enables expertise from LEAF, including soil samples, plant care and advice on tree species;
- how the opportunity, once approved by Council, would be promoted on the City's website as well as a promotional campaign with LEAF; and,
- how residents can apply directly through LEAF to participate in the Program.

Recommendation:

Moved by Councillor Brenner

Seconded by Councillor Cumming

1. That Report PLN 30-21 of the Director, City Development & CBO, on the update of the Local Enhancement and Appreciation of Forests (LEAF) Organization's Tree Planting Program, be received;
2. That the Mayor and City Clerk be authorized to execute a 4-year joint agreement between the Region of Durham, the Local Enhancement and Appreciation of Forests (LEAF) organization and participating municipalities to deliver the tree planting program from July 1, 2021 to June 30, 2025, as set out in Attachment #1 of this report, subject to minor revisions with terms and conditions satisfactory to staff from a legal services and insurance perspective;
3. That the appropriate City staff be directed to take the necessary actions as indicated in this report; and,
4. That staff be directed to report back with a summary of the results, and if successful, consider continuing the program in subsequent years pending budget approval.

Carried

5. Other Business

- 5.1 Councillor Brenner noted the challenges at the City's waterfront, advising that the majority of people are respectful, but that the actions of a few were not. He requested that staff outline a viable plan to tighten measures and address illegal parking at the waterfront in the immediate term especially with the July long weekend approaching. He discussed options, such as increasing staff compliment to apply zero tolerance, increasing parking fines, arranging for tow trucks to remove illegally parked vehicles, strong and clear messaging to the community, and additional resources for litter pickup.

Moved by Councillor Brenner
Seconded by Councillor Ashe

That staff be directed to bring forward a report on recommendations to effectively deal with enforcement matters at the City's waterfront, as identified by the CAO, that require Council approval, at the June 28, 2021, Meeting of Council.

Carried Unanimously on a Recorded Vote

- 5.2 Councillor Brenner sought information on waste management strategies to deal with the volume of garbage at the waterfront. Marisa Carpino, Chief Administrative Officer, advised that there are currently three staff dedicated for garbage pick-up at the City's waterfront 3 times a day on the weekend. She noted that an additional two staff will be deployed to effectively address the volume for a total of five staff resources. She further added that individuals are enjoying the waterfront which generates a large volume of garbage, as such, staff will keep on top of the waste removal with the additional resources.
- 5.3 Councillor Brenner raised the matter of safety at the City's multi-purpose trails, with cyclists not dismounting at bridges, such as the Petticoat Creek Conservation Park, Waterfront Trail bridge. He sought clarification on options to reduce the risk and address the problem as it is a safety concern for pedestrians. Ms. Carpino responded that this matter is about public education to ensure the public is aware of the cyclist signage to dismount, when necessary, at multi-purpose trails. She advised that staff have explored best practices for bridges on multipurpose trails and would continue to rely on signage and messaging to remind cyclists to dismount.
- 5.4 Mayor Ryan gave notice that he would be bringing forward a Notice of Motion at the June 28, 2021, Meeting of Council, regarding the desired Federal Government response to the Residential School situation.

6. Adjournment

Moved by Councillor Pickles
Seconded by Councillor Cumming

That the meeting be adjourned.

Carried

The meeting adjourned at 5:00 pm.

Present:

Mayor David Ryan

Councillors:

K. Ashe
M. Brenner
S. Butt
I. Cumming
B. McLean
D. Pickles

Also Present:

M. Carpino - Chief Administrative Officer
K. Bentley - Director, City Development & CBO
P. Bigioni - Director, Corporate Services & City Solicitor
S. Cassel - City Clerk
C. Rose - Chief Planner
R. Pym - Principal Planner - Strategic Initiatives
Q. Annibale - Partner, Loopstra Nixon LLP

1. Roll Call

The City Clerk certified that all Members of Council were present and participating electronically in accordance with By-law 7771/20.

2. Disclosure of Interest

No disclosures of interest were noted.

3. In Camera Matters

Resolution # 613/21

Moved by Councillor Cumming
Seconded by Councillor Pickles

That Council move into closed session in accordance with the provisions of Section 239 (2) of the *Municipal Act* and Procedural By-law 7665/18, in that the matters to be discussed relate to:

- e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and,

- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

- 3.1 Confidential Memorandum from the Director, City Development & CBO and Director, Corporate Services & City Solicitor
Re: LPAT Appeal PL210028, Annandale Parks Development Limited, 221 Church Street South, June 11th Case Management Conference

This portion of the meeting was closed to the public. Refer to the In Camera meeting minutes for further information. [City Clerk has custody and control of the In Camera minutes.]

Resolution # 614/21

Moved by Councillor Pickles
Seconded by Councillor Brenner

That Council rise from the closed session.

Carried

Mayor Ryan stated that during the closed portion of the meeting, Council received a verbal update from the Director, Corporate Services & City Solicitor, and outside legal counsel, regarding litigation, and received advice subject to solicitor-client privilege, as it pertains to LPAT Appeal PL210028, and the upcoming June 11th Case Management Conference.

4. Confirmation By-law

By-law Number 7854/21

Councillor Cumming, seconded by Councillor Pickles moved for leave to introduce a by-law of the City of Pickering to confirm the proceedings of June 7, 2021.

Carried

5. Adjournment

Moved by Councillor Butt
Seconded by Councillor Cumming

That the meeting be adjourned.

Carried

The meeting adjourned at 6:32 p.m.

Dated this 7th of June, 2021.

David Ryan, Mayor

Susan Cassel, City Clerk

Present:

Mayor David Ryan

Councillors:

K. Ashe
M. Brenner
S. Butt
I. Cumming
B. McLean
D. Pickles

Also Present:

M. Carpino - Chief Administrative Officer
K. Bentley - Director, City Development & CBO
P. Bigioni - Director, Corporate Services & City Solicitor
F. Jadoon - Director, Economic Development & Strategic Projects
S. Cassel - City Clerk
C. Rose - Chief Planner
N. Surti - Manager, Development Review & Urban Design
D. Jacobs - Manager, Policy & Geomatics
C. Morrison - Principal Planner, Development Review
C. Blumenberg - Deputy Clerk
E. Martelluzzi - Planner II - Heritage

1. Roll Call

The City Clerk certified that all Members of Council were present and participating electronically in accordance with By-law 7771/20.

2. Disclosure of Interest

Councillor Ashe declared a conflict of interest under the *Municipal Conflict of Interest Act* regarding Information Report No. 11-21, 1970 Brock Road, as he is a property owner of a condominium immediately adjacent to the subject property. Councillor Ashe did not take part in the discussion on this matter.

3. Statutory Public Meetings

Moved by Councillor Butt
Seconded by Mayor Ryan

That the rules of procedure be suspended to allow one additional delegation, under Section 3 of the agenda regarding Information Report No. 10-21, and one additional delegation, with a presentation, under Section 4 of the agenda regarding Report PLN 29-21.

Carried on a Two-Thirds Vote

Councillor Pickles, Chair, gave an outline of the requirements for a Statutory Public Meeting under the *Planning Act*. He outlined the notification process procedures and also noted that if a person or public body does not make oral or written submissions to the City before the By-law is passed, that person or public body are not entitled to appeal the decision of City Council to the Local Planning Appeal Tribunal (LPAT), and may not be entitled to be added as a party to the hearing unless, in the opinion of LPAT, there are reasonable grounds to do so.

Catherine Rose, Chief Planner, appeared before the Committee to act as facilitator for the Statutory Public Meeting portion of the meeting, explaining the process for discussion purposes as well as the order of speakers.

- 3.1 Information Report No. 10-21
Zoning By-law Amendment Application A 02/21
Draft Plan of Subdivision Application SP-2021-01
Draft Plan of Condominium Application CP-2021-01
Highcastle (1939 Altona Rd.) Inc.
(1939 Altona Road)

Cody Morrison, Principal Planner, Development Review, provided the Committee with an overview of Zoning By-law Amendment, Draft Plan of Subdivision and Draft Plan of Condominium, submitted by Highcastle Inc. to facilitate a residential condominium development. Through the aid of a PowerPoint presentation, Mr. Morrison outlined the purpose of the application, and provided an overview of the subject lands, noting that the lands currently support a landscaping and tree nursery business and various accessory buildings, including a 40.0-metre high telecommunications tower located at the far northeasterly quadrant of the subject lands, which are all proposed to be removed, should the lands be developed. He highlighted the submitted conceptual site plan, draft plan of subdivision, and draft plan of condominium that propose 48 stacked townhouse dwellings and a common element condominium consisting of 13 street townhouse dwellings accessed through an internal private road from the north side of Sparrow Circle. Mr. Morrison advised that resident parking for both the stacked townhouse and street townhouse units is provided at a ratio of 2 parking spaces per dwelling unit (1 parking space within a private garage and 1 space on a surface driveway). He

further added that visitor parking is provided at a rate of 0.25 spaces per unit for a total of 16 parking spaces and is located along the north property line. Mr. Morrison summarized the City staff comments, public comments received for further review, and next steps in the applications.

Billy Tung, Kim Planning Partners Inc., joined the electronic meeting via audio connection and concurred with staff's overview of the application. He noted he was available for questions from the Committee.

Joseph Aquino, 1965 Roseland Road, joined the electronic meeting via audio connection and expressed concern regarding tree cutting, and asked if any trees being removed could be relocated by his property line for additional privacy and environmental purposes.

Kim O'Hearn, 438 Sparrow Circle, joined the electronic meeting via audio connection and spoke to the proximity between her home and the subject lands. She asked where the road would be constructed and if an image could be shown to understand how it would look. Ms. O'Hearn inquired if the vacant land by Sparrow Circle could be spared and turned into a parkette, as it is currently used by many local children. She further expressed concerns regarding traffic, and where the proposed driveway would be situated relative to her lot.

Mike Dickey, Pickering Resident, joined the electronic meeting via audio connection and expressed concerns regarding traffic flow and additional vehicles accessing the area which is a school bus zone used by neighbourhood children. He asked if traffic calming measures could be implemented.

Deborah Ring, 363 Sparrow Circle, was unable to be connected to the electronic Committee Meeting to provide her delegation. Cathy Rose, Chief Planner, noted Ms. Ring could provide written comments in lieu of a delegation should she wish to do so.

Mr. Tung, Kim Planning Partners Inc., was invited to provide comment on the delegations and concerns raised. He stated that moving trees for additional privacy would be explored through the site plan control process. Through the aid of a PowerPoint presentation, Mr. Tung showed an aerial image of the potential location of the driveway across from the dwelling, a location not directly opposite of Ms. O'Hearn's dwelling. Mr. Tung stated that the traffic assessment prepared for the existing subdivision showed that 50 units on the subject lands could be developed in the future, as such the updated traffic assessment results exemplified that the addition of the proposed units would not generate additional traffic during peak morning hours, and 2 more vehicle trips during afternoon peak hours. He further spoke to traffic mitigation efforts.

A question and answer period ensued between Members of the Committee, Billy Tung, and City Development Staff regarding:

- the telecommunications tower, and whether it would be relocated. Mr. Tung noted that the existing lease of the tower has an option to remove the tower with 12 months' notice, and the telecommunication provider would decide next steps;
- if Building 5 would include underground parking, Mr. Tung confirmed it is a street townhouse block with individual garage and driveway parking spaces;
- whether the playground area near Building 5 was the proposed outdoor amenity area, with Mr. Tung noting that it is currently a conceptual amenity area that could be programmed into a playground area, and details could be determined as part of the site plan review process;
- the tree planting plans, with Mr. Tung noting the conceptual plan is to complete landscaping and restoration within the buffer and peripheral areas. He noted the Toronto and Region Conservation Authority (TRCA) will provide comments on enhanced planting plans, and noted that he expected it to include planting at amenity areas and boulevard trees;
- clarification whether the applicant would proceed with a wetland risk assessment. Mr. Tung noted that comments have been obtained from the TRCA, and the applicant would provide a more robust wetland assessment report to ensure the assessment is completed to City and TRCA satisfaction, in addition to other robust mitigation efforts;
- whether the wetland assessment report would form part of a forthcoming recommendation report. Catherine Rose, Chief Planner, advised that it would, and further added that storm water runoff from a site is an option to explore that can aid wetlands. She advised that a robust description of the buffering plan would form part of the subsequent report; and,
- whether the residual vacant lot is privately owned, with Ms. Rose advising that it may be acquired by the developer and it is a willing buyer, willing seller situation.

3.2 Information Report No. 11-21
Official Plan Amendment OPA 20-008/P
Zoning By-law Amendment A 13/20
Brock & Kingston Holdings Inc.
(1970 Brock Road)

Having previously declared a conflict of interest, Councillor Ashe did not take part in part in the discussion of this item.

A statutory public meeting was held under the *Planning Act*, for the purpose of informing the public with respect to the above-noted application.

Elizabeth Martelluzzi, Planner II – Heritage, provided the Committee with an overview of Official Plan Amendment OPA 20-008/P, and Zoning By-law Amendment A 13/20, submitted by Brock & Kingston Holdings Inc. Through the aid of a PowerPoint presentation, Ms. Martelluzzi outlined the purpose of the application to permit a high-density mixed-use residential condominium development. She provided an overview of the subject lands, and the planning policy framework, including the Kingston Road Corridor and Specialty Retailing Intensification Study. Ms. Martelluzzi advised that as part of the proposal, the applicant proposes to retain the Post Manor heritage building and move it to the northeast corner of the site fronting Brock Road, and that the application was presented to the Heritage Advisory Committee. She summarized the City staff comments, public comments received for further review, and next steps in the applications. She noted the proposal would be subject to site plan approval, and approvals as required under the *Ontario Heritage Act*.

Michael Testaguzza, The Biglieri Group Ltd., and Emma Abramowicz, ERA Architects, joined the electronic meeting via audio connection to provide an overview of the application. Through the aid of a PowerPoint presentation, they spoke to the details of the subject lands and planning context. Mr. Testaguzza noted the site is designated as mixed use Type A, in a gateway, which permits towers up to 40 storeys in height. He spoke to the details of the mixed use proposal, highlighted the concept landscape plan, and shadowing strategy, noting that not one property would be shadowed for more than 2 hours completely. Mr. Testaguzza stated the proposed structure would have bicycle access, 817 parking spaces, and other amenities. Ms. Abramowicz spoke to the heritage design aspects of the proposal, and relocation plans of the heritage building, known as the Post Manor. She noted a heritage impact assessment had been completed, and that the design would have a rural style gateway, with a multimedia plan to compliment the structure and highlight the heritage components.

Maureen Schorn, Pickering Resident, joined the electronic meeting via audio connection and spoke to the importance of preserving the heritage structure. She noted that the signs posted of pending planning applications on subject lands are small, especially the size of the font that outlines the potential changes. Ms. Schorn noted the proposal is ambitious, with excess height for the location, and asked that the Post Manor be kept at its current location, due to it being a focal point.

Alastair Taylor, 1701 Finch Avenue East, joined the electronic meeting via audio connection and noted that he is speaking on behalf of 'Team United170', a cohort

of 30-40 concerned citizens. He expressed concern regarding shadowing, the wind tunneling effect, impact on wildlife, traffic, and pollution. He further added that the cohort is concerned for safety of children, and what the impact may be on property values due to the structures being adjacent to their properties. Mr. Taylor noted the potential loss of local retail availability and employment as a consequence of the application, and the impact of noise and vibration during construction. He noted the opposition to this application of many residents and asked that the collective concerns of the cohort be addressed.

John Roberts, 1995 Royal Road, joined the electronic meeting via audio connection and advised he is the President of the Condominium Board, representing 150 voters. He expressed concern for emergency vehicle access, traffic, and how the Bus Rapid Transit would impact the development. He noted there is insufficient parking proposed and asked where construction workers would park during construction. Mr. Roberts sought clarification on the plans in place to mitigate vibration and reimburse residents for any damage during construction. He stated the Post Manor building should stay in its current location and encouraged the Committee to refuse the application as presented.

Oscar Packeer, President of Complex - Duffins Gate, joined the electronic meeting via audio connection and spoke in opposition to the application. He expressed concern with how foot traffic would be managed during and after the construction phase, construction vehicles utilizing access from Finch Avenue to Brock Road as a shortcut, and general safety of residents, especially children. Mr. Packeer asked how the City would mitigate these concerns.

Ted Crabtree, 1701 Finch Avenue East, joined the electronic meeting via audio connection and spoke in opposition to the application. He stated the proposed development would have a negative impact on the community and surrounding area, including an increase in traffic. He noted the roads are currently congested throughout the day, and vehicles turning left must wait several light changes to make their turns. Mr. Crabtree noted the proposal is excessive and should be scaled back, and questioned the logistics of how the project would support two high rise towers, while relocating the Post Manor. He spoke in opposition to the proposal due to height, traffic, lack of adequate parking, and debris and noise during construction. Mr. Crabtree noted the scale of the proposal is unreasonable, and the high population density and relocation of a historic building would impact quality of life.

Mary Hunt, 1701 Finch Avenue East, joined the electronic meeting via audio connection and thanked previous speakers for their delegations. She stated she has been a resident of the City for 45 years. Ms. Hunt expressed concern regarding the application due to the one sided nature of the report, excessive height, and how the proposal does not meet the intent of City guidelines. She

noted the proposal also does not meet angular plane requirements for neighbours to the north as specified in the Council endorsed intensification plan. She further added that there is a lack of adequate parking. Ms. Hunt read a letter, on behalf of Tom Mohr, Pickering Township Historical Society, regarding how the Post Manor is a major heritage asset of the City's rural past which is being put at risk by this development proposal. The letter stated that the Post Manor had retained most of its physical and cultural integrity while remaining in-situ on what is one of the busiest intersections in the City. Ms. Hunt noted the ERA Heritage Impact Assessment and multimedia plan is inadequate, and asked that the Post Manor remain in its current location.

Joan Black and John Forde, 1995 Royal Road, joined the electronic meeting via audio connection and provided feedback on the transportation impact study. Ms. Black outlined the following concerns; how Royal Road is not included in the study however Guild Road is included, how the study includes COVID-19 data, not regular normal time data, and how the study states future total trip length is similar to the existing conditions. Ms. Black sought clarification on how the transportation impact study could state this due to the intersection being more and more congested every year. She noted that turning allowances would force drivers to use Royal Road or Guild Road to access the site, which may cause congestion and safety concerns for children who use the school bus. Ms. Black sought assurances that Royal Road will not be used by construction personnel and asked that the Committee refuse the proposal as presented. John Forde echoed Ms. Black's comments.

Ed Sedlak, 1995 Royal Road, joined the electronic meeting via audio connection and spoke to how the proposed application would affect his view. He expressed concern for the scope of the application and traffic congestion. Mr. Sedlack noted that the proposal does not take into account other high-density proposals and future growth in a cumulative manner. He stated that by using background data, it can easily be projected that traffic volume and travel times will be significantly higher. Mr. Sedlack stated the area is a high incident collision area, and traffic would be impacted, noting the three lanes of traffic that had to be crossed to access the site. He added that the ratio of 0.8 parking spots per residential unit should be met by the applicant, and that encouraging the use of transit is not realistic as most households have more than one vehicle. Mr. Sedlack further added that the subject lands are not big enough for this type of high density development.

Steve Gilchrist, 1995 Royal Road joined the electronic meeting via audio connection and noted the subject lands are currently a lovely greenspace with mature trees and a heritage building. He asked what the point of the Kingston Road Intensification guidelines were if the City had no intent of following them. He

expressed concern regarding traffic, height, shadowing, the parking ratio being unsustainable, and that transit use be recorded on title as part of site plan approval. Mr. Gilchrist spoke about losing certain commercial businesses that would be impacted on Kingston Road, and encouraged the Committee to enforce the Kingston Intensification Road guidelines, as they permit developers to make a good return on investment while balancing the needs of residents.

Linda Kellington and Robin Kellington, Pickering Residents, joined the electronic meeting via audio connection and expressed opposition to the application. They noted that the development is immediately to the rear of their property and echoed the comments of previous delegates. Mr. Kellington expressed concern regarding the narrow access to the underground parking, impact of construction on trees, and asked for a commitment to replace any damaged trees with similar trees.

Michael Testaguzza, The Biglieri Group Ltd., was invited to provide comment on the delegations and concerns raised. He advised that the studies are done in consultation with the Region, City, and other commenting partners. Mr. Testaguzza stated that the application strives to meet the intent of the intensification guidelines, and further added context on density targets. He stated that there is interest in keeping the Post Manor in a general setting and connecting it to Kingston Road. He noted that the buildings would be designed to mitigate the impact to wildlife. Mr. Testaguzza advised that the transportation impact study states that expected vehicular trips are projected to be 13 trips in the morning hour, and 46 in the evening hour, with methodology utilized included implementation of traffic in non-pandemic times. He noted that as many mature trees as possible would be maintained, and the proposal would provide commercial space on site, with access through both points of access to not limit the way people can access the development. Mr. Testaguzza encouraged delegates to reach out to discuss their concerns.

Catherine Rose, Chief Planner, advised that there is a requirement to submit a construction management plan. Nilesh Surti, Manager, Development Review & Urban Design noted that staff will ensure documentation submitted complies with the intent and goals of intensification plans, and that staff would ensure the application minimizes traffic impact, and impacts to abutting property owners. He stated staff would review concerns identified by residents and commenting agencies.

A question and answer period ensued between Members of the Committee, Michael Testaguzza, The Biglieri Group Ltd., and City Development Staff regarding:

- whether there was flexibility with height and density, and whether the developer would enter into meaningful dialogue with concerned residents.

Mr. Testaguzza noted there is flexibility with density and height, and that he would speak to his client on these matters and make revisions to the proposal, if required;

- how the Kingston Road Intensification guidelines had notional heights identified, with the final product not including a defined maximum height;
- confirmation that the Post Manor was in its original location, and that the developer would preserve its heritage attributes;
- how the density and proposed height would be reviewed by staff, prior to the recommendation process;
- how the applicant would relocate the heritage building during construction, and how the Post Manor would be protected with those details being sought from the applicant;
- the amount of vibration during construction;
- how Guild Road was not part of the Traffic Study, currently under review by City and Regional staff, including impacts on Royal Road and future growth of immediate area. Nilesh Surti, Manager, Development Review & Urban Design, confirmed that if the Study needed to be peer reviewed this would be done as well as encouraging the developer to meet with neighbouring residents;
- whether angular planes were appropriately addressed, with Mr. Surti responding that the 31 and 34 storey buildings were not included in the 45 degree angular plane. Mr. Testaguzza noted that tall buildings along gateways and interpretation of the guidelines must be appropriately assessed with their intention. He further added that there needs to be 750 square metre floor plates separated by 25 metre distances to protect sky views, and decrease shadowing; and,
- confirmation that access to underground parking would be off of both Brock Road and Kingston Road.

Moved by Councillor Butt

Seconded by Councillor Cumming

That the Committee take a short recess.

Carried

The Committee recessed at 9:45 pm and reconvened at 9:55 pm.

Upon reconvening, the City Clerk conducted a roll call and certified that all Members of the Committee were once again present, and participating electronically in accordance with By-law 7771/20.

4. Delegations

- 4.1 Michael May, North East Pickering Landowners Group Inc.
Lucy Stocco, Tribute Communities
Re: Report PLN 31-21
Northeast Pickering Area
Request for Proposals Particulars for Preparation of a Community Plan for
Northeast Pickering
Funding Agreement for Consulting Assistance
Funding Agreement for a Senior Project Manager

Michael May, North East Pickering Landowners Group Inc. joined the electronic meeting via audio connection to speak in support of Report PLN 31-21. He noted that the group is committed to the funding requirements and would cover the non-recoverable Development Charges amount. Mr. May further stated the Group would cover the cost of a 3 year contract position for a senior project manager to coordinate the Northeast Pickering Community Plan process. The Plan would focus on the mental and physical well-being of the residents, and sustainability of the area. He advised that the group is actively participating in the Region's Municipal Comprehensive Review (MCR) process and recently requested a sediment area expansion consistent with Council Resolution #140-19. He thanked staff for their efforts and noted his availability to answer questions.

- 4.2 Mike Borie
Re: Report PLN 29-21
The Municipal Comprehensive Review of the Durham Regional Official Plan:
Proposed Policy Directions

Mike Borie, 1044 Escott Court, joined the electronic meeting via audio connection and spoke in opposition to Report PLN 29-21, recommendation 1. He noted that endorsing the recommendation would be questionable as no plans exist for an airport. He spoke to the COVID-19 Pandemic effect on the airline industry and noted Transport Canada demonstrated that there was no need for an airport until 2036 through the KPMG study. Mr. Borie highlighted that the airport is not needed and quoted the Envision Durham Stage 1 Public Survey results, noting that the results do not align with the need for a future Pickering airport. He asked where food would come from, and what portion of the Region's carbon budget an airport would consume, and how emissions would be mitigated. He noted the lands are being held for a potential airport and nothing is concrete, noting that the choice of wording in Report PLN 29-21 was misleading and that the project would impact farmland, wildlife habitat, waterways, and Indigenous lands. Mr. Borie stated the lands border Rouge National Park and should be considered an asset, and the ecological integrity of the lands needed to be protected. He suggested the lands

are better suited to agri-food tourism to meet ecological goals with agri-food as the foundation for economic development. Mr. Borie asked that the City utilize resources on more pertinent items, and that the question of an airport should be decided after 2036, as there could be major changes from now until then.

- 4.3 Mary Delaney
Re: Report PLN 29-21
The Municipal Comprehensive Review of the Durham Regional Official Plan:
Proposed Policy Directions

Mary Delaney, Pickering Resident, joined the electronic meeting via audio connection to expressed concern regarding Report PLN 29-21. She spoke about the airport being a Federal Government decision and that the KPMG study identified that there is currently no business case for an airport. Ms. Delaney asked why Council continues to embed the airport land in official planning documents when there are no plans for an airport. She spoke to the particulars of the KPMG study, and asked that the lands be promoted for a realistic use such as agri-tourism, on agricultural soil adjacent to a Federal National Park.

- 4.4 Brandon Underwood
Re: Report PLN 29-21
The Municipal Comprehensive Review of the Durham Regional Official Plan:
Proposed Policy Directions

Brandon Underwood, 1215 Bayly Street, joined the electronic meeting via audio connection and spoke to Report PLN 29-21. He sought clarification on why the City continues to encourage an airport on lands that it does not have jurisdiction over. Mr. Underwood stated young people are losing hope and feel a lack of purpose, and that progressives need hope for a prosperous future, and the pandemic has exasperated this need. Mr. Underwood spoke about the history of Easter Island and deforestation, which caused the ecosystem to collapse. Mr. Underwood spoke of the need for local sustainable food sources and asked the Committee to listen to residents and stop encouraging an unplanned airport. He spoke to the need for the City to create an Environmental Advisory Committee to provide input on environmental matters and build a true green economy to ensure the City and planet are sustainable.

- 4.5 Mark Brooks, Moderator
Friends of Pickering Airport (PickeringAirport.org)
Re: Report PLN 29-21
The Municipal Comprehensive Review of the Durham Regional Official Plan:
Proposed Policy Directions

Mark Brooks, Friends of Pickering Airport, joined the electronic meeting via audio connection and spoke in support of Report PLN 29-21 and the planned Pickering airport. Through the aid of a PowerPoint presentation, he highlighted that the flight school is out of space and is being removed to reduce congestion at the Oshawa Executive Airport. Mr. Brooks stated the airport would be transformational and critical to the Region. He noted that aviation is the cornerstone of a world capitalist economy and there are technologies being executed for net zero carbon efficiency in aviation. He spoke to the tax revenue that can be earned and generated through an airport, and need for aviation capacity and growth in the GTA, and the need for aviation infrastructure to support this growth. Mr. Brooks spoke to how Toronto aviation traffic has been growing at a fast rate, and there is a constant demand for aviation services as the GTA grows. Mr. Brooks noted the KPMG report includes a sound business case for the airport and the lands are ideally located for this use to relieve congestion, and be prepared for innovation in aviation. Mr. Brooks stated aviation is an efficient mode of transportation with net zero carbon aviation and new planes being developed to get better gas mileage, with electric and drone technology on the horizon to be carbon neutral and emissions free. He stated that local accessible airports are needed for this innovation.

A question and answer period ensued between Members of the Committee and Mark Brooks regarding:

- how the Friends of Pickering Airport is made up of aviation enthusiasts and commercial pilots, with volunteers who give their time and effort to dispel misinformation;
- whether there had been discussions with the City's economic development team, with Mr. Brooks confirming that he had met with them in passing and was willing to collaborate;
- how the KPMG study commissioned by Transport Canada may have two different visions, and confirmation that it outlines a need for a new airport in southern Ontario;
- how there is a plan for Regional electric and sustainable aviation with modern equipment that is efficient and can be carbon-neutral;
- how the site can be a global example to potentially connect modern farming and aviation; and,
- how sustainable aviation fuels with new technology and modern equipment would become the cheaper and more reliable mode of transportation, which would be emissions free and the need for land capacity for this innovative technology.

5. Planning & Development Reports

- 5.1 Director, City Development & CBO, Report PLN 28-21
Pickering Housing Strategy Study
- Status Update, Phase 2

A question and answer period ensued between Members of the Committee and City Development Staff regarding:

- the number of stages in the Housing Strategy Study, confirmation of the current phase, and timelines to commence phase 3 in the fall of 2021;
- the need to measure the success of the Strategy and how project milestones would accomplish this. Kyle Bentley, Director, City Development & CBO, advised that staff are focusing on 6 key areas, and action plans would be developed with key performance measures;
- confirmation that section 6.2 of Report PLN 28-21 outlined a monitoring plan that included measurable actions to meet the objectives of the Strategy;
- how the Housing Strategy would complement the City's Official Plan and Zoning By-Law, as well as the Regional Official Plan, and other documents, to ensure there are design guidelines, and potential housing tools such as requiring a percentage of housing to be consistent with recommendations for aging communities, affordable housing, and other implementation tools. Mr. Bentley noted that staff are considering these aspects in a multi-pronged approach during the entirety of the planning process; and,
- how the draft action plan relates to policy to see where amendments need to occur to strengthen housing policies, such as protecting rental stock, secondary units, and refining the definition of affordable housing to support implementation.

Recommendation:

Moved by Councillor Brenner
Seconded by Councillor McLean

That Report PLN 28-21 of the Director, City Development & CBO, providing an update on the status of the City of Pickering Housing Strategy Study, be received for information.

Carried

- 5.2 Director, City Development & CBO, Report PLN 29-21
The Municipal Comprehensive Review of the Durham Regional Official Plan:
Proposed Policy Directions

A question and answer period ensued between Members of the Committee and Staff regarding:

- how the purpose of the report was to provide City comments to the Envision Durham's Proposed Policy Directions on the Regional's comprehensive review of their Official Plan;
- how the Envision Durham's Proposed Policy Directions included references to proposed airport lands, as identified on their respective maps;
- how at the City level, staff are not implying any changes, only reiterating what is captured in current documents that are publicly available;
- how the Federal Government has jurisdiction over the lands. Mr. Bentley reiterated language in the current City Official Plan referencing the Federal lands for a proposed airport;
- how the City has been approached by a silicon valley company that would like to partner with a City company on green initiatives that would decrease carbon footprint, and wipe out acid rain and how this would be explored further and brought to Council at the applicable time;
- how there is no new language being proposed, and that the lands are currently designated as an airport site with permission to use for agricultural purposes;
- how the Region's Official Plan proposed policy directions speak to a number of initiatives such as growing the tree canopy, rural system connectivity and sustainable development;
- whether there was a planned future Pickering airport. Mr. Fiaz Jadoon, Director, Economic Development & Strategic Projects, noted the lands are identified as a proposed site and designated for airport use, the lands have been reduced to 8,700 acres and a smaller airport is needed, with the additional land being used for economic development purposes;
- how the KPMG report examined the types of airport and conducted an analysis based on several different scenarios. The airport may be required ahead of 2036 based on industry needs as there is no other commercial airports in the area, and that there may be a need for a passenger specialty type of airport;
- how a business case would be presented to Transport Canada and not the City, noting that a business case does not need to be focused on passenger growth and that a business case for an industrial based airport would align with the KPMG report; and,
- clarification regarding the language in the report of it being a major catalyst for economic development and what funds would be needed to realize and promote a future planned airport, with Mr. Jadoon advising that there was no funding planned for this purpose and that no further events had been held in recent times to promote a proposed airport.

Recommendation:

Moved by Mayor Ryan

Seconded by Councillor Ashe

1. That Council endorse the following recommendations regarding Envision Durham's Proposed Policy Directions in support of a Prosperous Economy (Proposed Directions 1-4):
 - a. That the City Centre, Kingston Road Corridor and Brock Mixed Node Intensification Areas, Employment Lands in Seaton and along Highway 407, and the planned employment hub surrounding the Federal Airport lands be prioritized for adequate servicing to support economic growth and diversification and to accommodate the 2051 growth forecasts; and,
 - b. That the planned future Pickering Airport be recognized as a major catalyst for economic development and diversification;
2. That Council endorse the following recommendations regarding Envision Durham's Proposed Policy Directions in support of Healthy Communities (Proposed Directions 5-28):
 - a. That the Goals for Healthy Communities be expanded to:
 - i. align with the Canadian Institute of Planners' Healthy Communities Policy Statement to ensure individuals have access to healthy built, social, economic, and natural environments that give them the opportunity to live to their fullest potential, regardless of their race, ethnicity, gender, income, age, abilities, or other circumstances; and,
 - ii. align with objectives or outcomes from the Region's Community Safety and Well-being Plan, Age-Friendly Durham Strategy;
 - b. That the City supports the inclusion of policies regarding the implementation of a region-wide building retrofit program, and recommends that the Regional Official Plan (ROP) include broader policy direction around additional initiatives and incentives to encourage and enable energy efficient construction and green building design, including net-zero and net-zero ready development;

- c. That the City supports the inclusion of tree canopy targets for urban areas and rural areas in the ROP, following the identification of the current baseline, as well as the inclusion of policy direction in support of Regional tree planting initiatives along regional roads and on regionally-owned properties where appropriate;
- d. That in addition to recognizing and supporting historic downtowns, the Region include robust policies in the ROP related to cultural heritage that conform with, and implement, provincial policy direction and other regional interests related to heritage;
- e. That with regard to the proposed policy directions related to Housing:
 - i. the City supports the Region undertaking a Regional Housing Assessment Report (Assessment Report) and developing policies that would enable area municipalities to implement Inclusionary Zoning within their respective jurisdictions;
 - ii. the City recommends the establishment of affordable housing targets for Strategic Growth Areas in the ROP be based on the outcome of the Assessment Report, rather than assigning a 35 percent target prior to evaluation;
 - iii. the City supports the policy direction to strengthen the rental to ownership housing conversion policies in the ROP and further recommends that when considering permission for conversion from a rental to ownership property, the Region:
 - consider increasing to greater than one year, the number of years required to maintain the minimum rental vacancy rate of 3 percent in both the region as a whole and the respective area municipality; and,
 - require a Regional Official Plan Amendment Application if the rental vacancy rate is below 3 percent;
 - iv. the City supports the proposed policy direction to encourage area municipalities to protect existing rental housing from demolition by using tools, such as a demolition control by-law, and recommend this be expanded upon, particularly in

locations such as Strategic Growth Areas or areas in proximity to transit, where existing rental housing may be older and therefore more susceptible to demolition and redevelopment; and,

- v. the City recommends policies be included in the ROP to support “co-ownership housing” and that enable municipalities to address this type of housing in a local and context-specific manner.
3. That Council endorse the following recommendations regarding Envision Durham’s Proposed Policy Directions regarding Supportive Infrastructure (Proposed Directions 29-33):
- a. That the City encourages the development of a Regional “Dig Once” policy as it would align with, and support, the City’s policy and interest in broadband deployment; and,
 - b. That the City recommends policies be included in the ROP that encourage the Region to work with the provincial government to upgrade the existing infrastructure to support renewable and alternative energy projects;
4. That Council endorse the following recommendations regarding Envision Durham’s Proposed Policy Directions in support of a Vibrant Urban System (Proposed Directions 34-53):
- a. That the City supports the direction that Waterfront Places (e.g., Frenchman’s Bay) not be identified as Strategic Growth Areas and recommends that any policies referring to minimum density targets for these areas be removed if this designation is retained in the ROP;
 - b. That the City supports removal of the existing specific policy prohibition on Places of Worship within Employment Areas, and the proposed direction that area municipalities would regulate the location of these uses;
 - c. That the City requests that the Employment Area Conversion submission for the Durham Live lands between Squires Beach Road and Church Street, which has been supported by City Council, be considered through the Land Needs Assessment;

- d. That the City requests that the Region have regard to Pickering Council Resolutions #140/19 and #173/19 (Attachments #2 and #3 to Report PLN 29-21) requesting, among other things, the inclusion of northeast Pickering in an urban area boundary expansion; and,
 - e. That the City recommends the Land Needs Assessment consider a scenario reflecting a future airport and the potential implications it may have in terms of population and employment allocation and growth;
5. That Council endorse the following recommendations regarding Envision Durham's Proposed Policy Directions in support of a Thriving Rural System (Proposed Directions 54-65):
- a. That the City recommends the goals and directions with regard to the Thriving Rural System in Durham be expanded to also support the provision of reliable internet services to the rural area; and,
 - b. That the City requests that the designation of High Potential Aggregate Resource Areas on lands within the limits of Settlement Areas (e.g., Barclay Estates) be removed;
6. That Council endorse the following recommendations regarding Envision Durham's Proposed Policy Directions in support of a Protected Greenlands System (Proposed Directions 66-85):
- a. That the Region consider requesting the Province to make resources available to Indigenous Peoples to facilitate the sharing of Traditional Ecological Knowledge; and,
 - b. That the City recommends the Region, through coordinated relationship-building and consultation with Indigenous communities, endeavour to provide guidance to local area municipalities in terms of establishing appropriate engagement processes to facilitate input on land use planning matters;
7. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report; and,
8. That a copy of Report PLN 29-21 and Council's Resolution thereon be forwarded to the Regional Municipality of Durham and Durham Area Municipalities.

Carried Later in the Meeting (See Following Motions):

Moved by Councillor Brenner
Seconded by Councillor McLean

That Item 1 a and 1 b be divided from the main motion in order to deal with them separately.

Lost on a Recorded Vote as Follows:

Yes
Councillor Brenner
Councillor McLean

No
Councillor Ashe
Councillor Butt
Councillor Cumming
Councillor Pickles
Mayor Ryan

Moved by Councillor Brenner
Seconded by Councillor McLean

That Item 1 a of the main motion be amended to read as follows:

That the City Centre, Kington Road Corridor and Brock Mixed Node Intensification Areas, Employment lands in Seaton and along Highway 407, and the planned employment hub surrounding the Federal lands that are proposed for a Pickering Airport, be prioritized for adequate servicing to support economic growth and diversification and to accommodate the 2051 growth forecasts.

Lost on a Recorded Vote as Follows:

Yes
Councillor Brenner
Councillor McLean

No
Councillor Ashe
Councillor Butt
Councillor Cumming
Councillor Pickles
Mayor Ryan

A further question and answer period ensued between Members of the Committee, and Staff regarding:

- whether the terminology being used was correct, and inconsistencies of language across several documents;

- how discussion on the airport had overshadowed other pertinent and important items through Report PLN 29-21;
- whether the proposed policy direction document from the Region speaks to Federal airport lands;
- how the timeframe for the Regional Official Plan review is to 2051, and that no new information was being presented;
- how the Federal Government regulations need to be incorporated in official planning documents for uniformity; and,
- clarifying language at the staff level with the Region of Durham to provide for consistency and how to refer the Federal lands and their intended purpose.

The Main Motion, was then Carried on a Recorded Vote as Follows:

Yes

Councillor Ashe
Councillor Butt
Councillor Cumming
Councillor Pickles
Mayor Ryan

No

Councillor Brenner
Councillor McLean

Moved by Councillor McLean
Seconded by Councillor Brenner

That the Planning and Development Meeting be extended beyond midnight.

Carried

- 5.3 Director, City Development & CBO, Report PLN 31-21
Northeast Pickering Area
Request for Proposals Particulars for Preparation of a Community Plan for
Northeast Pickering
Funding Agreement for Consulting Assistance
Funding Agreement for a Senior Project Manager

A brief question and answer period ensued between Members of the Committee, and Catherine Rose, Chief Planner, regarding:

- clarification on the timelines for the development of Northeast Pickering, with Ms. Rose noting there was a policy in the Region's Official Plan

regarding urban boundary expansion to outline a process to initiate a secondary plan for a new proposed community in Northeast Pickering but that it could not be completed until there was an update to the Carruthers Creek Watershed Plan and consideration of the build out of Seaton lands;

- consideration of the development community in Seaton to allow them to build out before NE Pickering could be to develop;
- how there are Provincial growth plans that identify existing built-up area, and designated greenfield areas and the use of the term Whitebelt as it relates to the NE Pickering lands;
- confirmation that there would not be a burden to the taxpayers for the development of NE Pickering, only staff time, as it is being funded by the landowners group; and,
- how shortage of available housing has created difficulties and longer planning horizons to be used for land use assessments.

Recommendation:

Moved by Mayor Ryan

Seconded by Councillor Cumming

1. That Council approve the draft “Appendix D – Request for Proposals Particulars Northeast Pickering Community Plan”, which identifies the deliverables, including scope of work, project management, consultation and engagement, and timetable, for the consulting assignment for the preparation of an overall community plan for the Northeast Pickering Area for the consideration of Council, generally as set out in Appendix I to Report PLN 31-21;
2. That Council approve the funding agreement between the North East Pickering Landowners Group Inc. and the City of Pickering, for the hiring of a planning consulting team to prepare a Community Plan for the Northeast Pickering Area, generally as set out in Appendix II to Report PLN 31-21;
3. That Council approve the funding agreement between the North East Pickering Landowners Group Inc. and the City of Pickering, for the hiring of a Senior Project Manager (contract) dedicated to managing the preparation of the overall community plan for the Northeast Pickering Area, generally as set out in Appendix III to Report PLN 31-21;
4. That the Mayor and City Clerk be authorized to execute the funding agreements subject to any minor refinements acceptable to the Chief Administrative Officer, the Director, Corporate Services & City Solicitor and the Director, Finance & Treasurer;

5. That staff be authorized to issue Request for Proposals for the overall Northeast Pickering Community Plan, subject to any minor refinements to the project particulars acceptable to the Director, City Development & CBO and the Director, Economic Development & Strategic Projects, following the execution of the funding agreements and the hiring of the contract Senior Project Manager;
6. That staff report back to Council on the recommended planning consulting team; and,
7. That Council authorize the appropriate City officials to undertake the necessary actions required to implement the above recommendations.

Carried on a Recorded Vote as Follows:

Yes
Councillor Ashe
Councillor Brenner
Councillor Butt
Councillor Cumming
Councillor Pickles
Mayor Ryan

No
Councillor McLean

6. Other Business

There was no other business.

7. Adjournment

Moved by Mayor Ryan
Seconded by Councillor Cumming

That the meeting be adjourned.

Carried

The meeting adjourned at 12:17 am.



Sent via email

May 11, 2021

Mayor Dave Ryan
City of Pickering

Dear Mayor Ryan;

Thank you for your letter of May 3, 2021, regarding the City of Pickering's expression of interest in being the host municipality for a future acute care hospital in Durham Region. We agree that ensuring the location of a new hospital must be in the best interest of patients and the communities we serve.

As you can appreciate, Lakeridge Health is very much focused on the third and most aggressive wave of the pandemic. However, we are hopeful that the demands of the COVID-19 response will subside in the weeks ahead and that we will be in a position to have a thoughtful conversation with you and members of the broader community about the potential for a new acute care hospital in Durham Region and the appropriate process to support this effort.

On behalf of Lakeridge Health, thank you to the City of Pickering for its continued interest in the delivery of high-quality health care that will benefit Durham Region for generations to come.

Sincerely

A handwritten signature in black ink that reads "Cynthia Davis".

Cynthia Davis
President and CEO

CC:

The Honourable Steve Clark, Minister of Municipal Affairs and Housing
The Honourable Christine Elliott, Minister of Health
The Honourable Peter Bethlenfalvy, MPP Pickering-Uxbridge
Rod Philips, MPP Ajax
Lorne Coe, MPP Whitby
Jennifer French, MPP Oshawa
Lindsey Park, MPP Durham
Laurie Scott, MPP Haliburton-Kawartha Lakes-Brock
John Henry, Chair, Region of Durham
Chief Administrative Officer



Sent by email

May 3, 2021

Cynthia Davis
President and CEO, Lakeridge Health
cynthiadavis@lh.ca

Subject: Proposed Acute Care Hospital
- Expression of Interest
File: A-1000-002

I am writing to inform you that the City of Pickering is formally expressing its interest in being the host municipality for Lakeridge Health's proposed acute care hospital. Our overarching goal is to pursue what is best for the patient and what will benefit our region as a whole. And as such, we are committed to the tenets of fairness, transparency, accountability, and collaboration.

We are offering our support to the Lakeridge Health Board of Trustees should they require input in developing a process that would ensure fairness and transparency for all interested parties, which would include clear and consistent communications; timing expectations; access to information on the master plan for this new build; stated expectation of municipal partners; and a transparent RFI/RFP methodology.

Further, we understand that Lakeridge Health will be retaining an independent and non-biased fairness commissioner to evaluate processes and proposals. We fully support this and believe our shared objective should be to ensure that the best location will be chosen based on clear and pre-published evaluation metrics.

With all interested municipalities and stakeholders working in a fair and collaborative manner, it will make for a stronger and more compelling case for the Province of Ontario to ultimately fund and build this much-needed new hospital.

Notwithstanding that Pickering will have the largest population in Durham Region by 2050, we are offering a premier site at Highway 407 between Westney Road and Salem Road, which is very accessible to residents of Pickering, Uxbridge, Ajax, Whitby, and north Oshawa.

Coupled with its proximity to Highway 412 and easy connection to Highway 401, the site would complement Lakeridge Health's existing network, and would conveniently serve the majority of Durham Region residents. Equally as important, this strategic location would be able to attract users from Markham and York Region while also ensuring that our residents will not have to go to the Markham-Stouffville Hospital for their healthcare needs.

At this time, we are asking Lakeridge Health to look beyond the single lens of a bricks and mortar facility. Rather, what we envision is the creation of a brand new, healthy, sustainable, and complete community with the new hospital as its heart.

Imagine a community that will be focused on healthy people and healthy environment - utilizing science-based models focusing on what makes people and communities thrive. As the embodiment of this ethos, the new hospital would become both the pillar and the lifeblood of this community. And as the community grows, the hospital would be able to grow in conjunction with it. The site offers ample land to both expand the hospital's footprint and build adjacent medical buildings.

It should also be noted that Pickering is an affluent community and its residents and businesses wield significant economic clout. Equally as important, the breadth and scope of community support for our hospital and enhancing local healthcare has been demonstrated many times over. By tapping into this deep-rooted commitment to community, we would be able to raise significant resources to support both the new build and its ongoing operations. For example, the Mayors' Charity Golf Classic has raised \$4 million for the Ajax-Pickering Hospital; the Image is Everything MRI campaign generated \$5.3 million in a year's span; and the Pickering Mayor's Gala has raised over \$1.5 million for the hospital and \$500,000 for other charities.


We have established a Pickering Hospital Task Force, which is comprised of a broad and diverse array of community stakeholders who sincerely believe that northeast Pickering is the very best location for Lakeridge Health's new hospital.

We look forward to receiving your acknowledgement and response.

Yours truly



Dave Ryan
Mayor, City of Pickering



Janet Ecker
President, Kilwauhter Consulting



Geoffrey Grayhurst
CEO, Dorsay Development Corporation



Mark Guinto
Manager, Public Affairs & Corporate
Communications



Daniel Hoornweg
Associate Dean, Associate Professor,
Richard Marceau Chair



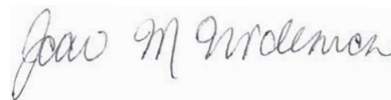
Fiaz Jadoon
Director, Economic Development & Strategic
Projects



Victor Sgro
Senior Partner, Walker Head



Lucy Stocco
Executive Vice President, Tribute
Communities



Joan Wideman
Vice President, Corporate Services, The
Lenbrook Group of Companies

Copy: The Honourable Steve Clark, Minister of Municipal Affairs and Housing
The Honourable Christine Elliott, Minister of Health
The Honourable Peter Bethlenfalvy, MPP, Pickering-Uxbridge
Rod Philips, MPP, Ajax
Lorne Coe, MPP, Whitby
Jennifer French, MPP, Oshawa
Lindsey Park, MPP, Durham
Laurie Scott, MPP, Haliburton-Kawartha Lakes-Brock
John Henry, Chair, Region of Durham

Members of Pickering Council
Chief Administrative Officer

From: LH Communications <Communications@lh.ca>

Sent: Wednesday, May 26, 2021 11:00 AM

Subject: Sent on behalf of Cynthia Davis, President & CEO, Lakeridge Health and Sharon Cochran, Board Chair, Lakeridge Health Re: Independent Site Selection Process for a Potential Future New Hospital in Durham Region

As Lakeridge Health continues to navigate the third wave of the COVID-19 pandemic, planning has resumed on the commitment to build a long-term, robust and integrated, regional health care system for the residents of Durham Region.

We are pleased to inform you that the Lakeridge Health Board of Trustees has determined that, as part of the hospital's Master Plan, a critical step forward is launching the process for the selection of a site for the proposed new Durham Region hospital. This is an important part of ensuring that we can continue to meet evolving community health care needs well into the future.

An Independent Expert Panel will be responsible for all aspects of the site selection process. The Panel will be supported by an Executive Lead, as well as a Fairness Advisor who will help ensure a transparent and unbiased process.

Please know, community updates will be provided as the process unfolds, including opportunities for input at key milestones. This is an exciting opportunity to support shaping the future of high-quality health care across communities in Durham Region.

For more information, please see the attached news release.

We look forward to this essential phase in planning for the future of health care in one of Ontario's largest communities.

Sincerely,

Cynthia Davis
President & Chief Executive Officer

Sharon Cochran
Chair of the Board of Trustees

May 26, 2021

Building the future health care system in Durham Region

Lakeridge Health resumes Master Plan priorities with independent site selection process for proposed new hospital

Durham Region – While Lakeridge Health continues to remain vigilant during the third wave of the COVID-19 pandemic, planning has resumed on the commitment to build a long-term, robust and integrated, regional health care system for the residents of Durham Region.

“As we manage this third wave, we are beginning to re-focus on system building, as part of our vision of *One System, Best Health*.” said Cynthia Davis, President and CEO, Lakeridge Health. “While we resume this important work, it will be critical that key pandemic learnings, and how the delivery of medical and health care has changed as a result, inform the future development of the Lakeridge Health system.”

The proposed development of a new hospital in Durham Region is a major component of the hospital’s Master Plan, which serves as a roadmap for the future of health care delivery in Durham Region. Based on demand, evidence, and growth projections, Lakeridge Health is planning for inpatient bed growth of almost 1,000 beds to meet projected demand over the next 25 years. Anchoring this plan are recommended key capital investments and upgrades, including the expansion and redevelopment of Bowmanville Hospital and the new hospital.

Lakeridge Health’s Board of Trustees has determined that an important step forward is launching the process for identifying and protecting a site for a proposed new hospital.

“This will benefit all of Durham Region and define the future of a coordinated system of health care for generations to come,” said Sharon Cochran, Chair of the Board of Trustees, Lakeridge Health. “It will be important that the path forward focuses on unified support of a new hospital facility in Durham Region, the learnings of other hospitals, and the siting requirements required to support our Master Plan.”

Independent Expert Panel – Site Selection Process

This work to protect a site for a proposed new hospital will be focused on a clear, transparent, and well-communicated process. It will be overseen by the Board of Trustees and implemented by an Independent Expert Panel. The Panel will be supported and guided by an independent Executive Lead, and a Fairness Advisor will also be appointed.

The Independent Expert Panel will be responsible for all aspects of the site selection process, including establishing criteria to evaluate each site that is brought forward from interested parties. After evaluating all site proposals, the Panel will make a recommendation for the preferred site to the Board of Trustees, who will then make a recommendation to the Minister of Health on which site to protect for future hospital use.

As this process unfolds, Lakeridge Health will announce additional details on the Independent Expert Panel, the selection process, and timelines. The process will include regular communications and opportunities for community input at defined milestone activities.

-30-

For information contact:
Communications@lh.ca

To: Mayor and
Members of Council

June 18, 2021

From: Elizabeth Martelluzzi
Planner II, Heritage

Copy: Chief Administrative Officer
Directors
Chief Planner

Subject: Heritage Pickering Advisory Committee
2020 Year End Report and 2021 Workplan

The Heritage Pickering Advisory Committee (Heritage Pickering) is pleased to present its 2020 accomplishments and proposed 2021 Work Plan. Heritage Pickering held 5 meetings in 2020 and the following tasks were completed:

2020 Accomplishments

- Researched grants and other funding programs from surrounding municipalities, which incentivize owners to maintain and restore their heritage properties.
- Reviewed and recommended approval of a draft Heritage Property Tax Incentive By-law.
- Received information from the City Development Department regarding the Infill & Replacement Housing in Established Neighbourhoods Study (Draft Phase 3).
- Received and recommended approval of the Heritage Impact Assessment, and proposed retention and restoration of the Old Liverpool House, as part of a Zoning By-law Amendment Application (A 08/19), located at 1294 Kingston Road.
- Retained Branch Architecture to undertake a Cultural Heritage Evaluation Report for 401 Kingston Road, 301 Kingston Road, 882-886 Kingston Road (St. Paul's On-the-Hill Anglican Church) and 1 Evelyn Avenue.
- Based on the conclusions of the Cultural Heritage Evaluation Report, prepared by Branch Architecture, recommended to Council that 401 Kingston Road, 301 Kingston Road, 882-886 Kingston Road and 1 Evelyn Avenue be listed on the City of Pickering Municipal Heritage Register, and recommended that staff pursue designation of 882-886 Kingston Road (St. Paul's-On-the-Hill Anglican Church).

- Reviewed the City-Initiated Official Plan Amendment for the Kingston Mixed Corridor and Brock Mixed Node Intensification Areas (OPA 20-004/P), and recommended that the heritage properties along Kingston Road (401 Kingston Road, 301 Kingston Road, 882-886 Kingston Road (St. Paul's On-the-Hill Anglican Church) and 1 Evelyn Avenue) be identified in future mapping schedules.
- Reviewed and commented on a Cultural Heritage Evaluation submitted in support of a Draft Plan of Subdivision and a Zoning By-law Amendment Application (SP-2020-02 and A 10/20) for 450 Finch Avenue, Medallion Developments (Pickering Finch Ltd), and recommended to Council that the property be listed on the City of Pickering Municipal Heritage Register and that the heritage study be revised as per the recommendations of the City's Peer Reviewer.
- Received information from staff regarding 3 Heritage Permits approved with Delegated Authority by the Director of City Development Department (located at 3180 Byron Street, 472 Churchwin Street and 560 Park Crescent).

2021 Workplan

- Retain Branch Architecture to assist City Development staff to create a Terms of Reference for Heritage Impact Assessments.
- Continue to provide input as part of the ongoing consultation for Durham Bus Rapid Transit (BRT), specifically mitigating impacts to heritage properties.
- Continue to review Heritage Permit applications for properties located in the Whitevale Heritage Conservation District and for individually designated properties.
- Continue to provide recommendations regarding heritage lots in Seaton and pursue designation opportunities.
- Continue to provide comments on development applications for properties that are located in or adjacent to the Whitevale Heritage Conservation District, designated and listed properties, or properties with potential significant resources.
- Continue to identify and conduct background research for properties that exhibit potential heritage significance.
- Prepare required materials for Council's consideration for properties recommended to be designated under Part IV of the *Ontario Heritage Act*.
- Continue to identify and pursue training opportunities to expand knowledge and information on Heritage related news, resources, and legislation to Committee members, Council, and staff.
- Continue to provide comments on the proposed City-Initiated Official Plan Amendment for the Kingston Mixed Corridor and Brock Mixed Node Intensification Areas (OPA 20-004/P).

- Continue to receive submissions and comment on the proposed development, restoration and move of the Old Liverpool House as part of a Zoning By-law Amendment Application (A 08/19), located at 1294 Kingston Road.
- Continue to receive submissions and comment on the proposed development of the Post Manor as part of an Official Plan Amendment and Zoning By-law Amendment Application (OPA 20-008/P and A 13/20), located at 1970 Brock Road.
- Work collaboratively with the applicant for the proposed development of the Barber House, as part of a Draft Plan of Subdivision and a Zoning By-law Amendment Application (SP-2020-02 and A 10/20), located at 450 Finch Avenue.
- Encourage the development of a publicly accessible heritage mapping tool.

Submitted on behalf of the Heritage Pickering Advisory Committee:

Current Membership:

Sherry Croteau
Jennifer Dempsey
David Fellin
Jed Irwin
Wickham Jamadar
Emil John
Asim Khan
Richard Smiles
Charles Sopher

EM:jc

J:\Documents\Administration\A-3300 Historical Heritage Conservation\Workplans\2021\2021 DRAFT Heritage Pickering Workplan.docx

From: "O'Connell, Jennifer - M.P." <Jennifer.OConnell@parl.gc.ca>
Date: June 18, 2021 at 4:33:01 PM EDT
To: Mayor Web Email <mayor@pickering.ca>, "Ashe, Kevin, Councillor" <kashe@pickering.ca>, "Brenner, Maurice, Councillor" <mbrenner@pickering.ca>, "McLean, Bill, Councillor" <bmclean@pickering.ca>, "Cumming, Ian, Councillor" <icumming@pickering.ca>, "Butt, Shaheen, Councillor" <sbutt@pickering.ca>, "Pickles, David, Councillor" <dpickles@pickering.ca>
Subject: **Enabling Accessibility Fund Programs**

Dear Mayor Ryan and Members of Pickering City Council,

I know that ensuring accessible communities is a shared priority of ours as elected representatives and community leaders. That is why I wanted to share a recent announcement by the Government of Canada regarding the Enabling Accessibility Fund (EAF). Last week, the Minister of Minister of Employment, Workforce Development and Disability Inclusion, Carla Qualtrough announced two calls for proposals under the Enabling Accessibility Fund's Mid-sized projects and Youth Innovation components.

The Mid-sized projects component provides contributions of up to \$1 million to support larger retrofit, renovation or construction projects in facilities that house programs and services that help increase social participation and labour market opportunities for persons with disabilities in Canada. The Youth Innovation component seeks to engage and challenge youth between 15 and 30 years of age, to volunteer and collaborate with local organizations in their communities to secure funding of up to \$10,000 for accessibility projects.

For the Mid-sized projects component, organizations can submit project proposals for funding from \$350,000 up to \$1 million. The call for proposals is open until July 29, 2021. For more information on eligibility and to access the application portal, visit: <https://www.canada.ca/en/employment-social-development/services/funding/enabling-accessibility-fund-mid-size.html>

For the Youth Innovation component, youth working in partnership with not-for-profit organizations, for-profit organizations, municipalities, and Indigenous organizations are eligible to apply for project funding of up to \$10,000. Youth must submit their expressions of interest by October 29, 2021, and organizations working with youth have until November 30, 2021 to submit a project proposal. For more information on eligibility and to access the application portal, visit: <https://www.canada.ca/en/employment-social-development/services/funding/enabling-accessibility-fund-youth-innovation.html>

Through Budget 2021, the Government committed additional funding of \$100 million over two years to the EAF starting in 2021-22, that will triple funding to support small and mid-sized projects with not-for-profit organizations, women's shelters, municipalities, Indigenous organizations, territorial governments, and businesses of all sizes. In addition, \$29.2 million under the Budget was committed over two years to help children with disabilities by supporting childcare centres to make the physical upgrades needed to improve the accessibility of their facilities.

Moving forward, the Government of Canada will continue to listen and consider the needs and interests of persons with disabilities, while focusing its efforts in a safe and inclusive restart of Canada's economy.

Yours sincerely,
Jennifer O'Connell



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Jennifer O'Connell
Member of Parliament, Pickering-Uxbridge and
Parliamentary Secretary to the Minister of Health

Valour Building, Room 530, Ottawa, ON K1A 0A6
Tel: (613) 995-8082 | Fax: (613) 993-6587

4-1154 Kingston Road, Pickering, ON L1V 1B4
Tel: (905) 839-2878 | Fax: (905) 839-2423

From: Brian Duffield
(Acting) Director, Community Services

Subject: Request for Additional Funding for Consulting Services
- Tillings Operations Yard Remediation (Phase 2)
- File: A-1440

Recommendation:

1. That the additional fee proposal and project costs as submitted by Cambium Inc. in the gross amount of \$346,235.00 (HST included), and the net amount of \$311,795.00 (net HST rebate) for Phase 2 to increase the scope of work to allow for the remediation of the Tillings Operations Yard, in accordance with Purchasing Policy, Item No. 10.03 (c) be accepted;
2. That the total estimated consulting costs including the additional costs of Phase 2 amount referenced in Recommendation 1 in the amount of \$482,856.00 (net HST rebate) be approved;
3. That the Director, Finance & Treasurer be authorized to finance the additional fee referenced in Recommendation 1 in the amount of \$311,795.00 by a transfer from the Operations Centre Reserve Fund; and,
4. That the appropriate City of Pickering officials be authorized to take the necessary action to give effect hereto.

Executive Summary: Cambium Inc. was retained by the City in April 2019 under Report CS 01-19, based on RFP-13-2019, to undertake testing and investigations required to determine the location, type and quantity of soil contamination at the former Public Works yard located at 2570 Tillings Road. Active use of the site ended in July 2019, with all of the existing buildings having been demolished above grade by May 2020. A Phase 2 Environmental Site Assessment (ESA) has since been completed and identified a variety of contaminants throughout the site that are consistent with its prior use.

Remediation of the identified contaminants of concern is possible, with the exception of salt which reaches a significant depth and has been consistently found in ground water throughout the site. It will not be possible to fully remediate this condition to meet a class 1 or class 2 soil condition in accordance with Ministry of the Environment, Conservation and Parks standard tables. Further work is also required to confirm the vertical delineation of contaminants found to date. Next steps involve the completion of a supplemental Phase 2 ESA and preparation of a Risk Assessment that will be submitted to the Ministry in order to achieve a site specific classification. Once approved, the site specific classification will enable the City to complete the required site works and obtain the Record of Site Condition (RSC) necessary to prepare the property for sale.

Subject: Consulting Services for the Remediation and Demolition of the Tillings Road Operations Centre (Phase 2)

This report addresses the last phase of consulting work need to achieve Ministry of the Environment, Conservation and Parks approval to perform physical remediation of the site. A separate scope of work will then be tendered and awarded to complete this work. The balance of funds remaining in account 5315.1901.6500 (\$2,635,784.00) is intended to be used to address these future costs.

Staff recommends the approval of an increase in original project consulting costs of \$311,795.00 (net HST rebate) to the amount approved by Council on April 23, 2019 through Report CS 01-19, Resolution #67/19.

Financial Implications:

1. Estimated Project Costing Summary

Original scope of work (CS 01-19) Funds approved	\$128,101.00
Original Contingency (CS 01-19) Funds approved	40,000.00
Additional Phase 2 Consulting	296,403.00
Additional Phase 2 Contingency	<u>10,000.00</u>
Total Cost	\$474,504.00
HST (13%)	<u>61,686.00</u>
Total Gross Project Costs	\$536,190.00
HST Rebate (11.24%)	<u>(53,334.00)</u>
Total Net Project Costs	<u>\$482,856.00</u>

2. Approved Source of Funds – Operations Centre Capital Budget

Approved Code	Source of Funds	Budget	Funds Available	Funds Required
5315.1802.6230	Operations Centre Reserve Fund	\$200,000.00	\$23,395.00	\$0.00
5315.1901.6500	Operations Centre Reserve Fund	<u>3,000,000.00</u>	<u>2,924,184.00</u>	<u>311,795.00</u>
Total Funds		\$3,200,000.00	\$2,947,579.00	<u>\$311,795.00</u>

Project Cost under (over) approved funds by	\$2,635,784.00
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For ease of tracking, the additional fee related to work undertaken by Cambium will continue to be tracked under the original approved account 5315.1802.6230.

Both accounts 5315.1802 and 5315.1901 are related to the Operations Centre Demolition & Site Remediation Plan project. Funds from 5315.1901 can be directed to funds costs incurred under 5315.1802 account.

Subject: Consulting Services for the Remediation and Demolition of the Tillings Road Operations Centre (Phase 2)

Discussion: RFP-13-2019 was awarded to Cambium Inc. in April 2019 by Report CS 01-19, and included site investigations and testing required to prepare initial Phase 1 and Phase 2 Environmental Site Assessments. Staff relocated to the newly completed Operations Centre at 1955 Clements Road in the summer of 2019. The existing buildings at the 2570 Tillings Road site were subsequently demolished. Only foundations, slabs on grade and related underground amenities currently remain. All site services have been decommissioned, capped and/or disconnected.

A variety of contaminants of concern have been found on the property, of types and in concentrations to be expected with its past use. The most prevalent source of soil contamination is the presence of salt, which is also found in the groundwater. Further work is required, in the form of a Supplemental Phase 2 ESA, to more clearly delineate the depth of each of these sources of contamination, and in order to prepare documents required by the Ministry of the Environment, Conservation and Parks in order to advance the project.

Some of the contaminated materials cannot be fully remediated, notably the presence of salt in the groundwater, meaning that it will not be feasible to achieve the Ministry's standard class 1 or class 2 soil classifications, which are normally required for more sensitive uses such as residential development and schools. Completion of a Risk Screening, in accordance with O.Reg 153/04, will be required to determine which of the following options are viable:

Option 1: Risk assessment with no remediation

Option 2: Risk assessment with hotspot remediation

Option 3: Risk assessment of salt-related impacts and remediation of remaining contaminants of concern

The Durham District School Board (DDSB) is exploring use of the site for a future elementary school and is coordinating with the City regarding their needs. The preferred option for risk assessment and related remediation requirements will depend on the DDSB's expectations, as well as cost considerations for the City. Once an approach is selected, formal submission of a regulatory risk assessment will be provided to the Ministry. This is a lengthy process, wherein the Ministry has a regulated, minimum 16-week period for review and comment, per submission. Multiple submissions are typically required. Regardless of which option is selected, the City will also eventually need to issue a tender for removal and remediation of the remaining underground building components and site amenities (fuel tanks, foundation, slabs on grade, etc.). The extent of any soil remediation will add cost and time to this process.

This additional funding request will enable staff, through services provided by Cambium Inc., to expand upon the previously completed Phase 2 ESA in order to determine the best approach based on the options listed above, and eliminate any options which cannot meet regulatory requirements. Once the preferred scope and approach have been determined, Cambium Inc. will prepare and submit the required documents to the Ministry and assist the City in obtaining approval of the risk assessment, which becomes a site-specific classification and target for remediation.

Subject: Consulting Services for the Remediation and Demolition of the Tillings Road Operations Centre (Phase 2)

Upon careful examination of the proposal from Cambium dated March 19, 2021, the Community Services Department recommends approval of the proposed increases in consulting costs for remediation of the former operations centre yard at 2570 Tillings Road, by the gross amount of \$346,235.00 (HST included), and the net amount of \$311,795.00 (net HST rebate).

Prepared By:

Original Signed By:

Vince Plouffe, OAA, RAIC
Manager, Facilities Capital Projects

Original Signed By:

Brian Duffield
(Acting) Director, Community Services

Approved/Endorsed By:

Original Signed By:

Ray Rodrigues, CPPB
Manager, Supply & Services

Original Signed By:

Stan Karwowski, CPA, CMA, MBA
Director, Finance & Treasurer

BD:vp

Recommended for the consideration
of Pickering City Council

Original Signed By:

Marisa Carpino, M.A.
Chief Administrative Officer

From: Brian Duffield
(Acting) Director, Community Services

Subject: Relocation of Pickering Rouge Canoe Club
- File: A-1440

Recommendation:

1. That Council endorse staff's recommendation to approve the relocation of Pickering Rouge Canoe Club ("PRCC") to Progress Frenchman's Bay East Park for the operation of only their Special Olympics (PaddleAll) and Masters programs, as outlined in Report CS 24-21;
2. That City staff be directed to prepare a lease agreement with PRCC, subject to further Council approval, that sets out the terms and conditions of their use at Progress Frenchman's Bay East Park ; and,
3. That the appropriate City of Pickering officials be authorized to take the necessary actions as indicated in this report.

Executive Summary: Pickering Rouge Canoe Club (PRCC) has been operating at a site in Rotary Frenchman's Bay West Park since 1993 on land owned by the Toronto and Region Conservation Authority (TRCA). Following the extremely high lake water levels of 2017 and 2019, TRCA advised PRCC that their current and proposed sites at Rotary Frenchman's Bay West Park fell below the proposed new 100-year static lake elevation and were within the dynamic beach area. As such, PRCC were advised that they would no longer be allowed to operate at this location.

Since that time, the site has been vacated and will be cleaned up in the near future by PRCC. In 2020, members of the PRCC requested that City staff consider the club relocating to Progress Frenchman's Bay East Park. In support of their request, PRCC provided City staff with a written proposal that described the type, time and duration of programs to be relocated as well as the design of the storage unit to be located on site to house their equipment. In response, staff prepared and circulated a public online survey requesting feedback to gauge public support for this proposal.

In consideration of the public's feedback supporting the relocation of PRCC and the expressed concerns for parking, staff recommend that Council consider approving the relocation of PRCC to Progress Frenchman's Bay East Park for the operation of **only** their Special Olympics (PaddleAll) and Masters programs at this time. Subject to Council endorsement of this approach, a lease agreement will be drafted between the City and PRCC to reflect this reduced scope of activities/programs and the conditions to operate and maintain the site in good condition. Staff will return the draft lease agreement to Council for approval, prior to execution. Staff will monitor

the effects of parking in and around Progress Frenchman's Bay East Park and will consider program expansion by PRCC only as the available parking areas is demonstrated to support it.

Financial Implications: PRCC will be responsible for all costs associated with operating, maintaining and programming at Progress Frenchman's Bay East Park which includes all relocation costs.

Discussion: The Pickering Rouge Canoe Club (PRCC) have been running their programs out of Rotary Frenchman's Bay West Park since 1993. Due to the high lake water levels experienced 2017 and 2019, the TRCA proposed new 100-year static lake level elevations and it was determined that the washroom/change room, in association with a storage facility for the PRCC that were proposed to be located on the west spit in the Rotary Frenchman's Bay West Park Master Plan, would no longer be feasible. TRCA advised that their planning policies and the Provincial Policy Statement would not support this type of use or structure on a dynamic beach. As such, the PRCC were advised that they would be required to vacate their current site and that a new facility for their club can no longer be located in Rotary Frenchman's Bay West Park. PRCC requested that they be able to relocate their programs to Progress Frenchman's Bay East Park.

Progress Frenchman's Bay East Park consists of approximately 1 hectare of waterfront property on the east shore of Frenchman's Bay (with approximately 213 metres of lake frontage) and is a popular destination for Pickering residents. The park consists of a playground, gazebo, public art, public boat docks, a small craft boat launch and a Xerescape garden which is maintained by the Pickering Horticultural Society. Within the park is a parking lot for 29 vehicles with 2 of those being accessible parking.

PRCC are proposing to run the following programs out of Progress Frenchman's Bay East Park:

- **High Performance & Development**, operating 10 times per week Monday to Friday from 6:30 am to 8:30 am; Monday, Tuesday, Thursday and Friday from 4:00 pm to 6:00 pm, and Saturdays from 8:00 am to 9:30 am with estimated participants of 10-20 per session.
- **Special Olympics (PaddleAll)**, operating 2 times per week on Mondays and Wednesdays from 6:30 pm to 8:30 pm with estimated participants of 10 to 20 per session.
- **Dragon Boat**, operating 2 times per week Mondays and Wednesdays from 6:30 pm to 8:30 pm with estimated participants of 20 to 22 per session.
- **Masters**, operating 2 times per week on Tuesdays and Thursdays from 6:30 pm to 8:30 pm with estimated participants of 5 to 15 per session.
- **Outrigger OC**, operating 2 times per week on Tuesdays and Thursdays from 6:30 pm to 8:30 pm with estimated participants of 6 per session.

A public on-line survey was prepared in order to gauge public support of the PRCC use of Progress Frenchman's Bay East Park for their programs. Notification of the survey was provided to the public through social media and through a postal walk to area residents, which was sent out on April 19th, 2021. The survey and information on the project, including the PRCC proposal were posted on the City's website. The survey was open and comments were received up to and

including May 10th, 2021. A total of 424 responses were received. The following is a summary of some of the results:

- 86% of the respondents currently use Progress Frenchman's Bay East Park. 22% use it daily, 20% use it more than once a week and 11% use it weekly
- 388 of the respondents were from Pickering - of them, 13% live within view of the park, 32% within walking distance and 41% need to drive to the park
- 16% of all respondents were members, patrons or affiliates of the PRCC
- The top uses of the park include personal exercise (73%), sight-seeing (52%), dog walking (37%) and using the children's playground (30%)
- 66% of all the respondents were in support of the PRCC proposal - this number dropped to 63% for Pickering residents only
- When respondents were asked which program they supported, the Special Olympics program received the highest support at 65% followed by Dragon Boats, Masters and Outrigger all at 60% and High Performance at 57%
- 73% of the respondents said that they would support the PRCC since they have programs for people with disabilities and to support the National/Olympic athletes
- Of the respondents that were not in support, parking was the number one concern for 51% of the local residents, followed by conflicts with other park users (46%), park cleanliness (43%) and noise (34%)

101 respondents provided additional comments against the proposal indicating concerns of the storage containers taking up space, blocking views, disrupting wildlife and devaluing nearby homes. A copy of the survey results are attached.

If PRCC is approved to relocate and operate programming out of Progress Frenchman's Bay East Park, it will require increased garbage and litter collection by staff who are stationed at Beachfront Park.

The Coordinator, Traffic Operations has reviewed the traffic and parking concerns and advised that there should be an understanding by PRCC that available parking spaces may be minimal, including in the overflow parking area, as all parking in the area is on a first come first served basis. This may present an issue for those members who need a close parking spot. There are currently many areas by the waterfront and surrounding streets that are marked with temporary parking restrictions.

Pickering has experienced an increase in traffic and visitors to the waterfront since the onset of COVID-19. An on-street parking limit of 3 hours is still to be maintained and enforced. The closest overflow parking lot is the parking lot on Annland Street located approximately 210 metres away or a 5 minute walk from Progress Frenchman's Bay East Park. This lot is currently being leased from a private owner for a five year term, expiring May 8, 2023. It is also filled to capacity when demand for parking for Beachfront Park is its highest.

Municipal Law Enforcement Services have been consulted on this proposal and noted that Progress Frenchman's Bay East Park has become a waterfront destination park during the pandemic. The parking lot and surrounding streets cannot support any additional traffic or vehicle parking at this time. The proposed time and days of events are mostly during heavier

park usage times and this would pose a challenge for parking of vehicles. For these reasons, Municipal Law Enforcement staff were not in support of additional event usage at this location.

It is the opinion of City staff that the designated parking areas for Progress Frenchman’s Bay East Park are currently insufficient to support the range of activities identified in the PRCC proposal. With this in mind, and in consideration of the public’s feedback supporting the relocation of PRCC while expressing concerns for parking, staff recommend that Council consider approving the relocation of PRCC to Progress Frenchman’s Bay East Park and the operation of **only** the Special Olympics (PaddleAll) and Masters programs (as identified in this report) at this time.

Subject to Council endorsement of this approach, a lease agreement will be drafted between the City and PRCC to reflect this reduced scope of activities and the conditions to operate and maintain the site in good condition. Staff will return the draft lease agreement to Council for approval, prior to execution. Staff will monitor the effects of parking in and around Progress Frenchman’s Bay East Park and will consider program expansion by PRCC only as the available parking areas is demonstrated to support it.

Attachments:

1. Pickering Rouge Canoe Club – Neighbourhood Survey
2. Pickering Rouge Canoe Club – Proposal Document
3. Progress Frenchman’s Bay East Park Map

Prepared By:

Original Signed By:

Rob Gagen
Supervisor, Parks Operations

Original Signed By:

Arnold Mostert
Manager, Landscape & Parks Development

Approved/Endorsed By:

Original Signed By:

Brian Duffield
(Acting) Director, Community Services

Original Signed By:

Richard Holborn, P. Eng.
Director, Engineering Services

Original Signed By:

Paul Bigioni
Director, Corporate Services & City Solicitor

RG:bd

Recommended for the consideration
of Pickering City Council

Original Signed By:

Marisa Carpino, M.A.
Chief Administrative Officer

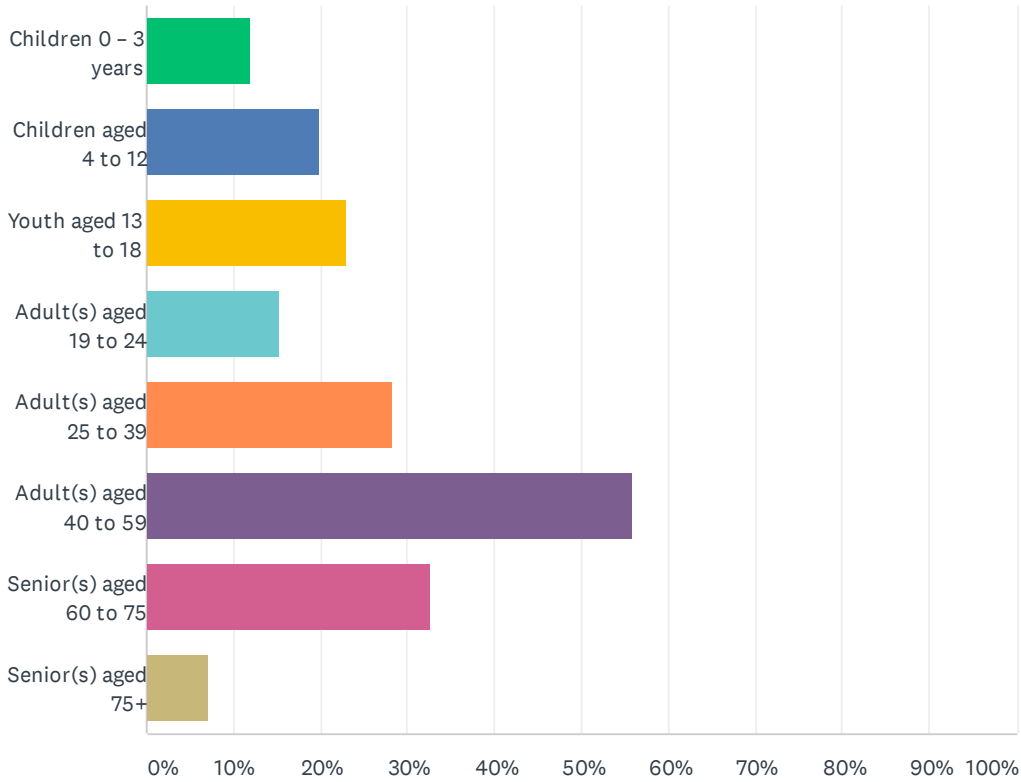
Pickering Rouge Canoe Club Proposed Relocation Survey

Q1 Please enter your postal code:

Answered: 424 Skipped: 0

Q2 Please provide details about the people living in your household (check all that apply)

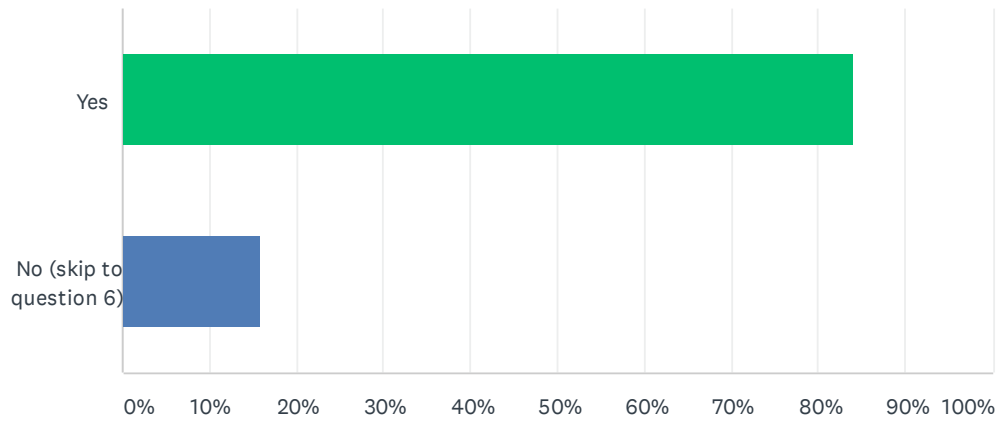
Answered: 424 Skipped: 0



ANSWER CHOICES	RESPONSES
Children 0 – 3 years	12.03% 51
Children aged 4 to 12	19.81% 84
Youth aged 13 to 18	23.11% 98
Adult(s) aged 19 to 24	15.33% 65
Adult(s) aged 25 to 39	28.30% 120
Adult(s) aged 40 to 59	55.90% 237
Senior(s) aged 60 to 75	32.55% 138
Senior(s) aged 75+	7.08% 30
Total Respondents: 424	

Q3 Do you or your household currently use Progress Frenchman’s Bay East Park?

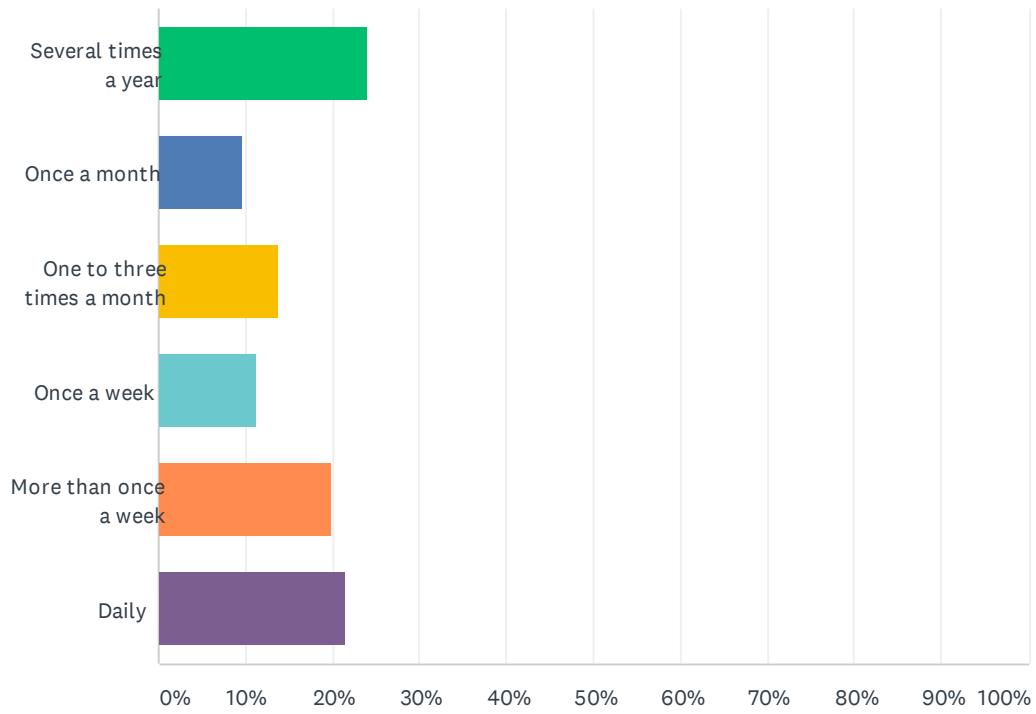
Answered: 424 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	84.20%	357
No (skip to question 6)	15.80%	67
TOTAL		424

Q4 On average, how often do you visit Progress Frenchman's Bay East Park per month?

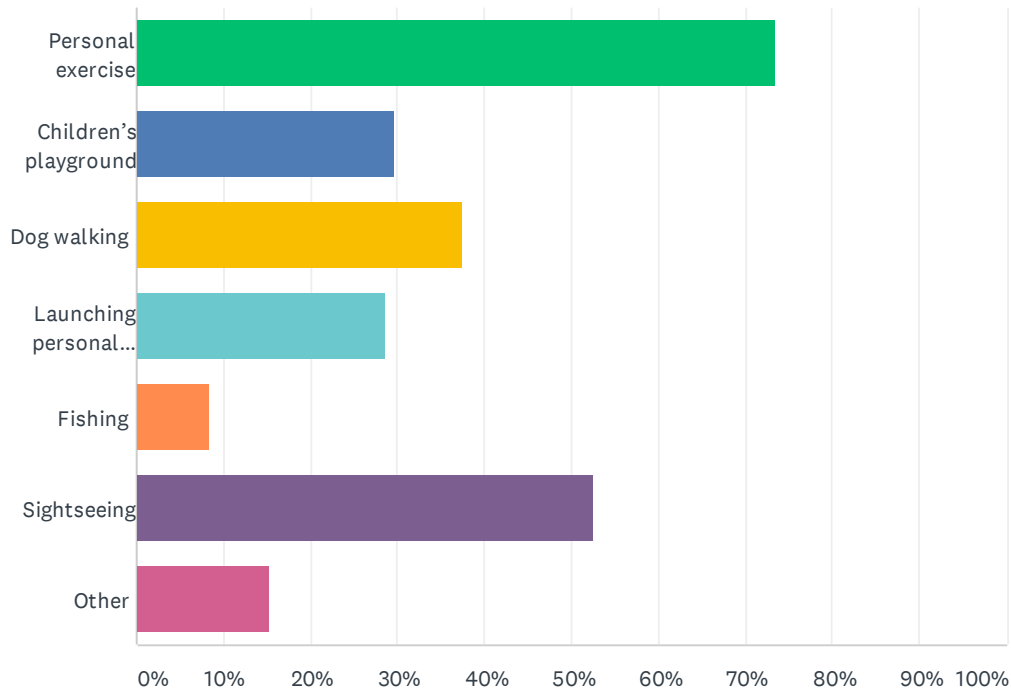
Answered: 384 Skipped: 40



ANSWER CHOICES	RESPONSES	
Several times a year	23.96%	92
Once a month	9.64%	37
One to three times a month	13.80%	53
Once a week	11.20%	43
More than once a week	19.79%	76
Daily	21.61%	83
TOTAL		384

Q5 What activities do you currently enjoy while attending Progress Park?

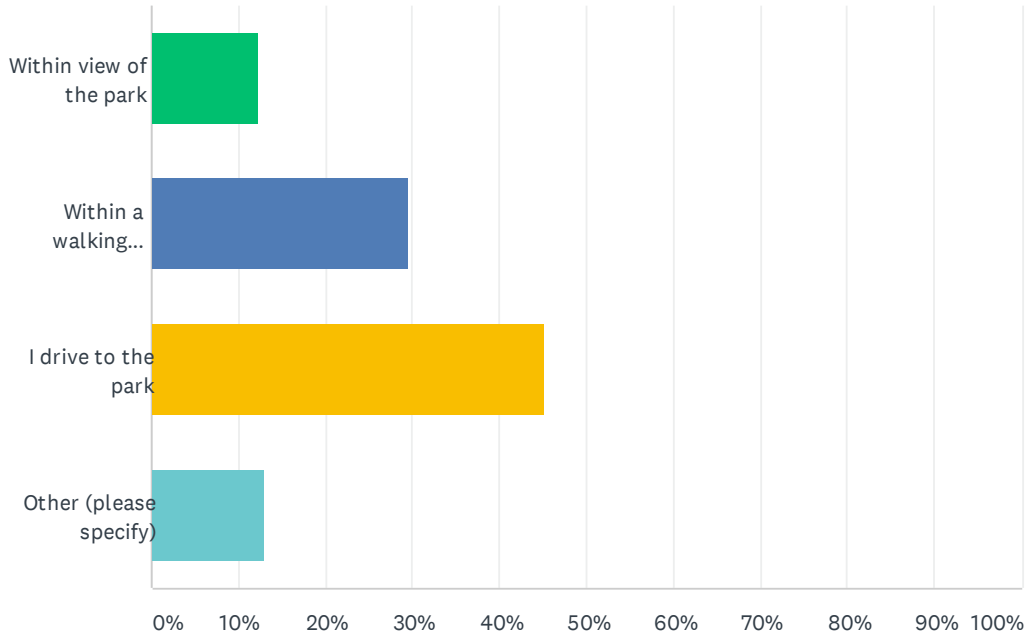
Answered: 387 Skipped: 37



ANSWER CHOICES	RESPONSES
Personal exercise	73.39% 284
Children's playground	29.72% 115
Dog walking	37.47% 145
Launching personal watercraft	28.68% 111
Fishing	8.27% 32
Sightseeing	52.45% 203
Other	15.25% 59
Total Respondents: 387	

Q6 How close do you live to Progress Frenchman’s Bay East Park?

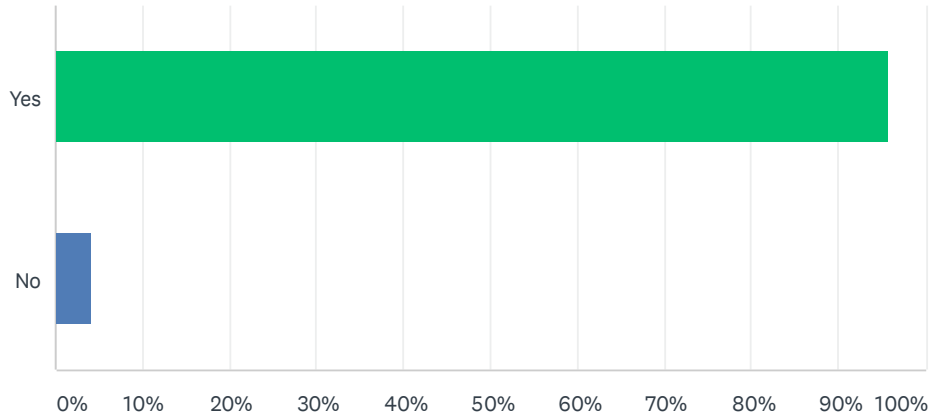
Answered: 424 Skipped: 0



ANSWER CHOICES	RESPONSES	
Within view of the park	12.26%	52
Within a walking distance of 5 minutes or less	29.48%	125
I drive to the park	45.28%	192
Other (please specify)	12.97%	55
TOTAL		424

Q7 Have you reviewed the PRCC proposal?

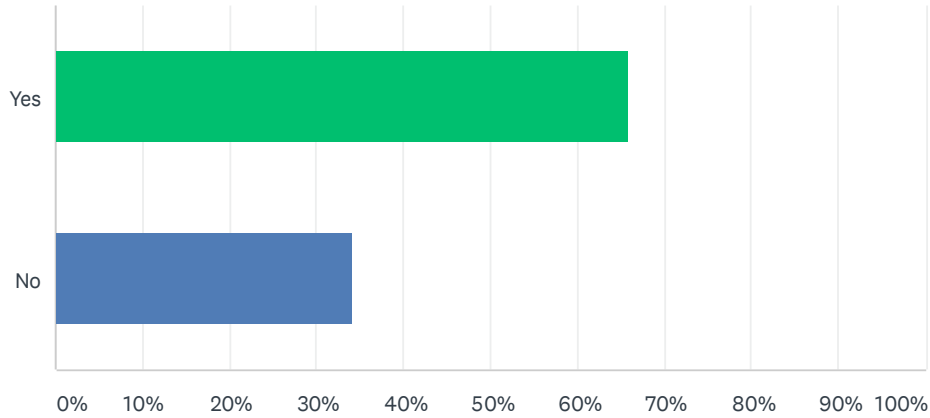
Answered: 424 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	95.75%	406
No	4.25%	18
Total Respondents: 424		

Q8 After reviewing the PRCC proposal would you support having the Pickering Rouge Canoe Club relocate a portion of their programming to run activities out of Progress Frenchman's Bay East Park?

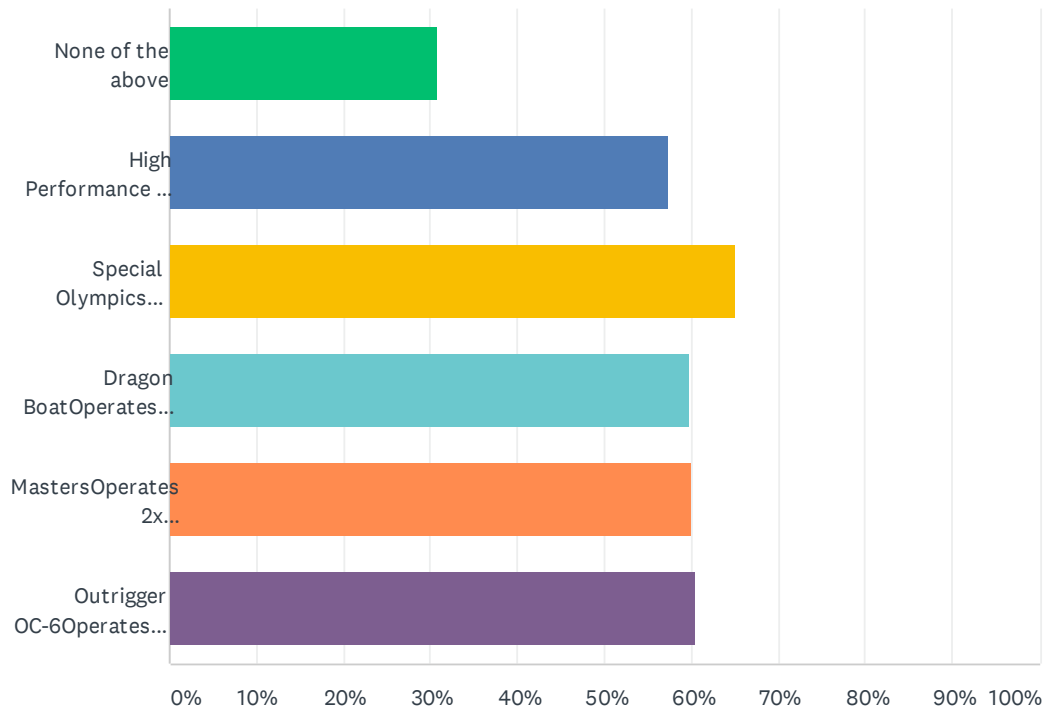
Answered: 424 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	65.80%	279
No	34.20%	145
TOTAL		424

Q9 Which of the following programs do you support operating out of Progress Frenchman’s Bay East Park?

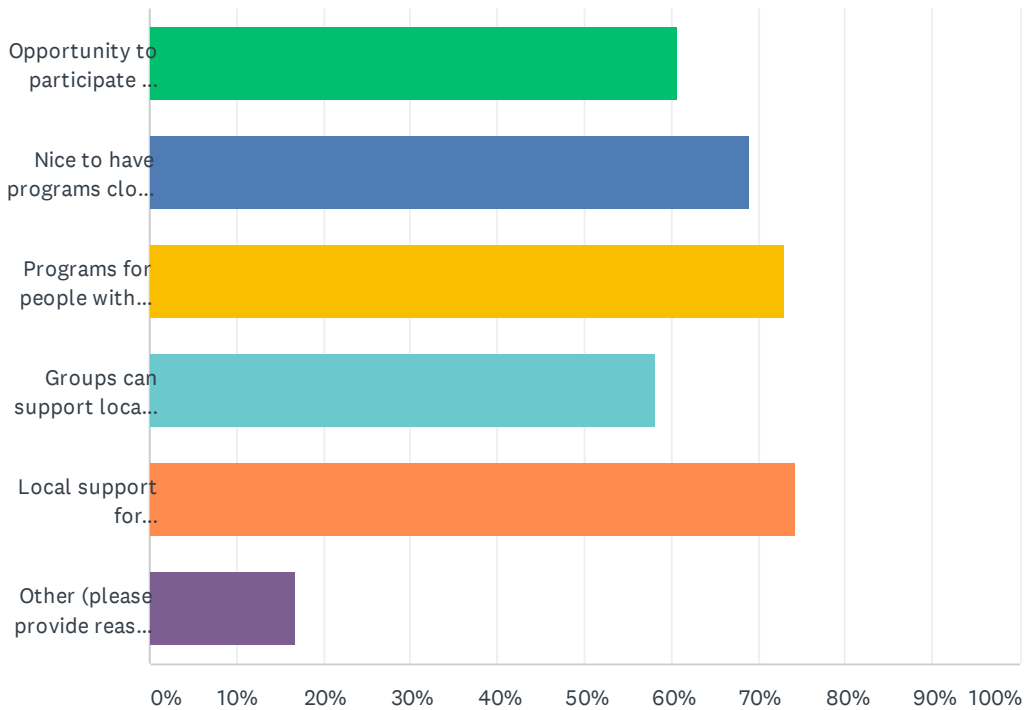
Answered: 424 Skipped: 0



ANSWER CHOICES	RESPONSES
None of the above	30.66% 130
High Performance & Development Operating 10x weekly Monday – Friday from 6:30 am – 8:00 amMonday, Tuesday, Thursday & Friday from 4:00 pm – 6:00 pmSaturday 8:00 am – 9:30 amEstimated 10 – 20 participants	57.31% 243
Special Olympics (PaddleAll)Operates 2x weeklyMonday & Wednesday from 6:30 – 8:30 pmEstimated 10 – 20 participants	65.09% 276
Dragon BoatOperates 2x weeklyTuesday & Thursday from 6:30 – 8:30 pmEstimated 20-22 participants	59.91% 254
MastersOperates 2x weeklyTuesday & Thursday from 6:30 – 8:30 pmEstimated 5-15 participants	60.14% 255
Outrigger OC-6Operates 2x weeklyTuesday & Thursday from 6:30 – 8:30 pmEstimated 6 participants	60.38% 256
Total Respondents: 424	

Q10 If you are in support of the PRCC running their programs out of Progress Park, what are your main reasons?

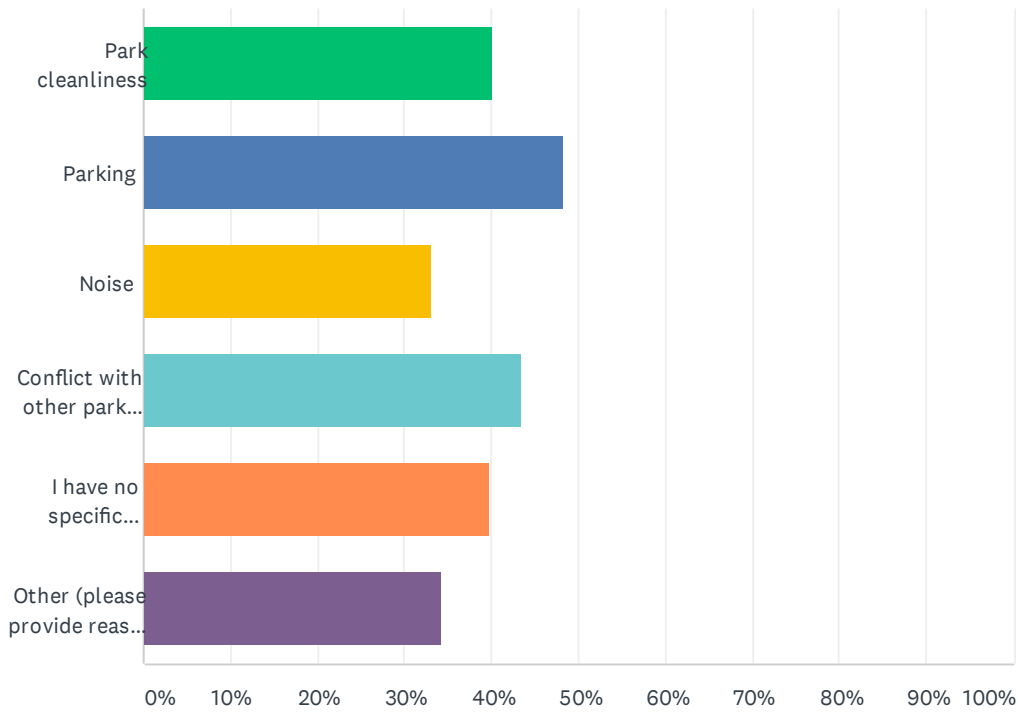
Answered: 303 Skipped: 121



ANSWER CHOICES	RESPONSES	
Opportunity to participate in paddling programs	60.73%	184
Nice to have programs close by and accessible	68.98%	209
Programs for people with disabilities	72.94%	221
Groups can support local businesses like restaurants	58.09%	176
Local support for national/Olympic athletes	74.26%	225
Other (please provide reasons below)	16.83%	51
Total Respondents: 303		

Q11 If you are not in support of the PRCC running their programs out of Progress Frenchman’s Bay East Park, what are your main concerns?

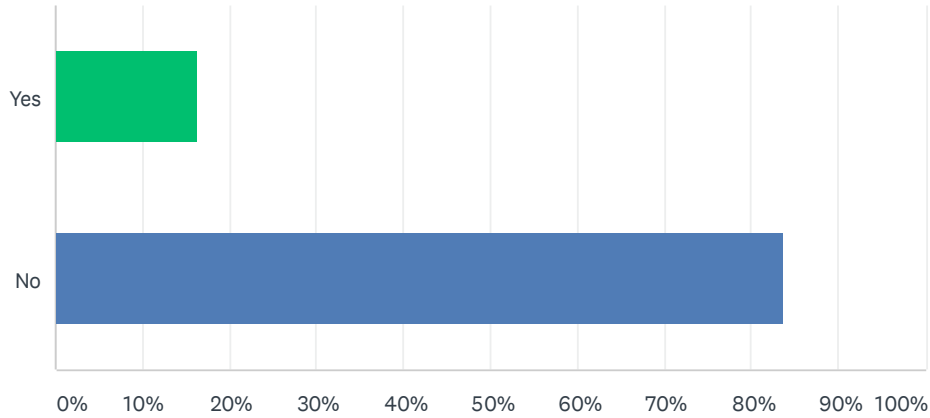
Answered: 294 Skipped: 130



ANSWER CHOICES	RESPONSES	
Park cleanliness	40.14%	118
Parking	48.30%	142
Noise	32.99%	97
Conflict with other park users	43.54%	128
I have no specific concerns	39.80%	117
Other (please provide reasons below)	34.35%	101
Total Respondents: 294		

Q12 Are you or a member of your household a member of PRCC, a patron or participant in their programs or events, or in anyway affiliated with Pickering Rouge Canoe Club?

Answered: 424 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	16.27%	69
No	83.73%	355
TOTAL		424

Q13 If you would like to be kept informed of any updates regarding this proposal, please provide your email address below:

Answered: 212 Skipped: 212

PICKERING ROUGE CANOE CLUB

Site Proposal for Progress Frenchman's Bay East Park



PickeringRouge.ca
(905) 767-3330
registrar@pickeringrouge.ca

January 2021



Rationale for Pickering Rouge Canoe Club (PRCC) Site at Progress Frenchman's Bay East Park

Reason for Moving the Frenchman's Bay Site

PRCC's current site is on the Beachpoint Promenade spit. The Toronto Regional Conservation Authority (TRCA) has determined that no structures can be built on the spit due to high water levels and its status as a dynamic beach. While PRCC has moved its children's programs to Rouge Beach, it must maintain a site at Frenchman's Bay for its Special Olympics (PaddleAll), High Performance, Development, Master's and Dragon Boat programs. Our Rouge Beach site is not appropriate for these programs because of the width and depth of the Rouge River, and the inability to have a motorized safety boat. Our programs for seniors and people with special needs are best run on Frenchman's Bay.

Strengths of PRCC in Pickering

- PRCC has had a site on Frenchman's Bay since the early 1990s. The club was formerly called the West Rouge Canoe Club and has been in existence since 1958. It was renamed in 2010 to strengthen the Pickering connection.
- PRCC's programs are for all ages and abilities. As a volunteer, non-profit organization, we are community-based and provide our programs at reasonable cost. Paddling provides children, teenagers, adults and seniors with a healthy, outdoor activity. We greatly subsidize our Special Olympics program because it is so important.
- PRCC hired a long-time participant of our PaddleAll program as a Junior Coach, providing an employment opportunity to a person with a disability.
- PRCC has strong support from the paddling community, many of whom got their start with the club. Courtney Stott, who is currently on the National team and helped qualify the Women's K4 for the 2020 Olympics, talks about getting her paddling start with PRCC. <https://www.durhamregion.com/community-story/9588041-pickering-s-courtney-stott-paddling-in-the-direction-of-tokyo-olympic-games/>
- Two of our young athletes competed at Marathon Worlds in China in October 2019. <https://canoekayak.ca/bilewicz-and-fanok-to-represent-canada-at-the-2019-canoe-marathon-world-championships/>
- We had a parathlete train with us in 2018 and he placed first in his category at the canoe and kayak National Time Trials in 2019.
- PRCC has a dragon boat program for adults. Most of our team are national and world champions.

The Value of Accessible Programs at the Bay

Our Special Olympics program for people with physical and intellectual disabilities is one of the largest in Ontario. The program received national recognition when our athletes won the

Special Olympics burgee at the 2019 Canadian Sprint Canoe Championships. Along with hiring a person with a disability, another PRCC athlete was to be in Florida for spring training – this was the first time a person with a disability was attending the provincial training camp. Unfortunately, the training camp and our Special 0 program was cancelled in 2020 due to the COVID-19 pandemic. We are hopeful it will resume in 2021.

PRCC's PaddleAll is the only competitive Special Olympics program in Pickering. The program is identified as a Durham Region legacy sport as part of the Durham Region Adaptive Sport Collective project. We recently received a grant from Ontario Power Generation for a PaddleAll kayak in recognition of the importance of the program.

Paddling Site on Frenchman's Bay at Progress Park

PRCC needs a new location on Frenchman's Bay. We would dismantle the old site once we have a new place for our equipment. Boats would be stored in two shipping containers. We are currently consulting with experts to ensure that the containers are attractive and blend in with surroundings. There would be no boat compound and all equipment would be kept securely within the structures.

Minimal Disruption to Local Residents

The programs that run on Frenchman's Bay are small and there would be minimal disruption to local residents. Our Special Olympics program would have approximately 15 participants attending two evenings a week. Because of their disabilities, participants would need to park close to the launch site. Parents and caregivers often participate with the athletes.

High performance and development athletes are usually dropped off for morning and afternoon practices. This is a small competitive program that would pose no effect on the community. The Master's and Dragon Boat programs run two evenings a week. If we are located at Progress Frenchman's Bay East Park, there is ample parking in the on-site and overflow parking lots. Please note that all of our programs are inclusive and that some Special Olympic athletes or people with disabilities participate in our High Performance/Development, Master's and Dragon Boat programs.

What about the Weeds?

The weeds vary from year to year in Frenchman's Bay. Weeds are not a new issue and paddling clubs across Canada have successfully reduced weed growth through various means. PRCC would like to work with community groups and associations, local businesses, the City of Pickering and the TRCA to look at solutions for reducing weeds and improving water quality in the Bay. Frenchman's Bay is a resource for all of us to use and enjoy.

The Frenchman's Bay Community

Waterfront should be a people place. Frenchman's Bay should be a people place. PRCC is inclusive and welcomes participants of all ages to the sport of paddling, whether future Olympian, para-athlete, Special Olympian or beginner paddler. PRCC has been part of the Frenchman's Bay community for 30 years and we want to continue to have a place in its future.

Anticipated PRCC Programs in Progress Park

The programs that PRCC runs in Frenchman’s Bay and the corresponding number of participants varies from year to year depending upon our resources, funding, community demand, high water, weeds, etc. Given that we have not been able to fully run programs on the Bay in the last couple of years, we are in the process of rebuilding our programs. It may take time to achieve this number of participants. As well, based on the positive response at our Rouge Beach location, we believe there is a lot of demand at Frenchman’s Bay for paddling programs that are inclusive and reasonably priced. We would like to develop new programs depending upon the needs of the community. Possible examples include a weekday seniors dragon boat program, a C-15 (15-person canoe) program for teens, a para-canoe program for paddlers with physical disabilities, or an Indigenous canoe program.

Program	Timing	Estimated Number of Participants	Estimated Number of Vehicles	Notes
High Performance & Development	Runs 10x a week Mon, Tues, Wed, Thurs, Fri 6:30 AM- 8:00 AM, Mon, Tues, Thurs, Fri afternoons 4:00-6:00, Sat morning 8:00-9:30 (approximate times).	10-20	Estimate 5 vehicles	This program has been running on Frenchman’s Bay for 30 years. Participants are teenagers generally paddling in single boats so they are quiet and unobtrusive. Athletes are often dropped off by parents or ride bikes. Older athletes may drive. Some parents drop off children and walk the trails.
Special Olympics (PaddleAll)	Runs 2x a week, usually Mon & Wed from 6:30-8:30 PM	10-20	Estimate 10 vehicles	This program is for people with physical and intellectual disabilities. Special O participants would ideally park close to the facility due to mobility limitations.
Dragon Boat	Runs 2x a week, usually Mon & Wed from 6:30-8:30 PM	20-22	Estimate 15-20 vehicles	Participants can park in the overflow lot as needed.
Master’s	Runs 2x a week, usually Tues & Thurs from 6:30-8:30 PM	5-15	Estimate 10 vehicles	Participants can park in the overflow lot as needed. Local participants may walk or bike.
Outrigger: OC-6	Runs 2x a week, usually Tues & Thurs from 6:30-8:30 PM	6	Estimate 5 vehicles	Participants can park in the overflow lot as needed. Local participants may walk or bike.

High Performance and Development



Special Olympics (PaddleAll)



Dragon Boat and Outrigger (OC-6)



History of the Pickering Rouge Canoe Club

The Pickering Rouge Canoe Club has been in existence for over 60 years. It was established as the West Rouge Canoe Club (WRCC) in 1958 by the local Kiwanis Club aiming to provide activities for community children. The original club was near the foot of the Rouge River near Ferguson Beach.

In the mid-1960s, the Metro Toronto and Region Conservation Authority expropriated the canoe club land. Volunteers literally moved the club on railroad ties in one day to a new location. As club membership was



increasing, the Conservation Authority agreed to give WRCC an expropriated cottage which was brought down the river in pieces to adjoin the existing structure. WRCC continued to thrive over the next two decades.

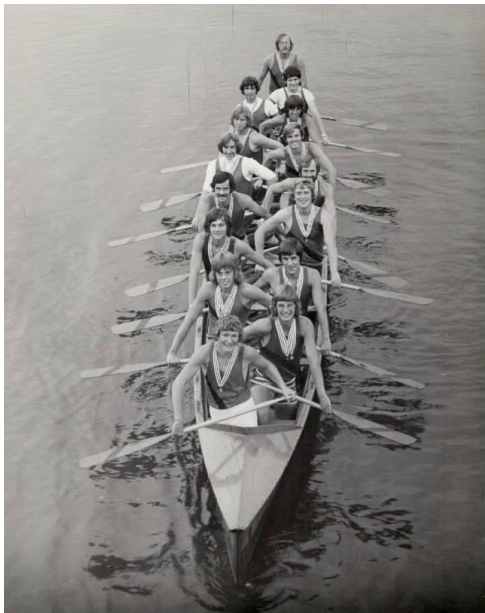


In 1993, WRCC expanded to a second location on Frenchman's Bay in Pickering to establish a high performance training centre for athletes who required deeper water for paddling. The Pickering Kinsmen donated a trailer and MTRCA and the Town of Pickering assisted WRCC to create the site on the Beachpoint Promenade spit. Membership flourished and WRCC established camps at the Pickering location to engage youth in sport and feed athletes into the High Performance program.

Disaster struck on March 23, 1995. The wooden clubhouse at the Rouge River site was destroyed by fire, including all boats and historic trophies, plaques, and regatta burgees. Insurance money replaced the boats but there was not enough money to rebuild the clubhouse. Despite the loss, WRCC placed fifth out of 48 clubs at the national canoe and kayak championships in 1995, third overall in 1996, and qualified four paddlers to compete at the 1996 Atlanta Olympics. WRCC introduced dragon boating to Frenchman's Bay and helped establish the Pickering Dragon Boat Festival in June 1997.

In 2010, WRCC voted to incorporate Pickering into its name to better reflect the club's history and the communities it served, becoming the Pickering Rouge Canoe Club (PRCC). Through a partnership with the City of Toronto, the Rouge clubhouse was rebuilt and opened in the

summer of 2014. The Rouge Beach site accommodates our canoe and kayak camp, and more recently our children's sprint programs.



PRCC continued to work with the City of Pickering and the Toronto Regional Conservation Authority (TRCA) to try to establish a permanent facility on the Frenchman's Bay spit. However, due to high water levels in 2017 and 2019, the TRCA decided to prohibit any structures on the spit, requiring PRCC to seek a new location on the Bay. Progress Park seems ideal as a safe and viable location to run high performance training and our Special Olympics program for people with disabilities.

PRCC has a long history of progress and a strong desire to share our passion for paddling. We have demonstrated resilience through flooding, construction, site closures and a global pandemic. Most recently, PRCC had athletes compete at the World Marathon Canoe championships in 2019 and an alumnus qualify for the Tokyo 2020

Olympics. In 2020, we grew our membership despite COVID-19. Interest in canoe and kayak has never been higher and we look forward to serving the community of Pickering with programs that will develop hearts, minds and bodies in a beautiful outdoor setting.



Kayaker Courtney Stott in Frenchman's Bay (above); she got her start paddling for Pickering Rouge Canoe Club. Courtney with fellow National team members (right). The women's K4 qualified for the Tokyo 2020 Olympics.



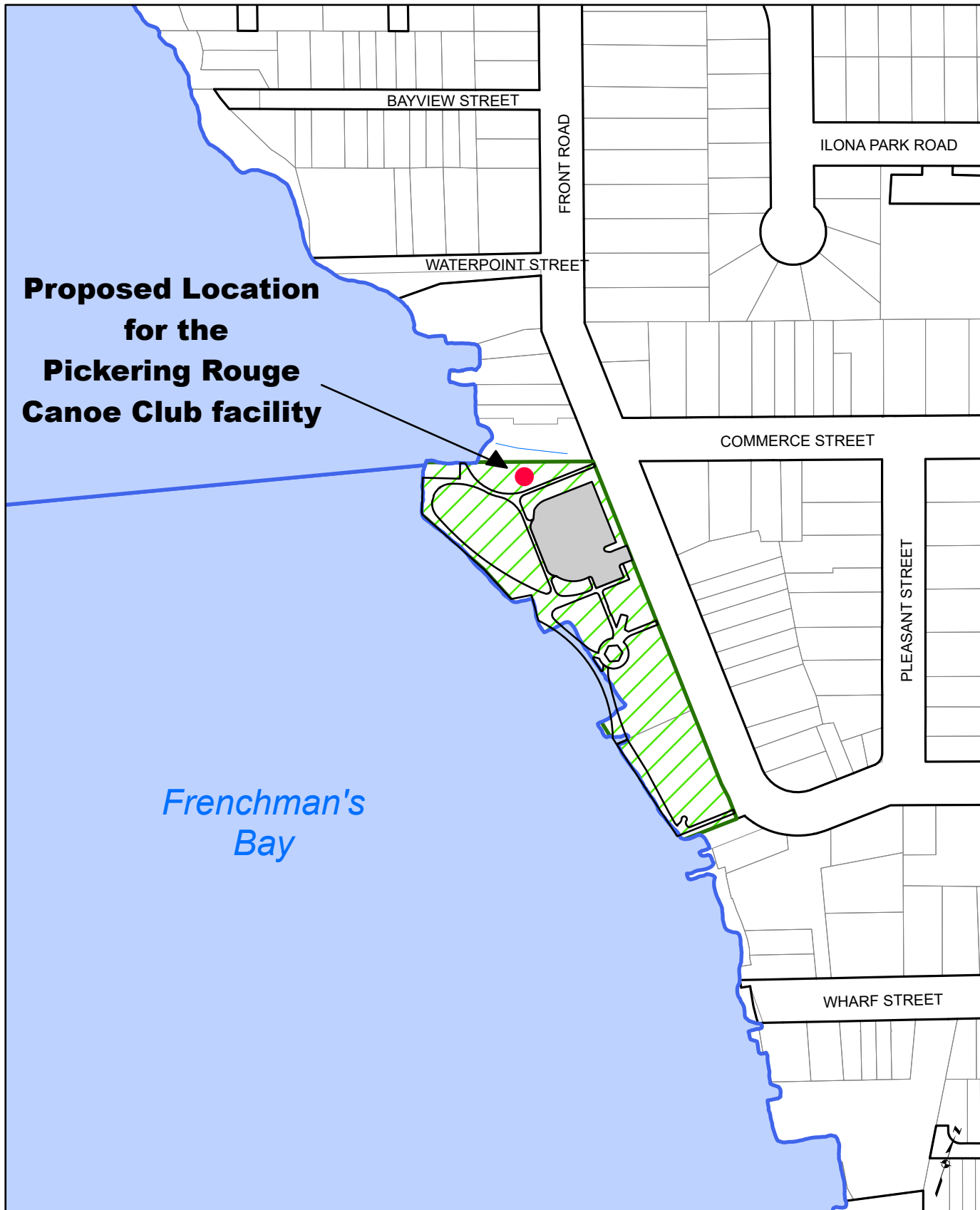
Boat Storage Facility at Progress Park

PRCC is proposing that sprint boats and equipment such as paddles and life jackets be stored in two shipping containers – one at 52' and one at 40' that are attached side by side. These would be located at the north end of the park beside the parking lot and close to the dock. The containers would be placed beside the path to not interfere with the community's view of Frenchman's Bay.



The colours and design of the containers will be determined in consultation with the City of Pickering. The goal is to have an attractive and functional design.





Engineering Services
Department

SCALE:
1:2,500

DATE:
Jun. 11, 2021

**Progress Frenchman's Bay
East Park
Pickering Rouge Canoe Club**

City of
PICKERING

From: Brian Duffield
(Acting) Director, Community Services

Subject: Reallocation of Funds and Grant Endorsement

- Green and Inclusive Community Buildings Grant Application for the Restoration of the Redman House Program Centre at the Pickering Museum Village
- File: A-1440

Recommendation:

1. That staff be directed, through the Chief Administrative Officer, to submit an application under the Government of Canada's Green and Inclusive Community Buildings (GICB) program for the restoration of the Redman House Program Centre at the Pickering Museum Village;
 2. That Pickering Council supports the Redman House application for the Government of Canada's GICB grant program; and
 3. That the appropriate City of Pickering officials be authorized to take the necessary action to give effect hereto.
-

Executive Summary: The Government of Canada's Green and Inclusive Community Buildings (GICB) program includes a separate stream for smaller community projects. The Redman House Program Centre on the lower museum site serves as the main facility on the property for delivery of programs and amenities, including providing washroom facilities, a kitchen, eating and meeting space and housing the museum's costume shop and changing facilities on the second floor. Half of the building is of heritage construction (ca. 1840). It was renovated and expanded with an addition in 2004. The building was identified in the 2021 Capital Budget forecast as requiring immediate remedial repairs, as well as additional restoration work within the next five years. Retrofits, repairs and upgrades to existing community facilities is eligible under the mandate of the GICB grant program, provided that the improvements meet certain environmental outcomes. These outcomes also align with targets set by the City's Corporate Energy Management Plan.

Applications for medium retrofit projects are open for continuous intake, and subject to approval and award on a first come, first serve basis until all available funding has been allocated. The 2021 Capital Budget forecast identified \$550,000 (net HST rebate) in projected remedial work, repairs and upgrades required to the Redman House Program Centre over the next 5 years. Additional costs would apply in order to meet the energy performance upgrades mandated by the GICB grant.

The GICB program allows for up to 80 per cent of eligible project costs to be funded by the GICB with a cap at \$3 million in eligible costs for medium retrofit projects. All work must be completed on or before March 31, 2026.

Council approved project 5744.2104 PHCC Preparation & Site Upgrades as part of the 2021 Capital Budget. Approximately half of this funding was for construction costs to address longstanding grading and drainage issues at the museum's lower site. Given the opportunity provided by the GICB grant program, staff recommend that work should be re-prioritized to submit an application and that the timing of the Redman House Program Centre restoration and repair work be advanced, if successful. The related capital costs for grading and drainage would be re-budgeted in 2022, if the GICB grant was secured.

Financial Implications: N/A.

Discussion: The Government of Canada announced the Green and Inclusive Community Buildings (GICB) grant program in April 2021. Staff have reviewed projects included in the Capital Budget forecast and conclude that proposed future repairs and restoration work to the Redman House Program Centre at the Pickering Museum Village are eligible, and recommend that a grant application be submitted as soon as possible to secure funding. Projects below \$10 million in eligible costs are subject to continuous intake and will be awarded funds on a first-come, first-serve basis. A unique opportunity exists to advance this work while also reducing the financial burden to the City.

Staff retained Peto MacCallum Ltd. Consulting Engineers to undertake a building condition audit of the Redman House Program Centre in 2020. The findings of this report translated into separate budgets for immediate repairs in 2022 (5744.2210 - \$100,000), as well as design (5744.2303 - \$50,000) and construction for restoration and upgrades (5744.2402 - \$400,000) which are reflected on the City's 5 year Capital Forecast budget.

The GICB grant requires submitted medium retrofit projects (\$250,000 to \$3 million) to achieve Net Zero Carbon Design standards as set out by the Canadian Green Building Council. Complying with this requirement will likely add costs to the original scope of work, but would also provide an opportunity to bring the building into line with energy performance goals set by the City's Corporate Energy Management Plan. It is difficult to predict what these costs might be until the related design work has been completed, but an estimated net total cost of \$700,000 (net HST rebate) is proposed to address all project costs, including design, construction and related costs, for the purposes of the grant application.

The GICB program can fund up to 80 per cent of eligible project costs, up to maximum of \$3 million for medium retrofit projects. As no existing approved funding exists for this specific project, staff propose to reallocate a portion of existing funds from 5744.2104 PHCC Preparation & Site Upgrades. Half of the funding in this project was included to address various lingering ponding, grading and drainage issues throughout the museum's lower site. Given the unique opportunity presented by the GICB grant program to address other critical needs to sustain ongoing operation

of the site, staff recommend expanding the permitted use of this project budget to fund the City's share of costs for the Redman House Program Centre restoration. This would reinforce the strength of the City's application by demonstrating that existing funding has been committed for this purpose.

Work associated with GICB grants is not required to be completed until March 31, 2026. A resolution of Council in support of the application is required as part of the GICB grant submission requirements.

The Community Services Department recommends that Council endorse an application for GICB grant funding of up to \$700,000, and that the scope of work of project 5744.2104.6500 be expanded to demonstrate the City's commitment to funding its share of costs for this application from an already approved source. If the City successfully obtains grant funding, both the lower site regrading project and Redman House Program Centre restoration would be re-submitted for clarity as part of the 2022 Capital Budget.

Prepared By:

Approved/Endorsed By:

Original Signed By:

Original Signed By:

Vince Plouffe, OAA, RAIC
Manager, Facilities Capital Projects

Brian Duffield
(Acting) Director, Community Services

Original Signed By:

Original Signed By:

Laura Gibbs, MBA, MSc. BA
Manager, Cultural Services

Stan Karwowski, MBA, CPA, CMA
Director, Finance & Treasurer

BD:vp

Recommended for the consideration
of Pickering City Council

Original Signed By:

Marisa Carpino, M.A.
Chief Administrative Officer

From: Richard Holborn
Director, Engineering Services

Subject: School Crossing Guard Program
- Quotation No. Q2021-7
- File: A-1440

Recommendation:

1. That Quotation No. Q2021-7 submitted by Neptune Security Services Inc. in the total amount of \$1,423,800.00 (HST included) with a net project cost of \$1,282,176.00 (net of HST rebate) be approved for the 3 year period from September 2021 to June 2024; and,
 2. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.
-

Executive Summary: The current contract for the administration of the school crossing guard program will expire on June 30, 2021. Quotation No. Q2021-7 was issued on Wednesday, May 5, 2021 and closed on Thursday, May 27, 2021 with 4 bidders responding. The low bid submitted by Neptune Security Services Inc., in the amount of \$1,423,800.00 (HST included), is recommended for approval. Please note that the total contract amount stated in Recommendation No.1 is for a full 3 year period should the City extend the contract on the same terms and conditions for up to 2 additional 1 year periods.

In accordance with Section 06.11 of the Purchasing Policy, where the compliant quotation or tender meeting specifications and offering best value to the City is acceptable or where the highest scoring proposal is recommended and the estimated total purchase price is:

- (c) Over \$250,000, the Manager may approve the award, subject to the approval of the Director, Treasurer, CAO and Council.
-

Financial Implications: The annual cost for the provision of the school crossing guard program is provided for in account 2230.2399.0000. In the 2021 Current Budget, costs were included for the period of January 2021 to June 2021 based on the existing contract, and costs were estimated for the period of September 2021 to December 2021 for the new contract. Based on the bid received from Neptune Security Services Inc. which is recommended for approval, and due to school closures in the first half of the year caused by the COVID-19 pandemic, savings in the amount of \$129,211.16 including net HST is estimated for 2021.

1. Quotation Amount

Quotation No. Q2021-7	Year 1 2021/2022	Option Year 2 2022/2023	Option Year 3 2023/2024	Total (3 years)
Quotation Amount	\$410,000.00	\$420,000.00	\$430,000.00	\$1,260,000.00
HST (13%)				<u>163,800.00</u>
Gross Quotation Amount				<u>\$1,423,800.00</u>

2. Total Project Cost

Quotation No. Q2021-7	
Quotation Amount (3 Years)	\$1,260,000.00
HST (13%)	<u>163,800.00</u>
Gross Project Cost	\$1,423,800.00
HST Rebate (11.24%)	<u>(141,624.00)</u>
Net Project Cost	<u>\$1,282,176.00</u>

**3. Approved Source of Funds
2021 Current Budget (Year 1)**

Quotation No. Q2021-7	Account Code	Budget	Estimated Required
Year 1 *	2230.2399.0000	\$394,000.00	\$264,788.84

The budget amount of \$394,000.00 and the estimated required amount of \$264,788.84 are both calculated using a blend of 6 months of costs from the prior year's quotation, of which, the required amount is \$97,902.44 net HST and 4 months from the new 2021 quotation which is estimated at \$166,886.40 net HST included. The estimated required amount is lower than the budgeted amount due to school closures caused by the pandemic.

Project Cost under (over) approved funds (Year 1)	\$129,211.16
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Discussion: The City of Pickering currently contracts the placement of adult school crossing guards at 36 school crossing guard stations at various locations across the city (Attachment #1). The current contract for the supply and administration of school crossing guard services, Quotation No. Q-14-2018, will expire on June 30, 2021. The service provider, Neptune Security Services Inc., was awarded the contract for the 2018/2019 school year and was extended for the optional second (2019/2020) and third (2020/2021) school years.

Subject: School Crossing Guard Program
Quotation No. Q2021-7

Page 3

Quotation No. Q2021-7, School Crossing Guard Program, was issued on Wednesday, May 5, 2021 and closed on Thursday, May 27, 2021 with 4 bidders responding. The low bid in the amount of \$1,423,800.00 (HST included) for 3 years, submitted by Neptune Security Services Inc., is recommended for approval.

For this quotation, City staff stipulated a minimum hourly rate of pay for the crossing guards. The rate includes a 2 per cent increase per year from the existing rate, and is in line with what other municipalities in Durham Region are currently providing.

The City's Health & Safety Regulation form and current Certificate of Clearance issued by the Workplace Safety & Insurance Board has been submitted by Neptune Security Services Inc. The Certificate of Insurance has been reviewed by the Manager, Budgets & Internal Audit and is deemed acceptable.

The following items submitted by Neptune Security Services Inc. have been reviewed and are deemed acceptable by the Manager, Capital Projects & Infrastructure:

- provided references;
- proposed contract implementation scheme;
- policy/practice regarding absenteeism and vacations; and
- policy/practice regarding training of both guard and supervisory staff.

Quotation No. Q2021-7 maintains the current number of crossing guard stations and conditions of service for year 1, which is the 2021/2022 school year (September 2021 to June 2022). The term of this contract is to include 3 school years from September 2021 to June 2024 inclusive.

Each subsequent school years' service is subject to acceptable health and safety documentation and satisfactory performance evaluation of the prior years' service. The City reserves the right not to extend to the subsequent school year, should the requested documentation set out in Appendix D – Request for Quotation Particulars, Material Disclosures, of the Quotation document not be acceptable and/or the performance evaluation not be acceptable, if in so doing the best interests of the City will be served.

In conjunction with staff's review of the contractor's previous work experience, check of references submitted, and review of relevant documentation during the evaluation stage, the quotation is deemed acceptable.

Upon careful examination of the quotation and relevant documents received, the Engineering Services Department recommends the acceptance of the low bid submitted by Neptune Security Services Inc. for Quotation No. Q2021-7 in the total amount of \$1,423,800.00 (HST included) for the 3 year period from September 2021 to June 2024, and that the total net project cost of \$1,282,176.00 (net of HST rebate) be approved.

Subject: School Crossing Guard Program
Quotation No. Q2021-7

Attachments:

1. School Crossing Guard Program Location Map
2. Supply and Services Memorandum dated May 27, 2021

Prepared By:

Original Signed By

Scott Booker
Manager, Capital Projects & Infrastructure

Original Signed By

Nathan Emery
Coordinator, Traffic Operations

Approved/Endorsed By:

Original Signed By

Richard Holborn, P.Eng.
Director, Engineering Services

Original Signed By

Stan Karwowski, MBA, CPA, CMA
Director, Finance & Treasurer

Original Signed By

Ray Rodrigues, CPPB
Manager, Supply & Services

SB:NE:mjh

Recommended for the consideration
of Pickering City Council

Original Signed By

Marisa Carpino, M.A.
Chief Administrative Officer

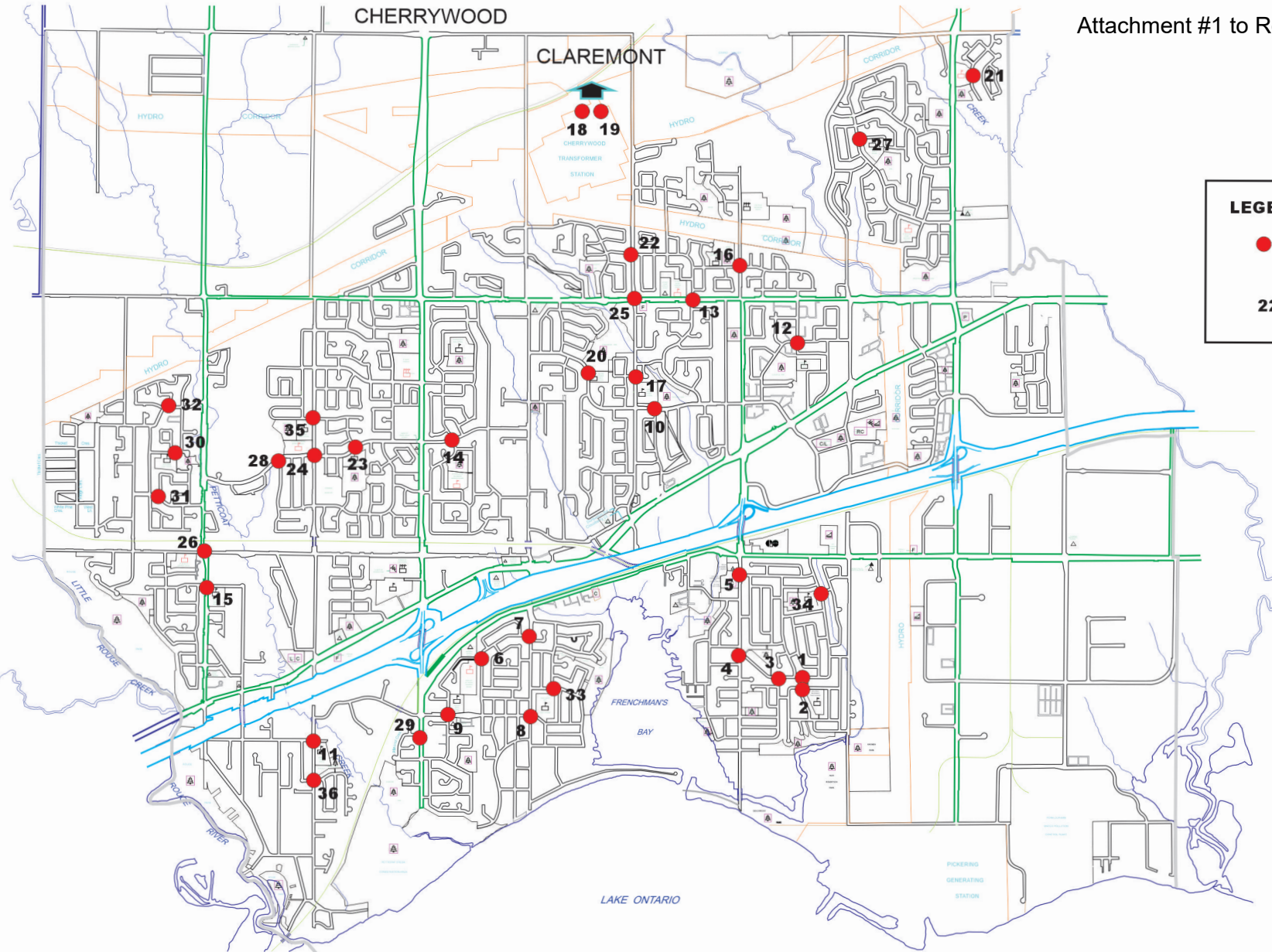
CHERRYWOOD

CLAREMONT



LEGEND

- Crossing Guard Location
- 22** Site #



Engineering Services Department

School Crossing Guard Program

School Crossing Guard Locations

City of PICKERING

SCALE: NTS PLOT DATE: March, 2020



Memo

To: Richard Holborn
Director, Engineering Services

From: Ray Rodrigues
Manager, Supply & Services

Copy: Administrative Assistant, Engineering Services
Manager, Capital Projects & Infrastructure

Subject: Quotation No. Q2021-7
School Crossing Guard Services
Closing: May 27, 2021 at 12:00 Noon.
- File: F-5300-001

May 27, 2021

Quotation Q2021-7 was released on the City's website on May 5, 2021. 4 Companies have responded by the closing date and time.

There are 3 stages in the evaluation process which are outlined in Part 2 – Evaluation of Quotations of the Terms of Reference.

Stage I determines which submissions satisfy all the mandatory submission requirements and provides Respondents the opportunity to rectify deficiencies. 4 quotations proceeded to Stage II, which consists of a review of the quotations to determine whether the mandatory technical requirements as set out in Section C of the Request for Quotation Particulars (Appendix D) have been met which have been met. 4 quotations proceeded to Stage III, which consists of an evaluation of the submitted pricing in accordance with the price evaluation method set out in the Pricing Form (Appendix C).

Neptune Security Services Inc. is the top ranked Respondent with a submitted price of **\$1,260,000** (HST Excluded) for all three years of the contract term and **\$410,000** for the first year of the contract term.

A budget of \$600,000 was provided to Supply & Services for this procurement.

In accordance with Appendix D – Request for Quotations Particulars, Item B: Material Disclosures, the following documents will be requested from Neptune Security Services Inc.

- a) contact information for the proposed Supervisory / Management staff;
- b) policy/practice regarding absenteeism and vacations;
- c) policy/practice regarding training of both guard and supervisory staff;
- d) certification of confirmation for Guard and Supervisory staff of current Police Record Check;
- e) certification of confirmation of Guard and Supervisory staff successful completion of the Company's Guard training program;
- f) The City's Health and Safety Form completed, currently dated and signed; and

g) The City's certificate of insurance or approved alternative form shall be completed by the bidder's agent, broker or insurer.

Please advise if Supply & Services is to proceed with this task.

In accordance with Purchasing Policy Item 06.04, the authority for the dollar limit as set out below excludes HST.

In accordance with Purchasing Policy, Item 06.11, where the compliant quotation or tender meeting specifications and offering best value to the City is acceptable or where the highest scoring proposal is recommended and the estimated total purchase price is:

(c) Over \$250,000, the Manager may approve the award, subject to the approval of the Director, Treasurer, CAO and Council.

Subject to receipt of approvals on the required docs above, please provide your recommendation in report form, as well as an on-line requisition.

Please direct all enquiries to Supply & Services. Respondents will be advised of the outcome when the contract has been awarded.

If you require further information, please contact myself or a member of Supply & Services.

RR

Attachments: (1)

From: Richard Holborn
Director, Engineering Services

Subject: Road Servicing Agreement with Seaton TFPM Inc.
- Fifth Concession Road
- File: A-1440

Recommendation:

1. That the City of Pickering enter into a Road Servicing Agreement with Seaton TFPM Inc. to facilitate the reconstruction of Fifth Concession Road between Brock Road and Sideline 16 as contemplated in the Seaton Financial Impacts Agreement;
 2. That the Mayor and City Clerk are hereby authorized to execute the Road Servicing Agreement between the City of Pickering and Seaton TFPM Inc. in substantially the same form as attached to this report, subject to minor revisions acceptable to the Director, Corporate Services and City Solicitor; and,
 3. That the appropriate City of Pickering officials be authorized to take the necessary actions as indicated in this report.
-

Executive Summary: The Seaton Financial Impacts Agreement dated November 26, 2015, includes a number of Local (City) Roads and Services within the boundaries of the Seaton community to be installed at the expense of North Pickering Community Management Inc. (the Seaton Landowners Group) in exchange for relief from certain Development Charges. Fifth Concession Road, between Brock Road and Sideline 16, has been identified as one such road to be widened and reconstructed to an urban cross-section.

In order to facilitate these works, Seaton TFPM Inc. on behalf of the Seaton Landowners Group, is required to enter into a Road Servicing Agreement with the City. This Agreement describes the requirements for the construction of the works, references the engineering design drawings applicable to the works, and allows the City to financially secure the works to be constructed.

Financial Implications: There are no direct costs to the City of Pickering by entering into this agreement. All costs will be the responsibility of the Seaton Landowners Group.

Discussion: North Pickering Community Management Inc., through Seaton TFPM Inc., will be reconstructing Fifth Concession Road between Brock Road and Sideline 16, to a wider, urbanized cross-section. A component of these works includes the replacement, lengthening and widening of three road crossing culverts which convey stream drainage from

Subject: Road Servicing Agreement
Fifth Concession Road

the north side of Fifth Concession Road to the south. These streams are identified as Redside Dace habitat and as such, in-water works can only be carried out during the cold water fisheries window from July 1 to September 15.

Approval of the Road Servicing Agreement will allow Seaton TFPM Inc. to undertake the culvert replacements within the cold water fisheries window in 2021, followed by construction of storm sewer, sanitary sewer and watermain works to service the future Plans of Subdivision north and south of Fifth Concession Road, and finally construction of the widened roadway. Works to relocate the existing Hydro wires and poles has already commenced in order to facilitate the road works.

Attachments:

1. Draft Service Agreement
2. Location Map

Prepared By:

Original Signed By

Paal Helgesen, P.Eng.
(Acting) Division Head, Water Resources &
Development Services

Approved/Endorsed By:

Original Signed By

Richard Holborn, P.Eng.
Director, Engineering Services

PH:mjh

Recommended for the consideration
of Pickering City Council

Original Signed By

Marisa Carpino, M.A.
Chief Administrative Officer

B e t w e e n:

SEATON TFPM INC.
(the "Developer")

and

The Corporation of the City of Pickering
(the "City")

Whereas, in order to facilitate the development of certain lands located in the City of Pickering, the Developer (as the subsidiary of one of the landowners bound by the Seaton Landowners Group and City of Pickering Financial Impacts Agreement dated November 26, 2015) is required to reconstruct some of the existing roads surrounding newly developed lands to urban standards and install certain applicable services; and

Whereas, the Developer agrees to undertake the reconstruction of roads and install all applicable services, at its expense, subject to the conditions set out in Section 10; and

Whereas, the Developer agrees to complete construction of the road and install all applicable services and appurtenances within one (1) year from the date of Authorization to Commence Works, as more particularly set out in this Agreement.

The Parties agree as follows:

1. Lands Affected

The lands and premises affected by this Agreement are Part of the Road Allowance between Concessions 4 and 5, lying between Brock Road and Sideline 16 along with Part of Lot 17, Concession 4, being Part 4, 40R-3579, Part Lot 18, Concession 4 as in CO122868, Part Lot 18, Concession 4, being Part 5, 40R-3579, Part of Lot 17, Concession 5, being Parts 1 and 2, 40R-3579 and Part Lot 18, Concession 5, being Part 6, 40R-3579, City of Pickering (hereinafter referred to as "The Roadway").

2. Status of this Agreement

- (1) This Agreement is entered into and executed by the Developer for the purpose of having the City act in reliance on the covenants by the Developer contained herein and the Developer hereby waives any right or claim which it now has or may hereinafter acquire which is inconsistent with the terms of this Agreement.
- (2) Time shall be of the essence of this Agreement.

3. Interpretation

- (1) Whenever in this Agreement the pronoun "it" is used, it shall be read and construed as "he", "she", "they", "him", "her" or "them", and the number of the verb agreeing therewith shall be construed accordingly.
- (2) Wherever in this Agreement the word "Director" is used, it shall mean the City's Director, Engineering Services.

4. Notice

- (1) Any notice required in writing in this Agreement shall be delivered to the following address:

to the Owner at:

7880 Keele St., Suite 500, Vaughan, ON L4K 4G7
Attention: _____, Fax No.: 416.756.1973

and to the City at:

Pickering Civic Complex, One The Esplanade, Pickering, ON L1V 6K7
Attention: City Clerk, Fax No.: 905.420.9685

- (2) Notice shall be sufficiently given if,
 - (a) delivered in person;
 - (b) sent by registered mail; or
 - (c) sent by facsimile transmission during normal business hours on a business day.
- (3) Each notice sent shall be deemed to have been received,
 - (a) on the day it was delivered;
 - (b) on the third business day after it was mailed (excluding each business day during which there existed any general interruption of postal services due to strike, lockout or other cause); or
 - (c) on the same day that it was sent by facsimile transmission or on the first business day thereafter if the day on which it was sent by facsimile transmission was not a business day.
- (4) The Owner may change its address for notice by giving notice to the City's City Clerk in the manner provided in this Section.

5. **Binding Parties**

This Agreement shall be enforceable jointly and severally by and against the Parties hereto, their heirs, executors, administrators, successors and assigns, and the Agreement and all the covenants by the Developer contained herein shall run with the Lands for the benefit of the City and the land or interests in land owned by the City upon the registration of this Agreement.

6. **Right to Enter (If Lands still in private ownership)**

The City may, by its officers, employees or agents, enter on the Owner's Lands or any abutting lands, including abutting lands owned by Her Majesty the Queen in Right of Ontario or any part of the Owner's Lands, as well as any building(s) erected on the Owner's Lands to ensure that any works, services or facilities required to be provided, constructed or installed by the Owner, comply with this Agreement.

7. **Developer's General Undertaking**

The Developer shall complete the construction of The Roadway and the installations of services in a good workmanlike manner for the City, all the municipal services as hereinafter set forth to the satisfaction of the City, and shall complete, perform or make payment for such other matters as may be provided for herein.

8. **Developer's Expense**

Every provision of this Agreement by which the Developer is obligated in any way shall be deemed to include the words "at the expense of the Developer and at no expense to the City" unless the context requires otherwise.

9. **Authorizations - Lands Outside the Plan**

If it is necessary for the Developer to enter onto abutting lands to complete any portion of the Works, the Developer shall obtain written authorization from the abutting landowner(s), satisfactory to the Director, authorizing the Developer, its officers, employees, agents and the City to enter upon the abutting lands to complete and inspect the Works. A copy of the written authorization shall be provided to the Director prior to the installation of such Works.

10. **Construction, Upgrading and Installation of City Works and Services (hereinafter referred to as the “Works”)**

- (1) The Developer shall obtain all required approvals and shall construct or install to City standards and shall provide to the City, complete in every detail, the following City works and services as shown on engineering plans submitted by the Developer’s consulting engineer to the City and approved by the Director, Engineering Services in accordance with the City’s specifications for such Pre-Servicing Works:

Plan No.	Plan Title
100	General Notes
101	General Plan
201	Grading Plan (Part 1)
202	Grading Plan (Part 2)
203	Fifth Concession Cross-Sections
204	Fifth Concession Cross-Sections
205	Fifth Concession Cross-Sections
206	Fifth Concession Cross-Sections
207	Fifth Concession Cross-Sections
208	Fifth Concession Cross-Sections
209	Fifth Concession Cross-Sections
210	Fifth Concession Cross-Sections
301	Storm Drainage Plan
302	External Storm Drainage Plan
303	Sanitary Drainage Plan
304	External Sanitary Drainage Plan
401	Fifth Concession Road
402	Fifth Concession Road
403	Fifth Concession Road
404	Sideline 16 Road
501	Construction Details - Roads
502	Construction Details - Sewers
503	Construction Details - Watermain
1001	Fifth Concession Culverts Construction General Plan
1002	Fifth Concession Culverts Construction Grading Plan
1003	UA1-3 Culvert Plan & Profile
1004	UA1-3 Culvert Cross-Sections 1-1 to 3-3
1005	UA2-1 Culvert Plan & Profile
1006	UA3 Culvert Plan & Profile
1007	UA3 Culvert Cross-Sections 4-4 to 6-6
1008	UA3 Culvert Details
1009	UA3 & UA1-3 Culvert Details
1010	UA3 & UA1-3 Culvert Details
1011	Hydro Pole Installation Plan
1012	UA1-3 Culvert Construction Plan - Stage 1
1013	UA1-3 Culvert Construction Plan - Stage 2
1014	UA2-1 & UA3 Culverts Construction Plan
1015	Erosion & Sediment Control Plan -Grading Outside of Tributaries
TMDC-1	Proposed Culvert Construction Work - Detour Route Plan

- (2) If at any time prior to the acceptance of the Works, the Director is of the opinion that additional works are necessary to provide adequately any of the public services required by the project, the Developer shall construct, install or perform such additional works at the request of the Director.
- (3) All Works shall be constructed and installed in accordance with the City's specifications and in a good and workmanlike manner under the supervision of the Developer's Consulting Engineer and under the observation of the City's inspectors.
- (4) The Developer shall conduct video inspections of all underground services required to be constructed or installed hereby and shall provide a DVD-format videotape record of those inspections to the City.

- (5) The Developer shall pay to the City the City's costs of inspection, including but not necessarily limited to, salaries and wages of inspectors, testing fees and administration fees, within 30 days of invoices being rendered.

11. **Authorization to Commence Work**

The Developer shall not commence the construction or installation of any of the Works, without the written Authorization to Commence Work of the Director, which Authorization shall not be issued until all approvals for the Works have been obtained and,

- (a) one copy of this Agreement executed by the Developer have been provided to the City to the satisfaction of the Director;
- (b) all monies, securities and insurance requirements, as noted in this Agreement, have been delivered to the City to the satisfaction of the Director, Corporate Services & Treasurer and the Director;
- (c) all approvals and permits have been obtained by the Developer from the appropriate agencies, and from every adjacent owner whose lands must be entered upon in order to carry out such Works.

12. **Consulting Engineers**

- (1) The Developer shall retain a Professional Engineer as the Consulting Engineer of the Developer to carry out all the necessary engineering and to supervise the Works required to be done pursuant to this Agreement.
- (2) Such Consulting Engineer, or any successor thereto, shall continue to be retained until the Works required to be done are completed and formally accepted by the City.
- (3) The Developer may change from one Consulting Engineer to another at any time or times during the undertaking of such Works, so long as the Developer has a Consulting Engineer retained at all times.

13. **Performance and Maintenance Security**

- (1) Before this Agreement will be executed by the City and prior to commencing any Works, the Developer shall file performance and maintenance security (the "Security") with the City. The Security shall be in the form of an irrevocable letter of credit issued by a chartered bank in Canada, a surety bond issued by a licenced insurer or a certified cheque. The Security shall be in the amount of \$_____ (the "Original Value"), and shall be held for the purpose of,
 - (a) guaranteeing the satisfactory construction, installation or performance of the Works and performance of any other obligations of the Owner under this Agreement;
 - (b) guaranteeing the payment of any amounts payable to the City under this Agreement;
 - (c) guaranteeing the payment of any amount that the City may be required to pay under the provisions of the *Construction Act*, as amended from time to time;
 - (d) guaranteeing all Works, workmanship and materials during the maintenance period and any rectification period or periods and until a Final Acceptance Certificate has been issued by the Director, and
 - (e) guaranteeing the keeping in force of adequate insurance throughout the performance of the Works, including during the Maintenance Period and any rectification period(s).
- (2) The Developer may, at any time after the first 40 percent of the Original Value of the Works have been constructed, installed or performed, and paid for, apply in writing (ensuring reference to the registered plan number is made) for a reduction in the Security corresponding to the extent to which the Works have been constructed, and such application shall be made to the Director.
- (3) Upon written verification from the Director that the construction, installation or performance of the Works for which reduction is being sought have been satisfactorily

completed and paid for, the Director, Corporate Services & Treasurer may reduce the amount of the security to an amount not less than,

- (a) 60 percent of the Original Value where,
 - no certificate or declaration of substantial performance has been made;
- (b) 35 percent of the Original Value where,
 - a certificate or declaration of substantial performance has been published;
 - 60 days following such publication have expired; and
 - all liens that may be claimed against any holdback required to be retained by the City have expired or have been satisfied, discharged or provided for by payment into court;

and

- (c) 20 percent of the Original Value where,
 - a certificate of final completion has been made by the Developer's Consulting Engineer;
 - 60 days following the making of such certificate have expired;

all liens that may be claimed against any holdback required to be retained by the City have expired or have been satisfied, discharged or provided for by payment into court;

all payments required by this Agreement have been made in full; and

a Completion Acceptance Certificate has been issued by the Director,

which 20 percent portion shall secure the guarantee of Works, workmanship and materials, until a Final Acceptance Certificate has been issued by the Director, when the balance of the security shall be returned to the Developer subject to any deductions for rectification of deficiencies.

- (4) Upon the approval, if any, of a reduction in the amount of the security required to be provided in subsection (1), the Director, Corporate Services & Treasurer shall provide to the Developer any necessary assurance to effect the reduction.
- (5) Notwithstanding any other provision contained in this Agreement, there shall be no reduction in the security referred to herein where such a reduction would result in the principal amount being less than:
 - (a) the aggregate total of 100% of the value of uncompleted Works and 20% of the value of the completed Works; and
 - (b) the amount that would be required to keep adequate insurance in effect, plus administration fees, until the issuance of a Final Acceptance Certificate by the City.

14. **Expiry of Securities**

- (1) Should the Security (if in the form of a letter of credit or surety bond) expire before the City releases the Owner from the terms and conditions hereof, the Owner shall provide the City with a minimum of 30 days written advance notice of the expiry date and provide the City with a replacement Security to take effect on the same date the Security is to expire.
- (2) Such replacement Security shall be in a form and amount satisfactory to the City.
- (3) Should no such further Security be provided as required, then the City shall have the right to convert the expiring Security (if letter of credit or surety bond) into cash and hold the cash in lieu of for the same purposes as the expiring Security.

15. **Guarantee of Works, Workmanship and Materials**

- (1) The Developer shall guarantee all Works, workmanship and materials employed or used in the construction, installation or completion of the Works, services and other

requirements under this Agreement for a minimum period of two years (the "maintenance period") following the issuance of the Completion Acceptance Certificate by the City.

- (2) Despite any other provisions of this Agreement, the responsibilities of the Developer during the maintenance period shall include the maintenance of the Works, including the rectification of any unsatisfactorily installed Works.
- (3) Prior to the end of the maintenance period, the Developer's Consulting Engineer shall submit to the City, "as built" construction drawings for the Works completed as per City standards, together with that Consulting Engineer's certificate that those drawings accurately depict the Works as constructed.
- (4) Prior to the end of the maintenance period, the City will re-inspect the Works and if,
 - (a) the Works are acceptable; and
 - (b) the Developer has performed all of its obligations under the terms of this Agreement to the satisfaction of the City,

the City will issue to the Developer a Final Acceptance Certificate at which time the City will assume Developership of the Works and the operation and maintenance thereof, and the maintenance period will then end.

16. **Failure to Complete / Improper Performance**

- (1) If, in the opinion of the Director, the Developer is not constructing or installing the Works, or causing them to be constructed or installed, within the specified time or so that they may be completed within the specified time, or is improperly performing the Works, or has neglected or abandoned them before completion, or has unreasonably delayed them so that the terms and conditions of this Agreement are being violated or executed carelessly or in bad faith, or has neglected or refused to renew or again perform Works rejected by the Director as defective or unsuitable, or has in any other manner, in the opinion of the Director, defaulted in the performance of the terms and conditions of this Agreement, then the Director may notify the Developer and his surety in writing of the default or neglect and if the notification be without effect for seven days, then the Director shall have full authority to make any payment or do anything, including but not limited to obtaining materials, tools and machinery and employing persons required for the proper completion of the Works or rectification of the default, at the cost and expense of the Developer or his surety, or both.
- (2) In cases of emergency, in the opinion of the Director, such Director may act without prior notice but the Developer and its surety shall be notified forthwith.
- (3) The cost of rectifying the default shall be calculated by the Director, whose decision shall be final, and may be charged to the Developer, together with a 25 per cent engineering and administration fee, by drawing upon the letter of credit filed with the City pursuant to this Agreement.

17. **Occupational Health and Safety**

- (1) The Developer certifies that it is aware of its duties and obligations under the *Occupational Health and Safety Act*, or any successor thereto, and all Regulations thereunder (herein called the "Act"), and shall ensure that its employees, contractors, subcontractors and their employees,
 - (a) are aware of their respective duties and obligations under the Act; and
 - (b) have sufficient knowledge and training to perform all Works and services required pursuant to this Agreement safely and in compliance with the Act.
- (2) In the performance of all Works and services required pursuant to this Agreement, the Developers shall,
 - (a) act safely and comply in all respects with the Act; and
 - (b) ensure that its employees, contractors, subcontractors and their employees act safely and comply in all respects with the Act.

- (3) The Developer shall rectify any unsafe act or practice and any non-compliance with the Act immediately upon being notified by any person of the existence of such act, practice or non-compliance.
- (4) The Developer shall permit representatives of the City on the site where any Works or services required pursuant to this Agreement are being performed at any time or times for the purpose of inspection to determine compliance with this section.
- (5) No act or omission by the City or any representative of the City (including the entering into of this Agreement) shall be deemed to be an assumption of any of the duties or obligations of the Developer, its employees, contractors, subcontractors and their employees under the Act.
- (6) In addition to the Developer's general indemnification of the City, above, the Developer shall indemnify and save harmless the City,
 - (a) from any loss, inconvenience, damage or cost to the City which may result from the City or any of its employees, contractors, subcontractors and their employees failing to act safely or to comply in all respects with the Act in the performance of any Works or service required pursuant to this Agreement; and
 - (b) against any action or claim, or costs related thereto, brought against the City by any person arising out of any unsafe act or practice or any non-compliance with the Act by the Developer or any of its employees, contractors, subcontractors and their employees in the performance of any Works or service required pursuant to this Agreement.

18. Road Maintenance and Repair/Snow Plowing

- (1) Throughout the term of this Agreement, the Developer shall,
 - (a) maintain all City roads outside the project, including boulevards, in a mud and dust free condition and free of obstructions, where the source or cause of the mud, dust or obstruction is an operation or operations related in any way to the development of the project;
 - (b) repair all City roads outside the project, including boulevards, where damage has occurred as a result of an operation or operations related in any way to the development of the project; and
 - (c) maintain all City roads within the project in a mud and dust free condition and free of obstructions, regardless of the source or cause of any mud, dust or obstruction.
- (2) The Developer shall within 24 hours of verbal notification by the City to it or its representatives, shall undertake such Works as are necessary to clean, clear or repair any City road requiring such Works in the opinion of the Director and the Director, Community Services or their designate.

19. Insurance Requirements

- (1) Before commencing any of the Works provided for herein, the Developer shall supply the City with a certificate of insurance verifying that a liability insurance policy is in place in a form satisfactory to the City, naming the City as an additional insured and indemnifying the City from any loss arising from claims for damages, injury or otherwise in connection with the Works done by or on behalf of the Developer on The Roadway.
- (2) The policy shall,
 - (a) name the City of Pickering as an additional insured;
 - (b) set the minimum limit at \$5,000,000.00 all inclusive for property damage and personal liability;
 - (c) indicate "per occurrence";
 - (d) refer to "products and completed operations" only; if the policy contains an "aggregate amount";
 - (e) contain a clause including blasting, if blasting is to occur; and

- (f) remain in full force and effect until the Final Acceptance Certificate has been issued by the City.
- (3) The policy premium shall be paid initially for a period of one year and the policy shall be renewed for further one-year periods until the Final Acceptance Certificate has been issued by the City.
- (4) The Developer acknowledges that, the City may, at its discretion, draw upon the Developer's Letter of Credit to pay for:
 - (a) the Developer's policy premium to keep adequate insurance in place until such time as the City has issued the Final Acceptance Certificate; and
 - (b) the City's administration fee of \$250.00, plus HST, per renewal,
 if at any time, prior to the Final Acceptance Certificate being issued by the City, the insurance policy referred to above is cancelled.
- (5) If the policy is subject to a deductible amount, the Security provided for by the Developer to the City pursuant to this Agreement shall also be available to be called upon by the City to pay for any amount required to be paid for by the Developer as the Developer's deductible under the aforesaid insurance policy and not otherwise paid for by the Developer.
- (6) The provision of the insurance policy required by this section shall not relieve the Developer from liability for claims not covered by the policy or which exceed its limits, if any, for which the Developer may be held responsible.

20. Owner's General Indemnity

Until the Director, Engineering Services has issued the Final Acceptance Certificate for the Works, the Owner shall indemnify the City from all losses, damages, costs, expenses, claims, demands and actions of every nature and kind whatsoever, including death or injury (collectively referred to as 'losses'), arising directly or indirectly from the failure to construct the Works pursuant to this Agreement or the Owner's failure to comply in all respects with all other requirements under this Agreement, whether or not such losses are incurred by reason of negligence or on the part of the Owner and whether such losses are sustained by the City, the Owner, or their employees, workmen, servants, agents or any other person or corporation.

21. Utility / Services

The Owner agrees that the cost of any relocation, extension, alteration or extraordinary maintenance of existing services necessitated by this development shall be the responsibility of the Owner.

22. Engineering Inspection Fees

Before commencing any of the Works, the Developer shall pay to the City by certified cheque \$ _____ for the development inspection fee done by the City's Planning & Development Department as part of the processing of this development.

X. Road Degradation Fee [NTD: Is this required]

Prior to the City releasing the 40M-Plan relating to this plan of subdivision to the Land Registry Office for registration, the Owner shall provide the City with a certified cheque, made payable to the 'City of Pickering' in the amount of \$ _____ being the Owner's contribution towards the City's road degradation fee.

23. Counterparts

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and all of which taken together shall be deemed to constitute one and the same document. The execution of this Agreement will not become effective until counterparts hereof have been executed by all the parties hereto. Counterparts may be executed either in original or electronic form and the parties adopt any signatures received in electronic form as original signatures of the parties.

In witness whereof the Owner and the City have duly executed this Agreement as of the date first written above.

Seaton TFPM Inc.

Name:
Title:

Name:
Title:

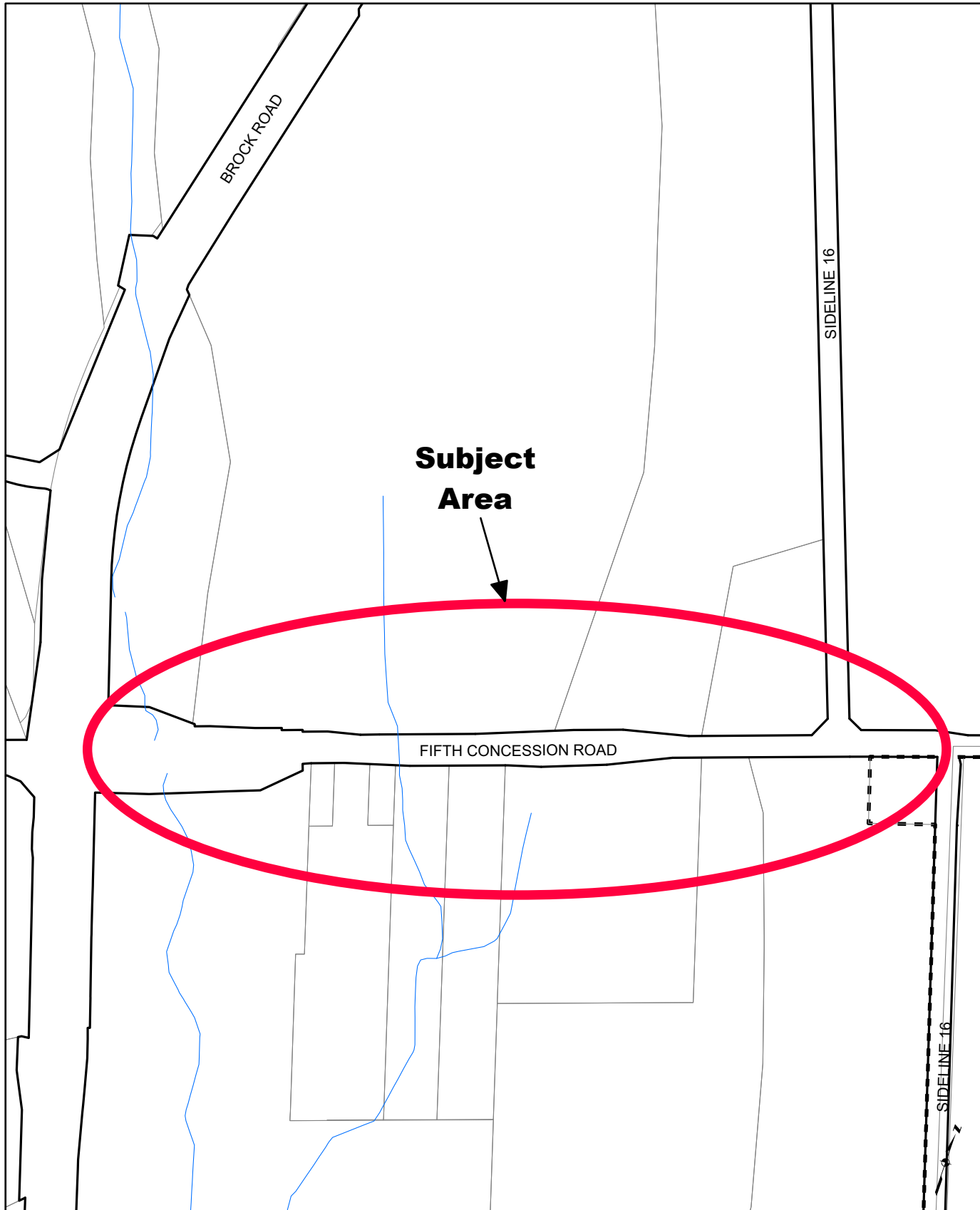
I/We have the authority to bind the Corporation.

The Corporation of the City of Pickering

David Ryan, Mayor

Susan Cassel, City Clerk

L-4100-08-21



Engineering Services
Department

SCALE:
1:5,000

DATE:
Jun. 09, 2021

Location Map

Fifth Concession Road Oversizing
From Brock Road to Sideline 16

City of
PICKERING

From: Richard Holborn
Director, Engineering Services

Subject: Proposed Skate Spot - West Shore Community Centre
- File: A-1440

Recommendation:

1. That Report ENG 18-21 regarding the creation of a skate spot at the West Shore Community Centre be received;
 2. That Council endorse the creation of a skate spot at the West Shore Community Centre; and
 3. That appropriate City of Pickering officials be authorized to take the actions necessary to implement the recommendations in this report.
-

Executive Summary: In 2017, the City of Pickering developed a Skateboard Park Strategy. The purpose of the strategy was to determine the existing and future needs for skateboard park facilities and to recommend potential locations around the city to provide these facilities. The Skateboard Park Strategy results indicated that 1 community size skateboard park and 5 smaller skateboard facilities, called skate spots, would be required to adequately service the residents of south Pickering over the next 10 years. Currently, Pickering only has one community sized skateboard park that is located in Diana, Princess of Wales Park and no skate spots.

An area on the West Shore Community Centre grounds, located at 1011-1015 Bayly Street, was identified as a potential site for a skate spot. This proposed site is easily accessible from Bayly Street and the waterfront trail, and has adequate parking for those who may want to drive there. The site is serviced by Durham Region Transit and a bus stop is located directly adjacent to the site for those who choose to take public transit. The site is clearly visible from Bayly Street, providing for passive surveillance of the area, and is not directly adjacent to existing residences.

The Pickering West Shore Community Association (PWSCA) were presented with conceptual designs of a skate spot on the West Shore Community Centre site during their 2017 PWSCA Annual General Meeting and voted overwhelmingly in favour of having a skate spot constructed at this location. The PWSCA Executive have recently confirmed that they continue to support this proposal.

Staff prepared an online questionnaire to gauge the public's desire and acceptance of a skate spot at the West Shore Community Centre. Results from the survey indicate that 91 percent of the respondents are in support of the creation of a skate spot at the West Shore Community Centre.

Should Council endorse the recommendations within this report, staff will proceed with the design and construction of this skate spot by retaining a Design/Build company that specializes in skateboard parks. Further public input to the design will be completed during the design process.

Financial Implications: Funds in the amount of \$200,000 for a skate board park (skate spot, location TBD) were approved by Council as part of the 2021 Parks Capital Budget.

Staff recommend that an RFP for a Design/Build Proposal be prepared for this skate spot and be solicited within the skateboard industry. Both the design and construction of skateboard parks is a very specialized field and most companies in this line of work provide both services. The value of the Design/Build assignment would be set within the \$200,000 budget amount.

Discussion: In 2017, the City of Pickering developed a Skateboard Park Strategy as a supplement to the Recreation and Parks Master Plan update. The Skateboard Park Strategy was endorsed in principle by Council at their January 15, 2018 meeting. The purpose of the strategy was to determine the existing and future needs for skateboard park facilities and to recommend potential locations around the city to provide these facilities. Of the households surveyed as part of the master plan update, 8 percent had a family member that skateboarded in the past year which equates to over 2,500 residents in the City of Pickering who skateboard. The Skateboard Park Strategy results indicated that 1 community size skateboard park and 5 smaller skateboard facilities called skate spots, would be required to adequately service the residents of South Pickering. Currently Pickering only has 1 community sized skateboard park that is located in Diana, Princess of Wales Park and no skate spots. Skateboard parks provide an inexpensive recreational outlet for the youth of our community as well for the likeminded younger children and adults.

An area on the West Shore Community Centre grounds was identified as a potential site for a skate spot. This proposed site is easily accessible from Bayly Street and the waterfront trail and has adequate parking for those who may want to drive there. The site is serviced by Durham Region Transit and a bus stop is located directly adjacent to the site for those who choose to take public transit. The site is clearly visible from Bayly Street, providing for passive surveillance of the area and is not directly adjacent to existing residences.

During the summer of 2017, the Pickering West Shore Community Association (PWSCA) hired a student to prepare some conceptual designs of a skate spot at the West Shore Community Centre site. These concepts, which were included in the Skateboard Park Strategy, were presented during the 2017 PWSCA Annual General Meeting and the membership voted overwhelmingly in favour of having a skate spot constructed at this location. The PWSCA Executive and Membership continue to support this proposal. This was recently confirmed at a 2021 Executive Meeting.

Staff prepared an online questionnaire to gauge the public's desire and acceptance of a skate spot at the West Shore Community Centre. A resident notice was distributed via a postal walk, to over 1800 businesses and homes in the area surrounding the proposed location. The survey was also promoted through social media. A total of 768 responses were received. The following is a summary of the results:

- 82% of the respondents were from Pickering residents with 5% living next to the site;
- 70% of the respondents have someone in their household who skateboard with 46% having 1 skateboarder and 36% having 2 skateboarders in their household - 32% of the skateboarders are children, 44% are teenagers, 54% are adults and 1% are seniors (55+);
- 25% of the respondents would use the skate spot daily, 51% weekly, and 20% monthly;
- 91% of the respondents were in support of the creation of a skate spot at the West Shore Community Centre; and
- for the respondents who are not supportive of the creation of a skate spot at the West Shore Community Centre, their main concerns, in order from greatest to least, were cleanliness of the site, parking, noise, and conflicts with other facility users.

Survey respondents were given the opportunity to comment on specific features that they would like to see incorporated into the skate spot design. Over 500 suggestions were received, including actual skateboard features as well as requests for features such as spectator seating, washrooms, a drinking fountain, and waste/recycling containers. These requests will be forwarded to the skate spot designer for consideration, should Council endorse the creation of a skate spot at West Shore Community Centre.

Close to 500 other general comments were received, many in favour, but some in opposition to the proposed skate spot. Several concerns were brought forward. Since the proposed location is near Bayly Street, respondents were concerned about the safety of skateboarders should they lose control. The skate spot can be designed with features that would safely separate the skateboard area from pedestrians and motorists. There were concerns regarding pedestrians' safety when crossing Bayly Street to get to/from the bus stop on the north side of the road as there is no traffic control device at this location. This concern was brought forward for general patrons of the West Shore Community Centre as well.

Another item that was frequently mentioned in the comments, both in support and opposition, was the inclusion of graffiti boards into the design. Staff recommend that if artwork were to be included, it would be commissioned professionally and possibly with a Frenchman's Bay theme, with murals of the bay, wildlife and nature. Beyond that, there would be zero tolerance for graffiti at this location.

Based on the overall positive response received from the majority of survey respondents, staff request that Council endorse this location for a skate spot and that staff be authorized to solicit for and retain a company that specializes in the design and construction of skateboard parks. The skate spot design, along with further public input, could proceed during the summer months, followed by construction later in 2021.

Attachments:

1. Location Map
 2. West Shore Skate Spot Public Survey Results
-

Prepared By:

Original Signed By
Arnold Mostert, OALA
Manager, Landscape & Parks Development

AM:df

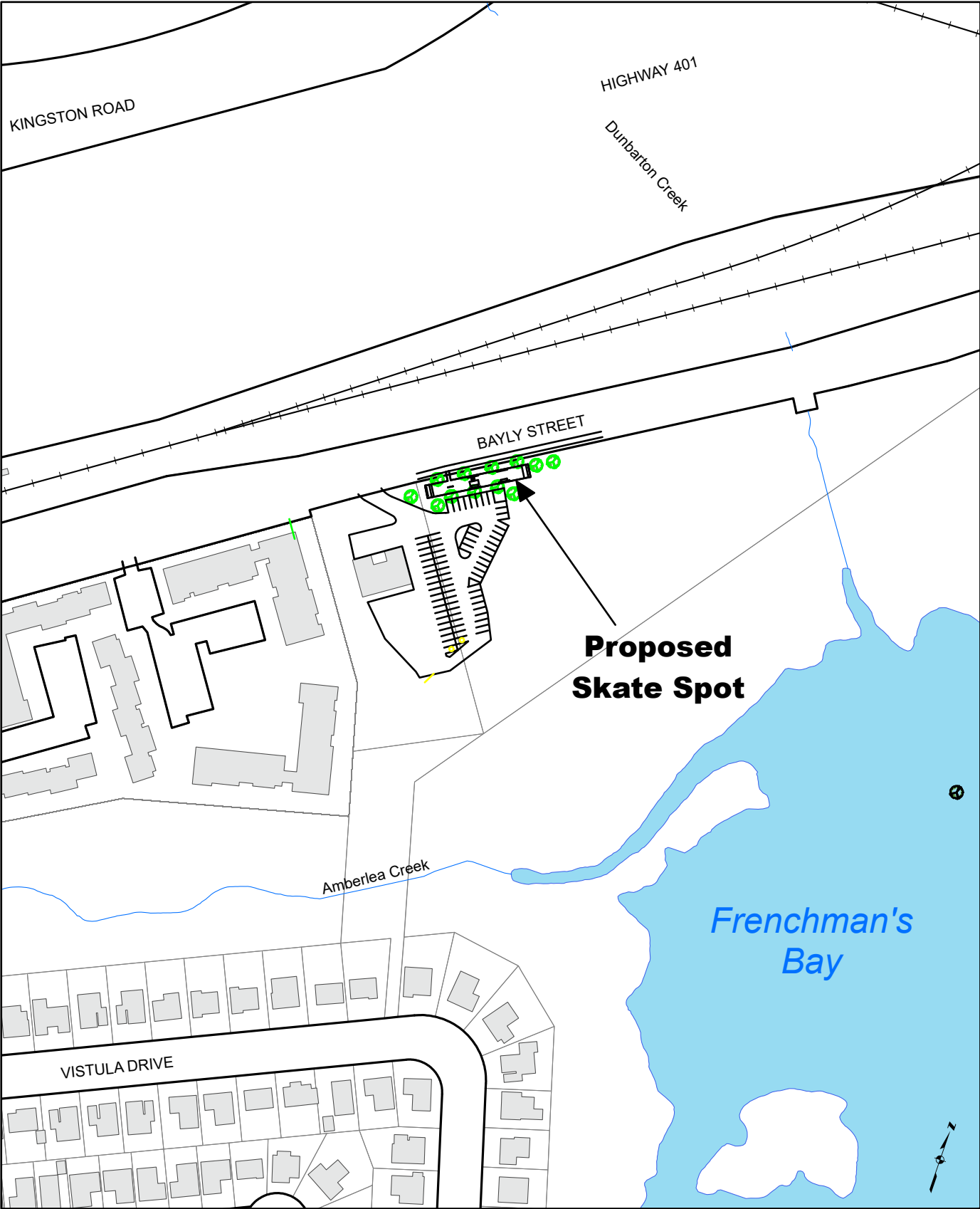
Approved/Endorsed By:

Original Signed By
Richard Holborn, P. Eng.
Director, Engineering
Services

Recommended for the consideration
of Pickering City Council

Original Signed By

Marisa Carpino, M.A.
Chief Administrative Officer



Proposed Skate Spot

Frenchman's Bay

Engineering Services
Department

Location Map

Westshore Community Centre Skate Spot

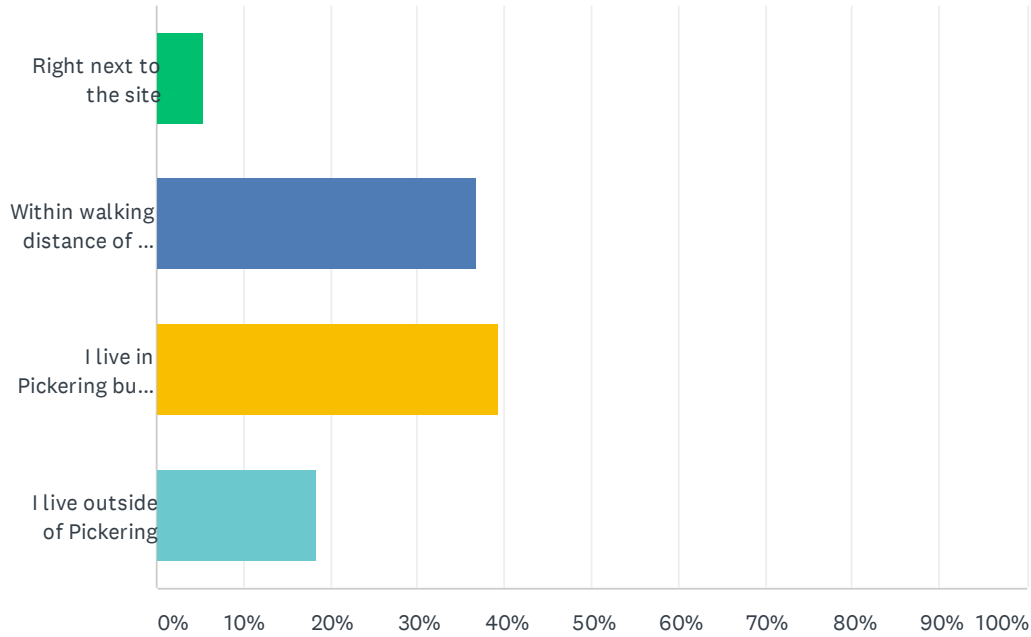
City of
PICKERING

SCALE:
1:2,500

DATE:
Jun. 11, 2021

Q1 How close do you live to the proposed West Shore Skate spot?

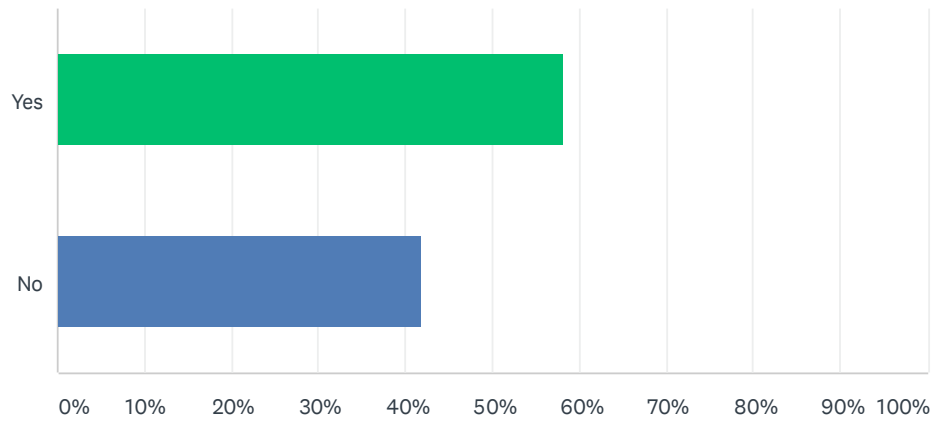
Answered: 768 Skipped: 0



ANSWER CHOICES	RESPONSES	
Right next to the site	5.34%	41
Within walking distance of the site	36.85%	283
I live in Pickering but need to drive or take transit to the site	39.32%	302
I live outside of Pickering	18.49%	142
TOTAL		768

Q2 Has anyone in your household previously used the West Shore Community Centre for any events or activities?

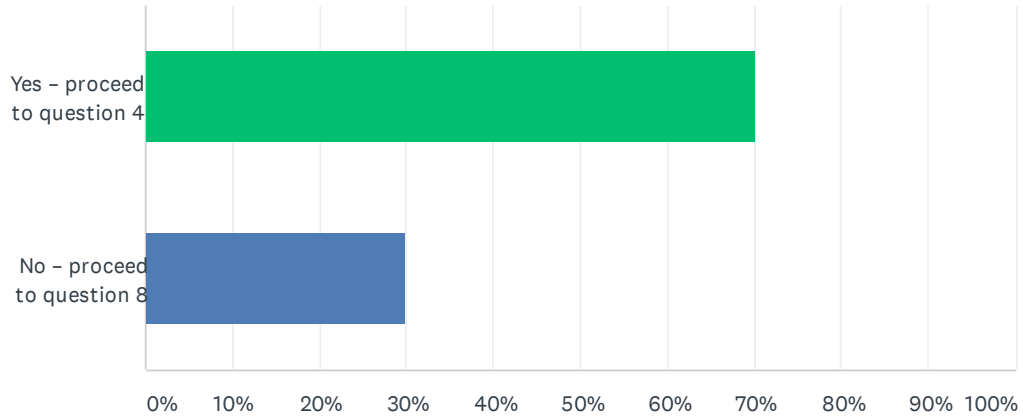
Answered: 767 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	58.15%	446
No	41.85%	321
TOTAL		767

Q3 Does anyone in your household currently skateboard?

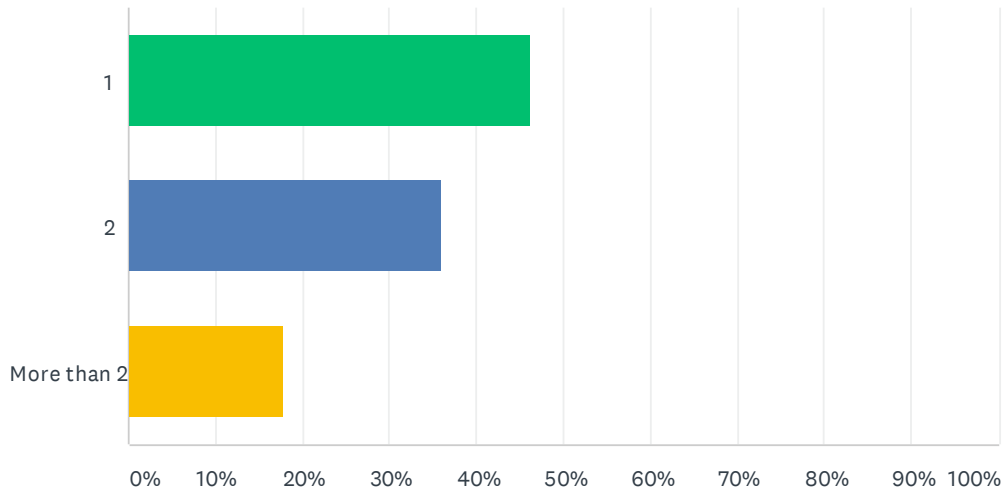
Answered: 767 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes – proceed to question 4	70.01%	537
No – proceed to question 8	29.99%	230
TOTAL		767

Q4 How many skateboarders are in your household?

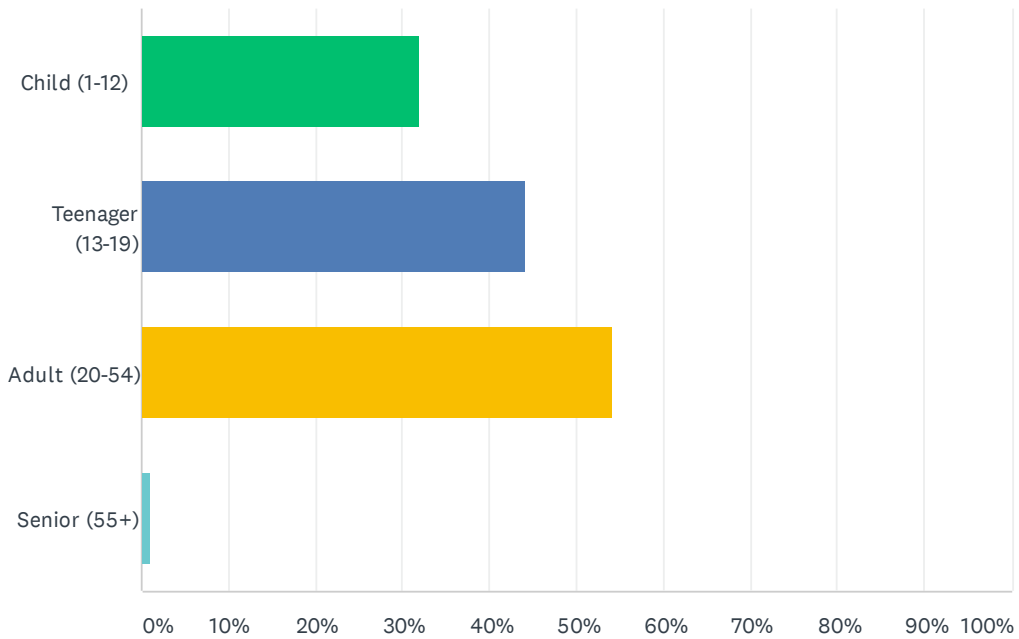
Answered: 568 Skipped: 200



ANSWER CHOICES	RESPONSES	
1	46.30%	263
2	35.92%	204
More than 2	17.78%	101
TOTAL		568

Q5 What age are the skateboarders in your household? (select multiple if required)

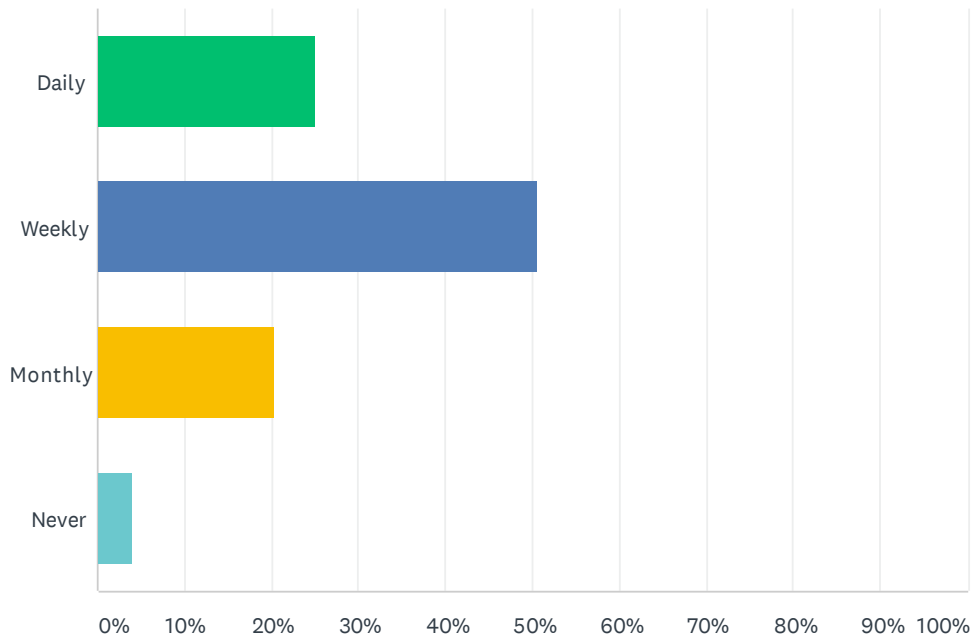
Answered: 565 Skipped: 203



ANSWER CHOICES	RESPONSES
Child (1-12)	32.04% 181
Teenager (13-19)	44.07% 249
Adult (20-54)	54.16% 306
Senior (55+)	1.06% 6
Total Respondents: 565	

Q6 If you are a skateboarder, how often would you use a skate spot at this location?

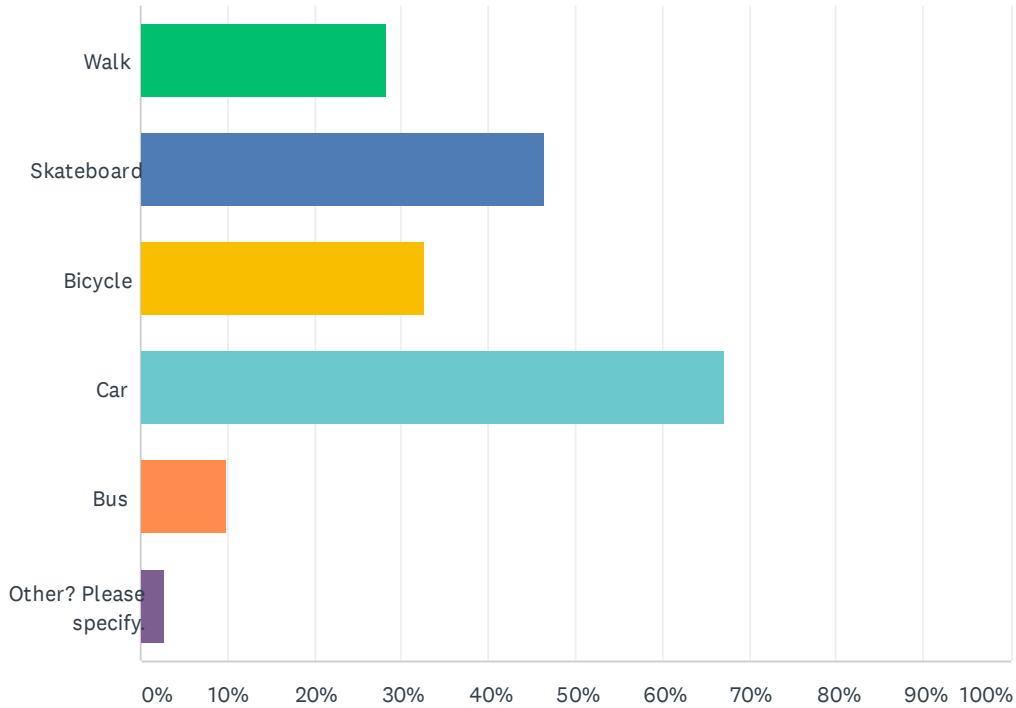
Answered: 555 Skipped: 213



ANSWER CHOICES	RESPONSES	
Daily	25.05%	139
Weekly	50.63%	281
Monthly	20.36%	113
Never	3.96%	22
TOTAL		555

Q7 If you would use this location, by what means of travel would you take?

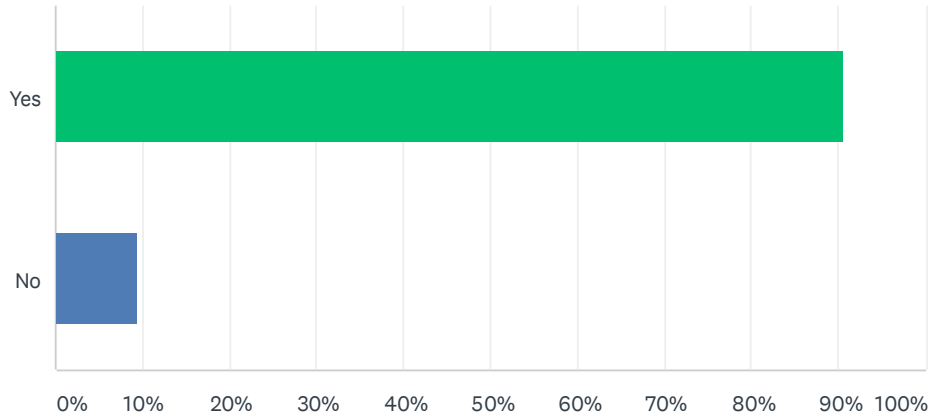
Answered: 576 Skipped: 192



ANSWER CHOICES	RESPONSES	
Walk	28.30%	163
Skateboard	46.53%	268
Bicycle	32.64%	188
Car	67.19%	387
Bus	9.90%	57
Other? Please specify.	2.78%	16
Total Respondents: 576		

Q8 Do you support the creation of a skate spot at this location?

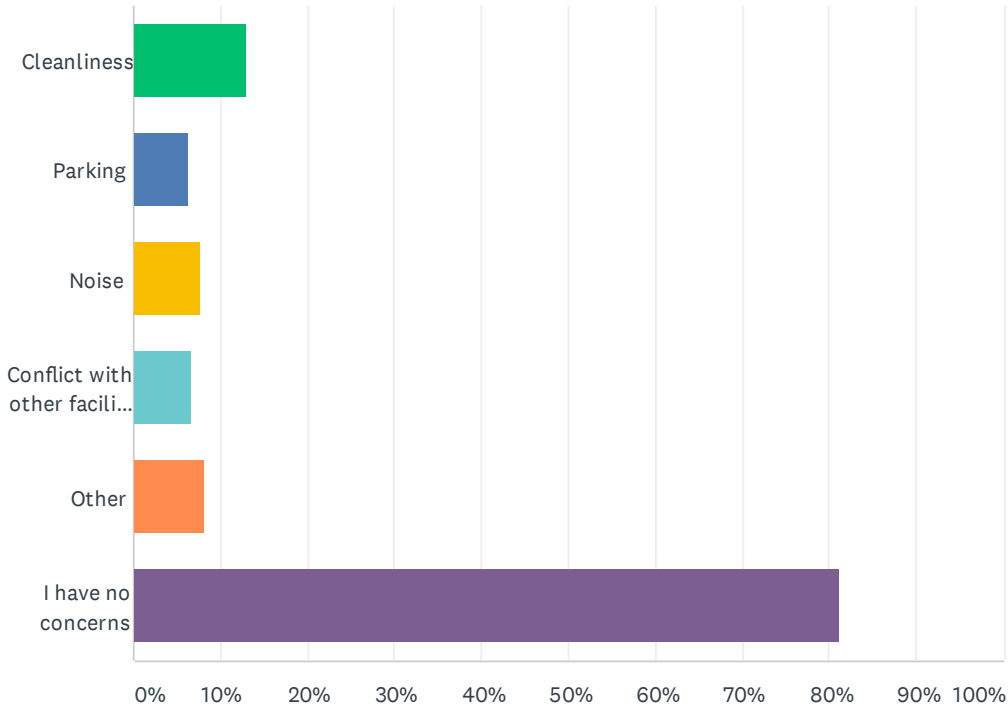
Answered: 767 Skipped: 1



ANSWER CHOICES	RESPONSES
Yes	90.61% 695
No	9.39% 72
TOTAL	767

Q9 If you are not supportive of creating a skate spot on the West Shore Community Center site, what are your main concerns? (select multiple as may apply)

Answered: 706 Skipped: 62



ANSWER CHOICES	RESPONSES	
Cleanliness	12.89%	91
Parking	6.23%	44
Noise	7.79%	55
Conflict with other facility users	6.66%	47
Other	8.07%	57
I have no concerns	81.16%	573
Total Respondents: 706		

From: Richard Holborn
Director, Engineering Services

Subject: Consulting Services
- Design and Contract Administration for the Brock Road Clean Water
Collector Pipe
- File: A-1440

Recommendation:

1. That Council approve the hiring of Stantec Consulting Ltd. for consulting and professional services for the preparation of detailed design drawings, tender specifications, and contract administration services for the construction of a clean water collector pipe on Brock Road in Duffin Heights, in accordance with Purchasing Policy Item 10.03 (c), as the assignment is above \$50,000.00;
 2. That the fee proposal submitted by Stantec Consulting Ltd. for consulting and professional services for the preparation of detailed design drawings, tender specifications and contract administration services for the construction of a clean water collector pipe on Brock Road in Duffin Heights, in the amount of \$88,479.00 (HST included) be accepted;
 3. That the total gross project cost of \$111,260.00 (HST included), including the fee amount and other associated costs, and the total net project cost of \$100,193.00 (net of HST rebate) be approved;
 4. That Council authorize the Director, Finance & Treasurer to finance the total net project cost of \$100,193.00 as follows:
 - a) the sum of \$2,505.00 to be funded by a transfer from Development Charges – City’s Share Reserve;
 - b) the sum of \$97,688.00 to be funded by a transfer from the Development Charges Reserve Fund – Protection Services ; and,
 5. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.
-

Executive Summary: As part of the 2016 Fire Services Capital Budget, funds were approved for costs related to providing services to the proposed fire station site at the northwest corner of Brock Road and Zents Drive. The construction of the sanitary sewer was completed when the Region undertook the urbanization and widening of Brock Road south of the CP Rail overpass. The construction of the fire hall has triggered the need to construct the

Subject: Consulting Service - Design & Contract Administration for
 Brock Rd. Clean Water Collector Pipe

clean water collector (CWC) pipe. In order to develop lands within the Mixed Use Corridor on the west side of Brock Road, north of Dersan Street, the developer is required to extend the CWC pipe to the north limit of their lands. The first leg is being installed with the construction of the Jerry Coughlan Health & Wellness Centre at the corner of Brock Road and Dersan Street. As the timing of the development of the majority of the remaining lands that benefit from the CWC pipe is not known, and with the construction of the fire hall in 2021-2022, the need for the CWC pipe is critical. The costs associated with the construction of the CWC pipe will be shared by all of the benefitting land owners when their lands are developed. The Trustee for the Duffin Heights Landowners Group will ensure that each landowner pays their proportionate share of the costs incurred by the constructing landowner, being the City of Pickering. As a condition of approval of development, each landowner must receive a clearance letter from the Trustee indicating that their proportionate share of the costs have been paid.

City staff contacted three engineering consulting firms who have provided services in the Duffin Heights neighbourhood, and are familiar with the servicing needs, and requested that they submit a proposal to undertake the design, tender specifications and contract administration of the CWC pipe. Staff are recommending that Stantec Consulting Ltd. be retained to provide these services at a total cost of \$88,479.00 (HST included). In accordance with Purchasing Policy Item 10.03 (c), as the assignment is above \$50,000.00, Council approval is being sought for this purchase.

Financial Implications:

1. Proposal Amount

Stantec Consulting Ltd.	
Fee Proposal	\$78,300.00
HST (13%)	<u>10,179.00</u>
Total Gross Proposal Amount	<u>\$88,479.00</u>

2. Estimated Project Cost Summary

Stantec Consulting Ltd. Fee Proposal	\$78,300.00
Associated Costs	
Tasks on a Time Basis (estimate)	7,830.00
Contingency (10%)	7,830.00
MECP fee for Environmental Compliance Approval	<u>4,500.00</u>
Sub Total – Costs	\$98,460.00
HST (13%)	<u>12,800.00</u>
Total Gross Project Cost	\$111,260.00
HST Rebate (11.24%)	<u>(11,067.00)</u>
Total Net Project Costs	<u>\$100,193.00</u>

3. Approved Source of Funds – 2016 Fire Services Capital Budget

Expense Codes	Source of Funds	Budget	Available	Required
5340.1601.6420	Reserve-DC's City's Share	\$10,750.00	\$3,058.00	\$2,505.00
5340.1601.6460	DC Reserve Fund – Protection Services	<u>419,250.00</u>	<u>119,252.00</u>	<u>97,688.00</u>
	Total	<u>\$430,000.00</u>	<u>\$122,310.00</u>	<u>\$100,193.00</u>

Net Project Cost under (over) Approved Funds	\$22,117.00
--	-------------

The amount of \$122,310.00 that is available in accounts 5340.1601.6420 and 5340.1601.6460 combined will be required for the consulting fees related to the design and construction of the CWC pipe. For ease of tracking, all costs will be allocated to the main account 5340.1601.6460, and will be funded at the funding ratio of 2.5 percent from DC's City's Share Reserve and 97.5 percent from DC Reserve Fund-Protection Services.

The consultant will calculate the amount that is recoverable from other benefitting developers. The costs to construct the CWC pipe will be estimated upon completion of the design. When the project is tendered in fall 2021, and the construction costs are known, City staff will request 2022 pre-budget approval in order to construct the CWC pipe.

Discussion: As outlined in the Environmental Servicing Plan (ESP) prepared for the Duffin Heights neighbourhood in 2010, the proposed stormwater management plan involves a diversion of approximately 35.7 hectares of drainage away from Urfe Creek West Tributary Branch 1 located on the east side of Brock Road. Due to the diversion of drainage, special consideration is required to ensure that the surface water balance to the tributary is still

Subject: Consulting Service - Design & Contract Administration for
Brock Rd. Clean Water Collector Pipe

Page 4

maintained. In order to accomplish this, the construction of a CWC pipe on Brock Road from Dersan Street to the northern limits of the neighbourhood (lands north of and including the fire hall lands) is required. The CWC pipe will convey the required flows from the Mixed Use Corridor on the west side of Brock Road to the Urfe Creek West Tributary Branch 1.

Design of the new fire station at the northwest corner of Zents Drive and Brock Road commenced in the summer of 2016. At the time, Durham Region was undertaking various works along Brock Road, including widening and extending existing infrastructure from Third Concession Road to Dersan Street. The City funded additional work, awarded to the Region's contractor performing the work on Brock Road, to extend the sanitary sewer to service the future fire station site on Zents Drive. The construction of the CWC pipe was deferred as it was anticipated that other land owners along Brock Road corridor would develop their lands prior to the start of construction of the new fire station. The expected development has not occurred, with the exception of the Jerry Coughlan Health & Wellness Centre which is underway.

Construction of Fire Station #1 and Headquarters building is now underway and provision of the CWC pipe is now critical. Staff require use of the balance of funds that are available from accounts 5340.1601.6420 and 5340.1601.6460 to complete the design, tender preparation, contract administration, and other associated costs related to the CWC pipe. Construction of the CWC pipe will be tendered in fall 2021 to ensure that the infrastructure can be in place in a timely manner for connection of the new fire station. Construction of the fire station began in May 2021 and is expected to take approximately 18 months to complete. Due to the timelines for design, and to secure required approvals, staff anticipate tendering construction of the CWC in fall 2021, subject to 2022 pre-budget approval, to be able to complete this work as soon as possible.

Costs incurred for design and construction of the CWC pipe will be recoverable from the Duffin Heights Landowners Group, of which the City's share will be calculated by the consultant and submitted to the Trustee for the Duffin Heights Landowners Group for approval.

In accordance with Purchasing Policy Item 10.03, the Manager may obtain the services of a particular consultant selected by the initiating Director without going through a competitive process. Where the funds are available in the approved budget and the project or annual cost of a consulting or professional service assignment is expected to be:

- (c) above \$50,000 is subject to the additional approval of Council. The initiating Director shall submit the Report to Council to obtain approval.

City staff contacted three engineering consulting firms who have provided services in the Duffin Heights neighbourhood, and are familiar with the servicing needs, and requested they submit a proposal to undertake the design, tender specifications and contract administration of the CWC pipe. Upon review of the proposals submitted, staff are recommending that Stantec Consulting Ltd. be retained to provide these services at a total cost of \$88,479.00 (HST included).

Subject: Consulting Service - Design & Contract Administration for
Brock Rd. Clean Water Collector Pipe

The total gross project cost which includes the consulting fees and other associated costs, is estimated at \$111,260.00 (HST included) and the total net project cost is estimated at \$100,193.00 (net of HST rebate).

Attachment:

- 1. Location Map

Prepared By:

Approved/Endorsed By:

Original Signed By

Original Signed By

Paal Helgesen, P. Eng.
(Acting) Division Head, Water Resources
& Development Services

Vince Plouffe
Manager, Facilities Capital Projects

Original Signed By

Richard Holborn, P. Eng.
Director, Engineering Services

Original Signed By

Stan Karwowski, MBA, CPA, CMA
Director, Finance & Treasurer

Original Signed By

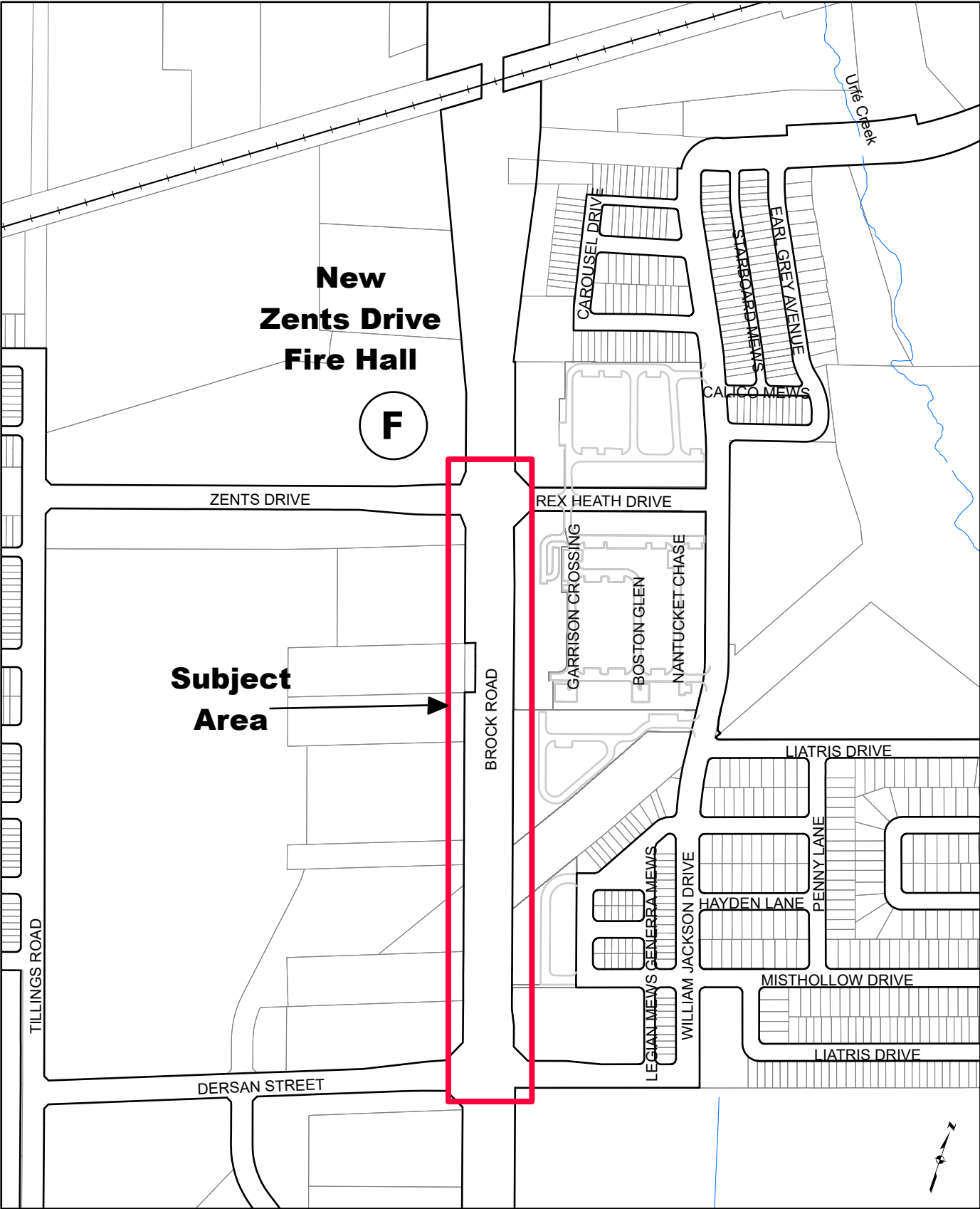
Ray Rodrigues, CPPB
Manager, Supply & Services

PH:ph

Recommended for the consideration
of Pickering City Council

Original Signed By

Marisa Carpino, M.A.
Chief Administrative Officer



Engineering Services
Department

SCALE:
1:5,000

DATE:
Jun. 14, 2021

Location Map

Brock Road CWC Pipe

City of
PICKERING

From: Stan Karwowski
Director, Finance & Treasurer

Subject: Annual Treasurer's Statement Report – Summary of Activity for the Year Ended December 31, 2020

Recommendation:

1. That Report FIN 11-21 of the Director, Finance & Treasurer entitled "Annual Treasurer's Statement Report: Summary of Activity for the Year Ended December 31, 2020" as required by the *Development Charges Act* and *Planning Act* be received for information; and
2. That the City of Pickering's "Annual Treasurer's Statement Report" be made available to the public on the City of Pickering's website.

Executive Summary: Development Charges (DC) are collected by the City for the sole purpose of funding necessary infrastructure for new residents and businesses. All DC funds collected can be used only for the purpose in accordance with the *Development Charges Act, 1997* (DCA). These funds are collected so that existing property owners are not unduly burdened by the cost of growth related infrastructure. The attached DC Statements are being provided for information in accordance with requirements of the DCA. The purpose of this report and associated statements is to ensure that all transactions related to development charges have been correctly accounted for and reported, as stipulated under the DCA.

Section 43 of the DCA requires that the Treasurer provides Council with a financial statement relating to the Development Charges By-law and reserve fund established for each service as established under Section 33 of the DCA.

Attachment 1 provides pre-audit details of the activity of the Development Charges Reserve Fund (DCRF) for the year ended December 31, 2020 in the manner prescribed by section 43(2)(a) of the DCA. Attachment 2 provides pre-audit details on information related to assets funded by the development charges by-law as stipulated by section 43(2)(b) of the amended DCA.

Section 42 under the *Planning Act* requires the Treasurer of the municipality to provide Council with a statement relating to the status of the cash-in-lieu of parkland reserve fund. This requirement is a result of the passage of Bill 73, *Smart Growth for our Communities Act*.

Section 37 under the *Planning Act* requires the Treasurer of the municipality to provide Council with a statement relating to the increases in height and density of development. Under City's By-law No. 7590/17, this reserve fund was established as the Public Benefits Reserve Fund.

The change in legislation now requires Council to ensure that these statements are made available to the public. These statements will be posted on the City's website to facilitate compliance with the amendment.

Financial Implications: During the 3-year period from 2018 to 2020, development charges collected were approximately \$13 million in 2018, \$7.3 million in 2019, and \$12.49 million in 2020. There was an increase of 71 percent in the 2020 development charges collected compared to the 2019 collections. This increase was largely from the condominium developments in south Pickering. In addition, the City increased its DC fees for the new City Centre project effective December 17, 2019. The reserve fund remains at a healthy balance of approximately \$69.3 million pending future use of funds for qualified projects.

Attachment 1 provides a breakdown of the various DC service categories. Two of the service categories are in a negative position due to DC funding for the new Operations Centre and the new financial system. Negative balances will be addressed through DC fees collected from current growth related activity and through the next DC study. For the next DC study, negative balances are treated as a cost that will be recovered through higher DC rates. The future work plan is to start the next Development Charge and Community Benefit Charge (CBC) Studies in the fall of this year with Council adopting the new DC and CBC By-laws by the end of the second quarter in 2022.

The overall positions of the Development Charges Reserve Fund for the period of 2015 to 2020 is presented below.

Development Charges Reserve Fund Summary – 2015 to 2020 (\$)

	2015	2016	2017	2018	2019	2020
Opening Balance	39,024,698	40,941,619	43,318,105	48,100,585	58,789,415	62,598,255
Collections	2,913,555	3,567,372	5,311,744	13,033,850	7,386,544	12,492,201
Net Transactions Incl. Use of Funds	(996,634)	(1,190,886)	(529,264)	(2,345,021)	(3,577,704)	(5,714,209)
Ending Balance	40,941,619	43,318,105	48,100,585	58,789,415	62,598,255	69,376,247
Budget Commitments	(11,901,710)	(13,722,103)	(18,392,441)	(19,089,535)	(27,144,954)	(36,469,498)
End Bal After Budget Commitments	29,039,909	29,596,002	29,708,144	39,699,880	35,453,301	32,906,749 *

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for the Year Ended December 31, 2020

*If you include the City Centre project (approved in 2020), the ending balance commitment is in a deficit position (\$56,332,175).

As indicated in the above table, funds balances have been positive from 2015 to 2019. The attached "2020 Statement of the Treasurer - DCRF" includes the City Centre project, however, it should be noted that it does **not** reflect the current City Centre costing exercise that is being undertaken.

The Treasurer's Statement for the Parkland and Public Benefits Reserve Funds as required under the *Planning Act* is as follows:

	Parkland (\$)	Public Benefits (\$)
Open Balance January 1, 2020	7,385,482	0
Revenues		
Developer/Third Party Contributions	1,196,510	300,300
Interest Income	129,443	909
Total Revenue	1,325,953	301,209
Expenses		
Transfers to Capital Fund	(390,213)	0
Net Change for the Current Year	935,740	301,209
GL Bal. Before Commitments December 31, 2020	8,321,222	301,209
Budget Commitments 2020 & Prior	(670,025)	0
Funds Balance after Budget Commitments	7,651,197	301,209

Amendments were made to the *Planning Act* in 2017 with the passage into law of Bill 73 – *the Smart Growth for Our Communities Act*. The legislation requires that funds that have been collected under Section 37 (increased density allocations) of the *Planning Act* and Section 42 (cash-in-lieu of parkland) must now be reported annually to Council by the Treasurer.

Discussion: Funds are not transferred out of the Development Charges Reserve Fund for projects until the funds are actually needed, as required by applicable accounting rules. This ensures that the reserve fund continues to earn interest income on the unspent monies until such time as actual expenses are incurred.

The total pre-audit reserve fund balance of \$69.4 million represented in Attachment 1 represents the unspent monies as at December 31, 2020. Please note that there are approximately \$125.7 million of committed capital projects, ongoing studies, and financial obligation that have been approved in prior years, but have not proceeded or

Subject: Annual Treasurer's Statement Report – Summary of Activity Page 4
for the Year Ended December 31, 2020

are still ongoing as at December 31, 2020. Of the \$125.7 million in commitments, approximately 71 percent or \$89.2 million are related to the Civic Centre projects. However, when you consider the 401 Bridge & Road Crossing project and its estimated projected cost, sometime in the near future, there is a possibility that all of the DC components will be in a deficit position. Having various DC components in a deficit position is not unusual when you consider that the City is now transitioning from a moderate to a higher growth scenario due to Seaton and downtown area intensification.

The financial obligation is related to the development charges debenture financing undertaken for the construction of the new Operations Centre, which includes both the principle and interest payments. The amount of financial obligation outstanding for the remaining period of 2021-2037 is \$11.5 million. This amount represents approximately 9 percent of the total commitments.

The total projected net **deficit** position after all budget expenditures was approximately \$56.3 million for the year-ended December 31, 2020.

In order to meet the new requirement under section 43(2.1) of the amended DCA and section 37 and 42 of the *Planning Act*, it is recommended that these statements be placed on the City's website upon approval by Council.

Attachments:

1. 2020 Statement of the Treasurer – Development Charges Reserve Fund (Pre-Audit)
 2. Amount Transferred to Assets – Capital & Current Funds Transactions (Pre-Audit)
-

Prepared By:

Approved/Endorsed By:

Original Signed By:

Original Signed By:

Caryn Kong, CPA, CGA
Senior Financial Analyst – Capital &
Debt Management

Stan Karwowski, CPA, CMA, MBA
Director, Finance & Treasurer

Recommended for the consideration
of Pickering City Council

Original Signed By:

Marisa Carpino, M.A.
Chief Administrative Officer

City of Pickering
2020 Statement of the Treasurer - Development Charges Reserve Fund - (Pre Audit)
For the year ended December 31, 2020

DC Act S 43 (2)(a)

Account Description	Services to which the Development Charges Relates							Total
	100% Recovery (Non-Discounted)				10% Statutory Deduction (Discounted)			
	7605	7610	7615	7611	7601	7622	7630	
	Protective Services	Transportation	Other Services Related to a Highway (Deficit)	Storm Water Mgmt	Studies (Deficit)	Parks & Recreation	Library: Facilities & Materials	
	\$	\$	\$	\$	\$	\$	\$	\$
Opening Balance, January 1, 2020	2,150,240	29,442,394	(370,535)	3,459,209	(1,055,633)	24,428,981	4,543,599	62,598,255
Plus:								
Development Charges Collections	845,812	4,691,778	417,438	273,368	268,070	5,030,476	965,259	12,492,201
Interest Income-Internal Investment	1,302	17,832	-	2,095	-	14,795	2,752	38,776
Interest Income-Negative Balance	373	5,114	(3,583)	601	(7,537)	4,243	789	0
Interest Income -External Investment	36,316	497,257	-	58,423	-	412,585	76,738	1,081,319
Less Admin Fee	(2,152)	(29,460)	-	(3,461)	-	(24,444)	(4,546)	(64,063)
Sub-Total	881,651	5,182,521	413,855	331,026	260,533	5,437,655	1,040,992	13,548,233
Less:								
2020 Transfer to Capital Funds ¹	(359,380)	(2,228,102)	(458,539)	(8,939)	(506,053)	(1,909,273)	(461,000)	(5,931,286)
2020 Transfer to Current Funds ¹	-	-	(412,195) ³	-	(163,226)	(263,534) ³	-	(838,955)
Sub-Total 2020	(359,380)	(2,228,102)	(870,734)	(8,939)	(669,279)	(2,172,807)	(461,000)	(6,770,241)
Closing Balance, December 31, 2020 before Budget Commitments	2,672,511	32,396,812	(827,415)	3,781,297	(1,464,379)	27,693,829	5,123,592	69,376,247
Less Budget Commitments ²	(9,225,494)	(6,350,300)	(482,262)	(3,624,038)	(1,099,327)	(71,648,769)	(21,794,312)	(114,224,502)
Less Operations Ctr Debt Chrgs Commitments 2021-2037	-	-	(7,044,856) ⁴	-	-	(4,464,261) ⁴	-	(11,509,117)
Sub-Total Budget Commitments	(9,225,494)	(6,350,300)	(7,527,118)	(3,624,038)	(1,099,327)	(76,113,030)	(21,794,312)	(125,733,619)
Closing Balance, December 31, 2020 after Budget Commitments-(Deficit)	(6,552,983)	26,046,512	(8,354,533)	157,259	(2,563,706)	(48,419,200.63)	(16,670,720)	(56,357,372)

Notes

¹ See Attachment 2 for detailed breakdown.² Budget commitments include capital projects previously approved, but have not proceeded or still ongoing. 2020 & Prior Commitments.³ Annual principal & interest payment related to the New Operations Centre debenture financing, at a funding ratio of 61% from "Other Services Related to a Highway" and 39% from "Parks & Recreation"⁴ Includes outstanding principal & interest payments related to the 20-year development charges debenture financing for the new Operations Centre. Total owing from 2021- 2037. Original principal & interest payment of \$13.5m

The Municipality is compliant with s.s.59.1(1) of the *Development Charges Act*, whereby charges are not directly or indirectly imposed on development nor has a requirement to construct a service related to development been imposed, except as permitted by the *Development Charges Act* or another Act.

**City of Pickering
Amount Transferred to Assets - Capital & Current Fund Transactions (Pre-Audit)
For the year ended December 31, 2020**

DC Act S 43 (2)(b)

Description	Project Code	Gross Capital Costs	DC Recoverable Cost Share			Non - DC Recoverable Cost Share					Total Funding	
			DC RF ⁶ : Funded in prior year	DC RF ⁶ : Funded in 2020	DC RF ⁶ : Future Funding ¹	Other Reserves/Reserve Funds	Type of Funds (R=Reserve, RF=Reserve Fund)	Property Taxes	Other Sources	Type		
Development Related Studies												
Integrated Transportation Master Plan 2290.2392		376,892	282,144	27,150	32,706			34,892				376,892
Beachfront Park Rehab & Needs Assessment 2290.2392		69,940	7,233	18,970	21,007			22,730				69,940
New Financial System 5203.1801.		5,000,000	817,627	506,053	632,820	1,743,500	R-Rate Stabilization		1,300,000	R-Financial System		5,000,000
HR System -Success Factors 5139.2001.		480,000	0	0	187,000	293,000	R-Rate Stabilization					480,000
Infill & Replacement Housing in Estab 2611.2392		117,471	34,171	18,691	0			64,609				117,471
Comprehensive Zoning By-law Review 2611.2392		131,123	0	74,481	14,027			42,615				131,123
Wayfinding Study for Civic Complex, 2711.2392.		46,003	13,914	4,027	0			28,062				46,003
2020 Development Charges Update 2127.2392.		18,473	0	18,473	0			0				18,473
City Centre Storm Water Mgmt Strategy 2613.2392.		249,156	11,039	1,434	211,767	24,915.60	R-DC City's Share					249,156
Sub-total Studies		6,489,057	1,166,128	669,279	1,099,327	2,061,416		-	192,908	1,300,000	0	6,489,057
Protective Services												
Seaton- New Fire Hall-Site Preparation 5340.1601.		430,000	76,781	223,216	119,253	10,750	R-DC City's Share					430,000
Seaton FS#3-Bunker Gear & Breathing 5340.1901.		126,209	60,491	19,523	46,195							126,209
Aerial Ladder Truck (Seaton Fire Station 5340.1903.)		1,510,641	0	0	1,473,128	37,513	RF - Seaton Land Grp FIA					1,510,641
Seaton FS#3- New Fire Station & H.C 5340.1907.		445,000	106,240	78,685	248,950	11,125	R-DC City's Share					445,000
FS #1 New Fire Station & HQ (Seaton 5340.2007.)		8,982,000	0	0	6,214,820				2,767,180	Debt 20-Yr		8,982,000
Seaton North FS - Land 5340.2018.		1,878,304	0	0	1,098,000	21,000	RF - Seaton Land Grp FIA	1,304	758,000	Debt 10-Yr		1,878,304
Seaton FS#1-Bunker Gear & Breathing 5340.2008.		63,104	0	37,956	25,148							63,104
Sub-total Fire Services		13,435,258	243,512	359,380	9,225,494	80,388		1,304	3,525,180			13,435,258
Transportation												
BI-3 Brock Road-Sidewalks & Streetlights 5321.9305, 5321.0308, 5321.0407.		175,900		102,947	0	22,500	RF-Community Facilities		50,453	R-DC City's Share		175,900
B1-3 Brock Road (Hwy. 401 to Bayly) 5321.1311, 5321.1602		99,749	0	49,874	0	49,874	R-DC City's Share					99,748
Brock Rd, Kingston-Highway 401 East 5321.0105.		117,000		29,250	0			87,750				117,000
V-17 Brock Road (east side) Pickering 5321.0509.		117,000	36,743	21,757	0	58,500	R-DC City's Share					117,000
DH-10 William Jackson Dr-Old Taunton 5321.0904.		263,652	68,274	155,830	0	39,548	R-DC City's Share					263,652
BR-1 Third Concession Road - Brock 5321.1101.		1,576,525	117,844	0	276,931	374,750	RF-FGT	1,000	806,000	Debt 15-Yr		1,576,525
BR-4 Brock Rd. East Side Dellbrook 5321.1203.		239,314	73,149	34,428	12,080	119,657	R-DC City's Share					239,314
DH-11 Duffin Heights - North Collectors 5321.1201.		125,600	29,460	0	83,580	12,560	R-DC City's Share					125,600
B-29 Sandy Beach Road - EA, Design 5321.1609.		675,000	148,773	14,545	174,182	37,500	R-AIP		300,000	Loan 10-Yr		675,000
Walnut Lane Extension Study & EA at 5321.1703.		461,226	164,564	49,515	131,839	115,307	R-DC City's Share					461,226
DH-4 Valley Farm Road - Road Overpass 5321.1804.		288,000	0	48,768	210,432	28,800	R-DC City's Share					288,000
B-29 Sandy Beach Rd. - Road Reconstruction 5321.1904.		2,000,000	0	0	1,000,000	1,000,000	R-DC City's Share					2,000,000
Purchase of Part Lot 21, Concession 5203.2001.		831,761	0	604,966	18,855	0			207,940	Third Party Contribution		831,761

**City of Pickering
Amount Transferred to Assets - Capital & Current Fund Transactions (Pre-Audit)
For the year ended December 31, 2020**

DC Act S 43 (2)(b)

Description	Project Code	Gross Capital Costs	DC Recoverable Cost Share			Non - DC Recoverable Cost Share					Total Funding
			DC RF ⁶ : Funded in prior year	DC RF ⁶ : Funded in 2020	DC RF ⁶ : Future Funding ¹	Other Reserves/Reserve Funds	Type of Funds (R=Reserve, RF=Reserve Fund)	Property Taxes	Other Sources	Type	
B-26B A-11 (Plummer Street)	5321.2001.7	364,045	0	0	273,033	91,012	R-DC City's Share				364,045
Highway 401 Road Crossing Design	5321.2002.7	3,478,460	0	0	1,600,092	1,391,384	Third Party Contribution	486,984	Loan 2-Yr		3,478,460
Land Acquisition-Hghwy 401/Notion R	5321.2004.7	5,000,000	0	1,116,222	133,778	1,250,000	RF- Roads & Bridges	2,500,000	Third Party Cont		5,000,000
City Centre Relocation of Services	5740.2006.7	7,489,000	0	0	600,000	0		0	6,889,000	Debt-25 Yr	7,489,000
City Dev Projects-DCRF committed	5321.0000.	1,499,939	55,772	0	1,444,167 ⁵	0		0			1,499,939
Sidewalks W0-2,W0-10 Kingston Rd	5323.1603.	782,660	0	0	391,330	391,330	R-DC City's Share		0		782,660
Sub-total Transportation		25,584,831	694,580	2,228,102	6,350,300	4,982,722		88,750	11,240,377		25,584,831
Stormwater Management											
B-20 D Krosno Creek SWM Facility Desig	5321.1802.	965,400	0	0	463,392	502,008	R-DC City's Share				965,400
B-20 C Krosno Creek SWM Facility Const	5321.1901.7	1,315,000	0	0	631,200	683,800	R-DC City's Share				1,315,000
Breezy Drive/Sunrise Ave. Storm Sewer C	5321.1902.	596,300	0	8,939	140,136	447,225	R-DC City's Share				596,300
Installation of Oil Grit Separators - Installa	5321.1903.7	300,900	0	0	85,310	215,590	R-DC City's Share				300,900
Krosno Creek Culvert Replacements & Er	5321.1910.7	4,800,000	0	0	2,304,000	2,496,000	R-DC City's Share				4,800,000
Sub-total Stormwater Management		7,977,600	0	8,939	3,624,038	4,344,623					7,977,600
Other Services Related to a Highway											
Sidewalk Plow with Attachments - Ne	5311.2004.7	175,000	0	0	175,000	0					175,000
4 Ton Dump Truck with Snow Plow - I	5319.1805	248,188	248,188	0	0	0					248,188
Street Sweeper (Seaton) - New	5319.1809	288,403	288,403	0	0	0					288,403
Garbage Packer - New	5780.1813	145,835	131,251	0	0	14,583	R-DC City's Share				145,835
4 Ton Dump Truck with Plow and Win	5319.1910.	268,933	0	268,933	0	0					268,933
(1 unit) 1 Ton Dump Truck with Alumii	5319.1912.	56,370	0	56,370	0	0					56,370
5 Ton Dump Truck with Plow and Win	5319.2006.7	307,262	0	0	307,262	0					307,262
(2 units) 1 Ton Dump Truck with Alum	5780.1935.	133,235	0	133,235	0	0					133,235
New Operations Centre-Debt Charges 61% of total debt charges	1920.7600.2	8,279,301	822,251	412,195	7,044,856 ²	0					8,279,301
Sub-total		9,902,528	1,490,093	870,734	7,527,118	14,583					9,902,528

**City of Pickering
Amount Transferred to Assets - Capital & Current Fund Transactions (Pre-Audit)
For the year ended December 31, 2020**

DC Act S 43 (2)(b)

Description	Project Code	Gross Capital Costs	DC Recoverable Cost Share			Non - DC Recoverable Cost Share					Total Funding
			DC RF ⁶ : Funded in prior year	DC RF ⁶ : Funded in 2020	DC RF ⁶ : Future Funding ¹	Other Reserves/Reserve Funds	Type of Funds (R=Reserve, RF=Reserve Fund)	Property Taxes	Other Sources	Type	
Parks & Recreation Services											
Indoor Soccer Facility and Land - Des	5719.1401.	7,296,605	3,369,586	0	114,543	78,375	R-DC City's Share	101	3,734,000	Debt 15-Yr	7,296,605
Duffin Heights Village Green (East)-N	5780.1708.	190,000	0	0	166,725	23,275					190,000
Duffin Heights Neighbourhood Park C	5780.1808.	600,000	18,350	0	508,150	73,500	R-DC City's Share				600,000
Rotary Frenchman's Bay West Park F	5780.1822.	2,012,401	842,535	46	0	1,029,821	R-DC City's Share		140,000	Other Agency-Sv	2,012,401
Seaton (P103) Village Green Constr	5780.1816.	210,000	0	0	184,275	25,725	RF-FIA				210,000
Seaton (P104) Village Green Constr	5780.1817.	285,000	0	0	250,087	34,913	RF-FIA				285,000
Seaton (P-102) Neighbourhood Park (5780.1819.	950,000	0	804,723	28,902	116,375	RF-FIA				950,000
Pickering Heritage & Community Ctr (Design)-Community Ctr component	5719.1806.	891,814	98,592	5,471	94,721 ³	693,030	R-Rate Stabilization				891,814
PHCC Project Management	5719.2010.7	450,000	0	0	42,630	76,500	R-DC City's Share		330,870	Grant-Fed \$300k RF-DC Library Facilities \$30,870	450,000
Village Green Seaton P-114 (88/12)	5780.1909.7	222,000	0	0	194,805	27,195	RF-Parkland				222,000
Design-Rotary Frenchmans Bay West Park-Change/Washrooms & Seaton Community Centre - Preliminary Planning &	5780.1913. 5720.2001.7	50,000 80,000	0	14,954	7,546 70,200			27,500			50,000 80,000
Design-New Performing Arts Centre a	5740.2001.	64,640,000	0	284,524	12,404,476				51,951,000	Debt-25 Year	64,640,000
Landscaping Costs-New Senior & Youth Centre	5740.2003.	41,290,000	0	679,818	35,552,182				5,058,000	Debt-25 Year	41,290,000
Enclosed Pedestrian Brdg- New Central Library and Senior & Youth	5740.2004.	5,671,000	0	11,109	1,826,891	1,844,000	DCRF-Library Facilities		1,989,000	Debt-25 Year	5,671,000
Wide Area Mower New-Seaton	5780.2010. 5780.2023-2025	119,833 3,216,632	0	108,628	0 2,830,636	11,204.35 385,996.00	R-DC City's Share RF-Seaton FIA				119,833 3,216,632
New Operations Centre - DC Debt Charges. 39% of total debt charges- City Centre Underground Parking Garage	1920.7600. 5740.2005.7	5,253,497 28,337,000	525,701	263,534	4,464,261 ² 17,372,000			-			5,253,497 28,337,000
Sub-total		161,765,781	4,854,764	2,172,807	76,113,030	7,757,709		27,601	70,839,870		161,765,781
Library Facilites & Materials											
Pickering Heritage & Community Ctr (Design)-Archive Facility component	5719.1806.	611,965	280,609	15,571	254,872 ³	60,914	R-DCs City's Share				611,965
PHCC Project Management	5719.2010.7	30,870	0	0	30,870 ⁴	(30,870) ⁴	RF-DC Library Facilities				0
New Central Library-Consulting, Construction & Landscaping costs	5740.2002.	39,884,000	0	434,283	16,347,718				23,102,000	Debt-25 Year	39,884,000
Enclosed Pedestrian Brdg- New Central Library and Senior & Youth City Centre Underground Parking Garage	5740.2004. 5740.2005.7	0 0	0	11,147	1,832,853 ⁴ 3,328,000 ⁴	(1,844,000) ⁴ (3,328,000) ⁴	RF-DC Library Facilities RF-DC Library Facilites				0 0
Sub-total		40,526,835	280,609	461,000	21,794,313	(5,141,956)			23,102,000		40,495,966
Grand Total		265,681,890	8,729,685	6,770,241	125,733,619	14,099,485		310,563	110,007,427		265,651,020

Notes

¹ Projects ongoing. Future funding for incomplete component. DC RF will be drawn when expenses are incurred.

**City of Pickering
Amount Transferred to Assets - Capital & Current Fund Transactions (Pre-Audit)
For the year ended December 31, 2020**

DC Act S 43 (2)(b)

Description	Project Code	Gross Capital Costs	DC Recoverable Cost Share			Non - DC Recoverable Cost Share					Total Funding
			DC RF ⁶ : Funded in prior year	DC RF ⁶ : Funded in 2020	DC RF ⁶ : Future Funding ¹	Other Reserves/R eserve Funds	Type of Funds (R=Reserve, RF=Reserve Fund)	Property Taxes	Other Sources	Type	

² New Operations Ctr 20-year DC debt-principal & interest of \$13,532,799. Allocation: 61% to 7615-"Other Services Related to a Highway" & 39% to 7622- "Parks & Recreation". Total amount outstanding from 2021- 2037 \$11,509,118

³ Pickering Heritage & Community Centre-Design project is treated as one capital project. In order to show the two DCs service categories, the components related to the Community Centre and Library are presented separately.

⁴ Presented as in/out to show funding from "Library Facilities". Total costs and sources of funds presented in "Parks & Recreation".

⁵ Amount presented relates to DC RF budget commitments only, combined 8 projects. No expenses in 2020.

⁶ Development Charges Reserve Fund (DC RF)

From: Stan Karwowski
Director, Finance & Treasurer

Subject: 2021 Final Property Tax Due Date for Commercial, Industrial, and Multi-Residential Realty Tax Classes
File: F-4200-001

Recommendation:

1. That Report FIN 12-21 of the Director, Finance & Treasurer be received;
 2. That the Director, Finance & Treasurer be authorized to issue the final 2021 Property Tax Bills for Commercial, Industrial, and Multi-Residential properties with a due date of September 28, 2021;
 3. That the Director, Finance & Treasurer be authorized to make any changes or undertake any actions necessary, including altering the due date, in order to ensure that the tax billing process is completed and in order to comply with Provincial Regulations;
 4. That the draft By-law attached to this report be enacted; and
 5. That the appropriate City of Pickering officials be authorized to take the necessary actions as indicated in this report.
-

Executive Summary: Adoption of the above recommendations and passing the attached By-law provides for the final 2021 property tax billing for non-residential realty tax classes (commercial, industrial, and multi-residential). During the last few years, the City has billed the final non-residential taxes separately, mainly due to the additional steps that are required as a result of the capping legislation.

Financial Implications: The attached By-law is for the final billing of 2021 property taxes for commercial, industrial, and multi-residential properties. This billing of final non-residential property taxes will raise approximately \$32.5 million for the City, Region of Durham, and the School Boards. Tax bills for the residential tax classes were mailed during the first week of June, with due dates of June 28th and September 28th.

Discussion: In 1998 the Province passed legislation that capped property tax increases and decreases. This became known as “capping”. The intentions were noble but the process ended up being overly complicated and resulted in unfairness between property owners.

Over time properties would exit the program and be taxed equitably with other properties. In 2020 the last of the capped properties in Durham Region exited the capping program. Going forward this will make it a little easier to calculate property tax bills and adjustments for non-residential properties.

The educational property tax rates that apply to property tax classes are set by the Ministry of Finance. Where previous business class education rates were set for each municipality as part of the 2020 Ontario Budget measures, the Province announced last fall a reduction in education tax rates for business classes which brought all business education tax rates to the same level.

For Pickering, this announcement results in significant tax savings for the businesses classes as identified below.

2020 vs. 2021 Education Property Tax Rates

Tax Class	2020 Rates	2021 Rates	Difference (%)
Commercial/Office Building/Shopping Centre	0.0098000	0.0088000	-10.20
Industrial	0.0125000	0.0088000	-29.60
Industrial New Construction	0.0098000	0.0088000	-10.20
Large Industrial	0.0125000	0.0088000	-29.60

As indicated above, based upon the 2021 education tax rate reduction, the City will collect approximately \$3.0 million less in commercial/industrial education taxes. After taking into consideration the 2021 levy increases for the City and Durham Region and then applying the substantial reduction in education tax rates, the property tax reduction when comparing the total 2021 property taxes to 2020, results in an average reduction for the commercial taxpayer of approximately 3.9 percent and 11.6 percent for the industrial taxpayer. In other words, the commercial and industrial taxpayers will be paying less in property taxes compared to last year.

In addition to mailing the tax bills, the City will advertise the tax instalment due date on the City’s webpage and in the Pickering News Advertiser as part of our communication strategy.

Attachment:

1. By-law to Establish the 2021 Final Property Taxes and Due Date for the Commercial, Industrial, and Multi-Residential Realty Tax Classes
-

Prepared By:

Approved / Endorsed By:

Original Signed By:

Original Signed By:

Mike Jones
Supervisor, Taxation

Stan Karwowski
Director, Finance & Treasurer

Recommended for the consideration
of Pickering City Council

Original Signed By:

Marisa Carpino, M.A.
Chief Administrative Officer

The Corporation of the City of
Pickering By-law No. 7855/21

Being a By-law to Establish the 2021 Final Property
Tax Due Date for the Commercial, Industrial, and
Multi-Residential Realty Tax Classes

Whereas it is necessary for the Council of The Corporation of the City of Pickering, pursuant to the *Municipal Act, 2001, S.O. 2001, c.25* as amended, to pass a By-law to levy a separate tax rate on the assessment in each property class; and,

Whereas the property classes have been prescribed by the Minister of Finance under the *Assessment Act, R.S.O. 1990, ch.A.31* as amended, and its Regulations; and,

Whereas it is necessary for the Council of The Corporation of the City of Pickering, pursuant to the *Municipal Act, 2001, S.O. 2001, c.25* as amended, to levy on the whole rateable property according to the last revised assessment roll for The Corporation of the City of Pickering; and,

Whereas the Regional Municipality of Durham has passed By-law No. 07-2021 to establish tax ratios, and By-law No. 09-2021 to adopt estimates of all sums required by the Regional Municipality of Durham for the purposes of the Durham Region Transit Commission, and By-law No. 10-2021 to set and levy rates of taxation for Regional Solid Waste Management, and By-law No. 08-2021 to set and levy rates of taxation for Regional General Purposes and set tax rates on area municipalities; and,

Whereas an interim levy was made by the Council of The Corporation of the City of Pickering (pursuant to By-law No. 7792/20) before the adoption of the estimates for the current year; and,

Whereas sub section 342 (2) of the *Municipal Act, 2001, S.O. 2001, c.25* as amended, permits the issuance of separate tax bills for separate classes of real property for year 2021.

Now therefore the Council of the Corporation of the City of Pickering hereby enacts as follows:

1. For the year 2021, The Corporation of the City of Pickering (the "City") shall levy upon all Property Classes (Residential, Commercial, Industrial and Multi-residential) as set out in Schedule "A" of By-law 7836/21, the rates of taxation, for the City of Pickering, the Region of Durham, and for Education purposes on the current value assessment.
2. Where applicable, taxes shall be adjusted in accordance with the *Continued Protection for Property Taxpayers Act, 2000*, as amended and its Regulations.

3. The levy shall be reduced by the amount of the interim levy for 2021.
4. The 2021 taxes owed for the commercial, industrial, and multi-residential assessed properties shall be due in one instalment on September 28, 2021, or as adjusted by the Treasurer.
5. Except in the case of taxes payable under Section 33 and 34 of the *Assessment Act, R.S.O. 1990, c.A31*, as amended, the percentage charge as a penalty for non-payment of taxes and monies payable as taxes shall be added to every tax or assessment, rent or rate of any instalment or part thereof remaining unpaid on the first day of default and on the first day of each calendar month thereafter in which such default continues pursuant to subsections 345 (1), (2) and (3) of the *Municipal Act 2001, S.O. c.25* as amended. The Treasurer shall collect by distress or otherwise under the provisions of the applicable statutes all such taxes, assessments, rents, rates, or instalments or parts thereof as shall not have been paid on or before the several dates named as aforesaid, together with the said percentage charges as they are incurred pursuant to sections 349, 350 and 351 of the *Municipal Act 2001, S.O. c.25* as amended.
6. If any section or portion of this By-law is found by a court of competent jurisdiction to be invalid, it is the intent of Council for The Corporation of the City of Pickering that all remaining sections and portions of this By-law continue in force and effect.
7. Taxes shall be payable to the Treasurer, City of Pickering.
8. This By-law is to come into effect on the date of its final passing.

By-law passed this 28th day of June, 2021.

Dave Ryan, Mayor

Susan Cassel, City Clerk

From: Paul Bigioni
Director, Corporate Services & City Solicitor

Subject: Parking Control Measures at the City's Waterfront
- Current and Proposed Actions
- File: L-2000

Recommendation:

1. That Report LEG 10-21 regarding parking control measures at the City's waterfront be received;
 2. That staff be directed to conduct a review of City parking fine amounts and report back to Council in September, 2021 regarding any fine increases required to provide effective deterrence to illegal parking;
 3. That staff be directed to proceed with a public consultation prior to September, 2021 to obtain feedback from residents regarding: (i) the adequacy of the City's current parking measures and (ii) the proposal to implement paid permit parking, both on-street and at City waterfront parking lots;
 4. That staff be directed to report back to Council in September, 2021 with the results of the public consultation and recommended options for additional parking enforcement, including paid permit parking, and, if so directed by Council, that staff include such additional enforcement measures in the 2022 budget report; and
 5. That appropriate City of Pickering officials be authorized to take the actions necessary to implement the recommendations in this report.
-

Executive Summary: Parking issues in waterfront residential areas are an ongoing problem in many of Ontario's lakefront municipalities. While differing control measures have been enacted in each municipality, the primary goals are the same; maintaining traffic and pedestrian safety and limiting the impact of vehicle parking on area residents. While some lakefront municipalities have chosen to close their beaches during the pandemic, Pickering's beaches remain open, and available parking is sometimes inadequate to accommodate the large influx of visitors, resident and non-resident alike.

The City has introduced a number of enhanced measures to address increased pedestrian and vehicular traffic at and around Pickering's waterfront. These measures include: (i) scheduling additional enforcement staff, especially at peak times, (ii) erecting temporary "no parking" signage to limit congestion and prevent vehicles from blocking streets, (iii) in especially high-volume areas, placing manned barricades, with City staff directing traffic away from the problem area, and (iv) implementing an "immediate tow" course of action for vehicles parking on grass boulevards, walkways and other areas where parking is prohibited. These measures

have been received favorably by area residents and appear to have addressed many of the most pressing parking concerns. Engineering Services staff are also considering the installation of further landscaping rocks or concrete barricades in specific locations to prevent vehicles from entering grassed areas.

Further potential measures include increasing parking fines, the introduction of paid parking in City waterfront parking lots, and the introduction of paid permit parking on some select City streets. At the direction of Council, staff will study these potential measures. These measures would have a significant impact on residents, so it is important to carry out a comprehensive public consultation before implementing any of them.

Financial Implications: There are no immediate financial implications to this report. After completion of the public consultation, staff will recommend additional parking enforcement measures, possibly including the adoption of paid permit parking. The costs associated with each of the options will be detailed in the 2022 budget report. Such costs could include new signage, as well as hardware and software systems required to administer paid permit parking.

The anticipated increase to City revenues from any recommended parking fine increases will also be set out in staff's subsequent report.

Discussion: Waterfront parking issues escalated in the summer of 2020 with the implementation of various COVID regulations limiting recreation options for Ontario residents. With the continuation of these restrictions into the spring and summer of 2021, the City is again experiencing increased pressure on its waterfront areas from both residents and non-resident visitors. This pressure is expected to continue over the summer.

While some lakefront municipalities have chosen to close their beaches during the pandemic, Pickering's beaches remain open, and available parking is sometimes inadequate to accommodate the large influx of visitors. Pickering's beaches provide a much-needed outdoor amenity at a time when Provincial public health orders limit our residents' recreational opportunities. Access to the lakefront is important for the mental and physical wellbeing of Pickering's residents, but the resulting traffic volume has created parking problems which may compromise pedestrian safety, block City streets and frustrate residents.

As Council is aware, the City has already introduced a number of enhanced parking enforcement measures to address increased pedestrian and vehicular traffic at and around Pickering's waterfront. These measures included scheduling additional enforcement staff, especially at peak times, and erecting temporary "no parking" signage to limit congestion and prevent vehicles from blocking streets. Parking Enforcement Officers adopted a zero tolerance approach to parking enforcement in the waterfront area.

Despite these measures, waterfront parking continued to be extremely difficult to control during the excessively hot weather in early June. In response, staff set up a barricade at Westshore Boulevard and Beachpoint Promenade, manned by Operations staff, to limit vehicle access when parking areas were full. In addition, an "immediate tow" course of action was also implemented for vehicles parking on grass boulevards, walkways and other areas where

parking is prohibited. City social media postings alerted the public to the zero tolerance parking enforcement policy and warned that illegally parked vehicles would be towed. These measures had a significant impact on reducing parking issues, and they have been received favorably by area residents.

On the weekend of June 5th and 6th, officers issued 99 tickets on Westshore Boulevard. With the introduction of towing and manned barricades on June 12th and 13th, only 10 parking tickets were issued on that same street. In total, 209 tickets were issued during the June 5-6 weekend, as compared to 101 tickets issued during the June 12-13 weekend.

While the manned barricade reduced issues in the Westshore Boulevard area, it cannot completely resolve the problem of illegal parking nor be financially sustainable long term.

Staff recommend that the City proceed with a comprehensive public consultation to obtain feedback from area residents regarding the adequacy of the City's current parking measures as well as the proposal to implement paid permit parking, both on-street and at City waterfront parking lots. Public consultation is important because any proposal to adopt paid permit parking will have a significant impact on area residents and their visitors and guests. Upon completion of the public consultation, staff will report back to Council as to the advisability of, and possible options for, paid permit parking.

Staff also recommend that the City's parking fine amounts should now be reassessed with a view to increasing fine amounts to levels at which they will be effective deterrents to illegal parking. Prior to the pandemic, staff had begun a review of parking fines. The implementation of fine increases was deferred on compassionate grounds due to the pandemic. Given the escalation of illegal parking, especially in the waterfront area, the time has come to consider parking fine increases.

Prepared By:

Original Signed By:

Kimberly Thompson,
Manager, Municipal Law Enforcement Services

KT:kt

Prepared/Approved/Endorsed By:

Original Signed By:

Paul Bigioni,
Director, Corporate Services & City
Solicitor

Recommended for the consideration
of Pickering City Council

Original Signed By:

Marisa Carpino, M.A.
Chief Administrative Officer

From: Paul Bigioni
Director, Corporate Services & City Solicitor

Subject: TRCA – Waterfront Trail MOU
- File: L-4100-007-21

Recommendation:

1. That the Memorandum of Understanding (“MOU”) between the City of Pickering and the Toronto and Region Conservation Authority (“TRCA”) (Attachment No. 1) be approved, subject to: (i) obtaining the necessary approvals of the Ministry of the Environment, Conservation and Parks; and (ii) minor revisions satisfactory to the Director, Corporate Services & City Solicitor, the Director, Engineering Services and the Chief Administrative Officer;
2. That the Chief Administrative Officer be authorized to execute the MOU;
3. That, as contemplated by the MOU, City staff be directed to negotiate agreements of purchase and sale for the acquisition of: (i) the lands municipally known as 501 Marksbury Road from Zoltan and Barbara Szinessy and (ii) the lands municipally known as 520 West Shore Boulevard from Marshall Homes (Copperfield) Ltd., and that those agreements of purchase and sale be subject to further Council approval;
4. That, as contemplated by the MOU, City staff be directed to: (i) determine, in collaboration with TRCA, the dimensions of the lands not required for the waterfront trail and (ii) negotiate an agreement, subject to further Council approval, to sell those lands for an amount equal to their fair market value;
5. That the Director, Finance & Treasurer be authorized to finance the total net project costs of \$2,728,011.00 by a transfer from the Parkland Reserve Fund;
6. That the appropriate City of Pickering officials be authorized to take the actions necessary to implement the recommendations in this report.

Executive Summary: At the present time, the waterfront trail is interrupted between West Shore Boulevard and Marksbury Road, where users of the trail are forced to walk along paved roadways. Staff at the City and the Toronto and Region Conservation Authority (“TRCA”) have collaborated on a proposal that will finally enable the waterfront trail to be connected between West Shore Boulevard and Marksbury Road along the lake shore. This proposal is set out in a Memorandum of Understanding (“MOU”) which is Attachment No. 1 to this report. The waterfront trail at West Shore Boulevard is shown in Schedule “A” of the MOU (page 5 of Attachment No. 1). The proposal is for the City to acquire 501 Marksbury Road and 520 West Shore Boulevard, and to construct a new section of the trail across the south portion of those

lands at a future date. The north portion of those lands will then be sold to reduce the cost of the land acquisition. The portion of those lands required for the new section of the Waterfront Trail will be transferred to TRCA and become subject to the existing Management Agreement between TRCA and the City . TRCA shall sell its lands at 805/809 St. Martins Drive and contribute the sale proceeds to further reduce (and possibly eliminate) the City’s acquisition costs. It must be noted that TRCA is obligated to obtain the approval of the Ministry of the Environment, Conservation and Parks (“MECP”) to both its disposition of 805/809 St. Martins Drive and the contribution of all its sale proceeds to the City. The design and construction of the trail section would be at the City’s expense.

Financial Implications:

1. Estimated Project Cost Summary

	501 Marksbury Rd	520 West Shore Blvd.	Total
Purchase Price	1,129,800.00	1,506,000.00	2,635,800.00
Land Transfer Tax	19,071.00	26,595.00	45,666.00
Registration Fees	77.62	77.62	155.24
Subtotal	1,148,948.62	1,532,672.62	2,681,621.24
HST (13%) on Purchase Price only	146,874.00	195,780.00	342,654.00
Gross Project Costs-rounded	1,295,822.00	1,728,453.00	3,024,275.00
HST Rebate (11.24%) on Purchase Price only	(126,990.00)	(169,274.00)	(296,264.00)
Net Project Costs	1,168,832.00	1,559,179.00	2,728,011.00

2. Approved Source of Funds - 2021 Parks Capital Budget

Account	Source of Funds	Approved Budget	Required
5780.2103.6265	Parkland Reserve Fund	3,100,000.00	2,728,011.00

Project cost under/(over) approved funds by	371,989.00
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These costs will be reduced by selling the portion of these lands not required for the new trail section. As more particularly set out below, the unused portion of the lands will be appraised and sold for fair market value.

These costs will be further reduced (possibly to zero) by the TRCA's contribution of the proceeds of its sale of other lands it owns at 805/809 St. Martins Drive.

Discussion: City and TRCA staff have collaborated on a proposal that will enable the waterfront trail to be constructed along the waterfront, between Marksbury Road and West Shore Boulevard. This proposal is set out in the MOU (Attachment No. 2 to this report). The MOU sets out a series of transactions which will result in lands becoming available, enabling the City to complete the connection of the waterfront trail.

As shown on Attachment No. 1, the new section of the waterfront trail will be built on portions of the properties at 501 Marksbury Road and 520 West Shore Boulevard at a future time. Budgeting, design and construction of the new trail section will be subject to a future Council approval. Pursuant to the MOU, the City will acquire: (i) 501 Marksbury Road from Zoltan and Barbara Szinessy for a price of \$1,129,800 and (ii) 520 West Shore Boulevard from Marshall Homes (Copperfield) Ltd. for a price of \$1,506,000. The price for each of these properties has been confirmed to be fair market value, pursuant to Appraisal Reports obtained from D. Bottero & Associates, Certified Property Appraisers.

The northern portion of 501 Marksbury Road and 520 West Shore Boulevard is not required to accommodate the new section of trail. The northern portion of the lands, together with up to 450 square meters of adjacent land to be contributed at no cost by TRCA, is shown in Attachment No. 1 and is referred to in the MOU as the "Surplus Lands". The Surplus Lands will be sold for a price equal to their fair market value. This will defray the City's purchase costs. The exact size and shape of the Surplus Lands will be determined based on the requirements for the adjacent trail. City staff observe that vacant building lots in Pickering have sold for approximately \$500,000. To confirm the fair market value of the Surplus Lands, City staff will obtain an Appraisal Report from a Certified Property Appraisal firm. Marshall Homes (Copperfield) Ltd. (the vendor of 520 West Shore Boulevard) is interested in purchasing the Surplus Lands, and the MOU provides that Marshall Homes will be given a right of first refusal to purchase the Surplus Lands.

TRCA owns other lands in Pickering municipally known as 805/809 St. Martins Drive ("805/809 St. Martins"). As you may recall, the City funded 52.6% of the cost of TRCA's original acquisition of 805/809 St. Martins. The remaining 47.4% of TRCA's original acquisition cost was funded by the Ministry of Natural Resources and Forestry. The MOU provides that 805/809 St. Martins will be sold by TRCA, and the proceeds of sale will be paid towards the City's costs of purchasing 501 Marksbury Road and 520 West Shore Boulevard. The approval of the Ministry of the Environment, Conservation and Parks is required for both TRCA's disposal of 805/809 St. Martins and for the contribution to the City of the percentage of the price originally paid by the MNRF. Because of this, City staff advise that approval of the MOU should be conditional on obtaining the required approvals from the Ministry of the Environment, Conservation and Parks.

Finally, it must be noted that if the City’s net land acquisition cost is greater than the amount of the sale proceeds obtained from 805/809 St. Martins, then TRCA will contribute a further amount equal to 50% of the shortfall. If the City’s net land acquisition cost is less than the amount of the sale proceeds obtained from 805/809 St. Martins, then the TRCA is required to apply its excess sale proceeds toward the costs of future conservation initiatives in Pickering including, but not limited to, shoreline protection measures in the vicinity of the new waterfront trail section.

The MOU will enable the connection of the waterfront trail between Marksbury Road and West Shore Boulevard in the future. The trail connection is an important project that will contribute materially to the wellbeing of residents and of all trail users. The MOU sets out contributions, financial and otherwise, from both the City and TRCA which demonstrate their joint and sustained commitment to this project. Staff therefore recommend that Council approve the MOU.

Attachments:

1. Draft MOU

Prepared/Endorsed By:

Original Signed By:

Paul Bigioni
 Director, Corporate Services & City Solicitor

PB:ks

Recommended for the consideration
 of Pickering City Council

Original Signed By:

Marisa Carpino, M.A.
 Chief Administrative Officer

The Corporation of the City of Pickering
(the “City”)
and
Toronto and Region Conservation Authority
(“TRCA”)

MEMORANDUM OF UNDERSTANDING (“MOU”)

WHEREAS the City and TRCA wish to collaborate for the purpose of constructing a future section of the Waterfront Trail as shown on the Plan attached hereto as Schedule “A”;

AND WHEREAS the local portion of the Waterfront Trail within the City of Pickering is shown on the location map attached hereto as Schedule “B”;

AND WHEREAS the future section of the Waterfront Trail is to be constructed along portions of the real properties municipally known as 501 Marksbury Road, Pickering [PIN 26311-0822] (“501 Marksbury”) and 520 West Shore Boulevard, Pickering [PIN 26311-0832] (“520 West Shore”);

AND WHEREAS TRCA is the owner of the real properties municipally known as 805 St. Martins Drive, Pickering (PIN 26319-0590) and 809 St. Martins Drive, Pickering (PIN 26319-0590) (collectively known as “805/809 St. Martins”);

AND WHEREAS dispositions of 805/809 St. Martins are contingent on approval from the Ministry of the Environment, Conservation and Parks (“MECP”);

AND WHEREAS 805/809 St. Martins was originally purchased by TRCA to serve as parkland, but has never been developed as such;

AND WHEREAS TRCA may endeavor to improve 805/809 St. Martins to maximize the value prior to sale;

AND WHEREAS the City contributed 52.6 percent of the original purchase cost of 805/809 St. Martins, and MNR contributed the remaining 47.4 percent;

NOW THEREFORE the City and TRCA agree as follows:

1. The Recitals above are true and accurate and form a part of this MOU.
2. The City shall acquire 501 Marksbury from Zoltan Szinessy and Barbara Szinessy for the amount of \$1,129,800. The purchase of 501 Marksbury shall be completed no later than December 31, 2021.

3. The City shall acquire 520 West Shore from Marshall Homes (Copperfield) Ltd. for the amount of \$1,506,000. The purchase of 520 West Shore shall be completed no later than December 31, 2021.
4. The City shall up to 450sqm of lands, more or less, from TRCA for nominal consideration as identified on Schedule "A."
5. The City shall demolish all buildings located on 501 Marksbury and 520 West Shore.
6. The City shall combine portions of the lands included in paragraphs 2, 3, & 4 to produce a marketable title for a residential building lot, as shown in Schedule "A" (hereinafter referred to as the "Surplus Lot").
7. The City shall sell the Surplus Lot for an amount equal to its fair market value.
8. The City shall grant to Marshall Homes (Copperfield) Inc. a Right of First Refusal to purchase the Surplus Lot for an amount equal to its fair market value.
9. Upon complete payment as envisioned in this MOU (including paragraphs 2, 3 and 13), the remainder of the lands included in paragraphs 2 and 3 will be transferred to TRCA for nominal consideration. These lands are to be included in the Management Agreement between the City and TRCA for management by the City. Said lands are envisioned to accommodate construction of the new section of the Waterfront Trail by the City. The new section of trail shall be constructed at a time to be determined by the City through the Management Agreement, and in accordance with a design and specifications mutually agreeable to the City and TRCA.
10. Total cost of acquisition of properties pursuant to paragraphs 2 and 3 will be reduced by the revenue from the sale of the Surplus Lot. The acquisition balance remaining is herein referred to as the "Residual Amount".
11. TRCA shall sell 805/809 St. Martins Drive as soon as reasonably possible for an amount equal to its fair market value. TRCA will use best efforts to sell 805/809 St. Martins to be completed by December 31, 2022. TRCA may extend this timeframe by one additional year at their sole option, upon 30 days written notice.
12. In recognition that TRCA dispositions are conditional on approval from MECP, TRCA will use best efforts to obtain consent of the disposition of 805/809 St. Martins.

13. Conditional on approval from the Ministry of the Environment, Conservation and Parks for the use of disposition funds upon completion of the sale of 805/809 St. Martins, and as soon as reasonably possible, TRCA shall pay 100 percent of the sale proceeds to the City to be credited against the Residual Amount.
14. In the event the sale of 805/809 St. Martins does not exceed the Residual Amount, then TRCA shall pay the City an additional amount equal to 50 percent of the difference. Payment of this additional amount by TRCA shall be made, upon the later of: (a) completion of the City's purchase of properties in paragraphs 2 and 3; and (b) completion of TRCA's sale of 805/809 St. Martins.
15. In the event the sale of 805/809 St. Martins exceeds the Residual Amount, then TRCA shall retain the excess for use for future conservation initiatives within the City of Pickering, including but not limited to shoreline treatment along the waterfront as depicted in Schedule "B".
16. This MOU is binding on the City only upon its execution by the City and its approval by Pickering's Council. This MOU is binding on TRCA only upon its execution by TRCA and its approval by TRCA's Board.
17. Upon approval of this MOU by both the City and TRCA, all parties hereto shall negotiate in good faith and promptly execute all agreements of purchase and sale and other documents and instruments necessary to give effect to the transactions contemplated herein.

[signature pages to follow]

The Corporation of the City of Pickering

David Ryan, Mayor

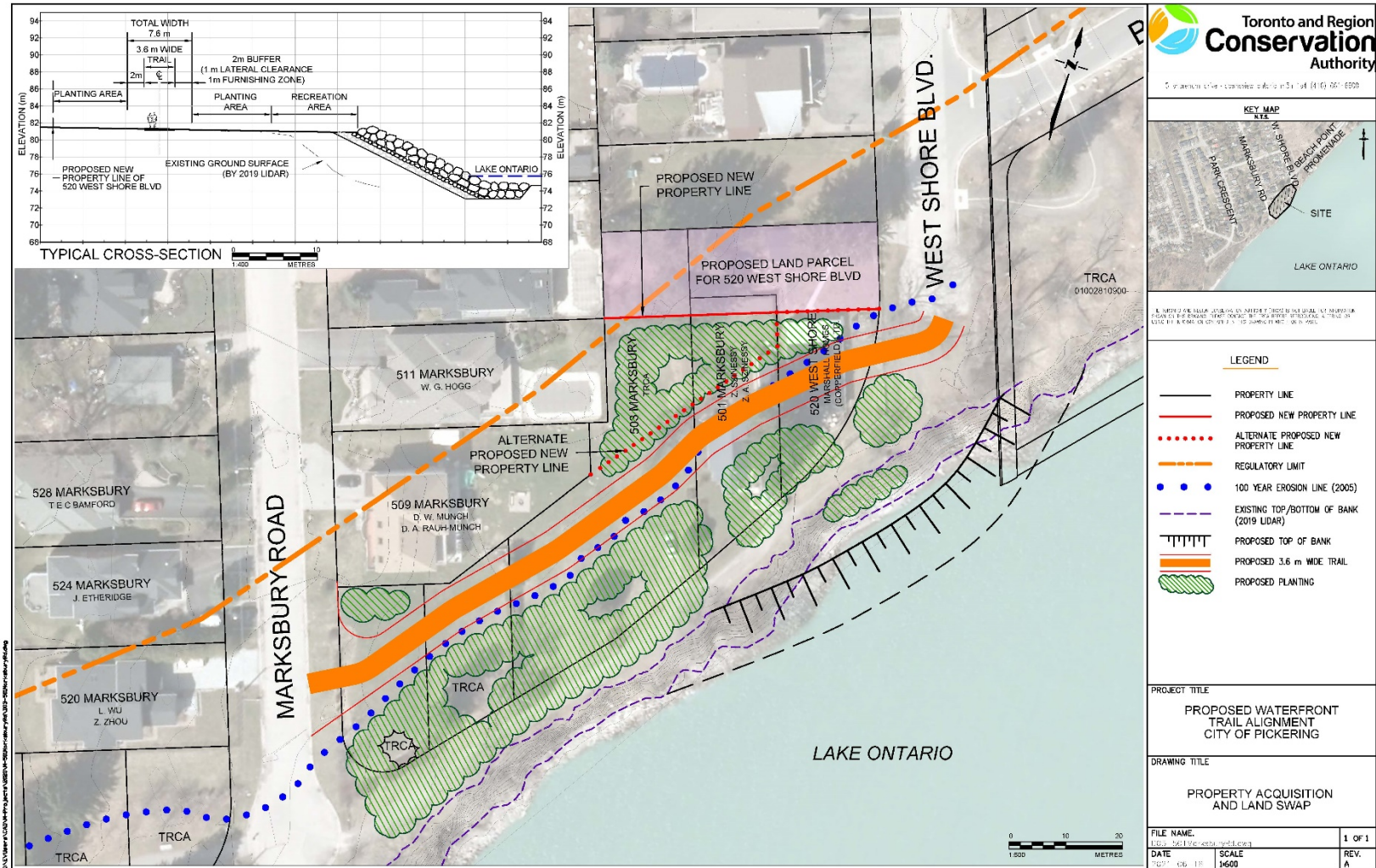
Susan Cassel, City Clerk

Toronto and Region Conservation Authority

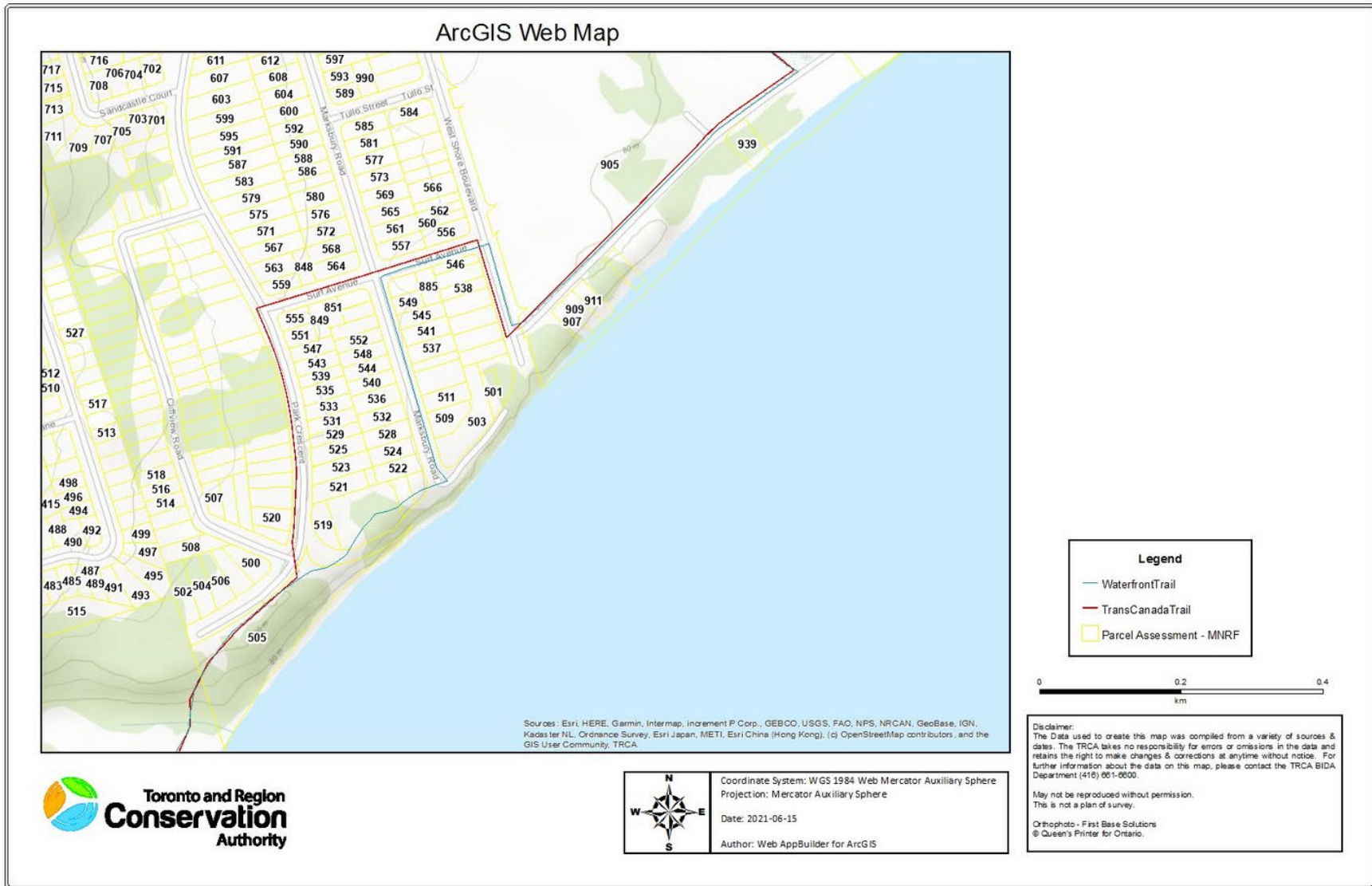
Per: Jennifer Innis, Chair

Per: John MacKenzie, Chief Executive Officer

Schedule "A"



Schedule "B"



From: Kyle Bentley
Director, City Development & CBO

Subject: Lease Agreement – Mr. Delicious Cakes and Pastries Inc.
- Temporary Patio Program – use of City owned lands
- File: D-1000-006

Recommendation:

1. That Council approve the Draft Lease Agreement for the Temporary Use of City Property adjacent to 1295 Wharf Street, Unit 44A, between the City of Pickering and Mr. Delicious Cakes and Pastries Inc. for the period July 1, 2021 to November 30, 2021, as set out in Attachment #2 to Report PLN 32-21;
 2. That the Mayor and City Clerk be authorized to execute the Lease Agreement between the City of Pickering and Mr. Delicious Cakes and Pastries Inc. in the form as attached to this report subject to revisions as may be acceptable to the Chief Administrative Officer, the City Solicitor, and the Director, City Development & CBO; and
 3. That the appropriate officials of the City of Pickering be authorized to take the necessary actions as indicated in this report.
-

Executive Summary: Mr. Delicious Cakes and Pastries Inc. (Mr. Delicious) located at 1295 Wharf Street, Unit 44A in the Nautical Village, has submitted a request to operate a temporary outdoor patio on the City owned boulevard in front of their establishment.

The proposed location and design (see Location Map, Attachment #1) of the temporary patio space have met the requirements laid out by the City's 'Temporary Patios – Municipal Review and Approval Process'. Staff therefore recommends that the City enter into a lease agreement with Mr. Delicious for temporary use of the City's boulevard from July 1, 2021 to November 30, 2021 (see Draft Lease Agreement, Attachment #2).

Financial Implications: There are no financial implications associated with this lease agreement.

Discussion: Municipal By-law 7769/20 was approved in June of 2020, in support of the creation of new or expanded, temporary restaurant patios. This By-law was amended in November of 2020, extending the date of effectiveness of temporary or new patio spaces until such time as all Provincial Emergency Orders related to the COVID-19 pandemic have been lifted.

As identified in the City's guidelines, Temporary Patios – Municipal Review and Approval Process, operation of a temporary patio space on City owned property is subject to the execution of a lease agreement with the City and is permitted for a limited term of operation being the earlier of the lifting of all Provincial Emergency Orders, or the commencement of the City's municipal winter maintenance operations.

Mr. Delicious Cakes and Pastries Inc. (Mr. Delicious) is located at 1295 Wharf Street, Unit 44A, with frontage onto Liverpool Road in the Nautical Village, and has requested permission to operate a temporary expanded patio space on the City owned boulevard directly in front of their establishment. Fire Services have reviewed their Request to Review for Temporary Patio, and have worked with Mr. Delicious to finalize a design and location of the temporary patio space that meets the criteria of the City's temporary patio guidelines and Provincial and Regional Health & Safety regulations.

The term of the lease agreement is from July 1, 2021 to November 30, 2021. The temporary patio expansion must be removed by the earlier of the lifting of all Provincial Emergency Orders related to the pandemic, or the commencement of the City's winter maintenance program. Mr. Delicious has provided the requisite Certificate of Insurance noting the City as an added insured, with coverage amounts as required by the City.

During the 2020 temporary patio season, the City received numerous complaints relating to noise, and the use of an outdoor smoker at this café location. Should noise complaints arise again this season, Municipal Law Enforcement staff will enforce the terms of the City's Noise Control By-law 6834/08 and take appropriate action.

As indicated in Section 7 of the City's 'Temporary Patios – Guidelines for Submitting a Request to Review', the City may also choose to require closure of the patio should noise issues remain unresolved. This consequence is in keeping with the extended licensing permissions from the Alcohol & Gaming Commission of Ontario, who require that a municipality have no objection to the operation of the temporary patio space in order to be granted an extension of a liquor licence.

Section 6 of the City's guidelines indicates the use of the outdoor smoker (or 'barbeque') is permitted. Use of the smoker at Mr. Delicious has been addressed by Fire Services to ensure it complies with the Ontario Fire Code. Fire Prevention staff have worked closely with the owner and staff of Mr. Delicious to instruct on the appropriate placement and use of the smoker, to mitigate smoke emissions, and confirm staff's ability to effectively use the required fire extinguishers.

The use of a smoker, barbeque, or other outdoor cooking appliance is a temporary permission granted under the Temporary Patio program. The City's Waterfront & Nautical Village visioning exercise will provide the opportunity to engage businesses and residents and collect full public input on the use of commercial outdoor cooking appliances. Staff will consider the comments and report back to Council on the findings.

In keeping with the City’s ongoing desire to support the re-opening of business in Pickering, staff therefore recommends the City enter into a lease agreement (see Draft Lease Agreement, Attachment #2) with Mr. Delicious for the temporary use of the City owned boulevard, as indicated in the attached site drawing (see Location Map, Attachment #1).

Attachments:

- 1. Location Map
- 2. Draft Lease Agreement

Prepared By:

Original Signed By

Catherine Hodge
Senior Coordinator, Development Liaison

Approved/Endorsed By:

Original Signed By

Kyle Bentley, P. Eng.
Director, City Development & CBO

CH:ld

Recommended for the consideration
of Pickering City Council

Original Signed By

Marisa Carpino, M.A.
Chief Administrative Officer

Location Map

Location of temporary patio on City of Pickering lands, known legally as:

Liverpool Road, south of Annland Street being the Road Allowance between Lots 22 and 23, Range 3, Concession Broken Front, Pickering.



Mr. Delicious Cakes and Pastries Inc.
1295 Wharf Street, Unit 44A, Pickering

This Licence Agreement is made this 29th day of June, 2021.

Attachment #2 to PLN 32-21

Between:

Draft

Mr. Delicious Cakes and Pastries Inc.

(the "Restaurant")

- and -

The Corporation of the City of Pickering

(the "City")

Whereas the City owns the lands legally described as Liverpool Road, south of Annland Street being the Road Allowance between Lots 22 and 23, Range 3, Concession Broken Front, Pickering; and

Whereas the Restaurant wishes to use a portion of the City-owned lands as shown in red on the location map attached hereto as Schedule "A" (the "Lands") for the purpose of operating a temporary outdoor patio for the serving of food and beverages as shown on the plans and specifications attached hereto as Schedule "B" (the "Temporary Patio"); and

Whereas the City has agreed to grant to the Restaurant a non-exclusive licence permitting the Temporary Patio on the Lands subject to the terms and conditions set out in this Licence.

Now Therefore in consideration of the mutual covenants hereinafter set forth and other good and valuable consideration, the City and the Restaurant agree as follows:

Licence

1. Subject to the terms of this Licence, the City grants permission to the Restaurant to use the Lands on a non-exclusive basis for the Temporary Patio.
2. The Restaurant acknowledges that this Licence does not create an interest in the Lands nor does the Restaurant claim any past or present interest, howsoever arising, as a result of or connected in any way with the use and occupation of the Lands.

3. The licence granted herein is only for the duration of this Licence and only for the purposes and uses stated herein. No other purposes shall be permitted without prior approval from the City.
4. The licence granted herein is not exclusive and the City reserves the right to enter onto the Lands and to grant, renew or extend licenses and other interests to other third parties.

Term

5. Unless earlier terminated as provided herein, the term of this Licence shall commence on July 1, 2021, and expire on the earlier of November 30, 2021 at 9 pm, or such time as restrictions under the Province of Ontario's COVID-19 response framework are lifted. (the "Term").
6. Except as otherwise provided for in this Licence, this Licence may be terminated by the City at any time and for any reason during the Term upon sixty (60) days prior written notice to the Restaurant. Notwithstanding the foregoing, if at any time the Restaurant is in default in the performance of any of the obligations under this Licence, the City shall have the right to terminate this Licence forthwith and thereupon all the rights of the Restaurant shall immediately cease. The City shall not be liable for payment to the Restaurant for any damage or loss arising from the termination of this Licence by the City pursuant to this Section.
7. Upon the expiry or earlier termination of this Licence, the Restaurant shall remove the Temporary Patio, at its own expense, and restore the Lands to its original condition.

Fees

8. The Restaurant shall not be required to pay to the City any fee for this Licence, but shall be responsible for payment of all applicable non-City permits, licences, staffing charges, and approval fees where applicable.

Applicable Laws

9. The Restaurant shall comply strictly with all applicable laws, by-laws, rules and regulations governing its use of the Lands for the Temporary Patio, including, but not limited to, the City's Noise By-law, Traffic and Parking By-laws, the Ontario Building Code, the Ontario Fire Code, and all applicable requirements of the Technical Standards & Safety Authority.
10. The Restaurant, where applicable, shall obtain all necessary permits, licenses and approvals that may be required in connection with its use of the Lands for the Temporary Patio, including, but not limited to:
 - a) The City of Pickering form – 'Request to Review for Temporary Patio';
 - b) Tents, should they be constructed, must comply with applicable building permit requirements under the *Building Code Act*, Ontario Building Code (OBC) and the City's Temporary Tent Standard Operating Procedure (City Development Department);

- c) Compliance with the Health & Safety Guidelines as issued for outdoor patio operations by the Province of Ontario and the Durham Region Health Department; and
- d) No smoking signs to be placed, in accordance with the Durham Region smoking ban by-law.

Fire Safety

- 11. The Restaurant acknowledges that throughout the term of the Lease, the Temporary Patio is subject without notice, to a fire inspection to be carried out by City of Pickering Fire Services to determine compliance with the Ontario Fire Code.
- 12. The location of the Temporary Patio must maintain a 1.2 metre clearance from all fire hydrants or fire connections (Siamese) and they must be visible and accessible at all times.
- 13. Portable fire extinguishers,
 - (a) shall be present if cooking equipment is used on the Temporary Patio, and any location serving alcoholic beverages. Extinguishers must be properly rated for the hazard present. Portable extinguishers shall be kept operable and fully charged;
 - (b) shall be located so that they are easily seen and shall be accessible at all times; and
 - (c) in proximity to a fire hazard shall be located so as to be accessible without exposing the operator to undue risk.
- 14. Restaurant staff must be familiar with the safe operation of portable fire extinguishers in their work area.

Utilities

- 15. The Restaurant shall assume all costs and expenses in connection with the Temporary Patio, including, but not limited to, all utility costs.
- 16. The Restaurant and its employees, agents and contractors, including its electrical support group, is prohibited from altering City electrical infrastructure, and is only permitted to use existing outlets.
- 17. The Restaurant shall ensure all power cords have been covered to avoid tripping hazards.
- 18. The City assumes no responsibility to the Restaurant for the temporary or unavoidable interruption of the supply of any public utility service due to any cause whatsoever.

Hours of Operation

- 19. Subject to any other regulatory approval (e.g. liquor licence), the Restaurant will maintain their usual hours of operation for the existing restaurant (or existing patio), or as directed by the Province of Ontario, 'Roadmap to Re-Open'.

Maintenance

20. The Restaurant shall ensure that the Lands and the Temporary Patio are maintained in a state of good and safe repair, and in a clean and sanitary condition during the Term, to the satisfaction of the City. The Restaurant shall immediately notify the City of any damage to the Lands.
21. In the event that the Restaurant wishes, during the Term, to replace or materially alter the Temporary Patio, the Restaurant shall not commence replacement or alteration unless:
 - (a) the City has approved the Restaurant's plans, specifications and appearance of the proposed replacement or alteration;
 - (b) otherwise agreed to by the City, the replacement or alteration does not occupy an area that is larger than the Lands and shall be situate in the same location as the Temporary Patio;
 - (c) the Restaurant has received all regulatory approvals and/or the replacement or alteration complies with all regulatory requirements; and
 - (d) the Restaurant has obtained any necessary permits for the work to be undertaken.
22. The Restaurant shall ensure that any personnel installing, maintaining, replacing, altering or repairing the Temporary Patio shall be properly trained and fully qualified to perform the relevant work. The Restaurant shall ensure that it complies with the Construction Act and takes all necessary steps to prevent a lien from being claimed in respect of the Lands.

Waste Management

23. The Restaurant shall remove any and all refuse generated by the use of the Temporary Patio, as it occurs and at the expense of the Restaurant.

Insurance

24. The Restaurant, at its own expense, shall provide,
 - (a) comprehensive general public liability insurance, identifying the City as an additional insured, including coverage for personal injury, contractual liability, non-owned automobile liability, death and property damage, on an occurrence basis with respect to the Temporary Patio and the use and occupancy of the Lands, with coverage for any one occurrence or claim of not less than \$5,000,000, which insurance shall protect the City in respect of claims by the Restaurant as if the City was separately insured;
 - (b) a certificate of insurance coverage in a form satisfactory to the City, which insurance coverage shall be kept in full force and effect throughout the Term;
 - (c) Thirty (30) days prior written Notice, by registered mail, will be given by the insurer(s) to the City of Pickering if this Policy is cancelled or if any material

change occurs that would, for any reason, affect this Certificate or the City of Pickering as outlined in the coverage specified herein. Notice will be given to:

- (d) The Corporation of the City of Pickering, Attention: City Development Department, One The Esplanade, Pickering, ON, L1V 6K7

- 25. The Restaurant shall not do or omit or permit to be done anything that causes any insurance premium of the City to be increased, and if any insurance premium shall be so increased, the Restaurant shall pay to the City forthwith upon demand the amount of such increase. If notice of cancellation or lapse shall be given respecting any insurance policy of the City or if any insurance policy shall be cancelled or refused to be renewed by an insurer by reason of the use or occupation of the Lands, the Restaurant shall forthwith remedy or rectify such use or occupation upon being requested to do so in writing by the City and if the Restaurant shall fail to do so the City may, at its option, terminate this Licence forthwith by notice to the Restaurant.

Liability and Indemnification

- 26. The City shall not be liable to the Restaurant for any loss, damage or personal injury (including death) relating to the Temporary Patio or the use and occupancy of the Lands, whether caused by fire, theft, burglary, or otherwise, unless such loss or damage was caused by the negligence or willful misconduct of the City, its servants, agents or employees.
- 27. Once any equipment is erected on the Lands, the Restaurant shall determine its own terms for overnight security of its equipment, and the Lands and equipment shall be and remain at the risk of the Restaurant.
- 28. Save and except for the gross negligence or willful misconduct of the City, the Restaurant agrees to indemnify and save the City, and all its directors, officers, employees, elected officials, agents, contractors and representatives harmless from any and all losses, actions, damages, claims, liability, costs, expenses and demands, of any kind, including, without limiting the generality of the foregoing, all claims for personal injury, illness or death, including any claims arising from the COVID-19 virus, or from any act or omission of the Restaurant or those for whom the Restaurant is at law responsible arising out of any action whatsoever by the Restaurant, its directors, employees, agents, contractors, invitees or anyone in connection with the Restaurant's use and occupancy of the Lands or the presence of Temporary Patio on the Lands. This provision shall survive the expiration or earlier termination of this Licence.
- 29. The Restaurant waives any and all claims against, releases from liability and agrees not to sue the City, its directors, officers, employees, elected officials, agents, contractors and representatives for any personal injury, illness, death or any other loss sustained by the Restaurant or for which the Restaurant may be responsible arising out of, or in connection with the Restaurant's use and occupancy of the Lands or the presence of the Temporary Patio on the Lands, including any loss arising from the COVID-19 virus.

Force Majeure

- 30. The City shall not be liable for any damages caused by any delay or failure to perform the whole or any part of this Licence, where such performance is made impossible or impractical

due to any cause direct or indirect, beyond the control of the City, including, but not limited to, labour disruptions, strikes, lockouts, fire, flood, storms, acts of nature, natural disasters, acts of war, insurrection and terrorism, outbreak, pandemic, epidemic, disease or emergency.

Relationship of Parties

31. Nothing contained herein shall be deemed or construed by the parties, nor by any third party, as creating the relationship of principal and agent, landlord and tenant, partnership or of joint venture between the parties, it being understood and agreed that none of the provisions contained herein, nor any of the acts of the parties shall create any relationship between the parties other than that of licensor and licensee as described in this Licence.

Commercial Tenancies Act

32. The parties agree that the provisions of the *Commercial Tenancies Act* DO NOT apply to this Licence between the parties.

Notice

33. Any notice or other communication required or permitted to be given hereunder shall be in writing, and shall be sufficiently given if sent by pre-paid registered mail from a post office in Canada addressed in the case of the City to:

Pickering Civic Complex,
One The Esplanade,
Pickering, ON L1V 6K7
Email: citydev@pickering.ca
Attention: Director, City Development & CBO
Fax No.: 905.420.7648

and in the case of the Restaurant to:

1295 Wharf Street, Unit 44A
Pickering, ON L1W 1A2
Attention: Glenroy Taylor
Email: delicious_mr@hotmail.com
Phone No.: 416.999.5890

Such notice may be given by hand delivery or sent electronically by either party to the other. Any such notice mailed shall be deemed to have been given on the third (3rd) business day following such mailing or, if delivered by hand, shall be deemed to have been given on the day of delivery or, if sent electronically, shall be deemed to have been given on the business day following transmission. In the event of a postal strike or pending postal strike, any or all notices must be given by personal delivery or by electronic means.

Title

34. The Restaurant hereby agrees to keep title to the Lands, including every part thereof, free and clear of any lien, encumbrance or security interest or notice thereof. The Restaurant shall not

enter into any agreements for the Lands which would run with the Lands and become an obligation of the City upon termination or expiration of this Licence.

Time

35. In all respects, time shall be of the essence of this Licence.

Counterparts

36. This Licence may be executed in any number of counterparts, each of which shall be deemed an original and all of which taken together shall be deemed to constitute one and the same document. The execution of this Licence will not become effective until counterparts hereof have been executed by all the parties hereto. Counterparts may be executed either in original or electronic form and the parties adopt any signatures received in electronic form as original signatures of the parties.

General

37. The City shall have the right to enter the Lands at any time for any reason.

38. The Restaurant agrees to ensure activities are limited to the typical operation of a commercial temporary outdoor patio and will not inhibit in any way the safety and enjoyment of the public or its use of the adjacent public owned lands.

39. The Restaurant shall not alter, add to or vary in any way any part of the Lands without the prior approval of the City.

40. This Licence shall not be assignable by the Restaurant without the consent of the City, which consent may be arbitrarily refused.

41. This Licence shall enure to the benefit of and be binding upon the parties and their respective successors and permitted assigns.

42. Schedules "A" and "B" attached to this Licence form part of this Licence. The recitals at the head of this Licence are true and accurate and form a part hereof.

43. No amendment to this Licence shall be effective unless it is in writing and signed by both parties.

44. The failure of any party to exercise any right, power or option or to enforce any remedy or to insist upon the strict compliance with the terms, conditions and covenants under this Licence shall not constitute a waiver of the terms, conditions and covenants herein with respect to that or any other or subsequent breach thereof nor a waiver by that party any time thereafter to require strict compliance with all terms, conditions and covenants hereof, including the terms, conditions and covenants with respect to which the party has failed to exercise such right, power or option. Nothing shall be construed or have the effect of a waiver except an instrument in writing signed by a duly authorized officer of the applicable party which expressly waives a right, power or option under this Licence.

45. The headings in this Licence have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope of meaning of this Licence nor any of the provisions hereof.
46. The Restaurant shall not have the right to register this Licence or notice thereof against title to the Lands or any part thereof.

In Witness Whereof the City and the Restaurant have executed this Licence as of the date first written above.

Mr. Delicious Cakes and Pastries Inc.

Name: Glenroy Taylor
Title: Owner

I/We have authority to bind the Corporation.

The Corporation of the City of Pickering

Dave Ryan, Mayor

Susan Cassel, City Clerk

Schedule "A"

The Lands

Location of temporary patio on City of Pickering lands, known legally as:

Liverpool Road, south of Annland Street being the Road Allowance between Lots 22 and 23, Range 3, Concession Broken Front, Pickering..

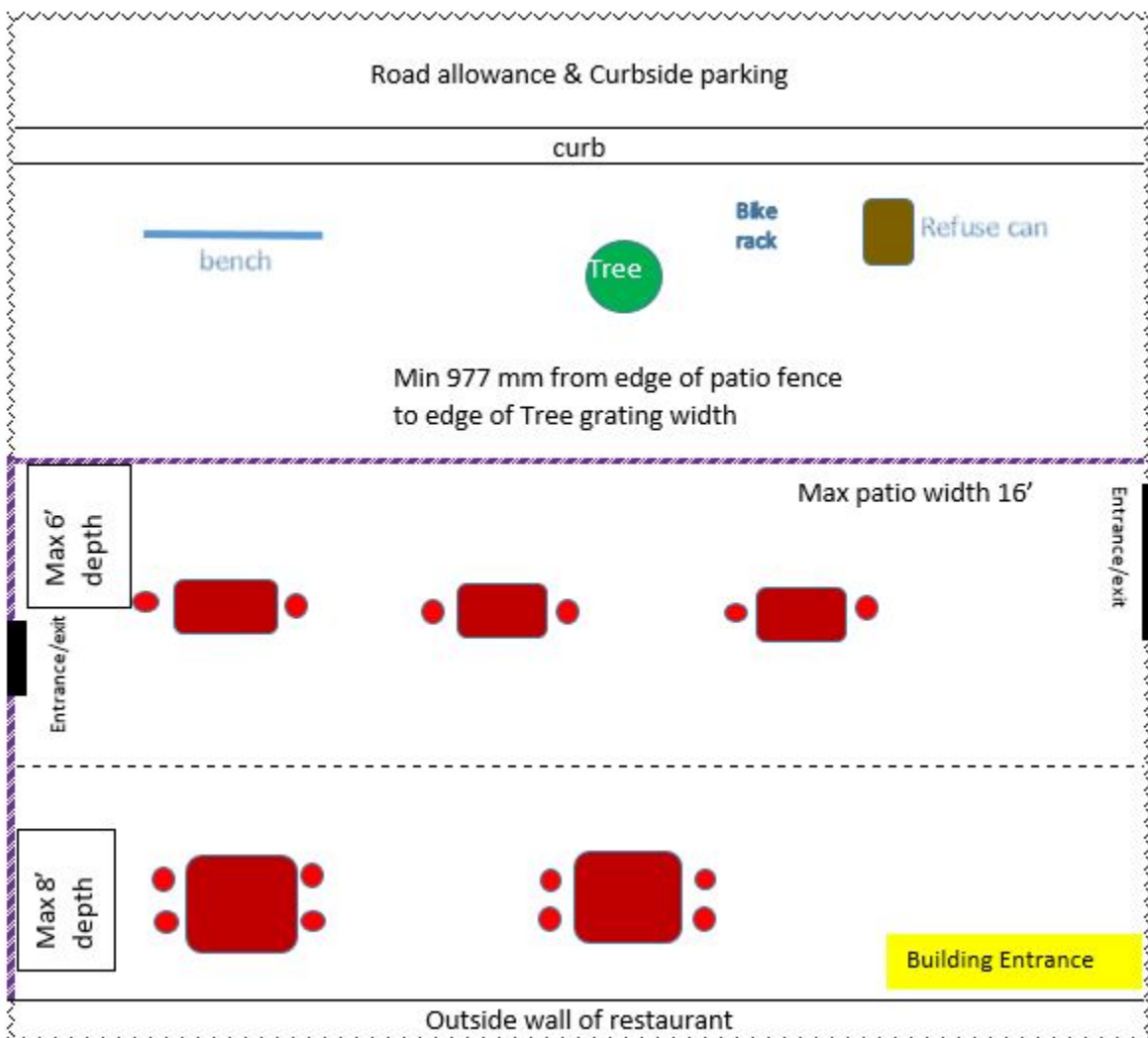


Mr. Delicious Cakes and Pastries Inc.
1295 Wharf Street, Unit 44A, Pickering

Schedule "B"
Temporary Patio
Plans and Specifications

Proposed plans and specifications for the temporary patio are subject to inspection by the City and must comply at all times with current Health & Safety regulations as may be issued by the Province of Ontario's COVID-19 response framework or Region of Durham Health Department.

Proposed design for existing patio occupancy on private property, and occupancy of temporary expanded patio on City of Pickering owned boulevard.



Drawing not to scale

To: Susan Cassel
City Clerk

From: Kyle Bentley
Director, City Development & CBO

Copy: Manager, Building Services & Deputy CBO
Supervisor, Building Permits

Subject: Amendment to Schedule A and
Schedule A – Part B of By-law 7362/14 appointing Inspectors
File: L-2000-021

June 21, 2021

Council currently has in place By-law 7362/14, which is required to provide for the administration and enforcement of the *Building Code Act* within the City. This By-law includes a schedule of persons appointed pursuant to that Act. The recent resignation of Abid Syed (effective April 23, 2021) requires that the respective name be deleted from Schedule A.

Additionally, due to an increasing backlog of building permit applications, and in order to meet provincially legislated timeframes, it has become necessary to outsource plans examination work to a third party contractor (RSM Building Consultants) for a limited period of time to reduce the current volume experienced within the Section. This By-law amendment will include a second Schedule A – Part B, which identifies the respective individuals, appointed as inspectors, that will be undertaking the plans review work until December 31, 2021.

Funds for this third party plans review work are being sourced from 2612.2392 – Consulting & Professional from the 2021 Council approved budget, in accordance with the City's Purchasing Policy.

Please find attached the amending By-law, which reflects the above-noted permanent and interim appointments.

If you have any questions, please contact me at extension 2070.

Original Signed By
Kyle Bentley

KB:ld
Attachment Schedule A – Appointments
Schedule A – Part B – Interim Appointments

The Corporation of the City of Pickering

By-law No. 7856/21

Being a By-law to amend Schedule A of By-law 7362/14
appointing Inspectors

Whereas, pursuant to the provisions of subsection 3(1) of the *Building Code Act, 1992*, S.O. 1992, chapter 23, the Council of The Corporation of the City of Pickering is responsible for the enforcement of the *Act* within the City of Pickering;

Whereas, pursuant to By-law 7362/14, Council appointed a Chief Building Official and such Inspectors as are necessary for the enforcement of the *Act* within the City of Pickering;

Whereas, as a result of recent staff changes, the By-law to appoint these individuals must be amended to reflect the change in staffing;

Whereas, as a result of an increasing volume of permit applications, it has become necessary to outsource third party plans examination services;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

Schedule A of By-law 7362/14, as amended, is hereby deleted and replaced with Schedule A attached hereto;

Schedule A – Part B attached hereto is hereby added and is subject to expire on December 31, 2021.

By-law passed this 28th day of June, 2021.

David Ryan, Mayor

Susan Cassel, City Clerk

Schedule A
Appointments

Item	Column	Column
1.	Chief Building Official	Kyle Bentley
2.	Deputy Chief Building Official/Inspector	Carl Kolbe
3.	Inspector	Steven Amaral
4.	Inspector	Stuart Caulfield
5.	Inspector	Joseph Domanski
6.	Inspector	David Escudero
7.	Inspector	Adam Fowler
8.	Inspector	Peter Furnell
9.	Inspector	Rachelle Gravel
10.	Inspector	Steven Heidebrecht
11.	Inspector	Anthony Nunes
12.	Inspector	Steven Smythe
13.	Inspector	David Stawowczyk
14.	Inspector	Ardalan Tanha
15.	Inspector	Robert Watson
16.	Inspector	Andy Westcott

Schedule A – Part B

Interim Appointments

Item	Column	Column
1.	Inspector	Ashleigh Parrish
2.	Inspector	Barbara Mocny
3.	Inspector	Gerald Moore
4.	Inspector	Kayla Hyndman
5.	Inspector	Leslie Collins
6.	Inspector	Mark Ryan
7.	Inspector	Ryan Nemec
8.	Inspector	Thomas Weishar

The above-noted interim appointments will expire on December 31, 2021

To: Susan Cassel
City Clerk

June 21, 2021

From: Catherine Rose
Chief Planner

Copy: Manager, Zoning & Administration

Subject: Amending By-law for
Zoning By-law Amendment Application A 04/21
City Initiated
Corner Rounding Zoning Provisions
City of Pickering

Amending By-law 7857/21

Statutory Public Meeting Date	April 6, 2021
Planning & Development Committee Date	May 3, 2021
Purpose and Effect of By-law	To amend Seaton Zoning By-law 7364/14 to include Corner Rounding definition and provisions. Corner Rounding provisions were omitted from the Seaton Zoning By-law when approved by the Ontario Municipal Board in 2014. Corner Rounding provisions regulate building setbacks from the streetline for corner lots.
Council Meeting Date	June 28, 2021
<p>Note</p> <p>The Recommendation Report and Recommended Zoning By-law Provisions were brought forward to Planning & Development Committee on May 3, 2021. The By-law has been reviewed by internal departments/external agencies and the Seaton Landowners Group.</p>	

Original Signed By
Catherine Rose

IL:ld

J:\Documents\Development\D-3300\2021\A 04-21\9. By-law\Memo & By-law Text\By-law Chart Memo to Clerks A 03-21.docx

Attachment By-law Text

The Corporation of the City of Pickering

By-law No. 7857/21

Being a by-law to amend Restricted Area (Zoning) By-law 7364/14, as amended, to implement the Official Plan of the City of Pickering, Region of Durham (A 04/21)

Whereas the Corporation of the City of Pickering initiated an application to amend Seaton Zoning By-law 7364/14 to include a corner rounding definition and provisions;

And whereas an amendment to By-law 7364/14, as amended, is deemed necessary to implement a corner rounding definition and provisions;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. **Area Restricted**

The provisions of this By-law shall apply to those lands within the boundaries of Zoning By-law 7364/14.

2. **Text Amendment**

1. Section 10.0 Definitions, of By-law 7364/14 is hereby amended by re-alphabetizing this subsection in order to incorporate a new definition as follows:

“Corner Rounding” means a *lot line* of a *corner lot* at the intersection of two *street lines* in the form of an arc that joins the *front lot line* to the *flankage lot line* or the *rear lot line* to the *flankage lot line*.

2. Subsection 4.2.2 Additional Provisions (“LD1”), of By-law 7364/14 is hereby amended by re-alphabetizing this subsection in order to incorporate the following provision:

- c) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *detached dwelling* or *semi-detached dwelling* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

3. Subsection 4.4.2 Additional Provisions (“LD1-T”), of By-law 7364/14 is hereby amended by re-alphabetizing this subsection in order to incorporate the following provision:

- c) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *street townhouse dwelling* or *duplex dwelling* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

4. Subsection 4.5.2 Additional Provisions (“LD2”), of By-law 7364/14 is hereby amended by re-alphabetizing this subsection in order to incorporate the following provision:
 - c) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *detached dwelling* or *semi-detached dwelling* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.
5. Subsection 4.6.2 Additional Provisions (“LD2-M”), of By-law 7364/14 is hereby amended by re-alphabetizing this subsection in order to incorporate the following provision:
 - h) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *street townhouse dwelling*, *duplex dwelling*, *multiple attached building*, *back to back townhouse dwelling* or *block townhouse building* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.
6. Subsection 4.7.2 Additional Provisions (“MD-DS”), of By-law 7364/14 is hereby amended by re-alphabetizing this subsection in order to incorporate the following provision:
 - b) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *detached dwelling* or *semi-detached dwelling* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.
7. Subsection 4.8.2 Additional Provisions (“MD-M”), of By-law 7364/14 is hereby amended by re-alphabetizing this subsection in order to incorporate the following provision:
 - h) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *street townhouse dwelling*, *duplex dwelling*, *multiple attached building*, *back to back townhouse dwelling* or *block townhouse building* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.
8. Subsection 4.9 High Density (H) Zone Provisions, of By-law 7364/14 is hereby amended by renumbering this subsection in order to incorporate the following subsection as follows:

4.9.2 Additional Provisions

- a) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *multiple attached building* or *block townhouse building* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

9. Subsection 4.9.2 Additional Apartment Provisions (“H”), of By-law 7364/14 is hereby amended by renumbering this subsection as follows:

4.9.3 Additional Apartment Provisions

10. Subsection 5.2.2 Additional Provisions (“MC1”), of By-law 7364/14 is hereby amended by re-alphabetizing this subsection in order to incorporate the following provision:

- h) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *street townhouse dwelling, duplex dwelling, multiple attached building, back to back townhouse dwelling* or *block townhouse* building shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

11. Subsection 5.3.2 Additional Provisions (“MC2”), of By-law 7364/14 is hereby amended by re-alphabetizing this subsection in order to incorporate the following provisions:

- h) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *street townhouse dwelling, duplex dwelling, multiple attached building* or *back to back townhouse dwelling* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.
- i) Despite any *flankage yard* requirement, on a *corner lot*, the minimum *flankage yard* to a *corner rounding* for any *live work unit* shall be 1.5 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.
- j) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *block townhouse building* shall be 1.75 metres at the front of a lot and 2.0 metres at the flankage of a lot. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

12. Subsection 5.5.2 Additional Provisions (“MCC”), of By-law 7364/14 is hereby amended by re-alphabetizing this subsection in order to incorporate the following provision:

- g) Despite any *flankage yard* requirement, on a *corner lot*, the minimum *flankage yard* to a *corner rounding* for any *live work unit* shall be 1.5 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

13. Subsection 5.7 Community Node – Pedestrian Predominant Area (CN-PP) – Zone Provisions, of By-law 7364/14 is hereby amended by renumbering this subsection in order to incorporate the following subparagraph as follows:

5.7.2 Additional Provisions

- a) Despite any *flankage yard* requirement, on a *corner lot*, the minimum *flankage yard* to a *corner rounding* for any *live work unit* shall be 1.5 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

14. Subsection 5.7.2 Additional Apartment Provisions (“CN-PP”), of By-law 7364/14 is hereby amended by renumbering this subsection as follows:

5.7.3 Additional Apartment Provisions

15. Subsection 5.7.3 Additional Commercial Provisions (“CN-PP”), of By-law 7364/14 is hereby amended by renumbering this subsection as follows:

5.7.4 Additional Commercial Provisions

3. By-law 7364/14

By-law 7364/14, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 7364/14, as amended.

4. Effective Date

This By-law shall come into force in accordance with the provisions of the *Planning Act*.

By-law passed this 28th day of June, 2021.

David Ryan, Mayor

Susan Cassel, City Clerk

To: Susan Cassel
 City Clerk

June 23, 2021

From: Catherine Rose
 Chief Planner

Copy: Manager, Development Review & Urban Design

Subject: Amending By-law for
 Zoning By-law Amendment Application A 14/18
 Kashmir Singh Pahal and Rajinder Singh Pahal
 (2184197 Ontario Inc.)
 East side of Brock Road, north of Rex Heath Drive

Amending By-law No. 7858/21

Statutory Public Meeting Date	March 4, 2019
Planning & Development Committee Date	February 1, 2021
Purpose and Effect of By-law	To permit a 6-storey apartment building containing 44 dwelling units.
Council Meeting Date	June 28, 2021
<p>Note</p> <p>On February 1, 2021, Council endorsed Zoning By-law Amendment Application A 14/18, and authorized staff to finalize and forward an implementing Zoning By-law Amendment to Council for enactment.</p>	

Original Signed By
 Catherine Rose

CC:ld

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Attachments By-law Text
 Schedules I and II

The Corporation of the City of Pickering

By-law No. 7858/21

Being a By-law to amend Restricted Area (Zoning) By-law 3037, as amended, to implement the Official Plan of the City of Pickering, Region of Durham, being Part of Lot 18, Concession 3, Part 2, 40R-6962, City of Pickering (A 14/18)

Whereas the Council of The Corporation of the City of Pickering received an application to rezone the subject lands being Part of Lot 18, Concession 3, Part 2, 40R-6962, in the City of Pickering to permit an apartment building;

And whereas an amendment to Zoning By-law 3037, as amended by By-law 1469/82, is therefore deemed necessary;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. **Schedules I and II**

Schedules I and II to this By-law with notations and references shown thereon are hereby declared to be part of this By-law.

2. **Area Restricted**

The provisions of this By-law shall apply to those lands being Part of Lot 18, Concession 3, Part 2, 40R-6962, in the City of Pickering, designated "RMII-4" on Schedule I to this By-law.

3. **General Provisions**

No building, structure, land or part thereof shall hereafter be used, occupied, erected, moved or structurally altered except in conformity with the provisions of this By-law.

4. **Definitions**

In this By-law,

- (1) "Amenity Space" means the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.
- (2) "Balcony" means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

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- (3) “Building, Apartment” shall mean a building containing more than four dwelling units where the units are connected by an interior corridor.
 - (4) “Build-to-zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located.
 - (5) Dwelling Unit” means a residential unit that:
 - (i) consists of a self-contained set of rooms located in a building or structure;
 - (ii) is used or intended for use as a residential premises;
 - (iii) contains kitchen and bathroom facilities that are intended for the use of the unit only; and
 - (iv) is not a mobile home or any vehicle.
 - (6) “Floor Space Index” means the total gross floor area of all buildings on a lot divided by the total area of the lot on which the building is located, excluding any portion of the building located below grade, such as parking structures.
 - (7) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.
 - (8) “Parapet Wall” means the portion of an exterior wall extending above the roof.
 - (9) “Park, Private” means a park which is maintained by a condominium corporation.
 - (10) “Parking Space, Bicycle” means an area used exclusively for parking or storing a bicycle.
 - (11) “Parking Structure” means a building or portion thereof, containing one or more parking spaces.
 - (12) “Setback” means the distance between a building and a lot line. In calculating the setback the horizontal distance from the respective lot line shall be used.

5. Provisions

- (1) Uses Permitted (“RMII-4” Zone)

No person shall within the lands zoned “RMII-4” on Schedule I to this By-law, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- (a) Apartment Building

(2) Zone Requirements (“RMII-4” Zone)

No person shall within the lands zoned “RMII-4” on Schedule I to this By-law, use any lot or erect, alter, or use any building except in accordance with the following provisions:

(a) Number of Dwelling Units:

- (i) Minimum number of dwelling units: 10 units
- (ii) Maximum number of dwelling units: 44 units

(b) Building Height:

- (i) Minimum building height: 8.0 metres (4-storeys)
- (ii) Maximum building height: 22.0 metres (6-storeys)

(3) Building Location and Setbacks:

- (a) No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Schedule II attached hereto.
- (b) No building, or portion of a building, or structure shall be erected within the building envelope, unless a minimum of 80 percent of the length of the build-to-zone, as illustrated on Schedule II attached hereto, contains a building or part of a building.
- (c) A below grade parking structure shall be permitted beyond the limits of the building envelope as identified on Schedule II attached hereto, but no closer than 0.3 of a metre from all lot lines.
- (d) Architectural projections including roof overhang, eaves, canopies, balconies, awnings and other similar features shall be permitted to extend a maximum of 2.0 metres beyond the building envelope as identified on Schedule II attached hereto.
- (e) Despite Section 3(d) above, outdoor amenity area for the dwelling units on the first floor shall be permitted to extend to a maximum of 5.0 metres beyond the building envelope as identified on Schedule II attached hereto.

(4) Vehicular Parking Requirements:

(a) Parking Requirements for Apartment Building:

- (i) Minimum 1.0 parking space per dwelling unit
- (ii) Minimum 1.75 parking space per 2-storey dwelling unit
- (iii) Minimum 0.20 of a parking space per dwelling unit for visitors

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- (b) All resident parking spaces shall be provided within a below grade parking structure.
 - (c) A parking lot shall not be permitted between a building and a street line abutting Brock Road.
- (5) Bicycle Parking Requirements:
- (a) Minimum number of bicycle parking spaces: 0.5 of a space per dwelling unit.
 - (b) A maximum of 50 percent of the required bicycle parking spaces may be vertical spaces; the rest of the required spaces must be horizontal spaces.
 - (d) Where four or more bicycle parking spaces are provided in a common parking area, each space must contain a parking rack that is securely anchored to the ground and attached to a heavy base such as concrete.
 - (e) Dimensions:
 - (i) if located in a horizontal position (on the ground): a minimum length of 1.8 metres and a minimum width of 0.6 metres
 - (ii) if located in a vertical position (on the wall): a minimum length of 1.5 metres and a minimum width of 0.5 metres
- (6) Balcony Requirements:
- (a) Minimum Balcony Area: 6.0 square metres
 - (b) Minimum Balcony Depth: 1.5 metres
 - (c) Despite (6)(a) above, minimum private outdoor amenity area for dwelling units on the first floor: 20 square metres
- (7) Indoor Amenity Area and Private Park:
- (a) Minimum indoor amenity area per dwelling unit: 2.0 square metres
 - (b) Minimum area of a Private Park: 200 square metres
- (8) Rooftop Mechanical Equipment and Mechanical Penthouses:
- (a) Rooftop mechanical equipment, including any appurtenances thereto, that exceed a maximum height of 2.0 metres shall be fully enclosed within a mechanical penthouse.
 - (b) Rooftop mechanical equipment shall be setback a minimum of 5.0 metres from all edges of a roof.

- (c) Notwithstanding 5(8)(b) above, no setback is required if rooftop mechanical equipment is fully enclosed within a mechanical penthouse or screened by an architectural feature.
- (9) Special Provisions:
- (a) Air conditioner units shall not be located between the front wall of a building or a dwelling and Brock Road.
 - (b) Waste shall be stored within a fully enclosed building, structure or partially in-ground structure and shall not be located between a building and a street line.
 - (c) Sections 5.19.2 of By-law 3037, as amended, shall not apply to the lands zoned “RMII-4” on Schedule I attached to this By-law.

6. Restrictions on Parking and Storage of Vehicles

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

- (1) Size of Vehicles:
- (a) For those vehicles parked on any parking lot, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.0 metres.
 - (b) Height is measured from the established grade immediately beside the vehicle up to the vehicle’s highest point, which excludes lights, antennas and other such items ancillary to the vehicle’s body.
- (2) Location of Vehicles:
- (a) The parking of any vehicle outdoors is only permitted within a parking lot, no vehicle is to encroach onto any Street or Private Street.
- (3) Inoperative Vehicles:
- (a) The parking or storage of any inoperative vehicle is not permitted unless it is entirely within a fully enclosed building or structure.
- (4) Construction Vehicles:
- (a) The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.
- (5) Oversize Vehicles:
- (a) A vehicle that exceeds the maximum permissible vehicle size provisions of Section 6(1) is permitted to park temporally for the sole purpose of delivering, to servicing or constructing the premises.

7. **By-law 3037**

By-law 3037, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law as it applies to the area set out in Schedule I attached to this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 3037, as amended.

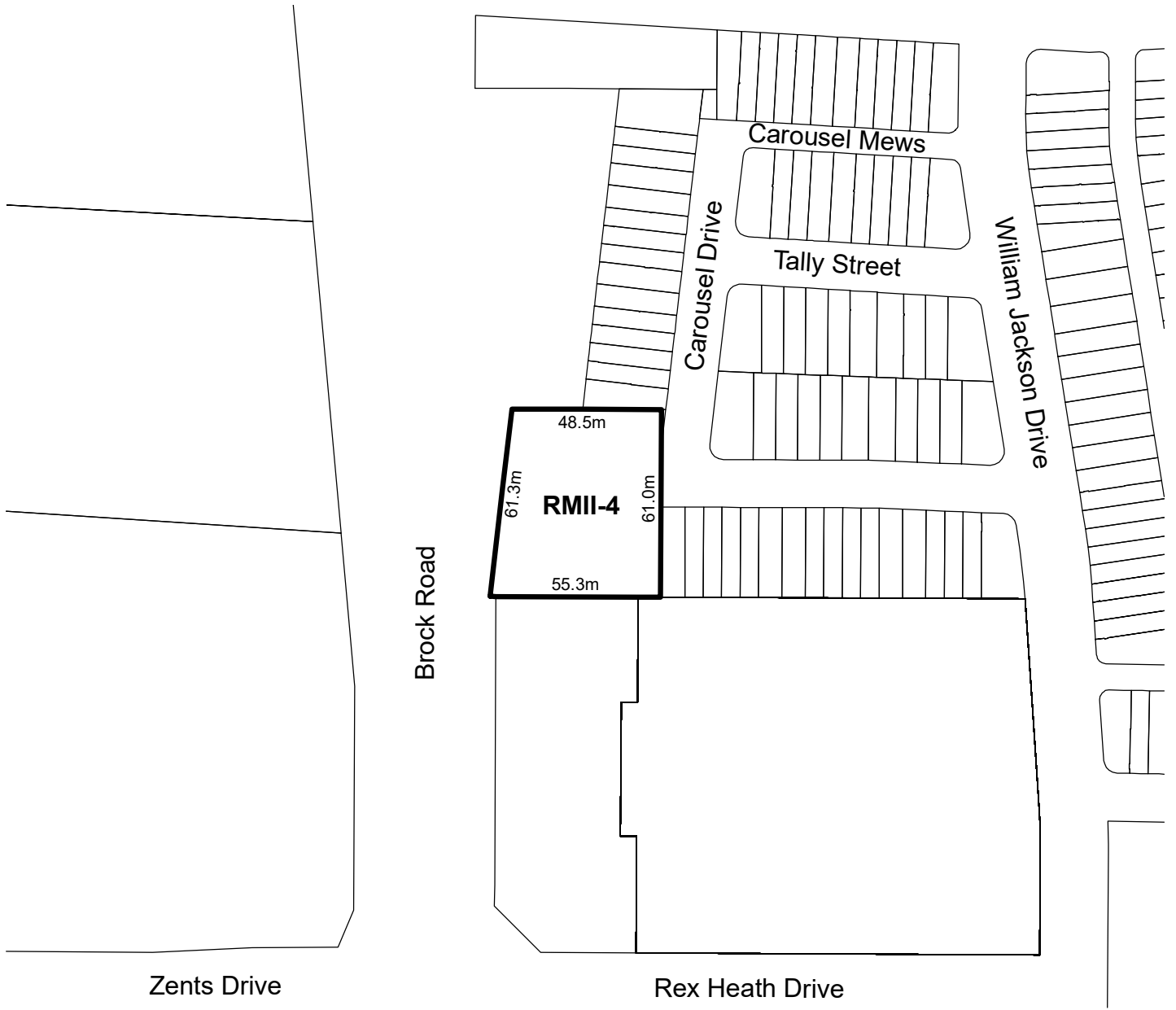
8. **Effective Date**

This By-law shall come into force in accordance with the provisions of the *Planning Act*.

By-law passed this 28th day of June, 2021.

David Ryan, Mayor

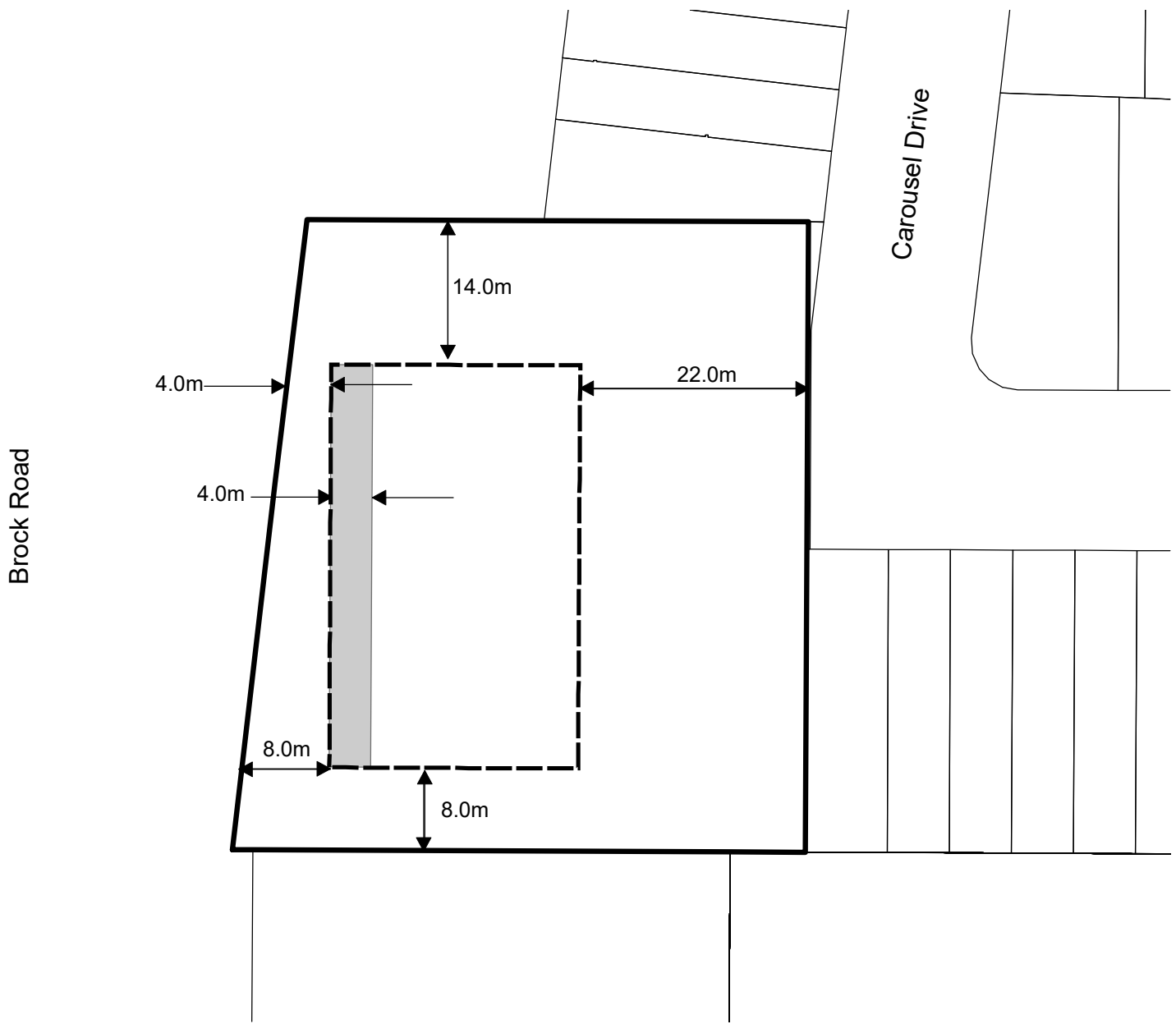
Susan Cassel, City Clerk





Schedule I to By-Law 7858/21
 Passed This 28th
 Day of June 2021

Mayor

Clerk



-  Building Envelope
-  Build To Zone



Schedule II to By-Law 7858/21
 Passed This 28th
 Day of June 2021

Mayor

Clerk

To: Susan Cassel
City Clerk

From: Catherine Rose
Chief Planner

Copy: Manager, Development Review & Urban Design

Subject: Amending By-law for
Zoning By-law Amendment A 02/19
2545633 Ontario Ltd.
Part Lot 6, Plan 585, Now Part 11, Plan 40R-2633
2620 Brock Road

June 22, 2021

Amending By-law 7859/21

Statutory Public Meeting Date	April 1, 2019
Planning & Development Committee Date	September 9, 2019
Purpose and Effect of By-law	To permit a residential condominium development consisting of 30 stacked townhouse units located on the west side of Brock Road, north of Dersan Street.
Council Meeting Date	June 28, 2021

Note:

On September 23, 2019, Council endorsed Zoning By-law Amendment A 02/19, and authorized staff to finalize and forward an implementing Zoning By-law Amendment to Council for enactment following the conveyance of the lands required for the collector road to the City.

On April 28, 2021, the new landowner, 2764143 Ontario Ltd., conveyed the lands required for the collector road to the City. Upon further review of the site plan drawings, City staff identified a requirement for a 3.0 metre wide easement, in favour of the City, along the entire frontage of Brock Road for the maintenance of a clean water pipe within the Brock Road right-of-way. The required easement has resulted in modifications to the site grading resulting in a slight increase in building heights from 12.0 metres to 13.0 metres. Staff are supportive of the requested increase in building height to 13.0 metres.

Original Signed By
Catherine Rose

TB:ld

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Attachments By-law Text
 By-law Schedules I and II

The Corporation of the City of Pickering

By-law No. 7859/21

Being a By-law to amend Restricted Area (Zoning) By-law 3037, as amended, to implement the Official Plan of the City of Pickering, Region of Durham, Part Lot 6, Plan 585, Now Pt 11, Plan 40R-2633, City of Pickering (A 02/19)

Whereas the Council of The Corporation of the City of Pickering received an application to rezone the subject lands being Part Lot 6, Plan 585, Now Pt 11, Plan 40R-2633, in the City of Pickering to permit the development of a condominium development consisting of 30 stacked townhouse units accessed from a private road;

And whereas an amendment to By-law 3037, as amended by By-law 6577/05, is therefore deemed necessary;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. **Schedules I and II**

Schedules I and II to this By-law with notations and references shown thereon are hereby declared to be part of this By-law.

2. **Area Restricted**

The provisions of this By-law shall apply to those lands in, Part Lot 6, Plan 585, Now Pt 11, Plan 40R-2633 in the City of Pickering, designated "MU-30" and "OS-HL" on Schedule I to this By-law.

3. **General Provisions**

No building, structure, land or part thereof shall hereafter be used, occupied, erected, moved or structurally altered except in conformity with the provisions of this By-law.

4. **Definitions**

In this By-law,

- (1) "Air Conditioner" means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipments.

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- (2) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.
- (3) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- (4) “Basement” means a portion of a building below the first storey.
- (5) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.
- (6) “Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.
- (7) (a) “Dwelling Unit” means a residential unit that:
- (i) consists of a self-contained set of rooms located in a building or structure;
 - (ii) is used or intended for use as a residential premises;
 - (iii) contains kitchen and bathroom facilities that are intended for the use of the unit only; and
 - (iv) is not a mobile home or any vehicle.
- (b) “Dwelling, Stacked” means a residential use building of four or fewer storeys in height containing three or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the interior.
- (8) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.
- (9) “Height” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. When the regulation establishes height in storeys, means the number of storeys. The height requirements of this By-law shall not apply to roof top mechanical penthouses.

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- (10) “Lands, Subject” means the lands subject of this by-law.
- (11) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a government authority.
- (12) (a) “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- (b) “Lot, Corner” means a lot situated at the intersection of two or more streets or upon two parts of the same street having an angle of intersection not exceeding 135 degrees;
- (c) “Lot, Through” means a lot bounded on opposite sides by a street.
- (13) “Parapet Wall” means the portion of an exterior wall extending above the roof.
- (14) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.
- (15) “Premises” means the whole or part of lands, buildings or structures, or any combination of these.
- (16) “Primary Entrance Door” means the principal entrance by which the resident enters or exits a dwelling unit.
- (17) “Private garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.
- (18) “Storey, First” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.
- (19) (a) “Street” means a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.

(b) "Street, Private" means:

- (i) a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;
- (ii) a private road condominium, which provides access to individual freehold lots;
- (iii) a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;
- (iv) a private right-of-way over private property, that affords access to lots abutting a private road; but is not maintained by a public body and is not a lane.

(20) "Water Meter Building" means a building or structure that contains devices supplied by the Region of Durham which measures the quality of water delivered to a property.

5. Provisions ("MU-30" Zone)

(1) Uses Permitted ("MU-30" Zone)

- (a) No person shall within the lands zoned "MU-30" on Schedule I to this By-law, use any lot or erect, alter, or use any building or structure for any purpose except the following:
 - (i) Dwelling, Stacked

(2) Zone Requirements ("MU-30" Zone)

No person shall within the lands zoned "MU-30" on Schedule I to this By-law, use any lot or erect, alter, or use any building except in accordance with the following provisions:

(a) Building Location and Setbacks:

- (i) No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Schedule II attached hereto;
- (ii) No building or portion of a building or structure shall be erected unless a minimum of 60 percent of the length of the build-to-zone along the Brock Road frontage contains a building or part of a building;

(iii) Minimum separation between buildings: 3.0 metres

(b) Building Height (maximum): 13.0 metres

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- (c) Parking Requirements (minimum):
- (i) Stacked Dwelling: 2.0 parking spaces per dwelling unit plus 0.2 of a parking space per dwelling unit for visitors
- (d) Garage Requirements:
- (i) Stacked Dwelling: Any vehicular entrance for an enclosed private garage shall be located a minimum of 6 metres from the private street that provides vehicle access to the private garage.
- (e) Interior Garage Size (minimum):
- (i) Stacked Dwelling: Each parking space within a private garage for stacked dwelling units shall have a minimum width of 2.7 metres and a minimum depth of 6.0 metres; however, the width may include 1 interior step and the depth may include 2 interior steps.
- (3) Special Provisions (“MU-30” Zone)
- (a) Despite Section 5.(2)(a)(i) of this By-law, architectural projections including balconies, covered porches, platforms and awnings, retaining walls, window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may project outside the building envelope identified on Schedule II of this By-law, to a maximum of 2.5 metres from the main wall of the building, and uncovered steps may project outside the required building envelope to the lot line.
- (b) The minimum pavement width for a private street shall be 6.5 metres.
- (c) Air conditioners shall not be located any closer than 0.6 metres to the building envelope and shall not be located on any easement in favour of the City.
- (d) Amenity Area (minimum) - 14.0 square metres per dwelling unit
- (e) Despite the provisions of Section 5.6 of By-law 3037, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a private street.

- (f) Despite provision 5.(1)(a) and 5.(2) of this By-law, a water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from the “MU-30” zone use provisions and zone requirements.
- (g) Clauses 5.19.2(a), 5.19.2(b), 5.19.2(d), 5.19.2(e), 5.19.2(f), 5.19.2(g), and 5.19.2(k) of By-law 3037, as amended, shall not apply.

6. **Restrictions on the Parking and Storage of Vehicles**

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

- (1) **Number of Vehicles:**

A maximum of 4 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.
- (2) **Size of Vehicles:**
 - (a) for those vehicles parked on any lot, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.7 metres;
 - (b) notwithstanding Section (a) above, 1 vehicle parked on a driveway in a side yard or rear yard can be of a size up to a maximum permissible height of 3.5 metres, and a maximum permissible length of 8.0 metres; and
 - (c) height is measured from the established grade immediately beside the vehicle up to the vehicle’s highest point, which excludes lights, antennas and other such items ancillary to the vehicle’s body.
- (3) **Location of Vehicles:**

No part of any front yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any road allowance.
- (4) **Inoperative Vehicles:**

The parking or storage of an inoperative vehicle is not permitted on any lot unless it is entirely within a fully enclosed building or structure.
- (5) **Construction Vehicles:**

The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.

(6) **Oversize Vehicles:**

A vehicle that exceeds the maximum permissible vehicle size provisions of Section 7.(2), is permitted to park temporarily on a lot for the sole purpose of delivering to, servicing or constructing the premises on that lot.

7. **Provisions (“OS-HL” Zone)**

(1) **Uses Permitted (“OS-HL” Zone)**

No person shall within the lands zoned “OS-HL” on Schedule I to this By-law, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- (i) preservation and conservation of the natural environment, soil and wildlife;
- (ii) resource management;
- (iii) pedestrian and walkways.

(2) **Zone Requirements (“OS-HL” Zone)**

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for the purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

8. **Model Homes**

- (1) Notwithstanding any provisions in By-law 3037 to the contrary, a maximum 1 block, together with not fewer than two parking spaces per Model Home, may be constructed on the lands set out in Schedule I attached to this By-law prior to the division of these lands by registration of a plan of subdivision;
- (2) For the purpose of this By-law, “Model Home” shall mean a dwelling unit which is not used for residential purposes, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

9. **By-law 3037**

By-law 3037, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law as it applies to the area set out in Schedules I and II to this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 3037, as amended.

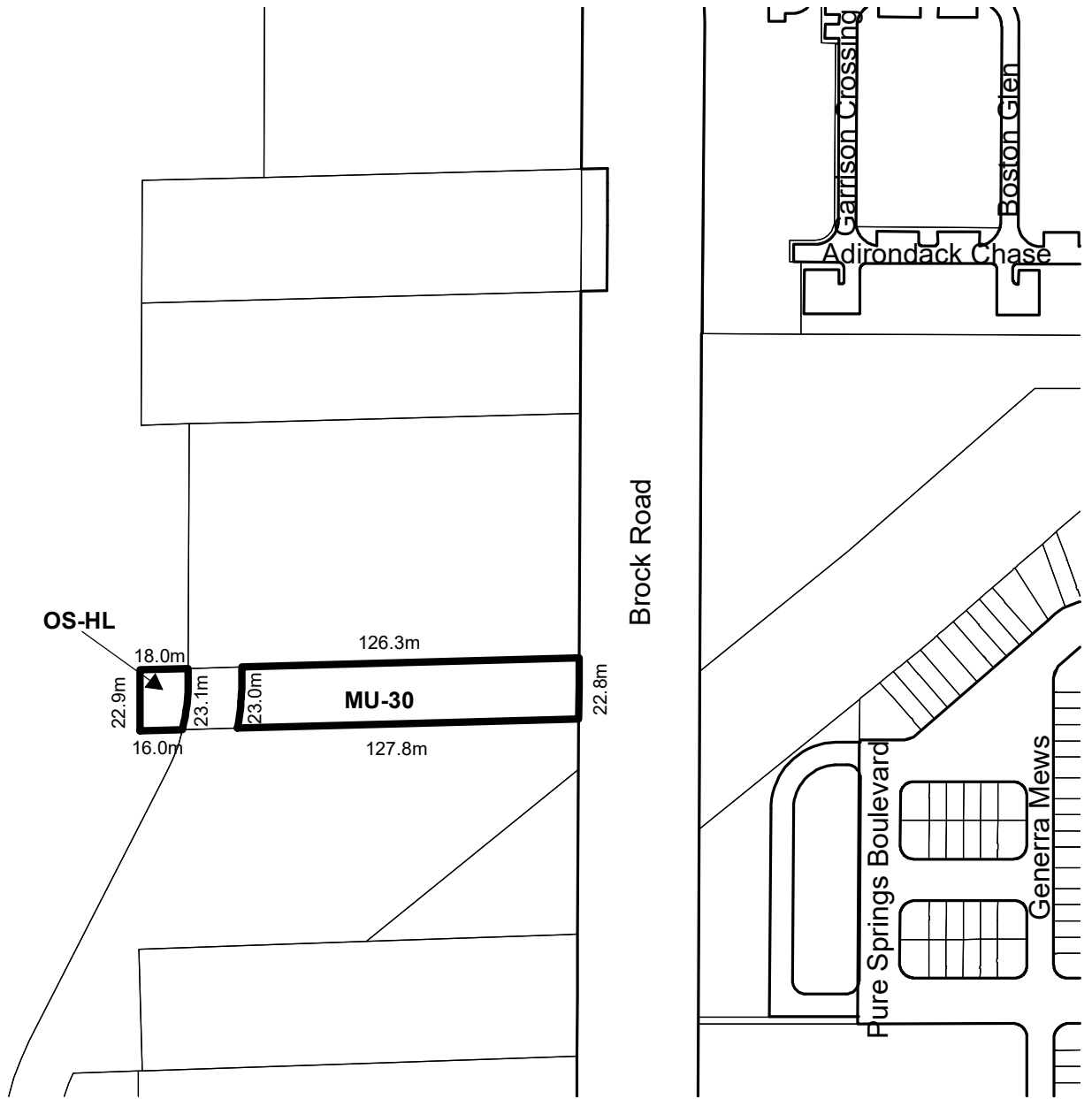
10. **Effective Date**

This By-law shall come into force in accordance with the provisions of the *Planning Act*.

By-law passed this 28th day of June, 2021.

David Ryan, Mayor

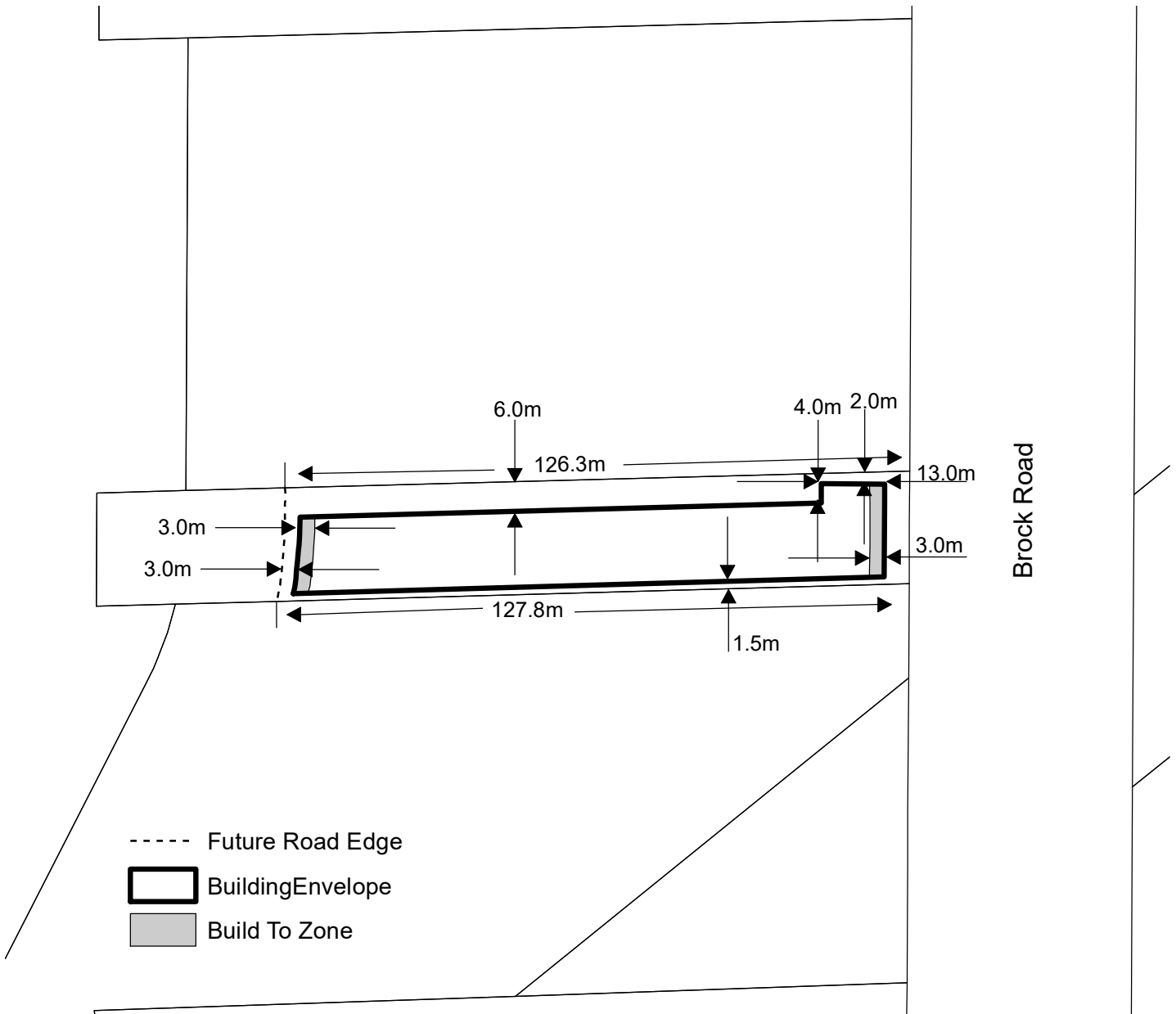
Susan Cassel, City Clerk



Schedule I to By-Law 7859/21
 Passed This 28th
 Day of June 2021

 Mayor

 Clerk



Schedule II to By-Law 7859/21
 Passed This 28th
 Day of June 2021

 Mayor

 Clerk

To: Susan Cassel
City Clerk June 23, 2021

From: Catherine Rose
Chief Planner

Copy: Manager, Development Review & Urban Design
Principal Planner, Development Review

Subject: Amending By-law for Zoning By-law Amendment Application A 11/18
Highmark (Pickering) Inc.
1640 Kingston Road, 1964 and 1970 Guild Road

Amending By-law 7860/21 for Zoning By-law Amendment Application A 11/18

Statutory Public Meeting Date	February 4, 2019 and August 10, 2020
Planning & Development Committee Date	May 3, 2021
Subject Lands	The subject lands are located at the northwest corner of Kingston Road and Guild Road within the Village East Neighbourhood, and also include a vacant lot fronting Guild Road (see Location Map, Attachment #1).
Purpose and Effect of Amending By-law	<p>To rezone the subject lands from “C2” – General Commercial Zone and “R3” – Residential Third Density Zone to “(H)RHII-5” and “OS” to facilitate the construction of a 12 and 16-storey residential apartment building connected by a 5-storey podium containing a total of 346 dwelling units.</p> <p>The zoning by-law establishes appropriate performance standards including, but not limited to, provisions for minimum parking, maximum building heights, minimum building setbacks, balcony projections, underground parking structures, private and common amenity spaces and landscape areas. The by-law establishes an open space zone category to permit passive and active recreational uses within the lands the applicant intends to convey to the City as parkland dedication.</p> <p>A holding provision has been included within the by-law for the lands zoned “RHII-5”, which will restrict the use of the lands for residential purposes until such time satisfactory arrangements are made with the City of Pickering and Region of Durham with respect to parkland contribution and the provision of public services.</p>

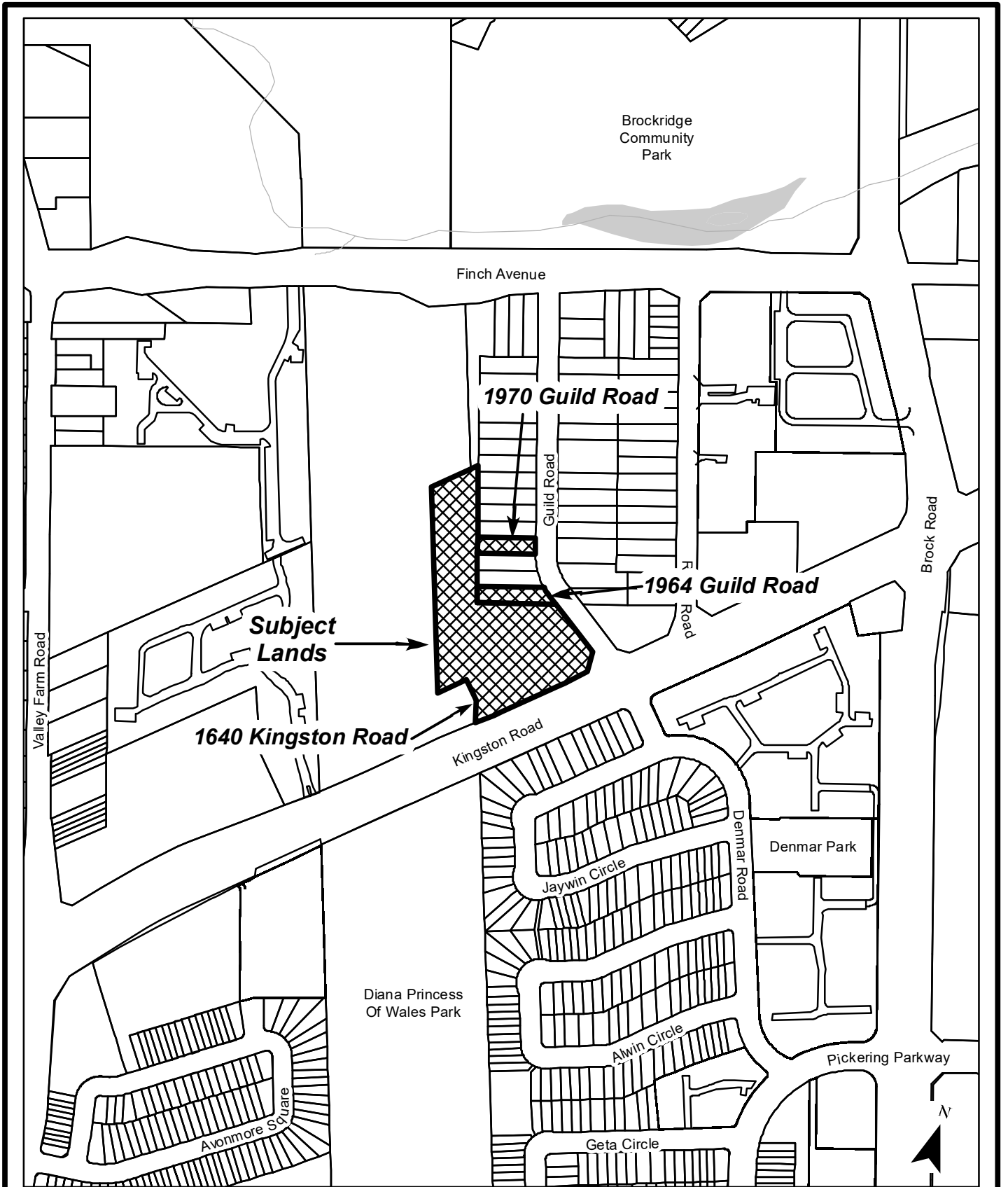
Council Meeting Date for By-law	June 28, 2021
<p>Notes:</p> <p>On May 25, 2021, Council recommended approval of Zoning By-law Amendment Application A 11/18 to facilitate the construction of a 12 and 16-storey residential apartment building connected by a 5-storey podium containing a total of 346 dwelling units.</p> <p>Subsequent to Council’s approval, the applicant has been working with staff through the site plan review process to further refine the zoning provisions based on a detailed site design, architectural drawings, and landscaping to ensure conformity with the Kingston Road Corridor and Specialty Retailing Node Draft Urban Design Guidelines and additional comments from area residents.</p> <p>The following refinements have been made to the amending zoning by-law based on staff’s review of the site plan:</p> <ul style="list-style-type: none"> • increased the minimum building setback from the north property line from 40.0 metres to 41.0 metres to provide for greater separation from the existing residential dwellings on Guild Road; • increased the minimum building setback from the west property line from 10.0 metres to 19.4 metres to accommodate additional amenity space; • increased the minimum building setback from Guild Road and Kingston Road from 3.0 metre to 3.5 metres and 3.7 metres, respectively, to provide greater separation between the exterior of the building and roadway; and • decreased the minimum building setback from the southeast property line at Kingston Road and Guild Road from 3.0 metres to 1.7 metres to accommodate an irregular lot line and provide for a building design that frames the intersection. <p>The applicant and their planning consultant have reviewed the attached zoning by-law amendment and concur with staff’s recommended changes.</p>	

Original Signed By
Catherine Rose

CM:ld

J:\Documents\Development\D-3100\2018\OPA 18-005P & A11-18\Memos\Zoning By-law Amendment\By-law Chart Memo to Clerks.docx

Attachments Location Map
 By-law (Text & Schedules)




PICKERING
 City Development
 Department

Location Map	
File: OPA 18-005/P and A 11/18	
Applicant: Highmark (Pickering) Inc.	
Property Description: Lots 1, 2 & 43 & 46, Plan 316 & Part of Lot 20, Con. 1 (1640 Kingston Rd, 1964 Guild Rd, and 1970 Guild Rd)	
Date: Jul. 20, 2020	SCALE: 1:5,000
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THIS IS NOT A PLAN OF SURVEY.	

The Corporation of the City of Pickering

By-law No. 7860/21

Being a By-law to amend Restricted Area (Zoning) By-law 3036, as amended, to implement the Official Plan of the City of Pickering, Region of Durham, being Lots 1, 2, 43 and 46, Plan 316 and Part of Lot 20, Concession 1, City of Pickering (A 11/18)

Whereas the Council of The Corporation of the City of Pickering received an application to rezone the subject lands being Lots 1, 2, 43 and 46, Plan 316 and Part of Lot 20, Concession 1, in the City of Pickering to permit an apartment building;

And whereas an amendment to Zoning By-law 3036, as amended by By-law 3692/69 and By-law 3920/70, is therefore deemed necessary;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. **Schedules I, II and III**

Schedules I, II and III to this By-law with notations and references shown thereon are hereby declared to be part of this By-law.

2. **Area Restricted**

The provisions of this By-law shall apply to those lands being Lots 1, 2, 43 and 46, Plan 316 and Part of Lot 20, Concession 1, in the City of Pickering, designated "(H)RMII-5" and "OS" on Schedule I to this By-law.

3. **General Provisions**

No building, structure, land or part thereof shall hereafter be used, occupied, erected, moved or structurally altered except in conformity with the provisions of this By-law.

4. **Definitions**

In this By-law,

- (1) "Amenity Space" means the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.
- (2) "Angular Plane" means an imaginary flat surface projecting over a lot, at an inclined angle measured up from the horizontal.

-
- (3) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- (4) “Building, Apartment” shall mean a building containing more than four dwelling units where the units are connected by an interior corridor.
- (5) “Build-to-zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located.
- (6) “Dwelling Unit” means a residential unit that:
- (i) consists of a self-contained set of rooms located in a building or structure;
 - (ii) is used or intended for use as a residential premises;
 - (iii) contains kitchen and bathroom facilities that are intended for the use of the unit only; and
 - (iv) is not mobile home or any vehicle.
- (7) “Floor Space Index” means the total gross area of all buildings on a lot divided by the total area of the lot on which the building is located, but does not include the following areas:
- (i) any portion of the building located below grade, such as parking structures;
 - (ii) any portion of the building located at or above grade for bicycle parking;
 - (iii) any portion of the building for loading spaces and related corridors used for loading purposes;
 - (iv) any portion of the building for storage, storage lockers, washrooms, electrical, utility, mechanical and ventilation;
 - (v) any portion of the building for elevator, garbage and ventilating shafts; and
 - (vi) any portion of the building for stairwells in the building.
- (8) “Landscaped Area” means an outdoor area on a lot comprising recreational elements, trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding areas for loading, parking or storing of vehicles.
- (9) “Park, Public” means an area of land under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes and other uses authorized through an agreement with the City.

- (10) "Parapet Wall" shall mean the portion of an exterior wall extending above the roof.
- (11) "Parking Space, Bicycle" means an area used exclusively for parking or storing a bicycle.
- (12) "Parking Structure" means a building or portion thereof, containing one or more parking spaces.

5. Provisions

(1) Uses Permitted ("RHII-5" Zone)

No person shall within the lands zoned "RHII-5" on Schedule I to this By-law, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- (a) Apartment Building

(2) Zone Requirements ("RHII-5" Zone)

No person shall within the lands zoned "RHII-5" on Schedule I to this By-law, use any lot or erect, alter, or use any building except in accordance with the following provisions:

(a) Number of Dwelling Units:

- (i) Minimum number of dwelling units: 60 units
- (ii) Maximum number of dwelling units: 346 units

(b) Floor Space Index:

- (i) Minimum Floor Space Index: 0.75
- (ii) Maximum Floor Space Index: 2.53

(3) Building Height, Location and Setbacks:

- (a) No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Schedule II attached hereto.
- (b) No building or portion of a building or structure shall be erected within the building envelope, unless a minimum of 60 percent of the entire length of the build-to-zone, as illustrated on Schedule II attached hereto, contains a continuous portion of the exterior wall of a building.
- (c) The maximum height of a building wholly located within the dashed lines as shown on Schedule III is specified by the number following the HT symbol as shown on Schedule III, attached hereto.

-
- (d) The average floor area of all storeys within a portion of a building or structure located above the 5th storey measured to the exterior faces of exterior walls of each storey of a building or structure shall be a maximum of 860.0 square metres.
 - (e) Despite 5.(3)(d) above, balconies shall be excluded from the calculation of floor area.
 - (f) All portions of a building or structure within the building envelope shown on Schedule II attached hereto, shall be limited by a 45-degree angular plane measured 7.5 metres from the north lot line at a height of 10.5 metres above grade.
 - (g) A below grade parking structure shall be permitted beyond the limits of the building envelope as identified on Schedule II attached hereto, but no closer than 0.5 of a metre from all lot lines.
 - (h) Architectural projections including roof overhang, eaves, canopies, awnings and other similar features shall be permitted to extend beyond the building envelope as identified on Schedule II attached hereto, provided that such features maintain a minimum setback of 0.3 of a metre from all lot lines.
 - (i) Balconies shall be permitted to extend a maximum of 2.0 metres beyond the building envelope as identified on Schedule II attached hereto, provided that such features maintain a minimum setback of 1.0 metre from all lot lines.
 - (j) Despite Section 5.(3)(i), private outdoor amenity area and associated stairs for dwelling units on the first floor shall be permitted to extend to a maximum of 3.0 metres beyond the building envelope as identified on Schedule II attached hereto, provided that the limits of such area and stairs maintain a minimum setback of 1.0 metres from all lot lines.
 - (k) Stairs shall be permitted to extend a maximum of 1.5 metres beyond the building envelope as identified on Schedule II attached hereto, provided that the limits of such stairs maintain a minimum setback of 1.0 metre from all lot lines.

-
- (4) Vehicular Parking Requirements:
- (a) Minimum Parking Spaces:
 - (i) Resident: 0.8 of a parking space per dwelling unit
 - (ii) Visitor: 0.15 of a parking space per dwelling unit
 - (b) All resident parking spaces shall be provided within a below grade parking structure.
 - (c) Stairs, stair enclosures and air vents associated with a parking structure are not be permitted between the building and a street line.
 - (d) Air vents constructed in association with a below grade parking structure are permitted to project to a maximum of 1.2 metres above established grade, but no closer than 4.0 metres to a street line.
 - (e) A parking lot shall not be permitted between a building and a street line.
- (5) Bicycle Parking Requirements:
- (a) Minimum number of bicycle parking spaces: 0.5 of a space per dwelling unit.
 - (b) A maximum of 50 percent of the required bicycle parking spaces may be vertical spaces; the rest of the required spaces must be horizontal spaces.
 - (c) Where the number of bicycle parking spaces required exceeds 50 spaces, a minimum of 25 percent of the total required must be located within:
 - (i) a building or structure;
 - (ii) a secure area such as a supervised parking lot or enclosure; or,
 - (iii) bicycle lockers.
 - (d) Where four or more bicycle parking spaces are provided in a common parking area, each space must contain a parking rack that is securely anchored to the ground and attached to a heavy base such as concrete.
 - (e) Dimensions:
 - (i) if located in a horizontal position (on the ground): a minimum length of 1.8 metres and a minimum width of 0.6 metres;

-
- (ii) if located in a vertical position (on the wall): a minimum length of 1.5 metres and a minimum width of 0.5 metres
 - (6) Landscape, Private Amenity and Common Amenity Space:
 - (a) Minimum Landscaped Area: 33 percent
 - (b) A minimum landscaped area width of 11.0 metres shall be maintained between a surface parking lot and the north property line.
 - (c) Amenity Space:
 - (i) Minimum at-grade outdoor amenity space: 1,250.0 square metres
 - (ii) Minimum indoor amenity space: 500.0 square metres
 - (d) Balcony requirements:
 - (i) Minimum Balcony Area – 2.5 square metres
 - (ii) Minimum Balcony Depth – 1.5 metres
 - (e) Despite Section 5.(6)(d), private outdoor amenity area associated with a dwelling unit on the first floor shall have a minimum area of 9.0 square metres.
 - (7) Rooftop Mechanical Equipment and Mechanical Penthouses:
 - (a) Rooftop mechanical equipment, including any appurtenances thereto, that exceed a maximum height of 2.0 metres shall be fully enclosed within a mechanical penthouse.
 - (b) Rooftop mechanical equipment shall be set back a minimum of 5.0 metres from all edges of a roof.
 - (c) Notwithstanding Section 5(7)(b) above, no setback is required if rooftop mechanical equipment is fully enclosed within a mechanical penthouse or screened by an architectural feature.
 - (9) Special Provisions:
 - (a) Sections 5.21.1, 5.21.2(a) 5.21.2(b), 5.21.2(d), 5.21.2(e), 5.21.2(f), 5.22 and 6.4 of By-law 3036, as amended, shall not apply to the lands zoned “RHII-5” on Schedule I attached to this By-law.

- (b) Waste shall be stored within a fully enclosed building, structure or partially in-ground structure and shall not be located:
 - (i) between a building and a street line; and
 - (ii) within any landscaped open area as required by this By-law.

6. Provisions (“(H) RHII-5” Zone)

(1) Uses Permitted (“(H) RHII-5” Zone)

Until such time as the “(H)” Holding Provision is lifted, the lands shall not be used for any purposes other than the existing lawful uses, located on the land or in existing buildings or structures, provided such use continue in the same manner and for the same purpose for which they were used on the day this by-law was passed.

(2) Zone Requirements (“(H) RHII-5” Zone)

The “(H)” Holding Symbol shall be removed from the “RHII-5” zone until the completion of the following:

- (a) the City secures a lease agreement with Hydro One for the use of lands within the Hydro Corridor for public recreation purposes and the owner, by way of a Site Plan Agreement, agrees to convey to the City, Part of Lot 20, Concession 1 and Lot 46, Plan 316 to the City, or satisfies parkland dedication through cash-in-lieu contribution requirements as set out in the City’s Parkland Dedication By-law 7341/14; and,
- (b) the owner has satisfied all the requirements of the Regional Municipality of Durham with respect to the provision of sewer and water services, Regional roads, and entered into any necessary agreements in this regard.

7. Provisions

(1) Uses Permitted (“OS” Zone)

No person shall within the lands zoned “OS” on Schedule I to this By-law, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- (a) Park, Public

8. **By-law 3036**

By-law 3036, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law as it applies to the area set out in Schedule I attached to this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 3036, as amended.

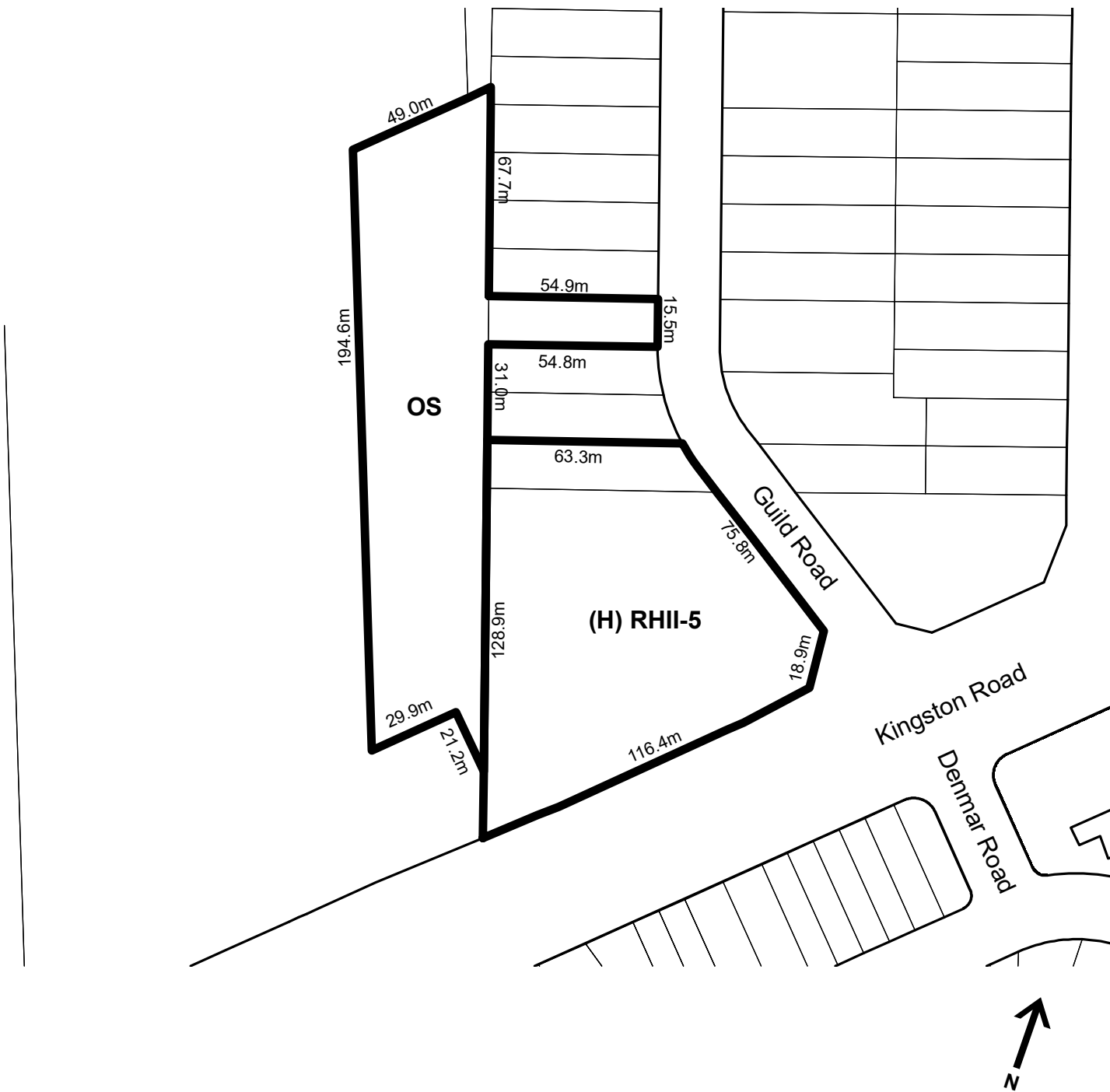
9. **Effective Date**

This By-law shall come into force in accordance with the provisions of the *Planning Act*.

By-law passed this 28th day of ,June 2021.

David Ryan, Mayor

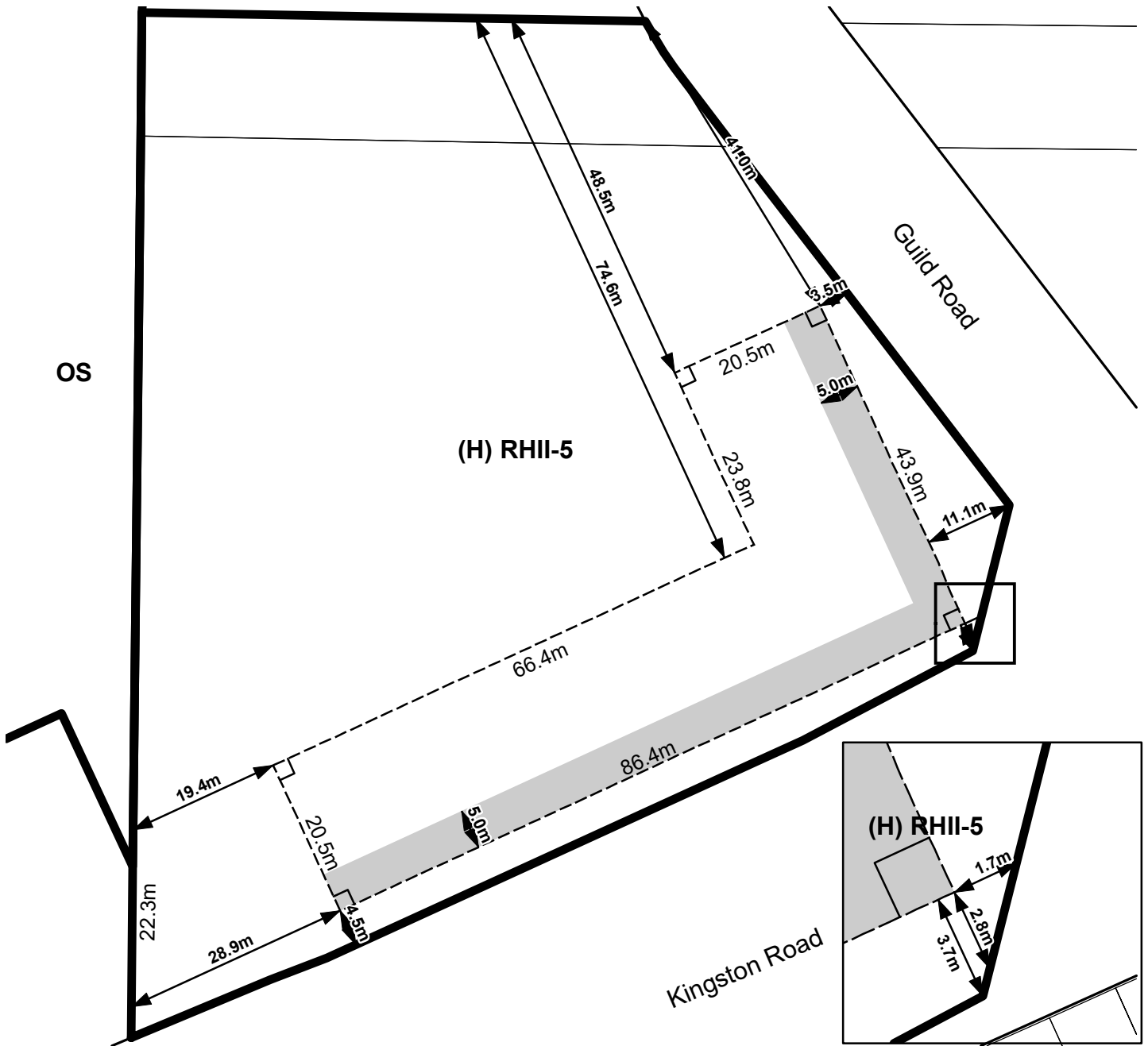
Susan Cassel, City Clerk





Schedule I to By-Law 7860/21
 Passed This 28th
 Day of June 2021

Mayor

Clerk

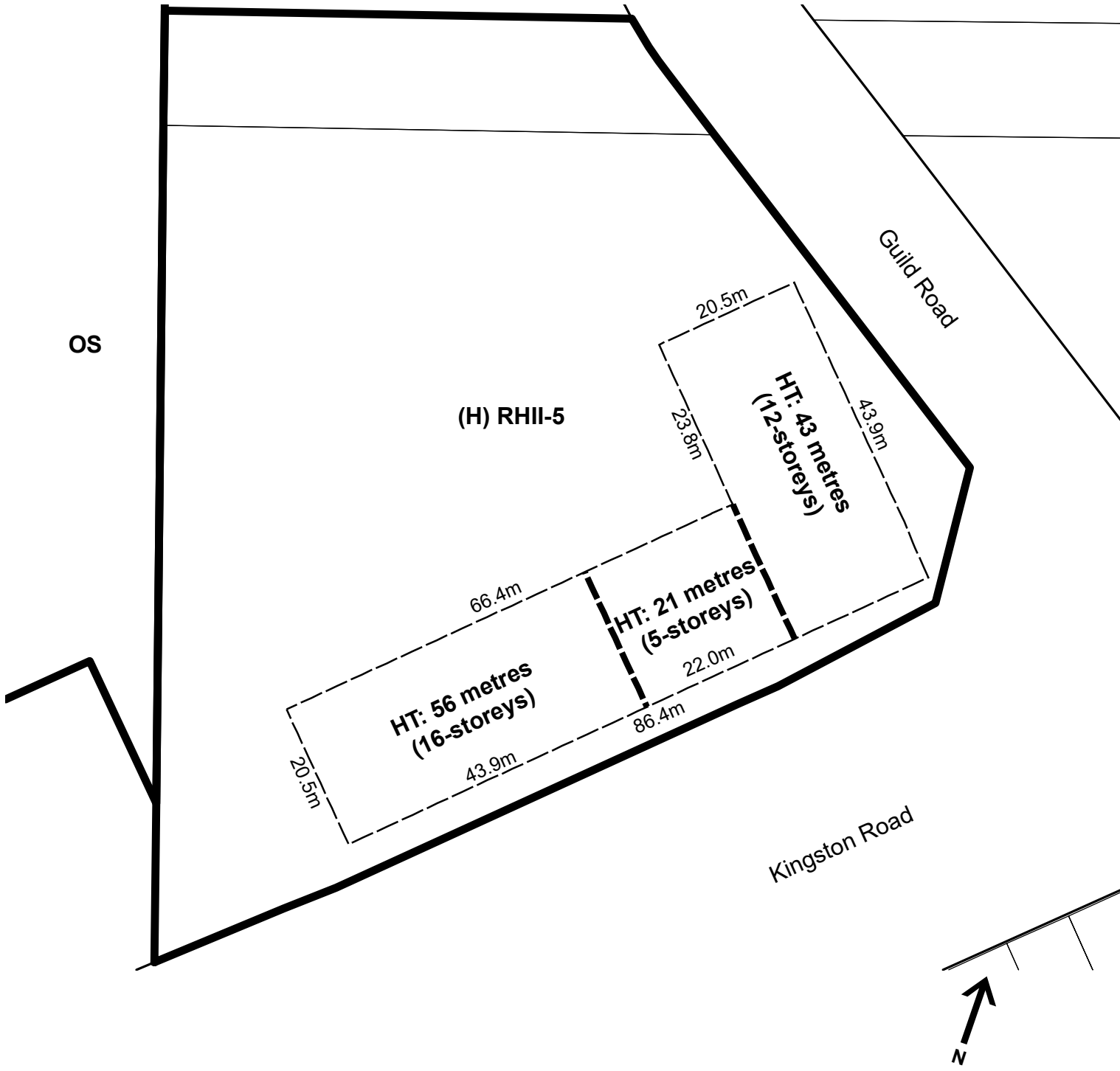


 Building Envelope
 Build To Zone

Schedule II to By-Law 7860/21
 Passed This 28th
 Day of June 2021

 Mayor

 Clerk



Schedule III to By-Law 7860/21
 Passed This 28th
 Day of June 2021

 Mayor

 Clerk

To: Susan Cassel
City Clerk

June 23, 2021

From: Paul Bigioni
Director, Corporate Services & City Solicitor

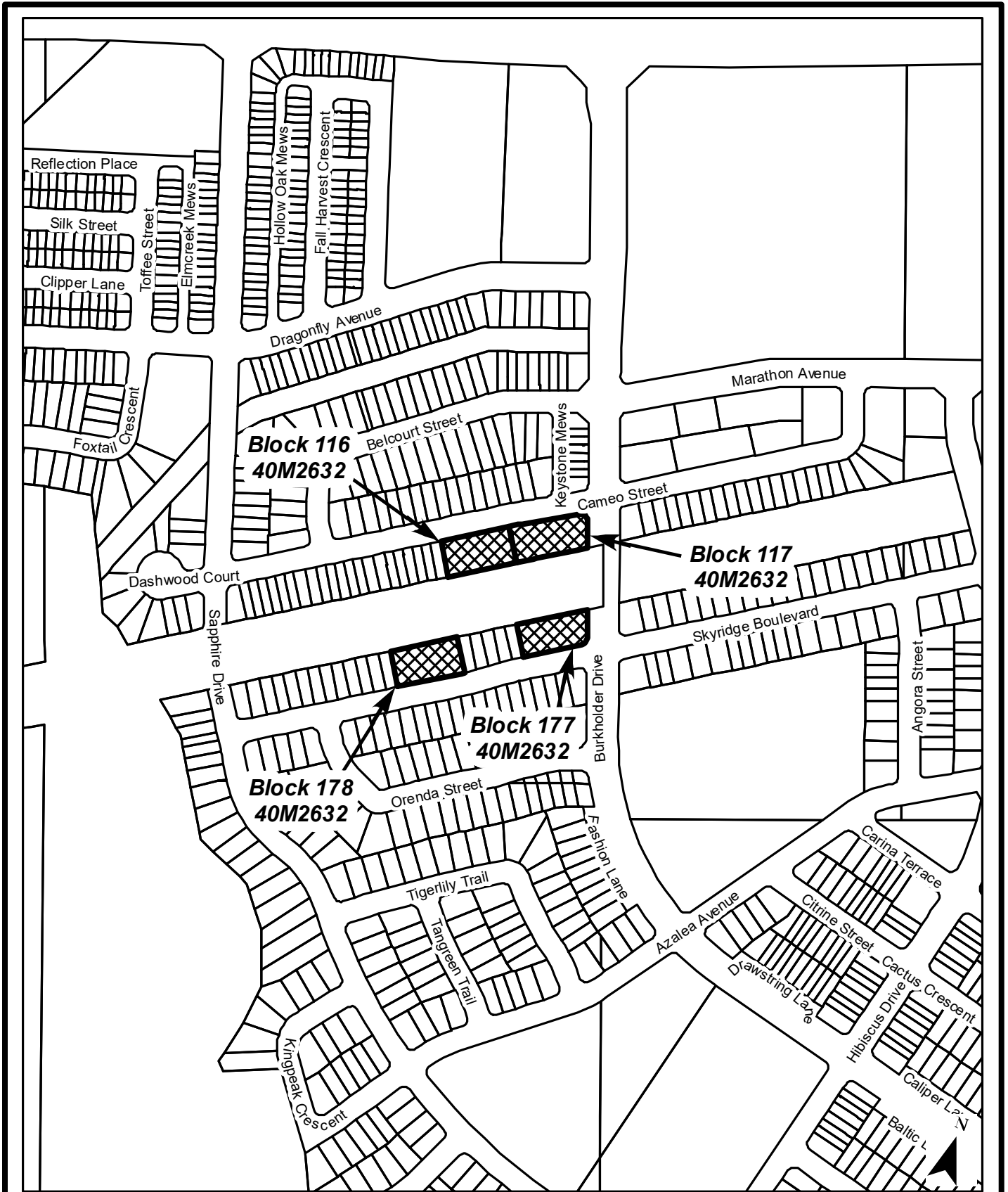
Copy: Director, City Development & CBO

Subject: Request for Part Lot Control By-law
- Owner: Mattamy (Seaton) Limited – Phase 2
- Blocks 116, 117, 177 and 178, Plan 40M-2632
File: PLC.40M-2632.7

The above-mentioned blocks are being developed in accordance with the appropriate Subdivision Agreement in such a manner to allow for the construction of 28 townhouse dwelling units.

Attached is a location map and a draft by-law, enactment of which will exempt these lands from the part lot control provisions of the *Planning Act* thus allowing the 28 townhouse dwelling units to be conveyed into private ownership. This draft by-law is attached for the consideration of City Council at its meeting scheduled for **June 28, 2021**.

PB:ca
Attachments Location Map
Draft By-law




PICKERING
 City Development
 Department

Location Map
File: Part Lot Control
Applicant: DG Group
Property Description: Blocks 116, 117, 178 and 177, 40M2632

Date: Jun. 10, 2021

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SCALE: 1:4,000 **PN-6**

The Corporation of the City of Pickering

By-law No. 7861/21

Being a by-law to exempt Blocks 116, 117, 177 and 178, Plan 40M-2632, from the part lot control provisions of the *Planning Act*.

Whereas pursuant to the provisions of section 50(7) of the *Planning Act*, R.S.O. 1990, chapter P.13, as amended, the Council of a municipality may by by-law provide that section 50(5) of the Act does not apply to certain lands within a plan of subdivision designated in the by-law

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. Section 50(5) of the *Planning Act*, R.S.O. 1990, chapter P.13, as amended shall cease to apply to Blocks 116, 117, 177 and 178, Plan 40M-2632.
2. This by-law shall remain in force and effect for a period of one year from the date of the passing of this by-law and shall expire on June 28, 2023.

By-law passed this 28th day of June, 2021.

David Ryan, Mayor

Susan Cassel, City Clerk

To: Susan Cassel
City Clerk

June 23, 2021

From: Paul Bigioni
Director, Corporate Services & City Solicitor

Copy: Director, City Development & CBO
Supervisor, Development Services

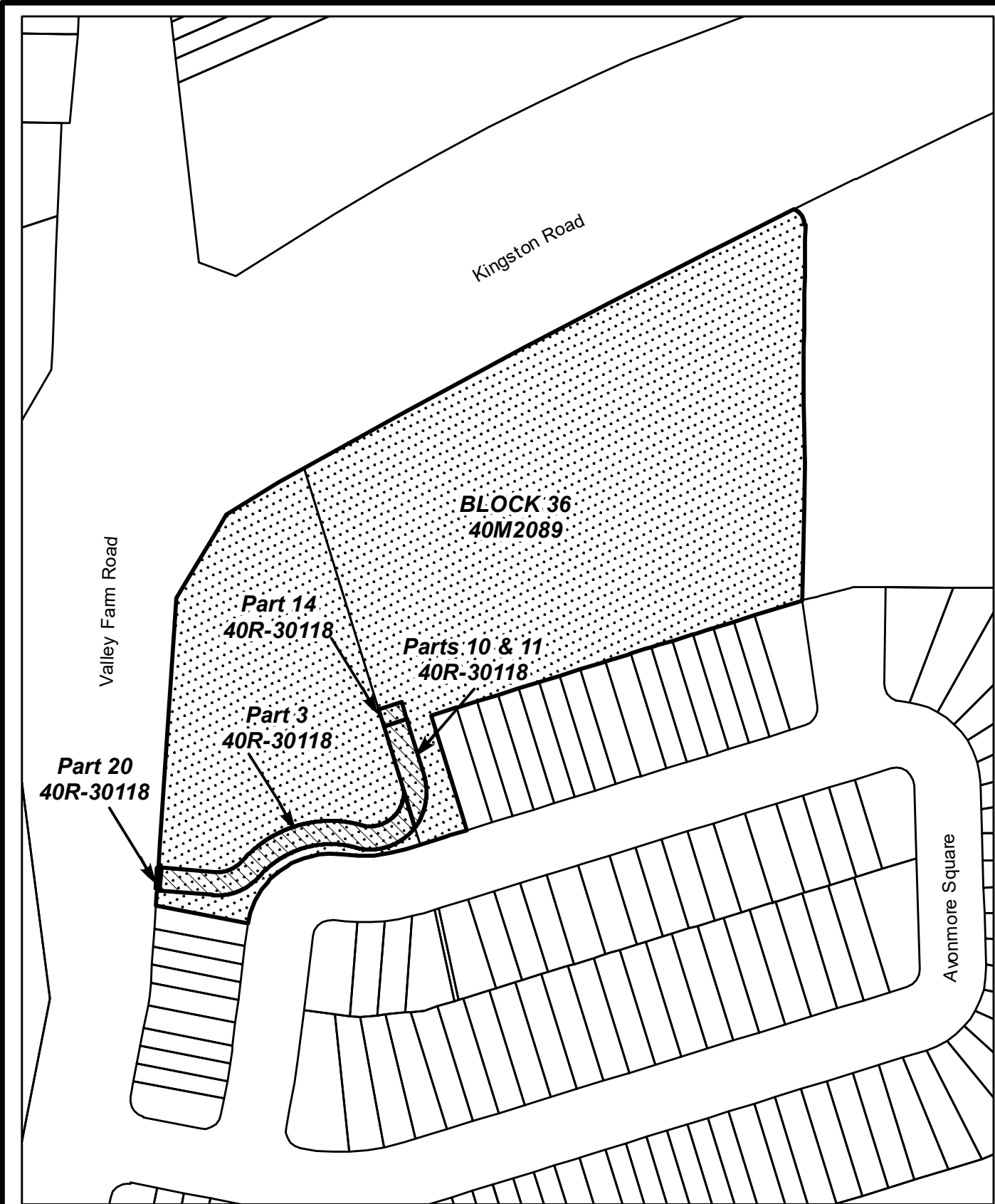
Subject: Request for Road Establishing By-law
- Owner: Daniels L R Corporation
- LD 119/17 & LD 120/17
- Part Block 43, Plan 40M-2089, being Part 20, 40R-30118
- (Valley Farm Road)
File: Roadded.579

The Owner has applied to the Land Division Committee to sever Block 36, Plan 40M-2089 into two parcels, creating one new development block fronting onto Valley Farm Road. One of the conditions of severance is that the portion of reserve Block 43, Plan 40M-2089 being Part 20, Plan 40R-30118 be established as public highway to permit legal road access to Valley Farm Road.

As the Owner has complied with the other conditions of Land Division Applications 119/17 and 120/17, it is now appropriate to pass a by-law establishing the portion of Block 43, Plan 40M-2089 (Part 20, Plan 40R-30118) required to give legal access to Block 36, Plan 40M-2089, as public highway.

Attached is a location map and a draft by-law for the consideration of City Council at its meeting scheduled for **June 28, 2021**.

PB:ca
Attachments Location Map
Draft By-law




PICKERING
 City Development
 Department

Location Map	
Applicant: City of Pickering	
File: ROADDED 579	
Property Description: Part of Block 43, 40M2089 being Part 20, 40R-30118	
	Date: Jun. 11, 2021
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The Corporation of the City of Pickering

By-law No. 7862/21

Being a by-law to establish Part Block 43, Plan 40M-2089, being Part 20, 40R-30118 as public highway.

Whereas The Corporation of the City of Pickering is the owner of Part Block 43, Plan 40M-2089, being Part 20, 40R-30118 and wishes to establish it as public highway.

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. Part Block 43, Plan 40M-2089, being Part 20, 40R-30118 is hereby established as public highway (**Valley Farm Road**).

By-law passed this 28th day of June, 2021.

David Ryan, Mayor

Susan Cassel, City Clerk

To: Susan Cassel
City Clerk

From: Paul Bigioni
Director, Corporate Services & City Solicitor

Copy: Director, City Development & CBO
Manager, Development Services

Subject: Request for Road Establishing By-law
- Applicant: Andrew Juchau
- Block 29, Plan 40M-2470
- Maitland Drive
File: Roadded.605/LD 031/21 to 032/21

June 23, 2021

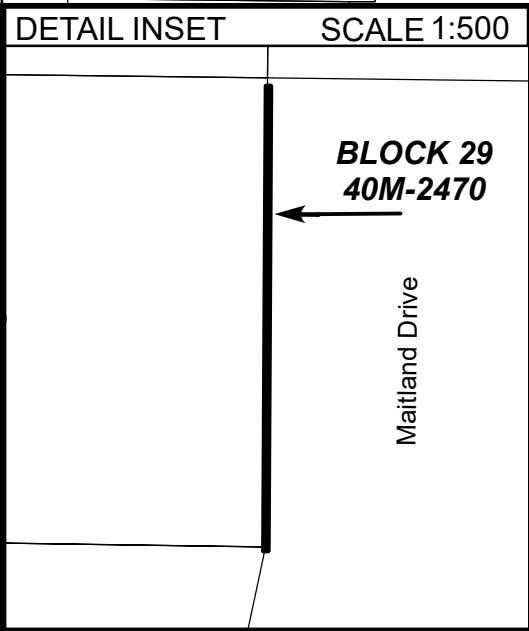
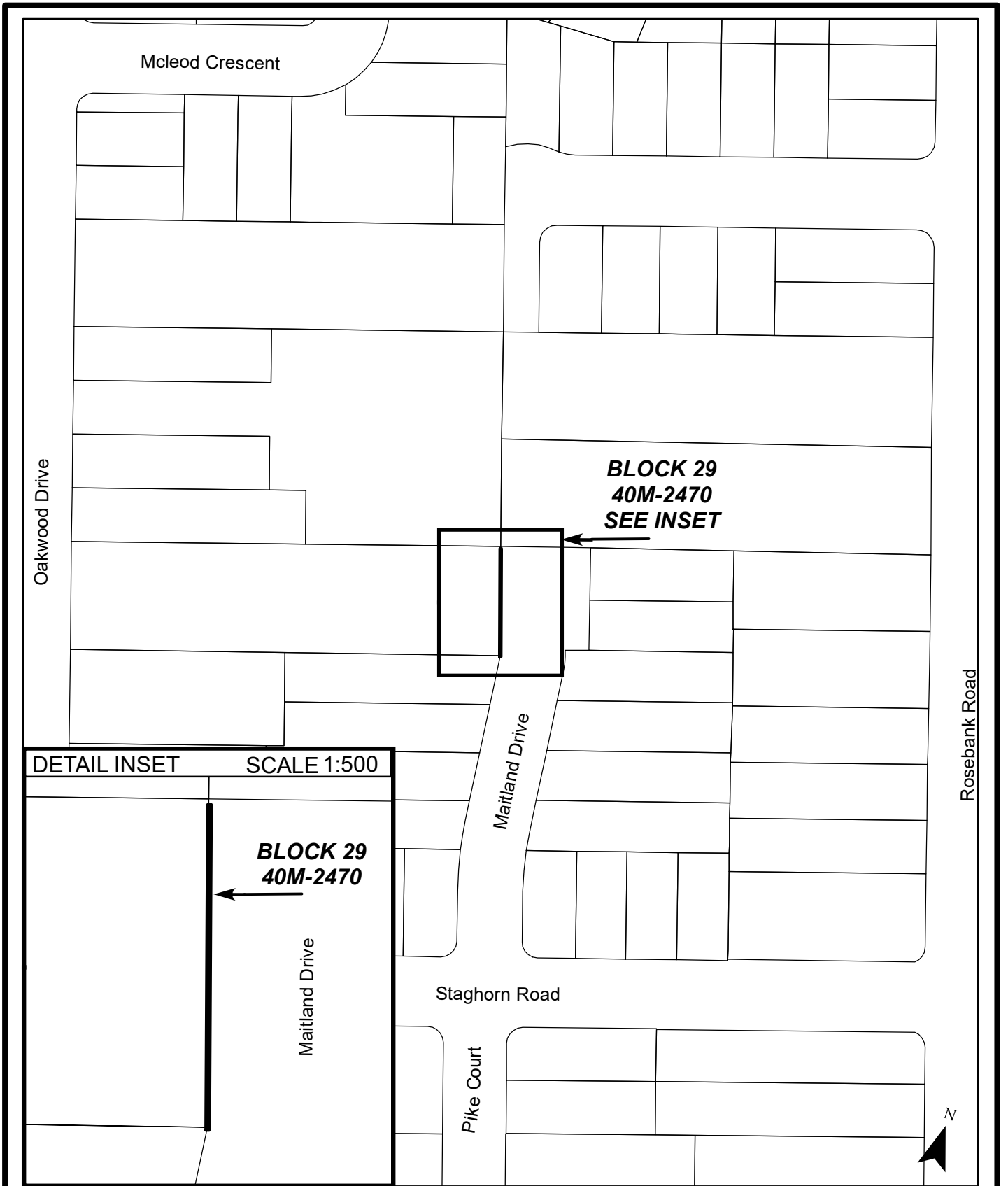
Block 29, 40M-2470 is a reserve located at the westerly limit of Maitland Drive that was acquired by the City through the registration of Plan 40M-2470 in order to ensure the orderly development of the adjacent lands to the west (being Lot 78, Plan 350).

The Owners of Lot 78, Plan 350 have applied to the Land Division Committee to sever the said lot into three parcels, creating two new development lots fronting on Maitland Drive. A condition of the severance is the establishment of Block 29 as public highway.

It is now appropriate to pass a by-law establishing Block 29, 40M-2470 as public highway, providing legal frontage to the newly created lots.

Attached is a location map and a draft by-law for the consideration of City Council at its meeting scheduled for **June 28, 2021**.

PB:ca
Attachments Location Map
Draft By-law



City of
PICKERING
City Development
Department

Location Map	
Applicant: Andrew Juchau	
File: ROADDED 605	
Property Description: Block 29, 40M-2470	
Date: Jun. 22, 2021	
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PN-6	

The Corporation of the City of Pickering

By-law No. 7863/21

Being a by-law to establish Block 29, Plan 40M-2470 as public highway

Whereas The Corporation of the City of Pickering is the owner of Block 29, Plan 40M-2470 and wishes to establish it as public highway

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. Block 29, Plan 40M-2470 is hereby established as public highway (**Maitland Drive**).

By-law passed this 28th day of June, 2021.

David Ryan, Mayor

Susan Cassel, City Clerk

To: Susan Cassel
City Clerk

June 23, 2021

From: Paul Bigioni
Director, Corporate Services & City Solicitor

Copy: Director, City Development & CBO
Manager, Development Services
Chief Planner

Subject: Stop-up and Close Portion of Frontier Court for Conveyance to Abutting Owners
- Block 31, 40M-2014
File: 40M-2654

The Subdivision Agreement relating to Plan 40M-2014 provided for the:

- (a) development of 28 residential lots and the construction of Frontier Court;
- (b) construction of a turning circle at the westerly limit of Frontier Court on Block 31, Plan 40M-2014 as shown on the location map attached (the “turning circle block”), which turning circle was to be:
 - i. removed and restored to a residential status once Frontier Court was extended westerly; and
 - ii. conveyed to the abutting owner, subject to any required utility or storm drainage easements;

On February 5, 2019, Marshall Homes (Copperfield) Ltd. entered into a Subdivision Agreement with the City for the development of the lands west of Plan 40M-2014 (Plan 40M-2654), which development provided for the extension of Frontier Court and the removal of the turning circles within Plan 40M-2014.

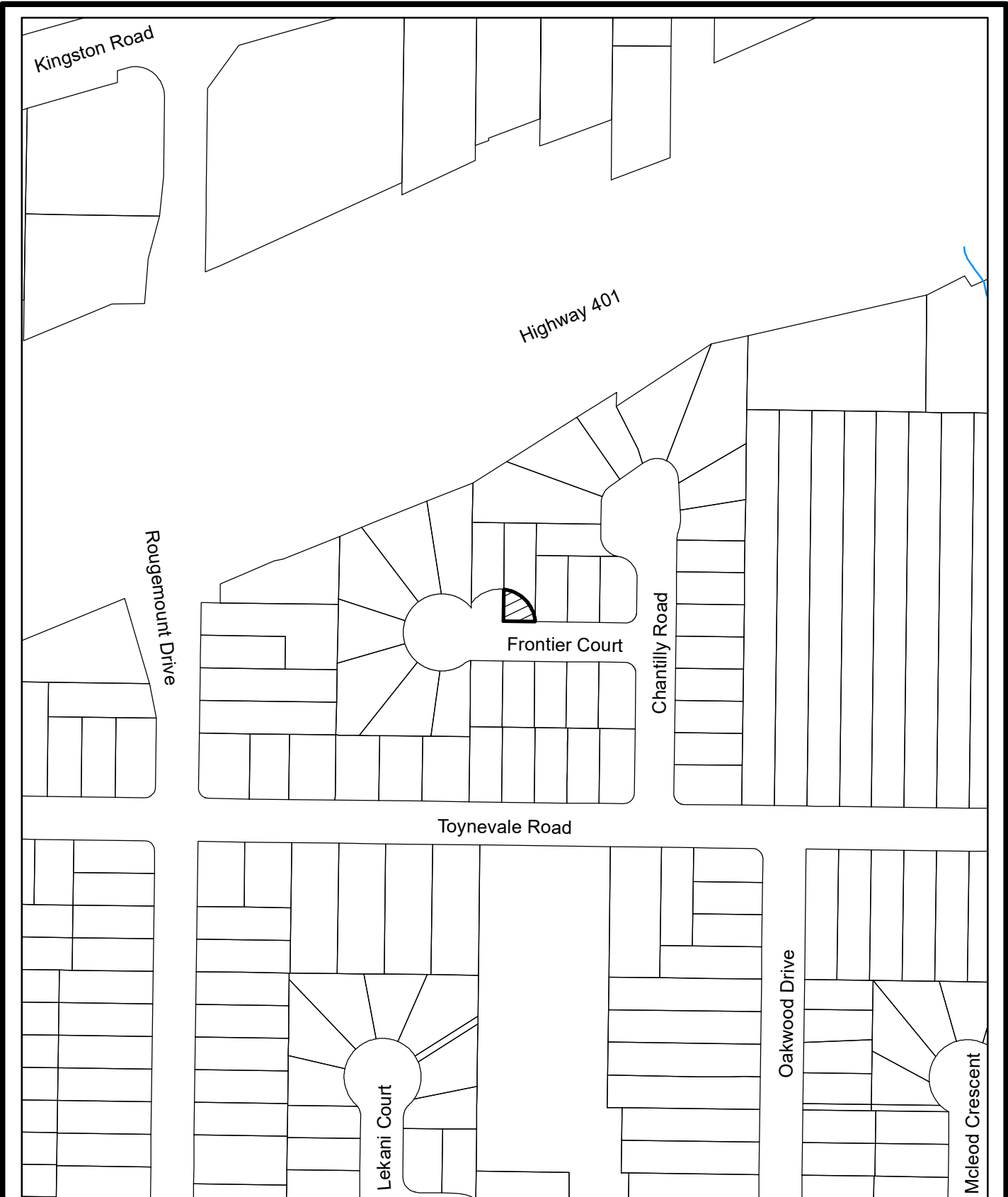
In September 2020, confirmation was received from Engineering Services that the turning circle had been removed and restored to a residential status. Accordingly, it is now appropriate to enact a by-law to stop-up and close the turning circle block as public highway, convey it to the abutting owners, subject to any required utility or storm drainage easements, as they are no longer required.

Notice respecting the closure of the turning circle on Frontier Court within Plan 40M-2014 has been published in the local newspaper and on the City’s website for two (2) consecutive weeks.

Attached is a draft by-law giving authority to formally stop-up and close the turning circle blocks as public highway and to abandon the access/maintenance easements in favour of the City, which lands and interests will be conveyed to the abutting owners for nominal consideration (\$2.00).

The attached draft by-law is for the consideration of City Council at its meeting scheduled for **June 28, 2021**.

PB:ca
Attachments Location Map
Draft By-law




PICKERING
 City Development
 Department

Location Map		
Applicant: City of Pickering		
File: Stop-up and Close		
Property Description: Block 31, Plan 40M2014		
		Date: May. 27, 2021
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		PN-6

The Corporation of the City of Pickering

By-law No. 7864/21

Being a by-law to stop-up and close Block 31, 40M-2014
as a public highway.

Whereas The Corporation of the City of Pickering passed By-law 5773/00 establishing Block 31, 40M-2014 as a public highway (Frontier Court);

Whereas Block 31, 40M-2014 is no longer required as a public highway; and

Whereas pursuant to the *Municipal Act*, the Council of The Corporation of the City of Pickering may pass by-laws to stop-up and close public highways, or parts thereof,

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. That Block 31, 40M-2014, is hereby stopped-up and closed; and
2. That the Mayor and City Clerk are hereby authorized to execute the necessary documents authorized by the Director, Corporate Services & City Solicitor to effect the stopping-up and closing of the road referred to above.

By-law passed this 28th day of June, 2021.

David Ryan, Mayor

Susan Cassel, City Clerk