

Minutes of a meeting of the Council of the City of Oshawa held in the City Hall Council Chamber on February 28, 2005 at 6:30 p.m.

Mayor Gray and Councillors Clarke, Kolodzie, Lutczyk, Marimpietri, Neal, B. Nicholson, M. Nicholson, Parkes and Pidwerbecki were present.

Councillor Cullen was absent.

Mayor Gray presided.

ADDITIONAL BLESSING

Reverend J. Mowchenko, Freeway Free Methodist Church, gave the additional blessing.

DECLARATIONS OF PECUNIARY INTEREST

Councillor Neal made a declaration of pecuniary interest concerning Correspondence Item 33 relating to Oshawa Public Utilities Commission as his wife is employed by Oshawa PUC Networks Inc. and did not take part in discussion or voting.

PRESENTATIONS

Mayor Gray presented a Certificate of Recognition and a hockey stick signed by the Oshawa Generals to Kenny Lewicki for his bravery in assisting his family through a car accident.

Cindy Symons-Milroy, Director of Economic Development and Real Estate Services presented an award from the Economic Developers Council of Ontario for Business Publications and Redevelopment Initiatives to Oshawa City Council for the 'Oshawa Quick Fax' publication.

Roger Anderson, Regional Chair, Regional Municipality of Durham, presented his annual address to City Council, highlighting Regional accomplishments in 2004 and anticipating Regional challenges in 2005.

Councillors questioned Roger Anderson.

Susan Wright, Randolph Group, presented the Community Strategic Plan.

Councillors questioned Susan Wright.

Moved by Councillor Marimpietri, seconded by Councillor Lutczyk,
(299) "That the rules of procedure be waived to bring forward the delegation of Bob Malcolmson." CARRIED ON A 2/3 VOTE OF MEMBERS PRESENT

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Moved by Councillor Marimpietri, seconded by Councillor Kolodzie,
(300) “That Bob Malcolmson be heard.” CARRIED

Bob Malcolmson, CEO and General Manager, Greater Oshawa Chamber of Commerce, addressed City Council in support of the Oshawa Community Strategic Plan, Report CM-05-11, and in support of the process employed to create it, and congratulated Oshawa City Council for preparing its first Community Strategic Plan. (All Wards)

Councillors questioned Bob Malcolmson.

Moved by Councillor Marimpietri, seconded by Councillor Lutczyk,
(301) “That the rules of procedure be waived to bring forward the City Manager’s Report CM-05-11 dated February 22, 2005.” CARRIED ON A 2/3 VOTE OF MEMBERS PRESENT

REPORT OF THE COMMITTEE OF THE WHOLE

1. Bob Duignan, City Manager, submitting Report CM-05-11 concerning the Oshawa Community Strategic Plan dated February 22, 2005. (All Wards)

Moved by Councillor Kolodzie, seconded by Councillor Lutczyk,
(302) “That Council adopt Report CM-05-11 dated February 22, 2005 concerning the Oshawa Community Strategic Plan.” CARRIED BY THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Clarke, Kolodzie, Lutczyk, Marimpietri, Neal, B. Nicholson, M. Nicholson, Parkes, Pidwerbecki and Mayor Gray

NEGATIVE – None

Absent – Councillor Cullen

Moved by Councillor B. Nicholson, seconded by Councillor Marimpietri,
(303) “That the meeting recess.” CARRIED

The meeting recessed at 8:10 p.m. and reconvened at 8:25 p.m.

All members of Council were present following the recess except Councillor Cullen.

ADOPTION OF MINUTES

Moved by Councillor Marimpietri, seconded by Councillor Lutczyk,
(304) “That the minutes of the February 3, 7, 10, 16 and 21, 2005 Council meetings be adopted.” CARRIED

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Councillor Neal made a declaration of pecuniary interest on the following items from the meeting of February 7, 2005 (from which he was absent): Correspondence Items 32, 33, 34, 35 and 61; Additional Correspondence Items 12 and 13; the delegations of Dr. Peters and Chris Buckley; and Item 1 of the Thirty-fourth Report of the Strategic Initiatives Committee as his wife is employed by Oshawa PUC Networks Inc.; and, Additional Correspondence Item 5 as General Motors is referenced in the Hydrogeological Study and Remediation Options Update Report concerning the Oshawa Harbour Marina, prepared by Marshall Macklin Monaghan and as he is an employee of General Motors of Canada Limited.

CORRESPONDENCE

Correspondence Referred

Moved by Councillor Marimpietri, seconded by Councillor Lutczyk,
(305) “That Correspondence Items 1 to 10 except Items 3 and 9 be referred to Committees as indicated.” CARRIED

1. Mike Zdanowski, requesting all applications for development include a light pollution abatement and City Council adopt an outdoor illumination by-law implementing the use of down-lighting thereby assuring the visibility of the night sky. (All Wards)

Referred to the Development Services Committee

2. Neil Chaisson forwarding correspondence opposing a breed-specific ban on pit bull dogs. Referred to the Corporate Services Committee (All Wards)

3. Oshawa Transit Commission, Phil Meagher, General Manager, providing an update on improved transit service levels and statistics showing an increased ridership of 7.6%.

Referred to the Operational Services Committee (All Wards)

Moved by Councillor B. Nicholson, seconded by Councillor Lutczyk,
(306) “That Correspondence Item 3 from the Oshawa Transit Commission dated January 28, 2005 be received for information.” CARRIED

4. Paul Moses requesting a sensible alternative to constant parking tickets for residents who do not have parking on their property and who park on the street. (Ward 2)

Referred to the Operational Services Committee

5. Communities in Bloom-Ontario, Martin Quinn and Ted Blowes, Co-Chairs, inviting participation in the 2005 Communities in Bloom competition. (All Wards)

Referred to the Operational Services Committee

6. Daniel Gryzwacz, Whitby, requesting Oshawa Council waive Fire Services Invoice 0017409 in the amount of \$374.50 for services rendered when the Oshawa Fire Department was dispatched to assist at the scene of an minor vehicle accident.

Referred to the Operational Services Committee

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7. SummerActive, Monica Sulej, Campaign Coordinator, inviting participation in the province-wide 2005 SummerActive Community Challenge to promote simple ways to get people active. (All Wards)

Referred to the Operational Services Committee

8. Association of Municipalities of Ontario, forwarding their Background Paper and Survey on Municipal Council Term and Related Matters' dated February 2005 to be returned to AMO by March 1, 2005. (All Wards)

Referred to the Strategic Initiatives Committee

9. UOIT Solar Vehicle Team, Samveg Saxena, President & Founder, inviting the City to partner in their project to construct a solar vehicle. (Ward 7)

Moved by Councillor B. Nicholson, seconded by Councillor Neal,

(307) "That Correspondence Item 9 from Samveg Saxena dated January 29, 2005 be referred to the Corporate Services Committee and to the Oshawa Transit Commission." CARRIED

10. Tony and Andrea Smith on behalf of the 'Stone Street Banish The Buses Committee' forwarding a petition of 50 signatures in support of their request to re-route Oshawa Transit Commission Buses 3-Park and 3B-Park currently travelling along Stone Street close to the Waterfront Trail. (Ward 1)

Referred to the Oshawa Transit Commission

Correspondence for Direction

31. Roma Lokietek, advising due to the cost of legal representation she is withdrawing her appeals to the Ontario Municipal Board concerning applications to amend the Oshawa Official Plan and Zoning By-law 60-94, north side of Bloor Street East, east of Harmony Road South, and west of the Harmony Creek, Veltri and Sons Limited. (Ward 3)

Moved by Councillor Parkes, seconded by Councillor M. Nicholson,

(308) "That Correspondence Item 31 from Roma Lokietek, withdrawing her appeals to the Ontario Municipal Board (OMB) concerning applications to amend the Oshawa Official Plan and Zoning By-law 60-94, north side of Bloor Street East, east of Harmony Road South, and west of the Harmony Creek, Veltri and Sons Limited, be received and filed and the OMB be so advised." CARRIED

32. Lynda Townsend Renaud Law Office, on behalf of Halloway Holdings Ltd., advising her client has no concerns with the proposed residential development on the Dusty Dawn lands provided appropriate residential access is maintained for parcels on Taunton and the layout can accommodate medium density on the Fieldgate lands, and her client does not object to the findings of the Taunton Harmony Corridor Study but does object to any significant expansion beyond the commercial boundaries set out in the Taunton Harmony Corridor Study. (Wards 6 and 7)

Moved by Councillor B. Nicholson, seconded by Councillor Neal,

(309) "That Correspondence Item 32 from Lynda Townsend Renaud Law Office, dated February 8, 2005 on behalf of Halloway Holdings Ltd., be referred to Item 8 of Matters Tabled." CARRIED

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33. CAW Family Auxiliary 27, Jackie Finn, President, requesting Council not sell or monetize the promissory note on the Oshawa PUC as it would be at the expense of the taxpayer. (All Wards)

Moved by Councillor Parkes, seconded by Councillor M. Nicholson,

(310) “That Correspondence Item 33 from CAW Family Auxiliary 27 dated February 8, 2005 be referred to the Special Council meeting on March 10, 2005.” CARRIED

34. CAW Local 222, Joe Sarnovsky, Communications Representative, requesting the City endorse school bus safety laws including the Ontario Chief Coroner’s recommendations following last year’s death of four year old, Allyceea Ennis, in Thunder Bay, Ontario.

Moved by Councillor Marimpietri, seconded by Councillor Lutczyk, (All Wards)

(311) “That in the efforts of helping promote and enhance a safe and healthy community for all Oshawa residents their children and grandchildren;

Oshawa City Council through the Corporation of the City of Oshawa confirm and endorse School Bus Safety laws including the most recent Ontario Chief Coroner’s recommendations following last year’s death of 4-year old Allyceea Ennis in Thunder Bay, Ontario, and

Furthermore be it resolved that a copy of this resolution be forwarded to AMO and the likes of the Durham Separate, and Durham Public School Boards, their Elementary High Schools and any other affiliated education centers; School Board Contracted Bus Companies, and the likes of concerned groups involved, for further endorsement and support.” CARRIED BY THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Clarke, Kolodzie, Lutczyk, Marimpietri, Neal, B. Nicholson, M. Nicholson, Parkes, Pidwerbecki and Mayor Gray

NEGATIVE – None

Absent – Councillor Cullen

Correspondence Received and Filed

Moved by Councillor Lutczyk, seconded by Councillor Kolodzie,

(312) “That Correspondence Items 61 to 74 except Item 62 be received and filed.” CARRIED

61. Jerry Ouellette, M.P.P. Oshawa, thanking Oshawa Council for endorsing Bill 165, *The Elected Officials Immunity Act* 2004. (All Wards)

Received and filed

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62. Central Lake Ontario Conservation Authority, J.R. Powell, Chief Administrative Officer, forwarding to the Region of Durham Report 4504-05 requesting the Minister of the Environment conclude all studies on the use of paper sludge by-products (sandsorb and nitrosorb) and revise Regulation 347 (Section 3) to provide for increased controls.

Received and filed (Ward 7)

Moved by Councillor Neal, seconded by Councillor B. Nicholson,
(313) “That Correspondence Item 62 from Central Lake Ontario Conservation Authority dated February 2, 2005 be endorsed.” CARRIED BY LATER VOTE

Moved by Councillor M. Nicholson, seconded by Councillor B. Nicholson,
“That Correspondence Item 62 from Central Lake Ontario Conservation Authority be referred to the appropriate Committee.” LOST

The main motion CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Clarke, Kolodzie, Lutczyk, Marimpietri, Neal, Parkes, Pidwerbecki and Mayor Gray

NEGATIVE – Councillor B. Nicholson and M. Nicholson

Absent – Councillor Cullen

63. Township of Uxbridge, Debbie Leroux, Deputy Clerk, forwarding Uxbridge Council’s resolution to the Minister of Municipal Affairs and Housing requesting an extension of the deadline for conformity with the Oak Ridges Moraine Conservation Plan from March 9, 2005 until a date after the completion of any harmonization of the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan. (All Wards)

Received and filed

64. Regional Municipality of Durham, P.M. Madill, Regional Clerk, forwarding Regional Council’s resolution to the Minister of the Environment as the Region’s response on source water protection from the Implementation Expert Advisory Panel and the Technical Expert Advisory Panel and forwarding Regional Report 2005-COW-2.

Received and filed (All Wards)

65. Regional Municipality of Durham, P.M. Madill, Regional Clerk, forwarding Regional Council’s resolution to the Nuclear Waste Management Organization as the Region’s response concerning the document entitled ‘Understanding the Choices – The Future Management of Canada’s Used Nuclear Fuel’.

Received and filed (All Wards)

66. Township of Scugog, advising a public meeting will be held on Monday, March 7, 2005 to consider applications to amend the Scugog Official Plan and Zoning By-law 75-80 pursuant to the Oak Ridges Moraine Conservation Plan. (All Wards)

Received and filed

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67. City of Pickering, B. Taylor, City Clerk, forwarding Pickering Council's resolution to the Region of Durham concerning the 'Recommended Directions Report, October 2004' regarding the Natural Environment, Commercial Policy and Rural Resources and forwarding Report PD06-05. (All Wards)

Received and filed

68. Canada-Ontario Municipal Rural Infrastructure Fund, Marc Whittingham, Federal Co-Chair of Industry Canada and Christine Dukelow, Provincial Co-chair of Ontario Ministry of Municipal Affairs and Housing, acknowledging receipt of Oshawa Council's application to participate in Intake One, and advising applications are currently under evaluation and approved projects will be announced in Spring 2005, prior to the launch of Intake Two. (All Wards)

Received and filed

69. Regional Municipality of Durham, P.M. Madill, Regional Clerk, forwarding Regional Council's resolution advising slow moving farm vehicle signage will be installed on Regional Roads and offering the opportunity to confer with the appropriate Regional staff and representatives. (All Wards)

Received and filed

70. Regional Municipality of Durham, P.M. Madill, Regional Clerk, advising on February 9, 2005 Regional Council received the triple majority required to enact Regional Transit By-law 85-2004, a by-law to transfer all of the lower-tier power relating to public transportation systems, other than highways, to the Region from all of its lower-tier municipalities and forwarding Regional Transit By-law 85-2004. (All Wards)

Received and filed

71. Durham Family Court Clinic forwarding 'YOU . . . make a difference!', Volume 7 No. 1, Winter/Spring 2005. (All Wards)

Received and filed

72. The Salvation Army, Community and Family Services, Clare Mutton, Director of Community and Family Services, thanking the City for its cooperation in manning the Christmas kettle at Oshawa Centre and advising they provided hampers for over 950 adults and children and toys to 1,430 children. (All Wards)

Received and filed

73. Durham District School Board, Craig Burch, Director of Education, forwarding their 2004 Annual Report featuring their strategic plan, 'Durham Directions'. (All Wards)

Received and filed

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ADDITIONAL CORRESPONDENCE

1. Garth Johns submitting his resignation as a member of the Oshawa Transit Commission.

Moved by Councillor Clarke, seconded by Councillor B. Nicholson, (All Wards)
(314) “That Additional Correspondence Item 1 from Garth Johns dated February 22, 2005, being the resignation of Garth Johns from the Oshawa Transit Commission, be received for information and that Garth Johns be thanked for his exemplary service.” CARRIED AS AMENDED BY LATER VOTE

Moved by Councillor B. Nicholson, seconded by Councillor Kolodzie,

(315) “That the motion be amended such that Council endorse the Oshawa Transit Commission’s decision not to fill the vacancy left by Garth Johns.” CARRIED

The main motion CARRIED AS AMENDED.

2. Andy Clowes, on behalf of residents on Harmony Road, north of Taunton, requesting to address City Council concerning Item 8 of Matters Tabled being Part 6 of Item 17 of the Forty-ninth Report of the Development Services Committee concerning proposed amendments to the Oshawa Official Plan (Taunton Part II Plan) and Zoning By-law 60-94 to implement the Taunton-Harmony Corridor Study for Planned Commercial Strip on lands adjacent to Harmony Road North. (Wards 6 and 7)

Moved by Councillor M. Nicholson, seconded by Councillor Neal,

(316) “That Correspondence Item 2 from Andy Clowes dated February 25, 2005 be received for information.” CARRIED

3. David Smith requesting Council address the question of affordability of the proposed Downtown Sports and Entertainment Facility at the March 2, 2005 meeting instead of at the March 10, 2005 meeting. (All Wards)

Moved by Councillor M. Nicholson, seconded by Councillor Pidwerbecki,

(317) “That Additional Correspondence Item 3 from David Smith dated February 25, 2005 be referred to the March 10, 2005 City Council meeting.” CARRIED

4. Samveg Saxena, President and Founder, UOIT Solar Vehicle Team, requesting to address City Council concerning Item 4 of the Seventeenth Report of the Corporate Services Committee with respect to a Corporation Grant for their solar vehicle project. (All Wards)

Moved by Councillor M. Nicholson, seconded by Councillor Lutczyk,

(318) “That Samveg Saxena be heard during delegations.” CARRIED

5. E-mail from Tito-Dante Marimpietri requesting a solution to the noise and unsightliness of the newly renovated H-VAC containment system on the roof of Price Choppers located at Byng Avenue and Simcoe Street. (Ward 4)

Moved by Councillor B. Nicholson, seconded by Councillor Marimpietri,

(319) “That Additional Correspondence Item 5 from Tito-Dante Marimpietri dated February 28, 2005 be referred to the Corporate Services Committee.” CARRIED

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6. Elizabeth Sutherland expressing concern that the proposed Sports and Entertainment Facility and the sale of Oshawa PUC will result in higher property taxes and higher hydro rates. (Ward 4)

Moved by Councillor Kolodzie, seconded by Councillor Marimpietri,
(320) “That Additional Correspondence Item 6 from Elizabeth Sutherland dated February 28, 2005 be referred to the March 10, 2005 City Council meeting.” CARRIED

DELEGATIONS

Samveg Saxena, President and Founder of the UOIT Solar Vehicle Team, addressed City Council concerning Item 4 of the Seventeenth Report of the Corporate Services Committee and stated he has reviewed the Community Strategic Plan and feels that the UOIT Solar Vehicle project fits into the Community Strategic Plan. He stated this project is the first of its kind in Canada and indicated that Oshawa, being the home of GM, should realize the value of this project and support it. Samveg Saxena advised this project will allow the UOIT Solar Vehicle Team to go into local schools to encourage students to pursue engineering and science careers, fields which have had decreasing enrollment over the past few years. Samveg Saxena requested the opportunity to make a formal presentation to Council at another date.

Moved by Councillor B. Nicholson, seconded by Councillor M. Nicholson,
(321) “That Item 3 of Matters Tabled be lifted from the table and referred to the March 10, 2005 City Council meeting.” CARRIED

Lynda Townsend Renaud was not in attendance to address City Council.

Roslyn Houser was not in attendance to address City Council.

Andy Clowes was not in attendance to address City Council.

COMMITTEE REPORTS

Report of the Development Services Committee

The Development Services Committee respectfully reports and recommends to City Council its Fiftieth Report

1. Ministry of Agriculture and Food, Drainage Act Grants Program (DS-05-64) (All Wards)

Recommendation

That correspondence dated January 20, 2005, from the Ministry of Agriculture and Food regarding the Drainage Act Grants Program be received for information.

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2. Marita Hemmersbach, 593 Bond Street East, expressing concern about garbage and smell from Price Chopper, Tim Horton's and KFC (DS-05-66) (Ward 6)

Recommendation

That correspondence dated January 16, 2005, from Marita Hemmersbach requesting a fence be erected as a solution to property owners receiving garbage and smells from the abutting shopping mall be referred to staff for direct response.

3. Lafarge Canada Inc. regarding the Revised Noise Study for the Liza Homes Draft Plan of Subdivision 18T-95003 (DS-05-63) (Ward 6)

Recommendation

Whereas by letter dated January 20, 2005, Frédéric Dufault of Lafarge Canada Inc. requested a copy of the revised noise study for the Liza Homes draft plan of subdivision 18T-95003 be sent to Lafarge for review and comment before the noise study is accepted by the City; and,

Whereas a copy of the noise study will be forwarded to Lafarge so that it can be reviewed and commented on a timely manner;

Therefore the correspondence dated January 20, 2005 from Lafarge Canada Inc. be received for information and staff continue to liaise with Lafarge during the review of the revised noise study.

4. Downtown Oshawa Board of Management, zoning in the Central Business District (DS-05-59) (Wards 2 and 5)

Recommendation

Whereas on March 17, 2003, City Council passed a resolution directing the Commissioner of Development Services to undertake a review of the zoning of the Central Business District (CBD) and propose changes that will direct more 'positive impact uses' at street level on main streets and gateways within the CBD, such as retail shops, restaurants and banks; and,

Whereas the Downtown Oshawa Board of Management participated in a facilitated stakeholder meeting held on October 27, 2004, regarding a draft zoning by-law amendment for defined main streets and gateways in the CBD; and,

Whereas the City has retained Marshall Macklin Monaghan to prepare stage one of the Alternative Go Forward Strategy for the downtown related to the Province's Places to Grow initiative which includes consideration of existing zoning and involves obtaining stakeholder input; and,

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Whereas on January 10, 2005, the Development Services Committee agreed to defer finalization of the CBD Zoning Review pending the conclusion of phase one of the Alternative Go Forward Strategy for the preparation of a Action Plan for Downtown Oshawa;

Therefore, the correspondence dated January 18, 2005, from the Downtown Oshawa Board of Management be received for information and the Board be advised that it will be kept informed and provided opportunity to input to the preparation of an Action Plan for Downtown Oshawa being prepared by Marshall Macklin Monaghan and the subsequent finalization of the CBD Zoning Review.

5. Greater Toronto Airports Authority, Pickering Airport Economic Impact Study (DS-05-60) (Ward 4)

Recommendation

Whereas correspondence from the Greater Toronto Airports Authority has advised that an economic impact study is being prepared that will measure the current economic impacts of the Buttonville, Markham, and Oshawa airports and then assess the net change from their potential closure in combination with a new airport on the Pickering lands; and,

Whereas the correspondence advises that the study consultants will be contacting staff for input and are willing to provide a briefing on the study;

Therefore, the correspondence dated January 24, 2005, from Steve Shaw of the Greater Toronto Airports Authority be received for information and Mr. Shaw and the economic impact study consultants be invited to attend a public meeting of Council to present the findings of the economic impact study at the appropriate time.

6. Oshawa Building Permit Statistics for January 2005 (DS-05-69) (All Wards)

Recommendation

That the Building Permit Statistics for January 2005 be received for information.

7. Application to Amend Zoning By-law 60-94, 419–507 King Street West, Ivanhoe Cambridge I Inc. and OMERS Realty Corporation (Oshawa Centre) (DS-05-52) (Ward 2)

Recommendation

That the application submitted by Ivanhoe Cambridge I Inc. and OMERS Realty Corporation to amend Zoning By-law 60-94 (File Z-17/2004) to change the location of Site 'B' in the Oshawa Centre's PCC-A(1) special condition from the north side of Gibb Street to the south side of the Elmgrove Avenue driveway entrance be approved.

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8. Oak Ridges Moraine Conservation Plan Implementation Process – Status Update (DS-05-56) (Ward 7)

Recommendation

1. That the Minister of Municipal Affairs and Housing be requested to extend the March 9, 2005 deadline for implementing the Oak Ridges Moraine Conservation Plan in the City of Oshawa Official Plan and City of Oshawa Zoning By-law 60-94 to December 31, 2005.
 2. That Report DS-05-56 dated February 9, 2005, from the Commissioner of Development Services and Council's related resolution be forwarded to the Minister of Municipal Affairs and Housing.
9. Application for Variances to Sign By-law 72-96, 122 Simcoe Street North, Nick Mawani (DS-05-55) (Ward 5)

Recommendation

Whereas Nick Mawani has applied for the following variances:

- (a) To permit a proposed pylon sign at 122 Simcoe Street North which is in a CBD-B (Central Business District) Zone, whereas the sign by-law does not permit a pylon sign in a Central Business District Zone; and,
- (b) To permit the proposed pylon sign to be located in the driveway sight triangle with double pole supports, whereas the sign by-law only permits a sign in a driveway sight triangle with a single pole support; and,

Whereas the approval of the variances is appropriate;

Therefore, the application for variances to Sign By-law 72-96 submitted by Nick Mawani (File SV 14/04) to permit the proposed pylon sign at 122 Simcoe Street North, be approved.

10. Application for Variances to Sign By-law 72-96, 300 Taunton Road East, Shoppers Drug Mart (DS-05-67) (Ward 7)

Recommendation

Whereas Shoppers Drug Mart has applied for a variance to the sign by-law to permit four fascia signs (Canada Post, Easy Pix, Open 12 am, Visit us at shoppersdrugmart.ca) each having a sign area of 3.57 m², 3.57 m², 3.57 m² and 1.12 m² respectively, where the sign by-law only permits one fascia sign; and,

Whereas the signs are appropriate for the proposed use on a large shopping centre property;

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Therefore, the application for variances to Sign By-law 72-96 by Shoppers Drug Mart (File SV-02/2005) to permit four fascia signs as set out above for 300 Taunton Road East, be approved.

11. Proposed City-Initiated Amendments to Zoning By-law 60-94 (DS-05-50) (All Wards)

Recommendation

That the Department of Development Services be authorized to begin the public process that will allow Council to consider amendments to Zoning By-law 60-94, as generally set out in Attachment 1 to Report DS-05-50 dated February 9, 2005, from the Commissioner of Development Services, with the exception of Item 14 with respect to 112 Annis Street.

12. 2004 Planning, Building and Engineering Activity (DS-05-51) (All Wards)

Recommendation

That Report DS-05-51 dated February 9, 2005, from the Commissioner of Development Services concerning 2004 Planning, Building and Engineering activity be received for information.

13. Proposed Amendment to Zoning By-law 60-94 to Regulate the Size of Accessory Buildings in Certain Residential Zones (DS-05-53) (All Wards)

Recommendation

That City Council pass an amendment to Zoning By-law 60-94 to further restrict the size and height of accessory buildings in certain residential zones in the urban area generally in accordance with the draft by-law, as amended by deleting Part (c) of Sentence 5.1.2(1), which forms Attachment 1 to Report DS-05-53 dated February 9, 2005, from the Commissioner of Development Services, and in a form acceptable to the Director of Legal Services.

14. Heritage Oshawa submitting comments about Hangars 1 and 2, and adjacent Quonset Huts, South Field, Oshawa Municipal Airport (DS-05-71) (Ward 4)

Recommendation

That correspondence dated February 11, 2005, from Heritage Oshawa regarding Hangars 1 and 2 and the adjacent quonset huts, South Field, Oshawa Municipal Airport, be received for information.

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15. Hangars 1 and 2, and adjacent Quonset Huts, South Field, Oshawa Municipal Airport
(DS-05-28) (Ward 4)
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Recommendation

1. That Hangars 1 and 2 be demolished using a combination of funds from the Airport Capital Reserve; that the demolition tender highlight the salvageable/re-usable material in the buildings; that the demolition tender indicate that the City will retain some of the wood timbers from Hangar 2 which are in good condition for future re-use.
2. Quonset Huts: That the Quonset Huts be removed from the Airport using funds from the Airport Capital Reserve by means of a tender which calls for removal or demolition and disposal.
3. That Barry Bryan Associates be engaged on terms satisfactory to the Commissioner of Development Services and the Director of Purchasing to prepare a demolition tender specification, and that the funds be taken from the Airport Capital Reserve.
4. That Golder Associates be engaged at a fee not to exceed \$8,000 (excluding GST) to prepare a designated substance survey and hazardous material removal specification for Hangars 1 and 2 and Quonset Huts, and that the funds be taken from the Airport Capital Reserve.
5. That Planning Services staff work with Heritage Oshawa to report back on the designation of the 420 Wing Building, Robert Stuart Museum buildings and a heritage conservation district on a portion of the South Field; and that any Heritage designation permit the buildings to be moved elsewhere on the South Field in the event this is required by a Council approved Master Plan for the South Field.
6. That City staff be directed to liaise with the Robert Stuart Museum to assess the best way in which to ensure the future preservation and retention within Oshawa of the Museum's historical artifacts/documents, etc. related to the Airport.

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16. Greater Toronto Airports Authority, Pickering Airport Project (DS-05-57) (Ward 4)

Recommendation

1. That Steve Shaw, Vice President of the Greater Toronto Airports Authority (GTAA) and Chair of the Pickering Advisory Committee, be invited to attend a Council meeting to present the Pickering Airport Draft Plan Report given that the Open House in Oshawa was held on the night of another significant community event and could not be attended by the Mayor and Council; and further, that the area MPs and commercial tenants be invited to attend the meeting.
2. That, in response to the content of the Pickering Airport Draft Plan Report, the City write to the GTAA and advise that no decision has been made to close the Oshawa Municipal Airport and request that the GTAA provide this information to any Environmental Assessment Review Panel.
3. That, in response to the reference in the Pickering Airport Draft Plan Report that the GTAA is providing a subsidy to Buttonville Airport, the City formally request a meeting with Steve Shaw, Vice President of the GTAA and Chair of the Pickering Advisory Committee, to discuss the possibility of a similar subsidy to Oshawa recognizing the impact of the possible Pickering Airport on business development at the Airport and Oshawa's role in providing critical regional airport capacity during this time of uncertainty.
4. That a copy of Report DS-05-57 be forwarded to area MPs.

Committee Hearing Decisions

17. Appeal related to non-compliance with Lodging House Licensing By-law 94-2002 at 160 Elgin Street East (DS-05-49) (Ward 5)

1. That Report DS-05-49 dated February 9, 2005, from the Commissioner of Development Services be received for information, and that the request by Lloyd and Elizabeth Bascombe for an exemption from Subsection 12.3 of Lodging House Licensing By-law 94-2002 with respect to the minimum required floor to ceiling height of the cellar lodging unit at 160 Elgin Street East be denied;
2. That the Chief Building Official be authorized to issue to Lloyd and Elizabeth Bascombe a licence pursuant to Lodging House Licensing By-law 94-2002 with respect to the remaining five lodging units identified in Lodging House License Application 200400013, if and only if the said Lloyd and Elizabeth Bascombe have complied with the provisions of Section 6.1 of the said By-law including, without limitation, the installation of a fire escape to the satisfaction of the Chief Building Official and compliance with all of the requirements of the *Health Protection and Promotion Act*.

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Moved by Councillor Parkes, seconded by Councillor Pidwerbecki,
(322) “That Council adopt the Fiftieth Report of the Development Services Committee except Item 15.” CARRIED

Moved by Councillor Parkes, seconded by Councillor Pidwerbecki,
(323) “That Council adopt Item 15 of the Fiftieth Report of the Development Services Committee.” CARRIED BY THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Clarke, Kolodzie, B. Nicholson, M. Nicholson, Pidwerbecki and Mayor Gray

NEGATIVE – Councillor Lutczyk, Marimpietri, Neal and Parkes

Absent – Councillor Cullen

Moved by Councillor Parkes, seconded by Councillor Pidwerbecki,
(324) “That the rules of procedure be waived to introduce the Fifty-second Report of the Development Services Committee.” CARRIED ON A 2/3 VOTE OF MEMBERS PRESENT

The Development Services Committee respectfully reports and recommends to City Council its Fifty-second Report

1. Proposed City-initiated amendments to Zoning By-law 60-94, 112 Annis Street
(DS-05-76) (Ward 1)

Recommendation (REFERRED – See Page 135)

1. That the “h-10” holding symbol as it applies to 112 Annis Street be removed by by-law at the next meeting of Council, subject to receipt of an appropriate letter of undertaking to the satisfaction of the Director of Legal Services wherein the applicant agrees to limit development on the site to two single detached dwellings units.
2. Whereas the direction of the Development Services Committee on February 14, 2005, that Item 14 in Attachment 1 to Report DS-05-50 dated February 9, 2005, from the Commissioner of Development Services with respect to 112 Annis Street be tabled to allow staff to prepare an options report; and,

Whereas on February 28, 2005, the Development Services Committee considered Report DS-05-76 dated February 23, 2005, from the Commissioner of Development Services and adopted a resolution to lift the “h-10” holding symbol at 112 Annis Street; and,

Whereas this action is contrary to Item 14 of Attachment 1 to Report DS-05-50 dated February 9, 2005;

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Therefore Item 14 of Attachment 1 to Report DS-05-50 be revised such that the proposed amendment related to Item 14 reads as follows:

“Amend Special Condition R1-E(1) to permit a maximum of 2 single detached dwellings on the property and to permit an accessory building lot coverage of 8%.”

Moved by Councillor Parkes, seconded by Councillor Pidwerbecki,
“That Council adopt the Fifty-second Report of the Development Services Committee.” LOST
ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Neal, B. Nicholson, M. Nicholson, and Mayor Gray

NEGATIVE – Councillors Clarke, Kolodzie, Lutczyk, Marimpietri, Parkes and Pidwerbecki

ABSENT – Councillor Cullen

Moved by Councillor Marimpietri, seconded by Councillor Parkes,
“That Council reconsider Item 13 of the Fiftieth Report of the Development Services
Committee.” LOST ON THE FOLLOWING VOTE (Required a 2/3 vote of members present)

AFFIRMATIVE – Councillors Clarke, Lutczyk, Marimpietri, Parkes and Pidwerbecki

NEGATIVE – Councillors Kolodzie, Neal, B. Nicholson, M. Nicholson and Mayor Gray

Absent – Councillor Cullen

There were questions on Development Services Committee matters.

Moved by Councillor B. Nicholson, seconded by Councillor M. Nicholson,
(325) “That the Fifty-second Report of the Development Services Committee be referred back
to the Development Services Committee for further review.” CARRIED

Report of the Corporate Services Committee

The Corporate Services Committee respectfully reports and recommends to City Council its
Seventeenth Report

1. Durham Region Unemployed Help Centre – Request for Recognition of Minister’s
Award of Excellence (Gold) Achievement (CS-05-38) (Ward 5)

Recommendation

That the Durham Region Unemployed Help Centre be provided with a Certificate/Letter
of Recognition acknowledging receipt of the Minister’s Award of Excellence (Gold
Level) Achievement - Job Connect Program.

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2. Summary of Contracts Awarded During the Period January 1, 2005 to January 31, 2005 (CS-05-27-CM) (All Wards)

Recommendation

That Report CS-05-27-CM dated February 1, 2005, from the City Manager regarding the award of contracts for the period January 1 to January 31, 2005, be received for information.

3. Animal Licensing Door-to-Door Sales (CS-05-30) (All Wards)

Recommendation

That Mark Stewart be invited to present a proposal to the Corporate Services Committee for a door-to-door animal licensing program.

4. Request for Corporation Grant – Samveg Saxena – UOIT Solar Vehicle Team (CS-05-33) (All Wards)

Recommendation (AMENDED – See Page 137)

That as the request from Samveg Saxena, President and Founder, UOIT Solar Vehicle Team, for a \$5,000 corporation grant for their solar vehicle project does not meet all approved criteria under the Request for Corporation Grant Policy adopted by Council on October 25, 2005, that the request be denied.

5. Request for Financial Assistance – David Robinson – High School Students’ Pilgrimage to Hong Kong (CS-05-34) (All Wards)

Recommendation

That as the request from David Robinson, Port Perry High School, for financial assistance to support the Durham Region high school students’ pilgrimage to Hong Kong to commemorate the Battle of Hong Kong does not meet all the approved criteria under the Request for Financial Assistance Policy approved by Council on November 15, 2004, that the request be denied.

6. Request for Corporation Grant – Vicky Visca – Durham Family Court Clinic (CS-05-35) (All Wards)

Recommendation

That City Council provide a grant of up to \$5,000 to the Durham Family Court Clinic (DFCC) with the proviso they obtain matching private partnership sponsorship; and further, that DFCC be required to provide verification of their private partnership sponsorship.

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Moved by Councillor Kolodzie, seconded by Councillor B. Nicholson,
(326) “That Council adopt the Seventeenth Report of the Corporate Services Committee except Items 4 and 6.” CARRIED

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,
(327) “That Item 4 of the Seventeenth Report of the Corporate Services Committee be referred back to the Corporate Services Committee and Samveg Saxena be invited to give a presentation.” CARRIED

Moved by Councillor Kolodzie, seconded by Councillor B. Nicholson,
(328) “That Council adopt Item 6 of the Seventeenth Report of the Corporate Services Committee.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Clarke, Kolodzie, Lutczyk, Marimpieteri, Neal, B. Nicholson, M. Nicholson, Parkes, Pidwerbecki and Mayor Gray

NEGATIVE – None

Absent – Councillor Cullen

There were questions on Corporate Services Committee matters.

Report of the Operational Services Committee

The Operational Services Committee respectfully reports and recommends to City Council its Forty-third Report

1. Doug and Joan Ash – Snow-clearing concerns (OS-05-38) (Ward 7)

Recommendation

That correspondence from Doug and Joan Ash regarding snow and ice removal be received for information; and, that staff liaise with Doug and Joan Ash regarding the Winter Control Operations.

2. Memorandum from Councillor Lutczyk – Snow-clearing concerns – Mrs. Vickers (OS-05-39) (Wards 2 & 5)

Recommendation

That the memorandum from Councillor Lutczyk presenting snow-clearing concerns on behalf of Mrs. Vickers be received for information.

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3. Oshawa Valley Botanical Gardens Task Force – 2005 Business Plan (OS-05-40) (Ward 4)

Recommendation

1. That correspondence dated February 9, 2005, and its attachments, from Veronica Sliva, Chair, Oshawa Valley Botanical Gardens Task Force, be received for information.
2. That the 2005 Oshawa Valley Botanical Garden (OVBG) Business Plan be endorsed.
3. That a Corporation Grant in the amount of \$10,000, as recommended by Finance and Business Planning staff following their review of the OVBG's grant application, be approved for the operation of the OVBG Task Force.
4. That the proposed amendments to the Terms of Reference for the OVBG Task Force be approved; and,
5. That the OVBG Task Force volunteers be thanked by Council for their significant efforts to the promotion and fundraising for the Oshawa Valley Botanical Gardens.

4. Murray and Gayle Strong – Communities in Bloom Projects in Local City Parks (OS-05-42) (All Wards)

Recommendation

That correspondence dated January 31, 2005, from Murray and Gayle Strong concerning Communities in Bloom Projects in local City parks be referred to the Communities in Bloom Committee for investigation and appropriate action.

5. Durham Regional Police Service – ‘Oshawa Creek Co-Op Vertical Neighbourhood Watch’ – 233 Albert Street (OS-05-43) (Ward 2)

Recommendation

That Durham Regional Police Service be advised that because all signs will be located on private property, the City has no jurisdiction in this matter and has no concerns regarding the implementation of an ‘Oshawa Creek Co-Op Vertical Neighbourhood Watch’ at 233 Albert Street.

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6. 2005 SummerActive Community Challenge (OS-05-44) (All Wards)

Recommendation

That correspondence concerning the 2005 SummerActive Community Challenge be referred to staff to co-ordinate the City's involvement.

7. Communities In Bloom – 2005 Ontario Edition Registration Form (OS-05-46)(All Wards)

Recommendation

That correspondence dated January 31, 2005, from Martin Quinn and Ted Blowes, Co-Chairs, Communities in Bloom, forwarding the 2005 Communities in Bloom Ontario Edition Registration Form be received for information.

8. Paul Moses – Unavailability of Legal Parking for Homeowners on Celina Street (OS-05-47) (Ward 2)

Recommendation

That whereas, in recent discussions with Mr. Moses, staff suggested several options for parking on nearby private property which he is pursuing; therefore correspondence from Mr. Paul Moses be received and filed.

9. Oshawa Transit Commission – Ridership Update (OS-05-48) (All Wards)

Recommendation

That correspondence dated January 28, 2005, from the General Manager, Oshawa Transit Commission concerning Oshawa Transit Ridership Update be received for information.

10. Daniel Gryzwacz – Request for Reconsideration of Fees Imposed for Oshawa Fire Services Attendance at Minor Traffic Incident (OS-05-55) (Ward 1)

Recommendation

That correspondence dated February 7, 2005, from Daniel Gryzwacz requesting reconsideration of fees imposed for Oshawa Fire Services attendance at a minor traffic incident be received for information.

11. Undesirable Activities on Bridle Road North (OS-05-50) (Ward 7)

Recommendation

1. That Report OS-05-50, dated February 7, 2005, from the Acting Commissioner of Operational Services be received for information; and

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2. That a copy of Report OS-05-50 be sent to:
 - (a) The Durham Regional Police Service requesting increased police patrols of Bridle Road North during the evening hours, in particular on weekends; and
 - (b) Mr. and Mrs. Vasko, 2867 Bridle Road North, for their information.

12. Proposed Revision to Recreation Admission Fee Schedule – Public Meeting (OS-05-51)
(All Wards)

Recommendation

1. That Report OS-05-51, dated January 25, 2005, from the Acting Commissioner of Operational Services be received for information; and
2. That the proposed revision to the Recreation Admission Fees as indicated in Attachment 2 to Report OS-05-51, be approved.

13. Refuse Collection at 1111 Wilson Road (OS-05-53) (Ward 6)

Recommendation

1. That municipal curbside collection of waste from townhouse complexes be considered where the conditions outlined in Report OS-05-53, dated February 9, 2005, can be met;
2. That By-law 60-79 be amended to reflect this change in policy; and
3. That municipal curbside refuse collection be provided to 1111 Wilson Road North provided that:
 - (a) waste from dead ends is brought to a designated collection point,
 - (b) curbside parking regulations are enforced, and routes are cleared of snow for refuse collection day,
 - (c) waste from Units 36 to 42 is placed out on the opposite side of the street, and
 - (d) DCC 167 assumes responsibility for all contraventions of the Refuse By-law that may occur as a result of that arrangement.

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14. Matthew Cronin – Timing of Traffic Lights at Ritson Road and Ormond Drive (Ward 7)

Recommendation

That staff discuss the signal timing plan with the Region of Durham and that correspondence from Matthew Cronin regarding the timing of traffic lights at the intersection of Ritson Road North and Ormond Drive be referred to the Region of Durham for appropriate action.

Moved by Councillor Clarke, seconded by Councillor Kolodzie,
(329) “That Council adopt the Forty-third Report of the Operational Services Committee except Items 3 and 9.” CARRIED

Moved by Councillor Clarke, seconded by Councillor Kolodzie,
(330) “That Council adopt Item 3 of the Forty-third Report of the Operational Services Committee.” CARRIED BY THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Clarke, Kolodzie, Lutczyk, Marimpieteri, Neal, B. Nicholson, M. Nicholson, Parkes, Pidwerbecki and Mayor Gray

NEGATIVE – None

Absent – Councillor Cullen

Moved by Councillor Clarke, seconded by Councillor Kolodzie,
(331) “That Council adopt Item 9 of the Forty-third Report of the Operational Services Committee.” CARRIED

Report of the Strategic Initiatives Committee

The Strategic Initiatives Committee respectfully reports and recommends to City Council its Thirty-fifth Report

1. City of Vaughan inviting Mayor Gray to join a delegation to Poland to commemorate the 60th Anniversary of VE-Day (SIC-05-19) (All Wards)

Recommendation

That as Mayor Gray is presently considering the invitation to join a delegation to Poland to commemorate the 60th Anniversary of VE-Day; and, in the event that Mayor Gray is not able to attend, that Councillor Robert Lutczyk be designated as the City’s official appointee to this pilgrimage; and further that other Councillors who wish to take part may do so by contacting Mayor Di Biase, City of Vaughan, individually.

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2. Association of Municipalities of Ontario – AMO Background Paper and Survey on Municipal Council Term and Related Matters (All Wards)

Recommendation

That AMO's Survey on Municipal Council Term be referred to City Clerk Services to obtain input from Council Members and to prepare submission for Council approval.

3. City of Toronto – Toronto 2015 World Expo/Feasibility Study (SIC-04-21) (All Wards)

Recommendation

1. That correspondence dated January 26, 2005, from David Miller, Mayor, City of Toronto concerning Toronto 2015 World Expo/Feasibility Study be referred to Economic Development Services for report.
2. That the City of Toronto be advised the City of Oshawa supports Toronto's interest in pursuing a bid to host a World Expo in the year 2015.

4. "E King Festival to the Max" (Elvis Festival) (SIC-05-15) (Wards 2 & 5)

Recommendation

1. That the 'E King Festival to the Max' be held in Municipal Parking Lot 15 and the Bandshell area in Memorial Park as outlined in Report SIC-05-15 dated February 1, 2005, and further that Springtime Entertainment be required to obtain facility permits for the use of those facilities in a form and content satisfactory to the Director of Legal Services.
2.
 - (a) That Council authorize the in-kind City contributions totalling \$4,152 as outlined in the Financial Implications section of the report.
 - (b) That the City provide snowfencing for set up around Parking Lot 15; and further if snowfencing is not suitable to the promoters, they be responsible for the cost of alternate fencing.
3. That staff from Recreation and Culture Services work with Springtime Entertainment to finalize the arrangements for this event; and
4. That a copy of Report SIC-05-15 be provided to the Downtown Board of Management and the Region of Durham.

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5. Channel 12 Advertising and Promotion Campaign (SIC-05-14-CM) (All Wards)

Recommendation

1. That City Council endorse the modified Channel 12 Advertising and Promotion Campaign outlined in Report SIC-05-14-CM dated February 8, 2005 including six 30-second commercials, announcement boards and the monthly interview segment at a revised cost of \$59,400 (excluding GST).
2. That staff pursue the issue of a web-cam and that the Civic Administration Complex or the southeast corner of King Street and Simcoe Street be investigated as potential locations.

6. Oshawa Re-Banding Exercise (SIC-05-16-CM) (All Wards)

Recommendation

That staff develop and issue a comprehensive Terms of Reference for a marketing consultant to complete a re-banding exercise for the City of Oshawa and that staff report back to Council on a preferred consultant, related cost and study process/timeline.

7. Durham Regional Police Service – Project Clean Sweep (SIC-05-22) (Wards 2 & 5)

Recommendation (TABLED – See Page 144)

1. That a letter of support be sent to the Durham Regional Police Services Board acknowledging and congratulating the Durham Regional Police Services on the success of ‘Project Clean Sweep’ in downtown Oshawa;
2. That Mayor Gray and Members of Council request Chief McAlpine to confirm and establish ‘Project Clean Sweep’ on a permanent full-time basis in downtown Oshawa under the supervision of a Working Sergeant and that appropriate staff and financial resources be dedicated to ‘Project Clean Sweep’; and further,
3. That the Chair, Strategic Initiatives Committee be designated, on behalf of City Council, to address the Durham Regional Police Services Board on the ‘Project Clean Sweep’ initiative.

8. Mayor’s Task Force on Policing in Downtown Oshawa (SIC-05-26) (Wards 2 & 5)

Recommendation (TABLED – See Page 144)

That a Mayor’s Task Force be struck with representatives of the Downtown Action Committee, the Downtown Oshawa Board of Management, the Durham Regional Police Community Services, Downtown Community Residents, City of Oshawa By-law Enforcement staff, the Mayor and Downtown Ward Councillors to proactively and routinely review policing in Downtown Oshawa.

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Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,
(332) “That Council adopt the Thirty-fifth Report of the Strategic Initiatives Committee except Items 1, 3, 4, 5, 6, 7 and 8.” CARRIED

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,
(333) “That Council adopt Item 1 of the Thirty-fifth Report of the Strategic Initiatives Committee.” CARRIED

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,
(334) “That Council adopt Item 3 of the Thirty-fifth Report of the Strategic Initiatives Committee.” CARRIED

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,
(335) “That Council adopt Item 4 of the Thirty-fifth Report of the Strategic Initiatives Committee.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Clarke, Kolodzie, Lutczyk, Marimpieteri, Neal, B. Nicholson, M. Nicholson, Parkes, Pidwerbecki and Mayor Gray

NEGATIVE – None

Absent – Councillor Cullen

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,
(336) “That Council adopt Item 5 of the Thirty-fifth Report of the Strategic Initiatives Committee.” CARRIED

The motion was divided upon request to vote on Parts 1 and 2 separately.

Part 1 of Item 5 of the Thirty-fifth Report of the Strategic Initiatives Committee CARRIED.

Part 2 of Item 5 of the Thirty-fifth Report of the Strategic Initiatives Committee CARRIED.

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,
(337) “That Council adopt Item 6 of the Thirty-fifth Report of the Strategic Initiatives Committee.” CARRIED

Moved by Councillor B. Nicholson seconded by Councillor Pidwerbecki,
(338) “That Items 7 and 8 of the Thirty-fifth Report of the Strategic Initiatives Committee be tabled to allow for further consultation with Durham Regional Police Services.” CARRIED

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,
(339) “That the rules of procedure be waived to introduce the Thirty-sixth Report of the Strategic Initiatives Committee.” CARRIED ON A 2/3 VOTE OF MEMBERS PRESENT

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The Strategic Initiatives Committee respectfully reports and recommends to City Council its Thirty-sixth Report

1. Aviation World Assembly – Germany (Ward 4)

Recommendation

1. That the City of Oshawa partner with the Canadian Aviation Expo at Aero-Friedrichshafen in Germany and that the Director of Economic Development and Real Estate Services represent the City; and
2. That the cost to cover the trip be taken from the 2005 Economic Development and Real Estate Services budget.

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,

(340) “That Council adopt the Thirty-sixth Report of the Strategic Initiatives Committee.”

CARRIED

There were questions on the Strategic Initiatives Committee.

Moved by Councillor B. Nicholson, seconded by Councillor M. Nicholson,

(341) “That Item 7 of Matters Tabled being an application to amend Zoning By-law 60-94 from National Waste Services, 1157 Thornton Road South, be lifted from the table.” CARRIED

Moved by Councillor B. Nicholson, seconded by Councillor M. Nicholson,

(342) “1. That the application submitted by National Waste Services to amend Zoning By-law No. 60-94 to permit a waste transfer station for non-hazardous industrial, commercial and institutional waste at 1157 Thornton Road South be approved in accordance with the comments contained in the report of the Commissioner of Development Services, dated January 19, 2005, Item No. DS-05-21;

2. That the site plan approval process for the proposed development address the following specific matters to the satisfaction of the Department of Development Services:
 - (a) That the owner enter into a site plan agreement with the City to ensure the development of the site and the construction of services and improvements in accordance with the approved conditions and plans;
 - (b) That the owner deposit with the City monetary security in an amount to be specified in the site plan agreement as satisfactory to the City, to ensure that certain site improvements such as landscaping, curbing and fencing are carried out to the satisfaction of the City in accordance with the approved conditions and plans;
 - (c) That prior to any on-site grading or development and the preparation of a site plan agreement, the owner shall submit for approval completed site, landscape, building elevations, grading, drainage and servicing plans for the project and such plans, as necessary, shall form part of the site plan agreement;

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- (d) That the cost of any relocation, extension, alteration, damage repair or extraordinary maintenance of existing services or the cost of installing new services necessitated by this development shall be the responsibility of the owner and prior to the preparation of the site plan agreement, the owner shall contact the Engineering Services Branch to arrange for the completion of any required work within the road allowance;
- (e) That the owner submit a soils report prepared by a qualified Professional Engineer for foundation design and construction prior to the issuance of a building permit;
- (f) That the owner satisfy all requirements of the Region of Durham Works Department;
- (g) That an illumination plan showing lighting details with full cut-off exterior lighting be prepared to the City's satisfaction;
- (h) That this development comply with the City's policies and by-laws with regard to stormwater management;
- (i) That satisfactory arrangements be made for financing the City's share of servicing, if any, prior to the execution of the site plan agreement;
- (j) That the owner grant to the City free of charge any easements required for servicing and such easements shall be in a location as determined by the City;
- (k) That the owner finalize a curb cut application at its expense with the City prior to the issuance of a building permit; and
- (l) That the owner finalize a Storm Sewer Connection Application with the City prior to the issuance of a building permit and City forces shall install the storm sewer connection at the owner's expense." CARRIED

NOTICES OF MOTION

Councillor Pidwerbecki gave the following notice of motion:

“Whereas the Corporation of the City of Oshawa owns, through its holding company, 100% of the outstanding shares in Oshawa PUC Networks Inc.;

An whereas the Corporation of the City of Oshawa is the payee of a promissory note executed by Oshawa PUC Networks Inc. with a principal amount in excess of 23 million dollars;

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And whereas the Municipal Council of the corporation of the City of Oshawa has expressed an interest in requiring payment of the outstanding principal owing under the promissory note (“monetizing the note”) and a potential recapitalization of Oshawa PUC Networks Inc. together with a resultant one-time special or capital dividend to withdraw excess capital from Oshawa PUC Networks Inc.;

And whereas the citizens of Oshawa, as the owners of the Oshawa PUC Networks Inc. have expressed a desire to have a direct say in the future of Oshawa PUC Networks Inc.;

Now therefore, be it resolved that the Corporation of the City of Oshawa not make any demand for payment of any amount of the principal owing under the promissory note by Oshawa PUC Networks Inc., unless a referendum has first been held wherein at least thirty per cent (30%) of the eligible voters (as defined in the *Municipal Elections Act*, 1996) in the City of Oshawa has taken part in that referendum and more than fifty per cent (50%) of those voters participating have voted in favour of monetizing the note.

NOTICES OF MOTION PREVIOUSLY GIVEN

Councillor Pidwerbecki’s request that the notice of motion concerning a vision for the Harbour area and the creation of an Oshawa Harbour Action Reserve be held until the next regular meeting of Council was granted.

Councillor Lutczyk withdrew his notice of motion concerning Remembrance Day being designated a National Holiday.

Councillor Pidwerbecki’s request that the notice of motion concerning the current ward-based system of electing Regional Councillors be held until the next regular meeting of Council was granted.

Moved by Councillor Kolodzie, seconded by Councillor Clarke,
(343) “That the City of Oshawa adopt an anti-idling by-law and that this by-law should use the same format as the City of Toronto.” REFERRED BY THE FOLLOWING MOTION

Moved by Councillor M. Nicholson, seconded by Councillor Clarke,
(344) “That the motion concerning adoption of an anti-idling by-law be referred to Operational Services Committee.” CARRIED

Moved by Councillor B. Nicholson, seconded by Councillor M. Nicholson,
(345) “That the City update its Hotel Study to reflect the impending changes in the City of Oshawa.” REFERRED BY THE FOLLOWING MOTION

Moved by Councillor M. Nicholson, seconded by Councillor Kolodzie,
(346) “That the motion concerning updating Oshawa’s Hotel Study to reflect the impending changes in the City be referred to Development Services Committee for follow-up.” CARRIED

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MOTIONS

Moved by Councillor Kolodzie, seconded by Councillor Lutczyk,
(347) “That the City of Oshawa proclaim:

March 2005 as ‘Red Cross Month’;

March 2005 as ‘Youth Science Month’; and

May 9 to 15, 2005 as ‘ATV Safety Week’.” CARRIED

Moved by Councillor Kolodzie, seconded by Councillor Clarke,
(348) “That the Certificate submitted of the City Treasurer dated February 28, 2005 concerning Engineer’s Report 04-01, be received for information.” CARRIED

Moved by Councillor B. Nicholson, seconded by Councillor Marimpietri,
“That the rules of procedure be waived to allow the introduction of a motion regarding funding for community-based recreation and infrastructure projects.” LOST ON THE FOLLOWING VOTE (Required a 2/3 vote of members present)

AFFIRMATIVE – Councillors Lutczyk, Marimpietri B. Nicholson, M. Nicholson and Parkes

NEGATIVE – Councillors Clarke, Koldozie, Pidwerbecki and Mayor Gray

Declaration of Interest – Councillor Neal

Absent - Councillor Cullen

Moved by Councillor B. Nicholson, seconded by Councillor Marimpietri,
(349) “That the rules of procedure be waived to introduce a motion concerning the March 2, 2005 City Council meeting.” CARRIED

Moved by Councillor B. Nicholson, seconded by Councillor Marimpietri,
(350) “That Council agree to not ask questions of the delegations or make any statements of their own at the March 2, 2005 public meeting in order to maximize time allocated to delegations.” CARRIED BY THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Clarke, Kolodzie, Lutczyk, Marimpietri, Neal, B. Nicholson, M. Nicholson, Parkes and Mayor Gray

NEGATIVE – Councillor Pidwerbecki

Absent – Councillor Cullen

BY-LAWS

By-laws for three readings

Moved by Councillor M. Nicholson, seconded by Councillor Parkes,
(351) “That By-laws 21-2005 to 25-2005 be read a first and second time.” CARRIED

21-2005 A By-law to enact Official Plan Amendment 108.
(Implements direction of February 7, 2005 through Item 17 of the Forty-ninth Report of the Development Services Committee to designate lands on the south side of Taunton Road East, west of Harmony Road North from low density residential to medium density I residential and Collector Road.) (Wards 6 and 7)

22-2005 A By-law to enact Official Plan Amendment 109.
(Implements direction of February 7, through Item 17 of the Forty-ninth Report of the Development Services Committee to designate lands on the south side of Coldstream Drive, east of Harmony Road North, north of the Harmony Shopping Centre adding a church of up to 2 hectares as a permitted use to existing permitted medium density I and II uses under the Taunton Part II Plan.) (Wards 6 and 7)

23-2005 A By-law to amend Zoning By-law 60-94.
(Implements direction of February 7, 2005 through Item 17 of the Forty-ninth Report of the Development Services Committee to designate lands on the south side of Taunton Road East, west of Harmony Road North from R1-A, SSC-A and SPC-A to R2, R4-A, R6-A h-2.) (Wards 6 and 7)

24-2005 A by-law to amend Zoning By-law 60-94.
(Implements direction of February 7, 2005 through Item 17 of the Forty-ninth Report of the Development Services Committee to designate lands on the south side of Coldstream Drive, east of Harmony Road North, north of the Harmony Shopping Centre from urban reserve to R3-A, R5-B,(8) CIN (4) h-26, restricting the minimum size of any residential lot on Coldstream Drive to 12 metres and restricting the minimum size on any church use to 2 hectares.) (Wards 6 and 7)

25-2005 A By-law to authorize the construction of granular base and asphalt paving with concrete curb and gutter as described in Engineer’s Report 04-01 as local improvements at an estimated cost of \$1,307,000.
(Implements direction of October 25, 2004 through Item 11 of the Thirty-seventh Report of the Development Services Committee for construction on Malan Avenue, McLaughlin Boulevard, Northcliffe Avenue, Park Road, Sandra Street, Westdale Street, Lloyd Street and Monck Street.) (Wards 1, 2, 4 and 5)

Moved by Councillor M. Nicholson, seconded by Councillor Parkes,
(352) “That By-laws 21-2005 to 25-2005 be read a third time and finally passed.” CARRIED

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Moved by Councillor M. Nicholson, seconded by Councillor Neal,
(353) “That the meeting be closed to the public in order to discuss confidential legal, property and personnel matters.” CARRIED

Moved by Councillor M. Nicholson, seconded by Councillor B. Nicholson,
(354) “That the meeting recess.” CARRIED

The meeting recessed at 9:25 p.m. and reconvened at 9:45 p.m. in Boardroom 2B.

All Council members were present for closed meeting discussions except Councillor Cullen. Also present were K. Kitteringham, Deputy City Clerk, K. Bressan, Council Co-ordinator, R. Duignan, City Manager, R. Stockman, Commissioner of Corporate Services/Treasurer, S. Bertoia, Commissioner of Operational Services, M. Bellamy, Deputy Commissioner of Operational Services, T. Goodchild, Commissioner of Development Services, C. Symons-Milroy, Director of Economic Development and Real Estate Services, C. Kelly, Acting Director of Transportation and Parking Services. All members of the public left the meeting.

Council discussed matters during a closed portion of the meeting.

Moved by Councillor M. Nicholson, seconded by Councillor B. Nicholson,
(355) “That Council rise from the closed meeting and report.” CARRIED

CONFIDENTIAL CORRESPONDENCE

Confidential Correspondence Referred

C1. John Cockayne submitting confidential correspondence. (All Wards)
Referred to the Corporate Services Committee
Moved by Councillor Parkes, seconded by Councillor Kolodzie,
(356) “That staff proceed as directed concerning Confidential Correspondence C1 from John Cockayne.” CARRIED

C2. Barbara Nowick submitting confidential correspondence. (Ward 5)
Referred to the Operational Services Committee
Moved by Councillor Parkes, seconded by Councillor Kolodzie,
(357) “That Confidential Correspondence C2 from Barbara Nowick be referred to staff for enforcement.” CARRIED

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Confidential Correspondence for Direction

C31. Royal LePage, Frank Real Estate, Joseph Bosco, Manager, on behalf of Steve Stavro, President of Sevendon Holdings Limited, submitting correspondence concerning a confidential property matter. (Ward 2)

Moved by Councillor B. Nicholson, seconded by Councillor M. Nicholson,

(358) “That Confidential Correspondence C31 from Royal LePage dated February 4, 2005 be referred as discussed.” CARRIED

ADDITIONAL CONFIDENTIAL CORRESPONDENCE

1. Fred Roth submitting correspondence regarding a confidential property matter. (Ward 2)

Moved by Councillor M. Nicholson, seconded by Councillor Lutczyk,

(359) “That Additional Confidential Correspondence Item 1 from Fred Roth dated February 23, 2005 be referred to the City Manager for follow-up.” CARRIED

2. Jim and Colleen Horner requesting assistance concerning a confidential legal matter.(Ward 6)

Moved by Councillor B. Nicholson, seconded by Councillor M. Nicholson,

(360) “That Additional Confidential Correspondence Item 2 from Jim and Colleen Horner be referred to staff for follow-up.” CARRIED

CONFIDENTIAL COMMITTEE REPORTS

Report of the Development Services Committee

The Development Services Committee respectfully reports and recommends to City Council its Fifty-first Report

1. Property Matter (DS-05-54) (Ward 4)

Recommendation

That the Development Services Committee recommend to City Council that Council adopt the recommendation of the Development Services Committee with respect to Confidential Report DS-05-54 dated January 31, 2005, from the Director, Economic Development and Real Estate Services.

2. Confidential Legal Matter (DS-05-68) (Ward 3)

Recommendation

That the Development Services Committee recommend to City Council that Confidential Report DS-05-68 dated February 8, 2005, from the Director, Legal Services be received for information.

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Moved by Councillor Parkes, seconded by Councillor Pidwerbecki,
(361) “That Council adopt the Fifty-first Report of the Development Services Committee.”
CARRIED

Report of the Corporate Services Committee

The Corporate Services Committee respectfully reports and recommends to City Council its Eighteenth Report

1. Property Taxes Outstanding as of December 31, 2004 (CS-05-15) (All Wards)
Recommendation

That Report CS-05-15 dated January 31, 2005, from the Acting Commissioner of Corporate Services/City Treasurer regarding property taxes outstanding as of December 31, 2004, be received for information.

2. Personnel Matter (CS-05-25) (All Wards)

Recommendation

That the Corporate Services Committee recommend to City Council that the recommendation contained in Confidential Report CS-05-25 dated February 15, 2005, from the Acting Commissioner of Corporate Services/City Treasurer be adopted.

3. Report on the Results of a Tax Sale Held February 8, 2005 (CS-05-32) (Wards 4 and 7)

Recommendation

That the Corporate Services Committee recommend to City Council that the recommendation contained in Confidential Report CS-05-32 dated February 10, 2005, from the Acting Commissioner of Corporate Services/City Treasurer be adopted.

4. City Hall Security (CS-05-37) (Ward 2)

Recommendation

That correspondence regarding City Hall security be received for information.

Moved by Councillor Kolodzie, seconded by Councillor B. Nicholson,
(362) “That Council adopt the Eighteenth Report of the Corporate Services Committee except Items 2 and 4.” CARRIED

Moved by Councillor Kolodzie, seconded by Councillor B. Nicholson,
(363) “That Council adopt Item 2 of the Eighteenth Report of the Corporate Services Committee.” CARRIED

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Moved by Councillor Kolodzie, seconded by Councillor B. Nicholson,
(364) “That Council adopt Item 4 of the Eighteenth Report of the Corporate Services Committee.” CARRIED

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,
(365) “That the rules of procedure be waived to introduce the Thirty-seventh Report of the Strategic Initiatives Committee.” CARRIED ON A 2/3 VOTE OF MEMBERS PRESENT

The Strategic Initiatives Committee respectfully reports and recommends to City Council its Thirty-seventh Report

1. Personnel Matter (SIC-05-27-CM) (All Wards)

Recommendation

That the Strategic Initiatives Committee recommend to City Council that the recommendations contained in Confidential Report SIC-05-27-CM dated February 25, 2005, be approved.

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,
(366) “That Council adopt the Thirty-seventh Report of the Strategic Initiatives Committee.” CARRIED ON THE FOLLOWING

AFFIRMATIVE – Councillors Clarke, Lutczyk, Marimpietri, Neal, B. Nicholson, M. Nicholson and Mayor Gray

NEGATIVE – Councillor Kolodzie, Parkes and Pidwerbecki

Absent – Councillor Cullen

Confirming By-law

Moved by Councillor M. Nicholson, seconded by Councillor B. Nicholson,
(367) “That the Confirming by-law be read a first and second time.” CARRIED

26-2005 A By-law to confirm the City Council meeting of February 28, 2005.

Moved by Councillor M. Nicholson, seconded by Councillor B. Nicholson,
(368) “That the Confirming By-law be read a third time and finally passed.” CARRIED

ADJOURNMENT

Moved by Councillor Pidwerbecki, seconded by Councillor Marimpietri,
(369) “That the meeting adjourn.” CARRIED

The meeting adjourned at 11:15 p.m.