



CITY COUNCIL MEETING

**MONDAY, FEBRUARY 5, 2007
COUNCIL CHAMBER
6:30 p.m.**

AGENDA

Notice to Correspondents

The personal information contained in your correspondence to Oshawa City Council or its committees is collected under the *Municipal Act, 2001*. Any personal information you choose to disclose in your correspondence will be used to receive your views on the relevant issue(s) to enable the City to make its decision on the matter. This information will become part of the public record. You may request, in writing, the removal of your personal identity information from correspondence posted on the Internet. It is our policy to publish only the correspondent's name on the Internet.

Questions regarding City Council meetings may be directed to Kim Bressan, Council Meeting Co-ordinator, at 905-436-5636, ext. 2433 or by email to kbressan@oshawa.ca.

WEBSITE: www.oshawa.ca

COUNCIL COMPOSITION

The Council of the City of Oshawa is made up of eleven members - one Mayor, seven Regional Councillors and three City Councillors.

MEMBERS OF COUNCIL

Below are the members of the Council of the City of Oshawa and the Ward they represent:

Mayor John Gray
Regional Councillor April Cullen (Ward Six)
Regional Councillor John Henry (Ward Five)
Regional Councillor Joseph Kolodzie (Ward Four)
Regional Councillor Robert Lutczyk (Ward Two)
Regional Councillor John Neal (Ward Seven)
Regional Councillor Brian Nicholson (Ward One)
Regional Councillor Nester Pidwerbecki (Ward Three)
City Councillor Tito-Dante Marimpietri (Wards Two and Four)
City Councillor Louise Parkes (Wards Five and Six)
City Councillor Maryanne Sholdra (Wards One and Three)

CITY COUNCIL MEETINGS

City Council meetings are held on the following Mondays commencing at 6:30 p.m. and the public is welcome to attend: January 15, February 5 and 26, March 19, April 10 and 30, May 22, June 11, July 3 and 23, September 4 and 24, October 15, November 5 and 26, and December 17, 2007.

City Council will take a 15 minute break at 8:30 p.m. during every regular City Council meeting, or at the next opportunity after 8:30 p.m. upon the completion of the item being discussed at 8:30 p.m.

Members of the public may address Council concerning an item on the agenda, provided they have appeared before the appropriate Standing Committee and are in opposition to the Committee's recommendations, by submitting a written request to the City Clerk before noon on the Thursday preceding the Monday Council meeting. Speakers are generally limited to 5 minutes.

There are four Standing Committees of Council: Development Services Committee, Audit, Budget and Corporate Services Committee, Community Services Committee and the Strategic Initiatives Committee. A calendar of all Standing Committee meeting dates is available on the City of Oshawa website at www.oshawa.ca.

PLEASE NOTE: Cellular phones/pagers must be switched to the non-audible function during this meeting.

SECTION ONE

CITY COUNCIL AGENDA FEBRUARY 5, 2007

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City Council's Closed Meeting is scheduled to begin in the Committee Room, Second Floor, Rundle Tower at 4:00 p.m.

City Council's Public Meeting is scheduled to begin in the Council Chamber at 6:30 p.m.

PUBLIC AGENDA

ADDITIONAL BLESSING

Reverend Alan Nikkel, Ritson Road Alliance Church.

ANNOUNCEMENTS FROM COUNCIL MEMBERS

(As may be presented by Council members)

DECLARATIONS OF PECUNIARY INTEREST

(As may be presented by Council members)

PRESENTATIONS

Oshawa Sports Hall of Fame, Gil Graham, Chair, Board of Governors, to introduce their 2007 inductees.

Certificates of Recognition to be presented to Eastdale Robotics Team No. 1 and staff from the University of Ontario Institute of Technology (U.O.I.T.) and Eastdale Collegiate and Vocational Institute for their participation in the U.O.I.T. Sumobots Challenge on December 3, 2006.

Doug Allingham, Consultant Project Manager, Totten Sims Hubicki Associates to provide a presentation concerning the status of the Highway 407 East Environmental Assessment.

Joanne Burghardt, Editor-in-Chief, Metroland, Durham Region Media Group, to provide a presentation concerning Oshawa's entry in Hockeyville 2007.

DELEGATIONS/DELEGATION REQUESTS

Delegations

None.

Delegation Requests

1. Ian McCullough, Marshall Homes, requesting to address City Council concerning their existing encroachment agreement which provides sales and construction access for their Kingfield Loop subdivision on City lands on the northside of Taunton Road between Ritson and Wilson Roads. (Ward 7)

PUBLIC MEETING

None.

CORRESPONDENCE REQUESTS

1. [Ontario Good Roads Association](#) requesting the City renew their 2007 membership at a cost of \$1,872.14. (All Wards)
2. Town of Ajax, Martha Pettit, Manager of Legislative Services/Deputy Clerk, forwarding [Ajax Council's resolution to the Minister of Municipal Affairs and Housing in support of Bill 172](#), the *Municipal Amendment Act* (Direct Election of Durham Regional Council Chair), 2006; and, requesting Council's endorsement. (All Wards)
3. City of Toronto, Mayor David Miller, forwarding [information concerning the Great Lakes and St. Lawrence Cities Initiative](#) (GLSLCI) and inviting Mayor Gray to become a 2006/07 member of GLSLCI at the cost of \$7,000. (All Wards)

ADDITIONAL AGENDA ITEMS/MOTIONS

(As may be distributed to or introduced by Council members)

PUBLIC CONSENT AGENDA

That all items listed under the heading of Consent Agenda for the February 5, 2007 public meeting be adopted as recommended.

ADOPTION OF MINUTES

That the minutes of the [January 5, 2007](#) City Council meeting be adopted.

CORRESPONDENCE

31. Sandra Kranc, City Clerk, forwarding [certification under the Local Improvement Regulations](#) concerning a petition opposing reconstruction of Grenfell Street from Frontenac Avenue to Elmgrove Avenue, Engineer's Report 06-01, Item 2 certifying that since the assessed value of the property owned by those owners objecting is not more than one-half of the assessed value of the properties that are liable to be specially assessed, and the number of owners objecting is not a majority of the total owners to be specially assessed, this petition **is not sufficiently** signed pursuant to the Local Improvement Regulations, 119/03 (*Municipal Act, 2001*) to prevent the Council from undertaking the work as a local improvement. (Ward 2)
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Recommendation

That the certification of the City Clerk under the Local Improvement Regulations concerning the petition objecting to reconstruction of Grenfell Street from Frontenac Avenue to Elmgrove Avenue, Engineer's Report 06-01, Item 2 be received for information and as the petition **is not sufficiently signed** to prevent the City from proceeding with reconstruction pursuant to the local Improvement Regulations, 119/03, it be received and filed.

32. Livestock Valuer, Wesley Glaspell, submitting [a report and affidavit](#) concerning John Snowden's claim for \$450 for one hereford killed by a coyote (Ward 7)
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Recommendation

That the report of the Livestock Valuer, Wesley Glaspell, concerning John Snowden's claim for \$450 for one hereford killed by a coyote be approved.

Correspondence – Received and Filed

That correspondence listed in Appendix A to the Public Agenda for the February 5, 2007 City Council meeting be received and filed.

COMMITTEE REPORTS

Report of the Development Services Committee

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

1. Application for Site Plan Approval and request to vary the Car Wash Queuing Requirements, 1303-1323 King Street East, Ronwal Investments Inc.
(DS-07-03) (Ward 3)

(See Pages 400 and 1 to 9)

Recommendation

1. That the proposed site design shown on Exhibit 2 to the Commissioner of Development Services' Report DS-07-03, dated January 17, 2007, be approved, in principle, for the purpose of advancing site plan approval for 1303-1323 King Street East.
2. That the proposed self car wash (public garage) at 1303-1323 King Street East be exempt from the size requirements set out in the definition of vehicle waiting space in By-law 100-2000 and Sections 1(b)(iii) and 1(c) of Schedule P to By-law 100-2000, but shall conform to the following:
 - (a) A vehicle waiting space shall be an area not less than 5.6 metres in length and 3.4 metres in width providing an area where a vehicle may be stopped prior to entering the self car wash and the vehicle waiting space shall be located wholly on the site occupied by the self car wash;
 - (b) The owner shall provide at least 3 vehicle waiting spaces at each washing bay for a self car wash; and
 - (c) Only vacuums may be accessed by motor vehicles in a vehicle waiting line.

2. Request to Dedicate a 0.3 metre Reserve, Block 101, Registered Plan 40M-1551, as Public Highway, Renaissance Drive, Durham Homes
(DS-07-15) (Ward 1)

(See Pages 401 and 10 to 14)

Recommendation

That Block 101, Registered Plan 40M-1551, be dedicated as public highway by by-law after Durham Homes pays the City a fixed payment, to the satisfaction of the Commissioner of Development Services, for a street tree and for the construction of a sidewalk stub and ramp in the boulevard north of Block 95, 40M-1551 aligning with the sidewalk which runs northerly along the east side of Charter Crescent.

3. Applications to Amend the Oshawa Official Plan, the Pinecrest Part II Plan, and Zoning By-law 60-94; 767 Taunton Road East, Wellington Capital Corporation
(DS-07-23) (Ward 6)

(See Pages 402 and 15 to 27)

Recommendation

1. That the application submitted by Wellington Capital Corporation to amend the Oshawa Official Plan and the Pinecrest Part II Plan to permit Planned Commercial Strip uses at 767 Taunton Road East be approved.
2. That the proposed amendment to the Oshawa Official Plan and Pinecrest Part II Plan to redesignate 767 Taunton Road East to Planned Commercial Strip, be approved and that the necessary by-law be passed only after Official Plan Amendment 108 comes into effect for 767 Taunton Road East or this site is deleted from OPA 108 whichever occurs first.
3. That the application submitted by Wellington Capital Corporation to amend Zoning By-law 60-94 to permit PSC-A (Planned Strip Commercial) uses at 767 Taunton Road East be approved in accordance with the comments contained in the Commissioner of Development Services' Report DS-07-23 dated January 17, 2007, and that the necessary by-law be passed only after Zoning By-law 23-2005 comes into effect for the subject site or this site is deleted from Zoning By-law 23-2005 whichever occurs first.
4. That the City Solicitor be authorized to bring such motions or consent to such orders of the Ontario Municipal Board as he considers necessary to bring OPA 108 and Zoning By-law 23-2005 into effect at 767 Taunton Road East in a timely manner failing which, the City Solicitor is authorized to request the Ontario Municipal Board to delete 767 Taunton Road East from OPA 108 and Zoning By-law 23-2005.

5. That the site plan approval process for the proposed development address the matters set out in Attachment 3 of the Commissioner of Development Services' Report DS-07-23 dated January 17, 2007, to the satisfaction of the Development Services Department.
 6. That in accordance with Section 34(17) of the Planning Act and notwithstanding that the rezoning proposed in the public meeting report and at the public meeting differs to some degree from that presented in the Commissioner of Development Services' Report DS-07-23 dated January 17, 2007, such differences are not substantial enough to require further notice and another public meeting.
 7. That the Taunton-Harmony Corridor Study Final Report – Recommended Land Use Plan and Urban Design Concept as approved by City Council on January 13, 2003 as amended, be further amended to show the lands municipally known as 767 Taunton Road East as Planned Commercial Strip.
4. Application to Remove Part Lot Control, Blocks 99, 100 and 101, Plan 40M-2307, Livesy Court, Great Gulf Homes (DS-07-19) (Ward 7)

(See Pages 403 and 28 to 29)

Recommendation

Whereas an application has been made to permit the conveyance of individual street townhouses on Blocks 99, 100 and 101, Plan 40M-2307, and to create related maintenance easements; and,

Whereas the street townhouses are permitted by Zoning By-law 60-94 and were approved by Council as part of draft plan of subdivision S-O-2004-04;

Therefore the application for removal of part lot control be approved for Blocks 99, 100 and 101, Plan 40M-2307 on Livesy Court and the necessary by-law be passed.

5. 2006 Building Permit Statistics (DS-07-26) (All Wards)

(See Pages 403 and 30 to 47)

Recommendation

That the Commissioner of Development Services' Report DS-07-26 dated January 17, 2007, regarding the City's 2006 Building Permit Statistics be received for information.

Report of the Audit, Budget and Corporate Services Committee

The Audit, Budget and Corporate Services Committee respectfully reports and recommends to City Council its Sixth Report.

1. Request for a Partnership Grant – UOIT Formula SAE – Student Association of Durham College and UOIT (ABCS-07-38) (All Wards)

(See Page 501 and Pages 51 to 61)

Recommendation

That the 2007 Partnership Grant request from UOIT Formula SAE of \$10,000 as outlined in Report ABCS-07-38 be referred to the 2007 budget for consideration.

2. Accounts for the Month of September 2006 (ABCS-07-22) (All Wards)

(See Page 501 and Pages 104 to 121)

Recommendation

That Report ABCS-07-22, Accounts for the Month of September 2006, be received for information.

3. Accounts for the Month of October 2006 (ABCS-07-23) (All Wards)

(See Page 501 and Pages 122 to 139)

Recommendation

That Report ABCS-07-23, Accounts for the Month of October 2006, be received for information.

4. Accounts for the Month of November 2006 (ABCS-07-24) (All Wards)

(See Pages 501 to 502 and Pages 140 to 157)

Recommendation

That Report ABCS-07-24, Accounts for the Month of November 2006, be received for information.

5. Accounts for the Month of December 2006 (ABCS-07-25) (All Wards)

(See Page 502 and Pages 158 to 181)

Recommendation

That Report ABCS-07-25, Accounts for the Month of December 2006, be received for information.

6. Summary of Contracts Awarded During the Period September 8, 2006 to December 31, 2006 (ABCS-07-30-CM) (All Wards)

(See Page 502 and pages 182 to 189)

Recommendation

That Report ABCS-07-30-CM, 'Summary of Contracts Awarded During the Period September 8, 2006 to December 31, 2006', be received for information.

7. Tangible Capital Asset Reporting (ABCS-07-26) (All Wards)

(See Pages 502 to 503 and Pages 190 to 195)

Recommendation

1. That Report ABCS-07-26, 'Tangible Capital Asset Reporting' be received for information; and,
2. That the addition of a staff member in the Financial Services branch for a minimum period of two years to assist in the implementation of tangible capital asset reporting be referred to the 2007 operating budget.

8. New Proposed User Fees for 2007 (ABCS-07-27) (All Wards)

(See Page 503 and pages 196 to 198)

Recommendation

That Council adopt the new user fees for property tax maintenance services and the initiation of a late payment charge on Accounts Receivable that remain outstanding for more than 30 days as described in Report ABCS-07-27, 'New Proposed User Fees for 2007'.

9. 2007 Durham District School Board By-Election – Reduced Hours of Voting at Special Voting Places (ABCS-07-32) (All Wards)

(See Page 503 and Pages 219 to 221)

Recommendation

That the draft by-law appended as Attachment 1 to Report ABCS-07-32 from the Commissioner of Corporate Services providing for reduced hours of voting at special voting places for the 2007 Durham District School Board Municipal By-election be approved.

10. Oshawa Bingo Country Charities Group Association – Request to Mandate Changes to Matinee and Evening Bingos and to Suspend or Decrease Licence Fees – Follow-up Report (ABCS-07-35) (All Wards)

(See Page 504 and Pages 225 to 235)

Recommendation

1. That Report ABCS-07-35, concerning the Oshawa Bingo Country Charity Group Association's request to mandate changes to matinee and evening bingos and to suspend or decrease licence fees, be received for information;
2. That the OBCCGA's request to temporarily suspend or reduce licence fees and for the City to mandate changes to Monday, Tuesday and Wednesday matinee and evening bingos not be granted;
3. That the Bingo Sponsor Associations and the bingo hall owners continue to self-regulate their business operations; and
4. That a copy of Report ABCS-07-35 be provided to each of the Bingo Sponsor Associations and the two bingo hall owners.

11. Licence Application – General Motors Centre (ABCS-07-45) (Ward 2)

(See Page 505 and Additional Information Page 237)

Recommendation

Whereas Maple Leaf Sports & Entertainment Ltd. is under contract to operate the General Motors Centre, located at 99 Athol St E., Oshawa, on behalf of The Corporation of the City of Oshawa; and

Whereas Maple Leaf Sports & Entertainment Ltd. prepares and sells food from the concessions and the restaurant at the General Motors Centre; and

Whereas the entertainment and food service facilities at the General Motors Centre are considered to be a Public Hall and Food Shop(s) thus requiring a Public Hall Licence and Food Shop Licences as defined in Oshawa Licensing By-law 120-2005; and

Whereas the Municipal Act, 2001, permits Council to exempt any business or person from all or any part of the said By-law; and

Whereas Council considers it appropriate to exempt Maple Leaf Sports & Entertainment Ltd., operating the General Motors Centre on behalf of The Corporation of the City of Oshawa, from the fees associated with the food and public hall licences related to 99 Athol St E.;

Therefore be it resolved that, subject to further resolution of Oshawa City Council, Maple Leafs Sports & Entertainment Ltd., operating the General Motors Centre, at 99 Athol St., E., Oshawa, on behalf of The Corporation of the City of Oshawa, is hereby exempt from the provisions of Schedule "A" of Oshawa Licensing By-law 120-2005, in relation to the fees associated with obtaining a Public Hall Licence and Food Shop Licence(s) for 99 Athol St., E., Oshawa.

12. Joseph Saraco, Corner Pocket Café and Billiards – Request to address Committee concerning proposal to play classical music as an alternative to installing cameras to the exterior of 45 Prince Street (ABCS-07-10) (Ward 5)

(See Pages 505 to 506 and Pages 1 to 2)

Recommendation

That the condition placed on the Food Shop and Billiard Licences for Corner Pocket Café and Billiards concerning the placement of exterior cameras on the facility be deleted as a condition of licensing and replaced with the following conditions:

‘That one of the interior cameras located in Corner Pocket Café and Billiards be repositioned to capture the sidewalk activity in front of 45 Prince Street and that classical music be played on the exterior of the building’.

13. Rev. LynneMarie McCarthy, Executive Director, The Christ Centre – Request to address Committee concerning the removal of the Bible at City Hall (ABCS-07-42) (All Wards)

(See Page 507 and Page 4)

Recommendation

That correspondence dated January 11, 2007 from Rev. LynneMarie McCarthy requesting to address Committee concerning the removal of Bibles at City Hall be received and that the Bibles currently at City Hall continue to be used, when requested, in the swearing of oaths.

14. Request for Sponsorship – Autofest 2007 (ABCS-07-36) (All Wards)

(See Pages 506, 507 to 508 and Pages 6 to 27)

Recommendation

That pre budget approval be granted for a one-time special grant in the amount of \$30,000 for Autofest 2007 and that staff work with Motor City Car Club to report back to Committee after the event with a financial assessment.

15. Request for a Partnership Grant – Oshawa Block Parent Association (ABCS-07-39) (All Wards)

(See Pages 508 to 509 and Pages 62 to 103)

Recommendation

That the 2007 Partnership Grant request from Oshawa Block Parent Association Inc. of \$28,300 as outlined in Report ABCS-07-39 be referred to the 2007 budget for consideration

16. Request for a Partnership Grant – Driftwood Theatre Group (ABCS-07-37) (All Wards)

(See Page 509 and Pages 28 to 50)

Recommendation

That the 2007 Partnership Grant request from The Driftwood Theatre Group of \$5,000 as outlined in Report ABCS-07-37 be referred to the 2007 budget for consideration.

17. Labour/Employment Legal Services (ABCS-07-29) (All Wards)

(See Page 510 and Pages 199 to 202)

Recommendation

That Human Resource Services be authorized to continue the relationship with the legal firm of Hicks Morley, as outlined in Report ABCS-07-29, dated January 10, 2007;

The requirements of the Purchasing By-law be waived and the Manager, Purchasing Services, be authorized to issue a purchase order to Hicks Morley to cover the annual service requirements to an amount not to exceed the annual branch budget allocation of \$55,000; and

The Manager, Purchasing Services, be authorized to renew this arrangement annually for a period of up to three years, provided the level of service remains satisfactory and the rates are competitive.

18. Presumptive Legislation for Ontario's Fire Fighters (ABCS-07-31) (All Wards)

(See Pages 510 to 511 and Pages 203 to 218)

Recommendation

1. That the request by IAFF Local 465, Oshawa Professional Fire Fighters Association, for a resolution calling on the Provincial Government to support Presumptive Legislation for Ontario Fire Fighters be endorsed; and
2. That a copy of Report ABCS-07-31 dated January 22, 2007, be provided to Joe Meringer, President, IAFF Local 465.

19. 2007 Durham District School Board By-Election – Advance Voting Places (ABCS-07-33) (All Wards)

(See Page 511 and Pages 222 to 224)

Recommendation

That the by-law appended as Attachment 1 to Report ABCS-07-33 from the Commissioner of Corporate Services providing for the establishment of advance voting places for the 2007 Durham District School Board Municipal By-election be approved.

Report of the Community Services Committee

The Community Services Committee respectfully reports and recommends to City Council its Sixth Report

1. Paralympics Ontario – Requesting the City of Oshawa be a Host City for the 2007 Regional Games (CS-07-27) (All Wards)

(See Pages 600 and Pages 72 to 79)

Recommendation

That correspondence CS-07-27 received January 16, 2007 from Cathy Vincelli, Executive Director, Paralympics Ontario be received for information.

2. Lakeview Park–Safety Issues Update (CS-07-21) (Ward 1)

(See Page 601 and Pages 80 to 84)

Recommendation

That, based on Report CS-07-21, dated January 12, 2007, titled 'Lakeview Park-Safety Issues Update', from the Commissioner of Community Services that:

1. Speed bumps be installed in the main and beach parking lots of Lakeview Park at an estimated cost of \$20,000 to be included for consideration in the 2007 Capital Budget;
2. Durham Regional Police be requested to continue enhanced enforcement at Lakeview Park during the 2007 outdoor season; and
3. A copy of this report and Council resolution be forwarded to:
 - a) Durham Regional Police Services;
 - b) J. Smith;
 - c) Karen Mayne; and,
 - d) Daniel Buller.

3. Harmony Valley Park Improvements and Designation of an Off Leash Dog Area (CS-07-12) (Ward 6)

(See Page 601 and Pages 95 to 101)

Recommendation

That based on Report CS-07-12, dated January 22, 2007, titled 'Harmony Valley Park Improvements and Designation of an Off-Leash Dog Area', from the Commissioner of Community Services:

1. A 25 acre designated off-leash dog area be approved for implementation as shown in Attachment 1;
2. The designated off-leash dog area be separated from other park uses with fencing and signed as shown in Attachment 2 to clearly identify the boundary of the leash free zone;
3. Park improvements including parking area improvements, entry features, additional signage, site furnishings, structure removals and additional trail improvements at a cost of \$100,000 be considered in the 2007 Capital Budget process;
4. Staff from Parks & Facilities Maintenance Services be authorized to investigate establishing an off-leash dog volunteer association with the mandate to regularly monitor park use and etiquette, provide on-going education and awareness of responsible dog ownership, and assist in funding of future off-leash area improvements; and
5. Staff report back to Committee in the Fall of 2007 with a proposed off-leash volunteer association operating model.

4. Green Streets Canada Grant Application (CS-07-13) (All Wards)

(See Page 602 and Pages 102 to 105)

Recommendation

That based on Report CS-07-13, dated January 18, 2007, titled 'Green Streets Canada Grant Application', from the Commissioner of Community Services:

1. The Green Streets grant application be endorsed;
2. That \$10,000 City funding for the Green Streets Canada program be included for consideration as a potential increase in the Parks and Facilities Branch 2007 Operating Budget; and
3. Subject to the funding being approved in the City's 2007 Budget Process, and the grant approval by the Green Streets Council, that the Mayor and Clerk be authorized to enter into an agreement with the Tree Canada Foundation.

5. City Requirements for Compliance with New Ontario Regulation 555/06 of the Highway Traffic Act Governing Hours of Service(CS-07-16) (All Wards)

(See Page 603 and Pages 139 to 143)

Recommendation

That based on Report CS-07-16, dated January 29, 2007, titled 'City Requirements for Compliance with the New Ontario Regulation 555/06 of the Highway Traffic Act Regarding Hours of Service' from the Commissioner of Community Services:

1. As an interim measure to comply with the new Hours of Service Regulation for the remainder of the 2006/2007 winter season that:
 - a) The City's winter maintenance contract with Miwel be extended to provide 4 additional snow removal units at the current contract rates at an estimated cost of \$110,000;
 - b) The City recall 5 temporary staff and implement a second work shift at an estimated cost of \$50,000;
 - c) That funding for 1a) and b) be obtained from potential savings from the proposed 2007 Public Works winter maintenance operating budget.

2. The City continue to monitor the resources and costs associated with the 2006/2007 winter season to comply with the Hours of Service regulation and refer the remaining resource requirements and costs to the 2007 Budget process as a potential increase.
 3. That an electronic commercial motor vehicle driver tracking system be developed and implemented prior to the 2007/2008 winter season internally by IT to assist with the administration and recording compliance requirements of Regulation 555/06.
6. Auto Workers Community Credit Union Canada Day Sponsorship Agreement (CS-07-17) (All Wards)

(See Pages 604 to and Pages 109 to 111)

Recommendation

That based on Report CS-07-17, dated January 12, 2007, titled 'Auto Workers Community Credit Union Canada Day Sponsorship Agreement', from the Commissioner of Community Services:

1. The Auto Workers Community Credit Union request to extend their role as 'Presenting Sponsor' for the City of Oshawa's Canada Day Celebrations with a financial commitment of \$25,000 in 2008, \$25,000 in 2009 and \$25,000 in 2010, be approved; and
 2. The Mayor and City Clerk be authorized to execute an agreement with the Auto Workers Community Credit Union for the sponsorship of Canada Day in a form as approved by the City Solicitor.
7. Petition opposing the installation of a sidewalk on the north side of Hoskin Avenue, between Windsor Street and Farewell Avenue(CS-07-29) (Ward 3)

(See Pages 604 and 137 to 138)

Recommendation

Whereas staff will not be recommending the installation of a new sidewalk on the south side of Hoskin Avenue in the 2007 Capital Budget; and

Whereas City Council on October 2, 2006 removed this item from the Community Services Committee Outstanding Items Report;

It is therefore recommended that this item be received for information.

8. Frances Scanga – Request to address Committee regarding the Oshawa Bocce Club and improvements made to Radio Park (CS-07-22) (Ward 2)

(See Pages 604 and Pages 1 to 28)

Recommendation

That correspondence CS-07-22 dated January 12, 2007, from Frances Scanga of the Oshawa Bocce Club be received for information.

9. Vivian Sled – Request to address Committee to provide an update from the Oshawa Valley Botanical Gardens on their achievements in 2006 and the objectives for 2007 (CS-07-23) (Ward 4&5)

(See Pages 605 and Pages 29 to 68)

Recommendation

That correspondence CS-07-23 dated January 15, 2007, from Vivian Sled of the Oshawa Valley Botanical Gardens be received for information.

10. Ron Dancey – Request to address Committee to discuss the transition to the new green bin system (CS-07-24) (All Wards)

(See Pages 605 and Pages 69)

Recommendation

That correspondence CS-07-24 dated January 10, 2007 from Ron Dancey be received for information and that staff respond to Mr. Dancey's concerns with respect to his earlier correspondence.

11. Brenda Nichols, Oshawa Soccer Council – Requesting to address Committee regarding the select appointment of field delegation (CS-07-25) (All Wards)
Will Thurber, Oshawa Kicks – Requesting to address Committee regarding the select appointment of field delegation (CS-07-26) (All Wards)

(See Pages 606 and Pages 70 and 71)

Recommendation

That correspondence items CS-07-25 and CS-07-26 be received for information, and that the issue of field allocation be referred to staff for a report concerning field allocation to the next Community Services Committee meeting on February 19, 2007.

12. 2006 Communities in Bloom & WinterLights Programs and Proposed 2007 Programs (CS-07-14) (All Wards)

(See Pages 607 and Pages 85 to 94)

Recommendation

That based on Report CS-07-14, dated January 5, 2007, titled '2006 Communities in Bloom & WinterLights and Proposed 2007 Programs' from the Commissioner of Community Services:

1. In 2007 the City participate in the Friends Category of the National Communities in Bloom program; and
2. That Councillor Sholdra be appointed as the Council representative to serve on the Oshawa Communities in Bloom and WinterLights Committee for a term of 1 year and that Councillor Kolodzie be the alternative member.

13. LCBO Deposit Return Program (CS-07-15) (All Wards)

(See Pages 607 to 608 and Pages 108 to 108)

Recommendation

That Report CS-07-15, dated January 22, 2007, titled 'LCBO Deposit Return Program' from the Commissioner of Community Services be received for information.

14. Response to Oshawa Kicks Soccer Club (OKSC) Requests of December 8, 2006 (CS-07-18) (All Wards)

(See Pages 607 and Pages 112 to 117)

Recommendation

That based on Report CS-07-18, dated January 12, 2007, titled 'Response to Oshawa Kicks Requests of December 8, 2006', from the Commissioner of Community Services:

1. When the City resolves to advance the Outdoor Sport Facility Study and consideration is given to the recommendation therein to cluster facilities at new or redeveloped sites, consideration of the Oshawa Kicks Soccer Club's request for the development of a 20+ field tournament centre be included in the review process;

2. In response to the Oshawa Kicks Soccer Club's request for the City to provide paint for field markings, the City will review this request with the Oshawa Soccer Council for opportunities and options for spray lining all soccer fields and staff will then report back on this matter in the Fall of 2007, for possible implementation in 2008;
3. Staff work with the Oshawa Kicks Soccer Club to provide promotional opportunities on the City's web page, and other promotional opportunities;
4. A fee continue to be charged to the Oshawa Kicks Soccer Club for the use of Lakeview Park for team training camps, and
5. A copy of this report and Council's resolution be provided to Mr. Thurber, President of the Oshawa Kicks Soccer Club.

Report of the Strategic Initiatives Committee

The Strategic Initiatives Committee respectfully reports and recommends to City Council its Third Report

1. Bill Longworth – Appeal any By-law to Change Election by Ward to Election at Large (SIC-07-04) (All Wards)

(See Pages 700 to 701 and Page 1)

Recommendation

That correspondence dated January 18, 2007 from Bill Longworth advising Council of his intentions to appeal any by-law to revert Oshawa Municipal Elections to 'at large vote' to the Ontario Municipal Board; requesting certified copies of all recorded votes pertaining to ward voting at the January 15, 2007 Council meeting including the issues surrounding the upcoming School Board By-Election; requesting notice when the by-law seeking general vote will be presented to Council and requesting to address Council at that meeting; and requesting certified copies of the recorded votes on the by-law, for return to the general vote, when it is presented to Council, be received for information and that staff provide him with certified copies of the requested documentation at no charge.

2. Bill Longworth – Requesting to address Committee (SIC-07-06) (All Wards)

(See Page 701 and Additional Information)

Recommendation

That correspondence dated January 18, 2007 from Bill Longworth requesting to address Committee concerning his previous correspondence dated January 18, 2007 advising that he will appeal any by-law to change election by ward to election at large, be received for information.

3. Bill Longworth – VOTES – New Organization to Preserve Oshawa’s Ward System (SIC-07-08) (All Wards)

(See Page 701 and Additional Information)

Recommendation

That correspondence dated January 20, 2007 from Bill Longworth advising of a new organization that has been formed to preserve Oshawa’s Ward System called VOTES be received for information.

4. Bill Longworth – The Essence of Good Leadership (SIC-07-09) (All Wards)

(See Pages 701 to 702 and Additional information)

Recommendation

That correspondence dated January 20, 2007 from Bill Longworth to the Editor of the Oshawa This Week entitled, ‘The Essence of Good Leadership’, be received for information.

5. Elimination of Trans Fat in Foods (SIC-07-05) (All Wards)

(See Page 702 to 703 and Page 2 and Additional Information)

Recommendation

Whereas the use of trans fat for the preparation and cooking of foods has been in wide use in North America since the early 1970’s in the belief that such usage made for a healthier lifestyle as opposed to the continuing use of saturated fats; and,

Whereas medical science, since the early 1990’s, has repeatedly warned that the use of trans fats were, in fact, worse than the use of saturated fats, from a health perspective; and,

Whereas the use of trans fats results in the raising of bad cholesterol and the lowering of good cholesterol in the body; and,

Whereas trans fat usage is responsible for tens of thousands of fatal heart attacks each year in North America; and,

Whereas alternatives to the use of trans fats and saturated fats are known to exist, in plentiful supply, such as canola oil and soybean oil.

Be it therefore resolved that the City of Oshawa, in the strongest possible terms, urge the Federal Minister of Health to legislate the use of trans fats out of food preparation within Canada; and,

Be it therefore resolved that the use of trans fats be banned in the preparation of foods in the quickest possible time frame but not later than January 1st, 2009; and,

Be it further resolved that endorsement of this motion also be sought from each Provincial and Territorial municipal association, the Federation of Canadian Municipalities and the Minister of Health in each Province and Territory.

6. Keith Miller – Ward vote vs. General Vote (SIC-07-07) (All Wards)

(See Page 703 and Additional Information)

Recommendation

That correspondence dated January 19, 2007 from Keith Miller requesting that the issue of ward versus general vote be reviewed again before changing to a general vote to make sure that the 'correct' system is in place, be received for information.

7. Public Meeting to adopt the By-law to implement a General Vote (SIC-07-10) (All Wards)

(See Page 703)

Recommendation

That a public meeting of Council be held to hear the public on the issue of adopting the by-law to implement a general vote.

REPORTS OF THE COMMITTEE OF THE WHOLE

1. B. Duignan, City Manager, submitting [Report CM-07-01](#) concerning the Indexing of City of Oshawa Development Charge By-law 84-2004 (All Wards)

(See Pages 800 to 806)

Recommendation

That staff be directed to consult with the Building Industry Liaison Team (BILT) regarding a potential amendment to City of Oshawa Development Charge By-law 84-2004 to change the indexing of City development charges from annual to semi-annual indexing and report back.

2. R. Stockman, Commissioner of Corporate Services, submitting [Report CM-07-03](#) concerning 2007 Pre-Budget Approval (All Wards)

(See Pages 807 to 813)

Recommendation

That Council grant pre-budget approval for the following projects as outlined in Report CM-07-03:

- Asphalt Overlay – Project 1848-1 and 1848-2 - \$2.17 million
- Kilmaurs Avenue – Project 2814-1 - \$321,000
- Colborne Street East – Project 289-2 - \$215,000
- HVAC at Fire Hall 3 – Project 1464-1 - \$90,000

3. S. Kranc, City Clerk, submitting [Report CM-07-04](#) concerning City-Wide Elections – Clarification of Council Direction (All Wards)

(See Pages 814 to 828)

Recommendation

That City Council provide direction with respect to Report CM-07-04 from the City Clerk concerning clarification of the Council resolution regarding City-wide elections and method of communicating/advertising for the public meeting to be held.

4. B. Duignan, City Manager, submitting [Report CM-07-06](#) concerning the Annual Report to Citizens - *Inside Oshawa* (All Wards)

(See Pages 829 to 831)

Recommendation

That staff be authorized on an annual basis to produce for Council approval the *Inside Oshawa* publication generally in the format set out in Section 5.1 of Report CM-07-06 dated January 29, 2007 for distribution in the most affordable and cost effective manner.

5. B. Duignan, City Manager, submitting [Report CM-07-07](#) concerning the Corporate Communications and Marketing Strategy (All Wards)

(See Pages 832 to 847)

Recommendation

That the Corporate Communications and Marketing Strategy as set out in Attachment 1 to Report CM-07-07, dated January 29, 2007 be endorsed.

6. B. Duignan, City Manager, submitting [Report CM-07-08](#) concerning the General Motors Centre Community Suite and Bowl Ticket Allocation Policy (All Wards)

(See Pages 848 to 855)

Recommendation

1. That the General Motors Centre Community Suite and Bowl Ticket Allocation Policy and application form as outlined in Attachments 1 and 2 respectively to Report CM-07-08 dated January 29, 2007 be approved; and,

2. That Maple Leaf Sports and Entertainment begin the charitable organization application process effective immediately.

7. B. Duignan, City Manager, submitting [Report CM-07-09](#) concerning a Corporate Advertising Policy Update (All Wards)

(See Pages 856 to 886)

Recommendation

That the Corporate Advertising Policy set out in Attachment 3 to Report CM-07-09 dated January 29, 2007 be approved.

8. B. Duignan, City Manager, submitting [Report CM-07-10](#) concerning a Status Update on Facility and Event Sponsorship and Advertising Programs (All Wards)

(See Pages 887 to 890)

Recommendation

1. That Report CM-07-10 dated January 29, 2007 be received for information;
 2. That the City Manager provide an annual status report on the Facility and Event Sponsorship, and Advertising Programs in January of each year.
9. B. Duignan, City Manager, submitting [Report CM-07-02](#) concerning a Branding Update (All Wards)

(See Pages 891 to 895)

Recommendation

1. That clothing for Local 250 workers be changed and funded in accordance with Report CM-07-02 from the City Manager, dated January 31, 2007;
2. That Council provide direction on the advancement of any of the initiatives set out in Attachment 2 to Report CM-07-02 from the City Manager, dated January 31, 2007; and
3. That, subject to the direction in Recommendation 2 above, Council refer the cost of any new initiatives to the 2007 budget.

CONSENT MOTIONS

That the City of Oshawa proclaim:

February 19 to 25, 2007 as '[Heritage Week](#)' in the City of Oshawa;

March 20, 2007 as 'Stephen Colbert Day'; and,

April 16 to 20, 2007 as '[Kiwanis Music and Theatre Festival Week](#)'.

BY-LAWS

That By-laws 5-2007 to 7-2007 be approved.

[5-2007](#) A By-law to dedicate and establish certain highways for public use.
(Implements direction of July 21, 2003 through Item 10 of the Seventeenth Report of the Development Services Committee to assume Tilbury Street and Cottingham Crescent in Registered Plan 40M-2012 for public use.)
(Ward 1)

[6-2007](#) A By-law for special voting place hours.
(Implements direction of February 5, 2007 through Item 9 of the Sixth Report of the Audit, Budget and Corporate Services Committee to provide for reduced hours of voting in institutions and retirement homes on voting day, April 2, 2007.)
(All Wards)

[7-2007](#) A By-law to provide for early voting opportunities to be held prior to voting day.
(Implements direction of February 5, 2007 through Item 9 of the Sixth Report of the Audit, Budget and Corporate Services Committee to establish the advance vote dates and times for the April 2, 2007 municipal by-election.)
(All Wards)

DISCUSSION AGENDA

MATTERS EXCLUDED FROM CONSENT AGENDA

MATTERS TABLED

1. The motion concerning the Groundwater Sampling and Bioaerosol Study Results Oshawa Skeet & Gun Club/Composting Facility at the southeast corner of Harmony Road and Coates Road. (October 14, 2003)
2. Part 1 of Item 5 of the Thirty-first Report of the Operational Services Committee – stayed pending completion of the North Oshawa Park Master Plan. (October 4, 2004)
3. That staff arrange a meeting with Council and the depot consultant to discuss the options for the development of a consolidated depot. (January 26, 2005)
4. Item 7 of the Thirty-fifth Report of the Strategic Initiatives Committee concerning Durham Regional Police Service – Project Clean Sweep (SIC-05-22) – tabled to allow for further consultation with Durham Regional Police Services. (February 28, 2005)
5. Parts (c) and (d) of Council Resolution 1125 concerning requests to the Ministry of the Environment with respect to Courtice Auto Wreckers Limited's Harmony Road compost site. (October 5, 2005, 8:00 p.m. meeting)

NOTICES OF MOTION

(As may be presented by Council members)

CONFIRMING BY-LAW

A by-law to confirm the City Council meeting of February 5, 2007.

ADJOURN

**APPENDIX A
CITY COUNCIL PUBLIC AGENDA
FEBRUARY 5, 2007**

For your information, the following correspondence received by the City Clerk will be filed following City Council's meeting of February 5, 2007:

1. Township of Brock, George Graham, Clerk-Administrator, forwarding their [letter to the Ministry of the Attorney General](#) requesting the Province assume court security costs currently funded by Durham Regional Police Services (DRPS); and, advising in 2006 DRPS will spend \$5.7 million on securing Durham's six Provincial court house locations and the special transport of prisoners, which funds could be better spent directly servicing regional taxpayers with increased community patrols. (All Wards)
2. Town of Ajax, Martha Pettit, Manager of Legislative Services/Deputy Clerk, forwarding [Ajax Council's resolution](#) endorsing Brock Council's resolution concerning court security funding. (All Wards)
3. Regional Municipality of Durham, P.M. Madill, Regional Clerk, forwarding [Regional Council's resolution](#) listing twelve Regional and two Local Area Council appointments to the Central Lake Ontario Conservation Authority (CLOCA); and, advising Councillor Pearce currently represents the Townships of Scugog and Uxbridge but each of the Townships are entitled to one member; and, further advising Regional Council amended the current representation formula and endorsed one additional CLOCA member from both the Municipality of Clarington and the Town of Whitby. (All Wards)
(Oshawa Council is represented on CLOCA by Mayor Gray, Councillors Cullen, Neal and Nicholson.)
4. Regional Municipality of Durham, P.M. Madill, Regional Clerk, [forwarding a certified copy of By-law 75-2005](#) being a by-law to requisition, on an interim basis, from the area municipalities before the adoption of the 2007 Regional estimates, a sum equal to fifty percent for the taxes collected for Regional purposes made by the Regional Council against the area municipalities for all property classes in the year 2006. (All Wards)
5. Ministry of Municipal Affairs and Housing, Diane Ploss, Municipal Advisor, [advising they received no appeals](#) during the appeal period concerning the Notice of Decision of December 29, 2006 to approve By-law 138-2006 to adopt a Community Improvement Plan for the Downtown Shoulder Area Renaissance Community Improvement Area. (All Wards)

6. Conservation Authorities Moraine Coalition (CAMC), Wayne Wilson, Chair, and CAO, Nottawasaga Valley Conservation Authority, [forwarding a brochure](#) detailing their 2006 accomplishments, and thanking all partners for their contributions to CAMC's work to protect and enhance the Oak Ridges Moraine.
(All Wards)
7. Regional Municipality of Durham, P.M. Madill, Regional Clerk, [forwarding their Quarterly Report on Planning Activities](#) from October 1, 2006 to December 31, 2006.
(All Wards)
8. Regional Municipality of Durham, P.M. Madill, Regional Clerk, [advising Oshawa Council's resolution in support of Ajax Council's resolution](#), requesting the Government of Ontario require the method of selecting the Chair of the Regional Municipality of Durham be changed to election by general vote, was received for information by Regional Council.
(All Wards)