Minutes of a meeting of the Council of the City of Oshawa held in the Committee Meeting Room on February 2, 2009 at 3:30 p.m.

Mayor Gray, and Councillors Henry, Kolodzie, Lutczyk, Marimpietri (entered at 6:30 p.m.), Neal, Nicholson, Parkes, Pidwerbecki and Sholdra (left at 6:30 p.m.) were present. Councillor Cullen was absent.

Mayor Gray presided.

DECLARATIONS OF PECUNIARY INTEREST

Councillor Henry made a declaration of pecuniary interest concerning Item 8 of the Fourth Report of the Development Services Committee as Shoppers Drug Mart is mentioned and his wife is a franchise-owner of a Shoppers Drug Mart and did not participate in discussion or voting on the item.

(See Pages 23 and 46)

PRESENTATIONS

None.

DELEGATIONS/DELEGATION REQUESTS

Delegations

None.

Delegation Requests

None.

CONFIDENTIAL CORRESPONDENCE REQUESTS

None.

ADDITIONAL AGENDA ITEMS/MOTIONS

None.
CONSENT AGENDA

Moved by Councillor Pidwerbecki, seconded by Councillor Henry, (31) “That all items listed under the heading of Consent Agenda for the February 2, 2009 closed meeting be adopted as recommended except Item 1 of the Fifth Report of the Development Services Committee.” CARRIED

CONFIDENTIAL COMMITTEE REPORTS

Report of the Development Services Committee

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

1. **Update on the Acquisition of Property (DS-08-498) (Ward 1)**

   Recommendation (AMENDED – See Page 19)

   That no action be taken regarding the acquisition of property as outlined in Report DS-08-498 dated November 26, 2008 from the Commissioner, Development Services.

2. **Potential Disposition of a Portion of Valleyview Park to Habitat for Humanity (adjacent to Arena Street) (FA-09-02) (Ward 2)**

   Recommendation (CARRIED – See Page 17)

   1. That pursuant to Report DS-09-02 dated January 14, 2009 from the Commissioner, Development Services, staff be authorized to meet with Habitat for Humanity to identify its aspirations for a second new build project in Oshawa and to subsequently provide a recommendation to Council on the merits and costs associated with providing one of Oshawa’s surplus sites to Habitat for Humanity for a second Oshawa Project; and,

   2. That staff be authorized to meet with representatives of Sunrise Seniors and Parkview Place to discuss possible interest in surplus lands for a new senior’s residence; and,

   3. That the northern portion of Valleyview Park be declared surplus to Municipal requirements as set out in Report DS-09-02 dated January 14, 2009.
Report of the Finance and Administration Committee

The Finance and Administration Committee respectfully Reports and recommends to City Council its Fourth Report.

1. Taxicab Application – Craig Donnelly (FA-09-01) (All Wards)

Recommendation (CARRIED – See Page 17)

That staff be authorized to issue a six (6) month temporary taxicab licence to Craig Donnelly subject to complying with all terms and conditions of Taxicab By-law 50-2003 and the requirements as directed.

2. Accounts Receivable Status Report (FA-09-03) (All Wards)

Recommendation (CARRIED – See Page 17)


3. Property Taxes Outstanding as of December 31, 2008 with Balances Greater than $25,000 (FA-09-16) (All Wards)

Recommendation (CARRIED – See Page 17)

That Report FA-09-16, ‘Property Taxes Outstanding as of December 31, 2008 with Balances Greater than $25,000’ dated January 15, 2009 from the Commissioner, Corporate Services be received for information.

DISCUSSION AGENDA

MATTERS EXCLUDED FROM CONSENT AGENDA

Moved by Councillor Nicholson, seconded by Councillor Sholdra, (32) “That pursuant to Section 239 of the Municipal Act Council go into closed session to discuss a potential acquisition of property.” CARRIED

All Council members were present for closed meeting discussions except Councillors Marimpietri and Cullen. Also present were S. Kranc, City Clerk, B. Duignan, City Manager, T. Hodgins, Commissioner, Development Services, R. Stockman, Commissioner, Corporate Services, D. Potts, City Solicitor, R. Foster, Auditor General, C. Brown, Director, Finance Services, P. Runcini, Director, Facility Management Services, C. Symons-Milroy, Director, Economic Development, and M. Pringle, Committee Coordinator. All members of the public left the meeting.
Closed meeting discussions were held.

Moved by Councillor Parkes, seconded by Councillor Nicholson, 
(33) "That Council rise from the closed meeting and report." CARRIED

Closed Meeting Summary Report

The following is a summary of a closed portion of the meeting:

Closed meeting discussions took place concerning the acquisition of property referred to in Item 1 of the Fifth Report of the Development Services Committee.

This concludes the Closed Meeting Summary Report.

Moved by Councillor Pidwerbecki, seconded by Councillor Henry, 
(34) “That Council adopt Item 1 of the Fifth Report of the Development Services Committee.” CARRIED AS AMENDED BY LATER VOTE

Moved by Councillor Nicholson, seconded by Councillor Parkes, 
(35) "That Item 1 of the Fifth Report of the Development Services Committee be amended by adding the words 'at this time' following the words ‘action be taken’." CARRIED

Item 1 of the Fifth Report of the Development Services Committee CARRIED AS AMENDED.

Moved by Councillor Neal, seconded by Councillor Henry, 
(36) “That the meeting recess.” CARRIED

The meeting recessed at 3:38 p.m. and reconvened at 6:30 p.m. in the Arts Resource Centre, 2nd Floor Auditorium. All Council members were present except Councillors Cullen and Sholdra.

PUBLIC AGENDA

ANNOUNCEMENTS FROM COUNCIL MEMBERS

Councillor Marimpietri announced his wife had a baby girl last Tuesday, January 27, 2009 and thanked everyone for their good wishes. Councillor Marimpietri congratulated the community and the Optimist Club for their generous distributions of food and toys over the holidays to community members who are disadvantaged, adding that Jim Shaw, Optimist Member, has been a champion of this cause for many years.
Councillor Parkes announced Oshawa won the bid to host the 2010 Ontario Senior Games in August 2010, adding that 1,500 senior athletes ages 55 years and older are predicted to spend up to a million dollars in the City during the games. Councillor Parkes gave special thanks to the staff team involved in submitting the bid, the Bocce Club gold medal winners, and especially Frances Scanga who alerted the City to the opportunity, adding it will be an excellent time to showcase our facilities in partnership with UOIT and Durham College.

Councillor Pidwerbecki advised he attended the Ontario Public Works Association (OPWA) Annual Conference Awards Luncheon where the Region of Durham received an award in the Environmental Category (greater than $10M) for the Courtice Water Pollution Control Plant; and, an award in the Technical Innovation Category for the development of a computer-based application to improve benchmarking data collection; and, the Bruce Brunton Appreciation Award for their participation in National Public Works Week; additionally, Oshawa’s Corporate Services Commissioner, Stan Bertoia, received a Merit Award for his significant service on OPWA boards and committees over the last 15 years.

Councillor Nicholson congratulated Oshawa This Week reporter Jillian Follert for receiving two awards at the Suburban Newspapers of America Editorial Awards, both in the Best Feature Series.

Mayor Gray advised the Olympic Torch Run through Oshawa is scheduled on December 16, 2009 and will be an evening event and, to stimulate enthusiasm for the Olympic Torch Run, everyone in Oshawa is asked to ‘make noise’ by shouting, singing, honking a car horn or some other form of noise at 6:00 p.m. on February 12, 2009.

DECLARATIONS OF PECUNIARY INTEREST

None. (See Pages 16, 23 and 46)

PRESENTATIONS

Oshawa Sports Hall of Fame, Dan Walerowich, Chair, Board of Governors, introduced their 2009 inductees: Jim Hinkson, Player/Builder – Lacrosse; Ryan Hughes, Player – Golf; Gordon Myles (deceased), Player – Hockey; Andrew Stewart, Player – Baseball; and, Fred Whalley, Builder/Multi-Sport.

The presentation by Dr. Neil Alexander, President, Organization of CANDU Industries (OCI), and Kevin Lennon, Trillium Corporate Communications Inc., concerning the nuclear industry was cancelled and will be rescheduled.
DELEGATIONS/DELEGATION REQUESTS

Delegations

None.

Delegation Requests

1. Cyndie Sproul, Chair, on behalf of the Municipal Services Sub-Committee for the Oshawa Accessibility Advisory Committee, requesting to address City Council to provide additional information concerning Item 13 of the Second Report of the Community Services Committee related to snow removal. (All Wards)

Moved by Councillor Pidwerbecki, seconded by Councillor Henry, (37) “That Cyndie Sproul be heard.” CARRIED ON A 2/3 VOTE OF MEMBERS PRESENT

Cyndie Sproul, Chair, Oshawa Accessibility Advisory Committee (OAAC), addressed City Council concerning Item 13 of the Second Report of the Community Services Committee related to the winter maintenance program, and listed eight recommendations: (1) all sectors must be required to clear windrows, sidewalks, links and islands where applicable, (2) increase fines for non-compliance, (3) incorporate the policy for the Snow Removal Program for seniors and people with disabilities into a by-law, (4) clarify the time limit within which snow must be cleared as the policy and by-law conflict, (5) direct staff to pro-actively enforce snow removal, not just by complaint, (6) revisit the definition of working day with a view to Sunday being a working day for snow removal, (7) extend the windrow removal time past 11:00 p.m., and, (8) improve education by advising citizens of the number/email to call regarding problem areas. Cyndie Sproul requested the OAAC be included in all future staff, Committee and Council meetings concerning snow removal.

Council members questioned Cyndie Sproul.

1. J. (Shamus) Spillane, Black Moon Entertainment, requesting to address City Council in opposition to Item 4 of the Third Report of the Finance and Administration Committee concerning a request for exemption from the Licensing By-law for an Adult Entertainment Show at Le Skratch Billiard Bar and Grill. (Ward 2)

Moved by Councillor Marimpietri, seconded by Councillor Pidwerbecki, (38) “That Shamus Spillane be heard.” CARRIED

Shamus Spillane addressed City Council in opposition to Item 4 of the Third Report of the Finance and Administration Committee denying a request for exemption from the Licensing By-law for an Adult Entertainment Show at LeSkratch Billiard Bar and Grill stating what he is trying to bring to LeSkratch is not obscene or offensive but is in promotion of ‘Ladies Night’ where male dancers perform with no nudity below the waist.

Council members questioned Shamus Spillane. (See Page 45)
CORRESPONDENCE REQUESTS

1. Town of Ajax, Blair Labelle, Manager, Legislative Services/Deputy Clerk, requesting support for correspondence from the Friends of the Ajax Pickering Hospital to the Central East LHIN questioning how the detailed contents and implications of their Clinical Services Plan, currently being developed, will be communicated to the public and how the public will provide comments prior to its final adoption. (All Wards)

Moved by Councillor Parkes, seconded by Councillor Kolodzie,
"That Oshawa City Council endorse Correspondence Request 1 from the Town of Ajax requesting support for correspondence from the Friends of the Ajax Pickering Hospital to the Central East LHIN questioning how the detailed contents and implications of their Clinical Services Plan, currently being developed, will be communicated to the public and how the public will provide comments prior to its final adoption." CARRIED

ADDITIONAL AGENDA ITEMS/MOTIONS

1. Joe Dickson, MPP, Ajax-Pickering, Deputy Government Whip, forwarding correspondence from the Minister of Transportation concerning Farmtech Energy Corporation’s proposal to build an ethanol plant near the Oshawa waterfront confirming the Ministry of Transportation has never endorsed the proposed ethanol plant and advising the website www.supportourport.ca is not currently functional; and further advising, the Ministry has not given permission for www.supportourport.ca to use their logo and Ministry staff will continue to monitor the website to ensure their logo does not appear on it. (Ward 1)

Moved by Councillor Parkes, seconded by Councillor Nicholson,
"That Additional Correspondence Item 1 from Joe Dickson, MPP, Ajax-Pickering, be referred to the Political Strategy Team and the Commissioner, Development Services.” CARRIED

2. Rosemary McConkey requesting to address City Council in opposition to Item 13 of the Fourth Report of the Development Services Committee concerning the potential Hamlet of Columbus Heritage Conservation District Study. (Ward 7)

Moved by Councillor Neal, seconded by Councillor Marimpietri,
“That Rosemary McConkey be heard.” LOST (2/3 vote required)

Moved by Councillor Henry, seconded by Councillor Marimpietri,
"That Additional Correspondence Item 2 from Rosemary McConkey concerning the potential Hamlet of Columbus Heritage Conservation District Study be referred to Item 11 of the Second Report of the Community Services Committee.” CARRIED (See Page 42)
3. Town of Whitby, Margaret Clayton, Chair, LACAC Heritage Whitby, and Christy Chrus, Planner, requesting the City of Oshawa agree to be included as a ‘proponent/interested party’ in their application to Parks Canada’s National Historic Sites and Monuments Board to have a marker erected at Whitby’s Intrepid Park designating Camp X as a National Historic Site, and requesting a written response by February 20, 2009.” CARRIED

Moved by Councillor Parkes, seconded by Councillor Marimpietri,
(42) “That Additional Correspondence Item 3 from the Town of Whitby requesting the City of Oshawa agree to be included as a ‘proponent/interested party’ in their application to Parks Canada’s National Historic Sites and Monuments Board to have a marker erected at Whitby’s Intrepid Park designating Camp X as a National Historic Site be endorsed.” CARRIED

The Chair of the Finance and Administration Committee, Councillor Nicholson, advised Item 3 of the Third Report of the Finance and Administration Committee had been corrected to include Part 1. (See Page 31)

Councillor Marimpietri made a declaration of pecuniary interest concerning Item 5 of the Third Report of the Finance and Administration Committee, and Item 3 of the Second Report of the Community Services Committee as he has family members that reside in the areas referenced in the reports and did not participate in discussion or voting on the items.

PUBLIC CONSENT AGENDA

Moved by Councillor Pidwerbecki, seconded by Councillor Parkes,
(43) “That all items listed under the heading of Consent Agenda for the February 2, 2009 public meeting agenda be adopted as recommended except:

Items 1, 3, 11 and 15 of the Fourth Report of the Development Services Committee;
Items 6 and 8 of the Third Report of the Finance and Administration Committee;
Items 8, 10, 11, 13 and 14 of the Second Report of the Community Services Committee;
Items 1, 2 and 4 of the Second Report of the Strategic Initiatives Committee; and,
Committee of the Whole Report AG-09-02.” CARRIED

ADOPTION OF MINUTES

That the minutes of the January 12 and 26, 2009 City Council meetings be adopted.
(CARRIED – See Page 23)
CORRESPONDENCE

Correspondence – Received and Filed

That correspondence listed in Appendix A to the Public Agenda for the February 2, 2009 City Council meeting be received and filed.
(CARRIED – See Page 23)

Correspondence

None.

COMMITTEE REPORTS

Report of the Development Services Committee

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

1. 407 East Environmental Assessment Newsletter (DS-09-05) (All Wards)
   Recommendation (CARRIED – See Page 40)
   That Correspondence DS-09-05, a 407 East Environmental Assessment Newsletter be received for information.

2. Blair Labelle, Town of Ajax – Ajax Official Plan Review, Status Update (DS-09-06) (All Wards)
   Recommendation (CARRIED – See Page 23)
   That Correspondence DS-09-06 dated November 26, 2008 from Blair Labelle, Town of Ajax regarding the Ajax Official Plan Review, Status Update be received for information.

3. Notice – Amendments to the Durham Region Official Plan (DS-09-11) (All Wards)
   Recommendation (CARRIED – See Page 40)
   That Correspondence DS-09-11 received December 16, 2008 from the Region of Durham advising of amendments to the Durham Region Official Plan be received for information.

Recommendation (CARRIED – See Page 23)

That Correspondence DS-09-13 dated December 17, 2008 from Blair Labelle, Town of Ajax forwarding comments on the proposed terms of reference for drinking water source protection plans be received for information.


Recommendation (CARRIED – See Page 23)

That Correspondence DS-09-20 dated December 11, 2008 from Nestor Chornobay, Region of Durham forwarding the Region’s comments on the Growth Plan Implementation Study – Phase 5, Final Recommended Growth Scenario and Policy Directions be received for information.

6. Provincial Growth Plan Conformity Extension Request (DS-09-022) (All Wards)

Recommendation (CARRIED – See Page 23)

Whereas the Places to Grow Act, 2005 requires that municipal official plans be amended to implement the provisions of the Growth Plan for the Greater Golden Horseshoe (Growth Plan) by June 16, 2009; and,

Whereas the Region of Durham is undertaking a Growth Plan Conformity exercise which is expected to result in the adoption of an amendment to the Durham Regional Official Plan by June 2009; and,

Whereas the Durham Regional Official Plan Amendment to implement the Growth Plan must receive final approval by the Province and is subject to an appeal process; and,

Whereas the City of Oshawa cannot adopt an amendment to the Oshawa Official Plan to implement both the Growth Plan and the related Durham Regional Official Plan amendment prior to the final approval of the Durham Regional Official Plan Amendment by the Province, or the Ontario Municipal Board, as the case may be;

Therefore be it resolved that:

1. Due to the anticipated timing for completion of the Region’s Growth Plan Conformity exercise and the subsequent approval process, the Council of the City of Oshawa requests the Ministry of Energy and Infrastructure and the Ministry of Municipal Affairs and Housing to grant an extension to the June 16, 2009 deadline for the City to amend the Oshawa Official Plan to
conform with the Growth Plan to an appropriate date following the approval, or resolution of any appeals, of an amendment to the Durham Regional Official Plan that implements the provisions of the Growth Plan.

2. A copy of the Council resolution be forwarded to the Ministry of Energy and Infrastructure and the Ministry of Municipal Affairs and Housing; and

3. A copy of the Council resolution be forwarded to the Region of Durham and the Durham Region area municipalities for information.


Recommendation (CARRIED – See Page 23)

Whereas Wellington Capital Corporation has applied for the following variances:

(a) To permit a projecting sign on the first storey on the west building elevation for Starbucks whereas the sign by-law does not permit a projecting sign on the subject site;

(b) To permit one fascia sign for each tenant on each elevation of the building facing the interior parking area whereas the sign by-law only permits fascia signs that face a street line;

(c) To permit fascia signs on the building that have words with different font sizes and dimensions whereas the sign by-law requires the font and dimensions of all words in a sign message to be identical;

Whereas proposed signage is appropriate for a shopping centre located at the intersection of Simcoe Street North and Conlin Road East and will not conflict with the residential uses to the east;

Therefore, the application for variances to Sign By-law 72-96 submitted by Wellington Capital Corporation (File SV-21/2008) to permit certain fascia signs and a projecting sign at 2069 Simcoe Street North, be approved subject to the design and location of all signage on the building being approved by the Development Services Department.

8. Application for Variance to Sign By-law 72-96, 419 King Street West, Shopper's Drug Mart and H&M at the Oshawa Centre (DS-09-26) (Ward 2)

Recommendation (CARRIED – See Page 23)

Whereas on February 24, 2003 City Council approved a variance to Sign By-law 72-96 to specify that the Oshawa Centre Master Sign Agreement will regulate signs at the Oshawa Centre; and,
Whereas alterations to the southwest portion of the Oshawa Centre have created new building elevations that were not contemplated when the Oshawa Centre Master Sign Agreement was finalized; and,

Whereas Shoppers Drug Mart and H&M have applied for the following variances to permit fascia signs on the west and south building elevations of the Oshawa Centre:

(a) To permit the fascia sign - Shoppers Drug Mart - with different fonts and sizes on both the west and south building elevations whereas the Oshawa Centre Master Sign Agreement and Sign By-law do not permit this signage;

(b) To permit the fascia sign (H&M) on both the west and south building elevations whereas the Oshawa Centre Master Sign Agreement does not permit this signage.

Whereas the proposed fascia signs are considered to be appropriate for two signature tenants of the Oshawa Centre;

Therefore, the application for variances to Sign By-law 72-96 and the Oshawa Centre Master Sign Agreement submitted by Shoppers Drug Mart and H&M (SV-22/2008) to permit fascia signs on the west and south building elevations of the Oshawa Centre at 419 King Street West, be approved.

9. Application for Variance to Sign By-law 72-96 – 480 Fox Street, Oshawa Crossing (DS-09-27) (Ward 2)

Recommendation (CARRIED – See Page 23)

Whereas in November 2007, City Council approved variances to Sign By-law 72-96 to permit a Real Estate Point of Sale sign with a sign area of 17.9 square metres (192 sq. ft.) and a height of 6.1 metres (20 ft.) at 480 Fox Street; and,

Whereas Oshawa Crossings has applied for an additional Real Estate Point of Sale sign with a maximum sign area of 35.7 square metres (384 sq. ft.) and maximum height of 6.1 metres (20 ft.) whereas the sign by-law only permits one Real Estate Point of Sale sign on the lot with a maximum sign area of 6.0 square metres (64.6 sq. ft.) and a maximum height of 4 metres (13.12 ft.); and,

Whereas the proposed sign is considered to be appropriate since it is advertising the leasing of future commercial space in a larger shopping centre on the site and has proximity to Highway 401; and,

Therefore, the application for variances to Sign By-law 72-96 submitted by Oshawa Crossings (File SV-23/08) to permit an additional larger real estate point of sale sign at 480 Fox Street be approved.
   (DS-09-04) (All Wards)

   Recommendation (CARRIED – See Page 23)

   That Report DS-09-04, dated January 14, 2009 from the Commissioner, Development Services be received for information and Mayor Gray be requested to send a letter to Gord Miller, Environmental Commissioner of Ontario, thanking him for his report and his dedication to protecting the environment for the benefit of all Ontarians.


   Recommendation (CARRIED – See Page 40)

   1. That, pursuant to Report DS-09-23, dated January 14, 2009 from the Commissioner, Development Services, the Oshawa Environmental Advisory Committee’s 2008 Annual Report and 2009 Workplan be endorsed; and,

   2. That the Chair and members of the Oshawa Environmental Advisory Committee be thanked for their commitment.

12. Application Fee for an Application to Extend a Temporary Use By-law – 548 Simcoe Street South, R. Maeder (DS-09-31) (Ward 2)

   Recommendation (CARRIED – See Page 23)

   Whereas on June 11, 2006 City Council passed a temporary use by-law (By-law 87-2006) to permit a temporary automobile sales and service establishment for used vehicles at 548 Simcoe Street South until June 11, 2009 provided site plan approval has been obtained from the City; and,

   Whereas Rick Maedar has advised that he will soon be applying for a three year extension to the temporary use by-law; and,

   Whereas there is no specific fee for an application to extend the temporary use by-law; and,

   Whereas the Development Services Department will be recommending a fee for applications to extend a temporary use by-law after an appropriate review is undertaken, including a review of information from other municipalities;

   Therefore, given the timing of Rick Maedar’s application be it resolved that he only be required to pay the cost of the newspaper advertisement for the application to extend the temporary use by-law for a used automobile dealership at 548 Simcoe Street South.
13. Rosemary McConkey – Request to Address Committee Regarding Report DS-09-08, Potential Hamlet of Columbus Heritage Conservation District Study (DS-09-32) (Ward 7)

Recommendation (CARRIED – See Page 23)

That Correspondence DS-09-32 dated January 19, 2009 from Rosemary McConkey requesting to address Committee regarding Report DS-09-08, Potential Hamlet of Columbus Heritage Conservation District Study be received for information.

14. Potential Hamlet of Columbus Heritage Conservation District Study (DS-09-08) (Ward 7)

Recommendation (CARRIED – See Page 23)

1. That Report DS-09-08 dated January 14, 2009 from the Commissioner, Development Services be received for information and that a Heritage Conservation District Study for the Hamlet of Columbus not be advanced by the City; and,

2. That Heritage Oshawa be requested to consult with the residents of the Hamlet of Columbus.

15. Copy of Presentation – School Boundaries by the Kedron Public School Community (DS-09-15)

City Council Referral – Kedron Public School and the Proposed Secondary School Boundaries (DS-09-12) (Ward 7)

Recommendation (CARRIED – See Page 41)

That staff be authorized to forward a letter requesting the Durham District School Board extend the option to attend the unnamed secondary school to new families in the Kedron area on a permanent basis.

16. City Council Referral – Frances Scanga Announcing Intentions to Table Project re: Senior’s Residence for Oshawa (DS-08-478) (All Wards)

Recommendation (CARRIED – See Page 23)

That City Council Referral and Correspondence DS-08-478 dated October 27, 2008 from Frances Scanga stating that she is no longer pursuing the proposed project to construct a senior’s residence in Oshawa be received for information.
17. **Appointment to the Oshawa Accessibility Advisory Committee**  
(DS-08-34)  (All Wards)  

Recommendation  (CARRIED – See Page 23)

1. That Barb Peyton be appointed to the Oshawa Accessibility Advisory Committee for a one-year term; and,

2. That the Oshawa Accessibility Advisory Committee’s terms of reference be amended accordingly.

18. **Meeting Time of the Development Services Committee (DS-09-35)**  (All Wards)  

Recommendation  (CARRIED – See Page 23)

That the start time of future Development Services Committee meetings be changed to 1:30 p.m.

**Report of the Finance and Administration Committee**

The Finance and Administration Committee respectfully Reports and recommends to City Council its Third Report.

1. **Summary of Contracts Awarded During the Period November 1, 2008 to December 31, 2008 (FA-09-06-CM)**  (All Wards)  

Recommendation  (CARRIED – See Page 23)


2. **Proposed User Fee to Mortgage Companies (FA-09-15)**  (All Wards)  

Recommendation  (CARRIED – See Page 23)

That Council implement an annual fee, based on $7 per property, to mortgage companies that remit payment of their customers’ property taxes as outlined in Report FA-09-15, ‘Proposed User Fee to Mortgage Companies’ dated January 15, 2009 from the Commissioner, Corporate Services.
3. Santa’s Parade of Lights Committee – Advising that they are Passing the Administration of the Parade Back to the City of Oshawa (FA-09-12) (All Wards)

Recommendation (CARRIED – See Page 23)

1. That Correspondence FA-09-12 dated December 11, 2008 from the Santa’s Parade of Lights Committee advising they have decided to pass the administration of the parade back to the City of Oshawa be referred to staff for further investigation and consultation with the Santa’s Parade of Lights Committee reporting back to the next Finance and Administration Committee scheduled on February 12, 2009; and,

2. That a letter be sent to the Santa’s Parade of Lights Committee thanking them for their hard work and dedication and requesting that their files, contacts and assets be turned over to the City.

4. J. Spillane, Black Moon Entertainment – Request for Exemption from the Licensing By-law for an Adult Entertainment Show at LeSkratch Billiard Bar and Grill (FA-09-13) (Ward 2)

Recommendation (CARRIED – See Page 23)

That the request contained in Correspondence FA-09-13 dated November 27, 2008 from J. Spillane, Black Moon Entertainment, for a monthly exemption to the Licensing By-law be denied.

5. Pfeiffer v. Oshawa (City); Human Rights Tribunal of Ontario (FA-09-05) (Ward 7)

Recommendation (CARRIED – See Page 23)

That Report FA-09-05 dated December 23, 2008 from the City Solicitor be received for information.

6. OMERS Coverage and Benefits for Staff Serving in the Military (FA-09-04) (All Wards)

Recommendation (CARRIED – See Page 41)

1. That any employee on military reservist leave be reimbursed the ‘employer portion’ of the OMERS contributions if the employee chooses to buy back broken service time while on ‘reservist leave’ as outlined in Report FA-09-04 dated January 15, 2009 from the Commissioner, Corporate Services; and,

2. That further to the above, employees who are on reservist leave be reimbursed their benefit cost in the Public Service Health Care Plan as outlined in Report FA-09-04; and,
3. That the practice of reimbursing the employer portion of OMERS contributions and benefits costs for employees who are on reservist leave be incorporated into the Human Resources Administration Manual Policy; and,

4. That a copy of this report be sent to the Association of Municipalities of Ontario, local area municipalities and the Region of Durham.

7. ‘The Challenge’ Presented by the Greater Oshawa Chamber of Commerce, Request for Sponsorship and/or Participation (FA-09-21) (All Wards)

Recommendation (CARRIED – See Page 23)

1. That Referral FA-09-21 regarding sponsorship and/or participation in ‘The Challenge’ a team building event sponsored by the Greater Oshawa Chamber of Commerce be received for information and;

2. That any members of Council wishing to participate in the team building event do so using their own funds.

8. AMO/FCM Conference (FA-09-24) (All Wards)

Recommendation (LOST – See Page 41)

1. That funding for Members of Council to attend the AMO or FCM Conference be provided on an annual basis from the Corporate Contingency Account; and;

2. That the expenses be tallied and reported in the individual Councillor's expenses.

9. Jennifer Laffier – Request to address Committee Regarding Feral Cats at Lakeview Park (FA-09-09) (Ward 1)

Recommendation (CARRIED – See Page 23)

1. That Correspondence FA-09-09 dated January 15, 2009 from Jennifer Laffier requesting to address Committee regarding the feral cat colony at the lake and recent decisions to have the cats remain on City property be received for information; and,

2. That the previous direction of December 15, 2008 granting an exemption to the appropriate by-laws in order to permit the placement of cat shelters at Lakeview Park until April 30, 2009 and that issues concerning the cat shelters and the feral cats be included in the 2009 review of the Responsible Pet Owners By-law remain in effect.
10. Laura Suchan, Oshawa Community Museum – Request to Address Committee, Cats at Lakeview Park (FA-09-20) (Ward 1)

Recommendation  (CARRIED – See Page 23)

1. That Correspondence FA-09-20 dated January 21, 2009 from Laura Suchan, Executive Director of the Oshawa Community Museums and Archives requesting to address Committee regarding the feral cat colony at Lakeview Park be received for information; and,

2. That the previous direction of December 15, 2008 granting an exemption to the appropriate by-laws in order to permit the placement of cat shelters at Lakeview Park until April 30, 2009 and that issues concerning the cat shelters and the feral cats be included in the 2009 review of the Responsible Pet Owners By-law remain in effect.

Report of the Community Services Committee

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

1. Minutes from the Oshawa Central Council of Neighbourhood Associations and Sport Councils (CS-09-10) (All Wards)

Recommendation  (CARRIED – See Page 23)

That Correspondence CS-09-10, Minutes from the Oshawa Central Council of Neighbourhood Associations and Sport Councils be received for information.

2. Grandview Street Traffic Management Exercise and Request for School Crossing Guard for Grandview Public School (CS-09-04) (Ward 3)

Recommendation  (CARRIED – See Page 23)

1. That based on Report CS-09-04 dated January 8, 2009 that a school crossing guard be provided on Grandview Street South at the signed and marked school crossing at Grandview Public School; and,

2. That the cost of $7,000 for the additional crossing guard be funded from the department’s proposed 2009 Operating Budget; and,

3. That a copy of this report be sent to the principal of Grandview Public School and Grandview Street South Neighbourhood Traffic Management Committee.
3. Proposed Parking Regulation Changes on Woodbine Place (CS-09-05) (Ward 7)

Recommendation (CARRIED – See Page 23)

1. That based on Report CS-09-05 dated January 13, 2009 from the Commissioner, Community Services, Traffic By-law 79-99, as amended, be further amended to prohibit parking, except by permit, on both sides of Woodbine Place from 8:00 a.m. to 5:00 p.m., Monday to Friday inclusive; and,

2. That a copy of this report be sent to the neighbourhood representative.

4. Traffic Control and Through Highway Modifications at Various Locations (CS-09-06) (All Wards)

Recommendation (CARRIED – See Page 23)

1. That based on Report CS-09-06 dated January 6, 2009, Traffic By-law 79-99, as amended, be further amended by incorporating the following intersection traffic controls:

<table>
<thead>
<tr>
<th>WARD</th>
<th>MAIN STREET</th>
<th>STREET PROPOSED FOR CONTROL</th>
<th>PROPOSED CONTROL</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Marland Avenue</td>
<td>Montrave Avenue</td>
<td>Stop</td>
</tr>
<tr>
<td>3</td>
<td>Labrador Drive</td>
<td>Wakefield Crescent</td>
<td>Stop</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(East Leg)</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Labrador Drive</td>
<td>Wakefield Crescent</td>
<td>Stop</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(West Leg)</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Labrador Drive</td>
<td>Eton Street</td>
<td>Stop</td>
</tr>
<tr>
<td>4</td>
<td>Roundelay Drive</td>
<td>Monique Street</td>
<td>Stop</td>
</tr>
<tr>
<td>5</td>
<td>William Street East</td>
<td>Carriage Works Drive</td>
<td>Stop</td>
</tr>
<tr>
<td>7</td>
<td>Quail Run Drive</td>
<td>Eagle Ridge Drive</td>
<td>Stop</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(North Limit)</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Eagle Ridge Drive</td>
<td>Quail Run Drive</td>
<td>Stop</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(South Leg)</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Meadow Street</td>
<td>Manor Drive</td>
<td>Stop</td>
</tr>
<tr>
<td>7</td>
<td>Rockaway Street</td>
<td>Quail Run Drive</td>
<td>Stop</td>
</tr>
</tbody>
</table>
2. That Traffic By-law 79-99, as amended, be further amended to incorporate the following through highway designation as follows:

<table>
<thead>
<tr>
<th>Road</th>
<th>Between</th>
<th>Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearbrook Drive</td>
<td>Coldstream Drive and Greenhill Avenue</td>
<td>Collector</td>
</tr>
</tbody>
</table>

Recommendation (CARRIED – See Page 23)  
That Correspondence CS-08-138, Region of Durham Report 2008-WR-1 regarding a proposal from Doug Anderson on an alternative approach to recycling/waste management be received for information.

6. Doug Anderson – Requesting to Address Committee Regarding a Waste Proposal and Forwarding Background Information (CS-08-139) (All Wards)  
Recommendation (CARRIED – See Page 23)  
That Correspondence CS-08-139 dated November 25, 2008 from Doug Anderson requesting to address Committee regarding an alternative approach to recycling/waste management be received for information.

7. David Briggs, Request to Address Committee, Safety of Intersection at Coldstream and Clearbrook Drives (CS-09-16) (Ward 7)  
Recommendation (CARRIED – See Page 23)  
1. That an all-way stop be implemented at the intersection of Coldstream and Clearbrook Drive; and,

2. That a school crossing guard be provided at the intersection of Coldstream and Clearbrook Drive in the vicinity of St. John Bosco Elementary Catholic School.
8. City Council Referral – Working Members of the Ontario Regiment to be Given City of Oshawa Employee Discount at Recreational Facilities (CS-09-02) (All Wards)

Recommendation (CARRIED – See Page 42)

That City Council Referral CS-09-02 requesting that working members of the Ontario Regiment receive the same rate at our recreational facilities as an employee of the corporation be endorsed.


Recommendation (CARRIED – See Page 23)

That Correspondence CS-09-19 from Dianne Stephen and Andrew Johnson expressing opposition to the burying of hydro services and installation of decorative lighting in the Hamlet of Columbus be received for information.

10. Civic Complex Concept Site Plan (CS-09-11) (Ward 2)

Recommendation (CARRIED – See Page 23)

That based on Report CS-09-11 dated January 14, 2009 from the Commissioner, Community Services, the proposed Civic Concept Site Plan outlined in Attachment 1 be endorsed.

11. Hamlet of Columbus – Burying of Hydro Services (CS-09-15) (Ward 7)

Recommendation (REFERRED – See Page 42)

That Referral CS-09-15 regarding staff investigating the potential of burying hydro services in the Hamlet of Columbus be received for information.

12. Rosemary McConkey – Request to Address Committee Regarding Referral (CS-09-15) from the Development Services Committee Concerning the Burying of Hydro Services in the Hamlet of Columbus (CS-09-18) (Ward 7)

Recommendation (CARRIED – See Page 23)

That Correspondence CS-09-18 dated January 20, 2009 from Rosemary McConkey requesting to address Committee regarding Referral CS-09-15 from the Development Services Committee concerning the burying of hydro services in the Hamlet of Columbus and decorative street lighting be received for information.
13. **Response to Winter Maintenance Program Review – Recommendations 8, 9, 10 and 11 (CS-09-08) (All Wards)**

Recommendation (REFERRED – See Page 43)

1. That the proposed revisions to Winter Operations Quality Standard 2.53 in Attachment 1 to Report CS-09-08 dated January 14, 2009 from the Commissioner, Community Services be approved in order to be consistent with the Snow and Ice Removal By-law 101-79 and take effect for the 2009/2010 winter season.

2. That an exemption to the Sign By-law 72-96 be approved by Council to permit the use of mobile signs on the City’s right-of-way to help inform the public on their responsibilities to clear sidewalks and the impacts of on-street parking on the winter maintenance operation.

3. That a broader public awareness and education campaign be developed advising the public on their responsibilities to clear sidewalks and windrows during the winter months.

14. **Special Collections Pilot Program (CS-09-09) (All Wards)**

Recommendation (LOST AND REPLACED – See Page 43)

Whereas on December 2, 2008, the Community Services Committee tabled Report CS-08-137 in order to consult with the City Clerk; and,

Whereas the 12 item limit was suspended during a 6-month pilot program for the Special Collection Program as per City Council direction of May 12, 2008; and,

Whereas the City Clerk has advised that the conditions of the Special Collection Program in effect prior to the pilot program would remain in effect following the completion of the pilot program provided no amendments to the program were adopted;

Therefore, Report CS-08-137, dated November 26, 2008 from the Commissioner, Community Services, be received for information and the existing 12 item limit for the Special Collection Program be reinstated effective February 2, 2009.
Report of the Strategic Initiatives Committee

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


   Recommendation (CARRIED – See Page 44)

   That Correspondence SIC-09-03 dated January 5, 2009 from Bob Malcolmson reporting on the Physician Recruitment Task Force 2008 year-end unaudited financial statements be received for information and referred to staff for inclusion in the budget submission.


   Recommendation (CARRIED – See Page 44)

   That Correspondence SIC-09-04 dated December 16, 2008 from Jim Freeman, Durham Region Labour Council, requesting that Covanta Energy be excluded from the RFP Process to build and operate the proposed energy-from-waste facility be received for information and referred to the Region of Durham.

3. Canada Border Services Agency – Pival International Inc. – Application for Sufferance Warehouse (SIC-09-05) (All Wards)

   Recommendation (CARRIED – See Page 23)

   That the Mayor send a letter to the Minister, Industry Trade and Technology, forwarding a copy of the letter received from the Canada Border Services dated December 11, 2008, and requesting that the application for sufferance warehouse be reconsidered for Pival International Inc.

4. Oshawa Harbour (SIC-09-07) (All Wards)

   Recommendation (AMENDED – See Page 44)

   That staff be authorized to investigate if the Ministry of Fisheries and Oceans can assist with the environmental situation at the Oshawa Harbour.
5. Submission of Preliminary List of Priority Candidate Projects to Federal and Provincial Governments (SIC-09-08)  

Recommendation  (CARRIED – See Page 23)

1. That a priority list of projects for submission to the Federal and Provincial Governments be considered at the first budget meeting of Council scheduled on February 13, 2009; and,

2. That the Mayor be authorized to immediately forward a letter to the Federal and Provincial Governments setting out a ‘preliminary list’ of priority candidate projects for funding consideration under the Building Canada Fund, Canada Strategic Infrastructure Fund or other available funding programs to stimulate investment in the local and national economy and that copies of the letter be provided to Oshawa’s Members of the Federal and Provincial Parliaments.

COMMITTEE OF THE WHOLE

1. Ron Foster, Auditor General, forwarding Committee of the Whole Report AG-09-02 concerning an Audit of Controls Over Parking Receipts.  (All Wards)

Recommendation  (CARRIED – See Page 45)

That Report AG-09-02, Audit of Controls over Parking Revenues, dated January 27, 2009, be received for information.

MOTIONS

“That the City of Oshawa proclaim:

February 2009 as ‘Black History Month’;

March 2009 as ‘Epilepsy Awareness Month’ and March 26, 2009 as ‘Purple Day for Epilepsy’;

May 3 to 9, 2009 as ‘National Hospice Palliative Care Week 2009’ and the agency’s flag be flown at City Hall during that week; and,

May 17, 2009 as ‘International Day Against Homophobia’ and the Rainbow Flag be flown at City Hall on that day.”  (CARRIED – See Page 23)
BY-LAWS

8-2009  A By-law to dedicate and establish certain lands as public highways.  
(Implements direction of July 21, 2003 through Item 10 of the Seventeenth Report of the Development Services Committee to dedicate and establish Part of Lot 7, Registered Plan 263, designated as Part 1 on Reference Plan 40R-25625 to form part of Bond Street West, Pharma Plus.)  (Ward 4)  
(CARRIED – See Page 23)

9-2009  A By-law to amend Traffic By-law 79-99.  
(Implements direction of February 2, 2009 through Items 3 and 4 of the Second Report of the Community Services Committee to prohibit parking, except by permit, on both sides of Woodbine Place from 8:00 a.m. to 5:00 p.m., Monday to Friday inclusive; and, to incorporate a through highway at Clearbrook Drive between Coldstream Drive and Greenhill Avenue and at Coldstream Drive between Clearbrook Drive and Harmony Road North; and, to add traffic controls at various intersections. (Wards 2, 3, 4, 5 and 7)  
(CARRIED – See Page 23)

DISCUSSION AGENDA

MATTERS EXCLUDED FROM CONSENT AGENDA

Moved by Councillor Parkes, seconded by Councillor Henry, 
(44)  “That Council adopt Item 1 of the Fourth Report of the Development Services Committee.”  CARRIED

Moved by Councillor Parkes, seconded by Councillor Henry, 
(45)  “That Council adopt Item 3 of the Fourth Report of the Development Services Committee.”  CARRIED

Moved by Councillor Parkes, seconded by Councillor Henry, 

AFFIRMATIVE:  Councillors Henry, Kolodzie, Lutczyk, Marimpietri, Neal, Nicholson, Parkes, Pidwerbecki and Mayor Gray

NEGATIVE:  None

Absent:  Councillors Cullen and Sholdra
Moved by Councillor Parkes, seconded by Councillor Henry,
Committee.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE: Councillors Henry, Kolodzie, Lutczyk, Marimpietri, Neal, Parkes,
Pidwerbecki and Mayor Gray

NEGATIVE: Councillor Nicholson

Absent: Councillors Cullen and Sholdra

Moved by Councillor Nicholson, seconded by Councillor Henry,
(48) “That Council adopt Item 6 of the Third Report of the Finance and Administration
Committee.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE: Councillors Henry, Kolodzie, Lutczyk, Marimpietri, Neal, Nicholson,
Parkes, Pidwerbecki and Mayor Gray

NEGATIVE: None

Absent: Councillors Cullen and Sholdra

Moved by Councillor Nicholson, seconded by Councillor Henry,
(49) “That Council adopt Item 8 of the Third Report of the Finance and Administration
Committee.” LOST BY LATER VOTE

Moved by Councillor Henry, seconded by Councillor Nicholson,
“That Part 1 of Item 8 of the Third Report of the Finance and Administration Committee
be amended by replacing the words ‘Corporate Contingency Account’ with the words
‘individual Councillor expense accounts’.” LOST ON THE FOLLOWING VOTE

AFFIRMATIVE: Councillors Henry, Neal, Nicholson and Mayor Gray

NEGATIVE: Councillor Kolodzie, Lutczyk, Marimpietri, Parkes and Pidwerbecki

Absent: Councillors Cullen and Sholdra

Moved by Councillor Kolodzie, seconded by Councillor Lutczyk,
“That Item 8 of the Third Report of the Finance and Administration Committee be
tabled.” LOST
Item 8 of the Third Report of the Finance and Administration Committee LOST ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Lutczyk, Marimpietri, Parkes, Pidwerbecki

NEGATIVE – Councillors Henry, Kolodzie, Neal, Nicholson and Mayor Gray

Absent: Councillors Cullen and Sholdra

Moved by Councillor Kolodzie, seconded by Councillor Marimpietri,
(50) “That Council adopt Item 8 of the Second Report of the Community Services Committee.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE: Councillors Henry, Kolodzie, Lutczyk, Marimpietri, Neal, Nicholson, Parkes, Pidwerbecki and Mayor Gray

NEGATIVE: None

Absent: Councillors Cullen and Sholdra

Moved by Councillor Kolodzie, seconded by Councillor Marimpietri,
(51) “That Council adopt Item 10 of the Second Report of the Community Services Committee.” CARRIED

Moved by Councillor Kolodzie, seconded by Councillor Marimpietri,
(52) “That Council adopt Item 11 of the Second Report of the Community Services Committee.” REFERRED BY LATER MOTION

Moved by Councillor Neal, seconded by Councillor Henry,
“That Item 11 of the Second Report of the Community Services Committee be referred back to staff.” LOST ON THE FOLLOWING VOTE

AFFIRMATIVE: Councillors Henry, Lutczyk, Marimpietri and Neal

NEGATIVE: Councillors Kolodzie, Nicholson, Parkes, Pidwerbecki and Mayor Gray

Absent: Councillors Cullen and Sholdra

Moved by Councillor Pidwerbecki, seconded by Councillor Neal,
(53) “That Item 11 of the Second Report of the Community Services Committee be referred to the 2009 budget discussions.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE: Councillors Henry, Lutczyk, Marimpietri, Neal and Pidwerbecki

NEGATIVE: Councillors Kolodzie, Nicholson, Parkes and Mayor Gray

Absent: Councillors Cullen and Sholdra
Moved by Councillor Kolodzie, seconded by Councillor Marimpietri, (54) “That Council adopt Item 13 of the Second Report of the Community Services Committee.” REFERRED BY THE FOLLOWING MOTION

Moved by Councillor Nicholson, seconded by Councillor Henry, (55) “That Item 13 of the Second Report of the Community Services Committee be referred to a joint meeting of the Finance and Administration and Community Services Committees for a report back to Council.” CARRIED

Moved by Councillor Kolodzie, seconded by Councillor Marimpietri, “That Council adopt Item 14 of the Second Report of the Community Services Committee.” LOST BY LATER VOTE

Moved by Councillor Nicholson, seconded by Councillor Marimpietri, “That Item 14 of the Second Report of the Community Services Committee be referred back to the Community Services Committee for staff to investigate what constitutes a unit of measure under the 12-item limit and investigate other opportunities for the removal of waste.” LOST

Item 14 of the Second Report of the Community Services Committee LOST ON THE FOLLOWING ON THE FOLLOWING VOTE

AFFIRMATIVE: Councillors Henry, Kolodzie, and Mayor Gray

NEGATIVE: Councillors Lutczyk, Marimpietri, Neal, Nicholson, Parkes and Pidwerbecki

Absent: Councillors Cullen and Sholdra

Moved by Councillor Marimpietri, seconded by Councillor Parkes, (56) “That the Special Collection Program offer one free pick-up per year with a 12 item limit and all subsequent pick-ups shall have a 12 item limit and cost $25 per pick-up.” CARRIED BY LATER VOTE

Moved by Councillor Nicholson, seconded by Councillor Neal, “That the motion concerning special collections be amended by deleting the 12 item limit for the annual free pick-up.” LOST ON THE FOLLOWING VOTE

AFFIRMATIVE: Councillors Neal and Nicholson

NEGATIVE: Councillors Henry, Kolodzie, Lutczyk, Marimpietri, Parkes, Pidwerbecki and Mayor Gray

Absent: Councillors Cullen and Sholdra
The main motion concerning the Special Collections Program CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE: Councillors Henry, Kolodzie, Marimpietri, Parkes and Pidwerbecki

NEGATIVE: Councillors Lutczyk, Neal, Nicholson and Mayor Gray

Absent: Councillors Cullen and Sholdra

Moved by Councillor Kolodzie, seconded by Councillor Marimpietri, (57) “That the meeting recess.” CARRIED

The meeting recessed at 8:52 p.m. and reconvened at 9:02 p.m.

Moved by Councillor Marimpietri, seconded by Councillor Lutczyk, (58) “That Council adopt Item 1 of the Second Report of the Strategic Initiatives Committee.” CARRIED

Moved by Councillor Marimpietri, seconded by Councillor Lutczyk, (59) “That Council adopt Item 2 of the Second Report of the Strategic Initiatives Committee.” CARRIED

Moved by Councillor Marimpietri, seconded by Councillor Lutczyk, (60) “That Council adopt Item 4 of the Second Report of the Strategic Initiatives Committee.” CARRIED AS AMENDED BY LATER VOTE

Moved by Councillor Henry, seconded by Councillor Kolodzie, (61) “That Item 4 of the Second Report of the Strategic Initiatives Committee be amended by replacing the words ‘Ministry of Fisheries and Oceans’ with the words ‘Fisheries Act’.” CARRIED BY LATER VOTE

Moved by Councillor Nicholson, seconded by Councillor Pidwerbecki, “That the amendment be amended by adding ‘and report back through the Political Strategy Team’.” LOST ON THE FOLLOWING VOTE

AFFIRMATIVE: Councillors Nicholson, Pidwerbecki and Mayor Gray

NEGATIVE: Councillors Henry, Kolodzie, Lutczyk, Marimpietri, Neal and Parkes

Absent: Councillors Cullen and Sholdra
The amendment concerning Item 4 of the Second Report of the Strategic Initiatives Committee CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE: Councillors Henry, Kolodzie, Lutczyk, Marimpietri, Neal, Nicholson, Parkes, Pidwerbecki and Mayor Gray

NEGATIVE: None

Absent: Councillors Cullen and Sholdra

Item 4 of the Second Report of the Strategic Initiatives Committee CARRIED AS AMENDED.

Moved by Councillor Pidwerbecki, seconded by Councillor Parkes, (62) “That Council adopt Report AG-09-02 from the Auditor General concerning an audit of controls over parking receipts.” CARRIED

Moved by Councillor Parkes, seconded by Councillor Pidwerbecki, “That Item 4 of the Third Report of the Finance and Administration Committee concerning a request for exemption from the Licensing By-law for an adult entertainment show be reconsidered.” LOST ON THE FOLLOWING VOTE (2/3 vote required)

AFFIRMATIVE – Councillors Kolodzie, Marimpietri, Neal, Parkes and Pidwerbecki

NEGATIVE – Councillors Henry, Lutczyk, Nicholson and Mayor Gray

Absent: Councillors Cullen and Sholdra

NOTICES OF MOTION

Councillor Lutczyk provided the following notice of motion:

“Whereas the National Katimavik Program was founded in 1977 by Senator Jacques Herbert who wanted to give young Canadians ages 17 to 21 the opportunity to develop their skills and knowledge while learning more about their country; and,

Whereas many Canadian municipalities have endorsed and participated in Katimavik; and,

Whereas Katimavik covers the cost of transportation, food, lodging and program-related activities;

Be it resolved that Oshawa City Council support the National Katimavik Program and provide valuable volunteer opportunities with the City of Oshawa for 17 to 21 year old young Canadians; and this motion be referred to the Strategic Initiatives Committee.”
Councillor Lutczyk provided the following notice of motion:

“That the Community Services Committee direct staff to undertake a traffic study of Park Road South in the area of Hillside Avenue and that the owner of 506 Park Road South be contacted specifically to discuss the ongoing traffic issues in conjunction with the Region of Durham Works Department; and, this motion be referred to the Community Services Committee.”

Mayor Gray made a declaration of pecuniary interest concerning the Notice of Motion related to a traffic study of Park Road South as his neighbour lives at 506 Park Road South and did not participate in discussion on the item.

Councillor Marimpietri provided the following notice of motion:

“That staff investigate the Region of Durham’s AMO/FCM delegate approval process and make recommendation on that basis by the next Council meeting; and this motion be referred to the Finance and Administration Committee.”

CONFIRMING BY-LAW

Moved by Councillor Pidwerbecki, seconded by Councillor Parkes, (63) “That the Confirming By-law be passed.” CARRIED

10-2009 A By-law to confirm the City Council meeting of February 2, 2009.

ADJOURN

Moved by Councillor Nicholson, seconded by Councillor Neal, (64) “That the meeting adjourn.” CARRIED

The meeting adjourned at 9:25 p.m.
APPENDIX A
CITY COUNCIL MINUTES
February 2, 2009

For your information, the following correspondence received by the City Clerk was filed following City Council’s meeting of February 2, 2009:

1. Durham Hospice, Kirsten Schmidt-Chamberlain, Executive Director, thanking Oshawa Council for the opportunity to raise the profile of Durham Hospice to support the needs of citizens facing advanced illness, death and bereavement, and forwarding information concerning how to get involved with Durham Hospice, and further advising the Oshawa Hospital Foundation is not looking to build a hospice. (All Wards)
   (CARRIED – See Page 23)

2. Minister of State (Sport), The Honourable Gary Lunn, P.C., M.P., congratulating Oshawa on its designation as one of the communities along the route of the 2010 Olympic Torch Relay, and encouraging the City to use this unique opportunity to showcase Oshawa’s culture, creativity and talent. (All Wards)
   (CARRIED – See Page 23)

3. Ministry of Community Safety and Correctional Services, Rick Bartolucci, Minister, thanking Oshawa Council for forwarding its endorsement of Pickering Council’s request for continued funding of the Durham Regional Police Service under the Provincial Anti-Violence Intervention Strategy (PAVIS), and advising PAVIS funding has enabled police services across the province to execute targeted raids on specific gangs and to provide a greater police patrol presence in crime-prone neighbourhoods; and, further, advising the current one-time funded PAVIS contracts expire on March 31, 2009 and future funding would have to be considered during the government’s business planning processes beginning April 1, 2009. (All Wards)
   (CARRIED – See Page 23)

4. Town of Ajax, Blair Labelle, Manager, Legislative Services/Deputy Clerk, forwarding Ajax Council’s endorsement of Oshawa Council’s resolution endorsing the recommendations contained in the Parks and Recreation Ontario Report, ‘Investing in Health and Active Ontarians through Recreation and Parks Infrastructure’. (All Wards)
   (CARRIED – See Page 23)

5. Municipality of Highlands East, Irene Cook, Clerk/CEMC, forwarding Highlands East Council’s endorsement of Oshawa Council’s resolution endorsing the recommendations contained in the Parks and Recreation Ontario Report, ‘Investing in Health and Active Ontarians through Recreation and Parks Infrastructure’. (All Wards)
   (CARRIED – See Page 23)

7. Township of South Frontenac, Gordon Burns, Clerk-Administrator, forwarding correspondence to the Premier of Ontario supporting Oshawa Council’s resolution endorsing the recommendations contained in the Parks and Recreation Ontario Report, ‘Investing in Health and Active Ontarians through Recreation and Parks Infrastructure’. (All Wards) (CARRIED – See Page 23)


10. South Bruce Peninsula, Cherry Wyonch, Deputy Clerk, forwarding South Bruce Peninsula Council’s endorsement of Oshawa Council’s resolution endorsing the recommendations contained in the Parks and Recreation Ontario Report, ‘Investing in Health and Active Ontarians through Recreation and Parks Infrastructure’. (All Wards) (CARRIED – See Page 23)

11. Township of Tiny, Doug Luker, Chief Administrative Officer/Clerk, advising Oshawa Council’s resolution endorsing the recommendations contained in the Parks and Recreation Ontario Report, ‘Investing in Health and Active Ontarians through Recreation and Parks Infrastructure’ was received for information by Tiny Council. (All Wards) (CARRIED – See Page 23)


17. County of Simcoe, Glen Knox, County Clerk, advising Oshawa Council’s resolution endorsing the recommendations contained in the Parks and Recreation Ontario Report, ‘Investing in Health and Active Ontarians through Recreation and Parks Infrastructure’ was received by Simcoe Council. (All Wards) (CARRIED – See Page 23)

19. Municipality of Clarington, Patti Barrie, Municipal Clerk, forwarding Clarington Council’s endorsement to the Canada Border Services Agency (CBSA) of Oshawa Council’s request to the CBSA to make provision for the conditional licensing of Pival International as a sufferance warehouse so that it can grow and maximize its business potential to satisfy the minimum criteria of 8,000 containers per year. (Ward 1) (CARRIED – See Page 23)

20. Township of Uxbridge, Debbie Leroux, Clerk, forwarding Uxbridge Council’s endorsement of Oshawa Council’s request to the Canada Border Services Agency to make provision for the conditional licensing of Pival International as a sufferance warehouse so that it can grow and maximize its business potential to satisfy the minimum criteria of 8,000 containers per year. (Ward 1) (CARRIED – See Page 23)

21. Municipality of Clarington, Patti Barrie, forwarding Clarington Council’s resolution to the Municipal Property Assessment Corporation (MPAC) supporting an appeal of the decision of the Assessment Review Board concerning the interpretation of the term ‘current value’. (All Wards) (CARRIED – See Page 23)