Minutes of a meeting of the Council of the City of Oshawa held in the Council Chamber at 6:30 p.m.

Mayor Henry and Councillors Aker, Bouma, Chapman, Diamond (entered at 7:28 p.m.), England, Marimpietri, Pidwerbecki, Sanders and Wood were present. Councillor Neal was absent.

Mayor Henry presided.

PUBLIC AGENDA

ANNOUNCEMENTS FROM COUNCIL MEMBERS

Councillor Pidwerbecki advised last week he attended the Ukrainian Credit Union's opening of its new building and commended them for being in business in Oshawa for 65 years. Councillor Pidwerbecki invited the community to attend the Fiesta Parade on Father’s Day on June 19, 2011, adding there will be festivities in Memorial Park after the parade. Councillor Pidwerbecki announced on May 25, 2011 The Oshawa Sports Hall of Fame will begin its program at 5:30 p.m. at the General Motors Centre.

Councillor Marimpietri announced Oshawa This Week reporter Jillian Follert received the ‘Community Reporter of the Year Award’ at the Ontario Community Newspaper Awards. Councillor Marimpietri announced the Peony Festival will take place from June 11 to 12, 2011 from 10:00 a.m. to 4:00 p.m. at Oshawa’s Botanical Garden. Councillor Marimpietri announced The Mr. and Mrs. Community Living competition will be hosted at the GM Centre on May 31, 2011 at 6:00 p.m. and advised the proceeds will be donated to make 20 homes accessible for people with disabilities. Councillor Marimpietri reminded the public of the Fiesta Parade on Father’s Day on June 19, 2011 to kick-off Fiesta Week, and the Italian Canadian Heritage Month celebration to be held on June 2, 2011 for the 150th Anniversary of the unification of the Republic of Italy. Councillor Marimpietri announced Open Mike night at The Roi (formerly La Skratch) in conjunction with the Durham Comedy Festival to raise money for Make A Wish Foundation and encouraged interested members of the public to visit www.drcf.ca for more information.

Councillor England announced May 27, 2011 is the 50th Anniversary of Oshawa’s famous horse, Northern Dancer, born at Windfields Farm. Councillor England announced June 12, 2011 is Oshawa’s Pride Parade and invited the public to attend.

Councillor Chapman announced Buffalo Wild Wings has opened its first Canadian establishment in Oshawa and advised their CEO has announced four more locations are to open in Ontario.
Councillor Wood announced on June 4, 2011 there will be many motorcycles travelling from Belleville to downtown Oshawa for a fundraiser for Canadian war veterans. Councillor Wood expressed sympathy for the passing of Ron Guiltinan, who positively impacted thousands of children through 41 years of volunteering in NASC soccer, baseball and hockey.

Councillor Aker announced on May 25, 2011 the City is hosting a second public meeting concerning Oshawa’s waterfront at the Jubilee Pavilion, beginning at 6:30 p.m. with a presentation at 7:00 p.m.

**DECLARATIONS OF PECUNIARY INTEREST**

None.

**PRESENTATIONS**

The Ontario Regiment (RCAC), Sergeant Eric Jenkinson, returning from Afghanistan, presented a stone from Afghanistan and the City’s flag that was flown at Camp Nathan Smith, Kandahar City. Also in attendance were The Ontario Regiment (RCAC) members, Lieutenant-Colonel Paul Brunberg, Commanding Officer and Chief Warrant Officer Derek Munroe, Regimental Sergeant Major.

William Davies, Past President, Ontario Regiment Association introduced the Oshawa United Services Remembrance Committee and advised Council of activities planned for the Festival of Remembrance event to be held October 28, 2011 at the Regent Theatre.

Denyse Morrissey, Director, and Chris Stefik, Program Coordinator, Recreation and Culture Services, provided a presentation advising of community activities planned in celebration of June 2011 as ‘Recreation and Parks Month’.

Moved by Councillor Bouma, seconded by Councillor Chapman, 
(341) “That the City of Oshawa proclaim June 2011 as ‘Recreation and Parks Month’.” CARRIED

Councillor Chapman presented the proclamation for ‘Recreation and Parks Month’.

Dave Fumerton, District Manager, and Sandra Thomas, District Supervisor, York Durham District Office, Ministry of the Environment provided an overview concerning the Ministry’s roles and responsibilities.

Councillor Diamond entered the meeting during the presentation from Ministry of the Environment.

Council members questioned Dave Fumerton and Sandra Thomas.
DELEGATIONS/DELEGATION REQUESTS

Delegations

1. Rosemary McConkey requesting to address Council in opposition to Item 15 of the Tenth Report of the Development Services Committee concerning the City’s position on Provincial Decision and Non-Decision on Amendment 128 to the Durham Regional Official Plan.

Moved by Councillor England, seconded by Councillor Wood, “That Rosemary McConkey be permitted to provide a powerpoint presentation as part of her delegation.” LOST

Rosemary McConkey addressed Council in opposition to Item 15 of the Tenth Report of the Development Services Committee concerning the City’s position on provincial decision and non-decision of ROPA 128. Rosemary McConkey requested City Council pull Item 15 of the Tenth Report of the Development Services Committee to discuss Columbus protecting its designation as a Hamlet, and protecting the two fields south of the Hamlet’s entrance from being designated employment lands. Rosemary McConkey stated the history and activity in the area indicates a potential for artifacts, and spoke in support of land stewardship and protecting Columbus residents’ way of life.

Council members questioned Rosemary McConkey.

Delegation Requests

None.

CORRESPONDENCE REQUESTS

1. Garth Johns, President, Oshawa Senior Citizens Centres (OSCC), forwarding OSSC Board of Directors 2011 nomination of William Allen as Oshawa’s Senior of the Year.

Moved by Councillor Chapman, seconded by Councillor Diamond, (342) “That City Council endorse the Oshawa Senior Citizens Centres Board of Directors 2011 nomination of William Allen as Oshawa’s Senior of the Year.” CARRIED
2. Sandy Brittain, Executive Director, Feed the Need in Durham, requesting to utilize space at City Hall to promote ‘Hunger Awareness Day’ on May 31, 2011 by setting up a booth for food or monetary donations from 11:00 a.m. to 1:00 p.m., by displaying and providing Food Banks Canada material, and by advertising to the community that they can attend at City Hall on May 31, 2011 in order to participate in ‘Hunger Awareness Day’ by donating either food or lunch money.

Moved by Councillor Bouma, seconded by Councillor England, (343) “That the request from Feed the Need in Durham to promote ‘Hunger Awareness Day’ on May 31, 2011 by setting up a booth at City Hall for food or monetary donations from 11:00 a.m. to 1:00 p.m., by displaying and providing Food Banks Canada material, and by advertising to the community that they can attend at City Hall on May 31, 2011 in order to participate in ‘Hunger Awareness Day’ by donating either food or lunch money be granted.” CARRIED

3. Town of Ajax, Martin de Rond, Director, Legislative & Information Services/Town Clerk forwarding Ajax Council’s resolution requesting endorsement of the establishment of a Council Composition Review Committee to address the issue of fair and equitable representation among Durham Region municipalities based on the understanding that Regional Council remain at a maximum of 28 members plus the Regional Chair and the three northern municipalities continue to be represented by two representatives each; and, in order that desired changes are in effect for the 2014 regular elections, the Committee will report its findings to Regional Council no later than December 31, 2011; and, the Region adopt a policy requiring a substantive review of Council representation and composition immediately following the publishing of the comprehensive national census population statistics every ten years, such next review to take place by December 31, 2021.

Moved by Councillor Marimpietri, seconded by Councillor Wood, “That the Town of Ajax be advised the City of Oshawa is not interested in participating in a Council Composition Review Committee to address the issue of fair and equitable representation among Durham Region municipalities.” LOST ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Marimpietri, Sanders and Wood

NEGATIVE – Councillors Aker, Bouma, Chapman, Diamond, England, Pidwerbecki and Mayor Henry

Absent – Councillor Neal
Moved by Councillor Aker, seconded by Councillor Diamond, (344) “That Ajax Council’s resolution requesting Oshawa Council’s endorsement of the establishment of a Council Composition Review Committee to address the issue of fair and equitable representation among Durham Region municipalities be received and filed.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Aker, Bouma, Chapman, Diamond, England, Marimpietri, Pidwerbecki, Sanders, Wood and Mayor Henry

NEGATIVE – None

Absent – Councillor Neal

ADVISORY COMMITTEE REPORTS

Report of Heritage Oshawa

Heritage Oshawa respectfully reports and recommends to City Council its Second Report.

1. Ontario Heritage Trust Regarding Nominations for the 2011 Recognition Programs

Recommendation

That pursuant to Correspondence HTG-11-16 dated March 8, 2011 from the Ontario Heritage Trust regarding the 2011 Recognition Program nominations, the University of Ontario Institute of Technology be nominated for the Community Leadership program award; and,

That Stephen Barr be nominated for the Heritage Community Recognition program award.

Moved by Councillor Pidwerbecki, seconded by Councillor Diamond, (345) “That City Council endorse the recommendations for Ontario Heritage Trust nominations for its 2011 Recognition Program contained in Item 1 of the Second Report of Heritage Oshawa.” CARRIED
Report of Oshawa Environmental Advisory Committee

The Oshawa Environmental Advisory Committee respectfully reports and recommends to City Council its Second Report.

1. Nuclear Related Community Impact (OEAC-11-22)

   Recommendation

   1. That the Oshawa Environmental Advisory Committee 2011 Work Plan be amended to allow investigation into nuclear related community impact; and,

   2. That industry professionals (i.e. UOIT/OPG) be invited to a future Oshawa Environmental Advisory Committee meeting to provide their perspective; and,

   3. That the Oshawa Environmental Advisory Committee be authorized to develop a two to three page primer document to be provided to Council to offer a citizen perspective on this issue.

   Moved by Councillor Diamond, seconded by Councillor Chapman, (346) “That the Oshawa Environmental Advisory Committee be advised of the City’s position determined on January 10, 2011 concerning nuclear power and the Committee be thanked for its ongoing surveillance of environmental issues for the community.” CARRIED

ADDITIONAL AGENDA-RELATED CORRESPONDENCE

1. Peter Traicus submitting his resume for appointment to the Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management) related to Committee of the Whole Report CM-11-18. (REFERRED – See Page 294)

2. Julia Bergsma submitting her application for appointment to the Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management) related to Committee of the Whole Report CM-11-18. (REFERRED – See Page 294)

3. Julia Bergsma submitting her resume for appointment to the Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management) related to Committee of the Whole Report CM-11-18. (REFERRED – See Page 294)

4. Bonnie Groome requesting to address City Council concerning Item 15 of the Tenth Report of the Development Services Committee related to the City’s Position on the Province’s Decision and Non-Decision on Amendment 128 to the Durham Regional Official Plan. (WITHDRAWN - See Page 294)
5. Madeleine Kassinger submitting her resume for appointment to the Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management) related to Committee of the Whole Report CM-11-18. (REFERRED – See Page 294)

6. Dan Carter submitting his resume for appointment to the Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management) related to Committee of the Whole Report CM-11-18. (REFERRED – See Page 294)

7. Paul-André Larose submitting correspondence related to Item 7 of the Joint Report of the Community Services and Development Services Committees concerning the Mary Street North Reconstruction and Neighbourhood Traffic Management Review. (See Page 294)

Moved by Councillor Sanders, seconded by Councillor Marimpietri,
(347) “That Additional Correspondence Items 1, 2, 3, 5 and 6 concerning appointments to the Downtown Oshawa Board of Management be referred to Committee of the Whole Report CM-11-18 for consideration.” CARRIED ON A 2/3 VOTE OF MEMBERS PRESENT

Bonnie Groome withdrew her request to speak.

Moved by Councillor Diamond, seconded by Councillor Aker,
(348) “That Additional Correspondence Item 4 from Bonnie Groome be received for information as the request was withdrawn.” CARRIED

Moved by Councillor Sanders, seconded by Councillor Wood,
(349) “That Additional Correspondence Item 7 from Paul-André Larose be received for information.” CARRIED

Moved by Councillor Aker, seconded by Councillor Pidwerbecki,
(350) “That the Eleventh Report of the Development Services Committee be added to the Council Agenda for the May 24, 2011 public meeting.” CARRIED ON A 2/3 VOTE OF MEMBERS PRESENT

Moved by Councillor Pidwerbecki, seconded by Councillor Sanders,
(351) “That By-law 85-2011 be added to the Consent Agenda to remove the ‘h’-holding designation from the zoning for the Oshawa Clinic buildings lands south of Taunton Road West, west of Keith Ross Drive.” CARRIED ON A 2/3 VOTE OF MEMBERS PRESENT
PUBLIC CONSENT AGENDA

Moved by Councillor Pidwerbecki, seconded by Councillor Sanders, (352) “That all items listed under the heading of Consent Agenda for the May 24, 2011 public meeting be adopted as recommended except:

Item 5 of the Tenth Report of the Development Services Committee;
Item 2 of the Eleventh Report of the Development Services Committee;
Items 5, 10, 12 and 14 of the Ninth Report of the Finance and Administration Committee;
Item 2 of the Seventh Report of the Community Services Committee;
Item 1 of the Fifth Report of the Strategic Initiatives Committee;
Committee of the Whole Reports AG-11-06, CM-11-17 and CM-11-18;
The proclamation for Fiesta Week; and,
By-laws 80-2011 and 81-2011.” CARRIED

ADOPTION OF MINUTES

That the minutes of the May 3, 2011 meeting at 1:10 p.m. (education and training session), the May 3, 2011 regular meeting and the May 10, 2011 special City Council meeting be adopted. (CARRIED – See Page 295)

CORRESPONDENCE

Correspondence – Received and Filed

That correspondence listed in Appendix A to the Public Agenda for the May 24, 2011 City Council meeting be received and filed. (CARRIED – See Page 295)

Correspondence


Recommendation (CARRIED – See Page 295)

That the Mayor and City Clerk be authorized to execute the 9-1-1 Joint Powers Agreement, as amended and contained in the E9-1-1 P.E.R.S. Telephone System, Policy and Procedure Manual attached to Correspondence Item 31 from the Region of Durham on the May 24, 2011 City Council agenda.
32. Oshawa Folk Arts Council, Richard Davidson, Pavilion Chairperson, requesting Fiesta Week 2011 to be held from Sunday, June 19, 2011 to Saturday, June 25, 2011 be declared a community festival and permission be granted to sell alcohol at Memorial Park on Sunday, June 19, 2011 following the Fiesta Parade from 12:00 noon to 8:00 p.m. and at 15 Fiesta Pavilions, as listed.

Recommendation (CARRIED – See Page 295)

That Fiesta Week 2011 to be held from Sunday, June 19, 2011 to Saturday, June 25, 2011 be declared a community festival and the Alcohol and Gaming Commission be advised the City has no objection to the sale of liquor and beer at Memorial Park on Sunday, June 19, 2011 following the Fiesta Parade from 12:00 noon to 8:00 p.m. and at the following pavilions throughout Fiesta Week:

French-Canadian Pavilion, 384 Hillside Avenue;
Budapest Pavilion, 64 Albany Street;
Roma Pavilion, 245 Simcoe Street South;
Lviv Pavilion, 38 Lviv Boulevard;
Dnipro Pavilion, 681 Dnipro Boulevard;
Poznan Pavilion, 219 Olive Avenue;
Schnitzelhaus Pavilion, 389 Dean Avenue;
Odessa Pavilion, 31 Bloor Street East;
Caribbean Nights, 600 Wentworth Street East;
Krakow Pavilion, 1551 Stevenson Road North;
Acropolis Pavilion, 261 Bloor Street East;
Belgrade Pavilion, Fernhill-Nipigon, 144 Fernhill Boulevard;
Oshawa Portuguese Pavilion, 91 Centre Street South;
Greek Pavilion, 570 Marion Avenue; and,
Northern Portugal Pavilion, 40 Albany Street.

Advisory Committee Meeting Minutes

61. Heritage Oshawa

Recommendation (CARRIED – See Page 295)

That the minutes of the Heritage Oshawa meetings of February 24 and March 24, 2011 be received for information.
62. **Airport Advisory Committee**

Recommendation (CARRIED – See Page 295)

That the minutes of the Airport Advisory Committee meeting of April 6, 2011 be received for information.

63. **Oshawa Environmental Advisory Committee**

Recommendation (CARRIED – See Page 295)

That the minutes of the Oshawa Environmental Advisory Committee meeting of April 5, 2011 be received for information.

**STANDING COMMITTEE REPORTS**

**Report of the Development Services Committee**

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

1. **Ministry of Environment – Notice to Proceed with the Oshawa to Bowmanville GO Train Service Expansion Transit Project in Accordance with the Applicable Environmental Assessment Project Report (DS-11-181)**

Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-181 dated March 28, 2011 from the Ministry of Environment providing notice to GO Transit and Metrolinx advising they are permitted to proceed with the Oshawa to Bowmanville GO Train Service Expansion transit project in accordance with the applicable environmental assessment project report, be received for information.

2. **CTC Source Protection Committee – Advising of the Upcoming Preparation of a Source Protection Plan for Drinking Water Threat Activities in the Central Lake Ontario Source Protection Region (DS-11-182)**

Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-182 dated April 15, 2011 from the CTC Source Protection Committee regarding the upcoming preparation of a source protection plan for drinking water threat activities in the CTC Source Protection Region, be received for information.
3. Central Lake Ontario Conservation Authority – Black/Harmony/Farewell Creek Watershed Final Existing Conditions Report, 2011 (DS-11-186)

Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-186 dated April 20, 2011 from the Central Lake Ontario Conservation Authority announcing the first phase of the three-phased planning approach has been completed resulting in the release of the final Existing Conditions Report for the Black/Harmony/Farewell Creek watershed, be received for information.

4. Potential Disposition of Part of Former Keith Ross Court Cul-de-Sac (DS-11-176)

Recommendation (CARRIED – See Page 295)

1. That pursuant to Report DS-11-176 dated May 4, 2011, the part of the Keith Ross Drive road allowance legally described as Part of Lot 15, Concession 3, part of PIN 16293-1127(LT) and shown as Part 15 on Plan 40R-25332 be declared potentially surplus to municipal requirements; and,

2. That staff be directed to advertise the stopping up, closure and disposition of the subject lands in accordance with the provisions of the Municipal Act; and,

3. That in the event no negative comments are received as a result of the advertisement, the subject lands be declared surplus and staff be directed to prepare a by-law for Council’s consideration which would stop up and close that portion of the Keith Ross Drive road allowance.

5. Load Limit Posting for Albert Street Bridge (Bridge No. 000006) over Canadian Pacific Railway Right-of-Way (DS-11-177)

Recommendation (CARRIED – See Page 315)

That pursuant to Report DS-11-177 dated May 4, 2011, a by-law be enacted for a period of five years, expiring on April 5, 2016, to provide for a triple load limit posting of 11 tonnes/20 tonnes/28 tonnes respectively for the Albert Street Bridge.
6. Request from Trent University for the City to Initiate an Amendment to the Oshawa Official Plan to Permit University Uses in the Southeast Quadrant of Thornton Road South and King Street West (DS-11-141)

Recommendation (CARRIED – See Page 295)

That the Development Services Department be authorized to initiate the public process under the Planning Act for Council to consider an amendment to the Oshawa Official Plan which would allow a university as an additional permitted use on lands located in the southeast quadrant of Thornton Road South and King Street West, comprising 31 to 67 Thornton Road South and 739 to 797 King Street West.

7. City of Oshawa Comments on the Final Comprehensive Study Report Prepared by the Canadian Environmental Assessment Agency for the 407 East Transportation Corridor Project (DS-11-184)

Recommendation (CARRIED – See Page 295)

1. That pursuant to Report DS-11-184 dated May 4, 2011, the comments in the City’s previous letter to AECOM and the Ministry of Transportation dated December 13, 2010 in respect to the draft Comprehensive Study Report be endorsed as the City’s comments with respect to the final Comprehensive Study Report on the Highway 407 East Transportation Corridor Project but that any comments on phasing be updated to reflect the current Phase 1 termination at Harmony Road North in Oshawa versus the previous termination at Simcoe Street North; and,

2. That given the May 20, 2011 deadline for comments, staff be authorized to forward a letter and the related resolution of the Development Services Committee to the Canadian Environmental Assessment Agency for its consideration and to provide a subsequent follow-up once Council has considered this matter; and,

3. That a copy of said letter and the related Council resolution be forwarded to the Premier’s Office, Minister Wynne, all Oshawa MP’s and MPP’s, the Region of Durham and all Durham municipalities.

8. Kim Gavine, Oak Ridges Moraine Foundation – Request to Address the Development Services Committee to Present an Overview of the Successes on the Oak Ridges Moraine (DS-11-178)

Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-178 dated March 30, 2011 from Kim Gavine, requesting to address the Development Services Committee regarding the successes on the Oak Ridges Moraine, and her subsequent presentation concerning the matter, be received for information.
9. Jeff Solly, Sobara Development Group – Request to Address the Development Services Committee Regarding the Hamlet of Columbus and Region of Durham Official Plan Amendment 128

Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-179 dated April 7, 2011 from Jeff Solly, Sobara Development Group requesting to address the Development Services Committee regarding the Hamlet of Columbus and Region of Durham Official Plan Amendment 128, and his subsequent delegation concerning the matter, be referred to staff.

10. Dale Jodoin – Proposal to Rename Prince Street Between King Street West and the Parking Garage to 'Monica Cotton' Street

Recommendation (CARRIED – See Page 295)

1. That the request to rename Prince Street between King Street West and the parking garage to 'Monica Cotton' Street not be granted; and,

2. That Correspondence DS-11-180 received April 15, 2011 from Dale Jodoin proposing to rename Prince Street between King Street West and the parking garage to 'Monica Cotton' Street, be received for information.


Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-188 dated May 4, 2011 from Rosemary McConkey requesting to address the Development Services Committee concerning Reports DS-11-172 and DS-11-173, and her subsequent delegation concerning the Durham Region Official Plan Amendment 128 and various matters related to the Hamlet of Columbus, be received for information.

Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-198 from Dianne Stephen requesting to address the Development Services Committee regarding Reports DS-11-172, DS-11-173, DS-11-184 and Correspondence DS-11-179, and her subsequent delegation concerning Durham Region Official Plan Amendment 128, and various matters related to the Hamlet of Columbus, be received for information.

13. Rosemary McConkey – Comments Regarding Correspondence DS-11-179 submitted by the Sobara Development Group With Respect to the Hamlet of Columbus and Region of Durham Official Plan Amendment 128

Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-200 dated May 9, 2011 from Rosemary McConkey submitting comments regarding the request from Jeff Solly, Sobara Development Group to address the Development Services Committee regarding the Hamlet of Columbus, be received for information.

14. Proposed City of Oshawa Urban Design Awards Program

Recommendation (CARRIED – See Page 295)

That pursuant to Report DS-11-156 dated May 4, 2011, the City of Oshawa establish an Urban Design Awards Program as generally set out in said Report, as amended to include the Commissioner, Development Services as one of the jury members, and the annual operating contribution to the Civic Property Development Reserve be increased by $1,300 starting in 2012 to fund this program.
15. City Position on Provincial Decision and Non-Decision on Amendment 128 to the Durham Regional Official Plan (DS-11-172)

Recommendation (CARRIED – See Page 295)

1. That the City support Regional Official Plan Amendment 128 subject to the comments contained in Report DS-11-172 dated May 4, 2011, including the comments contained in Attachment 5; and,

2. That once a decision has been made on the Columbus area in Regional Official Plan Amendment 128, the Development Services Department initiate a public process to update the Development Plan of the Hamlet of Columbus; and,

3. That a copy of Report DS-11-172 dated May 4, 2011 and City Council’s related resolution be forwarded to the Region of Durham, all Durham area municipalities, the Ministry of Municipal Affairs and Housing and Rosemary McConkey.

16. Correspondence from Bond and Mary Development Inc. Regarding 100 Bond Street East (DS-11-190)

Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-190 dated May 3, 2011 from Bond and Mary Developments Inc. requesting to address the Development Services Committee regarding 100 Bond Street East, and the subsequent delegation concerning the matter, be referred to staff.


Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-196 dated May 5, 2011 from Ken Syrett submitting comments in support of the proposed amendments to Zoning By-law 60-94 and the Samac Secondary Plan to permit High Density 1 Residential uses to a maximum height of six storeys on the lands located on Simcoe Street North between the Dundurn property and the north leg of Niagara Drive, be received for information.

Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-183 dated April 30, 2011 from the Cedar Valley Homeowners’ Association submitting comments in support of the proposed amendments to Zoning By-law 60-94 and the Samac Secondary Plan to permit High Density 1 Residential uses to a maximum height of six storeys on the lands located on Simcoe Street North between the Dundurn property and the north leg of Niagara Drive, be received for information.

19. Proposed City-Initiated Amendments to:
   1. Zoning By-law 60-94
   2. Samac Secondary Plan
   3. City of Oshawa Brownfields Renaissance Community Improvement Plan
   4. City of Oshawa Downtown Shoulder Area Renaissance Community Improvement Plan (DS-11-171)

Recommendation (CARRIED – See Page 295)

That the proposed City-initiated amendments to Zoning By-law 60-94, the Samac Secondary Plan, the City of Oshawa Brownfields Renaissance Community Improvement Plan and the City of Oshawa Downtown Shoulder Area Renaissance Community Improvement Plan, as generally set out in Attachment 1 to Report DS-11-171, dated May 4, 2011, be approved.

Report of the Development Services Committee

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

1. Direction of Possible Appeal to the Ontario Municipal Board, Committee of Adjustment Decision on Application A-2011-25, 539 Wilson Road North, Michael Kennedy (DS-11-201)

Recommendation (CARRIED – See Page 295)

1. That Pursuant to Report DS-11-201 dated May 18, 2011, the City Solicitor be authorized to submit an appeal to the Ontario Municipal Board regarding the Committee of Adjustment decision which relates to variances to permit a large accessory building as set out in Application A-2011-25 submitted by Michael Kennedy for 539 Wilson Road North; and,
2. That appropriate City staff be directed to attend any Ontario Municipal Board hearing to advance Council’s position on the Committee of Adjustment decision.

2. Proposed Survey – Consideration of Sidewalk Construction on Central Park Boulevard North From Adelaide Avenue East to Hillcroft Street (West Side) (DS-11-226)

Recommendation (CARRIED - See Page 315)

1. That Council reconsider its decision of February 22, 2011 which directed that the Development Services Committee execute/undertake a survey of residents to determine their position on a possible new sidewalk on the west side of Central Park Boulevard, north of Adelaide Avenue; and,

2. That based on the advice of the Commissioner, Development Services that the costs can be accommodated in the approved 2011 Department Budget, the survey be mailed to residents by staff, as opposed to being executed/undertaken by the Development Services Committee; and,

3. That Tanja Sims be provided a copy of the survey.

Report of the Finance and Administration Committee

The Finance and Administration Committee respectfully reports and recommends to City Council its Ninth Report.

1. David Walden, Canadian Commission for UNESCO – Inviting the City of Oshawa to Host a Freedom of Expression in Broad Strokes exhibition for a minimum of two weeks in 2011/12 and designate a curator for planning, organization and promotion (FA-11-133)

Recommendation (CARRIED – See Page 295)

That Correspondence FA-11-133 dated April 13, 2011 from the Canadian Commission for UNESCO inviting the City of Oshawa to Host a Freedom of Expression in Broad Strokes exhibition for a minimum of two weeks in 2011/12 and designate a curator for planning, organization and promotion, be referred to the Robert McLaughlin Gallery for a response.

2. 2010 Building Permit Statement of Revenue and Expense (FA-11-85)

Recommendation (CARRIED – See Page 295)

3. **2011 Final Tax Billing By-law**  
(CARRIED – See Page 295)

Recommendation

That in accordance with Report FA-11-120 dated May 5, 2011, the Tax Rating By-Law providing for the billing and collection of the 2011 final tax levy for all property tax classes be approved.

4. **The Central Business District Improvement Area – 2011 Tax Levying By-law**  
(CARRIED – See Page 295)

Recommendation

That the Tax Rating By-law and attached schedule (Attachment 1) to be presented at the Council meeting of May 24, 2011 providing for the billing of the Central Business District Improvement Area as described in Report FA-11-121, dated May 5, 2011, be approved.

5. **2011 1st Quarter Members of Council Expenses**  
(CARRIED – See Page 315)

Recommendation


6. **Appointments to Oshawa Accessibility Advisory Committee and Livestock Valuer**  
(CARRIED – See Page 295)

Recommendation

That in accordance with Report FA-11-129 dated May 5, 2011:

a) Christopher Quinn be appointed to the Oshawa Accessibility Advisory Committee for the term May 2011 to November 2011; and,

b) Wesley Glaspell be appointed as Livestock Valuer for the City of Oshawa for the term May 2011 to November 2014.

7. **Refreshment Vehicle Licensing Review – Update**  
(CARRIED – See Page 295)

Recommendation

8. Bob Hooper – Request to sing the National Anthem at a City Council meeting (FA-11-134)

Recommendation (CARRIED – See Page 295)

Notwithstanding Council’s Policy that individuals or groups requesting to sing the National Anthem at a Council meeting must represent an Oshawa based organization or school;

An exception be made to permit Bob Hooper to sing the National Anthem at a future Council meeting, as requested in Correspondence FA-11-134.

9. Municipal Law Enforcement and Licensing Services Statistics (FA-11-104)

Recommendation (CARRIED – See Page 295)


10. Summary of Requests for Waiving of Fees and Financial Assistance (FA-11-130)

Recommendation (PARTS 1 TO 6, 10 TO 12 and 14 TO 16 CARRIED, PARTS 7 TO 9 AND 13 CARRIED AS AMENDED – See Page 315)

That pursuant to Item FA-11-130 dated May 5, 2011, the summary of outstanding requests for Waiving of Fees and Financial Assistance be approved as follows:

1. Participation House Project - $200 for use of kitchen and meeting room at South Oshawa Community Centre;
2. Mothers Against Drunk Driving - $500 for costs associated with use of Oshawa Valley Botanical Garden;
3. F.A.S.T. (Friday Afternoon Sports for Teens) - $500 for use of gym space at Legends for families with home-schooling children;
4. Walk the Block for Brock - $355.09 for use of picnic shelter and Carnival Licence at Lakeview Park for charity walk for Duchenne Muscular Dystrophy;
5. Durham East Chapter – Crohn’s & Colitis Foundation - $500 for monthly meeting space at Civic Recreation Complex;
6. 151 Squadron Royal Canadian Air Cadets - $500 for band practices at Harman Park Arena (3x) and use of Pad 1 at Legends Centre on May 19/2011 for annual inspection parade;
7. Broken Arts Music Festival - $800.12 for use of Memorial Park and all associated costs;
8. North Oshawa Farmers Market - $1,187.16 for meeting space for 6 board meetings at Legends Centre;
9. The Refuge Youth Outreach Center - $516.89 for use of Civic Square/Lakefront West Park for the Durham ¼ Marathon;

10. Durham Region Diabetes Network - $500 for the use of Northview Community Centre for Durham Diabetes Day on November 5, 2011;

11. Oshawa Public Library – $239.76 for the weekly use of Memorial Park for Storytime in the Park from July 5 – August 23, 2011;

12. My Sister's Voice--$500 to cover road closures on June 11, 2011 for Pride Week Parade;

13. Sherry Sutherland – $1,048.68 for the rental of Memorial Park and electricity from June to August for 12 weeks for free Yoga in the Park;

14. Earth Day Canada – $143.75 for room rental at South Oshawa Community Centre for Youth Facilitation Training Session;

15. Chris Garside/UOIT - $500 to help offset the costs of advertising, supplies and food for volunteers at the 4th Annual Science Rendezvous at UOIT on May 7, 2011; and,

16. Oshawa Art Association - $100 for the 43rd Annual Juried Art Exhibition Award from the City of Oshawa presented by Mayor Henry.

12. Request for Waiving of Fees – Durham Region Health Department (FA-11-136)

Recommendation (AMENDED – See Page 316)

That the request for waiving of fees received from the Durham Region Health Department for $500 to hold public flu clinics at the Legends Centre on November 14-19, 2011, be approved as it meets all the established criteria in the Waiving of Fees Policy as outlined in Report FA-11-136 dated May 5, 2011.


Recommendation (CARRIED – See Page 295)

14. **Appointment of Council Members to Boards and Committees** (FA-11-116)

Recommendation (REFERRED AND AMENDED – See Page 317)

1. That one (1) Council Member be appointed to each of the following boards/committees:
   - Heritage Oshawa;
   - Multicultural Council of Oshawa Durham;
   - Oshawa Accessibility Advisory Committee;
   - Oshawa Central Business District Improvement Area Board;
   - Oshawa Environmental Advisory Committee;
   - Oshawa Physician Recruitment Committee;
   - Oshawa Public Library Board;
   - Oshawa Senior Citizens Centres;
   - Parkwood Board;
   - Robert McLaughlin Gallery Board;
   - Safe City Oshawa Partnership;

2. That the Council appointee be a voting member of the board/committee;

3. That the membership term be a one-year renewable term, unless otherwise legislated;

4. That any further requests from boards/committees requesting representation be considered annually when Council appointments are made;

5. That staff be requested to provide information with respect to defining the role of Council representative to boards/committees; and,

6. That Item FA-10-176 from the Oshawa Senior Citizens Centre concerning Council representation on their Board, be removed from the Finance and Administration Committee’s Outstanding Items List and filed.

**Report of the Community Services Committee**

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

1. **Quarterly Report to the Community Services Committee from the Oshawa Central Council of Neighbourhood Associations and Sports Councils** (CS-11-73)

Recommendation (CARRIED – See Page 295)

That Correspondence CS-11-73 dated April 26, 2011, being minutes from the April 6, 2011 meeting of the Oshawa Central Council of Neighbourhood Associations, be received for information.
2. Lou DeVuono – Request to Address the Community Services Committee Concerning Unsubstantiated Statements that the Perfect Pigs Motorcycle Club and Wounded Warriors are Engaged in Nefarious Activities Which are Having a Detrimental Effect on the Heroes Highway Ride and Rally (CS-11-77)

Recommendation (CARRIED – See Page 317)

That Correspondence CS-11-77 received April 26, 2011 from Lou DeVuono requesting to address the Community Services Committee regarding the upcoming Heroes Highway Ride and Rally taking place at the Col. R.S. McLaughlin Armoury in downtown Oshawa on June 4, 2011, and his subsequent delegation concerning the matter, be received for information.


Recommendation (CARRIED – See Page 295)

1. That based on Report CS-11-79 dated May 5, 2011, the proposed Beaver Management Policy (Attachment 1) to the report be approved; and,

2. That staff be authorized to manage beaver activity through inspections, monitoring and implementation of appropriate mitigation measures as outlined in the proposed Beaver Management Policy.

Report of the Strategic Initiatives Committee

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

1. Enhancements to the Mandate of the Strategic Initiatives Committee (SIC-11-19)

Recommendation (AMENDED – See Page 317)

That the following items, being the Council Code of Conduct, Council Charter, public engagement process, Regional matters, governance issues, Physician Recruitment Task Force be recommended to Council to enhance the mandate of the Strategic Initiatives Committee.
Report of the Joint Community Services and Development Services Committees

The Community Services and Development Services Committees respectfully reports and recommends to City Council:

1. Peter Arnott – Request to Address the Joint Committee Concerning the Proposed Design for the Mary Street North Reconstruction Project (DS-11-185)

   Recommendation (CARRIED – See Page 295)

   That Correspondence DS-11-185 dated May 2, 2011 from Peter Arnott requesting to address the Joint Committee concerning the proposed design for the Mary Street North Reconstruction Project, and his subsequent delegation concerning the matter, be received for information.

2. Miriam and David Harris – Request to Address the Joint Committee Concerning the Proposed Design for the Mary Street North Reconstruction Project (DS-11-191)

   Recommendation (CARRIED – See Page 295)

   That Correspondence DS-11-191 dated May 3, 2011 from Miriam Harris requesting to address the Joint Committee concerning the proposed design for the Mary Street North Reconstruction Project, and her subsequent delegation concerning the matter, be received for information.

3. Fred Banavage – Submitting Comments in Support of the Proposed Design for the Mary Street North Reconstruction Project but Expressing Concern Regarding the Sidewalk Design (DS-11-192)

   Recommendation (CARRIED – See Page 295)

   That Correspondence DS-11-192 dated May 4, 2011 from Fred Banavage expressing support for the general design of the Mary Street North Reconstruction Project but expressing concern regarding the sidewalk design, be received for information.

4. Cathy Mather – Request to Address the Joint Committee Concerning the Proposed Design for the Mary Street North Reconstruction Project (DS-11-193)

   Recommendation (CARRIED – See Page 295)

   That Correspondence DS-11-193 dated May 4, 2011 from Cathy Mather requesting to address the Joint Committee concerning the proposed design for the Mary Street North Reconstruction Project, and her subsequent delegation concerning the matter, be received for information.
5. Peter Young – Submitting Comments in Opposition to the Proposed Widening of the Sidewalks Along the Length of His Lot (DS-11-194)

Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-194 dated May 4, 2011 from Peter and Debra Young expressing support for the general design of the Mary Street North Reconstruction Project but expressing concern regarding the proposed widening of the sidewalk on the east side of Mary Street, be received for information.

6. Paul-André Larose – Request to Address the Joint Committee Concerning the Proposed Design for the Mary Street North Reconstruction Project (DS-11-195)

Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-195 dated May 4, 2011 from Paul-André Larose requesting to address the Joint Committee concerning the proposed design for the Mary Street North Reconstruction Project, and his subsequent delegation concerning the matter, be received for information.

7. Paul-André Larose – Submitting Comments Regarding the Twelve Attributes of Bikeway Networks (DS-11-197)

Recommendation (CARRIED – See Page 295)

That Correspondence DS-11-197 dated May 9, 2011 from Paul-André Larose submitting comments regarding the twelve attributes of bikeway networks, be received for information.


Recommendation (CARRIED – See Page 295)

1. That pursuant to Report DS-11-187 dated May 4, 2011, the proposed road design for Mary Street North between Rosedale Avenue and Rossland Road as generally set out in said Report be approved; and,

2. That the complementary pavement markings on Mary Street North, north of Rossland Road and between Rosedale Avenue and Adelaide Avenue, be approved; and,

3. That the projects be implemented within the approved budget; and,
4. That staff be directed to:
   a) Remove the additional parking from the design on the east side of
      Mary Street between Lauder Road and Connaught Street; and,
   b) Implement 1.5 m sidewalks on the east side; and,
   c) Implement sidewalk locations which meet with good engineering
      standards and accessibility criteria, but respecting existing property
      lines as feasible; and,
   d) Identify tree species that are appropriate and acceptable to the City
      arborist and protect existing vegetation as feasible during
      construction.

**COMMITTEE OF THE WHOLE REPORTS**

1. Ron Foster, Auditor General submitting Report AG-11-06 concerning the Audit of
   Internal Controls over Parking Receipts

   Recommendation (CARRIED – See Page 318)

   That the recommendations contained in Report AG-11-06 regarding the Audit of
   Internal Controls over Parking Receipts, dated May 18, 2011, be referred to the
   Commissioner of Community Services for a report back to the Community
   Services Committee.

2. Bob Duignan, City Manager and Sandra Kranc, City Clerk submitting
   Report CM-11-17 concerning Heritage Oshawa

   Recommendation (AMENDED – See Page 318)

   1. That the Chair and Committee members of the Heritage Oshawa Advisory
      Committee of Council be advised that the Committee must conduct its
      meetings in accordance with the Council approved protocol in a respectful
      and collaborative manner or that the administrative support services
      provided by the City will be withdrawn; and,

   2. That the Committee Chair be requested to provide comments on the
      suitability of the current authorized complement of the Committee and the
      need to reduce its membership from ten to seven members due to the
      difficulty to achieve quorum at meetings and the lack of applications to fill
      vacancies on the Committee.
3. Bob Duignan, City Manager and Sandra Kranc, City Clerk submitting Report CM-11-18 concerning Appointments to Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management)

Recommendation (AMENDED - See Page 318)

1. That in accordance with Council direction of April 26, 2011, City Council revokes the existing appointments to the Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management); and,

2. That Council make the following appointments to the Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management) as outlined in Report CM-11-18 dated May 19, 2011:

   a) (i) Four members of the improvement area designated by By-law 94-74, as amended or nominees of corporate members who are officers or directors of those corporate members;

   (ii) Council provide direction on the two applications as outlined in Section 5.3 of the Report;

   b) One resident of the City of Oshawa; and,

   c) Matt Milovich, Vice President of Operations and Strategic Development and Interim Chief Financial Officer, UOIT as selected by the UOIT President; and,

3. That the six directors who are appointed on May 24, 2011 be given full authority to function as an Interim Board until the Downtown Oshawa Board of Management nominees are appointed by City Council.

MOTIONS

“That the City of Oshawa proclaim June 19 to 25, 2011 as ‘Fiesta Week’.”
(AMENDED – See Page 319)
BY-LAWS

“That By-laws 80-2011 to 85-2011 be passed.”

80-2011 A By-law to Restrict Load Limits.
(Implements direction of May 24, 2011 through Item 5 of the Tenth Report of the Development Services Committee to limit the gross weight of any vehicles or combination of vehicles for a period of five years, expiring on April 5, 2016, to provide for a triple load limit posting of 11 tonnes/20 tonnes/28 tonnes respectively for the Albert Street Bridge over the Canadian Pacific Railway right-of-way and Fisher Street.)
(CARRIED – See Page 321)

81-2011 A By-law to adopt tax estimates and establish tax rates.
(Implements direction of May 24, 2011 through Item 3 of the Ninth Report of the Finance and Administration Committee to adopt the estimates of all sums required by taxation for the year 2011 and to establish the tax rates necessary to raise those sums.)
(CARRIED – See Page 321)

82-2011 A By-law to adopt tax estimates and establish rates.
(Implements direction of May 24, 2011 through Item 4 of the Thirty-first Report of the Finance and Administration Committee to adopt the estimates of the needs of the Downtown Board of Management of the Central Business District Improvement Area and raise all sums required to be raised by the levy of a special area charge for the taxation year 2011 and to establish the tax rates necessary to raise those sums.)
(CARRIED – See Page 295)

83-2011 A By-law to change a street name.
(Implements direction of March 21, 2011 through Item 8 of the Fifth Report of the Development Services Committee to change the name of that part of Oshawa Boulevard South located south of the CP Rail Line to ‘Storngo Boulevard’, Sheet 16 Plan 335, PIN 16371-0358(LT).)
(CARRIED – See Page 295)

84-2011 A By-law to appoint Livestock Valuers and provide for their remuneration.
(Implements direction of May 24, 2011 through Item 6 of the Ninth Report of the Finance and Administration Committee to appoint Wesley Glaspell as Livestock Valuer for the City for the term May 2011 to November 2014; and, through Item 18 of the First Report of the Finance and Administration Committee to remunerate the City’s livestock valuer at $100 per visit, plus mileage calculated at the staff rate.)
(CARRIED – See Page 295)
85-2011 A By-law to amend Zoning By-law 60-94.
(Implements direction of May 24, 2011 through Commissioner of Development Services to remove the 'h-23' holding designation on the AP-B(1) and AP-B/AP-B(1) zoning from lands south of Taunton Road West, west of Keith Ross Drive, Clinic Buildings (1979) Ltd., 681 Taunton Road South.)
(CARRIED – See Page 295)

DISCUSSION AGENDA

MATTERS EXCLUDED FROM CONSENT AGENDA

Moved by Councillor Aker, seconded by Councillor Pidwerbecki,
(353) “That Council adopt Item 5 of the Tenth Report of the Development Services Committee.” CARRIED

Moved by Councillor Aker, seconded by Councillor Pidwerbecki,

The motion was divided upon request to vote on Part 1 separately from Parts 2 and 3.

Part 1 of Item 2 of the Eleventh Report of the Development Services Committee CARRIED ON A 2/3 VOTE OF MEMBERS PRESENT.

Parts 2 and 3 of Item 2 of the Eleventh Report of the Development Services Committee CARRIED.

Moved by Councillor Diamond, seconded by Councillor Bouma,
(355) “That Council adopt Item 5 of the Ninth Report of the Finance and Administration Committee.” CARRIED

Moved by Councillor Pidwerbecki, seconded by Councillor Diamond,
(356) “That the meeting recess.” CARRIED

The meeting recessed at 8:35 p.m. and reconvened at 8:47 p.m. All Council members were present except Councillor Neal.

Moved by Councillor Diamond, seconded by Councillor Bouma,
(357) “That Council adopt Item 10 of the Ninth Report of the Finance and Administration Committee.” PARTS 1 TO 6, 10 TO 12 and 14 TO 16 CARRIED, PARTS 7 TO 9 AND 13 CARRIED AS AMENDED BY LATER VOTES

The motion was divided upon request to vote on Parts 7, 8, 9 and 13 of Item 10 of the Ninth Report of the Finance and Administration Committee separately from the remainder.
Moved by Councillor Bouma, seconded by Councillor Aker,
(358) “That Part 7 of Item 10 of the Ninth Report of the Finance and Administration Committee be amended by replacing $800.12 with $500.00 and Council approve the request for the waiving of fees for the Broken Arts Music Festival in Memorial Park.” CARRIED

Moved by Councillor Bouma, seconded by Councillor Aker,
(359) “That Part 8 of Item 10 of the Ninth Report of the Finance and Administration Committee be amended by replacing $1,187.16 with $500.00 and Council approve the request for the waiving of fees for the North Oshawa Farmers Market for meeting space for six board meetings at Legends Centre.” CARRIED

Moved by Councillor Chapman, seconded by Councillor Pidwerbecki,
(360) “That Part 9 of Item 10 of the Ninth Report of the Finance and Administration Committee be amended by replacing $516.89 with $500.00 and Council approve the request for the waiving of fees for The Refuge Youth Outreach Centre for the Durham ¼ Marathon.” CARRIED

Moved by Councillor Bouma, seconded by Councillor Sanders,
(361) “That Part 13 of Item 10 of the Ninth Report of the Finance and Administration Committee be amended by replacing $1,048.68 with $500 and the fees be waived for Sherry Sutherland’s request for rental of Memorial Park and electricity from June to August for 12 weeks for free Yoga in the Park.” CARRIED

The vote on Parts 1 to 6, 10 to 12 and 14 to 16 of Item 10 of the Ninth Report of the Finance and Administration Committee CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Aker, Bouma, Chapman, Diamond, England, Marimpietri, Pidwerbecki, Sanders, Wood and Mayor Henry

NEGATIVE – None

Absent – Councillor Neal

Moved by Councillor Diamond, seconded by Councillor Bouma,
(362) “That Council adopt Item 12 of the Ninth Report of the Finance and Administration Committee.” CARRIED AS AMENDED BY THE FOLLOWING MOTION

Moved by Councillor Diamond, seconded by Councillor Bouma,
(363) “That Item 12 of the Ninth Report of the Finance and Administration Committee be amended by deleting the words ‘for $500’ and the words ‘as it meets all the established criteria in the Waiving of Fees Policy as outlined in Report FA-11-136 dated May 5, 2011’.” CARRIED

The vote on Item 12 of the Ninth Report of the Finance and Administration Committee CARRIED AS AMENDED.
Moved by Councillor Diamond, seconded by Councillor Bouma,
(364) “That Council adopt Item 14 of the Ninth Report of the Finance and Administration Committee.” REFERRED AND AMENDED BY THE FOLLOWING MOTION

Moved by Councillor Diamond, seconded by Councillor Chapman,
(365) “That Item 14 of the Ninth Report of the Finance and Administration Committee be referred back to the Finance and Administration Committee for further consideration in reference to the e-mail of May 20, 2011 from the City Solicitor concerning potential conflicts for Council members appointed to boards and committees; and further, that as well as including the position with the Downtown Oshawa Board of Management in further Committee review; and,

That, as Council is this evening proceeding with the appointments to the Downtown Oshawa Board of Management; and,

That it is essential that Council immediately establish a positive relationship and communication protocol with the said Board; and,

That Council appoint a Member of Council to act as an interim, non-voting liaison to the Downtown Oshawa Board of Management, until the earlier of:

(1) six months from the date of the appointment; or,

(2) the date on which Council makes the appointment contemplated in Report FA-11-116; and further,

That said interim Council appointment be undertaken in conjunction with Report CM-11-18 concerning appointments to the Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management).” CARRIED

Moved by Councillor Chapman, seconded by Councillor England,
(366) “That Council adopt Item 2 of the Seventh Report of the Community Services Committee.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Aker, Bouma, Chapman, Diamond, England, Pidwerbecki, Sanders and Mayor Henry

NEGATIVE – Councillor Marimpietri and Wood

Absent – Councillor Neal

Moved by Councillor Marimpietri, seconded by Councillor Wood,
(367) “That Council adopt Item 1 of the Fifth Report of the Strategic Initiatives Committee.” ALL PARTS CARRIED EXCEPT “REGIONAL MATTERS”

The motion was divided upon request to vote on “Regional matters” separately from the remainder.
The vote on all Parts of Item 1 of the Fifth Report of the Strategic Initiatives Committee except “Regional matters” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Aker, Bouma, Chapman, Diamond, England, Pidwerbecki, Sanders, Wood and Mayor Henry

NEGATIVE – Councillor Marimpietri

Absent – Councillor Neal

The vote to include “Regional matters” in Item 1 of the Fifth Report of the Strategic Initiatives Committee LOST ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillor Wood

NEGATIVE – Councillors Aker, Bouma, Chapman, Diamond, England, Marimpietri, Pidwerbecki, Sanders and Mayor Henry

Absent – Councillor Neal

Moved by Councillor Pidwerbecki, seconded by Councillor Sanders, (368) “That Council adopt the recommendations contained in Report AG-11-06.” CARRIED

Moved by Councillor Pidwerbecki, seconded by Councillor Sanders, (369) “That Council adopt the recommendations contained in Report CM-11-17 concerning Heritage Oshawa.” CARRIED AS AMENDED BY LATER VOTE

Moved by Councillor Diamond, seconded by Councillor Chapman, (370) “That Part 1 of the recommendation contained in Report CM-11-17 be amended by adding the following words ‘and/or the membership of individual Heritage Oshawa members may be revoked’. “ CARRIED

Report CM-11-17 concerning Heritage Oshawa CARRIED AS AMENDED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Aker, Bouma, Chapman, Diamond, England, Marimpietri, Pidwerbecki, Sanders, Wood and Mayor Henry

NEGATIVE – None

Absent – Councillor Neal

Moved by Councillor Chapman, seconded by Councillor Diamond, (371) “That Council adopt Part 1 of Report CM-11-18 concerning Appointments to the Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management).” CARRIED
Moved by Councillor Marimpietri, seconded by Councillor Wood, (372) “That concerning Part 2 of Report CM-11-18, late and incomplete applications for appointments to the Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management) be included as nominees.” CARRIED

Random voting orders were selected by the City Clerk and the following appointments to the Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management) as outlined in Report CM-11-18 dated May 19, 2011 were made:

a) Four members of the improvement area designated by By-law 94-74, as amended or nominees of corporate members who are officers or directors of those corporate members being: Julia Bergsma, Johnathon Boville, Dan Carter and Madeleine Kassinger.

b) One resident of the City of Oshawa being Gary Vaughan;

Moved by Councillor Marimpietri, seconded by Councillor Bouma, (373) “That Council confirm the appointment of Matt Milovick Vice President of Operations and Strategic Development and Interim Chief Financial Officer, UOIT to the Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management) as the UOIT President’s selection.” CARRIED

Moved by Councillor Diamond, seconded by Councillor England, (374) “That Roger Bouma be nominated to act as an interim, non-voting liaison to the Downtown Oshawa Board of Management, until the earlier of:

(i) six months from the date of the appointment; or,

(ii) the date on which Council makes the appointment contemplated in Report FA-11-116.” CARRIED

Moved by Councillor Diamond, seconded by Councillor Chapman, (375) “That nominations be closed.” CARRIED

Councillor Bouma accepted the nomination and was declared appointed.

Moved by Councillor Diamond, seconded by Councillor Sanders, (376) “That Part 3 of Report CM-11-18 authorizing the six directors concerning Appointments to Oshawa Central Business District Improvement Area Board of Management (Downtown Oshawa Board of Management) be adopted.” CARRIED

Moved by Councillor Pidwerbecki, seconded by Councillor Sanders, (377) “That City Council proclaim June 19 to 25, 2011 as ‘Fiesta Week’ in the City of Oshawa.” CARRIED AS AMENDED BY LATER VOTE
Moved by Councillor Diamond, seconded by Councillor Pidwerbecki, (378) That the motion to proclaim Fiesta Week be amended by adding ‘and, further that a full page advertising congratulatory message from the Mayor and Members of Council to the Oshawa Folks Arts Council on the occasion of their 39th Annual Fiesta Week, including messages in the Fiesta Sections of June 15 and June 22 of the Oshawa Express, with payment from Council’s Account 002, be authorized at a total cost of $1,045 plus tax.’.” CARRIED BY LATER VOTE

Moved by Councillor Marimpietri, seconded by Councillor England, “That the amendment be amended by adding ‘and allow staff to provide for advertising in Oshawa This Week and Snap if approached by either newspaper’.” LOST ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors England, Marimpietri and Wood

NEGATIVE – Councillors Aker, Bouma, Chapman, Diamond, Pidwerbecki, Sanders and Mayor Henry

Absent – Councillor Neal

The vote on the amendment concerning a full page ad for Fiesta Week CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Aker, Bouma, Chapman, Diamond, Pidwerbecki, Sanders and Mayor Henry

NEGATIVE – Councillors England, Marimpietri and Wood

Absent – Councillor Neal

The main motion CARRIED AS AMENDED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Aker, Bouma, Chapman, Diamond, England, Marimpietri, Pidwerbecki, Sanders, Wood and Mayor Henry

NEGATIVE – None

Absent – Councillor Neal
Moved by Councillor Pidwerbecki, seconded by Councillor Sanders, (379) “That By-law 80-2011 be passed.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Aker, Bouma, Chapman, Diamond, England, Pidwerbecki, Sanders, Wood and Mayor Henry

NEGATIVE – Councillor Marimpietri

Absent – Councillor Neal

Moved by Councillor Pidwerbecki, seconded by Councillor Sanders, (380) “That By-law 81-2011 be passed.” CARRIED

AFFIRMATIVE – Councillors Aker, Bouma, Chapman, Diamond, England, Pidwerbecki, Sanders and Mayor Henry

NEGATIVE – Councillor Marimpietri and Wood

Absent – Councillor Neal

NOTICES OF MOTION

Councillor Aker provided the following Notice of Motion:

“That the Council Agenda include a section where Council members may ask questions of Committee Chairs or the appropriate staff; and this motion be referred to the Finance and Administration Committee.”

CONFIRMING BY-LAW

Moved by Councillor Pidwerbecki, seconded by Councillor Sanders, (381) “That the Confirming By-law be passed.” CARRIED

86-2011 A By-law to confirm the City Council meeting of May 24, 2011
ADJOURN

Moved by Councillor Marimpietri, seconded by Councillor Aker, (382) “That the meeting adjourn.” CARRIED

The meeting adjourned at 10:25 p.m.
APPENDIX A
CITY COUNCIL PUBLIC AGENDA
May 24, 2011

For your information, the following correspondence received by the City Clerk was filed following City Council’s meeting of May 24, 2011:

1. Ministry of Transportation, Lou Politano, Regional Director, advising that by late 2015, 22 kilometres of new east-west highway from Brock Road in Pickering to Harmony Road in Oshawa, and a 10 kilometre north-south highway (West Durham Link (WDL)) connecting Highway 407 East to Highway 401 will be open to traffic; and, by 2017, Highway 407 East from Harmony Road to Taunton/East Durham Link will be open to traffic; and, by 2020 the section from Taunton/East Durham Link to Highway 35/115, and a 10 kilometre north-south highway (East Durham Link) connecting Highway 407 East and Highway 401 will be open, completing the project.
   (CARRIED – See Page 295)

2. Municipal Property Assessment Corporation MPAC, Dan Mathieson, Chair, Board of Directors forwarding an update on MPAC’s delivery of assessment products and services, including, advising in 2010 they added $28.4 billion in supplementary and omitted assessment monies, mailed out approximately one million Property Assessment Notices, processed more than 39,000 Requests for Reconsideration and closed more than 27,000 Assessment Review Board Appeals, mailed out approximately 2.4 million Municipal Enumeration Forms to households to update their tenant/occupant database, hosted 1,600 meetings and stakeholder outreach initiatives with municipalities, government representatives, businesses and property taxpayer groups, agreed on the terms of settlement for golf course evaluations and established a framework for their valuation methodology, and accepted the Auditor General’s nine recommendations for improvement and to date have implemented most of them; and, advising they will be providing updates on a regular basis, and in preparation for the 2012 Province-wide Assessment Update.
   (CARRIED – See Page 295)

3. Oshawa Senior Citizens Centres, Garth Johns, President, thanking Oshawa Council for its grant of $1,481,100 in support of their 2011 budget.
   (CARRIED – See Page 295)

   (CARRIED – See Page 295)

5. David Knight submitting his resignation as a member of the Heritage Oshawa Advisory Committee.
   (CARRIED – See Page 295)

7. Central East Local Health Integration Network, Foster Loucks, Chair, Board of Directors responding to Pickering Council’s resolution in support of a single hospital corporation for all communities within Durham Region and advising, pursuant to the Local Health System Integration Act, if the Boards of Lakeridge Health Corporation and Rouge Valley Health System were to bring forward an evidence-based proposal outlining a more formal integration that would provide more co-ordinated, effective and efficient health services than currently being delivered to all Durham residents, then the Board of the Central East LHIN would give it their full attention. (CARRIED – See Page 295)

8. Ministry of the Environment, Ian Parrott, Manager, Certificate of Approval Review Section, Environmental Assessment and Approvals Branch advising Information Notice EBR Registry Number 011-2709 concerning the Durham York Energy Centre (previously referred to as the Energy from Waste Facility) has been posted on the Province’s Environmental Registry to solicit public comment on three applications for Certificates of Approval submitted by the proponents of the proposed facility under the Environmental Protection Act (Air and Waste) and the Ontario Water Resources Act (Wastewater) pertaining to the Durham York Energy Centre. (http://www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTEyNDI2&statusId=MTY4NjIz&language=en) (CARRIED – See Page 295)

9. Regional Municipality of Durham, P.M. Madill, Regional Clerk, forwarding Regional Council’s resolution in support of extending and expanding the election sign recycling trial program implemented for the 2010 Municipal Elections to include Federal/Provincial election signs and other recyclable signage; and, authorizing staff to initiate the procurement process to fill the needs of the Sign Recycling Program, to advise all 2011 Federal and Provincial candidates of the program, and to amend the 2011 Solid Waste Management Fees and charges to reflect no charge for the acceptence of recyclable signs. (CARRIED – See Page 295)

10. Municipality of Clarington, Patti Barrie, Municipal Clerk, forwarding Clarington Council’s resolution of May 2, 2011 endorsing Oshawa Council’s resolution to the Chancellory of Honours that the eligibility criteria for the Peace Officer Exemplary Service Medal awarded by the Governor General of Canada be amended to include special constables in police forces. (CARRIED – See Page 295)
11. Town of Ajax, Blair Labelle, Manager, Legislative Services/Deputy Clerk forwarding Ajax Council’s resolution of May 9, 2011 endorsing Oshawa Council’s resolution to the Chancellory of Honours that the eligibility criteria for the Peace Officer Exemplary Service Medal awarded by the Governor General of Canada be amended to include special constables in police forces.  
(CARRIED – See Page 295)

12. Township of Uxbridge, Debbie Leroux, Clerk forwarding Uxbridge Finance, Administration and Emergency Services Committee’s resolution of May 2, 2011 endorsing Oshawa Council’s resolution to the Chancellory of Honours that the eligibility criteria for the Peace Officer Exemplary Service Medal awarded by the Governor General of Canada be amended to include special constables in police forces.  
(CARRIED – See Page 295)

13. City of Kawartha Lakes, Judy Currins, CMO/City Clerk, forwarding Kawartha Lakes Council’s resolution of April 26, 2011 receiving for information Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.  
(CARRIED – See Page 295)

14. City of Belleville, Julie Oram, Director of Corporate Services/City Clerk, forwarding Belleville Council’s resolution of April 26, 2011 receiving Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.  
(CARRIED – See Page 295)

15. Town of Amherstburg, Charlene Watson, Acting EA to the CAO and Clerk, forwarding Amherstburg Council’s resolution of April 18, 2011 receiving Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.  
(CARRIED – See Page 295)
16. Town of Orangeville, Cheryl Johns, Clerk, advising at their meeting of May 2, 2011, Orangeville Council received Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.  
(CARRIED – See Page 295)

17. Town of Tecumseh, Laura Moy, Director, Staff Services/Clerk, forwarding Tecumseh Council’s resolution of April 26, 2011 receiving Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.  
(CARRIED – See Page 295)

18. Port Colborne, Ashley Grigg, City Clerk, forwarding Port Colborne’s resolution of April 26, 2011 receiving and filing Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.  
(CARRIED – See Page 295)

19. Township of Perth East, Theresa Campbell, CMO/Municipal Clerk, forwarding Perth East’s resolution of May 5, 2011 to the Minister of Education endorsing Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.  
(CARRIED – See Page 295)

20. City of St. Catharines, Dan Carnegie, Director of Corporate Support Services/Clerk, advising St. Catharines’ Council received Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.  
(CARRIED – See Page 295)

21. Township of Cavan Monaghan, Gail Empey, Clerk, forwarding Cavan Monaghan Council’s resolution of May 2, 2011 receiving Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.  
(CARRIED – See Page 295)
(CARRIED – See Page 295)

23. Township of Front of Yonge, Elaine Covey, Clerk, advising forwarding Front of Yonge Council’s defeated motion of May 2, 2011 concerning Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
(CARRIED – See Page 295)

24. City of Cornwall, Denise Labelle-Gélinas, City Clerk, advising on May 9, 2011 Cornwall Council endorsed Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
(CARRIED – See Page 295)

25. Town of Ajax, Blair Labelle, Manager, Legislative Services/Deputy Clerk, forwarding Ajax Council’s resolution of April 26, 2011 endorsing Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
(CARRIED – See Page 295)

26. Township of Laird, Rhonda Crozier, Deputy Clerk, forwarding Laird Council’s resolution of endorsing Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
(CARRIED – See Page 295)

27. Town of Thessalon, Robert MacLean, Clerk-Treasurer forwarding Thessalon Council’s resolution of May 2, 2011 endorsing Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
(CARRIED – See Page 295)
28. Township of Armour, Karen Fraser, Deputy Clerk, advising on April 26, 2011 Armour Council endorsed Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
   (CARRIED – See Page 295)

29. City of Hamilton, Mary Gallaher, Manager, Legislative Services/Deputy Clerk, advising on April 27, 2011 Hamilton Council received Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
   (CARRIED – See Page 295)

30. Town of East Gwillimbury, Fernando Lamanna, Deputy Clerk, forwarding East Gwillimbury Council’s resolution of May 2, 2011 receiving Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
   (CARRIED – See Page 295)

31. Town of Whitchurch-Stouffville, Gillian Angus-Traill, Council Coordinator, forwarding Whitchurch-Stouffville Council’s resolution of May 3, 2011 receiving for information Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
   (CARRIED – See Page 295)

32. Municipality of Clarington, Patti Barrie, Municipal Clerk, advising on May 2, 2011 Clarington Council received for information Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
   (CARRIED – See Page 295)

33. Town of Rainy River, Veldron Vogan, CAO, forwarding Rainy River Council’s resolution of May 9, 2011 endorsing Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
   (CARRIED – See Page 295)
34. Township of Canton–Bonfield, Lisa McMillan, Administrator, Clerk-Treasurer, forwarding Canton-Bonfield Council’s resolution of May 10, 2011 endorsing Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
   (CARRIED – See Page 295)

35. Town of Georgina, Carolyn Lance, Administrative Assistant to the Town Clerk, advising Georgina Council received for information Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
   (CARRIED – See Page 295)

36. Township of Oro-Medonte, Mayor H.S. Hughes, forwarding Oro-Medonte Council’s resolution of April 27, 2011 to Premier Dalton McGuinty supporting Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
   (CARRIED – See Page 295)

37. Regional Municipality of Durham, P.M. Madill, Regional Clerk, advising Durham Regional Council received for information Oshawa Council’s resolution to the Minister of Education requesting the Education Act be amended to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day.
   (CARRIED – See Page 295)

38. The Chancellery of Honours, Gabrielle D. Lappa, Director of Honours, acknowledging receipt of Oshawa Council’s resolution supporting modification of the eligibility criteria for the Peace Officer Exemplary Service Medal (POESM) and advising the request will be brought before the Advisory Committee of the POESM as well as the Canadian Honours Policy Committee and Special Constable van Belkom will be informed as soon as a decision has been made.
   (CARRIED – See Page 295)

39. Association for the Protection of Fur-Bearing Animals, Lesley Fox, Executive Director thanking Oshawa Council for taking proactive measures and adopting a beaver management policy and listing lethal trapping as being a last resort.
   (CARRIED – See Page 295)