Minutes of a meeting of the Council of the City of Oshawa held in the Council Chamber on April 11, 2016 at 3:30 p.m.

Mayor Henry and Councillors Aker, Carter, Chapman, Diamond, Kerr, McQuaid-England, Neal (entered at 6:30 p.m.), Pidwerbecki, Sanders and Shields were present.

Mayor Henry presided.

**Declarations of Pecuniary Interest**

None. (See Pages 113 and 115)

**Presentations**

None.

**Delegations/Delegation Requests**

Delegations

None.

Delegation Requests (2/3 vote required)

None.

**Correspondence Requests**

None.

**Additional Agenda-Related Correspondence**

None.

**Closed Consent Agenda**

Moved by Councillor Pidwerbecki, seconded by Councillor McQuaid-England, (156) “That all items listed under the heading of Closed Consent Agenda for the April 11, 2016 Council meeting be adopted as recommended except:

Committee of the Whole Report CM-16-05; and,
Verbal Report CM-16-06 from the City Manager.” Carried

**Confidential Correspondence**

Correspondence

None.
Confidential Committee Reports

Report of the Development Services Committee
The Development Services Committee respectfully reports and recommends to City Council its Twenty-ninth Report.

1. Proposed Purchase of City Owned Lands on the west side of Harmony Road North, North of Missom Gate (DS-16-55)

   Recommendation (Carried – See Page 109)

   That, pursuant to Closed Report DS-16-55 dated March 30, 2016 the Mayor and Clerk be authorized to execute an Agreement of Purchase and Sale for surplus City-owned lands on the west side of Harmony Road North, north of Missom Gate (legally described as Part 1, Plan 40R-27300) generally in accordance with the terms set out in the above-noted Report together with such documents as are required to complete the transaction in the opinion of the City Solicitor and further that the Agreement and other documents be in a form and content acceptable to the City Solicitor and Commissioner of Development Services.

Report of the Corporate Services Committee
None.

Report of the Community Services Committee
None.

Report of the Finance Committee
None.

Committee of the Whole Reports

1. David Potts, City Solicitor submitting Report CM-16-05 concerning Arbitration - Generals Hockey Inc. v. Oshawa (City)

   Recommendation (Amended – See Page 112)

   That Council approve the recommendation in section 5.0 of Report CM-16-05, ‘Arbitration - Generals Hockey Inc. v. Oshawa (City)’.

2. Jag Sharma, City Manager providing a Verbal Report CM-16-06 concerning a Probationary Status Update

   (See Page 112)

Motions
None.
Discussion Agenda

Matters Excluded From Consent Agenda

Moved by Councillor Pidwerbecki, seconded by Councillor Sanders,
(157) “That in accordance with the Municipal Act this meeting be closed to the public
pursuant to Section 239(2)(e) and (f) to receive legal advice related to potential litigation
between Generals Hockey Inc. v. Oshawa (City) referred to in Confidential Report
CM-16-05; and, pursuant to Section 239(2)(b) to receive a verbal update from the City
Manager related to personal matters.” Carried

All Council members were present for the closed meeting except Councillor Neal. Also
present were S. Kranc, City Clerk, J. Sharma, City Manager, B. Hendry, Commissioner,
Corporate Services Department, R. Diskey, Commissioner, Community Services
Department, P. Ralph, Commissioner, Development Services Committee, D. Potts, City
Solicitor, S. Sinnott, Executive Director, Finance Services/Treasurer and K. Bressan,
Council Meeting Co-ordinator. All members of the public left the meeting except Vince
Vella, General Manager, General Motors Centre.

Closed meeting discussions took place concerning Item 2 of Confidential Committee of
the Whole Reports related to Report CM-16-05.

Moved by Councillor Chapman, seconded by Carter,
(158) “That Council rise from closed session and report.” Carried

Closed Meeting Report 1 of 2

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

Council members discussed Report CM-16-05 concerning arbitration related to
Generals Hockey Inc. v. Oshawa (City) and questioned the City Solicitor.

Moved by Councillor Chapman, seconded by Councillor Diamond,
(159) “That Council go into Committee of the Whole” Carried on the following vote

Affirmative – Councillors Aker, Carter, Chapman, Diamond, Kerr, Pidwerbecki, Sanders,
Shields and Mayor Henry

Negative – Councillor McQuaid-England

Absent – Councillor Neal

Council members continued to discuss Report CM-16-05 concerning arbitration related
to Generals Hockey Inc. v. Oshawa (City) and questioned the City Solicitor, the
Executive Director, Finance Services/Treasurer and the General Manager, General
Motors Centre.

Moved by Councillor Diamond,
(160) “That staff be directed to investigate and report back as outlined.” Carried
Moved by Councillor Diamond, “That staff be directed to proceed as outlined.” Lost on the following vote

Affirmative – Councillors Carter and Diamond

Negative – Councillors Aker, Chapman, McQuaid-England, Kerr, Pidwerbecki, Sanders, Shields and Mayor Henry

Absent – Councillor Neal

Moved by Councillor Chapman, (161) “That Council rise from Committee of the Whole and ratify actions taken.” Carried

This concludes the first closed meeting summary report.

Moved by Councillor Chapman, seconded by Councillor Pidwerbecki, (162) “That Council approve the recommendation in section 5.0 of Report CM-16-05, “Arbitration - Generals Hockey Inc. v. Oshawa (City)” subject to direction to staff during Council’s closed portion of the meeting on April 11, 2016.” Carried as amended on the following vote

Affirmative – Councillors Aker, Carter, Chapman, Kerr, McQuaid-England, Pidwerbecki, Sanders, Shields and Mayor Henry

Negative – Councillor Diamond

Absent – Councillor Neal

Moved by Councillor Carter, seconded by Councillor Shields, (163) “That in accordance with the Municipal Act Council go into closed session pursuant to Section 239(2)(b) to receive a verbal update from the City Manager related to personal matters.” Carried

All Council members were present for the closed meeting except Councillor Neal. Also present were S. Kranc, City Clerk and J. Sharma, City Manager. All other staff and members of the public left the meeting.

Closed meeting discussions took place concerning Item 2 of Confidential Committee of the Whole Reports related to Verbal Report CM-16-06.

Moved by Councillor Aker, seconded by Councillor Carter, (164) “That Council rise from the closed meeting and report.” Carried

Closed Meeting Report 2 of 2

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

Jag Sharma, City Manager provided Verbal Report CM-16-06 concerning a probationary status update related to his position as City Manager.

This concludes the second closed meeting summary report.
Matters Tabled

None.

Moved by Councillor Carter, seconded by Councillor Chapman, (165) “That the meeting recess.” Carried

The meeting recessed at 5:03 p.m. and reconvened at 6:30 p.m. All Council members were present following the recess.

Durham Elementary Private School - Great Beginnings Montessori sang ‘O Canada’.

Public Agenda

Announcements from Council Members

Various announcements were made relating to activities and events.

Declarations of Pecuniary Interest

Councillor Carter made a declaration of pecuniary interest concerning Items 1, 4 and 6 of the Twenty-eighth Report of the Development Services Committee; Item 1 of the Twentieth Report of the Community Services Committee; Item 4 of the Seventh Report of the Finance Committee; and, By-law 29-2016 as the Downtown Business Improvement Area and downtown businesses are referred to in the items and, as he owns property in the referenced area and is a member of the Downtown Business Improvement Area, he did not participate in discussion or voting on the items.

Councillor Neal made a declaration of pecuniary interest concerning Item 5 of the Twenty-eighth Report of the Development Services Committee as it refers to the Oshawa Power and Utilities Corporation and as his wife works for Oshawa P.U.C. Networks Inc., he did not participate in discussion or voting on the item; and concerning Item 7 of the Twenty-eighth Report of the Development Services Committee as it refers to lands on the west side of Ormond Drive and south of Parkwood Meadows Park and as he has family that lives in the referenced area he did not participate in discussion or voting on the item.

Councillor Sanders made a declaration of pecuniary interest concerning Item 1 of the Twenty-eighth Report of the Development Services Committee as it refers to the Genosha Hotel and as he sits on the board that holds its mortgage, he did not participate in discussion or voting on the item.

Presentations

The 2015 Community Organization Volunteer Recognition Certificates were presented.

Mayor Henry presented Mal Knocker with the 2015 Oshawa Community Legend Award.
Members of the Branch 43 Royal Canadian Legion Pipe Band and The Oshawa Civic Band presented a framed score of a piece of music celebrating the City of Oshawa.

Mayor’s Poetry Challenge: Local Poets Graham Ducker and Jaylen Stark provided poetry readings in recognition of April 2016 as ‘National Poetry Month’.

Councillor McQuaid-England temporarily left the meeting.

**Delegations/Delegation Requests**

**Delegations**

1. Adam White requesting to address City Council in opposition to Item 2 of the Twenty-eighth Report of the Development Services Committee concerning his request for the creation of an Oshawa Urban Advisory Committee.

Adam White addressed City Council in opposition to Item 2 of the Twenty-eighth Report of the Development Services Committee receiving for information his request for the creation of an Oshawa Urban Advisory Committee stating the City’s state of affairs is causing a moral crisis and poor climate and there needs to be direct citizen input into the outcome of services and business processes to ensure quality. He stated establishing an Oshawa Urban Advisory Committee would create an opportunity to work with the Oshawa Official Plan and Ontario’s Planning Act to promote important social, economic and environmental development in the City. He stated the City is currently not reaching its social return on investment and the development of a platform such as an Oshawa Urban Advisory Committee where grassroots community members can discuss urban planning could relieve the information bottleneck that is creating significant risk for opportunity loss. He stated that Oshawa’s culture includes low-income people, single mothers, high school dropouts and unemployed individuals, and suggested community development initiatives have potential for a massive return on investment by assisting less prosperous citizens to create small businesses and revise their standard of living. Adam White felt that resources allocated to large housing and business developments may be costing lost opportunities to invest in cultural development that creates urban development.

Moved by Councillor Carter, seconded by Councillor Kerr, (166) “That the delegation’s time be extended by two minutes.’ Carried

Adam White continued his delegation stating he envisions that grassroots projects would work with the Oshawa Urban Advisory Committee to eliminate the current information bottleneck and ensure resources invested in urban planning serve the City. He stated that by opening a channel of communication the City can raise residents’ standard of living, learn about opportunities, lower the cost of living, promote growth in small business, increase volunteerism and distribute information. He advised he attended Whitby’s Ethno-cultural and Diversity Advisory Committee to see how an Oshawa Urban Advisory Committee might work and would like to speak more about that.

Councillor McQuaid-England re-entered the meeting during the delegation.
Delegation Requests (requires 2/3 vote)
None.

Correspondence Requests

1. Oshawa Senior Citizens Centres Board of Directors, Sylvia Rhodes, President advising they have nominated Ted Aldridge for designation as Oshawa’s 2016 Senior of the Year and requesting Council’s approval.
   Moved by Councillor Diamond, seconded by Councillor Neal,
   (167) “That City Council endorse the Oshawa Senior Citizens Centres Board of Directors’ nomination of Ted Aldridge as Oshawa’s Senior of the Year 2016.” Carried

2. Randy Heida, Detective Inspector, Criminal Investigation Branch, Ontario Provincial Police requesting City Council support his request to the Ministry of Transportation to dedicate the Highway 401/Stevenson Road Interchange Bridge in the name of Detective Inspector Lorne Foran.
   Moved by Councillor Chapman, seconded by Councillor Carter,
   (168) “That Oshawa City Council endorse the request from the Ontario Provincial Police to dedicate the Highway 401/Stevenson Road interchange bridge in the name of Detective Inspector Lorne Foran.” Carried

3. Joe Arruda requesting City Council adopt a similar position or endorse correspondence sent from the Region of Durham and the Towns of Whitby and Ajax to the Minister of Transportation concerning the safety of cycling and walking over the Highway 407 bridges which effect Oshawa at Thornton Road, Simcoe Street and Harmony Road.
   Moved by Councillor Chapman, seconded by Councillor Carter,
   (169) “That the Mayor be directed to write a letter to the Ontario Minister of Transportation regarding the safety of cycling and walking over Highway 407 bridges supporting the position taken by the Towns of Ajax and Whitby by emphasizing Oshawa’s concerns.” Carried

4. Rosemary McConkey expressing disappointment at the lack of questions related to Item 1 of the Twenty-eighth Report of the Development Services Committee regarding the redevelopment of the Genosha Hotel at the recent Development Services Committee meeting, and suggesting when there is an opportunity to find out more details and information on a complicated subject that Council members take advantage of it.
   Moved by Councillor Pidwerbecki, seconded by Councillor Aker,
   (170) “That Correspondence Request Item 4 from Rosemary McConkey concerning Item 1 of the Twenty-eighth Report of the Development Services Committee be received for information.” Carried

Councillor Sanders made a declaration of pecuniary interest concerning Correspondence Request Item 4 from Rosemary McConkey as it refers to the Genosha Hotel and as he sits on the board that holds its mortgage, he did not participate in discussion or voting on the item.
Councillor Carter made a declaration of pecuniary interest concerning Correspondence Request Item 4 from Rosemary McConkey as it refers to the Genosha Hotel located in the downtown core and as he owns property in the referenced area and is a member of the Downtown Business Improvement Area, he did not participate in discussion or voting on the item.

**Additional Agenda-Related Correspondence**

Moved by Councillor Aker, seconded by Councillor Chapman,
(171) “That a motion be added to the April 11, 2016 Council Agenda in response to a request from David Mandziuk for the waiving of the application fee for an application to the Committee of Adjustment requesting a minor variance to Zoning By-law 60-94 related to 715 Ormond Drive.” Carried on a 2/3 vote of members present

Moved by Councillor Aker, seconded by Councillor Chapman,
(172) “Whereas on February 19, 2013 the Ontario Municipal Board (O.M.B.) issued a decision on a Committee of Adjustment (C. of A.) application that permitted 715 Ormond Drive to maintain a wider driveway and less front yard landscaping than permitted by Zoning By-law 60-94; and,

Whereas the O.M.B. decision was subject to certain conditions including that the use of the driveway for parking up to three (3) vehicles shall be permitted for a term of three (3) years from the date of this decision. This variance may be extended for a subsequent three-year term upon an application to the C. of A. and provided the Applicant continues to reside at the subject property; and,

Whereas the original three (3) year term expired on February 19, 2016 and the applicant continues to reside at the subject site and requires that the driveway and parking arrangement remain unchanged; and,

Whereas the applicant is required to submit a new C. of A. application since the O.M.B. decision has expired and pay a $633 application fee; and,

Whereas Mr. David Mandziuk has requested that the fee be waived; and,

Whereas it is appropriate to waive the fee given the OMB decision;

Therefore, the application fee of $633 be waived for a new application to the C. of A. to be submitted by the applicant for 715 Ormond Drive for an extension to a previous O.M.B decision to maintain a wider driveway and less front yard landscaping provided the application is submitted by June 30, 2016.” Carried

Moved by Councillor Pidwerbecki, seconded by Councillor Shields,
(173) “That a motion be added to the Council agenda concerning use of the Council Chamber.” Carried on a 2/3 vote of members present
Moved by Councillor Pidwerbecki, seconded by Councillor Shields, “Whereas the current Council policy with respect to the use of the Council Chamber permits the following groups to use the Council Chamber upon request: City Council and Committees of Council, Committee of Adjustment, Court of Revision, Ontario Municipal Board, Assessment Review Board, Land Compensation Board, Citizenship Court, and other federal, provincial, or municipal quasi-judicial groups which are related to municipal administration; and,

Whereas from time to time the City of Oshawa hosts visits from other levels of government and dignitaries from other countries, and Council approval is required in order to host these events in the Council Chamber in accordance with the existing policy; and,

Whereas it would be beneficial to permit the use of the Council Chamber when the City is hosting visits from other levels of government and dignitaries from other countries without having to receive Council approval for each event; and,

Whereas the current Council policy also states that food and/or drink is not permitted in the Council Chamber except that water will be provided for Council members and staff during Council meetings; and,

Whereas from time to time when the City is hosting visits from another level of government or dignitaries from other countries, food may form part of the event;

Therefore be it resolved, that Council’s policy concerning the use of the Council Chamber be amended to allow the Chamber to be used without having to receive prior Council approval when the City is hosting visits from other levels of government or dignitaries from other countries, and food be permitted in the Council Chamber during these events only.” Carried

Public Consent Agenda

Moved by Councillor Pidwerbecki, seconded by Councillor McQuaid-England, “That all items listed under the heading of Public Consent Agenda for the April 11, 2016 Council meeting be adopted as recommended except Item 3 of the Twenty-second Report of the Corporate Service Committee.” Carried

Adoption of Minutes

That the minutes of the March 21, 2016 City Council meeting be adopted. (Carried – See Page 117)

Correspondence

Correspondence – Received and Filed

That correspondence listed in Appendix A to the Public Agenda for the April 11, 2016 Council meeting be received and filed. (Carried – See Page 117)
Correspondence
None.

Advisory Committee Meeting Minutes
61. Oshawa Accessibility Advisory Committee
   Recommendation (Carried – See Page 117)
   That the minutes of the Oshawa Accessibility Advisory Committee meeting of
   March 15, 2016 be received for information.

62. Heritage Oshawa
   Recommendation (Carried – See Page 117)
   That the minutes of the Heritage Oshawa meeting of March 17, 2016 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 Twenty-eighth Report.

   Hotel \(\text{(DS-16-57)}\)
   Recommendation (Carried – See Page 117)
   That based on Correspondence DS-16-57 dated March 24, 2016, the request
   from Richard Senechal for the financial incentives provided to Bowood Properties
   (2006) Inc. related to the redevelopment of the Genosha Hotel be reassigned to
   Seventy King Oshawa Inc., be denied.

2. Adam White recommending the creation of an Oshawa Urban Advisory
   Committee \(\text{(DS-16-65)}\)
   Recommendation (Carried – See Page 117)
   That Correspondence DS-16-65 dated April 4, 2016 from Adam White requesting
   the creation of an Oshawa Urban Advisory Committee be received for
   information.
3. Durham District School Board – Surplus School Site, Dr. F.J. Donevan Collegiate Institute (DS-16-46)

Recommendation (Carried – See Page 117)

That based on Correspondence DS-16-46 from the Durham District School Board, the Durham District School Board be advised the City of Oshawa has no interest in acquiring the surplus site of Dr. F.J. Donevan Collegiate Institute.

4. Downtown Oshawa Business Improvement Area – Operation of the Tourist Information Centre (DS-16-47)

Recommendation (Carried – See Page 117)

That Correspondence DS-16-47 from Frances Lazarro, Downtown Oshawa Business Improvement Area (B.I.A.) requesting the ongoing agreement to operate the Tourist Information Centre be changed to a Request for Proposal process, be received for information with the understanding that staff will be reporting on matters related to the Tourist Information Centre in the future after consultation with such stakeholders as the Greater Oshawa Chamber of Commerce, the Region of Durham and the Downtown Oshawa Business Improvement Area.

5. Loback Structures - Interest in Acquiring the Oshawa Power and Utilities Corporation Building at 100 Simcoe Street South (DS-16-49)

Recommendation (Carried – See Page 117)

That Correspondence DS-16-49 from Donna Loback, Loback Structures expressing an interest in acquiring the Oshawa Power and Utilities Corporation building at 100 Simcoe Street South be referred to staff for a direct response.

6. Potential Expansion of the Downtown Oshawa Business Improvement Area (B.I.A.) and Alteration to the B.I.A. Maximum Annual Budget (DS-16-18)

Recommendation (Carried – See Page 117)

1. That, pursuant to Report DS-16-18 dated March 31, 2016, the requests from the Downtown Oshawa Business Improvement Area Board of Management to expand the B.I.A. boundary and to increase the B.I.A. maximum annual budget by an additional $103,000 to a total of $246,100 plus an annual consumer price index increase according to the Bank of Canada’s Inflation Calculator be approved, in principle; and,

   - That staff provide the notice of a proposed by-law to amend By-law 94-74 pursuant to the Municipal Act to expand the B.I.A. boundary; and,

   - That staff report back to the Development Services Committee and Council on the input received as a result of providing the notice and get direction at that time whether the by-law should be passed; and,
2. That a copy of Report DS-16-18 and the Council resolution be sent to the Downtown Oshawa Business Improvement Area Board of Management.

7. Revised Application for Approval of a Draft Plan of Subdivision (S-O-2015-01), West of Ormond Drive and South of Parkwood Meadows Park, Midhaven Developments Ormond (DS-16-51)

Recommendation (Carried – See Page 117)

That, pursuant to Report DS-16-51 dated March 30, 2016, the revised application submitted by Midhaven Developments Ormond to implement a revised draft plan of subdivision (File S-O-2015-01), which proposes single detached dwellings, an overland flow/servicing block and a local road related to the lands on the west side of Ormond Drive and south of Parkwood Meadows Park be approved subject to conditions as set out in Attachment 5 in the above-noted Report.

8. Revised Applications to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1900 Simcoe Street North, 1900 Simcoe Street North Ltd. (DS-16-52)

Recommendation (Carried – See Page 117)

1. That, pursuant to Report DS-16-52 dated March 30, 2016, the revised application submitted by 1900 Simcoe Street North Ltd. to amend the Oshawa Official Plan (File OPA-2015-03) to permit a maximum residential density of 629 units per hectare at 1900 Simcoe Street North be approved in accordance with the comments contained in the above noted Report and the necessary by-law be passed.

2. That, pursuant to Report DS-16-52 dated March 30, 2016, the revised application submitted by 1900 Simcoe Street North Ltd. to amend the Samac Secondary Plan (File OPA-2015-03) to permit a maximum residential density of 629 units per hectare at 1900 Simcoe Street North be approved in accordance with the comments contained in the above noted Report and the necessary by-law be passed.

3. That, pursuant to Report DS-16-52 dated March 30, 2016, the revised application submitted by 1900 Simcoe Street North Ltd. to amend Zoning By-law 60-94 (File Z-2015-03) from MU-B 'h-48' (Mixed Use) to MU-B (Mixed Use) Zone subject to an appropriate special condition to permit the proposed density and height and implement the proposed site/building design of a mixed use building at 1900 Simcoe Street North be approved in accordance with the comments contained in the above noted Report and the necessary by-law be passed.

4. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the rezoning proposed in the public meeting report and the public meeting differs to some degree from that approved by City Council, such differences are not substantial enough to require further notice and another public meeting.
9. Declaration of Certain City Lands as Surplus to Municipal Requirements

Recommendation (Carried – See Page 117) (DS-16-53)

That, pursuant to Report DS-16-53 dated March 30, 2016, the City-owned lands identified in Attachment 1 to Report DS-16-53 be declared surplus to municipal requirements.

10. City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94

Recommendation (Carried – See Page 117) (DS-16-54)

That, pursuant to Report DS-16-54 dated March 31, 2016, the Development Services Department be authorized to initiate the statutory public process under the Planning Act for Council to consider proposed amendments to the Oshawa Official Plan, the Samac Secondary Plan and Zoning By-law 60-94 generally in accordance with Attachment 1 to said Report.

11. Request Submitted by 2345703 Ontario Inc. (Michael K. Poon) to Amend the Council Conditions of Approval for an Application Under the University and College Area Renaissance Community Improvement Plan, 1645 and 1655 Simcoe Street North (File: B-1200-0027) (DS-16-56)

Recommendation (Carried – See Page 117)

Whereas City Council approved, subject to conditions, an application submitted by 2345703 Ontario Inc. under the University and College Area Renaissance Community Improvement Plan for an Increased Assessment Grant to facilitate the development of a 15 unit apartment building (60 beds) at 1645 and 1655 Simcoe Street North; and,

Whereas the current conditions of approval for the application required the building to be completed and available for occupancy by December 31, 2015; and,

Whereas the building was not complete and available for occupancy by December 31, 2015 but it was substantially completed by that time; and,

Whereas by letter dated March 18, 2016, 2345703 Ontario Inc. requested an extension to the condition related to completion and occupancy of the building such that the building shall be completed and available for occupancy by June 30, 2016;

Therefore be it resolved that the request dated March 18, 2016 from 2345703 Ontario Inc. to amend the conditions of approval for the application under the University and College Area Renaissance Community Improvement Plan for 1645 and 1655 Simcoe Street North be approved such that now the building shall be completed and available for occupancy by June 30, 2016
12. Development Services Committee’s Outstanding Items Status Report – First Quarter 2016 (DS-16-48)

Recommendation (Carried – See Page 117)

That Report DS-16-48 dated March 30, 2016 concerning the Development Services Committee’s outstanding items, be received for information.

Report of the Corporate Services Committee

The Corporate Services Committee respectfully reports and recommends to City Council its Twenty-second Report.

1. Corporate Services Committee Outstanding Items Status Report – First Quarter 2016 (CORP-16-30)

Recommendation (Carried – See Page 117)

That Report CORP-16-30 dated March 30, 2016 concerning the Corporate Services Committee’s outstanding items, be received for information.

2. Regional Municipality of Durham Noise By-law Exemption Request – Taunton Road West (Near Oshawa Executive Airport) Contract D2015 017 (CORP-16-24)

Recommendation (Carried – See Page 117)

Whereas the Region of Durham has scheduled construction activities on Taunton Road West, between Stevenson Road North and Northbrook Street from May 7 to May 9, 2016; and,

Whereas the scheduled construction activities include the completion of a pedestrian bridge over the Oshawa Creek; and,

Whereas in an effort to minimize the impact on commuting traffic, local business and the Oshawa Executive Airport, the Region of Durham has identified a need to accelerate the installation of the pedestrian bridge by working 48 continuous hours starting at 12:00 a.m. on Saturday, May 7, 2016 and ending at 11:59 p.m. on Sunday, May 8, 2016; and,

Whereas it is anticipated that the construction work will generate noise disturbances contrary to City of Oshawa Noise By-law 112-82, in that the By-law only permits construction noise between the hours of 7:00 a.m. and 7:00 p.m. Monday to Saturday and 9:00 a.m. and 5:00 p.m. on Sundays;

Therefore, the Region of Durham and its employees, subcontractors and agents are exempt from the City of Oshawa Noise By-law 112-82, as it relates to Contract D2015-017, between 12:00 a.m. Saturday, May 7, 2016 and 11:59 p.m. Sunday, May 8, 2016, subject to the following conditions:

• That the Region of Durham provide advertising/notification of this project in the local media, advising Oshawa residents of the project, timeframe and that the project may create noise; and,
• That the Region of Durham provide door to door notification of the noise exemption to all properties within 200 metres of the project site; and,
• That the Region of Durham provide a contact number of the on-site supervisor for residents to call if they have any concerns or questions, and that the number also be advertised.


Recommendation (Carried – See Page 128)


4. Licensing Renewal Policy

Recommendation (Carried – See Page 117)

That Report CORP-16-26 dated March 30, 2016 concerning renewal of Business Licences, be received for information.

Report of the Community Services Committee

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


Recommendation (Carried – See Page 117)

Whereas Correspondence CS-16-27 from the Downtown Oshawa B.I.A. dated March 7, 2016 advises of concerns with the condition of City Parking Lot 4 and questions the scheduling of maintenance and repairs of the lot; and,

Whereas repair of Lot 4 is included in the 2016 Capital Budget; and,

Whereas in the same letter the B.I.A. offers its support for conducting an analysis in 2016 for determination of a garage being built at Lot 4 including what a P.3 partnership may look like; and,

Whereas staff has advised there are 2195 parking spaces in the City’s parking garages and surface parking lots and on average 50% of those spaces are vacant and there are an additional 938 on-street parking spaces not included in this vacancy figure;

Therefore staff advise the Downtown Oshawa B.I.A. of the scheduling of the repair of Lot 4; and,
The Downtown Oshawa B.I.A. be advised that since there is currently a large surplus of parking in the downtown an analysis on the need to build a parking garage on the Lot 4 property is not needed at this time.

2. **Naming of a Parkette** (CS-16-26)

Recommendation (Carried – See Page 117)

That based on Report CS-16-26 dated March 24, 2016, the parkette located in Tribute’s Dantonbury subdivision located west of Simcoe Street North, north of Britannia Avenue West be named Charles P.B. Taylor Parkette.

3. **Proposed No Parking Anytime Restriction on Somerville Street** (CS-16-29)

Recommendation (Carried – See Page 117)

1. That based on Report CS-16-29 dated March 24, 2016, Traffic By-law 79-99, as amended, be further amended to implement a 'No Parking Anytime' restriction on both sides of Somerville Street between Seneca Avenue and Taunton Road West; and,

2. That a copy of this report be sent to the resident inquirer.

4. **Cordova Valley Park and The Pepper Patch Community Gardens** (CS-16-30)

Recommendation (Carried – See Page 117)

1. That pursuant to Report CS-16-30 dated March 24, 2016 the Commissioner of Community Services be authorized to approve and execute a Licence Agreement with The Table, to allow We Grow Food and their volunteers to use Cordova Valley Park for a period of two (2) years with the right to renew the Agreement on the same terms and conditions for an additional two (2) year term, provided the Agreement is in good standing at the end of the 2017 growing season; and,

2. That facility use fees normally required for the use of Cordova Valley Park be waived for gardening related activities or events held by the Licensee; and,

3. That the Commissioner of Community Services be authorized to approve and execute a Licence Agreement with The Table, to allow We Grow Food and their volunteers to use City-owned land located at 138 and 139 Albert Street for a period of five (5) years provided the current Licence Agreement is in good standing at the time of its expiry in December 2016, and the Licensee shall have the right to renew the Agreement for an additional five (5) year term, provided the Agreement is in good standing at the end of the 2021 growing season; and,

4. That the above Licence Agreements be in a form and content satisfactory to the City Solicitor.
5. Community Services Committee’s Outstanding Items Status Report – First Quarter 2016  

Recommendation  

(Carried – See Page 117)

That Report CS-16-28, being the Community Services Committee’s Outstanding Items Status Report for first quarter 2016, be received for information.

Report of the Finance Committee

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

1. Oshawa Express – Requesting the City Purchase an Advertisement in the Fiesta Week Colour Feature and Auto Fest Program  

FIN-16-26

Oshawa Folk Arts Council – to Purchase an Advertisement in the Fiesta Week Booklet  

FIN-16-27

Recommendation  

(Carried – See Page 117)

Whereas the City of Oshawa wishes to celebrate and support community volunteer organizations and events,

Therefore Communications staff prepare and submit the following advertisements with payment from the City’s advertising budget:

1. A full-page advertisement in The Oshawa Express at a cost of $1,095 in the Autofest program to be published in August 2016; and,

2. A full-page advertisement in the Oshawa Folk Arts Council Fiesta Week Booklet at a cost of $800.

2. Finance Committee’s Outstanding Items Status Report – First Quarter 2016  

FIN-16-21

Recommendation  

(Carried – See Page 117)

That Report FIN-16-21, being the Finance Committee’s Outstanding Items Status Report for the first quarter 2016, be received for information.

3. Corporate Payments for the Month of February 2016  

FIN-16-22

Recommendation  

(Carried – See Page 117)

That Report FIN-16-22 dated March 24, 2016 concerning corporate payments for the month of February 2016, be received for information.
4. The Central Business District Improvement Area - 2016 Levying By-Law (FIN-16-23)

Recommendation (Carried – See Page 117)

That in accordance with Report FIN-16-23, dated March 24, 2016, the by-law for the 2016 billing of the Central Business District Improvement Area, be passed.

5. Remuneration and Expenses for the Office of the Mayor, Members of Council, and Council Appointees for 2015 (FIN-16-24)

Recommendation (Carried – See Page 117)


6. 2015 Annual Statement of Building Permit Revenues and Expenses (FIN-16-25)

Recommendation (Carried – See Page 117)

That Report FIN-16-25 dated March 24, 2016 concerning the 2015 annual statement of building permit revenues and expenses be received for information.

Committee of the Whole Reports

None.

Motions

“That the City of Oshawa proclaim:

May 2, 2016 as ‘School Crossing Guard Appreciation Day’;

May 17, 2016 as ‘International Day Against Homophobia/Transphobia’ and the Rainbow Flag be raised and flown through to May 25, 2016;

May 30 to June 5, 2016 as ‘Parachute Safe Kids Week’;

May 30 to June 6, 2016 as ‘Pride Week’ and the Rainbow Flag be raised at City Hall on May 30, 2016 and flown through to June 6, 2016;

June 10, 2016 as ‘Portugal Day’ and the Portugal Flag be raised at City Hall on May 13, 2016 and flown through to June 10, 2016;

June 2016 as ‘Brain Injury Awareness Month’;

June 2016 as ‘Seniors’ Month’; and,

October 1, 2016 as ‘National Seniors Day’ and the International Older Persons Flag be flown at City Hall on that day.” (Carried – See Page 117)
“That the Polish Flag be flown at City Hall on May 2 and 3, 2016.”
(Carried – See Page 117)

"Whereas By-law 123-2006, as amended, appoints Acting City Clerks; and,

Whereas Melissa Pringle is no longer an employee of the City of Oshawa and Laura Davis has been appointed to the position of Committee Co-ordinator;

Therefore, By-law 123-2006, as amended, be repealed and a new by-law be adopted which consolidates the amendments to By-law 123-2006 and appoints Laura Davis as a Second Acting City Clerk of the Corporation of the City of Oshawa if the City Clerk and First Acting City Clerk are unable to carry on his or her duties through absence, illness or otherwise.”  (Carried – See Page 117)

By-laws

23-2016 A By-law to Amend Traffic By-law 79-99, as amended.
(Implements direction of April 11, 2016 through Item 3 of the Twentieth Report of the Community Services Committee to prohibit parking on both sides of Sommerville Street between Seneca Avenue and Taunton Road West.)
(Carried – See Page 117)

24-2016 A By-law to Appoint a First and Second Acting City Clerk.
(Implements Council Resolution of April 11, 2016 to appoint Mary Medeiros as first Acting City Clerk and Laura Davis as second Acting City Clerk; and, to repeal By-law 123-2006, as amended.)
(Carried – See Page 117)

25-2016 A By-law to Amend Zoning By-law 60-94, as amended.
(Implements direction of April 11, 2016 through Item DS-16-64 of the Development Services Committee to lift the ‘h-61’ holding symbol on lands located at 707 Harmony Road North to permit a real estate office, M. McDougall.)
(Carried – See Page 117)

26-2016 A By-law to Adopt Amendment 180 to the Oshawa Official Plan.
(Implements direction of April 11, 2016 through Item 8 of the Twenty-eighth Report of the Development Services Committee to permit a maximum residential density of 629 units per hectare on lands located at 1900 Simcoe Street North.)
(Carried – See Page 117)

27-2016 A By-law to Adopt Amendment 68 to the Official Plan of the Former Oshawa Planning Area – Secondary Plan for the Samac Community.
(Implements direction of April 11, 2016 through Item 8 of the Twenty-eighth Report of the Development Services Committee to permit a maximum residential density of 629 units per hectare on lands located at 1900 Simcoe Street North.)
(Carried – See Page 117)
28-2016 A By-law to Amend Zoning By-law 60-94.  
(Implements direction of April 11, 2016 through Item 8 of the 
Twenty-eighth Report of the Development Services Committee to change 
the zoning at 1900 Simcoe Street North from MU-B ‘h-48’ to M-B(3) ‘h-64’ 
(Mixed Use) to permit an eight storey mixed use building with 308 
bachelor apartment units and up to 605 square metres of ground floor 
commercial floor space, subject to special regulations related to density, 
height, setbacks, landscaping, lot coverage, frontage, parking and 
prohibiting balconies.)  
(Carried – See Page 117)

29-2016 A By-law to adopt tax estimates and establish tax rates.  
(Implements direction of April 11, 2016 through Item 4 of the Seventh 
Report of the Finance Committee to adopt the estimates of the needs of 
the Downtown Board of Management for the Oshawa 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 2016 and to establish 
the tax rates necessary to raise those sums.)  
(Carried – See Page 117)

Discussion Agenda

Matters Excluded From Consent Agenda

Moved by Councillor McQuaid-England, seconded by Councillor Sanders, 
(176) “That Council adopt the recommendation contained in Item 3 of the Twenty-eighth 
Report of the Corporate Services Committee.” Carried

Matters Tabled

No matters were lifted from the table.

Notice of Motion Previously Given

Moved by Councillor McQuaid-England, seconded by Councillor Sanders, 
“That Council reconsider its decision of March 26, 2010 to not implement electronic 
voting to allow for staff to investigate and report back to the Corporate Services 
Committee on the cost and logistics of electronic voting as well as including how 
municipalities like Toronto, London, Guelph and North Vancouver have incorporated it 
in their municipalities.” Lost on the following vote (2/3 required)

Affirmative – Councillors Kerr, McQuaid-England, Neal, Sanders and Shields

Negative – Councillors Aker, Carter, Chapman, Diamond, Pidwerbecki and Mayor 
Henry

Absent – None
Notices of Motion

Councillor McQuaid-England provided the following notice of motion:

“That Council reconsider its decision of March 26, 2010 to not implement electronic voting to allow for staff to investigate and report back to the Corporate Services Committee on the cost and logistics of electronic voting as well as including how municipalities like Toronto, London, Guelph and North Vancouver have incorporated it in their municipalities.”

Councillor Neal provided the following notice of motion:

“Whereas currently within the City of Oshawa there are no City-run outdoor ice skating rinks; and,

Whereas municipalities comparably the same size as the City of Oshawa currently operate outdoor skating rinks;

Therefore be it resolved that the City of Oshawa investigate and report back on the feasibility of City-run outdoor skating rinks; and further,

That this matter be referred to the Community Services Committee.”

Confirming By-Law

Moved by Councillor Pidwerbecki, seconded by Councillor Shields,
(177) “That the Confirming By-law be passed.” Carried

30-2016 A By-law to confirm the City Council meeting of April 11, 2016.

Adjourn

Moved by Councillor Sanders, seconded by Councillor Neal,
(178) “That the meeting adjourn.” Carried

The meeting adjourned at 7:40 p.m.
For your information, the following correspondence received by the City Clerk was filed following City Council’s meeting of April 11, 2016:

1. Township of Brock, Thomas Gettinby, CAO and Municipal Clerk advising Brock’s Protection to Persons and Property Committee endorsed Oshawa Council’s resolution requesting the Province review and amend the Ontario Building Code to further restrict the use of wired glass.  
   (Carried – See Page 117)

2. Township of Brock, Thomas Gettinby, CAO and Municipal Clerk advising the Region of Durham of Brock’s Planning Committee resolution urging the Region of Durham add the additional feature to the Durham Region Business Directory that would allow businesses to add and/or edit their business information on-line; and, forwarding Brock Deputy Clerk’s interoffice memorandum dated March 21, 2016.  
   (Carried – See Page 117)

3. Ministry of Transportation, Steven Del Duca, Minister acknowledging the support of Durham municipalities and stakeholders for GO Rail service expansion and advising, subject to agreement with freight rail partners, the Province’s 2016 Budget identifies GO rail service to Bowmanville as a beneficial infrastructure investment.  
   (Carried – See Page 117)

4. Ontario Ministry of the Environment and Climate Change, Great Lakes Office forwarding a link to the Great Lakes Strategy First Progress Report outlining key accomplishments since the release of Ontario Great Lakes Strategy in 2012, and advising under the Great Lakes Protection Act, 2015, Ontario is committed to reporting on progress every three years.  
   (Great Lakes Strategy First Progress Report)  
   (Carried – See Page 117)

5. Township of Scugog, Nicole Wellsbury, Clerk forwarding Scugog Council’s resolution endorsing Carleton Place Council’s resolution requesting the Minister of Agriculture, Food and Rural Affairs discontinue the use of the current evaluation criteria that penalizes municipalities that plan to maintain their infrastructure and instead distribute all future infrastructure grants to all municipalities utilizing a fair and equitable formula.  
   (Carried – See Page 117)

6. Regional Municipality of Durham, Roger Saunders, Director, Strategic Planning forwarding Regional Commissioner of Planning and Economic Development Report 2016-P-23 providing the annual overview of subdivision and condominium activity in the Region from January 1 to December 31, 2015.  
   (Carried – See Page 117)
   (Carried – See Page 117)

8. Enbridge Pipelines Inc., Ken Hall, Senior Advisory Public Affairs, Eastern Region advising that, as of December 2015, their Line 9B crude oil pipeline between North Westover, Ontario and Montreal, Quebec has been safely flowing oil eastward; and, listing some advantages of Line 9 and Line 9B for eastern Canada, describing the National Energy Board’s regulatory review, advising of Enbridge’s effective pipeline management and safety enhancements.
   (Enbridge brochure for Public Officials and Emergency Responders)  
   (Carried – See Page 117)

9. Regional Municipality of Durham, Debi Wilcox, Regional Clerk/Director of Legislative Services forwarding Regional Council’s resolution requesting the Province provide all non-confidential data and studies used in considering changes to Ontario’s off-site nuclear emergency plans; and, requesting the Province consider the feasibility of expanding the 10 km primary zone.
   (Carried – See Page 117)

    (Carried – See Page 117)

11. Melissa Godley supporting moving the remaining Camp X building to the south field at the Oshawa Airport to become part of the existing museum.
    (At its meeting of March 21, 2016, Oshawa City Council adopted a resolution in support of moving the last remaining structure from Camp X on Thickson Road, and directed staff to work with The Ontario Regiment R.C.A.C. Regimental Museum and the Town of Whitby on a process to relocate the building to The Ontario Regiment R.C.A.C. Regimental Museum located on the south field of the Oshawa Executive Airport.)
    (Carried – See Page 117)

12. Susan Kennedy supporting moving the remaining Camp X building to the south field at the Oshawa Executive Airport to become part of the existing museum.
    (Carried – See Page 117)

13. Lynn Philip Hodgson supporting the City quickly moving the remaining Camp X building to the south field at the Oshawa Executive Airport to become part of the existing museum.
    (Carried – See Page 117)
14. Linda DesRoches expressing support for Lynn Philip Hodgson and requesting the only building left at Camp X remain at Camp X.  
   (Carried – See Page 117)

15. David Galloway supporting the City of Oshawa and the Town of Whitby realizing the importance of moving the remaining Camp X building to preserve WWII history.  
   (Carried – See Page 117)

16. Jennifer Avery supporting moving the remaining Camp X building to the south field at the Oshawa Executive Airport to become part of the existing museum.  
   (Carried – See Page 117)

17. Joseph and Linda McKinlay supporting moving the remaining Camp X building to become part of the existing museum for future generations.  
   (Carried – See Page 117)

18. Nancy Doughty supporting moving the remaining Camp X building to the south field at the Oshawa Executive Airport to become part of the existing museum in order to educate others and preserve history.  
   (Carried – See Page 117)

19. Colin Doughty supporting moving the remaining Camp X building to the south field at the Oshawa Executive Airport to become part of the existing museum in order to honour the men and women who gave so much for Canada.  
   (Carried – See Page 117)

20. Mark Zuehlke supporting moving the remaining Camp X building to the south field at the Oshawa Executive Airport to become part of the existing museum in order to educate the public locally and nationally of the importance of the Camp X program during World War II.  
   (Carried – See Page 117)

21. Linda Young supporting moving the remaining Camp X building to the south field at the Oshawa Executive Airport to become part of the existing museum in order to honour the men and women who gave so much for Canada.  
   (Carried – See Page 117)

22. Taylor Summers Kenney opposing moving the remaining Camp X building and requesting the original ground where Camp X existed also be preserved due to its importance to world history.  
   (Carried – See Page 117)

23. Jo-Ann Gannon supporting moving the remaining Camp X building to the south field of the Oshawa Executive Airport.  
   (Carried – See Page 117)
   (Carried – See Page 117)

25. Town of Whitby, Christopher Harris, Town Clerk forwarding Whitby Council’s resolution to the Minister of Municipal Affairs and Housing requesting he expedite the enactment of a regulation to change the composition of Regional Council pursuant to Durham Regional Council’s resolution of March 9, 2016.
   (Carried – See Page 117)