Minutes of a meeting of the Council of the City of Oshawa held in the Council Chamber on October 17, 2016 at 3:30 p.m.

Mayor Henry and Councillors Aker, Carter, Chapman, Diamond, Kerr, McQuaid-England, Neal, Pidwerbecki, Sanders and Shields were present.

Mayor Henry presided.

Declarations of Pecuniary Interest

Councillor Neal made a declaration of pecuniary interest related to the presentation by the Independent Electricity System Operator and Items 2 and 4 of the Twenty-sixth Report of the Community Services Committee as Oshawa Power and Utilities Corporation is referred to in the presentation and the items and, as his wife is employed by Oshawa P.U.C. Networks Inc., he did not participate in discussion or voting on the items; and, Motions CM-16-29 and CM-16-30 as rooftop solar projects are referred to in the motions and, as his wife is employed by Oshawa P.U.C. Networks Inc., he did not participate in discussion or voting on the motions.

Councillor Diamond made a declaration of pecuniary interest concerning the Heritage Oshawa minutes of August 25 and September 22, 2016 as they refer to Items HG-16-92 and HG-16-104, respectively, and those items reference 382 Simcoe Street North (Lakeridge Health) and, as she lives in the referenced area, she did not participate in discussion or voting on the items.

Councillor Aker made a declaration of pecuniary interest concerning the delegation of Marko Ivancicevic as it refers to medical marijuana and, as his wife owns shares in several public medical marijuana corporations, he did not participate in discussion or voting on the item.

Councillor Carter made a declaration of pecuniary interest concerning the delegation of Marko Ivancicevic as it refers to medical marijuana and, as he owns property that rents to a medical marijuana dispensary, he did not participate in discussion or voting on the item; and, Item 6 of the Fourteenth Report of the Finance Committee as the downtown business improvement area is referenced in the item and, as he owns property in the referenced area, he did not participate in discussion or voting on the item.

(Also See Page 336)

Presentations

None.

Delegations/Delegation Requests

Delegations

None.

Delegation Requests (2/3 vote required)

None.
Correspondence Requests
None.

Additional Agenda-Related Confidential Correspondence
None.

Closed Consent Agenda
Moved by Councillor Pidwerbecki, seconded by Councillor Sanders, (392) “That all items listed under the heading of Closed Consent Agenda for the October 17, 2016 Council meeting be adopted as recommended except the confidential verbal report listed as Item 1 under Committee of the Whole Reports.” 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 Forty-second Report.

1. Proposed Purchase of City Owned Lands on the west side of Harmony Road North, South of Missom Gate (DS-16-170)

Recommendation (Carried – See Page 334)

That pursuant to Closed Report DS-16-170 dated September 29, 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, south of Missom Gate (legally described as Part 6, 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, 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. Jag Sharma, City Manager providing a Verbal Report concerning a Probationary Status Update (CM-16-31)

(See Page 335)

Motions

None.

Discussion Agenda

Matters Excluded From Consent Agenda

Moved by Councillor Pidwerbecki, seconded by Councillor Shields, (393) “That pursuant to Section 239(2)(b) of the Municipal Act, 2001, as amended this meeting be closed to the public in order to receive a verbal update from the City Manager related to personal matters.” Carried

All Council members were present for the closed meeting. 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 1 of Confidential Committee of the Whole Reports being Verbal Report CM-16-31 from the City Manager.

Moved by Councillor Aker, seconded by Councillor Kerr, (394) “That Council rise from the closed meeting and report.” Carried

Closed Meeting Report

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

Jag Sharma, City Manager provided Verbal Report CM-16-31 concerning a probationary status update related to his position as City Manager.

Council members questioned the City Manager.

This concludes the closed meeting summary report.

Moved by Councillor Chapman, seconded by Councillor Aker, (395) “That the verbal report from the City Manager concerning a probationary status update be received, and the City Manager be congratulated on his success to date.” Carried
Matters Tabled

None.

Moved by Councillor Chapman, seconded by Councillor Sanders, (396) “That the meeting recess.” Carried

The meeting recessed at 4:16 p.m. and reconvened at 6:30 p.m. All Council members were present following the recess.

Public Agenda

Announcements from Council Members

Various announcements were made relating to activities and events.

Declarations of Pecuniary Interest

Councillor McQuaid-England made a declaration of pecuniary interest concerning Councillor Kerr’s announcement related to community gardens, as he referred to Cordova Valley’s community garden and, as she produced a documentary featuring Cordova Valley’s community garden, she did not participate in discussion on the matter.

Presentations

Tricia Anderson, President and C.E.O., Canadian Independent Petroleum Marketers Association presented their vision of a partnership with the City to help residents reduce greenhouse gas emissions and save money at the gas pumps.

Council members questioned Tricia Anderson.

Terry Young, Vice-President, Conservation and Corporate Relations, and Mary Bernard, Manager, Media Relations and Issues Management, Independent Electricity System Operator provided a presentation about Ontario’s power system including the role of consumers, energy conservation, regional electricity planning and system reliability.

Council members questioned Terry Young and Mary Bernard.

Samantha Burdett, Policy Advisor, Diversity and Immigration, Regional Municipality of Durham presented the Region of Durham’s Fourth Annual Community Report Card on Diversity and Immigration.

Council members questioned Samantha Burdett.

Delegations/Delegation Requests

Delegations

None.
Delegation Requests (requires 2/3 vote)

1. Marko Ivancicevic requesting to address City Council concerning the licensing and regulation of medical marijuana dispensaries in the City.
   Moved by Councillor Sanders, seconded by Councillor Kerr, (397) “That Marko Ivancicevic be heard.” Carried on a 2/3 vote of members present

Marko Ivancicevic addressed City Council concerning the licensing and regulation of medical marijuana dispensaries in the City stating he would like to see Oshawa Council take action to regulate dispensaries as there are thousands of patients in Durham that require access to medical marijuana. He stated there are many municipalities currently discussing the licensing and regulation of medical marijuana dispensaries in their communities and earlier today at a rally at Oshawa City Hall 100 patients signed a petition requesting support from their local government for dispensary services. Marko Ivancicevic stated that some people think the need for medical marijuana is a joke which is unfortunate as individuals suffering from multiple sclerosis, cancer, H.I.V. and other conditions are being ignored and are suffering. He acknowledged that Oshawa’s current Council has approached the subject-matter professionally and requested that Council members break free from the stigma that cannabis is not medicine and act now to remove barriers for patients to access medical marijuana treatment.

Council members questioned Marko Ivancicevic.

Correspondence Requests

1. Rebecca Alley-Wilson requesting her daughter be permitted to sing ‘O Canada’ at a City Council meeting.
   Moved by Councillor Chapman, seconded by Councillor Diamond, (398) “That Kalista Wilson be invited to sing ‘O Canada’ at an upcoming City Council meeting.” Carried

Additional Agenda-Related Correspondence

1. Stephen Bell, President, Branch 43, Oshawa Legion requesting the City proclaim October 28 to November 11, 2016 as ‘Poppy Week’ in the City and the Poppy Flag be raised at City Hall on October 28, 2016 and flown for the week.
   Moved by Councillor Chapman, seconded by Councillor Sanders, (399) “That the Royal Canadian Legion, Branch 43 request to proclaim October 28 to November 11, 2016 as ‘Poppy Week’ and the Poppy Flag be raised at City Hall on October 28, 2016 and flown for the week be approved.” Carried on a 2/3 vote of members present

Moved by Councillor McQuaid-England, seconded by Councillor Diamond, (400) “That a motion be added to the October 17, 2016 Council Agenda concerning the presentation from the Canadian Independent Petroleum Marketers Association.” Carried on a 2/3 vote of members present
Moved by Councillor McQuaid-England, seconded by Councillor Diamond,
(401) “That the request from Tricia Anderson, President and C.E.O. of Canadian Independent Petroleum Marketers Association be referred to staff for a report with comments from the Oshawa Environmental Advisory Committee.” Carried

Moved by Councillor Pidwerbecki, seconded by Councillor Shields,
(402) “That the rules of procedure be waived to add a motion to the Council Agenda concerning the Cadillac Avenue South Construction Project between Olive Avenue and Eulalie Avenue.” Carried on a 2/3 vote of members present

Moved by Councillor Pidwerbecki, seconded by Councillor Shields,
(403) “Whereas the Region of Durham has replaced water and sanitary services on Cadillac Avenue South between Olive Avenue and Eulalie Avenue; and,

Whereas the City of Oshawa has retained Hard-Co to pave the surface of this section of Cadillac Avenue South, install new curbing and provide pavement patches on the driveway aprons next to the curb work where required; and,

Whereas a number of residents have advised the City that they do not want Hard-Co to do a pavement patch on their driveway aprons; and,

Whereas these residents want their entire driveway apron repaved for consistency purposes and they are prepared to pay their share for this work; and,

Whereas it is appropriate to provide the residents along this section of Cadillac Avenue South options with respect to the paving of their driveway aprons;

Therefore, be it resolved:

1. That residents that want Hard-Co to provide the pavement patch on their driveway aprons as originally planned be permitted to exercise this option;

2. That the residents that do not want to pavement patch on their driveway aprons be provided a cash equivalent of the pavement patch work as determined to the satisfaction of the City’s Acting Director, Engineering Services provided that Hard-Co reduces its tender amount accordingly subject to the residents signing an appropriate release in favour of the City in a form to the satisfaction of the City Solicitor;

3. That the funds required to pay the residents be paid from the project account for this road work;

4. That this approval shall not be retroactively applied to other projects.” Carried on the following vote

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

Negative – None

Absent – None
Public Consent Agenda

Moved by Councillor Pidwerbecki, seconded by Councillor Shields, (404) “That all items listed under the heading of Public Consent Agenda for the October 17, 2016 Council meeting be adopted as recommended except:

Item 6 of the Twenty-sixth Report of the Community Services Committee; and, Items 6, 7, 8 and 9 of the Fourteenth Report of the Finance Committee.” Carried

Adoption of Minutes

That the minutes of the September 26 and October 6, 2016 City Council meetings be adopted. (Carried – See Page 339)

Correspondence

Correspondence – Received and Filed

That correspondence listed in Appendix A to the Public Agenda for the October 17, 2016 Council meeting be received and filed. (Carried – See Page 339)

Correspondence

None.

Advisory Committee Meeting Minutes

61. Heritage Oshawa

Recommendation (Carried – See Page 339)

That the minutes of the Heritage Oshawa meetings of August 25 and September 22, 2016 be received for information.

62. Oshawa Accessibility Advisory Committee

Recommendation (Carried – See Page 339)

That the minutes of the Oshawa Accessibility Advisory Committee meeting of September 20, 2016 be received for information.

63. Oshawa Environmental Advisory Committee

Recommendation (Carried – See Page 339)

That the minutes of the Oshawa Environmental Advisory Committee meeting of October 4, 2016 be received for information.
64. Oshawa Active Transportation Advisory Committee

Recommendation (Carried – See Page 339)

That the minutes of the Oshawa Active Transportation Advisory Committee meeting of October 5, 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 Forty-first Report.

1. Fifth Report of the Oshawa Accessibility Advisory Committee (DS-16-177)

Recommendation (Carried – See Page 339)

That DS-16-177 being the Fifth Report of the Oshawa Accessibility Advisory Committee be received for information and a copy of the report forwarded to City Council:

‘1. Accessibility Plan Update for September 2016 (OAAC-16-46)

Recommendation

1. That the 2013-2017 Accessibility Plan – September 2016 status update as set out in Attachment 1 to Report OAAC-16-46 dated September 15, 2016 be received for information; and,

2. That a copy of this report be forwarded to City Council.’


Recommendation (Carried – See Page 339)

Whereas on May 2, 2016, City Council authorized Total Aviation and Airport Solutions (T.A.A.S.), the airport’s contract management company, to retain two qualified independent engineering firms to support the quality control and quality assurance provisions of the airport safety management system relating to the preparation of the drawings and construction documents for the work related to the reconstruction of Runway 12/30 project and the extension of the Runway End Safety Areas (R.E.S.A.) at the Oshawa Executive Airport in a total amount not to exceed $55,000 excluding H.S.T.; and,

Whereas T.A.A.S. has retained W.S.P. to provide the runway paving and R.E.S.A. design standards to the City’s Engineering Services Branch and to complete the electrical drawings and related electrical construction documents and costing; and,
Whereas in April of 2016 it was anticipated that the City’s Engineering Services Branch could prepare the runway paving and R.E.S.A. drawings, construction documents and costing based on W.S.P.’s input on the specific design standards required for aircraft using the airport; and,

Whereas the City’s Engineering Services Branch has done some design background work but it has been determined that staff do not have the required technical expertise to complete the design work given the specialized nature of the design work; and,

Whereas it was also anticipated that the City’s Engineering Services Branch would also undertake the design work related to the regrading/rehabilitation of the apron area along the east side of the T-hangar, west of the Taxi T2/Apron II intersection; and,

Whereas W.S.P., a qualified consultant, has submitted a proposal dated September 22, 2016 for the design work related to the reconstruction of Runway 12/30 and the extension of R.E.S.A. and the regrading/rehabilitation of the apron adjacent to the T-hangar; and,

Whereas the Airport Manager is satisfied that the proposal is competitive and appropriate;

Therefore be it resolved that T.A.A.S. be authorized to retain W.S.P. for the design work related to the reconstruction of Runway 12/30 and the extension of the R.E.S.A. and the regrading/rehabilitation of the apron adjacent to the T-hangar at the Oshawa Executive Airport at a total amount not to exceed $40,410 plus applicable taxes and that this be funded from the Airport Development Reserve.

3. Declaration of Certain City-Owned Lands as Potentially Surplus: Unimproved Portion of Patton Street Road Allowance North of Cedar Valley Boulevard (DS-16-172)

Recommendation (Carried – See Page 339)

1. That pursuant to Report DS-16-172 dated September 29, 2016, the City-owned Patton Street road allowance located north of Cedar Valley Boulevard as identified in Attachment 1 to Report DS-16-172 be declared as potentially surplus to municipal requirements; and,

2. That given the localized nature of the matter, the newspaper advertising requirements of By-law 97-2000 be waived and the notice inviting public comment on the declaration be mailed only to the abutting property owners.
4. City of Oshawa Permit Application submitted to the Central Lake Ontario Conservation Authority for a Fill Cap on City Lands Southeast of Harbour Road and Simcoe Street South and the Implications for Lands at 1438 Simcoe Street South (DS-16-178)

Recommendation (Carried – See Page 339)

1. That pursuant to Report DS-16-178 dated September 29, 2016, the Mayor and Clerk be authorized to execute an Agreement generally in accordance with the terms set out in the above-noted Report with the owner of 1438 Simcoe Street South together with such other documents as are required to complete the Agreement in the opinion of the City Solicitor; and the Agreement and other documents be in a form and content satisfactory to the City Solicitor and Commissioner of Community Services; and,

2. That pursuant to Report DS-16-178 dated September 29, 2016 the Central Lake Ontario Conservation Authority be requested to approve the fill permit application submitted by the City for a fill cap on City lands located southeast of Harbour Road and Simcoe Street South on the understanding that the City will investigate the opportunity for future hydraulic improvements to the Simcoe Street South Bridge crossing of the Oshawa Creek when the infrastructure is considered for rehabilitation or replacement and that any potential improvements are subject to Council budget approval at its sole discretion.

5. Final Background Study for Drive-through Facilities in the City of Oshawa (DS-16-179)

Recommendation (Carried – See Page 339)

That Report DS-16-179 dated September 29, 2016 concerning the Final Background Study of Drive-Through Facilities in the City of Oshawa be received for information.

6. Development Services Committee’s Outstanding Items Status Report – Third Quarter 2016 (DS-16-176)

Recommendation (Carried – See Page 339)

That Report DS-16-176 dated September 12, 2016 concerning the Development Services Committee’s Outstanding Items Status Report be received for information.
7. **Investment in Affordable Housing Program for Ontario, Region of Durham**  

**Recommendation** (Carried – See Page 339)

1. That pursuant to Closed Report DS-16-180 dated September 29, 2016, the Region of Durham be advised that the City of Oshawa supports both proposed affordable housing projects recommended for award by the Region of Durham pursuant to the evaluation of the Requests for Proposals 1002-2016 under the Investment in Affordable Housing for Ontario – 2014 Extension Program; and,

2. That pursuant to Closed Report DS-16-180 dated September 29, 2016, the Region of Durham be advised that the City of Oshawa will take the necessary steps to set the municipal tax rate for each affordable housing project at the single residential rate for twenty years from the date of building occupancy for any unit that receives funding under the Investment in Affordable Housing for Ontario – 2014 Extension Program.

**Report of the Corporate Services Committee**

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

1. **David Conway – Requesting Amendments to Section 55 of Council’s Procedural By-law Related to Time Limits For Delegations at Council** (CORP-16-78)  

**Recommendation** (Carried – See Page 339)

That Correspondence CORP-16-78 from David Conway requesting amendments to Section 55 of Council’s Procedural By-law related to time limits for delegations at Council be received for information.

2. **City of Pickering – Information Technology Strategic Plan, Broadband and Intelligent Community Initiatives** (CORP-16-79)  

**Recommendation** (Carried – See Page 339)

That Correspondence CORP-16-79 from the City of Pickering concerning the Information Technology Strategic Plan and Intelligent Community Initiatives be received for information.

3. **Corporate Services Committee Outstanding Items Status Report Third Quarter 2016** (CORP-16-80)  

**Recommendation** (Carried – See Page 339)

That Report CORP-16-80, being the Corporate Services Committee’s outstanding items list as of the third quarter 2016 be received for information.
Report of the Community Services Committee

The Community Services Committee respectfully reports and recommends to City Council its Twenty-sixth Report.

1. **John Malish Requesting the City Commemorate Albert ‘Red’ Tilson with a Bench Statue (CS-16-82)**

   Recommendation (Carried – See Page 339)

   That Correspondence DS-16-82 from John Malish requesting that the City commemorate Albert ‘Red’ Tilson with a bench statue be referred to the Robert McLaughlin Gallery to examine possible funding opportunities such as heritage grants and other individuals for commemoration.

2. **Rosemary McConkey Providing Information Regarding the Decorative Pole Banners in Columbus (CS-16-85)**

   Recommendation (Carried – See Page 339)

   That Correspondence DS-16-85 from Rosemary McConkey dated September 29, 2016 providing information regarding the decorative pole banners in Columbus be received for information.


   Recommendation (Carried – See Page 339)

   1. That based on Report CS-16-79 dated September 30, 2016 concerning the Harmony Valley Park and Off-Leash Area review, $70,000.00 for the construction of an accessible walkway and off-leash enclosure to be located within the current off-leash area at Harmony Valley Park as noted in Attachment 1 and 2 be considered as part of the 2017 Capital Budget process; and,

   2. That staff work with Oshawa Durham Area Walkers Group (O.D.A.W.G.) to engage park users and raise awareness in the interest of improving safety and environmental conditions at Harmony Valley Park; and,

   3. That staff and O.D.A.W.G. continue to work cooperatively with Municipal Law Enforcement in the monitoring and enforcement of the park for a period of one year and, at the end of one year, staff will reassess the off-leash area to ensure compliance and safety; and,

   4. That staff review maintenance, signage, and the trail network to improve way-finding and user experience in the Park as part of the capital request for restructuring; and,

   5. That staff review other locations for an off-leash park, pending user group interest and community support, in order to alleviate the volume of users at Harmony Valley Park for possible implementation in 2018.
4. **Location of Decorative Poles in the Village of Columbus (CS-16-80)**

**Recommendation** (Carried – See Page 339)

Whereas Correspondence CS-15-117 was received on September 10, 2015; and,

Whereas the decorative poles were located in their current position due to the limited boulevard area and location of the sidewalk and therefore will not be relocated; and,

Whereas a review of the condition of the decorative poles does not indicate that they are either ‘bent’ or are in disrepair; and,

Whereas the City has pruned trees overhanging the middle banner pole and wire but does not have the ability to prune the trees beyond City property that is partially blocking the sight of the banner on the southern pole because they are private property trees and the homeowner has denied access to City staff; and,

Whereas the O.P.U.C. has stated that the wires that are in contact with the banners are utility wires (phone/cable) and are required to be a certain distance from the main hydro wires so it is not possible to relocate them; and,

Whereas staff has communicated this information directly to the author of the correspondence;

Therefore be it resolved that CS-15-117 be received for information and removed from the outstanding items list.

5. **Community Services Committee’s Outstanding Items Status Report – Third Quarter 2016 (CS-16-81)**

**Recommendation** (Carried – See Page 339)

That Report CS-16-81 dated September 30, 2016 concerning the Community Services Committee’s Outstanding Items status report be received for information.

6. **Renaming of the Columbus Community Centre (CS-16-86)**

**Recommendation** (Carried – See Page 352)

Whereas a request was made by Ms. McConkey to rename the Columbus Community Centre in honour of the late Honourable James Flaherty; and,

Whereas the University of Ontario Institute of Technology has advised they intend to name their Centre for Advanced Research, Innovation and Entrepreneurship (C.A.R.I.E.) building after the Honourable James Flaherty; and,

Whereas both these facilities will be located on Simcoe Street North less than four kilometers apart and Durham Region’s Emergency Responders (9-1-1) have concerns there may be confusion when calling for assistance in an emergency, especially when using a cellphone which may slow emergency response;
Therefore be it resolved:

1. That while Council respects the work done by the late Honourable James Flaherty for both Canada and our community, Council believes the most appropriate place in Oshawa for such a named building is on the U.O.I.T. campus and supports U.O.I.T. in doing so; and,

2. That considering the concerns of our emergency responders to ensure effective response to emergencies, the request to rename the Columbus Community Centre is denied and Ms. McConkey be thanked.

Report of the Finance Committee

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

1. **Tax Grants for Low Income Seniors and Persons with Disabilities** (FIN-16-71)

   Recommendation (Carried – See Page 339)

   That Report FIN-16-71 dated September 30, 2016 concerning Tax Grants programs for Low Income Seniors and Persons with Disabilities be received for information.

2. **Development Charges By-law Amendment** (FIN-16-78)

   Recommendation (Carried – See Page 339)

   Whereas the City finalized the most recent update to the Development Charge Background Study in 2014 to support By-law 80-2014 which was effective as of July 1, 2014; and,

   Whereas the City has subsequently completed the Parks Recreation Library and Culture Facility Needs Assessment, Integrated Transportation Master Plan and Active Transportation Master Plan; and,

   Whereas the adoption of these plans identified higher capital costs than previously estimated during the update of the Development Charge Background Study; and,

   Whereas the next Development Charge Background Study full update will not occur until 2018 for implementation of a new By-law in 2019; and,

   Whereas it would be prudent financial management to prepare an amendment to the Development Charge By-law effective for 2017 to begin collecting for these higher than anticipated future capital cost requirements; and,

   Whereas Section 19 of the Development Charges Act provides instructions regarding the process that applies with respect to amendments to a Development Charge By-law; and,
Whereas in considering the amendment the City must prepare a Development Charge Background Study and follow the public process requirements for passing a Development Charge By-law; and,

Whereas Watson & Associates could prepare a Development Charge Background Study that would include the updated capital cost estimates arising from the Parks Recreation Library and Culture Facility Needs Assessment, Integrated Transportation Master Plan and Active Transportation Master Plan and propose amendments to the Development Charge By-law for Council’s consideration; and,

Whereas a draft report Development Charge Background Study and amending By-law could be scheduled to be completed in early/mid-December for review by the City; and,

Whereas once the Development Charge Background Study and By-law are finalized, they would be made available to the public and posted on the City’s website 60 days prior to passage of the amending By-law. The statutory public meeting will be held during this 60 day period, with notice of the public meeting provided 20 clear days from the date of the public meeting; and,

Whereas the proposed budget to complete the assignment is $25,000, inclusive of disbursements, excluding H.S.T.;

Therefore be it resolved that the Manager, Purchasing Services be authorized to issue a Purchase Order to Watson & Associates for the purposes of completing an amendment to the City’s Development Charge By-law in the amount of $25,000 plus H.S.T. to be funded from the Administrative Growth Studies development charges reserve.

3. Finance Committee’s Outstanding Items Status Report – Third Quarter 2016 (FIN-16-80)

Recommendation (Carried – See Page 339)

That Report FIN-16-80 dated September 30, 2016 concerning the Finance Committee’s Outstanding Items status report be received for information.

4. Corporate Payments for the Month of August 2016 (FIN-16-81)

Recommendation (Carried – See Page 339)

That Report FIN-16-81 dated September 30, 2016 concerning Corporate Payments for the Month of August 2016 be received for information.
5. Request for Tender C2016-050 for the Supply and Delivery of Three (3) Tandem Axle Trucks with Plows (FIN-16-82)

Recommendation (Carried – See Page 339)

That based on Report FIN-16-82 dated September 30, 2016 concerning the tender award of the supply and delivery of three (3) 2016 tandem axle trucks with plows:

1. The Manager, Purchasing Services be authorized to award the contract to Premier Truck Group, for the total amount of $1,479,918, including taxes being the lowest compliant bid received; and,

2. The additional funding requirements of $639,596 be approved from the City’s Equipment Replacement Reserve.

6. Second Intake - Additional Requests for Waiving of Fees (FIN-16-83)

Recommendation (Carried – See Page 353)

That in accordance with Report FIN-16-83 dated September 30, 2016, the waiving of fees request submitted on behalf of Downtown Oshawa Business Improvement Area (B.I.A.)/Buster Rhino be denied as it does not meet the Council approved criteria for Waiving of Fees.

7. Equipment Repairs – Sprinklers and Compressor, Mary Street Parkade (FIN-16-84)

Recommendation (Carried – See Page 353)

Whereas the building systems and equipment at Mary Street Parkade are at the end of their useful life and require ongoing annual maintenance; and,

Whereas as a result of the annual sprinkler system testing, leaks in three tenant spaces have been identified and require immediate repair and a compressor for a heating ventilation and air conditioning (H.V.A.C.) unit that serves a tenant space, has seized and requires immediate replacement; and,

Whereas repairs to the sprinkler system are critical to ensure the life safety system operates as designed and is also required to complete pipe pressure testing in accordance with National Fire Protection Association (N.F.P.A.) 25, which is the standard for the inspection, testing, and maintenance of water-based fire protection systems. The replacement of the compressor is required to make the H.V.A.C. system operational providing conditioned air and ventilation to the tenant space; and,

Whereas the cost to complete immediate sprinkler system leak repairs is $14,700, the cost of the unforeseen repairs have not been included in a budget, and the repairs have been authorized and are being scheduled; and,
Whereas the cost to replace a compressor in the H.V.A.C. system is $6,510, the cost of the unforeseen repairs have not been included in a budget, the repairs have been authorized and are being scheduled; and,

Whereas the N.F.P.A. 25 pipe pressure testing, that will be completed once the leaks are repaired, may find additional deficiencies that are unknown at this time and may further impact budgets, will be brought to Committee and Council at the appropriate time; and,

Whereas the Executive Director of Finance/Treasurer has confirmed the funding for these repairs can be accommodated through additional revenues and other savings throughout the Operating Budget;

Therefore be it resolved that $21,210 in additional revenues and other savings be used to fund the immediate repairs to the sprinkler system and the replacement of the compressor for the H.V.A.C. unit at the Mary Street Parkade.

8. Equipment Replacement of Roof Top Heating Ventilation and Air Conditioning Unit – Fire Hall 1 (FIN-16-85)

Recommendation (Carried – See Page 353)

Whereas the Heating Ventilation and Air Conditioning (H.V.A.C.) equipment at Fire Hall 1 is at the end of its useful life and requires ongoing annual maintenance; and,

Whereas a recent preventative maintenance review identified one roof top unit cannot be repaired and requires replacement; and,

Whereas the roof top unit is required to supply heat to a portion of the Fire Hall and must be replaced prior to the heating season at a cost of $9,800, the cost of these unforeseen repairs has not been included in an approved budget; and,

Whereas a detailed energy audit of the facility was complete in 2016 to assist in making appropriate business decisions for capital replacement and to upgrade building systems to make the facility more energy efficient; and,

Whereas the capital replacement and upgrades identified in the energy audit have been included in the 2017 Capital Budget for Council’s consideration; and,

Whereas the replacement of the root top unit cannot be deferred until the 2017 Capital Budget is approved; and,

Whereas the repairs have been authorized and are being scheduled as the lead time to purchase, fabricate and install the roof top unit cannot be delayed and deferring the start date for these repairs would add cost to provide temporary heat; and,

Whereas the Executive Director of Finance/Treasurer has confirmed the funding for these repairs can be accommodated from additional revenues and other savings throughout the Operating Budget;
Therefore be it resolved that $9,800 in additional revenues and other savings be used to fund the replacement of the roof top unit at Fire Hall 1.

9. **Equipment Repairs – Exhaust Fan, Centre Street Parkade** (FIN-16-86)

Recommendation (Carried – See Page 353)

Whereas the carbon monoxide exhaust and ventilation system at the Centre Street Parkade operates in a very harsh environment that has shortened its useful life; and,

Whereas two fan motors and fan blades have seized and are broken and require immediate replacement to make the exhaust and ventilation system operational; and,

Whereas operation of the carbon monoxide exhaust and ventilation system, that extracts harmful vehicle exhaust fumes from each parking level, is critical for the day-to-day use of the facility; and,

Whereas the cost to replace the seized and broken equipment is $9,700, the cost of the unforeseen repairs have not been included in a budget, and the equipment has been ordered and the City is awaiting confirmation of delivery; and,

Whereas the Executive Director of Finance/Treasurer has confirmed the funding for these repairs can be accommodated through additional revenues and other savings throughout the Operating Budget;

Therefore be it resolved that $9,700 in additional revenues and other savings be used to fund the replacement of the motors and fan blades for the carbon monoxide exhaust and ventilation system at the Centre Street Parkade.

**Committee of the Whole Reports**

None.

**Motions**

“That City Council proclaim:

October 29, 2016 as ‘International Stroke Day’; and,

November 19 to 26, 2016 as ‘Peace Week’.” (Carried – See Page 339)

“That City Council ratify the proclamation issued on October 12, 2016 proclaiming October 16, 2016 as ‘Feral Cat Day’ in the City of Oshawa.” (Carried – See Page 339)

Recommendation (Carried – See Page 339)

Whereas Solar Power Network 011 Inc. (the ‘Applicant’) proposes to construct and operate a rooftop solar project (the ‘Project’) on 843 King Street West (the ‘Lands’) in the City of Oshawa under the Province’s Feed-Tariff (‘F.I.T.’) Program; and,

Whereas by correspondence dated September 30, 2016 the Applicant has requested that the Council of the City of Oshawa indicate by resolution Council’s support for the construction and operation of the Project on the Lands; and,

Whereas pursuant to the F.I.T. Program, applicants whose Projects receive the formal support of local municipalities will be awarded priority points, which may result in the Applicant being offered a F.I.T. Contract prior to other persons applying for F.I.T. Contracts;

Therefore, be it resolved:

1. That the Council of the City of Oshawa supports the construction and operation of a rooftop solar project proposed by Solar Power Network 011 Inc. at 843 King Street West; and,

2. That the sole purpose of this support is to enable Solar Power Network 011 Inc. to receive priority points under the F.I.T. Program and may not be used for the purpose of any other form of municipal approval in relation to the Project or any other purpose.


Recommendation (Carried – See Page 339)

Whereas Solar Power Network 011 Inc. (the ‘Applicant’) proposes to construct and operate a rooftop solar project (the ‘Project’) on 1401 Phillip Murray Avenue (the ‘Lands’) in the City of Oshawa under the Province’s Feed-Tariff (‘F.I.T.’) Program; and,

Whereas by correspondence dated September 30, 2016 the Applicant has requested that the Council of the City of Oshawa indicate by resolution Council’s support for the construction and operation of the Project on the Lands; and,

Whereas pursuant to the F.I.T. Program, applicants whose Projects receive the formal support of local municipalities will be awarded priority points, which may result in the Applicant being offered a F.I.T. Contract prior to other persons applying for F.I.T. Contracts;
Therefore, be it resolved:

1. That the Council of the City of Oshawa supports the construction and operation of a rooftop solar project proposed by Solar Power Network 011 Inc. at 1401 Phillip Murray Avenue; and,

2. That the sole purpose of this support is to enable Solar Power Network 011 Inc. to receive priority points under the F.I.T. Program and may not be used for the purpose of any other form of municipal approval in relation to the Project or any other purpose.

By-laws

None.

Discussion Agenda

Matters Excluded From Consent Agenda

Moved by Councillor Chapman, seconded by Councillor Neal, (405) “That Council adopt Item 6 of the Twenty-sixth Report of the Community Services Committee.” Carried by later votes

The motion was divided upon request to vote on each part separately.

Part 1 of Item 6 of the Twenty-sixth Report of the Community Services Committee carried on the following vote

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

Negative – None

Absent – None

Part 2 of Item 6 of the Twenty-sixth Report of the Community Services Committee carried on the following vote

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

Negative – Councillors Neal and Pidwerbecki

Absent – None
Moved by Councillor Diamond, seconded by Councillor Aker, (406) “That Council adopt Item 6 of the Fourteenth Report of the Finance Committee.” Carried on the following vote

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

Negative – None

Declaration of Interest – Councillor Carter

Absent – None

Moved by Councillor Diamond, seconded by Councillor Carter, (407) “That Council adopt Item 7 of the Fourteenth Report of the Finance Committee.” Carried on the following vote

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

Negative – None

Absent – None

Moved by Councillor Diamond, seconded by Councillor Carter, (408) “That Council adopt Item 8 of the Fourteenth Report of the Finance Committee.” Carried on the following vote

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

Negative – None

Absent – None

Moved by Councillor Diamond, seconded by Councillor Carter, (409) “That Council adopt Item 9 of the Fourteenth Report of the Finance Committee.” Carried on the following vote

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

Negative – None

Absent – None

**Matters Tabled**

No matters were lifted from the table.
Notices of Motion

Councillor McQuaid-England provided the following notice of motion:

“That the printing costs of tenant brochures in the amount of $2,500 be included in the upcoming 2017 budget meetings for consideration by Council; and, this motion be forwarded to the Corporate Services Committee.”

Confirming By-Law

Moved by Councillor Pidwerbecki, seconded by Councillor Sanders, (410) “That the Confirming By-law be passed.” Carried

89-2016 A By-law to confirm the City Council meeting of October 17, 2016.

Adjourn

Moved by Councillor Chapman, seconded by Councillor Diamond, (411) “That the meeting adjourn.” Carried

The meeting adjourned at 8:44 p.m.
For your information, the following correspondence received by the City Clerk was filed following City Council’s meeting of October 17, 2016:

   (Carried – See Page 339)

2. Township of Scugog, Nicole Wellsbury, Clerk advising that Scugog Council endorsed Oshawa Council’s resolution of June 13, 2016 supporting the protection and care of all long-term care workers and residents by requesting the federal and provincial governments require that appropriate disclosure of any history or active cases of violence, sexual assault, etc. be made for any person being placed in any of these facilities; and, further advising it does not condone discrimination as far as acceptance into long term care facilities.
   (Carried – See Page 339)

3. City of Pickering, Debbie Shields, City Clerk forwarding Pickering Council’s comments to the Regional Municipality of Durham concerning the proposed changes to the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, and the Oak Ridges Moraine Conservation Plan, related to the coordinated review of Ontario’s Land Use Plans.
   (Carried – See Page 339)

4. Town of Whitby, Christopher Harris, Town Clerk forwarding Whitby Council’s resolution approving modifications to existing speed limits on rural roads within the northern part of Whitby.
   (Carried – See Page 339)

5. Ministry of Natural Resources and Forestry, Policy Branch, Water Resources Section forwarding a copy of a report summarizing feedback, provided to them during five multi-stakeholder engagement sessions held in the early summer of 2016, on proposed priorities for updating the Conservation Authorities Act.
   (Carried – See Page 339)

   (Carried – See Page 339)
7. Central Lake Ontario Conservation Authority (C.L.O.C.A.), Chris Jones, Director of Planning and Regulation forwarding to the Regional Municipality of Durham C.L.O.C.A.’s Board of Directors’ comments concerning proposed changes to Ontario’s Land Use Plans.
(Carried – See Page 339)

8. City of Pickering, Debbie Shields, City Clerk advising that Oshawa Council’s request for financial support for the Durham Region Employment Network has been circulated to City Council and can be placed on Pickering Council’s meeting agenda for discussion and consideration by any Council Member.
(Carried – See Page 339)

9. Municipality of Clarington, June Gallagher, Deputy Clerk forwarding Clarington Council’s resolution endorsing Regional By-law 40-2016 to change the composition of Regional Council.
(Carried – See Page 339)

10. Municipality of Clarington, Anne Greentree, Municipal Clerk forwarding Clarington Council’s resolution awarding a contract for the provision of Ombudsman Services for Clarington to A.D.R. Chambers Inc. for a term ending December 31, 2022.
(Carried – See Page 339)