



Oshawa City Council - Special Meeting Minutes

November 15, 2022, 9:30 a.m.
Council Chamber

Present:

- Mayor Carter
- Councillor Chapman
- Councillor Giberson
- Councillor Gray
- Councillor Kerr
- Councillor Lee
- Councillor Marimpietri
- Councillor Marks
- Councillor McConkey
- Councillor Neal
- Councillor Nicholson

Welcome by Bill McKee, Town Crier

Call to Order

The meeting was called to order by the City Clerk.

The City Clerk welcomed the elected members of Council, their family and friends present.

National Anthem

All those present in the Council Chamber stood during the playing of 'O Canada'.

Recognition of Indigenous Lands

The City of Oshawa sits on treaty land that is steeped in rich Indigenous history and is the present day home to many First Nations, Métis and Inuit peoples. We acknowledge that we live and work on land covered under the Williams Treaties, and the traditional territories of the Mississaugas of Scugog Island First Nation.

We acknowledge this land out of respect for the many Indigenous nations who have cared for the lands and waters from the beginning of time and still do so today. We

extend our gratitude and appreciation for the opportunity to live and work on this territory.

We are committed to understanding the truth of our shared history, confronting our past and present, and building a better future together in true reconciliation.

Declarations of Office

The City Clerk gave a short address and conducted the Declarations of Office for Councillors Chapman, Giberson, Gray, Kerr, Lee, Marimpietri, Marks, McConkey, Neal and Nicholson. The City Clerk then conducted the Declaration of Office of Mayor Carter.

The City Clerk invested Mayor Carter with the Chain of Office.

Council was deemed to be organized by the City Clerk and Mayor Carter assumed the Chair.

Inaugural Address by the Mayor

Mayor Carter gave his Inaugural Address to members of Council and the public.

Recess

Moved by Councillor Chapman
Seconded by Councillor Kerr

That the meeting recess.

The meeting recessed at 10:03 a.m. and reconvened at 1:00 p.m. with all Members of Council present.

Motion Carried

Moved by Councillor McConkey
Seconded by Councillor Giberson

That the rules of procedure be waived to introduce a time sensitive motion concerning the Greenbelt. **(Requires a 2/3 vote of members present).**

Affirmative (8): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor McConkey, and Councillor Neal

Negative (3): Councillor Gray, Councillor Marks, and Councillor Nicholson

Motion Carried (8 to 3)

CNCL-22-80 - Objection to the Province of Ontario's Proposed Amendments to the Greenbelt Area Boundary Regulation (Ontario Regulation 59/05) (All Wards)

Moved by Councillor McConkey

Seconded by Councillor Giberson

Whereas on October 25, 2022 the Province of Ontario introduced the More Homes Built Faster plan, to address the housing crisis by setting a goal to build 1.5 million homes in Ontario over the next 10 years; and,

Whereas, on November 4, 2022 the Province of Ontario took further action to accommodate growth and support the building of more homes, in a targeted manner, by launching a consultation on proposed changes to Ontario's Greenbelt Plan (ERO 019-6216), the Greenbelt Area boundary regulation (O.Reg. 59/05) (ERO 019-6217) and the Oak Ridges Moraine Conservation Plan (O.Reg.140/02) (ERO 019-6218) in order to:

- Remove/redesignate lands from the Greenbelt Area and the Oak Ridges Moraine Conservation Plan Area that could be suitable for residential development; and,
- Add a portion of the Paris Galt Moraine to the Greenbelt Area, designated as Protected Countryside with a Natural Heritage System; and,

Whereas, the proposed changes to the Greenbelt Area boundary regulation, if adopted, will remove or redesignate a total of 15 areas along the edge of the Greenbelt Area throughout the Greater Golden Horseshoe, totaling approximately 7,400 acres, for the purpose of being developed for housing in the near term, in exchange for adding 9,400 acres to the Greenbelt Area comprised of Urban River Valley areas and part of the Paris Galt Moraine; and,

Whereas, none of the 15 areas are located in the City of Oshawa, but do include areas in other Durham lakeshore municipalities including the City of Pickering and the Municipality of Clarington; and,

Whereas, it is the government's expectation that construction of new homes in these areas would begin no later than 2025 with proponents fully funding any necessary infrastructure upfront, and if adopted, the proposed changes would result in the construction of approximately 50,000 or more new homes in areas once protected by the Greenbelt Plan; and,

Whereas, the above noted proposed changes constitute a reversal on the part of the Province of its earlier promises to not develop any lands within the Greenbelt, which will result in irreparable damage to the environment and contribute to more urban sprawl in communities across the Greater Golden Horseshoe, and could lead to even more Greenbelt lands being opened up for development in the future with pressure from land speculators; and,

Whereas the proposal to augment the Greenbelt Area by adding, together with lands in the Paris Galt Moraine, thirteen (13) Urban River Valleys in exchange for the removal of lands currently in the Greenbelt Area to facilitate residential development is not an equivalent exchange, as urban waterways would not in any case be suitable for development; and,

Whereas, the Ministry of Municipal Affairs and Housing is seeking feedback on the above-mentioned proposed amendments, with comments due no later than December 4, 2022;

Therefore be it resolved that the City of Oshawa does not support the Province of Ontario's proposed amendments to the Greenbelt Plan, Greenbelt Area boundary regulation and the Oak Ridges Moraine Conservation Plan, and a copy of said motion be sent to the Province of Ontario, the Region of Durham, Durham area municipalities, Durham area M.P.P.'s and the City's Building Industry Liaison Team, which includes the Durham Chapter of the Building Industry and Land Development Association and the Durham Region Home Builders' Association.

Moved by Councillor Marimpietri
Seconded by Councillor Gray

That the motion be referred to the next Development Services Committee.

Affirmative (3): Councillor Gray, Councillor Marimpietri, and Councillor Marks

Negative (8): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Kerr, Councillor Lee, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Motion Lost (3 to 8)

Moved by Councillor Nicholson
Seconded by Councillor Neal

That the Motion be amended to add, 'That the City of Oshawa request a 90-day extension of the deadline for comments to allow a more fulsome review by incoming municipal councils and members of the public'.

Affirmative (10): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (1): Councillor Marks

Motion Carried (10 to 1)

Moved by Councillor Nicholson
Seconded by Councillor Giberson

That the motion be further amended to add, 'That staff be directed to further review and comment on this Provincial proposed legislation and report back to Committee and Council'.

Councillor Marimpietri challenged the Chair's ruling allowing the motion providing direction to staff.

The vote to uphold the Chair's Ruling.

Affirmative (7): Mayor Carter, Councillor Giberson, Councillor Kerr, Councillor Lee, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (4): Councillor Chapman, Councillor Gray, Councillor Marimpietri, and Councillor Marks

Motion Carried (7 to 4)

The vote on the amendment concerning direction to staff.

Affirmative (11): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Motion Carried (11 to 0)

The vote on the main motion, as amended.

Affirmative (11): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Motion Carried (11 to 0)

Declarations of Pecuniary Interest

Councillor McConkey - CNCL-22-73 - Aird & Berlis LLP Submitting Correspondence Requesting a Recount Pursuant to s.57 of the Municipal Elections Act, 1996 - Office of the City Councillor - Ward 1 (Ward 1)

Councillor McConkey declared a conflict of interest concerning Correspondence CNCL-22-73 as it involves the legitimacy of her re-election to Council and did not take part in any discussion or vote on the matter.

Councillor Neal - CNCL-22-73 - Aird & Berlis LLP Submitting Correspondence Requesting a Recount Pursuant to s.57 of the Municipal Elections Act, 1996 - Office of the City Councillor - Ward 1 (Ward 1)

Councillor Neal declared a conflict of interest concerning Correspondence CNCL-22-73 as it involves the spouse of his family doctor who is named in the correspondence and did not take part in any discussion or vote on the matter.

Delegations

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the delegation of John Mascarin, Aird & Berlis LLP be heard.

Motion Carried

Aird & Berlis LLP - Requesting a Recount Pursuant to s. 57 of the Municipal Elections Act, 1996 - Office of City Councillor - Ward 1

John Mascarin, Aird & Berlis LLP addressed City Council on behalf of Theresa Corless, a candidate for the Office of City Councillor - Ward 1 requesting a recount pursuant to s. 57 of the Municipal Elections Act, 1996.

Correspondence Requiring Direction

CNCL-22-73 - Aird & Berlis LLP Submitting Correspondence Requesting a Recount Pursuant to s. 57 of the Municipal Elections Act, 1996 - Office of City Councillor - Ward 1 (All Wards)

Councillor McConkey declared a conflict on this item. (Councillor McConkey declared a conflict of interest on Item CNCL-22-73 as it involves the legitimacy of her re-election to Council and did not take part in any discussion or vote on the matter)

Councillor Neal declared a conflict on this item. (Councillor Neal declared a conflict of interest on Correspondence CNCL-22-73 as Dr. Corless, spouse of Theresa Corless named in the correspondence, is his family doctor and did not take part in the discussion or voting on the matter)

Moved by Councillor Kerr
Seconded by Councillor Gray

That in accordance with Section 57 (1)(a)(i) of the Municipal Elections Act, a recount be conducted for the votes cast during the 2022 Municipal Elections held in the City of Oshawa for Office of City Councillor Ward 1 for the candidates Rosemary McConkey and Theresa Corless; and,

That the recount be conducted in accordance with Section 60(1) of the Municipal Elections Act; and,

That the City Clerk advise all interested parties of Council's decision.

Affirmative (8): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, and Councillor Marks

Negative (1): Councillor Nicholson

Conflict (2): Councillor McConkey, and Councillor Neal

Motion Carried (8 to 1)

Moved by Councillor McConkey

Seconded by Councillor Nicholson

That Council move into Committee of the Whole.

Affirmative (3): Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (8): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, and Councillor Marks

Motion Lost (3 to 8)

Staff Reports

CNCL-22-69 - Proposed Corporate Organization and Council Standing Committees Structure (All Wards)

Moved by Councillor Chapman

Seconded by Councillor Giberson

1. That the proposed changes outlined in Attachment 2 of Report CNCL-22-69 Corporate Organization and Council Standing Committees Structure, dated November 8, 2022 be approved; and,
2. That the proposed Council Standing Committees Structure and Mandates be approved as outlined in Section 5.5 of Report CNCL-22-69; and,
3. That Council pass a By-law to amend Council's Procedure By-law 128-2022, to reflect the new Council Standing Committees and Mandates as outlined in Section 5.5 of Report CNCL-22-69 and the requirements of Notice By-law 147-2007, as amended, be waived as these amendments are minor in nature; and,
4. That Council reconsider its decision at its June 20, 2022 Council meeting, regarding Report CORP-22-41, Council and Standing Committee Meeting schedules and adopt the revised meeting schedules as outlined in Attachment 3; and,

5. That Council reconsider its decision of November 9, 2015 and disband the Airport Community Liaison Committee given the creation of the Safety & Facilities Services Committee which will provide an avenue for public engagement; and,
6. That members not be appointed to the Airport Business Plan Working Group until the action items in the 2021 – 2022 Oshawa Executive Airport Action Plan are advanced; and,
7. That the City Clerk review the 2018 - 2022 Council Standing Committees Outstanding Items lists and transfer items to the appropriate Council Standing Committee and that the revised lists be placed on the January 2023 Council Standing Committee agendas; and,
8. That any by-law amendments which are impacted by the new corporate organizational structure be updated.

Moved by Councillor McConkey
Seconded by Councillor Neal

That Report CNCL-22-69 concerning Proposed Corporate Organization and Council Standing Committees Structure be referred to the Corporate Services Committee.

Affirmative (2): Councillor McConkey, and Councillor Neal

Negative (9): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimietri, Councillor Marks, and Councillor Nicholson

Motion Lost (2 to 9)

Moved by Councillor Kerr
Seconded by Councillor Lee

That Council reconsider its decision of June 20, 2022 regarding Council and Standing Committee Meeting schedules for 2022 to 2026.

Motion Carried

Moved by Councillor Kerr
Seconded by Councillor Lee

That Council reconsider its decision of November 9, 2015 concerning the Airport Community Liaison Committee.

Motion Carried

Moved by Councillor Kerr
Seconded by Councillor Lee

That the motion be amended so that the Safety and Facilities Committee be conducted in the afternoon and the Economic and Development Services Committee be conducted in the morning.

Moved by Councillor Kerr
Seconded by Councillor Lee

That the motion be withdrawn.

Motion Carried

Moved by Councillor Kerr
Seconded by Councillor Lee

That the motion be amended such that the Safety and Facilities Services Committee meetings be held on Week 2 Afternoon and Corporate and Finance Services Committee meetings be held on Week 1 Morning.

Affirmative (11): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Motion Carried (11 to 0)

The vote to adopt the recommendation contained in CNCL-22-69, as amended.

Affirmative (11): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Motion Carried (11 to 0)

Moved by Councillor Nicholson
Seconded by Councillor Marks

That the meeting recess for 10 minutes.

Motion Carried

The meeting recessed at 2:49 p.m. and reconvened at 3:01 p.m. with all members of Council present.

CNCL-22-67 - Councillor Appointments to Boards and Committees (All Wards)

Moved by Councillor Marks
Seconded by Councillor Giberson

That Councillor Chapman be appointed as Deputy Mayor for the term from November 15, 2022 to November 14, 2026, subject to holding office until his successor is appointed by City Council, whichever shall last occur, but not beyond the term of office of City Council making the appointment and only as long as he remains a member of Council.

Moved by Councillor Gray
Seconded by Councillor Kerr

That nominations for the role of Deputy Mayor be closed.

Motion Carried

Councillor Chapman accepted the nomination.

The vote to appoint Councillor Chapman as Deputy Mayor.

Motion Carried

Moved by Councillor Marks
Seconded by Councillor Kerr

That Councillor Marimpietri be appointed as Second Deputy Mayor for the term from November 15, 2022 to November 14, 2026, subject to holding office until his successor is appointed by City Council, whichever shall last occur, but not beyond the term of office of City Council making the appointment and only as long as he remains a member of Council.

Motion Carried

Moved by Councillor Kerr
Seconded by Councillor Gray

That nominations for the role of Second Deputy Mayor be closed.

Motion Carried

Councillor Marimpietri accepted the nomination.

The vote to appoint Councillor Marimpietri as Second Deputy Mayor.

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Giberson

That Councillor Gray be nominated as Chair of the Community and Operations Services Committee.

Motion Carried

Moved by Councillor Marimpietri
Seconded by Councillor Chapman

That nominations be closed for the role of Chair of the Community and Operations Services Committee.

Motion Carried

Councillor Gray accepted the nomination.

The vote to appoint Councillor Gray as Chair of the Community and Operations Services Committee.

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Marks

That Councillor Giberson be nominated as Chair of the Corporate and Finance Services Committee.

Moved by Councillor Marimpietri
Seconded by Councillor Chapman

That nominations for the Chair of Corporate and Finance Services be closed.

Motion Carried

Councillor Giberson accepted the nomination.

The vote to appoint Councillor Giberson as Chair of the Corporate and Finance Services Committee.

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Giberson

That Councillor Marimpietri be nominated as Chair of the Economic and Development Services Committee.

Moved by Councillor Marks
Seconded by Councillor Giberson

That nominations be closed for the role of Chair of the Economic and Development Services Committee.

Motion Carried

Councillor Marimpietri accepted the nomination.

The vote to appoint Councillor Marimpietri as Chair of the Economic and Development Services Committee.

Motion Carried

Moved by Councillor Gray
Seconded by Councillor Neal

That Councillor Nicholson be appointed as Chair of the Safety and Facilities Services Committee.

Moved by Councillor Marks
Seconded by Councillor Chapman

That nominations for the role of Chair of the Safety and Facilities Services Committee be closed.

Motion Carried

Councillor Nicholson accepted the nomination.

The vote to appoint Councillor Nicholson as Chair of the Safety and Facilities Services Committee.

Motion Carried

Moved by Councillor Giberson
Seconded by Councillor Chapman

That Councillor Lee be nominated as Vice-Chair of the Community and Operations Services Committee.

Moved by Councillor McConkey
Seconded by Councillor Neal

That Councillor McConkey be nominated Vice-Chair of the Community and Operations Services Committee.

Moved by Councillor Kerr
Seconded by Councillor Giberson

That the nominations for the role of the Vice-Chair of the Community and Facilities Services Committee be closed.

Motion Carried

Councillor Lee accepted the nomination.

Councillor McConkey accepted the nomination.

The vote to appoint Councillor Lee as Vice-Chair of the Community and Operations Services Committee.

Affirmative (8): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, and Councillor Nicholson

Negative (3): Councillor Marks, Councillor McConkey, and Councillor Neal

Motion Carried (8 to 3)

Moved by Councillor Giberson
Seconded by Councillor Marimpietri

That Councillor Marks be nominated as Vice-Chair of the Corporate and Finance Services Committee.

Moved by Councillor Chapman
Seconded by Councillor Gray

That nominations for the role of Vice-Chair of the Corporate and Finance Services Committee be closed.

Motion Carried

Councillor Marks accepted the nomination.

The vote to appoint Councillor Marks as Vice-Chair of the Corporate and Finance Services Committee.

Motion Carried

Moved by Councillor Kerr
Seconded by Councillor Marimpietri

That Councillor Chapman be nominated as Vice-Chair of the Economic and Development Services Committee.

Moved by Councillor Gray
Seconded by Councillor Marimpietri

That nominations for the role of Vice-chair of the Economic and Development Services Committee be closed.

Motion Carried

Councillor Chapman accepted the nomination.

The vote to appoint Councillor Chapman as Vice-Chair of the Economic and Development Services Committee.

Motion Carried

Moved by Councillor Nicholson
Seconded by Councillor Marimpietri

That Councillor Kerr be nominated as Vice-Chair of the Safety and Facilities Services Committee.

Moved by Councillor Giberson
Seconded by Councillor Gray

That nominations for the role of Vice-Chair of the Safety and Facilities Services Committee be closed.

Motion Carried

Councillor Kerr accepted the nomination.

The vote to appoint Councillor Kerr as Vice-Chair of the Safety and Facilities Services Committee.

Motion Carried

That Councillor Neal be nominated to the Community and Operations Services Committee.

Moved by Councillor Gray
Seconded by Councillor Chapman

That nominations for appointment to the Community and Operations Services Committee be closed.

Motion Carried

Councillor Neal accepted the nomination.

The vote to appoint Councillor Neal to the Community and Operations Services Committee.

Motion Carried

Moved by Councillor Nicholson
Seconded by Councillor Kerr

That Councillor McConkey be nominated to the Corporate and Finance Services Committee.

Moved by Councillor Marks
Seconded by Councillor Giberson

That Councillor Marimpietri be nominated to the Corporate and Finance Services Committee.

Moved by Councillor McConkey
Seconded by Councillor Neal

That Councillor Neal be nominated to the Corporate and Finance Services Committee.

Moved by Councillor Chapman
Seconded by Councillor Kerr

That nominations for appointment to the Corporate and Finance Services Committee be closed.

Motion Carried

Councillors McConkey, Neal and Marimpietri accepted the nominations.

The vote to appoint Councillors McConkey, Neal and Marimpietri to the Corporate and Finance Services Committee.

Motion Carried

Moved by Councillor Marimpietri
Seconded by Councillor Gray

That Councillor McConkey be nominated to the Community and Operations Services Committee.

Moved by Councillor Marks
Seconded by Councillor Giberson

That Councillor Chapman be nominated to the Community and Operations Services Committee.

Moved by Councillor Gray
Seconded by Councillor McConkey

That Councillor Nicholson be nominated to the Community and Operations Services Committee.

Councillors McConkey, Chapman and Nicholson accepted the nominations.

Moved by Councillor Marimpietri
Seconded by Councillor Neal

That nominations for appointment to the Community and Operations Services Committee be closed.

Motion Carried

The vote to appoint Councillor McConkey to the Community and Operations Services Committee.

Motion Lost

The vote to appoint Councillors Chapman and Nicholson to the Community and Operations Services Committee.

Motion Carried

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That Councillor Kerr be nominated to the Economic and Development Services Committee.

Moved by Councillor Marks
Seconded by Councillor Marimpietri

That Councillor Giberson be appointed to the Economic and Development Services Committee.

Moved by Councillor Chapman
Seconded by Councillor Marimpietri

That Councillor Gray be nominated to the Economic and Development Services Committee.

Moved by Councillor Nicholson
Seconded by Councillor Neal

That Councillor McConkey be appointed to the Economic and Development Services Committee.

Councillor Kerr accepted the nomination.

Councillor Giberson accepted the nomination

Councillor Gray accepted the nomination.

Councillor McConkey declined the nomination.

Moved by Councillor Chapman
Seconded by Councillor Kerr

That the nominations for appointments to the Economic and Development Services Committee be closed.

Motion Carried

The vote to appoint Councillors Kerr, Giberson and Gray to the Economic and Development Services Committee.

Motion Carried

Moved by Councillor Lee
Seconded by Councillor Nicholson

That Councillor Lee be nominated to the Safety and Facilities Services Committee.

Moved by Councillor Marks
Seconded by Councillor Chapman

That Councillor Marks be nominated to the Safety and Facilities Services Committee

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That Councillor McConkey be nominated to the Safety and Facilities Services Committee.

Moved by Councillor Marimpietri
Seconded by Councillor Giberson

That nominations for appointment to the Safety and Facilities Services Committee be closed.

Motion Carried

Councillors Lee, Marks and McConkey accepted the nominations.

The vote to appoint Councillors Lee, Marks and McConkey to the Safety and Facilities Services Committee.

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Marks

That the appointments to all Standing Committee positions be for a four-year term ending November 14, 2026.”

Motion Carried

Moved by Councillor Giberson
Seconded by Councillor Marks

That Councillor McConkey be nominated as the Council representative to Heritage Oshawa for a one-year term.

Moved by Councillor Marimpietri
Seconded by Councillor Kerr

That Councillor Giberson be nominated as the Council representative to Heritage Oshawa for a one-year term for a one-year term.

Moved by Councillor Marimpietri
Seconded by Councillor Nicholson

That nominations for appointment to Heritage Oshawa be closed.

Motion Carried

Councillor McConkey declined the nomination.

Councillor Giberson declined the nomination.

Moved by Councillor Nicholson
Seconded by Councillor Neal

That Councillor Marimpietri be nominated as the Council representative to the Multicultural Council of Oshawa/Durham for a one-year term.

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That Councillor Kerr be nominated as the Council representative to the Multicultural Council of Oshawa/Durham for a one-year term.

Moved by Councillor Marks
Seconded by Councillor Gray

That the nominations for appointment to the Multicultural Council of Oshawa/Durham be closed.

Motion Carried

Councillor Marimpietri declined the nomination.

Councillor Kerr accepted the nomination.

The vote to appoint Councillor Kerr as the Council representative to the Multicultural Council of Oshawa/Durham for a one-year term.

Motion Carried

Moved by Councillor Marks
Seconded by Councillor Nicholson

That Councillor McConkey be nominated as the Council representative to the Oshawa Accessibility Advisory Committee for a one-year term.

Moved by Councillor Marks
Seconded by Councillor Gray

That the nominations for appointment to the Oshawa Accessibility Advisory Committee be closed.

Motion Carried

Councillor McConkey accepted the nomination.

The vote to appoint Councillor McConkey as the Council representative to the Oshawa Accessibility Advisory Committee for a one-year term.

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Marks

That Councillor Giberson be nominated as the Council representative to the Oshawa Active Transportation Advisory Committee for a one-year term.

That the nominations for appointment to the Oshawa Active Transportation Advisory Committee be closed.

Motion Carried

Councillor Giberson accepted the nomination.

The vote to appoint Councillor Giberson as the Council representative to the Oshawa Active Transportation Committee for a one-year term.

Motion Carried

Moved by Councillor Kerr
Seconded by Councillor Marks

That Councillor Nicholson be nominated as the Council representative to the Oshawa Animal Care Advisory Committee for a one-year term.

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That nominations for appointment to the Oshawa Animal Care Advisory Committee be closed.

Motion Carried

Councillor Nicholson accepted the nomination.

The vote to appoint Councillor Nicholson as the Council representative to the Oshawa Animal Care Advisory Committee for a one-year term.

Motion Carried

Moved by Councillor Neal
Seconded by Councillor Gray

That Councillor Neal be nominated as the Council representative to the Oshawa Central Council of Neighbourhood Associations for a one-year term.

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That nominations for appointment to the Oshawa Central Council of Neighbourhood Associations be closed.

Motion Carried

Councillor Neal accepted the nomination.

The vote to appoint Councillor Neal as the Council representative to the Oshawa Central Council of Neighbourhood Associations for a one-year term.

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Marks

That Councillor Lee be nominated as the Council representative on the Oshawa Environmental Advisory Committee for a one-year term.

Moved by Councillor Marimpietri
Seconded by Councillor Gray

That nominations for appointment to the Oshawa Environmental Advisory Committee be closed.

Motion Carried

Councillor Lee accepted the nomination.

The vote to appoint Councillor Lee as the Council representative to the Oshawa Environmental Advisory Committee for a one-year term.

Motion Carried

Moved by Councillor Nicholson
Seconded by Councillor Neal

That Councillor Marimpietri be nominated as the Council representative on the Oshawa Folk Arts Council for a one-year term

Moved by Councillor Marks
Seconded by Councillor Gray

That nominations for appointment to the Oshawa Folk Arts Council be closed.

Motion Carried

Councillor Marimpietri accepted the nomination.

The vote to appoint Councillor Marimpietri as the Council representative on the Oshawa Folk Arts Council for a one-year term.

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Kerr

That Councillor Marimpietri be nominated as the Council representative on the Oshawa Public Library Board for a one-year term

Moved by Councillor Marimpietri
Seconded by Councillor Giberson

That Councillor Kerr be nominated as the Council representative on the Oshawa Public Library Board for a one-year term

That nominations for appointment to the Oshawa Public Library Board be closed.

Councillor Marimpietri declined the nomination.

Councillor Kerr accepted the nomination.

The vote to appoint Councillor Kerr as the Council representative on the Oshawa Public Library Board for a one-year term.

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Kerr

That Councillor Gray be nominated as the Council representative on the Oshawa Senior Citizens Centres Board of Directors for a one-year term.

Moved by Councillor Kerr
Seconded by Councillor McConkey

That Councillor Lee be nominated as the Council representative on the Oshawa Senior Citizens Centres Board of Directors for a one-year term.

Moved by Councillor Marks
Seconded by Councillor Gray

That nominations for appointment to the Oshawa Senior Citizens Centres Board of Directors be closed.

Motion Carried

Councillor Gray accepted the nomination.

Councillor Lee declined the nomination.

The vote to appoint Councillor Gray as the Council representative on the Oshawa Senior Citizens Centres Board of Directors for a one-year term.

Motion Carried

Moved by Councillor Marks

Seconded by Councillor Chapman

That Councillor Marimpietri be nominated as the Council representative on the Parkwood Board of Directors for a one-year term.

Moved by Councillor Marks

Seconded by Councillor Giberson

That nominations for appointment to the Parkwood Board of Directors be closed.

Motion Carried

Councillor Marimpietri accepted the nomination.

The vote to appoint Councillor Marimpietri as the Council representative on the Parkwood Board of Directors for a one-year term.

Motion Carried

Moved by Councillor Giberson

Seconded by Councillor Marimpietri

That Councillor Marks be nominated as the Council representative on the Robert McLaughlin Gallery Board for a one-year term.

Moved by Councillor Chapman

Seconded by Councillor Giberson

That nominations for appointment to the Robert McLaughlin Gallery Board be closed.

Motion Carried

Councillor Marks accepted the nomination.

The vote to appoint Councillor Marks as the Council representative on the Robert McLaughlin Gallery Board for a one-year term.

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Marks

That Councillors Chapman, Kerr, Marimpietri and Neal be nominated as Oshawa Council representatives on the Central Lake Ontario Conservation Authority for a four-year term.

Moved by Councillor Marks
Seconded by Councillor Marimpietri

That nominations for appointment to the Central Lake Ontario Conservation Authority be closed.

Motion Carried

Councillors Chapman, Kerr, Marimpietri and Neal accepted the nominations.

The vote to appoint Councillors Chapman, Kerr, Marimpietri and Neal as Oshawa Council's representatives on the Central Lake Ontario Conservation Authority for a four-year term.

Motion Carried

Mayor Carter reopened the floor for nominations for Council representative to Heritage Oshawa.

Moved by Councillor Nicholson
Seconded by Councillor Neal

That Councillor Nicholson be nominated as the Council representative on Heritage Oshawa for a one-year term.

Moved by Councillor Marks
Seconded by Councillor Marimpietri

That the nominations for the Council representative for Heritage Oshawa be closed.

Motion Carried

Councillor Nicholson accepted the nomination.

The vote to appoint Councillor Nicholson as the Council representative for Heritage Oshawa for a one-year term.

Motion Carried

CNCL-22-72 - Authority for the Mayor to designate a Member of Council to fulfill duties set out in the Emergency Management and Civil Protection Act, R.S.O., 1990 and/or the City's emergency plan (All Wards)

Moved by Councillor Kerr
Seconded by Councillor Chapman

Whereas Section 3 (1) of the Emergency Management and Civil Protection Act, R.S.O., 1990 (the Act) requires that every municipality shall formulate an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other persons will respond to the emergency and the council of the municipality shall by by-law adopt the emergency plan; and,

Whereas Section 9 (c) of the Act requires the City to designate one or more Members of Council who may exercise the powers and perform the duties of the Mayor under the Act or the emergency plan during the absence of the Mayor or during his or her inability to act; and,

Whereas By-law 77-2008 establishes the City's emergency plan; and,

Whereas Council Procedure By-law 128-2022 provides that the Mayor may recommend a Member of Council to act in the Mayor's place, to be styled as Deputy Mayor; and,

Whereas in the event that the Deputy Mayor, where appointed by Council, is absent or unable to act in the Mayor's place, it is expedient for the Mayor to be delegated authority to designate a Member of Council to fulfill his or her duties set out in the Act and/or the City's emergency plan; and,

Where a Deputy Mayor has not been appointed, it is expedient for the Mayor to be delegated authority to designate a Member of Council to fulfill his or her set out in the Act and/or the City's emergency plan.

Therefore be it resolved,

1. That the Mayor be delegated authority to expressly designate a Member of Council to fulfill the Mayor's duties set out in the Emergency Management and Civil Protection Act, R.S.O., 1990 and/or the City's emergency plan, should the Deputy Mayor, where appointed by Council, be absent to unable to act.
2. Where a Deputy Mayor has not been appointed by Council, and where the Mayor is absent or unable to act, the Mayor be delegated authority to expressly designate a Member of Council to fulfill his or her duties set out in the Emergency Management and Civil Protection Act, R.S.O., 1990 and/or the City's emergency plan.

Affirmative (11): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Motion Carried (11 to 0)

Councillor McConkey left the meeting at 3:46 p.m.

CNCL-22-70 - Review of Oshawa Council Charter (All Wards)

Moved by Councillor Marks

Seconded by Councillor Giberson

That based on Report CNCL-22-70, Council endorse the Oshawa Council Charter as set out in Attachment 1 of said Report and that all members of Council sign a copy as soon as possible.

Moved by Councillor Gray

Seconded by Councillor Chapman

That CNCL-22-70 concerning a review of the Oshawa Council Charter be referred to staff for review.

Motion Carried

CNCL-22-68 - Proposed 2022-2026 Council Orientation Schedule (All Wards)

Moved by Councillor Giberson

Seconded by Councillor Gray

1. That in accordance with Report CNCL-22-68 dated November 9, 2022 concerning the 2022 - 2026 Council Orientation, the schedule as outlined in Section 5.1 be approved; and,
2. That the required City and legislated policy and recommended courses as outlined in Section 5.2 be completed and signed by each member of Council and returned to Human Resource Services no later than December 31, 2022.

Moved by Councillor Nicholson

Seconded by Councillor Gray

That Report CNCL-22-68 concerning Proposed 2022-2026 Council Orientation Schedule be referred back to staff for a report.

Affirmative (4): Councillor Gray, Councillor Marks, Councillor Neal, and Councillor Nicholson

Negative (6): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Kerr, Councillor Lee, and Councillor Marimpietri

Absent (1): Councillor McConkey

Motion Lost (4 to 6)

The vote to adopt the recommendation contained in Report CNCL-22-68.

Motion Carried

CNCL-22-71 - Citizen Appointments to Boards, Committees and Legislated Roles (All Wards)

Moved by Councillor Kerr
Seconded by Councillor Marks

That in accordance with Report CNCL-22-71 dated November 9, 2022, concerning appointments to various Boards, Committees and positions:

1. That the applicants listed in Attachment 1 be appointed to the respective Boards, Committees and Legislated Roles for the term ending November 14, 2026, or until such time successors are appointed; and,
2. That the applicant listed in Attachment 2 be recommended to the Region of Durham for appointment to the Durham Land Division Committee; and,
3. That the necessary by-laws for the Committee of Adjustment, Oshawa Public Library Board, Livestock Valuer, Poundkeeper and Hearings Officers be passed.

A request was made to divide the motion to vote on the applicants for Committee of Adjustment individually.

The vote to appoint Applicant 1 to the Committee of Adjustment.

Affirmative (9): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, and Councillor Neal

Negative (1): Councillor Nicholson

Absent (1): Councillor McConkey

Motion Carried (9 to 1)

The vote to appoint Applicant 2 to the Committee of Adjustment.

Affirmative (9): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, and Councillor Neal

Negative (1): Councillor Nicholson

Absent (1): Councillor McConkey

Motion Carried (9 to 1)

The vote to appoint Applicant 3 to the Committee of Adjustment.

Affirmative (9): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, and Councillor Neal

Negative (1): Councillor Nicholson

Absent (1): Councillor McConkey

Motion Carried (9 to 1)

The vote to appoint Applicant 6 to the Committee of Adjustment.

Affirmative (7): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Lee, Councillor Marimpietri, and Councillor Neal

Negative (3): Councillor Kerr, Councillor Marks, and Councillor Nicholson

Absent (1): Councillor McConkey

Motion Carried (7 to 3)

The vote to appoint Applicant 14 to the Committee of Adjustment.

Affirmative (5): Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, and Councillor Lee

Negative (5): Mayor Carter, Councillor Marimpietri, Councillor Marks, Councillor Neal, and Councillor Nicholson

Absent (1): Councillor McConkey

Motion Lost (5 to 5)

Moved by Councillor Marimpietri

Seconded by Councillor Neal

The vote to appoint Applicant 5 to the Committee of Adjustment.

Affirmative (7): Mayor Carter, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor Neal, and Councillor Nicholson

Negative (3): Councillor Chapman, Councillor Giberson, and Councillor Gray

Absent (1): Councillor McConkey

Motion Carried (7 to 3)

The vote to adopt the remainder of the recommendation contained in Report CNCL-22-71.

Affirmative (9): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, and Councillor Neal

Negative (1): Councillor Nicholson

Absent (1): Councillor McConkey

Motion Carried (9 to 1)

By-laws

Moved by Councillor Chapman
Seconded by Councillor Giberson

That By-laws 157-22 to 163-22 be passed.

Motion Carried

157-2022 - A By-law to Appoint a Deputy Mayor

(Implements direction of November 15, 2022 through Council resolution to appoint a Councillor as Deputy Mayor to act in the place of the Mayor when the Mayor is absent from the City or absent due to illness or if the office of the Mayor is vacant and to repeal By-law 131-2018.)

158-2022 - A By-law to Appoint Livestock Valuers and provide for their remuneration

(Implements direction of November 15, 2022 through Council resolution to appoint a member as the City's Livestock Valuer for a term commencing November 15, 2022 and expiring on November 14, 2026, subject to holding office until a successor is appointed by City Council and to repeal By-law 134-2018.)

159-2022 - A By-law to Appoint a Poundkeeper for the City of Oshawa

(Implements direction of November 15, 2022 through Council resolution to appoint a member as Poundkeeper for the City of Oshawa for a four-year term commencing November 15, 2022, until November 14, 2026, subject to holding office until a successor is appointed by Council and to repeal By-law 135-2018.)

160-2022 - A By-law to Constitute and Appoint a Committee of Adjustment under the Planning Act, R.S.O. 1990, c. P.13.

(Implements direction of November 15, 2022 through Council resolution to constitute and appoint members to the City of Oshawa Committee of Adjustment for a term

commencing November 15, 2022 and expiring on November 14, 2026, and to repeal By-law 154-2014.)

161-2022 - A By-law to establish the composition of the Oshawa Public Library Board, to appoint members to the Board, and to authorize the Chief Executive Officer of the Board to call the first meeting of the Board in each new term.

(Implements direction of November 15, 2022 through Council resolution to establish the composition of the Oshawa Public Library Board by appointing members for a term concurrent with the term of the appointing Council, or until a successor is appointed, to authorize the Chief Executive Officer of the Board to call the first meeting of the Board in each new term, and to repeal By-law 107-2010, as amended.)

162-2022 - A By-law to delegate authority to the Mayor to designate a Member of Council to fulfill his or her duties set out in the Emergency Management and Civil Protection Act, R.S.O., 1990 and/or the City's emergency plan

(Implements direction of November 15, 2022 through Report CNCL-22-72 to delegate authority to a Member of Council to fulfill his or her duties set out in the Emergency Management and Civil Protection Act, R.S.O., 1990 and/or the City's emergency plan.)

163-2022 - A By-law to Appoint Hearings Officers for the City of Oshawa

(Implements direction of November 15, 2022 through Council resolution to appoint members as Hearings Officers for the City of Oshawa for a four-year term commencing November 15, 2022, until November 14, 2026, subject to holding office until successors are appointed by City Council.)

Confirming By-law

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the Confirming by-law be passed.

Motion Carried

Adjournment

Moved by Councillor Kerr
Seconded by Councillor Giberson

That the meeting adjourn.

The meeting adjourned at 4:12 p.m.

Affirmative (9): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Neal, and Councillor Nicholson

Negative (1): Councillor Marks

Absent (1): Councillor McConkey

Motion Carried (9 to 1)

Mayor

City Clerk