



Oshawa City Council Minutes

December 12, 2022, 9:30 a.m.
Council Chamber

Present: Councillor Chapman
Councillor Giberson
Councillor Gray
Councillor Kerr
Councillor Lee
Councillor Marimpietri
Councillor Marks
Councillor McConkey
Councillor Neal
Councillor Nicholson

Absent: Mayor Carter

Public Meeting

Deputy Mayor Chapman presided.

National Anthem

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.

Council Member Announcements

Various announcements were made relating to activities and events.

Additional Agenda Items

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That the delegation of Peter Taylor, Friends of Second Marsh be added to the agenda, and Additional Correspondence from Joe Arruda submitting comments concerning Item SF-22-06 and correspondence from the Building Industry and Land Development Association submitting comments concerning Item ED-22-216 be added to the agenda for the meeting of December 12, 2022 and be referred to the respective item.

Motion Carried

Declarations of Pecuniary Interest

Councillor Neal - CF-22-70 - Review of The City of Oshawa's Municipal Election Recount Policy (All Wards)

Councillor Neal made a declaration of interest concerning Item CF-22-70 as it involves the spouse of his doctor and did not take part in discussion or voting on the matter.

Presentations

Employee Recognition - 15 year Service Medal from the Municipal Law Enforcement Officers' Association

Deputy Mayor Chapman presented Amanda Bussey, Municipal Law Enforcement Officer with a 15 year Service Medal from the Municipal Law Enforcement Officers' Association.

Certificate of Recognition - Oshawa Hawkeyes U14 Tier 1 Athletes and Coaches

Deputy Mayor Chapman presented a certificate of recognition to the Oshawa Hawkeyes U14 Tier 1 athletes and coaches for the U14 Fall Cup Tier 1 Provincial Championship.

Moved by Councillor Nicholson
Seconded by Councillor Giberson

That the meeting recess.

The meeting recessed at 9:45 a.m. and reconvened at 9:50 a.m. with all Members of Council present except Mayor Carter.

Motion Carried

Delegations

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That the delegation of Peter Taylor be heard.

Motion Carried

Peter Taylor addressed Council concerning Item CO-22-03 regarding Friends of Second Marsh Agreement and Funding Model Review.

Members of Council questioned Peter Taylor.

Items Requiring Council Direction

CNCL-22-88 - Regional Municipality of Durham Requesting the City of Oshawa nominate a representative for the Durham Agricultural Advisory Committee (All Wards)

Moved by Councillor Neal

Seconded by Councillor Marimpietri

That in accordance with Correspondence CNCL-22-88 from the Region of Durham, Derrek Stevenson be nominated to the Durham Agricultural Advisory Committee.

Moved by Councillor McConkey

Seconded by Councillor Giberson

That the motion be referred to closed session.

Affirmative (2): Councillor Giberson, and Councillor McConkey

Negative (8): Councillor Chapman, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor Neal, and Councillor Nicholson

Absent (1): Mayor Carter

Motion Lost (2 to 8)

The vote to appoint Derrik Stevenson to the Durham Agricultural Advisory Committee.

Affirmative (7): Councillor Chapman, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, and Councillor Neal

Negative (3): Councillor Giberson, Councillor McConkey, and Councillor Nicholson

Absent (1): Mayor Carter

Motion Carried (7 to 3)

Public Consent Agenda

Moved by Councillor Marimpietri

Seconded by Councillor Marks

That all items listed under the heading of Public Consent Agenda for the City Council Meeting dated December 12, 2022 be adopted as recommended, except the following:

Items CO-22-03 and CO-22-02 from the First Report of the Community and Operations Services Committee; and,

Items CF-22-64, CF-22-65, CF-22-70 and CF-22-71 from the First Report of the Corporate and Finance Services Committee; and,

Item ED-22-214 and ED-22-204 of the First Report of the Economic and Development Services Committee; and,

Items SF-22-03, SF-22-06 and SF-22-02 of the First Report of the Safety and Facilities Services Committee; and,

Report CNCL-22-79 and By-law 180-2022; and,

By-law 181-2022.

Motion Carried

Adoption of Council Minutes

That the minutes of the City Council meetings held on November 15, November 18 and November 21, 2022 be adopted.

Correspondence with Recommendations

None

Standing Committee Reports

Report of the Community and Operations Services Committee

CO-22-05 - Ontario Tech University requesting Funding for the Development of a Campus Ice Centre (Ward 2)

That Correspondence CO-22-05, dated November 29, 2022, concerning Ontario Tech University's request for funding for the development of a Campus Ice Centre be referred back to staff to report back with further information in January prior to the 2023 budget deliberations.

CO-22-01 - Future Traffic Data on Britannia Avenue East, Bridle Road and Steeplechase Street (Ward 2)

That based on Report CO-22-01, dated November 30, 2022, staff continue to monitor the traffic in the residential neighbourhoods surrounding the new Costco site, and collect updated traffic data and report back when construction is completed along Steeplechase Street.

CO-22-06 - Stand-Alone Shelters for Crossing Guards (All Wards)

The following item was introduced and lost at the Community and Operations Services Committee:

Whereas other municipalities have installed stand-alone shelters for their crossing guards;

Therefore, staff investigate and report back on a pilot project to install stand-alone shelters for our crossing guards.

Report of the Corporate and Finance Services Committee

CF-22-69 - Oshawa Tourism and Greater Oshawa Chamber of Commerce Requesting Financial Sponsorship and Waiving of Fees to facilitate an Oshawa-based Music Festival (All Wards)

1. That Correspondence CF-22-69 from the Oshawa Tourism and Greater Oshawa Chamber of Commerce requesting financial sponsorship and waiving of fees to facilitate an Oshawa-based music festival be circulated to the Director, Business and Economic Development, to provide written comment to Council at the 2023 budget deliberations; and,
2. That the item be referred to the 2023 budget deliberations.

CF-22-67 - 2023 Borrowing By-law (All Wards)

That the 2023 Borrowing By-law as outlined in Attachment 1 to Report CF-22-67 dated November 23, 2022 be approved.

CF-22-68 - Summary of Contract Awards during the Period of September 1, 2022 to November 14, 2022 (All Wards)

That Report CF-22-68 dated November 23, 2022 concerning a summary of contracts awarded during the period of September 1, 2022 to November 14, 2022 be received for information.

Report of the Economic and Development Services Committee

ED-22-219 - Oshawa Centennial Celebrations Proposal (All Wards)

1. That based on Report ED-22-219 dated November 23, 2022 concerning the Oshawa Centennial Celebrations Proposal that Rotary Park be selected as the legacy project for Oshawa's centennial year and for the potential installation of new public art to assist in the celebration Oshawa's centennial year; and,
2. That the Economic and Development Services Committee endorse the list of current events in Attachment 2 to include enhanced programming in 2024 subject to 2023 Budget deliberations and approval of two (2) new Events Coordinators and one (1) new Culture Development Coordinator to assist in programming and planning; and,
3. That the Economic and Development Services Committee endorse the list of new events in Attachment 3 to include new programming in 2024 subject to 2023 Budget deliberations and approval of two (2) new Events Coordinators and one (1) new Culture Development Coordinator to assist in programming and planning; and,
4. That the Economic and Development Services Committee endorse the other celebration initiatives in Attachment 4 to assist with celebrating Oshawa's centennial year subject to 2023 Budget deliberations and approval of two (2) new Events Coordinators and one (1) new Culture Development Coordinator to assist in programming and planning; and,
5. That the amount of \$60,500 receive pre-budget approval for the 2024 Budget to cover additional costs.

ED-22-220 - Landmark Oshawa Sign Proposal (Ward 4)

1. That, pursuant to Report ED-22-220 dated November 23, 2022, the North Parkette, in the vicinity of the intersection of King Street West and Centre Street South be endorsed as the location of a Landmark Oshawa Sign; and,
2. That pursuant to Report ED-22-220 dated November 23, 2022, Attachment 1, listing the features and minimum requirements of a Landmark Oshawa Sign, be endorsed for the purposes of issuing a Request for Quotes following public consultation and in the event the project is funded; and,
3. That, pursuant to Report ED-22-220, dated November 23, 2022, City staff be directed to develop an Agreement with the Oshawa Sign Team, outlining a partnership which enables them to begin soliciting donations to fund a Landmark Oshawa sign with support from the City to receive donations, subject to any conditions considered appropriate by the Commissioner of Economic and Development Services, including roles and responsibilities, financial management processes, minimum requirements for a sign, approval of marketing materials, and deadlines by which at least \$500,000 of funding must be secured for the project to proceed; and,
4. That the amount of \$85,000 receive pre-budget approval for the 2024 Budget to fund annual costs associated with maintenance and activation of the sign.

ED-22-196 - Heritage Designation of 2850 Grandview Street North, Hancock House (HTG-22-21 – Item 6) (Ward 1)

Whereas, on April 28, 2022 Heritage Oshawa made a recommendation (HTG-22-21 – Item 6) to designate 2850 Grandview Street North, also known as the Hancock House (the “Subject Property”), under Part IV of the Ontario Heritage Act; and,

Whereas, on May 9, 2022 the Development Services Committee referred the recommendation from Heritage Oshawa to staff for a report; and,

Whereas, the Subject Property is owned by the Ontario Ministry of Transportation (“M.T.O.”); and,

Whereas, Sections 26.1(1) and 39.1.1(1) of the Ontario Heritage Act provide that Part IV, Conservation of Property of Cultural Heritage Value or Interest, and Part V, Heritage Conservation Districts, of the Act do not apply to property owned by the Province; and,

Whereas, pursuant to the aforementioned policies in both the Ontario Heritage Act and O. Reg. 157/10, the Province has confirmed that the Subject Property cannot be designated under Part IV or Part V of the Act; and,

Whereas, Provincial staff advised that 2850 Grandview Street North would be regulated by the Standards and Guidelines for Provincial Heritage Properties (see Attachment 1);

Therefore be it resolved that pursuant to Item ED-22-196 regarding the heritage designation of 2850 Grandview Street North (HTG-22-21 – Item 6) under Part IV of the Ontario Heritage Act, Item ED-22-196 be received for information.

ED-22-197 - Declaration of Certain City-owned Land as Surplus on the West Side of Haig Street, Known Municipally as 0 Haig Street (Ward 4)

1. That pursuant to Report ED-22-197 dated November 23, 2022, the City-owned land located on the west side of Haig Street and known municipally as 0 Haig Street be declared surplus to municipal requirements and that the requirement to declare a City-owned property first as potentially surplus in accordance with By-law 97-2000, be waived given the localized nature of the matter; and,
2. That all notice requirements in accordance with By-law 97-2000 (e.g. newspaper ads) be waived given the localized nature of Council's decision to declare the subject City-owned land located on the west side of Haig Street and known municipally as 0 Haig Street as surplus.

ED-22-198 - Heritage Designation of 110 Simcoe Street South, Memorial Park (HTG-22-21 – Item 1) (Ward 4)

Whereas, on April 28, 2022, Heritage Oshawa made a recommendation (HTG-22-21 – Item 1) to designate 110 Simcoe Street South, also known as Memorial Park (the “Subject Property”), under Part IV of the Ontario Heritage Act; and,

Whereas, on May 9, 2022, the Development Services Committee referred the recommendation from Heritage Oshawa to staff for a report; and,

Whereas, on March 20, 2017, City Council endorsed the following recommendation of the Development Services Committee:

“That, pursuant to Report DS-17-45 dated February 23, 2017, Memorial Park not be designated under the Ontario Heritage Act but remain as a listed, non-designated property on the Register of Properties of Cultural Heritage Value and Interest;” and,

Whereas, Section 6.5 q) of the Council-approved Advisory Committees of Council Policy and Procedure (the “Policy”) states that members of advisory committees must “Respect that the decisions of Council are final and accurately communicate the decisions of Council even if they disagree with the decision of the Advisory Committee”; and,

Whereas, Section 10 j) of the Policy states that Advisory Committees cannot reconsider any existing decision of Standing Committee or Council; and,

Whereas, based on these sections of the Policy, Heritage Oshawa may not make any further recommendations concerning the designation of Memorial Park at this time;

Therefore be it resolved that pursuant to Item ED-22-198 regarding the heritage designation of 110 Simcoe Street South (HTG-22-21 – Item 1) under Part IV of the Ontario Heritage Act, Item ED-22-198 be received for information.

ED-22-199 - Greater Oshawa Chamber of Commerce Student Orientation Event Debrief (All Wards)

Whereas, the Greater Oshawa Chamber of Commerce submitted correspondence to Oshawa City Council at the June 20, 2022 meeting of Council requesting support from the City that included event partnership, in-kind services and partial road or lane closures; and,

Whereas, Oshawa City Council directed staff to support the inaugural Post-Secondary Student Orientation Launch Event proposal by the Greater Oshawa Chamber of Commerce for the first weekend after Labour Day in September 2022 and report back to the Economic and Development Services Committee on the inaugural Post-Secondary Student Orientation Launch Event in the 4th quarter of 2022; and,

Whereas, the inaugural Post-Secondary Student event was held on September 10, 2022 and achieved the following outcomes:

- Nearly 500 attendee wristbands were distributed onsite with school student identifications validated by each institution;
- 113 student users registered with the Goose Chase application that acted as a connection to participating businesses in the Downtown;
- 240 validated interactions were performed with downtown businesses within the Goose Chase application;
- Post-event survey to student participants received an overall score of 62. It is understood that detractor feedback (12.5% of surveys collected) centred on soft employer presence for the job fair area and cancellation of onsite food trucks; and,

Whereas, the Greater Oshawa Chamber of Commerce has confirmed the intention to host the event for post-secondary students again in 2023; and,

Whereas, the offering of the Post-Secondary Student Orientation event complements the efforts to extend Convocation ceremonies for the entire student experience in both entering, and finishing, post-secondary education in the City of Oshawa;

Therefore be it resolved that an ongoing investment of \$25,000 from the City of Oshawa to support the continuation of the Post-Secondary Student Orientation event be referred to the 2023 Operating Budget.

ED-22-200 - Scheduling of Public Information Centre Number 1 for the Integrated Study to Develop a Land Use and Transportation Plan and Environmental Study Report for the Central Oshawa Major Transit Station Area (Wards 4 and 5)

Whereas, on September 27, 2021, City Council endorsed the Terms of Reference for an Integrated Study to Develop a Land Use and Transportation Plan and Environmental Study Report for the Central Oshawa Major Transit Station Area (the “Terms of Reference”) through Report DS-21-162, which can be found at the following link:

http://app.oshawa.ca/agendas/development_services/2021/09-13/report_ds-21-162.pdf; and,

Whereas, on March 28, 2022, City Council endorsed the selection of Parsons Inc. (“Parsons”) through Report FIN-22-31 to complete the Integrated Study to Develop a Land Use and Transportation Plan and Environmental Study Report for the Central Oshawa Major Transit Station Area (the “Integrated Study”), which can be found at the following link:

<https://pub-oshawa.escribemeetings.com/filestream.ashx?DocumentId=8514>; and,

Whereas, the primary objective of the Integrated Study is to produce a Land Use and Urban Design Plan (the “Land Use Plan Component”) and an area-specific Transportation Master Plan and Municipal Class Environmental Assessment (the “Municipal Class E.A. Component”); and,

Whereas, the Land Use Plan Component of the Integrated Study will result in the creation of a Master Land Use and Urban Design Plan and implementing guidelines; and,

Whereas, the Municipal Class E.A. Component of the Integrated Study will result in the completion of an area specific Transportation Master Plan (“T.M.P.”), and the advancement of Phases 3 and 4 of the Municipal Class E.A. process for First Avenue/McNaughton Avenue/Dean Avenue, and any other road improvements identified in the T.M.P.; and,

Whereas, the Notice of Study Commencement for the Integrated Study has been issued in accordance with the approved Terms of Reference; and,

Whereas, Parsons is scheduled to complete the reports on existing conditions for the Integrated Study in December 2022, and as a result, it is appropriate to advance the public consultation under Stage 1 of the Integrated Study as outlined in the Terms of Reference, which includes the holding of a Public Information Centre;

Therefore, staff be authorized to advance the public consultation process under Stage 1 of the Integrated Study, in accordance with the approved Terms of Reference, as follows:

1. Schedule Public Information Centre Number 1 in the first quarter of 2023, to be held at Oshawa City Hall in-person but also offering a virtual forum, for the purpose of presenting for public review and input the reports on the existing conditions for the Integrated Study to Develop a Land Use and Transportation Plan and Environmental Study Report for the Central Oshawa Major Transit Station Area; and,
2. Provide notice of Public Information Centre Number 1 for the Integrated Study a minimum of four (4) weeks in advance of the meeting through:
 - Advertising in the Oshawa This Week newspaper;
 - Mailing notice to all property owners in the Integrated Study Area boundary and all property owners within 120 metres (400 ft.) of the Integrated Study Area boundary;
 - Circulating notice to all interested parties and stakeholder groups (including Indigenous community groups) on the Integrated Study mailing list; and,
 - Posting on the City’s Connect Oshawa and social media channels.

ED-22-208 - Direction on City Staff Involvement Respecting an Appeal to the Ontario Land Tribunal of a Committee of Adjustment Decision Concerning Lands South of Queensdale Avenue between Keewatin Street South and Melrose Street (Ward 3)

That, pursuant to Report ED-22-208 dated November 23, 2022, the Ontario Land Tribunal be advised that City Council takes no position on the appeal of the denial decision of the Committee of Adjustment concerning lands located on the south side of the future extension of Queensdale Avenue between Keewatin Street South and Melrose Street (File: A-2022-71) and that the City not seek party or participant status at the Ontario Land Tribunal hearing.

ED-22-210 - Terms of Reference for a Request for Proposal for a 2024-2034 Economic Development Strategy (All Wards)

1. That the Terms of Reference to develop a new Economic Development Strategy for the City of Oshawa be endorsed as set out in Attachment 1 to Report ED-22-210 dated November 23, 2022; and,
2. That, pursuant to Report ED-22-210 dated November 23, 2022, staff be authorized to proceed for the Request for Proposal in accordance with Attachment 1 to said Report.

ED-22-213 - Heritage Designation of 47 Simcoe Street South (Ward 4)

Whereas, on June 23, 2022, Heritage Oshawa made a recommendation (HTG-22-43) to designate 47 Simcoe Street South, also known as the Oshawa Federal Building and Post Office (the "Subject Property"), under Part IV of the Ontario Heritage Act; and,

Whereas, on September 12, 2022, the Development Services Committee referred the recommendation from Heritage Oshawa to staff for a report; and,

Whereas, the Subject Property is owned by Atria Development Corporation; and,

Whereas, in June of 2021, Atria Development Corporation applied to amend the zoning by-law to permit a new 8-storey 143 unit apartment building; and,

Whereas, on September 13, 2021, the Development Services Committee held a public meeting to provide background information on the application submitted by Atria Development Corporation; and,

Whereas, as part of the due diligence process, Atria Development Corporation delegated to Heritage Oshawa on September 23, 2021 at which time Heritage Oshawa did not pass a motion to designate the site but rather received the presentation for information; and,

Whereas, on June 20, 2022, City Council considered DS-22-130, a report of the Commissioner of Development Services recommending that City Council approve the rezoning application and adopted the recommendation; and,

Whereas, Atria Development Corporation has advised (see Attachment 1) that they relied on the Heritage Oshawa September 23, 2021 decision to proceed to finalize their development proposal at significant financial cost;

Therefore be it resolved that pursuant to Item ED-22-213 regarding the heritage designation of 47 Simcoe Street South, also known as the Oshawa Federal Building and Post Office, under Part IV of the Ontario Heritage Act, Item ED-22-213 be received for information.

ED-22-216 - Changes to Planning Review and Approvals Processes and Fees (All Wards)

1. That, pursuant to Report ED-22-216 dated November 23, 2022, the Economic and Development Services Department be authorized to initiate the statutory public process under the Planning Act for Council to consider proposed City-initiated amendments to the Oshawa Official Plan, and to consider a Mandatory Consultation By-law, generally in accordance with Section 5.2 and Attachment 1 to said Report; and,
2. That the amendments to the General Fees and Charges By-law 13-2003, as amended, be approved and the amending by-law be passed generally in accordance with

Attachment 2 to said Report and that the requirement for public notice (including newspaper advertisements) in Notice to the Public By-law 147-2007, as amended, be waived due to timing limitations and the urgent nature of the matter; and,

3. That the amendments to Site Plan Control By-law 137-89, as amended, be approved and the appropriate amending by-law be passed generally in accordance with Attachment 3 to said Report; and,
4. That the amendments to Delegation of Authority By-law 29-2009, as amended, be approved and the appropriate amending by-law be passed generally in accordance with Attachment 4 to said Report; and,
5. That the proposed policy for issuing notice of complete applications for zoning by-law amendments, official plan amendments, draft plans of subdivision and draft plans of condominium be approved generally in accordance with Attachment 6 to said Report.

ED-22-217 - City Comments on Proposed Changes to the Greenbelt Plan, Greenbelt Area Boundary Regulation and Oak Ridges Moraine Conservation Plan (All Wards)

1. That Item CNCL-22-80, being a motion carried by City Council at their November 15, 2022 meeting, together with Report ED-22-217 dated November 23, 2022, be endorsed as the City's comments on the Province's proposed amendments to the Greenbelt Plan, Greenbelt Area boundary regulation O. Reg. 59/05, and the Oak Ridges Moraine Conservation Plan O. Reg. 140/02; and,
2. That a copy of Report ED-22-217 dated November 23, 2022, 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.

ED-22-205 - Proposed Telecommunication Towers and Related Equipment, 633 Merritt Street, 970 Nelson Street and the CNR Corridor North of the Northern Terminus of Drake Street, Fontur International Inc. on behalf of Bell Mobility Inc. (Ward 5)

That, pursuant to Report ED-22-205 dated November 23, 2022, Economic and Development Services staff be authorized to advise Innovation, Science and Economic Development Canada that the City has no objection to the proposal by Fontur International Inc. on behalf of Bell Mobility Inc. to install telecommunication towers, related equipment and fencing at 633 Merritt Street, 970 Nelson Street and the Canadian National Railway corridor at the northern terminus of Drake Street, subject to Bell Mobility Inc. addressing such matters as siting and tower design to the satisfaction of the Commissioner, Economic and Development Services Department.

Report of the Safety and Facilities Committee

SF-22-04 - Correspondence Submitted by Julian Oppenheimer Requesting a Splash Pad be Installed at Sommerset Park (Ward 2)

That Correspondence SF-22-04 from Julian Oppenheimer requesting a splashpad installation at Sommerset Park be referred to staff for consideration in a future budget.

Other Staff Reports and Motions

CNCL-22-89 - Mayor's New Year's Levee (All Wards)

Whereas, the Mayor's New Year's Levee is to be held on January 1 of each year; and,

Whereas, in 2015, Council moved the date from January 1 to January 4, 2015; and,

Whereas, the Mayor's New Year's Levee has been held the first week of January since 2015; and,

Whereas, it may be necessary to change the date of the Levee from time to time and therefore the Mayor's New Year's Levee may not be held on January 1;

Therefore be it resolved, that the name 'Mayor's New Year's Levee' be changed to 'Mayor's Levee'; and,

That Council delegate authority to the Mayor to determine the date for the Mayor's Levee.

By-Laws

The following By-laws were passed:

174-2022 - A By-law to Establish a Borrowing By-law

(Implements direction of December 12, 2022 through Item CF-22-67 of the First Report of the Corporate and Finance Services Committee to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2023.)

175-2022 - A By-law to further amend Delegation By-law 29-2009, as amended

(Implements direction of December 12, 2022 through Item CF-22-67 of the First Report of the Corporate and Finance Services Committee to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2023.)

176-2022 - A By-law to further amend Site Plan Control By-law 137-89, as amended

(Implements direction of December 12, 2022 through Item ED-22-216 of the First Report of the Economic and Development Services Committee to exempt certain classes of development from requiring site plan approval.)

177-2022 - A By-law to regulate encroachments on City-owned property and on easements in favour of the City

(Implements Council direction of December 19, 2016 through Item DS-16-215 of the Forty-Eighth Report of the Development Services Committee to repeal By-law 106-98, as amended, being a by-law to provide for a procedure for processing requests for the maintenance of minor encroachments in parks and open space lands; repeal Section 5.08 of Parks and Facilities By-law 83-2000, as amended, being the sole section in the by-law dealing with encroachments in parks; and adopt a new comprehensive process to address encroachments on City-owned lands or on easements in favour of the City.)

178-2022 - A By-law to adopt and maintain a policy for the processing and administration of acquisitions and dispositions of municipal real property

(Implements Council direction of December 19, 2016 through Item DS-16-215 of the Forty-Eighth Report of the Development Services Committee to adopt and maintain a policy for the processing and administration of acquisitions and dispositions of municipal real property and to repeal Disposition of Real Property By-law 97-2000, as amended.)

179-2022 - A By-law to further amend Delegation of Authority By-law 29-2009, as amended, in order to facilitate management and oversight of the City's real estate function

(Implements Council direction of December 19, 2016 through Item DS-16-215 of the Forty-Eighth Report of the Development Services Committee to further amend the City's Delegation By-law 29-2009, as amended, in order to facilitate management and oversight of the Corporation of the City of Oshawa's real estate function.)

180-2022 - A By-law to amend the City's General Fees and Charges By-law 13-2003, as amended

(Implements direction of December 12, 2022 through Report CNCL-22-79 and Report ED-22-216 of the First Report of the Economic and Development Services Committee to further amend the General Fees and Charges By-law, as amended, to ensure the City's fees are responsible and reasonable based on the cost to deliver the City's programs and services as well as ensuring the City's fees are in line with our comparator municipalities, and to reflect organizational changes.)

181-2022 - A By-law to establish minimum standards to prevent and control the discarding and abandonment of shopping carts in the City of Oshawa

(Implements Council direction of June 20, 2022 through Item CORP-22-50 of the Forty-First Report of the Corporate Services Committee to establish minimum standards to prevent and control the discarding and abandonment of shopping carts in the City of Oshawa.)

Public Discussion Agenda

Matters Excluded from Consent Agenda

CO-22-03 - Friends of Second Marsh Agreement and Funding Model Review (All Wards)

Consent Motion:

1. That based on Report CO-22-03, dated December 5, 2022, that staff be directed to initiate discussions with C.L.O.C.A. to determine interest and feasibility in expanding the City's partnership with C.L.O.C.A. to include education, stewardship, restoration and ecological projects related to the management, restoration and enhancement of the City's natural areas including Second Marsh, Pumphouse Marsh, Gold Point Wetland, Harmony Valley Park, and Cedar Valley Park; and,
2. That staff report back to Council on the results of the discussions with C.L.O.C.A.; and,
3. That F.S.M. be encouraged to apply for funding under the new Community Grant Program.

A request was made to divide the recommendation to vote on Part 3 separately.

The vote to adopt Parts 1 and 2 of the recommendation contained in Item CO-22-03.

Affirmative (6): Councillor Chapman, Councillor Gray, Councillor Lee, Councillor Marimpietri, Councillor Marks, and Councillor Neal

Negative (4): Councillor Giberson, Councillor Kerr, Councillor McConkey, and Councillor Nicholson

Absent (1): Mayor Carter

Motion Carried (6 to 4)

The vote to adopt Part 3 of the recommendation contained in Item CO-22-03.

Affirmative (5): Councillor Chapman, Councillor Gray, Councillor Marimpietri, Councillor Marks, and Councillor Neal

Negative (5): Councillor Giberson, Councillor Kerr, Councillor Lee, Councillor McConkey, and Councillor Nicholson

Absent (1): Mayor Carter

Motion Lost (5 to 5)

CO-22-02 - Ormond Drive Speeding Concerns (Ward 1)

Consent Motion:

1. That based on Report CO-22-02, dated November 30, 2022, the section of Ormond Drive between Woodmount Drive and Woodmount Crescent be added to the Neighbourhood Traffic Management Guide priority ranking list for consideration for a future traffic calming solution based on its warrant score of 19 points out of 70 points; and,
2. That one of the Ward 1 Radar Message Boards be temporarily installed facing northbound traffic on Ormond Drive between Woodmount Drive and Woodmount Crescent; and,
3. That Pedestrian Warning signs with Seniors tabs be installed on Coldstream Drive in the vicinity of Ormond Drive.

The vote to adopt the recommendation contained in Item CO-22-02.

Motion Carried

CF-22-64 - Corporate Payments for the Month of September 2022 (All Wards)

Consent Motion:

That Report CF-22-64 dated November 23, 2022 concerning the corporate payments for the month of September 2022 be received for information.

The vote to adopt the recommendation contained in Item CF-22-64.

Motion Carried

CF-22-65 - Corporate Payments for the Month of October 2022 (All Wards)

Consent Motion:

That Report CF-22-65 dated November 23, 2022 concerning the corporate payments for the month of October 2022 be received for information.

The vote to adopt the recommendation contained in Item CF-22-65.

Motion Carried

CF-22-70 - Review of The City of Oshawa's Municipal Election Recount Policy (All Wards)

Councillor Neal declared a conflict on this item. (Councillor Neal made a declaration of interest concerning Item CF-22-70 as it involves the spouse of his doctor and did not take part in discussion or voting on the matter.)

Consent Motion:

That the following motion be referred to staff for inclusion in the report concerning identification, removal and prevention of barriers affecting electors and candidates with disabilities:

'Whereas the October 24, 2022 municipal election resulted in a ballot recount that raised the issue whether an update or amendment to the City's Municipal Election Recount Policy should be considered for enhanced fairness and confidence amongst candidates, electors and administrators to ensure that Oshawa municipal election results accurately reflect the votes cast;

Now therefore staff be directed to review and report back to the Corporate and Finance Services Committee and Oshawa Council on the City of Oshawa's Municipal Election Recount policy and procedures:

- i. To ensure compliance with Provincial legislation; and,
- ii. Compare Oshawa's election recount policies and practices with those of other Ontario municipalities such as but not limited to the City of Toronto and other Durham Region municipalities; and,
- iii. To provide a breakdown of the costs of the 2022 Ward 1 City Councillor election recount; and,
- iv. To include any recommendations for potential ways in which the City of Oshawa's election and by-election process and election recount policy, practices and timeline procedures may be further improved to enhance confidence in the City of Oshawa election processes.'

Amendment:

Moved by Councillor Marimpietri

Seconded by Councillor Marks

That the motion be amended to delete the text after the word "staff" in the first paragraph.

Motion Carried

The vote to adopt the recommendation contained in Item CF-22-70, as amended.

Affirmative (9): Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, and Councillor Nicholson

Conflict (1): Councillor Neal

Absent (1): Mayor Carter

Motion Carried (9 to 0)

CF-22-71 - Investigation of Green Bonds for the City of Oshawa's Investment Portfolio Strategy (All Wards)

Consent Motion:

Whereas the City of Oshawa has committed through our strategic plan, a Council declaration of climate emergency, and other initiatives to reduce our municipality's carbon footprint; and,

Whereas the City of Oshawa has an investment portfolio that continues to be grown and diversified according to a prudent investment approach and already includes many fixed-income securities issued by government and other entities with high scores with various bond-rating agencies; and,

Whereas on March 22, 2022, the federal government issued its first sale of green bonds and an issuance of \$5 billion was sold in a short period and generated over \$11 billion in offers, and the global market for green bonds are expected to surpass \$1 trillion USD in 2022, demonstrating both the significant investor confidence in this form of security as a reliable, stable investment tool and as an effective means of financing capital projects by issuers; and,

Whereas investments in green bonds provide another tool for a municipality to lower its carbon footprint and support a carbon-reduced future for all by investing reserve dollars into financial instruments that will finance diverse green projects;

Therefore be it resolved that the Corporate and Finance Services Committee recommend that:

1. Oshawa City Council direct Finance Services staff to integrate the purchase of green bonds into the overall investment portfolio strategy based on prudent investment practices, and provide an update on progress with this specific initiative in the annual investment report to Council; and,
2. That this item be referred to the 2023 update of the Financial Strategy.

Affirmative (4): Councillor Giberson, Councillor Marimpietri, Councillor Marks, and Councillor McConkey

Negative (6): Councillor Chapman, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Neal, and Councillor Nicholson

Absent (1): Mayor Carter

Motion Lost (4 to 6)

ED-22-214 - Heritage Oshawa's Recommendation to Designate 10 Sites under the Ontario Heritage Act (Wards 1, 4 and 5)

Consent Motion:

1. That, pursuant to Report ED-22-214 dated November 23, 2022, Economic and Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the property located at 117 King Street East as a property of cultural heritage value or interest under the Ontario Heritage Act by undertaking actions such as the following:
 - a. Obtaining an updated Heritage Research Reports to provide evidence that the subject property specifically addresses the requirements of the Ontario Heritage Act;
 - b. Preparing a Notice of Intention to Designate the property located at 117 King Street East under the Ontario Heritage Act which will generally include the Designation Statement and Description with input from Heritage Oshawa and the owner;
 - c. Publishing the Notice in the Oshawa This Week newspaper;
 - d. Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and,
 - e. Preparing the necessary by-law which will generally include the Designation Statement and Description with input from Heritage Oshawa and the owner for subsequent consideration by Council; and,
2. That Economic and Development Services staff be directed to report back to the Economic and Development Services Committee in the 4th quarter of 2023 on Heritage Oshawa's request to designate 357 Simcoe Street South to permit the owner to finalize the site plan approval process; and,
3. That the following properties not be designated under the Ontario Heritage Act, but rather remain as 'Class A' and 'Class B' properties, respectively, on the Heritage Oshawa Inventory of City of Oshawa Heritage Properties:
 - a. McLaughlin Hall – 1 Hospital Court;
 - b. Traicus Buildings – 10, 12 and 14 Bond Street West;
 - c. Pascoe House – 1935 Grandview Street North;
 - d. Drew House – 442 King Street East;

- e. Mushroom House – 469 King Street East;
 - f. 76 Elgin Street East;
 - g. General Motors South Plant – 700-900 Park Road South; and,
 - h. 78-82 King Street West; and,
4. That Council authorize Planning Services and Legislative Services staff to not proceed with any designation requested by Heritage Oshawa until Heritage Oshawa has followed the process established by Council to advance designations in consultation with the owners such that Council is informed of the position of the property owner.

A request to vote on Part 3 separately was made.

Moved by Councillor Giberson

Seconded by Councillor Nicholson

That Drew House - 442 King Street East be referred to staff.

Motion Carried

Moved by Councillor Giberson

Seconded by Councillor Nicholson

The vote to adopt Parts 1, 2 and 4 of the recommendation contained in Item ED-22-214.

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

Absent (1): Mayor Carter

Motion Carried (10 to 0)

The vote to adopt the remainder of Part 3 of the recommendation contained in Item ED-22-214.

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

Negative (5): Councillor Giberson, Councillor Marimpietri, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Absent (1): Mayor Carter

Motion Lost (5 to 5)

Moved by Councillor McConkey

Seconded by Councillor Giberson

That the meeting recess.

The meeting recessed at 11:30 a.m. and reconvened at 11:36 a.m. with all Members of Council in attendance except Councillor Gray and Mayor Carter.

Motion Carried

ED-22-204 - Broadband Infrastructure in Columbus and Raglan (Ward 1)

Consent Motion:

1. That Report DS-22-204 providing an update on the timing of the High Speed Internet to underserved communities and farm areas north of Highway 407 be received for information; and,
2. That a copy of Report DS-22-204 be forwarded to the Region of Durham; and,
3. That a copy of only the public portion of Report DS-22-204 be forwarded to the Oshawa Power and Utilities Corporation and Rogers Communications Inc.

Moved by Councillor McConkey

Seconded by Councillor Neal

That Item ED-22-204 concerning Broadband Infrastructure in Columbus and Raglan be deferred to the Closed portion of the Meeting.

Motion Carried

SF-22-03 - Correspondence Submitted by Durham Region Slo-Pitch Association Requesting to Rename Lakefront West Park to Pavloff Park (Ward 5)

Consent Motion:

That Correspondence SF-22-03 from the Durham Regional Slo-pitch Association requesting to rename Lakefront West Park to Pavloff Park be received for information.

Councillor Gray re-entered the meeting.

The vote to adopt the recommendation contained in Item SF-22-03.

Motion Carried

SF-22-06 - Notice of Motion - Secondary Uses for Recreational Trails within the Hydro Corridor (Ward 1)

Consent Motion:

Whereas Hydro One encourages hydro corridor secondary uses for recreational trails and have a licensing program to accommodate municipalities looking to improve the walkability and active appreciation of neighbourhoods; and,

Whereas the Hydro Corridor east of Ritson Road North, north of Taunton and Ormond for an approximate distance of 2km to Conlin Road connects 4 Parks, Everglades, Ritson Fields, Parkwood Meadows and Conlin Meadows Parks; and,

Whereas an off-road recreational trail in this Hydro Corridor was included in the City's Development Charges Act in 2019, to be completed in 2023, and has been included as a proposed trail in the City of Oshawa's 2014 Active Transportation Master Plan;

Now therefore the licensing of the Hydro One Corridor and design for the construction of a recreational trail be considered in a future Capital Budget.

The vote to adopt the recommendation contained in Item SF-22-06.

Motion Carried

SF-22-02 - Proposed Snow and Ice Removal By-law Enforcement Approach (All Wards)

Consent Motion:

Whereas, snow and ice on sidewalks create hazards for pedestrians during the winter season; and,

Whereas, the City of Oshawa's ("the City") Snow and Ice Removal By-law 92-2009, as amended ("Snow and Ice Removal By-law"), requires every property owner to completely remove snow and ice on any sidewalk abutting their property; and,

Whereas, in response to numerous complaints received from pedestrians and residents with accessibility issues, Council directed staff to initiate a review of the City's Winter Maintenance Program; and,

Whereas, in 2013 a review of the City's Winter Maintenance Program was conducted and recommendations were made in part to increase the efficiency of the sidewalk snow clearing program, as well as to mitigate the City's risk associated with slips and falls on sidewalks; and,

Whereas, Council approved amendments to the Snow and Ice Removal By-law in 2016 (related to Report CS-16-09); and,

Whereas, a new enforcement approach for clearing snow and ice from sidewalks was established (CS-16-09), which included warnings, Administrative Monetary Penalties (A.M.P.s), a robust annual communications and advertising strategy, and cost recovery tools for the snow and ice clearing work provided by City resources; and,

Whereas, since 2016 staff have been undertaking an education-focused enforcement approach by issuing warning A.M.P.s to property owners in hopes that the combination of warning A.M.P.s, education, communication, and A.M.P.s, where necessary, would promote compliance; and,

Whereas, the City continues to receive numerous complaints from pedestrians and residents with accessibility issues despite previous communication initiatives around snow and ice clearing which have proven to be effective in raising awareness of property owner responsibilities; and,

Whereas, there is a concern that the continued education and issuance of warning A.M.P.s related to the Snow and Ice Removal By-law is not efficient as it adds costs to the City and, in some cases, may not deter repeat offenders; and

Whereas, it is now essential to transition from the education-focused enforcement approach to a penalties-based enforcement process by issuing A.M.P.s on the first contravention instead of warning A.M.P.s for the upcoming 2022-2023 winter season; and,

Whereas, the Snow and Ice Removal By-law was further amended in 2020 by By-law 81-2020 to introduce tiered and escalating A.M.P.s as an additional tool to encourage compliance and address repeat offenders;

Therefore be it resolved:

1. That staff be directed to discontinue the education-focused enforcement approach and instead adopt a penalties-based enforcement approach for property owners in violation of the Snow and Ice Removal By-law; and,
2. That property owners in violation of the Snow and Ice Removal By-law will continue to be responsible for all other applicable fees and charges, as established by General Fees and Charges By-law 13-2003, as amended; and,
3. That staff be directed to continue the robust annual communications and advertising strategy with a focus on educating property owners about their responsibilities and applicable penalties; and,
4. That the bylaw be renamed the Winter Access Bylaw; and,
5. That in the event that ice and snow are not cleared off the sidewalks adjacent to Industrial, Commercial and Multi-residential properties within the designated times in the bylaw, the City reserves the right to have the ice and snow removed at its discretion and without further notice with the cost of removal to be added to the annual property tax bill for those properties.

A request to divide the recommendation was made to vote on Part 4 separately.

The vote to adopt Parts 1, 2, 3 and 5 of the recommendation contained in Item SF-22-02.

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

Absent (1): Mayor Carter

Motion Carried (10 to 0)

The vote to adopt Part 4 of the recommendation contained in Item SF-22-02.

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

Negative (1): Councillor McConkey

Absent (1): Mayor Carter

Motion Carried (9 to 1)

CNCL-22-79 - 2023 General Fees and Charges By-law Update (All Wards)

Consent Motion:

That as outlined in Report CNCL-22-79, dated December 7, 2022, the changes to the General Fees and Charges By-law 13-2003 be approved and the amending General Fees and Charges By-law be passed which is generally shown in Attachment 1.

Moved by Councillor Marimpietri

Seconded by Councillor Marks

That the General Fees and Charges By-law be amended as follows:

That the fees for Filming - Park or Open Space (per day) be amended from \$850.00 to \$250.00. except when filming as a film student when the charge will be \$0.00.

A request to divide the recommendation was made to vote on the fee for filming as a film student separately.

The vote to amend the Filming - Park or Open Space (per day) fee from \$850.00 to \$250.00

Affirmative (6): Councillor Chapman, Councillor Giberson, Councillor Kerr, Councillor Marimpietri, Councillor Marks, and Councillor Neal

Negative (4): Councillor Gray, Councillor Lee, Councillor McConkey, and Councillor Nicholson

Absent (1): Mayor Carter

Motion Carried (6 to 4)

The vote to adopt the fee for filming as a film student of \$0.00.

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

Absent (1): Mayor Carter

Motion Carried (10 to 0)

The vote to adopt the recommendation contained in CNCL-22-79 and to pass By-law 180-2022, as amended.

Affirmative (7): Councillor Chapman, Councillor Giberson, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, and Councillor Neal

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

Absent (1): Mayor Carter

Motion Carried (7 to 3)

The vote to pass By-law 180-2022 concerning minimum standards to prevent and control the discarding and abandonment of shopping carts in the City of Oshawa.

Motion Carried

Items Pulled from Information Package

CNCL-22-90 - Resolution passed by the Board of Directors, Central Lake Ontario Conservation Authority concerning amendments to the Greenbelt Plan (INFO-22-240) (All Wards)

Moved by Councillor Giberson

Seconded by Councillor Marimpietri

That Oshawa City Council supports the Resolution passed by the Board of Directors, Central Lake Ontario Conservation Authority concerning amendments to the Greenbelt Plan.

Motion Carried

CNCL-22-91 - Resolution passed by the Board of Directors, Central Lake Ontario Conservation Authority concerning Provincial consultation on replacing the Provincial Policy Statement and Growth Plan (INFO-22-241) (All Wards)

Moved by Councillor Giberson

Seconded by Councillor Marimpietri

That Oshawa City Council supports the Resolution passed by the Board of Directors, Central Lake Ontario Conservation Authority concerning Provincial consultation on replacing the Provincial Policy Statement and Growth Plan.

Motion Carried

Closed Consent Agenda

Moved by Councillor Marimpietri

Seconded by Councillor Marks

That all items listed under the heading of Closed Consent Agenda for the City Council Meeting dated December 12, 2022 be adopted as recommended except:

Items ED-22-202, ED-22-203, ED-22-212 of the Second Report of the Economic and Development Services Committee.

Motion Carried

Correspondence with Recommendations

None

Standing Committee Reports

Report of the Community and Operational Services Committee

None

Report of the Corporate and Finance Services Committee

None

Report of the Economic and Development Services Committee

ED-22-201 - Request by Ontario Ministry of Transportation for an Easement over Part of the City-owned Lviv Boulevard Road Allowance to construct the Highway 401 Underpass and Retaining Walls at Simcoe Street South and Albert Street (Ward 5)

That, pursuant to Closed Item ED-22-201 concerning a request by the Ontario Ministry of Transportation for an easement over part of the City-owned Lviv Boulevard road allowance, the Commissioner, Economic and Development Services Department be authorized to advance the recommendation contained in Closed Item ED-22-201 and to execute any required documents, subject to the documents being in a form and content satisfactory to the Commissioner, Economic and Development Services Department and the City Solicitor.

ED-22-209 - Appeals to the Ontario Land Tribunal of the City's Failure to make Decisions on Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision for 1015 King Street East (Ward 3)

That Report ED-22-209 dated November 23, 2022, concerning the appeals submitted to the Ontario Land Tribunal by Downing Street (1015 King Street) Inc. for the applications to amend Zoning By-law 60-94 (File: Z-2021-07) and for a proposed draft plan of subdivision (File: S-O-2021-02) at 1015 King Street East, be received for information.

ED-22-218 - Request to Purchase a Portion of City-owned Laneway abutting 55 Rossland Road East (Ward 4)

That pursuant to Closed Report ED-22-218 dated November 23, 2022, the Director of Planning Services be directed to proceed in accordance with Section 2.0 of said Report.

Report of the Safety and Facilities Committee

None

Other Staff Reports and Motions

None

Closed Discussion Agenda

Matters Excluded from Consent Agenda

Moved by Councillor Marimpietri

Seconded by Councillor Marks

That the meeting recess and reconvene in a session closed to the public pursuant to 239 (2)(c)(i)(h) and (j) of the Municipal Act in order to consider Item ED-22-202 which is concerning proposed or pending acquisition or disposition of land; and Item ED-22-203 which is concerning a proposed or pending acquisition or disposition of land; and Item ED-22-04 which is concerning information explicitly supplied in confidence to the municipality; and Item ED-22-212 which is concerning proposed or pending acquisition or disposition of land.

Motion Carried

Moved by Councillor Nicholson

Seconded by Councillor Neal

That the meeting recess for five minutes.

Motion Carried

The meeting recessed at 12:38 p.m. and reconvened at 12:43 p.m. in a session closed to the public with all members of Council in attendance with the exception of Mayor Carter.

Also in attendance were the Director, Legislative Services/City Clerk, the Chief Administrative Officer, the Commissioner, Corporate and Finance Services, the Commissioner, Community and Operations Services, the Commissioner, Economic and Development Services; the City Solicitor; the Director, Business and Economic Development; the Manager, Legislative Services/Deputy City Clerk; and the Council-Committee Coordinator.

All other staff and members of the public left the meeting.

Closed meeting discussions were held.

Rise and Report

Moved by Councillor Nicholson

Seconded by Councillor Neal

That Council rise from closed session at 1:21 p.m.

Motion Carried

Closed Report

All members of Council were present in the Chamber except Mayor Carter.

Members of Council questioned the Commissioner, Economic and Development Services concerning Item ED-22-202.

The Commissioner, Commissioner, Economic and Development Services responded to questions from Council regarding Item ED-22-202.

Members of Council questioned the Commissioner, Economic and Development Services concerning Item ED-22-203.

The Commissioner, Economic and Development Services responded to questions from Council regarding Item ED-22-203.

Members of Council questioned the Director, Business and Economic Development Services concerning Item ED-22-203.

The Director, Business and Economic Development Services responded to questions from Council regarding Item ED-22-203.

Members of Council questioned the Commissioner, Economic and Development Services concerning Confidential Attachment to Item ED-22-212.

The Commissioner, Economic and Development Services responded to questions from Council regarding Item ED-22-212.

Members of Council questioned the Commissioner, Economic and Development Services concerning Confidential Attachment to Item ED-22-04.

The Commissioner, Economic and Development Services responded to questions from Council regarding Item ED-22-204.

This concluded the closed meeting summary.

ED-22-202 - Proposed Storm Water Easement in Favour of Condor DNIPRO GP Inc. Over Certain City-owned Lands located east of 681 Dnipro Boulevard (Ward 5)

Consent Motion:

1. That pursuant to Closed Item ED-22-202 dated November 28, 2022, the request for a storm water outfall easement over a portion of the City-owned open space lands located east of Dnipro Boulevard be approved; and,
2. That the Commissioner, Economic and Development Services Department be authorized to execute any required documents to give effect to Part 1 above including any required easement agreement in a form and content acceptable to the Commissioner, Economic and Development Services Department and City Solicitor; and,
3. That the Applicant be solely responsible for bearing the cost to register the easement and any related agreements.

The vote to adopt the recommendation contained in Item ED-22-202.

Motion Carried

ED-22-203 - Mary Street Parking Garage Lease Space: Potential Economic Impacts (Ward 4)

Consent Motion:

That pursuant to Report ED-22-203, dated November 28, 2022, concerning the Mary Street Parking Garage Lease Space: Potential Economic Impacts be received for information.

The vote to adopt the recommendation contained in Item ED-22-203.

Motion Carried

ED-22-212 - Results of the Request for Expression of Interest Process (Reference Number C2022-084) for the Potential Redevelopment of the City-owned Terminal and Surface Level Bus Platform Area Located at 47 Bond Street West (Ward 4)

That, pursuant to Report ED-22-212 dated November 23, 2022 concerning the Request for Expression of Interest process for the potential redevelopment of the City-owned terminal and surface level bus platform area located at 47 Bond Street West, staff be authorized to advance a Request for Proposals process on an invitation only basis to the respondents to the City's Request for Expressions of Interest (Reference Number C2022-084).

Moved by Councillor Giberson

Seconded by Councillor Nicholson

That Item ED-22-212 be referred back to staff to design or engage expertise to design an assessment of the site and a consultation process to develop a City and Council-approved position on site objectives such as but not limited to:

- Structural integrity of all buildings on the site
- Historic, current, and future parking usage metrics of the existing parking facilities
- City objectives on re-animating the street-facing side along Bond Street
- City objectives in regards to expectations for a component of housing affordability for the future of the site
- City objectives in regards to possible economic development impact, social and cultural impact, and other areas of possible positive impact

Motion Carried

ED-22-204 - Broadband Infrastructure in Columbus and Raglan (Ward 1)

Consent Motion:

1. That Report DS-22-204 providing an update on the timing of the High Speed Internet to underserved communities and farm areas north of Highway 407 be received for information; and,
2. That a copy of Report DS-22-204 be forwarded to the Region of Durham; and,

3. That a copy of only the public portion of Report DS-22-204 be forwarded to the Oshawa Power and Utilities Corporation and Rogers Communications Inc.

Amendment:

Moved by Councillor McConkey

Seconded by Councillor Neal

That the motion be amended to add the following to Part 2:

"The City of Oshawa appeal to the Region of Durham to prioritize the work for the delivery of internet high speed fiber to the underserved communities in Oshawa north of Hwy 407".

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

Absent (1): Mayor Carter

Motion Carried (10 to 0)

The vote to adopt the recommendation contained in Item ED-22-204, as amended.

Motion Carried

Items Requiring Council Direction

None

Matters Tabled

None

Notices of Motion

Moved by Councillor Marimpietri

Seconded by Councillor Lee

Whereas on May 12, 2022, City Council approved the Neighbourhood Traffic Management Guide, which incorporates the latest best-practices in traffic calming; and,

Whereas the deployment of in-road flexible bollards is a temporary, easy to implement traffic calming measure; and;

Whereas depending upon the road characteristics this may be a low-cost traffic calming solution to assist in speed reduction; and,

Whereas this process will only apply to local and collector roads; and,

Whereas staff will review for operational safety related concerns; and,

Whereas the use of flexible bollards is warranted where vulnerable road users are present, such as residential areas, school zones, and park areas;

Therefore be it resolved that if both Ward Councillors are in agreement, a formal request in writing from both Ward Councillors be submitted to the Commissioner of Community & Operations Services for staff review and that the cost be referred to the 2023 budget for consideration.

Motion Carried

Moved by Councillor McConkey
Seconded by Councillor Giberson

Whereas the applications to the Committee of Adjustments are of public interest;

Now therefore the applicants be required to submit a photo of the property where the an adjustment application variance is being requested.

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

Negative (7): Councillor Chapman, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, and Councillor Nicholson

Absent (1): Mayor Carter

Motion Lost (3 to 7)

Moved by Councillor McConkey
Seconded by Councillor Giberson

Whereas some Ontario municipalities Traffic and Transportation Departments publish their radar message board data on their websites; and,

Whereas this information is helpful for better public understanding of perceived speed hot spots in various neighborhoods;

Now therefore the City of Oshawa publish Radar Message Board data on the City's website.

Motion Carried

Amendment:

Moved by Councillor Giberson
Seconded by Councillor Gray

That the motion be referred to staff to investigate publishing data on the City's website.

Amendment:

Moved by Councillor Nicholson
Seconded by Councillor Neal

That the motion be amended to add the words 'by Ward' after the word 'data'.

Motion Carried

The vote to adopt the motion as amended.

Motion Carried

Confirming By-Law

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That the Confirming By-law be passed.

Motion Carried

Adjournment

Moved by Councillor Lee
Seconded by Councillor Kerr

That the meeting be adjourned at 1:41 p.m.

Motion Carried

Mayor

City Clerk