



**Oshawa City Council  
Minutes**

**October 2, 2023, 9:30 a.m.  
Council Chamber**

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

Absent: Councillor McConkey

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### **Public Meeting**

Mayor Carter called the meeting to order and stated that all members of Council were participating from the Chamber except Councillor McConkey who was absent.

### **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 Chapman  
Seconded by Councillor Giberson

That the delegations of Jane Hurst, Anita Bongers-Lewis and Michael Dominguez concerning Item SF-23-28 be added to the agenda for the meeting of October 2, 2023, and additional correspondence from various residents concerning Item ED-23-117 be added to Correspondence CNCL-23-97.

Motion Carried

## **Declarations of Pecuniary Interest**

### **Councillor Gray - SF-23-28 - Additional Proposed Policy Options for the Residential Rental Housing Licensing Program (All Wards)**

Councillor Gray made a declaration of interest concerning Item SF-23-28 regarding additional proposed policy options for the Residential Rental Housing Licensing Program as he owns a legal duplex in the City and did not take part in discussion or voting on the matter.

### **Councillor Gray - CNCL-23-104 - Michael Abramczuk Submitting Comments in Opposition to Item SF-23-28 (All Wards)**

Councillor Gray made a declaration of interest concerning Correspondence CNCL-23-104 from Michael Abramczuk submitting comments in opposition to Item SF-23-28 regarding additional proposed policy options for the Residential Rental Housing Licensing Program as he owns a legal duplex in the City and did not take part in discussion or voting on the matter.

### **Councillor Neal - ED-23-146 - Update on the Recommended Disposal of Certain City-owned Lands: Portion of the Grassed Area in the Northwest Corner of the Delpark Homes Centre Site at 1661 Harmony Road North (Ward 1)**

Councillor Neal made a declaration of interest concerning Item ED-23-146 regarding an update on the recommended disposal of certain City-owned lands: portion of the grassed area in the northwest corner of the Delpark Homes Centre site at 1661 Harmony Road North as a member of his family has a contract with the Durham District Separate School Board and did not take part in discussion or voting on the matter.

### **Mayor Carter - SF-23-28 - Additional Proposed Policy Options for the Residential Rental Housing Licensing Program (All Wards)**

Mayor Carter made a declaration of interest concerning Item SF-23-28 regarding additional proposed policy options for the Residential Rental Housing Licensing Program as he owns multi-residential properties in the City and did not take part in discussion or voting on the matter.

### **Mayor Carter - CNCL-23-104 - Michael Abramczuk Submitting Comments in Opposition to Item SF-23-28 (All Wards)**

Mayor Carter made a declaration of interest concerning Correspondence CNCL-23-104 from Michael Abramczuk submitting comments in opposition to Item SF-2328 regarding additional proposed policy

options for the Residential Rental Housing Licensing Program as he owns multi-residential properties in the City and did not take part in discussion or voting on the matter.

**Councillor Marimpietri - CNCL-23-96 - Proposed Options for the Air and Underground Rights associated with City-owned land located on the south side of Athol Street East, between Celina and Albert Street (Ward 4)**

Councillor Marimpietri made a declaration of interest concerning Report CNCL-23-96 regarding proposed options for the air and underground rights associated with City-owned land located on the south side of Athol Street East, between Celina and Albert Street as he has family whom own property, and operate a business potentially impacted by the noted proposal and did not take part in discussion or voting on the matter.

**Councillor Marimpietri - ED-23-146 - Update on the Recommended Disposal of Certain City-owned Lands: Portion of the Grassed Area in the Northwest Corner of the Delpark Homes Centre Site at 1661 Harmony Road North (Ward 1)**

Councillor Marimpietri made a declaration of interest concerning Item ED-23-146 regarding an update on the recommended disposal of certain City-owned lands: portion of the grassed area in the northwest corner of the Delpark Homes Centre site at 1661 Harmony Road North as he has family whom own property, and operate a business potentially impacted by the noted proposal and did not take part in discussion or voting on the matter.

**Councillor Marimpietri - ED-23-149 - Proposed Future Use of the City-owned Public Parking Lot (Lot 4) located on the North side of Athol Street East, between Centre Street South and Simcoe Street South (Ward 4)**

Councillor Marimpietri made a declaration of interest on Item ED-23-149 regarding the proposed future use of the City-owned public parking lot (Lot 4) located on the north side of Athol Street East, between Centre Street South and Simcoe Street South as he has family whom own property, and operate a business potentially impacted by the noted proposal and did not take part in discussion or voting on the matter.

**Presentations**

**Certificate of Recognition - Lady Blue Knights U9 Rep Team**

Mayor Carter presented a certificate of recognition to the Lady Blue Knights U9 Rep Team for winning the OWFL U9A Provincial Championship.

**Certificate of Recognition - Oshawa Kicks Soccer Club 2006 Boys Red Team**

Mayor Carter presented a certificate of recognition to the Oshawa Kicks Soccer Club 2006 Boys Red Team for winning the U17 Boys Premier Division NYC Cup Championship.

**Rotary Club Walk of Fame - 2023 Inductees**

Louise Parkes and Emmy IHEME, Rotary Club Walk of Fame provided a presentation concerning the inductees for 2023 and the Walk of Fame Gala/Awards Dinner event.

## Delegations

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the delegations of George Lysyk, Jane Hurst and Michael Dominguez be heard.

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

Negative (1): Councillor Neal

Absent (1): Councillor McConkey

Motion Carried (9 to 1)

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the delegation of Anita Bongers-Lewis be heard. **(Requires 2/3 vote of members present.)**

Motion Carried

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the delegations of Robert Clapp and Atria Development be heard in closed session. **(Requires 2/3 vote of members present.)**

Motion Carried

Councillor Chapman assumed the Chair.

### **George Lysyk - Item SF-23-28**

George Lysyk addressed City Council concerning Item SF-23-28 regarding additional proposed policy options for the Residential Rental Housing Licensing Program.

### **Jane Hurst - Item SF-23-28**

Jane Hurst addressed City Council concerning Item SF-23-28 regarding additional proposed options for the Residential Rental Housing Licensing Program.

Members of Council questioned Jane Hurst.

### **Michael Dominguez - Item SF-23-28**

Michael Dominguez addressed City Council concerning Item SF-23-28 regarding additional proposed options for the Residential Rental Housing Licensing Program.

### **Anita Bongers-Lewis - Item SF-23-28**

Anita Bongers-Lewis addressed City Council concerning Item SF-23-28 regarding additional proposed options for the Residential Rental Housing Licensing Program.

Councillor Nicholson temporarily left the meeting at 10:26 a.m.

Mayor Carter resumed the Chair.

### **Items requiring Council Direction**

#### **CNCL-23-98 - Rotary Club Oshawa requesting support for the Oshawa Walk of Fame Gala Dinner/Award Ceremony and the Walk of Fame Plaque Ceremony (All Wards)**

Moved by Councillor Chapman

Seconded by Councillor Giberson

That based on Correspondence CNCL-23-98 from the Rotary Club Oshawa, Council endorse the requests for the Oshawa Walk of Fame Gala Dinner/Award Ceremony and the Walk of Fame Plaque Ceremony.

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

Absent (2): Councillor Nicholson, and Councillor McConkey

Motion Carried (9 to 0)

#### **CNCL-23-95 - Update on Planned Activities for the Centennial Year Celebrations (All Wards)**

Moved by Councillor Chapman

Seconded by Councillor Lee

1. That, pursuant to Report CNCL-23-95 dated September 27, 2023, Option 2 from Section 5.1, reaffirming Rotary Park as the Legacy Project be selected; and,
2. That, pursuant to Report CNCL-23-95 dated September 27, 2023, Council reconsider its decision of December 12, 2022 concerning the scale and format of the event on March 8, 2024 and select Option 3 from Section 5.2 being a low scale, informal event for the March 8, 2024 Centennial Celebration Event; and,
3. That, pursuant to Report CNCL-23-95 dated September 27, 2023, Council reallocate the \$7,000 for the March 8, 2024 event to a new public art project, in collaboration with TeachingCity Oshawa and Durham College, for temporary installation of art on the street level windows at the Mary Street Parking Garage; and,
4. That, pursuant to Report CNCL-23-95 dated September 27, 2023, Council endorse the Downtown Urban Square as a location for new permanent public art whether or not the Downtown Urban Square is selected as the Legacy Project for Oshawa's Centennial year and authorize staff to proceed generally in accordance with Attachment 5 to this Report; and,
5. That, pursuant to Report CNCL-23-95 dated September 27, 2023, Council endorse Ed Broadbent Waterfront Park as a location for new permanent public art whether or not Ed Broadbent Waterfront Park is selected as the Legacy Project for Oshawa's Centennial year and authorize staff to proceed generally in accordance with Attachment 5 to this Report; and,

6. That, pursuant to Report CNCL-23-95 dated September 27, 2023, Council approve an additional \$75,000 from Arts and Culture Reserve 17127 to fund new public artwork at the Downtown Urban Square and at Ed Broadbent Waterfront Park generally consistent with Attachment 5 to this Report.

Moved by Councillor Giberson

Seconded by Councillor Kerr

That the meeting recess for 5 minutes.

Motion Carried

The meeting recessed at 10:39 a.m. and reconvened at 10:45 a.m. with all members of Council present in the Chamber except Councillor McConkey who was absent.

Moved by Councillor Giberson

Seconded by Councillor Gray

That the motion concerning Report CNCL-23-95 regarding an update on planned activities for the Centennial Year Celebrations be referred to a special meeting of Council.

Affirmative (4): Mayor Carter, Councillor Giberson, Councillor Gray, and Councillor Kerr

Negative (6): Councillor Chapman, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor Neal, and Councillor Nicholson

Absent (1): Councillor McConkey

Motion Lost (4 to 6)

The vote on the reconsideration of the previous decision of December 12, 2022 concerning the event overview for the March 8, 2024 Centennial Celebration Event. **(Requires 2/3 vote of members present.)**

Motion Carried

Council's previous decision of December 12, 2022 regarding the event overview for the March 8, 2024 event as outlined in Attachment 3 to Item ED-22-219 was now before Council.

The vote to adopt the event overview for the official 100th anniversary event on March 8, 2024.

Motion Lost

Moved by Councillor Giberson  
Seconded by Councillor Neal

That Part 2 of the motion be amended to add the following at the end: 'and a free public concert be held on a separate date.'

Affirmative (4): Mayor Carter, Councillor Giberson, Councillor Gray, and Councillor Kerr

Negative (6): Councillor Chapman, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor Neal, and Councillor Nicholson

Absent (1): Councillor McConkey

Motion Lost (4 to 6)

A request was made to divide the motion to vote on Parts 1 and 2 separately.

That vote on Part 1 of the motion concerning Report CNCL-23-95.

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

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

Absent (1): Councillor McConkey

Motion Carried (7 to 3)

The vote on Part 2 of the motion concerning Report CNCL-23-95.

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

Negative (2): Councillor Giberson, and Councillor Nicholson

Absent (1): Councillor McConkey

Motion Carried (8 to 2)

The vote on Parts 3 to 6 of the motion concerning Report CNCL-23-95.

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

Absent (1): Councillor McConkey

Motion Carried (10 to 0)

## Motions Deferred

### **ED-23-117 - Recommended Part II Plan for the Columbus Planning Area, and Related Amendments to the Oshawa Official Plan (Ward 1)**

Mayor Carter advised that the recommendation contained in Item ED-23-117 and associated By-laws 87-2023 and 88-2023 were deferred from the June 26, 2023 meeting of Council and are considered on the floor at this time.

1. That, pursuant to Report ED-23-117 dated May 31, 2023, the City-initiated amendment to Part I of the Oshawa Official Plan (File: 12-03-1453) to put in place amendments to the Part I Plan necessary to ensure the appropriate integration of a new Part II Plan for the Columbus Planning Area, as contained in Attachment 4 of said Report, be adopted generally in accordance with the comments in the Report and be forwarded to the Region for approval; and,
2. That, pursuant to Report ED-23-117 dated May 31, 2023, the City-initiated amendment to introduce a Part II Plan for the Columbus Part II Planning Area (File: 12-03-1453) to serve as a guide for development or redevelopment, as contained in Attachment 5 of said Report be adopted generally in accordance with the comments in the Report and be forwarded to the Region of Durham for approval; and,
3. That the Region of Durham be requested to amend the Durham Regional Official Plan to implement the City's proposed amendments in accordance with the comments contained in Report ED-23-117 dated May 31, 2023; and,
4. That the Columbus Community Urban Design Guidelines, as shown in Attachment 7 of Report ED-23-117 dated May 31, 2023, be endorsed as the Columbus Community Urban Design Guidelines for the Columbus Part II Planning Area; and,
5. That By-law 87-2023 to introduce amendments to Part I of the Oshawa Official Plan that will facilitate the introduction of a new Part II Plan for the Columbus Planning Area through a separate amendment to the Oshawa Official Plan be passed; and,
6. That By-law 88-2023 to introduce a Part II Plan for the Columbus Planning Area be passed.

Moved by Councillor Neal

Seconded by Councillor Marimpietri

That the motion and associated by-laws related to Item ED-23-117 be tabled.

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

Negative (7): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, and Councillor Marks

Absent (1): Councillor McConkey

Motion Lost (3 to 7)

Moved by Councillor Neal  
Seconded by Councillor Marimpietri

That the motion and associated by-laws related to Item ED-23-117 be deferred in order to hear from members of the public present in the Council Chamber.

Affirmative (5): Councillor Giberson, Councillor Gray, Councillor Marimpietri, Councillor Neal, and Councillor Nicholson

Negative (5): Mayor Carter, Councillor Chapman, Councillor Kerr, Councillor Lee, and Councillor Marks

Absent (1): Councillor McConkey

Motion Lost (5 to 5)

**Amendment:**

Moved by Councillor Marimpietri  
Seconded by Councillor Neal

That the following be added as a new Part 5 and the remainder be renumbered accordingly: 'That pursuant to Report ED-23-117 dated May 31, 2023, the Columbus Community Advisory Committee continue to function until such time as the Part II plan is in effect, for the purposes of continued community engagement.'

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

Absent (1): Councillor McConkey

Motion Carried (10 to 0)

**Amendment:**

Moved by Councillor Marimpietri  
Seconded by Councillor Neal

That the following be added as a new Part 6 and the remainder be renumbered accordingly: 'That, pursuant to Report ED-23-117, dated May 31, 2023, the Columbus Community Advisory Committee meet a minimum of twice a year.'

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

Absent (1): Councillor McConkey

Motion Carried (10 to 0)

**Amendment:**

Moved by Councillor Marimpietri  
Seconded by Councillor Neal

That the following be added as a new Part 7 and the remainder be renumbered accordingly: 'That, pursuant to Report ED-23-117, dated May 31, 2023, the Columbus Community Advisory Committee be increased in size from five (5) members to seven (7) members, with the two additional members and any other vacancies to be selected by Council no later than end of the first quarter of 2024.'

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

Absent (1): Councillor McConkey

Motion Carried (10 to 0)

**Amendment:**

Moved by Councillor Marimpietri  
Seconded by Councillor Neal

That the following be added as a new Part 8 and the remainder be renumbered accordingly: 'That, pursuant to Report ED-23-117, dated May 31, 2023, staff be directed to prepare Terms of Reference for the Heritage Conservation District required by Section 8.8.11.2 of the Part II Plan in the event that the Part II Plan is adopted, approved and in effect in 2024.'

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

Absent (1): Councillor McConkey

Motion Carried (10 to 0)

**Amendment:**

Moved by Councillor Marimpietri  
Seconded by Councillor Neal

That the following be added as a new Part 9 and the remainder be renumbered accordingly: 'That, pursuant to Report ED-23-117, dated May 31, 2023, the Community Use Block at the southeast corner of Columbus Road East and the unopened road allowance of the southerly extension of Grass Grove Lane be deleted and replaced with a Mixed Use Node I.'

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

Absent (1): Councillor McConkey

Motion Carried (10 to 0)

**Amendment:**

Moved by Councillor Marimpietri  
Seconded by Councillor Neal

That the following be added as a new Part 10 and the remainder be renumbered accordingly: 'That, pursuant to Report ED-23-117, dated May 31, 2023, the Mixed Use Node I at the northeast corner Columbus Road East and Grass Grove Lane be deleted and replaced with a Community Use Designation.'

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

Absent (1): Councillor McConkey

Motion Carried (10 to 0)

**Amendment:**

Moved by Councillor Marimpietri  
Seconded by Councillor Neal

That the following be added as a new Part 11 and the remainder be renumbered accordingly: 'That staff be authorized to respond directly to any interested parties who request information on stormwater management ponds to clarify that the number and location of stormwater management ponds may be varied in accordance with Section 2.12.1.4 of the Part I Plan and Policy 8.8.8.3.10 of the Part II Plan without the need for an amendment to either.'

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

Absent (1): Councillor McConkey

Motion Carried (10 to 0)

**Amendment:**

Moved by Councillor Marimpietri  
Seconded by Councillor Neal

That the following be added as a new Part 12 and the remainder be renumbered accordingly: 'That the Region of Durham be requested to host a public information session in Columbus, by the end of the second quarter of 2024, to overview the Region's well interference policy and any implications to existing residents with wells with respect to the extension of services contemplated by the Part II Plan.'

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

Absent (1): Councillor McConkey

Motion Carried (10 to 0)

The vote on the motion concerning Item ED-23-117 as amended and associated By-laws 87-2023 and 88-2023.

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

Negative (1): Councillor Neal

Absent (1): Councillor McConkey

Motion Carried (9 to 1)

### **Public Consent Agenda**

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That all items listed under the heading of Public Consent Agenda for the City Council Meeting dated October 2, 2023 be adopted as recommended except the following:

Correspondence CNCL-23-104; and,

Item CO-23-53 from the Eighth Report of the Community and Operations Services Committee; and,

Item SF-23-28 from the Eighth Report of the Safety and Facilities Services Committee.

Motion Carried

### **Adoption of Council Minutes**

That the minutes of the City Council meetings held on June 26, July 10 and September 25, 2023 be adopted.

### **Correspondence with recommendations**

#### **CNCL-23-97 - Various Residents Submitting Comments in Opposition to Item ED-23-117 (Ward 1)**

That Correspondence CNCL-23-97 from various residents submitting comments in opposition to Item ED-23-117 regarding a recommended Part II Plan for the Columbus Planning Area, and related amendments to the Oshawa Official Plan be referred to the respective item.

**CNCL-23-99 - Friends of Second Marsh requesting support for the Love the Marsh Campaign (All Wards)**

That based on Correspondence CNCL-23-99 from the Friends of Second Marsh, City Council endorse the Love the Marsh! Campaign to engage the public and seek potential contributors to improve the Second Marsh and McLaughlin Bay Wildlife Reserve.

**Standing Committee Reports**

**Report of the Community and Operations Services Committee**

**CO-23-52 - Unsafe Catch Basin Covers (Previously OATAC-23-18) (All Wards)**

That Report CO-23-52 be referred to staff to meet with the Oshawa Active Transportation Advisory Committee and provide an update on the replacement of catch basin covers that are unsafe for bicycles within the City of Oshawa.

**CO-23-51 - Community and Operations Services Committee Outstanding Items Status Report - Third Quarter, 2023 (All Wards)**

That Report CO-23-51, dated September 18, 2023 being the Community and Operations Services Committee Outstanding Items Status Report for the third quarter of 2023 be received for information.

**CO-23-46 - Side Boulevard Grass Cutting Program Potential Expansion (All Wards)**

That pursuant to Report CO-23-46 concerning Side Boulevard Grass Cutting Program Potential Expansion, dated September 13, 2023, the City continue with the existing Side Boulevard Grass Cutting Program.

**CO-23-44 - Publishing of Radar Message Board (RMB) Traffic Data on Municipal Website (All Wards)**

That based on Report CO-23-44 dated September 13, 2023 concerning the publishing of Radar Message Board traffic data on the City's website:

1. That staff continue to share Radar Message Board Traffic Data with Local and Regional Councillors to assist with deploying Radar Message Boards on streets with reported speeding concerns; and,
2. That staff not publish Radar Message Board traffic data on the City's website based on the survey of other municipalities, but investigate the sharing of Average Annual Daily Traffic (AADT) data on the City's website; and,
3. That staff publish a Councillor Directed Radar Message Board Program webpage on the City of Oshawa website with information on the program, Councillor contact information, and an interactive map showing all active Radar Message Board locations in Oshawa; and,
4. That the Posting Traffic Data on the City's Website as set out in Section 4.1 of said Report, be approved.

**CO-23-45 - Request to the Province to Utilize the 407 as an Alternate Route for Aggregate Trucks (Ward 1)**

1. That pursuant to CO-23-45, dated September 18, 2023, concerning Response to the Request to the Province to Utilize the 407 as an Alternate Route for Aggregate Trucks, Ministry of Transportation be requested to implement a No Heavy Traffic prohibition on Harmony Road and enforced from the 407 highway south to Winchester Road; and,
2. That a copy of this resolution be forwarded to Premier Ford, Durham MPPs and Durham Municipalities.

**CO-23-49 -License Agreement - Parking in the Ray Street parking lot for 215 King Street East (Ward 4)**

That based on Report CO-23-49 concerning a license agreement for parking in the Ray Street parking lot for 215 King Street East:

1. That 2410173 Ontario Inc. enter into a license agreement with the City in a form and content satisfactory to the Chief Administrative Officer, the Commissioner Corporate and Finance Services Department and the City Solicitor and which will be executed by the Chief Administrative Officer; and,
2. That the term of a new licence agreement will be for a period of one (1) year, with an option to extend for up to three (3) additional one (1) year terms; and,
3. That 2410173 Ontario Inc. pay each month the current lot rate applicable for the spaces as noted in the City's General Fees and Charges By-Law 13-2003, as amended, which is currently \$73.00 plus HST per space per month; and,
4. That the licensed parking units be the most southerly 9 spaces along Ray Street, subject to the City's discretion; and,
5. That Schedule VII (Control Device – On Street) of the City's Traffic and Parking By-law 79-99, as amended, be further amended to include a monthly permit parking area with a 48 hour maximum permissible parking period, on Ray Street from King Street East and a point 35 metres north of King Street East.

**Report of the Corporate and Finance Services Committee**

**CF-23-63 - Natalie Robertson, Executive Director, Sunrise Seniors Place Submitting Correspondence requesting Financial Assistance to Erect a Fence and Gate in the Rear Yard of 74 John Street West (Ward 4)**

That Correspondence CF-23-63 submitted by Natalie Robertson, Executive Director, Sunrise Seniors Place requesting financial assistance to erect a fence and gate in the rear yard of 74 John Street West be referred to the Mayor for consideration in his proposed 2024 budget.

**CF-23-65 - Denise Carpenter, Chair, Oshawa Power Board of Directors Submitting Correspondence concerning an Increase to the Directors' Stipend for Representation on Additional Companies (Ward 4)**

That Correspondence CF-23-65 received from Denise Carpenter, Chair, Oshawa Power Board of Directors concerning an increase to the Directors' stipend for representation on additional companies be referred to staff for a report.

**CF-23-66 - Denise Carpenter, Chair, Oshawa Power Board of Directors Submitting Correspondence concerning an Increase to the Board of Directors' Stipend (Ward 4)**

That Correspondence CF-23-66 received from Denise Carpenter, Chair, Oshawa Power Board of Directors concerning an increase to the Board of Directors' stipend be referred to staff for a report.

**CF-23-67 - Laura Vaillancourt, Ontario Philharmonic, Submitting Correspondence concerning a Request for a Grant and/or External Agency Partner (Ward 4)**

That Correspondence CF-23-67 received from Laura Vaillancourt, Ontario Philharmonic requesting a grant and/or External Agency partner be referred to the Mayor for consideration in his proposed 2024 budget.

**CF-23-56 - Revolving Energy Fund Reserve Update (All Wards)**

That pursuant to Report CF-23-56, dated September 6, 2023, Revolving Energy Fund Reserve Update:

1. That the Revolving Energy Fund reserve be transformed to support the City's Corporate Energy Management Plan; and,
2. That additional sources of funding for the Revolving Energy Fund reserve be considered as part of the update to the Financial Strategy; and,
3. That the 10% cap on expenditures from the Revolving Energy Fund be increased to 25% of the uncommitted reserve balance to a maximum of \$500,000; and
4. That the Revolving Energy Fund reserve be renamed the "Energy Management Fund".

**CF-23-57 - Capital Project Status as of July 31, 2023 (All Wards)**

That pursuant to Report CF-23-57, dated September 6, 2023, Capital Project Status as of July 31, 2023:

1. That project 17540011 – Harmony Creek Branch 3 Watercourse Improvement Study be cancelled and remaining funding returned to source; and,
2. That Report CF-23-57 concerning the Capital Project Status Report as of July 31, 2023 dated September 6, 2023 be received for information.

**CF-23-58 - Financial Position as of June 30, 2023 (All Wards)**

That pursuant to Report CF-23-58, dated September 6, 2023, Financial Position as of June 30, 2023, be received for information.

**CF-23-59 - Corporate Payments for the Months of April, May and June 2023 (All Wards)**

That Report CF-23-59 concerning the corporate payments for the Months of April, May, June 2023 be received for information.

**CF-23-60 - Additional Funding Welcome Gateway Signs (All Wards)**

Whereas at the November 21, 2022 Council Meeting, Council approved through Report CNCL-22-75, that the costs associated with removing the retired logo tagline on Welcome gateway signs “would be addressed in a budget submission for consideration in the proposed 2024 capital budget”; and,

Whereas at the December 12, 2022 Council Meeting as per ED-22-219, Council approved the printing and installation of add-on signage “acknowledging the Centennial Year be added to the City’s Welcome Gateway signs located on city borders”; and,

Whereas City Operations staff are scheduled to install the “Celebrating 100+ Years” add-on signage in Q4 2023 in advance of inclement weather so that the signage is on display for the beginning of the Centennial year; and,

Whereas printing and installing all signage pieces on the City’s Welcome Gateway signs at the same time in 2023 will achieve efficiencies, including reduced costs and staff time; and,

Whereas the additional funds required for the printing of the main portion of the Welcome to Oshawa signs without the “Prepare To Be Amazed” tagline can be funded through 2023 operating budget,

Therefore be it resolved that the costs associated with the printing of the main portion of the Welcome signs, in an amount not to exceed \$30,000 including HST, be funded from 2023 operating budget.

**CF-23-61 - Additional Funding for the Capital Cost Sharing Agreement funding for Dieppe Court (Ward 5)**

Whereas, on May 29, 2023, Council approved the recommendations in Report ED-23-105 dated May 3, 2023, regarding the request from George Lysyk and Sons Limited to enter into a Capital Cost Sharing Agreement for the reconstruction of Dieppe Court; and,

Whereas, Council approved funding to a limit in the amount of \$240,000 from the Infrastructure Reserve for reimbursement to the Owner, subject to the execution of a Capital Cost Sharing Agreement; and,

Whereas, site investigations produced a soils report that indicates a highly frost susceptible soil and recommends a more expensive pavement design and base material for the construction of Dieppe Court estimated to be an additional \$59,071.42, repayment based on actuals; and,

Whereas, in accordance with terms of a 1966 Purchase and Sale Agreement and a 1996 Ontario Municipal Board decision regarding Development Charges, the City is obligated to include “sewer, water, curbs and gutters, granular base, pavement sewer and water house connections and street lighting” resulting in the need for an additional \$93,132.57 in funding; and,

Whereas, the Capital Cost Sharing Agreement funding for Dieppe Court will require an additional \$152,203.99 to cover the above-noted costs; and,

Whereas, the City’s Purchasing-By-law-80-2020 and the Capital Cost Sharing Agreement cannot be executed prior to approval of funding; and,

Whereas, Finance Services has confirmed that the additional cost of \$152,203.99 can be funded from the Infrastructure Reserve;

Therefore, be it resolved that pursuant to CF-23-61, additional funding of \$152,203.99 (including H.S.T.) be approved from the Infrastructure Reserve for the Capital Cost Sharing Agreement funding for Dieppe Court.

**CF-23-62 - Corporate and Finance Services Committee Outstanding Items Status Report - Third Quarter 2023 (All Wards)**

1. Whereas at the March 6, 2023 Corporate and Finance Services Committee meeting Item CF-23-22 concerning Support for Bill 5 – Stopping Harassment and Abuse by Local Leaders Act was tabled with the following recommendation:

"Whereas Bill 5 has had support of all parties at its first reading and whereas its second reading is scheduled for May, 2023;

Now therefore Oshawa City Council express its support for Bill 5 - Stopping Harassment and Abuse by Local Leaders Act which would require the code of conduct for municipal Councillors and members of local boards to include a requirement to comply with workplace violence and harassment policies and permit municipalities and local boards to direct the Integrity Commissioner to apply to the court to vacate a member's seat if the Commissioner's inquiry determines that the member has contravened this requirement; and,

That this resolution be circulated to the Honourable Doug Ford, Premier of Ontario; the Honourable Steve Clark, Minister of Municipal Affairs and Housing; the Honourable Jennifer French, Oshawa MPP; and the Honourable Todd McCarthy, Durham MPP"; and,

Whereas at its meeting of April 17, 2023, the Corporate and Finance Services Committee lifted Item CF-23-22 concerning Support for Bill 5– Stopping Harassment and Abuse by Local Leaders Act from the table and subsequently referred the recommendation to staff for a report; and,

Whereas on May 31, 2023, the Legislative Assembly of Ontario voted down the second reading of Bill 5 – Stopping Harassment and Abuse by Local Leaders Act, 2023;

Therefore be it resolved that the item concerning Support for Bill 5 – Stopping Harassment and Abuse by Local Leaders Act be removed from the Corporate and Finance Services Committee Outstanding Items Status Report; and,

2. That the remainder of the Corporate and Finance Services Committee's Outstanding Items Status Report for the third quarter of 2023 be received for information.

**CF-23-64 - Summary of Contracts Awarded During the Period of June 1, 2023 to September 5, 2023 (All Wards)**

That Report CF-23-64, dated September 6, 2023 Summary of Contracts Awarded during the Period of June 1, 2023 to September 5, 2023 be received for information.

## **Report of the Economic and Development Services Committee**

### **CNCL-23-84 - Notice of Motion - Grass Cutting by City Staff on Unassumed Roads (All Wards)**

That CNCL-23-84 being a Notice of Motion directing staff to investigate the benefit of grass cutting by City staff on unassumed roads and being reimbursed by the developer be received for information.

### **ED-23-172 - Durham Environment and Climate Advisory Committee - Request to Nominate an Individual and/or Organization for the 2023 Environmental Achievement Awards (Previously OEAC-23-35) (All Wards)**

That Report ED-23-172 from the Oshawa Environmental Advisory Committee authorizing staff to submit the Friends of Second Marsh for the 2023 Environmental Achievement Awards for the Dr. J. Murray Speirs Restoration Award be endorsed.

### **ED-23-170 - Proposal to Rename Ortono Avenue (Ward 5)**

1. That, pursuant to Report ED-23-170 dated September 6, 2023, Ortono Avenue be renamed to Ortona Avenue and the appropriate by-law be passed and that the ex-gratia payment of \$250 to each household affected by the street name change be charged to the 2023 Planning Services Operating Budget as set out in said Report; and,
2. That, pursuant to Report ED-23-170 dated September 6, 2023, the newspaper advertisement requirements of Notice By-law 147-2007 be waived given the consultation process that has occurred concerning the proposal to rename Ortono Avenue to Ortona Avenue and given the localized nature of the matter.

### **ED-23-140 - Declaration of Certain City-owned Land as Surplus, Known Municipally as the Christine Crescent Right-of-Way (Ward 5)**

1. That, pursuant to Report-ED-23-140 dated September 6, 2023, the City-owned land known municipally as the Christine Crescent right-of-way 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 178-2022, be waived given the localized nature of the matter; and,
2. That, pursuant to Report-ED-23-140 dated September 6, 2023, all notice requirements in accordance with By-law 178-2022 be waived given the localized nature of Council's decision to declare the subject City-owned land known municipally as the Christine Crescent right-of-way as surplus.

### **ED-23-141 - Declaration of Certain City-owned Lands as Surplus: Portion of the Cromwell Avenue Road Allowance, north of Provincial Highway 401, east of Park Road South (Ward 5)**

1. That pursuant to Report ED-23-141 dated September 6, 2023, a portion of the City-owned Cromwell Avenue road allowance located north of Highway 401, east of Park Road South, 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 178-2022, be waived given the localized nature of the matter; and,

2. That pursuant to Report ED-23-141 dated September 6, 2023, all notice requirements in accordance with By-law 178-2022 be waived given the localized nature of Council's decision to declare the subject portion of the City-owned Cromwell Avenue road allowance as surplus.

### **ED-23-163 - Economic and Development Services Committee's Outstanding Items Status Report - Third Quarter, 2023 (All Wards)**

That Report ED-23-163, dated September 6, 2023 being the Economic and Development Services Committee Outstanding Items Status Report for the third quarter of 2023 be received for information

### **ED-23-155 - Farewell Park and Knights of Columbus Pedestrian Structure MS-4-2023 (Ward 3)**

That Report ED-23-155 dated September 6, 2023 concerning the infrastructure needs for the Pedestrian Bridge MS-4-2023 located in Knights of Columbus Park be recommended to the Mayor for consideration in the 2024 Budget deliberations.

### **ED-23-165 - Proposed Revision to Draft Approved Plan of Subdivision (S-O-2016-06, Phase 2) – Downing Street (1015 King Street) Inc. – North of Queensdale Avenue, west of Keewatin Street South (Ward 3)**

Whereas, pursuant to City Council's June 26, 2017 direction related to Report DS-17- 129 dated June 15, 2017, on July 4, 2017, the Director of Planning Services approved, subject to conditions, a draft plan of subdivision (File: S-O-2016-06) submitted by Downing Street (1015 King Street) Inc. (the "Applicant") for an extension of Queensdale Avenue and 6 single detached dwelling lots on the north side of the extended Queensdale Avenue and 11 single detached dwelling lots on the south side of the extended Queensdale Avenue [see Attachment 1 (location of Phase 2) and Attachment 2 (draft approved plan)]; and,

Whereas, on September 3, 2021, the Applicant submitted applications to amend Zoning By-law 60-94 (File: Z-2021-07) for the Applicant's lands between King Street East and Queensdale Avenue to permit 34 block townhouse units and 9 street townhouse units (see Attachment 3); and,

Whereas, draft plan of subdivision S-O-2016-06 included lands on the north side of Queensdale Avenue that were now subject to a new development proposal under the application to amend Zoning By-law 60-94 (File: Z-2021-07); and,

Whereas, on September 3, 2021, the Applicant also submitted applications for approval of a draft plan of subdivision (File: S-O-2021-02), a common elements draft plan of subdivision (File: C-O-2021-01) and removal of part lot control (File: PLC-2021-11) related to the proposed 34 block townhouses; and,

Whereas, on September 3, 2021, the Applicant also submitted an application for removal of part lot control (File: PLC-2021-08) to create the 9 street townhouse lots for the Phase 2 lands; and,

Whereas, on November 29, 2021, the Development Services Committee held a Planning Act public meeting for the applications; and,

Whereas, on September 23, 2022, the Applicant filed an appeal of the applications to amend Zoning By-law 60-94 (File: Z-2021-07) and for approval of the draft plan of subdivision (File: S-O-2021-02) to the Ontario Land Tribunal ("O.L.T.") for failure of the City to make a decision within the timelines prescribed by the Planning Act; and,

Whereas, through the O.L.T. appeal the Applicant revised their proposal to 32 block townhouse units and 10 street townhouse units (see Attachment 3); and,

Whereas, on April 21, 2023, the Applicant registered Phase 1 of draft plan of subdivision S-O-2016-06 which included the extension of Queensdale Avenue and the 11 single detached dwelling lots on the south side of Queensdale Avenue; and,

Whereas, on August 18, 2023, the O.L.T. issued a decision approving the revised zoning by-law amendment and draft plan of subdivision S-O-2021-02 for the proposed townhouses on the basis of a settlement reached between the City and the Applicant; and,

Whereas, on August 25, 2023, the Applicant requested that the City approve a revised draft plan for Phase 2 of draft approved plan of subdivision S-O-2016-06 to convert Lots 4, 5 and 6 from 3 lots for 3 single detached dwellings to two blocks for 10 street townhouse dwellings (see Attachment 4); and,

Whereas, the Planning Act specifies that an approval authority is not required to give written notice of a change to the conditions of approval if, in the opinion of the approval authority, the changes are minor in nature; and,

Whereas, the proposed revisions to the draft plan comply with Zoning By-law 60-94, as amended as a result of the O.L.T. decision; and,

Whereas, the proposed changes are considered to be minor in nature and are consistent with the development proposal presented as part of the consideration of revised development proposal by the City, the public and the O.L.T.; and,

Whereas, a revision to the approved draft plan is reasonable given the planning approvals process undertaken to date;

Therefore be it resolved:

That, pursuant to ED-23-165 dated September 11, 2023, the proposed revisions to Phase 2 of Draft Approved Plan of Subdivision S-O-2016-06 to accommodate two blocks for 10 street townhouse dwelling lots previously proposed for three single detached dwellings lots be approved, and the revisions be shown on the final 40M Plan for registration to the satisfaction of the Director of Planning Services.

### **ED-23-167 - Results of Stage 2 of the Integrated Major Transit Station Area Study for Central Oshawa (Wards 4 and 5)**

1. That, pursuant to Report ED-23-167, dated September 6, 2023, Council endorse Land Use Alternative 3, in principle, as the basis for the development of the preferred solution in Stage 3 of the Integrated Major Transit Station Area Study; and,
2. That, pursuant to Report ED-23-167, dated September 6, 2023, staff be authorized to schedule Public Information Centre Number 3 to be held in the fourth 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 a Preferred Design Concept and related Preliminary Design for the Preferred Design Concept for the Integrated Major Transit Station Area Study; and,

3. That, pursuant to Report ED-23-167, dated September 6, 2023, staff be authorized to provide notice of the public consultation process for Stage 3 of the Integrated Major Transit Station Area Study as generally outlined in Section 5.5.2 of said Report; and,
4. That, pursuant to Report ED-23-167, dated September 6, 2023, Parsons Inc. provide a presentation to the Economic and Development Services Committee giving an update on the progress of Stage 3 of the Integrated Major Transit Station Area Study, prior to the holding of Public Information Centre Number 3; and,
5. That, pursuant to Report ED-23-167, dated September 6, 2023, upon concluding the public consultation process for Stage 3 of the Integrated Major Transit Station Area Study, staff be directed to report back to the Economic and Development Services Committee with the results of the public consultation.

**ED-23-153 - Application under the Urban Growth Centre Community Improvement Plan, 87 Simcoe Street North, 2736516 Ontario Inc (Ward 4)**

1. That, pursuant to Report ED-23-153 dated September 6, 2023, the application submitted by 2736516 Ontario Inc. under the City's Urban Growth Centre Community Improvement Plan for an Increased Assessment Grant be approved in accordance with the comments in said Report; and,
2. That, pursuant to Report ED-23-153 dated September 6, 2023, 2736516 Ontario Inc. enter into an agreement with the City under the City's Urban Growth Centre Community Improvement Plan in a form and content satisfactory to the Commissioner, Economic and Development Services Department and the City Solicitor.

**Report of the Safety and Facilities Services Committee**

**SF-23-29 - Feasibility of adding trail lighting between Bruce Street and Front Street on the existing Michael Starr Trail (Wards 4 and 5)**

That Report SF-23-29 dated September 12, 2023 concerning the feasibility of adding trail lighting between Bruce Street and Front Street on the existing Michael Starr Trail be referred to staff for consideration as part of future Capital Budgets.

**SF-23-30 - Safety and Facilities Services Committee Outstanding Items List Status Report - Third Quarter 2023 (All Wards)**

That Report SF-23-30, dated September 13, 2023 being the Safety and Facilities Services Committee's Outstanding Items List Status Report for the third quarter of 2023 be received for information.

**Other Staff Reports and Motions**

**CNCL-23-101 - Appointment of the Accountable Executive for the Oshawa Executive Airport (Ward 2)**

Whereas the City of Oshawa holds a certificate to operate an airport and is therefore required by Canadian Aviation Regulations S.O.R./96-433 ("the Regulations") to appoint an Accountable Executive; and,

Whereas the Regulations require that the Accountable Executive have the financial and human resources control necessary for the activities and operations authorized under the certificate; and,

Whereas the Accountable Executive must be responsible for implementing, establishing and maintaining the Safety Management System and must understand how the Safety Management System works, who the key personnel are and what significant safety issues are at the airport; and,

Whereas upon the retirement of the previous C.A.O., the Commissioner, Development Services at the time was appointed as the Accountable Executive as matters related to the Oshawa Executive Airport were reported through the Development Services Department; and,

Whereas on November 15, 2022 City Council changed the organizational structure of the City of Oshawa through Report CNCL-22-68 which altered the reporting structure for the Oshawa Executive Airport from the Development Services Department to the Safety and Facilities Services Department; and,

Whereas effective August 8, 2023 Adam Grant is the Commissioner, Safety and Facilities Services Department;

Therefore be it resolved that pursuant to Report CNCL-23-101 dated October 2, 2023:

1. That Adam Grant, Commissioner, Safety and Facilities Services Department be appointed by by-law as the Accountable Executive for the Oshawa Executive Airport pursuant to Subpart 6, 106.02(1)(a) of the Canadian Aviation Regulations; and,
2. That the Airport Manager be directed to notify the Federal Minister of Transport that Adam Grant, Commissioner, Safety and Facilities Services Department has been appointed by by-law as the Accountable Executive under Subpart 6, 106.02(1)(a) of the Canadian Aviation Regulations; and,
3. That Adam Grant, Commissioner, Safety and Facilities Services Department be directed to submit to the Federal Minister of Transport a signed statement that he accepts the responsibilities of the position within 30 days after his appointment as the Accountable Executive for the Oshawa Executive Airport pursuant to Subpart 6, 106.02(1)(a) of the Canadian Aviation Regulations; and,
4. That the by-law further specify that Adam Grant be fully indemnified by the City against any personal liability arising out of his good faith execution of his duties as the Accountable Executive; and,
5. That By-law 140-2022 appointing Warren Munro as the Accountable Executive be repealed.

#### **CNCL-23-102 - Yearly Performance Review of the Chief Administrative Officer (All Wards)**

1. That Council approve the C.A.O. Evaluation - ACTivate Performance management tool as outlined in Attachment 1 of Report CNCL-23-102 concerning the Yearly Performance Review of the Chief Administrative Officer, dated September 27, 2023; and,
2. That members of Council and the C.A.O. complete the C.A.O. Evaluation – ACTivate Performance as outlined in Section 5.6;

3. That the completed C.A.O. Evaluation – ACTivate Performance be discussed at the November 20, 2023 Council meeting.

## **By-Laws**

The following By-laws were passed:

### **111-2023 - A By-law to appoint an Accountable Executive for the Oshawa Executive Airport**

(Implements direction of October 2, 2023 through Report CNCL-23-101 to appoint an Accountable Executive for the Oshawa Executive Airport pursuant to the Canadian Aviation Regulations and to ensure that the Accountable Executive be fully indemnified by the Corporation of the City of Oshawa against any personal liability arising out of the good faith execution of their duties as the Accountable Executive.)

### **112-2023 - A By-law to Further Amend Traffic By-law 79-99, as amended**

(Implements Council direction of May 29, 2023 through Item CO-23-28 of the Sixth Report of the Community and Operations Services Committee to implement the pedestrian crossover located 300 metres west of Grandview Street North on Coldstream Drive.)

### **113-2023 - A By-law to Further Amend Traffic By-law 79-99, as amended**

(Implements Council direction of June 26, 2023 through Item CO-23-41 of the Seventh Report of the Community and Operations Services Committee to implement a pedestrian crossover located 135 metres north of Medina Court on Glen Street.)

### **114-2023 - A By-law to Further Amend Traffic By-law 79-99, as amended**

(Implements direction of October 2, 2023 through Item CS-23-49 of the Eighth Report of the Community and Operations Services Committee to include a monthly permit parking area with a 48 hour maximum permissible parking period on Ray Street East between Bond Street East and a point 25 metres north of King Street East.)

### **115-2023 - A By-law to Designate a portion of the property municipally known as 195 and 201 Simcoe Street North and 12 and 16 Elgin Street East**

(Implements direction of October 2, 2023 through Item ED-23-166 of the Sixteenth Report of the Economic and Development Services Committee to designate a portion of the property municipally known as 195 and 201 Simcoe Street North and 12 and 16 Elgin Street East, specifically PT PIN 16316-0008 (LT), PT LT 3 E/S SIMCOE STREET PL H50003 EAST WHITBY; CITY OF OSHAWA; REGIONAL MUNICIPALITY OF DURHAM, as being of cultural heritage value or interest pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18.)

## **Public Discussion Agenda**

### **Matters Excluded from Consent Agenda**

Moved by Councillor Nicholson

Seconded by Councillor Marimpietri

That the order of the agenda be altered to bring forward Item SF-23-28 immediately following a recess. **(Requires 2/3 vote of members present.)**

Motion Carried

Moved by Councillor Marimpietri  
Seconded by Councillor Marks

That the meeting recess for one hour.

Motion Carried

The meeting recessed at 12:12 p.m. and reconvened at 1:15 p.m. with all members of Council present in the Chamber except Councillor McConkey who was absent.

Councillor Chapman assumed the Chair.

**SF-23-28 - Additional Proposed Policy Options for the Residential Rental Housing Licensing Program (All Wards)**

Mayor Carter declared a conflict on this item. (Mayor Carter made a declaration of interest concerning Item SF-23-28 regarding additional proposed policy options for the Residential Rental Housing Licensing Program as he owns multi-residential properties in the City and did not take part in discussion or voting on the matter.)

Councillor Gray declared a conflict on this item. (Councillor Gray made a declaration of interest concerning Item SF-23-28 regarding additional proposed policy options for the Residential Rental Housing Licensing Program as he owns a legal duplex in the City and did not take part in discussion or voting on the matter.)

Consent Motion:

That based on Report SF-23-28, dated September 12, 2023 concerning additional proposed policy options for the Residential Rental Housing Licensing Program:

1. That in accordance with Option "E" as outlined in Section 5.2 of Report SF-23-28, dated September 12, 2023, city-wide expansion of the Residential Rental Housing Licensing Program be approved in principle; and,
2. That future operating and capital budget considerations as outlined in Tables 2 and 3 of Report SF-23-28, dated September 12, 2023, be recommended for consideration when appropriate through future budget submissions; and,
3. That Council direct staff to undertake four (4) Apartment Building Audit projects annually beginning in 2024 as outlined in Section 5.2 of Report SF-23-28, dated September 12, 2023; and,
4. That staff undertake enhanced communications regarding landlord-related responsibilities in addition to existing communications related to tenant rights and responsibilities, as outlined in Report SF-23-28, dated September 12, 2023; and,
5. That Council approve a by-law to amend Licensing By-law 120-2005, as amended, to undertake the city-wide expansion of the Residential Rental Housing Licensing Program

in accordance with Option “E” as outlined in Section 5.2 of Report SF-23-28, dated September 12, 2023, and in a final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Department; and,

6. That following Council's approval of an amendment to Licensing By-law 120-2005, as amended, to undertake the city-wide expansion of the Residential Rental Housing Licensing Program in accordance with Option “E” as outlined in Section 5.2 of Report SF-23-28, that Lodging House Licensing By-law 94-2002, as amended, be repealed as part of expanding the Residential Rental Housing Licensing Program city-wide; and,
7. That staff be directed to implement quarterly proactive projects to identify two unit house properties that are not registered with the City and undertake the necessary steps to bring them into compliance, as outlined in Section 5.2 of Report SF-23-28, dated September 12, 2023; and,
8. That staff be directed to review Two Unit Houses Registration By-law 41-2001, as amended, to investigate expanding the application of the By-law to all Accessory Apartments and/or an additional Dwelling Unit in an Accessory Building and to report back with the results of the review, as outlined in Section 5.1.4 of Report SF-23-18 dated May 1, 2023; and,
9. That duplexes not be added to the existing Two Unit Houses Registration system, a registration system for duplexes not be undertaken as outlined in Section 5.4.2 of Report SF-23-18, dated May 1, 2023, and that Council approve a by-law to amend Two Unit Houses Registration By-law 41-2001, as amended, to enhance the clarity around the exclusion of purpose-built duplexes and to make other minor technical amendments to clarify that the list found in Section 9(b) is not all-inclusive; and,
10. That correspondence be sent to the Minister of Public and Business Service Delivery, Minister of Municipal Affairs and Housing and the Real Estate Council of Ontario requesting that Two Unit Houses be disclosed to municipalities, as outlined in Section 5.4.1 of Report SF-23-18, dated May 1, 2023; and,
11. That Council approve a by-law to amend Licensing By-law 120-2005, as amended, to remove the bedroom limit from Schedule “K” and to exempt seasonal accommodations for temporary workers on Oshawa farms from requiring a Residential Rental Housing Licensing Program licence generally in the form of Sections 5.4.3 and 5.4.4 of Report SF-23-18, dated May 1, 2023, and Section 5.2 of Report SF-23-28, dated September 12, 2023, and in a final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department; and,
12. That the Residential Rental Housing Licensing Program be renamed to the ‘Safe Housing Oshawa’ Program and that this change be reflected in the appropriate amendment to Licensing By-law 120-2005, as amended; and,
13. That the licensing fees be waived for applicants who demonstrate full compliance at their initial inspection; and,
14. That staff investigate the creation of a Safe Housing Oshawa Advisory Committee to assist in overseeing this program.

A request was made to divide the recommendation in order to vote on Part 14 separately.

The vote on Parts 1 to 13 of the recommendation contained in Item SF-23-28.

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

Negative (5): Councillor Chapman, Councillor Kerr, Councillor Marimpietri, Councillor Marks, and Councillor Nicholson

Conflict (2): Mayor Carter, and Councillor Gray

Absent (1): Councillor McConkey

Motion Lost (3 to 5)

The vote on Part 14 of the recommendation contained in Item SF-23-28.

Affirmative (4): Councillor Giberson, Councillor Kerr, Councillor Neal, and Councillor Nicholson

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

Conflict (2): Mayor Carter, and Councillor Gray

Absent (1): Councillor McConkey

Motion Lost (4 to 4)

Moved by Councillor Kerr

Seconded by Councillor Giberson

That staff be directed to investigate the dissolution of the current Residential Rental Housing Licensing Program and that those staff resources be applied to targeted unsafe housing applications.

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

Negative (1): Councillor Neal

Conflict (2): Mayor Carter, and Councillor Gray

Absent (1): Councillor McConkey

Motion Carried (7 to 1)

**CNCL-23-104 - Michael Abramczuk Submitting Comments in Opposition to Item SF-23-28 (All Wards)**

Councillor Gray declared a conflict on this item. (Councillor Gray made a declaration of interest concerning Correspondence CNCL-23-104 from Michael Abramczuk submitting comments in opposition to Item SF-23-28 regarding additional proposed policy options for the Residential Rental Housing Licensing Program as he owns a legal duplex in the City and did not take part in discussion

or voting on the matter.)

Mayor Carter declared a conflict on this item. (Mayor Carter made a declaration of interest concerning Correspondence CNCL-23-104 from Michael Abramczuk submitting comments in opposition to Item SF-2328 regarding additional proposed policy options for the Residential Rental Housing Licensing Program as he owns multi-residential properties in the City and did not take part in discussion or voting on the matter.)

Consent Motion:

That Correspondence CNCL-23-104 from Michael Abramczuk submitting comments in opposition to Item SF-23-28 concerning additional proposed policy options for the Residential Rental Housing Licensing Program be referred to the respective item.

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

Negative (1): Councillor Neal

Conflict (2): Mayor Carter, and Councillor Gray

Absent (1): Councillor McConkey

Motion Carried (7 to 1)

**CO-23-53 - Installation of Bronze Plaque in Alexandra Park to Commemorate Oshawa Tony's Senior 'A' Fastball Club (Ward 4)**

Consent Motion:

That staff be directed to install a bronze plaque in Alexandra Park commemorating the significant athletic achievements of the Oshawa Tony's Senior "A" Fastball Club.

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

Absent (1): Councillor McConkey

Motion Carried (10 to 0)

**Items Pulled from the Information Package**

None

## **Recess**

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the meeting recess and reconvene in a session closed to the public pursuant to Section 239 (2)(c) of the Municipal Act to hear delegations concerning proposed or pending acquisition or disposition of land regarding Item ED-23-146 and Report CNCL-23-96.

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

Conflict (2): Councillor Marimpietri, and Councillor Neal

Absent (1): Councillor McConkey

Motion Carried (8 to 0)

Councillors Marimpietri and Neal left the meeting at 2:05 p.m.

The meeting recessed at 2:05 p.m. and reconvened at 2:07 p.m. in a session closed to the public with all members of Council in attendance except Councillors Marimpietri, McConkey and Neal who were absent.

Also in attendance were the Director, Legislative Services/City Clerk; the Manager, Legislative Services/Deputy City Clerk; the Chief Administrative Officer, the Commissioner, Corporate and Finance Services Department; the Commissioner, Safety and Facilities Services Department; the Commissioner, Economic and Development Services Department; the City Solicitor; M. Mayhew-Hammond, Lawyer; the Director, Planning Services; the Manager, Policy; and the Council-Committee Coordinator.

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

## **Closed Delegations**

### **Robert Clapp - Closed Item ED-23-146**

Robert Clapp addressed City Council concerning Closed Item ED-23-146 regarding an update on the recommended disposal of certain City-owned lands: portion of the grassed area in the northwest corner of the Delpark Homes Centre site at 1661 Harmony Road North.

Moved by Councillor Kerr  
Seconded by Councillor Giberson

That the delegation's time be extended by two minutes.

Motion Carried

Robert Clapp continued to address City Council concerning Item ED-23-146.

Members of Council questioned Robert Clapp.

Robert Clapp left the meeting.

## **Atria Development - Closed Report CNCL-23-96**

Tara Connor, Director of Development and Ronen Bauer, Architect, Atria Development addressed City Council concerning Closed Report CNCL-23-96 regarding proposed options for the Air and Underground Rights associated with the City-owned Public Parking Lot (Lot 16) located on the south side of Athol Street, between Celina and Albert Street.

Councillor Gray temporarily left the meeting at 2:22 p.m.

Members of Council questioned Tara Connor and Ronen Bauer.

Tara Connor and Ronen Bauer left the meeting.

Moved by Councillor Chapman

Seconded by Councillor Kerr

That Council rise from closed session and report.

Motion Carried

## **Closed Meeting Report 1**

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

All members of Council were present in the Chamber except Councillors Marimpietri, McConkey and Neal who were absent.

Members of Council heard delegations regarding Closed Item ED-23-146 concerning an update on the recommended disposal of certain City-owned lands: portion of the grassed area in the northwest corner of the Delpark Homes Centre site at 1661 Harmony Road North and Closed Report CNCL-23-96 concerning proposed options for the air and underground rights associated with City-owned land located on the south side of Athol Street East, between Celina and Albert Street.

Council rose from closed session at 2:29 p.m.

This concludes the closed meeting summary.

## **Closed Consent Agenda**

Moved by Councillor Chapman

Seconded by Councillor Giberson

That all items listed under the heading of Closed Consent Agenda for the City Council Meeting dated October 2, 2023 be adopted as recommended except the following:

Items ED-23-146, ED-23-149, ED-23-152 and ED-23-160 from the Sixteenth Report of the Economic and Development Services Committee.

Motion Carried

## **Correspondence with recommendations**

### **CNCL-23-103 - Shanta Chhangur submitting comments in opposition to Item ED-23-166 (Ward 4)**

That Correspondence CNCL-23-103 from Shanta Chhangur submitting comments in opposition to Item ED-23-166 concerning a second update on the appeal of the notice of intention to designate 195 Simcoe Street North be referred to the respective item.

## **Standing Committee Reports**

### **Report of the Community and Operations Services Committee**

None

### **Report of the Corporate and Finance Committee Services**

None

### **Report of the Economic and Development Services Committee**

#### **ED-23-139 - Request from Fontur International Inc. on behalf of Signum Wireless to enter into a lease agreement with the City of Oshawa for the installation of a telecommunication tower located at 760 King Street West (Union Cemetery) (Ward 4)**

That pursuant to Closed Item ED-23-139, the Closed Correspondence ED-23-135 concerning a request from Fontur International Inc. on behalf of Signum Wireless to enter into a lease agreement with the City for the installation of a telecommunication tower location at 760 King Street West be received for information.

#### **ED-23-142 - Disposal Strategy: City-owned Land on the West Side of Park Road South, Known Municipally as 134 Park Road South (Ward 4)**

That, pursuant to Closed Report ED-23-142 dated August 24, 2023, staff be authorized to execute the disposal strategy outlined in Section 5.3 of said Closed Report for the City-owned land located on the west side of Park Road South and known municipally as 134 Park Road South, that was declared surplus to municipal requirements by City Council on June 26, 2023.

#### **ED-23-150 - Proposed Amendments to Existing Agreements between Her Majesty the Queen in Right of the Province of Ontario Operating as NAV Canada and the City of Oshawa at the Oshawa Executive Airport (Ward 2)**

That, pursuant to Closed Report ED-23-150 dated August 24, 2023, the Commissioner, Economic and Development Services Department be authorized to execute amendments to the Aviation Services and Facilities Agreement and Sublease for Land Agreement dated October 30, 1996 between the City of Oshawa and NAV Canada for certain lands at the Oshawa Executive Airport, consistent with the proposed amendments as generally set out in Section 5.2 of said Report and in a form and content satisfactory to the Commissioner, Economic and Development Services Department and the City Solicitor.

**ED-23-151 - Update on the Recommended Disposal of Certain City-owned lands: 0 Haig Street (Ward 4)**

That pursuant to Closed Report ED-23-151 dated August 24, 2023, the Commissioner, Economic and Development Services Department be authorized to enter into agreements of purchase and sale for portions of the City-owned lands municipally known as 0 Haig Street, generally in accordance with key terms as set out in Sections 5.4.1 and 5.4.2 of said Report, together with such documents as are required to complete the transactions in the opinion of the City Solicitor, and further that the agreements and other required documents be in a form and content satisfactory to the City Solicitor and the Commissioner, Economic and Development Services Department.

**ED-23-156 - Disposal Strategy: Part of the Keith Ross Drive Road Allowance (Ward 2)**

1. That, pursuant to the 1997 Operating and Options Agreement between the City and Transport Canada, the lands described as a portion of Part 15 of Reference Plan 40R-25332, as shown on Attachment 3 of Closed Report ED-23-156 dated August 24, 2023, be deemed not necessary for the management, maintenance or operation of the Oshawa; and,
2. That, pursuant to Closed Report ED-23-156 dated August 24, 2023, staff be authorized to execute the disposal strategy outlined in Section 5.3 of said Report for the City-owned lands described as a portion of Part 15 of Reference Plan 40R-25332, as shown on Attachment 3 of said Report, that were declared surplus to municipal requirements by City Council on May 24, 2011.

**ED-23-162 - Results of Request for Proposals Process (Reference Number C-2023-057) to Operate a Golf Course on City-owned Land (Ward 2)**

1. That, pursuant to Closed Report ED-23-162 dated September 6, 2023, the recommended proponent be endorsed as the successful proponent of the Request for Proposals (Reference Number C-2023-057) to operate a golf course on City-owned land at 1145 Thornton Road North currently occupied by the Oshawa Airport Golf Club; and,
2. That, in accordance with Delegation of Authority By-law 29-2009, as amended, the Commissioner of Economic and Development Services Department be authorized to execute a lease agreement with the successful proponent for part of the City-owned land located at 1145 Thornton Road North, as shown on Attachment 1 and 2 of said Report, together with any other required documents to advance said lease agreement, generally consistent with the key terms outlined in Section 5.3 of said Report and in a form and content satisfactory to the Commissioner, Economic and Development Services Department and the City Solicitor; and,
3. That, the Commissioner, Economic and Development Services Department be authorized to execute, on behalf of the City of Oshawa, the Owner's Authorization required for any application or permit submitted by the successful proponent for the purposes of advancing any proposed leasehold improvements to the subject site including, but not limited to, the existing clubhouse, accessory buildings, grounds and irrigation system, subject to said improvements being to the satisfaction of the

Commissioner, Economic and Development Services Department in consultation with the City Solicitor.

**ED-23-166 - Second Update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North (Ward 4)**

Whereas, the dwelling located at 195 Simcoe Street North, known as the “Robert McLaughlin House”, is a “listed, non-designated” property on the City’s Register of Properties of Cultural Heritage Value or Interest under Section 27 of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18 (the “Heritage Act”) but is not currently designated; and,

Whereas, by letter dated February 2, 2021, Nantuck Investments Inc. (the “Owner”) submitted a notice of their intention to demolish the Robert McLaughlin House to City staff; and,

Whereas, on March 29, 2021, Council directed staff to undertake, among other matters, the process to designate the Robert McLaughlin House as a property of cultural heritage value or interest under the Heritage Act; and,

Whereas, on April 1, 2021, staff issued notice of the City’s intention to designate the Robert McLaughlin House, advising that any person may, on or before May 3, 2021, file a Notice of Objection to the proposed designation; and,

Whereas, on April 30, 2021, the Owner submitted a Notice of Objection to the City with respect to the proposed designation, which was subsequently referred by City staff to the then Conservation Review Board [now referred to as the Ontario Land Tribunal (“O.L.T.”)] for a hearing and recommendation to City Council concerning the designation; and,

Whereas, on November 30, 2021, at the request of the O.L.T., the City’s notice of intention to designate was revised on consent from the City and the Owner in order to more appropriately reflect the notice requirements of the Heritage Act (see Attachment 1 – Notice of Intention to Designate); and,

Whereas, on March 16, 2023, the Owner submitted an application under Section 34 of the Heritage Act requesting to demolish the Robert McLaughlin House; and,

Whereas, on June 26, 2023, City Council denied the Owner’s Section 34 application to demolish the Robert McLaughlin House; and,

Whereas, on July 6, 2023, the Owner was provided Notice of Council’s Decision to deny the Section 34 application (the “Notice”); and,

Whereas, on July 6, 2023, the Notice was also provided to the Ontario Heritage Trust, and published in the Oshawa This Week newspaper; and,

Whereas, on August 8, 2023, the Owner submitted a Notice of Appeal to Council’s decision to deny the Section 34 application (see Attachment 2 – Notice of Appeal); and,

Whereas, on August 23, 2023, the Owner submitted notice to both the City and the O.L.T. that they are withdrawing their April 2021 Notice of Objection to the proposed designation under Section 29 of the Heritage Act (see Attachment 3 – Notice of Withdrawal); and,

Whereas, under Section 29 of the Heritage Act upon submission of a Notice of Withdrawal, “the council shall act in accordance with subsection (6) as if no notice of objection had been served;” and,

Whereas subsection 29(6) requires Council to either pass a by-law designating the property, or issue Notice of Withdrawal in order to withdraw the notice of intention to designate; and,

Whereas, in light of Council’s previous position that the property be designated, it is recommended that Council pass a by-law designating the Robert McLaughlin House under Section 29 of the Ontario Heritage Act; and,

Whereas, it is important to note that the Owner still intends to proceed with the Section 34 appeal related to the application to demolish the Robert McLaughlin House; and,

Whereas, notwithstanding Council advancing designation of the Robert McLaughlin House, staff will continue to support Council’s position that the Owner’s Section 34 application be denied, per the direction provided by Council through Report ED-23-127 dated May 31, 2023;

Therefore, be it resolved:

1. That, pursuant to Closed Item ED-23-166 dated September 11, 2023, Economic and Development Services staff prepare the necessary by-law and Designation Statement and Description to designate the Robert McLaughlin House under Section 29 of the Ontario Heritage Act; and,
2. That, pursuant to Closed Item ED-23-166 dated September 11, 2023, City Council consider and approve said by-law designating the Robert McLaughlin House on October 2, 2023; and,
3. That, pursuant to Closed Item ED-23-166 dated September 11, 2023, Economic and Development Services staff be authorized to:
  - a. Provide Notice of By-law Passing to Nantuck Investments Inc., owner of 195 Simcoe Street North, in accordance with the requirements of Section 29 of the Ontario Heritage Act;
  - b. Forward the Notice to the Ontario Heritage Trust in accordance with the Ontario Heritage Act; and,
  - c. Publish the Notice in accordance with the Ontario Heritage Act.

**ED-23-145 - Update on Potential Acquisition of Land on Simcoe Street South (Ward 5)**

That, pursuant to Closed Report ED-23-145 dated August 24, 2023, City staff be directed to not further investigate the potential acquisition of land on Simcoe Street South.

**ED-23-147 - Opportunity for Acquisition or Lease of Land on Thornton Road North (Ward 2)**

That, pursuant to Closed Report ED-23-147 dated August 24, 2023, City staff be directed to not further investigate the potential acquisition or lease of the subject site on Thornton Road North.

**ED-23-161 - Results of the Request for Expression of Interest Process (Reference Number C2023-055) for the Purchase/Lease and Development of the City-owned Land Located at 0 and 20 Harbour Road (Ward 5)**

That, pursuant to Closed Report ED-23-161 dated September 6, 2023, City staff be authorized to advance Option 2 in accordance with Section 5.4.2 of said Closed Report.

**Report of the Safety and Facilities Services Committee**

None

**Other Staff Reports and Motions**

**CNCL-23-94 - Canadian Flight Academy - Status Update #2 (Ward 2)**

That Report CNCL-23-94 dated September 26, 2023 concerning a status update regarding the Canadian Flight Academy be received for information.

**Closed Discussion Agenda**

**Matters Excluded from Consent Agenda**

**ED-23-146 - Update on the Recommended Disposal of Certain City-owned Lands: Portion of the Grassed Area in the Northwest Corner of the Delpark Homes Centre Site at 1661 Harmony Road North (Ward 1)**

Councillor Neal declared a conflict on this item. (Councillor Neal made a declaration of interest concerning Item ED-23-146 regarding an update on the recommended disposal of certain City-owned lands: portion of the grassed area in the northwest corner of the Delpark Homes Centre site at 1661 Harmony Road North as a member of his family has a contract with the Durham District Separate School Board and did not take part in discussion or voting on the matter.)

Councillor Marimpietri declared a conflict on this item. (Councillor Marimpietri made a declaration of interest concerning Item ED-23-146 regarding an update on the recommended disposal of certain City-owned lands: portion of the grassed area in the northwest corner of the Delpark Homes Centre site at 1661 Harmony Road North as he has family whom own property, and operate a business potentially impacted by the noted proposal and did not take part in discussion or voting on the matter.)

**Consent Motion:**

That, pursuant to Closed Report ED-23-146 dated August 24, 2023, the Commissioner, Economic and Development Services Department be authorized to enter into an agreement of purchase and sale for a portion of the grassed area situated in the northwest corner of the Delpark Homes Centre site at 1661 Harmony Road North, generally in accordance with key terms as set out in Section 5.5 of said Report, together with such documents as are required to complete the transaction in the opinion of the City Solicitor, and further that the agreement and other required documents be in a form and content satisfactory to the City Solicitor and the Commissioner, Economic and Development Services Department.

Affirmative (7): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Kerr, Councillor Lee, Councillor Marks, and Councillor Nicholson

Negative (1): Councillor Gray

Absent (3): Councillor Marimpietri, Councillor Neal, and Councillor McConkey

Motion Carried (7 to 1)

**ED-23-149 - Proposed Future Use of the City-owned Public Parking Lot (Lot 4) located on the North side of Athol Street East, between Centre Street South and Simcoe Street South (Ward 4)**

Councillor Marimpietri declared a conflict on this item. (Councillor Marimpietri made a declaration of interest on Item ED-23-149 regarding the proposed future use of the City-owned public parking lot (Lot 4) located on the north side of Athol Street East, between Centre Street South and Simcoe Street South as he has family whom own property, and operate a business potentially impacted by the noted proposal and did not take part in discussion or voting on the matter.)

Consent Motion:

1. That, pursuant to Closed Report ED-23-149 dated August 24, 2023, the Commissioner, Economic and Development Services Department be directed to advance Option 2 as outlined in Section 5.4.2 of said Report; and,
2. That, the Commissioner, Economic and Development Services Department be authorized to release a Request for Expression of Interest for the potential construction of a parking garage and/or other uses on the City-owned parking lot located on the north side of Athol Street West, east of Centre Street South and west of Simcoe Street South, generally consistent with Attachment 6 of said Report and in a form and content satisfactory to the Commissioner, Economic and Development Services Department and the City Solicitor; and,
3. That, the Commissioner, Economic and Development Services Department be directed to report back to the Economic and Development Services Committee on the outcome of the Request for Expression of Interest process.

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

Absent (3): Councillor Marimpietri, Councillor Neal, and Councillor McConkey

Motion Carried (8 to 0)

**ED-23-160 - Proposed Lease Agreement for a portion of the City-owned Land at Chopin Park, municipally known as 595 Montgomery Street, west of Hillcrest Drive (Ward 5)**

Consent Motion:

That, pursuant to Closed Report ED-23-160 dated September 6, 2023, City staff be authorized to advance Option 1 in accordance with Section 5.7.1 of said Closed Report for a lease agreement for a portion of the City-owned land at Chopin Park, municipally known as 595 Montgomery Street, as amended in Closed Session.

Moved by Councillor Chapman  
Seconded by Councillor Giberson

Whereas the individual has withdrawn their application;

Therefore the recommendation contained Item ED-23-160 concerning a proposed lease agreement for a portion of the City-owned land at Chopin Park, municipally known as 595 Montgomery Street, west of Hillcrest Drive be received for information.

Motion Carried

**ED-23-152 - Options for Real Estate Transactions at the Oshawa Executive Airport (Ward 2)**

Consent Motion:

1. That pursuant to Report ED-23-152 dated August 24, 2023, Economic and Development Services staff be directed to defer any land transactions at the Oshawa Executive Airport until a 2024 Airport Action Plan is adopted; and,
2. That Economic and Development Services staff be authorized to advise any prospective purchaser of land at the Oshawa Executive Airport of Item 1 above; and,
3. That Safety and Facilities Services staff be directed to prepare a 2024 Airport Action Plan for presentation to the Safety and Facilities Services Committee no later than the second quarter of 2024.

Carried by later vote

**Items Requiring Council Direction**

**CNCL-23-96 - Proposed Options for the Air and Underground Rights associated with City-owned land located on the south side of Athol Street East, between Celina and Albert Street (Ward 4)**

Councillor Marimpietri declared a conflict on this item. (Councillor Marimpietri made a declaration of interest concerning Report CNCL-23-96 regarding proposed options for the air and underground rights associated with City-owned land located on the south side of Athol Street East, between Celina and Albert Street as he has family whom own property, and operate a business potentially impacted by the noted proposal and did not take part in discussion or voting on the matter.)

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That Council select Option 3 as set out in Section 5.6 of Closed Report CNCL-23-96 dated September 27, 2023 concerning the City-owned land located on the south side of Athol Street East, between Celina Street and Albert Street.

The vote to reconsider Part 1 of its previous decision of April 3, 2023 as outlined in Section 5.3 of Closed Item DS-22-175 regarding the air and underground rights associated with the City-owned parking lot located on the south side of Athol Street East, between Celina Street and Albert Street.  
**(Requires 2/3 vote of members present.)**

Motion Carried

Council's previous decision of April 3, 2023 as outlined in Section 5.3 of Closed Item DS-22-175 was now before Council.

The vote to adopt Council's previous decision of April 3, 2023 concerning the proposed options for the air and underground rights associated with the City-owned land located on the south side of Athol Street East, between Celina Street and Albert Street.

Motion Lost

Moved by Councillor Chapman  
Seconded by Councillor Kerr

That the meeting recess and reconvene in a session closed to the public pursuant to Section 239 (2) (c) of the Municipal Act in order to consider Items ED-23-152 and Report CNCL-23-96 which are concerning proposed or pending acquisition or disposition of land.

Motion Carried

The meeting recessed at 2:41 p.m. and reconvened in closed session at 2:47 p.m. with all members of Council present except Councillors Marimpietri, McConkey and Neal who were absent.

Also in attendance were the Director, Legislative Services/City Clerk; the Manager, Legislative Services/Deputy City Clerk; the Chief Administrative Officer, the Commissioner, Corporate and Finance Services Department; the Commissioner, Safety and Facilities Services Department; the Commissioner, Economic and Development Services Department; the City Solicitor; the Director, Planning Services; the Manager, Policy; and the Council-Committee Coordinator.

All other staff left the meeting.

Council entered closed session at 2:47 p.m.

Closed meeting discussions took place.

Moved by Councillor Chapman  
Seconded by Councillor Gray

That Council rise from closed session and report.

Motion Carried

## **Closed Meeting Report 2**

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

All members of Council were present in the Chamber except Councillors Marimpietri, McConkey and Neal who were absent.

Members of Council questioned the Commissioner, Economic and Development Services Department concerning Item ED-23-152.

The Commissioner, Economic and Development Services Department responded to questions from Council.

Members of Council questioned the Commissioner, Economic and Development Services Department concerning Report CNCL-23-96.

The Commissioner, Economic and Development Services Department responded to questions from Council.

A motion to add Part 4 to Option 3 of CNCL-23-96 providing direction to staff was moved and lost in closed session.

Council rose from closed session at 3:23 p.m.

This concludes the closed meeting summary.

Report CNCL-23-96 concerning proposed options for the air and underground rights associated with City-owned land located on the south side of Athol Street East, between Celina and Albert Street was now before Council.

Moved by Councillor Nicholson  
Seconded by Councillor Marks

That Report CNCL-23-96 be referred back to staff for a cost analysis on Options 1 and 3 and report back to the Economic and Development Services Committee.

Motion Carried

Item ED-23-152 concerning options for real estate transactions at the Oshawa Executive Airport was now before Council.

The vote to adopt the recommendation contained in Item ED-23-152.

Motion Carried

## **Matters Tabled**

None

## **Notices of Motion**

### **CNCL-23-83 - Notice of Motion - Council-appointed Position on the Oshawa Sports Hall of Fame Board of Governors (All Wards)**

That staff be directed to report back on the creation of a Council-appointed position on the Oshawa Sports Hall of Fame Board of Governors.

As Councillor Marimpietri was not in attendance at this time, the motion was not moved.

### **Confirming By-Law**

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the confirming by-law be passed.

Motion Carried

### **Adjournment**

Moved by Councillor Giberson  
Seconded by Councillor Nicholson

That the meeting adjourn at 3:28 p.m.

Motion Carried

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Mayor

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City Clerk