



Economic and Development Services Committee

Minutes

**November 6, 2023, 1:30 p.m.
Council Chamber**

Present: Councillor Marimpietri
Councillor Chapman
Councillor Giberson
Councillor Gray
Councillor Kerr
Mayor Carter

Also Present: Councillor McConkey
Councillor Lee
K. Christopher, Council-Committee Coordinator
F. Bianchet, Council-Committee Coordinator
L. Davis, Manager, Legislative Services/Deputy City Clerk
P. Aguilera, Council-Committee Coordinator
J. Lane, Council-Committee Coordinator
W. Munro, Commissioner, Economic and Development Services
Department
T. Goodeve, Director, Planning Services
A. Ambra, Director, Engineering Services
D. Sappleton, Manager, Development and Urban Design
V. White, Principal Planner
E. Kohek, Senior Planner
G. Hardy, Manager, Development and Technical Services

Public Meeting

Councillor Marimpietri called the meeting to order and stated that all members of the Committee were participating from the Chamber. Also present in the Chamber were Councillor Lee and Councillor McConkey.

Additional Agenda Items

None.

Declarations of Pecuniary Interest

None.

Presentations

None.

Delegations

None.

Referrals from Council

None.

Reports from Advisory Committees

None.

Items Requiring Direction

ED-23-205 - Petition for the Construction of Sidewalks - Division Street (Ward 4)

Moved by Councillor Chapman

That the Economic and Development Services Committee recommend to City Council:

That pursuant to Report ED-23-205 dated November 1, 2023:

1. That the current programming along Division Street from Rosedale Avenue to Grove Avenue be maintained with temporary maintenance to ensure that road and sidewalk construction is completed together, based on the road condition and efficiency analysis for project
2. That Operations Services in 2024 investigate additional maintenance work to improve the surface irregularities as a temporary treatment until the road reconstruction in 2027.

Amendment:

Moved by Councillor Giberson

That the motion be amended to include:

That mailings be sent to the homes along the part of Division Street in question to provide information on the engineering lifecycle plan as in the report

Motion Carried

The vote on motion concerning the Petition for the Construction of Sidewalks - Division Street, as amended.

Public Consent Agenda

Moved by Councillor Chapman

That all items listed under the heading of Public Consent Agenda for the November 6, 2023 Economic and Development Services Committee meeting be adopted as recommended except Report ED-23-207.

Correspondence with recommendations

None.

Staff Reports/Motions with recommendations

ED-23-203 - Delegation of Consent Granting Authority (All Wards)

That the Economic and Development Services Committee recommend to City Council:

That pursuant to Report ED-23-203 dated November 1, 2023, concerning the delegation of consent granting authority:

1. That the proposed amendments to the Delegation of Authority By-law 29-2009, as amended, to delegate to the Committee of Adjustment authority to grant or refuse consents under Section 53 of the Planning Act in accordance with Subsection 54(2) of the Planning Act be approved, and the appropriate by-law be passed generally in accordance with Section 5.4 of said Report; and,
2. That the proposed amendments to the General Fees and Charges By-law 13-2003, as amended, to implement new fees related to consent applications be approved and the amending by-law be passed generally in accordance with Section 6.1 of said Report, and that the requirement for public notice in Notice to the Public By-law 147-2007, as amended, be waived due to the time sensitive nature of the matter; and,
3. That the remuneration for Committee of Adjustment members be increased from \$75 to \$125 per member per meeting effective February 1, 2024.

ED-23-204 - Fosterbrook Street Sidewalk (Ward 1)

That the Economic and Development Services Committee recommend to City Council:

Whereas, on October 16, 2023, the Economic and Development Services Committee considered Item ED-23-195, a petition regarding the sidewalk on Fosterbrook Street, and referred to staff for a report; and,

Whereas, Draft Plan of Subdivision 18T-94025 was approved on April 20, 1998 by the Regional Municipality of Durham; and,

Whereas, the first engineering submission was received from D.G. Biddle and Associates in January of 2021, on behalf of Greycrest Homes (Oshawa) Inc., which showed the sidewalks on the west side of Fosterbrook Street from Greenhill Avenue to Black Cherry Lane (including Lots 25-29); and,

Whereas, all engineering submissions, including the final approved engineering drawings, dated September 2022, showed the sidewalk on the west side of Fosterbrook Street from Greenhill Avenue to Black Cherry Drive (including Lots 25-29); and,

Whereas, Greycrest Homes (Oshawa) Inc. entered into a subdivision agreement with the City of Oshawa on December 10, 2021 for Phase 8 of that subdivision (referred to as FKT Co-Tenancy Phase 8), which includes Fosterbrook Street; and,

Whereas the City is not party to Purchase and Sale Agreements or other commitments between the homeowner and Builder; and,

Whereas, the City required Greycrest Homes (Oshawa) Inc. to include in every purchase and sale agreement, a document detailing the location of walkways, street trees, public parks, easements for public and utility services, sidewalks, and Canada Post facilities; and,

Whereas, Appendix 'II' of the subdivision agreement includes the detailed engineering drawings, which shows the sidewalk on the west side of Fosterbrook Street from Greenhill Avenue to Black Cherry Drive (including Lots 25-29) as prepared by D.G. Biddle and Associates; and,

Whereas, the subdivision agreement was registered on title to all lands in Phase 8 on April 1, 2022 as Plan 40M-2721; and,

Whereas, sidewalks are needed for pedestrian safety and are installed in locations that provide the largest service to immediate and area residents; and,

Whereas, Fosterbrook Street is a local road which requires sidewalks on one side of the road in accordance with City and industry Engineering standards; and,

Whereas, City-owned boulevards commonly contain several above ground and below ground utilities, such as a hydro boxes, which do not pose safety concerns related to the location of sidewalks; and,

Whereas, the sidewalk in question was installed in September of 2023, honouring the commitments contained within the approved subdivision drawings and agreement; and,

Whereas, the petition has been signed by residents located on the west side of Fosterbrook Street only; and,

Whereas, 40M Plans, like the one attached to the petition, are legal descriptions of the division of land and are not used to indicate sidewalk or infrastructure locations; and,

Whereas, the subdivision remains unassumed and the City has not yet taken over the ownership/maintenance responsibility of the sidewalks from Greycrest Homes;

Therefore be it resolved that Item ED-23-204 concerning a petition regarding the sidewalk on Fosterbrook Street be received for information.

ED-23-206 - Staff Report on ED-23-199 - Wentworth Street Reconstruction (Ward 5)

That the Economic and Development Services Committee recommend to City Council:

1. That pursuant to Report ED-23-206 dated November 1, 2023, Item ED-23-199 – Projects Working Group Report – Wentworth Street Reconstruction: Cedar Street to Farewell Street (previously OATAC-23-21), be received for information; and,
2. That pursuant to Report ED-23-206 dated November 1, 2023, a copy of said Report and the related Council Resolution be forwarded to the Region of Durham.

ED-23-208 - Revised Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, Cedar City Shakespeare Avenue Inc., 570 Shakespeare Avenue (Ward 5)

That the Economic and Development Services Committee recommend to City Council:

1. That pursuant to Report ED-23-208 dated November 1, 2023, the revised application submitted by Cedar City Shakespeare Avenue Inc. to amend the Oshawa Official Plan (File: OPA-2022-03) to permit accessory apartments in up to twelve (12) end-unit block townhouses at 570 Shakespeare Avenue be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner of Economic and Development Services and the City Solicitor; and,
2. That pursuant to Report ED-23-208 dated November 1, 2023, the revised application submitted by Cedar City Shakespeare Avenue Inc. to amend Zoning By-law 60-94 (File: Z-2022-03) to rezone the lands at 570 Shakespeare Avenue from R1-C/CIN (Residential/Community Institutional) to an appropriate R4-A (Residential) Zone to permit the development of 105 block townhouse dwellings and up to twelve (12) accessory apartments in end units be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner of Economic and Development Services and the City Solicitor; and,
3. That in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report DS-22-97 dated May 4, 2022 presented at the public meeting of May 9, 2022 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Recommendation 2 of this Report, such differences are not substantial enough to require further notice and another public meeting.

Public Discussion Agenda

Matters Excluded from the Consent Agenda

ED-23-207 - Application for a Sign Variance: Pattison Outdoor Advertising on behalf of 2775295 Ontario Inc. regarding Signage at 30 Park Road North (Ward 4)

Moved by Councillor Giberson

That the Economic and Development Services Committee recommend to City Council:

That, pursuant to Report ED-23-207 dated November 1, 2023, the request to approve the sign variance application submitted by Pattison Outdoor Advertising (File: SV-2023-07) to permit the alteration of the northeast face and southeast face of the existing non-accessory roof sign at 30 Park Road North to provide read-o-graphs as a display surface be denied.

Affirmative (1): Councillor Giberson

Negative (5): Councillor Marimpietri, Councillor Chapman, Councillor Gray, Councillor Kerr, and Mayor Carter

Motion Lost (1 to 5)

Moved by Councillor Chapman

That the Economic and Development Services Committee recommend to City Council:

That, pursuant to Report ED-23-207 dated November 1, 2023, the Commissioner of Economic and Development Services or Director of Planning Services be authorized to approve the sign variance application submitted by Pattison Outdoor Advertising (File: SV-2023-07) to permit the alteration of the northeast face and southeast face of the existing non-accessory roof sign at 30 Park Road North to provide read-o-graphs as a display surface.

Motion Carried

Items Introduced by Council Members

None.

Items Pulled from the Information Package

None.

Questions to Staff Concerning the Committee's Outstanding Items List

None.

Closed Consent Agenda

Moved by Councillor Chapman

That all items listed under the heading of Closed Consent Agenda for the November 6, 2023 Economic and Development Services Committee meeting be adopted as recommended.

Motion Carried

Closed Correspondence with recommendations

ED-23-201 - Letter to the City of Oshawa concerning an Expression of Interest from Trent University (Ward 5)

That Correspondence ED-23-201 dated October 10, 2023, concerning an Expression of Interest from Trent University be referred to staff for a report.

Closed Staff Reports/Motions with recommendations

ED-23-202 - Second Update on Matters Related to the Oshawa-to-Bowmanville GO Rail Extension (Ward 5)

That the Economic and Development Services Committee recommend to City Council:

That pursuant to Report ED-23-202 dated November 1, 2023 regarding a second update on matters related to the Oshawa-to-Bowmanville GO Rail Extension, Council adopt the position and comments as referenced in Section 2.0 of said Report and authorize the Commissioner, Economic and Development Services Department, to proceed as outlined in said Section.

Closed Discussion Agenda

Matters Excluded from the Consent Agenda

None.

Items Requiring Direction

None.

Matters Tabled

None.

Adjournment

Moved by Councillor Chapman

That the meeting adjourn at 1:43 p.m.

Motion Carried