



Oshawa City Council Minutes

**October 30, 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 McConkey
Councillor Neal
Councillor Nicholson

Public Meeting

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

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 Diane Stephen, Chair, Heritage Oshawa concerning Items ED-23-183 and ED-23-196 be added to the agenda, and additional correspondence CNCL-23-116 from Jennifer Taylor submitting comments concerning a by-law to change the name of Orton Avenue be added to the agenda and be referred to the respective by-law and additional correspondence CNCL-23-115 from Overland LLP submitting comments concerning Item ED-23-196 be added to the agenda for the meeting of October 30, 2023 and be referred to the respective item.

Motion Carried

Declarations of Pecuniary Interest

Councillor Marimpietri - ED-23-194 - Cost Analysis for Certain 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 Item ED-23-194 regarding a cost analysis for certain 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 in the area and did not take part in discussion or voting on the matter.

Councillor Kerr - CNCL-23-107 - Notice of Motion - Council-appointed Position on the Oshawa Sports Hall of Fame Board of Governors (All Wards)

Councillor Kerr made a declaration of interest concerning CNCL-23-107 being a notice of motion regarding the Council-appointed position on the Oshawa Sports Hall of Fame Board of Governors as he is currently the incumbent on this Committee and did not take part in discussion or voting on the matter.

Presentations

Employee Recognition - Municipal Law Enforcement Officers

Mayor Carter presented Municipal Law Enforcement Service Medals and Recognition Awards.

Delegations

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the delegations of Christopher Novak and Diane Stephen, Chair, Heritage Oshawa be heard.

Motion Carried

Christopher Novak - Item ED-23-187

Christopher Novak addressed City Council concerning Item ED-23-187 regarding an application to remove Part Lot Control submitted by John Novak for 574 Cartier Avenue.

Members of Council questioned Christopher Novak.

Diane Stephen, Chair, Heritage Oshawa - Item ED-23-183

Diane Stephen, Chair, Heritage Oshawa addressed City Council concerning Item ED-23-183 regarding revised applications to amend the Oshawa Official Plan and Zoning By-law 60-94, Smart Density on behalf of TT7 Inc., for 70 King Street East.

Members of Council questioned the Chair, Heritage Oshawa.

Diane Stephen, Chair, Heritage Oshawa - Item ED-23-196

Diane Stephen, Chair, Heritage Oshawa addressed City Council concerning Item ED-23-196 regarding an update on impacts of Bill 23 on the City of Oshawa register of properties of cultural heritage value or interest.

Items requiring Council Direction

None

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 30, 2023 be adopted as recommended except the following:

Minutes of the City Council meeting held on October 2, 2023; and,

Correspondence CNCL-23-106; and,

Items CO-23-54 and CO-23-56 from the Ninth Report of the Community and Operations Services Committee; and,

Items CF-23-70 and CF-23-75 from the Tenth Report of the Corporate and Finance Services Committee; and,

Items ED-23-187, ED-23-191, ED-23-192 and related By-law 133-2023 and ED-23-196 from the Seventeenth Report of the Economic and Development Services Committee; and,

Report CNCL-23-108; and,

By-law 126-2023.

Motion Carried

Correspondence with recommendations

CNCL-23-109 - Greater Oshawa Chamber of Commerce/Oshawa Tourism requesting financial support to facilitate the 2024 Student Oshawa Orientation event (All Wards)

That Correspondence CNCL-23-109 from the Greater Oshawa Chamber of Commerce/Oshawa Tourism requesting financial support to facilitate the 2024 Student Oshawa Orientation event be recommended to the Mayor for consideration in the 2024 budget.

CNCL-23-110 - Greater Oshawa Chamber of Commerce/Oshawa Tourism requesting financial support to facilitate the 2024 Convergence Music Arts and Culture Festival (All Wards)

That Correspondence CNCL-23-110 from the Greater Oshawa Chamber of Commerce/Oshawa Tourism requesting financial support to facilitate the 2024 Convergence Music Arts and Culture Festival be recommended to the Mayor for consideration in the 2024 budget.

CNCL-23-111 - Spark Commercialization and Innovation Centre requesting a renewal of Spark Centre's five-year funding agreement (All Wards)

That Correspondence CNCL-23-111 from Spark Commercialization and Innovation Centre requesting a renewal of Spark Centre's five-year funding agreement be recommended to the Mayor for consideration in the 2024 budget.

CNCL-23-114 - Oshawa Power and Utilities Corporation Recommending Appointments to the Board of Directors for Oshawa P.U.C. Networks Inc. (All Wards)

That based on Correspondence CNCL-23-114 from Denise Carpenter, Chair of the Board, Oshawa Power and Utilities Corporation:

1. That Neel Bungaroo be appointed as a Director of Oshawa PUC Networks Inc. commencing on November 30, 2023 for a term of three (3) years; and,
2. That Barbara Boyd be appointed as a Director of Oshawa PUC Networks Inc. commencing on January 1, 2024 for a term of three (3) years; and,
3. That John Mauti be appointed as a Director of Oshawa PUC Networks Inc. commencing on January 1, 2024 for a term of three (3) years.

Standing Committee Reports

Report of the Community and Operations Services Committee

CO-23-55 - Process for the Installation of Oversized Stop Signs (All Wards)

That, pursuant to Report CO-23-55 dated October 18, 2023, concerning the process for the installation of oversized stop signs as outlined in Section 5.3 of said Report be endorsed.

CO-23-57 - Proposal to Secure a Parking Lot to Sustain Local Walk-In Clinic Care (Ward 4)

That Correspondence CO-23-57 from Keith White, CEO, Oshawa Clinic Group concerning a proposal to secure a parking lot to sustain local walk-in clinic care be referred to staff for further investigation.

Report of the Corporate and Finance Services Committee

CF-23-80 - Peter Taylor, President, Friends of Second Marsh Submitting a Request to Renew the Existing Friends of Second Marsh Service Agreement (Ward 5)

That Correspondence CF-23-80 from Peter Taylor, President, Friends of Second Marsh, submitting a request to renew the existing Friends of Second Marsh Service Agreement be referred to the Mayor for consideration in his proposed 2024 Budget.

CF-23-81 - Sherwood Bassin, Ontario Philharmonic Requesting a Financial Grant for the Sponsorship of One Concert Performance (Ward 4)

That Correspondence CF-23-81 from Sherwood Bassin, Ontario Philharmonic, requesting a financial grant for the sponsorship of one concert performance, be referred to the Mayor for consideration in his proposed 2024 Budget.

CF-23-69 - 2024 General Fees and Charges By-law Update (All Wards)

That as outlined in Report CF-23-69, dated October 11, 2023, the changes to the General Fees and Charges By-law 13-2003 be approved and the amending General Fees and Charges By-law be passed which is shown in Attachment 1.

CF-23-72 - 2024 Interim Tax Levying By-law (All Wards)

That the 2024 Interim Tax Levying By-law as outlined in Attachment 1 to Report CF-23-72 dated October 11, 2023 concerning the 2024 Interim Tax Levying By-law be approved.

CF-23-73 - Corporate Payments for the Months of July, August and September 2023 (All Wards)

That Report CF-23-73 concerning the corporate payments for the Months of July, August, September 2023 be received for information.

CF-23-76 - Additional Funding – C2023-049A Supply & Delivery of 7 Plow Trucks (All Wards)

Whereas, the Purchasing By-Law 80-2020 requires Council approval to award contracts that exceed the approved budget and greater than \$2,000,000; and,

Whereas, in 2023 Council approved project 13-0056 for seven combination plow & salters in the amount of \$2,800,000, inclusive of non-rebateable H.S.T., to replace existing equipment; and,

Whereas, Procurement issued a Request for Tender (R.F.T.) C2023-049A Supply and Delivery of seven (7) Plow Trucks; and,

Whereas, one (1) bid was received (publicly posted on the City's website at Oshawa's Bids and Tenders) and opened by Procurement on October 2, 2023; and,

Whereas, the bid received from Premier Truck Group, in the amount of \$2,981,200 excluding H.S.T. (\$3,033,669 including non-rebateable H.S.T.), is the lowest compliant bidder and meets the requirements of the tender; and,

Whereas, there is a funding shortfall of \$233,669, including non-rebateable H.S.T.; and,

Whereas, the additional cost of \$233,669 can be funded from the City Equipment Reserve;

Therefore, be it resolved that, pursuant to CF-23-76:

1. That additional funding of \$233,669 to be funded from the City Equipment Reserve be approved; and,
2. That the Manager, Procurement be authorized to award a contract to Premier Truck Group in the amount of \$2,981,200 excluding H.S.T. for C2023-049A Supply and Delivery of seven (7) Plow Trucks.

CF-23-79 - Update on the Oshawa Community Grants Program (All Wards)

That pursuant to Report CF-23-79 dated October 11, 2023, concerning an Update on the Oshawa Community Grants Program, the recommended changes to the Fundraising category as detailed in Item 5.3 be endorsed.

Report of the Economic and Development Services Committee

ED-23-200 - Engineering Services - Winterize your Bike Event (All Wards)

That Report ED-23-200 concerning the Winterize your Bike Even from the Oshawa Active Transportation Committee requesting Bob Astley, Mike Bennett and Jim Bate be appointed as members of the Oshawa Active Transportation Advisory Committee to assist the Canadian Institutes of Health Research Team with the Winterize your Bike Event, be endorsed.

ED-23-154 - Application for a Sign Variance: Pattison Outdoor Advertising at 1220 Simcoe Street North (Ward 2) (Previously OEAC-23-47)

That Report ED-23-154 concerning the Oshawa Environmental Advisory Committee comments on the Application for a Sign Variance: Pattison Outdoor Advertising at 1220 Simcoe Street North be received for information; and, the original recommendation contained in Report ED-23-154 authorizing staff to approve the sign variance application for 1220 Simcoe Street North be approved.

ED-23-180 - Planning Application Fee Refund Waivers (All Wards)

That, pursuant to Report ED-23-180 dated October 11, 2023, the proposed amendments to the City's Delegation of Authority By-law 29-2009, as amended, be approved as generally outlined in Section 5.3 of said Report and the appropriate amending by-law be passed.

ED-23-182 - Revised Application to Amend Zoning By-law 60-94, 2676916 Ontario Inc., 480, 484, 490 and 506 Ritson Road South (Ward 5)

1. That, pursuant to Report ED-23-182 dated October 11, 2023, the revised application submitted by Weston Consulting on behalf of 2676916 Ontario Inc. to amend Zoning By-law 60-94 (File: Z-2020-03) to permit the development of two three-storey apartment buildings (stacked townhouses) with a combined total of 39 apartment 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 Legal Services; and,
2. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report DS-21-148 dated September 8, 2021 presented at the public meeting of September 13, 2021 differs to some degree

from the proposed amendment recommended to be approved by City Council pursuant to Part 1 of this Recommendation, such differences are not substantial enough to require further notice and another public meeting.

ED-23-183 - Revised Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, Smart Density on behalf of TT7 Inc., 70 King Street East (Ward 4)

1. That, pursuant to Report ED-23-183 dated October 11, 2023, the revised application submitted by Smart Density on behalf of TT7 Inc. to amend the Oshawa Official Plan (File: OPA-2022-01) to permit a new 21-storey mixed-use building containing 198 rental apartment units and 261.50 square metres (2,814.76 sq. ft.) of total commercial floor space on the first two floors located on lands municipally known as 70 King Street East be approved, generally in accordance with the comments contained said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner of Economic and Development Services and Legal Services; and,
2. That, pursuant to Report ED-23-183 dated October 11, 2023, the application submitted by Smart Density on behalf of TT7 Inc. to amend Zoning By-law 60-94 (File: Z-2022-01) to rezone 70 King Street East from CBD-A.T25 (Central Business District) to an appropriate CBD-A (Central Business District) Zone to permit a new 21-storey mixed-use building containing 198 rental apartment units and 261.50 square metres (2,814.76 sq. ft.) of total commercial floor space on the first two floors be approved, generally in accordance with the comments contained said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner of Economic and Development Services and Legal Services; and,
3. That, pursuant to Report ED-23-183 dated October 11, 2023, the Section 33 application under the Ontario Heritage Act, R.S.O. 1990, c. O.18, to permit the lands municipally known as 70 King Street East, be altered, consistent with the application to amend the Oshawa Official Plan (File: OPA-2022-01) and Zoning By-law 60-94 (File: Z-2022-01), be approved.

ED-23-184 - Request under the Urban Growth Centre Community Improvement Plan (Ward 4)

That pursuant to Report ED-23-184 dated October 11, 2023, the Biltmore Theatre be approved for an Upgrade to Building and Fire Codes Grant in the amount of \$10,000.00.

ED-23-185 - Temporary Public Art Installation on the McMillan Parkade (Parkade 2) (Ward 4)

That pursuant to Report ED-23-185 dated October 11, 2023, the Economic and Development Services Committee recommend to City Council that the McMillan Parkade (Parkade 2) be approved as the site for a new temporary public artwork and authorize staff to proceed generally in accordance with this Report

ED-23-188 - Mind Your Plastic - Potential Adoption of a Plastic Free Event Policy in Oshawa for Single Use Plastics (All Wards)

1. That Mind Your Plastic be requested to make a presentation to the Oshawa Environmental Advisory Committee on the outcome of the Town of Ajax Plastic Reduction and Awareness Toolkit and Opportunities to implement a similar toolkit in Oshawa; and,

2. That Mind Your Plastic be requested to make a presentation by the end of the 2nd Quarter of 2024; and,
3. That the Oshawa Environmental Advisory Committee be directed to report to the Economic and Development Services Committee on the results of the presentation.

ED-23-189 - Update on Franchise Agreement Renewal with Enbridge Gas (All Wards)

Whereas, Council approved the recommendations in Report ED-23-88 dated April 12, 2023 regarding the Municipal Consent Process and Franchise Agreement Renewal with Enbridge Gas Inc. ("Enbridge Gas"); and,

Whereas, Provincial legislation requires a Franchise Agreement between a Municipal Corporation and the gas utility company serving that Municipality; and,

Whereas in April 2001, the Ontario Energy Board issued a Model Franchise Agreement to serve as a model for such agreement; and,

Whereas on July 21, 2003, the Corporation of the City of Oshawa ("City") entered into a Franchise Agreement with Enbridge Gas, the gas utility company serving Oshawa; and,

Whereas, the current Franchise Agreement with Enbridge Gas expired on July 21, 2023; and,

Whereas, Council authorized staff to update the current Franchise Agreement, to the satisfaction of the Commissioner, Economic and Development Services and the City Solicitor, for a term of no greater than 20 years; and,

Whereas, Council directed that the updated Franchise Agreement be executed in accordance with the City's Delegation By-law 29-2009, as amended ("Delegation By-law"); and,

Whereas, in or around the mid-2000s, Enbridge Gas successfully obtained an order from the Ontario Energy Board declaring and directing that the assent of the Municipal electors of that municipality is not necessary pursuant to Section 9(4) of the Municipal Franchises Act; and,

Whereas, by way of an application from Enbridge Gas, the Ontario Energy Board has directed and declared that the assent of those Municipal electors of the City to the by-law is not necessary in the event Council passes the necessary by-law;

Therefore, be it resolved that:

1. This Council approves the form of draft by-law and franchise agreement attached hereto as Attachment 1 and authorizes the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the Municipal Franchises Act; and,
2. This Council requests that the Ontario Energy Board make an Order declaring and directing that the assent of the municipal electors to the attached draft by-law and franchise agreement pertaining to the Corporation of the City of Oshawa is not necessary pursuant to the provisions of Section 9(4) of the Municipal Franchises Act.

ED-23-198 - Revised Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, Dines Plaza Inc., 400 King Street West (Ward 4)

1. That, pursuant to Report ED-23-198 dated October 11, 2023, the revised application submitted by D.G. Biddle and Associates Limited on behalf of Dines Plaza Inc. to amend the Oshawa Official Plan (File: OPA-2021-04) to permit an increased residential density of 640 units per hectare (260 u/ac.) at 400 King Street West 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 Legal Services; and
2. That, pursuant to Report ED-23-198 dated October 11, 2023, the revised application submitted by D.G. Biddle and Associates Limited on behalf of Dines Plaza Inc. to amend Zoning By-law 60-94 (File: Z-2021-09) to rezone 400 King Street West from PSC-A (Planned Strip Commercial) to an appropriate PSC-A (Planned Strip Commercial) Zone to permit a new mixed use residential/commercial building varying in height between 4, 6, 8 and 20 storeys with 244 apartment units and 659 square metres (7,093.42 sq. ft.) of commercial floor space on the ground floor 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 Legal Services; and,
3. That the Zoning By-law Amendment proposed in Report DS-22-01 dated January 5, 2022, presented at the public meeting of January 10, 2022 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 2 of this Recommendation, such differences are not substantial enough to require further notice and another public meeting.

ED-23-193 - Update on the City of Oshawa's Ability to Meet the Provincial Target of 23,000 New Homes in Oshawa by 2032 (All Wards)

1. That, pursuant to Report ED-23-193 dated October 11, 2023, the Province of Ontario be requested to instruct the development industry to build houses to help the City achieve the Provincial target of 23,000 new units in Oshawa by 2032, in instances where the City has undertaken all necessary steps to advance delivery of the same that are under its direct control; and,
2. That, pursuant to Report ED-23-193 dated October 11, 2023, the Province of Ontario be requested to engage with the developers listed on Attachment 5 to said Report and encourage them to immediately take the steps necessary to obtain building permits; and,
3. That, pursuant to Report ED-23-193 dated October 11, 2023, the Province of Ontario be requested to engage with the developers listed on Attachment 5 to said Report and encourage them to immediately take the steps necessary to obtain site plan approval; and,
4. That, pursuant to Report ED-23-193 dated October 11, 2023, the Province of Ontario be requested to confirm that the City of Oshawa will receive the maximum funding

available under the Building Faster Fund on the basis of our year-to-date building activity and the contents of this Report.

ED-23-179 - Application to Amend Zoning By-law 60-94, Arcadis on behalf of 650 Taunton Developments Limited (c/o Fieldgate Commercial) and 620 Taunton Self Storage Developments Ltd., 620 Taunton Road West and a portion of 646 Taunton Road West (Ward 2)

That, pursuant to Report ED-23-179 dated October 11, 2023, the application submitted by Arcadis on behalf of 650 Taunton Developments Limited (c/o Fieldgate Commercial) and 620 Taunton Self Storage Developments Ltd. to amend Zoning By-law 60-94 (File: Z-2023-06) to permit the development of additional Select Industrial uses at 620 Taunton Road West and a portion of 646 Taunton Road West, be approved generally in accordance with the comments contained in said Report and the necessary by-law be passed.

Motion Carried

Report of the Safety and Facilities Services Committee

SF-23-34 - Proposed Technical Amendments to Fence and Sight Triangle By-law 23-2014 (All Wards)

Whereas the Fence and Sight Triangle By-law 23-2014, as amended (“Fence and Sight Triangle By-law”) is a by-law to regulate the height of fences, natural features and objects in certain circumstances within the City of Oshawa (“City”); and,

Whereas Section 3 of the Fence and Sight Triangle By-law regulates the materials in which fences may be constructed from to limit hazards posed to humans; and,

Whereas plastic construction fencing, also known as snow fencing, is suitable and acceptable for temporary fencing applications related to development and construction activities as well as limiting the movement of snow on a seasonal basis it is not appropriate or acceptable for permanent fencing applications; and,

Whereas the Fence and Sight Triangle By-law currently does not differentiate between the acceptable temporary use of plastic construction fencing and the unacceptable and undesirable use of plastic construction fencing in a permanent fencing application; and,

Whereas Council considers it appropriate to prohibit the use of plastic construction fencing in the Fence and Sight Triangle By-law with exemptions for acceptable temporary fencing applications related to development, construction and seasonal snow activities;

Therefore be it resolved that Council approve a by-law in a final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department to amend the Fence and Sight Triangle By-law 23-2014, as amended to prohibit the use of plastic construction fencing with exemptions for acceptable temporary fencing applications.

Other Staff Reports and Motions

None

By-Laws

The following By-laws were passed:

123-2023 - A By-law to further amend General Fees and Charges By-law 13-2003, as amended

(Implements direction of October 30, 2023 through Item CF-23-69 of the Tenth Report of the Corporate and Finance Services Committee to approve amendments to the City's General Fees and Charges By-law 13-2003, as amended, concerning various fees imposed by the City of Oshawa.)

124-2023 - A By-law to change the name of Ortono Avenue to Ortona Avenue in the City of Oshawa

(Implements Council direction of October 2, 2023 through Item ED-23-170 of the Fifteenth Report of the Economic and Development Services Committee to change the name of Ortono Avenue to Ortona Avenue in the City of Oshawa.)

125-2023 - A By-law to amend Delegation By-law 29-2009, as amended

(Implements direction of October 30, 2023 through Item ED-23-180 of the Seventeenth Report of the Economic and Development Services Committee to delegate the Commissioner, Economic and Development Services Department and the Director, Planning Services authority to execute agreements to waive the refund of fees for applications for site plan approval or for a zoning by-law amendment.)

127-2023 - A By-law to amend Zoning By-law 60-94, as amended

(Implements direction of October 30, 2023 through Item ED-23-179 of the Seventeenth Report of the Economic and Development Services Committee to change the zoning for the lands generally located at 620 Taunton Road West and a portion of 646 Taunton Road West from SI-A(11) "h-39"/SI-A(14) "h-60"/SI-A(19) "h-66" (Select Industrial) to SI-A(14) "h-60"/SI-A(19) "h-66" (Select Industrial) in part and OSE (Environmentally Sensitive Open Space) in part subject to a site specific condition to permit additional permitted uses on that portion of land newly zoned as SI-A(14) "h-60"/SI-A(19) "h-66" (Select Industrial).)

128-2023 - A By-law to amend Zoning By-law 60-94, as amended

(Implements direction of October 30, 2023 through Item ED-23-182 of the Seventeenth Report of the Economic and Development Services Committee to change the zoning for the lands located at 480, 484, 490 and 506 Ritson Road South from PSC-A (Planned Strip Commercial) and PSC-A/SSC-B (Planned Strip Commercial/Automobile Service Station) to PSC-A(20) "h-88" (Planned Strip Commercial) to permit the development of two 3-storey apartment buildings (stacked townhouses) with a combined total of 39 units with site specific regulations related to increased residential density and lot coverage, and reduced parking, parking space width flanking a solid wall, landscaped open space and building setbacks.)

129-2023 - A By-law to adopt Amendment 219 to the City of Oshawa Official Plan

(Implements direction of October 30, 2023 through Item ED-23-183 of the Seventeenth Report of the Economic and Development Services Committee to add a site specific policy to permit a maximum residential density of 1,384 units per hectare for lands located at the northwest corner of King Street

East and Mary Street North, municipally known as 70 King Street East, subject to the inclusion of appropriate provisions in the zoning by-law.)

130-2023 - A By-law to amend Zoning By-law 60-94, as amended

(Implements direction of October 30, 2023 through Item ED-23-183 of the Seventeenth Report of the Economic and Development Services Committee to change the zoning for the lands generally located at the northwest corner of King Street East and Mary Street North, municipally known as 70 King Street East, from CBD-A.T25 (Central Business District) to CBD-A(6) "h-86" (Central Business District) to permit a new 21-storey, mixed-use commercial/residential building containing 198 apartment units and 261.5 square metres (2,814.9 sq. ft.) of commercial floor space with site specific regulations related to increased maximum residential density and building height, reduced minimum building setback to the street line, reduced minimum parking requirements and permitting the required parking to be provided off-site.)

131-2023 - A By-law to adopt Amendment 214 to the City of Oshawa Official Plan

(Implements direction of October 30, 2023 through Item ED-23-198 of the Seventeenth Report of the Economic and Development Services Committee to add a site specific policy to permit a maximum residential density of 640 units per hectare on lands located at 400 King Street West.)

132-2023 - A By-law to amend Zoning By-law 60-94, as amended

(Implements direction of October 30, 2023 through Item ED-23-198 of the Seventeenth Report of the Economic and Development Services Committee to change the zoning for the lands located at 400 King Street West from PSC-A (Planned Strip Commercial) to PSC-A(16) (Planned Strip Commercial) to permit the development of a 20-storey, mixed-use commercial/residential building containing 244 apartment units and 659 square metres of commercial floor space on the ground floor with site specific regulations related to increased residential density and building height, and reduced required commercial and residential parking.)

133-2023 - A By-law to implement an Interim Control By-law pursuant to Section 38 of the Planning Act, R.S.O. 1990, c.P.13, as amended, for certain lands in the City of Oshawa

(Implements direction of October 30, 2023 through Item ED-23-192 of the Seventeenth Report of the Economic and Development Services Committee in order to pass an interim control by-law pursuant to Section 38 of the Planning Act, R.S.O. 1990, c.P.13, as amended, for certain lands in the City of Oshawa which prohibits the use of land, buildings or structures within certain portions of the Bloor Street and Simcoe Street South corridors.)

Public Discussion Agenda

Matters Excluded from Consent Agenda

Adoption of Council Minutes

Consent Motion:

That the minutes of the City Council meeting held on October 2, 2023 be adopted.

Councillor Marimpietri clarified that his declaration at the City Council meeting held on October 2, 2023 was only to be on 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.

The vote to adopt the minutes of the City Council meeting held on October 2, 2023.

Motion Carried

CNCL-23-106 - David Markowski submitting comments concerning a by-law to change the name of Ortono Avenue to Ortona Avenue in the City of Oshawa (Ward 5)

Consent Motion:

That Correspondence CNCL-23-106 from David Markowski submitting comments concerning a by-law to change the name of Ortono Avenue to Ortona Avenue in the City of Oshawa be referred to By-law 124-2023.

The vote to adopt the recommendation contained in Correspondence CNCL-23-106.

Motion Carried

CO-23-54 - Natalie Abecassis Submitting Correspondence Requesting to Alter the Sidewalk in the Front of her Property to install Snow/Ice Melt Cables (Ward 1)

Consent Motion:

That Correspondence CO-23-54 from Natalie Abecassis requesting to alter the sidewalk in the front of her property to install snow/ice melt cables be referred to staff for further investigation.

The vote to adopt the recommendation contained in Item CO-23-54.

Motion Carried

CO-23-56 - Winter Maintenance Operations and Customer Feedback Implementation (All Wards)

Consent Motion:

1. That improvements outlined in Report CO-23-56 dated October 18, 2023, concerning the Winter Maintenance Operations and Customer Feedback Implementation be endorsed; and,
2. That staff report back at the end of the winter season on the findings of the customer service satisfaction communications and any proposed winter maintenance operations changes including City Quality Standards and potential budget implications.

The vote to adopt the recommendation contained in Item CO-23-56.

Motion Carried

CF-23-70 - Elena Park Redevelopment (Ward 5)

Consent Motion:

Whereas, Council approved Project 51-0142, Elena Park Redevelopment, as part of the 2023 approved Capital budget in the amount of \$70,000 for the completion of Park design generally within the footprint of the existing Park; and,

Whereas, the City recently expropriated part of the lands known municipally as 505 Simcoe Street South; and,

Whereas, the purchase of these lands increased the size of Elena Park by approximately 150%; and,

Whereas, additional site due-diligence, including Land Survey, Phase 1 and Phase 2 Environmental site assessments, is required prior to design advancement; and,

Whereas, the originally approved budget of \$70,000 has substantially been used for additional site due-diligence; and,

Whereas, an additional \$75,000 is required to complete due-diligence and proceed with Park design;

Therefore, be it resolved that Council approve an additional \$75,000, to be funded from the Parks and Recreation Infrastructure Reserve, for completion of site due-diligence and design related to Project 51-0142, Elena Park Redevelopment.

The vote to adopt the recommendation contained in Item CF-23-70.

Motion Carried

CF-23- 75 - Additional Funding – C2023-045 Stormwater Management Master Plan (All Wards)

Consent Motion:

Whereas, the Purchasing By-law, requires Council approval of Professional and Consulting Services contract awards greater than \$100,000 and that exceed the approved budget; and,

Whereas, in 2020 Council approved project 40-0047 for Stormwater Management Master Plan in the amount of \$350,000, inclusive of non-rebateable H.S.T.; and,

Whereas, Procurement issued a Request for Proposal (R.F.P.) C2023-045 Stormwater Management Master Plan; and,

Whereas, three (3) bids were received (publically posted on the City's website at Oshawa's Bids and Tenders) and opened by Procurement on June 22, 2023; and,

Whereas, proposals were evaluated on qualification, experience, proposal quality, project deliverables, technical response, additional suggestion, and cost; and,

Whereas, the evaluation team unanimously scored the bid received by Matrix Solution Inc. as comprehensive, thorough, addressed all requirements of the R.F.P, is the highest-ranking proponent and best satisfied the City's requirements; and,

Whereas, the proposal received from Matrix Solution Inc. in the amount of \$666,670, plus H.S.T. (\$678,403 including non-rebateable H.S.T.) for Stormwater Management Master Plan; and,

Whereas, an additional \$45,000 plus H.S.T. (\$45,792 including non-rebateable H.S.T.), is required as contingency to pay for the City's obligation related to the Public Information Centers, and additional efforts that may be required from the consultant to undertake additional field works; and,

Whereas, there is a funding shortfall of \$374,195, including non-rebateable H.S.T.; and,

Whereas, the additional cost of \$374,195 can be funded from the Watercourse Improvement DC and Growth Related Non-DC Reserve;

Therefore, be it resolved that, pursuant to CF-23-75:

1. That additional funding of \$374,195 be funded from the Watercourse Improvement DC and Growth Related Non-DC Reserve be approved; and,
2. That the Manager, Procurement be authorized to award a contract to Matrix Solutions Inc. in the amount of \$666,670 excluding H.S.T. for C2023-045 Stormwater Management Master Plan.

The vote to adopt the recommendation contained in Item CF-23-75.

Motion Carried

ED-23-187 - Application to Remove Part Lot Control, John Novak, 574 Cartier Avenue (Ward 4)

Consent Motion:

That, pursuant to Report ED-23-187 dated October 11, 2023, the application to Remove Part Lot Control (File: PLC-2019-10) to create two (2) semi-detached dwelling lots on lands municipally known as 574 Cartier Avenue be denied.

The vote to adopt the recommendation contained in Item ED-23-187.

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

Negative (7): Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Motion Lost (4 to 7)

Moved by Councillor Marimpietri

Seconded by Councillor Nicholson

That pursuant to Report ED-23-187 dated October 11, 2023, the application to remove Part Lot Control (File: PLC-2019-10) to create two (2) semi-detached dwelling lots on lands municipally known as 574 Cartier Avenue be approved subject to the following conditions:

- a. All taxes for the subject site must be current at the time of passing of the by-law;

- b. The applicant shall submit a building audit prepared by a qualified designer for the assessment of the existing building and use of spaces as separate semi-detached dwellings on separate lots and obtain the necessary building permit;
- c. The applicant shall obtain a building permit to address the Ontario Building Code requirements including, but not limited to, the required demising wall, spatial separation between semi-detached dwellings, fire separation, Sound Transmission Class, heating, ventilation and air conditioning, plumbing, etc., and all plans shall be prepared by a qualified designer(s), and complete said work;
- d. The applicant shall demonstrate to the satisfaction of the Region of Durham that a site screening questionnaire has been completed and signed by a qualified person. If potential contamination is found, a Record of Site Condition compliant Phase 1 Environmental Site Assessment report will be required;
- e. The applicant shall deposit a 40R Plan at the Land Registry Office describing the proposed lots and a copy of the deposited and stamped plan shall be provided to the City upon receipt from the Land Registry Office;
- f. The proposed lots shall meet the applicable provisions of Zoning By-law 60-94 or, in the alternative, the applicant shall obtain the approval of the Committee of Adjustment for any variances required to ensure conformity with the applicable provisions of Zoning By-law 60-94, and such approvals shall become final and binding prior to the passing of the by-law;
- g. The applicant shall demonstrate that there are no underground utilities or services on or under the proposed lot line. In the event utilities or services cross property lines, easements shall be required or utilities will need to be relocated at the applicant's expense;
- h. The applicant shall arrange for and pay the cost of all services required to service the proposed lots in accordance with the policies and/or requirements of the City of Oshawa and the Region of Durham;
- i. The applicant shall provide a \$400 fixed payment for a street tree in accordance with the City's street tree planting policy;
- j. The applicant shall obtain all required permits to flood proof all openings into the building to provide a minimum elevation of 105.05 metres (flood elevation of 104.75 metres plus 0.3 metres freeboard). Alternatively, each unit shall be flood proofed in accordance with C.L.O.C.A. requirements;
- k. All landowners shall enter into Save Harmless/Indemnification Agreements with C.L.O.C.A. and the City, at no cost to C.L.O.C.A. and the City;
- l. All landowners shall register the said agreements as notices on title with the Land Registry Office, with no end date and held in perpetuity. Proof of registration from the Land Registry Office must be provided to both the City and C.L.O.C.A., prior to the issuance of building permits to create the semi-detached dwellings;

- m. Any future Purchase and Sale Agreements for any dwelling unit, shall include a clause regarding the Save Harmless/Indemnification Agreement, identifying that it is subject to successors and assigns;
- n. The Owner shall develop an Emergency Flood Evacuation/Stay in Place Plan, to be posted in each dwelling unit, and included in all Agreements to Purchase and Sale and/or Rental/Lease Agreements;
- o. Any Rental or Lease Agreements for any dwelling unit shall include warning clauses advising tenants of the flood hazard and the Save Harmless Agreements, and that the Subject Site does not have safe access for emergency vehicles during a flood event;
- p. Any Rental or Lease Agreements for any dwelling unit shall include clauses in which tenants are advised that they are also subject to the Save Harmless/Indemnification Agreement between the Owner, C.L.O.C.A. and the City; and,
- q. This conditional approval shall expire on October 30, 2025.

Affirmative (8): Councillor Giberson, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (3): Mayor Carter, Councillor Chapman, and Councillor Gray

Motion Carried (8 to 3)

ED-23-191 - City-initiated Amendment to the Harbour Road Area Community Improvement Plan (Ward 5)

Consent Motion:

Whereas, on June 12, 2017 Council adopted the Harbour Road Area Community Improvement Plan (the "Harbour Road Area C.I.P."), a copy of which is available on the City's website at the following link: <https://www.oshawa.ca/en/business-development/resources/Documents/CIP-Harbour-Road-Area.pdf>; and,

Whereas, the goals of the Harbour Road Area C.I.P. are to increase the provision of a range of accommodation in the Harbour Road Area, increase assessment and job creation, reduce greenfield development through infilling and intensification and use municipal services more effectively; and,

Whereas, the objective of the Harbour Road Area C.I.P. is to intensify the Harbour Road Area and develop this area with residential uses and mixed residential/commercial uses to support an overall long-term density target of at least 60 residential units per gross hectare to help achieve Provincial objectives related to intensification; and,

Whereas, the Harbour Road Area C.I.P., as currently approved, will expire on December 31, 2023 unless it is extended; and,

Whereas, notwithstanding the fact that the Harbour Road Area is a key growth area of the City located in the vicinity of Ed Broadbent Waterfront Park and Lakeview Park, no formal applications by the development community have been received since the inception of the Harbour Road Area C.I.P.; and,

Whereas, the Province of Ontario introduced Bill 23, More Homes Built Faster Act, 2022, in October 2022 to ensure that municipalities grow and provide housing to meet the needs of all in the Province of Ontario; and,

Whereas, the overall goal to deliver 1.5 million homes by 2032 is to be achieved by assigning a municipal housing target to twenty-nine (29) of Ontario's largest and fastest growing municipalities including the City of Oshawa; and,

Whereas, the City of Oshawa has been tasked with facilitating the delivery of 23,000 new homes by 2032; and,

Whereas, as part of the 2022 Federal Budget, the Government of Canada announced \$4 billion in new funding to create the Housing Accelerator Fund (H.A.F.), a program intended to grow the annual housing supply across the country by providing incentive funding to local governments; and,

Whereas, the City recently submitted an application under the H.A.F. which contained an action plan that included nine initiatives that the City will undertake to achieve its housing supply growth target; and,

Whereas, there are two initiatives within the City's action plan under the H.A.F. that relate to the Harbour Road Area, including redevelopment of City-owned lands for increased densities in strategic growth areas and offering the use of surplus City-owned land for housing projects; and,

Whereas, it is appropriate that the City supports any development incentivized by the H.A.F., including municipal programs such as the Harbour Road Area C.I.P.; and,

Whereas, there is existing development interest in the Harbour Road Area; and,

Whereas, it is appropriate to extend the expiry date of the Harbour Road Area C.I.P. in order to continue to advance the goals and objective of the Plan through the aid of its incentives, to assist the City in meeting its housing targets, and to support the City's initiatives under the federal H.A.F. program;

Therefore be it resolved that based on Report ED-23-191, the Economic and Development Services Department be authorized to initiate the statutory public process under the Planning Act for Council to consider the proposed City-initiated amendment to the Harbour Road Area C.I.P., generally in accordance with Attachment 1.

The vote to adopt the recommendation contained in Item ED-23-191.

Motion Carried

ED-23-192 - Proposed Focused Intensification Study along certain portions of the Bloor Street and Simcoe Street South Corridors (Ward 5)

Consent Motion:

1. That, pursuant to Report ED-23-192 dated October 11, 2023, Economic and Development Services staff be directed to undertake an in-house, focused intensification study along certain portions of the Bloor Street and Simcoe Street South

corridors, generally in accordance with Section 5.4 and as shown in Attachments 1 to 3 of said Report; and,

2. That, pursuant to Report ED-23-192 dated October 11, 2023, an appropriate Interim Control By-law be passed pursuant to Section 38 of the Planning Act, R.S.O. 1990, c. P.13 to prohibit development in the study area, as shown in Attachments 1 to 3 of said Report, in a form and content generally reflecting the proposed Interim Control By-law comprising Attachment 4 of said Report.

The vote to adopt the recommendation contained in Item ED-23-192 and pass By-law 133-2023.

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

Motion Carried (11 to 0)

ED-23-196 - Update on Impacts of Bill 23 on the City of Oshawa Register of Properties of Cultural Heritage Value or Interest (Wards 3 and 4)

Consent Motion

1. That, pursuant to Report ED-23-196 dated October 11, 2023, Economic and Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the property known as Union Cemetery, located at 760 King Street West, as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act by undertaking actions such as the following:
 - a. Preparing a Notice of Intention to Designate the property known as Union Cemetery, located at 760 King Street West, under the Ontario Heritage Act which will generally include the Designation Statement and Description as described in the Heritage Research Report affixed to Attachment 2 of said Report;
 - b. Circulating the Notice in accordance with the requirements of the Ontario Heritage Act;
 - c. Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act;
 - d. Preparing the necessary by-law which will generally include the Designation Statement and Description for subsequent consideration by Council; and,
2. That, pursuant to Report ED-23-196 dated October 11, 2023, Economic and Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the property known as the Robert McLaughlin Gallery, located at 72 Queen Street, as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act by undertaking actions such as the following:
 - a. Preparing a Notice of Intention to Designate the property known as the Robert McLaughlin Gallery, located at 72 Queen Street, under the Ontario Heritage Act

- which will generally include the Designation Statement and Description as described in the Heritage Research Report affixed to Attachment 4 of said Report;
- b. Circulating the Notice in accordance with the requirements of the Ontario Heritage Act;
 - c. Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act;
 - d. Preparing the necessary by-law which will generally include the Designation Statement and Description for subsequent consideration by Council; and,
3. That, pursuant to Report ED-23-196 dated October 11, 2023, Economic and Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the property known as Memorial Park, located at 110 Simcoe Street South, as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act by undertaking actions such as the following:
- a. Preparing a Notice of Intention to Designate the property known as Memorial Park, located at 110 Simcoe Street South, under the Ontario Heritage Act which will generally include the Designation Statement and Description as described in the Heritage Research Report affixed to Attachment 6 of said Report;
 - b. Circulating the Notice in accordance with the requirements of the Ontario Heritage Act;
 - c. Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act;
 - d. Preparing the necessary by-law which will generally include the Designation Statement and Description for subsequent consideration by Council
4. That, pursuant to Report ED-23-196 dated October 11, 2023, Economic and Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the property known as the former Harmony Public School, located at 149 Harmony Road South, as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act by undertaking actions such as the following:
- a. Preparing a Notice of Intention to Designate the property known as the former Harmony Public School, located at 149 Harmony Road South, under the Ontario Heritage Act which will generally include the Designation Statement and Description as described in the Heritage Research Report affixed to Attachment 8 of said Report;
 - b. Circulating the Notice in accordance with the requirements of the Ontario Heritage Act;
 - c. Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and,

- d. Preparing the necessary by-law which will generally include the Designation Statement and Description for subsequent consideration by Council.

A request was made to divide the recommendation in order to vote on Parts 1 and 4 separately.

The vote on Part 1 of the recommendation contained in Item ED-23-196.

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

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

Motion Carried (8 to 3)

The vote on Parts 2 and 3 of the recommendation contained in Item ED-23-196.

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

Motion Carried (11 to 0)

The vote on Part 4 of the recommendation contained in Item ED-23-196.

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

Negative (1): Councillor Kerr

Motion Carried (10 to 1)

CNCL-23-108 - Single Source – Human Capital Management Consulting Services (All Wards)

Consent Motion:

Whereas, the Purchasing By-Law 80-2020 requires Council approval to award single source contracts greater than \$100,000; and,

Whereas, the City requires a consulting firm to assist with the replacement of PeopleSoft Human Resources software; and,

Whereas, PeopleSoft Human Resource software is due to be replaced, as is legacy solution that no longer meets the business needs and significant operational burden; and,

Whereas, this phase of the project is for refresh of requirement, developing system requirement, market assessment, business case and assist with the request for proposal process; and,

Whereas, Council approved funding for Software Upgrade - PeopleSoft HR in the 2018 Capital Budget, project 30-0014 in the total amount of \$250,000 including non-rebateable H.S.T.; and,

Whereas, \$92,000 has already been committed to the project for the initial Consulting Services; and,

Whereas, in 2018 the City issued Request for Proposal C2018-068 Human Resources & Payroll Technology Consultant and HRchitect Inc. was the successful proponent; and,

Whereas, it is administratively practical, creates standardization and design continuity, and is cost effective to single source the completion of the Human Capital Management Consulting Services engagement to HRchitect Inc.; and,

Whereas, the funds for the required scope of work can be addressed through Project 30-0014;

Therefore, be it resolved that Council authorize the Manager, Procurement to award a single source contract with HRchitect Inc. not to exceed \$158,000 including non-rebateable H.S.T. for Human Capital Management Consulting Services.

The vote to adopt the recommendation contained in Report CNCL-23-108.

Motion Carried

126-2023 - A By-law to Designate the property municipally known as 827 Gordon Street

(Implements Council direction of May 1, 2023 through Report CNCL-23-47 to designate the property municipally known as 827 Gordon Street, specifically PIN 16382-0110 (LT) BLK A PL 198 EAST WHITBY; LT C27 SHEET 28 PL 335 EAST WHITBY; OSHAWA, as being of cultural heritage value or interest pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18.)

The vote to pass By-law 126-2023 to designate the property municipally known as 827 Gordon Street.

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

Motion Carried (11 to 0)

Items Pulled from the Information Package

None

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 30, 2023 be adopted as recommended except the following:

Item ED-23-181 from the Eighteenth Report of the Economic and Development Services Committee.

Motion Carried

Correspondence with recommendations

None

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-23-178 - Disposal Strategy: City-owned Land Known Municipally as the Christine Crescent Right-of-Way (Ward 5)

1. That, pursuant to Closed Report ED-23-178 dated October 11, 2023, staff be authorized to execute the disposal strategy outlined in Section 5.3 of said Closed Report for the City-owned land known municipally as the Christine Crescent right-of-way, as shown on Attachments 1 and 2, that was declared surplus to municipal requirements by City Council on October 2, 2023; and,
2. That, pursuant to Closed Report ED-23-178 dated October 11, 2023, the City-owned Christine Crescent road allowance located south of Nevis Avenue, as identified on Attachments 1 and 2 of said Closed Report, be formally closed by by-law as a public highway, at the appropriate time, and that the notice requirements of the City's Notice By-law 147-2007, as amended, be waived.

ED-23-190 - Request for Extension of General Motors and City of Oshawa Road Condition Pilot Project (All Wards)

Whereas, pursuant to Closed Report DS-22-26 dated February 2, 2022, the Director of the then-Economic Development Services division was authorized to enter into any required agreement with General Motors in a form and content to the satisfaction of the Commissioner, Development Services Department and the City Solicitor to advance the project; and,

Whereas, Closed Report DS-22-26 projected an anticipated project timeline of 12 to 14 months; and,

Whereas, following endorsement of Closed Report DS-22-26, City staff worked with staff at General Motors to establish an agreement that both parties were satisfied with; and,

Whereas, in order for the Pilot Project to collect sufficient data it was necessary to launch the project in Q2 2023 when road conditions were more prevalent to aid in information sharing to the City of Oshawa; and,

Whereas, the project team includes members of General Motors Future Roads Division and City of Oshawa Road Operations, Information and Technology Services and Business and Economic Development Services; and,

Whereas, the project team has determined that it is an appropriate step forward at this point in time to aid in efficiencies that explore potential integration solutions to the existing City service response platform (Maximo); and,

Whereas, all members of the City of Oshawa project team are supportive of these integrations;

Therefore be it resolved that the Economic and Development Services Committee recommend to City Council that the Director, Business and Economic Development Services be authorized to enter into an agreement to extend the General Motors and City of Oshawa Road Condition Pilot Project for an additional 12 months provided the agreement is in a form and content to the satisfaction of the Commissioner, Economic and Development Services and the City Solicitor.

ED-23-197 - Disposal Strategy: Portion of the Cromwell Avenue Road Allowance, North of Highway 401, East of Park Road South (Ward 5)

1. That, pursuant to Closed Report ED-23-197 dated October 11, 2023, staff be authorized to execute the disposal strategy outlined in Section 5.3 of said Closed Report for the City-owned land located north of Highway 401, east of Park Road South, comprising a portion of the Cromwell Avenue road allowance as shown on Attachments 1 and 2, that was declared surplus to municipal requirements by City Council on October 2, 2023; and,
2. That, pursuant to Closed Report ED-23-197 dated October 11, 2023, the portion of City-owned Cromwell Avenue road allowance located north of Highway 401, east of Park Road South, as identified on Attachments 1 and 2 of said Closed Report, be formally closed by by-law as a public highway, at the appropriate time, and that the notice requirements of the City's Notice By-law 147-2007, as amended, be waived.

Report of the Safety and Facilities Services Committee

SF-23-33 - Potential Consolidated Fire Services Dispatch Centre (All Wards)

That pursuant to Closed Report SF-23-33, dated October 16, 2023, regarding Update on the potential Consolidated Fire Services Dispatch Centre:

1. That the Fire Chief be authorized to enter into an agreement for a consolidated Fire Services dispatch centre generally in accordance with the key terms as set out in Attachment 4 of said Report, in a form and content satisfactory to the City Solicitor, the Commissioner, Safety and Facilities Services Department and the Commissioner, Corporate and Finance Services Department; and,
2. That Council endorse the relocation of the dispatch centre and the associated costs be recommended to the Mayor for consideration in the 2024 budget; and,
3. That the Fire Chief be authorized to enter into an agreement regarding the dispatch centre as set out in Section 5.4 in a form and content satisfactory to the City Solicitor, the Commissioner, Safety and Facilities Services Department and the Commissioner, Corporate and Finance Services Department.

Other Staff Reports and Motions

None

Closed Discussion Agenda

Matters Excluded from Consent Agenda

ED-23-181 - Declaration of Certain City-owned Lands as Surplus and Request to acquire City-owned Lands and Easements on City-owned Lands to Facilitate Metrolinx's Oshawa-to-Bowmanville GO Rail Extension (Ward 5)

Consent Motion:

1. That, pursuant to Closed Item ED-23-181, the City-owned lands located in proximity to that section of the Canadian National rail corridor generally spanning west of Park Road South to Harmony Road South be declared surplus to municipal requirements and that the requirements to declare a City-owned property first as potentially surplus in accordance with the City's Real Estate Acquisition and Disposition By-law 178-2022 be waived, given the localized nature of the matter; and,
2. That, pursuant to Closed Item ED-23-181, all notice requirements in accordance with the City's Real Estate Acquisition and Disposition By-law 178-2022 be waived, given the localized nature of Council's decision to declare the subject City-owned lands as described in Part 1 above as surplus; and,
3. That, pursuant to Closed Item ED-23-181, concerning the disposition of City-owned surplus lands located in proximity to that section of the Canadian National rail corridor generally spanning west of Park Road South to Harmony Road South, the Commissioner, Economic and Development Services Department and City Solicitor be authorized to advance in accordance with said Closed Item.

Carried by later vote

Items Requiring Council Direction

ED-23-194 - Cost Analysis for Certain 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 Item ED-23-194 regarding a cost analysis for certain 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 in the area and did not take part in discussion or voting on the matter.)

Moved by Councillor Chapman
Seconded by Councillor Giberson

That Council select Option 1 as set out in Section 5.2 of Closed Report ED-23-194 dated October 11, 2023 concerning the cost analysis for certain 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.

Referred as amended by later vote

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 in order to consider Items ED-23-181 and ED-23-194 which are concerning proposed or pending acquisition or disposition of land.

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the meeting recess for 10 minutes.

Motion Carried

The meeting recessed at 11:24 a.m. and reconvened at 11:35 a.m. in a session closed to the public with all members of Council present in the Chamber except Councillor Neal who was participating electronically and Councillor Marks and Marimpietri 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; and F. Bianchet, Council-Committee Coordinator.

All other staff left the meeting.

Council entered closed session as 11:35 a.m.

Closed meeting discussions took place.

Moved by Councillor Chapman
Seconded by Councillor Giberson

That Council rise from closed session and report.

Motion Carried

Closed Meeting Report

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

All members of Council were present in the Chamber except Councillor Neal who was participating electronically and Councillors Marks and Marimpietri who were absent.

Members of Council questioned the Commissioner, Economic and Development Services Department concerning Item ED-23-181.

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

Members of Council questioned the Commissioner, Economic and Development Services Department concerning Item ED-23-194.

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

An amendment to the motion concerning Item ED-23-194 providing direction to staff was moved and voted on in closed session.

Affirmative (6): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Kerr, Councillor Lee, and Councillor Nicholson

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

Conflict (1): Councillor Marimpietri

Absent (1): Councillor Marks

Motion Carried (6 to 3)

Council rose from closed session as 12:22 p.m.

This concludes the closed meeting summary.

Item ED-23-181 concerning a declaration of certain City-owned lands as surplus and request to acquire City-owned lands and easements on City-owned lands to facilitate Metrolinx's Oshawa-to-Bowmanville GO Rail extension was now before Council.

The vote to adopt the recommendation contained in Item ED-23-181.

Motion Carried

The recommendation contained in Item ED-23-194 as amended in closed session concerning a cost analysis of certain 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 McConkey

Seconded by Councillor Neal

That Item ED-23-194 as amended be referred to Economic and Development Services staff to report back with appraisals provided to Council.

Affirmative (5): Councillor Gray, Councillor Kerr, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (4): Mayor Carter, Councillor Chapman, Councillor Giberson, and Councillor Lee

Conflict (1): Councillor Marimpietri

Absent (1): Councillor Marks

Motion Carried (5 to 4)

Matters Tabled

None

Notices of Motion

CNCL-23-107 - Notice of Motion - Council-appointed Position on the Oshawa Sports Hall of Fame Board of Governors (All Wards)

Councillor Kerr declared a conflict on this item. (Councillor Kerr made a declaration of interest concerning CNCL-23-107 being a notice of motion regarding the Council-appointed position on the Oshawa Sports Hall of Fame Board of Governors as he is currently the incumbent on this Committee and did not take part in discussion or voting on the matter.)

Moved by Councillor Chapman

Seconded by Councillor Lee

That Council appoint Councillor Kerr as the Council-appointed representative on the Oshawa Sports Hall of Fame Board of Governors.

Affirmative (8): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Lee, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Conflict (1): Councillor Kerr

Absent (2): Councillor Marimpietri, and Councillor Marks

Motion Carried (8 to 0)

CNCL-23-112 - Notice of Motion - Installation of Stormwater Litter Traps in the City of Oshawa (All Wards)

Moved by Councillor McConkey

Seconded by Councillor Lee

Whereas some Ontario municipalities like Barrie, Toronto, Kitchener-Waterloo, Sault Ste Marie and Belleville have initiated an anti-litter program that prevents debris from entering the stormwater system with good success. Certain floatable pollution is eliminated by installing devices below their storm water grates. The devices are invisible to passersby and designed to capture plastics and pollutants, litter, and debris from stormwater basins;

Now therefore Oshawa staff investigate the benefits of a similar Pilot Program in the City of Oshawa and report back to Council on options after consultation with Durham Region staff and Durham Region Council for input on the funding and appropriate locations for the installation of stormwater litter traps in the City of Oshawa.

Motion Carried

CNCL-23-113 - Addition of Common Buckthorn to the Lot Maintenance By-law (All Wards)

Moved by Councillor McConkey

Seconded by Councillor Neal

Whereas the Common Buckthorn is an invasive species that spreads widely with the help of birds and animals that eat its fruit, carry the seeds long distances and deposit them in their droppings; and,

Whereas stands of Common Buckthorn can invade roadsides, riverbanks, mature forests, farm fields and hydro corridors and Common Buckthorn is listed as a noxious weed in Ontario's Weed Control Act because it can affect agricultural crops; and,

Whereas Common Buckthorn can harm the environment, with its spread outcompeting native plants, reducing biodiversity, degrading the quality of wildlife habitat, and impacting a wide range of industries;

Whereas the City of Toronto has a bylaw requiring private land to be kept clear of "local weeds" and specifically defines those weeds in a Schedule A which includes Common Buckthorn; and,

Whereas the City of Oshawa's Lot Maintenance By-law identifies property owners' responsibility to remove poison ivy and ragweed;

Now therefore staff investigate adding Common Buckthorn to the Lot Maintenance By-law to identify property owners' responsibility to remove Common Buckthorn from their non-agricultural property.

Amendment:

Moved by Councillor Nicholson

Seconded by Councillor McConkey

That the motion be amended to replace the words 'Lot Maintenance By-law' with the words 'Weeds By-law'

Motion Carried

Moved by Councillor Nicholson

Seconded by Councillor McConkey

That CNCL-23-113 being a notice of motion concerning the addition of common buckthorn to the Weeds By-law be referred to staff for consideration with Item CS-22-30 concerning the Weeds By-law on the Community and Operations Services Committee Outstanding Items List.

Motion Carried

Confirming By-Law

Moved by Councillor Chapman

Seconded by Councillor Giberson

That the confirming by-law be passed.

Motion Carried

Adjournment

Moved by Councillor Kerr

Seconded by Councillor Chapman

That the meeting adjourn at 12:46 p.m.

Motion Carried

Mayor

City Clerk