



## Oshawa City Council Minutes

November 20, 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**

#### **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**

None

## **Declarations of Pecuniary Interest**

### **Councillor Neal - CO-23-59 - Improvement for location of Accessible Parking (Ward 1)**

Councillor Neal made a declaration of interest concerning Item CO-23-59 regarding improvements for locations of accessible parking as he sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC55+).

### **Councillor Neal - CNCL-23-121 - Councillor Appointments to Committees and External Agencies (All Wards)**

Councillor Neal made a declaration of interest concerning Item CNCL-23-121 regarding Councillor appointments to committees and external agencies as he sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC55+).

### **Councillor Neal - SF-23-37 - New Community Centre in Northwood Business Park (Ward 2)**

Councillor Neal made a declaration of interest concerning Item SF-23-37 concerning a new community centre in the Northwood Business Park as he sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC55+).

## **Presentations**

None

## **Delegations**

None

## **Items requiring Council Direction**

### **CNCL-23-121 - Councillor Appointments to Committees and External Agencies (All Wards)**

Councillor Neal declared a conflict on this item. (Councillor Neal made a declaration of interest concerning Item CNCL-23-121 regarding Councillor appointments to committees and external agencies as he sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC55+).)

Moved by Councillor Chapman

Seconded by Councillor Marimpietri

1. That based on Report CNCL-23-121, Council reappoint the current Members of Council to the various committees and external agencies listed in said Report; and,
2. That notwithstanding any existing Council policy, the appointments to the various committees and external agencies be for a three year term ending November 14, 2026 to coincide with the regular term of Council.

Motion Carried

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

### **SF-23-37 - New Community Centre in Northwood Business Park (Ward 2)**

Councillor Neal declared a conflict on this item. (Councillor Neal made a declaration of interest concerning Item SF-23-37 concerning a new community centre in the Northwood Business Park as he sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC55+).)

That Report SF-23-37, dated November 14, 2023, concerning the new Community Centre in Northwood Business Park, be forwarded to City Council without a recommendation.

Moved by Councillor Nicholson

Seconded by Councillor Kerr

1. That Council reconsider its decision of June 26, 2023 concerning New Community Centre in the Northwood Business Park; and,
2. That staff be directed to utilize the existing design concept and that all components contemplated in the original design be adapted to a more fiscally responsible alternative design; and,
3. That staff report back to the Safety and Facilities Services Committee in Q1 2024.

The vote on Part 1 to reconsider Council's previous Direction of June 26, 2023 was now before Council.

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

Conflict (1): Councillor Neal

Motion Carried (10 to 0)

The vote on Council's previous Direction of June 26, 2023 concerning the new community centre in Northwood Business Park was now before Council.

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

Conflict (1): Councillor Neal

Motion Lost (0 to 10)

Moved by Councillor Giberson

Seconded by Councillor Chapman

That Part 3 be amended to read: '3. That staff report back to a Joint Committee meeting of the Safety and Facilities Services and Corporate and Finance Services Committees in Q1 of 2024'.

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

Negative (6): Mayor Carter, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, , and Councillor Nicholson

Conflict (1): Councillor Neal

Motion Lost (4 to 6)

A request was made to vote on each item separately.

The vote to adopt Part 2 of the motion concerning Item SF-23-37.

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

Negative (1): Councillor McConkey

Conflict (1): Councillor Neal

Motion Carried (9 to 1)

The vote to adopt Part 3 of the motion concerning Item SF-23-37.

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

Negative (1): Councillor Marks

Conflict (1): Councillor Neal

Motion Carried (9 to 1)

Councillor Nicholson left the meeting.

### **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 November 20, 2023 be adopted as recommended except:

Items CO-23-58, CO-23-59 and CO-23-61 from the Tenth Report of the Community and Operations Services Committee; and,

Item ED-23-208 and associated by-laws from the Nineteenth Report of the Economic and Development Services Committee; and,

Item SF-23-35 from the Eleventh Report of the Safety and Facilities Services Committee.

## **Adoption of Council Minutes**

That the minutes of the City Council meetings held on October 30 and November 10, 2023 be adopted.

## **Correspondence with recommendations**

None

## **Standing Committee Reports**

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

#### **CO-23-60 - Petition from Various Residents requesting temporary Speed Cushions on Columbus Road West (Ward 1)**

That Report CO-23-60, dated November 8, 2023, concerning a request for temporary speed cushions on Columbus Road West be referred back to staff to review the Municipality of Clarington and the Town of Whitby and their use of speed cushions on rural roads and report back in the first quarter of 2024.

#### **CO-23-63 - Designation of a 40 km/h Zone on Certain City Roads (Ward 1)**

That the area south of Taunton Road East, west of Townline Road North, north of Rossland Road East and east of Harmony Road be designated as a 40 km/h zone area and that staff take the necessary action required to implement this.

#### **CO-23-64 - Expansion of 40 km/h Pilot Project (Ward 3)**

That the following be referred to staff to report back with the existing 40km/h pilot program report:

Whereas the 40km pilot program approved by Council in 2022 has been well received and residents in the area west of Harmony Road to Ritson Road and north of Taunton Road have been requesting the program be expanded to include their neighbourhood;

Therefore the 40 km pilot program be expanded to include the area west of Harmony Road to Ritson Road North of Taunton Road and South of Conlin Road.

#### **CO-23-62 - Correspondence from the United Way Greater Toronto Requesting a Donation of Monthly Parking Passes for a Silent Auction (Ward 4)**

That Correspondence CO-23-62 from the United Way Greater Toronto Requesting a Donation of Monthly Parking Passes for a Silent Auction, be received for information.

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

#### **CF-23-82 - Ed Broadbent Park - Accessible Curb Cut Alert on the City's Website (formerly OAAC-23-34) (Ward 5)**

That the City website provide an alert to advise residents that although Ed Broadbent Park is accessible from the parking lot, it does not have a public sidewalk accessible curb-cut from the south bound transit side at this time. The City will have this completed in the near future.

#### **CF-23-83 - Streamline Development Approval Fund Update (All Wards)**

That Report CF-23-83, dated November 1, 2023, concerning the Streamline Development Approval Fund Update be received for information.

**CF-23-84 - Request for Tender C2023-090 Computer Equipment and C2023-092 Microsoft Surfaces and Accessories (All Wards)**

1. That the Manager, Procurement be authorized to award contracts, as detailed in Report CF-23-84 dated November 1, 2023, being the low compliant bids meeting specifications as follows:
  - a. Request for Tender (R.F.T.) C2023-090 Supply & Delivery of Computer Equipment to CDW Canada Corp., in the amount of \$351,321 excluding all taxes (leasing company Macquarie Equipment Finance Ltd. to pay equipment supplier directly);
  - b. Request for Tender (R.F.T.) C2023-092 Microsoft Surfaces and Accessories to Nova Networks, in the amount of \$188,890 excluding all taxes (leasing company Macquarie Equipment Finance Ltd. to pay equipment supplier directly);
2. That additional funding of \$30,000 excluding all taxes be made available from the Information Technology Reserve to cover other miscellaneous components as required for the computer hardware rollout; and,
3. That, pursuant to the requirements of Ontario Regulation 46/94, the Treasurer of the Regional Municipality of Durham be advised that the City will be entering into a financing lease with Macquarie Equipment Finance Ltd. on the terms stated in Report CF-23-84.

**CF-23-85 - Land Acknowledgement and Land Acknowledgement Policy (All Wards)**

That pursuant to Report CF-23-85 dated November 1, 2023 concerning the Land Acknowledgement and Land Acknowledgement Policy:

1. That the Full and Abbreviated Land Acknowledgements as set out in Attachment 1 to Report CF-23-85 be approved in principle; and,
2. That the City of Oshawa Land Acknowledgement Policy as set out in Attachment 2 to Report CF-23-85 be approved; and,
3. That the budget amount of \$20,000 for the Land Acknowledgement to appear on interior signage at City facilities be referred to the Mayor for consideration in the proposed 2024 Budget.

**CF-23-86 - Review of Consultation and Proposed Replacement of the Election Sign By-law (All Wards)**

That the following be referred to staff to deliberate on a reduced public boulevard presence and a satisfactory time limit be presented to the Committee:

1. That in accordance with Report CF-23-86 dated November 1, 2023 concerning consultation and a proposed replacement of By-law 42-2014, Council pass a new Election Sign By-law as set out in Attachment 2 with the following amendments:
  - a. That Sections 3.1, 3.2 and 4.1 be deleted;

- b. Add to Section 4.2 'public boulevards, excluding boulevards around parks, schools, properties at intersections around municipal, provincial and federal facilities, trails and heritage sites and all of a candidate's boulevard signs be a minimum distance of 15 metres from each other'; and,
- c. In Section 6.1 (a), replace the words '42 days' to '25 days'.and in a form and content acceptable to the City Solicitor and the City Clerk; and,

2. That By-law 42-2014, as amended, be repealed.

### **CF-23-87 - In-Person Attendance Policy for Presentations (All Wards)**

Whereas on June 26, 2023, Council directed staff to consult with and review neighbouring municipalities' virtual meeting attendance policies and report back to Committee; and,

Whereas staff have consulted with the Region of Durham and the lower tier area municipalities; and,

Whereas benchmarking indicates that the rules of procedure for these municipalities provide for hybrid meetings with either in-person or remote participation for presenters and delegates; and,

Whereas there can be considerable cost savings to the City with respect to travel costs or consultant billing rates if presenters can participate remotely;

Therefore that Report CF-23-87 dated November 1, 2023, concerning In Person Attendance Policy for Presentations, be received for information.

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

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

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)**

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

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; and,
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; and,
3. 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.

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

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

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

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

See Matters Excluded from Consent Agenda.

#### **Other Staff Reports and Motions**

#### **CNCL-23-120 - Public Notice Policy (All Wards)**

That based on Report CNCL-23-120 dated November 15, 2023:

1. That Council pass a by-law to repeal By-law 147-2007, as amended, and in a form and content acceptable to the City Solicitor and Director, Legislative Services/City Clerk; and,
2. That Council adopt the Public Notice Policy as generally set out in Attachment 1 to said Report; and,

3. That Council authorize staff to update the Corporate Advertising Policy as necessary to ensure consistency with the Public Notice Policy.

## **By-Laws**

The following By-laws were passed:

### **145-2023 - A By-law to adopt Amendment 220 to the City of Oshawa Official Plan**

(Implements direction of November 20, 2023 through Item ED-23-208 of the Nineteenth Report of the Economic and Development Services Committee to amend the Oshawa Official Plan to permit an accessory apartment in twelve (12) end unit block townhouse dwellings on lands located at 570 Shakespeare Avenue.)

### **146-2023 - A By-law to amend Zoning By-law 60-94, as amended**

(Implements direction of November 20, 2023 through Item ED-23-208 of the Nineteenth Report of the Economic and Development Services Committee to change the zoning for 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.)

### **147-2023 - A By-law to amend Delegation By-law 29-2009, as amended**

(Implements direction of November 20, 2023 through Item ED-23-203 of the Nineteenth Report of the Economic and Development Services Committee to delegate the authority for granting or refusing consents to the Oshawa Committee of Adjustment in accordance with Subsection 54(2) of the Planning Act.)

### **148-2023 - A By-law to further amend General Fees and Charges By-law 13-2003, as amended**

(Implements direction of November 20, 2023 through Item ED-23-203 of the Nineteenth Report of the Economic and Development Services Committee to implement new fees related to the administration of consent applications and that the remuneration for the Oshawa Committee of Adjustment members be changed from \$75 per member per meeting to \$125 per member per meeting.)

### **149-2023 - A By-law to amend Fence and Sight Triangle By-law 23-2014, as amended**

(Implements Council direction of October 30, 2023 through Item SF-23-34 of the Ninth Report of the Safety and Facilities Services Committee to prohibit the use of plastic construction fencing with exemptions for acceptable temporary fencing applications.)

### **150-2023 - A By-law to Repeal Notice By-law 147-2007, as amended**

(Implements Council Direction of November 20, 2023 through Report CNCL-23-120 to repeal Notice to the Public By-law 147-2007 as Council has adopted a Public Notice Policy.)

## **Public Discussion Agenda**

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

#### **CO-23-58- 3 Way stop at Verdun Rd and Vimy Ave (Ward 4)**

Consent Motion:

1. That based on Report CO-23-58 dated November 08, 2023, concerning Follow Up Report Regarding the Petition for a 3-Way Stop Control at the Intersection of Verdun Road and Vimy Avenue, an all-way stop control not be implemented at the intersection of Verdun Road and Vimy Avenue; and,
2. That an information letter be sent to the residents of Verdun Road advising them of the actions taken, data collected and Council's decision.

Moved by Councillor Giberson  
Seconded by Councillor Kerr

That Item CO-23-58 be referred to staff to investigate options using the Neighbourhood Traffic Management Guide and report back to Community and Operations Services Committee.

Motion Carried

### **CO-23-59 - Improvement for location of Accessible Parking (Ward 1)**

Councillor Neal declared a conflict on this item. (Councillor Neal made a declaration of interest concerning Item CO-23-59 regarding improvements for locations of accessible parking as he sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC55+).)

Consent Motion:

That staff proceed with the conversion of standard parking spaces into an additional six accessible parking spaces at the Delpark Homes Centre.

The vote to adopt the recommendation contained in Item CO-23-59.

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

Conflict (1): Councillor Neal

Absent (1): Councillor Nicholson

Motion Carried (9 to 0)

### **CO-23-61 -Sidewalk Alteration Request - Heated Sidewalk (Ward 1)**

Consent Motion:

That based on Report CO-23-61 "Sidewalk Alteration Request for the Purpose of Installing Snow/ice Melt Cables", dated November 7, 2023, the request to modify the sidewalk, for the purpose of installing snow/ice melt cables, be approved subject to the property owner(s) entering into an agreement(s) with the City of Oshawa in a form and content acceptable to the Commissioner, Community and Operations Services Department, the Commissioner, Economic and Development Services Department and the City Solicitor, and that Council authorize the agreement executed by the Commissioner, Community and Operations Services Department and Commissioner, Economic and Development Services Department.

The vote to adopt the recommendation contained in Item CO-23-61.

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

Negative (1): Councillor Kerr

Absent (1): Councillor Nicholson

Motion Carried (9 to 1)

**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)**

Consent Motion:

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.

Moved by Councillor McConkey

Seconded by Councillor Neal

That Item ED-23-208 and related By-laws 145-2023 and 146-2023 be referred back to staff.

Affirmative (2): Councillor McConkey, and Councillor Neal

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

Absent (1): Councillor Nicholson

Motion Lost (2 to 8)

The vote to adopt the recommendation contained in item ED-23-208 and to pass By-laws 145-2023 and 146-2023.

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

Negative (2): Councillor McConkey, and Councillor Neal

Absent (1): Councillor Nicholson

Motion Carried (8 to 2)

**SF-23-35 - Research and Feasibility of Implementing Automated Speed Enforcement in the City of Oshawa (All Wards)**

Consent Motion:

Whereas the Canadian Association of Road Safety Professionals cite a direct correlation between the rate of speed of vehicles and the likelihood of collision occurrence, seriousness of injury and odds of a fatality; and,

Whereas researchers at the Hospital for Sick Children (“SickKids”) report that vehicle rate of speed and the increased likelihood of collision relates to a driver’s reduced field of vision, shorter reaction time and the stopping distance required once brakes are applied; and,

Whereas the Highway Traffic Act, R.S.O. 1990, c. H.8 (“Highway Traffic Act”) is a provincial statute that regulates the licensing, standards, and penalties associated with the operation of vehicles on public highways within the Province of Ontario (“Province”); and,

Whereas Section 128 and Section 214 of the Highway Traffic Act enables municipalities to pass by-laws which establish and enforce the rate of speed of vehicles on public highways under their respective jurisdiction, including School Zones and Community Safety Zones; and,

Whereas the Traffic and Parking By-law 79-99, as amended (“Traffic and Parking By-law”) is a by-law to regulate traffic and parking on highways, in parking lots and parkades, on municipal property under the jurisdiction of the City of Oshawa (“City”) and on private property, and includes the regulation of the rate of speed of vehicles on City highways; and,

Whereas the Highway Traffic Act has been amended to enable municipalities that establish by-laws under Section 128 and Section 214 to implement Automated Speed Enforcement (A.S.E). systems to enforce the rate of speed of vehicles on public highways under their jurisdiction; and,

Whereas A.S.E. is a technological automated system that uses a camera and a speed measurement device to capture the rate of speed of vehicles in order to assist with enforcement in School Zones and Community Safety Zones to enhance road safety; and,

Whereas researchers at SickKids in partnership with the City of Toronto have conducted an evaluation on the effectiveness of A.S.E. in reducing the rate of speed of vehicles, and have reported

a significant decrease in speeding offences indicating increased compliance and improved driver behaviour; and,

Whereas several municipalities, including the City of Toronto, the Regional Municipality of Durham, the City of Pickering and the Town of Ajax have implemented A.S.E. systems for the purposes of enforcing the rate of speed of vehicles in Community Safety Zones; and,

Whereas after preliminary research, Municipal Law Enforcement and Licensing Services, Community Support Services and Operations Services staff consider this an effective and efficient means of enforcing the rate of speed on City roads which warrants further investigation; and,

Whereas Council considers it appropriate to direct staff to continue investigating the potential implementation of A.S.E. systems within the City by City staff;

Therefore be it resolved that, pursuant to SF-23-35, Council direct staff to investigate and report back on the potential implementation of Automated Speed Enforcement systems and associated technologies within the City of Oshawa to enforce the rate of speed of vehicles on City roads.

The vote to adopt the recommendation contained in Item SF-23-35.

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

Negative (2): Councillor Gray, and Councillor Marks

Absent (1): Councillor Nicholson

Motion Carried (8 to 2)

### **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 November 20, 2023 be adopted as recommended except Item ED-23-202.

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**

See Matters Excluded from Consent Agenda.

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

None

## **Other Staff Reports and Motions**

None

## **Closed Discussion Agenda**

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

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

Consent Motion:

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.

Carried 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 Item ED-23-202 which concerns information explicitly supplied in confidence by Canada, a Province or Territory or a Crown Agency; and, position, plan, procedure, criteria or instruction for negotiations carried on by or on behalf of the municipality.

Motion Carried

Moved by Councillor Kerr

Seconded by Councillor Chapman

That the meeting recess for 5 minutes.

Motion Carried

The meeting recessed at 10:28 a.m. and reconvened at 10:36 a.m. in a session closed to the public with all members of Council present in the Chamber except Councillor Nicholson who was 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; Anthony Ambra, Director of Engineering; Tom Goodeve, Director, Planning Services; Meaghan Harrington Manager, Policy; and, J. Lane, Council-Committee Coordinator.

All other staff left the meeting.

Council entered closed session as 10:36 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 Nicholson who was absent.

Members of Council questioned the Commissioner, Economic and Development Services Department concerning Item ED-23-202.

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

Council rose from closed session at 10:45 a.m.

This concludes the closed meeting summary.

The vote to adopt the recommendation contained in Item ED-23-202 was now before Council.

Motion Carried

### **Items Requiring Council Direction**

#### **CNCL-23-124 - Update on C.U.P.E. Local 3760 Labour Negotiations**

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That Council ratify the agreement as set out in Report CNCL-23-124 dated November 17, 2023 concerning CUPE Local 3760 Labour Negotiations.

Carried on a later vote

Mike Sluggett left the meeting.

#### **CNCL-23-118 - Canadian Flight Academy - Status Update 4 (Ward 2)**

That Council select an appropriate option from Section 5.4 of Closed Report CNCL-23-118 dated November 15, 2023.

Moved by Councillor Chapman  
Seconded by Councillor Marimpietri

That Council select Option 4 as set out in Section 5.4 of Closed Report CNCL-23-118 dated November 15, 2023 concerning the Canadian Flight Academy status update.

Carried on a later vote

### **CNCL-23-123 - Request for Support - Energy Storage Project**

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That Council endorse Report CNCL-23-123 concerning a request for support regarding an energy storage project.

Carried on a later vote

### **CNCL-23-117 - Yearly Performance Review Evaluation of the Chief Administrative Officer (All Wards)**

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That Item CNCL-23-117 concerning the yearly performance review evaluation of the Chief Administrative Office be received for information.

Motion Carried

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the meeting recess and reconvene in session closed to the public pursuant to Section 239(2)(d)(e)(f)(i) of the Municipal Act in order to consider Reports CNCL-23-24, CNCL-23-118 and CNCL-23-123 concerning labour relations or employee negotiations, litigation or potential litigation, advise that is subject to solicitor-client privilege or a trade secret, scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City.

Motion Carried

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the meeting recess for 5 minutes.

Motion Carried

The meeting recessed at 10:49 a.m. and reconvened at 10:55 a.m. in a session closed to the public with all members of Council present in the Chamber except Councillor Nicholson who was 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; Michael Sluggett, Manager, Traffic, Streetlighting and Parking; and, J. Lane, Council-Committee Coordinator.

All other staff left the meeting.

Council entered closed session as 10:55 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 enclosed portion of the meeting.

All members of Council were present in the Chamber except Councillor Nicholson who was absent.

Members of Council questioned the Commissioner of Corporate and Finance Services Department concerning Report CNCL-23-124.

The Commissioner of Corporate and Finance Services Department responded to questions from Council.

Mike Sluggett left the meeting.

Members of Council questioned the City Solicitor concerning Report CNCL-23-118..

The City Solicitor responded to questions from Council.

Council rose from closed session at 11:09 a.m.

This concludes the closed meeting summary.

Councillor McConkey left the meeting.

The vote to ratify Report CNCL-23-124 concerning an update on C.U.P.E. Local 3760 labour negotiations was now before Council.

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

Absent (2): Councillor McConkey, and Councillor Nicholson

Motion Carried (9 to 0)

The vote to adopt Option 4 as set out in Section 5.4 of Report CNCL-23-118 concerning the Canadian Flight Academy status update was now before Council.

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

Negative (1): Councillor Gray

Absent (2): Councillor McConkey, and Councillor Nicholson

Motion Carried (8 to 1)

The vote to endorse Report CNCL-23-123 concerning a request for support for an energy storage project was now before Council.

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

Negative (1): Councillor Neal

Absent (2): Councillor McConkey, and Councillor Nicholson

Motion Carried (8 to 1)

## **Matters Tabled**

None

## **Notices of Motion**

The following two Notices of Motion are deferred to the next meeting of Council as Councillor McConkey was not in attendance.

### **CNCL-23-119 - Notice of Motion: Reporting of Parking Complaints (All Wards)**

Whereas the City is developing a customer service strategy to identify service delivery gaps and look at potential ways to modernize ways to serve the public; and,

Whereas Blackline Consulting has been engaged to help lead the strategy; and,

Whereas the public and Oshawa Council members have found the current required process to report parking complaints by phone causes delays and lost time; and,

Whereas there are benefits to reporting parking by-law non-compliance with the option of permitting a photo email to Service Oshawa;

Now therefore Council recommend to Blackline Consulting and City staff to include a new process option for reporting parking non-compliance with a picture email to Service Oshawa.

### **CNCL-23-122 - Notice of Motion - Safe School Zone Pilot Program (All Wards)**

Whereas at many Oshawa schools, during start and dismissal times, the non-compliance of school zone no parking locations has become a serious safety concern; and,

Whereas reducing traffic and parking congestion during start and dismissal times will improve safety;

Therefore that staff be directed to:

1. Consult with the Durham School Boards, Durham Area municipalities and Durham Regional Police Services and obtain written feedback on the City of Oshawa implementing policies that give consideration to:

- a. Increase the fines for school zone parking offences;
- b. Install signs identifying parking locations where fines are increased and where street parking is permitted;
- c. Investigate on a case by case basis, right in/right out turns for designated school driveways; and,

2. Prepare a report based on the findings in Part 1 identifying the feasibility and process for developing a Safe School Zone Pilot Program in which Ward Councillors can agree to implement in up to two schools in their Ward for the 2024-2025 school year.

### **Confirming By-Law**

A by-law to confirm the City Council meeting of November 20, 2023.

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 Lee

That the meeting adjourn at 11:13 a.m.

---

Mayor

---

City Clerk