



**Oshawa City Council
Minutes**

**December 11, 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 Marks (entered the meeting at 9:35 a.m.) and McConkey (entered the meeting at 9:31 a.m.) who were absent.

Councillor McConkey entered the 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.

Councillor Marks entered the meeting.

Additional Agenda Items

Moved by Councillor Chapman
Seconded by Councillor Giberson

That Correspondence CNCL-23-136 from Ron Lalonde, Executive Director, Durham Region Cycling Coalition submitting comments concerning Report CNCL-23-132 regarding resident appointments to Advisory Committees be added to the agenda for the meeting of December 11, 2023 and be referred to the respective report.

Motion Carried

Declarations of Pecuniary Interest

Councillor Marimpietri - ED-23-216 - Appraisal Reports and Amended Options for Certain 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-23-216 regarding appraisal reports and amended options for certain City-owned land located on the south side of Athol Street east, between Celina and Albert Street as he has family members whom own property in the area and did not take part in discussion or voting on the matter.

Presentations

None

Delegations

None

Items requiring Council Direction

CNCL-23-132 - Resident Appointments to Advisory Committees (All Wards)

Moved by Councillor Giberson
Seconded by Councillor Chapman

That based on Report CNCL-23-132 dated December 6, 2023 concerning resident appointments to Advisory Committees:

1. That the applicants listed in Confidential Attachment 2 be appointed to the respective Advisory Committees for the term as outlined or until such time as successors are appointed; and,
2. That the Terms of Reference for the Oshawa Animal Care Advisory Committee be amended set out in Attachment 1 to said Report to change the membership composition

from nine Stakeholder Members and one resident Member to six Stakeholder Members and four resident Members and to change the meeting frequency from one meeting per month to one meeting per quarter; and,

3. That the resident Member applicants and Stakeholder Member organization listed in Confidential Attachment 3 be appointed to the Oshawa Animal Care Advisory Committee for the term outlined; and,
4. That the Oshawa Active Transportation Advisory Committee be disbanded, the remaining members thanked for their service, and their contact information be provided to staff to initiate a staff working group; and,
5. That staff investigate alternative methods for community engagement that would be less restrictive and more inclusive of idea sharing and brainstorming than the current Advisory Committees of Council model and report back to Council in 2024.

Moved by Councillor Neal

Seconded by Councillor McConkey

That Report CNCL-23-132 concerning resident appointments to Advisory Committees be referred back to staff.

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

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

Motion Lost (3 to 8)

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

The vote on Part 4 of the motion concerning Report CNCL-23-132.

Affirmative (6): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Lee, Councillor Marimpietri, and Councillor Marks

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

Motion Carried (6 to 5)

The vote on Parts 1, 2, 3 and 5 of the motion concerning Report CNCL-23-132.

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

Negative (1): Councillor Neal

Motion Carried (10 to 1)

Public Consent Agenda

Moved by Councillor Chapman
Seconded by Councillor Giberson

That all items listed under the heading of Public Consent Agenda for the City Council Meeting dated December 11, 2023 be adopted as recommended except the following:

Items CF-23-92 and CF-23-95 from the Twelfth Report of the Corporate and Finance Services Committee; and,

Items ED-23-210, ED-23-211 and related By-law 161-2023, ED-23-213 and ED-23-218 from the Twenty-first Report of the Economic and Development Services Committee.

Motion Carried

Adoption of Council Minutes

That the minutes of the City Council meeting held on November 20, 2023 be adopted.

Correspondence with recommendations

CNCL-23-133 - Larry and Jennifer McCormack Submitting Comments concerning Item ED-23-211 (Ward 3)

That Correspondence CNCL-23-133 from Larry and Jennifer McCormack submitting comments concerning Item ED-23-211 regarding revised applications to amend Zoning By-law 60-94 and for approval of a Draft Plan of Subdivision for 65 Athabasca Street be referred to Item ED-23-211.

CNCL-23-134 - Carol Jamieson Hewitt Submitting Comments concerning Item SF-23-38 (All Wards)

That Correspondence CNCL-23-134 from Carol Jamieson Hewitt submitting comments concerning Item SF-23-38 regarding the consultation results of the proposed policy options to amend Fireworks By-law 59-2014 be referred to Item SF-23-38.

Standing Committee Reports

Report of the Community and Operations Services Committee

CO-23-66 - Update on Electric Vehicle charging stations in Downtown Oshawa (Ward 4)

1. That based on Report CO-23-66 dated November 29 2023, concerning the Update on Electric Vehicle (EV) charging stations in Downtown Oshawa, that staff continue to collaborate with Oshawa Power on the operation and enforcement of the EV charging stations in Downtown Oshawa; and,
2. That staff report back on the usage data and cost analysis results 12 months after Oshawa Power begins collecting revenue at the EV charging stations in Downtown Oshawa; and,
3. That staff work with Corporate Communications and Business and Economic Development Services to promote the EV charging station program in 2024.

CO-23-67 - Downtown On-Street Parking (Ward 4)

1. That based on Report CO-23-67 dated November 29, 2023, that the new on-street paid parking spaces proposed within this report be approved; and,
2. That 'Schedule III – PARKING FOR RESTRICTED PERIODS' of the Traffic and Parking By-law 79-99, as amended, be further amended to add a 15 minute maximum permissible parking area, anytime, on the south side of Bond Street West between a point 86 metres east of Centre Street North and a point 46 metres east of Centre Street North; and,
3. That 'Schedule VII – Control Device On Street' of the Traffic and Parking By-law 79-99, as amended, be further amended to add a 2 hour maximum permissible parking area, at a rate of 1.25 dollar for 60 minutes, from 8:00 a.m. to 6:00 p.m. Monday to Friday inclusive except holidays, on the south side of Bond Street West between a point 14 metres west of Centre Street North and a point 25 metres west of Centre Street North; and,
4. That a copy of this report be provided to the Regional Municipality of Durham for information.

CO-23-68 - Community and Operations Services Committee Outstanding Items List Status Report - Fourth Quarter 2023 (All Wards)

That Report CO-23-68 dated November 22, 2023 being the Community and Operations Services Items Status Report for the fourth quarter of 2023 be received for information.

Report of the Corporate and Finance Services Committee

CF-23-89 - 2024 Borrowing By-law (All Wards)

That the Borrowing By-law as outlined in Attachment 1 to Report CF-23-89, 2024 Borrowing By-law, dated November 22, 2023 be approved.

CF-23-90 - Contract Award - C2023-040 Northview Lawn Bowling Design (Ward 2)

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

Whereas Council has approved funding for Project 23-51-0129 Northview Lawn Bowling in the amount of \$250,000; and,

Whereas Procurement issued a Request for Proposal (R.F.P.) C2023-040 Northview Lawn Bowling Design, and,

Whereas two (2) bids were received (publically posted on the City's website at Oshawa's Bids and Tenders) and opened by Procurement on October 17, 2023; and,

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

Whereas the evaluation team unanimously scored the bid received by Northern Lights Landscape Architects 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 Northern Lights Landscape Architects in the amount of \$149,525, plus H.S.T. (\$152,157 including non-rebateable H.S.T.);

Therefore be it resolved that, pursuant to Report CF-23-90, Council authorize the Manager, Procurement to award a contract to Northern Lights Landscape Architects in the amount of \$149,525 plus H.S.T. for C2023-040 Northview Lawn Bowling Design.

CF-23-91 - Active Transportation Fund Update (Ward 1)

Whereas the Active Transportation Fund is a \$400 million, 5-year investment to fund projects that expand and enhance active transportation with a maximum program contribution of 60%; and,

Whereas through Report FIN-22-23 concerning the Active Transportation Fund Update, dated February 23, 2022, Council approved staff submit applications under this grant program; and,

Whereas the City submitted four applications for funding (Oshawa Creek Trail; T.M.P. Trail Link 3 Harmony Creek Trail Extension; Michael Starr Trail Paving; Downtown Streetscape Redevelopment); and,

Whereas the application for the Michael Starr Trail Paving was withdrawn due to Regional work which will affect the timing and scope of work for the City on this project; and,

Whereas the application for the Oshawa Creek Trail was not successful due to the competitive nature of the program; and,

Whereas the application for the Downtown Streetscape Redevelopment was withdrawn due to funding awarded from a different grant program; and,

Whereas the funds for the Harmony Creek Trail Extension (connecting Esterbrook Drive, Arborwood Drive and Conlin Road East) were approved upon the execution and signing of the contribution agreement; and,

Whereas the City will receive up to a maximum of one million five hundred thousand dollars (\$1,500,000) for eligible costs for the Harmony Creek Trail Extension; and,

Whereas Council received an informal update in January 2023 from the Commissioner, Corporate and Finance Services concerning the status of the Active Transportation Fund Applications;

Therefore be it resolved:

1. That Item CF-23-91, dated November 22, 2023, regarding the Active Transportation Fund Update be received for information; and,
2. That Item 1 on the Corporate and Finance Services Outstanding Items List concerning the status of the Active Transportation Fund grant applications be removed; and,
3. That Item 17 on the Corporate and Finance Services Outstanding Items List concerning a report on the approved Arborwood Trail Project be removed.

CF-23-93 - Benefits Provider (All Wards)

Whereas, the City has group life, long term disability, health, dental, accidental death and dismemberment benefits for its employees contracted through external Benefits Providers; and,

Whereas the current contracts for group benefits are due to expire December 31, 2023; and,

Whereas the City has the ability to extend the existing contracts or issue a new Request for Proposal (R.F.P) for the provision of these services; and,

Whereas Human Resources and Finance Services have determined it is in the City's best interest to issue a new R.F.P.; and,

Whereas it will take one year to gather requirements, issue the R.F.P., award and implement a new Benefits Provider; and,

Whereas the City will need to extend its current contracts for an additional one (1) year;

Therefore be it resolved that pursuant to report CF-23-93, Council authorize the Human Resource Services and Finance Services to:

1. Extend the current contracts with the existing Benefit Providers by 1 year, expiring on December 31, 2024; and,
2. Proceed with a new R.F.P. in 2024 to secure Benefit Provider(s) for services commencing in 2025.

CF-23-94 - Corporate and Finance Services Committee Outstanding Items Status Report - Fourth Quarter (All Wards)

That Report CF-23-94, dated November 21, 2023 being the Corporate and Finance Services Committee's Outstanding Items Status Report for the fourth quarter of 2023 be received for information.

Report of the Economic and Development Services Committee

ED-23-209 City-initiated Amendment to the Harbour Road Area Community Improvement Plan (Ward 5)

That, the proposed amendment to the Harbour Road Area Community Improvement Plan, as generally set out in Attachment 2 to Report ED-23-209 dated November 22, 2023, be adopted and that the appropriate amending by-law be passed in a form and content acceptable to the City Solicitor and the Commissioner of Economic and Development Services.

ED-23-212 - Update concerning Heritage Oshawa's Recommendation to Designate 357 Simcoe Street South under Part IV of the Ontario Heritage Act (Ward 5)

Whereas, on April 28, 2022, Heritage Oshawa recommended that 357 Simcoe Street South (the "Subject Site") be designated under Part IV of the Ontario Heritage Act; and,

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

Whereas, on July 26, 2022, City staff reached out to the property owner of the Subject Site (“The Refuge”) in order to obtain their stance on the potential designation of their property under Part IV of the Ontario Heritage Act, and they advised staff that they wanted to re-evaluate the Heritage Oshawa request at a later date once their site plan approval process had finalized; and,

Whereas, on December 12, 2022, Council considered Report ED-22-214 dated November 23, 2022 and adopted a motion which read in part:

“2. That Economic and Development Services staff be directed to report back to the Economic and Development Services Committee in the 4th quarter of 2023 on Heritage Oshawa’s request to designate 357 Simcoe Street South to permit the owner to finalize the site plan approval process”; and,

Whereas, on March 30, 2023, site plan approval was granted, and associated building permits were issued in August 2023, for the redevelopment of the Subject Site into a mixed-use building with apartment units and a youth outreach centre; and,

Whereas, on November 11, 2023, the Executive Director of The Refuge indicated to staff that they are willing to consider the designation of the Subject Site after the construction phase has been completed;

Therefore, be it resolved that pursuant to Item ED-23-212, Economic and Development Services staff be directed to report back to the Economic and Development Services Committee in the 4th quarter of 2024 on Heritage Oshawa’s request to designate 357 Simcoe Street South under Part IV of the Ontario Heritage Act.

ED-23-214 - Update concerning Heritage Oshawa's Recommendation to Designate 442 King Street East under the Ontario Heritage Act (Ward 4)

That, pursuant to Report ED-23-214 dated November 22, 2023, Economic and Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the property located at 442 King Street East as a property of cultural heritage value or interest under the Ontario Heritage Act by undertaking actions such as the following:

- Obtaining an updated Heritage Research Report to provide evidence that the property located at 442 King Street East specifically addresses the requirements of the Ontario Heritage Act;
- Preparing a Notice of Intention to Designate the property located at 442 King Street East under the Ontario Heritage Act which will generally include the Designation Statement and Description;
- Publishing the Notice in accordance with the Ontario Heritage Act;
- Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and,
- Preparing the necessary by-law which will generally include the Designation Statement and Description for subsequent consideration by Council

ED-23-215 -Letter to the City of Oshawa concerning the Consultation on the future of natural gas expansion and home heating affordability (All Wards)

That Correspondence ED-23-215, dated November 15, 2023, concerning consultation on the future of natural gas expansion and home heating affordability be received for information.

ED-23-217 - Economic and Development Services Committee Outstanding Items Status Report - Fourth Quarter (All Wards)

That Report ED-23-217, dated November 22, 2023 being the Economic and Development Services Committee's Outstanding Items Status Report for the fourth quarter of 2023 be received for information.

ED-23-219 - Request to Participate in a Durham Regional Technology Development Site Municipal Opportunity (All Wards)

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

Whereas, on November 20, 2023, city staff received an invitation to participate in a Municipal Opportunity lead by Durham Regional Technology Development Site (Durham R.T.D.S.); and,

Whereas, the proposal includes a pioneering technology trial which is being supported by Bell Canada and Cheetah Networks; and,

Whereas, the objective of the trial is to address the connectivity challenge and introduce opportunities to further adopt electrification, which contributes to a more sustainable and interconnected future; and,

Whereas, the proposed project would install 10 to 20 Internet of Things (I.o.T.) monitoring nodes in municipal fleet vehicles for a trial that would span a six-month time period; and,

Whereas, the I.o.T. monitoring nodes will gather data on network strength and consistency throughout the travelled areas and provide detailed reports on the current state of connectivity within the city's network; and,

Whereas, the proposed project would provide data and insights on how to improve network connectivity and efficiency to support broader smart city developments; and,

Whereas, the data collected will provide identification of areas experiencing connectivity issues which will allow for advocacy to broadband suppliers to support a better user experience for residents; and,

Whereas, there is no cost to the City of Oshawa to participate in the proposed project; and,

Whereas, City Council endorsed Item DS-22-25 on February 22, 2022 which directed staff to issue a formal letter of support to Spark Centre to accompany the Durham R.T.D.S. funding application to the Ontario Centre of Innovation; and,

Whereas, the letter of support from city staff included the opportunity to participate in up to one project per year, assuming that capacity and interest alignment around supported by city staff;

Therefore be it resolved that, pursuant to Item ED-23-219, the Director of Business and Economic Development Services be authorized to collaborate with other required city departments and the project partners at Durham Regional Technology Development Site to evaluate the proposal and, if

deemed appropriate, proceed with entering into a project contract at no cost to the city, in a form and state deemed satisfactory by the City Solicitor and Commissioner, Economic and Development Services, and to obtain information on the project's data governance framework to circulate to the committee at a future date as information.

Report of the Safety and Facilities Services Committee

SF-23-38 - Consultation Results of the Proposed Policy Options to Amend Fireworks By-law 59-2014 (All Wards)

1. That staff be directed to increase enforcement efforts and undertake a communications and education program related to Fireworks By-law 59-2014, as amended, as outlined in Section 5.2.1 a) of Report SF-23-38 "Consultation Results of the Proposed Policy Options to Amend Fireworks By-law 59-2014, dated November 29, 2023; and,
2. That staff report back on increased enforcement, fines and licensing requirements by the third quarter of 2024.

SF-23-42 - Matthew Rooney Submitting Correspondence requesting the bridge on the Joseph Kolodzie Oshawa Creek Bike Path be renamed to recognize two Oshawa-born musicians (Ward 5)

That Correspondence SF-23-42 from Matthew Rooney requesting the renaming of the bridge on the Joseph Kolodzie Oshawa Creek Bike Path be referred to staff for consideration in the upcoming report concerning the facility re-naming process and potential policy amendments.

SF-23-39 - Accessible Wheelchair Swings (All Wards)

That based on Report SF-23-39 dated November 29, 2023, the 'Parks Development Design Standards', prepared by Parks Planning and Development be revised to consider accessible wheelchair swings for all new or redeveloped City and Community level parks within the City of Oshawa.

SF-23-40 - Fire Services 2022 Annual Report (All Wards)

That Report SF-23-40, dated November 29, 2023 concerning the Fire Services 2022 annual report be received for information.

SF-23-41 - Safety and Facilities Services Committee Outstanding Items List Status Report - Fourth Quarter 2023 (All Wards)

That Report SF-23-41, dated November 29, 2023 being the Safety and Facilities Services Committee's Outstanding Items List Status Report for the fourth quarter of 2023 be received for information.

Other Staff Reports and Motions

CNCL-23-130 - Partnership opportunities with Central Lake Ontario Conservation Authority (C.L.O.C.A.), and Extension of Friends of Second Marsh Service Agreement (Ward 5)

Whereas in accordance with Report [CO-22-03](#) dated November 30, 2022, Council provided the following direction:

1. That based on Report CO-22-03, dated November 30, 2022, that staff be directed to initiate discussions with C.L.O.C.A. to determine interest and feasibility in expanding the City's partnership with C.L.O.C.A. to include education, stewardship, restoration and ecological projects related to the management, restoration and enhancement of the City's natural areas including Second Marsh, Pumphouse Marsh, Gold Point Wetland, Harmony Valley Park, and Cedar Valley Park; and,
2. That staff report back to Council on the results of the discussions with C.L.O.C.A.; and,
3. That F.S.M. be encouraged to apply for funding under the new Community Grant Program."; and,

Whereas in response to Council's direction in Report CO-22-03, City staff have held discussions with C.L.O.C.A. representatives who have confirmed their interest in collaborating with the City in the management, restoration and enhancement of the City's natural areas; and,

Whereas staff continue to consider the engagement of C.L.O.C.A. in the planning of up-coming project priorities, and will continue to explore partnerships with C.L.O.C.A. as opportunities arise; and,

Whereas on January 19, 2023, Council directed that interim funding of \$42,200 be funded out of the 2023 operating budget for the Friends of Second Marsh and the provision of in-kind office space be continued in 2023 pending execution of a Service Agreement; and,

Whereas in accordance with Council direction, the City and Friends of Second Marsh executed and entered into a Service Agreement which included the use of Oshawa Second Marsh and McLaughlin Bay Wildlife Reserve for the purposes of developing and implementing "Education and Community Engagement" activities; and,

Whereas the term of this Service Agreement is set to expire on December 31, 2023; and,

Whereas the Friends of Second Marsh have provided regular and ongoing updates through submissions of quarterly reports and has met the terms of the agreement; and,

Whereas Correspondence [CF-23-80](#) dated September 11, 2023 ("CF-23-80"), from the President of the Friends of Second Marsh requesting an extension of the existing Service Agreement for a period of five (5) additional years and a change in funding as follows:

1. Based on Oshawa's 2023 population of 174,349, the present amount of \$42,200 amounts to \$.242 per capita. Starting in 2024 and for the next 5 years, we propose that the City consider annual support of \$.25 per capita adjusted on an annual basis.
2. An alternate approach would be to link annual adjustments to the Consumer Price Index."; and,

Whereas Correspondence CF-23-80 was referred to the Mayor for consideration in the 2024 Mayor's Budget; and,

Whereas the 2024 Mayor's Budget includes \$51,700 in funding for the Friends of Second Marsh, of which \$5,200 is allocated to in-kind office space; and,

Whereas Section 9.2 of the [Delegation of Authority By-law 29-2009](#), as amended, delegates the authority to approve and execute agreements with groups and organizations for the purpose of

ongoing stewardship projects, activities and partnerships to the Commissioner, Community and Operations Services Department where such an agreement or partnership does not require additional funding beyond the approved operating budget or resources;

Therefore, be it resolved that pursuant to Report CNCL-23-130, dated December 6, 2023:

1. That staff extend the existing Service Agreement between the City of Oshawa and the Friends of Second Marsh for a period of four (4) years, in a form and content satisfactory to the Commissioner, Community and Operations Services Department and the City Solicitor; and,
2. That the City's annual operating budget, for the Term of this Agreement, be established at \$0.25 per capita (Option 1 of CF-23-80) plus any in-kind services as may be appropriate for the Friends of the Second Marsh; and,
3. That consideration of future budget submissions by the Friends of Second Marsh be subject to staff approval of proposed annual workplans, submission of quarterly progress reports, and completion of prior year commitments; and,
4. That staff continue to explore partnership opportunities with C.L.O.C.A., specifically leveraging expertise to assist with management, restoration and enhancement of the City's natural areas.

CNCL-23-135 - 40km/h Area Pilot Program (Maximum Rate of Speed Areas) (All Wards)

Whereas at its meeting of June 21, 2021, Council directed staff to report back to the Community Services Committee on options and considerations including consultation with the Region of Durham to make the entire downtown a 40 km/h speed limit zone; and,

Whereas at its meeting of May 12, 2022 Council approved a 40 km/h Area Pilot Program to implement one 40 km/h Maximum Rate of Speed Area in each ward; and,

Whereas through consultation with the Ward 4 Councillors, it was determined that downtown Oshawa should be the area selected for the Ward 4 – 40 km/h Area Pilot location; and,

Whereas staff are expected to report back to Council in 2023 with a summary of results regarding the implementation of the first five pilot locations, and to outline a program for future implementation of 40 km/h areas throughout the City; and,

Whereas at its meeting of September 26, 2022, Council passed amendments to the Traffic and Parking By-law to allow for changes in speed limits to designated areas; and,

Whereas the data collection period for the 40 km/h Area Pilot Program was from October 2022 to November 2023; and,

Whereas the analysis of the data collection is not expected to be complete until February 2024;

Therefore be it resolved that pursuant to Report CNCL-23-135 staff report back in the second quarter of 2024 with a summary of the results regarding the implementation of the expanded 40km/h Area Pilot Program, and to outline a program for future implementation of 40 km/h areas throughout the City.

By-Laws

The following By-laws were passed:

161-2023 - A By-law to amend Zoning By-law 60-94, as amended

(Implements direction of December 11, 2023 through Item ED-23-211 of the Twenty-First Report of the Economic and Development Services Committee to amend Zoning By-law 60-94 and for approval of a draft plan of subdivision to permit 21 lots for single detached dwellings, 11 blocks for 22 semi-detached dwellings, 6 blocks for 46 street townhouse dwellings, a road widening block, and a new local road located on lands municipally known as 65 Athabasca Street.)

162-2023 - A By-law to authorize The Corporation of the City of Oshawa to issue an Interfund Note for the total principal amount not to exceed \$7,469,000 for the financing of the City of Oshawa's 2024 Capital Work

(Implements Council direction of December 1, 2023 through Report CNCL-23-127 to authorize The Corporation of the City of Oshawa to issue an interfund note for the total principal amount not to exceed \$7,469,000 for the financing of the City of Oshawa's 2024 Capital Work.)

163-2023 - A By-law to amend the City of Oshawa Harbour Road Area Community Improvement Plan

(Implements direction of December 11, 2023 through Item ED-23-209 of the Twenty-first Report of the Economic and Development Services Committee to amend the City of Oshawa Harbour Road Area Community Improvement Plan to extend the expiry date of the plan from December 31, 2023 to December 31, 2026.)

164-2023 - A By-law to Further Amend Traffic By-law 79-99, as amended

(Implements direction of December 11, 2023 through Item CO-23-67 of the Eleventh Report of the Community and Operations Services Committee to add a 15 minute maximum permissible parking area, anytime, on the south side of Bond Street West between a point 86 metres east of Centre Street North and a point 46 metres east of Centre Street North.)

Public Discussion Agenda

Matters Excluded from Consent Agenda

CF-23-92 - StopGap (Accessibility Ramps) (All Wards)

Consent Motion:

1. That pursuant to Report CF-23-92, dated November 22, 2023, Council approve of a pilot project for businesses to participate in, acquire and utilize StopGap ramps in Oshawa provided they enter into an encroachment agreement with the City;
2. That pursuant to Report CF-23-92 dated November 22, 2023, Council authorize the Commissioner of Economic and Development Services to enter into an encroachment agreement with business participating in the StopGap pilot project, with terms satisfactory to the Commissioner of Economic and Development Services and the City Solicitor;

3. That pursuant to Report CF-23-92 dated November 22, 2023, City Council waive the processing fee for the necessary encroachment agreement for businesses participating in the StopGap pilot project;
4. That pursuant to Report CF-23-92, dated November 22, 2023, the Commissioner of Corporate and Finance Services be authorized to enter into an agreement with the StopGap Foundation, with terms acceptable to the City Solicitor, to provide and deliver up to 10 ramps to 10 businesses;
5. That pursuant to Report CF-23-92, dated November 22, 2023, staff be authorized to launch a communication and promotional program regarding the StopGap pilot project; and,
6. That pursuant to Report CF-23-92, dated November 22, 2023, staff report back to Corporate and Finance on the success of the StopGap pilot project in 2025.

The vote to adopt the recommendation contained in Item CF-23-92.

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)

CF-23-95 - Chairs Notes regarding Consent Agenda Process (All Wards)

Consent Motion:

The following Item was introduced at the November 27, 2023 Corporate and Finance Services Committee meeting and Lost:

"Whereas good governance requires information to be presented in a process that is clear and easily understood by the public;

Now therefore for greater clarity and improved understanding by the public of the Consent Agenda process currently used by the City of Oshawa in its Council and Standing Committee meetings, at each meeting the Chair shall read a statement informing the public that the Agenda contains items which may be pulled by Council members from the Consent Agenda for their questions, recommendations or comments specific to the item. If the item number is not pulled it is considered approved under the Consent Agenda vote. If any items on the Agenda are pulled by a Council or Committee member each item will then be voted on separately after a recommendation is made."

The vote to adopt the recommendation contained in Item CF-23-95.

Affirmative (4): Mayor Carter, Councillor Chapman, Councillor Marimpietri, and Councillor Marks

Negative (7): Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Motion Lost (4 to 7)

Moved by Councillor McConkey
Seconded by Councillor Nicholson

That the City Clerk add wording to the Chair's notes to explain matters that have passed under the Consent Agenda.

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-23-210 - Projects Working Group - Proposed 2024 Active Transportation Master Plan Update (Previously OATAC-23-28) (All Wards)

Consent Motion:

That Report ED-23-210, dated November 1, 2023, concerning the Oshawa Active Transportation Advisory Committee, Projects Working Group - Proposed 2024 Active Transportation Master Plan Update be received for information.

The vote to adopt the recommendation contained in Item ED-23-210.

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

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

Motion Carried (8 to 3)

ED-23-211 - Revised Applications to Amend Zoning By-law 60-94 and for approval of a Draft Plan of Subdivision, 65 Athabasca Street, Athabasca Residences Corp. (Ward 3)

Consent Motion:

1. That, pursuant to Report ED-23-211 dated November 22, 2023, the revised application submitted by Athabasca Residences Corp. to amend Zoning By-law 60-94 (File: Z-2022-10) in order to implement a revised draft plan of subdivision (File: S-O-2022-03) for 65 Athabasca Street be approved, generally in accordance with the comments 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-23-211 dated November 22, 2023, the revised application submitted by Athabasca Residences Corp. for a draft plan of subdivision (File: S-O-2022-03) at 65 Athabasca Street featuring 21 lots for single detached dwellings, 11 blocks for 22 semi-detached dwellings, 6 blocks for 46 street townhouse dwellings, a road widening block and a new local road be approved, subject to the conditions as generally set out in Attachment 5 of said Report; and,
3. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report ED-23-08 dated January 4, 2023

presented at the public meeting of January 9, 2023 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.

Moved by Councillor Neal

Seconded by Councillor McConkey

That Item ED-23-211 and By-law 161-2023 concerning revised applications to amend Zoning By-law 60-94 and for approval of a Draft Plan of Subdivision for 65 Athabasca Street be referred back to staff.

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

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

Motion Lost (3 to 8)

Moved by Councillor McConkey

Seconded by Councillor Nicholson

That Item ED-23-211 concerning revised applications to amend Zoning By-law 60-94 and for approval of a Draft Plan of Subdivision; the revised applications be amended to remove four lots to give access from Athabasca Street.

Affirmative (4): Councillor Lee, Councillor McConkey, Councillor Neal, and Councillor Nicholson

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

Motion Lost (4 to 7)

The vote to adopt the recommendation contained in Item ED-23-211 and pass By-law 161-2023.

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

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

Motion Carried (8 to 3)

ED-23-213 - Oshawa Economic Development Strategy (All Wards)

Consent Motion:

1. That, pursuant to Report ED-23-213 dated November 22, 2023, the Oshawa Economic Development Strategy forming Attachment 1 be approved, in principle, as a general guide for the Business and Economic Development Services Branch of the Economic and Development Services Department, with the exception that page 21 in section 2 be deleted; and,

2. That staff report on the progress of the Oshawa Economic Development Strategy on an annual basis through the Economic and Development Services Committee; and,
3. That a copy of the Oshawa Economic Development Strategy with the related staff report and Council resolution be forwarded to the Region of Durham, the Greater Oshawa Chamber of Commerce, Ontario Tech University, Durham College, Trent University Durham GTA, Durham Workforce Authority, Spark Centre, the Business Advisory Centre Durham and the Hamilton-Oshawa Port Authority.

Moved by Councillor McConkey
Seconded by Councillor Nicholson

That Item ED-23-213 concerning the Oshawa Economic Development Strategy be referred back to staff for consultation with the Ward Councillors.

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

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

Motion Lost (3 to 8)

The vote to adopt the recommendation contained in Item ED-23-213.

Motion Carried

ED-23-218 - Authorization to hold a Public Information Centre for the Bloor-Simcoe Intensification Study associated with Interim Control By-law 133-2023 (Ward 5)

Consent Motion:

Whereas, on October 30, 2023, Council considered Report ED-23-192 dated October 11, 2023, passed Interim Control By-law 133-2023 ("By-law 133-2023", see Attachment 1) and directed staff to undertake an in-house, focused residential intensification study (the "Study") along certain portions of the Bloor Street and Simcoe Street South corridors (the "Study Area"); and,

Whereas, the purpose of the Study is to develop an intensification policy framework to guide future development in suitable locations and identify appropriate types of built form within the Study Area; and,

Whereas, a notice of passing of By-law 133-2023 was issued by the City on November 1, 2023, in accordance with Section 38(3) of the Planning Act, R.S.O. 1990, c. P.13 and Ontario Regulation 545/06; and,

Whereas, the appeal period for By-law 133-2023 ends on December 19, 2023 and as of the date of this Item, the City has not received any notices of appeal; and,

Whereas, during the first quarter of 2024, staff will have completed the background research and review for the Study and will be prepared to advance the public consultation process including a Public Information Centre ("P.I.C.") and online consultation associated with the Study; and,

Whereas, notice of the P.I.C. for the Study will be advanced through:

- Mailing notice to all property owners in the Study Area boundary and all property owners within 120 metres (400 ft.) of the Study Area boundary a minimum of two (2) weeks in advance of the public consultation;
- Circulating notice to all interested parties on the Notification List a minimum of two (2) weeks in advance of the public consultation;
- Engaging with key stakeholders, such as the Region of Durham, for their input;
- Engaging with appropriate City advisory committees for their input; and,
- Posting on the City's Corporate website and Connect Oshawa; and,

Whereas, staff will report back to the Economic and Development Services Committee on the final Study, which will include the results of the public consultation;

Therefore be it resolved:

1. That, pursuant to Item ED-23-218, staff be authorized to schedule a Public Information Centre to be held in the first quarter of 2024, to be held in-person at Oshawa City Hall, for the purpose of obtaining public input on the background research and review for the Bloor-Simcoe Intensification Study associated with Interim Control By-law 133-2023; and,
2. That, pursuant to Item ED-23-218, staff be authorized to provide notice of the public consultation process of the Bloor-Simcoe Intensification Study associated with Interim Control By-law 133-2023, as generally outlined in said Item.

The vote to adopt the recommendation contained in Item ED-23-218.

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 December 11, 2023 be adopted as recommended.

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

None

Report of the Safety and Facilities Services Committee

None

Other Staff Reports and Motions

CNCL-23-131 - Update on the Request for Proposal and Stakeholder Consultation Summary Report for the Proposed Redevelopment of 47 Bond Street West (Ward 4)

Whereas, on December 12, 2022, City Council considered Closed Report ED-22-212 dated November 23, 2022 regarding the four responses that were received in response to a Request for Expression of Interest for the potential redevelopment of the city-owned terminal and surface level bus platform area located at 47 Bond Street West (the "Subject Site") and directed staff to design, or engage expertise to design, an assessment of the Subject Site and a consultation process to develop a City and Council-approved position on site objectives (i.e. structural integrity of all buildings on the Subject Site, metrics of parking facilities, objectives on re-animating the street, etc.); and,

Whereas, City staff retained 1964 Consulting Group INC. to undertake stakeholder consultation related to the Subject Site; and,

Whereas, on April 3, 2023, City Council considered Closed Report ED-23-56 dated March 1, 2023 concerning an overview of staff's and 1964 Consulting Group INC.'s findings which resulted in the document entitled "47 Bond St W Stakeholder Consultation Summary Report" (the "Stakeholder Report") and passed the following motion:

1. That City staff be directed to issue an open Request for Proposal generally consistent with Section 3.2 of Attachment 1 to this Report; and,
2. That City staff be directed to structure the Request For Proposal in order to maximize the value to the City, and encourage respondents to explore potential feasibility of interim uses and the construction of mid-rise mixed-use building(s), of which proportion will be affordable housing, with a definition of affordable housing in the context of this project to be negotiated as part of the RFP process; and,

3. That City staff be directed to retain the appropriate real estate and/or redevelopment advisory resources, as appropriate and at levels of experience and expertise commensurate with the level of complexity of the project, acting on behalf of the City of Oshawa's interests" and,

Whereas, prior to issuing the Request for Proposal, it is appropriate that a real estate consultant be engaged to review the terms of reference for the Request for Proposal to ensure it is consistent with the above-noted Council direction and Section 3.2 of the Stakeholder Report; and,

Whereas, the Stakeholder Report is attached to Closed Report ED-23-56 which means it is confidential; and,

Whereas, the only mechanism to share the Stakeholder Report with a city-retained real estate consultant is to receive authorization from City Council;

Therefore, be it resolved that pursuant to Closed Report CNCL-23-131, the document entitled "47 Bond St W Stakeholder Consultation Summary Report" prepared by 1964 Consulting Group INC. be shared with any real estate consultant retained by city staff and that any such consultant be required to enter into a non-disclosure agreement with the city in a form and content satisfactory to the Commissioner, Economic and Development Services Department and the City Solicitor.

Closed Discussion Agenda

Matters Excluded from Consent Agenda

None

Items Requiring Council Direction

Twenty-second Report of the Economic and Development Services Committee

ED-23-216 - Appraisal Reports and Amended Options for Certain 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-23-216 regarding appraisal reports and amended options for certain City-owned land located on the south side of Athol Street east, between Celina and Albert Street as he has family members whom own property in the area and did not take part in discussion or voting on the matter.)

Moved by Councillor Giberson

Seconded by Councillor Chapman

That Item ED-23-216 concerning appraisal reports and amended options for certain City-owned land located on the south side of Athol Street East, between Celina and Albert Street be referred back to staff to explore the advancement of a lease option and report back to the Economic and Development Services Committee.

Motion Carried

Matters Tabled

None

Notices of Motion

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

Moved by Councillor McConkey
Seconded by Councillor Neal

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.

Moved by Councillor Nicholson
Seconded by Councillor McConkey

That CNCL-23-119 being a notice of motion concerning reporting of parking complaints be referred to the Safety and Facilities Services Committee.

Motion Carried

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

Moved by Councillor McConkey
Seconded by Councillor Neal

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.

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That CNCL-23-122 being a notice of motion concerning a safe school zone pilot program be referred to staff to formulate a comprehensive report on improving traffic safety in Oshawa school zones, by working with each of the school boards in addition to the appropriate stakeholders.

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 Marimpietri

That the meeting adjourn at 11:51 a.m.

Mayor

City Clerk