



**Economic and Development
Services Committee Minutes**

**May 6, 2024, 1:30 p.m.
Council Chamber**

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

Also Present: Councillor Lee
Councillor McConkey
Councillor Neal
K. Christopher, Council-Committee Coordinator
F. Blanchet, Council-Committee Coordinator
P. Aguilera, Council-Committee Coordinator
A. Ambra, Commissioner, Economic and Development Services
T. Goodeve, Director, Planning Services
G. Hardy, Director, Engineering Services
H. Wright, Director, Economic Development Services
D. Sappleton, Manager, Development and Urban Design
M. Harrington, Manager, Policy
L. Davis, Manager, Legislative Services/Deputy City Clerk
M. Harrington, Manager, Infrastructure Delivery
R. Chowdhury, Planner A
V. Muhunthan, Planner A
B. Vipond, Design Technologist A

Public Meeting

Councillor Marimpietri called the meeting to order and stated that all members of the Committee were participating from the Chamber. Also present was Councillor Lee and Councillor McConkey participating from the Chamber and Councillor Neal who participated electronically.

Land Acknowledgement

The City of Oshawa is situated on lands within the traditional and treaty territory of the Michi Saagiig and Chippewa Anishinaabeg and the signatories of the Williams Treaties, which include the

Mississaugas of Scugog Island, Curve Lake, Hiawatha and Alderville First Nations, and the Chippewas of Georgina Island, Rama and Beausoleil First Nations.

We are grateful for the Anishinaabeg who have cared for the land and waters within this territory since time immemorial.

We recognize that Oshawa is steeped in rich Indigenous history and is now present day home to many First Nations, Inuit and Métis people. We express gratitude for this diverse group of Indigenous Peoples who continue to care for the land and shape and strengthen our community.

As a municipality, we are committed to understanding the truth of our shared history, acknowledging our role in addressing the negative impacts that colonization continues to have on Indigenous Peoples, developing reciprocal relationships, and taking meaningful action toward reconciliation.

We are all Treaty people.

Additional Agenda Items

None

Declarations of Pecuniary Interest

None

Presentations

None

Delegations

None

Referrals from Council

None

Reports from Advisory Committees

ED-24-59 - Presentation Request - BUILT Form within the Integrated Major Transit Station Area (Previously OAAC-24-21) (Ward 5)

Moved by Councillor Chapman

Whereas currently within the Major Transit Station Area (MTSA) there no built form proposals only concepts; and

Whereas built form is presented with site plan applications; and

Whereas Planning staff make presentations to the Oshawa Accessibility Advisory Committee (OAAC) on built form when presenting site plans to the Committee;

Therefore be it resolved, in accordance with Item ED-24-59 that Planning staff continue to make presentations to the OAAC on site plan submissions including those associated to the M.T.S.A.

Affirmative (6): Councillor Marimpietri, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, and Mayor Carter

Motion Carried (6 to 0)

Items Requiring Direction

ED-24-52 - Update concerning an Application under Section 32 of the Ontario Heritage Act to Repeal Part of By-Law 148-2011 for the Property Municipally Known as 452 Simcoe Street North (Ward 4)

Moved by Councillor Chapman

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

1. That, pursuant to Report ED-24-52 dated May 1, 2024, the application submitted by the owner of the designated property at 452 Simcoe Street North to repeal a portion of Bylaw 148-2011 under Section 32 of the Ontario Heritage Act, being an application to remove the wording “clad in cedar shingles” from the description of heritage attributes associated with subject property, be recommended for approval and that an appropriate by-law, which will repeal and replace By-law 148-2011, be passed in a form and content acceptable to the City Solicitor and the Commissioner, Economic and Development Services Department; and,
2. That, pursuant to Report ED-24-52 dated May 1, 2024, City staff be directed to serve notice on the property owner and the Ontario Heritage Trust of Council’s decision, and publish notice of Council’s decision in accordance with Section 32(5) of the Ontario Heritage Act and the City’s Public Notice Policy.

Motion Carried

ED-24-60 - Francis and Marea Taylor submitting correspondence concerning a request for an exemption to the CIP requirements for 82-84 Simcoe Street South (Ward 4)

Moved by Councillor Chapman

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

That Correspondence ED-24-60 submitted by Francis and Marea Taylor concerning a request for an exemption to the CIP requirements for 82-84 Simcoe Street South, be referred to staff for a report.

Motion Carried

Public Consent Agenda

Moved by Councillor Chapman

That all items listed under Public Consent Agenda for the Economic and Development Services Committee meeting of May 6, 2024 be adopted as recommended except ED-24-61.

Correspondence with recommendations

None

Staff Reports/Motions with recommendations

ED-24-53 - Application Under the City's Brownfields Renaissance Community Improvement Plan for Two (2) Brownfield Study Grants, 299 Dean Avenue, B.G.S. STOUFFVILLE LTD. (Ward 5)

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

Whereas B.G.S. STOUFFVILLE LTD. has submitted an application for two (2) Brownfields Study Grants under the City's Brownfields Renaissance Community Improvement Plan, which consist of the following:

- A grant in the amount of \$10,000 in order to undertake a supplementary Phase Two Environmental Site Assessment ("E.S.A.") for soil and groundwater sampling at 299 Dean Avenue; and,
- A grant in the amount of \$10,000 in order to undertake a supplementary Phase Three E.S.A. for remedial work plans and risk assessments at 299 Dean Avenue; and,

Whereas the intent of the Brownfields Study Grant is that the grant is based on 50% of the actual cost of the eligible studies (e.g. Phase Two E.S.A.) to a maximum of \$10,000 for each individual study and that all grants must be approved by City Council; and,

Whereas B.G.S. STOUFFVILLE LTD. has advised staff that the total cost to complete the required supplementary Phase Two E.S.A. for 299 Dean Avenue is \$29,785, and the total cost to complete the required supplementary Phase Three E.S.A. for 299 Dean Avenue is \$90,000; and,

Whereas B.G.S. STOUFFVILLE LTD. has confirmed that upon completion of the work, the City will be provided copies of the Phase Two E.S.A. and Phase Three E.S.A. for the City's records and retention; and,

Whereas, the application is consistent with the intent of the Brownfields Study Grant Program as it will stimulate the undertaking of private sector environmental studies of brownfield sites in the Brownfields Renaissance Community Improvement Area; and,

Whereas the clean-up and development of impacted lands is in the public interest since the development of impacted lands may help to revitalize neighbourhoods, improve soil quality, improve the appearance of impacted sites, reduce greenfield development through infilling and intensification, use existing services more effectively and increase assessment and job creation;

Therefore be it resolved that the application for two (2) Brownfields Study Grants submitted by B.G.S. STOUFFVILLE LTD., for 299 Dean Avenue, be approved as follows:

- 50% of the cost of a supplementary Phase Two Environmental Site Assessment for soil and groundwater sampling for 299 Dean Avenue to a maximum of \$10,000; and,

- 50% of the cost of a supplementary Phase Three Environmental Site Assessment for remedial work plans and risk assessments for 299 Dean Avenue to a maximum of \$10,000.

ED-24-54 - City Comments on Bill 185, the Proposed "Cutting Red Tape to Build More Homes Act, 2024" and the Proposed Provincial Planning Statement (All Wards)

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

1. That Report ED-24-54 dated May 1, 2024, including Attachments 5 and 6, be endorsed as the City's comments on the Province's proposed amendments to certain Acts under Bill 185, "Cutting Red Tape to Build More Homes Act, 2024" as well as the proposed Provincial Planning Statement and Ontario Regulation 73/23: Municipal Planning Data Reporting; and,
2. That Economic and Development Services staff be authorized to submit the comments contained in Report ED-24-54 dated May 1, 2024 related to Bill 185, "Cutting Red Tape to Build More Homes Act, 2024", the proposed Provincial Planning Statement and the proposed amendments to Ontario Regulation 73/23: Municipal Planning Data Reporting in response to the associated proposals posted on the Environmental Registry of Ontario website; and,
3. That staff be authorized to forward a copy of Report ED-24-54 dated May 1, 2024 and the related Council resolution to the Region of Durham, Durham area municipalities, and Durham area M.P.P.s.

ED-24-55 - Stevenson Road North Municipal Class Environmental Assessment Study 2nd Update (Ward 2)

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

That, pursuant to Report ED-24-55 dated May 1, 2024, concerning the Stevenson Road North Municipal Class Environmental Assessment Study, staff be authorized to hold a second Public Information Centre in June 2024 to present the alternative design concepts, and the next steps in the Study.

ED-24-56 - Direction Respecting an Appeal to the Ontario Land Tribunal of a Council Decision Concerning the Issuance of a Notice of Passing of a By-law to Designate 149 Harmony Road South under the Ontario Heritage Act Part IV (Ward 3)

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

Whereas the existing building located at 149 Harmony Road South and known as the former Harmony Public School (the "Subject Site") is a "listed, non-designated" property on the City's Register of Properties of Cultural Heritage Value or Interest (the "Register") under Section 27 of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18 (the "Ontario Heritage Act"); and,

Whereas, on April 3, 2023, City Council considered Report ED-23-55 dated March 1, 2023 and adopted the following as part of a multi-part recommendation:

"2. Prepare a supplemental Heritage Research Report for 149 Harmony Road South, including a Statement of Cultural Heritage Value or Interest, a detailed listing of heritage attributes;

- a. Provide the Owner of 149 Harmony Road South with the supplemental Heritage Research Report, and request an updated position on heritage designation of the property; and,
- b. Report back to the Economic and Development Services Committee in Q4 2023 with a recommendation concerning designation of the property, including the supplemental Heritage Research Report and the updated stance from the Owner;" and,

Whereas staff subsequently procured a supplemental Heritage Research Report (the "Research Report") dated September 19, 2023 prepared by Archaeological Research Associates Ltd. ("A.R.A. Ltd.") for the Subject Site; and,

Whereas on September 20, 2023, Colony Real Estate Development Limited (the "Owner") was sent a copy of the Research Report and was asked to provide a stance on designation; and,

Whereas on September 28, 2023, Heritage Oshawa considered Item HTG-23-57 dated September 21, 2023 concerning the Research Report and made a motion recommending that the Subject Site be designated under Section 29, Part IV of the Ontario Heritage Act; and,

Whereas through correspondence dated September 29, 2023 received from D.G. Biddle and Associates Ltd. on behalf of the Owner, it was made clear that the Owner did not support the designation; and,

Whereas on October 30, 2023, City Council considered Report ED-23-196 dated October 11, 2023 and adopted the following as part of a multi-part recommendation:

"4. That, pursuant to Report ED-23-196 dated October 11, 2023, Economic and Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the property known as the former Harmony Public School, located at 149 Harmony Road South, as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act by undertaking actions such as the following:

- a. Preparing a Notice of Intention to Designate the property known as the former Harmony Public School, located at 149 Harmony Road South, under the Ontario Heritage Act which will generally include the Designation Statement and Description as described in the Heritage Research Report affixed to Attachment 8 of said Report;
- b. Circulating the Notice in accordance with the requirements of the Ontario Heritage Act;
- c. Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and,

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

Whereas on November 6, 2023, City staff issued Notice of Intention to Designate the Subject Site in accordance with the requirements of the Ontario Heritage Act; and,

Whereas on November 30, 2023, the City received one (1) Notice of Objection to the proposed designation of the Subject Site from Overland LLP, on behalf of the Owner; and,

Whereas on January 29, 2024, City Council considered the above noted Notice of Objection (Correspondence ED-24-05) and referred the matter to staff for a report; and,

Whereas on February 26, 2024, City Council considered Report ED-24-16 dated January 31, 2024 and adopted the following recommendation:

“That, pursuant to Report ED-24-16 dated January 31, 2024, City staff be directed to proceed with the designation of the property known as the former Harmony Public School, located at 149 Harmony Road South, as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act and that the appropriate by-law, which will include a Designation Statement and Description for the subject property, be passed in a form and content acceptable to the City Solicitor and the Commissioner of Economic and Development Services.”; and,

Whereas on February 26, 2024, after considering Report ED-24-16 dated January 31, 2024, City Council passed By-law 27-2024, being a by-law to designate the Subject Site as being of cultural heritage value or interest pursuant to Part IV of the Ontario Heritage Act; and,

Whereas on February 28, 2024, City staff issued Notice of the Passing of a By-law to designate the Subject Site in accordance with the requirements of the Ontario Heritage Act and the City’s Public Notice Policy; and,

Whereas on April 1, 2024, the City received one (1) appeal to the Notice of the Passing of a By-law to designate the Subject Site from Overland LLP, on behalf of the Owner, within the 30-day legislated appeal period under Section 29(11) of the Ontario Heritage Act, which period expired on April 2, 2024 (see Attachment 1); and,

Whereas Council policy requires that the Economic and Development Services Department prepare a report to the Economic and Development Services Committee when an appeal is lodged against a Council decision;

Therefore be it resolved:

1. That pursuant to Item ED-24-56 dated May 6, 2024, the Ontario Land Tribunal be advised that Oshawa City Council maintains their position that the former Harmony Public School at 149 Harmony Road South be designated under Part IV of the Ontario Heritage Act; and,
2. That pursuant to Item ED-24-56 dated May 6, 2024, the City of Oshawa seek party status at the Ontario Land Tribunal; and,
3. That pursuant to Item ED-24-56 dated May 6, 2024, City staff, with the assistance of a heritage consultant, be authorized to attend the Ontario Land Tribunal hearing in

support of Council's decision and for these costs to be accommodated through the Corporate Litigation Account; and,

4. That, pursuant to Item ED-24-56 dated May 6, 2024, upon the conclusion of the Ontario Land Tribunal hearing, City staff report back to the Economic and Development Services Committee with the Ontario Land Tribunal's decision with respect to the designation of the former Harmony Public School at 149 Harmony Road South.

ED-24-57 - Update regarding Conlin Road East Front Ending Agreement Pilot (Ward 1)

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

Whereas Council approved the recommendations in Report CNCL 23-03 dated January 13, 2023, regarding the request for Oshawa (Conlin) Developments (BT) Inc., a subsidiary of Treasure Hill Homes ("Treasure Hill") to enter into a Front Ending Agreement for the design and construction of Conlin Road East from Grandview to Kurelo; and,

Whereas Council approved funding for Project 73-0455 Conlin Road East in the amount of \$4,285,000 (exclusive of H.S.T.), with \$3,424,000 being funded from the Transportation Roads Development Charge Reserve and \$861,000 from the Growth Related Non-Development Charges Reserve; and,

Whereas in lieu of a separate Front Ending Agreement as per Section 44 of the Development Charges Act, 1997, S.O. 1997, c. 27 and for sake of efficiency, staff incorporated the conditions of the Front Ending Agreement into the Subdivision Agreement, which was prepared and signed on June 6, 2023; and,

Whereas Treasure Hill tendered the work to be constructed in 2024 which did not result in the expected cost savings as the excess soils generated on Conlin Road were determined not to be suitable for re-use on Treasure Hill's lands, as originally contemplated; and,

Whereas the lowest bidder was \$1.98 Million over the approved budget, for the City's share of the project; and,

Whereas the opportunity to coordinate the reconstruction of Conlin Road with Treasure Hill's construction work for service connections along Conlin Road East has passed; and,

Whereas, the 60 day irrevocable period with the tender document to commit to the need for an extra \$1.98 million, has passed; and,

Whereas, at the time of the request to enter into a Front Ending agreement was received, access to Treasure Hill's lands was only possible via Conlin Road. However, residents will soon have the option to utilize Britannia Road East as an alternative route for access during the reconstruction of the Grandview Street roundabout; and,

Whereas, staff are recommending to return the funds to source and re-submit the works as a capital project for consideration as part of the 2025 Mayor's Budget;

Therefore be it resolved that the City reimburse Oshawa (Conlin) Developments (BT) Inc., a subsidiary of Treasure Hill Homes, for the completion of the detailed design (and associated engineering studies) for Conlin Road East from Grandview Street North to Kurelo Drive and return the remaining funds estimated to be \$4,088,963.76 from approved Project 73-0455 to source and,

authorize staff to enter into an amending Subdivision Agreement with Oshawa (Conlin) Developments (BT) Inc. to remove Section 2.1 a), the requirement to construct all the works as related to the reconstruction of Conlin Road East on behalf of the City.

Public Discussion Agenda

Matters Excluded from the Consent Agenda

ED-24-61 - Remuneration for Public Art Jury Members for the permanent public art installation at the Downtown Urban Square (Ward 4)

Moved by Councillor Kerr

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

Whereas on October 2, 2023, Council approved that staff proceed with the process to install permanent public art at the Downtown Urban Square at the northeast corner of Bond Street East and Simcoe Street North (CNCL-23-95); and,

Whereas the City of Oshawa Public Art Policy allows for City staff, in collaboration with the Public Art Task Force, to identify public art projects on a case by case basis that require a separate jury with specialized skills to provide expertise and recommendations relating to the acquisition of public artworks; and,

Whereas the process outlined for the Downtown Urban Square project includes convening a specialized jury with responsibilities that include reviewing artist proposals and making selection recommendations; and,

Whereas municipal comparator research conducted by staff has demonstrated that other municipalities are compensating public art jury members for their time and services; and,

Whereas current examples of compensating members who provide expertise such as the members of the City of Oshawa's Committee of Adjustment who are compensated for their participation at a rate of \$125 per member per meeting attended; and,

Whereas relevant and professional members will be identified to provide expertise on matters relating to the future acquisition and installation of the Downtown Urban Square public art work who will form the membership of the Downtown Urban Square Public Art Jury; and,

Whereas the costs associated to the remuneration of jury members for the Downtown Urban Square Public Art Jury can be accommodated through the existing Economic Development Services operating budget;

Therefore be it resolved:

1. That based on Item ED-24-61, dated May 1, 2024, the remuneration rate of \$125 per member per meeting for the Downtown Urban Square Public Art Jury be approved,
2. That the remuneration rate of \$125 per member per meeting for the Downtown Urban Square Public Art Jury be applied to meetings taking place in May 2024; and,
3. That the remuneration rate of \$125 per member per meeting for all future Public Art Juries be approved.

Motion Carried

Items Introduced by Council Members

Councillor Chapman assumed the Chair.

ED-24-62 - Bond Street Property

Moved by Councillor Marimpietri

That staff investigate the acquisition of the property on Bond Street including obtaining an opinion of value and report back to the Economic and Development Services Committee with an acquisition strategy.

Motion Carried by a later vote

Moved by Councillor Marimpietri

That the meeting recess for 5 minutes in order to shut down the web stream; and,

That in accordance with Section 239 (2)(c) of the Municipal Act, the meeting reconvene in a session closed to the public to consider Item ED-24-62 concerning a proposed or pending acquisition or litigation of land.

Motion Carried

Closed Meeting Report

The meeting recessed at 1:52 p.m. and reconvened in Closed Session at 1:55 p.m. with all Members of the Economic and Development Services Committee in attendance. Also in attendance was Councillor McConkey and Councillor Lee who participated from the Chamber. Councillor Neal entered the meeting electronically at 2:00 p.m.

Also in attendance were K. Christopher, Council-Committee Coordinator; F. Blanchet, Council-Committee Coordinator; P. Aguilera, Council-Committee Coordinator; the Deputy Clerk/ Manager, Legislative Services; the Commissioner, Economic and Development Services Department; the Director, Planning Services; the Director, Engineering Services; the Manager, Policy; the Manager, Development and Urban Design; and Harrison Whilsmith, Planner A.

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

The Committee questioned the Commissioner, Economic and Development Services Department concerning Item ED-24-62 regarding the acquisition of the property on Bond Street Property.

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

The Committee rose at 2:18 p.m.

This concludes the closed meeting summary.

Moved by Councillor Marimpietri

That the Economic and Development Services Committee rise and report.

Motion Carried

The vote to adopt the recommendation contained in Item ED-24-62 concerning the property on Bond Street.

Affirmative (5): Councillor Marimpietri, Councillor Chapman, Councillor Giberson, Councillor Kerr, and Mayor Carter

Negative (1): Councillor Gray

Motion Carried (5 to 1)

Items Pulled from the Information Package

None

Questions to Staff Concerning the Committee's Outstanding Items List

None

Closed Consent Agenda

Moved by Mayor Carter

That all items listed under Closed Consent Agenda for the Economic and Development Services Committee meeting of May 6, 2024 be adopted as recommended.

Motion Carried

Closed Correspondence with recommendations

None

Closed Staff Reports/Motions with recommendations

ED-24-58 - Update on the Recommended Disposal of Certain City-owned Lands: City-owned Land Known Municipally as the Christine Crescent Right-of-Way (Ward 5)

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

1. That, pursuant to Closed Report ED-24-58 dated May 1, 2024, the Commissioner, Economic and Development Services Department, be authorized to enter into an agreement of purchase and sale for the City-owned lands known municipally as the Christine Crescent right-of-way, generally in accordance with Attachment 7 and the key terms as set out in Section 5.6 of said Report, together with such documents as are required to facilitate the transaction in the opinion of the City Solicitor, and further that the agreement and other required documents be in a form and content satisfactory to the City Solicitor and the Commissioner, Economic and Development Services Department; and,

2. That, pursuant to Closed Report ED-24-58 dated May 1, 2024, the Commissioner, Economic and Development Services Department, be authorized, from time to time, to extend conditional, requisition and completion dates established by the respective agreement of purchase and sale in consultation with the City Solicitor; and,
3. That, pursuant to Closed Report ED-24-58 dated May 1, 2024, staff be authorized to formally close by by-law the City-owned lands known municipally as the Christine Crescent right-of-way as a public highway, if deemed necessary as part of the transfer, to the satisfaction of the Commissioner, Economic and Development Services Department, and the City Solicitor and that the notice requirements of the City's Public Notice Policy GOV-23-02 be waived.

Closed Discussion Agenda

Matters Excluded from the Consent Agenda

None

Items Requiring Direction

None

Matters Tabled

Recess

Moved by Councillor Marimpietri

That the meeting recess at 2:22 p.m.

Motion Carried

Planning Act Public Meeting (6:30 p.m.)

Councillor Marimpietri assumed the Chair.

The meeting recessed at 2:22 p.m. and reconvened at 6:30 p.m. with all members of the committee in attendance. Also in attendance were K. Christopher, J. Lane, and F. Blanchet, Council-Committee Coordinators; the Commissioner, Economic and Development Services Department; the Director, Planning Services, the Manager, Development and Urban Design; and E. Kohek, Senior Planner.

Additional Agenda Items

None

Declarations of Pecuniary Interest

None

Application ED-24-51

Presentation

Moved by Councillor Gray

That the presentation concerning Report ED-24-51 not be heard.

Motion Carried

Planning Services - City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 (All Wards)

Delegations

None

Correspondence

None

Reports

ED-24-51 - City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 (All Wards)

Moved by Councillor Gray

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

That the proposed amendments to the Oshawa Official Plan and Zoning By-law 60-94 as generally set out in Attachment 1 to Report ED-24-51 dated May 1, 2024 be adopted, and that the appropriate amending by-laws be passed in a form and content acceptable to the City Solicitor and the Commissioner, Economic and Development Services Department.

Motion Carried

Adjournment

Moved by Councillor Gray

That the meeting adjourn at 6:35 p.m.

Motion Carried