



Oshawa City Council Minutes

April 29, 2024, 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

The Mayor called the meeting to order and stated that all members of Council were participating from the Chamber except Councillor McConkey (entered the meeting at 9:57 a.m.)

National Anthem

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.

Council Member Announcements

Various announcements were made relating to activities and events.

Additional Agenda Items

Moved by Councillor Chapman
Seconded by Councillor Giberson

That By-law 62-2024 being a new Indemnification By-law for Members of Council and Employees of the City of Oshawa be added to the agenda; and,

That the delegations of Lisa Westlake, Jane Clark, Dewan Karim on behalf of 30 Forensic Engineering and Jackie Graham be added to the agenda; and,

That additional Correspondence CNCL-24-55 from various residents submitting comments concerning Report CNCL-24-46 regarding revised applications to amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision for 1081 and 1093 Harmony Road North and 836 Pinecrest Road be added to the agenda for the meeting of April 29, 2024 and be referred to the respective report.

Carried

Declarations of Pecuniary Interest

Councillor Gray - SF-24-13 - Technical Amendments to Two Unit Houses Registration By-law 41-2001 (All Wards)

Councillor Gray made a declaration of interest concerning Item SF-24-13 regarding Technical Amendments to Two Unit Houses Registration By-law 41-2001 as he owns a two unit dwelling and did not take part in discussion or voting on the matter.

Councillor Nicholson - CF-24-26 - Charles H. Best Diabetes Centre Submitting Correspondence Requesting a Two-year Financial Commitment for the Expansion of The Best Centre (All Wards)

Councillor Nicholson made a declaration of interest concerning Item CF-24-26 regarding the Charles H. Best Diabetes Centre Submitting Correspondence Requesting a Two-year Financial Commitment for the Expansion of The Best Centre as he is a diabetic with access to the services and did not take part in discussion or voting on the matter.

Councillor Neal - CNCL-24-39 - Oshawa Senior Community Centres Board of Directors - Nomination for the 2024 Senior of the Year Award (All Wards)

Councillor Neal made a declaration of interest concerning Report CNCL-24-39 regarding the Oshawa Senior Community Centres Board of Directors - Nomination for the 2024 Senior of the Year Award as he sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC55+) and did not take part in discussion or voting on the matter.

Councillor Neal - CNCL-24-45 - Appointment to the Oshawa Public Library Board of Directors (All Wards)

Councillor Neal made a declaration of interest concerning Report CNCL-24-45 regarding the Appointment to the Oshawa Public Library Board of Directors as it involves the spouse of his family doctor and did not take part in discussion or voting on the matter.

Councillor Neal - CF-24-28 - Update on Actions to Address Poverty in 2023 (All Wards)

Councillor Neal made a declaration of interest concerning Item CF-24-28 regarding an update on Actions to Address Poverty in 2023 as the Oshawa Senior Citizens Centre (OSCC55+) provided input and he sits on the Board of Directors and did not take part in discussion or voting on the matter.

Presentations

Certificates of Recognition - 2024 Community Organization Volunteer Award

Mayor Carter recognized the following 2024 Community Organization Volunteer Award recipients:

- Don Brehm, Oshawa Public Library
- Susan Ellis, Friends of Second Marsh
- Peter Taylor, Friends of Second Marsh
- Jacqueline James, Oshawa Senior Community Centres

Employee Recognition - Municipal Licensing and Standards Inspectors

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

Ontario Power Generation - Update on the Operations and Projects within Darlington Nuclear

Steve Gregoris and Lisa Hamilton, Ontario Power Generation provided a presentation concerning the operations and projects within Darlington Nuclear.

Councillor McConkey entered the meeting during the presentation.

Members of Council questioned Steve Gregoris and Lisa Hamilton.

Watson & Associates Economists Ltd. - Overview of the New Development Charges Rate Calculations

Nancy Neale, Watson & Associates Ltd. provided an overview of the draft Development Charges By-law and Background Study.

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the presenter's time be extended by two minutes.

Carried

Nancy Neale continued to provide an overview of the draft Development Charges By-law and Background Study.

Members of Council questioned Nancy Neale.

Delegations

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the delegations of Adam Layton, Will Maria and Tony Trinidad be heard.

Carried

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the delegations of Lisa Westlake, Jane Clark, Dewan Karim on behalf of 30 Forensic Engineering and Jackie Graham be heard. **(Requires 2/3 vote of members present.)**

Carried

Adam Layton and Will Maria - Item ED-24-42

Adam Layton from Evans Planning and Will Maria from GHD addressed City Council concerning Item ED-24-42 regarding revised applications to amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision for 1081 and 1093 Harmony Road North and 836 Pinecrest Road.

Members of Council questioned Adam Layton and Will Maria.

Moved by Councillor Marimpietri
Seconded by Councillor Kerr

That the meeting recess for 15 minutes.

Carried

The meeting recessed at 10:56 a.m. and reconvened at 11:16 a.m. with all members of Council in attendance.

Tony Trinidad - Item SF-24-16

Tony Trinidad addressed City Council concerning Item SF-24-16 with respect to link the currently approved extension with other trails.

Members of Council questioned Tony Trinidad.

Lisa Westlake - Item ED-24-42

Lisa Westlake was not in attendance to address Council.

Jane Clark - Item ED-24-42

Jane Clark was not in attendance to address Council.

Dewan Karim, 30 Forensic Engineering - Item ED-24-42

Dewan Karim, 30 Forensic Engineering was not in attendance to address Council.

Jackie Graham - SF-24-16

Jackie Graham addressed City Council concerning Item SF-24-16 with respect to the design of the Harmony Link 3 trail connection.

Members of Council questioned Jackie Graham.

Items requiring Council Direction

CNCL-24-39 - Oshawa Senior Community Centres Board of Directors - Nomination for the 2024 Senior of the Year Award (All Wards)

Councillor Neal declared a conflict on this item. (Councillor Neal made a declaration of interest concerning Report CNCL-24-39 regarding the Oshawa Senior Community Centres Board of Directors - Nomination for the 2024 Senior of the Year Award as he sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC55+) and did not take part in discussion or voting on the matter.)

Moved by Councillor Gray

Seconded by Councillor Chapman

That based on Correspondence CNCL-24-39 from the Oshawa Senior Community Centres Board of Directors, Council endorse the nomination of Mary Jamieson for the 2024 Senior of the Year Award.

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

Carried (10 to 0)

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 April 29, 2024 be adopted as recommended except the following:

Item CO-24-25 from the Fifteenth Report of the Community and Operations Services Committee; and,

Items CF-24-26, CF-24-27 and related By-law 58-2024, CF-24-28, CF-24-29, CF-24-32 and CF-24-33 from the Seventeenth Report of the Corporate and Finance Services Committee; and,

Items ED-24-40, ED-24-41, ED-24-44, ED-24-47 and ED-24-49 from the Twenty-ninth Report of the Economic and Development Services Committee; and,

Item SF-24-13 and related By-law 57-2024, SF-24-16 and SF-24-20 from the Fifteenth Report of the Safety and Facilities Services Committee; and,

Reports CNCL-24-35, CNCL-24-38, CNCL-24-43, CNCL-24-45, CNCL-24-46 and related By-law 59-2024 and CNCL-24-42.

Carried

Adoption of Council Minutes

That the minutes of the City Council meetings held on March 25, March 26 and April 12, 2024 at 9:30 a.m. and 1:30 p.m. be adopted.

Correspondence with recommendations

CNCL-24-47 - Beth Jenish Submitting Comments Concerning Item ED-24-42 (Ward 3)

That Correspondence CNCL-24-47 from Beth Jenish submitting comments concerning Item ED-24-42 regarding revised applications to amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision, 1081 and 1093 Harmony Road North and 836 Pinecrest Road, be referred to Report CNCL-24-46.

CNCL-24-48 - AnnMarie Snider Submitting Comments Concerning Item ED-24-48 (Ward 5)

That Correspondence CNCL-24-48 from AnnMarie Snider submitting comments concerning Item ED-24-48 regarding a request to place a modular building as a 'Welcome & Educational Centre' at the Oshawa Museum and to begin fund raising be referred to Item ED-24-48.

CNCL-24-49 - Various Residents Submitting Comments Concerning Notice of Motion CNCL-24-40 (All Wards)

That Correspondence CNCL-24-49 from various residents submitting comments in support of Item CNCL-24-40 being a notice of motion regarding amendments to City by-laws and policies regarding electric scooters be referred to CNCL-24-40.

Standing Committee Reports

Report of the Community and Operations Services Committee

CO-24-21 - Letter from the Region of Durham requesting lease of parking spaces at 77 Centre Street North (Ward 4)

That Correspondence CO-24-21 from the Region of Durham concerning a request to lease 50 parking spaces at the Centre Street Parking Garage for a two-year term be approved.

CO-24-22 - Keenan Lane submitting correspondence requesting lease extension for 110 King Street (All wards)

That based on Correspondence CO-24-22 from Ontario Power Generation dated February 29, 2024, being a request to exercise the second option to extend the current Licence Agreement for the McMillan Street Parkade located at 110 King Street West:

1. The Agreement be extended for a period of two years commencing September 1, 2024 and ending on August 31, 2026; and,
2. That the Agreement be in a form and content satisfactory to the Commissioner, Community and Operations Services and the City Solicitor.

CO-24-23 - Ice Allocation Policy Update (All Wards)

That based on Report CO-24-23 dated April 10, 2024, the Ice Allocation Policy as attached to said report be approved with the following change to the 3rd bullet in Section 5.2.1 to read as follows:

- Have a registered membership with a majority of Oshawa Residents or are the main provider of a particular activity or level of play for youth in the City of Oshawa.

CO-24-26 - Enhanced Green Bin Program (All Wards)

That based on Report CO-24-26 concerning the enhanced green bin program:

1. That staff be directed to proceed with phasing in the implementation of an organics collection program for multi-residential buildings and the development of design standards for new or redeveloped buildings as detailed in Section 5.3.2 of Report CO-24-26 dated April 10, 2024; and,
2. That Council pass a by-law to further amend the Waste Collection By-law 113-2008, as amended, to allow for the changes in the expanded green bin program as outlined in Report CO-24-26 dated April 10, 2024 and in a form and content acceptable to the Commissioners of Community and Operations Services, Corporate and Finance Services and City Solicitor.

Report of the Corporate and Finance Services Committee

CF-24-24 - 2024 Oshawa Accessibility Award Nomination (Previously OAAC-24-12) (Ward 3)

That in accordance with Report CF-24-24 (formerly OAAC-24-12) concerning the 2024 Accessibility Award Nominations, dated March 15, 2024, the Canadian Blood Services – Oshawa Blood Donor Clinic be nominated for the 2024 Accessibility Award.

CF-24-25 - Spark Centre, Regional Innovation Centre Submitting Correspondence Requesting a Continuation of Funding Over the Next Three Years (Ward 4)

That Correspondence CF-24-25 submitted by Spark Centre, Regional Innovation Centre concerning a request for a continuation of funding over the next three years be referred to the Mayor's budget for consideration.

CF-24-30 - Contract Award C2024 - 014 Energy Audits (All Wards)

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

Whereas funding has been approved in 2024 for Project 10-0085 in the amount of \$150,000 including non-rebateable H.S.T. for the Energy Assessment Program; and,

Whereas a total of sixty (60) locations are to be reviewed over a four year period (2024-2027); and,

Whereas City owned locations will be selected each year based on priority and not to exceed approved capital budgets; and,

Whereas Procurement issued a Request for Proposal (R.F.P.) C2024-014 for Energy Audits for an initial one-year term with the option to renew for an additional three one-year terms subject to future capital budget approval; and,

Whereas fifteen (15) bids were received (publicly posted on the City's website at Oshawa's Bids and Tenders) and opened by Procurement on February 22, 2024; and,

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

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

Therefore be it resolved, that pursuant to Item CF-24-30:

1. That in accordance with Item CF-24-30, dated April 3, 2024, that the Manager, Procurement, be authorized to award the contract to BLDG Sci Advisory Inc. in an amount not to exceed \$150,000 including non-rebateable H.S.T., for Energy Audits, being the highest ranked proponent received; and
2. That the Manager, Procurement, be authorized to renew this contract for an additional three (3) one-year terms, subject to provision of satisfactory services, pricing and the approval of future capital budgets.

CF-24-31 - Building Services Office Layout Changes (Ward 4)

Whereas on December 1, 2023, the Mayor's 2024 Operating Budget was passed, which included the addition of a Building Engineer and a Supervisor of Zoning and Administration based on recommendations from the Chief Building Official; and,

Whereas Building Services has existing floor space located on the first floor of City Hall, and that the existing floor space can be redesigned and utilized to accommodate additional staffing; and,

Whereas the business case to support the additional staff included in the 2024 budget also identified the need to undertake the construction of an office for the new supervisor position; and,

Whereas the Chief Building Official has indicated there is a need for additional floor layout modifications including washroom expansion and meeting room relocation to improve customer service, accessibility and staff alignment. These improvements constructed at the same time as the new office may yield financial benefits due to economies of scale; and,

Whereas the quote to construct the new and improved office floor layout and the expansion of the washroom is approximately \$280,000 exclusive of taxes; and,

Whereas the Building Permit Reserve has a balance adequate to fund the updates to the Building Services offices; and,

Whereas the current Building Permit Reserve is beyond the target balance and is otherwise idle funds except for during periods of decline or for capital investment such as these improvements,

Therefore be it resolved, that pursuant to Item CF-24-31 dated April 8, 2024, Council approve the re-development of the existing Building Services office layout at an amount of \$316,400 (including HST) and be funded from the Building Permit Reserve.

Report of the Economic and Development Services Committee

ED-24-39 - Request by Umiak Investments Limited (Fieldgate) to fully develop the parkette in Block 95 of Registered Plan of Subdivision 40M-2720, north of Conlin Road East, east of Coppermine Street and west of Grandview Street North (Ward 1)

1. That, pursuant to Report ED-24-39 dated April 3, 2024, the request by Umiak Investments Limited (Fieldgate) to fully develop the parkette in Block 95 of Registered Plan of Subdivision 40M-2720 located north of Conlin Road East, east of Coppermine Street and west of Grandview Street North, be approved;
2. That the City's contribution for the development of the parkette in Block 95 of Registered Plan of Subdivision 40M-2720 not exceed \$280,000, inclusive of applicable taxes, in accordance with the City's typical park program;
3. That funding in the amount of \$280,000, inclusive of applicable taxes, be approved for the City's share of the development of the parkette in Block 95 of Registered Plan of Subdivision 40M-2720 with \$266,000 provided from the Parks, Recreation and Trail Development Charge Reserve and \$14,000 provided from the Growth Related Non Development Charge Reserve;
4. That Umiak Investments Limited (Fieldgate) be paid for the City's share of the parkette development work in Block 95 of Registered Plan of Subdivision 40M-2720 only after the following conditions have been met:
 - a. The parkette is completed prior to May 31, 2025 to the satisfaction of the City;
 - b. The subdivider has submitted a statutory declaration and progress payment certificate certifying that all invoices have been paid and no liens exist and all contractors and subcontractors have verified receipt of final payment;
 - c. The City is satisfied that all warranties on park construction, material and equipment will be honoured;
 - d. Safe vehicular and active transportation access in the opinion of the City via public streets and safe pedestrian access from the streets are provided to the park prior to the City taking over maintenance responsibility for the park; and,
 - e. Any other condition deemed advisable by the Commissioner of Safety and Facilities Services including but not necessarily limited to those set out in Section 5.2.4 of Report ED-24-39 dated April 3, 2024.
5. That an appropriate agreement for the construction and maintenance of the parkette in Block 95 of Registered Plan of Subdivision 40M-2720 be executed by the Commissioner, Economic and Development Services Department on behalf of the City and by Umiak Investments Limited (Fieldgate) which includes all of the City's requirements for the development and maintenance of the parkette as set out in Report

ED-24-39 dated April 3, 2024, in a form and content acceptable to the City Solicitor and the Commissioner, Economic and Development Services Department.

ED-24-43 - Revised Application to Amend Zoning By-law 60-94, Rossland Residences Corp., 555 Rossland Road West (Ward 4)

Whereas as stated in Section 5.3 of Report ED-24-43 that in order to implement the proposed buildings/site design there are a number exemptions required such as increased density, lot coverage, building height, rear yard setbacks, encroachment of stairs, reduced front yard, interior side yard and exterior yard setbacks, and reduced landscaped open space and parking;

Therefore, that Report ED-43-43 concerning the revised application to amend Zoning By-law 630-94 for 555 Rossland Road West submitted by Rossland Residences Corp. be referred back to staff to review further with the Developer to attempt to reduce at least some of the exemptions noted above.

ED-24-46 - Carolyn Adams submitting correspondence in support of the expansion of the Oshawa Museum (Ward 5)

That Correspondence ED-24-46 concerning Carolyn Adams submitting correspondence in support of the expansion of the Oshawa Museum be received for information.

ED-24-48 - Mike Leonard submitting correspondence to make a delegation regarding a request to place a modular building as a 'Welcome & Educational Centre' at the Oshawa Museum and to begin fund raising (Ward 5)

That in accordance with Correspondence ED-24-48 from Mike Leonard concerning the request on behalf of the Oshawa Museum, the following be endorsed:

1. Permission to place a modular building there as a Welcome & Educational Centre; and,
2. Permission to begin their fund raising process

Report of the Safety and Facilities Services Committee

SF-24-14 - Adrienne Ellis Submitting Correspondence Concerning Construction Noise at 33 Richmond Street (Ward 4)

That Correspondence SF-24-14 dated April 9, 2024 from Adrienne Ellis submitting correspondence concerning construction noise at 33 Richmond Street be received for information.

SF-24-17 - Communications Interoperability and Radio System Use Agreement (All Wards)

Whereas, in 2014, the Region of Durham, Durham Regional Police Service (DRPS) and all eight area municipalities in the Region entered into the Communications Interoperability and Radio System Use Agreement (“the Agreement”); and,

Whereas, the Agreement sets out the operation of the radio communication system (“NextGen”) within the Region by first responders, such as DRPS and local fire services; and,

Whereas, the Agreement sets out a steering committee comprised of members from DRPS, the Region and the area municipalities, which govern the operations of the NextGen system; and,

Whereas, several stakeholders are also members of the steering committee as non-noting members such as Ontario Power Generation, Emergency Medical Services and others; and,

Whereas, the steering committee is permitted to vote and add new non-voting members such as Durham College and Ontario Power Generation;

Whereas, in February 2023, the steering committee voted to add Elexicon Energy Inc. as a non-voting member of the committee and a party to the agreement;

Therefore be it resolved that the Mayor and City Clerk be authorized to sign the amending Communications Interoperability and Radio System Use Agreement to add Elexicon Energy Inc. as a non-voting member of the steering committee.

SF-24-06 - Review of Licensing By-law 120-2005 and Proposed Program Enhancements (All Wards)

That based on Report SF-24-06, dated March 13, 2024 concerning a review of Licensing By-law 120-2005 and Proposed Program Enhancements:

Council approve by-laws in a final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department to establish a new Business Licensing By-law to regulate certain businesses in the City of Oshawa as detailed in Section 5.4 of this Report, to repeal By-law 120-2005, and to further amend General Fees and Charges By-law 13-2003, as amended to establish applicable licensing fees as detailed in Section 5.4 of this Report.

SF-24-11 - Emergency Preparedness Week (All Wards)

That Report SF-24-11 dated April 10, 2024 concerning Emergency Preparedness Week be received for information.

SF-24-12 - Updated City Facilities Naming/Re-naming Policy (P4-301-001) (All Wards)

That the updated City Facilities Naming/Re-naming Policy as set out in Attachment 1 to Report SF-24-12 dated April 10, 2024 be endorsed, with the addition of the word 'trails' so the policy applies to trails.

SF-24-19 - Review of Noise By-law 112-82, as amended, as it relates to Construction Noise (All Wards)

Whereas the Noise By-law 112-82, as amended ("Noise By-law") regulates noises by prohibiting those that are likely to disturb the inhabitants of the City of Oshawa; and,

Whereas the Noise By-law exempts certain noises including those related to construction between 7:00 am and 7:00 pm Monday to Saturday and 9:00 am to 5:00 pm on Sundays, excluding Holidays; and,

Whereas the regulation of construction noises was last reviewed in 2013 in staff report CORP-13-169-CM; and,

Whereas there is a desire to further review regulations related to construction noises to ensure that the standards remain appropriate;

Therefore be it resolved that staff be directed to review Noise By-law 112-82, as amended, as it relates to construction noise.

Other Staff Reports and Motions

CNCL-24-37 - Proposed Licence Agreement with Oshawa Legion Minor Baseball Association for its use of Kinsmen Civic Memorial Stadium (Ward 4)

That pursuant to Report CNCL-24-37 dated April 24, 2024, concerning a licence agreement with the Oshawa Legion Minor Baseball Association for its use of Kinsmen Stadium, the Commissioner, Community and Operations Services Department be authorized to execute an agreement in accordance with the terms and conditions in Section 5.4 of this Report and in a form and content acceptable to the Commissioner, Corporate and Finance Services Department and the City Solicitor.

CNCL-24-54 - Proposed City of Oshawa Development Charges By-law and Background Study Update (All Wards)

That Report CNCL-24-54, Proposed City of Oshawa Development Charge By-law and Background Study Update be received for information.

By-Laws

The following By-laws were passed:

56-2024 - A By-law to Designate the Property Municipally Known as 117 King Street East

(Implements Council direction of February 26, 2024 through Item ED-24-14 of the Twenty-fifth Report of the Economic and Development Services Committee to designate the property municipally known as 117 King Street East, specifically PIN 16352-0223 (LT) LT 3 PL 115 Oshawa; LT 4 PL 115 Oshawa; LT 5 PL 115 Oshawa; LT 1 PL 46 Oshawa; LT 5 PL 46 Oshawa; LT 2 PL 46 Oshawa except PT 1 EXPROP PL 126; LT 6 PL 46 Oshawa except PT 1 EXPROP PL 284, Save and except PTS 2, 3 & 7 ON PLAN 40R24452; TW ROW OVER PT LT 5 PL 115 & PT LT 6 PL 46 Oshawa PT 2 ON PL 40R24452, PT LTS 2, 5 & 6 PL 46 Oshawa PTS 3 & 7 ON PL 40R24452 until such time as the said lands are dedicated as public highway as in DR602345; City of Oshawa, as being of cultural heritage value or interest pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18.)

57-2024 - A By-law to Further Amend Two Unit Houses Registration By-law 41-2001, As Amended

(Implements direction of April 29, 2024 through Item SF-24-13 of the Fifteenth Report of the Safety and Facilities Services Committee to further amend Two Unit Houses Registration By-law 41-2001, as amended, to increase clarity related to enabling legislation and to increase fine amounts for offences charged and convicted under the Provincial Offences Act, R.S.O. 1990, c. P.33.)

58-2024 - A By-law to Adopt the Estimates of all Sums Required to be Raised by Taxation for the Year 2024 and to Establish the Tax Rates Necessary to Raise those Sums

(Implements direction of April 29, 2024 through Item CF-24-27 of the Seventieth Report of the Corporate and Finance Services Committee to adopt the estimates of all sums required to be raised by taxation for the year 2024 and to establish the Tax Rates necessary to raise those sums.)

59-2024 - A By-law to Amend Zoning By-law 60-94, As Amended

(Implements direction of April 29, 2024 through Item ED-24-42 of the Twenty-ninth Report of the Economic and Development Services Committee to change the zoning for lands municipally known as 1081 and 1093 Harmony Road North and 836 Pinecrest Road from R1-A to R2(13) to permit 33 single detached dwellings, 24 semi-detached dwellings and 21 block townhouse dwellings.)

60-2024 - A By-law to Authorize a Franchise Agreement Between The Corporation of the City of Oshawa and Enbridge Gas Inc.

(Implements direction of October 30, 2023 through Item ED-23-189 of the Seventeenth Report of the Economic and Development Services Department to authorize a franchise agreement between the City of Oshawa and Enbridge Gas Inc.)

61-2024 - A By-law to Amend Council Procedure By-law 128-2022 to Include Suggested Breaks During Council and Standing Committee Meetings

(Implements Council direction of March 25, 2024 through Item CNCL-24-28 being a Notice of Motion that Council's Procedure By-law be amended to include suggested breaks during Council and Standing Committee meetings.)

Public Discussion Agenda

Matters Excluded from Consent Agenda

Moved by Councillor McConkey
Seconded by Councillor Neal

That the rules of procedure be waived to allow the delegation of Christine Arsenault to be heard.
(Requires 2/3 vote of members present.)

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

Negative (6): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Lee, Councillor Marks, and Councillor Nicholson

Lost (5 to 6)

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the order of the agenda be altered to bring forward Reports CNCL-24-35, CNCL-24-43, CNCL-24-46 and related By-law 59-2024 and CNCL-24-42 at this time. **(Requires 2/3 vote of members present.)**

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

Carried (11 to 0)

CNCL-24-35 - Review of Council Charter (All Wards)

Consent Motion:

That in accordance with Report CNCL-24-35 dated April 24, 2024 concerning a review of the Oshawa Council Charter:

1. That Council reconsider its decision of December 12, 2011 concerning a review of the Council Charter in each new Term of Council; and,
2. That Council repeal the Council Charter and associated By-law 109-2008.

The vote on Part 1 of the recommendation contained in Report CNCL-24-35 to reconsider Council's previous decision concerning the regular review of the Council Charter. **(Requires 2/3 vote of members present.)**

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

Carried (11 to 0)

The vote on Part 2 of the recommendation contained in Report CNCL-24-35 to repeal the Council Charter and associated By-law 109-2008.

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

Negative (1): Councillor McConkey

Carried (10 to 1)

CNCL-24-43 - Council-Staff Relations Policy (All Wards)

Consent Motion

1. That pursuant to Report CNCL-24-43 dated April 24, 2024, concerning a Council-Staff Relations Policy, City Council adopt the Council-Staff Relations Policy as set out in Attachment 1 to said report; and,
2. That the Council-Staff Relations Policy be reviewed at the beginning of each term of a new Council as part of the Council orientation process.

Amendment:

Moved by Councillor Nicholson

Seconded by Councillor Neal

That the Second Paragraph in Section 6.2 be amended to add the following:

'Individual Members of Council have a responsibility to inform the public of Council's decisions in representing the public and ensuring that the decisions of Council and interests of the City as

directed, but retain the right to express their individual right to oppose the collective decision and to advocate for its reversal.'

Amendment:

Moved by Councillor Chapman

Seconded by Councillor Giberson

That the amendment be amended to add the words 'as the first sentence' after the word 'following'

Carried

Moved by Councillor Gray

Seconded by Councillor Kerr

That Report CNCL-24-43 and the Amendment be referred back to staff.

Carried

CNCL-24-42 - Proposed New Indemnification By-law for Members of Council and Employees of the City of Oshawa (All Wards)

Consent Motion:

That in accordance with Report CNCL-24-42 dated April 24, 2024 concerning a proposed new indemnification by-law:

1. That Council pass the new Indemnification By-law as set out in Attachment 2 to this Report which will continue to provide for the indemnification and defence of Members of Council and City of Oshawa Employees against actions or proceedings that name them personally, and,
2. That the City Clerk be authorized, if necessary, to enter into an amending agreement with Principles Integrity for Integrity Commissioner Services in accordance with the new Indemnification By-law and in a form and content to the satisfaction of the City Clerk and City Solicitor; and,
3. That the Indemnification By-law be in a form and content acceptable to the Chief Administrative Officer and the City Solicitor; and,
4. That Indemnification By-law 127-2015 be repealed.

A request was made to divide the recommendation in order to vote on Part 2 separately.

The vote on Part 2 of the recommendation contained in Report CNCL-24-42.

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

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

Carried (8 to 3)

The vote on Parts 1, 3 and 4 of the recommendation contained in Report CNCL-24-42.

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

Carried (11 to 0)

Moved by Councillor McConkey
Seconded by Councillor Neal

That lunch be delayed until after Report CNCL-24-46 and related By-law 59-2024 have been considered.

Affirmative (9): Councillor Chapman, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (2): Mayor Carter, and Councillor Giberson

Carried (9 to 2)

Moved by Councillor Gray
Seconded by Councillor Giberson

That the meeting recess for 10 minutes.

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

Negative (2): Councillor Marimpietri, and Councillor Neal

Absent (1): Councillor Marks

Carried (8 to 2)

The meeting recessed at 1:12 p.m. and reconvened at 1:23 p.m. with all members of Council in attendance.

CNCL-24-46 - Response to Letters Received from Maxwell Heights Neighbourhood Association with respect to Report ED-24-42 (File: Z-2022-11) Revised Applications to Amend the Zoning By-law and for Approval of a Proposed Draft Plan of Subdivision and

Consent Motion

1. That, pursuant to Report CNCL-24-46 dated April 23, 2024, the revised application submitted by Icon Harmony Limited to amend Zoning By-law 60-94 (File: Z-2022-11) to rezone 1081 and 1093 Harmony Road North and 836 Pinecrest Road from R1-A (Residential) to an appropriate R2 (Residential) zone to permit the development of 33 single detached dwellings, 24 semi-detached dwellings and 21 block townhouse dwellings 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, Economic and Development Services Department and the City Solicitor;
and,

2. That, pursuant to Report CNCL-24-46 dated April 23, 2024, the revised application submitted by Icon Harmony Limited for approval of a draft plan of subdivision (File: S-O-2022-04) which proposes a block for single detached dwellings, semi-detached dwellings and block townhouses and a road widening block at 1081 and 1093 Harmony Road North and 836 Pinecrest Road be approved, and that the Commissioner, Economic and Development Services Department or Director, Planning Services be authorized to impose City conditions in the draft plan of subdivision approval Planning Act decision; 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-23-10 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.

The vote to adopt the recommendation contained in Report CNCL-24-46 and pass related By-law 59-2024.

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

Carried (10 to 1)

Moved by Councillor Gray
Seconded by Councillor Giberson

That the meeting recess.

Affirmative (7): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Marks, and Councillor McConkey

Negative (4): Councillor Lee, Councillor Marimpietri, Councillor Neal, and Councillor Nicholson

Carried (7 to 4)

The meeting recessed at 2:08 p.m. and reconvened at 3:00 p.m. with all members of Council in attendance.

CO-24-25 - Proposal to Secure a Parking Lot to Sustain Local Walk-In Clinic Care (Ward 4)

Consent Motion:

That, pursuant to Report CO-24-25 dated April 10, 2024, the City of Oshawa not enter into a lease agreement for the Oshawa Clinic Group.

The vote to adopt the recommendation contained in Item CO-24-25

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

Carried (11 to 0)

CF-24-26 - Charles H. Best Diabetes Centre Submitting Correspondence Requesting a Two-year Financial Commitment for the Expansion of The Best Centre (All Wards)

Councillor Nicholson declared a conflict on this item. (Councillor Nicholson made a declaration of interest concerning Item CF-24-26 regarding the Charles H. Best Diabetes Centre Submitting Correspondence Requesting a Two-year Financial Commitment for the Expansion of The Best Centre as he is a diabetic with access to the services and did not take part in discussion or voting on the matter.)

Consent Motion:

That Correspondence CF-24-26 submitted by Charles H. Best Diabetes Centre concerning a request for a two-year financial commitment for the expansion of The Best Centre be referred to the Mayor's budget for consideration.

The vote to adopt the recommendation contained in Item CF-24-26.

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

Conflict (1): Councillor Nicholson

Carried (9 to 1)

CF-24-27 - 2024 Final Tax Rates By-law (All Wards)

Consent Motion:

That in accordance with Report CF-24-27 dated April 3, 2024, the 2024 Final Tax Rates By-law providing for the billing and collection of the 2024 final tax levy for all property classes be approved.

The vote to adopt the recommendation contained in Item CF-24-27 and pass related By-law 58-2024.

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

Negative (2): Councillor McConkey, and Councillor Neal

Carried (9 to 2)

CF-24-28 - Update on Actions to Address Poverty in 2023 (All Wards)

Councillor Neal declared a conflict on this item. (Councillor Neal made a declaration of interest concerning Item CF-24-28 regarding an update on Actions to Address Poverty in 2023 as the Oshawa Senior Citizens Centre (OSCC55+) provided input and he sits on the Board of Directors and did not take part in discussion or voting on the matter.)

Consent Motion:

That in accordance with Report CF-24-28 dated April 3, 2024 concerning an update on actions to address poverty in 2023, all future reporting on various initiatives taken to address poverty be included in reporting of the Oshawa Strategic Plan.

The vote to adopt the recommendation contained in Item CF-24-28

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

Carried (10 to 0)

CF-24-29 - Corporate Payment Report (All Wards)

Consent Motion:

1. That in accordance with Report CF-24-29 dated April 3, 2024, the practice of preparing and publishing the monthly Corporate Payment Report be discontinued; and,
2. That By-law 4204, as amended, be repealed.

Moved by Councillor Chapman

Seconded by Councillor Giberson

That Council reconsider its previous decision from 2015 with respect to publishing the monthly Corporate Payment Report. **(Requires 2/3 vote of members present.)**

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

Carried (8 to 3)

The vote to adopt the recommendation contained in Item CF-24-29.

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

Negative (2): Councillor McConkey, and Councillor Neal

CF-24-32 - Electronic Participation for the Oshawa Accessibility Advisory Committee Members (All Wards)

Consent Motion:

In keeping with the City's commitment to be an accessible place of employment and removing barriers, the Council Procedural By-law be amended as such, that the Oshawa Accessibility Advisory Committee (O.A.A.C.) members be permitted virtual participation at all meetings access without a restriction of notifying Clerks Department 24 hours prior to an O.A.A.C. meeting.

Moved by Councillor Nicholson

Seconded by Councillor McConkey

That Item CF-24-32 be referred to staff to:

1. Review the Sections of Council's Procedure By-law related to Electronic Participation and report back to Council with proposed amendments; and,
2. Add a section regarding Electronic Participation to the Advisory Committees of Council Policy and Procedure, including timelines for notifying Legislative Services on requests to participate electronically and report back to Council; and,
3. That in the interim, notwithstanding Council's Procedure By-law, members of Council requesting to participate electronically provide a minimum of one hour's notice before the start of the meeting and members of Advisory Committees requesting to participate electronically provide a minimum of 1.5 hours' notice before the start of the meeting.
(Requires 2/3 vote of members present.)

Carried

CF-24-33 - Region of Durham's Vision Zero Program - Revenue Sharing (All Wards)

Consent Motion:

Whereas the Region of Durham's Vision Zero Program included an agreement that the Region and its lower tier municipalities would share in the camera revenues on a 60-40 basis, yet since the implementation of that program the City of Oshawa has not received any revenue,

Therefore staff be directed to request a detailed accounting from the Region of Durham with an explanation why and when revenue will be shared with the City of Oshawa.

The vote to adopt the recommendation contained in Item CF-24-33.

Affirmative (2): Councillor McConkey, and Councillor Neal

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

Absent (1): Councillor Gray

ED-24-40 - Oshawa Culture Counts Awards 2024 Recipients (All Wards)

Consent Motion:

1. That, pursuant to Report ED-24-40 dated April 3, 2024, Amy Shackleton listed in Confidential Attachment 3 of the Oshawa Culture Counts Professional Artist nominations presented in Report ED-24-40 be selected as the winner of the 2024 Oshawa Culture Counts Professional Artist Award;
2. That, pursuant to Report ED-24-40 dated April 3, 2024, Emily Rocha and Kalista Wilson listed in Confidential Attachment 3 of the Oshawa Culture Counts Emerging Artists nominations presented in Report ED 24-40 be selected as the winner of the 2024 Oshawa Culture Counts Emerging Artist Award and Nominee Number 1 be given an Honourable Mention; and,
3. That, pursuant to Report ED-24-40 dated April 3, 2024, Oshawa Tourism listed in Confidential Attachment 3 of the Innovation and Creation Champion Award nominations presented in Report ED-24-40 be selected as the winner of the 2024 Innovation and Creation Champion Award.

Amendment:

Moved by Councillor Giberson

Seconded by Councillor Kerr

That Part 2 of the recommendation contained in Item ED-24-40 be amended to add the words 'Emily Rocha' before the words 'Kalista Wilson' and remove the words 'be given an Honourable Mention'

Carried

The vote to adopt the recommendation contained in Item ED-24-40, as amended.

Carried

ED-24-41 - Graffiti and Vandalism Remediation Fund (Ward 4)

Consent Motion:

That pursuant to Report ED-24-41 dated April 3, 2024 concerning a Graffiti and Vandalism Remediation Fund, the Economic and Development Services Department be authorized to implement and deliver the Graffiti and Vandalism Remediation Fund in accordance with Attachment 1 to this report.

Amendment:

Moved by Councillor Nicholson
Seconded by Councillor McConkey

That the eligibility criteria be amended to remove the words 'the area defined in Figure 1 of Attachment 1 of this Report' and replace it with the words 'the City of Oshawa'

Carried

The vote to adopt the recommendation contained in Item ED-24-41, as amended.

Carried

ED-24-44 - Bloor-Simcoe Intensification Study associated with Interim Control By-law 133-2023 (Ward 5)

Consent Motion:

1. That, pursuant to Report ED-24-44 dated April 3, 2024, Planning Services staff be authorized to initiate the statutory public process under the Planning Act, R.S.O. 1990,c.P.13 for Council to consider proposed amendments to the Oshawa Official Plan and Zoning By-law 60-94, generally in accordance with the Bloor-Simcoe Intensification Study associated with Interim Control By-law 133-2023, contained in Attachment 1 of said Report;
2. That, pursuant to Report ED-24-44 dated April 3, 2024, Planning Services staff be directed to prepare two Master Block Concept Plans generally in accordance with Section 5.3 of Attachment 1 to said Report;
3. That, pursuant to Report ED-24-44 dated April 3, 2024, Economic and Development Services staff be directed to investigate undertaking a high-level drainage analysis, master stormwater drainage plan and downstream erosion assessment, including a cost estimate for such work in the event external professional consultant services are recommended to be retained, in consideration of the potential for the proposed intensification within the Bloor-Simcoe Intensification Study area to exacerbate flooding constraints for upstream and/or downstream properties;
4. That, pursuant to Report ED-24-44 dated April 3, 2024, Planning Services staff be directed to consider potential amendments to the Oshawa Official Plan through the recently initiated Municipal Comprehensive Review of the City's official plan, generally reflective of the amendments outlined in Section 5.4.2 of Attachment 1 to said Report; and
5. That, pursuant to Report ED-24-44 dated April 3, 2024, Economic and Development Services staff be directed to review the Simcoe Street South Renaissance Community Improvement Plan and to investigate the potential implementation of a new Transit-oriented Development Community Improvement Plan for the City, generally in accordance with Section 5.4.3 of Attachment 1 to said Report.

Amendment:

Moved by Councillor Nicholson
Seconded by Councillor Gray

That Section 38 (C) 1.2 be amended to remove all permitted uses except:

b) Apartment Building

r) Financial Institution; and,

w) Long Term Care Facility.

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

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

Lost (4 to 7)

Amendment:

Moved by Councillor Nicholson
Seconded by Councillor Gray

That Section 38 (C) 1.3 be amended to remove use b) Block Townhouse as a permitted use.

Affirmative (7): Mayor Carter, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (4): Councillor Chapman, Councillor Lee, Councillor Marimpietri, and Councillor Marks

Carried (7 to 4)

Amendment:

Moved by Councillor Nicholson
Seconded by Councillor Gray

That Section 38 (C) 1.3 be amended to add Restaurant and Retail as permitted uses.

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

Carried (11 to 0)

Amendment:

Moved by Councillor Nicholson
Seconded by Councillor Gray

That Section 38 (C) 1.4 be amended to remove b) Block Townhouse and d) Flat as permitted uses.

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

Negative (1): Councillor Marimpietri

Carried (10 to 1)

The vote to adopt the recommendation contained in Item ED-24-44, as amended.

Carried

ED-24-47 - Bloor Simcoe Intensification Working Group Report (Previously OEAC-24-20) (Ward 5)

Consent Motion:

That in accordance with Report ED-24-47 (previously OEAC-24-20) concerning the Bloor Simcoe Intensification Working Group Report, the following be referred to Report ED-24-44:

1. Bike lanes be installed along Bloor St to support the intensification of the area;
2. Conserving the old growth trees that are present at the southwest segment of the vacant lot located at the Northwest corner of Wentworth Street West and Simcoe Street South;
3. Part of the vacant lot be utilized to create green space and sports/exercise equipment or fields for the community;
4. The study team considers our comments and questions during the intensification study process;
5. A mitigation plan be developed should de-vehicalization in the area be not as successful as projected; and,
6. The City should continue to promote applicable Community Improvement Plan financial incentives to help grow and support development.

The vote to adopt the recommendation contained in Item ED-24-47.

Carried

ED-24-49 - Snow Placement Zones (Previously OAAC-24-15) (All Wards)

Consent Motion:

That in accordance with Item ED-24-49 (previously OAAC-24-15) concerning the Snow Placement Zones, the following be received for information:

1. That Snow Placement Zones be clearly indicated on all site plans for multi-residential projects, including long term care homes, schools and senior residential buildings; and,

2. That the Snow Placement Zones not be located within proximity to designated accessible parking spaces.

Moved by Councillor Kerr

Seconded by Councillor Giberson

That Item ED-24-49 be referred back to the Oshawa Accessibility Advisory Committee for further clarification.

Carried

SF-24-13 - Technical Amendments to Two Unit Houses Registration By-law 41-2001 (All Wards)

Councillor Gray declared a conflict on this item. (Councillor Gray made a declaration of interest concerning Item SF-24-13 regarding Technical Amendments to Two Unit Houses Registration By-law 41-2001 as he owns a two unit dwelling and did not take part in discussion or voting on the matter.)

Consent Motion:

Whereas the Two Unit Houses Registration By-law 41-2001, as amended (“Two-Unit House Registration By-law”) is a by-law to require the registration of two-unit houses within the City of Oshawa (“City”); and,

Whereas staff regularly review the City’s by-laws to identify opportunities to enhance municipal regulatory standards; and,

Whereas a review has identified an opportunity to implement the following amendments to the Two-Unit House Registration By-law:

- Increase the clarity of the Two-Unit House Registration By-law’s enabling legislation by updating the by-law Recitals to reflect current statute law.
- Enhance existing enforcement tools by increasing fine amounts for offences that are charged and convicted under the Provincial Offences Act, R.S.O. 1990, c. P.33 to the following:
 - A minimum fine of \$500 and a maximum fine not exceeding \$100,000; and,
 - In the case of a continuing offence, for each day that the offence continues, a minimum fine of \$500 and a maximum fine not exceeding \$10,000, with the total of daily fines not limited to \$100,000; and,
 - In the case of multiple offences, for each offence, a minimum fine of \$500 and a maximum fine not exceeding \$10,000, with the total of daily fines not limited to \$100,000.

Therefore be it resolved that Council approve a by-law in a final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department to amend the Two Unit Houses Registration By-law 41-2001, as amended to increase clarity related to enabling legislation

and to increase fine amounts for offences charged and convicted under the Provincial Offences Act, R.S.O. 1990, c. P.33.

The vote to adopt the recommendation contained in Item SF-24-13 and pass related By-law 57-2024.

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

Conflict (1): Councillor Gray

Carried (10 to 0)

SF-24-16 - Update Regarding Questions Related to the Link 3 Recreation Trail (Ward 1)

Consent Motion:

That Report SF-24-16 dated April 10, 2024 concerning an update regarding questions related to the Link 3 Recreation Trail be received for information.

The vote to adopt the recommendation contained in Item SF-24-16.

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

Negative (2): Councillor McConkey, and Councillor Neal

Carried (9 to 2)

SF-24-20 - Service Oshawa and Municipal Law Enforcement Coverage when Fireworks are Permitted (All Wards)

Consent Motion:

That the following motion be referred to the Mayor's budget for consideration:

'That the City increase Service Oshawa and Municipal By-law coverage intake and response times during the 48 hour period before and after the holiday times when fireworks are permitted in the City of Oshawa.'

The vote to adopt the recommendation contained in Item SF-24-20.

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

Carried (11 to 0)

CNCL-24-38 - Strategic Workforce Plan - Single Source Award (All Wards)

Consent Motion:

Whereas, the Purchasing By-Law 80-2020 requires Council to approve Professional and Consulting Services single source contracts greater than \$50,000; and,

Whereas, the Strategic Workforce Plan requires reviewing and updating to assist with future staffing and budget requirements; and,

Whereas, in 2021, the City issued Request for Proposal C2021-001 Strategic Workforce Plan and J. Macpherson and Associates was the successful proponent; and,

Whereas, Council approved Report CNCL-21-92 "Strategic Workforce Planning: 2022-2025 Staff Resourcing Forecast" prepared by J. Macpherson & Associates; and,

Whereas, the report indicated there was a staffing deficit of 97 Full Time Equivalent positions ("FTE"); and,

Whereas, through the 2022, 2023 and 2024 operating budgets there were 134 FTEs added; and,

Whereas, an update to the Workforce Strategy should be undertaken to determine the appropriate number of new FTEs that should be proposed in future budgets to maintain service levels, address growth and plan for future needs; and,

Whereas, it is administratively practical and cost effective to single source the review and update to J. Macpherson and Associates; and,

Whereas, the cost for an updated Workforce Strategy can be funded from Account 15917 HR Special Projects;

Therefore, be it resolved that, pursuant to Item CNCL-24-38, Council authorize the Manager, Procurement to award a single source contract to J. Macpherson and Associates for an amount not to exceed \$80,000, including non-rebateable H.S.T., for Strategic Workforce Plan review and update.

The vote to adopt the recommendation contained in Item CNCL-24-38.

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

Negative (2): Councillor McConkey, and Councillor Neal

Carried (9 to 2)

CNCL-24-45 - Appointment to the Oshawa Public Library Board of Directors (All Wards)

Councillor Neal declared a conflict on this item. (Councillor Neal made a declaration of interest concerning Report CNCL-24-45 regarding the Appointment to the Oshawa Public Library Board of Directors as it involves the spouse of his family doctor and did not take part in discussion or voting on the matter.)

Consent Motion:

That in accordance with Report CNCL-24-45 dated April 24, 2024 concerning an appointment to the Oshawa Public Library Board of Directors, Sacha Fabry be appointed for the term listed, or until such time as successors are appointed.

The vote to adopt the recommendation contained in Report CNCL-24-45.

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

Carried (10 to 0)

Items Pulled from the Information Package

CNCL-24-50 - Resolution Passed by the Council of Prince Edward County Requesting the Province Create a 'Municipal Accessibility Fund' to Support Municipalities in Developing, Implementing and Enforcing AODA Standards (Previously INFO-24-86) (All Wards)

Moved by Councillor McConkey

Seconded by Councillor Neal

That the resolution passed by the Council of Prince Edward County requesting the province create a 'Municipal Accessibility Fund' to support municipalities in developing, implementing and enforcing AODA Standards be endorsed.

Carried

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 April 29, 2024 be adopted as recommended except:

Item ED-24-37 from the Thirtieth Report of the Economic and Development Services Committee.

Carried

Correspondence with recommendations

None

Standing Committee Reports

Report of the Community and Operations Services Committee

None

Report of the Corporate and Finance Committee Services

None

Report of the Economic and Development Services Committee

ED-24-38 - Update on the Recommended Disposal of a Portion of the Cromwell Avenue Road Allowance, North of Highway 401, East of Park Road South (Ward 5)

That, pursuant to Closed Report ED-24-38 dated April 3, 2024, the Commissioner of Economic and Development Services be authorized to enter into an agreement of purchase and sale for the City-owned lands comprising a portion of the Cromwell Avenue road allowance, located north of Highway 401, east of Park Road South, generally in accordance with the key terms as set out in Section 5.6 of said Report, together with such documents as are required to complete the transaction in the opinion of the City Solicitor, and further that the agreements and other required documents be in a form and content satisfactory to the City Solicitor and the Commissioner, Economic and Development Services Department.

Report of the Safety and Facilities Services Committee

None

Other Staff Reports and Motions

CNCL-24-44 - Oshawa Power and Utilities Corporation Shareholder Declaration Update (All Wards)

That Council approve the process outlined in Closed Item CNCL-24-44 concerning the Oshawa Power and Utilities Corporation Shareholder Declaration Update.

Closed Discussion Agenda

Matters Excluded from Consent Agenda

ED-24-37 - Request to Purchase City-owned Parkland on the east side of Kingside Park, west of Emerson Court (Ward 5)

Consent Motion:

That, pursuant to Closed Report ED-24-37 dated April 3, 2024, City staff be authorized to advance the recommendation in accordance with Section 2.0 of said Closed Report.

Moved by Councillor Nicholson

Seconded by Councillor Marimpietri

That Item ED-24-37 be referred back to staff.

Carried

Items Requiring Council Direction

None

Matters Tabled

None

Notices of Motion

CNCL-24-40 - Amendments to City By-laws and Policies regarding Electric Scooters (All Wards)

Moved by Councillor Nicholson

Seconded by Councillor Marimpietri

Whereas electric scooters are blocking access to public sidewalks and public spaces, and

Whereas these scooters are often left unmonitored for days on end and often end up in local waterways and public parks, and

Whereas in many cases, city staff must remove or recover these scooters at the expense of city tax payers,

Be it resolved, that the appropriate city bylaws and policy directives be amended to reflect the following

1. That electric scooters may not be left unattended on any city sidewalk, boulevard or public space including parks and local waterways.
2. That in the event that electric scooters are left unattended on any city sidewalk, boulevard or public space, City staff may remove the electric scooters and recover the costs of removal or recovery from the owners of the electric scooters.
3. That after removal or recovery of electric scooters, the City of Oshawa may maintain possession of the electric scooters until such time as the owners of the electric scooters have reimbursed the City of Oshawa for the cost of removal or recovery and further that the reimbursement also include any storage costs incurred by the City of Oshawa until reimbursement.
4. That, after notice to the owners of the electric scooters for reimbursement, and that notice not resulting in full payment of the reimbursement with 60 days of said notice, the City of Oshawa shall deem the electric scooters as being abandoned and shall reserve the right to sell or dispose of the electric vehicles at its discretion.
5. That after passage of sections 1 to 4 of this resolution, a registered letter be sent to the two companies currently operating electric scooters for lease to notify them.

Moved by Councillor Giberson

Seconded by Councillor Chapman

That CNCL-24-40 being a notice of motion concerning amendments to City By-laws and Policies regarding electric scooters be referred to staff to work with vendors to propose possible improvements to the program and compliance.

Carried

CNCL-24-51 - Poet Laureate Program (All Wards)

Moved by Councillor McConkey
Seconded by Councillor Kerr

Whereas April is National Poetry month, established in Canada in 1998 to celebrate poetry and its vital place in Canada's culture; and,

Whereas a number of Ontario municipalities have named a poet laureate to write poetry about their communities, compose poems for special events and act as literary ambassadors for the city; and,

Whereas a number of Ontario municipalities are on record stating their poet laureate program has raised awareness of their city, fostered creative writing in and about their city, and generated good-will in different ways;

Now therefore Council direct that staff investigate a poet laureate program, including:

1. options for setting up an Oshawa poet laureate program, with input from the Oshawa Library, Durham College Journalism and Creative Writing, Trent University, Ontario Tech, the Robert McLaughlin Gallery, and other organizations, associations, corporations and individuals supportive of the City's arts and culture; and,
2. with the upcoming Oshawa Arts, Heritage, Culture Plan review, staff report back with potential choices for Council concerning the feasibility of a plan to create a poet laureate program and name a poet laureate for the City of Oshawa.

Amendment:

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the motion be amended to add the following: "To be included in the 2025 Culture Counts Plan."

Carried

The vote to adopt CNCL-24-51 being a notice of motion concerning a Poet Laurette Program, as amended.

Carried

CNCL-24-52 - Reduction of Speed on Burk Street (Ward 4)

Moved by Councillor Giberson
Seconded by Councillor Kerr

Whereas in the past residents on Burk Street between King Street and John Street brought forward concerns about motor vehicle traffic speed and infiltration on their street, including drivers using their street as a bypass for the nearby intersections on Park Road; and,

Whereas a Radar Message Board (RMB) was placed on Burk Street, and during the time there only had a marginal impact, and since its removal in mid-2023, residents continue to experience speed and infiltration concerns;

Therefore be it resolved that:

1. A speed of 40km/h be implemented on Burk Street with appropriate signage; and,
2. That staff be directed to examine options using the process in the Council-approved Neighbourhood Traffic Management Guide, engage with residents on their concerns and input into the available options, and report back to Community and Operations Committee with possible proposed solutions.

Carried

CNCL-24-53 - Review of Property Tax Relief (All Wards)

Whereas the City of Oshawa has for years offered property tax relief to low income seniors and those with disabilities upon application and to those meeting the eligibility criteria; and,

Whereas this tax relief was established by Council through Report FIN-17-94; and,

Whereas this tax relief is only available to those who own their properties and not to those seniors and persons with disabilities who pay their property taxes through their rental payments; and,

Whereas the Ontario Residential Tenancies Act allows landlords to claim property taxes paid on their rental properties as a recoverable expense and further allows the landlords to claim a rent increase higher than the designated increase issued by the Province of Ontario due to higher property tax increases; and,

Whereas persons renting properties in the City of Oshawa is increasing with some wards having almost half of their residential properties being rental properties; and,

Whereas the residential tax rate of multi-residential properties is almost twice the rate as those for residential properties; and,

Whereas it has been estimated that low income seniors and those with disabilities are paying as much as 30% of their rent to offset municipal property taxes on their rented property; and,

Whereas since the adoption of the tax relief program for low income seniors and persons with disabilities, the cumulative increase in municipal property taxes up to and including 2024 has increased the need for review of the annual tax relief amounts;

Be it resolved that:

1. That the current levels of tax relief be reviewed to address the cumulative increase in municipal property tax to return at a minimum to the ratio that existed between the taxes paid and relief offered when the program was originally offered; and,
2. That the current levels of tax relief be further reviewed to determine whether they provide sufficient tax relief given the massive increases in property tax and in the cost of living in the City of Oshawa; and,
3. That staff investigate the expansion of the tax relief programs beyond property owners only to include those who pay their municipal property taxes through their rents to the property owner.

The Notice of Motion was ruled out of order by the Mayor.

Confirming By-Law

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the confirming by-law be passed.

Carried

Adjournment

Moved by Councillor Kerr
Seconded by Councillor Marks

That the meeting adjourn at 5:08 p.m.

Carried

Mayor

City Clerk