



**Oshawa City Council
Minutes**

**June 24, 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 at 10:02 a.m. and stated that all members of Council were participating from the Chamber except Councillor Neal who was participating electronically.

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 the delegations of Laura Barton and Haim Rabinoviz be added to the agenda; and,

Correspondence CNCL-24-94 from various residents submitting comments in support of Notice of Motion CNCL-24-89; and,

Correspondence CNCL-24-95 from the Durham Region Home Builders' Association submitting comments concerning Report CNCL-24-73; and,

Correspondence CNCL-24-96 from the Durham Region Home Builders' Association submitting comments concerning Notice of Motion CNCL-24-92; and,

Correspondence CNCL-24-97 from Laura Barton submitting comments concerning Item SF 24-32; and,

Correspondence CNCL-24-98 from the Columbus Landowners Group submitting comments concerning Report CNCL-24-73; and,

Correspondence CNCL-24-99 from Jim Thedorf submitting comments concerning Item CO-24-32; and,

Correspondence CNCL-24-100 from the Building Industry and Land Development Association submitting comments concerning Report CNCL-24-73 be added to the agenda for the meeting of June 24, 2024 and be referred to the respective items.

Carried

Declarations of Pecuniary Interest

Councillor Giberson - CNCL-24-81 - City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 (All Wards)

Councillor Giberson made a declaration of interest concerning Report CNCL-24-81 regarding City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 as he is the officer and a director of a non-profit corporation 442534 Ontario Incorporated, Mosaic Non-Profit Housing operating Parkview Place Senior Housing which has expressed interest in the Durham Region-owned lands at 300 Ritson Road South and did not take part in discussion or voting on the matter.

Councillor Giberson - CNCL-24-73 - City of Oshawa 2024 Development Charge Background Study (All Wards)

Councillor Giberson made a declaration of interest concerning an amendment to add the following as Part 10: 'That the development charge exemption for financial institutions be set at 100%' as he is an

officer and director at the financial institution Pathwise Credit Union, 322 King Street West, Oshawa and did not take part in discussion or voting on the amendment.

Presentations

2024 Exceptional Student Achievement Award

Mayor Carter presented the 2024 Exceptional Student Achievement Award to Louis Osawaru, student from G.L. Roberts Collegiate and Vocational Institute.

Region of Durham - Annual Update

Chair Henry, Regional Chair and Elaine Baxter-Trahair, CAO provided the Region of Durham's annual update.

Members of Council questioned the Regional Chair and CAO.

Durham Regional Police Service Board - Annual Update

Karen Fisher, Durham Regional Police Service Board provided an annual update.

Members of Council questioned Karen Fisher and Chief Moreira.

Moved by Councillor Giberson

Seconded by Councillor Chapman

That the meeting recess.

The meeting recessed at 11:07 a.m. and reconvened at 11:15 a.m. with all members of Council in attendance except Councillors Marks (entered the meeting at 11:26 a.m.) and McConkey (entered the meeting at 11:30 a.m.).

Carried

Delegations

Moved by Councillor Chapman

Seconded by Councillor Giberson

That the delegations of Mark Snaper, Max Lysyk and George Lysyk be heard.

Carried

Moved by Councillor Chapman

Seconded by Councillor Giberson

That the delegations of Laura Barton and Haim Rabinoviz be heard. **(Requires 2/3 vote of members present.)**

Carried

Mark Snaper - Item ED-24-63

Mark Snaper addressed City Council concerning Item ED-24-63 regarding an application for a Variance to Sign By-law 72-96, 142 Athol Street East, 2741136 Ontario Inc. O/A Eye Candy Ads.

Members of Council questioned Mark Snaper.

Max Lysyk, 1387925 Ontario Ltd. & George Lysyk & Sons Ltd. - Item ED-24-72

Max Lysyk, 1387925 Ontario Ltd. & George Lysyk & Sons Ltd. addressed City Council concerning Item ED-24-72 regarding the results of Stage 3 of the Integrated Major Transit Station Area Study for Central Oshawa.

Councillors Marks and McConkey entered the meeting during the delegation.

Members of Council questioned Max Lysyk.

George Lysyk - Report CNCL-24-73

George Lysyk addressed City Council concerning Report CNCL-24-73 regarding the City of Oshawa 2024 Development Charge Background Study.

Councillor Neal left the meeting at 11:52 a.m.

Laura Barton - Item SF-24-32

Laura Barton addressed City Council concerning Item SF-24-32 regarding correspondence requesting a Maximum Heat Allowance By-law.

Members of Council questioned Laura Barton.

Haim Rabinoviz - Item ED-24-70

Haim Rabinoviz addressed City Council concerning Item ED-24-70 regarding a revised application to amend Zoning By-law 60-94 at 184 Bond Street West.

Moved by Councillor McConkey
Seconded by Councillor Giberson

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

Carried

Haim Rabinoviz continued to address Council concerning Item ED-24-70.

Members of Council questioned Haim Rabinoviz.

Items requiring Council Direction

ED-24-63 - Application for Variance to Sign By-Law 72-96, 142 Athol Street East, 2741136 Ontario Inc. O/A Eye Candy Ads (Ward 4)

Moved by Councillor Gray
Seconded by Councillor Kerr

That pursuant to Report ED-24-63 dated May 29, 2024, the application for a variance to Sign By-Law 72-96, as amended, submitted by 2741136 Ontario Inc. O/A Eye Candy Ads (File: SV-2024-02) to permit one (1) pylon sign with a one-sided digital read-o-graph display for non-accessory (third party) advertising at 142 Athol Street East, be approved, subject to the following conditions:

- a. Static messages only with no animation, flashing, turning or full motion video;
- b. Each static message is to remain up for a minimum of 8 seconds;
- c. Transition time between two different static messages is to be instantaneous; and,
- d. Clearance of 4.25 metres (13.94 ft.) is to be provided between the bottom of the sign and the existing grade.

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That Item ED-24-63 be referred back to staff to do a comprehensive review of the Sign By-law.

Affirmative (5): Councillor Chapman, Councillor Giberson, Councillor Marimpietri, Councillor Marks, and Councillor McConkey

Negative (5): Mayor Carter, Councillor Gray, Councillor Kerr, Councillor Lee, and Councillor Nicholson

Absent (1): Councillor Neal

Lost (5 to 5)

The vote to adopt the motion concerning Item ED-24-63.

Affirmative (7): Mayor Carter, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marks, Councillor McConkey, and Councillor Nicholson

Negative (3): Councillor Chapman, Councillor Giberson, and Councillor Marimpietri

Absent (1): Councillor Neal

Carried (7 to 3)

CNCL-24-74 - Council Remuneration By-law Update - OMERS (All Wards)

Moved by Councillor Nicholson
Seconded by Councillor Gray

That pursuant to Report CNCL-24-74 dated June 19, 2024, City staff be directed to work with OMERS to complete the appropriate documentation and present the By-law to Council in fall 2024.

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

Negative (2): Councillor Kerr, and Councillor McConkey

Absent (1): Councillor Neal

Carried (8 to 2)

CNCL-24-75 - Review of Council Remuneration By-law (All Wards)

Moved by Councillor Nicholson

Seconded by Councillor Gray

That Report CNCL-24-75 dated June 19, 2024 concerning a Review of Council Remuneration By-law 39-2005, as amended be received for information.

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

Negative (3): Councillor Lee, Councillor Marimpietri, and Councillor McConkey

Absent (1): Councillor Neal

Carried (7 to 3)

CNCL-24-68 - Application Under the Urban Growth Centre Community Improvement Plan, the Brownfields Renaissance Community Improvement Plan and Other Requested Incentives, 35 Division Street, HVJ Properties Inc. (Ward 4)

Moved by Councillor Marimpietri

Seconded by Councillor Chapman

1. That, pursuant to Report CNCL-24-68 dated June 19, 2024, HVJ Properties Inc. be provided the following in respect to its proposed development of a mixed-use building at 35 Division Street under the City's Urban Growth Centre Community Improvement Plan:
 - a. An Increased Assessment Grant of 50% per year for 16 years totaling \$4,895,848 over the 16 year period. This percentage may change over the 16-year grant period to ensure the grant total is achieved based on M.P.A.C.'s final assessment; and,
2. That HVJ Properties Inc. enter into an agreement with the City setting out performance criteria related to the approval of the Increased Assessment Grant under the City's Urban Growth Centre Community Improvement Plan generally including, but not limited to:
 - That a building permit for the foundation must be obtained by the applicant by October 1, 2024 and that construction activity commence within three (3) months of permit issuance;
 - The building must have the foundation completed by March 31, 2025 to the satisfaction of the Chief Building Official;
 - The project must be completed and available for first occupancy by October 31, 2026 to the satisfaction of the Chief Building Official;
 - The Director, Planning Services must approve an Accessibility Plan, with input from the Oshawa Accessibility Advisory Committee, and this Plan must be implemented and maintained;

- The property, including any building, must be maintained in accordance with the Property Standards By-law and the Ontario Building Code during the period of the Grant;
 - HVJ Properties Inc. shall continuously comply with any City agreement and City By-laws;
 - That any Increased Assessment Grant will only be provided to HVJ Properties Inc. after all applicable City taxes have been paid by the property owner;
 - The building architecture is to be designed to the satisfaction of the Director, Planning Services;
 - Where possible, the owner shall use local trades and suppliers. The owner agrees to establish an appropriate notification program to the satisfaction of the Director, Planning Services, to make local trades and suppliers aware of the proposed development and allow them an opportunity to bid on the proposal; and,
 - Any other appropriate criteria considered advisable by the City Solicitor and Commissioner, Economic and Development Services Department; and,
3. That the request to receive Brownfields Property Tax Cancellation and Brownfields Study Grants retroactively be denied as environmental works and studies have already been completed; and,
 4. That the Commissioner, Economic and Development Services Department, be authorized to execute any agreement(s) with the owner to implement Parts 1 and 2 above in a form and content satisfactory to the Commissioner, Economic and Development Services Department, and the City Solicitor; and,
 5. That the Mayor and Chair of Economic and Development Services Committee be authorized to write a letter to the Region of Durham in respect to HVJ Properties Inc.'s request to waive all Regional development charges for the proposed mixed-use development at 35 Division Street; and,
 6. That the Mayor and Chair of Economic and Development Services Committee be authorized to write a letter to the Region of Durham to request support for HVJ Properties Inc.'s proposed development at 35 Division Street under the Regional Revitalization Program and that the Mayor and Clerk be authorized to execute an agreement with the Region of Durham, as appropriate, in a form and content acceptable to the Commissioner, Economic and Development Services Department, and the City Solicitor.

Amendment:

Moved by Councillor Giberson

Seconded by Councillor McConkey

That Part 1 a) be amended to replace the words 'of 50% per year for 16 years totaling \$4,895,848 over the 16 year period' with the words 'based on 50% per year for 9 years totaling \$2,753,914, prorating the grant over a 16 year period.'

Affirmative (2): Councillor Giberson, and Councillor McConkey

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

Absent (1): Councillor Neal

Lost (2 to 8)

The vote on the motion concerning Report CNCL-24-68.

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

Absent (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 June 24, 2024 be adopted as recommended except the following:

Correspondence CNCL-24-91; and,

Items CO-24-33, CO-24-34 and CO-24-38 from the Seventeenth Report of the Community and Operations Services Committee; and,

Item CF-24-44 from the Nineteenth Report of the Corporate and Finance Services Committee; and,

Items ED-24-71, ED-24-64, ED-24-69, ED-24-72, ED-24-73 and ED-24-68 from the Thirty-third Report of the Economic and Development Services Committee; and,

Items SF-24-32, SF-24-28 and related By-law 85-2024 and SF-24-30 and related By-law 86-2024 from the Seventeenth Report of the Safety and Facilities Services Committee; and,

Item SF-24-25 from the Second Report of the Joint Community and Operations Services and Safety and Facilities Services Committees; and,

Reports CNCL-24-69 and CO-24-40 and related By-law 88-2024, CNCL-24-71, CNCL-24-73 and related By-law 91-2024, CNCL-24-76, CNCL-24-81 and CNCL-24-82 and related By-law 87-2024.

Carried

Adoption of Council Minutes

That the minutes of the City Council meetings held on May 24, May 27 and May 28, 2024 be adopted.

Correspondence with recommendations

CNCL-24-88 - Mark Snaper Submitting Correspondence concerning Item ED-24-63 (Ward 4)

That Correspondence CNCL-24-88 from Mark Snaper submitting correspondence concerning Item ED-24-63 regarding an application for Variance to Sign By-law 72-96, 142 Athol Street East, 2741136 Ontario Inc. O/A Eye Candy Ads be referred to Item ED-24-63.

Standing Committee Reports

Report of the Community and Operations Services Committee

CO-24-39 - Road Salt Working Group Report for May (Previously OEAC-24-33) (All Wards)

1. That based on Report CO-24-39 dated May 7, 2024 from the Oshawa Environmental Advisory Committee's Road Salt Working Group the presentation on the impacts of road salt be approved; and,
2. That A.J. Groen present to the Durham Environmental and Climate Advisory Committee on behalf of the Oshawa Environmental Advisory Committee.

CO-24-32 - Ehtasham Gondal requesting the paving of Delroy Court (Ward 4)

That Correspondence CO-24-32 dated May 22, 2024 from Ehtasham Gondal requesting the City pave Delroy Court be received for information.

CO-24-35 - Children's Arena Capital Investment Requirements (Ward 4)

That Report CO-24-35 dated June 5, 2024 concerning the capital investment requirements for Children's Arena be referred to the Mayor's budget for future consideration.

CO-24-36 - Harman Park Arena Capital Investment Requirements (Ward 5)

That Report CO-24-36 dated June 5, 2024 concerning the capital investment requirements for Harman Park Arena, be referred to the Mayor's budget for future consideration.

CO-24-37 - Fleet Services Decarbonization Strategy (All Wards)

That pursuant to Report CO-24-37 dated June 5, 2024 concerning the City's Fleet Services Decarbonization Strategy, staff continue to investigate and consider alternative options to traditional combustable fuel sources for Corporate fleet vehicles as part of future budget submissions.

Report of the Corporate and Finance Services Committee

CF-24-41 - Contract Award - C2024-024 Benefits Provider(s) (All Wards)

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

Whereas Council approved CF-23-93, to issue a Request for Proposal (R.F.P.) in 2024 to secure Benefit Provider(s) for services commencing in 2025; and,

Whereas the benefit plan designs will remain the same; and,

Whereas the overall cost of the employee group benefit plan contracted through external benefits providers is made up of premiums for the experience rated benefits, namely Group Life, L.T.D., and A.S.O. expenses (Extended Health and Dental); and,

Whereas Procurement issued R.F.P. C2024-024 Benefits Providers(s) for an initial five (5) year term, with the option to extend for an additional five (5) year term, subject to favourable service and pricing; and,

Whereas the R.F.P. allowed for the contract to be awarded in whole or part (by Life/L.T.D., and Health/Dental) based on the best overall value for the City; and,

Whereas Proponents do not have any control over the cost of the paid A.S.O. claims and these costs are determined by the plan design and would be the same for all benefit proponents; and,

Whereas three (3) bids were received and opened by Procurement on March 25, 2024; and,

Whereas bids received are publicly posted on the City website at [Oshawa's Bids and Tenders](#); and,

Whereas proposals were evaluated on qualification, experience, plan management, deliverables, and pricing; and,

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

Whereas the proposal received from Sun Life in the annual amount of approximately \$2.3 million (\$11.6 million over 5 years not including the cost of the A.S.O. claims, as these amounts will vary based on usage) for an initial 5 year term, plus H.S.T.; and,

Whereas the funds are provided in the annual operating budget;

Therefore, be it resolved that, pursuant to Item CF-24-41:

1. That the Manager, Procurement be authorized to award a contract to Sun Life in the amount of \$11,563,000 plus H.S.T. for C2024-024 Benefits Provider(s); and,
2. That the Manager, Procurement be authorized to extend the contract an additional five (5) year term, subject to favourable service and pricing

CF-24-42 - Contract Award - C2024-034 Deep Energy Retrofit Feasibility Study (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 10-0086 in the amount of \$200,000 including non-rebateable H.S.T. for the Net Zero Emission Strategy Assessments; and,

Whereas Procurement issued a Request for Proposal (R.F.P.) C2024-034 for Deep Energy Retrofit Feasibility Study; and,

Whereas eleven (11) bids were received (publicly posted on the City's website at [Oshawa's Bids and Tenders](#)) and opened by Procurement on April 15, 2024; and,

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

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

Whereas the proposal received from WF Group Inc. in the amount of \$131,750, plus H.S.T. (\$134,069 including non-rebateable H.S.T.);

Therefore, be it resolved that pursuant to Item CF-24-42, that the Manager, Procurement, be authorized to award a contract to WF Group Inc. in the amount of \$131,750 plus H.S.T., for the Deep Energy Retrofit Feasibility Study.

CF-24-43 - Request for Tenders C2024-050 Microsoft Surfaces and Accessories and C2024-052 Computer Equipment (All Wards)

1. That the Manager, Procurement be authorized to award contracts, as detailed in Report CF-24-43 dated May 29, 2024, being the low compliant bids meeting specifications as follows:
 - a. Request for Tender (R.F.T.) C2024-050 Microsoft Surfaces & Accessories to Nova Networks, in the amount of \$266,800 excluding all taxes (leasing company Macquarie Equipment Finance Ltd. to pay equipment supplier directly);
 - b. Request for Tender (R.F.T.) C2024-052 Computer Equipment to CDW Canada Corp., in the amount of \$383,720 excluding all taxes (leasing company Macquarie Equipment Finance Ltd. to pay equipment supplier directly);
2. That additional funding of \$30,000 excluding all taxes be made available from the Information Technology Reserve to cover other miscellaneous components as required for the computer hardware rollout; and,
3. That pursuant to the requirements of Ontario Regulation 46/94, the Treasurer of the Regional Municipality of Durham be advised that the City will be entering into a financing lease with Macquarie Equipment Finance Ltd. on the terms stated in Report CF-24-43.

CF-24-45 - Oshawa's Strategic Asset Management Policy Update (All Wards)

That pursuant to Report CF-24-45 dated May 29, 2024, the Oshawa Strategic Asset Management Policy be endorsed.

CF-24-46 - 2023 Audited Consolidated Financial Statements (All Wards)

1. That the Financial Statements for the year ended December 31, 2023 attached to Report CF-24-46 be approved; and
2. That notice of the availability of the financial statements through the City's website or upon request through Service Oshawa; and
3. That the Financial Statements be forwarded to appropriate stakeholders including the Province of Ontario and the City's banking institution.

CF-24-47 - Customer Relationship Management Software - Single Source (All Wards)

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

Whereas the City currently utilizes Customer Relationship Management (C.R.M.) software to maintain customer inquiries, complaints, and service requests; and,

Whereas the current C.R.M. software is dated technology and unsupported at the end of 2024; and,

Whereas it is prudent and best practice that technology is kept current and up-to-date to enhance customer services; and,

Whereas E.M.A. Canada Inc./Lagan Technologies Inc. (now known as Verint Americas Inc.) was the successful proponent to R.F.P. C1176-06 Customer Relationship Management Software when it was initially implemented in 2007; and,

Whereas after review of the supplier landscape, it is in the City's best interest to upgrade and migrate to the latest C.R.M. offering through the existing supplier Verint Americas Inc.; and,

Whereas the main benefits of single sourcing are overall cost, ease of migration and reduced onboarding costs; and,

Whereas Verint Americas Inc. quote of \$756,594 is for an initial 36 months term that includes implementation, licensing and support of the Customer Relationship Management Software; and,

Whereas funding has been approved in 2024 for Project 30-0035 Customer Relationship Management Software in the amount of \$600,000 (including non-rebateable H.S.T.) will cover the implementation fees and first year licensing and support; and,

Whereas future annual licensing and support fees will be budgeted through Information Technology Services Corporate Technology account;

Therefore be it resolved that pursuant to Item CF-24-47:

1. That the Manager, Procurement be authorized to award a single source contract to Verint Americas Inc. for Customer Relationship Management Software; and,
2. That the Manager, Procurement be authorized to extend this contract to cover additional features/upgrades, annual licensing and support services for future years, subject to budget approval, satisfactory performance, and pricing.

CF-24-48 - Additional Funding - Data Centre Retrofit (All Wards)

Whereas Project 30-0099 Fire CAD Dispatch System Replacement & Next Generation 911 (NG-911), approved in the 2023 capital budget, includes the relocation of Oshawa Fire Dispatch communication and technology systems to the Consolidated Operations Depot; and,

Whereas Procurement issued R.F.P. C2023-115A Data Centre Retrofit and Micon Group, operating as DDMac Electric, was the successful proponent to complete the physical renovation of the data center suite to support the need of the NG-911 and fire dispatch operations services; and,

Whereas the NG-911 dispatch center is not able to be without power, additional feeds and transfer switches are required to provide an electrical maintenance bypass system to ensure both street or

generator power can service dispatch operations in the event the C.O.D. primary electrical switch gear requires maintenance or of primary switch disruption; and,

Whereas the scope of Project 30-0099 did not include the unknown requirement for electrical upgrades as it was not discovered until work began for the data center build; and,

Whereas DDMac Electric has provided a quote to complete the necessary work in the amount of \$255,160 excluding H.S.T. (\$259,651 including non-rebateable H.S.T.); and,

Whereas the additional cost of \$259,651 can be funded from the Infrastructure Reserve;

Therefore be it resolved that pursuant to Item CF-24-48 the additional funding of \$259,651 be funded from the Infrastructure Reserve be approved.

CF-24-49 - Microsoft SharePoint Pilot Implementation Services - Single Source (All Wards)

Whereas Purchasing By-Law 80-2020 requires Council approval to award single sourcing of professional & consulting services contract greater than \$50,000; and,

Whereas the City currently utilizes Microsoft 365 platform to create, manage and share information assets; and,

Whereas the City requires professional services to support the configuration of the City's existing Microsoft 365 SharePoint solution for the purposes of an electronic document and records management system pilot; and,

Whereas funding has been approved in 2023 for Project 30-0115 Corporate Data Program in the amount of \$240,000 (including non-rebateable H.S.T.); and,

Whereas StoneShare Inc. is a specialized municipal SharePoint solutions expert focusing on creating best-practice-based solutions, ready-to-use electronic document and records management project accelerators, and tailored managed service options for municipalities; and,

Whereas StoneShare Inc. has implemented SharePoint in approx. 49 municipalities; and,

Whereas StoneShare Inc. quote of \$99,000 plus H.S.T. includes design, configuration, content migration, validation, and training; and,

Therefore be it resolved that pursuant to Item CF-24-49:

1. That the Manager, Procurement be authorized to award a single source contract to Stone Share Inc. in the amount of \$99,000 plus H.S.T., for SharePoint Pilot Implementation Services, funded from project 30-0115 Corporate Data Program; and,
2. That the Manager, Procurement be authorized to extend this contract for future implementation, subject to budget approval, satisfactory performance, and pricing.

CF-24-50 - Corporate and Finance Services Committee Outstanding Items Status Report - Second Quarter 2024 (All Wards)

1. Whereas the 2024 Budget is now deemed adopted and information related to the 2023 Budget would be irrelevant at this time; and, Whereas the Budget page on the City's website currently provides plain language information regarding the 2024 City Budget including how tax dollars are spent, budget and accounting definitions, a budget

overview as well as the complete approved budget; and,Whereas the preparation of separate infographics is costly and time consuming for staff who are currently preparing the 2025 budget submission;Therefore Item 10 of the Corporate and Finance Services Committee's Outstanding Items List related to an online 2023 Budget Highlights document be removed from the Outstanding Items List.

2. Whereas staff reported back on Item FIN-22-94 on May 1, 2023 with respect to a specific request for waiving of fees through Item CF-23-28; and,Whereas part of Item CF-23-28 directed staff to execute an agreement to continue to waive such fees for a term of five years, Therefore Item 2 of the Corporate and Finance Services Committee's Outstanding Items List related to the Durham Catholic District School Board's request to waive user fees be removed from the Outstanding Items List.
3. That the remainder of Report CF-24-50 dated May 29, 2024 being the Corporate and Finance Services Committee's Outstanding Items Status Report for the second quarter of 2024 be received for information.

CF-24-51 - Municipal Accommodation Tax Amendments (All Wards)

Whereas at its meeting of October 20, 2020, Council approved the implementation of the Municipal Accommodation Tax ("M.A.T.") and passed related By-law 93-2020 to implement the M.A.T.; and,

Whereas By-law 93-2020 Section 2 sets the M.A.T. rate at four (4) per cent of the Purchase Price of Accommodation provided for a continuous period of 30 days or less; and,

Whereas it is recommended that effective October 1, 2024, the M.A.T. rate be increased to five (5) per cent of the Purchase Price of Accommodation provided for a continuous period of 30 days or less; and,

Whereas the amended M.A.T. rate will result in increased revenues of approximately \$150,000 and,

Whereas By-law 93-2020 Section 9 establishes the Provider shall provide and remit monthly statements to the Treasurer; and,

Whereas accommodation related to bed and breakfast and short-term rental providers should be expected to provide and remit quarterly rather than monthly statements; and,

Whereas Section 9 of the By-law would need to be amended to allow bed and breakfast and short-term rental providers the ability to remit quarterly rather than monthly statements; and,

Whereas the Agreement between the City and the Greater Oshawa Chamber of Commerce requires the Chamber to submit a written report to the City annually to provide the particulars of activities engaged in, a description of key performance indicators to measure outcomes, and other such information may be reasonably requested by the City; and,

Whereas the Annual report from the Chamber will form part of an open public record; and,

Whereas the Chamber has provided the City with their 2023 Annual Report which forms Attachment 2 to this report, as information;

Therefore be it resolved that pursuant to Item CF-24-51 dated June 3, 2024 concerning an amendment to the Municipal Accommodation Tax:

1. That Section 2 of By-law 93-2020 be amended to increase the Municipal Accommodation Tax rate from four (4) to five (5) per cent of the Purchase Price of Accommodation provided for a continuous period of 30 days or less; and,
2. That Section 9 of By-law 93-2020 be amended such that a Provider identified as a bed and breakfast or short-term rental shall remit the amount of the M.A.T. collected for the previous three months and submit the quarterly statements on or before the last day every calendar quarter end; and, in the form required by the City Treasurer detailing the number of the Accommodation sold, the purchase price of each Accommodation, the M.A.T. amount collected and any other information as required by the City for the purposes of administrating and enforcing the By-law; and,
3. That By-law 93-2020 be amended as outlined in Attachment 1 to Item CF-24-51 and in the final form and content satisfactory to the City Solicitor and the Commissioner, Corporate and Finance Services Department/City Treasurer; and,
4. That the 2023 Annual Report provided to the City from the Greater Oshawa Chamber of Commerce related to Tourism be received for information

Report of the Economic and Development Services Committee

ED-24-85 - Hans Jain, Atria Development Corp., submitting correspondence concerning the Stevenson Road North Developer Commitment to Site Servicing

That Correspondence ED-24-85 from Hans Jain, Atria Development Corp., concerning the Stevenson Road North Developer Commitment to Site Servicing, be referred to staff for report.

ED-24-65 - Mind Your Plastic Working Group Report for May 2024 (Previously OEAC-24-32) (All Wards)

That in accordance with Report ED-24-65 (previously OEAC-24-32) concerning the Mind Your Plastic Working Group Report, the following be received for information:

1. That, based on Report OEAC-24-32 dated May 7, 2024 from the Mind Your Plastic Working Group that the City works with Mind Your Plastic Working Group to implement a Plastic-Free Events Policy; and,
2. That the Oshawa Environmental Advisory Committee offer \$2,500 from their advertising budget line for the development of a Plastic Reduction Toolkit and webinar series for consideration from Committee and Council should they choose to proceed with implementing the aforementioned policy.

ED-24-67 - Revised Application to Amend Zoning By-law 60-94, Rossland Residences Corp., 555 Rossland Road West (Ward 4)

1. That, pursuant to Item ED-24-67 dated May 29, 2024, the revised application submitted by Rossland Residences Corp. to amend Zoning By-law 60-94 (File: Z-2023-02) to rezone 555 Rossland Road West from R1-C/CIN/SO-D (Residential/Community/Institutional/Specialized Office) to an appropriate R6-C (Residential) Zone to permit six (6) stacked townhouse buildings (apartment buildings) with a combined total of 159 dwelling units be approved, generally in accordance with the comments in said Report, and the necessary by-law be passed in a form and

content acceptable to the Commissioner, Economic and Development Services Department, and the City Solicitor; and,

2. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report ED-23-78 dated April 12, 2023 presented at the public meeting of April 17, 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.

ED-24-82 - Ludmila Kozak submitting correspondence concerning a request for an exemption to the CIP requirements for 95 Simcoe Street South (Ward 4)

That, Correspondence ED-24-82 submitted by Ludmila Kozak concerning a request for an exemption to the CIP requirements for 95 Simcoe Street South, be referred to staff for a report.

ED-24-70 - Revised Application to Amend Zoning By-law 60-94, 184 Bond Oshawa Limited, 184 Bond Street West (Ward 4)

1. That, pursuant to Report ED-24-70 May 29, 2024, the revised application submitted by D.G. Biddle and Associates Limited on behalf of 184 Bond Oshawa Limited to amend Zoning By-law 60-94 (File: Z-2023-04) to rezone lands municipally known as 184 Bond Street West from PSC-A (Planned Strip Commercial) to an appropriate PSC-A (Planned Strip Commercial) Zone to permit a five (5) storey, 38 unit apartment building be approved, generally in accordance with the comments in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department, and the City Solicitor; and,
2. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report ED-23-158 dated September 6, 2023 presented at the public meeting of September 11, 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.

ED-24-74 - Baker Park Pedestrian Bridge Over Oshawa Creek Pedestrian Structure MS-6-2017 (Ward 3)

1. That, pursuant to Report ED-24-74, dated May 29, 2024, staff be authorized to initiate the detailed design and associated pre-engineering work related to the Pedestrian Bridge MS-6-2017 located in Baker Park; and,
2. That, pursuant to Report ED-24-74, dated May 29, 2024, Council approve \$85,000 to be allocated from the Canadian Community Benefit Fund for the detailed design and the associated pre-engineering of Pedestrian Bridge MS-6-2017; and,
3. That, pursuant to Report ED-24-74 dated May 29, 2024, the replacement of Pedestrian Bridge MS-6-2017 located in Baker Park be referred to the 2025 Mayor's Budget.

ED-24-77 - An Amendment to Council Conditions for an Application under the Urban Growth Centre Community Improvement Plan, 135 Bruce Street (Ward 4)

Whereas on September 26, 2022, City Council considered Report DS-22-187 dated September 7, 2022 and approved, subject to conditions, an application submitted by Medallion Developments Inc. operating as Bruce Street Developments Ltd. (“Medallion”) under the Urban Growth Centre Community Improvement Plan for an Increased Assessment Grant, to facilitate the development of a purpose-built rental apartment building including a 22 storey tower and a 10 storey tower connected by a 3 storey podium at 135 Bruce Street (Attachment 1); and,

Whereas as a condition of receiving an Increased Assessment Grant, Medallion is required to enter into an Increased Assessment Grant agreement (the “Agreement”) with the City to ensure that certain performance criteria/conditions are met; and,

Whereas, included among the original conditions of approval and identified in the draft Agreement is a condition requiring the foundation of the building to be completed by October 31, 2024 and another condition requiring the project to be completed and available for first occupancy by December 31, 2026; and,

Whereas a further condition of approval listed in the draft Agreement identifies that if ownership of the property changes, in whole or in part, before the Increased Assessment Grant period lapses, then the subsequent owner is not entitled to future grant payments; and,

Whereas, the Urban Growth Centre Community Improvement Plan specifies under Section 1.4, “General Terms of Grant Program”, in Appendix 1: Increased Assessment Grant Program Procedures, that an Increased Assessment Grant cannot be assigned to another person/company; and,

Whereas City staff have been working with Medallion over the past 18 months to finalize and sign the Agreement; and,

Whereas through ongoing discussions between City staff and Medallion, Medallion has advised that they have concerns with two of the performance criteria/conditions listed in the draft Agreement, specifically related to the building foundation and project completion and occupancy deadlines, as well as the restriction on assigning the grant to another person/company; and,

Whereas Medallion has advised that owing to market conditions and uncertainty, labour shortages and general construction delays, they will be unable to meet both the building foundation deadline and the project completion and occupancy deadline; and,

Whereas Medallion has also advised that as is the case with many complex development projects and particularly purpose-built rental projects which often require more sophisticated financing models, Medallion may wish to undertake a corporate restructuring in the future, which would require an assignment of the Increased Assessment Grant; and,

Whereas as a result of further discussions between City staff, including Legal Services, and Medallion, staff would be agreeable to amending the draft Agreement to permit an assignment of the Increased Assessment Grant provided the project is completed and available for first occupancy; and,

Whereas staff would also be agreeable to amending the building foundation and project completion and occupancy deadlines, understanding that this is a result of market uncertainty, construction delays and/or labour shortages;

Therefore be it resolved that:

1. The condition of approval related to building foundation completion for the application under the Urban Growth Centre Community Improvement Plan for 135 Bruce Street be amended, such that now the building foundation shall be completed by September 30, 2026 to the satisfaction of the Chief Building Official; and,
2. The condition of approval related to building completion and occupancy for the application under the Urban Growth Centre Community Improvement Plan for 135 Bruce Street be amended, such that now the project shall be completed and available for first occupancy by December 31, 2028 to the satisfaction of the Chief Building Official; and,
3. The Increased Assessment Grant agreement between the City and Medallion include a condition that permits the assignment of the Increased Assessment Grant to another person/company only after the project is completed and available for first occupancy, and that said agreement be in a form and content satisfactory to the Commissioner, Economic and Development Services Department, and the City Solicitor.

ED-24-78 - Application under the Urban Growth Centre Community Improvement Plan, 44 Bond Street East, Sacco Schools Ltd (Ward 4)

Whereas on May 2, 2016, City Council adopted the Urban Growth Centre Community Improvement Plan (“C.I.P.”). The C.I.P. is intended to encourage economic development in the Downtown Oshawa Urban Growth Centre through a variety of grant programs. The C.I.P. was advanced owing to the identification of downtown Oshawa as an Urban Growth Centre in the Provincial Growth Plan for the Greater Golden Horseshoe; and,

Whereas the Urban Growth Centre C.I.P. has multiple grant streams including the Façade and Accessibility Improvement Grant Program; Conversion to Residential Grant Program; Upgrade to Building, Fire and Electrical Safety Codes Grant Program; Economic Stimulus Grant Program and the Increased Assessment Grant Program; and,

Whereas Sacco Schools Ltd. owns and operates the BondST Event Centre at 44 Bond Street East; and,

Whereas Sacco Schools Ltd. has applied to the C.I.P. program four times between Spring 2020 and Spring 2023; and,

Whereas in Spring 2020, Sacco Schools Ltd. was approved for a \$10,000 Façade and Accessibility Improvement grant under the C.I.P. in order to upgrade the windows; and,

Whereas in Fall 2020, Sacco Schools Ltd. was approved for a \$30,000 Upgrade to Building, Fire and Electrical Safety Codes grant under the C.I.P., in order to help fund interior alterations including dividing the building into five (5) components with a main floor to be used as live music and entertainment, second floor to be used as a restaurant, two small retail spaces in the front of the building and the basement to be used as a second smaller venue for local talent; and,

Whereas in Spring 2021, Sacco Schools Ltd. was approved for a \$60,000 Upgrade to Building, Fire and Electrical Safety Codes grant, Façade and Accessibility Improvement grant and Economic Stimulus grant under the C.I.P. to help construct fire escapes, accessible washrooms and elevator access on all floors; and,

Whereas in Spring 2023, Sacco Schools Ltd. was approved for an Increased Assessment Grant under the C.I.P. realizing a maximum value of \$81,900 paid over a nine year period; and,

Whereas the approvals bring the total value of all City approved grants to Sacco Schools Ltd. to \$181,900 since 2020; and,

Whereas City staff have released \$60,000 under the Façade and Accessibility Improvement grants and Upgrade to Building, Fire and Electrical Safety Codes grants in accordance with the C.I.P. program terms; and,

Whereas a release of \$40,000 is outstanding under the approved Economic Stimulus grant which contemplates provisions for an elevator to provide access to all floors at BondST Event Centre and although some provisions are in place to support the elevator it is not complete due to the need for additional financial support directed to the installation; and,

Whereas City staff do not have the opportunity to release this funding under the Council endorsed terms of the C.I.P. due to the open building permit to fully complete this work; and,

Whereas Sacco Schools Ltd. have submitted invoices to City staff detailing deposits and payments made regarding provisions for and the installation of the elevator to date which amount to approximately \$94,250 in total invoices with approximately \$59,700 paid to date; and,

Whereas Plan20Thirty – Action Plan for Continued Downtown Revitalization, includes the following actions to support accessible spaces in the downtown area:

- Continue promoting and seeking opportunities to enhance accessible infrastructure to Downtown Businesses and through the public realm; and,
- Focus on establishing a shoppable downtown that possesses diverse retail offerings, accessible locations, public washrooms and promotion of the area as a shopping district; and,

Whereas the 2020-2023 Oshawa Strategic Plan includes:

- Continue to strive to be a barrier-free community; and,

Whereas it is expected that releasing the remaining \$40,000 of approved funding to Sacco Schools Ltd. that has been directed towards the elevator at BondST Event Centre is anticipated to support completion of the elevator, establishing a fully accessible facility in downtown Oshawa;

Therefore, be it resolved that, City staff be directed to release the remaining \$40,000 as part of the Economic Stimulus grant under the C.I.P. to Sacco Schools Ltd.

ED-24-80 - Economic and Development Services Committee Outstanding Items Status Report - Second Quarter 2024 (All Wards)

That the Economic and Development Services Committee Outstanding Items Status Report - Second Quarter 2024 be received for information.

ED-24-75 - Annual Update on Plan 20Thirty Downtown Revitalization Action Plan (Ward 4)

That Report ED-24-75 dated May 29, 2024 concerning the Annual Update on Plan 20Thirty Downtown Revitalization Action Plan be received for information.

ED-24-76 - Arts Resource Centre Cultural Hub Feasibility Study (Ward 4)

1. That, pursuant to Report ED-24-76, dated May 29, 2024, the Arts Resource Centre Feasibility Study be endorsed; and,
2. That, pursuant to Report ED-24-76, dated May 29, 2024, City staff be directed to develop the parameters for a Cultural Hub Pilot Project, as generally outlined in Section 5.6 of Report ED-24-76 and that staff report back at the September 9, 2024 Economic and Development Services Committee Meeting for direction on implementing the Cultural Hub Pilot Project; and,
3. That, Concept 1 be eliminated from the presented concept as the process moves forward.

Report of the Safety and Facilities Services Committee

SF-24-26 - Municipal Law Enforcement and Review of Service Levels (All Wards)

Whereas Service Levels (also referred to Service Level Agreements or S.L.A.s) are established for many City Services as a method to measure the effectiveness and efficiency of service delivery; and,

Whereas Municipal Law Enforcement (M.L.E.) Services establishes Service Levels to indicate and measure the length of time required for a Municipal Law Enforcement Officer to close a variety of files ranging from investigating animal-related by-law complaints to parking complaints; and,

Whereas in many instances, M.L.E. achieves resolution with complaint files well in advance of the established Service Level for the applicable complaint file; and,

Whereas in the latest Municipal Law Enforcement and Licensing Services (M.L.E.L.S.) 2023 Annual Report (SF-24-23) considered at the May 13, 2024, Safety and Facilities Services Committee meeting, M.L.E. achieved a 90% rate for meeting or exceeding established Service Levels for investigating property, parking, animal, and safety complaint files; and,

Whereas M.L.E.L.S. regularly reviews its Service Levels to ensure investigations are completed in an effective and efficient manner; and,

Whereas the last comprehensive review of M.L.E. Service Levels was undertaken in 2020; and,

Whereas M.L.E.L.S. has identified an opportunity to conduct another comprehensive review of M.L.E. Service Levels to reflect recent process changes;

Therefore be it resolved that staff initiate a comprehensive review of M.L.E. Service Levels to ensure complaint investigations remain undertaken in an efficient and effective manner.

SF-24-27 - Amendment to Property Standards By-law 1-2002 (All Wards)

Whereas the City of Oshawa's Property Standards By-law 1-2002, as amended ("Property Standards By-law") prescribes minimum standards for the maintenance and occupancy of buildings, structures and surrounding lands, including with respect to vacant buildings that are in a state of disrepair and/or

maintenance, and is established pursuant to the Ontario Building Code Act, 1992, S.O. 1992, c. 23; and,

Whereas Section 8.1.4 of the Property Standards establishes a twenty-four (24) month timeframe in which a boarded up property must be either repaired to a useable condition or be demolished; and,

Whereas in Section 5.2 of Report [SF-23-17 "Vacant Buildings and Property Standards By-law 1-2002"](#) dated April 19, 2023 staff recommended the reduction of the time period prescribed in Section 8.1.4 of the Property Standards By-law from twenty-four (24) months to twelve months (12) for the purposes of setting a more appropriate duration of time for property related decisions and to align with municipal comparators;

Therefore be it resolved that Council approve a by-law in a final form and content satisfactory to Legal Services and the Commissioner, Safety and Facilities Services Department to further amend Property Standards By-law 1-2002, as amended to reduce the time period prescribed in Section 8.1.4 from twenty-four (24) months to twelve (12) months.

SF-24-29 - Fire Services 2023 Annual Report (All Wards)

That Report SF-24-29, dated June 5, 2024 being the Fire Services 2023 Annual Report be received for information.

SF-24-31 - Safety and Facilities Services Committee Outstanding Items List Status Report - Second Quarter 2024 (All Wards)

That Report SF-24-31, dated June 5, 2024 being the Safety and Facilities Services Committee's Outstanding Items List Status Report for the second quarter of 2024 be received for information.

Report of the Joint Community and Operations Services and Safety and Facilities Services Committees

SF-24-33 - Crime Prevention through Environmental Design Analysis at the Oshawa Creek Valley (All Wards)

Whereas the east side of the Oshawa Creek valley area are being littered with drug paraphernalia specifically in the Fairbanks, Quebec, Royal, Avenue, Hall Streets and Blake Park; and,

Whereas minor thefts and crimes are being reported in the neighbourhood; and,

Whereas the brush, trees and grass are quite long along the area adjacent to these streets; and,

Whereas it is desirable to increase the visibility into the Oshawa Creek corridor; and,

Whereas it is better to approach this problem through the lens of a Crime Prevention through Environmental Design Analysis (C.P.T.E.D.); and,

Whereas Community and Operations Services staff would be responsible to clear some grass, trim some branches and prune some bushes; and,

Whereas Safety and Facilities staff are responsible for C.P.T.E.D. analysis,

Now therefore be it resolved that Council authorize staff to co-ordinate the C.P.T.E.D. analysis and the cleanup of the debris, trees and brush to improve the visibility into the Oshawa Creek valley at the six named streets Hall, Avenue, Royal, Fairbanks, Quebec and Mill Street.

Other Staff Reports and Motions

CNCL-24-72 - Biltmore Theatre Parking on Albert Street (Ward 4)

Whereas at its meeting of October 25, 2021 (CS-21-107) City Council approved the two parking spots closest to the rear access to the stage door of the Biltmore Theatre Corp. ("Biltmore Theatre", located at 39 King Street East) to be allotted to the Biltmore Theatre on a long-term lease arrangement; and,

Whereas two parking spaces were allotted to the Biltmore Theatre beginning in July, 2022; and,

Whereas the current licence had a term of a period of one (1) year commencing July 1, 2022 and ending on June 30, 2023 with an option to renew for an additional (1) year upon giving to the City three (3) months' written notice and subject to the City's prior written consent; and,

Whereas the Biltmore Theatre ("Licensee") exercised its option to renew for an additional (1) year period commencing July 1, 2023 and ending on June 30, 2024; and,

Whereas the Licensee has submitted a letter dated June 12, 2024, to staff advising of their intent to enter into a new agreement for the two on-street parking spaces that are located on Albert Street with similar terms and conditions to their current agreement in place that expires June 30, 2024;

Therefore be it resolved that a new parking licence agreement between the City and Biltmore Theatre Corp. be approved subject to the following terms and conditions:

1. That City of Oshawa enter into a licence agreement with Biltmore Theatre for the two (2) on-street parking spaces located on the west side of Albert Street from a point 15 metres south of King Street East and to a point 32 metres south of King Street East (see Attachment 1); and,
2. That the licence agreement be in a form and content satisfactory to the Commissioner, Community and Operations Services, the Commissioner of Corporate and Finance Services and the City Solicitor and which will be executed by the Commissioner, Community and Operations Services; and,
3. That the term of the proposed licence agreement be for a period of one (1) year, with an option to extend for up to three (3) one (1) year terms; and,
4. That the Biltmore Theatre pay to the City of Oshawa each month the current lot rate applicable for the spaces as noted in the City's General Fees and Charges By-Law 13-2003, as amended, which is currently \$73.00 plus HST per space per month.

CNCL-24-85 - Region of Durham Accessibility Award Nomination (All Wards)

Whereas the Region of Durham requested nominations from the Oshawa Accessibility Advisory Committee for the Regional Accessibility Awards to be presented in the fall of 2024; and,

Whereas Advisory Committees must seek Council approval before submitting award nominations for consideration; and,

Whereas the deadline for nominations is July 15, 2024; and,

Whereas in order to meet the deadline for submission, City Council must consider the O.A.A.C.'s nomination,

Therefore be it resolved that Kathryn Bremner be nominated for the 2024 Region of Durham Accessibility Award.

CNCL-24-87 - Repeal and Replace Waste Collection By-law 113-2008 (All Wards)

Whereas pursuant to Report CO-23-34 dated June 7, 2023, and Report CO-24-26 dated April 10, 2024 concerning the Enhanced Green Bin Program, Council authorized amendments to Waste Collection By-law 113-2008, as amended, to align with the expanded program requirements; and,

Whereas the City's Waste Collection By-law requires updates to align with new provincial regulations as per O. Reg. 391/21 under the Resource Recovery and Circular Economy Act, 2016, and Bill 23, More Homes Built Faster Act, 2022; and,

Whereas the current Waste Collection By-law includes provisions delegating the waiving of certain fees to the Director, Operations Services which must be deleted to align with the Municipal Act, 2001 S.O. 2001 c. 25, as only Council has the authority to set fees; and,

Whereas housekeeping changes are required to the Waste Collection By-law to ensure consistency with standard formatting and language;

Therefore be it resolved:

1. That based on Item CNCL-24-87 dated June 24, 2024, the new Waste Collection By-law 90-2024 be passed; and
2. That Waste Collection By-law 113-2008, as amended, be repealed.

By-Laws

The following by-laws were passed:

82-2024 - A By-law to Amend Zoning By-law 60-94, as amended

(Implements direction of June 24, 2024 through Item ED-24-70 of the Thirty-third Report of the Economic and Development Services Committee to change the zoning for the lands located at 184 Bond Street West from PSC-A (Planned Strip Commercial) to PSC-A(21) (Planned Strip Commercial) in order to permit the development of a 5-storey apartment building with a total of 38 dwelling units with site specific regulations related to increased residential density, height and lot coverage, and reduced front, interior side, exterior side and rear yard setbacks, landscaped open space and minimum parking.)

83-2024 - A By-law to Amend Zoning By-law 60-94, as amended

(Implements direction of June 24, 2024 through Item ED-24-67 of the Thirty-third Report of the Economic and Development Services Committee to change the zoning for the lands located at 555 Rossland Road West from R1-C/CIN/SO-D (Residential/Community Institutional/Special Office) to R6-C(16) "h-93" (Residential) in order to permit the development of six stacked townhouse buildings (apartment buildings) with a combined total of 159 dwelling units with site specific regulations related to increased residential density, lot coverage, rear yard setback and encroachments of stairs into certain required yards, and reduced front, interior side and exterior side yard setbacks, height and minimum parking.)

84-2024 - A By-law to Amend Municipal Accommodation Tax By-law 93-2020

(Implements direction of June 24, 2024 through Item CF-24-51 of the Nineteenth Report of the Corporate and Finance Services Committee to amend Section 2 of By-law 93-2020 to increase the Municipal Accommodation Tax rate from four (4) to five (5) per cent of the Purchase Price of Accommodation provided for a continuous period of 30 days or less and amend Section 9 of By-law 93-2020 such that a Provider identified as a bed and breakfast or short-term rental shall remit the amount of the M.A.T. collected for the previous three months and submit the quarterly statements on or before the last day every calendar quarter end; and, in the form required by the City Treasurer detailing the number of the Accommodation sold, the purchase price of each Accommodation, the M.A.T. amount collected and any other information as required by the City for the purposes of administrating and enforcing the By-law.)

85-2024 - A By-law to Amend Fireworks By-law 59-2014, as amended

(Implements direction of June 24, 2024 through Item SF-24-28 of the Seventeenth Report of the Safety and Facilities Services Committee to allow for the discharge of Consumer Fireworks for special occasions upon approval of the Chief Fire Official.)

86-2024 - A By-law to Amend Trespass By-law 50-2021, as amended

(Implements direction of June 24, 2024 through Item SF-24-30 of the Seventeenth Report of the Safety and Facilities Services Committee to address certain instances where individuals engage in multiple offenses contrary to the Trespass Policy and Procedure and the Trespass By-law by adding a subsequent written notice of trespass, for a 20-year duration, authorized by the Chief Administrative Officer, to address persistent repeat offenses and situations that endanger public safety, all which present an immense danger to the public and staff.)

87-2024 - A By-law to Authorize the Execution of a Renewed 10-year Municipal Funding Agreement for the Transfer of Canada Community-Building Funds between the Association of Municipalities of Ontario and the Corporation of the City of Oshawa

(Implements direction of June 24, 2024 through Item CNCL-24-82 to authorize the execution of a renewed 10-year Municipal Funding Agreement for the Transfer of Canada Community-Building Funds between the Association of Municipalities of Ontario and the Corporation of the City of Oshawa.)

88-2024 - A By-law to Further Amend Traffic By-law 79-99, as amended

(Implements direction of June 24, 2024 through Item CNCL-24-69 to add anytime parking on the south side of King Street West between Queen Street/McMillan Drive and the westerly City boundary and on the south side of King Street West between Centre Street South and a point 35 metres east of Queen Street/McMillan Drive and to add 2 hour permissible parking, at a rate of \$1.25 for 60 minutes, from 8:00 a.m. to 6:00 p.m. Monday to Friday inclusive, except holidays, on the south side of King Street West and a point 6 metres east of Queen Street and a point 35 metres east of Queen Street/McMillan Drive.)

89-2024 - A By-law to Further Amend Property Standards By-law 1-2002, as amended

(Implements direction of June 24, 2024 through Item SF-24-27 of the Seventeenth Report of the Safety and Facilities Services Committee to reduce the time period in which a boarded up property

must be either repaired to a useable condition or be demolished for the purposes of setting a more appropriate duration of time for property related decisions and to align with municipal comparators.)

90-2024 - A By-law to Regulate the Collection and Disposal of Waste Material in the City of Oshawa

(Implements direction of June 24, 2024 through Item CNCL-24-87 to replace the by-law to align with new provincial regulations as per O. Reg. 391/21 under the Resource Recovery and Circular Economy Act, 2016, and Bill 23, More Homes Built Faster Act, 2022 and to ensure consistency with standard formatting and language and to repeal Waste Collection By-law 113-2008, as amended.)

91-2024 - A By-law to Establish Development Charges for the Corporation of the City of Oshawa

(Implements direction of June 24, 2024 through Report CNCL-24-73 to establish development charges for the Corporation of the City of Oshawa.)

92-2024 - A By-law to Repeal Interim Control By-law 133-2023

(Implements direction of June 24, 2024 through Item ED-24-68 of the Thirty-third Report of the Economic and Development Services Committee to repeal Interim Control By-law 133-2023.)

Public Discussion Agenda

Matters Excluded from Consent Agenda

Moved by Councillor Giberson

Seconded by Councillor Gray

That the meeting recess for one hour.

The meeting recessed at 1:34 p.m. and reconvened at 2:34 p.m. with all members of Council in attendance except Councillors Marks and Neal who were absent.

Carried

CNCL-24-91 - Max Lysyk, 1387925 Ontario Ltd. & George Lysyk & Sons Ltd. Submitting Correspondence concerning Item ED-24-72 (Ward 4 and 5)

Consent Motion:

That Correspondence CNCL-24-91 from Max Lysyk, 1387925 Ontario Ltd. & George Lysyk & Sons Ltd. concerning Item ED-24-72 regarding the results of Stage 3 of the Integrated Major Transit Station Area Study for Central Oshawa be referred to Item ED-24-72.

Amendment:

Moved by Councillor Nicholson

Seconded by Councillor Giberson

That the recommendation be amended to change the words 'Item ED-24-72' with the words 'staff for inclusion in the report back concerning the results of Stage 3 of the Integrated Major Transit Station Area Study for the Central Oshawa'.

Carried

The vote to adopt the recommendation contained in Correspondence CNCL-24-91, as amended.

Carried

CO-24-33 - Community and Operations Services Committee Outstanding Items Status Report - Second Quarter 2024 (All Wards)

Consent Motion:

That Report CO-24-33, being the Community and Operations Services Committee Outstanding Items Status Report for the Second Quarter 2024, be received for information.

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

Carried

CO-24-34 - Reduction of Speed Limits to 30 km/h in School Zones (All Wards)

Consent Motion:

That in accordance with Report CO-24-34 dated June 5, 2024, concerning the reduction of speed limits to 30 km/h in School Zones, be received for information.

The vote to adopt the recommendation contained in Item CO-24-34.

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

Absent (2): Councillor Marks, and Councillor Neal

Carried (9 to 0)

CO-24-38 - Roadway Restoration Deposits By-Law Update (All Wards)

Consent Motion:

Whereas the Roadway Restoration By-law 12-82, as amended (“Roadway Restoration By-law”) regulates the crossing of curbing, sidewalks or paved boulevards by vehicles delivering or removing materials from abutting lands; and,

Whereas the Roadway Restoration By-law requires that a property owner provide the City with a financial security deposit whenever work is being undertaken on or over the boulevard where there is potential to negatively impact City infrastructure such as curb, sidewalk or paved boulevard; and,

Whereas the existing Roadway Restoration By-law only applies when a building permit is required and is applied to by the property owner (“Applicant”), such as when a structure is being erected, altered, repaired or demolished and exempts the construction of an “attached or detached garages and carports for houses”; and,

Whereas the City collects annually an average of 78 deposits through the building permit process to secure funding for any repairs of damaged infrastructure; and,

Whereas the security deposits require extensive administration processing and multiple inspections; and, Whereas any security deposits that are not applied to repairs to damaged infrastructure are refunded back to the Applicant; and,

Whereas City staff have recognized an opportunity to streamline the process and improve service efficiency by replacing the deposit collection with a non-refundable application fee of \$150; and,

Whereas amendments to the Roadway Restoration By-law are also needed to include other types of infrastructure, including ditches and the entire boulevard, to ensure the protection of City infrastructure; and,

Whereas City staff are proposing amendments to the Roadway Restoration By-law regarding the removal of exemptions of the “attached or detached garages and carports for houses” given the risk in damaging infrastructure; and,

Therefore, be it resolved that pursuant to Item CO-24-38:

1. That Council pass a by-law, to further amend the Roadway Restoration By-law 12-82, as amended, to establish a non-refundable fee and the removal of the security deposit as well as technical amendments as detailed in Item CO-24-38 and in a final form and content acceptable to Legal Services and the Commissioner, Community and Operations Services; and,
2. That the General Fees and Charges By-law 13-2003, as amended, be further amended to add the new “Roadway Restoration Application Fee” of \$150.

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

Carried

CF-24-44 - 2024 Oshawa Asset Management Plan - Phase II: Non-core Assets (All Wards)

Consent Motion:

That pursuant to Report CF-24-44 dated May 22, 2024, the Oshawa Asset Management Plan – Phase II: Non-core Assets be endorsed.

The vote to adopt the recommendation contained in Item CF-24-44.

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

Absent (2): Councillor Marks, and Councillor Neal

Carried (9 to 0)

ED-24-71 - Request by Medallion Developments (Tanglewood) Limited to fully develop the parkette in Block 168 of Registered Plan of Subdivision 40M-2727, north of Conlin Road East, and east of Harmony Road North (Ward 1)

Consent Motion:

1. That, project 50-0038 (Parkette 6 – Kedron Part II Plan) as outlined in the 2025-2033 Capital Forecast, presented with the Mayor’s 2024 Budget, be approved; and,
2. That, pursuant to Report ED-24-71 dated May 29, 2024, the request by Medallion Developments (Tanglewood) Limited (Medallion) to fully develop the parkette in Block 168 of Registered Plan of Subdivision 40M-2727 located north of Conlin Road East, and east of Harmony Road North, be approved; and,
3. That, the City’s contribution for the development of the parkette in Block 168 of Registered Plan of Subdivision 40M-2727 not exceed \$482,000, inclusive of applicable taxes, in accordance with the City’s typical park program; and,
4. That, funding in the amount of \$482,000, inclusive of applicable taxes, be approved for the City’s share of the development of the parkette in Block 168 of Registered Plan of Subdivision 40M-2727 with \$387,000 provided from the Parks, Recreation and Trail Development Charge Reserve and \$95,000 provided from the Growth Related Non Development Charge Reserve; and,
5. That ,Medallion Developments (Tanglewood) Limited (Medallion) be paid for the City’s share of the parkette development work in Block 168 of Registered Plan of Subdivision 40M-2727 only after the following conditions have been met:
 - a. The parkette is completed by June 30, 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 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, Safety and Facilities Services Department including but not necessarily limited to those set out in Section 5.2.4 of Report ED-24-71 dated May 29, 2024.
6. That, an appropriate agreement for the construction and maintenance of the parkette in Block 168 of Registered Plan of Subdivision 40M-2727 be executed by the Commissioner, Economic and Development Services Department on behalf of the City and by Medallion Developments (Tanglewood) Limited (Medallion) which includes all of the City’s requirements for the development and maintenance of the parkette as set out in Report ED-24-71 dated May 29, 2024, in a form and content acceptable to the City Solicitor and the Commissioner, Economic and Development Services Department.

Moved by Councillor McConkey
Seconded by Councillor Nicholson

That Item ED-24-71 be referred to the Safety and Facilities Services Committee.

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

Negative (5): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Kerr, and Councillor Lee

Absent (2): Councillor Marks, and Councillor Neal

Lost (4 to 5)

The vote to adopt the recommendation contained in Item ED-24-71.

Affirmative (7): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, and Councillor Marimpietri

Negative (2): Councillor McConkey, and Councillor Nicholson

Absent (2): Councillor Marks, and Councillor Neal

Carried (7 to 2)

ED-24-64 - City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 (All Wards)

Consent Motion:

That pursuant to Report ED-24-64 dated May 29, 2024, the Economic and Development Services Department be authorized to initiate the statutory public process under the Planning Act for Council to consider proposed City-initiated amendments to the Oshawa Official Plan and Zoning By-law 60-94, generally in accordance with Attachment 1 to said Report, together with the addition of a proposed new tenth amendment to the nine proposed amendment items contained in Attachment 1, that being an amendment to permit indoor agricultural production (excluding cannabis production) as a permitted use in appropriate Industrial Zones.

The vote to adopt the recommendation contained in Item ED-24-64.

Carried

ED-24-69 - Renaming of Bagot Street (Ward 3)

Consent Motion:

1. That, pursuant to Report ED-24-69 dated May 29, 2024, Bagot Street be renamed as Debwewin Miikan and the appropriate by-law be passed, and that the standard ex-gratia payment of \$250 provided to each property owner and tenant affected by the

street name change be charged to the 2024 Planning Services Operating Budget as set out in said Report; and,

2. That, pursuant to Report ED-24-69 dated May 29, 2024, staff be directed to proceed with the planning and implementation of the educational signage and awareness campaign associated with the renaming, together with a traditional Indigenous renaming ceremony, in collaboration with the Indigenous Working Group.

Moved by Councillor McConkey

Seconded by Councillor Marimpietri

That Item ED-24-69 be referred back to staff to review other options for names.

Affirmative (1): Councillor McConkey

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

Absent (2): Councillor Marks, and Councillor Neal

Lost (1 to 8)

The vote to adopt the recommendation contained in Item ED-24-69.

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

Absent (2): Councillor Marks, and Councillor Neal

Carried (9 to 0)

ED-24-72 - Results of Stage 3 of the Integrated Major Transit Station Area Study for Central Oshawa (Ward 4 and 5)

Consent Motion:

1. That, pursuant to Report ED-24-72 dated May 29, 2024, Oshawa City Council endorse Design Concept Number 2 as the Preferred Design Concept for the First Avenue/McNaughton Avenue corridor between Simcoe Street South and Ritson Road South, as generally depicted in Attachment 9 of said Report; and,
2. That, pursuant to Report ED-24-72 dated May 29, 2024, Oshawa City Council endorse in principle maintaining First Avenue/McNaughton Avenue between Simcoe Street South and Ritson Road South as a two lane road, but direct staff to continue to investigate with Parsons the merits of a larger 30 metre road right-of-way to accommodate future transit lanes as well as expanded sidewalks and boulevards, and to investigate with the parties the option of other bus transit links from Ritson Road South and Simcoe Street South into the GO station site via Albany Street and/or Elena Avenue; and,

3. That, pursuant to Report ED-24-72 dated May 29, 2024, staff be authorized to schedule Public Information Centre Number 4 to be held in the third quarter of 2024, to be held at Oshawa City Hall in-person but also offering a virtual forum, for the purpose of presenting for public review and input a final recommended Land Use Plan and Urban Design Guidelines, and a Preliminary Design for the Preferred Design Concept for the Integrated Major Transit Station Area Study; and,
4. That, pursuant to Report ED-24-72 dated May 29, 2024, staff be authorized to provide notice of the public consultation process for Stage 4 of the Integrated Major Transit Station Area Study as generally outlined in Subsection 5.3.1.1 of said Report; and,
5. That, pursuant to Report ED-24-72 dated May 29, 2024, Parsons Inc. provide a presentation to the Economic and Development Services Committee giving an update on the progress of Stage 4 of the Integrated Major Transit Station Area Study, prior to the holding of Public Information Centre Number 4; and,
6. That, pursuant to Report ED-24-72 dated May 29, 2024, upon concluding the public consultation process for Stage 4 of the Integrated Major Transit Station Area Study, staff be directed to report back to the Economic and Development Services Committee with the results of the public consultation.

The vote to adopt the recommendation contained in Item ED-24-72.

Carried

ED-24-73 - The Proposed Terms of Reference for undertaking updates to the Integrated Transportation Master Plan and Active Transportation Master Plan (All Wards)

Consent Motion:

That, pursuant to Report ED-24-73 dated May 29, 2024, concerning the proposed Terms of Reference for undertaking updates to the Integrated Transportation Master Plan and Active Transportation Master Plan, as generally set out in Attachment 1 to said Report, be approved, with the following amendments to the Terms of Reference:

1. Task 1.8: Alternative Transportation Scenarios: That alternative 4 be relabeled as “One additional Transportation Scenario” and the description be reworded accordingly.
2. 2.1.3 Phase 3: Development of Supporting Strategies, item 6, be amended to strike out “without negatively impacting road operations”.
3. Task 3.4: Transit be reworded as:

"The City’s ability to take actions to increase transit usage is focused primarily on land use and transportation network, and local transit service is provided by Durham Region Transit (“D.R.T.”), and regional transit service is provided by Metrolinx."

The vote to adopt the recommendation contained in Item ED-24-73.

Carried

ED-24-68 - Bloor-Simcoe Intensification Study and Interim Control By-law 133-2023: Proposed City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94, and Draft Master Block Plan (Ward 5)

Consent Motion:

That, pursuant to Report ED-24-68 dated May 29, 2024 concerning the draft proposed Master Block Concept Plan and various City-initiated amendments to the Oshawa Official Plan and Zoning By-law 60-94 associated with the Bloor-Simcoe Intensification Study, staff be directed to further review and prepare a subsequent report and recommendation back to the Economic and Development Services Committee. This direction does not constitute or imply any form or degree of approval.

Moved by Councillor Marimpietri
Seconded by Councillor Chapman

That Item ED-24-68 concerning the Bloor-Simcoe Intensification Study be referred to staff for consideration as part of the Municipal Comprehensive Review of the Oshawa Official Plan and Interim Control By-law 133-2023 be repealed.

A request was made to divide the motion to vote on repealing the Interim Control By-law separately.

The request to divide the motion was ruled out of order by the Mayor.

Councillor Nicholson challenged the Mayor's ruling.

The vote to uphold the Mayor's ruling.

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

Negative (5): Councillor Giberson, Councillor Gray, Councillor Lee, Councillor McConkey, and Councillor Nicholson

Absent (2): Councillor Marks, and Councillor Neal

Lost (4 to 5)

A request was made to divide the motion to vote on Part 2 to repeal the Interim Control By-law separately.

The vote to refer Part 1 of Item ED-24-68 concerning the Bloor-Simcoe Intensification Study to staff for consideration as part of the Municipal Comprehensive Review of the Oshawa Official Plan.

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

Negative (4): Councillor Giberson, Councillor Gray, Councillor McConkey, and Councillor Nicholson

Absent (2): Councillor Marks, and Councillor Neal

Carried (5 to 4)

The vote on Part 2 of Item ED-24-68 to repeal Interim Control By-law 133-2023.

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

Negative (1): Councillor Giberson

Absent (2): Councillor Marks, and Councillor Neal

Carried (8 to 1)

Moved by Councillor Marimpietri
Seconded by Councillor Chapman

That By-law 92-2024 being a by-law to repeal Interim Control By-law 133-2023 be added to the agenda for the June 24, 2024 Council meeting and that the by-law be passed.

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

Absent (2): Councillor Marks, and Councillor Neal

Carried (9 to 0)

Moved by Councillor Chapman
Seconded by Councillor Kerr

That the meeting recess for 10 minutes.

The meeting recessed at 4:13 p.m. and reconvened at 4:25 p.m. with all members of Council in attendance except Councillors Marks and Neal who were absent.

Carried

SF-24-32 - Laura Barton Submitting Correspondence Requesting a Maximum Heat Allowance By-law (All Wards)

Consent Motion:

That Correspondence SF-24-32 dated May 22, 2024 from Laura Barton requesting a Maximum Heat Allowance By-law be received for information.

Moved by Councillor Chapman
Seconded by Councillor Marimpietri

That Item SF-24-32 be referred to staff to explore and examine and report back to the Safety and Facilities Committee.

Carried

SF-24-28 - Amendment to Fireworks By-Law 59-2014 – Special Occasion Fireworks (All Wards)

Consent Motion:

Whereas at its meeting of May 27, 2024 Council directed staff investigate amending the Fireworks By-law, where upon receiving a reasonable request, the Chief Fire Official may grant an exemption for consumer fireworks to be discharged for a special occasion and to report back to the June 10, 2024 Safety and Facilities Committee meeting; and,

Whereas this Motion identified that under the Fireworks By-law 59-2014 (the “Fireworks By-law”), community members can only Discharge Consumer Fireworks on their private property without a permit, between dusk and 11:00 p.m., on Victoria Day, Canada Day and the celebration known as Diwali Day; and,

Whereas there are other days when community members may wish to Discharge Fireworks to celebrate special events; and,

Whereas the Fire Chief has provided amendments to Fireworks By-law in Attachment 1 to allow for the Discharge of Consumer Fireworks for special occasions;

Therefore be it resolved that pursuant to Item SF-24-28:

1. That Council pass a By-law as outlined in Attachment 1 to this Item to further amend Fireworks By-Law 59-2014, as amended; and,
2. That the By-law be in a final form and content acceptable to the City Solicitor and the Commissioner, Safety and Facilities Services.

The vote to adopt the recommendation contained in Item SF-24-28 and pass related By-law 85-2024.

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

Negative (1): Councillor McConkey

Absent (2): Councillor Marks, and Councillor Neal

Carried (8 to 1)

SF-24-30 - Amendment to the Trespass Policy and Procedure and By-law 50-2021 (All Wards)

Consent Motion:

Whereas the City of Oshawa is committed to making reasonable efforts to provide an inclusive healthy, safe and respectful environment for everyone at its facilities; and,

Whereas City Facilities is defined in the City’s Trespass Policy and Procedure and Trespass By-law 50-2021 as all physical property, buildings, facilities, land, premises, goods and other assets owned, leased and/or maintained by the Corporation of the City of Oshawa; and,

Whereas City Facilities are accessed for a variety of purposes, including work, recreation and cultural activities, and for accessing municipal and other programs and services, along with further public participation for democratic purposes; and,

Whereas the City recognizes that the majority of individuals use City Facilities in a responsible manner; and,

Whereas there are certain instances where individuals engage in inappropriate activities, which compromise the health, safety and well-being or others and their enjoyment and use of City Facilities; and,

Whereas through the Trespass Policy and Procedure, the City established corporate standards to address Prohibited Conduct at City Facilities as well as the issuance of a Trespass Notice pursuant to the Trespass to Property Act, R.S.O. 1990, c. T21 and the City's Trespass By-law 50-2021; and,

Whereas there are certain instances where individuals engage in multiple offences contrary to the Trespass Policy and Procedure and the Trespass By-law 50-2021, presenting a danger to the public; and,

Whereas the current Trespass Policy and Procedure and the Trespass By-law 50-2021 does not identify a means to address persistent repeat offences, or situations that endanger public safety;

Therefore be it resolved that pursuant to Item SF-24-30, the Trespass Policy and Procedure and Trespass By-law 50-2021 be amended to include a subsequent written notice of trespass, for a 20-year duration, authorized by the C.A.O., to address persistent repeat offences and situations that endanger public safety, all of which present an immense danger to the public and staff.

The vote to adopt the recommendation contained in Item SF-24-30 and pass related By-law 86-2024.

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

Negative (1): Councillor McConkey

Absent (2): Councillor Marks, and Councillor Neal

Carried (8 to 1)

SF-24-25 - Automated Speed Enforcement Investigation and Proposed Program (All Wards)

Consent Motion:

That based on Report SF-24-25, dated June 5, 2024 concerning Automated Speed Enforcement Investigation and Proposed Program:

1. That the proposed Automated Speed Enforcement program model be approved in principle as detailed in Section 5.5 of this Report; and,
2. That Council pass an Automated Speed Enforcement Administrative Monetary Penalty By-law, and in a final form and content satisfactory to the City Solicitor, the Commissioner, Community and Operations Services Department and the Commissioner, Safety and Facilities Services Department that is in compliance with the legislated requirements of the Highway Traffic Act, R.S.O. 1990, c. H.8 O. Reg. 355/22 – Administrative Penalties for Contraventions Detected Using Camera Systems; and,

3. That Council pass a By-law to amend Screening and Hearing Officer By-law 17-2024 that is in compliance with the appeal requirements as legislated by the Highway Traffic Act, R.S.O. 1990, c. H.8 O. Reg. 355/22 – Administrative Penalties for Contraventions Detected Using Camera Systems and in a final form and content satisfactory to the City Solicitor and the Commissioner, Safety and Facilities Services Department; and,
4. That Council pass a By-law to further amend Delegation of Authority By-law 29-2009, as amended to authorize the Commissioner, Safety and Facilities Services Department and/or the Director, Municipal Law Enforcement and Licensing Services to execute agreements with the Ministry of Transportation and the Ministry of the Attorney General to implement an Automated Speed Enforcement program under the Administrative Penalty enforcement model, in accordance with the Municipal Act, 2001, S.O. 2001, c. 25 and in a final form and content satisfactory to the City Solicitor and the Commissioner, Safety and Facilities Services Department.

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

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

Absent (2): Councillor Marks, and Councillor Neal

Carried (9 to 0)

CNCL-24-69 - Feasibility of Short-Term On-Street Parking on the South Side of King Street between McMillan Drive and Centre Street (Ward 4)

Consent Motion:

Whereas at its meeting on June 10, 2024, the Community and Operations Services Committee passed the following Motion:

“That staff investigate the feasibility of adding short-term on-street parking to the South side of King Street, between McMillan and Centre, to provide additional on-street parking options for Downtown visitors; and,

That staff report back to Council on June 24, 2024 on feasibility, cost and timing.”, and;

Whereas in collaboration with Economic and Development Services, Community and Operations Services staff can confirm that five (5) parking spaces could be safely added to the south side of King Street between McMillan Drive and Centre Street, subject to any third party permits and approvals; and,

Whereas the addition of short-term on-street parking to the south side of King Street would have minimal impact to the southbound turn lane at the intersection of King Street and Centre Street; and,

Whereas King Street, west of McMillan Drive may be modified as a right turn only lane to avoid any traffic congestion created by the addition of the five (5) parking spaces; and,

Whereas consultation with Durham Region Works Department would be required prior to any implementation as Centre Street is a Regional road; and,

Whereas the consideration of On-Street Parking aligns with the Horizontal Traffic Calming Measure outlined on Page 28 of the Neighbourhood Traffic Management Guide (N.T.M.G.), with a primary purpose of Speed Reduction by allowing vehicles to park parallel to the curb, and effectively reducing the width of the road, reducing speed and through traffic; and,

Whereas the addition of short-term on-street parking to the south side of King Street, between McMillan Drive and Centre Street, would complement and support the City's Downtown Gateway initiatives; and,

Whereas the addition of on-street parking to the south side of King Street, between McMillan Drive and Centre Street, would provide additional convenient parking options for Downtown visitors and local businesses; and,

Whereas installation work can commence immediately using City resources; and,

Whereas materials related to line painting, signage and a new pay-by-plate machine is estimated to cost approximately \$15,000; and,

Whereas the estimated cost of \$15,000 can be funded from the Operations Reserve;

Therefore be it resolved that in accordance with Item CNCL-24-69 dated June 24, 2024, concerning the Feasibility of Short-Term On-Street Parking on the South Side of King Street between McMillan Drive and Centre Street:

1. That Council approve the addition of five (5) on-street parking spaces to the south side of King Street, between McMillan Drive and Centre Street; and,
2. That City staff enter into an agreement, if required, with the Regional Municipality of Durham in a form and content satisfactory to the Commissioner, Community and Operations Services and the City Solicitor, and executed by the Commissioner, Community and Operations Services; and,
3. That the costs associated with the installation work for the addition of on-street parking be funded from the Operations Reserve; and,
4. That Traffic By-law 79-99 as amended, be further amended to incorporate the five (5) additional parking spaces on the south side of King Street between McMillan Drive and Centre Street.

The vote to adopt the recommendation contained in Item CNCL-24-69 and pass related By-law 88-2024.

Carried

CNCL-24-71 - Draft Oshawa Strategic Plan 2024-2027: Innovate. Belong. Care. Lead. (All Wards)

Consent Motion:

That in accordance with Report CNCL-24-71, dated June 19, 2024, the Draft Oshawa Strategic Plan 2024 – 2027: Innovate. Belong. Care. Lead., be approved.

The vote to adopt the recommendation contained in Report CNCL-24-71.

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

Absent (2): Councillor Marks, and Councillor Neal

Carried (9 to 0)

CNCL-24-73 - City of Oshawa 2024 Development Charge Background Study (All Wards)

Councillor Giberson declared a conflict on this item. (Councillor Giberson made a declaration of interest concerning an amendment to add the following as Part 10: 'That the development charge exemption for financial institutions be set at 100%' as he is an officer and director at the financial institution Pathwise Credit Union, 322 King Street West, Oshawa and did not take part in discussion or voting on the amendment. ;)

Consent Motion:

1. That the Development Charge By-law as set out in Appendix G of the Development Charge Background Study, dated June 19, 2024, be approved, and passed in a form and content satisfactory to the Commissioner of Corporate and Finance Services and the City Solicitor; and,
2. That the effective date of the Development Charge By-law as set out in Appendix G of the Development Charge Background Study Report dated June 19, 2024, be July 1, 2024; and,
3. That the City of Oshawa 2024 Development Charge Background Study dated April 25, 2024, and related Addendum, constituting Council's Development Charge Background Study for the purposes of Section 10 of the Development Charges Act, 1997, be approved; and,
4. That the capital project listing set out in Chapter 5 of the Development Charge Background Study dated April 25, 2024, as amended per the Addendum be approved, subject to further annual review during the capital budget process; and,
5. That Council determines that no further public meeting is required; and,
6. That the Development Charge approach to calculate the charges on a uniform City-wide basis for all services and class of services, be adopted; and,
7. That Council requests, whenever appropriate, that grants, subsidies and other contributions be clearly designated by the donor as being to the benefit of existing development or new development, as applicable; and,
8. That the assumptions contained herein as an 'anticipation' with respect to capital grants, subsidies, and other contributions, be adopted.

Amendment:

Moved by Councillor Nicholson
Seconded by Councillor Marimpietri

That the recommendation be amended to add the following as Part 9: 'That the development charge exemption for medical clinics be increased from 50% to 100%.'

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

Negative (1): Councillor McConkey

Absent (2): Councillor Marks, and Councillor Neal

Carried (8 to 1)

Amendment:

Moved by Councillor Nicholson
Seconded by Councillor Marimpietri

That the recommendation be amended to add the following as Part 10: 'That the development charge exemption for financial institutions be set at 100%.'

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

Negative (2): Councillor Lee, and Councillor McConkey

Conflict (1): Councillor Giberson

Absent (2): Councillor Marks, and Councillor Neal

Carried (6 to 2)

Amendment:

Moved by Councillor Nicholson
Seconded by Councillor Marimpietri

That the recommendation be amended to add the following as Part 11: 'That the development charge exemption for rental residential properties be set at 100%.'

Affirmative (2): Councillor Giberson, and Councillor Nicholson

Negative (7): Mayor Carter, Councillor Chapman, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, and Councillor McConkey

Absent (2): Councillor Marks, and Councillor Neal

Lost (2 to 7)

The vote to adopt the recommendation contained in Item CNCL-24-73, as amended.

Affirmative (7): Mayor Carter, Councillor Chapman, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, and Councillor Nicholson

Negative (2): Councillor Giberson, and Councillor McConkey

Absent (2): Councillor Marks, and Councillor Neal

Carried (7 to 2)

CNCL-24-76 - Request to Amend a Council Condition of Approval for an Application under the Urban Growth Centre Community Improvement Plan, 80 Bond Street East (Ward 4)

Consent Motion:

Whereas, on June 25, 2018, City Council considered Report DS-18-99 dated June 14, 2018 and approved, subject to conditions, an application submitted by Bond and Mary Development (Phase 2) Inc. (“B.M.D.I.”) under the Urban Growth Centre Community Improvement Plan for an Increased Assessment Grant, to facilitate the development of an 18 storey building with a minimum of 370 apartment units and 465 square metres of ground floor commercial space at 80 Bond Street East (see Attachment 1); and,

Whereas, B.M.D.I. entered into an Increased Assessment Grant agreement with the City, dated October 11, 2019 (the “Agreement”), which included provisions to ensure that certain performance criteria/conditions are met; and,

Whereas, among the original conditions of approval, B.M.D.I. was required to register a plan of condominium within 15 months of the first occupancy of the building; and,

Whereas, the building received full occupancy on August 21, 2023; and,

Whereas, B.M.D.I. originally intended to register the building as a condominium and use it as a condominium rental project; and,

Whereas, by letter dated June 12, 2024 (see Attachment 2), B.M.D.I. has requested an amendment to the Agreement to remove the condition to register the building as a plan of condominium, owing to the fact that the building is currently operating as a standard rental apartment building and they no longer wish to register a plan of condominium; and,

Whereas, as a result of discussions between City staff, staff would be supportive of amending the Agreement to remove the condition to register the building as a plan of condominium, with the understanding that this is a result of the building currently only operating as a standard rental apartment building (excluding the ground floor commercial component);

Therefore be it resolved:

1. That, Council reconsider its decision of June 25, 2018 concerning Report DS-18-99 dated June 14, 2018 regarding an application under the Urban Growth Centre Community Improvement Plan and other requested incentives, 80 Bond Street East, Bond and Mary Development (Phase 2) Inc. (Hans Jain) as follows:

“Part 2. That Bond and Mary Development (Phase 2) Inc. enter into an agreement with the City setting out performance criteria related to the approval of the Increased

Assessment Grant under the City's Urban Growth Centre Community Improvement Plan including, but not limited to:

- B.M.D.I. must agree to register a plan of condominium within 15 months of the first occupancy of the building;”.

2. That, pursuant to Item CNCL-24-76, the Commissioner, Economic and Development Services Department be authorized to execute an appropriate amending agreement to the Increased Assessment Grant agreement dated October 11, 2019, with Bond and Mary Development (Phase 2) Inc., to remove the condition to register the building as a plan of condominium, subject to the amending agreement being in a form and content satisfactory to the Commissioner, Economic and Development Services Department, and the City Solicitor.

The vote on Part 1 of the recommendation contained in Item CNCL-24-76 to reconsider Council's decision of June 25, 2018 concerning Report DS-18-99. **(Requires 2/3 vote of members present.)**

Carried

The following recommendation concerning Item DS-18-99 was now before Council:

That Bond and Mary Development (Phase 2) Inc. enter into an agreement with the City setting out performance criteria related to the approval of the Increased Assessment Grant under the City's Urban Growth Centre Community Improvement Plan including, but not limited to:

- B.M.D.I. must agree to register a plan of condominium within 15 months of the first occupancy of the building;”.

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

Absent (2): Councillor Marks, and Councillor Neal

Lost (0 to 9)

The vote to adopt Part 2 of the recommendation contained in Item CNCL-24-76.

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

Absent (2): Councillor Marks, and Councillor Neal

Carried (9 to 0)

CNCL-24-81 - City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 (All Wards)

Councillor Giberson declared a conflict on this item. (Councillor Giberson made a declaration of interest concerning Report CNCL-24-81 regarding City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 as he is the officer and a director of a non-profit corporation 442534

Ontario Incorporated, Mosaic Non-Profit Housing operating Parkview Place Senior Housing which has expressed interest in the Durham Region-owned lands at 300 Ritson Road South and did not take part in discussion or voting on the matter.)

Consent Motion:

Whereas, on June 3, 2024, the Economic and Development Services Committee passed a motion recommending that City Council approve the following:

“That, pursuant to Report ED-24-64 dated May 29, 2024, the Economic and Development Services Department be authorized to initiate the statutory public process under the Planning Act for Council to consider proposed City-initiated amendments to the Oshawa Official Plan and Zoning By-law 60-94, generally in accordance with Attachment 1 to said Report, together with the addition of a proposed new tenth amendment to the nine proposed amendment items contained in Attachment 1, that being an amendment to permit indoor agricultural production (excluding cannabis production) as a permitted use in appropriate Industrial Zones”; and,

Whereas, City staff will proceed to hold the statutory Planning Act public meeting regarding the above noted City-initiated amendments at the next available Economic and Development Services Committee meeting on September 9, 2024 in the event City Council, at its meeting of June 24, 2024, authorizes staff to do so; and,

Whereas, the City of Oshawa has received a pre-consultation application for the lands at 300 Ritson Road South, being the former Ritson Public School (the “Subject Site”), from the Affordable Housing Development and Renewal Division of the Region of Durham, proposing to develop the lands for affordable housing and community uses; and,

Whereas, the Region’s proposal would necessitate a site-specific Official Plan Amendment to the City of Oshawa Official Plan to permit the proposed form of High Density II Residential development in the context of the Subject Site at a proposed residential density of approximately 231 units per hectare; and,

Whereas, the Subject Site is located adjacent to Ritson Road South and Olive Avenue which are classified as Type “B” and “C” Arterial Roads, respectively, as shown on Schedule ‘B’, Road Network, of the Oshawa Official Plan, and is situated within the Major Transit Station Area related to the future Central Oshawa GO Station, which is currently the subject of an on-going Integrated Major Transit Station Area Study for Central Oshawa, which generally identifies a density target of 150 to 300 people and jobs/hectare in the vicinity of the Subject Site; and,

Whereas, the Province of Ontario has tasked the City with delivering 23,000 new housing units in Oshawa between 2022 and 2031; and,

Whereas, the encouragement of the development of affordable housing units has been expressed at every level of government, including in Section 6.2 of the Oshawa Official Plan, which targets a minimum of 25% of new residential development and residential intensification to be affordable housing; and,

Whereas, the expedited delivery of affordable housing units advances the Social Equity goal of the Oshawa Strategic Plan;

Therefore be it resolved that, pursuant to Item CNCL-24-81, the Economic and Development Services Department be authorized to include, as part of the current round of City-initiated amendments to the Oshawa Official Plan and Zoning By-law 60-94 contemplated by Report ED-24-64 and as recommended by the Economic and Development Services Committee on June 3, 2024, an additional new eleventh amendment, that being a site-specific amendment to the Oshawa Official Plan to permit the form of High Density II Residential development publically proposed by the Region of Durham in the context of the lands under its ownership at 300 Ritson Road South at a maximum density of generally 231 units per hectare.

The vote to adopt the recommendation contained in Item CNCL-24-81.

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

Conflict (1): Councillor Giberson

Absent (2): Councillor Marks, and Councillor Neal

Carried (8 to 0)

CNCL-24-82 - Canada Community Building Fund Agreement (All Wards)

Consent Motion:

Whereas the Canada Community Building Fund (“C.C.B.F.”), or formerly the Federal Gas Tax, provides permanent and stable federal funding for local infrastructure projects including expenditures associated with acquiring, planning, designing, constructing, or renovating tangible capital assets; and,

Whereas the Association of Municipalities of Ontario (“A.M.O.”) administers the C.C.B.F. program on behalf of the Federal government; and,

Whereas the City of Oshawa (“City”) entered into an agreement with A.M.O. in March 2014 to receive C.C.B.F. program funding for a period of 10 years, and which has now expired on March 31, 2024; and,

Whereas the City received correspondence from A.M.O. on June 14, 2024, with a renewed 10-year Municipal Funding Agreement (“M.F.A.”) to be executed and as a condition of the agreement, the City Council must pass a By-law authorizing the M.F.A. as proposed in Attachment 1 to this Report; and,

Whereas the City has received funding from the C.C.B.F. program of \$57.3 million from 2014 through to 2023, which has been utilized to fund or partially fund the capital infrastructure requirements of the community; and,

Whereas the funding allocation amount for the first 5 years (or from 2024 to 2028) of the renewed M.F.A. is approximately \$28.9 million and will be used to fund future capital infrastructure needs;

Therefore, be it resolved that pursuant to Item CNCL-24-82 dated June 19, 2024:

1. The City enter into the renewed M.F.A. agreement with A.M.O. and the authorizing By-law as outlined in Attachment 1 be passed; and,

2. That the Chief Administrative Officer and the Commissioner, Corporate and Finance Services/City Treasurer be authorized to sign the M.F.A. agreement in consultation with the City Solicitor.

The vote to adopt the recommendation contained in Report CNCL-24-82 and pass related By-law 87-2024.

Carried

Items Pulled from the Information Package

None

Closed Consent Agenda

Moved by Councillor Chapman
Seconded by Councillor Giberson

That all items listed under the heading of Closed Consent Agenda for the City Council Meeting dated June 24, 2024 be adopted as recommended except the following:

Item ED-24-84 from the Thirty-fourth report of the Economic and Development Services Committee; and,

Reports CNCL-24-70 and CNCL-24-77.

Carried

Correspondence with recommendations

CNCL-24-84 - Offer to Purchase a Property on Veterans Road (Ward 5)

That Correspondence CNCL-24-84 concerning an offer to purchase a property on Verterans Road be referred to staff for a report.

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-24-79 - Proposed Leasehold Improvements and Amending Agreements Concerning City-owned Land at 115 Grassmere Avenue (Ward 5)

1. That, pursuant to Closed Report ED-24-79 dated May 29, 2024, the Durham Community Health Centre's proposal as contained in Attachment 3 of Closed Report ED-24-79 be approved, in principle, subject to the final design drawings being

completed to the satisfaction of the Commissioner, Economic and Development Services Department, in consultation with the Commissioner, Safety and Facilities Department; and,

2. That, pursuant to Closed Report ED-24-79 dated May 29, 2024, the Commissioner, Economic and Development Services Department be authorized to amend the existing Funding and Operating Agreement dated July 19, 2007, between the City of Oshawa and the Durham Community Health Centre for the City-owned land located at 115 Grassmere Avenue, generally consistent with the terms and conditions as set out in Section 5.4 of said Closed Report and in a form and content satisfactory to the Commissioner, Economic and Development Services Department, and City Solicitor; and,
3. That, pursuant to Closed Report ED-24-79 dated May 29, 2024 and subject to the approval of Parts 1 and 2 above, the Commissioner, Economic and Development Services Department, be authorized to execute any required permits or agreements insupport of the Durham Community Health Centre’s proposal, generally as contained in Attachment 3 of said Closed Report ED-24-79.

ED-24-83 - Update on Expropriation of Part of the Lands Known Municipally as 505 Simcoe Street (Ward 5)

That, the Commissioner, Economic and Development Services Department, and the City Solicitor be authorized to provide the registered owner of the Site with an offer in accordance with Section 25(1)(a) of the Expropriations Act for full compensation for the registered owner’s interest in the Site, plus applicable interest owing, as outlined in Closed Item ED-24-83, as well as pay out the registered owner’s reasonable legal costs upon receipt of a cost outline from their counsel.

ED-24-66 - Fourth Update on Matters Related to the Oshawa-to-Bowmanville GO Rail Extension (All Wards)

That, pursuant to Closed Report ED-24-66 dated May 29, 2024 regarding a fourth update on matters related to the Oshawa-to-Bowmanville GO Rail Extension, Council adopt the recommendation as outlined in the Report.

Report of the Safety and Facilities Services Committee

None

Other Staff Reports and Motions

CNCL-24-66 - City of Oshawa Support for the Metrolinx GO Expansion – On Corridor Program (Ward 5)

That pursuant to Closed Item CNCL-24-66 concerning City of Oshawa support for the Metrolinx GO Expansion – On Corridor Program, the Chief Administrative Officer be authorized to sign the letter as generally shown in Attachment 1 and that said letter be in a form and content satisfactory to the Chief Administrative Officer, Commissioner, Economic and Development Services Department, and the City Solicitor.

CNCL-24-67 - Second Update on the Appeal of Council's Denial of an Application to Demolish 195 Simcoe Street North (Ward 4)

That pursuant to Closed Item CNCL-24-67 concerning an update on the appeal of Council's denial of an application to demolish 195 Simcoe Street North, City staff be authorized to proceed as set out in said Closed Item CNCL-24-67.

Closed Discussion Agenda

Matters Excluded from Consent Agenda

Moved by Councillor Chapman
Seconded by Councillor Nicholson

That the meeting recess for 10 minutes.

The meeting recessed at 6:15 p.m. and reconvened at 6:25 p.m. with all members of Council in attendance except Councillors Gray (entered the meeting at 6:31 p.m.), Marks, McConkey and Neal who were absent.

Carried

ED-24-84 - City-owned land located on the south side of Athol Street East, between Celina and Albert Street (Ward 4)

Consent Motion:

That, pursuant to Closed Item ED-24-84, the Commissioner, Economic and Development Services Department, be authorized to enter into negotiations with Post Office LP (Atria Development) Corp. ("Atria") for the Subject Site, in accordance with the process outlined in said Closed Item.

Moved by Councillor Giberson
Seconded by Councillor Lee

That ED-24-84 be deferred until substantial progress is advanced on CNCL-24-29 Parking Utilization Survey in Downtown and CNCL-24-89 Strategic Priorities for Municipally-owned Lands, in order to appropriately inform future uses and needs of the property in question.

Affirmative (2): Councillor Giberson, and Councillor Lee

Negative (5): Mayor Carter, Councillor Chapman, Councillor Gray, Councillor Kerr, and Councillor Nicholson

Conflict (1): Councillor Marimpietri

Absent (3): Councillor Marks, Councillor McConkey, and Councillor Neal

Lost (2 to 5)

The vote to adopt the recommendation contained in Item ED-24-84.

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

Negative (1): Councillor Giberson

Conflict (1): Councillor Marimpietri

Absent (3): Councillor Marks, Councillor McConkey, and Councillor Neal

Carried (6 to 1)

CNCL-24-70 - Request to Amend a Licence Agreement to Permit the Use of Parking Spaces in the Mary Street Parking Garage located at 1 Mary Street North (Ward 4)

Consent Motion:

1. That, Council reconsider its decision of March 9, 2015 concerning Item CS-15-60 regarding a licence agreement to permit the use of parking spaces in the Mary Street Parking Garage located at 1 Mary Street North, generally in accordance with Item CNCL-24-70; and,
2. That, pursuant to Item CNCL-24-70, the Mayor and Clerk be authorized to execute an appropriate amending agreement to permit the use of parking spaces in the Mary Street Parking Garage located at 1 Mary Street North, with revised key terms as generally outlined in said Item, in a form and content to the satisfaction of the Commissioner, Community and Operations Services Department, and the City Solicitor.

The vote on Part 1 of the recommendation contained in Item CNCL-24-70 to reconsider Council's decision of March 9, 2015 concerning Item CS-15-60. **(Requires majority vote of members present.)**

Carried

The following recommendation concerning a licence agreement to permit the use of parking spaces in the Mary Street Parking Garage located at 1 Mary Street North was now before Council:

3. For the remaining 20 years of the term, B.M.D.I.:
 - a. Shall, on or before January 15, 2022, notify the City in writing of the number of spaces (up to but not exceeding 85 that it elects to license from the City for the remaining twenty (20) years of the term; and,
 - b. Shall have no right to increase or decrease the number of spaces licensed to it for the remainder of the term;

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

Absent (3): Councillor Marks, Councillor McConkey, and Councillor Neal

Lost (0 to 8)

The vote on Part 2 of the recommendation contained in Item CNCL-24-70.

Carried

CNCL-24-77 - YOO Aviation Ltd. - Status Update (Ward 2)

Consent Motion

1. That Council reconsider its previous decision of May 24, 2022 concerning Yoo Aviation - Status Update ; and,
2. That staff be directed to proceed as outlined in Item CNCL-24-77.

The vote on Part 1 of the recommendation contained in Item CNCL-24-77 to reconsider Council's previous decision of May 24, 2022 concerning Yoo Aviation - Status Update. **(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 Nicholson

Absent (3): Councillor Marks, Councillor McConkey, and Councillor Neal

Carried (8 to 0)

The following recommendation concerning Yoo Aviation - Status Update was now before Council:

"That staff be authorized to proceed as directed in the recommendation contained in Section 5.3 of Report CNCL-22-42 dated May 18, 2022."

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

Absent (3): Councillor Marks, Councillor McConkey, and Councillor Neal

Lost (0 to 8)

The vote to adopt Part 2 of the recommendation contained in Item CNCL-24-77.

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

Absent (3): Councillor Marks, Councillor McConkey, and Councillor Neal

Carried (8 to 0)

Items Requiring Council Direction

None

Matters Tabled

None

Notices of Motion

CNCL-24-86 - Pilot Program to Welcome New Residents to Oshawa (All Wards)

Whereas many municipalities have programs for welcoming new residents;

Now therefore the City of Oshawa CAO, Finance Services and Economic & Development Services investigate options to initiate a new pilot program to welcome new residents to Oshawa, with consideration of various potential of opportunities that might involve the Oshawa Libraries, the Greater Oshawa Chamber of Commerce and Oshawa service club associations and organizations, that might be implemented in such ways as, for example:

- a. when the finance department sends the first tax bill to new residential property owner, the City Treasurer include a short paragraph Welcoming New Residents; and,
- b. indicate that a that a group of local organizations have assembled a welcome bag that includes “some items and coupon certificates from local businesses”; and,
- c. a pass from the City for new residents to test out the community centre fitness centre, swimming pool or ice skating and enjoy a complimentary Museum tour; and,
- d. that the bag is available by pick up only by bringing the City letter to the public library (giving city library locations and phone number); and,
- e. also a notice that if the new residents are dog owners, that all dogs must be licensed and wear a current dog tag and provides an easy-to use online service to register dogs;

with the goal is to be supportive to the City’s new residents.

As Councillor McConkey was not in attendance to move the Notice of Motion it will be placed on the next Council Meeting Agenda.

CNCL-24-89 - Strategic Priorities for Municipally-owned Lands (All Wards)

Whereas the City of Oshawa is the owner of various parcels of land and from time to time matters relating to the sale of land are brought to Council; and,

Whereas these properties are often in strategic and high-value locations that may serve a multitude of sometimes complementary and conflicting priorities, and Oshawa City Council currently does not have any unified, clear strategic direction on how they should be used, resulting in a case-by-case treatment of these properties on questions of future use and future sale; and,

Whereas once a property is sold, any future opportunities to act in a strategic manner is lost; and,

Whereas there is a national housing affordability crisis that has demanded the response of all orders of government with growing calls to use publicly-owned land for affordable housing outcomes, and across Canada there are numerous examples of lower-tier orders of government acting in accordance with this approach; and,

Whereas the City of Oshawa has on several instances in the past demonstrated a willingness and success in using lands owned by the municipality for this purpose;

Therefore be it resolved that Oshawa City Council direct staff to engage the public and stakeholders to identify areas considered to be strategic priorities for municipally-owned lands, including using

these lands as leverage in achieving objectives for housing affordability in response to the national crisis, and to engage with the Region of Durham Housing division on the same question, and to report back to Council by fourth quarter 2024.

Councillor Giberson did not wish to proceed with this Notice of Motion. It will be placed on the next Council Meeting Agenda.

CNCL-24-90 - Streetscape Improvements to King Street through the Downtown Area (Ward 4)

Whereas in the 2023 budget, Council approved the final phase of the King Street sidewalk widening project between MacMillan Drive and King Street West; and,

Whereas the project scope was increased to include further streetscape improvements to add massing and visual appeal to the public realm, including additional planters, seating, greenery, and visual elements; and,

Whereas the improvements were intended to also function as a pilot for the rest of the widened sidewalk along King Street through the downtown and feedback on the improvements has been positive;

Therefore be it resolved that Oshawa City Council direct staff to implement similar streetscape improvements along King Street through the downtown and that the improvements be funded from the Downtown Reserve.

A Councillor Marks was not in attendance to second this Notice of Motion it will be placed on the next Council Meeting Agenda.

CNCL-24-92 - 200 AMP Service Requirement Policy (All Wards)

Whereas Oshawa MPP Jennifer French, official Infrastructure, Highways, and Transportation opposition critic, has been championing changes to ensure Ontario homes are EV-ready; and,

Whereas Lana Payne, National President, Unifor is quoted as saying “Ontario is positioning itself as a leader in North American EV production. Tens of thousands of jobs in this province will depend on a well-functioning EV supply chain. However, it is crucial that our infrastructure evolves in a way that both supports this shift towards zero emission vehicle options and, in turn, good jobs here at home.” and,

Whereas Oshawa Power CEO Daniel Arbour also recently at the Oshawa Power AGM June 13, 2024 advocated i) the benefits to the City of Oshawa of approving a new 200 amp service policy to new residential construction, and ii) maintained the cost to developers is not high, and iii) that other municipalities, like Kingston, have introduced policies to ensure new development homes are equipped with 200 amp service;

Now therefore the City staff provide a report to committee and council on a 200 amp service requirement policy applying to new residential construction, and provide in the report options available to Council.

As Councillor McConkey was not in attendance to move this Notice of Motion it will be placed on the next Council Meeting Agenda.

CNCL-24-93 - Installation of a Porta-toilet at Mount Joy Park (Ward 1)

Whereas Mount Joy Park on Coldstream and Clearbrook Dr is a high use park and, this summer in particular, there is an increased number of youth baseball practices and games; and,

Whereas due to the lack of washrooms available the Ward Councillors and City staff were notified last week that girl's team members have had to resort to using the bushes;

Whereas this has caused consternation for the coaches and families who are now asking for a porta-toilet to be installed this summer;

Therefore City staff be given delegated authority to install a porta-toilet at Mount Joy Park this summer with funding made available from an appropriate reserve to be determined by the City's Commissioner of Finance Services

As Councillor McConkey was not in attendance to move this Notice of Motion it will be placed on the next Council Meeting Agenda.

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 Gray

That the meeting adjourn at 6:40 p.m.

Affirmative (7): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Kerr, Councillor Lee, Councillor Marimpietri, and Councillor Nicholson

Negative (1): Councillor Gray

Absent (3): Councillor Marks, Councillor McConkey, and Councillor Neal

Carried (7 to 1)

Mayor

City Clerk